
Colonial Durham Associates | Mill Plaza

**Architectural and Site Design:
Please Revisit Buildings B & C**

Conditional Use Permit Criteria; Architectural Design Regulations
Mill Plaza / Colonial Durham Associates

For the Planning Board, Durham, NH
February 9, 2022
by Robin Mower

Architectural Design Regulations

Three-and-a-Half Years Ago

On June 27, 2018, the applicant presented 3-D images depicting many perspectives of the site were the project to be built at that time.

See slides in the [Applicant's Presentation 6-27-18](#)

See DCAT recording of Planning Board meeting [here](#).

The next slide shows a “panorama” view from that presentation, facing north.

Harriman Presentation June 27, 2018 (May 23, 2018 site plan)

Rendering Looking North: “Standing in the Brook”*

[Applicant's Presentation 6-27-18](#)



This image is the only rendering submitted that shows the entire width of the redevelopment.

Changes have been made since then.

Building B



- (1) Height: 4 stories now, instead of 3
- (2) Location: closer to College Brook
- (3) 22-foot-deep patio for outdoor dining added on south side

Building C



* Harriman architect Sharon Ames, [6/27/18 Planning Board meeting on DCAT](#)

Architectural Design Regulations

No Current Complete Set of 3D Images

Significant changes have been made in the 43 months since the May 23 and June 27, 2018 submissions, both to the site plan and to the architecture. These include building heights, locations, and materials, e.g., amount of brick.

These changes to Building B shown in the December plan are most notable:

- (1) height: 4 stories instead of 3**
- (2) location: closer to College Brook**
- (3) adds a 22-foot-deep patio/outdoor dining area on the south edge**

We need an update to the mid-2018 3D/perspectives presentation.

(Do Board members really have a clear sense of what they will see when doors open?)

View from Faculty Road/Garden Lane Today



The Orion student housing project on Main Street **maintains the character** of both Church Hill and the Faculty Neighborhood, with a compatible “New England” architectural vernacular.

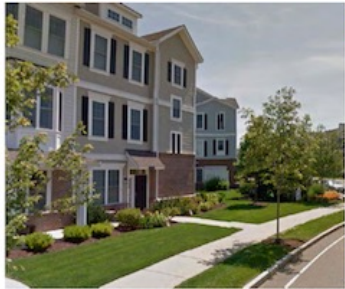
For more examples, see my **extensive slide presentation** comparing “neighborhood” architectural “character,” accompanying my letter to the Board dated [October 6, 2021](#). Note that it’s **not just OFF-site incompatibility but also incompatibility ON-site with Building A**, which may get a new façade to match Hannaford’s New England-style standard design.

Design Precedents: Harriman, October 2016

Design Precedents

Mill Road Plaza

Retail/ Residential



Retail/Residential



Retail/Residential



Design Review submissions are not binding, but . . .

What happened?

Is the community at large expecting something like this? (Many people don't follow the Planning Board.)

[Updated Submission 10-11-16](#)
Harriman, "08 October 2016"

Design Review Final Plan: Harriman, June 14, 2017



Note greater use
of brick . . .



. . . echoing Main Street and UNH

Design Review closed with the community anticipating widespread use of brick. No, it's not binding, but . . .

[Power Point Presentation by Harriman 6-14-17](#)
[date Design Review closed]

Zoning Ordinance: Conditional Use Permit Criteria

Proposed Current Design: What Happened?

[Updated Site Plan Renderings 1-16-20](#)



Buildings B & C do not meet Conditional Use Criterion #4:

4. Character of the buildings and structures:

The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, the architectural treatment of the front or street elevation, the location of the principal entrance, and the material and colors proposed to be used.



RENDERED ELEVATION "B" SOUTH

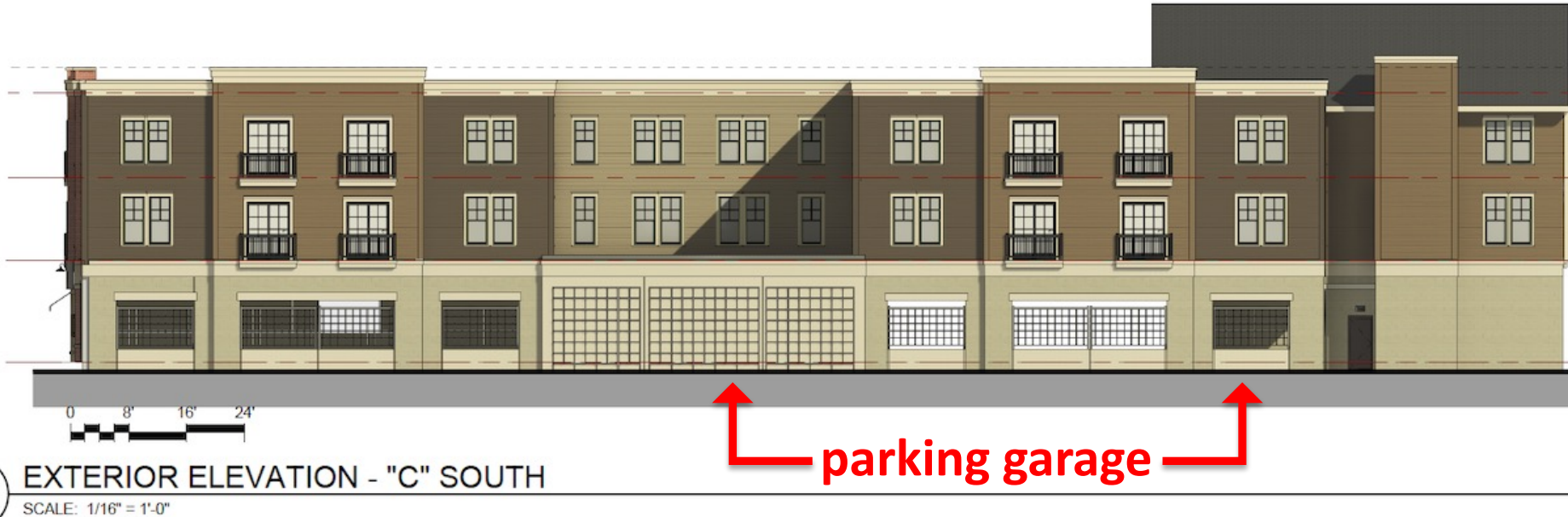
SCALE: 1/16" = 1'-0"

[Updated Site Plan 12-1-21](#)

This is what would both FACE the Faculty Neighborhood and LOOM over 2-story 55+ Brookside Commons, close to College Brook.

ZO: Conditional Use Permit Criteria | Architectural Design Regulations

Proposed Current Design: What Happened?



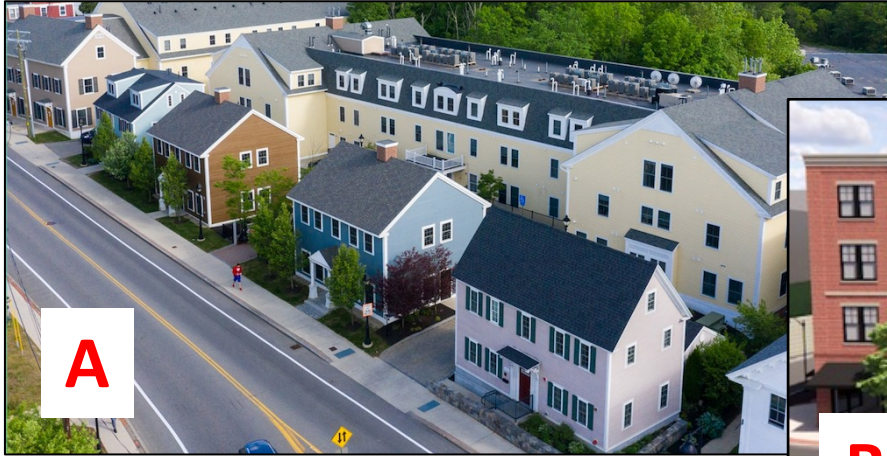
What is this—the utilities side of a commercial building?

Even IF this meets our Architectural Design Regulations (does it?), can't ask for better?

Building C wins no prize: The South side would face the Faculty Neighborhood. This is what pedestrians, including school children, would walk along to/from Chesley Drive and the footpath to Faculty Road. This is an improvement?

[Updated Site Plan 12-1-21](#)

Architectural Design: A Neighborhood “Sandwich”
Traditional — CDA — Traditional



Orion, 25–35 Main Street



Building B, Mill Plaza

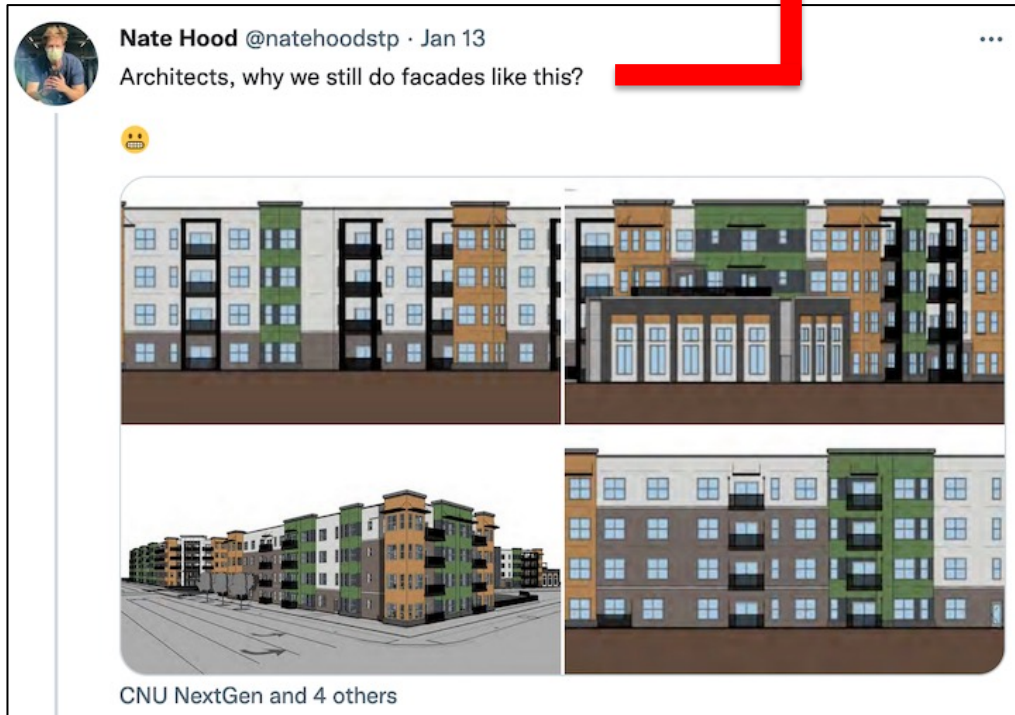


13 Faculty Road (abutting home)

Sandwich = A – B – A
(i.e, no intervening buildings)

“Strong Towns” Twitter Thread, January 2022

“Architects, why do we still do facades like this?*”



[@zaynonymous](#)

[Jan 13](#)

Replying to [@natehoodstp](#) [@cnunextgen](#) and 4 others

This is a product of 1) a cheap project type in order to be profitable, 2) limited exterior materials being affordable for said cheap project type, 3) maximizing rentable floor space, 4) city design review boards, 5) mixed with several aspects of building codes.

[@christhecourt](#)

Replying to [@natehoodstp](#) [@cnunextgen](#) and 4 others

As always, I think it comes down to money (and a certain lack of skill/vision). It takes time to refine a facade's articulation adding nuance and detail. Simple, well considered design and detail takes longer to refine and the architects fee is getting more and more squeezed..... Equally developers profit margin means they actively discourage design where detail might be too expensive.

[@CycleHappiness](#)

[Jan 14](#)

Replying to [@natehoodstp](#) [@cnunextgen](#) and 4 others

Because developer projects have tight budgets & innovation, beauty or uniqueness aren't one of their goals. B/c architects assign elevation studies to junior designers to maximize any profit. B/c most architects aren't good at design. B/c what you did last time was good enough.

Why? Takeaways, from multiple responses:

(1) Planning Boards require “breaking up masses” and (2) Developers choose the cheapest and easiest solutions

* Planner, St. Paul, MN

Site Plan Regulations: Architectural Design Standards

Our Design Standards* Did Not Envision This . . .

* 9 Madbury was built before we adopted Architectural Design Regulations

. . . next to family neighborhoods

[Strong Towns Twitter thread on previous slide](#)



Site Plan Regulations: Architectural Design Standards

Location, Location, Location

- NO student housing project (“multi-use with residential”) has been built next to a single-family neighborhood in Durham
- The project would be sandwiched between structures designed in a traditional New England architectural vernacular
- The style proposed is more appropriate to an urban setting that does NOT abut traditional architecture
- See next pages for examples of locations more appropriate to the CDA-proposed architectural style

ICON student housing | University of Illinois

ICON, a student housing development two blocks from the University of Illinois at Urbana-Champaign campus, has broken ground. Jackson Dearborn Partners (JDP) forecasts the \$28.4 million, 276-bed ICON to be complete by August 2021

. . . *“Obviously, the COVID-19 pandemic was our biggest challenge,”* Ryan Tobias, partner & co-founder of JDP, told *Multi-Housing News*. . . .

Unit variety

Situated at 309 E. Springfield Ave., the 163-unit ICON will offer a blend of studio, one-, two-, three and four-bedroom residences, all featuring bed-bath parity. Among the more high-profile amenities is a third-floor amenity deck with outdoor grilling areas, fireplaces and lounge space. JDP tried to ensure a disproportionate number of studio through two-bedroom units.

The firm prioritized “staying away from too many four-bedroom units, which is somewhat of a saturated unit type, and may be less desirable in a post-COVID world,” Tobias said.



Note: Smaller unit sizes seem to be the wave of the future, with “bed-bath parity”; not Planning Board purview, but just saying . . .

[JDP Launches Illinois Student Housing Project](#)

by Jeffrey Steele

Multi-Housing News, May 15, 2020

SmartStop Affiliate Sells North Florida Student Housing Community

The property last changed hands for \$47.5 million in 2017.

Strategic Student & Senior Housing Trust, an affiliate of SmartStop Asset Management, has sold YOUNion@Tallahassee, a 434-bed community serving Florida State University students in Tallahassee, Fla. SmartStop facilitated the deal on behalf of the REIT.

Yardi Matrix data shows that the seller acquired the purpose-built community directly from the developer in 2017, when Asset Plus Cos. received \$47.5 million for the property.

Formerly known as The Domain at Tallahassee, the five-story building at 700 W. Virginia St. is located within walking distance of the FSU campus. Retail and dining opportunities are also within walking distance, while Florida A&M University is less than 3 miles from the community.

YOUNion@Tallahassee offers a mix of one- to four-bedroom apartments ranging from 659 to 1,682 square feet. . . .



[SmartStop Affiliate Sells North Florida Student Housing Community](#)

by Ioana Muresan

Multi-Housing News, January 14, 2022

Buildings B & C: Incompatible with abutters

Building B would be right here



RENDERED ELEVATION - "B" NORTH
SCALE: 1/16" = 1'-0"



Orion student housing

photo courtesy Campus Flats

Next to Orion, in the Historic District?



(an abutter, not just “in the neighborhood”)



Architectural Design Regulations

Overview

B) Purpose. It is the intent of these regulations (or “standards”) to inspire architects, designers, developers, and builders to produce **beautiful structures, respectful of place, context, and tradition**. . . . The purpose of these Architectural Design Regulations is to accomplish the following:

- 1) Provide for high-quality, human-scale architecture that conforms with generally accepted traditional design principles and **is sensitive to neighboring buildings, streetscapes, the broader setting, and our natural and cultural resources**;

Standards

H) General Principles

- 2) **Traditional idiom.** No particular architectural style is stipulated but **buildings shall be harmonious with traditional Durham, New Hampshire and/or New England architecture**. Thus, the general approach should express traditional or neo-traditional design. However, innovative design is not discouraged provided it is respectful of context and these principles, thus allowing for some deviation from traditional/ neo-traditional design...
- 5) **Harmony. Designs shall be harmonious with the prevailing character of the zoning district, the surrounding streetscape, and neighboring buildings** – in terms of all of the elements discussed in this Design Standards section - recognizing that this objective can be complicated when components of the prevailing character do not conform with the goals of these regulations.

J) Scale and Massing

- 1) **Human scale. Buildings shall above all possess a human scale**, both in terms of their overall size and in their details and materials, in order to promote a sense of pedestrian friendliness.

Our Architectural Design Regulations Are Detailed! They're Complex!

No professional review?

No waiver required?

(Really?)

Since when do current Planning Board members have expertise in architectural design?

Waivers: Only if the Board “finds” (on August 25, did the Board follow process?)

Site Plan Regulations

Article 5. Waivers

Section 5.1 General

5.1.1 In accordance with RSA 674:44 III. (e) the Planning Board may grant a waiver from any provision of these regulations **provided the board finds** that either:

- 1) Strict conformity with the specific provision would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or
- 2) Specific circumstances relative to the site plan, or conditions of the land in the site plan, indicate that the waiver will properly carry out the spirit and intent of these regulations.

-
1. Is Durham really ready for this next to a traditional family neighborhood?
 2. “Multi-use” buildings can fit onto the Mill Plaza site, but . . . **do THESE specific designs fit in here?**
 3. The proposed style better suits larger towns or cities (still, not exactly a **“beautiful structure, respectful of place, context, and tradition”**).
 4. It is reasonable to expect better. We will live with these buildings a long time.
-

Plus . . . Renderings vs Reality

How will what the Planning Board sees in **2-D** stack up against what the community will see in **3-D**, i.e., in reality, on the ground?

- That is a question others have asked at, and on, the Planning Board, both now and years ago.
- The article excerpted below focuses on site and architectural design elements critical to pedestrians and economic vitality that are obscured in many renderings. Some may apply to Mill Plaza. The overall concept laid out in the introduction certainly does.

[Renderings vs. Reality: A Roundup of 2021s Most Egregious Development Illustrations](#)

. . . If a picture can say a thousand words, it can probably also tell at least 100 lies—which is why a savvy community member should take even the most well-intentioned renderings and illustrations with a grain of salt. Every one of these images, which were commissioned by planners and developers to give the public a picture of a future they could aspire to, makes promises that won't be delivered on.

Misleading Renderings? January 2020



Perspectives minimize the apparent discrepancy of the **4-story Building B** and the **1.5-story Building A**.



View from Church Hill
nonexistent parking lot?

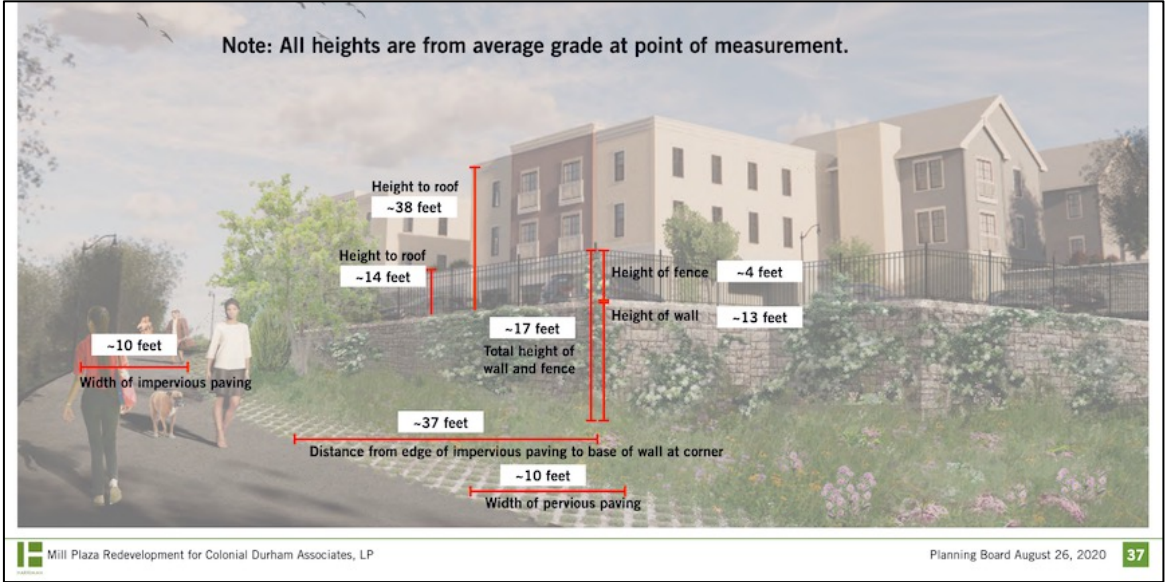
Implies more sunlight between Buildings B & C than likely for most of the day. (Building B—to the right—would be 4 stories and block light from the west (again, to the right).



Implies more healthy and larger trees between Buildings B & C than likely.



Misleading Renderings? September 2020



A pedestrian appears to be taller than a nearby 13-foot retaining wall. Meyrowitz: “How can one assess ‘human scale’ required by Town’s standards, when humans’ shown are giants?”

[Community Meeting Presentation 9-12-20](#)

[Applicant Presentation to Planning Board 8-26-20](#)

Minor Architectural Subcommittee






Architectural Design Regulations: A Footnote

Colonial Durham will no doubt argue that the community has had a chance to weigh in, but the “Minor Architectural Subcommittee” was convened with **the limited purpose of focusing on “color and minor architectural features.”** CDA controlled input even within this narrow focus, ruling out any but a handful of lower-cost colors, even when subcommittee participants presented alternatives that could have lifted the project out of mediocrity. Hearing no objection from the Board on these “small picture” architectural design elements, CDA believed it had a green light to proceed.

But bigger-picture aspects of the architecture have never been addressed in a meaningful way. The Purpose statement of the Architectural Design Standards has not had its day in court. Neither has “compatibility with the neighborhood,” although one can hope that day will come during evaluation of the “Mixed Use with Residential” Conditional Use Permit criteria.

Some Board members will recall hearing other Board members state—or stating, themselves, that they had no aesthetic sense (or words to that effect). **Is that a factor?**

Land Use Regulations: **Checklist failure.** What will the Planning Board do?

Land Use Regulation	Application meets?
Zoning Ordinance: Conditional Use Permit Criteria	
<p>175.23 Approval Criteria. (C.) Criteria Required for Consideration of a Conditional Use Permit.</p> <p>4. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood....</p>	
Architectural Design Regulations: Purpose	
<p>It is the intent of these regulations (or “standards”) to inspire architects, designers, developers, and builders to produce beautiful structures, respectful of place, context, and tradition....</p> <p>(B)(1) Provide for high-quality, human-scale architecture that conforms with generally accepted traditional design principles and is sensitive to neighboring buildings, streetscapes, the broader setting, and our natural and cultural resources; ...</p>	
Architectural Design Regulations: Design Standards	
<p>(H)(2) Traditional idiom. No particular architectural style is stipulated but buildings shall be harmonious with traditional Durham, New Hampshire and/or New England architecture. Thus, the general approach should express traditional or neo-traditional design. However, innovative design is not discouraged provided it is respectful of context and these principles, thus allowing for some deviation from traditional/neo-traditional design....</p>	
<p>(H)(5) Harmony. Designs shall be harmonious with the prevailing character of the zoning district, the surrounding streetscape, and neighboring buildings – in terms of all of the elements discussed in this Design Standards section - recognizing that this objective can be complicated when components of the prevailing character do not conform with the goals of these regulations....</p>	
<p>(J)(1) Human scale. Buildings shall above all possess a human scale, both in terms of their overall size and in their details and materials, in order to promote a sense of pedestrian friendliness....</p>	

Architectural Design

Four Asks

- Where are current 3D perspectives?
- How do you KNOW the application meets the requirements of the Architectural Design Regulations if no one has reviewed it point by point?
- Will what is promised actually deliver what you ask for?
- What will you require in Conditions of Approval to insure that we will get what is promised? (Example on next page.)

Architectural Design Regulations: Adherence?

Require Detailed Specs in Conditions

Councilor Lawson said the design conformed to important elements in the architectural standards, but said the building elevations made it difficult to understand how the façade was broken up. He said he hoped they would get more detail on the window designs. He also said it was important to clarify which elevations were to scale and would be adhered to during construction. He said he'd like to see a color board and have the applicant overlay the design standards with the actual design in about 10 areas.

[Technical Review Group Minutes 1-14-20](#)