



CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department
Planning Division

Staff Report for Planning Board

Meeting on March 18, 2026
Project Summary – Conditional Use Permit

Project: The Main Venue and Rooftop Social Wall Signage (2025-133)
Property Owner: Arts Alley LLC
Applicant: Orr & Reno
Project Address: 22 South Main Street
Tax Map Lot: 7412Z 37

Determination of Completeness:

To determine completeness of a conditional use permit application without a companion site plan or subdivision application, the Board shall consider the requirements of Sections 14.02 and 36.14(1) of the Site Plan Regulations, the written recommendation of the Planning Division, and any written communications from the applicant, abutters, and parties of interest; **however, no hearing shall be opened nor shall testimony be received on a determination of completeness.** If it is determined that the application is complete, the Board shall then open the public hearing on said application. An application which is determined to be incomplete may be revised and resubmitted to a subsequent meeting of the Board for another determination of completeness.

The Planning Division reviewed the application for completeness based upon the criteria of the Site Plan Regulations and concluded that the application contains sufficient information and detail for a full review and action by the Board.

Based upon the Planning Division's review of the application, the Planning Division recommends that the Board move to:

- **Determine the application complete;**
- **State that the project does not meet the criteria for a development of regional impact per RSA 36:55; and**
- **Open the public hearing.**

Project Description:

Pursuant to Section 28-6-9(b)(2) Permitted Building signs, *"where a building is three (3) or more stories in height, the Planning Board may grant a conditional use permit to allow one wall sign for each building frontage, to be located between rows of windows or above the top row of windows or on the wall at a height in excess of twenty-five (25) feet above grade, provided that no window or exterior window trim is obstructed by the sign, and further provided that the sign identifies a principal use..."*, Arts Alley seeks a Conditional Use Permit to permit wall signage for the second and third story uses at 22 South Main Street (The Main Venue & Rooftop Social), in the Central Business Performance

(CBP) District. Staff notes that the third sign in the plan set (the projecting sign) is not subject of this application, and received appropriate zoning relief from the Board of Adjustment on November 5, 2025.

Compliance:

The review of this application against the applicable land use regulations is based on a 2-page narrative including the applicant’s analysis of the CUP criteria, submitted November 19, 2025 and a 3-sheet signage plan, dated September 11, 2025, prepared by Sousa Signs.

1. Project Details and Zoning Ordinance Compliance:

Zoning District:	Central Business Performance (CBP) District
Existing Use:	Restaurant/Hospitality
Proposed Use:	Same
Wetland:	None
Wetland buffers:	None

1.1 The Planning Division conducted a zoning compliance review of the submittal and determined that the conditional use permit application for signs that are placed more than 25 feet above grade is the appropriate method for relief from the standard requirements of the Zoning Ordinance.

2. General Comments:

2.1 Section 34.04 *Independent Application* states that where no subdivision or site plan approval would otherwise be required, the application and review procedure for conditional use permit applications shall be in accordance with the requirements of the Site Plan Regulations for a minor site plan application with respect to the requirements for the submittal of abutters notices, public notice, determination of completeness, public hearings, and timing of decisions by the Planning Board. Section 34.05 *Application Requirements* immediately follows and provides the requirements for a complete application, stating that the requirements contained in Section 14.02 *Design Review Phase* shall be used to determine if conditional use permit applications without a companion site plan application are complete. Accordingly, staff utilized the procedures for a minor site plan application in the processing of the stand-alone conditional use permit application and requirements contained in Section 14.02 *Design Review Phase* in the review for determining completeness.

2.2 Section 34.05(4) authorizes the Clerk to determine that certain requirements of Section 14.02 may not be relevant for the particular circumstances of the site or proposed use, for which a conditional use permit is requested. There are a number of items missing from the site plan. However, given that the application is only for a conditional use permit to allow for wall signs placed above the 25 feet in height, most of the required information is irrelevant.

3. Site Plan Regulations Determination of Completeness:

3.1 The required information is present, partially present enough for review, or not relevant to the application as noted in Item 2.1 and 2.2 above, thus allowing for the application to be deemed complete.

Site Plan Regulations Compliance:

The submittal was found to be compliant with all other sections of the Site Plan Regulations except as listed below, noting that the items below are missing as required for full compliance but are **not required for the determination of completeness.**

- 3.2 Provide the Planning Board Approval Block on the 1-sheet, signage plan. Staff can provide a template as a .pdf, .dwg, or .jpg, if requested.



4. Variances:

- 4.1 Variances were received for Sections 28-6-9(b)(1) and 28-6-9(b) (1) (a & b) of the Zoning Ordinance relative to total number of signs, and total square footage of signs on November 5, 2025, which allow for the signs that are subject of this application to be able to proceed through the CUP process.

5. Waivers:

- 5.1 Not Applicable.

6. Conditional Use Permits:

- 6.1 The applicant requests approval for a conditional use permit pursuant to Section 28-6-9(b)(2) and Section 28-9-4(b) *Conditional Use Permits* of the Zoning Ordinance to allow for signs above 25' above grade. The applicant's response to the CUP criteria is in the Board's packet materials.

Analysis of the required criteria for Section 28-9-4(b) Conditional Use Permits follows:

- A. The use is specifically authorized in this ordinance as a conditional use;

Review: The signage is permitted in the CBP, applicable variances have been obtained for the number and square footage of the signage, and the specific item in question, the height exceeding 25 feet for building signage, is permitted through a CUP. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

- B. If completed as proposed by the applicant, the development in its proposed location will comply with the requirements of this article, and with the specific conditions of standards established in this ordinance for the particular use;

Review: With the granted variances, the signage otherwise complies with all other applicable requirements. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

- C. The use will not materially endanger the public health or safety;

Review: The signage as proposed is appropriate scale and proportion to the typical downtown conditions for both vehicular and pedestrian traffic, and does not appear to

be contrary to public health or safety. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

- D. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;

Review: The proposed signage is consistent with the adjoining and abutting uses along Main Street and generally in downtown Concord. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

- E. The use will not have an adverse effect on highway or pedestrian safety;

Review: The same analysis as item C applies here as well. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

- F. The use will not have an adverse effect on the natural, environmental, and historic resources of the City;

Review: Similar to Items C & D, the signage itself does not negatively impact these items. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

- G. The use will be adequately serviced by necessary public utilities and by community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide facilities and services with sufficient additional capacity.

Review: There are no expected impacts that would be out of the ordinary for the illumination of the signage. **Staff recommends the Board find that this criterion is satisfied by the applicant's proposal.**

7. Architectural Design Review:

- 7.1 While the signage for the Friendly Toast at this site were previously granted Architectural Design Review approval, the signs proposed in this application (and the third projecting sign that was part of the variance applications) have not yet been reviewed by the Architectural Design Review Committee.

8. Conservation Commission:

- 8.1 Conservation Commission review is not required for this application.

9. Recommendations:

- 9.1 Staff recommends that the Planning Board **adopt the findings of fact**, which include information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and/or other documents or materials provided in the public hearing.

Based on the adopted findings of fact, staff recommends that the Planning Board makes the motion outlined below:

- 9.2 **Grant conditional use permit approval** to allow the proposed signage on a 3-story building above 25 feet from grade at Tax Map Lot 7412Z 37, addressed as 22 South Main Street, based on the evidence provided showing that the criteria of Section 28-9-4(b) have been met, with the following precedent and subsequent conditions:

(a) **Precedent Conditions** – to be fulfilled within two years and prior to signature of the conditional use permit plat by the Chair and Clerk of the Planning Board, unless otherwise specified.

1. Revise the conditional use permit plat as follows:
 - a. Provide the Planning Board Approval Block on the 3-sheet, signage plan.
 - b. Clarify the signage plan by removing (or noting) the projecting sign that is not applicable to the CUP application.
2. Upon notification from the Planning Division that the project complies with the precedent conditions, Zoning Ordinance, and Site Plan Regulations, deliver to the Planning Division for signature one full-size or 11x17 conditional use permit plan set.

(b) **Subsequent Conditions**

1. Obtain Architectural Design Review approval for the signs prior to the issuance of sign permits, as required by Section 28-6-9(f) the Zoning Ordinance.
2. The applicant is responsible for compliance with the municipal code, Site Plan Regulations, and Construction Standards and Details, including obtaining necessary variances, waivers, and conditional use permits.