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CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

July 21, 2021

Project Summary – Major Condominium Subdivision

Project: Rail Yard Mixed Use Development (2021-25)
Property Owner: P&M Realty of Concord, LLC
Address: Langdon Avenue
Map/Block/Lot: 7913Z/41, 792Z/70, and 792Z/71

Determination of Completeness:

The Planning Board determined the application complete at the June 16, 2021 meeting.

Project Description:

The applicant is proposing to create 4 condominium land units with limited common areas at Langdon Avenue in the Gateway Performance Opportunity Corridor Performance (OCP), Urban Transition (UT), Medium Density Residential (RM), and Residential Open Space (RO) Districts. This application amends a previous Condominium Subdivision by dividing existing Land Unit 2 into 5 land units, as is allowed by the Condominium documents. Land Unit 1, which is currently developed with NH Rock Climbing Gym, will remain.

The Applicant has contemporaneously submitted a Major Site Plan application for a phase multi-family residential and multi-use commercial development, which is addressed under a separate report (2021-24).

Project Details:

Zoning: Opportunity Corridor Performance (OCP), Urban Transition (UT), Medium Density Residential (RM), and Residential Open Space (RO)

Existing Use: Rock climbing gym (Land Unit 1) and Vacant (Land Unit 2)

Propose Uses: Land Unit 1: Rock climbing gym
Land Unit 2: Multi-family Residential
Land Unit 3: Commercial Mixed-Use
Land Unit 4: Parking lot, with addition vacant Limited Common Areas for future withdrawal

Lot Area Existing: 1,565,292 sf (35.93 ac)

Condominium Land Units: Land Unit 1: 65,152 sf (1.5 ac) *to remain*
Existing Land Unit 2 to be subdivided as follows:
Land Unit 2: 634,942 sf (14.58 ac)
Limited Common Area Land Unit 2: 556,801 (12.78 ac)
Land Unit 3: 109,176 sf (2.5 ac)

Limited Common Area Land Unit 3: 24,647 (0.56 ac)
 Land Unit 4: 90,925 sf (2.09 ac)
 Limited Common Area 4.1: 33,106 sf (0.76 ac)
 Limited Common Area 4.2: 18,632 sf (0.43 ac)
 Common Area: 31,911 (0.73 ac)

1. General Comments

- 1.1 The following comments pertain to the 7 sheet plan set titled “Condominium Plat Prepared for the Steam Power Business Center Condominium – Land of: P&M Realty of Concord, LLC”, Langdon Ave, Concord, NH” prepared by Richard D. Bartlett & Associates, LLC, dated April 15, 2021, revised June 30, 2021.
- 1.2 As the applicant is proposing a subdivision in a Performance District, approval of a Comprehensive Development Plan is also required, per Section 28-9-4(e) of the Zoning Ordinance. At the April 21, 2021, meeting, the Board conditionally approved the Comprehensive Development Plan for the site. An amended CDP was submitted for review, and comments are included under the review of the Major Site Application (2021-24).
- 1.3 Engineering Services Division has reviewed the plan and had no comments specific to the Condominium plans.
- 1.4 The Applicant is responsible for ensuring that all plans to be recorded are in compliance with the current standards of the Merrimack County Registry of Deeds.
- 1.5 The final Condominium Declaration and By-Laws shall be reviewed by the City Assessor and City Solicitor prior to final approval. Comments from the City Assessor and City Solicitor are forthcoming.

2. Condominium Review Comments

- 2.1 The revised condominium plat shows that the multi-family residential building will be further subdivided as subunits. This information is not provided in the condominium documents. Provide additional information, and update the Condominium documents for review. If this information cannot be provided at this time due to the timing of the phasing, the Applicant shall apply for an amendment to the Condominium Subdivision in the future.
- 2.2 Limited Common Area (LCA) 2 is the Conservation Easement area that was deeded to the City in 2011. Per the original subdivision and Conservation Easement Deed (Merrimack County Registry of Deeds Plan #19869 and Book 3288, Page 1116) describes the limits of the Conservation Easement area as LCA 2. This condominium subdivision revises the limits of LCA 2, reducing the size from 13.54 acres to 12.78 acres. The Conservation Easement Area cannot and shall not be reduced. The Applicant shall revise the limits of the Land Units to return the LCA 2 to the original, approved limits and size. If a portion of the Easement is to be dedicated to another Land Unit, the plans shall be revised to show the limits of the Easement, and the Conservation Easement Deed will need to be revised accordingly. The revised Deed will need to be reviewed by the City Solicitor, Conservation Commission, and finally accepted by the City Council.

3. Recommendations

- 3.1 **Grant Major Condominium Subdivision approval** for the proposed condominium subdivision at Langdon Avenue in the Gateway Performance Opportunity Corridor Performance (OCP), Urban Transition (UT), Medium Density Residential (RM), and Residential Open Space (RO) Districts,

within one year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, unless otherwise specified:

1. Address Planning Review Comments to the satisfaction of the Planning Division.
2. Condominium documents, including declaration of condominium and by-laws, if applicable, shall be approved by the City Solicitor, City Assessor, and Clerk of the Board. Applicant shall address all comments to the satisfaction of the City Assessor and City Solicitor.
3. If the Conservation Easement Deed is to be amended, the amended Easement Deed shall be accepted by City Council and recorded at the same time as the Condominium Plat.
4. The Licensed Land Surveyor shall sign and seal final plans and mylars.
5. Prior to the final plat being signed by the Planning Board Chair and Clerk, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) tax maps. The information shall be submitted in accordance with Section 12.09 of the Subdivision Regulations.
6. The Applicant shall deliver the following to Planning:
 - a. Two plan sets and one mylar(s) of the Condominium Subdivision Plat for endorsement by the Planning Board Chairman & Clerk and recording at the Registry of Deeds.
 - b. Final condominium documents, to be recorded at the same time as the Condominium Subdivision Plat.
 - c. Checks for recording the plan and condominium documents at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.

Prepared by: BAF

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