



TOWN OF DURHAM
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Town Planner's Recommendation
Wednesday, October 14, 2015

XVI. Other Business:

- A. **49 Main Street/Pauly's Pockets – Changes to plan.** Request for modification to approved mixed-use project to: 1) eliminate corner steps and install a railing; and 2) eliminate decorative diamonds on the Main Street façade. Paul Eja, developer; Mike Sievert, Engineer. Map 5, Lot 1-2.

➤ I recommend approval of the modification, as shown on the bottom.

Please note the following:

- **Modification.** Paul Eja, the developer, has requested a modification on two elements of the building design. The Design Committee, composed of Barbara Dill, Beth Olshansky, and Nancy Webb, has been discussing with Todd Selig, the developer's team, and me how to best address various aspects of the building design. The Design Committee supports this request. Given that, I trust that the board is okay treating this change as a modification, rather than an amendment (with a public hearing). The developer hopes to have the railing installed very soon so it would be helpful to clarify the question of the steps.
- **Design Committee.** The Design Committee is an informal committee appointed by the Planning Board to finalize various architectural details after the site plan approval, subject to board approval. This was accomplished and all parties seemed satisfied with the ultimate design. Unfortunately, there have been some challenges with the developer's contractor, who is no longer on the job. I understand that Paul now has a new contractor working to finish the building.
- **Status of project.** Notwithstanding challenges with the contractor, Paul Eja has a very capable development team consisting of himself; Shannon Alther, his architect; Mike Sievert, his engineer; and Steve Haight, his clerk of the works. Mike Sievert believes the project will be completed within 60 days if not sooner. A temporary certificate of occupancy has been issued and the building is occupied by the residential tenants and the businesses. The temporary CO expires at the end of the year so all work must be completed by then unless the temporary CO is extended.
- **Diamonds.** Paul Eja has requested that the decorative diamonds shown above the second floor windows on the Main Street side be eliminated. Shortly after the design was approved by the Planning Board Mr. Eja expressed that he does not like them. I think that the members of the Design Committee, Todd, and I all like the diamonds and believe that they add a nice flourish to the building. However, the applicant has repeatedly expressed his strong preference to not include them. Because he has been highly cooperative with the

Town throughout the process, and, of course, because he is the building owner, the Design Committee believes that we should defer to his preference on this detail.

- Corner steps. The Design Committee, Todd, and I all think that the corner steps are a fine element of the building and ideally would be included. However, from the beginning, Mike Sievert has expressed concerns about challenges in fitting them into a tight space – with the handicap ramp, the corner boundary of the lot, the passageway under the overhang, and the amount of activity at this corner location. As part of the approval for the steps we planned to meet on site later to figure out the details. The Design Committee and the Development Team have spent a lot of time both on site and otherwise wrestling with this issue. The developer has also expressed significant concerns about potential liability with the activity at this corner and people tripping on the steps falling into traffic or tripping at the top falling into the picture window. Given the site constraints and the developer’s real concerns, and the quality of Shannon’s design for a railing, the Design Committee decided to support this request.

- Staff comments on steps. April Talon, Town Engineer, said: “Steps on the corner would have been nice here because I understand from Mike that the Plaza is not allowing steps directly into the park area – which had been previously shown in the landscaping plan.”

Tom Johnson, Building Official, said: “My preference would be no steps at that angled corner. The porch/landing at the top is narrow and straight ahead is a display window if anyone tripped going up. Anyone approaching the Solsistar store is more likely to turn right and walk up the sidewalk to their storefront entrance. Anyone walking on the porch due to the angled walls would be susceptible to falling down the stairs and the porch is not wide enough to be comfortable passing another pedestrian. Pauly’s and the Hairdresser both have a nice wide stair directly in front of their storefronts and is the most likely path of travel. The students coming down from the exit stair are directed to the front stair and the other student exit stair brings them out near the accessible sidewalk by Solsistar. I am fine with removing the stair and recommend it for safety reasons.”

- Railing. Shannon Alther has designed an attractive alternative with a railing and curve across the corner. See enclosed renderings.
- Administrative modifications. The developer has requested or made a few other minor changes to the approved design – elimination of a small square window on the rear façade and inclusion of additional boards (“strapwork”) on the storefront facades. The Design Committee is fine with these minor changes so I expect to approve them administratively, consistent with the Rules of Procedure and the site plan notice of decision. The Design Committee and the Development Team are also considering minor changes in the color of the storefronts and the trim. We will look at that soon. I trust that my approving these changes with the endorsement of the Design Committee and the Development Team is acceptable.

Draft
NOTICE OF DECISION

Project Name: Pauly's Pockets
Project Description: Modification for corner steps and diamonds
Address: 49 Main Street
Applicant: Paul Eja
Engineer: Mike Sievert
Map and Lot: Map 5, Lot 1-2
Zoning: Central Business District
Date of approval: **October 14, 2015**

The request for a modification is approved as follows:

- 1) The four decorative diamonds/anchor plates shown on the Main Street façade above the second floor windows on the approved architectural renderings, dated February 4, 2014, by TMS Architects are eliminated from the design.
- 2) The corner steps shown on the same approved renderings are eliminated from the design. Instead, there shall be a curved front at the corner and a railing as shown in the rendering prepared by TMS Architects dated September 30, 2015.
- 3) The railing will be the same style as shown on the original renderings from 2014. The railing will also extend to include the first bay on the park side of the building, as shown in the 2015 rendering.
- 4) The curving section will be a segment of a circle. It will meet the base of the piers at the corners of the piers, as shown.
- 5) The curve and the concrete base extending to the end of the first bay adjacent to the curve on both sides will be stucco, similar to the stucco on the Hetzel building. A thin grayish stucco, with minimal texture, will be used.
- 6) The ground in front of the corner will be concrete, laid to blend with the adjacent sidewalk.