



Meeting Minutes  
Commission of Architectural Review

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Tuesday, April 23, 2019

3:30 PM

5th Floor Conference Room of City Hall

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**Call to Order**

James Klaus, the Chairman, called the April 23rd meeting of the Commission of Architectural Review to order at 3:31 pm.

**Roll Call**

Present: Commissioner Sanford Bond, Commissioner James Klaus, Commissioner Jason Hendricks, Commissioner Sean Wheeler, Commissioner Lane Pearson, and Commissioner Mitch Danese

Excused: Commissioner Ashleigh Brewer, Commissioner Kathleen Morgan, Commissioner Neville Johnson

Staff in Attendance: Commission Secretary Carey L. Jones, Senior Planner Chelsea Jeffries, Principal Planner Kim Chen, Planner I Alex Dandridge

- Present --** 8 - \* Commissioner Sanford Bond, \* Commissioner James W. Klaus, \* Commissioner Neville C. Johnson Jr., \* Commissioner Ashleigh N. Brewer, \* Commissioner Kathleen Morgan, \* Commissioner Sean Wheeler, \* Commissioner Lawrence Pearson and \* David C. Cooley
- Absent --** 1 - \* Commissioner Gerald Jason Hendricks

**Approval of Minutes**

March 26th, 2019

**A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, that the March 26 2019 Meeting minutes be approved. The motion carried by the following vote:**

- Aye --** 8 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

**Other Business**

Secretary's Report

Commission Secretary Carey L. Jones expressed gratitude to departing Commissioner David Cooley for his service and his knowledge of historic building technologies. Ms. Jones stated that Mitchell Danese has been appointed as a new Commissioner who will be taking Commissioner Cooley's position. Mr. Danese has knowledge of building technologies and affordable housing through his work with Habitat for Humanity.

In the past month, Commission staff have fielded a request from one resident of the Springhill Historic District to have their property removed from the district. This inquiry has been passed on to the city's legal department, and a response is pending.

Commission staff continues to receive applicant inquiries as to which types and models of windows are acceptable. Ms. Jones has been requesting samples and hopes to have more information soon to bring to the Commission so that broad decisions can be made regarding acceptable window models.

Chairman Klaus stated that it would be convenient, and in the best interest of manufacturers, if they provided window product samples to help the Commission determine which ones could be approved for use. If for example a PVC window type is found that the Commission deems acceptable, it would be useful to have a sample of both unacceptable and acceptable types, so as to determine and describe the difference. Ms. Jones stated that she would try to procure samples.

Ms. Jones and Chairman Klaus had met before the meeting to discuss plans to update the Certificate of Appropriateness application process to be completely digital. Ms. Jones will send out a survey to Commission members to solicit suggestions and requests about what would be helpful to include in an online application process, and what could be dispensed with.

#### Administrative Approval Report

Ms. Jones called the Commission's attention to one property included in the latest Administrative Approval Report, namely the Old Orchard School building at 500 Allen Avenue. The work is rehabilitation and replacement in kind and, though the plans are fairly involved, the work described is all best practices and Commission staff felt confident, after thorough review, that administrative approval would be appropriate in this case.

Chairman Klaus observed that one property, 1114 North 25th Street, which was denied an administrative approval during the past month, is on the current Commission meeting agenda. Ms. Jones stated that the applicants had come to City Hall to acquire two permits, not realizing that they needed CAR approval first.

#### Enforcement Report

Ms. Jones reported that the Willis Store at 401 N. 27th Street, is not an enforcement action, but there have been numerous inquiries as to its status and condition. There is a court date scheduled for May 7 for the purpose of getting the owners to do the necessary repair work on the property. There was a previous court date which was not successful, but staff is optimistic that this one will be.

#### Other Committee Reports

Chairman Klaus stated that the Urban Design Committee had had no applications to review at their last meeting.

#### Other Business

Kim Chen, Principal Planner for the Division of Planning and Preservation, introduced Mr. Danese, who will be joining the Commission as a member at the next meeting, in May.

Chairman Klaus stated that, at the last quarterly meeting, the Commission discussed meeting protocol and some laxness that has crept in regarding time limits and providing applicants five minutes to speak without interrupting them to ask questions. Chairman Klaus stated that henceforth the Commission would attempt to adhere more closely to procedure and to time limits.

Also at the last quarterly meeting, enforcements were discussed with several members of the public who had questions about them. It was explained that enforcements are complex and require legal input from city staff. Chairman Klaus expressed the hope that, with the city being more fully staffed, enforcements can be looked at and dealt with more thoroughly, including items that have been outstanding for a long time. The business portion of the meeting adjourned at 3:41 PM.

**\*\*\*Please Note\*\*\***

**Public comment on cases brought before the CAR will be heard after the applicant's explanatory remarks of the case and before CAR deliberation. Applicants and individuals wishing to comment on specific aspects of a given case are asked to briefly address issues related to the application.**

**CONSENT AGENDA**

The Chairman invited the Commission to suggest projects that they would like to move from the regular agenda to the consent agenda. He explained to the applicants present that, if an application is placed on the consent agenda and they do not think it belongs there, they would have an opportunity to have it moved back to the regular agenda.

A motion was made by Commissioner Bond, with Commissioner Johnson seconding, to move the 4th item, COA-052437-2019, 962-964 Pink Street to the consent agenda. The Commission unanimously approved moving the item, with Commissioner Pearson abstaining.

Chairman Klaus stated that the staff condition of larger windows on the side bays referred only to the first two windows, and that those should be the same size as the other windows.

A motion was made by Commissioner Bond, with Commissioner Johnson seconding, to move the 9th item, COA-052004-2019, 2417 Venable Street to the consent agenda. The Commission unanimously approved moving the item, with Commissioner Pearson abstaining.

Chairman Klaus pointed out that, as this is a historic rehabilitation tax credit project, with all changes reviewed by the Department of Historic Resources as well; and that everything in the application appeared to be repair and replace as is.

A motion was made by Commissioner Bond, with Commissioner Johnson seconding, to move the 11th item, COA-052000-2019, 1114 North 25th Street to the consent agenda. The Commission unanimously approved moving the item.

A motion was made by Commissioner Wheeler, with Commissioner Cooley seconding, to move the 6th item, COA-052419-2019, 2311 Carrington Street to the consent agenda. The Commission approved moving the item, with Commissioner Pearson abstaining. Chairman Klaus stated that his support of this application would be conditional on the hardiplank in front being limited to one size.

Chairman Klaus asked if there was any public comment concerning the items on the

consent agenda. There was no public comment.

**A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, that the Consent Agenda be approved. The motion carried by the following vote:**

**Aye --** 8 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

4. [COA-052437-2019](#) 962-964 Pink Street - Construct two new, single-family, semi-attached residences.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

**A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, to approve the application for the reasons cited in the staff report provided the following conditions are met: the windows on the first two bays of the side elevation enlarged to a height of six feet and two inches; the applicant submit the following for staff review and approval: details about the bracket profile; a specifications sheet for the proposed windows and, if a two-over-two configuration is used, the windows have simulated divided lights with interior and exterior muntins and a spacer bar between the glass; and specifications about the dimensions of the porch roof seaming. The motion carried by the following vote:**

**Aye --** 8 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

6. [COA-052419-2019](#) 2311 Carrington Street - Construct a new, single-family residence.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

**A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, to approve the application for the reasons cited in the staff report provided the following conditions are met: the applicant submit details for a window that meets the Commission Guidelines for administrative review and approval; the applicant provide specifications about the dimensions of the standing seam metal roof for review and approval; only one width and reveal of lap siding be used on the façade; and the applicant submit a revised door design that is more consistent with the district for review and approval. The motion carried by the following vote:**

**Aye --** 8 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

9. [COA-052004-2019](#) 2417 Venable Street - Restore original, wood siding and replace non-historic windows on façade, enclose a two-story rear porch, install a stoop in the rear, repair brick foundation, and replace roof.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, to approve the application for the reasons cited in the staff report provided the following conditions are met: paint colors be provided for administrative review and approval; all repair work be done with in-kind materials; and the work be performed in conformance with the Part II Tax Credit application approval and conditions and the applicant submit any additional conditions subsequently imposed by DHR or the National Park Service to CAR staff for administrative review and approval. The motion carried by the following vote:

**Aye --** 8 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

11. [COA-052000-2019](#) 1114 North 25th Street - Demolish a pre-manufactured building, remove a chain-link fence and install a new low fence and a new paved parking lot.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, to approve the application for the reasons cited in the staff report provided the following conditions are met: the final fence specifications be submitted to staff for review and approval. The motion carried by the following vote:

**Aye --** 8 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

## **REGULAR AGENDA**

1. [COA-052008-2019](#) 3309 Monument Avenue - Add decorative brick detailing, including corner quoins and water table bands, to masonry façade.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

This application was presented by Ms. Chelsea Jeffries.

Staff recommended denial of the addition of decorative elements as it is not consistent with the Guidelines, and recommended the façade be returned to its historic appearance.

Commissioner Cooley asked if the building in question is considered “non-contributing.” Ms. Jeffries stated that it is so considered, according to its National Register designation, but that no such distinction is made within City Old and Historic Districts.

The owner, Ms. Dane Cho, stated that she was out of town and left her builder and bricklayer in charge of the work on her house, and that she had advised the bricklayer that probably some sort of permission would be needed to make changes to the historic building. Ms. Cho stated that the bricklayer then informed the builder to go ahead with work, which led the builder to assume all permits and permissions had been obtained. Ms. Cho in turn thought that permissions had been obtained. Ms. Cho stated that she then was made aware of the situation via email. Ms. Cho stated that the house will be heavily landscaped, which will mostly conceal the work which has been done. Ms. Cho also stated that photos of the property were taken at a time when white powder was covering every surface, which distorts the appearance.

Ms. Cho stated that she will remove some of the new brick elements, including the areas between the windows, and then experiment with colored washes on the other new brickwork to make it resemble the historic brick.

Chairman Klaus asked for clarification of what additional element Ms. Cho would like to add to the property. Ms. Cho stated that she would like a central window element, a keystone, and also have the work finished, as it is about halfway done at this point.

Commissioner Bond asked if there had been a permit for the work. Ms. Cho stated that there was a permit for previous work done, but not for this more recent work.

There was no public comment.

A motion was made by Commissioner Johnson, seconded by Commissioner Bond, that this Application for a Certificate of Appropriateness be denied for the reasons cited in the staff report.

Commissioner Cooley stated that the owner had been before the Commission in the past, and thus should be aware of procedures.

Chairman Klaus clarified that the permit and permission Ms. Cho had referred to was for an earlier project involving the back of the house.

Commissioner Morgan stated that Ms. Cho’s plans for what she would like to do next with the property could be addressed in a separate application. Chairman Klaus stated to the applicant that for the keystones and other proposed alterations, she should prepare a new application and come before the Commission again so these can be reviewed.

**A motion was made by Commissioner Johnson, seconded by Commissioner Bond, that this Application for a Certificate of Appropriateness be denied for the reasons cited in the staff report. The motion carried by the following vote:**

**Aye --** 7 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Lawrence Pearson

**No --** 1 - David C. Cooley

2. [COA-052438-2019](#) 2300 Monument Avenue - Repair roof, adding copper coping and cladding to stepped parapet walls.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

This application was presented by Ms. Jeffries.

Staff recommended partial approval of the application, with the following conditions: If any deteriorated wood requires replacement it be replaced in-kind with wood of a like design and painted to match; the applicant perform additional investigations to determine the source of the water infiltration; if further investigation determines that the existing flashing is inadequate, staff recommends the flashing at the parapet wall be replaced with step flashing that is properly installed; any existing visible roofing or flashing be replaced in-kind or with a suitable replacement material such as galvanized metal; if further investigation determines a protective treatment on the parapet walls is required, staff recommends the least invasive treatment possible be used, up to and including the installation of a galvanized metal cap on the top of the parapet walls that does not extend down the sides, details to be submitted to staff for administrative review. Staff recommended denial of the installation of copper on the parapet walls.

Commissioner Wheeler requested clarification, as staff presentation stated there was no cap flashing, but he noticed that there was some on the back half of the property.

The co-owner, Kelly Lewis, stated that applicants have contracted several roofers and masons to inspect their roof. The plaster is bubbling where the roof angles down, which was perhaps not made sufficiently clear in the application. The current roof condition requires that interior repair and repainting be done annually. Roofers and masons have been unable to detect obvious external problems. The tuck pointing appears complete.

The owner's conclusion is that brick structures such as this are simply susceptible to rain leakage. Thus the applicants have decided to cover the rain leakage area with copper, which Ms. Lewis stated is not uncommon among nearby buildings. Ms. Lewis stated that she is not conversant with differences between copper and the galvanized metal recommended by staff.

Commissioner Wheeler asked about the composition of the coping on the back half of the building. Ms. Lewis stated that the back half of the roof is TPO, installed to prevent leaking, and that the metal coping was installed at the same time. Commissioner Wheeler stated that he assumes the coping is of a pre-finished metal. Chairman Klaus pointed out that this previous work did not come before Commission, and stated that it should have.

Chairman Klaus asked the applicant if she would be willing to try a simple cap to start with as a remedy for the leaking, as opposed to the more involved work proposed. Ms. Lewis stated that they would be willing, but that the expense of having any work done is such that she would prefer to make the work as thorough and effective as possible.

Chairman Klaus asked if there was any public comment. Hearing none, Chairman Klaus opened the floor for Commission motion and discussion.

A motion was made by Commissioner Cooley, seconded by Commissioner Brewer, that this Application for a Certificate of Appropriateness be partially approved for the reasons

cited in the staff report provided the following conditions are met: if any deteriorated wood requires replacement it be replaced in-kind with wood of a like design and painted to match; the applicant perform additional investigations to determine the source of the water infiltration and if further investigation determines that the existing flashing is inadequate, the flashing at the parapet wall be replaced with step flashing that is properly installed; any existing visible roofing or flashing be replaced in-kind or with a suitable replacement material to be approved by staff; the installation of a cap on the top of the parapet walls is permitted if further investigation determines a protective treatment on the parapet walls is required with the details to be submitted to staff for administrative review. The installation of copper on the sides of the parapet walls was denied.

Commissioner Bond asked why the staff had recommended galvanized aluminum, and stated that it is a lesser and cheaper material. Ms. Jeffries stated that the galvanized metal would be less visible, whereas the copper would be more of a decorative element.

Commissioner Bond stated that copper is only shiny for a short while before turning dark and then eventually turning green. Commissioner Cooley also argued against the use of aluminum.

Commissioner Cooley stated that seepage from brick into plaster below is very common, and also that he has seen many instances of minimal unobtrusive caps on stepped parapets.

Commissioner Cooley stated his agreement with staff's opposition to putting copper on the front of the property, and completely cladding the inside of the stepped parapet walls. Commissioner Cooley stressed the importance of determining whether the insides of the parapets had been properly step-flashed. Commissioner Bond stated agreement, adding that the joints should also be re-pointed and the sloped wash on top of the parapets redone, which would potentially be enough to stop the leaking.

Chairman Klaus summarized the discussion by stating that a more moderate intervention is being put forward by Commission than what is stated in the application.

Commissioner Wheeler suggested that either the work already done be substituted with copper, or that, if the color is a problem, use a pre-finished metal in the same color as the brick. Chairman Klaus stated that Commission discussion seemed to show a willingness to have staff administratively approve the materials ultimately chosen.

Ms. Lewis stated that her builder discussed TPO and IPDM as options, but recommended copper as best-looking and most suitable for Monument Avenue.

Chairman Klaus stated to the applicant that she will need to provide application materials stating what applicant has thus far only stated verbally: that a cap is needed, in addition to redoing the step flashing. The applicant restated that Commission recommends a cap and stepped flashing; Chairman Klaus confirmed that this was what was being recommended.

**A motion was made by Commissioner Cooley, seconded by Commissioner Brewer, that this Application for a Certificate of Appropriateness be partially approved for the reasons cited in the staff report provided the following conditions are met: if any deteriorated wood requires replacement it be replaced in-kind with wood of a like design and painted to match; the applicant perform additional investigations to determine the source of the water infiltration and if further investigation determines that the existing flashing is inadequate, the flashing at the parapet wall be replaced with step flashing that is properly**

installed; any existing visible roofing or flashing be replaced in-kind or with a suitable replacement material to be approved by staff; the installation of a cap on the top of the parapet walls is permitted if further investigation determines a protective treatment on the parapet walls is required with the details to be submitted to staff for administrative review. The installation of copper on the sides of the parapet walls was denied. The motion carried by the following vote:

- Aye --** 7 - Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley
- No --** 1 - Commissioner Sanford Bond

3. [COA-052426-2019](#) 1000-1004 West Franklin Street - Construct a new multi-family residence.

**Attachments:** [Application and Plans](#)  
[Site Map](#)  
[Staff Report](#)

This application was presented by Ms. Jeffries.

Staff recommended approval of the application with the following conditions: a horizontal element be added to the facade, such as an unbroken cornice or a window sill or header band; the transoms on the third story be removed to be more consistent with patterns in the district; the work be performed in conformance with the Part II Tax Credit application approval and conditions and the applicant submit any additional conditions subsequently imposed by DHR or the National Park Service to CAR staff for administrative review and approval; a revised façade design that reflects the Part II conditions be submitted to staff for administrative review and approval.

Chairman Klaus asked Ms. Jeffries if DHR, like Commission staff, had found some of the curves on the side of the design to be problematic. Ms. Jeffries confirmed that she believed so.

Commissioner Cooley asked for clarification as to why DHR was reviewing new construction. Chairman Klaus explained that it is doing so because the construction is on the same lot as the pre-existing structure with the National Historic District, at 1000 West Franklin. Ms. Jeffries further explained that the area where building is to take place had historically been vacant.

Commissioner Pearson asked Ms. Jeffries if the addition conflicts with the surface parking. Ms. Jeffries stated that the addition did seem to be located further back, where there is ground level parking. Chairman Klaus stated that the plans indicate parking underneath, and two floors above the parking area.

The applicant representative, architect David Johannas, stated that DHR, in their approval letter for the new addition, requested that the top level be simplified and stated that the new dormers should be a simple flat or gable design, and that the windows at the third floor balcony should not have an arched transom projecting above the top of the gutter line. Mr. Johannas stated that the current application reflects these requested changes, which were submitted to DHR along with a statement about how the design fits into the neighborhood. The applicant is currently awaiting a response from DHR to this revised proposal.

Mr. Johannas stated that the applicants are requesting the flexibility to have Part II changes administratively approved by Commission staff. Referring to staff's comment about the lack of horizontal detail on the façade, Mr. Johannas stated that there had been horizontal banding in the design but that DHR had requested it be removed in favor of a simpler design. Referring to the request that the dormer be flat, Mr. Johannas stated that applicants had wanted a vertical element and did not want to put on a turret, so the dormer provides this element.

Mr. Johannas stated that there are similar transoms on nearby buildings to the ones proposed in this application. In defense of the proposed arched dormer design, Mr. Johannas stated that there are arched dormers nearby, including across the street. Chairman Klaus asked if there was any public comment. There was none.

**A motion was made by Commissioner Morgan, seconded by Commissioner Johnson, that this Application for a Certificate of Appropriateness be approved for the reasons cited in the staff report provided the following conditions are met: the work be performed in conformance with the Part II Tax Credit application approval and conditions and the applicant submit any additional conditions subsequently imposed by DHR or the National Park Service to CAR staff for administrative review and approval. The motion carried by the following vote:**

**Aye --** 7 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and David C. Cooley

**Abstain --** 1 - Commissioner Ashleigh N. Brewer

5. [COA-052322-2019](#) 411 North 22nd Street - Construct a new, single-family residence.

**Attachments:** [Application and Plans](#)  
[Staff Report](#)  
[Application and Plans \(4/23/2019\)](#)  
[Site Map](#)  
[Staff Report \(4/23/2019\)](#)

Commissioner Pearson left the meeting at 5:10 PM.

The application was presented by Ms. Jones.

Staff recommended deferral of the application, with the following recommendations: staff suggested the applicant reduce the length of the house, to be more in keeping with other houses in the district, and to allow for an angled parking space in the rear yard of the property and for the HVAC equipment to be located in the side or rear yard; staff recommended that if the applicant is allowed to retain the interior garage, then the applicant remove the decorative board and batten and door hardware and add additional fenestration above the garage doors to balance the appearance of the elevation; staff recommended the applicant submit the following: window specifications that meet the Guidelines; a topographic map, available from the City's GIS program; a written narrative as to how the grading will be addressed; and the applicant submit information about the retaining wall, including the length, height, and materials, and how it will interact with the proposed fence.

The applicant, Mr. Enoch Pou, stated that, as per feedback from the previous review, the

stairs have been narrowed and the porch columns removed; keystones and corbel were removed from front crossheads; corbels were spaced at the frieze board as recommended. Mr. Pou stated that window size and placement at east and west elevations was adjusted, with the exception of an additional window across from the kitchen. Mr. Pou restated the security concern mentioned in the last review. The reason given for the lack of a window in a corresponding position is to allow for mounting a television on the wall. Mr. Pou stated that screening for the HVAC units on the roof has been added to the plans, as requested.

Mr. Pou concurred with Ms. Jones statement that a parking stall must be 17.5 feet, per zoning regulations. As the property is only 17 feet wide, Mr. Pou stated that he is seeking a zoning variance. Regarding the difficulty of turning and parking in the space, Mr. Pou stated that he is unable to change the space constraints.

Mr. Pou stated that the retaining wall will be constructed as the grade is cut. Mr. Pou stated that he disagrees with the requirement of a topographic survey, stating that he is aware that the house will have to be leveled by cutting into the grade and that a retaining wall will be built accordingly.

Mr. Pou stated that the application had been presented to the Church Hill Neighborhood Association, and that a letter of support had been received from them for the variance request for the setback and the parking, contingent upon approval from the Commission.

Mr. Pou stated that at the previous review, Commissioner Morgan had suggested the house be wider, to which Mr. Pou had stated that 17 feet was the maximum possible at the site. Mr. Pou stated that, if the Commission approves the project, he would like this 17-foot maximum to be included in the wording of the approval.

Commissioner Cooley asked if Mr. Pou intended that the retaining wall be 3 feet from the property, at whatever height is needed, pointing out that this wall may have to be of considerable height and that, if it is 3 feet from the property, it will be right on the property line. Mr. Pou stated that, assuming an 8-inch-thick retaining wall, its distance from the house would be 2 feet 4 inches. Commissioner Cooley asked if the retaining wall could be on the opposite side, to which Chairman Klaus explained that the alley on that side is not a public way but is jointly owned by some neighbors.

Chairman Klaus stated that the application does not provide detailed information about the retaining wall such as dimensions or materials, which will be important given the height of 6-8 feet and visibility that the wall will have. Mr. Pou stated that the planned privacy fence would conceal the retaining wall, and also disagreed with the 8-10 feet of grade adjustment which Commissioner Cooley projected. Mr. Pou stated that he has calculated a 3.5 to 4 foot change in grade.

Commissioner Cooley stated an estimate of at least 6 feet in grade change.

Commissioner Bond stated a figure of something a bit more than 8 feet.

Commissioner Brewer asked if Mr. Pou would consider removing the garage from the design. Mr. Pou stated that he would not, because without the garage it would not be possible to build the floor above; the house dimensions would then be constrained to 1400 square feet. Chairman Klaus asked about an inset for the garage, as was discussed at the previous review, and whether that would make the house too narrow. Mr. Pou stated that it would.

Referring to Ms. Jones comments about the length of the house, Mr. Pou referred to a house 2.5 blocks away which he is rehabilitating, which is 60 feet long and a similar

width to the proposed house. Mr. Pou stated that the project under review is within the lot coverage ratio that zoning rules allow.

Chairman Klaus referred to Ms. Jones's comment regarding the guy wire possibly impinging on use of the garage, and whether this required investigation. Mr. Pou stated that it did not, and that the guy wire's location has determined the length of the house. Commissioner Morgan asked if there was a reason the HVAC units could not go in the yard. Mr. Pou stated that he and his client do not want to put the HVAC in the yard because the yard is small.

Chairman Klaus asked if there was any public comment.

Bill Hartsock, owner of 2202 East Marshall St., introduced himself. Mr. Hartsock stated that the plans show the house as being at grade level, but that in fact the photographs show that the alley next to the lot has a 2-5 % incline from 22nd Street, so in order to have the garage at flat grade level, the alley would have to be graded down, which can't be done since it is a public right of way. To be able to accommodate the alley incline, Mr. Hartsock stated that the garage door would have to come up about 2-3 feet, perhaps more. This will cut into the height of the garage. Mr. Hartsock stated that the topography of the site does not lend itself to the design being proposed.

Mr. Hartsock stated that the guy wire is part of an easement and is in use by Verizon and Dominion, and falls where the garage door is shown in the plans. Thus, Mr. Hartsock stated, the garage is physically impossible, particularly with the constraints of the alley, which can barely fit a car and which is too narrow to allow trash pickup or emergency vehicles.

Regarding the retaining wall, Mr. Hartsock stated that it cannot be 8 inches wide and hold back 8 feet of dirt – it would have to be of cinder block construction, which would be at least 1.5 – 2 feet, which would use up most of the 3-foot setback.

Martha Broughton, a Church Hill resident, stated that the proposed house is too long for the area and too much of a departure from historic precedent.

Chairman Klaus asked if there was any further public comment. Hearing none, he opened the floor for Commission motion and discussion.

A motion was made by Commissioner Bond, seconded by Commissioner Johnson, to defer the application to allow the applicant the opportunity to provide additional information regarding how the applicant will address the slope of the property and concerns about the power line easement, to reconsider the location of the HVAC equipment, to provide a survey that indicates the guy wire location and slope of the property, to submit additional design details about the retaining wall, including height, materials, and length, and to redesign the garage to be physically set back from the alley elevation.

Commissioner Johnson stated that the applicant may get the zoning variances they are seeking, but that this is unknowable at this point; and that there is also the major, unaddressed issue of the slope on the lot. Chairman Klaus stated that there still seems to be some question about the guy wire as well.

Commissioner Morgan stated that, while there is a yard available in which to place an HVAC system, she would not endorse placing it on a roof, nor putting lattice around it. She stated that she would need more information as to exact placement in order to consider the roof option.

Chairman Klaus stated that, even if Zoning approves the garage, there is the matter of the board and batten and the differentiation between garage and house to be addressed.

Mr. Pou stated that he cannot have his variance request approved by the Board of Zoning Appeals until the Commission approves the design, and that Mr. Pou was contacted by a member of Zoning staff with the assumption that this project would be on the agenda of their M meeting. Chairman Klaus stated that there are too many unknowns about the application in its current form for him to feel comfortable giving it his approval.

**A motion was made by Commissioner Bond, seconded by Commissioner Johnson, to defer the application to allow the applicant the opportunity to provide additional information regarding how the applicant will address the slope of the property and concerns about the power line easement, to reconsider the location of the HVAC equipment, to provide a survey that indicates the guy wire location and slope of the property, to submit additional design details about the retaining wall, including height, materials, and length, and to redesign the garage to be physically set back from the alley elevation. The motion carried by the following vote:**

**Aye --** 6 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan and Commissioner Sean Wheeler

**No --** 1 - David C. Cooley

**Excused --** 1 - Commissioner Lawrence Pearson

7. [COA-052430-2019](#) 101 South 15th Street - Add two stories to an existing two-story building.

**Attachments:** [Application and Plans](#)  
[Staff Report](#)  
[Application and Plans \(4/23/2019\)](#)  
[Site Map](#)  
[Staff Report \(4/23/2019\)](#)

The application was presented by Ms. Jones.

Staff recommended that the application be approved with the following conditions: the window and door final specifications, including design and materials, be submitted for review and approval, and be reflected on the building permit plans in a door and window schedule; lighting specifications be submitted for administrative review and approval; any additional items not included in the application, including upgrades to an existing parking lot and any proposed signage, be submitted to staff for administrative review and approval.

The applicant, architect Nea Poole of Poole and Poole Architecture, stated that in comparison to the previously submitted version, the colors have been muted. The stair tower, rather than being all brick, has been visually differentiated with corrugated metal. In response to comments about integrating original material, and about horizontality, metal in a darker shade has been added to differentiate the bottom part of the building. Undulation at the top parapet has been removed.

Ms. Poole stated that one of the reasons for adding the stained cementitious wood was

to warm the palette and give a more residential look. The massing of the windows in the tower is meant to match as well as possible the massing of the long horizontal windows of the level below. Due to uncertainty about sourcing, either wood or metal is currently listed as the material. The corrugated metal will be either clear-coated to prevent rust, or a powder-coated metal will be used.

Commissioner Wheeler asked about the purpose of a horizontal band in the design. Ms. Poole stated that this is to house rather large HVAC equipment, and the interstitial space where this is housed is between residential units and the fitness center and another amenity structure. Mr. Wheeler pointed out an inaccuracy in the plans, in that this dark band is not shown in the last, street view drawing. Ms. Poole clarified that the element in question is like a podium.

Chairman Klaus asked about the cedar-colored cementitious wood. Ms. Poole brought out a sample to show the Commissioners. Chairman Klaus stated that the cementitious wood might seem too out of place in the industrial area of this project, and that the same substance in a color that complements and brings out the original brick color might be good.

Commissioner Cooley stated that the Commission often calls upon applicants to bring something new and creative, and that he felt this design did just that.

Chairman Klaus asked if there was any public comment.

Andy Thornton, owner of La Diff, located at 125 South 14th Street, asked about the precise location of the new corner tower. It was confirmed that this would be at the corner of Cary and 15th Streets. Mr. Thornton stated that he agreed somewhat with Commissioner Bond's comments about the earlier version of the design looking "suburban" but that he liked the modified design much more, and felt that the project is moving in the right direction. Mr. Thornton and Ms. Poole discussed construction logistics and were encouraged to continue that conversation offline.

Chairman Klaus asked if there was further public comment. Hearing none, he opened the floor for Commission motion and discussion.

Chairman Klaus stated that he felt the applicant had addressed most items brought up in the previous review, and that his only hesitation was about the accent color of the cementitious wood.

A motion was made by Chairman Klaus, seconded by Commissioner Bond, that the application be approved with staff recommendations.

Commissioner Morgan stated that the new feature which Commissioner Wheeler pointed out seems to increase the overall height of the addition, and also that she would be unable to approve an addition that sits flush with the face of the existing historic building. Commissioner Morgan stated that other than these considerations, the revised design is a major improvement. Commissioner Morgan also stated that in some drawings the brick appeared to be built up, and expressed uncertainty whether this could be dealt with merely by adding conditions to an approval.

Ms. Poole stated that no adding of brick is proposed, and that odd formations of brick on the rear of the building are in fact original.

Commissioner Wheeler expressed agreement with Commissioner Morgan that the new construction needs to be more differentiated, not stacked flush on top of the existing

structure, and suggested that the brick part be roofed and set back.

Chairman Klaus suggested that a setback could be added as a condition of approval. Commissioner Wheeler stated that deferral would still be a better option, as a setback would change the whole appearance.

Commissioner Bond stated that adding a setback would not alleviate his main concern, which is the stylistic incongruity and suburban residential appearance of the addition. Commissioner Bond cited the Wythe Hotel in the Williamsburg section of Brooklyn as an example of a successful addition of new to old construction, with the new referring to the old but also clearly differentiated.

Commissioner Brewer stated that she did not mind the residential townhouse-like appearance of the addition, but agreed that it should be set back, and that the cementitious infill should be of a red color to complement the brick, as opposed to a cedar appearance as proposed.

The motion to approve the application failed by the following vote:

Aye – 2 – Commissioner Neville C. Johnson Jr., Commissioner James W. Klaus  
No – 5 - Commissioner David Cooley, Commissioner Sanford Bond, Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, and Commissioner Kathleen Morgan

A motion was made by Commissioner Bond, seconded by Commissioner Wheeler, that this Application for a Certificate of Appropriateness be deferred to allow the applicant the opportunity to inset the addition from the face of the existing building, to simplify the design and materials, and to incorporate a color that relates to the historic brick building.

Chairman Klaus stated that, with the deferral, it was important that the Commission give the applicant clear feedback as to what should be changed. Commissioner Wheeler stated that the historic fabric of the existing building is important, and that key to preserving that is having the new structure on top of it set back.

Commissioner Bond stated that the addition should be less frenetic.

**A motion was made by Commissioner Bond, seconded by Commissioner Wheeler, that this Application for a Certificate of Appropriateness be deferred to allow the applicant the opportunity to inset the addition from the face of the existing building, to simplify the design and materials, and to incorporate a color that relates to the historic brick building. The motion carried by the following vote:**

**Aye --** 5 - Commissioner Sanford Bond, Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler and David C. Cooley

**No --** 2 - Commissioner James W. Klaus and Commissioner Neville C. Johnson Jr.

**Excused --** 1 - Commissioner Lawrence Pearson

8. [COA-052434-2019](#) 2901 M Street - Construct two new, multi-family residences.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The application was presented by Ms. Jones.

Staff recommended deferral of the application, with the following recommended conditions: staff recommends the applicant explore alternative ways to increase either the size or number of openings to balance the amount of solid wall space and openings; staff also recommends the applicant consider a different pattern for the dormers that is more in keeping with the historic buildings and new construction in the area; staff recommends that the windows be lengthened to six feet on the first floor and five to five-and-one-half feet on the second floor; staff recommends the applicant design a more cohesive plan for the rear elevation that integrates the first and second story outdoor living spaces.

The architect Patrick Zampetti, representing applicant Cantrell Harris, introduced himself. Mr. Zampetti stated that window heights requested by staff could be made with no problem. Mr. Zampetti stated that he had initially asked staff if the inclusion of a wood deck on the rear elevation, over the entries, would be acceptable, and was now being told that it would not be. Mr. Zampetti stated that the design of the rear is meant to match the sequencing and massing of the front dormers, and likewise the rear decks are meant to mirror the covered porch roofs; thus Mr. Zampetti stated that he was confused by staff comments that first and second floor elements need to be better integrated.

On the inner side elevations, which have six feet between them, Mr. Zampetti stated that he is not proposing windows because of privacy issues for the residents, and because of their lack of visibility as features to passersby. Mr. Zampetti stated that the one exception is a kitchen window, which upon staff's request was moved from the front and now presents a problem due to being smaller than other side windows. Mr. Zampetti stated that there are many nearby examples of small kitchen sink windows. Mr. Zampetti stated that in this revised application, venting has been added to the crawlspace, as well as brick which references the adjacent house.

Another item about which Mr. Zampetti expressed confusion was that, in the second submitted version for this project, the dormer configuration was designed to match that of an adjacent house and the applicant was asked to alter this and make them shed dormers. Mr. Zampetti stated that he is at a loss now that staff is requesting changes to this revised dormer design.

Mr. Zampetti stated that the request by staff that the three bays be changed to two bays is only being made as of this review, not the previous ones, and that if the request to reduce the wall space is complied with, this will result in very little usable wall space.

Chairman Klaus asked if there was any public comment. Hearing none, he opened the floor for Commission motion and discussion.

A motion was made by Commissioner Brewer, seconded by Commissioner Wheeler, that the application be deferred.

Commissioner Brewer stated that it is uncommon to see a shed roof under a deck as in the submitted design; rather, one more typically sees either a two-story deck or a two-story outdoor space with a screen porch on the bottom and a deck above. Commissioner Brewer stated that to her the style of the dormers was not problematic, only the size of the trim around the windows. Commissioner Wheeler elaborated on Commissioner Brewer's statement, that it is a matter of proportion, that as the dormers increase in size the windows in them should as well. Commissioners Wheeler and Brewer both stated that they did not have a problem with the dormers as currently submitted provided the trim be removed.

Chairman Klaus stated that the dormer windows appeared larger than the windows below them, due to the surrounding layers of trim. Commissioner Brewer stated that the issue was the surrounding amount of siding, which was unusual. Chairman Klaus agreed.

Mr. Zampetti asked if, conditions being provided, it might be possible to approve the project so that it could move forward. Chairman Klaus asked staff if this could be done, and if staff would be amenable to administratively approving the application. Ms. Jones stated that the way she would approach this would be to reach agreement among staff about revised plans, and then get approval for them from the Chair and Vice-Chair of the Commission.

Commissioner Brewer withdrew her motion to defer the application.

**A motion was made by Commissioner Brewer, seconded by Commissioner Wheeler, that this Application for a Certificate of Appropriateness be approved provided the following conditions are met: the design be revised to include larger windows on the first and second stories, a cohesive design between the first story and second story outdoor living spaces on the rear elevation, and to remove the siding by reducing the width of the dormer windows; and the revised design be submitted to staff for review and approval.**

**Aye --** 7 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler and David C. Cooley

**Excused --** 1 - Commissioner Lawrence Pearson

10. [COA-051999-2019](#) 511 North 24th Street - Renovate a two-story front porch, remove stairs, repair siding, demolish a rear shed, and add a rear brick patio and privacy fence.

**Attachments:** [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The application was presented by Ms. Jeffries.

Staff recommended partial approval. Specifically staff recommended approval of the following: the general repair and painting of the exterior; the replacement of the porch railing with the condition that the new railing be wood Richmond rail; and the demolition of the shed.

Staff recommended denial of the demolition of the front porch steps.

The applicant, Kelly Henderson of Cava Capital, stated that she could only find evidence of the stairs as early as the 1950s, which is after the period of significance as defined by the National Parks Service, and that the 1920s Sanborn map does not show the stairs. Based on this, Ms. Henderson asked that the Commission allow removal of the stairs as described in the application, with the added aesthetic reason being that the stairs make the house look like an apartment building.

Ms. Henderson cited as additional evidence against the porch being original the odd configuration of the porch roof, and the porch of the house next door's appearance of having been built at the same time as the house.

Chairman Klaus stated that the 1920s Sanborn map refers to a two-story structure on the front of the house, which is somewhat ambiguous but does not negate the possibility that there was a porch at that time; in the absence of photographic evidence to the contrary, the Commission must assume that the porch was always there. Ms. Henderson stated that in her experience if there are porch stairs they are generally clearly marked in the Sanborn maps.

Ms. Jeffries stated that in her research she was able to find a photograph from the 1930s showing a two-story front porch but that where the stairs would be is cropped out, so the photo is ultimately inconclusive.

Ms. Henderson asked whether, if photographic evidence is found at a later time, a Commission decision that the stairs be removed could be reversed. Chairman Klaus stated that this could be stipulated in the wording of the Commission's motion.

Commissioner Morgan asked if rehabilitation tax credits were being sought for the property. Ms. Henderson stated that they are not, as too many changes to the property are needed in order to make it livable.

Commissioner Cooley asked if the building is currently set up as a duplex. Ms. Henderson stated that it is not, though based on its appearance she had at first assumed that it was.

Chairman Klaus asked if there was any public comment. Hearing none, he opened the floor for Commission motion and discussion.

A motion was made by Commissioner Klaus, seconded by Commissioner Wheeler, that this Application for a Certificate of Appropriateness be approved for the reasons cited in the staff report provided the following conditions are met: the replacement of the porch railing be wood Richmond rail; the concrete walls and planter beds be repaired or replaced in-kind and no decorative brick elements be added; the demolition of the front porch steps only be permitted if additional documentation is provided to staff that incontrovertibly demonstrates the stairs are not original to the property.

Commissioner Cooley stated that the porch roof is the full width of the house, and that the slight return is the part that is difficult to explain, although it may be accounted for by the roof structure. Commissioner Cooley stated that the explanation should be sought at the point where the floor of the shorter narrower porch abuts the house, perhaps a diagonal that supports the roof or some other evidence that the porch was at one time the full width of the house. This would help explain what is supporting the second-floor porch.

Ms. Henderson stated that she had not brought photos of the floor system for the second porch, but that she could procure them. Chairman Klaus stated that, if she could provide proof of the stairs not being original, the Commission decision could be adjusted. Ms. Henderson stated that there is currently modern siding on the building, some of which would have to be removed in order to assess the framing to determine sequence of construction.

**A motion was made by Commissioner Klaus, seconded by Commissioner Wheeler, that this Application for a Certificate of Appropriateness be approved for the reasons cited in the staff report provided the following conditions are met: the replacement of the porch railing be wood Richmond rail; the concrete walls and planter beds be repaired or replaced in-kind and no decorative brick elements be added; the demolition of the front porch steps only be permitted if**

**additional documentation is provided to staff that incontrovertibly demonstrates the stairs are not original to the property. The motion carried by the following vote:**

**Aye --** 7 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler and David C. Cooley

**Excused --** 1 - Commissioner Lawrence Pearson

## **CONCEPTUAL REVIEW**

There are no items for Conceptual Review.

## **Adjournment**

Chairman Klaus adjourned the meeting at 6:38 PM.