



City of Richmond

City Hall
900 East Broad Street

Meeting Minutes Commission of Architectural Review

Tuesday, October 22, 2019

3:30 PM

5th Floor Conference Room of City Hall

Call to Order

James Klaus, the Chairman, called the business portion of the October 22 meeting of the Commission of Architectural Review to order at 3:30 pm.

Roll Call

Present -- 9 - * Commissioner Sanford Bond, * Commissioner Gerald Jason Hendricks, * Commissioner James W. Klaus, * Commissioner Neville C. Johnson Jr., * Commissioner Ashleigh N. Brewer, * Commissioner Kathleen Morgan, * Commissioner Sean Wheeler, * Commissioner Lawrence Pearson and * Commissioner Mitch Danese

Approval of Minutes

September 24, 2019

A motion was made by Commissioner Neville Johnson, seconded by Commissioner Mitch Danese, that the September 24, 2019 Meeting minutes be approved. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

October 8, 2019 Quarterly Meeting

A motion was made by Commissioner Neville Johnson, seconded by Commissioner James Klaus, that the October 8, 2019 Quarterly Meeting minutes be approved. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

OTHER BUSINESS

Secretary's Report

Commission Secretary Carey L. Jones stated that Planning and Development Review staff are continuing to work on the Richmond 300 plan, which includes public meetings and feedback sessions, and currently a survey which is being circulated.

Ms. Jones stated that she had received new information on the George Mason Elementary School project at 813 North 28th Street, and that she anticipated another review of the project at the November CAR meeting.

Ms. Jones recapped that a window company representative and a window distributor presented at the October 8th quarterly CAR meeting, and that she would follow up with Commission members about setting up a meeting with the window distributor, Mr. Robert Woodward. Commissioner Klaus stated that the Commission had hoped to get feedback from this window specialist on some non-approved windows which the Commission had encountered. Ms. Jones encouraged Commissioners to share with her any additional useful window specialist contacts they might have.

Chairman Klaus stated that there was currently a Charles Robinson exhibit at the Branch Museum of Architecture and Design, which might be of special interest as he was the designer of the George Mason Elementary School building. Chairman Klaus pointed out that Style Weekly recently [October 15th] ran an article about the school and Commission's review.

Ms. Jones stated that the CAR schedule for 2020 should be ready to share with Commissioners in the next week or two.

Administrative Approval Report

Ms. Jones stated that Commission staff approved a permit for rehabilitation work at Sixth Mt. Zion Baptist Church [at 14 West Duval Street]. A wheelchair lift was approved by Ms. Jones for 13 North 29th Street, with Chairman Klaus' support and approval. Ms. Jones suggested that administrative approval guidelines for similar cases might be advisable, as they tend to be situations of urgent need for the applicants. An extensive rehabilitation was approved for 904 North 24th Street, following extensive work with staff to ensure that the work would meet administrative approval guidelines. A window-to-door conversion was approved at 2419 Jefferson Avenue, due to its very limited visibility from the street.

Enforcement Report

Ms. Jones stated that she had spoken with the owner of 3309 Monument Avenue in regard to non-approved work that had been done to the building. An addition and exterior masonry changes had been recently reviewed by the Commission. An application for approval of some items in violation should be submitted for the November CAR meeting. The owner stated that she would attempt to undo some of the work.

Other Committee Reports

Ms. Jones stated that she would shortly send Commissioners the Urban Design Committee agenda for November, which has one item which is not near a historic district.

Guideline Updates

Ms. Jones stated that staff have been working on updates to the Historic Guidelines, and should have a revised Paint Palette soon. Ms. Jones stated that she would like to gauge the Commission's interest in input to the Guidelines, and whether a Commission member might have interest in being involved in a specific area or areas. Ms. Jones stated that Commissioner Danese had shared with her some information on HVAC equipment and dumpsters, which she would in turn share with Commissioners.

Chairman Klaus stated that UDC is currently undergoing a Guidelines update, and that UDC Secretary Joshua Son sent a draft of the entire Guidelines document to Committee members, and asked them to provide any feedback. Chairman Klaus stated that for CAR it may be preferable to do it section by section. Ms. Jones stated that the business portion of the meeting would seem to be a good time for reviewing Guidelines sections.

The meeting recessed at 3:45 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 and the general public that items are placed on the consent agenda if they do not seem to require much discussion. However, if an application is placed on the consent agenda and the applicant does not think it belongs there, they have an opportunity to have it moved back to the regular agenda. Also, members of the public have an opportunity to comment on any items placed on the consent agenda.

A motion was made by Commissioner Johnson, with Commissioner Bond seconding, to move the 8th item, COA-061551-2019, 3206 East Broad Street, to the consent agenda.

The motion passed by the following vote:

Aye – 9 - Commissioner Ashleigh Brewer, Commissioner Sanford Bond, Commissioner James Klaus, Commissioner Mitch Danese, Commissioner Neville C. Johnson Jr., Commissioner Lane Pearson, Commissioner Jason Hendricks, Commissioner Kathleen Morgan, Commissioner Sean Wheeler

A motion was made by Commissioner Klaus, with Commissioner Johnson seconding, to move the 6th item, COA-062065-2019, 815 North 22nd Street, to the consent agenda.

The motion passed by the following vote:

Aye – 8 - Commissioner Ashleigh Brewer, Commissioner Sanford Bond, Commissioner James Klaus, Commissioner Mitch Danese, Commissioner Neville C. Johnson Jr., Commissioner Jason Hendricks, Commissioner Kathleen Morgan, Commissioner Sean Wheeler

Abstain – 1 - Commissioner Lane Pearson

A motion was made by Commissioner Klaus, with Commissioner Johnson seconding, to move the 2nd item, COA-059046-2019, 606-608 North 29th Street, to the consent agenda. The motion passed by the following vote:

Aye – 8 - Commissioner Ashleigh Brewer, Commissioner Sanford Bond, Commissioner James Klaus, Commissioner Neville C. Johnson Jr., Commissioner Jason Hendricks, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lane Pearson

No – 1 - Commissioner Mitch Danese

Chairman Klaus asked if there was any public comment.

Mr. Harvey Youssef, resident and owner of 3206 East Broad Street, stated that he would

still like to alter his back porch, and therefore wished to have the application removed from the consent agenda.

A motion was made by Commissioner Klaus, with Commissioner Wheeler seconding, to remove the 8th item, COA-061551-2019, 3206 East Broad Street, from the consent agenda and return it to the regular agenda. The motion passed by the following vote: Aye – 9 - Commissioner Ashleigh Brewer, Commissioner Sanford Bond, Commissioner James Klaus, Commissioner Mitch Danese, Commissioner Neville C. Johnson Jr., Commissioner Lane Pearson, Commissioner Jason Hendricks, Commissioner Kathleen Morgan, Commissioner Sean Wheeler

A motion was made by Commissioner Wheeler, seconded by Commissioner Bond, that the consent agenda be approved. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

1. [COA-062058-2019](#) 312 N. 32nd Street - Add a rear screened in porch to the previously approved design of a new single-family residence.

Attachments: [Application and Plans](#)

[Base Map](#)

[Staff Report](#)

A motion was made by Commissioner Johnson, seconded by Commissioner Bond, to approve the application for the reasons cited in the staff report provided the following conditions are met: The screening be placed on the interior of the posts and railing, to maintain the open appearance of the porch; the design of the porch roof be modified so the edge of the roof does not cover the corner board, and revised plans be submitted to staff for administrative review; an alternate material be used to clad the porch roof, specifications to be submitted to staff for administrative review. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

2. [COA-059046-2019](#) 606-608 N. 29th Street - Construct two new, semi-attached residences.

Attachments: [Application and Plans \(8/27/2019\)](#)

[Staff Report \(8/27/2019\)](#)

[Application and Plans](#)

[Base Map](#)

[Staff Report](#)

A motion was made by Commissioner Johnson, seconded by Commissioner Bond, to approve the application for the reasons cited in the staff report provided the following conditions are met: The applicant submit a dimensioned context elevation that includes the height of the proposed and existing buildings and

porches for staff review and approval; the applicant utilize one body color for a more consistent appearance and the final colors be submitted for staff review and approval; the applicant use a taller window on the first story and a slightly shorter window on the second story; the applicant provide window specifications that meet the Commission Guidelines and update the plans prior to submitting for a building permit; the applicant screen the HVAC equipment and trash cans in the side yards with a fence and a gate, and the details of which be submitted for staff review and approval; the applicant use a low profile gutter, such as a ½ round, and submit the details to staff for review and approval, and update plans prior to submitting them for a building permit; the applicant provide information about any proposed site improvements, including walkways, to staff for review and approval. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

6. [COA-062065-2019](#) 815 N. 22nd Street - Revise previously approved plans to rehabilitate a mixed-use building and construct a rear addition.

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

A motion was made by Commissioner Johnson, seconded by Commissioner Bond, to approve the application for the reasons cited in the staff report provided the following conditions are met: The existing rear porch remain including the existing second-story deck and the center posts; the new construction be painted or stained a neutral color, and the color be submitted to staff for administrative approval. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

REGULAR AGENDA

3. [COA-062063-2019](#) 420 N. 26th Street - Rehabilitate an existing one-story detached, single-family residence and construct a rear addition; construct a new detached, two-story single-family residence.

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

The application was presented by Ms. Jones.

Chairman Klaus asked if staff found the proposed 2nd-floor mansard roof problematic, or not. Ms. Jones stated that though this was not explicitly mentioned in the staff report, an alteration to it should also be included as a condition of approval, as it is not a roof form found in the district.

The applicant, Mr. Mark Baker, introduced himself as being present on behalf of the owner and provided handouts for staff and Commission review. Mr. Baker stated that they had worked extensively with staff since August 2019 to address issues raised during the conceptual review that occurred then, and the new construction has been significantly revised. Referring to the proposed addition at 420 North 26th Street, Mr. Baker stated that the staff conditions regarding window size and TPO on the rear-sloping roof would not be a problem. Mr. Baker pointed out that the addition had been offset by 4 inches, as requested. Mr. Baker stated that, in meeting with Commission staff, the applicants had suggested that they would vary the height of the lap siding in order to differentiate the rear addition from the existing structure. Mr. Baker pointed out that the rear addition is in a tight area, with no alley behind it to provide a public view; that a privacy fence is proposed; and that the addition will have 2-story buildings on either side, further concealing it. Mr. Baker stated that the owner questioned the cost-to-benefit ratio of altering the roof slope, given this limited visibility, and also had concerns about potential water damage. Mr. Baker pointed out the beneficial nature of the proposed demolition of the non-historic side addition.

Regarding the new construction at 418 North 26th Street, Mr. Baker stated that Commission comments about false historicism and other concerns had been seriously considered in modifications to the original design, and that, in response to Commission comments, the roof form had been modified; decorative cornice line and dormers had been removed; paired windows had been replaced with single windows. The 2/2 windows were preserved in the hopes that they would be deemed acceptable in the context of other revisions.

Mr. Baker stated that design precedents for the proposed structure included two new-construction buildings built by the owner with Commission approval, one of which, at 413 Chimborazo Boulevard, was approved in 2018. Mr. Baker said that Commission concern about details conveying false historicism seemed to be increasing, as part of an ongoing "pendulum swing" between favoring more modern designs and favoring more duplicative, historic-appearing designs.

Responding to Commission suggestion of inserting additional windows on the visible bays on the right elevation, Mr. Baker said the owners preferred not to because the window layout as proposed worked better with the floor plan, including a bed wall on which a window would not be suitable. As there is no alley, the side façade has limited visibility. Though it had not been mentioned, a privacy fence was proposed, which would further limit visibility of first-floor windows.

Mr. Baker stated that, though it had not been mentioned, the stairwell window could be removed from the design if Commission finds it problematic – historic homes often have such windows, though it may not be typical for the specific neighborhood.

Mr. Baker stated that front windows had been modified in response to staff and Commission comments, but that side windows had been left as they were, due to their limited visibility. Mr. Baker stated that the transom above the bath could be modified and made a more conventional window if the Commission requires.

Mr. Baker stated that 2/2 windows are widely utilized in the region, and consistent with the 413 Chimborazo design which was approved; therefore the applicants would like to keep them as part of the design.

In regard to the request for more consistent material usage at the foundation, Mr. Baker stated that, where the foundation would be visible, it would be all brick. The applicants

would prefer not to have to put brick all the way around.

Commissioner Hendricks asked if the peak of the roof at 420 North 26th had been altered from what was initially submitted. Mr. Baker stated that the peak had to be substantially rebuilt and the current version would be higher. Commissioner Hendricks asked if the rebuilding was due to deterioration, or to accommodate the slope. Mr. Baker responded that the change to the roof was required for both reasons.

Chairman Klaus asked if there was any public comment.

Ms. Treva McGeachy, owner and resident of 422 North 26th Street, stated that the site in question was adjacent to her property and that she had concerns about impact in terms of sight lines if the new construction is taller than what is there currently, as well as access and the potential for people to cut through her yard, particularly while the work was going on. Chairman Klaus stated that the proposed renovation at 420 North 26th will keep it as a one-story house, and that the two-story house is planned for the other side, in an empty lot between 416 and 420 North 26th Street. Ms. McGeachy stated that that lot had always been empty. Chairman Klaus stated that the 1905 Sanborn map shows a house in that now-empty lot, which by 1950 was gone. Ms. McGeachy asked how far back the new house will extend. Commissioner Hendricks stated that the new house will extend as far back as the house next to it.

Ms. McGeachy stated that her main concern was the impact on her of the work at 420 North 26th Street, and the extent to which construction personnel would have to access her yard to complete the work.

Chairman Klaus asked Mr. Baker to address Ms. McGeachy's concerns. Mr. Baker stated that he was aware that, the 420 North 26th lot being on the property line, the work would require a special use permit as well as cooperation with neighbors. He stated that he had sent letters to all nearby neighbors within 150 feet and that he would be happy to meet with Ms. McGeachy to discuss her concerns, potentially right after the current meeting, if possible. Mr. Baker stated that he planned to meet with the neighborhood association.

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

A motion was made by Commissioner Johnson, seconded by Commissioner Brewer, to approve the application with staff recommendations.

Commissioner Morgan stated that the applicant had stated that the rear addition would have siding of a different width than the historic house, to differentiate it, but that this was not indicated in the drawings. Commissioner Morgan asked that this be added as a condition.

Commissioner Hendricks expressed concern about the scale and proportion of the roof line, and the raising of the wall height from about 7 feet and 5 inches to 9.5 feet. Commissioner Hendricks stated that unlike staff he did not see a problem with the proposed 2/2 window configuration on either structure, and that he did not feel that more windows or a different window alignment were needed on the left and right elevations of the new house.

Chairman Klaus stated that a 1/1 window configuration would help to distinguish the new construction windows from the historic windows in the area, most of which are 2/2.

Commissioner Morgan expressed concern that the raising of the roof height would alter the roof slope, and would go against the Guidelines. Commissioner Morgan stated that the roof of the addition should be either below the eave of the rear, or come in as a gable on the rear roof.

Commissioner Wheeler stated that the wall height would have to be raised. Commissioner Hendricks stated that when the height is raised significantly, at some point it becomes a new house, and suggested that it be raised less, perhaps to about 8 feet.

Commissioner Hendricks stated that the roof pitch and the height of the peak would also be an issue, as it would change the scale and proportion of the building from the front.

Commissioner Johnson asked if the pitch of the roof from the front was Commissioner Hendricks' issue, and stated that the height is desirable, but that the pitch could be adjusted. Commissioner Wheeler stated that the height would have to be raised, possibly even simply as a code requirement. Commissioner Hendricks stated that the rear of the building is less of a concern, being minimally visible, and asked if Commissioner Johnson meant that the peak of the roof should be kept at its current height, but the porch elevation side of the roof should be raised. Commissioner Johnson confirmed this. The Commissioners continued a discussion on what would be an optimal interior height, and some apparent ambiguities of height measurement indicated in the plans.

Mr. Baker suggested that the Commission defer the application to give the applicants time to address the issues raised by the staff and Commission. Chairman Klaus stated that he was in agreement.

Commissioner Johnson withdrew his motion to approve with staff conditions, and Commissioner Brewer withdrew her second.

Commissioner Hendricks asked if the 418 North 26th Street component of the application could be approved, and the rest of it deferred. Chairman Klaus stated that there were issues with that address as well. Mr. Baker stated that both addresses would be encompassed by the same special use permit, thus the application was all one thing.

A motion was made by Commissioner Klaus, seconded by Commissioner Johnson, to defer the application for the reasons cited in the staff report to allow the applicant the opportunity to respond to staff and Commission comments. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

4. [COA-062015-2019](#) 3516 E. Broad Street - Remove two rear doors and install one rear double door with sidelights and transom.

Attachments: [Application and Plans](#)

[Base Map](#)

[Staff Report](#)

The application was presented by Ms. Jeffries.

The applicant, Mr. Chase Cothran of 3north Architecture, introduced himself and contractor Mark Franko. Mr. Cothran stated that the desire behind the project was to increase light and access, and that he planned to keep the existing outer jambs and headers. Mr. Cothran stated that only the middle portion of the bricks would be removed, existing headers and sills would be preserved, and that a wooden privacy fence behind the property would block this area's visibility from behind the property, though there are some views to the sides.

Mr. Franko stated that the contractors would be very careful to preserve the existing details, only altering what is necessary to the project; and that the face of the building affected by the work is decidedly non-dominant.

Chairman Klaus asked if the house was always single-family. Mr. Franko stated that it had been, as far as the applicants were able to determine.

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

Commissioner Wheeler asked if there wasn't some leeway with a rear elevation. Chairman Klaus stated that there would be, were the elevation in question not so visible. Commissioner Wheeler stated that he had visited the site and found that the project area was visible from the opposite side of the street, but not from the sidewalk close to the house, and not necessarily from the street. Chairman Klaus stated that he could see the area from his car while driving past.

Commissioner Johnson stated that the owner's objectives could be achieved, assuming the existing doors are not original, by replacing them with glass doors. Chairman Klaus added that one of the doors could be sealed shut, to function only as a window.

Commissioner Wheeler pointed out that the Guidelines on page 71 state that entrances and porches which are important in defining a building's historical character should not be changed or removed, and that side and front porches tend to be more ornate whereas back porches tend to be more utilitarian. Based on this, one could argue that the rear brick is of a more utilitarian nature and thus potentially removable.

Commissioner Morgan stated that the removal of some brick did not bother her much either, but that she would like to know if the work would be within the jambs.

Commissioner Johnson stated sympathy with the applicant's objective, but that it is a slippery slope to allow some visible historical alterations, and opens the way for similar future alterations.

A motion was made by Commissioner Pearson, seconded by Commissioner Johnson, to deny the application for the reasons cited in the staff report. The motion carried by the following vote:

- Aye --** 5 - Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Lawrence Pearson and Commissioner Mitch Danese
- No --** 4 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner Kathleen Morgan and Commissioner Sean Wheeler

5. [COA-061557-2019](#) 801-803 Mosby Street - Construct one mixed-use building and two, two-family, semi-attached residences.

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

Commissioner Pearson recused himself from review of this proposal.

The application was presented by Ms. Jones.

Commissioner Morgan asked if the previously reviewed iteration of this project included parking. Ms. Jones stated that it had, and that the applicant owned the adjacent lot and that those residents and the new ones would be borrowing parking spots from each other.

Commissioner Wheeler asked if zoning staff had reviewed the project. Ms. Jones stated that the applicant had been in contact with zoning staff, and that the probable need for a special use permit had been indicated.

Todd Dykshorn, the architect for the project, introduced himself. Mr. Dykshorn stated that the project is intended to be by-right and not require a special use permit, though it would require a property line adjustment. The owner will have to take about 18 inches from his adjacent property and add it to the parcel to be used for this project. Mr. Dykshorn stated that the applicants had dealt with zoning staff at length to address issues which they raised.

Mr. Dykshorn stated that the applicants believe the corner treatment massing is appropriate for new construction, neither contemporary nor historic in appearance. Mr. Dykshorn stated that the applicants considered different side fenestration options, and found that not many were needed, and that many Church Hill residences have few side windows. The applicants felt that the commercial use fronting on Carrington Street would require a service core for the space, and windows would defeat that, although false windows could be considered. Chairman Klaus asked if Mr. Dykshorn was referring to the north elevation. Mr. Dykshorn stated that he was not, but that the same was essentially true for that elevation. Chairman Klaus stated that the 3rd floor would be very visible due to its setback. Mr. Dykshorn stated that all the interior spaces as specified in the proposal would have sufficient, well-spaced and sized windows.

Chairman Klaus asked if there was any public comment. Hearing none, he closed public comment and opened the floor for a Commission motion and discussion. Ms. Jones stated that the Commission had received two letters from the public, both of which were in opposition to the project. One of the letters mentioned concerns about height.

Mr. Dykshorn stated that the Commission's recommendation of lowering one bay on the new construction in order to better integrate it into the block had been adopted, and Mr. Dykshorn and the owner were very pleased with how it had worked, and felt that it had made the project more palatable for the neighborhood.

Commissioner Bond stated that the cantilever seemed like a good solution, but that the proportions of heavy supporting material to small house did not seem right, and suggested that steel and/or glass could convey a more definitively modern appearance. Commissioner Johnson stated that the design as currently conceived seemed to blend too much into its surroundings.

Commissioner Morgan expressed concern about the overall height, and asked if there was a fence to serve as screening for parking on the street side. Ms. Jones stated that

screening is indicated for larger parking lots, and that such details can sometimes be administratively approved – zoning staff requires the screening, while Commission staff reviews what kind of screening it is.

Commissioner Hendricks suggested that an extra row of windows could be added to the south façade, to improve illumination, and that he was less concerned about the north-facing side, as it is next to another building, but that perhaps transom windows above the bedrooms could be added. Commissioner Hendricks stated that he was not concerned about the building height, the cantilever, or the building materials.

A motion was made by Commissioner Klaus, seconded by Commissioner Johnson, to approve the application for the reasons cited in the staff report, provided the following conditions are met: the applicant provide information about the location of all HVAC equipment; the applicant submit information about proposed landscaping and screening of the parking area for review and approval; and add additional fenestration on the north and south elevations. The motion carried by the following vote:

Aye -- 7 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

No -- 2 - Commissioner Ashleigh N. Brewer and Commissioner Kathleen Morgan

7. [COA-062062-2019](#) 3101-3105 E. Marshall Street - Renovate first floor of an existing building and add a third story; and construct a three-story side addition.

Attachments: [Application and Plans \(10/22/2019\)](#)

[Site Map](#)

[Staff Report \(10/22/2019\)](#)

[Application and Plans](#)

[Staff Report](#)

The application was presented by Ms. Jones.

Commissioner Pearson requested clarification about the staff recommendation that the addition be inset from the side. Ms. Jones explained that, though the addition is of a different material, it continues the wall and roof plane horizontally and vertically, thus not differentiating itself as much as Commission staff generally prefers, as being in keeping with the Guidelines.

Chairman Klaus asked if the existing rear porch was currently visible from the public right-of-way. Ms. Jones confirmed that it was.

Mr. Sean Jefferson, the builder and designer for the project, introduced himself and the owner, Ms. Jing Jing.

Chairman Klaus asked if the applicants had any response to Commission and staff comments. Mr. Jefferson said no, and that the applicants would be able to accommodate the requests. Chairman Klaus asked if the applicants would be amenable to a deferral of the application, so that the applicants could incorporate the requested changes into a new plan for review.

Ms. Jing asked if there were portions of the application which could be approved today, or if the entire application would have to be deferred. Chairman Klaus stated that a long list of conditions had been generated, so he wasn't sure what benefit an approval of a few of the items would confer. Mr. Jefferson stated that many of the conditions were of a technical nature. Mr. Jefferson expressed uncertainty about the chimneys and how, in light of the other requested changes, they would have to be moved in order to remain visible. Chairman Klaus stated that he did not believe the chimneys would have to be visible, and that there would not be working fireplaces, so the chimneys should not be a difficult aspect. Chairman Klaus stated that there are too many details in the application to work through in a Commission meeting context, but that staff could go over them with the applicants so that their next application is revised to address them.

Ms. Jing stated that the applicants had received letters of support, one of which, from the Church Hill Neighborhood Association, mentioned the inset of the addition, in the context of wanting larger units that are able to accommodate a family.

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

Commissioner Hendricks requested that the applicants provide a more detailed rendering, and address some of the inaccuracies in the most recent renderings. Commissioner Hendricks expressed reservations about the plans for the existing building, stating that they fall somewhere between what photographic historical evidence indicates and what the building is like now – thus not in keeping with the Guidelines; and that the sloped pitched roof form on the Marshall Street side is not a typical form found in the district.

Commissioner Hendricks stated that the roof line appears to extend over the inset, which if true somewhat defeats the purpose of the inset; and that a previous design iteration had done a better job of addressing the corner.

Commissioner Bond stated that the submitted renderings lack context, thus giving the buildings a houseboat-like appearance.

Commissioner Danese asked if the Commission found it problematic that the proposed new building would engulf much of the existing historic building, and also be taller than it. Chairman Klaus pointed out that historically there has been a building in the space where the new building is proposed, but stated that Commissioner Danese's point was valid in terms of the rear area of the buildings.

Commissioner Morgan stated that she was still concerned about the addition being taller than the historic building, and that it would be useful to know the building heights along each street face.

Commissioner Wheeler stated that the east elevation, if it is on the property line, as it appears to be, then it would not be permissible to have windows on it, as currently planned. Mr. Jefferson stated that he believed that elevation to be 7 feet from the property line, but would double-check.

Commissioner Hendricks stated that the fenestration on the west elevation is rather sparse, and that some of the openings are not aligned.

A motion was made by Commissioner Klaus, seconded by Commissioner Johnson, to defer the application for the reasons cited in the staff report to allow the applicant the opportunity to respond to staff and Commission comments. The motion carried by the following vote:

Aye -- 9 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

8. [COA-061551-2019](#) 3206 E. Broad Street - Expand second-floor rear deck, and construct stairs to the second floor.

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

The application was presented by Ms. Jeffries.

Mr. James Catts, of Add-a-Deck, introduced himself and the owner, Mr. Harvey Youssef. Mr. Catts stated that the project was to address rot and deterioration of the deck, and to add more usable space. Mr. Youssef stated that the porch has been repaired many times, so this more extensive rebuilding was recommended. Mr. Youssef stated that he would like to have a porch of similar extent to his neighbor's, and that he could be flexible in terms of colors.

Commissioner Hendricks asked if the existing spiral staircase was in good condition. Mr. Youssef stated that the spiral staircase was difficult to use for children and while handling bulky items or pets – thus the desire to replace it with conventional, wider stairs.

Chairman Klaus asked if there was any public comment.

Mr. Myles Baker of 308 North 33rd Street introduced himself and explained that his house is adjacent to the alley that runs behind 3206 East Broad Street. Mr. Baker stated that he supported the project, and that he disagreed with the staff finding that the extended portion of deck would be visible from the alley. Mr. Baker stated further that Mr. Youssef is a good neighbor who keeps his property in good repair.

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

Chairman Klaus stated that, since the deck roof and the two exterior columns would be retained, the historic appearance would be largely preserved. Commissioner Hendricks stated that a roof extension, to correspond with the deck extension, would be more consistent with typical historic forms, but that it being a rear porch allowed for more flexibility.

A motion was made by Commissioner Klaus, seconded by Commissioner Bond, to approve the application for the reasons cited in the staff report provided the following condition is met: The new construction be painted or stained a neutral color and the color be submitted to staff for administrative approval. The motion carried by the following vote:

- Aye --** 6 - Commissioner Sanford Bond, Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Mitch Danese
- No --** 3 - Commissioner Gerald Jason Hendricks, Commissioner Neville C. Johnson Jr. and Commissioner Lawrence Pearson

CONCEPTUAL REVIEW

9. [COA-061559-2019](#) 517 Catherine Street - Rehabilitate a residence and construct a rear addition.

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

The application was presented by Ms. Jones.

Commissioner Wheeler asked if this project would require a Special Use Permit. Ms. Jones stated that this was unknown, as zoning staff had not yet reviewed it.

The applicant, Jimmy Montgomery with Dobrin Homes, introduced himself. Mr. Montgomery stated that the side entry would be removed as recommended by staff, and that current zoning of the property is that it is a duplex. Mr. Montgomery stated that a challenge for the applicants is that the residence is on the property line on the right-hand side, and therefore the addition would need to be offset

Mr. Montgomery stated that the owners also own the adjacent lot, from which the applicants plan to take 3-5 feet in order to achieve the desired width for the project. Mr. Montgomery stated that the applicants would have no problem agreeing to the window design found by staff, but asked that their proposed side fenestration be allowed. Mr. Montgomery stated that there is no photographic evidence, nor any indication within the building, to show the fenestration pattern from before a renovation which took place in the 1960s.

Mr. Montgomery stated that, if the addition bump-out is not approved, the applicants will need to reverse the locations of the bedrooms, which will potentially require additional windows.

Commissioner Hendricks asked if the applicant had any thoughts on reducing the size of the addition, which is nearly equivalent to the original structure in size. Mr. Montgomery stated that the property is a duplex, but an unusable one in its current configuration, as one must either walk through the rooms for access to the building, or a hallway must be added, thus further reducing usable space. Commissioner Hendricks stated that this is a traditional layout: a side hallway with 3 rooms off of it and a stairway and bathroom at the back.

Commissioner Hendricks stated that such houses are often used as duplexes, with a foyer that has been closed off and separated out.

Mr. Montgomery stated that there are additions of similar size in the area. Commissioner Hendricks stated that it would be helpful to see a dimensioned site plan, to understand how much of the site is being taken up by the structures. Mr. Montgomery stated that if the exterior side staircase is removed, the applicants would plan to add a staircase at the back.

Chairman Klaus asked if there was any public comment.

Ms. Marie Cousins introduced herself as the owner of two houses on the block. Ms. Cousins requested clarification about the windows. Mr. Montgomery stated that the

fenestration would be based on the historic pattern from the 1960s photograph. Ms. Cousins asked whether a porch was planned for the house. Ms. Cousins stated that the house had always looked somewhat different from the other houses on the block, as they generally have porches and it does not.

Ms. Diane Jeffries, owner at 521 Catherine Street, introduced herself. Ms. Jeffries stated that the project property, though it looks unlike other houses on the block, still looks residential, whereas the proposed design looks like a large apartment complex, and appears oversized for the block.

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

Commissioner Brewer expressed agreement with staff recommendations, stating that the size of the addition is problematic, not being sufficiently subordinate to the existing structure. Commissioner Brewer expressed approval of the plan to move the stairs from the side to the rear.

Commissioner Pearson expressed agreement with the staff recommendations, and with Ms. Cousins that the house might benefit from having a porch.

Commissioner Wheeler suggested that the applicants consider rehabilitating the existing structure and building a separate accessory structure at the back of the property instead of an addition. As currently proposed, Commissioner Wheeler stated that the house would be too large, and that the bedroom count is concerning.

Commissioner Morgan expressed agreement with staff comments and the concerns of neighbors, and suggested that the applicants reach out to neighbors and consider attending a meeting of the Historic Jackson Ward Association.

Commissioner Hendricks expressed concern about the planned size of the building, and stated that it is important that the front door be used as a front door, and not a window into a bathroom.

Chairman Klaus stated that, aside from concerns about the size of the bump-out, the proposed depth of the building is important; should not differ much from that of neighboring houses.

Commissioner Johnson expressed agreement with Chairman Klaus about the depth, and stated that the addition does not seem subordinate to the existing structure. Site plans with more context information would help the Commissioners to assess the reasoning behind the design. The materials of the new addition, including the bump-out, need to be better differentiated from those of the main existing structure.

Mr. Montgomery asked if the bump-out in its current size could be acceptable. Commissioner Wheeler and Chairman Klaus stated that it would depend on the treatment. Mr. Montgomery asked if, were the applicants to install a porch, they would also have to install an overhang. Chairman Klaus stated that either the overhang or the porch would be appropriate, not both. Mr. Montgomery clarified that he was referring to installing a porch with a railing but no roof over it. The Commissioners and Ms. Jones indicated that this would not be well-received. Chairman Klaus stated that adding an appropriate porch to the project might help to generate goodwill among neighbors, and make them more amenable to some other aspects of the design. Commissioner Hendricks stated that the chimneys need to be retained.

Alex Lugovoy, of Dobrin Homes, asked for clarification regarding the respective roles of neighbors and the Commission in approving projects. Chairman Klaus stated that the Commission always appreciates it when a project is vetted by the community prior to going before the Commission, and that a letter from a community association is a useful piece of information for the Commission to consider. Mr. Lugovoy asked for clarification about how to make the addition subordinate to the main structure, and for some numerical rule to apply. Chairman Klaus stated that an addition has to be subordinate, and there is no specific rule to apply to determine this, but an additional consideration is that the building needs to fit with the context of surrounding houses, i.e., not be much larger than them.

The application was conceptually reviewed.

10. [COA-061563-2019](#) 510 W. 19th Street - Construct a new single-family residence on a vacant lot.

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

The application was presented by Ms. Jones.

The applicant, Mr. John Krone, withdrew the application.

Chairman Klaus asked if there was any public comment. Hearing none, and the item having been withdrawn, he moved on to the next agenda item.

11. [COA-061566-2019](#) 524 N. 21st Street - Construct a new multi-family residence on a vacant lot.

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

The application was presented by Ms. Jones.

The applicant was not present.

Chairman Klaus asked if there was any public comment.

Mr. Brian Hall introduced himself and stated that he was present on behalf of his clients, who own the property at 526 North 21st Street. Mr. Hall stated that their concern was with the side buffer elements which might infringe on their property and access, including the side stairs, the walkway from the street, and the retaining wall.

Chairman Klaus stated that he agreed with staff recommendations, including that the Sanborn map should be referred to for siting of the new building, and that the two-story porch should be removed from the design.

Commissioner Brewer expressed agreement that the two-story front porch should be removed, and asked for staff's position regarding the two-story back porch. Ms. Jones stated that more details would be necessary, and that it might be preferable if it were

simplified so that it reads as a real porch. Ms. Brewer stated that she generally agreed with staff recommendations.

Commissioner Wheeler stated that a 2-story front porch like the one at 517 North 21st Street would be acceptable. That porch does not have a roof.

Commissioner Morgan expressed concern about the narrowness of the design, and asked if the Commission had any ability to intervene with side yard rules, for example the one in this instance which requires a 3-foot side yard. Ms. Jones stated that this would be up to the applicant, since they would then have to get zoning approval to eliminate the side yards. Commissioner Morgan expressed surprise that the side yards are required, and stated that there are starting to be numerous instances of new construction with the side yards, which change the character of the block. Commissioner Morgan suggested that perhaps in instances where there is evidence of a house previously having existed at a site, this could be used as a reason to waive the setback requirements. Ms. Jones stated that the Commission can tell an applicant their submitted building design is too narrow, but cannot require an applicant to get an administrative variance. Chairman Klaus stated that there could also be resistance from neighbors to having the new construction so close to their property, due to the lack of a setback.

The application was conceptually reviewed.

Adjournment