



Meeting Minutes
Commission of Architectural Review

Tuesday, December 17, 2019

3:30 PM

5th Floor Conference Room of City Hall

Call to Order

James Klaus, the Chairman, called the business portion of the December 17 meeting of the Commission of Architectural Review to order at 3:38 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

November 26, 2019

Chairman Klaus stated that a correction was needed in the November minutes, to adjust the wording of the Commission's decision for item #5, COA-060187-2019, for the demolition of George Mason Elementary School at 813 N. 28th Street. The current wording states that the Commission approved the demolition of all of the school except for the historic 1922 building, "in whole or in part." Mr. Klaus suggested that the correct wording should include the option for the applicants to, at minimum, retain only the façade of the historic building. Chairman Klaus stated that he had discussed this with Commission staff, who would consult the November meeting recording and adjust the minutes accordingly.

Ms. Jones stated that Commissioner Pearson had provided her with notes regarding some requested corrections to the November minutes; he had been indicated as present for one vote for which he was actually absent.

A motion was made by Commissioner Sanford Bond, seconded by Commissioner Kathleen Morgan, that the November 26, 2019 Meeting minutes be approved with the two changes as stated. The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner Kathleen Morgan, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Neville C. Johnson Jr.

OTHER BUSINESS

Secretary's Report

Ms. Jones stated that the next meeting of the Commission of Architectural Review would be a quarterly meeting on January 14, 2020, to take place at 6 PM in the 5th floor conference room of City Hall, unless Commissioners suggest an alternate location. Ms. Jones reiterated that quarterly CAR meetings are open to the public.

Ms. Jones announced that City Hall would have holiday closure from December 23 through December 25, and also on January 1st.

Administrative Approval Report

Ms. Jones stated that there was not much to report in terms of the Administrative Approval and Building Permit reports, perhaps partly due to the short interval between the November and December CAR meetings.

Enforcement Report

Ms. Jones stated that there was nothing noteworthy to report in terms of enforcement actions.

Other Committee Reports

Neither Ms. Jones nor Chairman Klaus had any news to share about the Urban Design Committee.

Ms. Jones stated that, as she had informed Commissioners previously via email, the Commission staff had received an appeal from Richmond Public Schools (RPS) in response to the November Commission decision regarding the proposed demolition of the George Mason Elementary School. Ms. Chen and Commission staff were in the process of completing the Commission response to the appeal, to be submitted to the City Clerk's office Friday, December 20. Ms. Chen then explained that the appeal then goes to City Council where it must be patroned by a Council member in order to be considered by the full Council.

Commissioner Morgan asked if it was typical for an appeal to Council to have a patron from among the Council. Ms. Chen explained that an appeal to the Council must have a Council patron in order to move forward to being included in a resolution to be submitted to Council for a vote. Ms. Chen stated that staff would be meeting soon with Council president Dr. Cynthia Newbille, and would hopefully learn more about the probable course of the appeal.

Ms. Chen stated that, once the appeal is submitted to Council and patroned, there is then a 75-day period during which a resolution about it can be submitted and voted on. If after 75 days this has not occurred, all parties concerned must agree to an extension. If not, the Commission's decision stands.

Ms. Chen stated that staff had put together Commission's response to the appeal, and that it is being reviewed by departmental superiors and the City Attorney. Chairman Klaus asked who from the staff would speak on behalf of the Commission's decision and the response to the appeal. Ms. Chen stated that most likely this task would fall to Ms. Jones, and that Commissioners are also welcome to speak on the matter, and that if so staff would like to be apprised in advance of what they intend to say.

Ms. Chen stated that Ms. Jones' role in addressing the Council about the George Mason

Elementary School decision will be to emphasize that the Commission and Commission staff did not err in making their decision as indicated in the language of the Commission Ordinance. Ms. Chen stated that the Commission's decision can only be overturned by Council if it can be demonstrated that the Commission either erred in its decision or acted illegally.

Commissioner Hendricks asked Ms. Chen about the basis of the appeal from RPS. Ms. Chen explained that the appeal stated that RPS did not agree with the Commission's decision, but did not provide any information as to how they thought the Commission had erred, or how they felt that the Commission had acted illegally. Ms. Chen stated that there had been an initial flurry of press inquiries regarding this situation, following which Commission staff met with the Mayor's press office, since the Planning Department does not have its own press secretary. The decision was made at these meetings that any comment to the press should come through the press office. Ms. Chen recommended that the Commissioners not comment to the press about this case, even if they feel that they are doing so as private citizens.

Chairman Klaus adjourned the business portion of the meeting at 3:47 PM.

Call to Order

Chairman Klaus called the regular portion of the meeting to order at 3:58 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.

Meeting went into Recess

Meeting Reconvened

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 Pearson, with Commissioner Johnson seconding, to move the 6th item, COA-065126-2019, 2617 East Grace Street, to the consent agenda, and to approve as submitted. 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 Lane Pearson, Commissioner Jason Hendricks, Commissioner Sean Wheeler

Recused – 1 - Commissioner Kathleen Morgan

A motion was made by Commissioner Klaus, with Commissioner Bond seconding, to

move the 3rd item, COA-065130-2019, 800-802 Jessamine Street, to the consent agenda. Chairman Klaus added a condition that a more modern door, or a single glass door, be used in the design. 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 Bond seconding, to move the 5th item, COA-065133-2019, 609 North 21st Street, to the consent agenda. Commissioner Hendricks expressed concern about how the building interacts with the street, neighboring buildings having plinths that raise them above the street elevation. The property in question has an elevated front yard and wall which should be maintained, even if it needs to be replaced. Chairman Klaus added a condition that a more modern door design be used and the applicant submit the door design to staff for review and approval. 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 Bond seconding, to move the 4th item, COA-065132-2019, 2009 Cedar 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 Bond seconding, to move the 8th item, COA-065071-2019, 510 West 19th Street, to the consent agenda. Chairman Klaus added a condition that the door design be submitted to staff for review and approval. 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 Lane Pearson, Commissioner Jason Hendricks, Commissioner Sean Wheeler

No – 1 - Commissioner Kathleen Morgan

Chairman Klaus asked if there was any public comment on the items on the consent agenda.

Aaron Hinnant, owner of a property at 522 North 21st Street, introduced himself. Mr. Hinnant stated that he had not understood what Commission were saying about 609 North 21st Street, and that it had something to do with the front of the house. Chairman Klaus stated that Commission had decided to approve this application with the staff recommendations. Ms. Jones stated that there is a low retaining wall along the front of the property at 609 North 21st Street, and the Commission wants it to either be preserved or replicated if it cannot be fixed. Commissioner Morgan added that the Commission wished to maintain the existing grading at this location.

Eugenia Anderson-Ellis, a neighbor of the 2411 and 2617 East Grace Street properties, introduced herself. Ms. Anderson-Ellis stated that it seemed wasteful of time to make property-owners submit applications and then have them approved on the consent agenda. Ms. Anderson-Ellis expressed support for the proposed shutter colors of 2617 West Grace Street, and asked if there was a quicker way that such proposed work could be reviewed.

Chairman Klaus stated that the meeting agenda is not set by the Commission, but rather by the staff based on applications for projects which are submitted. Ms. Anderson-Ellis asked what the criteria were for applications. Chairman Klaus stated that any exterior change must be reviewed, and if the painting in question had been submitted for review before the painting was done, the work could have been administratively approved; since the applicant did not follow the procedure, it is unreasonable to now say that the applicant is being made to jump through hoops. Ms. Anderson-Ellis stated that there are many examples of the selected color in Church Hill. Chairman Klaus stated that therefore the applicant could probably have gotten an administrative approval to use that color, had they applied before painting. Chairman Klaus stated that the Commission approved the work as quickly as they could, via the consent agenda. Ms. Anderson-Ellis expressed thanks for this, and stated that she and others in the neighborhood are thrilled about both of the West Grace Street properties.

Janice Holley, owner at 619 North 21st Street, asked for clarification regarding 609 North 21st Street and the work proposed, and stated that she was not certain if the new building proposed would be in the footprint of the previously existing property at that address, or what it would look like. Ms. Holley stated that the previously existing house at 2009 Cedar was demolished a long time ago, and that she remembered that it was a one-story bungalow-like single-family house. Chairman Klaus stated that the plans for the new houses have been public and have been available for viewing. Ms. Holley asked how long they had been available. Ms. Jones stated that plans for new construction are usually put up on the city website about two weeks prior to the CAR meeting at which they will be reviewed.

Chairman Klaus asked if there was any further public comment. Hearing none, he closed public comment and opened the floor for a motion to approve the consent agenda.

A motion was made by Chairman Klaus, with Commissioner Bond seconding, that the consent agenda be approved.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Recused -- 1 - Commissioner Kathleen Morgan

- 1 [COA-065088-2019](#) 2701 E. Grace Street - Remove side deck and construct a rear addition.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application for the reasons cited in the staff report provided the following conditions are met: material specifications for the new railing be submitted to staff for administrative review and approval; and the new windows be 1/1 or casements with no divided lights.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

- 2 [COA-065089-2019](#) 2411 E. Grace Street - Construct a new shed in a rear yard.

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

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application as submitted.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

- 3 [COA-065130-2019](#) 800-802 Jessamine Street - Construct a new single-family residence on a vacant lot.

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

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application for the reasons cited in the staff report provided the following conditions are met: a taller window be used on the first story; additional windows be added on the second story of the rear elevation to be more in keeping with those patterns found in the surrounding area; a contemporary door be installed, the applicant submit the following to staff for review and approval prior to applying for a building permit: a dimensioned context elevation, including the dimensioned heights for the adjacent buildings; a context site plan, including the setback of the proposed and adjacent building porches and façades; a full list of materials, including a window and door schedule; details about the size and style of the porch columns and railings, gutters, and downspouts; location of the HVAC equipment; any proposed site improvements, including walkways and proposed regrading to address the site

conditions.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

- 4 [COA-065132-2019](#) 2009 Cedar Street - Construct a new single-family residence on a vacant lot.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application for the reasons cited in the staff report provided the following conditions are met: the windows be vertically aligned on the side and rear elevations; a door hood be added over the rear door; a low profile gutter be used, such as a ½ round, and details be submitted to staff for review and approval prior to applying for a building permit; the applicant submit the following to staff for review and approval prior to applying for a building permit: a dimensioned context elevation, including the dimensioned heights for the adjacent buildings; a full list of materials, including a window and door schedule; details about the size and style of the porch columns and railings, gutters, and downspouts; location of the HVAC equipment.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

- 5 [COA-065133-2019](#) 609 N. 21st Street - Construct a new single-family residence on a vacant lot.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application for the reasons cited in the staff report provided the following conditions are met: a taller window be used on the first story and reflected in a window schedule; a contemporary door be installed; the front porch roof be a low-profile standing seam metal roof be to be more in keeping with the original materials used throughout the district; the existing wall and steps be retained or rebuilt to match the existing, the applicant submit the following to staff for review and approval prior to applying for a building permit:

a dimensioned context elevation, including the dimensioned heights for the adjacent buildings; a dimensioned context site plan, including the setback of the proposed and adjacent building porches and façades; a full list of materials, including a window and door schedule; details about the size and style of the porch columns and railings, gutters, and downspouts; location of the HVAC equipment; any proposed site improvements, including walkways and proposed regrading to address the site conditions.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

- 6 [COA-065126-2019](#) 2617 E. Grace Street - Install shutters and paint exterior doors and shutters Hague Blue.

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

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application as submitted.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

- 8 [COA-065071-2019](#) 510 W. 19th Street - Construct a new single-family residence on a vacant lot.

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

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to approve the application for the reasons cited in the staff report provided the following conditions are met: the walkway, stairs, and landing be cement in a color that matches the neighboring properties; a dimensioned context elevation, including the dimensioned heights for the adjacent buildings, be submitted for staff review and approval prior to the submission of a building permit application; a low profile gutter, such as a ½ round, be used and gutter details be submitted to staff for review and approval; a standing or flat-lock metal seam roof that closely approximates hand seaming, or a dark membrane roof be used for the front porch; and a contemporary door be installed and the applicant submit the door details to staff for review and approval.

The motion carried by the following vote:

Aye -- 8 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks, Commissioner James W. Klaus, Commissioner Neville C. Johnson Jr., Commissioner Ashleigh N. Brewer, Commissioner Sean Wheeler, Commissioner Lawrence Pearson and Commissioner Mitch Danese

Abstain -- 1 - Commissioner Kathleen Morgan

REGULAR AGENDA

- 7 [COA-065128-2019](#) 2242 Venable Street - Rehabilitate an existing building and construct a rear addition.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The application was presented by Ms. Jones.

The applicant, Phil Cunningham of Better Housing Coalition, expressed satisfaction with Ms. Jones' presentation regarding key aspects of staff's feedback, including simplifying exaggerated aspects of the design and clarifying the location of HVAC and other mechanical equipment.

Commissioner Bond pointed out that the connector between the existing building and the addition had been straight, but that in the current iteration a kink had been added. Commissioner Bond suggested the kink be removed, and stated that when the idea of a glass connector was initially suggested, it was to be straight and without any mullions in the way. Mr. Cunningham stated that, his architect not being present, he could not speak in detail about the kink in the "hyphen" or connector, but that there is a chimney in the northeast corner which needs to be preserved, and this is the reason for the kink. Commissioner Bond stated that the connector seemed to be meeting the existing building in the same place as before, but that with the kink in it, it seemed to be attempting to align both buildings. Commissioner Bond responded that the connector could be more simple and elegant without the kink.

Chairman Klaus asked if there was any public comment.

Ms. Nancy Lampert read a prepared statement, stating that the proposed addition is not subordinate in size to the existing structure. Ms. Lampert cited 2207 Venable Street as an example of a similarly non-subordinate new construction of a freestanding building that had recently been approved. Ms. Lampert stated that the proposed form, particularly the roof, is atypical for the area, and looks institutional. Ms. Lampert pointed out that smaller gas stations, such as the one being proposed here for rehabilitation, are rare in Richmond. Ms. Lampert stated that the applicant has had little communication with the neighborhood, appearing before the civic association with their conceptual design but not returning with their more finalized design as promised. Ms. Lampert stated that the applicants did not meet with the neighboring church until the church approached them about doing so. Ms. Lampert requested that there be a barrier fence around the church, and stated that there had been a question at an earlier review about potential runoff from the new construction toward the church.

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.

Commissioner Bond stated that as the addition would be a separate building and the existing building would remain intact he did not see a problem, and compared the project to a VCU dormitory project on Monroe Park in which an historic building is successfully incorporated into a modern high-rise structure.

Chairman Klaus stated that he understood Ms. Lampert's concerns, but that the only way to maintain historic buildings of this nature and small size is to render it useful, which the proposed project does.

Commissioner Hendricks suggested that the applicants work with the church on erecting a fence and other security measures.

A motion was made by Commissioner Johnson, with Commissioner Morgan seconding, to approve the application for the reasons cited in the staff report provided the following conditions are met: the applicant provide the following for staff review and approval: information about screening for the HVAC equipment and trash receptacles; a complete window and door schedule prior to applying for building permits; information about exhaust vents or fans if required by the commercial tenant; an application for signage once a commercial tenant is selected; and the Commission strongly suggests the applicant work with the neighboring church to design a fence or other security measures.

The motion carried by the following vote:

Aye -- 8 - 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 and Commissioner Mitch Danese

Recused -- 1 - Commissioner Lawrence Pearson

- 10 [COA-065082-2019](#) 506 N. 27th Street - Remove rear addition and deck; construct a new rear addition.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The application was presented by Ms. Jeffries.

Commissioner Wheeler asked if the owner of 506 North 27th Street also owned the house next door. Ms. Jeffries stated that she did not know; Chairman Klaus suggested that the owners could be asked.

The owners Tammy and Scott Tilghman, and engineer Jon Christopher Larry introduced themselves.

Mr. Larry stated that the second story window is offset due to an attempt to create a greater roof pitch, for drainage; and that the purpose of the vertical siding was to differentiate it from the existing.

Mr. Tilghman stated that the vertical siding would be in a board and batten design, like

that used on a recently rebuilt house on 26th Street, and asked the Commission if that would be acceptable and/or preferable.

Mr. Larry stated that the existing chimney is not in use or usable, and could be replaced with a faux chimney to maintain the external appearance. Mr. Tilghman stated that the bricks on the interior were dissolving.

Chairman Klaus expressed agreement with staff about the importance of retaining second-floor features, stating that the neighboring house example cited has different conditions. Chairman Klaus emphasized the importance of retaining the chimney on the exterior of the house, emphasizing that the Commission is only concerned with the external appearance, and its purview does not extend to the interior. Mr. Larry asked if the chimney would need to be of real brick. Chairman Klaus confirmed this and stated that the chimney could as necessary be deconstructed and then reconstructed using the same bricks.

Regarding the siding and the board and batten proposed, Chairman Klaus stated that when Hardie plank is used a non-grained version is required by the Commission, and that this lack of grain is sufficient to differentiate the synthetic Hardie siding from real wood.

Commissioner Wheeler asked if the property is built up to the property line on the north side, as it appears to be. Mr. Larry stated that there is an existing wall at the property line. Commissioner Wheeler stated that without an easement of some sort it is generally not permissible to install windows in a wall that is on a property line. Mr. Larry stated that the neighbors had expressed that they would be okay with this work. Commissioner Wheeler stated that a legal document of the easement would still be necessary in order to acquire a building permit.

Commissioner Hendricks asked if the applicants knew what year the back porch, which appears to be an addition, was built. The applicants stated that they did not know. Ms. Tilghman stated that the chimney appeared to have originally been connected to a wood or coal stove in the kitchen.

Commissioner Morgan stated that the application seemed to be for demolition of existing features, and asked for confirmation of this. Ms. Jeffries stated that to her understanding the application was for the removal of the rear wall and the roof, while the two side walls would remain. Ms. Morgan asked if the removal of the roof and rear wall were necessary. Ms. Tilghman stated that currently one must go down 3 steps to enter the kitchen, so the plan is to raise the roof to increase the height.

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.

A motion was made by Commissioner Bond, seconded by Commissioner Wheeler, to approve the application for the reasons cited in the staff report provided the following conditions are met: the second story window on the outer bay remain in place and the new roof be attached below the existing window sill; the wood siding be installed horizontally, and have a different reveal to differentiate it from the historic portion of the building; the new windows and doors be wood or aluminum clad wood and have a simple 1/1 light configuration, specifications and colors be submitted for administrative approval; the following be submitted to staff and be included on the building permit plans: new roof form, details about the siding, and window and door specifications; and the existing chimney be retained or reconstructed on the roof of the new addition.

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

9 [COA-065074-2019](#) 524 N. 21st Street - Construct a new multi-family residence on a vacant lot.

Attachments: [Application and Plans](#)

[Site Map](#)

[Staff Report](#)

The application was presented by Ms. Jones.

The applicant was not present during the presentation.

Chairman Klaus stated that generally with new construction a 1/1 window design is desired, and suggested that the applicant be asked to update his plans which currently show a 2/2 configuration. Ms. Jones stated that the plans have inconsistencies, and staff would like to request an updated window and door schedule.

Chairman Klaus stated that significant changes had been made to address issues raised by the Commission during conceptual review for this project. Chairman Klaus stated that the proposed siting appears somewhat askew in relation to the property lines as shown on Sanborn maps, but that maybe this is unavoidable due to the nature of the lot, without altering the setbacks.

Commissioner Wheeler stated that it appeared to be a 3-foot setback, which would allow the applicant some leeway to adjust the siting.

Chairman Klaus stated that another question regarding the plans is the side wall, which is not shown but which the applicant claims is part of the foundation.

Ms. Jones agreed that this remains a question, based on what is included in the application; other areas of uncertainty are whether the applicants intend to dig out and lower the overall height, or whether they plan to build up along the side wall; and also whether they intend to build up the retaining wall, and how the severe grade of the site is going to be addressed.

Commissioner Morgan stated that it should be possible to use historical precedent as a basis for adjusting setbacks, and expressed concern that the side yard setbacks could ultimately be disruptive due to being deeper than previous.

Chairman Klaus stated that the applicant had a letter from the Zoning administrator stating that the side yard setback has to be at least less than 3 feet.

Chairman Klaus asked if there was any public comment. The owner/applicant Ernie Chamberlain announced his presence, having just arrived.

The applicant stated that he attempted to address all the requested changes from the conceptual review.

Chairman Klaus explained that from the site plan it appeared that the proposed house would be tilted somewhat relative to its neighbor, whereas historically it would have been aligned; and that Commissioners were also concerned about the retaining wall on the property and the applicant's apparent plans to get rid of it.

Mr. Chamberlain stated that the thinking was that when the footers are dug, the retaining wall would simply fall over. Therefore the retaining wall would be taken down, and the foundation that faces the alley would be parged. The foundation of the new structure would take the place of the existing wall.

Chairman Klaus stated that a concern, aside from keeping the house standing, is not letting the yard fall into the alley. Commissioner Bond stated that it appeared the applicants would simply get rid of the yard and let the alley go all the way to the foundation wall of the house.

Commissioner Hendricks asked if the applicant would retain a small portion of the front retaining wall. Mr. Chamberlain said that he did not see another option, although the idea of having a walkway through the alley to the house instead of cutting into the retaining wall in front of the house had been considered. Mr. Chamberlain stated that the intention had been to mimic the house next door.

Chairman Klaus recapped that staff had recommended having either a central stair or stairs for each door, so that the property reads as a double house. Commissioner Hendricks recommended that a single central stair be used, and that the central column be eliminated.

There was discussion clarifying the location of access points for each half of the house.

Chairman Klaus recapped additional staff recommendations. Commissioner Danese asked to add the condition that the house be aligned with the house next door, with which Chairman Klaus agreed. Mr. Chamberlain stated that he could do this, and expressed agreement about the flatlock seam roof recommended by staff.

Chairman Klaus asked if there was any public comment.

Mr. Aaron Hinant stated that some of the pictures in the presentation were old and some were newer, and that it was difficult to tell which were which – in one picture the neighboring house is older, in one it is renovated. Mr. Hinnant stated that the house originally on the lot was a duplex with a side porch, with one set of stairs, a walkway, and two doors. Mr. Hinnant expressed concern about the narrowness of the alley, stating that it is already difficult to fit one car through it. Mr. Hinnant stated that the original house at the site was level with the other houses, and that the retaining wall currently in place is only about a year old. Mr. Hinnant stated that his main concern is that the work to be done to maintain the look of the area, and not bring down the general quality of the region.

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

A motion was made by Chairman Klaus, seconded by Commissioner Bond, to partially approve the application for the reasons cited in the staff report provided the following conditions are met: the front face of the building be parallel to the face of the neighboring property, to match the historic pattern; a standing or flat-lock metal seam roof that closely approximates hand seaming, or a dark membrane roof be used for the front porch; a central stair or a second stair to

provide access to both units be used on the front porch; the cornice line be revised to align the brackets with the window jambs to be consistent with the neighboring properties; the applicant provide colors for administrative review and approval; the applicant submit the following to staff for review and approval prior to applying for a building permit: a fully dimensioned context elevation that indicates the height of the proposed building elements, including foundation, porch floor and roof, cornice, and top of the roof, and the same features on the neighboring properties for comparison; details about any screening for the HVAC equipment; clarification about the foundation wall and retaining wall; details about the size and style of the porch columns and railings, gutters, and downspouts; and the applicant update the following prior to submitting the plans for a building permit: the window and door schedule (electronically); details about the size and style of the porch columns and railings, gutters, and downspouts.

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

CONCEPTUAL AGENDA

There are no items on the Conceptual Agenda.

Adjournment

Chairman Klaus adjourned the meeting at 5:10 PM.