



City of Richmond

City Hall
900 East Broad Street

Meeting Minutes - Final Commission of Architectural Review

Tuesday, January 15, 2019

6:00 PM 2100 E. Cary Street, Suite 100, Richmond, VA 23223
(Quarterly Meeting)

Quarterly Meeting

Call to Order

Chairman Klaus called the meeting to order at 6:10 PM.

Roll Call

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

Absent – 1 - Commissioner Sanford Bond

Ms. Jones provided an update on the delivery of staff reports to Commissioners, and stated that staff is working to catch up on a backlog of minutes for the February meeting.

Ms. Chen provided an overview of Commission of Architectural Review history, as established by the citizens of Richmond at the request of citizens who wished to protect historic lands and structures. She stated that responsibility for protecting historic resources falls to the neighborhood itself as well as the Commission. The Commission's charge to protect designated historic resources includes just over 4000 properties.

Ms. Chen reviewed and compared Commission actions during the 2015-2018 period of her tenure.

Ann Wortham, a resident of the Union Hill City Old and Historic District, asked if new staff will maintain the integrity of the City Old and Historic Districts.

Ms. Chen responded that the Commission looks at historic preservation at both a small, local level, and from a larger perspective. Ms. Wortham asked if the Powerpoint presentations from Commission of Architectural Review meetings could be made public.

Ms. Chen responded in the affirmative, and stated that Commission staff plan to do outreach to civic associations and to the public in general.

1. Commission Role in the Enforcement Process

Ms. Jones reviewed the City Old and Historic District enforcement process and the Commission's role in that process.

Ms. Chen emphasized that applications which are for clear-cut violations should be denied. An internal meeting of CAR staff is scheduled for Thursday January 17 to address how to move forward with long-term enforcement items.

Commissioner Morgan asked about the nature of the internal enforcement process.

Ms. Chen explained the internal tracking process and use of the City's internal permitting system. The CAR staff recently met with City attorneys, which helped clarify the process, including the detail that enforcement actions are criminal not civil actions, and that CAR staff can put holds on properties.

Commissioner Pearson stated that this clarified understanding of violations should be reflected in the staff reports.

Ms. Wortham stated that she was told that Richmond's Permits and Inspections office only keeps hard copy records for four years.

Ms. Chen responded that city by-laws require records to be kept for 7 years, and that these can be electronic, such as the records that are maintained via the internal permitting system.

Ms. Nancy Lampert, a resident of the Union Hill Old and Historic District, stated that there are repeat offenders, even among those who are taken to court, and asked if something will be done to address this.

Ms. Chen responded that CAR staff will work with Code Enforcement staff to address this, and that the City attorneys have recommended some strategies to deal with this issue.

Commissioner Hendricks asked if outstanding deferrals could be included in Commission meeting agendas, either on the consent or the regular agenda. He suggested that the Commission could vote to either continue the deferral or take action to deny, if there has been no contact from the offender.

Chairman Klaus stated that the bottom line from the meeting with the City attorney's office was 1) a good enforcement can go a long way; and 2) the summons process is onerous.

2. Roberts Rules of Order Recap

Ms. Chen passed out a handout on Robert's Rules of Order at the previous meeting on December 28.

Ms. Chen stated that the handout guidelines are suggested, and that the highest priority is that the legal record discussions and votes be conducted and documented very clearly.

Chairman Klaus stated that he is still figuring it out, and has concerns about understanding when in the course of the meeting to make motions, but that the incorporation of the Rules of Order into the meetings has been going well.

Commissioner Johnson suggested that a "cheat sheet" be provided for each project that comes before the Commission to facilitate note taking.

3. Additions vs. New Construction

Ms. Jones provided a review of the Guidelines and review process for additions and alterations to historic properties.

Chairman Klaus questioned whether the criterion the Commission uses is actually visible

versus non-visible, and wondered if the Commission is penalizing corner properties due to visibility.

Commissioner Morgan stated that scale and siting are important, particularly for corner properties.

Commissioner Wheeler stated that new construction on corners can have larger openings, and that there is potential to do something different design-wise, e.g., unambiguously modern design such as a glass box.

Ms. Chen stated that as rear additions and historic appendages are demolished, consistency is needed in how to treat any existing appendages. She further stated that staff hopes to clarify the Guidelines by separating additions and new construction in a planned update to the Handbook.

4. New Administrative Approvals

a. Bike storage facilities

Ms. Jones explained that she has received several inquiries regarding bike storage as it is now a requirement for projects receiving a Special Use Permit.

Chairman Klaus and Commissioner Wheeler agreed that these types of structures should be reviewed by the Commission.

Chairman Klaus added that it could be part of the intake processes to ensure that bike storage is addressed to avoid having to bring applications back to the Commission.

b. Small secondary outbuildings

The general consensus of the Commission was that small secondary structures, such as enclosed storage structures and tool sheds, should be reviewed and approved by the Commission.

Questions, Comments, Concerns

Commissioner Morgan asked about administrative approval guidelines, specifically projects that have received tax credit approval from the Department of Historic Resources as some of these projects have come before the Commission due to their scope.

Commissioner Morgan asked for the Commission's feedback regarding these projects, and whether they felt staff approval could be granted if the project has gone through the rigorous tax credit application process.

Commissioner Morgan further asked how the Commission should respond if DHR's findings conflict with the Commission's Guidelines.

Commissioner Cooley asked if DHR trumps the Commission in such a situation.

Ms. Chen explained that it does not, and that the DHR tax credit process operates separately from the Certificate of Appropriateness application process.

Chairman Klaus stated that the Commission and the DHR are generally in agreement.

Ms. Chen stated that if consultants meet with staff to discuss the project prior to submitting an application, staff is typically in agreement with DHR's approval.

Chairman Klaus adjourned the meeting at 7:40 pm.