

City of Richmond

City Hall 900 East Broad Street

Meeting Minutes Commission of Architectural Review

Tuesday, February 25, 2020

3:30 PM

5th Floor Conference Room of City Hall

Call to Order

Roll Call

Present -- 7 - * Commissioner Sanford Bond, * Commissioner Gerald Jason Hendricks, * Commissioner James W. Klaus, * Commissioner Ashleigh N. Brewer, * Commissioner Kathleen Morgan, * Commissioner Sean Wheeler and * Commissioner Lawrence Pearson

Excused -- 2 - * Commissioner Neville C. Johnson Jr. and * Commissioner Mitch Danese

Approval of Minutes

January 28, 2020

A motion was made by Commissioner Wheeler seconded by Commissioner Brewer, that the January 28, 2020 Meeting minutes be approved. The motion carried by the following vote:

Aye -- 7 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer,
Commissioner Kathleen Morgan, Commissioner Sean Wheeler and
Commissioner Lawrence Pearson

Excused -- 2 - Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese

OTHER BUSINESS

Secretary's Report

Commission Secretary Carey L. Jones stated that the City is having technical issues with emails, some of which are not being received by staff. Ms. Jones encouraged people to call to follow up if emails to City staff are not answered.

Ms. Jones stated that staff had just completed the divisional annual report, and displayed information about various types of projects reviewed. Ms. Jones pointed out that the considerable number, 170, of projects reviewed by the Commission was about the same as the number administratively reviewed by staff. Ms. Jones expressed appreciation to the staff for their work on approvals, and also to the Commission for approving the revised guidelines which have allowed staff to do so. Ms. Jones stated that the projects brought before the Commission are ones which require their expertise.

Ms. Jones pointed out some of the year's accomplishments: The apartments at Grace and Lombardy (not yet completed) had been previously approved, but considerable work was done in the past year on approving permits and small design changes on this project

A great deal of Commission work went into the project at 200 West Marshall Street. Ms. Jones stated that she had toured the building inside and out and thought it looked great.

Administrative Approval Report

Ms. Jones pointed out that for one of the denied permits on the Permit Report, the applicant had subsequently submitted additional material; this project should therefore hopefully be on the Administrative Approval Report in March. Another was approved by Permits staff without CAR review, and staff are in the process of following up with the Permits Division. A project at 2200 M Street had had some last-minute changes, but staff were able to approve the building permit for it.

Enforcement Report

Ms. Jones stated that staff is continuing to follow up on some larger enforcement efforts, for some of which staff has not received a response yet. Ms. Jones stated that staff would keep the Commission apprised if they moved to the next step in regard to those violations.

Guideline Updates

No updates to the guidelines were discussesd

Other Committee Reports

Ms. Jones stated that despite optimistic projections there was nothing to report about the Guidelines update.

Ms. Jones pointed out that the upcoming Urban Design Committee meeting agenda includes a roundabout project close to the Manchester Historic District, which may be of interest.

Spot-Blight Review

1201 Porter Street - Spot-Blight Presentation

Ms. Jones stated that the City has a spot-blight abatement program established in an ordinance, according to which the Planning Commission will solicit opinions from the Commission of Architectural Review about properties in a State or National Register Historic District. Ms. Jones stated that this would be handled much the same way as CAR review of nominations for the National Register, with the Commission reviewing the item and then making a non-binding vote; the vote and discussion information to then be passed to the Secretary for the Planning Commission to be included in their staff report.

Ms. Jones presented information about 1201 Porter Street, which is in the Manchester Residential and Commercial Historic District. Known as the Ingram House, it is a contributing building to the historic district, having been listed in the Virginia Landmarks Register in 2001 and in the National Register in 2002.

Ms. Jones stated that staff recommends preservation of the Ingram House, and recommends the use of preservation incentives including the state and federal rehab tax credit program, and/or the City's tax abatement program to preserve this important

architectural and historic resource.

Commissioner Hendricks stated that he believed the Ingram House was also the childhood home of a famous football player.

Chairman Klaus asked for clarification about the spot-blight program. Ms. Jones stated that it authorizes the City to take extra actions, including acquisition of a property, in order to preserve it. Ms. Jones stated that there had been previous code violations at the property, for tall grass and windows not boarded up and the like – not for issues to do with the structural integrity of the building.

Commissioner Morgan asked if Ms. Jones knew of any plans to purchase the building. Chairman Klaus invited Ms. Cyane Crump of Historic Richmond to share her knowledge of the building. Ms. Crump stated that Historic Richmond has been aware of the property's situation for some time, had thought the Spot-Blight program was in disuse in favor of the Derelict Building ordinance, and were happy to see it's being used again and would be glad to have input regarding solutions.

Ms. Crump stated that her understanding of the Spot-Blight program is that the end result is the City acquiring the building, whereas the Derelict Building program results in the owner being ordered to demolish the building.

Commissioner Pearson stated that the Derelict Building program allows the City to declare a building derelict if it meets certain criteria, which are very similar to the statutory definition of a blighted building. The Derelict Building statute allows the City to expedite demolition, including by waiving associated fees, thus creating an incentive for the owner to take action, but not actually forcing them to demolish. In 2012 the statute was amended so as to be conducive to property ownership being transferred to a new owner who can hopefully attend to needed repairs and maintenance.

Commissioner Pearson stated that one of the shortcomings of the Stop Blight program is that if the City follows through with it to the point of establishing eminent domain over a property, it subjects itself to a long and expensive process to establish ownership which does not address the issue of the building's condition. The receivership approach addresses the building condition first before addressing ownership.

Commissioner Pearson stated that the best option of which ordinance to apply depends on specific circumstances, and that without more information he would not support one over the other in this instance, but would encourage the City to explore all options. In either case, having the building declared "blighted" is a good first step.

Chairman Klaus made a motion, seconded by Commissioner Bond, that the Commission recommend that whatever steps the City can take to save and ultimately rehabilitate the Ingram building be taken. The motion passed by the following vote:

Aye - 7 - Commissioner Ashleigh Brewer, Commissioner James Klaus, Commissioner Sanford Bond, Commissioner Lane Pearson, Commissioner Jason Hendricks, Commissioner Sean Wheeler, Commissioner Kathleen Morgan Excused - 2 - Commissioner Mitch Danese, Commissioner Neville C. Johnson Jr.

Chairman Klaus asked if there was any update regarding COA-060187-2019, the proposal to demolish George Mason Elementary School which was last reviewed at the November 2019 CAR meeting. Ms. Jones stated that she had heard the appeal was going to move through the City Council, and had been scheduled for review by the Land Use Committee early next month (March 2020). Chairman Klaus asked if Council President Dr. Cynthia

Newbille would be sponsoring the overruling of CAR's decision regarding the school, to which Ms. Jones responded in the affirmative.

Chairman Klaus pointed out that his term as Chair ends in June 2020, and that both Chair and Vice-Chair will need to be replaced soon. Commissioner Morgan asked if any terms were expiring soon. Ms. Jones stated that Commissioner Hendricks' term would expire soon, and that applications are being accepted for someone to fill his Commission position. Ms. Jones confirmed that Commissioners may only serve two terms consecutively and that Commissioner Hendricks is near the end of his second; but added that the City Clerk had said that he could serve, if he wished, until such time as a replacement was selected.

Ms. Jones stated that she needed to double-check with the Clerk's office, but that she believed Commissioner Hendricks' current position was as a designated City Old and Historic District resident; currently only one other Commissioner resides in a COHD, so this would be a necessary qualification for a replacement. Commissioner Hendricks stated that he had reached out to his neighborhood association. Chairman Klaus stated that getting word to City Council members would also be worthwhile.

Chairman Klaus stated that he will be shortly leaving his position on the Urban Design Committee, so that position would also be available. Chairman Klaus stated that the Committee handles very different matters, and had been an education for him.

The business portion of the meeting was adjourned by Chairman Klaus at 3:55 PM.

Chairman Klaus called the regular portion of the meeting to order at 4:00 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

Chairman Klaus invited the Commissioners to suggest projects that they would like to move from the regular agenda to the consent agenda. Chairman Klaus explained that members of the public would have an opportunity to comment on consent agenda items.

Ms. Jones announced that item 6, COA-068943-2020, 620 Chamberlayne Parkway, had been withdrawn by the applicant.

A motion was made by Chairman Klaus, with Commissioner Wheeler seconding, to move the 4th item, 420 North 26th Street, to the consent agenda. Chairman Klaus stated that the Commission had reviewed this project several times and that staff had clarified plan discrepancies with the applicant. The motion passed by the following vote: Aye - 7 - Commissioner Ashleigh Brewer, Commissioner James Klaus, Commissioner Sanford Bond, Commissioner Lane Pearson, Commissioner Jason Hendricks,

Commissioner Sean Wheeler, Commissioner Kathleen Morgan

Excused – 2 – Commissioner Mitch Danese, Commissioner Neville C. Johnson Jr.

A motion was made by Commissioner Pearson, with Commissioner Brewer seconding, to move the 2nd item, 1500 North Lombardy Street, to the consent agenda. Chairman Klaus stated that, despite agreeing with staff's recommendation to deny, he felt that given the

high profile of this project, it should be fully discussed and Commissioners' reasoning put on the record. The motion failed by the following vote:

Aye – 1 - Commissioner Lane Pearson

No – 6 - Commissioner Ashleigh Brewer, Commissioner James Klaus, Commissioner Sanford Bond, Commissioner Jason Hendricks, Commissioner Kathleen Morgan, Commissioner Sean Wheeler

Excused – 2 – Commissioner Neville C. Johnson Jr., Commissioner Mitch Danese

A motion was made by Chairman Klaus, with Commissioner Bond seconding, to move the 5th item, 608 North 27th Street, to the consent agenda. Chairman Klaus stated that this is a recently constructed building and that the staff has plans to work with the applicant to address details.

The motion passed by the following vote:

Aye – 7 - Commissioner Ashleigh Brewer, Commissioner James Klaus, Commissioner Sanford Bond, Commissioner Lane Pearson, Commissioner Jason Hendricks, Commissioner Sean Wheeler, Commissioner Kathleen Morgan

Excused – 1 – Commissioner Mitch Danese, Commissioner Neville C. Johnson Jr.

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

The motion carried by the following vote:

- Aye -- 7 Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
 Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner
 Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Lawrence
 Pearson
- Excused -- 2 Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese
- 1. <u>COA-068549-</u> 3820 Hermitage Road Modify previously approved plans for a rear deck. <u>2020</u>

Attachments: Application and Plans

Site Map

Staff Report

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 conditions are met: the stain color be submitted to staff for administrative review and approval; the applicant meet with staff to address the inconsistencies between the approved plans and the completed work. The motion carried by the following vote:

- Aye -- 7 Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
 Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner
 Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Lawrence
 Pearson
- Excused -- 2 Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese
- 4. COA-068834- 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 & Plans

Staff Report

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 conditions are met: for the existing building: the applicant work with staff to reinstate the original window sizes based on physical evidence found during the demolition phase of the project; for the new construction: the synthetic slate shingles be submitted for staff review and approval; the metal porch roof be flat lock or a dark membrane; the applicant retain the window openings shown on the floor plans for the right side elevation; the applicant address inconsistences between the elevations, floor plans, and window schedule and submit them to staff for review and approval prior to submitting revised plans for the SUP application. The motion carried by the following vote:

Aye -- 7 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner
Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Lawrence
Pearson

Excused -- 2 - Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese

5. COA-068530- 608 N. 27th Street - Enclose a second-story rear porch and alter fenestration.

Attachments: Application and Plans

Site Map

Staff Report

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 conditions are met: for the existing building: the applicant work with staff to reinstate the original window sizes based on physical evidence found during the demolition phase of the project; for the new construction: the synthetic slate shingles be submitted for staff review and approval; the metal porch roof be flat lock or a dark membrane; the applicant retain the window openings shown on the floor plans for the right side elevation; the applicant address inconsistences between the elevations, floor plans, and window schedule and submit them to staff for review and approval prior to submitting revised plans for the SUP application. The motion carried by the following vote:

Aye -- 7 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner
Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Lawrence
Pearson

Excused -- 2 - Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese

REGULAR AGENDA

2. COA-069101-2020 1500 N. Lombardy Street - Install four internally illuminated signs on the Belgian Building Tower. **Attachments:** Application and Plans

Site Map
Staff Report

The application was presented by Ms. Jones.

Commissioner Bond asked why, if Zoning had already stated that the sign needed to be removed, it was necessary for CAR to review it. Ms. Jones stated that CAR was reviewing it as the result of an enforcement action, and that to her knowledge the sign was not in the process of being taken down.

Commissioner Hendricks asked what sign size would be permitted by Zoning. Mr. Brian Mercer, a planner with the City's Zoning Administration division, stated 32 square feet as the size limit. Mr. Mercer stated that he had communicated this limit to the applicants and informed them that a Special Use Permit would be required. Mr. Mercer stated that he had observed that a nearby freestanding internally illuminated sign, on VUU property just outside the Historic District, had had a Special Use Permit approved in 2017; thus he had assumed an institutional familiarity with this process.

Mr. David Gordon, VUU Director of Facilities Management, stated that he felt the importance of the sign outweighed the issues presented by City staff. Mr. Gordon stated that because of the University's historic significance and the Belgian Building tower's function as a recognizable symbol and beacon for the University, the President and the Board wanted to push to retain the sign.

Mr. Gordon stated that he was familiar with the SUP process, recognized the University had not gone through the approval process, and were now trying to go back and do that. Mr. Gordon stated that the VUU administration was working with historical societies to appeal the concerns about violations and about historical significance.

Commissioner Brewer asked why an application was submitted for the sign, and then withdrawn even while the sign installation went forward. Mr. Gordon stated that he did not know, and that the President of the University had been very excited about the sign, had worked with a University department unfamiliar with the approval process, and had not involved Mr. Gordon, although Mr. Gordon is in charge of capital projects.

Commissioner Bond asked if the University was pursuing an SUP, as recommended. Mr. Gordon responded affirmatively.

Chairman Klaus pointed out that VUU had received a historic preservation grant for the preservation of the Belgian Building, and asked if the University's actions with the sign installation were now endangering this. Mr. Gordon stated that the National Parks Service had been informed and that he was not sure of the outcome.

Ms. Cyane Crump, Historic Richmond's Executive Director, stated that the Belgian Building is one of the city's most unique and important historical landmarks, as indicated by its early placement on the Virginia Landmarks Register and National Register, in 1969 and 1970 which corresponds to when these registers were started. Upon learning of the plans for the sign, Historic Richmond had communicated about it with a contact, Maurice Campbell, at the University, and discussed with him alternatives to the illuminated sign.

Ms. Crump stated that Historic Richmond had concerns about the large illuminated sign's potential to cause damage to the building, and that funding for historic preservation of the

Belgian Building as well as other VUU buildings could be endangered.

Ms. Crump stated that the option of projected light displays had been discussed with Mr. Campbell, examples of which she passed out to Commission members. The projections would have the advantage of being changeable on a seasonal basis or for special events, e.g., sports events, holidays, or a celebration of famous black architect Thaddeus Wilson. Ms. Crump stated that Historic Richmond had thought alternatives such as this were being considered, and had reached out to if possible assist in that process. Ms. Crump stated that Historic Richmond wants Virginia Union University to succeed, and hopes that a solution can be found that promotes the University while preserving the historic fabric.

Chairman Klaus asked if there was any further public comment. There was none.

A motion was made by Commissioner Bond, seconded by Commissioner Hendricks, to deny the application for the reasons cited in the staff report.

Commissioner Bond and Chairman Klaus stated that the alternate lighting projection scheme described by Ms. Crump seemed like a good idea.

Commissioner Wheeler asked if the lighting projection idea, were it pursued, would be allowed by Zoning. Mr. Mercer stated that signage is defined as anything that draws attention; thus, the lighting would also require an SUP if the projections exceed 32 square feet.

Commissioner Hendricks stated that other universities he had researched with iconic buildings do not have signs on them. Chairman Klaus pointed out that the tower at Stamford, current location of the Belgian Building's historic bells, also does not have any signage.

Commissioner Wheeler asked how the SUP process intersects with the CAR approval process. Ms. Jones stated that typically an applicant would have to receive approval from CAR before their Special Use Permit would be approved. Commissioner Bond stated that it is a chicken-and-egg situation.

Chairman Klaus stated that, in 1969 and 1970 when the Belgian Building was added to historic registers, people thought it was of importance, including most likely people from Virginia Union University.

Chairman Klaus stated that the approach of taking an action – in this case, erecting the sign without permissions – and then asking forgiveness later is not the way to make friends with all the people who care about the building as much as the University does.

Commissioner Brewer asked if the Commission could add a caveat to their decision, to the effect that they would be in favor of the lighting projection option. Ms. Jones stated that CAR's purview is only over permanent changes to the building exterior, and thus would not extend to the lighting outside the district boundaries.

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

- Aye -- 6 Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
 Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner
 Sean Wheeler and Commissioner Lawrence Pearson
- Excused -- 2 Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese
- Abstain -- 1 Commissioner Kathleen Morgan

3. COA-068521- 2017-2019 Monument Avenue - Construct a 3-story rear addition and porch; alter fenestration.

Attachments: Application and Plans (2/25/2020)

Site Map

Staff Report (2/25/2020)

Application and Plans(4/28/2020)

Staff Report (4/28/2020)

The application was presented by Ms. Jeffries.

Architect Dan Ensminger introduced himself as well as the property owners, Dr. and Mrs. Astruc. Mr. Ensminger stated that he had been working with Ms. Jones and had completely redesigned the rear elevation of the proposed addition in response to staff recommendations.

Mr. Ensminger stated that the reason for the pent roof in the design was to differentiate the upper volume from the lower volume, so it would not look like an infill porch.

Mr. Ensminger distributed some photographs to Commissioners to show what the proposed design would look like, and stated that he felt the applicants had done a good job meeting Commission requirements.

Mr. Ensminger stated that the issue for the applicants is the west elevation, where in response to the existing ceilings being only 8 feet high, they opened up the first to the second story, most significantly for the kitchen space, by taking over some offices that had been on the second floor. By altering two of the west façade windows, Mr. Ensminger stated that he would be able to align the windows on the interior. Mr. Ensminger stated that the upper left window had been altered from the original, and used to look like the one on the right. In addition to returning this section to its original form, Mr. Ensminger stated that he would like, for symmetry's sake, to alter a double window to match the single to its right.

Chairman Klaus stated that there is already a sort of symmetry to the building, and that it does not look out of balance in its current form. Mr. Ensminger asked if he could explain further by showing the interior. Chairman Klaus stated that the interior is not the CAR's bailiwick.

Mr. Ensminger stated that the east elevation window not shown in the plans was omitted because he missed it, as it does not show up on the inside of the building, and that there are no plans to remove it.

Chairman Klaus asked if the applicants were okay with the changes recommended by staff, with the exception of the pent roof design. Mr. Ensminger stated that they were, and that the design had been completely changed, including making the columns square and adding a 6-inch inset.

Chairman Klaus stated that he had learned from the owners that there had originally been a house where there is now a driveway on the property; thus, the now visible façade was possibly not meant to be so visible.

Commissioner Brewer asked, if the applicants propose to cover up one window on the

inside on the east elevation, they can't also cover up the window on the west elevation. Mr. Ensminger stated that the desired effect for the 2-story kitchen would not be achieved by a partial block on that side, whereas it would work perfectly if half of the window on the east side is covered from the inside.

Commissioner Morgan asked whether, if the Commission approved changing the double window to a single, the applicant would consider, instead of toothing in the brick, recessing it to show where the original opening had been. Mr. Ensminger agreed to this.

Chairman Klaus asked if there was any public comment.

The property owner, Mr. Juan Astruc, stated that the windows would not be altered, other than the size of one of them, and that the kitchen as planned would be very affected by the window alteration.

Chairman Klaus asked if there was any further public comment. There was none.

Commissioner Brewer stated that the project design seemed to have undergone many alterations since being submitted for the current review, and it would be good for the Commission to have an opportunity to see those changes.

Chairman Klaus expressed concern that delaying the project with another review could interfere with the homeowners' timetable to complete the work, and stated that he agreed with Commissioner Morgan's idea of insetting the infill to show its previous configuration.

Commissioner Wheeler stated that he was unsure about the proposed roof design.

Commissioner Bond agreed with Commissioner Wheeler regarding the roof. Chairman Klaus stated that the applicants had expressed willingness to remove the pent roof, and suggested that a changed roof design could then be administratively approved.

Commissioner Bond stated that, given how much the elevation has already been altered, he did not see a problem with the proposed window alteration and that it might improve the appearance from its current state. Commissioner Brewer expressed agreement about the window, but stated that the pent roof is concerning.

Chairman Klaus explained to Mr. Ensminger that the changes the Commission wished to see addressed were minimal and it was likely that the application could be approved on the consent agenda at the next meeting. Mr. Ensminger stated that he had already made the changes desired, and asked if it was necessary to wait a month. Chairman Klaus stated that it was, because the Commission needed a chance to review those changes, and the neighbors who had reviewed previous versions would need an opportunity to see them as well.

Chairman Klaus asked the applicants if a deferral of their application would be acceptable to them. Ms. Jones pointed out that this was not a negotiation.

A motion was made by Commissioner Wheeler, seconded by Commissioner Brewer, to defer the application to allow the applicant to respond to staff and Commission feedback. The motion carried by the following vote:

Aye -- 7 - Commissioner Sanford Bond, Commissioner Gerald Jason Hendricks,
Commissioner James W. Klaus, Commissioner Ashleigh N. Brewer, Commissioner
Kathleen Morgan, Commissioner Sean Wheeler and Commissioner Lawrence
Pearson

Excused -- 2 - Commissioner Neville C. Johnson Jr. and Commissioner Mitch Danese

6. <u>COA-068943-</u> 620 Chamberlayne Parkway - Construct four new attached residences.

2020

Attachments: Application and Plans

Site Map
Staff Report

This application was withdrawn by the applicant prior to the meeting.

This Application for a Certificate of Appropriateness was withdrawn

CONCEPTUAL REVIEW

There are no items for Conceptual Review

Adjournment

Chairman Klaus adjourned the meeting at 4:53 PM.