MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

MAY 16, 2016

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m. Upon roll call, the following responded:

Present:
Chairman Steve Lichtenfeld
Mark Winings, Aldermanic Representative
Craig Owens, City Manager
Ron Reim
Josh Corson
Sherry Eisenberg
Pepe Finn

Absent:
None

Also in Attendance:
Susan M. Istenes, AICP, Planning Director
Louis Clayton, Planner
Kevin O'Keefe, City Attorney

Chairman Steve Lichtenfeld asked that all cell phone ringers be turned off, that conversations take place outside the meeting room and that those who wish to speak approach the podium and to be sure the green light on the microphone is on for proper recording of this meeting.

MINUTES

The minutes of the May 2, 2016 meeting were presented for approval. Pepe Finn noted that because she had left the meeting early, she was not in attendance during the vote for the requested Special Development Sub-district (for the Apogee project) as indicated on Page 21 and asked that her name be removed from the vote. The minutes were then approved, as amended, after having been previously distributed to each member.

ARCHITECTURAL REVIEW – FRONT YARD RETAINING WALL – SINGLE FAMILY RESIDENCE – 600 SOUTH MERAMEC AVENUE

Brian Slater, owner, was in attendance at the meeting.

Susan Istenes explained that in January, 2016, the City received an anonymous complaint that a front yard retaining wall had been installed along the front of the home. The wall is constructed with modular blocks that have tumbled/rolled edges and a varying color pattern, but not varying block sizes. The wall is 12-19 inches tall and is located adjacent to the home's foundation, creating a raised landscape area. The applicant has not submitted subdivision trustee approval. Section 405.1900 of the Zoning Regulations requires that all retaining walls located in the front yard in single-family zoning districts be approved by the Architectural Review Board prior to installation. The Architectural Review Guidelines recommend that retaining walls be constructed of brick, stone or stucco to match the main structure. Modular block wall systems have been approved in the past provided they have varying block sizes, varying color patterns and tumbled or rolled edges. Although the wall is visible from the street, it is not a prominent feature. Staff is of the opinion that due to the small size of the wall and its large setback from the street, the design and materials are acceptable and recommends approval as installed.

Mr. Slater informed the members that he was unaware of the rules about retaining walls and that prior making application, he sawed-off every other block to make every other block a different size.

Mark Winings asked if the photos that were submitted for this meeting were taken prior to him saw-cutting.

Mr. Slater replied "yes".

Pepe Finn commented that she thought the wall was innocuous.

Chairman Lichtenfeld stated that he walks by this property almost daily and that he wishes it was constructed differently, he agrees with Pepe.

Hearing no further questions or comments, Pepe Finn made a motion to approve as installed. The motion was seconded by Josh Corson and unanimously approved by the Board.

<u>ARCHITECTURAL REVIEW – FRONT YARD FENCE – SINGLE FAMILY RESIDENCE – 938 SOUTH CENTRAL AVENUE</u>

Tyler Stephens, project architect, was in attendance at the meeting.

Susan Istenes explained that the 8,971-square-foot site is located on the east side of South Central Drive, just north of Clayton Road, and has a zoning designation of R-2 Single Family Dwelling District. On July 6, 2015, the Plan Commission and Architectural Review Board approved plans for a 2-story, 1,128-square-foot rear addition to the existing home. Construction is nearing completion and the applicant now proposes to install a 6-foot cedar shadow-box fence along the southern property line in the front yard that will provide screening of the adjacent alley and commercial property to the south. The fence will be screened on the north side by evergreen trees

(Junipers). The applicant has not submitted approval from the Subdivision Trustees. The City's Zoning Regulations requires that all fences located in the front yard in single-family zoning districts be approved by the Architectural Review Board prior to installation.

> *"Front yard masonry garden walls, planting boxes, retaining walls, plantings or ornamental or decorative fences may be erected as part of new construction, up to four (4) feet above the grade level in the front yard, provided such structure is an integral part of the architectural feature of the principal structure, is in compliance with sight distance standards and is approved by the Architectural Review Board."*

Historically, the Architectural Review Board has considered requests for front yard fences that are not in conformance with the zoning requirements. For example, on corner lots, 6-foot fences have been approved on "secondary" front yards (what functionally would be a property's side yard) provided the fence is ornamental or decorative (not a solid wood, chain or vinyl fence) and is placed on the property in a manner which provides a sufficient area for landscaping to break up the monotonous appearance of the fence. This property is not a corner lot by definition; however, it is bordered by a public alley along its southern property line. These configurations of single-family properties with their side yards adjacent to commercial properties are common on the blocks adjacent to Clayton Road in Davis Place and Maryland Avenue in Clayton Gardens and in many cases there are existing front yard fences in place that do not conform to the zoning requirements. The proposed design and materials of the fence is not consistent with the requirement in the zoning regulations for a 4-foot "ornamental or decorative" fence; however, an ornamental or decorative fence would not likely provide the opacity needed to adequately screen the adjacent alley, dumpsters, and commercial building. If a fence was located on the adjacent commercial property, it could be up to 8 feet tall and located up to the front property line without requiring approval by the Architectural Review Board. Susan stated that staff is of the opinion that the proposed fence is adequately screened on the north side by evergreen landscaping and that it will provide adequate screening of the adjacent alley and commercial property to the south and recommends approval as submitted.

Mr. Stephens began a PowerPoint presentation. A slide depicting the subject property was shown. He noted that the addition was brought before this Board last July and a fence was not discussed at that time; however, due to the alley and commercial property, a new fence is being proposed.

Slides depicting the alley, dumpsters and commercial property were shown.

A slide depicting a site plan depicting the location of the proposed fence was shown. Mr. Stephens stated that the proposed shadow-box fence is 80-feet in length. A slide depicting an aerial view of the property and surrounding properties was also shown.

Mr. Stephens informed the members that the property at Meramec and the alley has a similar fence. He asked if there were any questions.

Chairman Lichtenfeld commented that the house addition is very nice and that this is a lot of fence, but it is necessary.

Sherry Eisenberg asked how the fence will end.

Mr. Stephens stated that it will just "end"; they can use a heavier post and landscaping.

Hearing no further questions or comments, Ron Reim made a motion to approve as proposed. The motion was seconded by Josh Corson and unanimously approved by the Board.

CONCEPTUAL REVIEW – NEW CONSTRUCTION – APARTMENT BUILDING – 15-23 LEE AVENUE (SOLIRE APARTMENTS)

Robert Saur and Bryce Mosher, developers/purchaser, was in attendance at the meeting. Also in attendance was Thomas Stern, property owner.

Susan Istenes noted that the applicant is asking for feedback at this time; reiterating that this is conceptual review only. She explained that the 23,400-square-foot property is located on the west side of Lee Avenue between Forsyth Boulevard and Maryland Avenue, has a zoning designation of R-4 Low Density Multi Family Dwelling District and is located in the Forsyth Station Transit Oriented Development (TOD) Overlay District. In 2014, a 36-unit multi-family structure on the site was demolished and the site is currently vacant. Adjacent land uses include residential, institutional and commercial (the chart included in the staff report was referenced). The proposed project consists of the construction of 78 residential units located within 13 free-standing structures on top of a 1-story parking podium. Including the parking structure, the total height is 49 feet 8 inches measured from average existing grade to the midpoint of the pitched roof. The buildings are constructed primarily of cementitious rain screen panels. The roof is clad in green metal. Bronze fixed and single-hung windows are proposed. The 79-space parking structure will be accessible from the existing northern alley. The alley to the west is proposed to be vacated which would increase the lot area to 26,491 square feet. Additionally, Lee Avenue is proposed to be converted to two-way traffic in front of the subject property. The Forsyth Station TOD Overlay District is intended to apply to redevelopment in the immediate vicinity of the Forsyth MetroLink Station. This location presents a unique opportunity for the City to leverage the benefits of its proximity to MetroLink with future mid to high density residential and mixed-use development. Any person requesting a building permit involving construction of a new building or within the overlay district shall submit an application for a rezoning to a Special Development District or Planned Unit Development District. The project will be developed as a Planned Unit Development (PUD), and will require a public hearing. The following table summarizes the applicable zoning requirements and whether the proposed development complies with each standard. The PUD process gives the Board of Aldermen the authority to approve waivers from specific zoning requirements in exchange for public benefits. Once approved, the PUD becomes the specific zoning regulations governing the use and development of the property.

Development Standard	**R-4/Forsyth Station TOD District Requirements**	**Proposed**	**Waiver Required**
Units/Minimum Lot Area *(based on proposed property lines)*	15 units (maximum) / 1,750 sf per unit (minimum)	78 units / 340 sf per unit	Yes
Setbacks *(based on proposed property lines)*	Front: 10' (minimum) Side: 15.6' (minimum) Rear: 35.6 (minimum)	Front: 0' Side: 2' Rear: 2'	Yes
Height	3 Stories or 45' (maximum)	49' 8"	Yes
Impervious Coverage	55% maximum lot coverage	92%	Yes
Parking garage	Ground floor retail required	No ground floor retail	No (requires a conditional use permit)
Parking (Automobile)	None	79 (1.01 per unit)	No
Parking (Bicycle)	4 (1 per 20 units)	15 (1 per 5.2 units)	No

The site is located in the Forsyth Village District as identified in the Downtown Master Plan. The vision of the district is to "create a dense, walkable, mixed-use district including a significant new urban residential development oriented around the Forsyth Metrolink Station with appropriate connections to the existing development at Carondelet Plaza and the adjacent neighborhoods". The site is identified as being located in a low-rise transition zone, which recommends a minimum height of 25 feet, a maximum height of 60 feet, and that developments step down towards the adjacent single-family residences. The plan suggests that the development be designed so that the winter solstice shadow created by the building projects no more than 20 feet beyond the adjacent single-family property lines.
Susan noted that a project of this scale requires a thorough staff review prior to a public hearing. The project will be reviewed and is subject to comments by the Planning, Public Works, and Fire Departments, and also the City's contracted consultants for landscaping, architecture, storm water management, traffic and parking. Staff offers the following comments based on these conceptual plans:

Design

1. In the Forsyth Station TOD Overlay District, parking garages without ground floor retail are discouraged and only permitted with the approval of a conditional use permit. Although this may not be a viable location for retail, staff has concerns with the potential visual impact of the long expanse of the parking garage's exposed wall and ramp adjacent to the sidewalk. Staff recommends the applicant consider the following revisions:
    a. Provide a minimum 10-foot setback from the front property line.

b. Lower the parking podium as far below grade as possible.
c. Consider a more visually appealing solution to provide access instead of the highly visible ramp in front of the building.
d. Consider adding multiple stairways along the frontage to provide access from the upper level to the sidewalk
e. Soften the appearance of the parking garage and ramp using design and materials which complement the freestanding structures above.
f. Provide landscaping between the building and sidewalk.

2. The building height and setbacks should be designed to ensure that the winter solstice shadow created by the building projects no more than 20 feet beyond the adjacent residential property lines.

Alleys, Streetscape, Right-of-Way Dedications

3. The Public Works Department does not support vacation of the western alley. Vacating this section of the alley will not only negatively affect the existing neighboring properties, but will limit the ability of public infrastructure to support future development of surrounding properties. All new developments must be able to service their buildings through the alley and not the street. The current site plan does not accommodate for trash pickup and delivery trucks in the alley, which is required.
4. The developer shall install streetscape along Lee Avenue which will require a right-of-way dedication to the City of +/- 7 feet of property along Lee Avenue.
5. The developer shall widen the northern alley to 24 feet which will require a right-of-way dedication to the City of +/- 9 feet of property along the northern property line.
6. The right-of-way dedications will require approval of a Subdivision Plat.

Traffic & Parking

7. The development is subject to the recommendations of the traffic impact study conducted by the City's contracted traffic engineer and reviewed by Public Works. The developer may be required to make such improvements to adjacent streets including but not limited to restrictions at ingress/egress locations, turn lanes, medians, and new and/or improved signalized intersections.
8. A parking study conducted by the city's contracted traffic engineer will evaluate the project's parking demand and whether the proposed number of parking spaces is sufficient.

Susan stated that staff recommends that the Plan Commission/Architectural Review Board consider the proposal and provide input, reiterating that this is conceptual review only and therefore any comments made in this report or at the meeting, either by the applicant, staff, or the Board/Commission members, are not binding.

Chairman Lichtenfeld thanked staff for their information. He emphasized that there is no vote this evening and is not meant for debate; this review provides the applicant an opportunity to present and receive feedback. He asked that when the time comes for public comment, that they be brief and concise.

Mr. Saur began by stating that this project is what is meant by the Master Plan. He noted that he's been active in Clayton for a long time and the first time he was here was over 42 years ago. He stated that he was the developer of the project at Brentwood Boulevard and Pershing Avenue, Clayton on the Park, a high rise condo building on Maryland Avenue, and a high end rental apartment building on Hanley Road (the Claytonian). He indicated that the name "Solire" is the first two letters of his three granddaughters' names, but that name may be re-evaluated at a later time. He noted that no on-site parking is required in this Transit Oriented Development District, which surprises him but it is progressive. He stated that some parking is needed to be marketable, even though the building will be 400 steps from the MetroLink station. He stated that the apartments will be close to businesses whose employees may want a nearby apartment; they are marketing for people 20-35 and millennials. He noted that he units will have 10-foot ceiling heights and murphy beds; the building will have solar panels for high energy efficiency and cutting-edge, which is somewhat of an experiment, but he appreciates the opportunity.

Mr. Mosher noted that key features of the project are 10-foot ceilings, additional window height to maximize natural light, utilities included in the rent, and the "floating" building sits 2-feet above the garage, which will have LED lighting that will gently glow and the colors can be changed. He added that they are going to do a sustainable building, a common hot water supply, a GEO thermal system, rainwater collection, high efficiency appliances (possibly EnergyStar), south facing rooftop solar panels, and a charging station in the garage for electric vehicles. He noted that there will be access from the north alley. He presented slides of floor plans and elevation drawings. He noted that exhaust (similar to a dryer vent) will escape from the building sides where there are no stairs. He noted that there will be some awnings.

Note: 6:10 p.m. Josh Corson left the meeting.

Chairman Lichtenfeld stated that he has seen micro-apartment concept in other cities, primarily on the east and west coast and Chicago; however, the ones he has seen were more gracious with space and greenery. He stated that the concept is right on target for millennials and the next generation.

Ron Reim stated that when he first saw the proposal, he was immediately curious why the buildings are so close together; it seems like it's trying to keep people away and noted the little opportunity for landscaping.

Mr. Mosher indicated that they will look closer at landscaping; they are trying to hit the price point. He added that these buildings will go up quickly so occupancy is quicker.

Chairman Lichtenfeld commented that quick construction is good for the developer; the City has concerns with long-term viability.

Ron Reim commented about the narrow gaps between the buildings. He asked if there will be windows on the sides of the buildings.

Mr. Mosher stated that the narrow space between buildings is simply for separation to allow for exhaust. He stated that they could maybe add some staggered windows.

Ron Reim asked the distance between the buildings.

Mr. Saur replied "5-feet"; similar to DeMun. He stated that Clayton needs diverse housing stock and that the City needs to make some concessions to make it work. He stated that it would take a year to fill a hole needed for underground parking. He reminded the members that he is familiar with building in Clayton and willingness to compromise.

Chairman Lichtenfeld reiterated that this purpose of this is not to determine the final outcome.

Mr. Saur voiced his desire for a sense of outcome; he stated that an underground garage won't work.

Mr. Mosher informed the members that it took a lot of money to get here.

Chairman Lichtenfeld reminded everyone that this is only conceptual review; far from a final outcome.

Mr. Mosher agreed.

Chairman Lichtenfeld asked if there were any comments from any of the other members.

Pepe Finn asked if there is any idea how many people use that MetroLink station.

Mr. Saur replied "no".

Mr. Mosher indicated that a traffic study will be required.

Ron Reim asked how many parking spaces they are proposing.

Mr. Mosher replied "79 spaces for 78 units".

Ron Reim stated that the TOD zoning regulations don't require parking; he questions which the City would rather have.

Mr. Saur commented that he does not believe they could get a lender without parking.

Mr. Saur stated that there is no parking in DeMun.

Ron Reim indicated that is a problem.

Mr. Saur stated that these units are technically not micro-units; micro-units are equal to or smaller than 420 square feet.

Ron Reim asked if some of the units are 383 square feet.

Mr. Saur replied "yes".

Pepe Finn asked the price point relative to other Clayton rental units.

Keith Kramer introduced himself to the members, stating that he did the market studies for Opus, Covington and O'Ryan on Euclid. He stated that the first order of business is determining who they are trying to serve; in this case, the younger work force, first time renters, waiters, servers, cleaning people and the like, as these units will be affordable for this clientele as well as older residents. He stated that the project cost will affect the final rent amounts.

Ron Reim asked what drove the design.

Mr. Saur stated that he's done this small scale type development before; that micro-units are everywhere around the country.

Ron Reim stated there seems to be a redundancy of walls to get people moved in 3X faster; unless using pre-fabricated walls.

Mr. Saur stated that walls close together occurs between multiple buildings down the street.

Chairman Lichtenfeld commented that this is a different situation. He asked if this is modular.

Mr. Saur indicated that it's the same approach.

Chairman Lichtenfeld stated that this Board can't consider financial aspects when reviewing projects.

Mr. Saur agreed, adding that not allowing this type project is not in keeping with getting a diverse housing stock.

Chairman Lichtenfeld agreed, adding that modular units have been creatively placed to allow cross-ventilation; however, open space and views need to be preserved. He stated he is not suggesting those type units be here, but they have been used creatively.

Mark Winings commented this proposal has a very low cost look to it and that he appreciates the diverse housing stock, but that doesn't mean they have to be low cost; all he is hearing here is low cost and quick.

Mr. Saur stated that it is definitely cost-driven.

Mark Winings questioned if this project meets Clayton's standards and that it looks institutional the way it is laid out.

Sherry Eisenberg asked how parking and access will be handled.

Mr. Saur stated that there will be a central stairwell leading to the main floor.

Mr. Mosher stated that the stairwells will be covered.

Chairman Lichtenfeld asked if the hallways would be open on the ends on the 2nd and 3rd floors.

Mr. Mosher stated it could be looked at that way; it would be a mezzanine/loft area.

Ron Reim commented that he is not opposed to this type of housing, but he believes there is a solution without increasing cost.

Mr. Saur stated that this is what he is willing to do; that the architecture is not evident in these plans.

Ron Reim stated that his kid asked if this was a prison.

Mr. Saur stated that he takes offense to that; they believe this proposal works. He reminded the members that the land is just sitting there now. He added that this project has been through an evolution; that he is not here to argue.

Mr. Mosher stated that it is his understanding that the big issues here are setbacks, widenings and the like.

Ron Reim indicated that there are things that could be done to compact the units and not take up as much of the site area so as to provide landscaping. He added that this Board's purpose is not to design a project, but that he believes the project can be successful and stay within the price point.

Note: 6:42 p.m. Kevin O'Keefe left the meeting.

At this time, Chairman Lichtenfeld solicited public comment.

Jeff Morrissey, 7611 Maryland Avenue, stated that he appreciates the efforts of Bob and his crew and that he has produced tremendous products. He stated that he is concerned with the sale, mass and placement of the buildings as well as the transition between commercial to the south and residential to the north.

Monica Saleeby, Clayton resident, stated that the property previously contained 36 apartment units and now they want 78. She stated that there were parking problems before. She stated that the area is too dense and too much traffic is already using Lee Avenue, including Wash U traffic. She stated that transient people will use these units and questioned how many people will live in a 450-square foot apartment. She stated that there were crime and drug problems in the previous apartments. She stated that the current water system can't handle this much more. She asked for higher quality, more upscale housing here as it is near a high cost living area. She stated that young people go to DeMun and the Moorlands; that this would affect high class residents and bring property values down.

Pepe Finn commented that the chart in the TOD says 15 units maximum; this proposal is for 78 units.

Mr. Saur stated that he understood that's what the TOD is for; that this project was invited by Planning and that the Plan Commission can approve waivers.

Louis Clayton stated that the 15 units is based on the lot size; the Board can waive this requirement through the PUD process.

Raymond Saleeby asked where parking will be; he stated that there's no parking now.

Chairman Lichtenfeld informed Mr. Saleeby that the developer is proposing 79 on-site spaces.

Ms. Saleeby asked where friends of the residents and vendors will park. She stated that a moving truck will take up all 6 spaces in the front.

Chairman Lichtenfeld announced that there will be other reviews if the project moves forward.

Mr. Saleeby stated that people want parking.

Mr. Saur said "thank you" for the input and indicated that he is somewhat discouraged by the response.

Chairman Lichtenfeld reminded everyone that there will be no vote tonight and thanked everyone for their participation.

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Chairman Lichtenfeld asked about the 2015 PC/ARB Annual Report.

Susan Istenes informed him that it was reviewed during his absence.

Pepe Finn began a discussion about the City's Master Plan and the need to update it. She stated that she realizes cost is a factor. She asked about public dialogue regarding general development issues. She asked how high density developments go forward when there are complaints about parking but the rules say no parking is required.

Craig Owens stated that the City can't base decisions on just a few comments.

Pepe Finn commented that a parking study would be required.

Ron Reim stated that the trend is to provide less parking in areas near public transportation.

Pepe Finn agreed, adding that other public transportation areas actually go somewhere; referring to the need here to go west first to get to the airport.

Chairman Lichtenfeld stated that the developer should obtain that information and use it to bolster their argument.

Susan Istenes stated that our planning is long-range; big picture and that density is considered; however, if there is no plan in place the projects have to be considered as they come in.

Ron Reim stated that there are a lot of factors, but that a lot pivoted around the developer's financial impact.

Susan Istenes stated that financial impact is not a factor for this Board to consider. She said the purpose of a conceptual presentation is to help the applicant decide how to proceed.

Ron Reim commented that even an architectural student would know there are many options; the project has potential and that he is not necessarily opposed to this many units or the targeted residents, but the solution is not there yet.

Susan Istenes agreed.

Chairman Lichtenfeld asked what was submitted for the next meeting.

Staff informed him that the submittal deadline is not until next week.

Being no further question or comments, this meeting adjourned at 7:15 p.m.

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Recording Secretary