

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

OCTOBER 17, 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
Joanne M. Boulton, Aldermanic Representative
Craig Owens, City Manager
William Liebermann
Scott Wilson

Absent:

Ron Reim
Josh Corson

Also in Attendance:

Kevin O'Keefe, City Attorney
Susan M. Istenes, AICP, Planning Director

Chairman Steve Lichtenfeld welcomed everyone to the meeting. He then asked that all cell phones be turned off and that conversations take place outside the meeting room.

MINUTES

The minutes and transcription of the September 19, 2016 meeting was presented for approval. The minutes were approved after having been previously forwarded to each member.

ARCHITECTURAL REVIEW – DRIVEWAY REPLACEMENT – 8026 VENETIAN DRIVE

Victor Frankel, property owner, was in attendance at the meeting.

Director Istenes explained that the applicant proposes to replace the existing flat concrete driveway with flat concrete. With respect to driveways, the City's Architectural Review Board Guidelines read as follows:

To eliminate the appearance of "a sea of concrete", the driveway should be exposed aggregate, brick pavers or stamped concrete. Aprons are to be constructed to the Department of Public Works standards.

Flat concrete is not a permissible material for driveways. Since the adoption of the Architectural Review Board Guidelines in 1996, the city has required new driveways to be constructed of exposed aggregate, brick pavers, or stamped concrete. Driveways and retaining walls that are non-conforming to the Architectural Review Board Guidelines, upon reconstruction, widening or extension, could only be replaced in conformance with the architectural standards in place at the time. This is consistent with the non-conforming provisions of the Zoning Regulations which serve to eliminate non-conforming situations over time, taking advantage of the opportunity to bring them up to adopted standards when they are changed to a significant degree. To allow the continuous replacement of a non-conforming driveway would only serve to perpetuate the existence of an undesirable single family residential driveway surface theoretically forever, or until a property owner voluntarily brings the surface up to current standards. Existing non-conforming driveways may be repaired and maintained without being required to upgrade to an approved material. To preserve and enhance the visual appeal of the City's residential neighborhoods, staff is of the opinion that when replaced, non-conforming driveways should be constructed with an approved material and therefore, recommends denial of the request as submitted.

Mr. Frankel informed the Board that they moved into this house in 1983 and they want the new driveway to be similar to what's there now; noting a change in grade in the western part of Davis Place. He noted that the curbs in Davis Place have turned brown. He referenced the "sea of concrete" language in the ARB Guidelines and stated that's not the case here. He indicated there have only been a couple of cases such as this that have come before this Board since 2005. He noted that he is not asking for asphalt; he is asking for concrete which is what is there currently.

Chairman Lichtenfeld commented that concrete tends to darken. He noted that there have been a number of driveway replacements and that he wants to be consistent with his inconsistencies that he is okay with flat concrete, realizing that this very issue is up for discussion later this evening. He commented that it may be a good idea to table this until the next meeting.

Joanne Boulton agreed; noting that it would be better to continue this rather than to vote it down.

William Lieberman agreed; stating that it would be logical to table this request, especially if this Board is inclined to deny it. He added that he would vote to approve the request and questioned the owner's timeline.

Craig Owens voiced his concern about consistency; noting that Mr. Frankel attended the last meeting (when the Crotzer's application for driveway replacement was heard). He stated that City staff receives quite a number of inquiries about this issue.

Hearing no further questions or comments, Chairman Lichtenfeld called for a motion.

Scott Wilson made a motion to continue consideration of this request to the next meeting pending further conversation. The motion was seconded by Joanne Boulton and received the following

vote of the Board: Ayes: Craig Owens, Joanne Boulton, William Lieberman and Scott Wilson.
Nays: Chairman Lichtenfeld.

ARCHITECTURAL REVIEW – NEW CONSTRUCTION – DETACHED GARAGE – 9 EAST BRENTMOOR

Alvah Levine, project architect, was in attendance at the meeting. Also in attendance was Doug Holtzman, owner.

Director Istenes explained that the existing 2-story home measures 9,450 square feet in area and was originally constructed in 1915. There is an existing attached garage and breezeway that measures 2,255 square feet. The proposed project consists of the addition of a new, 4-car freestanding 1,664 square foot garage, placed on top of an existing paved area along the north side of the property. The existing home is comprised of light tan stone with wood Tudor style accents. The proposed garage has a white, single ply flat roof and the height measures 11-feet 6-inches to the roof line and 13-feet 11-inches to the top of the parapet. Four (4) single panel garage doors surrounded by an EIFS surround with an 8-inch by 16-inch keystone header are proposed along the south elevation. The detached garage walls will be constructed of EIFS/Stucco and painted a light grey/green to match the existing home. The corners of the building will be accented with inset stones. A walk-through wood door is proposed along the east elevation and two aluminum storefront windows with black frames and insulated glass will be located along the west elevation (street). The windows and doors are accented with EIFS surrounds and stone keystone headers. The top of the roof is accented with a raised EIFS cornice and EIFS bands and stone coping. On September 1, 2016 the applicant received a 17-foot 5-inch variance from the required 66.75 foot front yard setback and a 3-foot, 9-inch variance from the required 5 foot rear yard setback to place the garage in the proposed location. The existing driveway will remain in place. An existing 8-inch wide wall, 12-feet in height is located along a portion of the north property line and will screen the garage from public view from the north. The new HVAC unit will be located on the north side of the garage and will be screened by the existing 12-foot wall and the walls of the garage and will not be visible from the street. The project as proposed is in conformance with the requirements of the R-1, Large Lot Single Family Dwelling District. Staff is of the opinion that the proposed garage is compatible with the design and materials of the existing home and the other homes within the neighborhood and recommends approval as requested.

Mr. Levin presented photos of the existing carriage house and explained that new extensive renovations to the house began in the early 2000s and were completed by the current owner, who collects sports cars and needs a place to store them. He stated that the garage will be built on top of the existing tennis court and that the existing 120-foot long wall will be used for the back wall of the garage. He stated that a variance was granted by the Board of Adjustment for the placement of the garage; needed because this is a corner lot. He noted that they are duplicating materials.

Joanne Boulton asked if material samples were brought to the meeting for presentation.

Mr. Levine replied “no”; noting that the EIFS is duplicated and the stone is the same light gray.

Chairman Lichtenfeld asked if the EIFS will look like stone.

Mr. Levine replied “no” and indicated that it will match the existing dormers.

Chairman Lichtenfeld asked if EIFS was located anywhere else.

Mr. Levine replied “no”.

Chairman Lichtenfeld questioned the use of EIFS and the flat roof and commented that this structure will be very prominent as one drives north into the neighborhood.

Mr. Levine stated that there is a flat parapet roof on the sunroom.

Chairman Lichtenfeld stated that the sunroom has a nice style.

Mr. Levine noted that this is the last house on a dead end street.

Mr. Holtzman stated that the breezeway has a flat roof also.

Joanne Boulton indicated that she is trying to understand the project; however, it is difficult without material samples and a well-designed plan/rendering.

Chairman Lichtenfeld asked about the existing stone.

Mr. Holtzman indicated that it is a solid stone that was made on-site.

Scott Wilson commented that this garage will stick out like a sore thumb on the property that has the prettiest house in the neighborhood.

Mr. Holtzman informed the members that all the neighbors have approved this project and he does not know what else he can do with the existing concrete wall.

Scott Wilson asked if this complies with the subdivision indentures.

Mr. Levine informed Scott that all the indentures require is a fireproof wall.

Mr. Holtzman stated that the two homes to the east and one to the west have similar garages; the two to the east are also 4-car garages and the one to the west is a 5-car garage. He stated that he can add ivy to the wall to tone it down. He then referenced an issue with the existing geothermal system.

Chairman Lichtenfeld stated that he is still concerned about the material use even with the stone insets at the corners. He stated that he has no problem with the size or location of the garage; his concern is the lack of a pitch roof and the use of EIFS, as both are inconsistent.

Mr. Holtzman stated that he could add up to 2 to 3 feet of stone. He indicated that on the right side of the garage will be four, mahogany carriage style doors that cost \$8,000 each.

Joanne Boulton stated that it seems that they are not using the right percentage of material.

Director Istenes informed the members that staff did not take measurements and that information was not provided by the applicant. She noted that the property is not in a design district.

Mr. Levine stated that he believes the use of stucco is acceptable.

Director Istenes noted the provisions do also speak to material compatibility and that because stone accents were being incorporated, staff felt the materials were acceptable.

Chairman Lichtenfeld asked that stone Wainscoting be added as suggested by the owner.

Scott Wilson made a motion to approve with the condition that 36-inches of stone Wainscoting be incorporated into 3 of the 4 elevations (not required on the concrete wall elevation). The motion was seconded by Joanne Boulton and unanimously approved by the Board.

ARCHITECTURAL REVIEW – SIGNAGE – COMMERCIAL – 231 SOUTH BEMISTON AVENUE

Gretchen Tillman, Custom Signworks, was in attendance at the meeting.

Susan Istenes explained that the proposed sign will replace an existing ground sign and will be located in the front landscaped area adjacent to Bemiston Avenue at the southeast corner of the tower and the entrance to the parking garage; perpendicular to the street. The sign consists of 2 clear textured panels (one on each side) attached to a welded base, covered in stainless steel with a stainless steel welded header. The .5 inch thick routed Acrylic letters, black in color, will be flush mounted to the face of a 1 inch deep stainless steel show box panel on each side. The sign area will total 24 square feet (per side). The design and quality of the materials are consistent with high quality, modern designs and are compatible with the adjacent building's construction which is comprised of brick and white pre-cast concrete panels. The sign as proposed is in compliance with the Sign Regulations and staff recommends approval with the condition that the sign be located so as not to create an unobstructed line of sight to the north from drivers exiting the garage.

Ms. Tillman informed the members that the existing ground sign is unsightly and out of date.

Chairman Lichtenfeld asked about the “for lease” sign.

Ms. Tillman indicated that it would go away.

Chairman Lichtenfeld stated that he agrees with Ms. Tillman’s comments about the existing sign. He added that the new sign looks good.

Hearing no further questions or comments, Scott Wilson made a motion to approve as submitted (sign to be relocated per staff recommendation). The motion was seconded by Joanne Boulton and unanimously approved by the Board.

CITY BUSINESS – DISCUSSION REGARDING REPLACEMENT DRIVEWAY MATERIALS

Susan Istenes indicated that staff did some research and various options were previously emailed to the Board, which referenced various materials that could be used. She noted that she realizes this is more of an appearance issue versus a coverage issue (rather it be pervious or impervious).

Joanne Boulton asked if the City is currently not allowing pervious driveways.

Director Istenes indicated that she is correct.

City Manager Owens noted that MSD does not give credit for the use of pervious products. Director Istenes noted that the City includes pervious materials toward impervious coverage calculations.

Director Istenes noted that the City has allowed asphalt driveways off alleys.

City Manager Owens informed the other members that he had to leave, but he wanted to let them know that he has no strong opinion about any driveway material, but that it is important to be consistent. He noted that the City uses asphalt and flat concrete for its projects. He also questions the need for a permit.

Scott Wilson asked if the concrete over time turns a buff color.

City Manager Owens replied “yes”; noting that it takes a long time, though.

Chairman Lichtenfeld agreed.

City Manager Owens noted that existing asphalt can be sealed.

Joanne Boulton questioned why brushed concrete is not permitted; however, she does not approve of asphalt.

Chairman Lichtenfeld reminded the members that the ARB Guidelines are not enforceable.

Director Istenes noted that staff is working on getting them codified. She added that projects that driveway materials that are approved through the site plan review/architectural review process are enforceable; other than that, people don't think about getting approval for just replacement driveways.

Joanne Boulton stated that materials could be regulated if the City required a permit for driveway replacement.

Director Istenes agreed; adding, however, that some people will do the work without a permit.

Chairman Lichtenfeld stated that he likes the driveways with the strip of grass down the middle. He stated that Craig made a good point earlier about the City's use of concrete and/or asphalt. He added that he would like to remove asphalt from residential properties and permit the use of #4 Meramec Gravel (not require exposed aggregate).

Joanne Boulton stated that she's okay with brushed concrete as well. She noted that exposed aggregate is difficult to walk on in bare feet and hard to shovel.

William Lieberman stated he doesn't like asphalt, but it's great for kids to play on. He added that he finds it difficult to encroach on people's material choice unless there is a safety concern. He stated that he prefers concrete as it lasts 30 years and that he does not think that the City needs another permitted process.

Joanne Boulton commented that this Board has a responsibility regarding aesthetics.

William Lieberman stated that he would only approve asphalt if there was a good reason for its use.

City Attorney O'Keefe noted that the City can have an aesthetic perspective and impose aesthetic standards in an effort to maintain value. He added that the City has a variance process when a hardship exists, but he believes it would be difficult to prove hardship related to the property in this case.

Joanne Boulton stated that she believes asphalt devalues property but that concrete does not; she has no issue with a brushed or broom finish concrete driveway or one with a grass strip down the middle.

Director Istenes commented that a request for a non-approved material would come to this Board. She stated that her preference would be for this Board to vote to change the Guidelines and then it would go to the Board of Aldermen for them to adopt.

William Lieberman stated that he's changing his opinion on asphalt; he now would not want asphalt to be used in conjunction with new construction, but he's okay with replacing existing. He stated he's not a fan of aggregate.

Scott Wilson stated he likes concrete and would also not want asphalt to be used on a new construction project.

William Lieberman stated that he has seen exposed aggregate fail.

Everyone agreed that asphalt should not be used in conjunction with new construction.

Joanne Boulton asked if it would be okay to bring the driveway request back before them this evening or should it be re-introduced at the next meeting.

City Attorney O'Keefe noted that it may not be appropriate to bring it back up this evening as one member has already left. He announced that he, too, has to leave.

A brief discussion regarding whether or not to require a permit took place. It was suggested to simply charge a \$5 permit fee just to cover administrative costs.

Chairman Lichtenfeld stated that he'd prefer to avoid the permit and inspection process.

Joanne Boulton disagreed.

Alex Berger, III, 8025 Venetian Drive, stated that the two Clayton homes he owns have flat concrete driveways and he asks that the Board to include flat concrete (Meramec Gravel) as a permitted material as it is brown from the beginning.

Victor Frankel asked that drainage be considered. He also asked about screening HVAC units.

Director Istenes stated that opaque screening is needed.

Scott Wilson mentioned impervious coverage limitations.

Director Istenes noted that many homes in Clayton don't comply with current zoning regulations. She added that with regard to drainage, it is not acceptable for water to drain onto adjacent property.

Victor Frankel stated that if he began the project tomorrow, the City couldn't do anything as acceptable driveway materials are listed within a guideline document as opposed to an ordinance. He stated that he is in a bind; this type of work is not done in the winter.

Director Istenes attempted to summarize the discussion as follows:

- allow the use of Meramec Gravel, brown/tan in color
- allow the use of flat or stamped concrete (stamped currently permitted)
- allow the use of pervious concrete

She stated that she is not clear if this Board wants to allow asphalt to be replaced with asphalt.

Scott Wilson stated he would prefer concrete.

Joanne Boulton stated she doesn't like asphalt.

Chairman Lichtenfeld agreed.

William Lieberman indicated he wasn't going to comment. He asked if finances can be considered.

Chairman Lichtenfeld replied "no".

Joanne Boulton referred to City Attorney O'Keefe's previous comments about devaluing properties.

William Lieberman stated it would be simpler that everything be concrete so there's no confusion.

Chairman Lichtenfeld informed Mr. Frankel that there will be no problem voting on this proposal at the next meeting.

Director Istenes asked if there should be a vote tonight with regard to material usage.

Chairman Lichtenfeld stated that it would be better to wait for more members.

Director Istenes stated that she believes now that the Board does not want asphalt to be allowed in any instance, even when an existing asphalt driveway is being replaced.

A short discussion on the use of geo-tech paving ensued.

Joanne Boulton asked about the runoff issue.

Director Istenes stated that drainage is dealt with in other avenues; it is already unacceptable to drain water onto an adjacent property.

Chairman Lichtenfeld stated that he hopes to wrap-up this discussion at the next meeting.

Director Istenes reminded the members that Louis has left and asked that for patience during this time while we have no Planner.

Joanne Boulton commented that the presentation for 9 East Brentmoor could have been better and that it would have been helpful to see material samples.

Director Istenes agreed.

Chairman Lichtenfeld asked how the process of hiring a new Planner was going.

Director Istenes stated that she's extended the timeline to accept resumes for 3 more weeks.

A brief discussion regarding the corner of Wydown and Hanley took place. It was noted that a Request for Proposals was issued by the City for the redevelopment of that property and that an application was prematurely submitted by an architect, as the affected property owners had not yet signed off on it.

Having no further business before this Commission this evening, the meeting adjourned at 7:45 p.m.

Recording Secretary