

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

FEBRUARY 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 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. He noted that there will be a 3 minute time limit on speakers and asked that statements not be repeated (referencing the Maryland School Townhome proposed project that is on this agenda). He stated he plans on adjourning the meeting no later than 9 p.m.

MINUTES

The minutes of the January 19, 2016 meeting were approved, after having been previously distributed to each member.

ARCHITECTURAL REVIEW – ACCESSORY STRUCTURE - SINGLE FAMILY RESIDENTIAL PROPERTY – 620 WEST POLO DRIVE

Helen Lee, project architect, was in attendance at the meeting.

Susan Istenes explained that the proposed project consists of the construction of a 469-square-foot accessory structure located in the rear yard which will be used as a pool house. The height of the proposed structure is +/- 12 feet 10 inches as measured from the existing grade to the midpoint of the pitched roof. The structure is constructed of white board and batten siding, white casement windows, black shutters and a slate roof. The proposed design and accent materials of the accessory structure complement that of the existing home; however, the primary material, board and batten siding, is not an approved building material per the Architectural Review Guidelines. Although the accessory structure is set back 110 feet from the front property line, it is offset to the side of the home and will therefore likely be visible from the public right-of-way. The subdivision trustees have approved the plans. Staff is of the opinion that the structure will likely be visible from the public right-of-way and adjacent structures, and has concerns that the primary building material is not compatible with existing materials on the home and therefore, recommends denial of the project as proposed.

Ms. Lee stated that the form and mass is similar to the original house which was whitewash brick. She noted that the board and batten siding is a durable material and maintenance free.

Chairman Lichtenfeld asked if it is a Hardie Board.

Ms. Lee replied "yes"; she added that both neighbors have approved the plans.

Chairman Lichtenfeld asked if the Trustees have also approved the plans.

Ms. Lee replied "yes".

Mark Winings asked if the addition will be visible from the street.

Ms. Lee stated the upper portion might be; 50% is windows and shutters so not much is the board and batten.

Chairman Lichtenfeld asked if the ground is relatively flat going back to the pool house.

Ms. Lee replied "yes". She stated that they could landscape the fence area if that would help.

Mark Winings commented that the evergreen on the east side obstructs the street view.

Chairman Lichtenfeld asked how close this is to the Polo field.

Ms. Lee replied that it is roughly half way from the street to the field.

Josh Corson commented that it is an attractive pool house. He asked if similar material has been used elsewhere.

Ms. Lee stated that the material was used on another project in the neighborhood.

Chairman Lichtenfeld stated that the neighborhood contains a variety of materials; he agrees that it's a nice looking pool house.

Ron Reim stated that he doesn't believe it will be visible from the street.

Hearing no further questions or comments and hearing none from the audience, Chairman Lichtenfeld called for a motion.

Ron Reim made a motion to approve as submitted. The motion was seconded by Josh Corson and unanimously approved by the Board.

ARCHITECTURAL REVIEW – ADDITION TO SINGLE FAMILY RESIDENCE – 6336 FORSYTH BOULEVARD

Paul Doerner, project architect, was in attendance at the meeting.

Susan Istenes explained that the proposed project consists of the construction of a one-story addition and attached three car garage to the rear of the home totaling 2,475 square feet. The front elevation of the existing home will be renovated but no significant changes affecting the building's character are proposed. The height of the addition is +/- 21 feet as measured from average existing grade to the peak of the roof. The new addition will not exceed the height of the existing home. The addition will be constructed of brick to match the home. The roof of the addition is clad with variegated slate asphalt shingles, and casement and fixed windows are proposed to match the home. An existing asphalt driveway will be replaced with a new exposed aggregate driveway. The driveway will lead to a new front loading garage with two wood carriage style garage doors. The plans show the HVAC units located at the rear of the home and not visible from public view. Trash and recycling receptacles will be stored in a 95-square-foot brick trash enclosure located at the west side of the new garage and will be screened by wood gates. The project as proposed is in conformance with the requirements of the R-1 Large Lot Single Family Dwelling District and the Architectural Review Guidelines. Staff is of the opinion that the proposed design of the addition is consistent with the existing design and materials on the home and staff recommends approval as submitted.

Mr. Doerner presented a site plan, explaining that the existing house is a handsome, Tudor home and that the project includes a new slate roof, new driveway, re-painting existing windows, and the addition of a 3-car garage, garden room and master suite. He added that the new brick will match as closely as possible to the existing brick.

Chairman Lichtenfeld asked if the 2,475 square feet includes the 3-car garage.

Mr. Doerner replied "yes"; the garage is 869 square feet by itself; the addition is 1,606.

Chairman Lichtenfeld asked Mr. Doerner to address the copper standing seam roof.

Mr. Doerner showed the members its location on the rendering/site plan. He indicated that it has been sent to Jefferson City for review, but they've not yet received a response.

Chairman Lichtenfeld asked if the neighbors are aware of the copper roof.

Mr. Doerner indicated that he did not know.

Ron Reim stated that it won't be seen from Forsyth Boulevard.

Mr. Doerner concurred.

Chairman Lichtenfeld commented that it is a nice addition. He solicited additional comments, including any from the audience; none were heard. He called for a motion.

Josh Corson made a motion to approve as submitted. The motion was seconded by Ron Reim and unanimously approved by the members.

ARCHITECTURAL REVIEW - REVISION TO PREVIOUSLY APPROVED PLAN – 8500 MARYLAND AVENUE (VANGUARD CLAYTON PROJECT)

Paul Langdon, Vice-president of Development/Covington Realty, was in attendance at the meeting.

Susan Istenes explained that the property has a zoning designation of Planned Unit Development (PUD) and on May 4, 2015, the Architectural Review Board approved the construction of a 273,500 square foot, five-story building located on top of a two-level, partially below grade parking structure. The building contains 4,526 square feet of ground floor retail and live/work units, 229 residential units and 352 parking spaces. The primary building materials are brown brick veneer, stone veneer, and stucco (white and three shades of gray). According to the applicant, existing electric service located under the proposed five-story portion of the building at the south end of the site cannot be relocated, therefore, the south end of the building will be shortened in length and increased in height by two stories. There are also minor changes proposed to the patterning of the materials to provide consistency with the rest of the building. The number of apartment units will not change and the average unit floor area will not decrease. All other aspects of the project are consistent with the previously approved plans. Susan stated that staff's opinion is that the changes are minor in nature and consistent with the previously approved plans/design and recommends approval as requested.

Due to a conflict of interest, Mark Winings recused himself and vacated his seat on the Board. He did not participate in any discussion and/or vote with regard to this project.

Mr. Langdon began a PowerPoint presentation. The first slide depicted a color rendering of the Maryland Avenue elevation, which he noted will remain the same as previously approved. The second slide depicted the south end of the building where the proposed changes are. He stated that due to the shorter building footprint, the landscaped area will be increased.

Slides depicting affected floor plans and building elevation were presented. He noted that they attempted to repeat the style and mix of brick and stucco to be consistent with the rest of the building and believes that this change results in a more cohesive design. He stated that the building still meets structural requirements, that the bio-retention area will be replaced with greenspace and a new hedge containing ninebark and leatherleaf viburnums will be installed. He reiterated that the front of the building remains the same as originally approved.

Chairman Lichtenfeld asked how many floors are wood framed.

Mr. Langdon replied “5”.

Chairman Lichtenfeld commented that he liked the step-down feature of the original design, but considering the problem, he understands the solution. He asked if this change will result in smaller units.

Mr. Langdon stated that the one bedroom units will remain the same size, but there will be fewer 2 and 3 bedroom units and less hallway space.

Chairman Lichtenfeld asked if the first two floors on the south end will still enter from the garage.

Mr. Langdon replied “yes”.

Pepe Finn asked if the change in the mix of bedrooms has any bearing on parking or traffic.

Louis Clayton stated that the studies consider the number of units; not the number of bedrooms.

Hearing no further questions or comments and hearing none from the audience, Chairman Lichtenfeld called for a motion.

Ron Reim made a motion to approve as submitted. The motion was seconded by Pepe Finn and unanimously approved by the Board (Mark Winings did not vote).

Mark Winings returned to the member table.

REZONING(S)/PLANNED UNIT DEVELOPMENT, SUBDIVISION PLAT,
ARCHITECTURAL REVIEW –NEW CONSTRUCTION – RESIDENTIAL TOWNHOME
PROJECT – 7501 MARYLAND AVENUE

Note: The following is a synopsis of discussions that took place regarding this proposal. A full transcript was prepared by a City-hired Court Report; copy of which is attached to this document.

Bruce Korn (Higginbotham), owner under contract/developer, was in attendance at the meeting. Also in attendance was Fred Berger, attorney representing the developer.

Susan Istenes noted that there are various issues (applications) with regard to this proposal.

Kevin O'Keefe informed the members that the City's Master Plan, although it plays a role when considering development, is simply a guide to be considered; it is not binding.

Susan Istenes stated that she will only speak to the highlights of the proposal, as follows: 2.09 acre site; first application is for a rezoning from R-2 to R-4 to be eligible for a PUD; this mid-range density will fit nicely into the neighborhood and a PUD allows for a better product.

Chairman Lichtenfeld asked if the rezoning to R-4 is successful, but the PUD is denied, would the property revert back to R-2.

Susan Istenes stated that his staff's recommendation, yes.

Chairman Lichtenfeld asked the applicant how he wished to proceed with the applications; concurrently or consecutively.

Mr. Korn replied "concurrently". He thanked the members for their time, noting this is the second time this project has appeared before them. He stated that he believes this new plan addresses everyone's concerns and that the notable change (elimination of townhome building along Westmoreland Avenue) is a direct response to the people in the neighborhood. He informed the members that with him this evening are Gyo Obata, project architect, Fred Berger, attorney, Rob Berringer (principal architect), Larry Schiffer (Maryland School Townhome, LLC), Kent Higginbotham (partner), and Bill Berthold, project civil engineer.

Mr. Korn began a PowerPoint presentation. He noted that back on October 20, 2014, a conceptual plan for the development of 36 townhomes was presented and that they returned this past May with a formal presentation for 35 townhomes. He noted that the R-4 Zoning opens up a lot of opportunities; that the PUD is the key here. He stated that he has over 120 support letters, although he understands that many of the neighbors don't want this project to happen. He stated that they have demonstrated patience throughout this process and that this new plan provides the opportunity for 5 new single family homes on Westmoreland Avenue; emphasizing that this proposal does not include any development on Westmoreland Avenue; he only speaks about those lots in perspective.

A slide depicting an aerial view of the property was shown. Mr. Korn noted that the plan is for 25 new townhomes, each with 2 parking spaces. A slide depicting the site plan was shown. Mr. Korn

noted that some architectural features of the school building will be incorporated into the project. A slide depicting contextual elevations was shown.

Pepe Finn asked who owns the lots.

Mr. Korn replied “we will”.

A slide depicting a rendering of the view from School Lane (new private street) was presented. A slide depicting floor plans was also shown.

Mr. Berthold provided an explanation of the site plan to the members, noting that there are 3.7 parking spaces per unit being provided, which far exceeds other areas of the City. He stated that a privacy fence will be on the north side and west side of the townhomes.

Chairman Lichtenfeld asked where water will go.

Mr. Berthold explained that the site will function the same way as it does now; that MSD requires no change to the water shed.

Chairman Lichtenfeld asked if water from the north portion of the site will flow onto the Westmoreland Avenue home sites.

Mr. Berthold replied “no”.

Chairman Lichtenfeld asked if the far west building contains an ADA fully accessible unit.

Mr. Berthold replied “yes”.

Mr. Korn asked if this is the right time to discuss landscaping.

Susan Istenes stated that landscaping should be discussed during the PUD discussion.

Mr. Korn presented slides noting the following: the Maryland School has not been used since 1983; they are not asking for any tax relief, the property was deemed surplus in 2009; the existing building is deteriorated; Higginbotham has been in the building business for over 65 years; houses are facing houses; townhomes are adjacent to commercial; the 600 rental units that have been approved are not purchasable; the property has not generated any real estate revenue since 1930; the project is expected to generate \$400,000.00 annually in tax revenue; they have over 120 support letters; the professional staff has approved the project.

The following audience members spoke in favor of the project: Jane Klamer, 62 Aberdeen; Kristin Reddington, representing the School Board, Melissa Pelot (sp?); Neil Shapiro; Benjamin Uchitelle

(former Clayton Mayor-41 Crestwood Drive-he noted that former Mayors Linda Goldstein and Hugh Scott also support this project);

Note: Kevin O'Keefe left the meeting (7 p.m.).

The following people spoke against the project, citing various reasons such as spot zoning, opposing the rear of a residence facing a street, too much density, etc.: Anna Lee Schaffer (7527 Westmoreland Avenue); Steven Alpine (attorney), Steven Rosenblum (7501 Westmoreland Avenue); Laura Bryant (202 North Brentwood Boulevard); Jamie Raymond (7545 Westmoreland Avenue); Bridgette McAndrew (7615 Westmoreland Avenue); Rosemary Hardy (7603 Maryland Avenue); Susan Block (7533 Westmoreland Avenue); Steve Bruce (7606 Maryland Avenue); Jeff Morrissey (7611 Maryland Avenue); Rick Bliss (7515 Westmoreland Avenue); Vernon Allen (7535 Maryland Avenue); Amelia Love (student-video of neighborhood shown); Mel Disney (7507 Westmoreland Avenue).

8:10 p.m. – Chairman Lichtenfeld called for a 10 minute break.

8:20 p.m. – meeting resumed.

The following people also spoke against the project: Pamela Fournier (7633 Maryland Avenue); Angela Pompian (315 North Forsyth Boulevard); Bruce Butler (7601 Maryland Avenue); and Hank Winkleman (7405 Maryland Avenue).

Mr. Korn noted that he has support letters from Linda Goldstein, Clayton Mayor from 2007-2013; Joyce Stenger (7639 Westmoreland Avenue); Larry LaBreiere (south side of Westmoreland Avenue, east of Hanley Road); Hugh Scott (former Mayor). He stated that the project blends in and that Clayton is an urban area. He urged the members to review the letters of support.

Mr. Berger addressed the members and stated that the developer did make changes to the proposal; he reduced the number of units. He stated that this is not spot zoning; this project makes sense for Clayton and that change is how the City got where it is today. He asked that the City give his client a fair shake.

Pepe Finn asked if the setback being provided is the same as would be for a single family residence.

Mr. Korn replied “yes”.

Chairman Lichtenfeld commented that if the R-2 to R-4 rezoning goes through, that doesn't mean the project is approved; the R-2 to R-4 is one of 5 applications. He stated that there is not enough time left to get through this tonight.

Mark Winings commented that he voted no 9 months ago and that's not going to change with this new proposal. He stated that he doesn't believe it is right to rezone under these circumstances.

Chairman Lichtenfeld read staff recommendation for the R-2 to R-4 rezoning application, as follows:

To recommend approval of the rezoning of the subject property from R-2 Single Family Dwelling District to R-4 Low Density Multi Family Dwelling District to the Board of Aldermen subject to the following condition:

1. That this rezoning request be contingent upon approval by the Board of Aldermen of the Planned Unit Development rezoning application. If approved and the Planned Unit Development expires, becomes invalid or the project is not constructed, the subject property will revert back to R-2 Single Family Dwelling District.

Chairman Lichtenfeld called for a motion.

Josh Corson made a motion to recommend approval of the rezoning of the property from R-2 to R-4 to the Board of Aldermen per staff recommendation. There was no second. Motion died due to lack of a second.

Mark Winings made a motion to recommend denial of the rezoning of the property from R-2 to R-4 to the Board of Aldermen. The motion was seconded by Sherry Eisenberg and received the following roll call vote: Ayes: Chairman Lichtenfeld, Craig Owens, Mark Winings, Ron Reim, Sherry Eisenberg & Pepe Finn. Nays: Josh Corson. Motion to recommend denial carries.

Mr. Korn indicated that he would like to continue to a future date. (The next meeting is March 7th).

Ron Reim made a motion to continue all the remaining items until the meeting of March 7th. The motion was seconded by Craig Owens and unanimously approved by the members.

Being no further question or comments, this meeting adjourned at 8:50 p.m.

Recording Secretary