

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD
COUNCIL CHAMBERS – CITY HALL
REGULAR COUNCIL MEETING
MONDAY, MARCH 18, 2019
1730 (05:30 PM)

CALL TO ORDER

The meeting was called to order by Chairman Steve Lichtenfeld at 1737.

ROLL CALL

Chairman Steve Lichtenfeld, Aldermanic Representative Richard Lintz, Ron Reim, Carolyn Gaidis answered roll call.

Absent: City Manager Craig Owens, William Liebermann, Brian Maguire

ALSO IN ATTENDANCE

Stephanie Karr, Acting City Attorney
Susan M. Istenes, AICP, Planning Director
Anna Krane, Planner

CHAIRMAN REQUESTS

Chairman Lichtenfeld asked that all cell phones be turned off and that conversations take place outside the meeting room.

Chairman Lichtenfeld also asks that anyone who speaks please spell out their last name.

APPROVAL OF MINUTES

The minutes of the regular meeting of March 04, 2019 were presented for approval.

RON REIM – MOTION TO APPROVE

RICHARD LINTZ – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD

NEW BUSINESS

233 NORTH FORSYTH BOULEVARD – ARCHITECTURAL REVIEW BOARD – ALTERATION/EXTERIOR RENOVATION

Director Susan M. Istenes summarizes the following staff report: “The approximately 10,435 square foot site is located at the southwest corner of North Forsyth Boulevard and Kingsbury Boulevard. The property has a zoning designation of R-2 Single Family Dwelling District and is located in the Clayton Gardens Urban Design District. The existing house was recently renovated by the owner.

The applicant is proposing to construct a front yard fence along Kingsbury Boulevard. The applicant has submitted two fence material choices. The applicant’s preferred option is a six-foot-tall solid wood fence and the second option is an aluminum fence. The proposed fence would only enclose a small portion of the front yard, just east of the driveway.

Section 405.1900 of the 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 instance, 6-foot-tall ornamental or decorative fences (not solid wood, chain link or vinyl) have been approved on secondary front yards of corner lots when a sufficient landscape buffer is provided along the street and the fence style and location is consistent with neighborhood character.

The applicant is proposing to enclose a space measuring approximately 15 feet by 37 feet. Based on the proposed plan the fence is located approximately 15 feet from Kingsbury Boulevard. The Clayton Gardens neighborhood does not have many homes with fences located in the secondary front yards. Staff is of the opinion that the preferred six-foot-tall wood fence is not consistent with neighborhood character. The second material option of an aluminum fence is more consistent with the Architectural Review Board’s preference for ornamental or decorative front yard fences. In order to integrate the fence with neighborhood character, staff recommends that a four foot tall aluminum fence is used and that a landscape buffer is installed consisting of a mix of shrubs and perennials.

STAFF RECOMMENDATION IS TO APPROVE WITH THE FOLLOWING CONDITIONS:

1. THE FENCE SHALL BE A MAXIMUM OF FOUR FEET TALL AND CONSTRUCTED OF THE ALUMINUM DESIGN OPTION.
 2. A LANDSCAPE AREA SHALL BE INSTALLED BETWEEN THE FENCE AND KINGSBURG BOULEVARD CONSISTING OF A MIXTURE OF SHRUBS AND PERENNIALS. THE LANDSCAPE PLAN SHALL BE REVIEWED AND APPROVED BY STAFF PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.”
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THE APPLICANT WAS NOT PRESENT

RON REIM – MOTION TO TABLE UNTIL THE NEXT MEETING

RICHARD LINTZ – SECOND

8412 KINGSBURY BOULEVARD – ARCHITECTURAL REVIEW BOARD – ALTERATION/EXTERIOR RENOVATION

Director Susan M. Istenes summarizes the following staff report: “The approximately 9,583 square foot site is located on the south side of Kingsbury Boulevard, between Gay Avenue and Crandon Drive. The property has a zoning designation of R-2 Single Family Dwelling District and is located in the Clayton Gardens Urban Design District. The applicant is proposing a veka-vinyl fence to replace the existing wood fence around the rear yard. A six-foot-tall, cayenne color fence is proposed with bronze aluminum caps and spindles on the top to make sections of the fence just over seven feet tall.

In January 2019, the Architectural Review Board (ARB) discussed the proposed veka-vinyl material being used for proposed decks. The ARB determined that the product should be reviewed each time proposed and not added to the list of materials that can be administratively approved. Veka-vinyl is a processed PVC material. Historically, the ARB has not granted approval of vinyl materials. The veka-vinyl product is a composite material that has more favorable product reviews than older vinyl products; however, veka-vinyl is not common in Clayton and therefore, staff is not familiar with how the product ages.

The proposed fence will be more visible from adjacent properties than the decks previously reviewed. The Clayton Gardens Urban Design District (UDD) includes more strict regulations for allowed building materials than base residential zoning districts. The UDD does not have specific regulations for fence materials but does promote the use of natural materials that are compatible with the primary structure. Staff is of the opinion that a solid wood fence would be more compatible with materials found in the Clayton Gardens neighborhood.

STAFF RECOMMENDATION IS TO DENY THE REQUEST TO USE A VEKA-VINYL PRODUCT.

RON CLAYTON (RC) – CHESTERFIELD FENCE AND DECK

RC – Addresses Board to answer questions and present the Veka product and show samples of the life-time guaranteed product. It is a PVC product and no organic material. They are hollow and are reinforced with aluminum. It will not warp under solar because of the UV inhibitors like composite will. It will stand up to hurricane force winds because it is flexible.

CAROLYN GAIDIS – So is this what it will look like? with no detail? On the plan it looks like there are a few trees, what care is being taken to make sure they are protected?

RC – Yes, this is what it will look like. They are not in the way and will not be touched.

RON REIM – Can you explain a bit more on how this product is made? The interior color is not matching the exterior.

RC – It is pushed out and pulled through a dye. It is like play-do being squeezed through a tube

CHAIRMAN LICHTENFELD – Will it scratch and show the white? Like with trees or weedwhackers.

RC – No, there was a demonstration where a weedwhacker was hitting the product through an entire convention and it never once scratched. Granted a fence can be taken out completely by an entire tree. It's not thin it's very durable. They typically do have a different color interior.

RON REIM – So you sell fences of all kinds, is this considered a premium product?

RC – It is it's about a 1/3 more expensive. It's maintenance free for the most part. Wood rots and they can become dangerous and flimsy. This does not need to be replaced.

RICHARD LINTZ – Wood decomposes, PVC never decomposes that's why it is not replaces as frequently as wood.

PETE KORONIS (PK) – 8416 Kingsbury Boulevard – Neighbor

PK – This is a continuation of our fence and it will look different, but I like this fence and I think it will look nice.

CAROLYN GAIDIS – I'm struggling with the idea of these going in landfills and never decomposing. Does the City have comments on if this is approved what that means for all fences that come through this Board.

SUSAN ISTENES – Explains this is in the backyard, and that the City is concerned with sustainable practices, but it is not a discussion we've had with respect to these types of products. It's not under your criteria of consideration but this Board often develops policies by making determinations on products and materials.

CAROLYN GAIDIS – I'm just asking because you denied it.

SUSAN ISTENES – Our suggestion is based on neighborhood character.

RON REIM – Is there something we can say along the lines of if this is approved, and it weathers poorly that we can ask the homeowner to replace it.

RC – It weathers well. Sunscreen or bug spray does discolor the fence a bit but not enough that it is extremely noticeable.

RICHARD LINTZ – Recalls that the fence may be able to be recycled but that it's expensive and likely will not be recycled.

CHAIRMAN LICHTENFELD – I have seen a vinyl fence that has not weather well and that makes me not want to approve it. Until I can see this material up and in place, it does not have to be in Clayton, I am inclined to vote no. Until I can be sure it will hold up for the 14 years you say it will I will need to see a fence that has gone through several yearly weather cycles and see how it has held up. I feel this can be a learning example for all of us and I can provide the address of the fence I have seen that is on the public street.

CAROLYN GAIDIS – It does not look like wood it doesn't have the texture of wood and its not mimicking wood well in that sense.

RON REIM – I would like to see them and if this is approved, it would be on a trial basis and example and not as a precedent.

CHAIRMAN LICHTENFELD – WE HAVE A STAFF RECOMMENDATION TO DENY

RON REIM – MOTION TO TABLE UNTIL THE MEETING AFTER NEXT (APRIL 15, 2019).

CAROLYN GAIDIS – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD.

8420 KINGSBURY BOULEVARD – ARCHITECTURAL REVIEW BOARD – ALTERATION/EXTERIOR RENOVATION

Director Susan M. Istenes summarizes the following staff report: “The approximately 11,893 square foot site is located at the southeast corner of Kingsbury Boulevard and Gay Avenue. The property has a zoning designation of R-2 Single Family Dwelling District and is located in the Clayton Gardens Urban Design District. The existing house was constructed in 2010. The applicant is proposing to construct a trash enclosure at the southwest corner of the attached garage.

In 2009, the Plan Commission and Architectural Review Board approved the new house with a condition that the proposed wood trash enclosure was relocated away from Gay Avenue with the final location to be approved by staff. The house was constructed and completed without a trash enclosure, and therefore not in compliance with the 2009 condition of approval. The new homeowners would like to construct a brick clad trash enclosure to match the primary structure walls. The proposed location is at the southwest corner of the garage, the same location as originally proposed for the wood trash enclosure.

Review of the meeting minutes for the 2009 approval of the house revealed that the Plan Commission and Architectural Review Board felt the wood trash enclosure should not be located in front of the structure and along the frontage of Gay Avenue. They preferred a location more interior to the site.

The Architectural Review Board Guidelines state that “trash containers must be located in an alcove with a door readily accessible from the front yard or driveway area.” The required enclosure size is based on the number of bedrooms in the house. The subject property should have a trash enclosure a minimum size of 40 square feet.

The applicant is proposing a brick trash enclosure. The proposed location is approximately the same location previously proposed for the wood trash enclosure. The brick enclosure will match the brick base of the existing garage structure. Staff is of the opinion that the proposed design will appear as an extension of the house and blend in with the existing elevation. The landscape proposed adjacent to the house and trash enclosure will further screen the appearance and create a cohesive elevation. A door or gate is not noted on the proposed plan. If a wood gate is installed on the east side of the enclosure, along the driveway, the enclosure will be approximately 50 square feet, which is still above the minimum size required. Staff is of the opinion that as long as the enclosure walls are taller than the trash and recycling bins and a gate is installed along the east side, then the proposed design will provide sufficient screening from the street and adjacent properties.

STAFF RECOMMENDATION IS TO APPROVE WITH THE FOLLOWING CONDITION:

1. A SOLID WOOD GATE SHALL BE INSTALLED ALONG THE EAST SIDE OF THE ENCLOSURE.”
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MICHELE JIANAKIPOS (MJ) – VERSATILE EARTH

MJ – Addresses Board to answer questions and adds that if the gate is necessary she could talk with the client to ensure there is one installed. Feels the enclosure will blend in the house and the plantings will look wonderful. Doesn't think the gate is necessary since it is not visible to anyone but the homeowners.

Carolyn Gaidis – I think it is lovely

Richard Lintz – Is the gate required?

Anna Krane – Not necessarily as long as it is not visible from the right-of-way.

Carolyn Gaidis – I think the gate is unnecessary and that you have gone above and beyond with this project.

MJ – Are you ok with either stone or brick for the cap? The current cap is a brick and the windows are limestone, they prefer the limestone but if it is too expensive we would like to have the option of the brick.

Chairman Lichtenfeld – I will leave it up to you, the stone would be easier to maintain in the long run but that is up to you.

CHAIRMAN LICHTENFELD – WE HAVE A STAFF RECOMMENDATION TO APPROVE WITH CONDITIONS OF APPROVAL

RON REIM – MOTION TO APPROVE WITHOUT THE GATE REQUIREMENT AND THAT IF THE OWNERS DECIDE THEY WOULD LIKE A GATE TO COME BACK FOR ADMINISTRATIVE APPROVAL AND WITH EITHER STONE OR BRICK CAPS BEING ACCEPTABLE.

CAROLYN GAIDIS – SECOND

BOARD – UNANIMOUS YAY

Tabling the Ethics Presentation by City Attorney Stephanie Karr until the other three members are present.

Susan Istenes summarizes the Annual Report for 2017 and 2018 and notes that they are presented to the Board of Aldermen.

HAVING NO FURTHER BUSINESS BEFORE THE COMMISSION, THE MEETING WAS ADJOURNED AT 1845.

Recording Secretary