

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

JULY 5, 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  
Ron Reim  
Josh Corson (arrived at 6 p.m.)  
Pepe Finn (arrived at 5:40 p.m.; left at 6:56 p.m.)  
William Liebermann

Absent:

None

Also in Attendance:

Susan M. Istenes, AICP, Director of Planning & Development Services  
Louis Clayton, AICP, Planner

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 June 20, 2016 meeting were presented for approval. The minutes were approved after having been previously distributed to each member.

### MAJOR SUBDIVISION PLAT – 7630, 7636, 7642 FORSYTH BOULEVARD & 12, 14, 20 SOUTH HANLEY ROAD

Josh Barcus with Stock & Associates was in attendance at the meeting.

Susan Istenes explained that the plat consolidates the lots addressed 7630, 7636 and 7642 Forsyth Boulevard; 12, 14, and 20 South Hanley Road; a portion of the lot addressed 106 South Hanley Road, the vacated Carondelet Plaza right-of-way and a vacated alley. The vacation of City rights-of-way requires separate approval from the Board of Aldermen. The consolidated lot will measure

57,409 square feet (1.318 acres). Susan stated that although she won't read them aloud, there are objectives outlined in the City's code that are taken into account when considering plats. She noted that staff is of the opinion that the lot is consistent with the lots located in the immediate area with regard to size, frontage and arrangement and staff's recommendation is to recommend approval to the Board of Aldermen with the following conditions:

1. That approval of the Subdivision Plan is contingent upon approval of right-of-way dedications by the Board of Aldermen.
2. That the applicant provide a Mylar for the appropriate City of Clayton signatures per the Subdivision Ordinance requirements after Board of Aldermen approval;
3. That the applicant files the plat with the St. Louis County Recorder of Deeds office and submit proof of filing to the City within 60 days of Board of Aldermen approval.

Mr. Barcus introduced himself to the members.

Chairman Lichtenfeld asked what happens at the south end along Carondelet.

Mr. Barcus indicated that the right-of-way is north of where the road is actually constructed and this plat cleans that up.

Chairman Lichtenfeld asked if this plat takes the landscaped area and parking lot into account.

Mr. Barcus replied "yes".

Chairman Lichtenfeld asked if the owner is okay with the conditions contained in the staff report.

Mr. Barcus replied "yes".

After soliciting further questions or comments and hearing none, Chairman Lichtenfeld called for a motion.

Ron Reim made a motion to recommend approval of the Plat to the Board of Aldermen with staff recommendations. The motion was seconded by Craig Owens and unanimously approved by the members.

ARCHITECTURAL REVIEW – FRONT YARD RETAINING WALL – SINGLE FAMILY RESIDENCE – 120 LINDEN AVENUE

Scott Runyan, builder, was in attendance at the meeting.

Susan Istenes explained that in 2014, the Plan Commission and Architectural Review Board approved plans for the construction of a 5,469-square-foot single-family residence and a 1,021-square-foot detached two-car garage. During construction, a retaining wall was installed in the front yard that was not shown on the approved plans. The Zoning Regulations require that all front yard retaining walls in residential zoning districts be approved by the Architectural Review Board prior to installation. The approximate 2-foot tall wall is constructed of brick painted to match the home. The wall is integrated with an existing retaining wall on the adjacent property, and creates a raised landscape bed that is planted with evergreen shrubs. The Architectural Review Guidelines require 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. The proposed wall material is consistent with these requirements and consistent with past Architectural Review Board approvals and staff recommends approval as installed.

Chairman Lichtenfeld asked Mr. Runyan if he had anything to add.

Mr. Runyan replied “no”.

Chairman Lichtenfeld commented that it’s a good-looking wall that matches the house.

Mr. Runyan thanked staff for their help during this process.

Hearing no further questions or comments from the members or the audience, Ron Reim made a motion to approve as installed. The motion was seconded by William Liebermann and unanimously approved by the Board. (Note: Pepe Finn abstained from voting on this matter).

ARCHITECTURAL REVIEW – FRONT YARD RETAINING WALLS – MULTI-FAMILY RESIDENTIAL STRUCTURE – 611-615 WESTWOOD DRIVE

Eric Kayira, attorney representing the property owner, was in attendance at the meeting.

Susan Istenes explained that in 2013, two front yard retaining walls were constructed on the property without first receiving Architectural Review Board approval. The Zoning Regulations require that all front yard retaining walls in residential zoning districts be approved by the Architectural Review Board prior to installation. The two walls were constructed using modular blocks, gray and tan in color, and create a two-tiered landscaping area between an existing masonry retaining wall and concrete stairs. The first tier is 24 inches high, located adjacent to the sidewalk. The second tier wall is 36 inches high. The applicant has planted two boxwoods and perennials in the landscape area created by the retaining walls. At the May 20, 2013 Architectural Review Board meeting, the applicant requested approval to allow the walls to remain as constructed; however, the request for approval was effectively denied based on concerns regarding the wall material. Following the Board’s decision, a planned inspection of the property by a City inspector did not occur and planned subsequent inspections were delayed due to resource issues at the time.

Consequently, the discovery of the illegal wall occurred well after a year's time and once discovered, action was taken by the City to compel the applicant to comply with the Board's decision (see attached letters from applicant's representative and response from the City). In light of those facts and pursuant to Land Use Code Section 400.210 *Reapplication*, in the event that the Architectural Review Board denies an application, no request for a hearing upon the same application or substantially similar application will be accepted for a period of at least one year from date of denial by the Architectural Review Board. Because it's been over a year, the applicant may request reconsideration by the Architectural Review Board on the same matter. 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. The material used in this case has tumbled/rolled edges and varying color patterns, but does not have varying block size, and therefore, does not conform to the style the Architectural Review Board has consistently approved in the past; staff recommends denial of the request to allow the walls to remain as constructed.

Mr. Kayira introduced himself, noting that it's been several years since the original request came before this Board. He noted that the walls meet two of the three criteria as noted in staff's report and that his client believed that because no building permit was necessary for this project, that no other approval was needed. He stated that he is here asking for a discretionary exception; the walls look good and there are other similar style walls in the neighborhood. He asked that his client be given the same treatment and allow these walls to remain.

Ron Reim asked if the inspector had not followed-up after the meeting.

Susan Istenes concurred; noting that during a recent occupancy inspection, the inspector noticed the wall material had not been changed out as required.

Craig Owens noted that he voted in favor of the walls as constructed at the previous meeting; however, the vote was to change out the material and questioned why his client did not comply.

Mr. Kayira stated that the two walls had been constructed prior to the first meeting and that the owner previously did not have the benefit of counsel; he stated his client was more focused on permit requirements. He suggested that there is no precedence here and noted that Clayton has made exceptions before.

Craig Owens stated that after his client left the previous meeting, he made no modifications to the walls per the Board's vote.

Mr. Kayira indicated that he is in no position to answer to that.

Joanne Boulton asked what the vote was last time.

Susan Istenes indicated that the vote to approve as constructed was 3 to 3; that vote failed.

Pepe Finn asked if some of the blocks can be taken out and replaced with different size blocks.

Mr. Kayira replied “no”; adding that they are fastened together and therefore, all of them would have to come out.

Chairman Lichtenfeld commented that if the wall was new and was constructed with varying size blocks, this would not be an issue; the matter concluded (last time it was presented to this Board) with the understanding that the owner was to take action.

Mr. Kayira informed the members that he reviewed the minutes of that last meeting and the applicant (the father) was frustrated. He is now asking for the mercy of this Board.

Chairman Lichtenfeld stated that he appreciates Mr. Kayira’s comments. He noted that this building is predominate as one enters the neighborhood and that he feels strongly that if there is a vote after an agreement, the agreement should be carried out. He stated that he agrees that this isn’t the biggest visual problem, it’s a procedural problem.

Mr. Kayira referred to similar non-conforming walls on Parkdale (7545 & 7518). He asked to be fair to his client so he does not have to incur costs to replace these walls, as they comply with all requirements except one.

Chairman Lichtenfeld stated that he appreciated his comments and that he agrees with his assessment of the locations of similar walls. He noted that the owners of those properties did not agree to change their walls.

Mr. Kayira reiterated that his client agreed out of frustration and that a comment made by the Chairman back in 2013 was that the wall would comply if permission was sought before the wall was installed. He stated that his client is not trying to hide anything; his client called Jim Willis’ office and asked if the wall would need a permit to which the answer was “no”; ARB was not mentioned.

Chairman Lichtenfeld commented that the staff recommendation before this Board is to deny the request.

William Liebermann asked if bricks are typically uniform in size.

Chairman Lichtenfeld replied “yes”.

William Liebermann commented that the brick wall that was just approved (on Linden) is made up of all the same size bricks.

Chairman Lichtenfeld indicated that the brick wall matches the building.

Louis Clayton announced that brick is an approved material; there are standards in place for modular block walls.

Hearing no further questions or comments, Craig Owens made a motion to approve the wall as constructed. The motion was seconded by Ron Reim and received the following vote: Ayes: Craig Owens, Ron Reim, Pepe Finn and William Lieberman; Nays: Chairman Lichtenfeld and Joanne Boulton. Motion carries.

Note: Josh Corson arrived (6 p.m.).

ARCHITECTURAL REVIEW – AMENDMENT TO PREVIOUSLY APPROVED PLANS – EXTERIOR RENOVATION – COMMERCIAL – 226 SOUTH MERAMEC AVENUE

Michael Bauer, project architect, was in attendance at the meeting.

Susan Istenes explained that on March 5, 2015, the Board of Adjustment approved variances for the addition of the following to the front façade: new entrance canopy, building skin, overhead coiling grill unit, architectural columns, architectural cornice, and a decorative canopy. On June 15, 2015, the Architectural Review Board approved plans for the following alterations to the building:

1. Cover the existing brick on the west (front) and south (side) elevations with tan colored granite panels in both polished and honed (matte) finishes.
2. Raise the parapet wall +/- 5 feet.
3. Install a new aluminum entrance canopy, and wall mounted light fixtures.

According to the applicant the following amendments to the approved plans are proposed:

1. Addition of black granite cladding to the existing brick retaining wall to the north.
2. Refined design of the aluminum clad canopy structure and extension of same towards the North.
3. Replacement of the existing storefront glass and aluminum and glass doors with wood doors and a combination of etched and clear insulated glass in a new aluminum frame.
4. New raised black granite clad planters to the north and south of the garage entry drive.
5. Concrete sidewalk extension to a new, hidden, granite clad, exit door from the garage.
6. Final placement of the previously approved bike rack.

All other aspects of the project remain the same.

Director Istenes stated that staff is of the opinion that the proposed amendments are relatively minor, feature high-quality materials, and are consistent with the design and materials of the previously approved plans and that staff recommends approval as proposed.

Mr. Bauer referred to the packet material that the members already received. A color rendering depicting the building façade as previously approved and a color rendering depicting the building façade as now proposed were shown. Mr. Bauer asked if there were any questions.

Chairman Lichtenfeld commented that the changes are very minor. He asked if the grill at the garage entrance is down after hours.

Mr. Bauer indicated that it is down all the time.

A discussion regarding the location of the bicycle rack ensued. Mr. Bauer informed the members that its location was coordinated with staff. He noted he can relocate it; however, he needs to work around the pit.

Joanne Boulton commented that there needs to be 3-foot clearance around the rack. She asked if it could be pulled toward the south (toward the Metro garage); as that would be a safer location.

Mr. Bauer asked if it can be closer to the street.

Louis Clayton stated that it can, as long as it complies with the City's requirements and remains on private property.

Joanne Boulton commented that the planter box may have to be shortened by a foot.

Josh Corson asked what other changes are being requested.

Mr. Bauer stated that they are refining the canopy. He noted it will be a dark bronze.

Hearing no further questions or comments, Pepe Finn made a motion to approve as submitted.

Ron Reim announced that he would like to modify that motion to approve with the condition that the bicycle rack be relocated toward the south and that 3-foot of clearance be provided around the rack; the clearance area cannot include the driveway. The motion was seconded by Josh Corson and unanimously approved by the members.

#### SITE PLAN REVIEW/ARCHITECTURAL REVIEW – NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 6350 ALAMO AVENUE

Arthur Kotets & Loretta Mullins, owners/developers, were in attendance at the meeting.

Susan Istenes explained that the proposed project consists of the demolition of an existing home and the construction of a two-story, 3,300-square-foot single-family residence and a 483-square-foot detached garage. The proposed HVAC units are located at the rear of the home and screened

by a 6-foot wood privacy fence. Trash will be stored in a 45-square-foot trash enclosure accessible from the rear alley and screened by a wood fence and gate. The existing impervious coverage on site is 36.3 percent. The new plans increase the impervious coverage to 45.8 percent, which is below the maximum allowable impervious coverage of 55 percent. The existing storm water runoff, according to the MSD 15 year, 20 minute calculation, is 0.33 cubic feet per second (CFS). The proposed runoff is 0.35 CFS, which represents an increase in 0.02 CFS. To mitigate the increase in storm water runoff, two storm water infiltration trenches will be installed in the rear yard. Downspouts will be piped to the public storm sewer. The Public Works Department has reviewed and approved the storm water management plan. Exterior lighting is proposed at the front and rear of the home and the detached garage. Exterior lights over 75 watts will be fully shielded. Director Istenes stated that the height, setbacks, and impervious coverage as proposed are in conformance with the requirements of the R-2 Single Family Dwelling District. Storm water will be adequately managed on site, and the landscape plan provides for the preservation of existing trees and new landscaping that is suitable for the site. Staff is of the opinion that the project meets the criteria for site plan approval and recommends approval with the following condition:

1. To ensure the future maintenance and operation of the storm water infiltration trenches, the applicant shall record the approved site plan with St. Louis County, and submit proof of recording to the City prior to the issuance of a building permit.

Joanne Boulton asked about run-off.

Louis Clayton indicated that MSD has the final approval on the storm water management plan.

Joanne Boulton asked the applicant if this is a spec house.

Mr. Kotets replied "yes".

Chairman Lichtenfeld indicated that he is surprised that the impervious coverage is under 55%.

Ron Reim noted that the drawings are not signed or sealed.

Louis Clayton informed the members that the full size set is signed and sealed.

Ron Reim asked if Clayton is no longer requiring a 5-foot side yard setback on AC condenser units.

Susan Istenes explained that it is likely that the 5-foot setback won't be required for replacement units; however, new installations will require the 5-foot setback. She noted this issue is being discussed by staff.

Chairman Lichtenfeld commented that storm-water only flows due south due to the slope of the ground.

Joanne Boulton indicated that she receives phone calls about run-off problems on Alamo Avenue.

Paul Bridgeman, 6310 Alamo Avenue, stated that he's lived here for 32 years and would like to make three points with regard to the proposal: First, the tear-down of a structurally sound house in a historic area is a tragedy, which is amplified by building a home that is not in scale and will look out of place, especially the brick color, forever changing the character of the neighborhood. Secondly, he believes the impervious coverage calculations to be incorrect, noting that the sidewalks and front porch were not included in the coverage calculations and finally, the problems with the sewer system and water run-off.

Carmine Coscia, 6320 Alamo Avenue, stated that Mr. Bridgeman's comments are on-point and that a new home should be compatible aesthetically and in size with the existing homes.

David Anglin, 6360 Alamo Avenue, stated that he echoes the previous comments and that a tear-down is a tragedy in this neighborhood.

Joanne Boulton noted that the plans (full size set) are signed and sealed; she asked about the impervious coverage.

Louis Clayton stated that, to staff's knowledge, the information is accurate.

Chairman Lichtenfeld asked the applicant if he was okay with staff's recommendation regarding the site plan.

Mr. Kotets replied "yes".

Hearing no further questions or comments regarding the site plan, Josh Corson made a motion to approve the site plan per staff recommendation. The motion was seconded by Craig Owens and received the following vote: Ayes: Craig Owens, Chairman Lichtenfeld, Josh Corson, Ron Reim, Pepe Finn and William Liebermann. Nays: Joanne Boulton.

The architectural aspects of the project were now up for review.

Susan Istenes explained that the proposed project consists of the demolition of an existing home and the construction of a two-story, 3,300-square-foot single-family residence and a 483-square-foot detached garage. The height of the proposed residence is 28 feet 4 inches as measured from the average existing grade to the mean height of the roof. The 1 ½ -story home to the west (6354 Alamo Avenue) was constructed in 1925 and is +/- 6 feet 11 inches shorter than the proposed home (as measured from the mid-point of each roof). The one-story home to the south (6344 Alamo Avenue) was constructed in 1924 and is +/- 7 feet 9 inches shorter than the proposed home

(as measured from the mid-point of each roof). The primary building material for the proposed home is gray brick with limestone accents. The roof is clad in asphalt shingles, slate gray in color, and black casement and single-hung windows are proposed. The exposed concrete foundation on the side and rear of the home will not exceed 30 inches. A 483-square-foot detached garage is proposed with “sandstone” colored garage doors. The height of the garage is +/- 14 feet 11 inches as measured from the average existing grade to the mean height of the roof. The primary building materials of the garage will match the principal structure. A 6-foot wood privacy fence is proposed around the rear yard. No retaining walls are proposed. Susan stated that the project as proposed is in conformance with the requirements of the R-2 Single Family Dwelling District and the Architectural Review Guidelines. Staff is of the opinion that the design and materials are compatible in terms of mass, height, and design with existing nearby homes and staff recommends approval as submitted.

Samples of the proposed brick, limestone, window and roofing material were shown.

Chairman Lichtenfeld asked if there were any questions or comments. He noted the lack of a signature and seal on the smaller plan sets.

Mr. Kotets informed the Chairman that he does not know why they are not; the first four [full size] sets were signed and sealed.

Susan Istenes informed the members that a seal is required when the application for building permit is submitted.

Ron Reim commented that the State of Missouri requires a signature and seal for this review.

Susan Istenes stated that for the purposes of this review, staff does not feel it is necessary.

Joanne Boulton asked if the applicant was aware this property is in a historic district.

Ms. Mullins replied “yes”, adding that there was no set of regulations because of this designation.

Joanne Boulton stated that compatibility is a factor.

Ms. Mullins concurred.

Ron Reim stated that the proposed brick color is very different than surrounding homes.

Ms. Mullins stated that it was a design decision.

Ron Reim commented that the neighborhood went out of their way and went to great pains to secure the historic designation and it seems that this house is inconsistent.

Ms. Mullins stated that she understands the remark about the brick color, but that the style is in keeping with the neighborhood.

Joanne Boulton stated that the mass of the house is large as well.

Slides depicting various neighborhood homes including 6350, 6354 and 6321 Alamo Avenue) were presented.

Ms. Mullins noted that the roof is failing, that there are several structural flaws and that there is a brick problem on the existing home. She stated that the home has dropped over four inches on one side.

Ron Reim asked the applicants if they would be willing to change the brick color.

Ms. Mullins replied “yes”.

Joanne Boulton asked if they would change it to a dark red.

Pepe Finn commented that if it was a red brick or some variety of red, the new home would be a better fit in the neighborhood.

Joanne Boulton referred to two new houses on Arundel; noting that one cannot tell by looking at the one to the west that it is new.

William Liebermann asked if any consideration was given to renovating the existing structure and putting on an addition.

Ms. Mullins indicated that they did consider just a renovation and addition; however, their engineer said not to do that; he recommended all new pierings.

Ron Reim referred to the two large houses across the street, so he doesn't find this new house disproportionate and noted that the architectural style is exceptional. He noted that just changing the brick color will go a long way.

Note: Kevin O'Keefe left the meeting (6:50 p.m.).

Chairman Lichtenfeld agreed with Ron and asked for a darker color brick. He noted that the house is deeper in the lot.

Hearing no further questions or comments, Chairman Lichtenfeld called for a motion. He noted the requests for a darker, textured red brick (not smooth brick) and dark grout that could be approved by staff.

Ms. Mullins referred to “Old St. Louis” brick, which is a textured red brick.

Ron Reim suggested a 2 to 3 different color brick, wire cut for more texture.

Ron Reim made a motion to approve with the condition that the applicant submit an alternate brick to better match adjacent houses (dark grout to be used also) per staff review and approval. The motion was seconded by Craig Owens and unanimously approved by the Board.

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Ron Reim mentioned the seal and signature, noting that there is no way to be sure the plans are accurate without them.

Susan Istenes informed the members that she briefly discussed this with Kevin earlier and there was no conclusion; she said she has also discussed this with Bart (City’s Building Official).

Note: Pepe Finn left at 6:55 p.m.

Ron Reim commented that without a signature, there is no accountability. He noted that it is common practice for the person preparing the plans to be identified as non-registered.

William Lieberman stated that it is his experience that plans submitted for 4 units or less do not require an architect seal.

Susan Istenes stated that we require a signature/seal for building permits, but not for plans submitted at this (PC/ARB) level. She stated that the plans submitted for building permit are compared to the plans approved by this Commission/Board.

Louis Clayton introduced Melissa Wilson, Planning Intern, to the members.

Susan Istenes informed the members that Melissa put together a brochure regarding retaining walls and driveways.

The members welcomed Melissa.

Being no further question or comments, this meeting adjourned at 7:05 p.m.

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Recording Secretary