

*******DRAFT MINUTES*******

Alexandria Board of Architectural Review
Parker-Gray District

Wednesday, December 12, 2012
7:30pm, City Council Chambers, City Hall
301 King Street, Alexandria, Virginia 22314

Members Present: William Conkey, Chairman
Robert Duffy, Vice-Chairman
Theresa del Ninno
Matthew Slowik
Purvi Irwin
Brendan Owens

Members Absent: Philip Moffat

Staff Present: Planning & Zoning
Al Cox, FAIA, Historic Preservation Manager
Stephanie Sample, Historic Preservation Planner
Barbara Ross, Deputy Director
Joanna Anderson, Assistant City Attorney

The meeting was called to order at 7:35 p.m. by Chairman Conkey.

I. MINUTES

Consideration of the minutes of the public hearing of November 28, 2012.
BOARD ACTION: Approved as submitted, 5-0.

On a motion by Mr. Slowik, seconded by Mr. Owens, the minutes were approved, 5-0 (Mr. Duffy was not present).

II. NEW BUSINESS

CASE BAR2012-0374

Request to partially demolish & capsulate at 433 & 433A N Peyton St.

APPLICANT: Bette Gorman by John Savage, Architect

This item was combined with Item #2 for discussion purposes.

BOARD ACTION: Approved as amended, by a roll call vote, 6-0, with the following conditions:

1. That the wood doors will contain clear glass panels.
2. That the proposed wood composite trim will be paintable, solid-through-the-core.

3. That the fiber-cement siding will have a smooth surface, not wood grain.
4. That the following statements appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
 - a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

CASE BAR2012-0375

Request for an addition & alterations at 433 & 433A N Peyton St.

APPLICANT: Bette Gorman by John Savage, Architect

BOARD ACTION: Approved as amended, by a roll call vote, 6-0, with the following conditions:

1. That the wood doors will contain clear glass panels.
2. That the proposed wood composite trim will be paintable, solid-through-the-core.
3. That the fiber-cement siding will have a smooth surface, not wood grain.
4. That the following statements appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
 - a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

SPEAKERS

John Savage, applicant, said that the applicant agreed with the staff recommendation.

BOARD DISCUSSION

Ms. del Ninno said that she read the staff report and was in agreement with the conditions recommended by staff.

Mr. Slowik said he also agrees with the recommendations made by staff.

Ms. Irwin said she was also in support of the project and was glad that the applicant was able to design an alternative project on the site.

Mr. Owens asked whether the FAR calculations included the garage. Mr. Savage said that they did.

Mr. Conkey had some questions about the roof material on the addition and the original house. He said he was somewhat uncomfortable with the new massing because there would not be much differentiation between the historic house and the new addition.

Mr. Cox said that staff had asked for a subtle differentiation between roof materials but it was not a condition. He said that given the roof slopes on the original portion of the house and the new addition it would be difficult to have a change in materials. He also said that modern materials are appropriate for new construction. He said that the addition will be differentiated with siding material because the original portion of the house will have wood siding, and the new addition will have Hardie plank siding.

Mr. Savage described the complicated roof system of the house and said they didn't want to complicate it more by using two different roof materials.

Mr. Duffy arrived late and said that he didn't have any particular questions and that he supported the project.

Mr. Conkey said that this is a unique structure within the district and that, as always with new additions, he thinks it's important to differentiate the new from the old.

On a motion by Mr. Slowik, seconded by Mr. Duffy, the application was approved with the conditions recommended by staff. The roll call vote was 6-0.

REASON

The Board found the proposed demolition and capsulation, and new addition, appropriate for this c. 1900 farm house.

III. UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED

1. **DESIGN GUIDELINES AMENDMENT** Public hearing and consideration of a request for approval of amendments to the Design Guidelines for the Parker-Gray Historic District.

BOARD ACTION: Adopted the recommendations of the Parker-Gray Ad Hoc Design Guidelines Work Group, as identified in the Parker-Gray Residential Reference Guide (RRG) dated December 12, 2012 and as further amended by the BAR as follows:

1. For those items recommended for **BAR review at a public hearing or BAR Staff administrative review**:
 - A. That both street facing elevations of corner structures be treated as fronts.
 - B. For those **Later** buildings set back more than 15 feet from the front property line, BAR Staff may administratively approve replacement windows of any material (including hollow vinyl with sandwich muntins), operation, or configuration, provided they do not have tinted or reflective glass.
 - C. For those **Later** buildings located within 15 feet of the front property line, BAR Staff may administratively approve wood, aluminum clad wood, or any high quality, paintable composite material with permanently affixed simulated divided light muntins, in accordance with the performance specifications in the BAR's window policy, provided they do not have tinted or reflective glass.
 - D. That the Board continue to approve all visible rooftop HVAC units and their screening, as well as rooftop decks, if they are located within 15 feet of the front façade on flat or sloped roofs.
 - E. That BAR Staff administratively approves all fences.
2. That Staff prepare a text amendment to the Zoning Ordinance for Planning Commission and City Council approval so that those items recommended for **No BAR or Staff administrative review** can be acted upon.
3. That the following additional actions also be prepared by BAR Staff:
 - A. That City Council is encouraged to consider the following: "When appointing BAR members, that City Council should be advised when qualified applicants are property owners, residents or business owners in the Parker-Gray Historic District."
 - B. That the City Code be amended to include the encroachment in the right-of-way fences otherwise allowed in a front yard and retaining walls less than two feet in height above the adjacent grade, similar to the way that planters, bay

windows, and architectural projections are currently allowed to encroach.

- C. That a text amendment to the Zoning Ordinance be prepared to allow BAR Staff approval of rooftop mechanical units and that Staff also be authorized to administratively waive required rooftop mechanical screening.
- D. That appeal of a BAR Staff administrative action is heard by the Board of Architectural Review and not the Board of Zoning Appeals.
- E. That the Residential Reference Guide (RRG) and the associated spreadsheet be used for guidance for those items which ultimately will not need BAR approval but which must temporarily be approved by the BAR. These items should also be listed on the consent calendar if they comply with the new recommendations.

SPEAKERS

Charlotte Landis, owner of the house on the corner of Oronoco and North Patrick Streets, spoke in opposition to the definition of a corner house as having two fronts.

Heath Wells, work group member, commended BAR staff but said that he also had concerns about corner houses having two front facades.

BOARD DISCUSSION

Ms. Sample did a brief presentation addressing some of the issues raised by the BAR at previous BAR meetings on the work group recommendations, including: corner houses, rooftop setbacks for rooftop decks and HVAC units, vinyl windows on later infill buildings, and, level of review for fencing. Ms. Sample also described how the new recommendations would be enacted, in both the short term and long term after the text amendment is approved by Planning Commission and City Council. She also described the Residential Reference Guide, as well as the spreadsheet, as the outline for the Design Guidelines for Parker-Gray.

The Board asked various questions during the presentation.

After the public comment period Mr. Conkey closed the public hearing. He then asked the Board to focus on those things that needed to be adopted in order for staff, and the Board, to start operating under the new guidelines.

Mr. Conkey asked about the Board's long standing position on retaining historic wood siding when it has been preserved under existing, non-historic siding. Mr. Cox said that that is still a Board policy and would not change under the proposed recommendations.

Mr. Conkey reminded the Board that they discussed the work group recommendations at the two previous meetings and asked that the members focus their comments on specific concerns and issues raised by Ms. Sample.

The Board members then had a discussion about what would change under the new recommendations. Mr. Cox said that when a building permit is required, which is a Code Administration requirement that cannot be amended by the BAR, BAR staff must sign off on the building permit. In the future, something may need a building permit but not BAR review. In that case, BAR would sign off as not applicable.

Mr. Conkey said that he agrees with all of the recommendations made by the work group, and those amended by staff, but that he feels strongly that fences should be regulated (by staff) in all yards. He said there are many parts of the district where the rear alleys are a public gathering place for people and that the quality of fence material is important in those spaces.

Mr. Slowik said that it seems ridiculous to have this level of regulation when the work group made so many recommendations for de-regulation, especially in the rear.

The group also discussed the best approach for approving the various recommendations made by the work group.

Mr. Duffy suggested that the group adopt the recommendations by making three separate motions. The first would address those things that require BAR or BAR staff administrative approval. The second would have to do with those things that, after a zoning amendment is adopted, would require no BAR or staff review. The last motion could address all other recommendations that don't fall into the first two motions.

Mr. Duffy then made a motion for BAR and BAR staff administrative approval listed in the RRG, with additional amendments discussed by the Board, including (1) that corner houses would be considered to have two front (street facing) facades; (2) that hollow vinyl windows with sandwich muntins would be appropriate for later buildings, provided that they are set back more than 15 feet from the front property line; (3) that other window materials may also be used, with the exception of hollow vinyl, for later buildings within 15 feet of the property line; and, (4) that rooftop decks and HVAC units must be set back more than 15 feet behind the front façade of buildings in order to be approved administratively by staff. Ms. del Ninno seconded the motion.

Ms. Irwin expressed a desire to further split the motion into separate votes. Mr. Slowik agreed with Ms. Irwin because he said that he could support some parts of the motion but not others.

Mr. Slowik offered a substitute amendment that included everything in the motion made by Mr. Duffy, with the exception of the condition that corner houses have two fronts. Instead he said that corner houses should have only one front, as described by the work group. There was no second to the motion.

Ms. Irwin reminded the group and the audience that the Design Guidelines are intended to cover the majority of cases, but that each building can be individually considered by the Board. She said that it wasn't the BAR's intention to make a guideline for every instance.

Mr. Conkey then called the vote. He reminded the group that the motion was to address items that Staff could approve. The group then voted in 5-1 for the motion with Mr. Owens being the dissenting vote. He said that he preferred to vote on the items individually.

Mr. Conkey then asked staff to introduce those things that would, following a text amendment, require no BAR oversight at all.

Ms. Sample and Mr. Cox briefly talked about the most significant of the proposed changes, which was the allowance for demolition and limited new construction in the rear without BAR review of any kind. They also discussed a number of smaller alterations which would also require no BAR review in the future.

Mr. Slowik asked whether the BAR could delegate some of the items which would require no review in the future to staff, instead of requiring people to go to the BAR, at least in the short term before the ordinance is approved.

Ms. Anderson said that staff can approve only those things that are already delegated to them.

Mr. Cox said that there are some things indicated in blue on the Residential Reference Guide which staff could review since the work group's recommendation was to further modify something already delegated to staff.

Mr. Conkey asked that staff come back to the BAR in January with a list of those things that staff can approve administratively, in the short term, before the text amendment is prepared and adopted by Council. He reminded the Board that the recommendation was for those things that need BAR review in the short term to be located on the consent calendar and the recommendation would be based on the new recommendations and not the existing Design Guidelines.

Mr. Owens said that staff feedback at every meeting would be essential in determining whether the new recommendations are effective.

Ms. Irwin asked if there was a way to clearly identify items approved under these new guidelines.

Ms. Sample suggested that the docket could clearly indicate those items which were approved using the new recommendations.

Ms. Irwin said the Residential Reference Guide doesn't include everything that staff presented tonight so the motion would need to include those changes recommended by staff. She said that the new Design Guidelines for Parker-Gray should clearly identify those projects that need a building permit. Property owners/applicants should know that BAR will see some projects as part of the building permit process, even if they do not require BAR review or an application to the BAR.

Mr. Duffy made a motion to have the BAR adopt the work group recommendations that relate to no BAR review (those items that appear in blue in the reference guide). He also asked staff to start working on the text amendment to the zoning ordinance as soon as possible. Mr. Owens seconded the motion.

Mr. Conkey added a friendly amendment, which was accepted, that the Residential Reference Guide be used for guidance for those items temporarily having to go to the BAR, which will also be listed on the consent calendar. He also asked that staff identify those items which can be approved by Staff in the interim. Mr. Duffy and Mr. Owens agreed to the friendly amendment. The vote was 6-0.

Ms. del Ninno said that she supported the motion even though the changes recommended for the rear are significant.

Mr. Conkey then brought up some of the miscellaneous items discussed by the work group which needed BAR approval, such as: encroachments, BAR membership, and waivers for rooftop screening.

The group discussed how BAR membership was determined and whether the recommended language was appropriate that recommends a preference be given to property owners, residents and business owners in the Parker-Gray Historic District.

Mr. Owen said that he thought the language was ambiguous.

Mr. Duffy said that he thought there was room on the current application for an applicant to state whether they are a resident, property owner or business owner in the historic district.

Ms. Irwin said that she was concerned about a making a blanket recommendation because it would potentially limit the number of good applicants.

Mr. Slowik said that the majority of the work felt that people who live or work in the historic district (residents, property and business owners) have more of a stake in BAR regulations because they too are impacted by them on a more personal level.

Ms. Ross said that City Council would want to hear about the Board's recommendation about BAR membership, but that ultimately it was up to the City clerk and City Council to determine the qualifications for future BAR members. She said that the application form would have to be changed to accurately reflect this recommendation.

Ms. Irwin suggested that the application could have a box that says "check here if you are a property owner, resident, or business owner?" Mr. Conkey said that he thought that's basically what the language was saying.

Mr. Cox said suggested the following language related to BAR membership: "When appointing BAR members, that City Council should be advised when qualified applicants are property owners, residents or business owners in the Parker-Gray Historic."

Mr. Conkey also brought up the appeals process for staff determinations and asked if that should be part of the motion. He said that the entire Board seemed to feel that it was important that an appeal of a staff decision go to the BAR and not the BZA.

Ms. Anderson said that this is something that should be added to the zoning ordinance.

Mr. Duffy made a motion that BAR adopt the following: (1) that the Council should be advised when an applicant to the Parker-Gray BAR is a resident, property owner or business owner in the district, (2) retaining walls and front yard fences be permitted to encroach into the right-of-way, (3) that BAR staff is permitted to approve the waiver of the rooftop screening requirement, and that (4) appeals of BAR staff administrative decisions to BAR and not the BZA. Ms. del Ninno seconded the motion. The vote was 6-0.

Mr. Cox reminded the BAR that they had discussed fences in the rear yard but that it wasn't part of the motion.

Ms. Irwin then made a motion to require staff review for all fences. Mr. Duffy seconded the motion.

Ms. del Ninno said she was comfortable with the motion, as did Mr. Conkey.

Mr. Slowik said that he thought that it is too onerous to many homeowners.

Mr. Owen said that he thinks that this is a mostly a symbolic motion, as many people do not ask for BAR approval for fences.

Mr. Conkey called the question and the vote was 5-1, with Mr. Slowik in dissent.

Finally Mr. Conkey said that there were a few housekeeping items to discuss, such as periodic updates from staff to the BAR about the status of the text amendments and the new Parker-Gray Design Guidelines, as well as an evaluation about how these recommendations could apply to commercial building. He also reiterated the importance of public outreach, which is something the work group felt very strongly about. He said the perception of the BAR was to always say no, but that the new recommendations were significant departure from existing regulations and a real positive for residents in Parker-Gray.

Mr. Duffy suggested that as important it is to get the word out about the changes in Parker-Gray, it was also important to tell people about the cultural importance of the historic district.

Mr. Conkey thanked everyone on the work group, the public, and staff for all of their hard work on the Parker-Gray Work Group.

IV. ADMINISTRATIVE APPROVALS

The following items are shown for information only. Based on the Board's adopted policies, these have been approved by Staff since the previous Board meeting.

BAR2012-0389

Request for signage at 224 N Henry St.

APPLICANT: My Ideal Floors LLC

BAR2012-0391

Request for roof replacement at 328 N Patrick St.

APPLICANT: Virginia Contee

BAR2012-0395

Request for roof replacement at 419 N Fayette St.

APPLICANT: Christine M. Coussens

V. ADJOURNMENT

Chairman Conkey adjourned the meeting at approximately 9:55pm.

Minutes submitted by,

Stephanie Sample, Historic Preservation Planner
Boards of Architectural Review