

**CITY OF ST. LOUIS
CULTURAL RESOURCES OFFICE
PRESERVATION BOARD MINUTES
JANUARY 27, 2014**

Board Members Present

Richard Callow, Chairman

Alderman Craig Schmid

Anthony Robinson

Erin Wright

Mike Killeen

Nate Johnson

Cultural Resources Office Staff Present

Betsy H. Bradley, Director

Jan Cameron, Preservation Administrator

Bob Bettis, Preservation Planner

Andrea Gagen, Preservation Planner

Adona Buford, Administrative Assistant

Barbara Birkicht, Legal Counsel

Chairman Richard Callow called the roll. The current Agenda was approved.

PRELIMINARY REVIEWS

A. 2013.2114 4643 LINDELL BLVD. CENTRAL WEST END HISTORIC DISTRICT

Owner/Applicant: Opus Development Company, LLC – Joseph Downs

DEMOLITION PLAN: Preliminary review to demolish a two-story building and construct a 12-story residential/commercial building.

PROCEEDINGS: On January 27, 2014, the Preservation Board of the City of St. Louis met, pursuant to Ordinance #64689 of the City Code, to resume the consideration of the Preliminary Review for the demolition of an office building and the construction of a 12-story residential building with street-level retail space at 4643 Lindell Boulevard. Joe Downs for OPUS Development Company, L.L.C., which has a contract to purchase the property from Heartland Bank, submitted the application. At its December 16,

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2013 meeting the Board deferred the item and continued the same to the January 2014 meeting to allow the Applicant to revise aspects of its design per testimony regarding the demolition and proposed new construction at this location.

Board members, Richard Callow (Chairman), Alderman Craig Schmid, Anthony Robinson, Erin Wright, Nate Johnson and Michael Killeen were present for the testimony for this agenda item.

Cultural Resources Office Director Betsy Bradley made a presentation that examined criteria for demolition set forth in the Central West End Historic District Standards, City Ordinance # 69423 (enacted 2013), and the criteria for demolition in Preservation Review Districts, as set forth in Ordinances 64689 and 64832. She also reviewed the standards for new construction of residential buildings in the Central West End Historic District Standards and noted ways the design had been revised since December. She also introduced three emails regarding this agenda item she had received into the record, noting that all three support approval of the project.

Dean Newins spoke on behalf of OPUS and presented the revised design of the proposed building. He indicated that OPUS had taken into consideration the criticisms of the design presented in December.

James Dwyer presented remarks on the project on behalf of the Central West End Association Planning & Development Committee. He submitted two documents into the record. He stated that the proposed new construction as presented is not a design for a first class building at this location, based on the choice of architectural materials and the design of the base of the building. He also noted that there are unresolved neighborhood issues, including parking related to the proposed uses in the base of the building and on-site parking for service vehicles. He requested that the Preservation Board defer action until these issues were resolved, as any such resolution would likely result in changes to the design. John McPheeters, also a member of the Planning & Development Committee, stated that he supports Mr. Dwyer's comments.

Jeff Vines stated that he was excited about the project and that the limited amount of parking was appropriate for a densely developed urban area. John Roedemeier stated that he shared Mr. Vines' opinions.

Sam Koplak, John Warren, and Wendy Timm stated that they support the project.

Ralph Wafer, a member of the Central West End Association Planning & Development Committee stated that the through-the-wall louvers detract significantly from the project.

Alderwoman Lyda Krewson expressed concern about the quality of the HVAC system and its 217 through-the-wall grilles for aesthetic and sustainability reasons and noted that she has asked OPUS to address this issue. She submitted comments from City Engineers on VTAC (Vertical Terminal Air Conditioning) Units into the record. While she does not expect any single project to solve the parking problems in the Central West End neighborhood, she stated that the amount of parking the new building would and/or should provide for non-residents is an issue yet to be resolved. For these reasons, she testified that she is hopeful that these concerns will be addressed, and that in resolving these concerns that there might be some resulting design changes that the Cultural Resources Office and Preservation Board would have to review.

Joe Downs, representing OPUS, stated that the firm was seeking preliminary approval of its project and understood that there would be further collaboration on details of the design. He stated that the project met the requirements in the Form Based Zoning District for parking and the firm was not prepared to add additional parking in a way that would change the design. Instead, it would continue to try to arrange for employee parking off-site. He also stated that OPUS would not undermine its high-end rental project by installing a substandard HVAC system and was committed to the use of the system that required the through-the-wall grills. He stated that OPUS would like to know if the project, as presented, would receive preliminary approval.

The Preservation Board considered the Preliminary Review in its two parts. As to the Preliminary Review of the design of the proposed new construction:

FINDINGS OF FACTS:

The Preservation Board found that:

- the owner is proposing new construction, a twelve-story apartment building with commercial use on the ground floor;

- OPUS responded to the criticism it received concerning the design proposed in December and addressed, in particular, ways the building did not meet the historic district standards in materials, the sophistication of design of the exterior walls and the integration of the balconies into the building;
- the revised design goes further in presenting a contemporary aesthetic while continuing to use the base as a unifying, yet not distinctly separate, element. The use of differentiated top stories and a distinctive cornice, as well as a uniform mid-section of the building, evoke traditional tripartite tall building design elements as part of a contemporary design;
- the Historic District Standards do not discourage contemporary design. The two-story base that relates to the height of nearby historic buildings, and extensive use of brick, provide easily perceived ways in which the new building will be harmonious with existing historic buildings, even as its scale is much larger and its aesthetic is contemporary. The design of the base and the ratio of brick and cast stone merits further study;
- the building complies with the historic district standards for height, scale and mass;
- the building complies with the standard for location as it maintains the existing setbacks on Lindell and Euclid.
- the building complies with the historic district standards for exterior materials. The fenestration pattern, which would occur on all four facades, meets that aspect of the standard while being contemporary in scale and operation;
- new curb cuts and driveways are proposed and are considered acceptable as the parcel does not have access to the alley;
- while the historic district standards do not address the use of exterior balconies on a tall residential building, the placement of the balconies in the earlier design reduced the building's compatibility with buildings in the historic district. The revised design addressed this criticism directly. The balconies, many of which are recessed so that they project only two feet beyond the face of the building, now seem integrated into the design as the balconies of other buildings in the district are;
- the historic district standards do not address specifically the design of the plaza area yet it is understood that it

should be compatible with the new building and the district streetscapes. Its contemporary design seems appropriate for the design of the building;

- through-the-wall grills for VTAC units are proposed for each unit. An extrapolation of the requirement for all mechanical equipment at existing buildings to be placed so as not to be visible from the street raises questions about this aspect of the design. The metal grilles will be custom painted to match the color of the brick. No grilles will penetrate the brick on forward portions of the Lindell Boulevard façade. The placement of the grilles should be studied to minimize their visual presence;
- the Historic District Standards and the Form-Based Zoning Building Development Standards are not in conflict as they address any aspect of the design; and that
- as the site is prominent and the building is large in scale for the area, its design sophistication and use of materials must be appropriate for the Central West End Historic District.

As to the preliminary Review of the proposed demolition, the Board found that:

- 4643 Lindell, the Heart Association Building, is a sound, Merit property located in the Central West End Certified Local Historic District and is in a Preservation Review District;
- there is no Redevelopment Plan adopted by ordinance, although one is being developed;
- while the surrounding area would support rehabilitation of the office building, the site was identified as one for redevelopment in 2005 when it was sold by the Heart Association and a subsequent proposal for a tall residential building was considered; and that
- the commonly-controlled property and accessory structure criteria are not applicable for this review.

BOARD ACTION:

The Preservation Board granted approval of the Preliminary Review of the proposed new construction, with the condition that final drawings and exterior materials will be submitted to the Cultural Resources Office for approval. Erin Wright made the motion, which was seconded by Board member Alderman

Schmid. The motion passed with five Board Members voting in favor of the motion and none opposing it.

The Preservation Board granted approval of the Preliminary Review of the proposed demolition of the Heart Association Building, with the condition that OPUS obtain a building permit prior to the approval of the demolition permit. Alderman Schmid made the motion, which was seconded by Board member Michael Killeen. The motion passed with five Board Members voting in favor of the motion and none opposing it.

B. 2014.0024 1220 DOLMAN ST. LAFAYETTE SQUARE HISTORIC DISTRICT

Owner/Applicant: Whalen Custom Homes, Inc. – Mike Whalen

RESIDENTIAL PLAN: Preliminary review to construct a new single family dwelling.

PROCEEDINGS: On January 27, 2014 the Preservation Board of the City of St. Louis met, pursuant to Ordinance #64689 of the City Code, to consider a Preliminary Review for a proposal for a new two-story single-family house at 1220 Dolman St., in the Lafayette Square Local Historic District. The developer, Mike Whalen, of Whalen Custom Homes, Inc., submitted the application.

Board members, Richard Callow (Chairman), Alderman Craig Schmid, Erin Wright, David Richardson, and Anthony Robinson were present for the testimony for this agenda item.

Andrea Gagen of the Cultural Resources Office made a presentation that examined the section of City Ordinance #69112, which sets forth the standards for new residential construction in the Lafayette Square Local Historic District. She testified that the project was generally in compliance with the Standards, and that a solution for a previous issue with the setback had been resolved.

Mike Whalen, project developer, testified on behalf of the project. He addressed the fact that the final address of the project would likely be 1230 Dolman St.

FINDINGS OF FACTS: The Preservation Board found that:

- 1220 Dolman St. is located in the Lafayette Square Local Historic District;
- the proposed site for construction is located on a block of Dolman that is currently vacant except for an industrial

building at one end. Excavation for a foundation for a new residential building on the block is has begun;

- the applicant has proposed a Historic Model Example for the new house, 1215 Mississippi, which has been approved by the Cultural Resources Office;
- the applicant proposes to construct a dwelling with a façade that replicated that of the HME, has one stucco façade and three facades of brick, and metal all other requirements for new construction; and
- that the developer agreed at the meeting to match the setback of the new residential building being constructed on the same block.

BOARD ACTION:

The Preservation Board granted approval of the Preliminary Review of the proposed new construction, with the condition that the design be developed as proposed and that design details will be reviewed and approved by the Cultural Resources Office to ensure compliance with the district standards. Alderman Schmid made the motion to grant approval, which was seconded by Board Member Johnson. The motion passed unanimously with five board members voting.

APPEAL OF DENIALS

C. 2013.1879 3114 LEMP AVENUE BENTON PARK HISTORIC DISTRICT

Owner: William & Grace Bradshaw

Applicant: LCS – Joe Larson

RESIDENTIAL PLAN:

Appeal of the Director’s denial of a building permit application to construct retaining walls at front façade.

PROCEEDINGS:

On January 27, 2014, the Preservation Board of the City of St. Louis met, pursuant to Ordinance #64689 of the City Code, to consider an appeal of the Director's Denial of a building permit application for installation of landscape timber retaining walls at 3114 Lemp, in the Benton Park Local Historic District. The contractor submitted the application and the appeal. Board members, Richard Callow (Chairman), Alderman Craig Schmid, Michael Killeen, Erin Wright, Nate Johnson, and Anthony Robinson were present for the testimony for this agenda item.

Bob Bettis of the Cultural Resources Office made a presentation that examined the section of City Ordinance #67175, which sets forth the standards for residential rehabilitation in

the Benton Park Historic District. He testified that the project was not in compliance with the Standards as the use of landscape timbers is not an approved material for retaining walls as required by the standards.

Mr. Bettis entered into the record certified copies of Ordinances #64689 and #67175; the Board agenda and the PowerPoint presentation for 3114 Lemp; and the building permit application, including all construction documents.

Grace Bradshaw, one of the owners, and Joe Larson, the contractor, testified in support of the appeal. Ms. Bradshaw testified that the contractor was performing maintenance on the existing timbers and the result of the work was the replacement of timbers and repositioning that resulted in the height of the timbers being slightly taller than before. She has had rose bushes planted in the area and considers them to be flower beds rather than retaining walls. In addition, the additional row of timbers is intended to protect the plantings from animals.

FINDINGS OF FACTS:

The Preservation Board found that:

- 3114 Lemp is located in the Benton Park Local Historic District;
- the landscape timber walls were installed without a permit;
- the use of landscape timbers as retaining walls does not conform to the historic district standards;
- the landscape timbers in this instance can be considered to be planters, instead of retaining walls; and that
- the Benton Park Neighborhood Association's Building and Review Committee and Alderman Ken Ortmann supported the owners' proposal.

BOARD ACTION:

The Preservation Board overturned the Director's denial of the building permit on the basis that the timber structures are, in this instance, functioning and serving as planters. Board member Schmid made the motion, which was seconded by Board Member Johnson. The motion passed with three Board Members voting in favor of the motion and two opposing it.

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D. 2013.1997 3300 LEMP AVENUE BENTON PARK HISTORIC DISTRICT

Owner/Applicant: Alex & Lisa David

RESIDENTIAL PLAN: Appeal of the Director's denial of a building permit application to install metal security door at front entrance.

PROCEEDINGS: On January 27, 2014, the Preservation Board of the City of St. Louis met pursuant to Ordinance #64689 of the City Code, to consider an Appeal of the Director's Denial of an application to install metal security doors at 3300 Lemp Avenue, located in the Benton Park Local Historic District. Board members Richard Callow (Chairman), Alderman Craig Schmid, Anthony Robinson, Erin Wright, Nate Johnson, and Michael Killeen were present for the testimony for this agenda item.

Andrea Gagen of the Cultural Resources Office submitted into the record certified copies of City Ordinances #64689, as amended by Ordinance #64925, and the Benton Park Local Historic District Ordinance, #67175. Ms. Gagen also submitted into the record the agenda item and presentation. The Cultural Resources received letters from 9th Ward Alderman Kenneth Ortmann and the Benton Park Neighborhood Association Building Review Committee stating their opposition to the installation of the security doors. These letters were submitted into the record. No one appeared for the applicant.

FINDINGS OF FACTS: The Preservation Board found that:

- 3300 Lemp Ave. is located in the Benton Park Local Historic District;
- new security bars and doors are not allowed on Public Facades under the historic district standards, unless based on a Model Example;
- the proposed security doors are not based on a Model Example, and it is unlikely such an example could be found; and
- that a mail slot, if needed, could be installed in the bottom panel of one of the existing doors. Security concerns could be addressed through materials installed on the interior of the existing doors.

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BOARD ACTION: The Preservation Board upheld the Director's denial of the security doors. Alderman Schmid made the motion, which Board Member Johnson seconded. The motion passed unanimously with five members voting.

E. 2013.2020 1900 S. 12TH STREET SOULARD HISTORIC DISTRICT

Owner/Applicant: Thomas & Sheela Cochran

RESIDENTIAL PLAN: Appeal of the Director's denial of a building permit application to raise an existing six-foot fence.

PROCEEDINGS: On January 27, 2014, the Preservation Board of the City of St. Louis met pursuant to Ordinance #64689 of the City Code, to consider an Appeal of the Director's Denial of an application to raise an existing fence and install plastic decking board at 1900 S. 12th St., located in the Soulard Certified Local Historic District.

Board members Richard Callow (Chairman), Alderman Craig Schmid, Anthony Robinson, Erin Wright, Nate Johnson, and Michael Killeen were present for the testimony for this agenda item.

Andrea Gagen of the Cultural Resources Office submitted into the record certified copies of City Ordinances #64689, as amended by Ordinance #64925, and the Benton Park Local Historic District Ordinance, #62382, the agenda item and presentation. Ms. Gagen detailed why the proposed item was not in compliance with the Soulard Certified Local Historic District Standards. She recommended that the Board uphold the Director's denial.

Thomas Cochran, the owner, testified on his own behalf, asking that the Director's denial be overturned as he wished to be able to push snow and leaves out beneath the fence and to use the additional height as a sound barrier from the interstate highway.

FINDINGS OF FACTS: The Preservation Board found that:

- 1900 S. 12th St. is located in the Soulard Certified Local Historic District;
- the proposed fence would be 76 inches in height, 4 inches above the allowed height;

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- the material of the proposed fencing board is plastic decking which is not an allowed material on visible facades and will not weather the same as the existing wood;
- the fence would be fully and highly visible from the street;
- the proposed fence board would be placed horizontally instead of vertically which is in violation of the historic district standards; and
- that simply trimming the bottom 4 inches of the existing fencing would address two of the three issues advanced by the owner.

BOARD ACTION: The Preservation Board upheld the Director's denial to raise the existing fence and install a plastic decking board. Alderman Schmid made the motion, which Board Member Robinson seconded. The motion passed with a vote of 4-1.

F. 2013.2036 1000 SIDNEY STREET SOULARD HISTORIC DISTRICT

Owner: RPSLRD LLC

Applicant: Killeen Studio Architects

COMMERCIAL PLAN: Appeal of the Director's denial of a building permit application to enclose a roofed patio structure.

PROCEEDINGS: On January 27, 2014, the Preservation Board of the City of St. Louis met, pursuant to Ordinance #64689 of the City Code, to consider an appeal of the Director's Denial of a building permit application for enclosure of a roofed patio structure at 1000 Sidney, in the Soulard Local Historic District. The architect for the project, Michael Killeen, submitted both the application and the appeal.

Board members, Richard Callow (Chairman), Alderman Craig Schmid, Erin Wright, Nate Johnson, and Anthony Robinson were present for the testimony for this agenda item. Board Member Michael Killeen recused himself to represent his client.

Bob Bettis of the Cultural Resources Office made a presentation that examined the section of City Ordinance #62832, which sets forth the standards for commercial rehabilitation in the Soulard Historic District. He testified that the project was not in compliance with the Standards as the proposal is not based on a Historic Model Example as required by the standards. He stated that the building permit application had

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been administratively denied due to ordinance time limitations, and to allow the applicant to present the project to the Soulard Restoration Committee.

Mr. Bettis entered into the record certified copies of Ordinances #64689 and #62382; the Board agenda and the PowerPoint presentation for 1000 Sidney; and the building permit application, including all construction documents.

Jon Vieluf, the owner, and Michael Killeen, testified for the appeal. The owner testified that the intent was to make the space under the previously approved patio structure usable during the winter months and inclement weather. He stated that the walls would be rolled up when not in use.

FINDINGS OF FACTS:

The Preservation Board found that:

- 1000 Sidney Street is located in the Soulard Local Historic District;
- the proposed vinyl enclosure is not based on a Model Example and is highly visible from the street;
- vinyl walls are an inappropriate material for the historic district;
- the proposed signage printed on the vinyl is inappropriate in design and location;
- the porch-like addition that was previously approved by the Preservation Board is yet to be completed: decorative arched elements have not been installed, and if the vinyl walls were hung, the decorative metalwork will be hidden; and that
- the project received support from Alderman Ken Ortmann and the Soulard Restoration

BOARD ACTION:

The Preservation Board upheld the Director's denial of the building permit. Board member Robinson made the motion, which was seconded by Board Member Wright. The motion passed with four Board Members voting in favor of the motion and none opposing it.

G. 2013.2195 3535 VICTOR STREET COMPTON HILL HISTORIC DISTRICT

Owner/Applicant: Cheryl Marty & William Stewart

RESIDENTIAL PLAN:

Appeal of the Director's denial of a building permit application to retain glass-block basement windows.

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PROCEEDINGS:

On January 27, 2014, the Preservation Board of the City of St. Louis met, pursuant to Ordinance #64689 of the City Code, to consider an appeal of the Director's Denial of a building permit application for installation of glass block windows at 3535 Victor, in the Compton Hill Neighborhood Local Historic District. The owner submitted the application and the appeal.

Board members, Richard Callow (Chairman), Alderman Craig Schmid, Michael Killeen, Erin Wright, Nate Johnson, and Anthony Robinson were present for the testimony for this agenda item.

Bob Bettis of the Cultural Resources Office made a presentation that examined the section of City Ordinance #57702, which sets forth the standards for residential rehabilitation in the Compton Hill Neighborhood Historic District. He testified that the project was not in compliance with the Standards as the glass block does not maintain the same appearance of the original historic windows as required by the standards.

Mr. Bettis entered into the record certified copies of Ordinances #64689 and #57702; the Board agenda and the PowerPoint presentation for 3535 Victor; and the building permit application, including all construction documents.

Cheryl Marty, the owner and appellant, testified on her own behalf, stating that the contractor ensured her that she did not need a building permit. In addition, she stated that the original basement windows were not repairable; and, as glass block is an historic material, it was appropriate for the basement windows.

FINDINGS OF FACTS:

The Preservation Board found that:

- 3535 Victor is located in the Compton Hill Local Historic District;
- the glass block was installed without a permit;
- the glass block does not conform to the district standards and of a total of nine windows that were replaced, four are street visible; and
- that no comments were received from the neighborhood or the Alderperson.

BOARD ACTION:

The Preservation Board upheld the Director's denial of the building permit. Board member Johnson made the motion,

which was seconded by Board Member Schmid. The motion passed with five Board Members voting in favor of the motion and none opposing it.

SPECIAL AGENDA ITEM

Consideration of a Preservation Board Conflict of Interest Policy

BOARD ACTION: The Board expressed interest in having a final draft policy to review at the February 24, 2014 meeting. Ms. Bradley will work with Ms. Birkicht to complete a final draft.

Introduction: Preliminary Review Policy Development

BOARD ACTION: Ms. Bradley reported on four topics that she would like to address in such a policy adopted by the Preservation Board in terms of the Preliminary Reviews. These include: the scope of projects eligible for Preliminary Review, the timing of project review within larger approvals, the length of time the Preliminary Review would be valid for, and clarification that a Preliminary Review of a design for new construction is limited to the site(s) proposed for the design's use in the Board review. Chairman Callow asked that the policy also address the nature of the review and approvals and the potential separation of the review of a demolition and subsequent new construction, creating a two-step process. Ms. Bradley will prepare a draft policy for distribution prior to the February 2014 Board meeting.