

PRESERVATION BOARD MINUTES

February 25, 2013

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**CITY OF ST. LOUIS
CULTURAL RESOURCES OFFICE
PRESERVATION BOARD MINUTES
FEBRUARY 25, 2013**

Board Members Present

Richard Callow, Chairman

Alderman Craig Schmid

Nate Johnson

Anthony Robinson

David Richardson

Erin Wright

David Visintainer

Mike Killeen

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

The Chairman called the roll. The Board approved the current agenda and the minutes of the January 28, 2013 meeting were approved.

PRELIMINARY REVIEWS

A. 2013.0107 1727 PARK AVENUE LAFAYETTE SQ. HISTORIC DISTRICT

Owner/Applicant: Square One Brewery & Distillery/Steven Neukomm

COMMERCIAL PLAN: Preliminary review to construct a fence.

PROCEEDINGS: Board members Richard Callow (Chairman), Alderman Craig Schmid, Nate Johnson, David Richardson, David Visintainer, Michael Killeen and Erin Wright were present for the testimony for this agenda item.

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Andrea Gagen, representing the Cultural Resources Office made a presentation that examined the historic district standards for new fences in City Ordinance #69112, which set forth the standards of review for the proposed 8-foot privacy fence in the Lafayette Square Local Historic District. Ms. Gagen recommended that the Preservation Board approve the preliminary application as the fence, though taller than the standards allow, would conceal the visual impact of the trash area and cooler. She submitted a letter from the Lafayette Square Restoration Committee supporting the fence as proposed.

Steven Neukomm, property owner, testified on his own behalf.

Keith Houghton, representing the Lafayette Square Development Committee, testified in support of the applicant.

FINDINGS OF FACTS:

The Preservation Board found that:

- the building is located in the Lafayette Square Local Historic District;
- the proposed fence does not comply with the Lafayette Square historic district standards in terms of height and setback;
- the proposed fence does meet the standards in regard to the type and material; and
- the fence will screen undesirable visual elements.

BOARD ACTION:

It was the decision of the Preservation Board to grant preliminary approval for the new 8-foot privacy fence as submitted, as it is a style of fence that meets the Lafayette Square Historic District Standards and it will screen undesirable visual elements. Board member David Richardson moved to grant approval. Mr. Visintainer seconded the motion. The motion passed with six Board Members voting in favor of it.

NEW APPLICATIONS

B. 2012.1156 2613 S. 13TH ST. SOULARD HISTORIC DISTRICT

Owner: James R. Dougherty and Stephen J. Humphrey

Applicant: Jacob Sunroom & Exteriors

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- COMMERCIAL PLAN:** New building permit application to construct a side deck.
- PROCEEDINGS:** Board members Richard Callow (Chairman), Alderman Craig Schmid, Nate Johnson, Erin Wright, David Visintainer, Mike Killeen, David Richardson, and Anthony Robinson were present for the testimony for this agenda item.
- Bob Bettis representing the Cultural Resources Office made a presentation that examined the criteria for new decks and porches in City Ordinance #57078, which sets forth the review standards for a new deck or porch in the Soulard local historic district. Mr. Bettis recommended that the Preservation Board deny the permit application for the proposed staircase and deck as it does not comply with the Soulard Local Historic District Standards. He submitted a letter from the Soulard Restoration Group supporting the approval of the proposed side deck as proposed. He also stated that the 9th Ward Alderman had not commented on the proposal.
- Kevin Pirtle, representative from Jacob Sunrooms and Exterior, testified on behalf of the owner, James Dougherty.
- FINDINGS OF FACTS** The Preservation Board found that:
- the building is located in the Soulard Local Historic District;
 - a staircase is needed along the south side of the building to afford access to the second floor living unit;
 - the proposed deck/porch is not based on a historic Model Example and therefore does not meet the Soulard historic district standards;
 - the owners agreed to utilize a Soulard style handrail and move the deck back four feet from the front edge of the building after working with Cultural Resources Office staff;
 - the owners state that they wish to keep the project cost at \$15,000 and not pay for the additional cost to install a roof over the deck, which would be prohibitive to the retired occupant of the second floor who is

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seeking access to the outdoors without having to use the steps;

- the site constraints limit the addition of a first-story floor that would be more in keeping with two-level historic porches in Soulard; and
- the Soulard Restoration Group supports approval of the project with the condition that a Soulard-style handrail be used.

BOARD ACTION:

The Preservation Board concluded that, although the proposed stairs and deck are not in compliance with the Soulard Local Historic Standards, site constraints and the need for access to the second-floor justify approval of the proposed design for the stairs and deck, with the condition that Soulard style handrails be used. The motion to approve was made by Board Member David Visintainer and seconded by Mr. Richardson. The motion passed unanimously with seven members voting.

C. 2013.0207 2720-22 S. JEFFERSON AVE. BENTON PARK HISTORIC DISTRICT

Owner/Applicant: Stephen Brao and Stephen Zompa

RESIDENTIAL PLAN:

New building permit application to install twenty-four windows.

PROCEEDINGS:

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

Bob Bettis, representing the Cultural Resources Office made a presentation that examined the criteria for new windows in City Ordinance #67175, which sets forth the review standards for new windows in the Benton Park local historic district. Mr. Bettis recommended that the Preservation Board deny the application as the installed windows do not comply with the Benton Park Local Historic District standards. He stated that he spoke with 9th Ward Alderman Kenneth Ortmann, who stated he would support the recommendation made by the Benton Park Neighborhood Association, and that the Benton Park Neighborhood Association is not in support of the project.

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Stephen Brao, the owner, testified on his own behalf.

Bill Hart, a resident of Benton Park, testified in support of the Staffs' recommendation to deny of the application,.

Tim Mulligan, representing the Benton Park Neighborhood Association, also testified in support of the denial of the windows as proposed by the Applicant.

FINDINGS OF FACTS

The Preservation Board found that:

- the building is located in the Benton Park Local Historic District;
- the windows in question were installed without a permit;
- the installed windows are vinyl and are not based on a historic Model Example and therefore do not meet the Benton Park Historic District standards;
- the installed windows cost the owner \$6,000;
- the owner described current financial difficulties but did not provide written evidence of economic hardship;
- the building is on a prominent site on Jefferson Avenue; and
- the Benton Park Neighborhood Association does not support approval of the windows.

BOARD ACTION:

It was the decision of the Preservation Board to deny the application for a building permit to retain twenty-four windows installed without a permit, as the windows do not comply with the Benton Park Local Historic District Standards. The motion was made by Board Member Nate Johnson and seconded by Mr. Visintainer. The motion passed unanimously with seven members voting.

APPEALS OF DENIALS

D. 2012.2030 2311 RUTGER ST. LAFAYETTE SQUARE HISTORIC DISTRICT

Owner/Applicant: Lafayette Square Townhouse Association, Inc.

RESIDENTIAL PLAN:

Appeal of the Director's denial of a building permit application for a retaining wall installed without a permit.

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PROCEEDINGS:

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

Bob Bettis, representing the Cultural Resources Office, introduced a certified copy of St. Louis City Ordinance #69112, which sets forth the historic district standards for the Lafayette Square Historic District, as well as a certified copy of Ordinances #64689 and #64925 . He examined the criteria for new retaining walls in City Ordinance #69112, and applied the review standards for a proposed retaining wall in the Lafayette Square Local Historic District to the application under consideration. He recommended that the Preservation Board uphold the Director's denial as the retaining wall does not meet the Lafayette Square Historic District Standards.

He reported that there was no comment from the alderman as the 6th Ward Aldermanic seat is vacant; and that the Lafayette Square Restoration Committee was in support of the project.

Courtney Keefe, president of the Lafayette Square Townhouse Association, testified on behalf of the condominium owners' association, stating the background and reasons for the owners' decision to construct the wall, and summarizing the financial resources of the organization.

Keith Houghton, Vice President of the Lafayette Square Development Committee, testified in support of the applicant.

Theresa Von Stamwitz, board member of the condominium owners' association, testified in support of the appeal.

FINDINGS OF FACTS

The Preservation Board found that:

- the property is located in the Lafayette Square Local Historic District;
- the district standards require the same type of retaining wall for a property with a modern building as one with an historic building;

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- the installed retaining wall is constructed out of stock pre-cast concrete masonry units and is not based on a Historic Model Example, and for these reasons, the wall does not meet the Lafayette Square District Standards;
- the wall was installed without a building permit;
- the wall cost \$10,000 to install;
- the applicant submitted an estimate to the Board that indicated the cost to remove the wall and install curbing that would be compliant with the standards would cost at least \$9,000;
- the retaining wall addresses a problem of soil erosion; and
- since the wall was built without a building permit, it may not have the strength and built-in drainage to function properly in the long term and may possibly be constructed in the public right-of-way.

BOARD ACTION:

It was the decision of the Preservation Board to uphold the Director's denial of the building permit application for the retaining wall. The Board concluded that the installed wall does not comply with the Lafayette Square Local Historic Standards. The motion was made by Board Member David Visintainer and seconded by Alderman Craig Schmid. The motion passed with six Board Members voting in favor of the motion. Mr. Killeen opposed the motion. The motion passed six to one.

E. 2012.2093 2100 ANN AVENUE MCKINLEY HEIGHTS HISTORIC DISTRICT

Owner/Applicant: Andrew Fowler

RESIDENTIAL PLANS:

Appeal of the Director's denial of a building permit application to retain vinyl windows installed without a permit.

PROCEEDINGS:

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

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Andrea Gagen, Preservation Planner, representing the Cultural Resources Office, submitted certified copies of Ordinance #64689 and #67901, the agenda, and a PowerPoint presentation illustrating the property into the record. Ms. Gagen recommended that the Preservation Board uphold the Director's denial of the permit application as the windows do not meet the McKinley Heights Historic District Standards. The vinyl windows were installed without a permit.

Andrew Fowler, the owner, testified on his own behalf.

FINDINGS OF FACTS:

The Preservation Board found that:

- 2100 Ann Avenue, is located in the McKinley Heights Local Historic District;
- the windows were installed without a permit;
- vinyl is not an approved material under the Historic District Standards;
- the profiles of the sash and frames of the installed windows do not meet the standards;
- the number of lights was not replicated on the front windows and a double-hung window was installed in place of a single-light fixed window on the McNair elevation;
- several windows were not installed in the original window plane;
- the addition of historic brick-mold will not resolve the installation issues; and
- the cost of replacing all thirteen of the vinyl windows may preclude the owner from rehabilitating the building's storefront.

BOARD ACTION:

It was the decision of the Preservation Board to uphold the Director's denial of the application for the windows on the Ann Avenue façade, and the small window on the ground floor of the McNair Avenue façade. The Board overturned

the denial of the application for the remaining McNair Avenue windows. The motion was made by Board Member David Richardson and seconded by Ms. Wright. The motion passed with five board members voting in favor of the motion. Mr. Robinson opposed the motion.

As only a portion of the application was overturned, the permit remains denied.

E. SPECIAL AGENDA ITEM

Adoption of Solar Panel Installation Policy and Standards

BOARD ACTION:

Betsy Bradley presented the proposed Solar Panel Installation Policy, describing the extent of the changes to the policy that had been made since the January 2013 meeting.

As noted at the January meeting, the Preservation Board found that:

- Ordinance #64689 grants the Preservation Board the authority to articulate and adopt policies in order to administer the standards adopted for Historic Districts;
- The Proposed Solar Panel installation Policy would provide more detail where overall direction is provided in standards adopted by ordinance;
- the Preservation Board would determine which policy is appropriate for use for an historic district when the existing standards provide no guidance;
- the proposed policy would not alter or contradict standards adopted by ordinance;
- the proposed policy has been distributed and comments have been requested and received;
- the adoption of the Proposed Solar Panel installation Policy would be a benefit to property owners in local historic districts as it articulates the requirements to be met in the design of proposed installations; and

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- that the proposed initial use of the Visual Compatibility Required and No Visibility Required Policies is appropriate in terms of the overall intent of related ordinances and district standards.

During a brief discussion, Board Member David Richardson stated satisfaction with the current version of the policy. Mr. Visintainer moved that the Preservation Board adopt the Proposed Solar Panel Installation Policy and implement the Policy as proposed. Alderman Craig Schmid seconded the motion. Six members of the Board present at the time voted in favor of the motion, and none voted against it. The motion passed.

Chairman Richard Callow moved that the meeting be adjourned. Hearing no objections, the meeting was adjourned.