

Comments Received from the Public October 26-November 5, 2019 West End HO Guidelines Revisions

From: Jim Taber

Sent: Tuesday, October 29, 2019 5:30 PM

Subject: Re: West End Historic Overlay District Guideline Update

Has the HRC considered adding guidelines regarding visible clutter in the alleys? I know there are guidelines around fences which are visible from the street. What about abandoned vehicles? The blue tarps covering 2 cars and a boat are moderately visible and very visible in winter when the leaves have fallen. There is some reference in the guidelines for alleys to "Preserve and maintain the topography, features, materials, and dimensions of alleys, streets, sidewalks and street plantings that contribute to the historic character of the District", but it does not specifically call out visible clutter.

From: Pranab Das

Sent: Tuesday, October 29, 2019 7:09 PM

Subject: Comments on draft guidelines

Thank you for the care and seriousness with which you have approached this task. It is a great service to our neighborhood. You have done an excellent job and I hope that the input you receive at this point will help refine this draft into a document we can all be happy to live with for the next decade or two.

I'm glad to see the minor work list in the front material is long. However, I wonder if we could give latitude to staff to avoid even that step (which is, to be honest, a hassle for everyone). For example, walkways and retaining walls in low-visibility areas don't really seem to need to be reviewed since they are essentially reversible and, by their nature, part of the private lives of residents.

I like the overall lean away from intrusion and would strongly argue that this is the right way to go. There is real inconsistency between some neighbors' sense of righteous intrusion and others' feelings of infringed freedoms but we should always lean toward homeowners' rights whenever they don't infringe on others'. If anything, I think the guidelines could lean even more strongly toward the rights of the property owner over the sensibilities of over-zealous neighbors. In low-visibility areas, I think we should just let people do their own thing. The goal should be to maintain the streetscape and common areas but we want people to be as free as possible to live their lives behind those facades.

My biggest personal peeves about the 'hood are glaring lights and uncollected garbage carts. Honestly, I would say that jarring security lighting and street-side garbage cans do far more to diminish the appeal of a historic district than any mismatched window or covered soffit ever does. It is disappointing not to see these better addressed. We could set a good example by, for example, having a "don't shine into eyes on sidewalks or your neighbors' windows" rule for security lights and a simple rule about putting barrels to the side or back of house for storage.

Finally, I would add that I have been disappointed by the lack of defense of our forest canopy over the years. Many trees have been felled without COA's and the replacements were often small, ornamental trees. Concerns for city expense of sidewalk and road repair seem to outweigh replanting shade trees on planting strips. And residents have not always been well apprised of HRC goals in this area. It's

tremendously disappointing to see the shade tree protections completely eliminated here. While I understand that staff time has been disproportionately devoted to landscaping issues, there is nothing (short of new construction and demolition) that will impact our neighborhood for a longer time than cutting down a shade tree or failing to replant appropriately. Please, please, consider a carefully-crafted mature shade tree protection in the guidelines.

Below please find specific suggestions.

Walkways:

- I would suggest only controlling steps, walkways and railings in areas of high visibility. Unless staff expects to substantially control what folk do at ground level in their back yards, for example, why bother to make people go through the hassle?

Retaining walls

- as above with walkways

Fences

- I LOVE the fact that you have eliminated the height strictures on fences in back of buildings. With our topography, there are often cases where, in order to get privacy, one needs to go a little higher.

Trees

- I feel strongly that we need to retain language about the urban forest canopy that defines our neighborhood. PLEASE retain a restriction on cutting down mature shade trees. I like getting rid of most of the other stuff but feel that the single most destructive thing a property owner can do is to take down a tree that can continue to contribute to our canopy for decades to come. Recommend specifying large diameter (8" at 6') and shade trees. Mulberries, bradford pears, etc. should not be covered. And getting into minutia of trimming, topping, etc. is unnecessary. All we need to do is defend the big, long-lived trunks.

Lighting

- I am disappointed not to have details about security lights. These are a real nuisance and seriously detract from the neighborhood. Some are triggered by pedestrians and many shine into windows of nearby houses. This should be addressed in the guidelines.

- I had hoped to see some more specific statement about blue-tint LED street lights. They cast an awful, zombie glow and have already detracted from our streetscapes at night. Please consider specifying what 'period appropriate' lighting means.

- I like uplighting on facades and vegetation. It is far less noxious than blaring security lights.

Recommend REMOVING Item 4.

Accessory Features

- Charging stations will become increasingly important and it is NOT PRACTICAL to locate them in areas of low visibility only. We, for example, have only on-street parking. I hope to have a charger on a light pole out front. These guidelines would prohibit that and, in the coming electric-car era, create a real hardship. **Recommend REMOVING Item A. 3**

- We have an ongoing problem with roll-out waste, recycling and yard carts. PLEASE have an item restricting them to storage in low-visibility areas.

From: John Merschel
Sent: Wednesday, October 30, 2019 11:27 PM
Subject: west end guidelines

VISIBILITY

I believe the key component of the new guidelines is how the terms high visibility and low visibility are defined and interpreted. The understanding of the guidelines without the definition of these terms is simply not practical.

For example: In the guidelines for walkways, steps and railings “high visibility” is present five times while “low visibility” is present once. Guideline # 5 states “Appropriate materials for new or replacement walkways and steps in areas of high visibility include stone, brick and concrete. Asphalt is inappropriate in areas of high visibility.” So, does this mean asphalt is ok to the front plane of the house, the middle or the back corner? I would view the guideline differently based on where high visibility ends and areas of low visibility begin. The same result would happen in guidelines 6 and 7.

In the guidelines for driveways and parking areas highly visible is used 4 times and low visibility is used twice. Guideline # 5 says in part “asphalt may be used in areas of low visibility”. I would view this guideline differently depending on how low visibility is defined and where it takes effect.

The words high visibility and low visibility are used dozens of times in almost every category of the guidelines. It is simply not possible to review these guidelines with clarity without those terms defined.

From: John Merschel
Sent: Monday, November 04, 2019 9:14 AM
Subject: porches in guideline draft

Page 25 Porches

At the end of the write up prior to the guidelines it is stated “Every attempt should be made to keep porches open.”

I think the enclosure of porches should be addressed in the guidelines by stating “Porches should not be enclosed.” I can think of no reason or example when enclosing a historically open porch is appropriate. Enclosing a porch on a noncontributing structure would not be in keeping with the district.

From: John Merschel
Sent: Monday, November 04, 2019 9:22 AM
To: Michelle McCullough
Subject: noncontributing houses

Guideline 3 on page 29 I believe is stated incorrectly.

(b) should read: and the building does not have individual historic or architectural features. The addition of “does not” gives this sentence the correct meaning

From: David Elam

Sent: Monday, November 04, 2019 3:52 PM

Subject: Guideline feedback

We need more definitions, we got some today (11/4/2019) and that helps but it's hard to make a comment when it's not very clear as to the meaning of some of the words. We need the full document with picture and all definitions to give good feedback.

In reading this any tree can now come down for any reason, I think that's very unfortunate and the guidelines should be put back the way they were for vegetation.

The wording "If using the historical material is not feasible," will allow anyone to get around any of the guidelines. You just need to say it's "not feasible with historical material". I feel it's always "feasible" to use like materials to fix or remake anything especially in highly visible areas (i.e. wood window replace with a wood window in the same configuration). The current board and staff may have in mind to only use this only in extreme circumstances, but we don't know about future boards and staff who might allow all changes effectively make the guidelines voluntary. I think the wording "If using the historical material is not feasible," should be removed.

When it says "match in appearance" that needs to be defined. Folks have made the argument that fiberglass/plastic column is fine because it matches appearance from the street but if you walk up to it you can tell it's fiberglass/plastic, or a 2 inch board is the same as a 3 inch board from the street.

The West End Association submitted a very clear picture of what highly visible should include, we need something like this, it should not be an opinion as to what is highly visible. It should be clarified with pictures.

On fencing it sounds like it was written to allow a fence of any size along the side and backs of yards, it does not matter if the side is on a corner and is visible. An 8 foot fence that you can see through 50% of will still be very incongruous with the historic character. I agree with Georges Bryan suggestions he submitted on fencing.

On signs, they should not be lit from the interior.

There is an exception for wood that's "susceptible to continuous deterioration, then a compatible substitute material may be considered.", what does "continuous deterioration" mean? To me all wood deteriorates over time so no one would ever have to replace wood with wood.

Some feedback on the process..

3 minutes is not long enough to have a meaningful conversation. The West End has met and discussed just 1 paragraph for an hour. There should be much longer time for a good discussion with back and forth and that cannot be done with this process. After we have the full document, this should be a multiyear process with a committee to review, like we did the last time. I don't think we should rush into changing the guidelines.

From: John Merschel
Sent: Monday, November 04, 2019 4:49 PM
Subject: if feasible

The word FEASIBILITY defined

In the draft of the new guidelines the words “if feasible” are used several times in important areas such as roofs and wood doors and windows among others. The word is defined by staff to mean: if historic materials or skilled craftsmen are available. My concern is, who decides if these materials or craftsmen are available or not. Can staff be a resource to make applicants aware of where material and craftsmen can be located? What level of search will the applicant be held to? My primary concerns in this area are slate roofs and wood windows. I think clarity on this issue now will save problems down the road.

From: Margaret Hermann
Sent: Sunday, November 03, 2019 9:23 AM
Subject: A few more typos...

Page 5 of 67

Middle of page under WE HOD Review Guidelines

Third paragraph spelling error – change “precedents” to “precedence”.

Page 7 of 67

1. Under COA Approval / Denial

At end of third line, put a comma after “project”.

2. Under After the Fact COA Applications

This location I believe is the first time you mention UDO. Can you spell it out and add it to the glossary?

Page 12 of 67

Top paragraph

Insert the word “are” between “but” and “not”.

Page 57 of 67

Compatible...

Second line – strike the word “the” towards the end of the line.

Page 61 or 67

Appendix E

In the title, conjoin the words “with in”.

Lastly, can you find a definition for Patio in the UDO and add it to the glossary, so that we can prevent future parking lots?

Fabulous writing job on the beginning and ending portions which you just put on line. Not only did you respond to suggestions, you greatly improved those suggestions. Whoever did all the excellent listening to our input and who put these ideas concisely into these Guidelines deserves a raise! With further comments and info input due at this week’s HRC meeting, I believe we will reach an even better document to preserve West End. Let’s keep the dialog open and effective...

From: Margaret Hermann
Sent: Tuesday, November 05, 2019 8:05 AM
Subject: One more...

TREES

West End trees need our protection for the sake of our community.

The Sec. of Interior Standard for Rehabilitation gives us the authority and mandate to do just that. It specifically lists environmental changes over time as significant which "shall be recognized and respected" (Appendix IX-B-4, page 2). I would like our proposed synopsis of the Standard in our new Appendix A, page 55, to say the same thing.

Also in the Standard:

Page 28 under Building Site, it specifically mentions retaining and preserving plants and trees and against removing landscape features, thus destroying the historic relationships on a site.

Page 29 specifically states "including plant material".

Page 34 Under Energy Retrofitting, recommended: maintaining existing landscape features which moderate effects of climate, such as deciduous trees. And: Retaining plant materials, trees which perform passive solar energy functions such as sun shading. Not Recommended: Removing them.

So...

To avoid past problems with trees in the old Guidelines, you need more flexibility for your decision-making. For instance, the 8" diameter, 4 ½' height, could still be the trigger for a COA, but the tree's SITE should also be considered for HRC approval or denial of its removal. Not all healthy trees over 8" need preservation, but owners SHOULD need the guidance of the Arborist and approval by the full HRC. Alteration of two sentences in the old guidelines on page 51, #5, and on page 52 would suffice, such as by saying, "Removal of a healthy tree greater than 8' diameter, 4 ½' high, requires a Major COA approval."

And then everything else in that entire section on pages 51 and 52 is still useful and helpful. So put it back in.

In the proposed Guidelines on page 24 under Landscape Features, Numbers 2,3 and 4 list protection for a few trees at Hanes Park and trees on Public Lands. In essence, that specification means that none of the other trees matter in West End; their protection is lost, and owners' whims prevail on all private property in the District. That has HUGE implications! We live closely together. The loss of mature canopy trees affects neighbors, affects microclimate and affects our visual and emotional quality of life.

In conclusion: 4 things:

- (1.) Put all the old Guidelines from page 51 & 52 back into the proposed Guidelines.
- (2.) Correct the problem sentences there.
- (3.) Remove from the proposed Guidelines #2,3 & 4 on page 24.
- (4.) Put environmental changes over time into the synopsis in the new Appendix A.

And please, CONTROL ROLL-OUT CARTS!

**Comments Received from Michael Ryden
October 26-November 5, 2019
West End HO Guidelines Revisions**

I vote that a contributing property in any location other than a corner lot should be subject to high visibility for the front facing facade and the two sides half way back. Low visibility for the rear and two sides from half way to the rear.

Corner lots - high visibility front facing facade and the side facing the street and half way back on side not facing the street.

Low visibility for rear and half way back to rear on the side not facing the street.

Non-contributing.

High visibility for front facade only for all locations except corner lots.

Corner lots- High visibility only for front facade and side facing the street.