

**Comments Received from the Public**  
**October 2-October 25, 2019**  
**West End HO Guidelines Revisions**

**From:** Keith Hicks

**Sent:** Wednesday, October 2, 2019 8:26:10 PM

**Subject:** Re: West End Historic Overlay Guidelines Update sent early

I like the changes, seems more in tune with current times, modern material and life.  
Thank you both for all you have done to bring this along.  
I do wish we would have put something in about hiding/screening trash/recycle bins.  
Thanks again!

---

**From:** Keith Hicks

**Sent:** Thursday, October 03, 2019 7:54 PM

**Subject:** Re: West End Historic Overlay Guidelines Update sent early

Thanks, I got a chance to look at the full draft tonight, a couple of thoughts, I didn't see anything in the draft talking about trees, I did see the info in the body of the email. I agree, trees should be up to the homeowner unless historically significant such as in the park .

Also I'm not sure I understand tinted concrete? The sidewalks are not tinted, most concrete ages quickly and would come closer to matching the sidewalks without tint.

My other concern with tinted, it doesn't specify what tint, there are many colors that can be added, just a thought, if tinting is something to be left in may want to drill that down some more.

On the lighting, uplighting on building, I personally think it enhances the architecture of a structure if it is done correctly, I love walking at sunset and still being able to see the beautiful character of the homes and buildings.

Thanks again for all you do.

---

**From:** Keith Hicks

**Sent:** Wednesday, October 14, 2019 12:59 pm

**Subject:** Re: West End Historic Overlay Guidelines Update sent early

My husband just brought up a good point, the landscape lighting/ up lighting on the house is much more appealing than the harsh motion sensor lighting that many try to use.

Just our two cents.

Thanks again.

---

**From:** Ulery, Robert

**Sent:** Thursday, October 3, 2019 1:20 PM

**Subject:** Guidelines draft

I think there's a missing negative in #3 on p. 29.

I've read some of it, but certainly not all!

---

**From:** Margaret Hermann  
**Sent:** Thursday, October 3, 2019 6:58:46 AM  
**Subject:** Guidelines

Beautiful work, Heather.  
I'm on page 25 and have only found 4 typos. This is a document to be proud of! Beautifully worded.

So, I noticed the absence of any mention of waste cans, recycle, yard waste carts... Did the city lawyer ever get back to you about these items and the proper avenue to address grievances? Or the lack thereof?

Thanks for all your efforts on the Guidelines. It's paying off!

---

**From:** Margaret Hermann  
**Sent:** Monday, October 07, 2019 8:27 AM  
**Subject:** Guideline Update Draft

I am very impressed by the writing quality and the thought process and effort that is reflected in the Draft. The clarifying letter which accompanies the Draft helps my understanding of the guiding principles and limitations which staff encountered and which is now left to the HRC (such as visibility, definitions). I see good judgment, good intent, and good response to previous comments. So thank you!

I found only a few "typos" which are listed in a separate attachment.

In addition, I present to you a problem I have been battling for years, the result of my relationships with a succession of non-compliant owners. The struggle has made me more knowledgeable but has yet to improve the neighborhood in any visible way. The problem involves rollout carts and is addressed in an additional following attachment.

Once all issues have been addressed by the HRC, I feel another public comment period would be helpful. The Draft as presented is still too incomplete to be totally understood, and large portions are missing (definitions, procedures, diagrams). I would appreciate one more read of the next draft, allowing sufficient time for the ability to comment and additional changes to be made prior to approval by the HRC of the finished product to be published.

Thank you again for all your good work!

#### Typographical Changes for Draft 1

Page 3, guideline 2., first line. Remove the word "a".

Page 9, second line. Change "Park" to "Parks".

Page 16, second line. Remove the comma and hyphen between the words "to" and "mechanical".

Page 20, first paragraph, last line. Put a space between the words "the" and "roof".

Page 29, Number 3, first line, change the location of (a) to after the word "if".

Page 29, Number 3, second line. Add the word "no" between "has" and "individual". Number 3 then reads as ... will not be delayed if (a) the

demolition will not adversely affect the character of the District and  
(b) the building has no individual historical or architectural significance.

Page 34, top of the page. There are two sentences which say the same thing in  
the first and second paragraphs, as though one had been meant to be  
removed. (I personally like the second one best.)

Waste and recycle rollout carts are a recurrent and persistent blight for West End Historic Overlay  
District streets. Our steep grades, narrow lot patterns, and a mixture of apartments and rental houses  
are a combination of factors which increase non-compliance with the previous guidelines. Guideline  
Number 1, Page 63 has not been enforced, thereby worsening streetscape and neighbor-to-neighbor  
relationships.

The Sanitation Dept can handle issues if carts are left on sidewalks or streets but not if carts are  
anywhere on the property proper. The Sanitation Dept provides waivers for owners in poor health,  
waivers which allow sanitation workers access on the property to pull up the carts to the trucks and  
return them to their places.

The current Guideline has proved insufficient and has not been enforced. Issues exist with those  
owners whose convenience has taken precedence over neighborhood streetscape. Multi-unit dwellings  
are particularly prone to non-compliance of the Guideline if the landlord or managing company doesn't  
care. The problems are two-fold – a failure to roll carts back behind property or a failure to keep them  
next to buildings and out of sight when no space behind the property exists. The worst owners and  
most noxious carts are those left near the sidewalks or those placed closer to a neighbor than the  
owner's own dwelling.

The provision in the current Guidelines, if enforced, would only partially improve the visual  
character of the neighborhood. I request (1) that the entire provision in the previous Guidelines be re-  
inserted into the updated Guidelines. In addition, I request (2) a provision be created that carts may be  
located beside the building and obscured from view. Finally, I request (3) that a mechanism for  
enforcement with city or county agencies be pursued, even if such mechanism requires development of  
a new ordinance through the Sanitation or Zoning Codes Depts. Without enforcement, bad behaviors  
persist and expand. Without control of garbage or its visual blight, you will be unable to preserve the  
historic sense of neighborhood. The buildings will remain but not the sense of community or its historic  
atmosphere ("before carts"). I believe we need both a good guideline provision and a means to enforce  
it.

The solution to the problem is not avoidance but correction of its defects.

---

**From:** Peter Kramer

**Sent:** Tuesday, October 22, 2019 2:06 PM

**Subject:** Comment on West End Historic Overlay Guidelines Update

In general, I support the revisions to the Guidelines, particularly as it relates to modernization of allowed materials in all sections to enable the use of substitute materials, if necessary, if they match the original appearance. Also, updates regarding lighting and security systems is a welcome addition.

One thing that I would like to see is the reinstatement of the HRC's process for removing significant trees from properties in the district. While there are good reasons for removing unhealthy trees, or those that pose a risk to the public, I'm concerned about giving free reign for property owners to replace older trees simply because they want another kind, or the growth is messy during certain seasons.

The old growth trees contribute to the vitality of wildlife that is abundant in the West End, and it takes a long time for newly planted trees to replace large trees that have been removed. I'd like to see the guidelines with respect to trees reinstated.

---

**From:** Peter Kramer

**Sent:** Wednesday, October 23, 2019 2:34 PM

**Subject:** Historic Overlay Guidelines

After further review of the *October 2019 Draft Guidelines, Excluding Front Matter and Appendices*, it is abundantly clear that it is of utmost importance to allow the public to review definitions of terms. Phrases such as "if feasible", "congruity with the District," "areas of high visibility," and "areas of low visibility" need to be clearly and concisely defined such that these guidelines can be properly evaluated by the public. Since this draft excludes important information for its proper evaluation, you cannot consider the public to have had a reasonable opportunity for review.

Additionally, an interactive meeting, or series of meetings, with all stakeholders exchanging opinions about the guidelines is not included in the review process. Understandably stakeholders have conflicting opinions that can result in contentious discussions, but these need to occur to settle on the best guideline revisions. The process should be amended to include interactive meetings with the HRC commissioners, staff, the West End Association, and any other residents of the West End who desire to participate.

---

**From:** George Bryan  
**Sent:** Thursday, October 24, 2019 7:51 AM  
**Subject:** WE Guideline to be Reviewed: Fences

This comment is in reaction to the proposed Fence guidelines. This section can not be fully understood without a definition of “highly visible” and “congruity”.

However, I would suggest revision to the following:

2. Design new fences and fence features to minimize impact to the historic building. New fences and their associated features shall not significantly obscure the view of the building from the street. Both fence height and level of transparency through the fence shall be considered when assessing the level of obscurity created by fences. A fence with panels that are 50% or more open space shall not be considered to obscure the building from the street.

And

Fences are not a historic feature of the West End landscape. However, modern life in the District has increased residents’ need for fencing.

And

6. The height of fences in the front yard of the building shall be limited to forty-two (42) inches. The front yard is defined as the open space between the primary facade of the building and the right-of-way.

First, the opening paragraph acknowledges that fences are not a historic feature – I would refine this to say that fences in the front yard are not a historic feature. (BTW – I have also heard that the fence around Dalton was replaced in the ‘70s and is not the original) With this acknowledgement the HRC should discourage front yard fences - this has been one of the most obvious changes to our streetscape in the last 20 years.

Second, if fences can be erected in side yards and with no guideline on height, this change will further encourage a change to our streetscape.

Third, 50% of open space is way too little open space. What this guideline is suggesting is that 50% of the architectural detail of our homes can be obscured- especially as these will be allowed at heights on the side of homes. I would suggest three changes: 1) Higher fences than 42” should not be allowed except starting at the back footprint of the building/home. 2) Fences should be limited to 6’ in visible to the street areas when in back of houses (see point 1) 3) fences obscuring any architectural structure – buildings/homes- should not be more than 20% obscuring. (This would allow 1” per 5” for example which would still provide security and safety for children not being “stuck”).

---

**From:** George Bryan [mailto:bryandoherty2@yahoo.com]  
**Sent:** Thursday, October 24, 2019 8:06 AM  
**Subject:** WE Guideline to be Reviewed: Parks

This comment and suggested revision is in reaction to:

*3. Design and install new or replacement park features, including street furniture, park furniture, trash receptacles, fountains, recreational features, and other site features, to protect historic resources and be compatible with the naturalistic character of the park and District.*

In the absence of clarification – while the “naturalistic character “ does seem to relate to the era and design of Hanes and Spring Park it does not convey “should be appropriate for the historic period”. I would suggest this as naturalistic could also have modern implications.

Be aware that recent landscaping and reworking of Spring Park had the City (of which the HRC is a Commission) demolishing historic bridges and not replacing.

The other issue is that there are at least two other “pocket parks” in the West End plus Hanes Park that are trying to accommodate children playing. These structure are starkly non-compatible with the historic overlay. Some kind of compromising language needs to address this and continuing changes in parks. As designs of play structures diversifies there may be choices that blend better. I do think that landscaping can enhance security rather than obvious fences in some of these future changes.

---

**From:** George Bryan

**Sent:** Thursday, October 24, 2019 9:24 AM

**Subject:** WE Guidelines to be reviewed: Signage

This is a comment and revision based on the recently revised draft of Guidelines. This section can not be fully understood without a definition of “congruity”.

These comments relate to a detail in the signage section:

*8. Signs may be lit with soft, indirect lighting sources, unobtrusive ground-mounted spotlights, or other unobtrusive lighting. Signs may not flash, blink, or strobe.*

This should be limited to originally commercial buildings. Unfortunately business encroachment has converted many residences to business locations. This, however, shouldn't open the door to lighting of their signs. In the situations where these changes have occurred these are often near existing residences that shouldn't be subjected to this lighting. This lighting of signs in front of structures which still maintain their residential form makes them out of compliance with the rest of the District. This is particularly startling as these business have located signs close to the street and it changes the residential flavor of our neighborhood.

---

**From:** George Bryan

**Sent:** Thursday, October 24, 2019 9:34 AM

**Subject:** WE Guideline Review Comment on: Landscape Features

Perhaps one of the biggest changes that is present in this Revision of the Guidelines is no mention of significant trees on property-owners property. While there is plenty of room for new Guidelines around this matter, I maintain that this can not be done without a change to the current UDO. In the paragraph below from our Unified Development Ordinance it clearly states that “... nor important landscape and natural features may be erected, altered, restored, moved, or demolished ...”. Trees are certainly important landscape features and have clearly a precedent for being seen as such. This paragraph does not limit where these are growing.

Therefore, there is the need for a change to the UDO before these trees can not be considered for a COA.

Copied from our UDO:

**-7.2 REQUIREMENTS FOR CERTIFICATES OF APPROPRIATENESS IN HISTORIC AND HISTORIC OVERLAY DISTRICTS**

*Within an H or HO District, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps, pavement, or other appurtenant features); nor any above-ground utility structure; nor any type of outdoor advertising sign; nor important landscape and natural features may be erected, altered, restored, moved, or demolished until after the property owner or his/her designated agent has determined that the project is in compliance with the Design Review Guidelines either through consultation with Commission staff or review of the appropriate Design Review Guidelines.*

---

**From:** George Bryan

**Sent:** Wednesday, October 23, 2019 11:32 PM

**Subject:** Guideline Feedback: Landscaping

In reference to:

*5. When replacing or installing new ground cover in areas of high visibility, it is inappropriate to use landscape materials that are not compatible with the period of significance of the District, i.e. materials that were not commonly available before 1930. Inappropriate materials include, but are not limited to, crushed stone, artificial pebbles, and brick chips.*

Here are two pictures from Hanes Park today. One of crushed sandstone which is now the predominate layer on paths. And one of gravel around Tennis Courts. I would maintain that the crushed sand stone seems appropriate as did the chicken gravel (not pictured) that covered the paths before.

I am not sure what was historical but we certainly don't want cement paths or asphalt paths to replace the paths. They need to be permeable and unobtrusive yet not just earth that quickly turns to mud when using.



**From:** joannmountusa@netscape.net  
**Sent:** Friday, October 25, 2019 3:41 PM  
**Subject:** WE Guideline Draft

Here are just a few of my comments:

The guidelines appear to be written as though they are suggestions and that no one will need a COA for any projects.

I am very concerned that there is no protection for trees. The removal of any guidelines regarding trees is unacceptable. Many neighborhoods have requirements to get permission prior to removing a tree of 8 inch diameter or more. We need to protect our tree canopy, not destroy it.

When the guidelines say “when something is not feasible “ exactly what does that mean? Does it mean if it is out of stock at Lowe’s? Does it mean if it costs more than the homeowner wants to pay? This is not specific at all.

Saying that something “is not appropriate “ is not the same as saying “it is not allowed”.

We need to have all of the pages of the guidelines, not just part of the guidelines.

I love West End and I want to preserve it as we move forward. These guidelines are quite concerning. I hope that we will have an opportunity to have more input prior to finalizing this rewrite.