

CITY OF COVINGTON
HISTORIC PRESERVATION COMMITTEE BOARD
MEETING MINUTES

June 7th, 2023

6:00 p.m.

MEMBERS PRESENT:

Ray Lustenburger
Jim Maxwell
Rosie Crawford
Monique Snow
Janet Goodman
Heather King
John Conklin
Barbara Schmitt

STAFF PRESENT:

Ralph Moore, Director
Renee Criswell, City Planner

1. OPENING REMARKS/ROLL CALL

Chair called the meeting to order at 6:15 PM.

2. DETERMINATION OF A QUORUM

Chair stated a quorum was present.

3. APPROVAL OF THE AGENDA

Heather King made the motion to approve the agenda as posted.
John Maxwell seconded the motion. Motion carried unanimously.

4. OLD BUSINESS:

- A.** Approval of April 5th, 2022 minutes. No hearings held May 2023.
Heather King made a motion to approve meeting minutes. Barbara Schmitt seconded.
Motion carried unanimously.

5. NEW BUSINESS:

A. COA# - PMOD23-0004

Request: home addition – extension of master bedroom

Location: **4157 Conyers St.,**

TMP#: **C010 0003 008A**

Owner/Applicant: Carey Bryan

STAFF PRESENTATION:

Staff presented to board parcel and zoning information along with applicant's request for an additional 162 square feet to the primary structure in order to extend the master bedroom and assist with expansion of the existing laundry room, which would include a mud room

Staff explained the current primary structure conditions, structure materials and site location as it pertained to the historic district. Staff continued that the existing structure was four-sided full brick having a recessed front porch with columns, paneled front door with a 3 over 3 windows insert, 4 over 4 double hung window and proportional shutters. Staff continued that HPC guidelines require historic home additions to show some evidence of the addition, by means of setback or staggering, in order to show that if removed, would not affect the existing historic materials, structure. Staff proceeded to

included that the existing brick home being built in the late 60's, while within the historic district, would not be classified historic materials. Therefore, staff felt this particular case did not necessitate a setback or staggering of the addition as long as the design was harmonious to the existing. To include, brick material being of same design and color, blending into the current architectural layout. Staff did want to ensure that the windows, being 3 over 3, would need to be replaced with the same as well as shutters, asphalt shingles and if any lighting, would need to be historic in design.

STAFF RECOMMENDATION:

Staff recommended approval of the request with the following conditions:

Conditions:

1. Ensure roof pitch is similar design as the existing front porch roof;
2. Addition should not impact the primary, front facing façade of a building;
3. Brick material used to be similar as existing;
4. 4 over 4 double hung windows similar as existing.

APPLICANT PRESENTATION:

Applicant, Carey Bryan, presented to board and stated staff explained request thoroughly and really nothing additional to add and that they planned to keep in line with recommendations.

PUBLIC COMMENTS:

Chair asked for public comments in favor or opposition of the proposed project. None presented.

HPC BOARD MEMBERS QUESTIONS & COMMENTS:

None presented to floor

DELIBERATION AND MOTION:

Rosie Crawford motioned to approve request with staff conditions. John Conklin seconded. Motion carried unanimously.

B. COA# - PMOD23-0006

Request: Porch enclosure

Location: **4153 Emory St.**

TMP#: **C024 0003 005**

Owner/Applicant: Jazmin Juarez

STAFF PRESENTATION:

Staff presented to board applicant's request to allow for a rear porch enclosure to the now existing 10x15 back porch.

Staff continued that the existing structure was a detached, single-family home and per the Newton County Tax Assessor's Data Base, built in 1900s with an approximate 2017 heated square feet having asphalt roof shingles, vinyl siding with a concrete wall/masonry foundation and tile flooring. Site also has an existing, hay-barn type accessory structure that would not be altered or overshadowed by the enclosure.

Staff explained that the existing primary house was a twin gabled, farm house design with brick base, front porch columns, 6 over 6 windows with proportional shutters, a low lying, hipped-roof front porch, four-sided brick water table and hosting two chimneys,

one for each gabled roof. The front façade encompassed a paneled door with 3 over 3 windows inset and transom above.

Staff reported to the board that porches were extensions of the house and provide additional living space and was important to note that not all historic styles included porches, but could be considered as an integral part of an historic structure. While porch enclosures were not typically recommended for historical structures, rear porches off from street view could be looked upon as not distracting from neighboring historic properties and allowed. As long as materials used mimicked the existing primary. Materials that distracted or obscured the façade or corner elevations were not appropriate. Enclosures should also be designed in a manner that was compatible with the style of the building and preserved the historic characteristics of the original structure.

STAFF RECOMMENDATION:

staff recommends approval with the following conditions:

Conditions:

1. Ensure roof pitch is a similar shed roof design as the existing porch roof.
2. Porch enclosures should not impact the primary, front facing façade of a building;
3. Include brick water table as existing;
4. Dutch lap vinyl siding is permissible as long as it does match that of the existing and shall be consistent with existing historic building;
5. 6 over 6 windows as existing

APPLICANT PRESENTATION:

Applicant, Jazmin Juarez, presented and requested approval for the rear porch enclosure to allow for more family space.

PUBLIC COMMENTS:

Chair asked for public comments in favor or opposition of the proposed project. None given.

HPC BOARD MEMBERS QUESTIONS & COMMENTS:

None presented to floor.

DELIBERATION AND MOTION:

Heather King motioned to approve request with staff conditions. Rosie Crawford seconded. Motioned passed unanimously.

C. **COA# - PMAJ23-0001 thru 0005**

Request: Design Plan Additions for Dorchester Community

Location: **Individual Lots as Presented on Lot Matrix**

TMP#: **Various**

Owner/Applicant: Quinn Residential/River moore Partners, LLC

STAFF PRESENTATION:

Staff presented to board that the proposal from the applicant/owner, that being applicant Jason Gillis with Rivermoore Partnership, LLC and Owner being Quinn Dorchester Holdings LLC or known as Quinn. Request would be for the construction of five revised house designs that were previously approved with conditions from the HPC hearing on June 2nd, 2021, and as presented on the submitted lot matrix referenced as

Exhibit A, which was distributed to board within their board packets pertaining to case. Staff stated for record there was an amended application document from the applicant that was distributed later as well with the original packet. Plans presented to be voted on separately, per applicant's submitted lot matrix, are the Aspen, Griffin, Lincoln, Madison and Oakmont. Further explaining, each plan being color coded and presented as such on the lot matrix. Staff stated board was not voting on the plan itself, but each plan as that plan was proposed for the lots indicated on the lot matrix. Staff stated they would present each plan, Exhibit A that would show each lot that that particular plan is proposed for and the board will vote accordingly.

Staff notated site location and zoning being NR1 with surrounding NR1 & NR2 zoned parcels. Staff presented the development was formerly the Guinn property. Staff presented map with a color-coded neighborhood phase, with Phase 1 from 2007/8 & 2014 (red coded), Phase 2 from 2016 thru 2019 (Yellow coded) and Phase 3 from 2019 thru 2021 (periwinkle coded).

Staff notated the development has had initial house plans in a phase type install calling the first house plans as phase one, pre-2008, having square columns, transom windows, mixed materials, gables, elevated front foundation, deep porches. Phase two was in between and approved prior to the current P&D staff. Those plans having smaller tapered columns, some brick bases, no water tables, mixed architectural materials were not up to par. Proposed Phase 3 having water table, carriage style garage doors, shutters (per approval of ARB). Staff stated applicant has a separate presentation and staff will refer to applicant to finish detailing presentation of proposed designs.

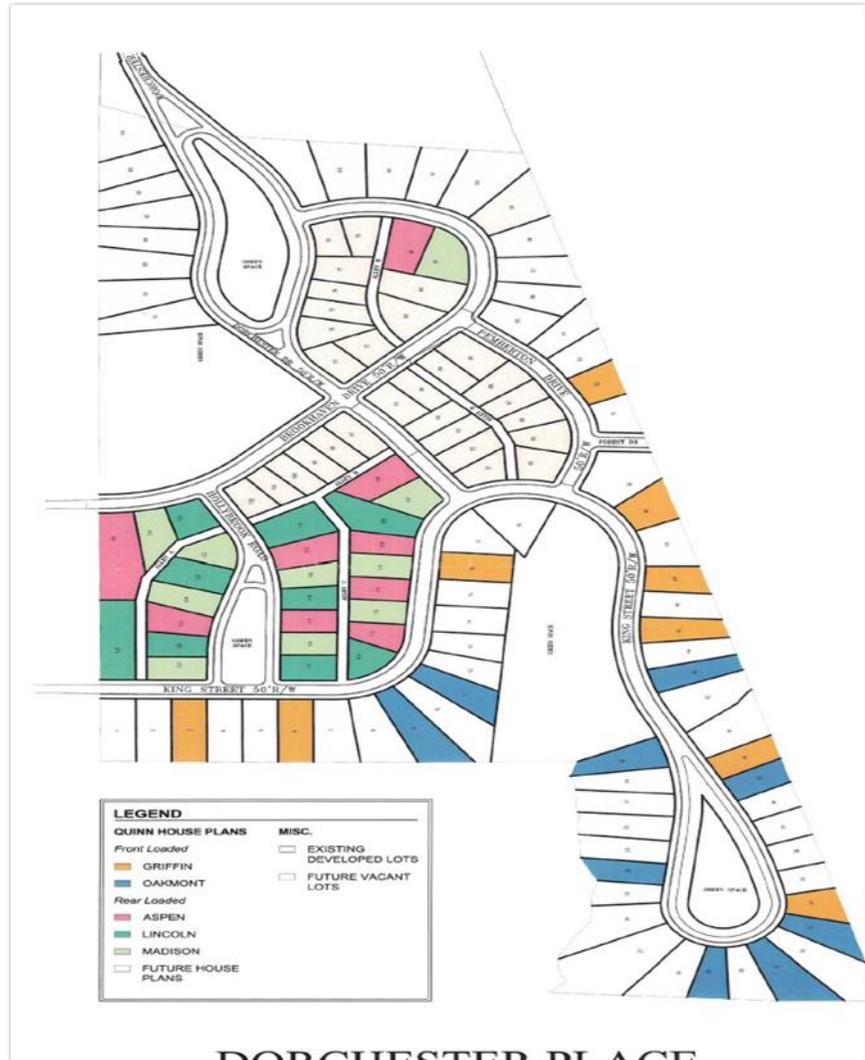
Staff continued to present first house design being the Aspen. Staff referenced design code in place and items required to follow were mentioned with each design, proposing to have minimum one ft. exposure between grade & finished floor elevation, thirty-year architectural shingles, decorative or triple/double trusses removed, stone water table, two or more approved siding textures, craftsman themed windows and doors w/transom above entryway and squared columns with masonry/stone base. Staff presented color coded lot matrix and stated each color represented each design submitted and reiterated that each color on legend dictated each designs placement. Voting on designs as applied to each lot-on lot matrix. Staff stated if approved and if any changes to proposed designs or lot matrix, applicant would have to resubmit to P&D/HPC for approval of changes.

Staff went over the Exhibit A and read off each lot and its proposed design: See below Exhibit A referenced and read out in hearing:

Dorchester House Plan/Elevation Table			
Lot No.	Address	Parcel	Prop. Plan
109	5235 King Street	C011A 109	Aspen
111	5223 King Street	C011A 111	Aspen
113	5209 King Street	C011A 113	Aspen
105	4178 Brookhaven Dr	C011A 105	Aspen
106	4208 Dorchester Dr	C011A 106	Aspen
117	5113 Hollybrook Rd	C011A 117	Aspen
80	4291 Brookhaven Dr	C011A 080	Aspen

3	5162 King Street	C011A 003	Griffin
6	5180 King Street	C011A 006	Griffin
16	5134 King Street	C011A 000	Griffin
34	5377 King Street	C011A 034	Griffin
40	5341 King Street	C011A 040	Griffin
45	5303 King Street	C011A 045	Griffin
47	5289 King Street	C011A 047	Griffin
49	5277 King Street	C011A 049	Griffin
52	4127 Pemberton Dr	C011A 052	Griffin
108	5243 King Street	C011A 108	Lincoln
114	5197 King Street	C011A 114	Lincoln
103	4190 Brookhaven Dr	C011A 103	Lincoln Corner
115	5125 Hollybrook Rd	C011A 115	Lincoln Corner
110	5229 King Street	C011A 110	Madison
112	5217 King Street	C011A 112	Madison
81	4285 Brookhaven Dr	C011A 081	Madison
104	4184 Brookhaven Dr	C011A 104	Madison
107	4216 Dorchester Dr	C011A 107	Madison
116	5119 Hollybrook Rd	C011A 116	Madison
9	5196 King Street	C011A 009	Oakmont
11	5204 King Street	C011A 011	Oakmont
19	5342 King Street	C011A 019	Oakmont
24	5378 King Street	C011A 024	Oakmont
29	5397 King Street	C011A 029	Oakmont
31	5389 King Street	C011A 031	Oakmont
33	5381 King Street	C011A 033	Oakmont
39	5349 King Street	C011A 039	Oakmont
43	5313 King Street	C011A 043	Oakmont

Referenced Lot Matrix:



STAFF RECOMMENDATION:

The neighborhood has seen changes during its different “phasing” and that can provide options for different family sizes and tastes. Those option have worked well, providing various scales and massing as well as designs supporting a community feel. Going forward, staff wants to keep variety in design and a reasonably consistent feel in terms of massing.

Staff feels that when plans are reused, staff recommends having different materials and textures. Homes should be located within 5 feet of minimum front setback line, using side entry or rear entry garages or a shared driveway option, such as those within Orchard Place off Hwy 278. The Design Code, presented by St. Bourke on June 23, 2017 should be required for future construction.

Conditions

- A. Follow the Design code as presented by St. Bourke on June 23, 2017 and attached herein shall be followed.
- B. The lot matrix submitted and listed below as Exhibit A, for these initial five plans, shall be followed. Should any issues arise with placement of a certain plan for the dedicated lot to where a change of plan or placement is

required, the applicant would be required to resubmit those proposed changes to HPC as a COA application.

EXHIBIT "A":

Dorchester House Plan/Elevation Table			
Lot No.	Address	Parcel	Prop. Plan
109	5235 King Street	C011A 109	Aspen
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80	4291 Brookhaven Dr	C011A 080	Aspen
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- C. Reuse of a design shall include differing architectural elements, textures and features;
- D. No plan shall sit adjacent to a house of the same plan;
- E. Non-alley-fed lots with frontage and width at the rear plane of the home 25' beyond the width of the home shall incorporate side or rear entry garages;
- F. Side and rear entry garage lots have the home pulled up to within 5' of the front setback line;
- G. The first floor finished grade shall be raised, utilizing architectural treatments, topography or a combination thereof to give the appearance of a crawlspace and raise the front porch.

Staff stated applicants have separate presentation to go over each design at length with lot matrix comparison. Staff notated that the allowed time for both applicant presentation and public comment was 10 min time limit for each. However, staff asked board to take into consideration a motion and vote to extend that allotted time for each side on presentation and give the length of case and allow public time for comments as well.

APPLICANT PRESENTATION:

Applicant, Ben Simpson president, stating he was president of St. Bourke, a consultancy development and asset management predominantly to parent company being Drapac. (Due to room complaints of not being able to hear, Staff interrupted in order to bring an additional mic to applicant). Simpson continued that St. Bourke prepared design code in 2017.

James Howley, principal of Quinn, presented stating they develop in other areas of Covington and high- end areas around country. They are not there to present a cookie cutter plan. Steven Jones, Land use Attorney representing Quinn/Dorchester and stated with respect to application, Ben will do a 10-minute overview and after communication with city attorney, I'd ask that given you presented with five house plans across a variety of lots with the lot matrix and he stated that he and the city attorney had a discussion that each of these lot will be voted on as separate applications. Instead of 70 lots x 10 they wanted started out with an overview and go through a high level of each plan and lot matrix and then go through each lot by lot with rebuttal and vote for each lot and plan associated. If that was agreeable with board.

Chair then asked for a motion set forth and requested by Attorney Jones. John Maxwell motioned for approval of Jones' request. Heather King seconded. Unanimously carried.

Simpson continued presenting history and plans. Stating trying to minimize same

plans on street. Every house will essentially be different. Will take consideration of board decisions. Simpson went over architectural items as presented by staff and presented additional slides on presentation.

At this time a lady by the name of Ashley, in the crowd, stood up and stated she was assisting with representing some of the residences at Dorchester and asked when they could speak, instead of waiting on each item. Staff stated in general public comments. Lady said not reference general public comments, but that it was her understanding is that the validity of these hearings had some essential flings submitted that indicate that if and if Council did not vote in full to the modification litigation is likely. Has commission had the opportunity to consult with counsel regarding, if not, I think they should have that opportunity to do so and suggest tabling in order for that to happen.

P&D Planner directed comment to P&D Director Moore. Some conversation regarding litigation questions and hearing was had, but due to back noise and loud comments from crowd. It was hard understanding everyone's comments. There was no call to order in the board room at that time.

Several general public attendees continued to stand a talk without being addressed from Chair, without an open floor invite.

Staff did get some order and Simpson continued with Aspen design presentation. Once completed. Chair asked for any rebuttal comments for Aspen. P&D Planner at that point stood up and stated to please keep each comment pertaining to the presented plan, in order to get through each design and lot matrix efficiently and effectively, there would need to be order and comments held for each design and location at time presented. Chair confirmed to proceed accordingly.

PUBLIC COMMENTS:

Leigh Knight, 4212 Brookhaven Dr., Dorchester resident, proceeded to stand and stated she had a question. Chair asked her to come forward. She asked if they would be able to oppose on the plans after each vote and was the vote going to be after each design. Staff explained voting is for individually lots and vote be after each process for each design and lot breakdown and can comment on that breakdown and is not voting on the design alone. Staff reiterated the board is voting on not just plans this time, but the proposed design on each lot as listed on matrix. Comments can be made after each design explained on each lot. Knight asked so the vote is going to be for each house on each lot. Staff responded yes. Knight said this is different than how you have done it before. Staff replied this is different submittal and this was how directive was given for presentation. Staff asked if representative came for community. Knight said they do and she had presented but was wrong on how they would present, now they would comment the same each plan and would have Ashley continue comments. Staff ask for name and address of commentor, lady stated Ashley Short and that she was a state government attorney herself and wanted the community to have opportunity to talk to an attorney before any possible litigation, as she would advise her own clients.

Ms. Short proceeded to begin making comments on the Aspen, without any direction from chair of public comment. States Aspen appeared to be repeated up to sixteen times in just one cluster and it was the understanding was that there would be an

agreement for nine different plans, five presented here. Would be beneficial if proposal for all designs for all Dorchester for a better understanding moving forward. The proposed is too much for same design. She stated the term adjacent by applicant was defined, by her, as beside each other.

After Short finished speaking, Chair interjected if anybody else would like to speak to step up and would allow applicant to respond after.

Presented Gina Oeland, 2181 Church St., commented she lived on Church St. with a general opposition of the designs. She discussed some historic homes and stated the presented were a hodge podge of designs.

Presented Michael Lassiter, 5118 Brooks CV, he went over some history of the Ginn property and then asked the board does rental homes in an established subdivision make sense. He didn't understand how P&Z was not in line to see this after HPC did. He wanted to encourage use good sense. Don't turn this number of lots into rental homes.

Presented Cathy Lassiter, 4141 Dorchester Dr., stated she was original resident and can't we do better than presented. To think nine of those in small area, we don't need that. There were supposed to be nine repeats for each plan. The presented did not follow intention of code. Wanted Dorchester to build out, but current is looking to make a buck not what is best for Covington.

Knight stood again to state there was nothing different about these plans. She loved the community and her parents are in this community and the submitted plan matrix with just five plans are just not right. Rivermoore wanted to first build twelve, staff once said six. Staff needed to go back to that. I retired and I wanted better here.

Chair asked if anyone else. Callie Whitworth presented and stated she lived in an historic house that she has dumped money in, but pointed out dormer and an item on the designs stating wasn't historic, commented on windows. Stated the criteria that the board has held her and others to should be the same. Stated her sister had to spend a lot of money as well.

Linda Bruce presented stated Covington was her home and Dorchester was her home. Stated were the plans something you wanted to look at every day, because she would have if built.

Terri Digby, 3144 Academy Springs Circ., presented and stated nine Dorchester lots backed up to her lot. With regards to Aspen, do not change in plan would make it not noticeable on every other lot.

Chair gave direction for applicant to rebut. Steven Jones, attorney, presented and stated a thing to not is that this board in 2021 approved a set of plans substantially similar to these plans, but these plans have revisions that improve upon staff comments form 2021. The revised plans currently reflect staff comments. He stated remember that In December 2022 Q Dorchester came back with exact plans from 2021 and were denied even though previously approved in 2021. We are not back with approved upon plans with more historic features that were approved in 2021. Now the argument is inconsistent with previous approvals. In 2021 nine repetitions were approved and Rivermoore created changes of materials, design, corner designs etc., to

accommodate even more comments and design that show historic designs of the past. Steven asked to make a decision consistent with 2021, especially with the current homes even being more improved with continued, six months and various meetings with staff to get those refinements for historic versions.

HPC BOARD MEMBERS QUESTIONS & COMMENTS:

Chair interrupted continued comments in crowd to state that at that point he needed to allow staff to make their comments and questions (staff meaning board). He then asked "staff" if they had any comments or questions.

Goodman commented that even though recommendations and approvals were done in 2021, they were done in recommendations as to how they could be improved. Now they are improved but not to extent needed. We are looking for something better.

Maxwell asked applicant that this case has clearly been a multi-year project and had they (applicants) ever sat down with community to go over what they wanted. Did you ever give consideration to utilizing plans from 2008. Maxwell stated I wasn't on this board in 2021. Maxwell asked wasn't there just six plans. Chair replied there were nine originally, but those were to be voted on for 86 or 87 divided by nine not sixteen divided by nine.

Conklin asked how often is the Aspen actually being used. When looking at the lot I was expecting to nine Aspens spread out.

Crawford asked in the beginning was it made clear that these would be rental on the proposal back in 2021. Simpson stated different owner then and at that time buying and different owner now. There were various builders that have looked at these lots and lost interest after coming forward to this board. I think now you have a really good building, here for the long haul and hoping board will not allow to go back to square one. We have been through a lengthy process with previous board approval 2021 and staff recommending with conditions that we are meeting and do not know what more we need to do to make this work and move forward with approval.

Chair stated he had a comment. He commented that the board could not vote on any issue with rentals. That was not the problem of HPC. The houses are. Chair stated the comments that the board approved these in 2021 and yes, some of these we did approve. I was here than in this seat. Some of them we told you then and before then, use the original plans from the original homes. They like those, build those plans. Simpson, we do have in writing that the board did approve all eight plans that are identical to these, aside from improvements. Chair agreed. Simpson said we have tried really hard to find a builder that can replicate and build those exact designs, but with the down turn. Chair interrupted and said this is where I was going, I don't have a problem with the builder and you can have a builder build this house another this house, but when you build this house and flip flop within two houses or across from each other. That is still adjacent and goes against the community and doesn't check the boxes. Simpson replied he does check the boxes and presented represents your design, yours and the city requirements and the design codes. What we are proposing is not vastly different and are fundamentally to style to the homes and can deliver in some respect, better than some other designs there. I am not here today to impose our requirements; I am here to present a range that meet all of your requirements by a good high-quality builder. We did meet with community on these and took notes from them. I take all points and if we could get a builder to build 86 completely all different designs we

would, but you are not going to find a developer that will come in and build 86 different designs. I am struggling on how we get passed this point and where we can get back to 2021 with approved plans instead of drastic changes that we can't get an agreement for the same plans now.

Jones asked the board to reflect back to the HPC approval in 2021 for the duplication of the same plans and be consistent.

DELIBERATION AND MOTION:

Maxwell commented did the board have leg to stand on with we don't like this anymore, does HPC have the right to allow the number of plans built. Maxwell commented he wished Frank Turner was present to answer. Chair stated they were presenting nine duplicated for all 86 and now the term adjacent is now in question. If ally way adjacent? I say yes. That is the decision we have to make

King commented I am not happy how the plans are proposed to be disbursed. I think I may have been or we were naive on how the placements of the nine were to be, but we did approve nine plans. Chair said we either now have to make a motion to accept, deny or what have you. Do I have a motion?

Maxwell asked for clarification if voting on each individual lot, because we can vote for each individual lots and if we don't like disbursement of a certain design, we can approve some lots and not others. Chair that is correct. Additional crowd comments regarding litigation were made and Goodman asked where did the city attorney stand on this. Board had back and forth discussion with crowd on counsel being present for questions. Chair commented was there a motion regarding.

Final motion presented with Heather King motioning to table until next hearing in order to have city counsel present. Janet Goodman seconded. Motion carried unanimously.

Board /Staff Discussion;

Crawford asked staff were they voting on the phases of the development. Staff explained the development was already laid out and phases were examples of homes now existing and that the board would be voting each of the five designs, per each individual lot as notated on lot matrix. Voting on the design for each lot. Board can make a motion to each lot and if they would like a different design for that lot or a particular design proposed for a lot changed to another lot on the matrix, board can do so.

Goodman asked how many houses total. Staff referred to applicant to answer the exact number for total development.

6. ADJOURNMENT

Janet Goodman motioned to adjourn. Jim Maxwell seconded. Motion carried unanimously.

Respectfully submitted by,

Ray Lustenburger, Chair

Ralph Moore, P&D Director

6.7.23
Date

6.7.23
Date