RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting (2)
February 3, 2014

These minutes reflect only case 004-14-CA, which due to the receipt of a Notice of Intent to Appeal were transcribed.

CALL TO ORDER

Elizabeth Caliendo called the Certificate of Appropriateness (COA) Committee meeting to order at 4:01 p.m.

ROLL CALL

Tania Tully, Preservation Planner, called the roll as follows:
Present: Will Alphin (recused for COA 004-14-CA), Elizabeth Caliendo, Sarah David
Alternate Present: Kiernan McGorty (present for COA 004-14-CA)
Excused Absence: Miranda Downer, Scott Shackleton
Staff Present: Tania Tully, Martha Lauer

Approval of the January 6, 2014 Minutes

Ms. David moved to waive the reading of the minutes for the hearing and adopt the minutes as submitted. Mr. Alphin seconded the motion; passed 3/0.

Minor Works

There were no questions regarding the Minor Work report.

The following is a list indicating persons in attendance and whether they were affirmed. Ms. Martha Lauer and Ms. Tania Tully, Notary Publics, administered the affirmations.

Visitor's/Applicant's Name and Address	Affirmed
Brad Thorne, 9217 Shallcross Way 27617	Yes
Joel New, 702 Lake Boone Trail 27607	No
Julie New, 702 Lake Boone Trail 27607	No
Mary Lovelock, 314 Polk Street 27604	Yes
Barbara Church, 820 Runnymede Road 27607	No
Jimbo McIver, 820 Runnymede Road 27607	Yes
Gail Wiesner, 515 Euclid Street 27604	Yes
Dr. Davis Wiesner, 515 Euclid Street 27604	Yes
Huston Paschal, 821 Runnymede Road 27607	Yes
Manny Aretakis, 309 Transylvania Avenue 27609	Yes
Terry Thayer, 8521 Waterchase Ct 27613	Yes
Todd Barlow, 606 N Boundary Street 27604	Yes
Tyson Warren, 2717 Anderson Street 27608	Yes
Heather Scott, 218 N East Street 27601	No

Darcia Black, 225 Elm Street 27601	Yes
Louis Cherry, 421 N Bloodworth Street 27604	Yes
Marsha Gordon, 421 N Bloodworth Street 27604	Yes
Teresa Becom, 308 N East Street 27601	No
Don Becom, 308 N East Street 27601	No
Jackie Twisdale, 318 Oakwood Avenue 27601	No
Joy Weeber, 530 N East Street 27604	Yes
David Nightingale, 407 E Jones Street 27601	No
Peggy Federson, 401 Elm Street 27604	Yes
Peter Rumsey, 515 N Bloodworth Street 27604	Yes

PUBLIC HEARINGS

Ms. Caliendo introduced the public hearing portion of the meeting. These minutes reflect only case 004-14-CA, which due to the receipt of a Notice of Intent to Appeal were transcribed.

Mr. Alphin recused himself from case 004-14-CA and left the room. Ms. McGorty joined the meeting as alternate on case 004-14-CA.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

004-14-CA 516 EUCLID STREET
Applicant: LOUIS CHERRY AND MARSHA GORDON
Received: 1/14/2014 Meeting Date(s):
Submission date + 90 days: 4/14/2014 1) 2/3/2014 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Change to previously approved COA 135-13-CA: increase in amount of exposed foundation; add steps to front walkway [partial after-the-fact]; master landscape plan including: plant trees, shrubs and other plants; install lighting; install gravel and mulch; install concrete outdoor fireplace; construct rear wood deck; install rear concrete patio; install planting beds
Amendments: Additional information was provided by the applicant January 27 & 29, 2014 and is attached to these comments.
Conflict of Interest: None noted.
Staff Notes:

- After-the-fact applications are reviewed as though the work has not been completed.
- COA files for COA 135-13-CA and 004-14-MW are available for review.
- The height of the house is not under review. Per an enforcement request, staff evaluated the approved height and permit drawings and determined that the height as being constructed is what was approved.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
2.3	Site Features and Plantings	master landscape plan including: plant trees, shrubs and other plants; install lighting; install gravel and mulch; install concrete outdoor fireplace; construct rear wood deck; install rear concrete patio; install planting beds
2.5	Walkways, Driveways, and Offstreet Parking	add steps to front walkway
2.7	Lighting	install lighting
4.3	New Construction	increase in amount of exposed foundation; add steps to front walkway

STAFF COMMENTS

Based on the information contained in the amended application, in staff's judgment:

A. Increase in amount of exposed foundation; addition of steps to front walkway is not incongruous in concept according to *Guidelines* sections 2.5.5, 4.3.6, 4.3.7.

1* The entry from Euclid Street will include concrete landings and steps up to the front porch; the original approval did not include steps and went straight from the road to the porch.

2* Due to the topography of the neighborhood it is common to have steps along front walkways. The steps are offset; front walkways and steps in the historic district typically lead directly to the front entry.

3* The original approval had approximately 12" of exposed foundation at the front of the house; the proposal is for an additional 20" of foundation exposure.

4* The application states that site conditions and topography created the need for additional exposed foundation. The amended application includes drawings of the original and proposed foundation conditions. A cluster of dense shrubs is proposed along the foundation. (see comment B. for landscaping details evaluation)

5* The amended application includes a list of properties in the vicinity of 516 Euclid Street with tall foundations.

B. Master landscape plan including: planting of trees, shrubs and other plants; installation of lighting; installation of gravel and mulch; installation of concrete outdoor fireplace; construction of rear wood deck; installation of rear concrete patio; installation of planting beds is not incongruous in concept according to *Guidelines* sections 2.3.2, 2.3.4, 2.3.8, 2.3.9, 2.3.11, 2.7.5, 2.7.6, 2.7.7, 4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.1.8.

1* The application states medium sized trees are proposed along Euclid Street; species and heights were included in the application.

2* The ground plane along Euclid Street, which has no sidewalks, is proposed to be covered with ground cover and low perennials, including hostas, hellebore, and ferns. Mulch is proposed to fill in between the trees and perennials; species and heights were included in the emended application.

3* The amended application includes a list of properties in the vicinity of 516 Euclid Street with fully landscaped yards.

4* The application proposes the extensive use of mulch due to two large mature Sugar Maple trees and bamboo roots on the adjacent property.

5* Three raised beds for vegetable and flower gardens are proposed; raised beds will be made of a decay-resistant, non-toxic wood, such as cedar.

6* The application proposes the installation of gravel in most of the rear yard due to drainage issues and the preponderance of bamboo roots.

7* Chapel Hill grit crushed aggregate was approved at 608 Oakwood Avenue (COA 125-13-CA); samples were not included in the application.

8* The proposed concrete fireplace with chimney is approximately 6 feet wide and 8 feet tall. The sides of the fireplace will be about 4 feet deep and will sit on an 11' x 14' rear proposed

concrete patio; amended application includes elevation and plan drawings; this type of modern brick fireplace is a removable feature.

9* Rear concrete patios are commonly approved in the historic district.

10* Brick fireplaces with chimneys of similar size were recently approved by the committee at 225 Elm Street (COA 018-13-CA) and 608 Oakwood Avenue (COA 125-13-CA).

11* A 10' x 20' rear ipe deck that sits approximately 18" above grade is proposed; wood rear decks are commonly approved in the historic district.

12* The existing lot is 5,227 SF; approved lot coverage including garage, driveway and porches is about 44%, proposed additional lot coverage (deck, concrete patio & gravel) is about 975 SF for total lot coverage of approximately 62%.

13* Low voltage landscape lighting; locations are noted on the proposed site plan: specifications and details not included in application.

Staff suggests that the committee approve the amended application, with the following conditions:

1. That specifications for the light fixtures be provided to and approved by staff prior to installation.
2. That the front steps not be offset.

PUBLIC TESTIMONY

Support:
Louis Cherry [affirmed] and Marsha Gordon [affirmed], 421 N. Bloodworth Street, were present to speak in support of the application. They walked through a PowerPoint presentation as transcribed below.

MR. CHERRY: I thought I would just walk through the application. We're here today to present our master landscape plan and address the difference in our representation over exposed foundation. First item is that we propose burying the power lines to our property. We will connect to a power pole across Euclid Street, and it will, in accordance with Guideline 2.1.10... states to "keep the introduction of additional utility poles, transformers, cables, and wires in the public right of way and alleys to a minimum; seek alternative, less intrusive locations, when possible, so that the historic character of the district is not compromised by a proliferation of overhead lines, poles, and transformers; consider introducing new utility lines underground to reduce their impact on the street character"... and we intend to do that.

Our proposed landscape plan was designed to be compatible with Guideline 2.1.1, which states, "Preserve and maintain the topography, patterns, features, materials, and dimensions of streets, sidewalks, alleys, and street plantings that contribute to the overall historic character of the historic districts."

I walked through the landscape side by side for the house, and to orient you to the site plan, Euclid Street, we see on the top, that is north as this site plan is oriented. We can go to the next slide.

This representation shows that north side. Our approach to the landscape design is to reinforce the street edge with medium-sized trees along Euclid Street that are consistent with the scale and type of trees along an urban street edge. The gingko, which you see on the right-hand side, is the Goldspire variety and has a mature height of around 20 feet. The Dogwoods, which you see on the left-hand side of the image, would be between 15 and 25 feet in height when mature, all forming a human-scale canopy at the street edge.

We are proposing a cluster of dense shrubs along the foundation. The species under consideration are hydrangea, which would be 5- to 7-feet high and approximately 5-feet wide; gardenia, which is an evergreen plant, would be between 4- and 6-feet high and 4- to 5-feet wide; winter daphne, which is also an evergreen, blooming in January, would be 4- to 6-feet high and 4-feet wide; and Edgeworthia chrysantha, which would be approximately 8-feet tall and 8-feet wide and also blooms in January on the northeast corner.

The ground planed [phonetic] along Euclid Street, which has no sidewalks, would be covered with ground cover and low perennials, including postos, hellebore, and ferns, that should thrive on the shady north side of the building. Mulch will fill in between the trees and the perennials.

I would also point out in this image that we are adding steps from the curb up to the front porch, and our original application had just shown a sloped sidewalk in that location. We felt that the steps are a safer and more gracious way to approach that front.

The steps are flanked by dwarf Japanese maples, or a similar small sculptural tree, which are also used in the brick planter anchoring the corner of the porch. Low-voltage lighting will provide a soft ambience at night and give good safety lighting for access and security.

You can also see—on the right-hand side of the image, you're looking along the west side of the property—the gingko will form that corner, and along that west side will be fruit trees and shrubs with mulch on the ground. Next slide, please.

Going back to the site plan, we'll look at the east side, which is the right-hand side of this image. The east side is dominated by two very large, mature sugar maple trees. That is dominated by two sugar maples, one on our property and the other on the adjoining property.

MS. TANIA TULLY [affirmed]: Quick question: Is that what's labeled right now as "Chinese elm"?

MR. CHERRY: Yes. This image is not the same image as in our application, and it's got a couple of things that are in error, including that.

MS. GORDON: And what's in the packet is correct that we turned in, just as a point of reference. It's just in that one little corner, there's a couple different—

MR. CHERRY: [Interposing] Yeah, revisions. Because of the root system of these trees and relatively small setback, combined with our need to maintain access along that side of the property, it's not really a viable planting area. We're proposing mulch along this side of the house to protect those trees, and also to make that an accessible side.

The south side, which is the bottom of the image, is the back yard of the property and provides the opportunity for outdoor living space and gardens. The adjacent property on the south side is filled with very tall bamboo, making it impossible to plant along the border of the property, hence our use of gravel in that part of the property. That will also serve as a pathway.

We will also plant a fern garden on the far side of the neighbor's bamboo, with the hope that these plants will thrive in the shade with the bamboo.

MS. GORDON: If you look at your packet, you can see the fern garden: it's to the right of the concrete patio running along that border. We basically took it to where the bamboo got really, really tall, and then there's I don't think any hope of even ferns surviving at that base, so that's missing from that.

MR. CHERRY: Additionally in the packet, there is an additional flowerbed against the house that is not represented on this image. Next slide, please.

This rendering shows those features. The southeast corner will have three beds for planting, with flower and vegetable beds. Two of the beds are approximately 18 feet long by 4 feet deep and would be edged with a nontoxic weather-resistant wood edging. And then the third bed would be against the house and would be flush with grade.

Due to the topography of our lot, we will require a swale to drain from west to east, and that swale would occur between those two raised beds in that gravel area and drain to the east side of the property and to the curb.

We are showing here a 10' x 20' hardwood deck that's approximately 18 inches above grade, and that will provide egress from the rear of the house, and then from the screened porch, which you can see in the center of the image. The deck will provide a solid area for outdoor furniture and grills and also provide a transition to grade from the two doors opening to the south.

You also see—it's a little faint—along that fence edge, we're proposing a wood fired oven, which is the gray. Next slide.

This sheet shows the details of that, and that would be made of either concrete or concrete masonry units, would be covered in a cement face, and then we're proposing a blue stone roof that would drain the top. It's 4' x 6' in its footprint. It provides just an open fire pit and some wood storage below that.

MS. GORDON: And that is on a concrete pad.

MR. CHERRY: Yeah, there's a concrete pad between the wood deck and then the oven. And we would just point out that there are several precedents for similar wood ovens on 605 N. Bloodworth, 225 Elm Street, and 608 Oakwood Avenue. Next slide, please.

We will be submitting for approval a final lighting plan that would be subject for staff approval, but we are proposing to use some low-voltage landscape lights for lighting pathways. We do intend to design all of the lighting to the Guidelines 2.7.4, "Introduce new site and street lighting that is compatible with the human scale and the historic character of the district. Consider the location, design, material, size, color, finish, scale, and brightness of a proposed fixture in determining its compatibility"; 2.7.5, "In the residential historic districts, introduce low-level lighting to provide for safety and security where needed. Install recessed lights, footlights, lights on posts of human scale, or directional lights in unobtrusive locations," and to this, I would point out that in our submission, we had indicated a sconce light on our front porch. We have since then amended that to be recessed into the ceiling of the porch, so that will be even more unobtrusive and will not be directional.

2.7.6, "Locate low-level or directional site lighting and motion detectors with care to ensure that the light does not invade adjacent properties." We would be proposing one floodlight on the side of the studio building that would not be invasive.

2.7.11, "It is not appropriate to introduce period lighting fixtures from an era that predates the structure in the historic district in an attempt to create a false historical appearance, or that are stylistically inappropriate or anachronistic." We will not be introducing any such fixtures.

Now, next slide, we'll just look at some of the views for your reference of the existing status of the house a week or so ago. This is the view from Euclid Street, facing southwest. You see the amount of exposed foundation here. You also see the slopes on the bottom image from the front to back of the site. Next slide, please.

Looking at the rear on the top facing the northeast, and the bottom facing southwest, you see that the back of the property is higher in its grade than the front, and it very gently slopes from the west to the east. In the center of that would be our swale so that the water on the higher to your right or to the south is even higher, again, than our property. So the water is draining to that back yard.

MS. GORDON: You can also see the bamboo, of course, in that image, and that's on the neighboring property.

MR. CHERRY: Yes. Next slide, please. This is a really good shot of the bamboo. It's some of the biggest bamboo I've seen in Raleigh. It's really, really big. Okay, next slide.

We were asked to address the foundation of the building facing Euclid Street, and the proposed foundation on the north side of our house has approximately 20 inches of additional exposure than the graphics indicated on our COA application for the overall design, which we submitted and was approved in August. Our foundation exposure is 32 inches at its highest point.

Our initial submission did not indicate a dimension; it was a graphic representation. And if you look, on the left-hand side are what we're currently proposing; on the right-hand side are the images taken from our COA application. And you can see, on that bottom image, the slope from the curb up to the plane at the edge of the house. What we found is, as we cleared the site, in fact it's a much more gradual slope from the east to the west. And in fact, if we were to berm it that way, it would be very much out of character with the topography of that vicinity. So what we're doing is we're maintaining the existing topography of the site, and that's the way the house fits into that topography. I think otherwise it's self-explanatory by the images. Next slide, please.

The top image is the project as it's currently designed, and the bottom image is per the COA application. You can see those grades at the house are higher, relative to the garage and to the surrounding grades, so that grade is lower relative to the rest of the house.

MS. TULLY: These drawings are also attached to the staff comments.

MR. CHERRY: Nothing changed in terms of the overall height of anything. Actually, the overall height of the building was reduced by 5 inches.

MS. TULLY: I just want to point out again and make sure that the COA committee understands that you're not talking about the height of the house at all; you're only talking about reviewing the change in the exposed foundation.

MR. CHERRY: Next slide. I want to show a few images of the surrounding area, so that there's a really good understanding, one, of how houses in Oakwood adjust to topography and, two, to establish what's the norm in terms of how these foundations look and how they fit in with the streetscape and the architecture, and also in these images, want to illustrate the use of steps to the curb and the use of landscaping to the curb or to the sidewalk.

MS. TULLY: Quick question from staff: These are photographs of the addresses that you provided?

MS. GORDON: Correct.

MR. CHERRY: Yes.

MS. TULLY: All right, so in with the staff comments, you've got a list of addresses and these are photos to go along with that.

MR. CHERRY: The image on the upper left I think is really the most salient image. You're standing at Boundary Street looking up East Street, and Euclid Street is halfway between Boundary and Polk, and the elevation difference between this intersection at Boundary Street and the elevation at Polk is 40 feet in elevation. It's amazing. That intersection at Polk and East is the highest point in Oakwood, so that whole block is sloping down.

The difference in elevation between 516 Euclid Street and across the street, 515 Euclid Street, is 12 feet. It's actually almost a whole story above in elevation, as if you just look at the overall topography of the region. So as you see on the upper right, you have a foundation wall and as is typical, depending on how the house fits into the slope, it's either a front to back slope, a back to front slope, or a side slope. And in the one on the top, it's a front to back, so it's relatively low on the front and then you have a 64-inch foundation on the rear of the house.

Bottom left, 601 N. Bloodworth, very much up on a hill. You have 72 inches of foundation wall at its highest point. Beside that, 605 N. Bloodworth also has 72 inches of exposed foundation on its highest point. Next slide, please.

Starting at the upper left, 533 East Street has 45 inches of exposed foundation on the low side of the house. And again, I'll point out our total exposed foundation is 32 inches, which is on the low side in averages in Oakwood. 514 East Street has 49 inches of exposed foundation at its highest point. 534, 43 inches of retaining wall, plus another 37 inches of exposed foundation; 609 and 611, on the bottom left, have 54 inches of exposed foundation at the highest point. I'll point out that our rear yard, what established our grade was what grade can you establish or finish floor elevation for the house at the highest point of the site, so we're as low as we can be in our site on the back high side of the site. Next slide, please.

MS. GORDON: Actually, before we move on, let me also point out one of the things we noticed when we were driving around looking at these houses is that some of them cover the exposed foundation with plantings and some of them do not. You can see a perfect example here: Bottom right corner, I think the foundation is almost entirely exposed without plantings, and we are proposing using plantings in front of ours. But that's not necessarily even the norm; it's kind of 50/50.

MR. CHERRY: Next slide? 504 East Street has 43 inches of exposed foundation and then another 22 inches of retaining wall landscaped to the sidewalk. 518 Boundary, the stairs to the sidewalk and 34 inches of exposed foundation. 519 Polk, on the bottom left, house is situated

roughly parallel to 516 Euclid Street, has 54 inches of exposed foundation at its highest point and this is a good example of an exposed foundation, which I think can be very attractive. 516 Boundary has stairs to the sidewalk and 36 inches of exposed foundation. Next slide, please.

I probably don't need to go over these one by one. I would just say that the condition that we're proposing is not only not exceptional, it's very much the norm in Oakwood in terms of the way that it's dealing with the grades and its approach to steps and landscape and foundations. Next slide, please.

I would point out—and this is in reference to staff comments—there was one suggestion that the front steps not be offset. If you look at the way that the steps are arranged from the front porch to Euclid Street, there are two reasons for that offset. The steps, depending on how you interpret it, what happens is that they shift at a landing. Part of that is to make the landing not so close to the drive because you need to come up, obviously, in the center of the front porch. But by shifting it, it makes that landing a little more generous and it also moves the actual steps further down and provides the opportunity in the offsets to put a plant there and to kind of soften that landscape of how those steps ascend to the porch, which we feel is more gracious and more buffered from the street by creating the landing, which allows those steps to shift a little bit. So that would just be something I would ask you to consider as you deliberate.

MS. CALIENDO: Anyone here to speak in favor of the application? Would you come to the front, please?

MR. RUMSEY [affirmed]: I'm Peter Rumsey I reside at 515 N. Bloodworth Street in Oakwood. I'll keep my comments very brief.

We all know that there's an elephant in the room, and the elephant really has to do with what has become a basis for sincere differing opinions within the Oakwood neighborhood and beyond the Oakwood neighborhood, having to do with what is compatible and consistent with guidelines and with the spirit of historic preservation. I, for one, have appeared before here earlier, in support of the basic design. I appeared today to say that I believe that the landscaping plan, including the offset steps, are proposals that are consistent with both the character of the house, but if we were to imagine that the drawing of the structure were a drawing that would be more acceptable to many of my Oakwood neighbors, there would be agreement with the landscape plan that's been presented here is compatible with those other views of what would be consistent within Oakwood. Consequently, I believe that this is consistent both with the general character of the neighborhood as well as enhancing, indeed, the character of the structure that has been approved and proposed... that has been approved here.

MS. CALIENDO: Thank you. Is there anyone else here to speak in support of the application?

Opposition:
MS. WEEBER [affirmed]: My name is Joy Weeber and I live at 530 N. East Street, with the back of my house being our main entrance. I find it curious in all of this discussion about exposed foundations that we have not discussed what the material of those foundations are. As I have roamed the neighborhood, I have seen that many of these houses started out on pillars that were brick, and then these foundations are finished off with brick to create a unified look of brick foundation, or porches have coverings so that you don't see the underpinning of the porch, and whatever the foundation is is not seen.

What I see across the street from my house is slab concrete, period. Has no precedent in the neighborhood that I know of, and I find it interesting that the finishing touches of the foundation have not been discussed. We're talking height; that's not the only factor. Are we going to have exposed concrete slabs sticking up, or are we going to have something that's compatible and congruous with the foundations of the neighborhood, since there's so little about this house that is congruous with the neighborhood? I take exception to not discussing what the foundation is going to look like. It makes me suspicious.

I also wonder why, in none of the photographs of design that we've been shown, do we see the metal stairs. There's a reason why things don't show up in pictures and I find it disturbing that when I look at the picture across the street posted, there is no picture that says there's going to be metal stairs that are going to come down the side of the house. That's not on the public picture, so I wonder what is the covering of this foundation going to be: just exposed cement slab?

As somebody whose property values are being distinctly affected by this design, I believe we need an answer to that.

MS. DAVID: Well, the stairs were in the original application.

MS. WEEBER: Oh, I know that, but I'm talking about all the pictorial representations that were sent out to the neighborhood and that sort of thing. You guys might have seen it, but those of us in the neighborhood did not see exposed metal stairs and poles. So what doesn't show up in these pictures or in the discussion, I think, is important to consider. What's the finish on the foundation? Because what's there is not compatible with the neighborhood, much less the street.

MS. WEEBER: What was the finish proposed on the original application?

MS. TULLY: It was just a concrete, but it was like 12 inches, so it wasn't really discussed. That's something, certainly, that once you get through anybody else that wants to speak—

MS. WEEBER: [Interposing] And I might add that there is a black brick structure being constructed in front of the house. Has that been approved? That's black brick across the front of what is the porch. Has that been approved?

MS. TULLY: Yes, black brick was approved through their materials submission of conditions —

MS. WEEBER: [Interposing] Could that be applied to this ugly cement foundation?

MS. TULLY: You've brought up a very good question; they'll have the opportunity to ask it. Let's see. Who else?

MS. LOVELOCK: I'm Mary Lovelock; I live about a block and half from the house. Apropos of the foundation, which is way higher than I certainly thought it would be—or it looks way higher than I expected—the plantings that are suggested include at least two or three, if not more, deciduous shrubs. It is true that the Edgeworthia blooms in January, but the blooms are about the size of a nickel maybe, and they're almost negligible. You can go by my house on the way home and have a look. It's in the corner right by my front steps.

It's a shrub that has very sparse branches, and my foundation—which is brick, but painted, which is absurd because of course it peels—unfortunately shows through that Edgeworthia about half of the year, and it's not going to camouflage anything. The same is almost as true for hydrangeas and maybe... I'm not so sure about the Winter daphne. I have one, but it does bloom in the winter.

The other shrubs are not specified and if they turn out to be deciduous or even evergreen but sparsely branched, they won't camouflage anything.

The other thing is, I have to say, I don't quite understand the provisions for the driveway, which appear on here to have some kind of—

MS. TULLY: [Interposing] I'm trying to get this image off because this image is not correct. The driveway configuration was approved as part of their conditions submittal of the original approval, so it's not part of today's discussion.

MS. LOVELOCK: I thought at least I could get an explanation. Is that going to be the two huge slabs of concrete that are there now? Is that it? This drawing shows two big slabs of concrete, and that's what's there now.

MS. TULLY: It is concrete and brick is what was approved.

MR. CHERRY: The rendering of the front shows that edging.

[Crosstalk]

MS. LOVELOCK: The rendering does; that's why I was asking.

MS. GORDON: It's got the strip up the middle, but that's—

MR. CHERRY: [Interposing] And then the rendering also on the ….

MS. LOVELOCK: My question is is it going to be brick there, or is it just going to be the two slabs of concrete that I saw this afternoon.

[Crosstalk]

MS. GORDON: If you go to the second image showing you a package of the actual rendering, and then—

[Crosstalk]

MS. GORDON: I'm sorry, onscreen. If you go to the second page of that, of the presentation, that's already been approved, so that's not—

MS. LOVELOCK: [Interposing] So what's there now is just the first layer of the—?

MS. GORDON: [Interposing] There's no concrete down in the driveway.

MS. LOVELOCK: What is it?

[Crosstalk]

MR. CHERRY: It's concrete and brick. Oh, now? It's just gravel.

MS. GORDON: It's just gravel. There's no concrete been poured in the driveway yet.

MS. LOVELOCK: I'm sorry; it looked like concrete.

MS. GAIL WIESNER: A point of order: Could you please differentiate what was approved at the COA hearing with what you approved as a minor work separately from what we—

MS. TULLY: [Interposing] We can talk about that later, not at today's meeting. Today we need to talk about—

MS. WIESNER: [Interposing] Well, you keep saying things were approved that we didn't see—

MS. TULLY: [Interposing] Because we're getting questions. Because there were conditions of approval to be approved at the staff level, so the COA, as is typical with most COAs, was approved with conditions listing what conditions had to be brought to staff for approval—

MS. WIESNER: [Interposing] Yes, but there were ribbons, but no bricks or pavers. That was not in the conditions.

MS. TULLY: It was to be handled at the staff level and I approved them. I'm happy to pull the file and show you what was approved, but now is not the time to do it.

MS. CALIENDO: Would anyone else like to speak?

MS. DARCIA BLACK [affirmed]: I live at 225 Elm Street, and actually my fireplace was used as an example because I think we were the first ones to get one. My question was just about using concrete for the fireplace and the wood oven, wood fired oven—I'm not sure what that is—outside, if that could be congruous with the house? But is it congruous with the neighborhood to use concrete on the fireplace—?

MR. CHERRY: [Interposing] Can I clarify that the proposal's not concrete? It said a cement face. It would be a stucco face.

MS. BLACK: Okay. I guess the same applies. I think the other two that are built in the neighborhood are brick.

MS. TULLY: Yeah, and that's what the staff comments say: all the ones that have been approved thus far have been brick. This is the first one that's been...

MS. CALIENDO: Is there anyone else who would like to speak? State your name and address.

MS. FEDERSON [affirmed]: My name is Peggy Federson and I live at 401 Elm Street.

MS. TULLY: And if everybody could also make sure that you have signed in on the sign-in sheet, and that way we can make sure that your names are spelled right.

MS. FEDERSON: As I was listening to the plans, first of all, the main thing, it looms over everything on the whole block.

MS. CALIENDO: Today we're speaking of the landscape and the specifics of the application.

MS. FEDERSON: Right. If the site had been taken into consideration, sliding from the back of the house to the front of the house, then they would've known that it was going to be high. All the pictures that were shown on their little plaque doesn't show that it's going to be that high.

Now I know that it probably says it's going to be that high, but that's tricky. The whole thing is tricky.

There is going to be dense planting along the high... It's going to, of course, cover that area, but it's not going to at all keep the house from looming over the neighborhood. The unobtrusive inset lights is a minor thing. The whole house is intrusive.

MS. CALIENDO: Do you have any other comments regarding the landscape in the application?

MS. FEDERSON: I think the house is quite nice. I really like the house. I love the landscaping. The landscaping is terrific. I even like the Edgeworthia. It's a class plant. Tony Avent loves it, too. Me too, it's great.

MS. CALIENDO: Okay, thank you.

MS. FEDERSON: But not in Oakwood.

DR. WIESNER [affirmed]: David Wiesner, 515 Euclid. I want to thank you for letting me speak today. I really wanted to speak in opposition to the proposal for the after-the-fact increase to the exposed foundation, and also the change to the front steps. Because there wasn't really enough documentation in this application and I wasn't sure what was approved by staff, I do have questions and possible objections to the installation of lighting, the construction of a wooden deck, placement of a 42-inch wood fence along the rear perimeter, installation of unsymmetrical ribbon driveway enclosed with pavers, and a sliding glass door visible to the front of the house. These items, as well as the installation of the black brick that was mentioned earlier, are items that I could not find on any COA application and there's no evidence of that being approved in any hearing.

Regarding my concerns, the increase to the foundations of the house, I understand in the presentation by the owner there are various houses in Oakwood that have the large foundation showing in the front of the house. Nowhere in that presentation are any of the houses on Euclid Street, or because as mentioned in his presentation, if there's a difference from one side of the street to the other, it would probably be important to look at the other houses on the same side of the street as 516. I'm telling you none of those houses have a foundation showing above 12 inches.

I'm not a geologist or that kind of training, but if other houses have a very little foundation showing, I don't understand why this one would have to have a large foundation showing. I cite different guidelines. I think that visual effect of the foundation is really, at the heart of it, affecting the streetscape. There's other examples, yes, in the district of houses, but if you look at that street and compare that foundation to the other houses on the street, my claim is that I think it destroys the character of the street.

Moving to the front steps, my understanding is that there were front steps approved, but in this diagram and this application, they're offset steps. I've looked throughout the neighborhood. Other neighbors have looked throughout the neighborhood. There are no offset front steps in the Oakwood district. There are many houses—and I could cite the addresses; some of them were in the owner's application—of a series of steps, and then a flat walkway, and then other steps. There's many of those in the district. They're all aligned. They're not offset steps.

I don't know if that would be something you could consider as a fact or evidence, but there are no front steps in the district that are offset like that. There are concrete steps. There's wooden steps in the district, red brick steps, but they're all aligned steps.

Concerning the installation of the lighting—again because there's not specifics given in this application other than sconce and motion detector—have no idea what materials are being used, where they're being placed, the design or characteristics of those light fixtures. 2.7.4 is in question, "Introducing new site and street lighting that's compatible with the human scale and the historic character of the district." I say that respectfully because I believe the rest of the house does not fit the character of the neighborhood, so there's a potential dilemma. Do you add lighting that fits what I would call the modernist house, which would not fit the neighborhood? Might fit the house—and I love modernist houses. Do you put the existing type of lighting that other houses in the district have? I don't know how that would look on that house. So it's a real dilemma.

Concerning the building of the deck, 4.1.5 states to "align decks generally with the height of the building's first-floor level. Visually tie the deck to the building by screening with compatible foundation materials, such as skirtboard, lattice, masonry, etc." Again, I don't have the specifics, but the drawing in the application appears to be shown at the first-floor level, but compatible foundation materials are my question. I'm not sure what's being proposed or if that fit. It's the issue of screening: what type of screening would be used.

Another concern I have—again not knowing what was approved, I guess I'm basing my concerns on what I saw in this application, today's application—next on my list is a fence.

MS. TULLY: The fence was approved as a minor work by staff, and it's available on the City of Raleigh website.

[Crosstalk]

MS. TULLY: You know... I didn't double-check. I sent it to be put up there. They're all supposed to be up there. I haven't looked recently.

DR. WIESNER: My next concern, the driveway. Again, my understanding is the original driveway proposed was a solid concrete driveway—

MS. TULLY: [Interposing] Right, and the condition of approval of the original application was that the driveway not be a solid concrete driveway with the patterns and details to be provided to and approved by staff, and that happened. So it's concrete with a dark brick.

DR. WIESNER: Understanding that it's a staff approved project, the driveway, I still would like to voice concern if, depicted in this application, it's a concrete ribbon driveway of differing widths. In the middle are what looked like brick pavers and it's aligned on the outer edges by brick pavers. Nowhere in the district are there different-width ribbon driveways. There are many ribbon driveways—concrete ribbon, gravel ribbon—there are none that have different widths. I might add—now I've not looked at all, whatever, 700 houses or how many—I've not found any that have pavers in between the ribbons. So I want to bring that to your attention.

The last thing that I wanted to mention—again, I don't know when or how it was approved, or if it's approved—it is on the photograph of the drawing, and I see it every day when I exit my house, a—what I would call—front door. It's sort of the side of the house, though, that has a sliding glass door. Clearly visible from the street, I see it every day. This unusual house does not have a front door—

MS. TULLY: [Interposing] This isn't really the forum for that. If you've got some questions about how things are being built and what was approved, make an appointment with me or call me, and then I can look at items from an enforcement issue and let you know what was approved and what wasn't. We've still got one and maybe another case, if the applicant ever shows. I definitely want to address those issues with you and be able to help you through the process, but that's not for today's discussion.

DR. WIESNER: I appreciate this opportunity. I wanted to bring up these concerns, again because of what I saw in this application, but again for the purposes of this hearing, I believe I'm really trying to present some evidence or some logic or something to these issues of the increased foundation height and the offset steps. Thank you.

MS. CALIENDO: Thank you. Is there anyone else who would like to speak? Please state your name and address.

MS. WIESNER [affirmed]: Hi, Gail Wiesner, 515 Euclid. I think it would be helpful if we could see those items that have been in staff approvals, and also a list of what is normally a minor work that can be approved by the staff, and what has been assigned to the staff. That certainly makes it difficult when things are going on and they're not open to the public. I want to just say that to begin with.

MS. CALIENDO: Would anybody be opposed to taking a five-minute break? [With no objections, a 5-minute break was called]

[BREAK]

MS. CALIENDO: Okay, we're going to get started again. Let me just reiterate; we're focused on this application as it has been presented today. We are not considering the former application, nor are we considering what was approved at the staff level. In the interest of getting out of here before 10 o'clock, let's just keep those things in mind. Ms. Wiesner, you can proceed.

MS. WIESNER: There have been a number of comments about the foundation and the appearance of it. There have also been some about the overall height of the building. This must be the new math because we're increasing the foundation—

MS. CALIENDO: [Interposing] Again, we're not talking about the overall height that has to do with the original application. If you're talking about the height of the foundation, that's fine.

MS. WIESNER: Okay. I definitely—

[Crosstalk]

MS. WIESNER: --and it is relevant. So what the guidelines tell us for new construction is that we must consider the perceived appearance and we should consider the façade and the way it is presented. There have been a lot of discussions about the overall appearance, but indeed, whether it adds up or not is definitely going to change the perceived appearance of the building. We're supposed to avoid the monolithic look in Historic Oakwood. This is definitely contributing to the monolithic look of this building, which is already considerable. And now, we're adding to it.

It says that the topography is going to be addressed in this application and it's in two ways. First of all, and considering that this "must" be changed. This foundation "must" be changed for this reason because of the topography. The topography was there to begin with. They teach you in Architecture 101 to consider your site first, and that should have been done previously. In addition, now there's being a request for a swale in the back, and I'm just going to call it a swale to nowhere.

We have tremendous problems in Oakwood already. Where is this water going to go? Is it just going to sit back there and make a little pond, or is it going to drain off into the adjoining neighbor's yard? Is it going to water the bamboo so that it becomes historically high and is higher than it is now? They won't enjoy that bamboo if they water it. There's really no addressing of where that water is going to go.

In the comments that staff made, there was discussion of the impervious surfaces. Well, we have some increase in impervious surfaces. I don't know where those calculations came from, because it's not specified, but the pavers themselves are considered impervious, as are the gravel deck, etc., so that's going to add even more to the water problems. Again, where in the world is that water going to go?

The patio going all the way to the property line and having a quite large outdoor cooking facility is something that needs to be addressed. I don't believe that anybody from that property to the rear—which I believe is 526 East—is here, but those are concerns that need to be addressed. Smoke that is not filtered is going to be coming out of that, right into somebody's back yard. It's adjacent to what I suppose is a wood fence. We don't have the particulars on that, so there's safety issues having it right there on the property line, having combustible materials right next to it. We don't know anything about the insulation. There aren't any particulars [phonetic]. How is that property going to be protected? What are going to be the fire issues? Even though there's not a setback that we have to meet necessarily, there are safety setbacks, if you will. So again, water going off, safety issues... What is the extent of the topography changes? Those are things that are not addressed in this application and need to be.

I'm not going to go back over everything. I think we do need to maybe look at some things being brought to the meeting so that we can get a better idea of what's going on with these issues, so I'm just going to request that. But we can definitely talk about it when we get to adjusting for the guidelines. However, I would like to point out that we are under the UDO now. I did pass that on to Tania. There are some applicable points on that regarding the height of the building. It's not addressed here, but I would like for somebody to pass that on to the staff or whatever you need to do to address that, because that UDO needs to be met now.

MS. TULLY: Actually, I can answer that question. I've already dealt with that at the staff level. I'd have to look back through my notes, but the height of the house as measured, because of when the COA was filed, is under the old code.

MS. WIESNER: But we're changing some things now.

MS. TULLY: No, they are not changing the height.

MS. WIESNER: So you are stating, on the record, that that house is 23.7 from grade?

MS. TULLY: I am saying that the house, as it was approved at the COA, is at the same or lower height than was approved for the building permits.

MS. WIESNER: Wait, wait, let's go back. You're saying the COA equals the building permits, but—

MS. TULLY: [Interposing] No, they're—

[Crosstalk]

MS. WIESNER: --the actuality? Somebody has measured the house from the grade to the roof?

MS. TULLY: No.

MS. WIESNER: Okay, that's all I need to know. Thank you.

MS. CALIENDO: Thank you. Is there anyone else who'd like to speak? State your name and address, please.

MR. BECOM [affirmed]: Don Becom, 308 N. East Street for the last 13 years.

I understand there are limitations to what we're discussing tonight, but I'm really concerned about the streetscape. Euclid is a very narrow street with no sidewalks. This home already looms. You don't even have to get onto Euclid; you can be on East Street and see how it looms over the street, just dominates. And how could the topography issue have been addressed properly early on if they all of a sudden have to raise the foundation from 12 inches to 32 inches? That just does not make sense to me and I think that the neighbors and neighborhood are paying for it at this point. So I just wanted those concerns to be addressed. That's it.

MS. CALIENDO: Thank you. Does anybody else want to speak? Okay, if the applicant would come back up. Would you like to respond to any of the comments?

MR. CHERRY: Yeah, a couple of things I think it would be good just to clarify. In terms of the topography, one, we didn't change the existing topography; we just simply established a floor level based on the lowest that it could be, given the change across the site. We didn't alter it.

The second point is that we didn't specify an amount of exposed foundation in our COA. We showed the slope, but we showed the slope happening sooner, rather than steeper up to that foundation. So the overall difference isn't really different. You could berm it and make it look like that. You could do that, but I don't think it would look very good, and it wouldn't fit as well.

MS. GORDON: And it's counter to the guidelines that you don't alter the topography that we sited for here.

MR. CHERRY: I want to just reiterate that. Then there was a question about water and the swale, so I thought it worthwhile to mention that. As I mentioned, the overall slope is from Polk Street down towards Boundary, across the whole back of the site, and really also from west to east, so it's kind of the high corner and a low corner. Obviously, it's got to go somewhere, and where it wants to go and will go is from west to east, so there's not a ditch. It's a very subtle lowest area that would be through the center of the back yard, and then it would come around the east side of our house and run to the curb. Because once you get around the house, it would go down to the curb and then to the storm system, so I can't imagine there would be a problem with that.

MS. GORDON: When plantings were being discussed, I think I heard you say that you didn't know about daphne odora. It is evergreen, so that will stay green throughout the year. It does not lose its—

MS. GORDON: Well if it does, for the record, it does lose its leaves. I can't do anything about that. But the gardenias are also evergreen as well, and yes, the hydrangeas will die back. They keep the blooms if you leave them there, until you cut them back to grow back the next year. But as we showed in our slide presentation, most foundations are not 100% covered, by any stretch of the imagination, for those hollow foundations.

MS. DAVID: And what is the foundation material, or the finish of the foundation?

MR. CHERRY: It's a textured concrete. It looks like stucco. It looks exactly like stucco.

MS. GORDON: And stucco is a material that's used in Oakwood. You can see that, certainly, on the photographs of the existing house that are included in your package.

MS. MCGORTY: I did go out to see the house, as we're supposed to do as commissioners. I just want to clarify there's no other houses on that side of the street that face Euclid, correct?

MS. GORDON: Yeah, there's three down—

MS. MCGORTY: [Interposing] No, I'm sorry. On the side of the street that you're building on, there's a house that faces East Street, and then this house...

MS. WIESNER: You probably didn't see it because of all the construction vehicles, but there are some others on that side of the street.

[Crosstalk]

MS. GORDON: Uh-huh, on our side of the street. The reason we showed the comparable house on Polk, the 519 Polk, that is literally at the same point on the street as our house, and that's the one that, I think, has 52 inches ... or 42 or something of exposed foundation. But in fact, there are a couple of other houses that are oriented just like ours.

MS. MCGORTY: Now I remember. They're a little further down. So you didn't measure the foundation of the houses on the side of Euclid that you're on that face Euclid?

MR. CHERRY: No. I would point out that there is a lot of slope along Euclid, from Elm down to East, so that's part of what's going on with our site. It's sloping down from Polk down to Boundary, but also there's a cross slope there and as you go to the house on the corner, Deborah Smith's house, it's even more extreme. As you go past our house going up Euclid, it evens out a

lot and, in fact, there is exposed foundation on the house to the left of ours. Actually, I think it's about the same amount if you measure it.

MS. GORDON: It's close, at least.

MR. CHERRY: There are a number of risers up to that porch. But then it flattens out as you get past that, along Euclid Street.

MS. GORDON: But it's the reason we looked to Polk—it's literally parallel to our house—because that's a more accurate reflection of the topography of that cross section of the street.

MS. MCGORTY: And we were saying that there's other stucco houses in Oakwood. Were we saying there's other stucco foundations, or stucco as the main material of the house? I'm looking to staff here, too. Are there other foundations that are made of stucco? I certainly know brick.

MS. TULLY: Not historically. We occasionally found it, from my recollection. You've got stucco houses. I think in the description we saw that, traditionally, you would have had houses built on brick piers, and then they either got filled in with ladders [phonetic] or later got filled in with brick. There are certainly cases where the brick got parged, which is a type of stucco—a concrete covering over brick. So it does happen. It's not something that would've been done historically, usually, but there are examples. Most common is brick.

I don't remember; I think a lot of the examples that they showed were of brick, but you do see parged—

MS. GORDON: [Interposing] And this is, of course, new construction.

MS. CALIENDO: It's masonry, like CMU, not like poured —?

MR. CHERRY: [Interposing] No, it's precast concrete.

MS. CALIENDO: Okay.

MS. GORDON: So it reads as a textured, but a solid surface as opposed to [inaudible].

MS. MCGORTY: The offset of the steps, we heard other testimony that there's no examples. Do you have examples of the offset happening?

MR. CHERRY: No, and we're not proposing that that's a norm or suggesting that that's approved by a precedent; we're just proposing that it's a good solution and it's new construction. It's not trying to solve, in some cases, exactly the same way, but no, we're not suggesting that.

MS. GORDON: And it really is a response to that increased perception of how to get from the street to the house and make it not look so massive. That was an aesthetic way that we thought that was more appropriate.

MS. MCGORTY: Because the alternative is to have... it would actually be more steps?

MR. CHERRY: No, it would be the same number of steps.

MS. MCGORTY: I mean wider steps, if you did it in a straight line.

MR. CHERRY: No. Actually, you could just compress it and make it straight, no problem. I think it would just seem more like a chute and not as gracious.

MS. GORDON: And that's why we interspersed the plantings too, is that we thought it would just make it look softer as an approach to the house.

We showed a couple of images—Bloodworth Street, I can't remember the addresses off the top of my head—but they try to do landscaping in order to soften that. It's steps flat, steps, flat... so it's just another version of that; it's just not offset.

MS. MCGORTY: Well, staff recommended that that actually be made straight. No change to that, based on what has happened today?

MS. TULLY: No, the only thing that I would add to staff comments at this point under the "Suggested Conditions" is that—because it sounds like they're thinking about more light fixtures different than what I remember from the application, had pictures and locations—the only thing I would add to my staff comments at this point would be under the first condition, that in addition to light fixtures, be locations also.

I can answer the question about Fact B. 12 and the lot coverage percentage. I got that out of the last approval is where the 44% came from, so the fact from the last case where we approved the house, and then I measured off of the drawings they provided to get the 975 square feet—just did the math. The guidelines don't talk about pervious surface, whether it's pervious or not, but they talk about to not substantially increase the amount of built space to open space, both in the landscaping section and in the new house construction section. I did calculate the amount of gravel, deck, and the concrete patio in the rear in that 975 square feet, but I took out the planting beds.

MS. MCGORTY: And does 62% fall within...?

MS. TULLY: That's of the whole yard.

MS. MCGORTY: I know the language in the guidelines—

MS. TULLY: [Interposing] "Substantially increase"... that's up to you to decide.

MS. GORDON: I do remember when we were doing research for the original COA—and I can't remember if that was included in the original package—but some of the lots are very small in Oakwood, and in fact, the percentage is very high of [background noise], but I don't have that—

MS. TULLY: [Interposing] Typically not, I would say, 100% of the time, but a lot of times, oftentimes, the lots that have a very high percentage of built space are corner lots and smaller lots. That's where you see it the most. But 62% lot coverage, it's not unheard of in Oakwood based on the COA applications that come through. I didn't pull specific case files.

MR. CHERRY: And just for your reference for that, the lot is 5,000 square feet. It's a very small...

MS. GORDON: 50' x 100'.

MS. TULLY: Just while I'm on it, other things that I heard that came up, questions about deck and screening material: typically decks that are low to the ground like that aren't screened—they're just sitting on the ground—when we talk about deck screening, it's for the ones that are sitting up high, the idea being that they're grounded and not just kind of floating out in space.

MS. DAVID: What's the foundation material for the deck?

MR. CHERRY: The deck is only 18 inches, so it'll basically go to the ground.

MS. TULLY: Yeah, and it was shown in the drawings.

MS. DAVID: Yeah, it was a question that had been brought up; I just wanted to have an answer out loud.

MS. TULLY: The safety as far as the location of the fireplace too, that's a building and fire code issue. I gave one example in the staff comments about fireplaces. There have been three approved in the last year and a half, two years.

I think someone asked a question about the appropriateness of the use of the stucco thing. Thus far, they've only been brick. Staff didn't bring it up basically because it fits the style house.

MS. MCGORTY: But there is black brick on the house, too?

MS. TULLY: Yes, there were two different dark-colored bricks: I think a black brick... Because originally, the application asked for the slate to be on the front walk and on the porch, and you

all didn't approve that, so they came back with the dark-colored brick, which fit the colors of the other materials that you approved, and I think it was a gray brick. Yeah, to answer your question.

I think someone had a question about the lighting, and yes, there are more specifics needed. I mean typically, lighting is something that's approved at the staff level. That's a minor work; they just incorporated it into this application. So having that as a condition of approval was pretty common.

MS. DAVID: What color are you proposing for the foundation? Is there any color you're staining the concrete or anything like that?

MR. CHERRY: No, it's just a tan. It's just a buff color.

MS. DAVID: Answer the question for the fireplace, too, the color.

MR. CHERRY: Just the stucco, light gray.

MS. DAVID: It's like a standard, tan, normal concrete color.

MS. TULLY: He said light gray.

MALE VOICE: Is it possible for us to ask questions at this time?

MS. CALIENDO: Yeah, it's still open.

MALE VOICE: Could we see the picture of the house the way it is existing? Is there one?

MS. TULLY: I've turned off the machine. I've got a copy of the application I could hand you.

MS. MCGORTY: Tania?

MS. TULLY: Yes?

MS. MCGORTY: Is this the first pizza oven to be constructed? I know we talked about outdoor fireplaces.

MS. TULLY: We didn't talk about what they were being used as, whether they're functioning as a pizza oven or as a wood burning fireplace, because they look the same.

MS. MCGORTY: Okay.

MS. TULLY: I don't know what they're using it for.

MS. GORDON:
That's the next layer.

MS. MCGORTY: Yeah, I just want to make sure we're talking about the same... the look of them is the same.

MS. TULLY: Yes. Minor dimensional things, but the primary difference is the three thus far have been brick and this one is stucco/concrete.

MS. CALIENDO: What percentage of the shrubs along that foundation wall do you think would be evergreen?

MS. GORDON: I think the way we're showing it and the way we envision it—let me look at our planting plan right now—is that 60-70% will be evergreen, and about 30-40% will be off the hydrangea, deciduous variety. And then only one Edgeworthia chrysantha, and that's on that corner, so there's only one of those.

MS. CALIENDO: Any more questions?

MS. TULLY: Things I heard that came up, I'm going to mention now—these are potential facts, but you may have questions about them, so I'll go ahead and mention them while the public hearing's still open. The applicant mentioned the height difference or the topographic elevation difference across Euclid Street, between 515 and 516, being at about 12 feet difference, and he suggested that houses tend to fit into a slope based on the photos that he did. He said that he used the rear yard to establish the grade of the first-floor foundation. I think he answered your question about that change.

We talked about the foundations that people brought up, the plantings, fireplace material, offset steps.

MS. MCGORTY: What was the second thing you mentioned? I can tell you the two I've got down.

MS. TULLY: Houses fitting into the slope.

MS. MCGORTY: Okay. There was a hand back here.

DR. WIESNER: Probably just reviewing the facts, but I'm not sure if you would consider adding the fact that there are no offset stairs leading to the entranceway of houses? I'm not sure—

MS. TULLY: [Interposing] They heard you say that, yeah.

MS. MCGORTY: Just because I think this might get discussed after we close the hearing, I'd like to hear your opinions on some of the things that might be considered. Using the black brick as the foundation exterior, do you have feelings about that?

MR. CHERRY: Well, the foundation was approved as what it is. And it would be right now, if you set that brick in front of the wall, then your foundation would be in front of your siding, so it would look...

MS. GORDON: Terrible.

MR. CHERRY: It wouldn't look good. There wouldn't be [background noise].

MS. TULLY: They have to consider this as though it were not built, so I understand what you're saying, but when they review it... You know.

MR. CHERRY: I guess my main point would be that it was approved as it is. We didn't specify an amount of elevation; it was just whatever graphically was shown at that early stage of design, and it ended up being somewhat different. It's not drastically different.

MS. MCGORTY: Okay, another question, do you have any feelings or points you want to make on the fireplace being made out of brick instead of stucco?

MR. CHERRY: Frankly, it's not that big a deal. I wouldn't have a problem doing it out of brick, but I don't think that's a big issue.

MS. MCGORTY: Okay. I just want to give you one last opportunity to say anything else about the offset of the front steps, because I think that'll be a thing we discuss.

MR. CHERRY: To me, the question there—and you may have your own considerations beyond that—but to me, it's what's better? What's a better design? What's going to feel better from the street? What's going to be experientially better?

MS. MCGORTY: Unfortunately, we can't have feelings...

[Laughter]

MR. CHERRY: That was our basis for designing it, and our position in terms of its appropriateness was that it's appropriate with the language of the house, it's new construction, it's not emulating the historic homes in that sense.

MS. CALIENDO: Any more questions?

MS. MCGORTY: I just want to ask staff one more time—which I know I asked already—but having a stucco foundation... this would not be the only house in Oakwood with a stucco foundation?

MS. TULLY: Not that I'm aware of. I can't say height-wise, but no. There are other—

MS. DAVID: [Interposing] I have seen them— I couldn't tell you really how many, but you see it.

MS. TULLY: No, this would not be the only house in Oakwood to have a concrete... Well, they're not putting a stucco; they're putting a concrete—

[Crosstalk]

MS. MCGORTY: Okay.

At Ms. Caliendo's suggestion Ms. David moved that the public testimony portion of the hearing be closed. Ms. McGorty seconded; motion carried 3/0.

Ms. David moved that the public testimony portion of the hearing be re-opened. Ms. McGorty seconded; motion carried 3/0.

MS. CALIENDO: Are there any more comments?

MS. WIESNER: I just wanted to clarify the only reason I was bringing up about the impervious surface was not the historic aspect of it, but the fact that the pavers might not have been included in that, since it's not mentioned in here that they were included in that, and that it would affect where the water goes, and that we still don't know where the water is going to go. There's no plan for that.

Then also, I don't think it was made clear whether or not on the ribbon driveway... We know that they are not the same and so on, but there's also a statement in the guidelines that it does not touch the principal building, and I can't really tell from these drawings whether it's going all the way up to the building or there's some space between the ribbon and the building. Would just somebody clarify that?

MS. TULLY: The location of the driveway was approved in the last hearing, just not the material configuration. The placement of the driveway has not changed from the approval back in September; it's only the material of it.

MS. WIESNER: No, the configuration was changed from a solid concrete to ribbons.

MS. TULLY: To concrete and ribbons... concrete and brick.

MS. WIESNER: And you did the brick? Okay, but the ribbons are different from solid, and ribbons aren't supposed to touch the principal building. I don't even know if they are; I'm just asking if it does. In the description for Oakwood, it says that they don't, that they don't touch, and that they go straight to the back to a garage, to the back of the property.

[Crosstalk]

MS. TULLY: Yes, the driveway does not touch the house. It touches the garage. I'm looking at the garage.

MS. WIESNER: Yeah, it just says it shouldn't touch the principal residence what I was asking about.

MS. MCGORTY: Your first question, though, was about the pavers...?

MS. WIESNER: I just didn't know if Tania had included that in the impervious surface or not, because she said she recalculated it, but it's not on that list.

MS. TULLY: The pavers? In the driveway?

MS. WIESNER: Yeah.

MS. TULLY: That was included, because that was part of the original approval.

MS. LOVELOCK: Kiernan mentioned whether the concrete foundation could be covered with brick, and I understand that it would bring it out too far. This might be maddening to everybody, but is it inconceivable that it could be covered with brick façade, so that, at least, it would blend in with the rest of the brick that's already there?

MS. TULLY: I think that's what the suggestion is, that it would be a brick veneer.

MS. LOVELOCK: Oh, I thought Kiernan—

MS. TULLY: [Interposing] Well, she said brick; I don't think she—

[Crosstalk]

MS. LOVELOCK: Isn't the brick façade pretty skinny?

MS. TULLY: Yeah. They're thin, but everything on the house is flush.

MS. GORDON: It has also been pointed out that there are precedents for stucco.

MS. TULLY: I think that's what she meant, Mary.

MS. LOVELOCK: I didn't understand.

MS. CALIENDO: Anybody else want to comment?

At Ms. Caliendo's suggestion Ms. David moved that the public testimony portion of the hearing be closed. Ms. McGorty seconded; motion carried 3/0.

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:

So I guess the first issue is of the foundation material... [CALIENDO]
[Crosstalk]
Speak up, please. [TULLY]
[Crosstalk]
I was concerned if it was the only one in Oakwood. [MCGORTY]
But even the ones that are like ours, there's brick here, brick fill, and concrete block fill. But it's all painted, which ends up giving the flat effect. And then on top of that, there are parged foundations in the neighborhood. [DAVID]
[Crosstalk]
Painted finish—[CALIENDO]
[Crosstalk]
I'm sorry, would people please stop taking amongst themselves or if you need to talk move it unto the hallway. [TULLY]
So do we need to add some facts here? [MCGORTY]
Fact number 6 would be that there are parged or stucco foundations… [DAVID]
You're under A, A6 [phonetic]? [TULLY]
Mm-hmm. [DAVID]
The offset steps... [CALIENDO]
I have one more thing on foundation. The applicant's contention is that they didn't really specify and they didn't show on their original application the height of the foundation. What's shown is visually more narrow. There is a difference. I just want to make that clear that there's a difference in the height that they're coming for today vs. the height they came for the first time, even though that height was not specified in exact inches. [DAVID]
So Fact 3 says the original approval had approximately 12 inches of exposed foundation at the front of the house. The proposal is for an additional 20. Does that satisfy—? [MCGORTY]
Yes. [DAVID]
[Crosstalk]

Okay, offset steps. Moving on. [CALIENDO]
And I think they demonstrated that that's pretty typical, just the amount of exposed foundation. It's not atypical to have a large expanse of foundation exposed, which is that here, as a fact. Do we include the list of houses? Do we add those to the facts, or is that—? [CALIENDO]
[Interposing] Well, it's included as the amended application. Where it says "the amended application includes a list of properties," you would talk foundations. You can decide if that's a sufficient fact, or you can add something to it. I think that you may want to be sure to address the issue of houses along Euclid Street. [TULLY]
I was going to say, we maybe need to add that houses on that side of Euclid, most of them don't have very high... [DAVID]
Well, I also think that's a factor of... those houses are set back. [CALIENDO]
Right. It's a factor of a number of things, but the house that's closest in topography to it has the tall foundation, it's on the corner. [MCGORTY]
Not on East Street, yes. [DAVID]
So Fact #7 is... 5 could be longer. [MCGORTY]
Yes, 5 could be longer to include that although foundations facing Euclid don't generally have a tall exposure. The foundation at the corner of East and Euclid… [DAVID]
[Interposing] The most nearby structure has—[MCGORTY]
--a tall foundation. Is it taller? [DAVID]
Yeah, a lot taller. It's in the 50s, I think. [MCGORTY]
What I heard, that maybe you heard, was that the heights of the foundations along Euclid decreased as you got towards Elm Street, based on the topography. [TULLY]
Yes. [DAVID]
That may or not be relevant to what you're trying to say. You're going to repeat all these, once you get them figured out? [TULLY]
Yes. [DAVID]
I think I would add, too, that the applicant stated 70% of the shrubs in front of the foundation will be evergreen. [CALIENDO]
She said 60-70%. So add as Fact 7? [MCGORTY]
Yeah. [CALIENDO]
I think it's important to note that not all the tall foundations are hidden by shrubs in Oakwood. [MCGORTY]
In fact, many foundations are not hidden. [DAVID]

Offset steps? [CALIENDO]
You don't see them anywhere in the neighborhood. I get it that it's new construction. But I feel like the streetscape is more close, where you made a nod to the rest of the neighborhood to tie the lot into the neighborhood. [DAVID]
I think the idea that it softens it is actually counter to what the other houses were more like. "Here's your grand entrance," and weren't shooting to soften it. So to be more in keeping with the neighborhood, it needs to be that straight line up. [MCGORTY]

So do we need to add any facts to that? FEMALE VOICE: In Number 2 in that same section, steps are offset, front walkways and steps in the historic district typically lead directly to the front entry. If anything, that's maybe softer. [MCGORTY]
Yeah, because it says "typically." [DAVID]
Yeah, that's almost directly out of the guidelines. [TULLY]
Front walks usually led directly to the front door. [DAVID]
So you want to add that as Number 9? [CALIENDO]
No, I think 2 says it—[DAVID]
[Crosstalk]
--says it more strongly, because Oakwood, we're saying there's no examples of offset steps that we're aware of. [MCGORTY]
None represented. [DAVID]

Brick Oven [CALIENDO]
The fireplace, nobody would ever build a fireplace in their back yard, historically. It's still kind of crazy when these come up. [DAVID]
I don't have a problem with it. It matches the foundation of the house. [CALIENDO]
Yeah, it's not like there's some historical precedent to look to. [DAVID]
So if someone with an older traditional house came along, it had brick stuff, do we care? This could be precedent setting that they could do a stucco fireplace. Do we care? Because these are kind of new things to begin with. [MCGORTY]
That's why I feel like they're nonhistoric. [DAVID]
One of the guidelines in the site and setting standpoint that you can look at is 2.3.9—and I do reference it—where it talks about when you introduce contemporary things, stick them in the back yard or hide them. That has been the case with all three of these fireplaces so far. Either been rear yards or behind fences but that's the guideline that I think you're thinking about with regard to it's a site feature. [TULLY]
Okay, well this meets that criteria of being located unobtrusively. [MCGORTY]
We have seen it unobtrusively, so I think you're right. If we have a stucco one here, we might have stucco ones in your back yard next week. How do we feel about that? I do feel like they're just not part of the historic landscape, but it wouldn’t bother me if it's stucco. [DAVID]

The drainage, the swale... we want to address that? [CALIENDO]
Do we typically deal with water drainage issues? [MCGORTY]
Where the water goes is not part of your discussion. The guidelines where it talks about grading is... and one of them says you shouldn't be altering topography unless it is to address a drainage issue. That's usually to get water away from the historic house is where it tends to come up. [TULLY]

Anything else? [CALIENDO]
The coverage of the lot. Substantial? We need to decide if that's substantial or not. [MCGORTY]
2.3.11. [TULLY]

Okay. That's for the drainage. We moved on to the lot coverage, which I know is in here. [MCGORTY]
Oh, I'm sorry: 2.3.8. [TULLY]
I'd like to add some kind of fact here about this lot coverage relative to the other lot coverage. Does staff have a suggestion on that? [MCGORTY]
I can't add any facts at this point. You just need to think about what was said and whether or not it's—[TULLY]
[Interposing] Well, she said it's not unheard of, but that doesn't seem very factual. [MCGORTY]
It just varies by lot. [DAVID]
Right, but our task is this "significantly" reducing. From sitting on this committee, there are numbers that come up like this. There's high proportions like this, but it seems like, to ground it, it would be good to have. [[MCGORTY]
Well, based on the facts it seems like you do have, you know it was approved at 44%. This is increasing by about 20%, or less than eight percent. [TULLY]
I think less than 20% is not substantial. [CALIENDO]
Yeah, so that's the question. In this case, it's the difference between what was approved vs. what is proposed. [TULLY]
You don't just do the difference between 62 and 44. It's more of an increase than that. [MCGORTY]
Yes. [DAVID]
We're going from less than half the lot covered to closer to two-thirds of it covered. [DAVID]
But we're supposed to only be considering the difference because we're presuming that the other stuff is—[MCGORTY]
[Crosstalk]
Which we have seen more than that come across the table before. Tania, there's no way to...? [MCGORTY]
There's no specific number. It is based on facts presented in the public hearing and, particularly in this case, it's your knowledge as Oakwoodians. Where there's language like that, such as "significantly reducing," know it's going to be on a case by case and/or City Council-appointed selves phonetic opportunity to use your good judgment. [TULLY]
And this, you counted the gravel as covering the lot— [MCGORTY]
[Interposing] Yes. [TULLY]
Because I think that is important to consider that nothing would really grow there. It could be dirt and it wouldn't count against them, but the gravel is. [MCGORTY]
Yeah. [DAVID]
Do we have what amount is gravel? [MCGORTY]
[Crosstalk]
--kind of like this little area [scribbling noises], and then we've got this [scribbling noises]. [DAVID]
But this is already counted in it? [DAVID]
Right. [MCGORTY]
That's a big chunk of change right there. I don't think that this part back here—[DAVID]
[Interposing] She's pointing at the gravel and the back yard around the beds—[MCGORTY]

[Crosstalk]
Well I guess when you talk about the deck, that is a bigger piece. [DAVID]
So the prior application, did it not have anything happening in that back yard? [MCGORTY]
It showed a flagstone patio. [TULLY]
We asked for it to be brought out as a separate application? [DAVID]
So we dealt with this up here, but not with the back yard. Essentially, there is no back yard, like you think about back yards. [MCGORTY]
Tania, can I ask an appeal question? [MCGORTY]
You can ask it, and I will determine whether or not I can answer it. [TULLY]
Are you aware of other houses in Oakwood that their back yards are... basically, there's hardly any grass part on the back yard, it's all deck? [MCGORTY]
I can answer it, but you'd have to open the public hearing. [TULLY]
I think I can speak to my own yard—[DAVID]
[Interposing] I can speak to my next door neighbor's yard—[CALIENDO]
--which is our house butts up to a brick driveway, which butts up to our neighbor's house, and then our side yard is 50% brick. It's a little small patch of grass, that and brick, and brick all the way across the [background noise]. The front yard and what you see down the side is it for us. [DAVID]
And 313 Polk Street has what I would say is at least 70% coverage of brick in the back yard, brick patio. [CALIENDO]
I would like to open it back up to have staff comment on this, just so we have a little more context. [MCGORTY]

Ms. McGorty moved that the public testimony portion of the hearing be re-opened. Ms. David seconded; motion carried 3/0.

PUBLIC TESTIMONY (2)

MS. TULLY: Yes, I don't know the specific examples you're talking about and I wish I could remember the exact address. I'm remembering a case; I want to say either on East or Bloodworth Street around the corner from Betsy Ross' house, there was a proposed pergola that was going to go up. There was a lot of discussion, but it was on an existing concrete and stone patio, and that yard was primarily patio in the rear. That's the one specific example—if you get the exact address—in my head, but there are examples. Part of the guidelines is to, where they exist, keep larger yards...

MS. MCGORTY: Are you aware of any other houses where they're using gravel because things won't grow?

MS. TULLY: No. Not that they've said. I've seen gravel paths. That might be why—not that that was the specific reason. Gravel paths were just approved at 608 Oakwood. It was just approved gravel paths at the White-Holman House in the Capitol Square Historic District.

MS. DAVID: That wasn't a gravel yard.

MS. MCGORTY: Yeah, this is a different kind of—

[Crosstalk]

MS. TULLY: This is different. When you see gravel used, it's a traditional driveway material. I think that what I heard is the applicant is making the case that, because of the existing bamboo that is not on their property, that is their reason for some other alternative to grass. I think what tends to happen is people try to grow grass and it dies, and then they have mud or they just start putting things out.

MS. CALIENDO: Any more questions?

Ms. David moved that the public testimony portion of the hearing be closed. Ms. McGorty seconded; motion carried 3/0.

Committee Discussion (2)

Hearing all that, I'm okay with the yard coverage. The front is staying the same. That was approved prior. [MCGORTY]
More or less. [DAVID]
Is there anything else we need to address? [CALIENDO]
I think Dr. and Ms. Wiesner mentioned a deck, but we approve decks in the back yard and it has all the space needed. [DAVID]

Findings of Fact and Conclusions of Law

Following discussion on an initial motion made by Ms. David and seconded by Ms. McGorty, Ms. David made an amended motion that based upon the facts presented in the application and the public hearing, the committee finds staff comments A. (inclusive of facts 1, 3-4 and modifying facts 2 and 5) and B. (inclusive of facts 1-5, 7-13 and modifying fact 6) to be acceptable as findings of fact, with the following additional facts A. 6- 11 as stated below:

A. Increase in amount of exposed foundation; addition of steps to front walkway is not incongruous in concept according to *Guidelines* sections 2.5.5, 4.3.6, 4.3.7.

1* The entry from Euclid Street will include concrete landings and steps up to the front porch; the original approval did not include steps and went straight from the road to the porch.

2* Due to the topography of the neighborhood it is common to have steps along front walkways. The steps are offset; front walkways and steps in the historic district typically lead directly to the front entry. No examples of offset stairs in Oakwood were presented.

3* The original approval had approximately 12" of exposed foundation at the front of the house; the proposal is for an additional 20" of foundation exposure.

4* The application states that site conditions and topography created the need for additional exposed foundation. The amended application includes drawings of the original and proposed foundation conditions. A cluster of dense shrubs is proposed along the foundation. (see comment B. for landscaping details evaluation)
5* The amended application includes a list of properties in the vicinity of 516 Euclid Street with tall foundations. The foundation exposure decreases on Euclid as one moves toward Elm Street. The house that faces East Street at the corner of Euclid and East has a taller foundation than the proposed foundation.
6* Parged or stuccoed foundations do exist in Oakwood.
7* The applicant stated that 60-70% of the shrubs along the front foundation wall are evergreen.
8* Many foundations are not screened at all in Oakwood.
9* The applicant stated there's about a 12-foot difference, changing in grade from one side of Euclid—the side the house is on—to the other side of the street.
10* The rear yard was used to establish the first-floor height, the lowest that the first floor could be built.
11* In Oakwood, typically houses appear to be built into the topography, rather than the topography being changed around the house.

B. Master landscape plan including: planting of trees, shrubs and other plants; installation of lighting; installation of gravel and mulch; installation of concrete outdoor fireplace; construction of rear wood deck; installation of rear concrete patio; installation of planting beds is not incongruous in concept according to *Guidelines* sections 2.3.2, 2.3.4, 2.3.8, 2.3.9, 2.3.11, 2.7.5, 2.7.6, 2.7.7, 4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.1.8.
1* The application states medium sized trees are proposed along Euclid Street; species and heights were included in the application.
2* The ground plane along Euclid Street, which has no sidewalks, is proposed to be covered with ground cover and low perennials, including hostas, hellebore, and ferns. Mulch is proposed to fill in between the trees and perennials; species and heights were included in the emended application.
3* The amended application includes a list of properties in the vicinity of 516 Euclid Street with fully landscaped yards.
4* The application proposes the extensive use of mulch due to two large mature Sugar Maple trees and bamboo roots on the adjacent property.
5* Three raised beds for vegetable and flower gardens are proposed; raised beds will be made of a decay-resistant, non-toxic wood, such as cedar.
6* The application proposes the installation of gravel in most of the rear yard due to drainage issues and the preponderance of bamboo roots and grass is unlikely to grow in that area.
7* Chapel Hill grit crushed aggregate was approved at 608 Oakwood Avenue (COA 125-13-CA); samples were not included in the application.
8* The proposed concrete fireplace with chimney is approximately 6 feet wide and 8 feet tall. The sides of the fireplace will be about 4 feet deep and will sit on an 11' x 14' rear proposed concrete patio; amended application includes elevation and plan drawings; this type of modern brick fireplace is a removable feature.

9* Rear concrete patios are commonly approved in the historic district.
10* Brick fireplaces with chimneys of similar size were recently approved by the committee at 225 Elm Street (COA 018-13-CA) and 608 Oakwood Avenue (COA 125-13-CA).
11* A 10' x 20' rear ipe deck that sits approximately 18" above grade is proposed; wood rear decks are commonly approved in the historic district.
12* The existing lot is 5,227 SF; approved lot coverage including garage, driveway and porches is about 44%, proposed additional lot coverage (deck, concrete patio & gravel) is about 975 SF for total lot coverage of approximately 62%.
13* Low voltage landscape lighting; locations are noted on the proposed site plan: specifications and details not included in application.

Ms. McGorty agreed to the changes. The amended motion passed 3/0.

Decision on the Application

Ms. David made a motion that the application be approved as amended, with the following conditions:

1. That specifications and locations for the light fixtures be provided to and approved by staff prior to installation.
2. That the front steps not be offset.

The motion was seconded by Ms. McGorty; passed 3/0.

Committee members voting: Caliendo, David, McGorty.

Certificate expiration date: 8/3/14.

ADJOURNMENT

Ms. Caliendo adjourned the meeting at 8:08 p.m.

Elizabeth Caliendo for
Scott Shackleton, Chair
Certificate of Appropriateness Committee,
Raleigh Historic Development Commission

Minutes Submitted by:
Tania Tully, Preservation Planner