

**Forest Hills Neighborhood Association
Leadership Annual Planning Meeting and CCP Meeting
August 12, 2010, 5:30 pm**

1. Call to Order – Barbara Rackes call made at 5:37pm

- Goal: review where the committee has been, hear the status from Eric, review the mail-out survey results

2. Suspension of Reading of Minutes

3. Current Status - Eric Powers

- there must be a minimum of three publicly announced CCP meetings; the first group was held on May 26 and May 27; the second group was held on July 21 and July 22
- there were about 12 people in attendance at the May meetings
- because of the low attendance at the first group of meetings, a survey was sent out to residents and homeowners of the Forest Hills neighborhood to gauge the neighborhood's sentiments toward applying for Historic Preservation
- at the second group of meetings (July), the results of the survey were presented; there were 77 respondents to the survey; there was also a discussion of designation process and the general differences between an Architectural Conservation District and a Protection Area
- on July 7, Barbara Racks requested that the City of Columbia would consider reinstating Interim Measures since the initial coverage was to end on August 6, 2010
- on August 2, the Planning Commission voted 4-3, in a non-binding vote, against recommending to City Council for an extension of Interim Measures for Forest Hills
- the extension request was for December 31, 2010; City of Columbia statute required that the extension be for two years, not six months
- at the Planning Commission meeting, three people spoke against extension; Hank Wall presented a petition with 29 names of people who were opposed to extension
- Eric Powers and Barbara Rackes spoke in favor of the extension of Interim Measures
- the Columbia City Council will hear the issue at a regularly scheduled Zoning Public Hearing on Wednesday, September 15, 2010; if the Council decides to continue, there will be two additional readings
- the hearing on September 15 will be an open hearing

Concerns from Opposition

Concerns were brought up by the Anti-Preservation about the July 21st neighborhood meeting; the meeting was held at Melrose Park. The concerns were discussed at a meeting at Hank and Allison Wall's house on Sunday, August 1, and via a number of emails.

There were five major concerns outlined by the Anti-Preservation group: criticism of the initial survey, criticism of the underlying historic zoning ordinance, concerns with DDRC, claims that Local Historic Designation entails unequal protection, and a claim that government oversight is bad.

1. The concerns criticized the initial survey, claiming that it was flawed for three reasons:

- a. The electronic version of the survey was open for a significantly longer time period than the hard-copy version that was mailed out. (The electronic version was open for three weeks and the mail-out version was open for one week.) This putatively disenfranchised older people who were presumed to be less in favor of Local
- b. Designation and who were presumed to be less likely to answer the electronic version of the survey. (Note: that no hard-copy surveys were received after the published close-out date.
- c. The survey, particularly the cover letter, was criticized as being too brief such that respondents would not have the proper context to evaluate the questions.

The response rate of 77 out of 271 parcels was criticized as too low.

In response to these criticisms

- the survey was reopened for an additional three weeks via a postal mailing; responses now number 128 (out of 271)
- the survey was sent to all non-respondents of the first survey; it was also sent to non-resident property holders (there were few responses from this group)
- the majority of respondents were neighborhood residents

2. **The Anti-Preservation Group also criticized the underlying historic zoning ordinance** (Chapter 17, Article V); Hank Wall passed out a highlighted version of portions of the ordinance at both the July 21st and July 22nd meeting; this has also been circulated via email.

-although the document is inflammatory, it contains valid points:

- a. The ordinance grants significant discretion to City Council with no mention of a neighborhood's rights. Thus, City Council could elect to impose more restrictive guidelines on a neighborhood than were initially proscribed.
- b. The ordinance reads as if any exterior changes require a Certificate of Design approval regardless of whether a neighborhood's guidelines specify whether a particular characteristic is regulated. This suggests that the city (DDRC) obtains carte-blanche control of design in DP districts, regardless of actual neighborhood intentions.
- c. There are random restrictions in the ordinance that do not seem to make sense. For example, it is stated that "plant materials" should be considered in protection areas.

The City Attorney and Amy Moore are making changes to the Historic Zoning Ordinance; the proposed changes should be released within the next few weeks; it will then be sent to the Planning Commission and Columbia City Council; the changes would be consistent for all neighborhoods; there would be a difference between guidelines (i.e. shutters) and ordinances (i.e. Driveway materials)

3. **The Anti-Preservation group claims that that DDRC = Delay + Cost**; counter examples are needed by experienced people in the neighborhood, and not by outsiders.

-Hank Wall offered two examples of how DDRC causes delays and is costly; the first is an old church building that his church is going to renovate; the second is from one of his law partner's abandoned attempt to purchase and renovate a home in Melrose Heights. George King noted he had spoken with another member of the referenced church who indicated the delay was not related to preservation or DDRC and that the project was improved by the interface with city staff.

4. Local Historic Designation entails unequal protection under the law since historic and contributing homes will be treated with greater discernment than non-contributing homes. It has also been stated that "older people own older homes," so Historic Preservation would be de facto age discrimination.

5. The group claims that Government oversight generally is bad.

4. Overview of Survey:

-Four Categories:

(1) Strong Support/ Support:

-Question #1: Demolition and relocation of existing historic structures are subject to design review. (69.8% in favor)

-Question #2: New construction is subject to design review to ensure compatibility with nearby historic buildings in terms of height, size and scale, overall massing of key architectural elements, like windows, doors, arches, columns, etc. setback, orientation to the street, and roof shapes. (69.8% in favor)

-Question #3: Additions and outbuildings (like garages) that are visible from the street are subject to design review to ensure that they serve to reinforce the existing architectural design of the building. (63.5% in favor)

(2) Moderate Support:

-Question #4: Actions which alter the exterior appearance of buildings - e.g. removing the half timber highlights that are typical of the Tudor Revival style - are subject to design review. (46.8% in favor)

-Question #6: When window replacement is necessary, new windows shall be similar in appearance to remaining historic windows on the house, or in the case of total replacement, to styles that are appropriate to the house's period of significance. (55.5% in favor)

-Question #10: Aluminum and vinyl artificial siding shall not be used. (50.8% in favor)

(3) Neutral:

-Question #13: Chain link, concrete block (unless stuccoed or veneered in brick) and artificial siding materials shall not be used for fences in the front or secondary front yard. (31% in favor, 53.2% neutral, 15.9% opposed)

-Question #14: Acceptable materials for driveways include concrete, brick, brick pavers, or other more permeable materials that maintain visual consistency with historic paving materials. (38.9% in favor, 23.8% neutral, 37.3% opposed)

(4) Oppose/ Strongly Oppose:

-Question #5: Original windows that are visible from the street shall be repaired rather than replaced, unless it is determined that more than 50% of the window or windows in question are irreparably damaged. (64.3% opposed)

- Question #7: Vinyl windows are inconsistent with historical design and shall not be used. (48.5% opposed)
- Question #8: Aluminum-clad windows are inconsistent with historical design and shall not be used. (49.2% opposed)
- Question # 9: Improve the thermal performance of existing windows and doors with weather-stripping and compatible storm windows that do not damage frames rather than with wholesale replacement. (56.4% opposed)
- Question #11: Cement fiber siding, such as Hardiplank®, shall not be used to re-side or repair an existing wood sided structure, but may be used for new construction. (57.9% opposed)
- Question #12: Brick masonry houses shall not be painted, unless they are already painted. (73.9% opposed)
- Question #15: Shutters shall not be added unless there is physical or documentary evidence that shutters were present in the past. (65.9% opposed)
- Question #16: New shutters must at least appear to be operable and shall be mounted on the inside of the window frame via hinges rather than by being tacked onto the side of the house. (56.4% opposed)

NOTE: These are the results from the 126 respondents of the survey. It is not optimal to reopen a survey, as was done in this case. The survey was reopened solely because there was vocal criticism from people who are against historic preservation, about the validity of the first survey.

5. The Committee's Concerns:

- there were 9 to 10 people at the meeting held by Hank Wall who signed a petition against historic preservation and interim measures; there were 29 total signatures on the petition
- the bulk of the remainder of signatures were obtained by Allison Wall on Monday August 2nd, by walking the neighborhood and knocking on doors; some of the people who signed the petition were told that the Forest Hills neighborhood would restrict homeowners from changing their windows, which is false
- Interim Measures has nothing to do with windows; thus, there appears to be some confusion regarding exactly what the August 2nd Planning Commission vote entailed
- there is a lot of misperception and misunderstanding of the purpose of Historic Preservation
- Forest Hills Court is technically a part of the Forest Hills Neighborhood, but those houses have their own deeds, with their own restrictions
- Forest Hills Court should not be considered part of the Forest Hills Neighborhood in terms of Historic Preservation
- the committee does not want to abuse their access to the Forest Hills Neighborhood email list because the opponents to historic preservation do not have access to the list. There is an idea to create a discussion board on the Forest Hills website so that all residents can voice their beliefs and opinions. People would have to register using their correct names, and foul language and inappropriate comments would not be allowed. Neighbors/ homeowners must register to post on the discussion board, and people who abuse the privilege would be removed from the discussion board

6. Interim Measures:

- Interim Measures say nothing about new construction, except on divided lots
- Disagreement is over restrictions about specific materials, etc.
- Some things are in the ordinance for IM, some in discretionary guidelines
- Interim Measures address the problem with “McMansions,” a problem that guidelines do not address; in Forest Hills, 32 additional parcels can be made by dividing lots; the ordinance would have rules on setbacks and height of new construction
- Some committee members see the primary issue as the problem of “McMansions” and the expansion of existing houses
- Shandon and Whaley used long-term Interim Measures; much of FH CCP Committee does not want to have long-term Interim Measures put in place
- The committee is looking to put the issue of Historic Preservation to a vote around November 2010, rather than to drag out the process
- there is a fear that homeowners would not be able to tear down old houses that would cost too much money to renovate, and then build a new house in its place
- the concerns of the committee are not over the minutia, but with the big issues
- Forest Hills Neighborhood is the first neighborhood in Columbia to send a survey to its residents and to its non-resident homeowners to gauge the opinions about historic preservation and design guidelines

7. Plan for Moving Forward:

There are concerns about demolition and division within Forest Hills neighborhood; protection from demolition and division is wanted. The CCP Committee is inclined to write preservation guidelines that are more customized than Interim Measures

Question: How do we decide what to put into the draft of guidelines that will be put to a vote by the neighborhood?

- any issues that were in the “Neutral” or “Opposed/ Strongly Opposed” categories in the neighborhood survey should not be put into the neighborhood guidelines
- it was suggested that there be a separate book of suggested historic preservation “recommendations” (similar to Cottontown) that residents wanting to renovate could look to for suggestions in keeping with Forest Hills architecture.
- set of guidelines and regulations that would be narrower

****MOTION** to remove from consideration: fence materials, restrictions on window replacement, restrictions on aluminum and vinyl windows, restrictions on cement siding, painting of houses, siding of house, limitations to window upgrades; (all of the categories that were “Neutral” or “Opposed/ Strongly Opposed” in the neighborhood survey.

****This Motion was passed.**

those things taken out of the guidelines could be put into a separate document that would contain suggestions to homeowners. Residents need to be informed that by keeping their homes in line with the National Register can make them eligible for tax credits.

8. Actions

- Eric, Amy and Lindsey are to create a draft Guidelines Document that is more in-line with the sentiments of the neighborhood; this would provide protection without limiting the rights of the neighborhood's residents.
- The results of the survey should be put onto the Forest Hills Neighborhood website with a synopsis of the Committee's sentiments and a breakdown of the results; Eric will help write a cover letter for the survey results.
- The next meeting will take place in a few weeks, once drafts are put together.
- Neighbors will be better educated with a email summary message, and will be sent a handout with more information about the Committee's intentions with Historic Preservation.

**MOTION adjourned at 7:20pm.