

DEVELOPMENT REVIEW COMMITTEE

Minutes of the Meeting of August 16, 2022

The DRC meeting was held via Zoom

Members Present

- ✓ Larry McEwen, Co-chair
- ✓ John Landis, Co-chair
- ✓ Jean McCoubrey, LUPZC
- ✓ Camille Peluso, LUPZC
- ✓ Patricia Cove, HDAC
- ✓ Sam Filippi, Business Association
, Parking Foundation
, Streetscape Committee
- Larry McEwen, VP Physical
- ✓ Kathi Clayton, President CHCA (ex-officio)

Others Attending

Richard Snowden, Bowman Properties, owner of the 9 properties on the agenda
David Hoylman, Bowman Properties
Henry Clinton, attorney for Bowman Properties.
Joyce Lenhardt, LUPZC, CHCA Board
Tony Banks, VP Physical, CHCA Board
Anne McNiff, Director CHCA
Celeste Hardester, Development Review Facilitator
Melissa Nash, recorder

The meeting was opened by Larry McEwen, co-chair, at 7:02 pm. Committee members introduced themselves. There was a brief discussion of the fire at 8425-27 Germantown Avenue, which resulted in significant damage to the third floor and the rear space. The interior second floor was a great space. The fire marshal, L&I, and engineers need to evaluate the structure. There is a hope that the building is sound, but public safety is paramount. The nine variances requested by Bowman Properties is the only action agenda item.

Bowman Properties – Multiple Variance Requests

•Committee Reports: This is the RCO meeting. Letters were sent to the 250' radius neighbors for each property. A total of 380 letters were sent. Patricia Cove reported for the HDAC. The project was well-received, and there was a thorough rationale for the changes. The tendency for smaller retail was acknowledged. The building facades would not be changed and restored as needed. If any changes to that plan are needed, the HDAC would like to re-review them. The HDAC noted that 8137 Germantown (10 E. Hartwell) has a historic easement and asked if there would be any effect on it. There will be no changes. The HDAC unanimously supported the application for variances. R Snowden stated that he will work within the Department of the Interior guidelines for adaptive reuse. Jean McCoubrey reported for the LUPZC. The LUPZC supported 18 Hilltop, and 7928, 8137, 8622 and 8624-26 Germantown Avenue with the proviso that the exteriors are repaired and painted. The remaining 4 buildings need to meet with a subcommittee to review and approve the commercial spaces, appropriate tenancy status and repair status. These 4 properties are 101 and 105 Bethlehem Pike, 8532 Germantown Avenue and 8042-44 Germantown Avenue. L McEwen noted the subcommittee should be more than LUPZC and should include CHBA and HDAC.

• Committee Discussion: J Landis suggested that a motion be made for the 5 properties approved by the LUPZC with no provisos. Discussion should continue about the other 4. J McCoubrey noted that some LUPZC members have met and could make a recommendation. Camille Peluso noted the goal was to meet with R Snowden and continue the work. It was asked if a brief presentation of the properties would help. Celeste Hardester noted that Tony Banks has attended the meetings but Dave Caulk has not. R Snowden noted that 2 of the 5 are simple cleanup of zoning. The properties have been used as they are for many years and that 18 Hilltop and 10 Hartwell are clear conversions. It was asked why the Bethlehem Pike properties should not be approved as this is not a commercial area. People have asked R Snowden what the fuss was about. The full package needs to be approved. The project should move forward or not. It is difficult to break it up from the city point of view. L McEwen noted that there have been many of comments and concern about 8532 and the square footage of the commercial as well as comment about Under the Blue Moon commercial space. R Snowden noted that much of the proposed apartment in 8042 had been an event space and a cleanup area, not part of the restaurant. It was suggested that the restaurant would be difficult to operate with the apartment in place. R Snowden noted that the building was expanded more than is needed for the restaurant. L McEwen suggested more than paint was needed and that the commercial space might be too small or too irregular. R Snowden noted that anything that is done is a roll of the dice. J Landis stated that the committee is not against additional talk about the four. Bethlehem Pike sites are not rentable as is. He added that a ZBA continuance for the 4 might be possible. C Peluso suggested a vote of no opposition for the four, just not a vote of support. J Landis noted that this is uncharted territory. C Hardester suggested the ZBA might not be influenced by an ultimatum. R Snowden suggested approval for all nine with the proviso that talks continue to discuss problems.

• Committee Action: L McEwen called for a motion. P Cove moved that the DRC recommend support for all 9 variances with the proviso that discussions continue for the four (101 and 105 Bethlehem Pike, 8532 and 8042-44 Germantown Avenue) before the September 20 ZBA hearing. The motion was seconded. L McEwen asked how the discussion would be structured. J Landis stated this was not easy to do in the time remaining. L McEwen noted that the applicant wants the variance; the onus is on the applicant to engage to get to a supportable place. P Cove stated that there should be specifics regarding the tenancy. J Landis also noted the description of exterior improvements is needed, especially the Blue Moon. Tenancy is difficult to determine; some may be easy to rent; others harder. McCoubrey noted that future prediction of who will rent is difficult. R Snowden noted that there is interest in smaller spaces R Snowden noted that if some properties were withdrawn, others might come back much later. He suggested he be given a solution and the project be done as a package deal. J Landis suggested doing 5 now and 4 later at possibly not much later time. R Snowden noted that he has agreed to restoration; it does not need to be on the table. P Cove stated that the repair agreement was excellent but that there are no answers regarding tenancy. A vote was taken on the motion. The motion failed with one vote for, 4 against and one abstention. J Landis made a new motion. It was moved that the DRC support the application for addresses with the proviso that all exteriors be repaired and painted. And that the ZBA continue the remaining 4 properties until an agreement can be reached on the exteriors and tenancy. The motion was seconded. The motion was approved with 4 votes in support and 1 against. L McEwen stated the motion will be taken to the Board a week from Thursday. All may be involved on the subcommittee discussions. R Snowden stated that he may continue with the project or revive it in a few years. Kathi Clayton stated that she could call a special meeting or have the project go to the Executive Committee to provide more time for resolution. Tony Banks should work with the sub-committee.

Committee Business

- Minutes: It was moved that the minutes for June be accepted as presented. The motion was seconded. The topic was who first spoke of vanilla boxes was discussed. The minutes will be adjusted to reflect a change. The concept of vanilla boxes was addressed using other terms. The vote approved the minutes with the discussed changes.

- New Street Lighting: P Cove brought up the issue of the new street lighting in Chestnut Hill. A McNiff stated there had been a productive meeting about the lights that included Cindy Bass, Streets Commissioner Carleton Williams, and Deputy Commissioner Richard Montanez. Specific streets were discussed. R Montanez noted that some lights may be too bright and can be dimmed as appropriate. The color of the lights was not addressed in the plan. Chestnut Hill is a test case. A timeline will be set up and the City wants to hear from the community; data will be gathered. No resolution was reached at the meeting. C Peluso asked about the programming of the lights and if the lamps need to be removed from the fixtures. Streets has an RFP that needs to be complied with. The first step is to dim the lamps. L McEwen noted there is a possibility to dim lights on a circuit. It was noted that the lighting effort is city wide not individualized by neighborhood. L McEwen noted that there is the brightness and the color of the lamps. Dimming does not change the color. A McNiff suggested pressing on the City for this issue. P Cove stated security and health both need to be considered. C Hardester noted that the suburbs use similar lighting with better results. This issue was addressed. A McNiff added noted that the addition of shields to the fixtures to control spill as suggested. C Peluso noted that the fixtures could be changed or shields could be added. The discussion included the economics of the city using the same lights all over, the uniformity goal. L McEwen suggested seeing what different lamps could offer.

- Other Discussion: It was asked if there were any residential updates. There is a new house being built on the second block of Chestnut Hill Avenue. It was noted that the motion regarding the Bowman Properties variance was an unusual motion and did not indicate opposition to the projects. In a lighter moment a meeting attendee, Ed Brantley, was asked about his affiliation. Mr. Brantley from Nashville, Tennessee had joined the meeting by mistake.

Adjournment

- The meeting was adjourned at 8:53 PM.