

# COMMISSION OF ARCHITECTURAL REVIEW

FEBRUARY 26, 2015

## **Members Present**

Michael Nicholas  
Sarah Latham  
Robert Weir  
Sean Davis  
Jeffrey Bond

## **Members Absent**

Susan Stilwell  
Robin Crews

## **Staff**

Kenny Gillie  
Jeannise Galloway  
Shanta Hairston

Chairman Nicholas called the meeting to order at 3:30 p.m.

## **ITEMS FOR PUBLIC HEARING**

- 1. Request for a Certificate of Appropriateness to restore the concrete curbing and install a paver walkway with a gate to the right side of the structure at 440 Chestnut Street.*

Mr. Nicholas opened the Public Hearing.

Present on behalf of the request was Mr. Fredrick Meder.

Mr. Meder stated hi my name is Fredrick Meder. This is me and this is my project. I didn't get an agenda so I don't know if there are pictures in the booklet. I'll look over your shoulder and explain. Three years ago we got permission to put this walkway in- that's the first page- which was then a yellow looking house but is now a white looking house on blocks, that's proven to be really wonderful. It's really cleaned up the whole space. The six by six in that picture is for the gate that never happened yet because I'm going to get a metal structure built that'll attach to the wooden pieces to so it never twists like Bob did. So you're looking at the loveliness that's 154 on the next page. We're building the deck. We have historic tax credits from the government and the State that have already been approved. You can see we've replaced the beam with new treated lumber. We jacked the corner up two inches so it came out pretty flat inside. So now this is the alley way here with the shrub. We've replaced the water main and we've replaced it with sand. We want to continue this curbing. As you see on the right hand side and the previous page, there's all that historic concrete curbing that we salvaged and we're going to put that right across from 4 Floyd which is the brown, beige colored house with the green trim and we're going to do the alley just like the alley at the yellow house except we're going to use a red paver then a stein pattern which is an early American pattern sort of similar to symbol of strength multiple diamonds. Then on the

next page you see the brown and green house, we start digging into that to keep people busy.

Mr. Nicholas stated staff has agreed that you meet the guidelines to pave a walkway and the concrete curbing. What they don't have and we might need to put a condition on is the gate.

Mr. Meder stated yeah it's just dog-eared, I forgot to include that. It's like the backdoor at 154 that was just installed I want to say three years ago.

Mrs. Latham asked will that go here?

Mr. Meder stated yeah the whole idea is we're not going to have a fancy contraption.

Mrs. Latham asked so it's just going to go back at the very back of the walkway towards the back of both houses?

Mr. Meder stated yeah where the breaks in the house are actually warranted and where it makes the most sense. We're not asking for actual approval for really high heights.

Mr. Nicholas asked questions by the Commission?

Mr. Weir asked just on the curbing, is that granite curbing or historic concrete?

Mr. Davis stated it's historic. They took it from another home, so they're just going to relocate from one location to another.

Mr. Meder stated the unfortunate thing is that there will be drainage pipes. They won't protrude to the curbing on either side of that alley but there will be drainage in there because we're going to pave the walkway. We're not just going to dump the water on top of water which makes it kind of float down the street; we're going to put in piping under the water. But I spoke with Engineering and they don't want me to dig up and stick it into a manhole which makes no sense when someone walks across an ice patch at this time of the year or get your feet wet because the gutter is going to shoot out water like you wouldn't believe, but it is what it is.

Mr. Nicholas asked is there anyone else who would like to speak either for or against this application?

Mr. Nicholas closed the Public Hearing.

**Mr. Davis made a motion to approve the request with a wooden, dog-eared gate at four feet tall. Mrs. Latham seconded the motion. The motion was approved by a 5-0 vote.**

2. *Request for a Certificate of Appropriateness to install new metal railing on the rear patio at 878 Main Street.*

Mr. Nicholas opened the Public Hearing.

No one was present on behalf of the request.

Mr. Weir stated I know Mark called and said he would not be able to come in from Lynchburg because of the weather.

Mr. Nicholas closed the Public Hearing.

**Mr. Weir made a motion to approve the request as submitted. Mrs. Latham seconded the motion. The motion was approved by a 5-0 vote.**

3. *Request for a Certificate of Appropriateness at 734 Main Street to install a new wall sign for "The Arc of the Southside" on the front of the structure and install seven (7) new 4' x 6' single light metal windows on the left side of the structure.*

Mr. Nicholas opened the Public Hearing.

Present on behalf of the request was Mr. David Gusler.

Mr. Gusler stated we purchased this building and there is no light in there. I think you see the picture of the sign; that's our organization's sign. I didn't see it on the front but our goal too was, if you look at this picture here there was a brown color, a silver would be painted and a green would also be painted the same color. I think that is included in your packet. So that would be the changes that we request.

Mr. Nicholas asked questions by the Commissioners?

Mrs. Latham asked the sign itself I think you said that the size is the way it appears in this picture is it's going to be kind of a clear sign.

Mr. Gusler stated it's just going to be clear sign.

Mrs. Latham asked okay so a clear sign with plexi-glass or something like that?

Mr. Gusler stated yes ma'am.

Mrs. Latham asked and then seven windows essentially down this side to match the style of the other side?

Mr. Gusler stated yes ma'am.

Mrs. Latham stated staff believes that this meets the guidelines and since it is a non-contributing structure, there isn't the same considerations of historic in terms of adding windows so with that being said.

Mr. Nicholas closed the Public Hearing.

**Mrs. Latham made a motion to approve the request as submitted. Mr. Weir seconded the motion. Mr. Nicholas abstained from voting due to a conflict of interest on the property. The motion was approved by a 4-0-1 vote.**

4. *Request for a Certificate of Appropriateness to replace the directory at 975 Main Street. The directory is present near the Magruders Alley entrance of the museum.*

Mr. Nicholas opened the Public Hearing.

Present on behalf of the request was Mrs. Cara Burton, Executive Director of the Museum of Fine Arts and History Board.

Mrs. Burton stated good afternoon. This would be replacing an existing old board sign that's at the back main entrance of the museum. Right now it is a very ugly, silver aluminum outdoor display case. We use it to put fliers up about museum events and to post the hours of operation. I have finally found something that I thought was fairly attractive to replace it with, and we have a grant funding to support that. I have been holding off until the City was doing its foundation drainage project, but that's on an indefinite hold so I wasn't expecting that. Renee has told us that there are other options to let street traffic know we're open or of events. This is something that is already in existence, and we need to let people walking by or driving up know that we're open.

Mr. Nicholas asked what will the new sign look like? Do you have a picture of it?

Mr. Davis stated that's the new one.

Mrs. Burton stated the current one is like a bronze color which made it more matching with the color scheme.

Mr. Nicholas asked does this meet zoning?

Mr. Gillie stated yes.

Mr. Nicholas asked any questions for the applicant? Anyone else wishing to speak for or against?

Mr. Nicholas closed the Public Hearing.

**Mrs. Latham made a motion to approve the request as submitted. Mr. Davis seconded the motion. The motion was approved by a 5-0 vote.**

*5. Request for a Certificate of Appropriateness to 975 Main Street in the Danville Art Trail Campaign.*

Mr. Nicholas opened the Public Hearing.

Present on behalf of the request was Mrs. Karen Cross with Danville Parks and Recreation.

Mrs. Cross stated hi I'm Karen Cross with City of Danville Parks and Recreation. How are you all? This is one of seven structures that will be installed in Danville. There has been a Danville Art Show Advisory Board that has been formed. We did a call for artists and there were 21 artists that responded and we had 56 pieces of art. These were selected during a jury process where we had two professional jurors and then two local jurors to select pieces of art. Once those seven pieces were selected, these two were chosen with Cara's assistance and her board as being appropriate for that space at the museum. So we're asking that one of the other of these, the group is meeting next week to determine what they think fits best here in regards to the other locations and we would ask that you all have approval for either of these to be placed here.

Mrs. Latham stated I have one question. The four by four concrete pad that must be laid down in order to mount the sculpture; from my understanding the sculpture is to be up for 18 months, correct? Once that is removed what happens to that concrete pad or is there a plan that there will be another piece of sculpture mounted in each of these locations?

Mrs. Cross stated plans are to be sculptures and for this to be an ongoing art project so we hope that we would have that continue on. If something happened where we didn't have the funding to continue then the pad could be removed.

Mr. Davis asked is this part of the art loan funding?

Mrs. Cross stated the City does a couple of different types of funding and for this one we did a project grant specifically for this. It's Virginia Commission of Arts gives \$7500 the rest is matched through local donations so it's a total \$25,000 project.

Mr. Davis asked and at the end of the 18 months, not saying the museum is going to do it but if they wanted to have a sculpture would they be allowed to use it or is this something that's specifically for this?

Mrs. Cross stated no that would be fine. The City maintains the property anyway so if they chose to have their own sculpture there - and we even hope that there may be

local people who decide to purchase some of these sculptures and donate them – that's fine as well.

Mr. Nicholas asked are you asking for an 18 month permit or a permanent permit?

Mrs. Cross stated permanent that we wouldn't have to remove.

Mr. Nicholas stated if we approve this you wouldn't be able to put any piece of art there that you want without having to come here.

Mrs. Cross stated that's fine if that's the way you prefer to do it.

Mr. Nicholas stated that's not the way I prefer to do it if that's what you're asking for.

Mrs. Cross stated well we are asking for permission to put a decent sculpture there permanently and these are the two that we've selected for this time. If you prefer that each time a piece of sculpture becomes available that we come back and ask you for permission then we could do that.

Mrs. Latham stated so just to be clear, this particular project is placing seven pieces of sculptures in various places in the downtown area and on Main Street, but they will only remain there for only 18 months because it is an art loan project. So in 18 months this particular piece of sculpture will be removed. I don't know whether the guidelines would require us to approve a change in sculpture each time they want or not.

Mr. Nicholas stated why don't we ask our guidelines expert.

Mr. Gillie stated there's two ways to do it. Right now any time anything new is erected, it has to come back to you. So you could just approve this structure for the period that they have it, and when they want to change out the exhibit then the new exhibit would come to you. Or you could give the okay for any exhibit to go there on that pad and then anything that they decide to put there could go on it. That's up to you, you have two options. If you want to look at all the exhibits every 18 months, that's fine. Just approve this exhibit and you could even put a time frame on it that it won't stay longer than 18 months so that forces them to keep changing the exhibits around.

Mr. Nicholas asked you're asking for permission for either one of these?

Mrs. Cross stated yes.

Mr. Nicholas stated I see Mrs. Burton in the audience. What's the museum's position on this?

Mrs. Burton stated well I have a question and this has been brought up before about the longevity and changing it out. Who would have the authority to decide what piece is on there? Would it be the City or the lessee?

Mr. Nicholas stated what's to contemplate right now is if either of this will be approved and then when you want this piece to leave you could take it off if you want but if you want something else to come in then you come back to this board.

Mrs. Burton asked who is it coming back to? Because it's the City's application would they be the ones to do it? The reason I'm asking for example, if the Heritage Group decides and says we want to put in this piece of sculpture here.

Mr. Nicholas stated technically the owner of the property is the one who makes application or some other interested party with permission from the property owner. In other words me as an individual can go and make an application on any property I want on any property that I own, if I want to make an application on a property that I don't own then I have to have permission from the property owner. So the City would have to its blessing.

Mrs. Latham stated yes and in that case I think the City had to give approval for the erection of these sculptures and obviously the Danville Museum needed to be a partner in that. But it was I guess the final say of the City. If this is an appropriate place to discuss, we are not art experts and I'm not sure that we want to set this up in a way that we have the final say on which piece or sculpture of art is ultimately chosen whether it's today or 18 months from now. That has an effect on whether we approve or whether we say no, every time you change out the sculpture we need to talk about it.

Mr. Nicholas stated I don't have a problem with either one of these. My issue with coming back for every time you want to change it is mostly for the length. If you want to put up something that clearly doesn't meet the Historical Guidelines indefinitely, I'd like the Commission to have a voice in that. But once every 18 months is not an owner's burden.

Mr. Davis asked but is the real issue the four by four space pad that's going to be there or is it the art pieces because they are going to be rotating out. The four by four is the actual permanent application.

Mr. Nicholas stated let me ask Ken then.

Mr. Gillie stated it's both because the pad is permanent because that location you can give as a permanent location on the four by four pad; but for the art piece itself you can put a time limit on it so as they change it out you do get to look at whatever they're putting in.

Mr. Davis stated but the whole reason for the funding is because it's changing out every 18 months and the funding itself is not considered permanent either. Because there is a very real chance that it could just die and we're left with a four foot by four foot piece.

Mr. Nicholas stated well we could condition it on you have to have some sort of art piece on that four by four piece.

Mr. Gillie stated that funding may die and then someone else may like this program so much that they decide to fund it. There's other funding sources that Karen is trying to get.

Mr. Bond asked has this gone before the River District Design Commission?

Mr. Gillie stated their portion is going to go next month. It was supposed to go last month but I had the flu and wasn't able to attend the meeting to discuss it with them then. You're going to see that.

Mr. Davis stated I guess you're asking who's the actual group that chooses the pieces that are going to go there or the possible options that are going to go there? From what I understand from what Karen had said, it's two professional art critics and then five local.

Mrs. Cross stated yes Cara is one of the five. She's on the Art Show Advisory Board and I think why she is asking is because she realizes this is new and we do too. The intention of the group is to form a permanent art commission and of course any pieces that we ever have is done is selected by professional jurors. In some places it's only professional jurors, but we decided to also have local jurors on that board to do it so it would not just be something that one person or the City would say we like this and we'd like to stick this at the museum. If it does continue it would be an art board, but I know those are unknown things for all of us right now. You would want to make your decision accordingly.

Mr. Nicholas stated so ultimately the City is the applicant.

Mrs. Cross stated right.

Mr. Nicholas asked what is the museum's position on this?

Mrs. Burton stated for a number of years they have had artwork on the lawn that was one reason that they had approved the kiosk project. There have been plans to put some by 126 Sutherlin, so it's been part of the plans to have something there.

Mr. Nicholas asked so are you in favor of the application?

Mrs. Burton stated yes but I think the concern is my opinion is that it should be required to come back to CAR every month. Like you said it's not a burden and that puts a level of properly vetting the project because it's been so many issues with installations on museum grounds. Almost every single thing on the museum grounds except the rose garden and maybe the fountain has had issues around it. That's the purpose of CAR too is to review so that we're properly vetting things.

Mr. Nicholas asked if funding dries up and the art is removed, does the museum want a concrete pad on its property?

Mrs. Burton stated I already talked to Rick Drazenovich about that and he said it's no problem if we leave that there. He said actually if it's been there two or three months and we don't like it then he can move it.

Mr. Nicholas stated well we have to issues to discuss. The first is the concrete pad and if the motion is to approve it required that a display of some kind – let's leave it broad- be on that pad is a condition of approving its installation. Then the second one would be to approve either one of these two pieces of art for a period of 18 months. You guys can modify it as you wish for that.

Mrs. Latham stated my thought on modifying it, I like the idea of breaking it into two. I also recognize that there can be some burden if things are too brush. You know you will have this for 18 months; you don't know when there might be a decision on if this will continue and whether there will be an available sculpture to replace this immediately when that 18 months is over. You don't want the concrete pad sitting there empty forever, but it seems to me there should be some elbow room added in- maybe a six month period or something like that. If we approve the pad and if we approve a piece of sculpture to be there for 18 months, once it is removed there would be say a six month deadline to get something else installed or come back to it. You see what I'm saying?

Mr. Nicholas stated I do see what you're saying. Where would the rush be if you know the window is 18 months? If you know in 18 months we need something new for approval, then six months before that 18 months ends, I don't know.

Mr. Weir stated you obviously have not dealt with artist before.

Mr. Nicholas stated correct. I'm on the other side of the brim.

Mrs Latham stated in the ideal world that's the case, but I'm sure as Cara can attest the ideal world does not happen often and things wind up last minute no matter how much you plan. Exhibitions - for example - the night before, you're usually finishing things up. We don't know since this is an experiment and a wonderful one for the City. Do you have any timeline to know if you're going to get funding again.

Mrs. Cross stated the grant cycle starts in March each year and you're awarded in July. So what the idea was for the Committee is we'll try to work this out for the River District Festival since installations go in a week before River District every year. Most people do it for one year so we did 18 months so it'll carry over into the following October because the Regional Foundation is behind this and they want to see that done and that's fine with us. It kind of ties into our annual celebration, but you know all sorts of things could happen. We're hoping that we won't have to rely on the Virginia Commission of the Arts every time.

Mrs. Latham asked so what I'm hearing is next March you will apply again to extend this and the money comes in July so you'd probably know in mid-June or maybe a month or so before the money comes? So we'd know by maybe mid-June whether or not the program will continue with the same funding source.

Mr. Nicholas closed the Public Hearing.

Mrs. Latham stated so that would roughly give from June to October if you know that funding is not going to be repeated for the museum, the City, some other organization in town that might want to raise funds for this purpose to come up with the money for the sculpture to replace it in October.

Mr. Nicholas stated and if they want to take it down, they don't need permission to do that.

Mrs. Latham stated well then it's just a matter of what happens to the concrete pad and how much time they have assuming the ideal is that we have something there. How much time do they get to have a four by four concrete pad sitting there with nothing on it. When do we care?

Mr. Nicholas stated I personally like the idea of a timeline. I think six months is too much, but I say that conceding Mr. Weir's point that I do not deal with the art world so six months is reasonable but I don't know. My thought was 60 days, but I can't make a motion so it's up to you guys.

Mrs. Latham asked well may we speak to them?

Mr. Nicholas stated yes closing the Public Hearing only means no one new talks so you can ask questions to the applicant and staff.

Mrs. Latham asked if the current funding- I'm guessing that you're going to go for the exact same funding again?

Mrs. Cross stated we're hoping to have more money so we don't have to do that.

Mrs. Latham stated oh okay. Cara, is it the museum's desire that there be some kind of art installation on the grounds permanently? Whether it's a changing one or not is it the museum's aspirations to have that, and if the funding doesn't come through are you going to work with the City to try to get another sculpture up there? If so, what do you think given what the realities are of working with artists and funding issues in terms of having an empty concrete pad there awaiting the possibility of installation.

Mrs. Burton stated I think the 60 days for our practical purposes. I'm not interested in having a lot of these empty pads on the lawn. There are some parties who don't want anything on the lawn and really to be truly a historic site, we're not to have any of these installations on the lawn. So we're trying to find a balance with that.

Mrs. Latham stated you will actually make some people angry with this. You've actually lost membership in the Historical Society so I know how passionately people feel about it.

Mrs. Burton stated that's one reason it's placed next to that; it compliments that space.

Mr. Nicholas asked has your board weighed in on this?

Mrs. Latham stated yes they're all very interested in it. Like I said they've been talking about having a sculpture. The only sculpture exhibit outside that I know in the past was the Bob Cage one- I don't know if anybody here remembers that- but there have been a lot of questions about having sculptures in Danville. I noticed when I moved here that there's no sculptures except for Mayor Wooding out here pretty much.

Mrs. Latham said I think then what this brings us to is if all of this is approved, if there's no installation on the pad for 60 days and there has not been a request for an extension for installation then it would have to be removed.

Mr. Nicholas stated if that's where you're going then I think the wording could be that the pad- first of all, I don't think the pad meets the guidelines so is there an opinion on that?

Mr. Gillie stated it's just a pad so there's no guideline.

Mr. Nicholas stated in whatever form you wish to approve the pad, it could be conditioned on the pad having a display – and I say display to keep it as broad as possible- but having a display on it to keep it from being vacant greater than 60 days is how I'd word it.

Mr. Bond asked can we have a motion to approve this as a permanent fixture?

Mr. Nicholas stated you can.

Mr. Bond asked and will they have to come back before the CAR for changing?

Mr. Gillie stated if you say it's a permanent fixture then anything they've got on it is okay to go there. If you want to have a chance to look at anything they put on there then it needs to be limited.

Mrs. Latham stated I would prefer not to make it permanent because this is an experiment. The museum still has to gage what kind of reaction they get to something that is very contemporary. There is a strong desire by a certain segment you know. So if we break it into two I make a motion that the concrete pad be approved with the condition that there be some sort of display on it and if- help me out here Mike.

Mr. Nicholas stated a four by four display and that the pad not be without a display for greater than 60 days.

Mr. Gillie asked 60 days or six months?

Mrs. Latham said 60 days. Cara said that was fine.

**Mrs. Latham made a motion to approve the request for the concrete pad with a condition that there be some sort of display and that the pad not be without display for more than 60 days. Mr. Davis seconded the motion. The motion was approved by a 5-0 vote.**

Mr. Weir stated I don't want to sound like we're art critics. We're not so we should not do anything where we have a vote on what goes there. I don't think that's our business.

Mrs. Latham stated I agree.

Mr. Weir stated what I would consider good, you might hate. I would rather have the professional artists do it and a committee who's been established make that decision.

Mrs. Latham stated well it has to go through multiple layers; or at least this current project goes through multiple layers before it comes to us. So provided that it is a display that has met the approval of the City, the board at the museum, and the juror approval before it comes to us that works fine for me.

Mr. Nicholas stated my concern is not what art pieces they pick; I agree with you. Quite frankly I don't know what these two things are. My concern is what happens if we don't have a good Executive Director of the museum like we do now and she moves on to the Smithsonian and get a museum director who decides they're not going to put up something historic.

Mr. Weir stated and again that's the City property. They can't do that without the City's approval. Is that not correct?

Mr. Gillie stated they'd go through the process that Karen has established for it.

Mr. Davis stated but that's for this funding project though. Once this funding project's done and there's no other funding project coming through, then it's either the pad gets taken up or the museum takes over that pad and they can put up their own art piece.

Mrs. Latham stated I would imagine the City would still want to weigh in on its own property. The City would still have some say on the piece.

Mr. Nicholas stated the issue is if the City ever sells the museum, then the City would not have a say.

Mrs. Cross stated it would be appropriate to say that it has to be reviewed by professional jurors because every place has either one professional juror and in our case two professional jurors and the local board.

Mrs. Latham stated I'm comfortable with that as long as it is at a professional review. It would have to have the property owner's approval and whoever the owner of the property might be in the future. As long as the museum still exists there, you'd want the board approval on all of that before it even comes to us.

Mr. Nicholas stated you two are talking about two different things. You're saying there's all of this then it comes to us. You're saying it shouldn't come to us at all.

Mr. Weir stated I don't think it should come to us at all. We're not art critics. I just think there needs to be the City approval, the museum approval, and the museum board approval but we shouldn't be a robot to whatever they pick. We may not like it but that's not in our charter to be art critics.

Mr. Gillie stated it is in your charter to review everything that is visible from the exterior of a public way in the Historic District.

Mr. Davis stated but that's not going to be permanent.

Mr. Gillie stated if it's visible, it comes to you. So you're not being an art critic, but you're looking at whatever's going in that Historic District. We're not art critics either, but we want to make sure whatever goes in the Historic District is appropriate.

Mr. Weir stated but the others are done at the River District. What's the River District done with this thing?

Mr. Gillie stated nothing yet, they were supposed to hear it last month. I was out with the flu so I was not able to bring it up to them. So it comes to them not next Thursday but the Thursday after.

Mr. Nicholas asked are we interested in reopening the Public Hearing? Mr. Meder has something to say. Is there an objection to that?

Mr. Nicholas reopened the Public Hearing.

Mr. Meder asked can't you treat this the way we treated the banners? Before I left the commission, the question was whether the banner for the Margaritaville could be grandfathered in so it wouldn't have to come every single year saying we're going to have Margaritaville next week? So I think what we did is gave them that approval and approved it one time so it's appropriate that you do this year after year. I don't know what the wording was; this was three maybe four years ago. I'm getting what everyone is saying by they don't want to be an art critic but they do want to maybe approve what's going on at the museum because it's part of our scope.

Mr. Nicholas stated the difference is the Margaritaville banner is the same banner.

Mr. Meder stated maybe, maybe not.

Mr. Nicholas stated it's also a 30 day approval, not an 18 month approval. Those are the two big differences.

Mr. Meder stated well we all want to facilitate our city and we all want the museum to be successful so we don't want this to be a road block. So why don't you write such a wording that as long as there's a seven person panel- the two professionals and the five citizens- and it goes through the two process and CAR gives that approval. Without that two process, then you are requiring them to come to you. So in other words if I was to do another sculpture, I would have to come to you. I couldn't go through Karen Cross.

Mr. Nicholas stated it's a good idea, but the problem that I see with it is if you get that specific and then the program changes and you have two jurors instead of seven then technically you haven't met the requirements.

Mr. Meder stated but you forge a level of scrutiny. Just like the board here, we had to have a quorum before we could call everyone to say come downtown today. I don't think that's a bad thing.

Mrs. Latham stated well I'm cognizant of what Cara has said that she as director of the museum would like to have the extra layer of approval every 18 months. And as Mike pointed out, should Cara leave at some point and we get a new director, it just gives an extra layer.

Mr. Nicholas stated if we approve any display on this pad for an 18 month window, or a 24 month or whatever, and then at the end of that you have to come back to review that 18-24 months. Then the City could put whatever up they want. We don't have to

approve each design, we're just approving you can put something on that pad for a window of time. If you want to interchange then interchange. That way it comes back to us for review, not for specific art pieces but the concept of having a display on that pad. That's one way to handle it.

Mrs. Latham stated as an example, I'd be happy to approve either one of these. I'm not comfortable in saying well I want it to be this specific one as opposed to this one.

Mr. Nicholas stated my suggestion is we approve the display on this pad and that approval expires at 18 months. Then if you want display on the pad, come back in another 18 months, or six, 12, 36 or whatever you want .

Mr. Davis asked would the 60 day timeframe that we put in affect what you just said?

Mr. Nicholas stated if we disapprove, we would say the way it would work is this. You can have an 18 month window where you can have a display. You've got to have something on there and if in that 18 months you go 30 days without a display, no big deal. If you go 45, no big deal. If you go more than 60, then you've got to get rid of that pad. In other words, we're giving you an 18 month window; we're saying you've got to have something on there. You can have 60 days with nothing, but on day 61 it's got to be something there. Then if this project fails, which we all hope it does not, then just pick up the pad and move on. Then if it is we just come back in 18 months and review it. What I anticipate it will be, you will come back and say this is a wonderful artist flourishing in the City, a new art institute is opening up and 5,000 new students are coming so we'd like a permanent approval and we want 36 months.

Mr. Nicholas closed the Public Hearing.

**Mr. Weir made a motion to approve the display for 18 months. Mr. Davis seconded the motion. The motion was approved by a 5-0 vote.**

**Mrs. Latham made a motion to amend to say that any installation must have approval from a professional juror. Mr. Davis seconded the motion.**

Mr. Weir asked what is professional? Isn't this opening a can of worms.

Mr. Nicholas stated I think it is.

Mr. Weir stated I do steel artwork too. Am I a professional? No.

Mr. Davis stated technically you are.

Mrs. Latham stated we're talking about an installation that's going to be on a public place on City property. We don't want any Tom, Dick, and Harry to be able to go up

there, we're just saying there is some process that somebody who knows something about art says well look at these display items- these have artistic value.

Mr. Weir stated I guess the word professional bothers me because what makes it professional?

Mr. Nicholas reopened the Public Hearing.

Mrs. Cross stated a point of clarification would be if you're just going to approve it for 18 months, it already has gone through professional jurors. We're not going to trade them out. We have a contract with them in place for 18 months. So for that 18 months it'll just be whichever piece is selected. If you're just doing 18 months, you don't have to worry about the juror things unless you're going to extend it, then you might want to say that.

Mr. Nicholas closed the Public Hearing.

**Mrs. Latham withdrew her motion for amendment. Mr. Davis withdrew his second on the amendment.**

#### **APPROVAL OF THE MINTUES**

**Mr. Davis made a motion to approve the December 11, 2014 minutes as submitted and the January 22, 2015 minutes with an amendment to page three. Mr. Weir seconded the motion. The motion was approved by a unanimous vote.**

#### **OTHER BUSINESS**

Mr. Gillie informed the Commissioners of the Historic Marker Dedication for High Street Baptist Church scheduled for March 18<sup>th</sup> at 10 am.

Mr. Gillie informed the Commissioners that Hill Studio has begun survey work on the Old West End boundary extension.

Mr. Weir brought up discussion on the Commission having to meet when the application is already within the guidelines. The Assistant City Attorney, Jeannise Galloway, informed the Commission that any agenda items have to be heard in a public setting. The Commission discussed the best options for this with Staff. No motions were made for any changes.

With no further business the meeting adjourned at 4:32 p.m.

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Approved