

RIVER DISTRICT DESIGN COMMISSION

MEETING OF

March 9, 2017

Members Present

Peyton Keesee  
George Davis  
Courtney Nicholas  
Sheri Chaney  
Jonathan Hackworth

Members Absent

R.J. Lackey  
John Ranson

Staff

Renee Burton  
Anna Levi  
Tracie Lancaster  
Clarke Whitfield

Chairman Davis called the meeting to order at 4:00 p.m.

**I. OTHER BUSINESS**

Mr. Davis turned the meeting over to Mr. Whitfield for other business.

Mr. Whitfield stated we need to more strictly adhere to the Zoning regulations of this Commission. This Commission has the ability to first vote on whether or not the item as presented meets the guidelines. If it meets the guidelines then a Certificate of Appropriateness can be issued. However, sometimes there are minor discrepancies that are noted, changes are discussed and agreed upon or it is not something that is going to materially affect the district itself. You can say it doesn't meet the guidelines however; the minor discrepancy is not going to negatively affect the overall character of the district or the building itself. The first decision you all need to make is if the item meets the guidelines. If it meets the guidelines you are finished. If it doesn't you need to determine whether or not there is a major or minor discrepancy. If there is a minor discrepancy than you can approve it saying that it will not affect the character of the building or the district.

Mr. Davis stated I thought we already addressed that with the gentlemen who came and wanted to open a fish market. The sign that he wanted to use was larger than the guidelines stipulated, but we felt like that because of the type of sign that it was okay to go larger. So I thought we were already doing that.

Mr. Whitfield stated I think you did through the analysis of that particular case but the way the guidelines stated is that it is a two vote process. You have to state that this item doesn't meet the guidelines and then you go on to say does it hurt the overall character of the building or the district. If it doesn't then you just say it's a minor

discrepancy and we are going to issue the certificate. So it would be two votes. Is that clear as muddy glass? I will help you all through it.

**Mrs. Nicholas entered at 4:03pm.**

## **II. ITEMS FOR PUBLIC HEARING**

- 1. A request has been filed for a Certificate of Appropriateness at 423 Main Street to replace brick and metal facade coverings on parapet wall with EIFS stucco and replace awning with EIFS ledge.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Mr. Tanksley. Mr. Tanksley stated my wife and I own the building. A couple of weeks ago the veneer fell and we had someone go up and check it and get all of the loose material down. He recommended for us to go back with this stucco material. We would like to do that and take the awning off and replace that with a ledge that will go down the side. We would go back with basically the same color and we would like to change the front four doors as well. Take the doors that are there now and replace them with two doors in the middle with glass on both sides. With the dance studio is not a vibration but when they are dancing you can almost feel it in the store sometimes. It has peeled the paint off the ceiling. I have had to paint the ceiling about every year.

Mrs. Chaney stated it was stucco across the top just a solid piece of stucco or was there still brick behind it?

Mr. Tanksley stated there were old bricks behind it.

Mrs. Chaney stated I see that, but looking at the picture that was provided it was different than what you provided. It looks like a solid piece of stucco right below the top part.

Mr. Tanksley stated there was a piece of metal right there about three feet wide we took that down too.

Mrs. Chaney stated so you want to replace with EIFS?

Mr. Tanksley stated yes stucco.

Mrs. Chaney stated I was going to say, I don't know when the cornice was taking down.

Mr. Hackworth stated the cornice was taken down in the 90's.

Mrs. Chaney stated so technically you would be going back to what was there prior.

Mr. Hackworth stated but the issue is it wasn't just where the metal cornice was, at the top there was a brick overlay with a recess to stucco paneling.

Mr. Tanksley stated from the third floor windows up.

Mr. Keesee stated he wants EIFS just like his neighbor to the right. She has EIFS at the dance studio.

Mr. Hackworth stated correct, but from the minutes that I received back from a previous meeting the only reason that was approved was because it previously existed; whereas, you would technically be changing the material that this would be made of.

Mr. Keesee stated but you don't have a picture of what was there before it fell out. You have a picture of what it was back in the 90's.

Mrs. Chaney stated he provided a picture.

Mr. Hackworth stated yeah I did.

Ms. Levi stated there is a picture that was included.

Mrs. Chaney stated if you go over to his application it shows what was there just recently.

Mr. Tanksley stated I have a report from the masonry with what he thought about that top part if you would like to see it.

Mrs. Chaney stated about putting brick back up?

Mr. Tanksley stated he said it would be hard to put brick up to connect it to the old bricks.

Mrs. Chaney stated because they are unstable?

Mr. Tanksley stated they are old they have been there a long time.

Mr. Hackworth stated the doors I'm fine with.

Mrs. Nicholas stated well that is not in this application.

Ms. Levi stated actually the doors are on his application.

Mr. Hackworth stated the doors I don't necessary have a problem with they have been there a long time.

Mr. Keesee stated I don't know what else he could really do besides EIFS.

Mr. Tanksley stated he felt like it was unsafe to put bricks back up there.

Mr. Keesee stated I agree with him. They are lucky no one got killed when this fell the first time. I'm saying if he puts EIFS up we could forget about it and it would be fine. It would match the dance studio. I don't have a problem with it. I guess the EIFS would match the tan color?

Mr. Hackworth stated it's a little bit grey.

Mrs. Chaney stated the ledge that you are talking about taking the awning down right above the windows and then doing the stucco just a little ledge across there. I'm assuming that is a metal piece right there?

Mr. Tanksley stated I don't know if that will come down or not I'm letting the contractor decide on that.

Mrs. Chaney so it will go up under that piece?

Mr. Tanksley stated can I see the picture. Yeah that will come down. It's a metal plate behind that. That's what the awning will roll up into.

Mrs. Nicholas stated when you go to two doors will it still be handicap accessible?

Mr. Tanksley stated yes.

Mr. Davis closed the Public Hearing.

Mrs. Whitfield stated you have a choice of whether you want to take them one at a time. The first vote has to be whether it complies with the guidelines. Then if it doesn't comply with the guidelines, if you determine it is a minor discrepancy you would then issue a Certificate of Appropriateness. If it is a major discrepancy then you would then deny the Certificate of Appropriateness.

Mr. Keesee stated so is that three votes?

Mr. Davis stated Anna, did you all comment at all on the glass doors that were written in at the top of the application?

Ms. Levi stated no that is not in the staff report but that meets the guidelines.

Mrs. Nicholas stated so we still have to consider it even though staff believes it meets the guidelines?

Mr. Whitfield stated yes.

**Mrs. Nicholas made a motion that we accept the doors as requested as it meet the guidelines. Mr. Keesee seconded the motion. The motion was approved by a 5-0 vote.**

Mr. Hackworth stated looking here it says Staff's recommendation what was the logic between not recommending approval of the request as related to the façade? Looking at the letter here it says staff believes that the request for Certificate of Appropriateness to replace brick and metal façade coverings using EIFS stucco and to replace awning does not meet River District Design guidelines. What was you all's thinking on that?

Mrs. Burton stated that is based on the excerpt of the code above the not recommended 3.8. Which specifically states the removal of the original building materials and it also states the adding of materials that were not present in the original design, such as stucco.

Mrs. Chaney stated considering that the cornice detail that was there was taken away in the 90's to me that is not relevant to what he already has at this point that we are looking at. I would rather see the EIFS put up than another piece of metal. I would hate to lose the detailing at the top. It does change the look of the building. The detailing is already down and it obviously not structurally safe to reapply so I see that would be the only option to put the EIFS on.

Mr. Keesee stated I don't know if you remember the dance studio but if you look to the left at what they have and it's not like it would be out in left field. It would match the building beside it. It would be safer and permanent. If you put the bricks up there God knows what will happen.

Mrs. Chaney stated yes it does change the look of the building some but most of that detail that was there that really gave the building it's look was gone a while back. I don't see it as a major change but that is my opinion.

Mr. Keesee stated I agree.

Mr. Hackworth stated my only concern with that and Clarke you could probably clarify this let's say the building changes hands does that hinder obtaining historic taxes credits for revitalization? I know a lot of them if you are able to produce like material like the Pace Building where they had photos where it existed previously. They recommend that you do so as far as ideational as cornice is.

Mr. Whitfield stated Renee, you are probably going to know more about this than I will.

Mrs. Burton stated it would be a determination by the Department of Historic Resources on the precise time period that you were to bring it back to. It would be a matter of their view point, if you are going back to the 90's which is pretty recent for them versus going

back to the 30's when you did have the detail. That would be the deciding factor for them on tax credits. It is more likely that they would go back to the 30's just because of the time.

Mr. Hackworth stated because of the time period and that there is documentation from the 30's all the way through the 80's I believe. So we would basically be making a future tenant remove all of that and go back to then.

Mr. Whitfield stated the Park Service would.

Mrs. Chaney stated only if they were applying for tax credits.

Mrs. Burton stated that would be the decision of the property owner at that time if they even wanted to go that route.

Mr. Hackworth stated that is their business but logically you are going to assume that if someone is going to take on a project that size. The building basically goes from Main Street almost to Patton Street. It would be a tax credit project.

Mrs. Nicholas stated but we have no reason to assume that is planned or is going to happen. That is beyond the scope of what we can consider.

Mr. Hackworth stated I just don't like making a decision that potentially tie a future hand and it would be a larger cost down the road.

Mrs. Chaney stated it's a cost now no matter what.

Mr. Hackworth stated true.

Mrs. Chaney stated but you're making an implication of something we don't have a decision on someone who is standing here going I'm getting ready to buy this building and I want to apply for tax credits. We are looking at what is here now in front of us.

Mrs. Nicholas stated with someone who owns it and occupies it or has it occupied.

Mrs. Chaney stated in a perfect world that would be great to go back to when it was originally built.

**Mrs. Nicholas made a motion that the EIFS stucco doesn't meet the guidelines. Mr. Hackworth seconded the motion. The motion was approved by a 5-0 vote.**

**Mr. Keesee made a motion to approve that it was a minor discrepancy and the certificate of appropriateness should be issued. Mrs. Chaney seconded the motion. The motion was approved by a 5-0 vote.**

- 2. A request has been filed for a Certificate of Appropriateness at 308 Craghead Street to install a 13" x 20" bronze plaque by the mural. The plaque will contain information about the significance of the tobacco industry in Danville.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Ernecia Coles. Mrs. Coles stated I would be happy to answer any questions that you may have.

Mr. Hackworth stated where exactly will the plaque be mounted?

Mrs. Coles stated it will be closer to the edge of the building.

Mr. Keesee stated the edge meaning the front of the building toward Craghead?

Mrs. Coles stated it will be on the side closest to the mural right beside the mural but at the corner of the building.

Mrs. Chaney stated up toward Craghead?

Mrs. Coles stated yes.

Mr. Davis stated it will be facing the parking lot?

Mrs. Coles stated yes so that it could be easily viewed.

Mr. Davis closed the Public Hearing.

**Mrs. Nicholas made a motion to approve for it meets the guidelines if the mural is ever to be removed the plaque is to be removed as well. Mr. Hackworth seconded the motion. The motion was approved by a 5-0 vote.**

- 3. A request has been filed for a Certificate of Appropriateness at 318 Craghead Street to display outdoor furniture on the sidewalk.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Mrs. Colleen Richardson. Mrs. Richardson stated I own A'LaCarte Décor. Mrs. Richardson stated I will answer any questions that you all have. I understand that it didn't meet the guidelines from the beginning because of the measurements according to the guidelines. Which are a three foot setback and an additional four feet of walkway space, which would probably be inside of my furniture store. Most of the sidewalks don't meet those guidelines to start with. I was told that I needed to get a license agreement to utilize the City property, so I got that done and it has been signed off on.

Mrs. Nicholas stated so you obtained the right of way?

Mrs. Richardson stated yes.

Mr. Davis stated I drove by your store I go up and down Craghead all day long. I was not stalking anybody I stopped in front of your store several times and then read the guidelines. To me it looks like the furniture and I assume you are talking about the metal furniture it looks like you would have enough room had you not put the two benches out there.

Mrs. Richardson stated you don't. I mean I have the other ones right up against the glass so two are right up against the building. They actually touch the glass. The table in front of the benches has a base and it actually butts right up against the bench. But there is not enough room it wouldn't have meet the guidelines one way or the other.

Mr. Keesee stated so at night when you close do you bring the furniture in or leave it out?

Mrs. Richardson stated the umbrellas I take in at night, the chairs I stack beside the bench in that area; the table with the base on it is too heavy to move. If it didn't have that heavy base on it, it would blow away. So then it is secured with a cable like for a bicycle lock.

Mr. Davis stated but you do plan to allow people to sit out there and to eat if they want to?

Mrs. Richardson stated yes. I put it out there originally to see what it would look like so I could take a picture. The first day all of the tables were taken. People like when it is nice to sit outside.

Mr. Davis stated I think it's a great idea. But again if you have people sitting at the tables they are going to be pulling back away from the table and they are going to be using up more space than you already have.

Mrs. Richardson stated well the chairs are to the sides of the tables. That is the reason I only have two so there are no chairs on the side toward the street. I also went down and measured the other locations in the City that had chairs on the sidewalk. They have less space than what I have here at some of those locations. So I don't know if they all got approval to put that out there or not. I did go and measure to make sure mine is not much different than what already existed on Main Street and Craghead Street.

Mr. Keesee stated you are referring to Dell'anno's I take it?

Mrs. Richardson stated there are three locations that have outdoor furniture actually four, Brewed Awakening, Golden Leaf, Dell'anno's and the Coffee Emporium. But I'm not sure Coffee Emporium make take theirs in at night. Which, I can take them in but I would have to leave the base because it's heavy.

Mr. Davis closed the Public Hearing.

Mr. Whitfield stated you can vote to say that it meets the guidelines and to approve the Certificate of Appropriateness or that it does not meet the guidelines.



Mrs. Nicholas stated but then we can still give the certificate?

Mr. Keesee stated you said it doesn't meet the guidelines?

Mrs. Burton stated no, it does meet the guidelines.

Mrs. Nicholas stated she said it didn't because of the right of way.

Mr. Whitfield Staff's opinion is that now that they have the right of way agreement, that it does in fact meet the guidelines.

Mr. Keesee stated okay.

**Mrs. Nicholas made a motion to approve for it meets the guidelines. Mr. Keesee seconded the motion. The motion was approved by a 5-0 vote.**

**The request to add the two items to the agenda was approve by unanimous vote.**

4. *A request has been filed for a Certificate of Appropriateness at 319 Craghead St to install metal signage for the Acree's Parking Garage.*
5. *A request has been filed for a Certificate of Appropriateness at 312 Bridge St to install temporary banners for the Acree's Parking Garage that say free public parking and spectrum medical parking.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request is Corrie Bobe on behalf of the IDA. Mrs. Bobe stated we are requesting the installation of signage on the exterior of the Acree's building. As you know Spectrum is open and we need to ensure that their clients are properly accessing the building and finding it in a very clear and precise manner. So we are discussing a number of hanging and flat signs to be posted on the exterior to be made out of metal that is thicker than aluminum. It will be painted black with white letters very similar to the paint that you will see on a lot of the tobacco warehouses. I think the first one you have is this on Wilson Street three 3x2 signs that will be a hanging sign which will be right beside the driving entrance into the building. The next page that is only at the exit and we wanted to make sure that was clear. We measured what the existing sign was and this is approximately the same size as the existing sign. If you turn the corner on Bridge Street we are suggesting a hanging sign a little bit smaller 2x1.5 to show it's a door there. The one where the garage is also on Bridge Street this is a very large sign 17x8 in order to indicate where the entrance and exists are. We had planned to just say Acree's public parking on the one sign and have two individual signs that say entrance and exit. But that does require a variance so this will help speed up the process showcasing where the entrance is. On the third page there will be a hanging sign to show where the entry point is for vehicles we do plan to go before the Planning Commission for a variance for the two signs. Then of course a flat mounted sign next to

the pedestrian access point. Then we have a picture of what the bar would look like for the hanging signs. I would be happy to answer any questions that you all have.

Mr. Davis stated you said this was two issues we have to vote on?

Mr. Whitfield stated this is one and this is one. The second one is banners.

Mr. Davis stated my thinking would be that we would be voting on all of the signs that are regulation size and then we have got this big one at the entrance.

Mr. Whitfield stated I think you all have to approve it first before she can even take the next step.

Mrs. Bobe stated my next step is to order them based off of your recommendation.

Mr. Whitfield stated to be clear all of these signs we need to be in one motion.

Mr. Davis stated even the really big one?

Mr. Whitfield stated even the really big one. I just checked with our Zoning Representative and she said that even with all of these signs combined they meet the Design Guidelines.

Mrs. Burton yes they meet the Design Guidelines.

Mr. Whitfield stated the only issue she has is whether or not you approve them or not.

Mr. Davis closed the Public Hearing.

**Mr. Keesee made a motion to approve item 4 as presented as it meets the guidelines. Mrs. Chaney seconded the motion. The motion was approved by a 5-0 vote.**

Mr. Davis stated I have a question before we go on. The big sign how does that just kind of slide by with all of the other little ones that go along with it. Are we talking about square footage as far as totally encompassing the entire building or in one particular area?

Mrs. Burton stated the signage is not advertising copy so they do fall under a different set of regulations because they are public parking and directional signage for government. They are public signs they are not advertising copy.

Mr. Davis stated I want to speak for Mr. Lackey who is not here today and say that he would hope the IDA or the City would fall along with the same guidelines as everybody else has to.

Mrs. Burton stated they are.

Mr. Whitfield stated trust me we are oftentimes tougher on ourselves than we are the public.

Mr. Davis stated what is it exactly that we need to discuss as far as the second request.

Mrs. Burton stated the second one is a presentation for three banners that would be displayed on the building temporarily until the permanent signage can be installed.

Ms. Levi stated the application where it says here black text Free Public Parking and red text Spectrum Medical parking these can't contain off site advertising we do not permit that per the Zoning Code. So anything pertaining to Spectrum would need to be removed.

Mr. Davis stated it needs to be removed to be adherent to the Zoning Code?

Mrs. Burton stated so it would just simply mention the parking itself not the Spectrum Medical Building.

Mr. Davis stated so how do I word this as far as the Certificate of Appropriateness or is this a matter for us to open to discussion.

Mr. Whitfield stated I think you would need to do the Public Hearing. Once you have closed the Public Hearing. Then you would move that it doesn't meet the guidelines and you would say with the removal of all mention of Spectrum Medical parking it would be a minor discrepancy and the certificate could be issued.

Mr. Davis so I'm opening the Public Hearing right now?

Mr. Whitfield stated unless Mrs. Bobe indicates that she is amending her application to remove the Spectrum Medical part from the application. Then it would meet the guidelines.

Mr. Davis opened the Public Hearing.

Mrs. Bobe stated we have actually been on site with Mark Hermann today and his request and the suggestion through Public Works Department was to include Spectrum Medical Office on the banner. So that's why it was included in this application. The parking garage was built using state funds and IDA funds and we want to accommodate his clients coming in. They do have a number of spaces inside. His clients are having a hard time finding it and instead of parking across the street and walking over they are parking from the bottom parking lot beside of the building and walking up the hill.

Mr. Davis stated I can tell you I just had my knee replaced and I did that one time. That is a tall hill coming up there. So when you say they want their name included on the banner. What do you mean by that exactly?

Mrs. Bobe stated just the temporary banner. Just so that their customers can get accustomed to the fact that there is actually parking inside for them.

Mrs. Burton stated we would like to mention though that if the banners were to be printed with the Spectrum name on it they would be in violation of the Zoning Code.

Mr. Whitfield stated the Zoning Administrator would have to issue a Zoning violation against the IDA.

Mrs. Burton stated correct.

Mr. Davis stated there was talk about earlier that once the parking garage was finished it would be leased to Spectrum during the day. Is that correct?

Mrs. Bobe stated they do have a designated number of spots inside. They are not marked right now but at some point they will be.

Mr. Davis stated it seems like to me if they are leasing space in the building they should be allowed to have some sort of signage on the outside.

Mrs. Nicholas stated are they able to go before BZA to ask for it?

Mrs. Burton stated advertising copy must be placed on the property in which the operation is being held. Spectrum itself doesn't operate within the parking garage. So therefore it is off site advertising which is prohibited.

Mrs. Chaney stated so they would have to put a sign on their property that says parking that way. Do they pay for signs for the spots that they leasing?

Mrs. Burton stated if it is internal and it not visible from the public way.

Mr. Whitfield stated that is probably something that will be worked out from the IDA and Spectrum. I suspect that will probably be worked out pretty soon it's just a matter of getting the spaces marked.

Mr. Davis stated so you will have the spaces marked on the inside of the building where Spectrum people can go in there? It's one of those things that after a few months you know word of mouth it going to be enough to know that the building across the street is for parking. While going to rehab I heard these little old guys asking how can I get my walker across the street with that cobblestone. Sooner or later you will figure it out and

have someone drop you at the front door. Word of mouth will make it so that people at Spectrum or visiting Spectrum will know that they can park across the street.

Mrs. Nicholas stated I would think that when you are scheduling the Spectrum appointments that it would be incumbent upon Spectrum to explain to you where to park.

Mr. Davis stated they have employees downstairs every day telling people which way to go. As of right now Spectrum is going to be removed from the entire building.

Mr. Whitfield stated Mrs. Bobe is asking for is that the application stand. At that point we need to vote as to whether or not that meets the guidelines. If you vote that it doesn't meet the guidelines you could then say with this revision it will in fact meet the guidelines.

Mr. Keesee stated how long are the banners going to be up?

Mrs. Bobe stated until the signs get here.

Mr. Keesee stated so what do you think two months?

Mrs. Bobe stated probably within that time period it shouldn't take too long to print these signs.

Mrs. Chaney stated either way it's still not within the Zoning Code.

Mr. Davis closed the Public Hearing.

**Mrs. Chaney made a motion that the request doesn't meet the guidelines as proposed. Mrs. Nicholas seconded the motion. The motion was approved by a 5-0 vote.**

**Mrs. Chaney made the motion that with the removal of the Spectrum Medical Parking from the signs it would be considered a minor discrepancy to approve the COA without the Spectrum Medical Parking on the signs. Mr. Hackworth seconded the motion. The motion was approved by a 5-0.**

### **III. APPROVAL OF MINUTES**

**The February 9, 2017 minutes were approved by a unanimous vote.**

Mr. Davis stated Clarke, could you write up all of your recommendations today and send them to us in email so we will know what to do next time.

Mr. Whitfield stated I can do that.

With no further business the meeting adjourned at 4:47 p.m.

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Approved By: