

**COMMISSION OF ARCHITECTURAL REVIEW**  
**May 24, 2012**

**Members Present**

Fred Meder  
Sarah Latham  
Jeffrey Carson  
Robin Crews  
Susan Stilwell

**Members Absent**

Richard Morris  
Cynthia Castle

**Staff**

Renee Blair  
Christy Taylor  
Emily Scolpini  
Alan Spencer

Chairman, Fred Meder called the meeting to order at 3:30 p.m.

**I. ITEMS FOR PUBLIC HEARING**

*Item 1. Certificate of Appropriateness PLCAR20120000174, to complete the following at 1045 Main Street:*

- *Install 14 vinyl replacement windows on the southwest elevation*
- *Replace paving block in front yard with concrete or asphalt surface*

Open the Public Hearing.

Present on behalf of the request was Mr. Richard Holbrook, R&J Rental Properties. Mr. Holbrook stated I own 1045 Main Street.

Mr. Holbrook passed out a packet of information in regards to his application.

Mr. Holbrook stated while you are looking over that, I will give you a brief overview. I compiled a list of variances that have been granted before, given some data about the building and what people say is a contributing and non-contributing property. I will give you a chance to look over that.

Mr. Meder stated thanks for your work on this. So, you have recently acquired this building?

Mr. Holbrook responded two years ago. I have been trying to bring it up to standards. The light fixtures were sparking and a few other things. I have replaced a few light fixtures and things. The air conditioner keeps going out and there is a lot of heat coming in. I have been trimming the shrubs, and making it presentable. I just recently painted the building right after I bought it. The paint is already peeling and needs to be replaced now. That is one of the things that necessitated these windows.

Mr. Meder stated I don't know if you are aware of it, but we recently approved for the previous owner that they were going to dig out this paved area, because it was incorrectly installed. They requested permission to repave it with pavers. We had a stipulation that they were going to put it on either 8" or 12" of gravel. The way they done it was, they dug out right underneath each paver with a shovel and put a 5 gallon bucket of gravel in there. It is pumping, that is what it is doing. I don't know if you are familiar with the term pumping.

Mr. Holbrook stated I am familiar. I am a Class A Contractor.

Mr. Meder stated so, that is why it is all broken up to smithereens, not only that it is the wrong material. It could be done correctly.

Mr. Holbrook stated but it is cost prohibitive. To be reasonable about the whole thing as far as cost wise, my contention is and the government's contention is according to the survey that the City paid for, it is not a contributing factor in being an architecturally significant building. My purpose is to keep a well maintained safe environment for everybody coming in and out of that property. We just recently had a gentleman fall on May 16<sup>th</sup> on that. I understand that you say it is nothing wrong, it is broken up, and it has got to be fixed. Winford Oakes fell in front of the building on May 16<sup>th</sup>. He twisted his ankle, he fell on his pacemaker, and he may have a broken rib. We don't know. I just talked to him yesterday. He did not feel comfortable or healthy enough to come today. He is still going back and forth and he may sue me because of these broken bricks. My attorney says it is going to be a trickle-down effect since it has been a liability thing; they are going to open up the City's well liability; because they came and tried to get it paved before. That is not for me to contend.

Mr. Meder stated I don't believe that is the case so, he asked for this specifically.

Mr. Holbrook stated right now he is happy and hasn't said anything. My attorney advises that he has two years to sue me. My attorney that I talked to and my business owner's policy that I just consulted said that they would come after everybody for not allowing it to be paved with concrete. I checked with ADA and I called the 1-800 number for the American Disabilities Act, they're requirement is a smooth stable surface. Their thing is if you have ever tried to push a walker or a wheelchair across pavers, the wheels want to turn in the cracks and this and that. They are saying a smooth stable surface. That is what they are requiring. All I want to do is try to make a presentable building, safe and well maintained that citizens, you, and everybody can be appreciative of and not be an eye sore or whatever. I am glad that I have some building inspectors here. They are all familiar with me and my work. They know the other buildings that I have in the City. They can attest that I keep my properties in better than good repair. In 1998, you even issued me an award for one of my properties that we renovated.

Mr. Meder asked would you mind passing that around?

Mr. Holbrook responded sure, be glad to. That was for some work we did over on North Main hill.

Mrs. Latham stated this came from the Historical Society as opposed to the CAR.

Mr. Holbrook stated I didn't know that there was a difference.

Mrs. Latham stated yes.

Mr. Holbrook stated I didn't realize that I had to have permission. In the City, I am not required to get a permit to put in vinyl replacement windows. I did not realize that I had to go through this process for vinyl replacement windows. I am a Class A Contractor in the state. I get my permits and so forth accordingly.

Mrs. Stilwell asked so you did not apply for a building permit?

Mr. Holbrook responded no.

Mrs. Stilwell stated I happen to know that Dr. Neal built the building that you own. He built it with the finest materials that he could possibly find. I am one of the people that noticed the windows going in, but at least five people called me to report, that lived in the Historic District, those vinyl replacement windows. They look like they belong in a Barbie house. They don't fit that building even though it is not a contributing structure.

Mr. Carson stated it will be in five years.

Mrs. Stilwell asked pardon?

Mr. Carson responded it will be in five years.

Mrs. Stilwell asked what will be?

Mr. Carson responded that building.

Mrs. Stilwell asked will be contributing?

Mr. Carson responded yes. It is forty-five years old now. It needs to be fifty years old. You wait five years; it will be a contributing building.

Mr. Holbrook stated one of my legal arguments is right across the street, I guess on these other properties that you have either condoned or allowed all of these other replacement windows. There are one hundred thirty vinyl replacement windows right across the street from my building on the same corner, Main Street and Rison.

Mrs. Stilwell stated I know where you are.

Mr. Holbrook stated if I look across the street there is one hundred thirty vinyl replacement windows.

Mrs. Stilwell asked that is in the Stratford House, how did that happen?

Ms. Blair responded I have no idea.

Mr. Meder stated that is what happened when John W. Daniels had to make money. They cut the towers off and all of that. They just arbitrarily did that.

Ms. Blair stated several years ago.

Mrs. Latham stated the college didn't close until the early 70's, so we already had the Historic District. Some of the medical buildings here, the aluminum framed windows and all were built before the Historic District.

Mrs. Stilwell stated some of them were. The Red Cross house at 842 Main, they just did whatever they wanted to do.

Mrs. Latham stated they were not condoned. Tim Norton was not condoned or his glass doors.

Mrs. Stilwell stated he destroyed original Schoolfield doors from the 1880's.

Mrs. Latham stated he was not condoned and wound up in court over that.

Mr. Holbrook stated his case in court, he won right?

Mrs. Latham responded he won.

Mrs. Stilwell asked what is 287 West Main?

Mr. Holbrook responded it is a house.

Mrs. Stilwell stated that is not in the Historic District. It stops at the Montague house, which is 249.

There was discussion about the buildings in the pictures provided by the applicant and what the boundaries are within the Historic District.

Mr. Holbrook stated if you look at the picture of my building, you would have a hard time picking out which window is not vinyl replacement. I mean which one is.

Mrs. Stilwell stated not me.

Mr. Holbrook stated it is more energy efficient. It is more towards the green building that the Governor is requesting. It is not an eye sore. It is easier to maintain. It is a safe and moral issue as well. This building only has two front entrances and one side entrance over in Dr. Chauhan's. If a fire broke out in that building, the only way to get out is through a window. You can't go in a U shape all of the way around the building on the second floor. They would have to bust a window. Those windows were painted shut. We couldn't move them. They had panes that we couldn't keep glaze in them. Some of the panes were cracked. I just replaced a \$400 air conditioner compressor and an \$800 air conditioner compressor that maintains heat on that side.

Mrs. Stilwell stated let me tell you, in the Ferrell building on Main Street, which is now historic lofts. Rehab Builders was able to rebuild every single window from 1885 in that building. They are all hung on chains and they move. They are not even in the Historic District that is subject to our purview.

Mrs. Latham stated I do know that replacing or buying wood framed true divided light windows is prohibitively expensive. I know this because when we had the servant's quarters and called about getting two new windows of that style, which was required, it was over \$1000 apiece; but for \$300 we had both of them repaired, rehung, and fully operational. We just went up the street to North Main.

Mr. Carson stated it cost me \$1000 just to restore my windows a piece, \$3000 to restore windows.

Mrs. Latham stated Carlos at Designs In Glass, \$300 for both windows and they are fully operational, original windows from some time in the late 1800's.

Mr. Holbrook stated these windows are not of historic significance whatsoever. It is a modern building.

Mrs. Stilwell stated I know but it is located in a National Register Historic District.

Mrs. Latham asked are they not wood framed windows?

Mr. Holbrook stated if you look, this is a government piece of paper here that we took off of a website. It tells you about contributing properties that the government doesn't even figure as contributing.

Mr. Carson stated hold on. I know a lot about your house. It was built by a Virginian by the way. It is now the Columbia Embassy. The Federal Government has no jurisdiction over foreign property. I wrote four books on the history and architecture of Washington. The reason why Dupont Circle is now a Historic District is because of one of those books. I know this house very well and the Ambassador. The fact that the Federal Government doesn't necessarily have any jurisdiction is because it is foreign property. Not one single embassy in Washington or foreign owned building in Washington is subject to zoning laws in the City.

Mr. Holbrook asked did you look at what I have highlighted there?

Mr. Holbrook read the statement highlighted on the Contributing Property handout.

Mr. Carson stated your building is actually a nice building. It is well done. It has wonderful details. The brick work is amazing, it really is. It is a contributing building architecturally, maybe not historically at this point. One of the problems with windows and I understand where you are coming from is when you have plug in muttons, those little wires; they look like plug-ins. They are two-dimensional as opposed to the original mutton bars, which have a profile. They cast a shadow. That is what gives character to a window. When you get rid of that and have the plug-ins which are two-dimensional, they are flat and it erases all of that. You lose some of the character in that building, whether it is old or new; it doesn't matter.

Mr. Holbrook stated what you are looking at is your opinion about what this does.

Mrs. Stilwell stated that is our job.

Mr. Holbrook stated ok, but we are not riding horses and buggies up and down Main Street. I've got six horses at my house, but I don't ride them into town. Everything changes to modernization. You have a cell phone on your hip.

Mrs. Stilwell stated this is the law in the City of Danville. It is the law. It was introduced in 1971 and you are subject to that law when you bought a building in a district that is subject to the law. You don't get to break the laws in the City of Danville.

Mr. Holbrook stated the law says that it is not a contributing factor.

Mrs. Stilwell stated no, it does not.

Mrs. Latham stated non-contributing buildings are still subject to the latest district rules. Even YMCA, which is a non-contributing structure and many of us would say is architecturally "one ugly building" it is still subject to the Overlay District and when they want to make changes they still have to come before the CAR with their proposed change, be it for the parking lot, if they wanted to change all of their windows if there were any windows in the front of the building. They would still have to come before this Board even though they are a non-contributing structure. That is just the way the law is written for the Overlay District, so the fact that you are non-contributing is really neither here nor there. What is an issue is that you want to change an original aspect of this building even though it is non-contributing and five years younger than it would be in order to be a contributing structure. You are taking wood frame windows that are true divided light that fit in. Are they not?

Mr. Holbrook responded they are not.

Mrs. Latham stated that fit in beautifully with the surrounding Historic District despite examples that very few were probably condoned by this Board. You want to make a substantial change to the style and look of that from what was originally on this building. That is really the issue. Now one thing I haven't seen, am I just overlooking it, is there a staff recommendation on this? I see all of the design guidelines.

Ms. Blair responded there is no recommendation. I have just given you both sides. Fred has the original survey there for you.

Mr. Carson stated the problem is choosing a replacement window of the nature you have chosen doesn't reflect a true divided light. I have no problem with thermal-pane. I understand where you are coming from on that. It conserves heat and cooling. It is the fact of the material you have used and the fact that you've got a fairly cheap type of replacement window with plug-in mutton bars that are flat and completely ignored the original aspect of this building; whether it is an individually designated landmark or not, it is a contributing building to the Historic District. That is the problem I have. I don't have a problem with replacement windows as long as I have true divided light.

Mr. Holbrook stated it is cost prohibitive. This is a rental property and I am trying to keep it maintained and safe. It is not like I have deep pockets. This is something that we are trying to build up and make as a 401K so to speak for myself. If I didn't feel like it was necessary to replace those windows to keep a tenant, to get it rented out, I wouldn't be spending the money on the building at all. If I didn't think it was a health hazard and a problem with the paving, I wouldn't be paving the parking lot. I just wouldn't do it. I would leave it as is. I wouldn't be spending that money, because I can't afford it.

Mrs. Stilwell asked should we deal with this in two separate issues?

Ms. Blair along with several Commissioners responded yes.

Mr. Meder asked let me ask you one more question before we start to change gears. One of the things that we do recommend or allow would be storm windows. From my own experiences, and from many of our own experiences, they actually do help. Is that something that you would consider?

Mr. Holbrook responded the storm windows are something that I wouldn't be able to get to, to raise and lower because you couldn't open the windows that were there. I will say this, storm windows on the rest of the building. First of all, I didn't know I had to have permission. Renee called and told me about that, so now that I am here, I wasn't looking to put vinyl replacement windows in the whole building. I was doing it on that side of the western exposure, because it was detrimental to my building.

Mr. Meder asked so let me ask you an additional question. I just read an article on Fine Home Building at lunch. Some of the glass on some of the replacement windows is so efficient at reflecting the light they are actually melting the vinyl siding of the homes next door to them. What quality glass is going in? I mean, are you putting in glass that is going to be that efficient that it is going to reflect the light or is this like one of the members said, a cheaper window that will be just a swap out?

Mr. Holbrook responded it wasn't a cheaper window. It was a Low E, argon filled window. It was a nice replacement window. As far as the rest of the building, I haven't even petitioned you to do that.

Mr. Meder stated we are clear on that.

Mrs. Stilwell asked how many of these windows have you installed, all of the fourteen?

Mr. Holbrook responded I have installed all but one. The windows were made a little too large and it took some fabrication to get them in. We have retained all of the wood work around the windows, so they are still going to have to be painted. I've got to go back and paint them now where the paint is still peeling off. I am talking to Danville Paint about doing that. Those have still got to be painted again, all the wood work around the vinyl windows. I have a hard time keeping paint on them. Apparently he has walked over and saw which window was not replaced. If you will look at the sill of that window, you will notice that the paint is just awful and I just painted that last year.

There was discussion about the western exposure.

Mrs. Latham stated you had mentioned that part of this is a safety issue. You mentioned escape from the building and that it is divided in such a way that the two front doors, it is separated inside the building.

Mr. Holbrook stated it is actually separated with two front doors in the front. It is U shaped. There are offices in the middle rooms. You have a hallway down here and there is a door at the end. It goes across and you can come all of the way back up. You could go through this door and come all the way through and come back around.

Mrs. Stilwell asked is the building sprinklered?

Mr. Holbrook responded no, it is not.

Mrs. Latham asked what are the issues in terms, I mean given a basic safety issue what I am hearing is that you feel like you have to have operational windows; however you are only doing one side. If you are on the second floor on the eastern side do you have a problem?

Mr. Holbrook responded no, you can access that other side. There is a walkway right across the back. Dr. Chauhan actually rents the eastern side of the building. Dr. Lasarus rents the western side. You can actually get from one side to the other in the back. It is just one door.

Mr. Carson asked inside the building, what is the sill height on the first floor windows? You are talking about using them as exits.

Mr. Holbrook stated I am just saying in case of a fire.

Mrs. Stilwell asked how high is the sill?

Mr. Holbrook responded about yay high (Holding his hand near waist height).

Mr. Carson stated I am thinking about cardiology patients and how few of them would be able to climb out of the window anyway.

Mr. Carson stated I hate the precedence of all this.

Mrs. Stilwell stated I am opposed.

Mr. Meder stated we are in a tough position.

Mrs. Latham stated I would like to mull it over a little bit myself. Can we talk about the parking lot now and come back to this?

Mr. Meder responded yes. Let us close the public hearing on the window aspect. Are there any more questions on windows? Ok, let's move on to the parking lot.

Mr. Holbrook stated if you look at the last page of the handout you can see the pavers.

Mr. Meder stated yes, it is a mess. We all know it is a mess.

Mr. Holbrook stated that is where the gentleman fell. What I am requesting to do is put either asphalt or concrete in. I want to do that as soon as possible.

Mr. Carson asked you are not requesting to do the whole frontage?

Mr. Holbrook responded no sir, just the place where it is broken up. Do you see the part here where the black car is sitting (picture), I would like to take out the grass to the fence and pave one handicap parking space right there, so you would have handicap accessibility.

Mr. Meder asked and you would still have a driveway?

Mr. Holbrook responded yes and still have the driveway. It used to be parking spaces going all of the way down that driveway on the right hand side. One is designated before I bought the building as handicap parking and it is on an incline. What I would like to do is make this one spot handicap accessible. They could park a van there or whatever, paint it out, pave that one little section, and they could go right up the sidewalk.

Mrs. Stilwell asked so you want to actually eliminate some of the grass?

Mr. Holbrook responded just on that one side. It would probably be maybe 10' or 12' by 20' and on the other side of that is a big parking lot.

Mr. Meder asked would you be willing to stamp the concrete if you were to choose to use concrete in the front?

Mr. Holbrook responded that might be an option.

Mr. Meder stated I understand that pavers are expensive.

Mr. Holbrook stated I would have to talk to Joey Adkins, but I don't think that would be as costly.

Mr. Meder stated it is in the middle.

Mr. Holbrook stated it would be cheaper. I could even stamp the paving. Art Stanley has done that.

There was discussion about stamping concrete and asphalt and potential problems and maintenance issues.

Mr. Meder stated my recommendation would be, personally because I am an expert in this field, stamped concrete. As a Commission our responsibility is, if we are going to make a change it has to be of good quality and it has to enhance the area. You said so yourself, you are trying to enhance the building.

Mr. Holbrook stated we want the same outcome.

Mr. Meder stated right, exactly. The other recommendation that I would make is that you slope that driveway to match the handicap walkway that we are seeing here, so we don't have that trip hazard and have that shadow line. That is what I would do.

Mr. Holbrook asked bring it into the area right there?

Mr. Meder responded the front walk, actually make it part of the front walk.

There was discussion about the walkway and the handicap accessibility.

Mrs. Latham stated I strongly object to asphalt. I agree with the stamped concrete. I don't think that it is stamped so deeply that it would really present a problem; and the other issue of course, your real tripping hazard here, once you put solid concrete there, even stamped, you're not going to have those changes in level, until such time that the concrete gets so old that it begins to break up.

Mr. Meder stated put wire in it and it won't lift.

Mrs. Stilwell stated if it is done correctly.

Mr. Holbrook stated it will still crack.

Mr. Meder stated it is concrete.

Mrs. Stilwell stated I just did a patio in colored concrete and I had it stamped in 4' sections, so it looks like huge pieces of tile. I haven't had any cracking at all, because those lines are cut and that is kind of the expansion joint.

Mr. Holbrook stated it doesn't allow for expansion, what it does is when the concrete cracks, we put expansion joints in our basements, garages, and things like that. We cut the grooves in so when it does crack it will follow that groove instead of being spider webbed across the concrete.

Mr. Meder stated there is another option. You cut a pattern into the whole thing, maybe a diamond pattern instead of stamping it. You are not going to trip on those cuts, but it is still going to give us another feel, an improved look instead of a sea of asphalt or concrete. The City did that on the side streets within the Historic District. They poured concrete and then grooved it to look like little diamonds. I think that is a real viable option.

Mr. Holbrook asked you were saying in 4'x4's or 3'x3's?

Mrs. Stilwell responded yes, something like that.

Mr. Carson stated 4'x4' would probably be better.

Mr. Holbrook stated that would be less of a tripping hazard.

Mr. Meder stated and it would be less work for you too. It sort of fits everybody's needs.

Mrs. Stilwell stated it looks more like stone. I don't like those little tiny cuts. It just looks too busy.

Mr. Carson stated it is also too residential. I agree with Mrs. Latham, I am opposed to asphalt. One of the things that we haven't talked about is if we use concrete, what kind and what color?

Mr. Meder stated that was the second thing I was going to mention. To add color to it is a couple hundred dollars. They don't kill you with it, especially if you do a brown or a greyish tone.

Mrs. Latham stated the grey that was here on these original pavers delineates it from the sidewalk. If you just put down regular concrete, where does sidewalk end and parking lot begin?

Mr. Meder stated architecturally that seems like a requirement, because you are trying to identify the entrance and you are trying to identify the special parking area.

Mr. Carson stated may I make a suggestion? I don't like the grey on the original concrete either. It has nothing to do with the brick. What you might consider is concrete that has a lot of sandy aggregate in it. In other words, pebbles, so you have a little bit of texture to it.

There was discussion about Mr. Carson's recommendation and the color preference of the concrete.

Mr. Meder stated this is in two parts on the paving. The other part was the handicap paving and personally my recommendation would be go ahead and let it asphalt with the rest of the thing; but I am thinking you are going to pour concrete here, so you're probably thinking while the truck is there you are going to pour that one.

Mr. Holbrook stated it would be fine with me to pour concrete on both of them. If we want to do them to look the same, that is not a problem. This side of the building is already designated for handicap; even if it wasn't designated for handicap they would pull up on the curb and park there anyway. All of these transport people just pull right up there and drop them off. Somebody is going to get seriously hurt, and I am hoping it is not Mr. Oakes. My insurance man came out and checked all of my buildings. I have like eleven. They went out and checked the fire extinguishers, and they checked the heating and cooling and all of that. We had a little conversation and we are hoping that we won't. He is 66 and hopefully this will be just the end of it and he will heal. Some people will trip on purpose to try and get that gold digger's money. You know what I am saying?

Mr. Meder stated that is why I recommend you pour the concrete up to the handicap walkway, so there is no trip hazard.

Close the Public Hearing.

**Mrs. Latham made a motion to approve the installation of poured concrete following the slope of the sidewalk and handicap ramp, stained in an appropriate sandy color and stamped and/or 4'x4' sawn joints including the matching poured concrete handicap space to the right of the driveway. Mrs. Stilwell seconded the motion. The motion was approved by a 5-0 vote.**

**Mrs. Stilwell made a motion to deny the request for installation of vinyl replacement windows and recommended that real wood windows be re-installed in the openings on the southwest elevation to match the other original window of the building.**

Mr. Meder called for a second.

Mrs. Latham stated I have popped up with one more question. Am I allowed to ask one more question?

Mr. Meder responded I believe we can just table that and we can ask more questions.

Mrs. Latham asked have you discarded the original windows?

Mr. Holbrook responded they were torn up when I took them down. That is the only way you can raise or lower them. They were torn up. Several of them had busted panes. They are gone.

Ms. Blair stated there needs to be either a second or an additional motion, without a second it dies.

Mrs. Latham stated I don't want to set this precedence.

Mrs. Crews asked how long does it take to die?

Ms. Blair responded it is up to Mr. Meder.

**Mr. Carson seconded the motion.**

Ms. Taylor began to call the roll. Mr. Meder voted in opposition. Mrs. Stilwell voted in favor. Mr. Carson voted in favor. Mrs. Latham's vote was requested.

Mrs. Latham stated I am so divided on this. It is a terrible precedence to set although I know you have many examples others that I doubt were condoned.

Mrs. Stilwell stated it will come back to haunt us.

Mrs. Latham stated I know it will come back to haunt us.

Mrs. Latham voted in favor of denial and Mrs. Crews voted in opposition.

**The motion was approved by a 3-2 vote (Mr. Meder and Mrs. Crews voted in opposition).**

Mr. Holbrook asked what are my options from here, because I am going to fight it all of the way?

Ms. Blair responded you have an option to appeal. An appeal goes to City Council. You can see me in my office and we can discuss that in further detail.

## **II. APPROVAL OF MINUTES**

**Mrs. Stilwell made a motion to approve the minutes from the April 26, 2012 meeting. Mr. Carson seconded the motion. The motion was approved by a unanimous vote.**

## **IV. OTHER BUSINESS**

Mrs. Stilwell asked what is up with Tim Norton and the Talley house on Chestnut and the Wedding Cake house?

Ms. Blair responded the Chestnut house, there has been no activity. It is still open. It is Mr. Rigney's understanding, he is not here and I can't speak for him; but we still have that agreement with the Preservation Task Force not to continue on and not to cite the property owners. That is where we are at this point.

Mrs. Stilwell stated because that will put it on the road to demolition.

Ms. Blair stated we have a lot of properties that we really need to take a look at.

Mrs. Latham stated my understanding is that simply boarding up windows does not necessarily push it down the fast track to demolition.

Ms. Blair stated it is not a guarantee, no; but it can. It is up to the Building Official to what the next steps taken are.

Mrs. Latham stated so we might be able to talk to Jerry about this specific house, because it is one of the fifty-two landmark houses. It appears that the porch is deteriorating.

There was discussion about the work that Tim Norton has done and the options that CAR has.

Ms. Blair stated you are certainly well within your rights to speak to Mr. Rigney about this; but I think what you will find is once the door is opened for this property; it is going to be opened for all. We are not going to discriminate and only cite one individual owner. This is going to go to every property within the Old Westend that has issues.

Mrs. Latham stated something needs to be done.

There was discussion about the back of the Wedding Cake House.

Mrs. Stilwell left the meeting at 4:18 p.m.

There was further discussion about Tim Norton and the work he has done.

There was discussion about the Supreme Court case involving Tim Norton and the glass doors and the changes he made to the roof line.

Mrs. Latham stated if he had taken the corbels off and just left the roof line and still hadn't put the corbels back, we could kindly urge him to get around to getting them stripped and repainted and put up. What he did was a monumentally expensive reversal. He has destroyed that house architecturally. I can't even hardly look at it. That was once a beautiful home. The man destroyed it and the City does have the authority to replace the roof as it was originally. What is the process of getting that done?

Ms. Blair responded I will have to bring it up to Mr. Reynolds.

Mrs. Latham asked would you please? I realize this is years old.

Mr. Meder stated it is a good point. We have been waiting because he has talked to Renee and says that he is going to repair them.

There was more discussion about the work that Tim Norton has done.

Mr. Carson stated the Stewart house. I thought we were going to see a drawing of his proposed front door.

Mr. Meder stated yes, he is not doing that. He is going to come back. He has painted two sides and now we are on the back side of the house. It has got to be done by July 4<sup>th</sup> to get insurance.

Mrs. Latham asked is his utility pole gone?

Mr. Meder responded yes.

There was discussion about the work that has been done so far on the house.

Mr. Meder stated this is so appropriate seeing that we are going to get slaughtered by City Council after this man goes there.

Mr. Carson stated but what we have done is say no.

Mr. Meder stated we did our job and because we are split, which makes them able to reverse it and we don't look bad. We did our job and it is cool.

Mr. Carson stated and nobody can come before us and say "but you have approved replacement vinyl windows."

Mr. Meder stated we are cool. It worked out to our favor. My question is does City Council ever see some of our successes? I think they should. We should pick a few of these successes that we have heard, take a few photographs, and push this in front of City Council. The only thing they ever get from us is that we saw fifty-two cases and we denied two of the fifty-two cases and we accepted the others. They never see the success stories. They are going to get hammered by this guy.

Mr. Carson stated they don't see any of the negotiations on the material, design, and that sort of thing.

Mr. Meder stated I think we should resolve to at least put up one success story each year, three or four 8x10's that they get to see in their packet.

Ms. Blair stated they receive an annual report the same as you do. My suggestion would be for you to attend a Council meeting. If there is an appeal, come.

Mr. Meder stated we would go to that.

Mrs. Latham stated technically, as I recall the way it is written up, we are supposed to give a regular report to Council anyway as a Council Committee.

Ms. Blair stated right, and that is what I do. You get an annual report of so many applications, approved, denied.

Mrs. Latham stated throw in one of those before shots of the servant's quarters and the after. Just give me the pleasure.

Mr. Meder stated that is what I am suggesting, to amend that submission with a before and after picture.

There was discussion about submitting before/after pictures to Council to highlight the work done.

Mr. Meder mentioned the metal roof of his house.

Ms. Blair stated we do have several things. You do have the Old Westend Master Plan. I met with several of you. Mr. Carson you are on the next visit, so don't think we have left you out. There are a couple others. I think Mrs. Castle is on the next visit and it seems like there is one other. Everyone will get a chance to talk with the consultants and have your voices heard. It is a multitude of things that we are looking at with the OWE Master Plan, anywhere from the setup of the CAR, to the boundaries, to the nominations, huge project. Also, there is a Master Plan in what is called the Monument Berryman neighborhood and that is the Tobacco Warehouse District. That is going to be a large area and a huge project as well. We are having a joint meeting for both of those to be in a public meeting on June 21<sup>st</sup> at 6:30 at the Methodist Church. We would love for everyone that can to attend. Please let your neighbors know. We would love to have a packed house and get everyone's voices and to get any kind of historical knowledge of the neighborhood, successes, projects, and what you would like to see in the future. As far as the Old Westend is concerned I want to say it is a central focus as far as location, the Five Forks, but then it branches out; so it does include some Green, Pine, and Jefferson Street.

There was discussion about ways to encourage people to attend the meeting.

Ms. Blair stated we are also going to have a rezoning, which will be tabled I just learned, at Mr. Holbrook's property. He has applied to rezone that property to remove himself from the district. That was his second application in conjunction with this. It has been filed and it was to be heard on the June 11<sup>th</sup> agenda. My letters are in the mailbox.

Mrs. Latham asked does that constitute spot zoning?

Mr. Meder stated yeah, that won't happen.

Ms. Blair responded he informed me just a little while ago that he was on vacation during that time period, so it may be pushed to August. I will keep you up to date on that one as I receive official word from him; because I can't move it until I receive an official letter from him. We have had that happen one time before on Grey Street in 2009.

There was discussion about the property on Grey Street that was rezoned.

Mr. Meder asked when is Amanda and Allison coming again?

Ms. Blair responded in a public meeting?

Mr. Meder responded no, to visit with people.

Ms. Blair stated I know they're coming June 7<sup>th</sup> for staff meeting and I will check their time schedule to see if they have more that day.

Mr. Meder asked can you just email us that?

Ms. Blair responded yes, as soon as I hear. We just solidified June 7<sup>th</sup> as a meeting date. I don't know what openings they have yet. They normally just give me times and I fill it. We will see what happens on that.

There was discussion about previous meetings that several Commissioners have had with Amanda and Allison.

Mr. Meder informed the Commission of specific meetings that he has had with Earl Reynolds discussing the banking plans (vetting process) and other instruments involved within the Master Plan.

Ms. Blair stated there are a lot of pieces to this puzzle. They are going to overlap some with Old Westend and Monument Berryman. They are just too close spatially for them not. We just really want to get the participation and to get the information out there.

Mrs. Latham asked have you provided them a copy of the plan from the 70's or 80's for the entire rental housing area and Tobacco Warehouse District that was made and evidentially shelved by the City, because we have a copy of it? They took pictures of all warehouse buildings.

Ms. Blair responded I don't know if they do.

Mrs. Latham stated DHS has a copy of this very thorough plan.

Ms. Blair stated I don't think they do, because I only have one copy. There is a lot of material that when they come back, they want to look at and I am not letting them leave my office.

There was discussion about this particular plan that was done in the 70's - 80's and how it would benefit the consultants to see this plan.

With no further business, the meeting adjourned at 4:41 p.m.

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APPROVED