DANVILLE

COMMISSION OF ARCHITECTURAL REVIEW

POST OFFICE BOX 3300 DANVILLE, VIRGINIA (434) 799-5260

FEBRUARY 25, 2016
3:30 P.M.
FOURTH FLOOR CONFERENCE ROOM

AGENDA

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ITEM FOR PUBLIC HEARING

1. *Request for a Certificate of Appropriateness, PLCAR2016000017, filed by Mike Spangler to complete the following at 165 Holbrook Avenue:*
   a) *Remove multi-unit staircases and enclosures on rear of structure*
   b) *Install a 6' dog-ear style wood privacy fence along the rear property line*
   c) *Replace existing round metal gutter at rear of house with aluminum gutter to match existing gutter system on the remainder of the house.*

IV. APPROVAL OF MINUTES FROM JANUARY 28, 2016

V. OTHER BUSINESS

VI. ADJOURNMENT

DANVILLE

COMMISSION OF ARCHITECTURAL REVIEW

POST OFFICE BOX 3300 DANVILLE, VIRGINIA (434) 799-5261

Commission of Architectural Review
Meeting of February 25, 2016

SUBJECT

165 Holbrook Avenue
VDHR # 108-0056-0076

This application was postponed during the January 28, 2016 meeting of the Commission of Architectural Review.

APPLICANT'S REQUEST

The applicant, Mike Spangler, is requesting a Certificate of Appropriateness to complete the following at 165 Holbrook Avenue:

a) *Remove multi-unit staircases and enclosures on rear of structure*
b) *Install a 6' dog-ear style wood privacy fence along the rear property line*
c) *Replace existing round metal gutter at rear of house with aluminum gutter to match existing gutter system on the remainder of the house*

STAFF EVALUATION

Item a) Section 3 Item C.3 of the Old West End Design Guidelines addresses Porches and Entries. It states that "Porches and front entries are highly individual and are an essential part of the architecture of the house". The rear porch and stair system of 165 Holbrook Avenue is a system of inconsistent construction elements that were used to maintain access to a quad unit complex. The request of the applicant creates a simpler look that would enhance the structure. Staff believes this request does meet the Guidelines.

Item b) According to Zoning Code, the "rear property line" as identified by the applicant is in actuality a front yard due its location adjacent to an open public alley. The Guidelines state in Section 6 Item B pages 2-4 "[f]encing should not exceed 30-48" in front yards, and 6' in side and rear yards. ….[s]olid fencing is not permitted in front yards, but is permitted in side yards behind the façade of the main building and in rear yards." Based on this information Staff believes that this request does

not meet the Guidelines. The Commission must review the request to determine if it will or will not have an adverse effect on the structure or the District. While reviewing this request, Staff believes it is important to point out that the Guidelines state that "[i]f one side has supports showing, this must face the owner building the fence".

Item c) Section 3 Item C1 of the Old West End Design Guidelines addresses gutters. It states [t]hose buildings with half round metal gutters and round downspouts should retain or repair them". Therefore, Staff believes that this request does not meet the Guidelines. The Commission must review the request to determine if it will or will not have an adverse effect on the structure or the District.

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CERTIFICATE OF APPROPRIATENESS APPLICATION

Article 3.R.C.1.

No zoning, site plan, subdivision plat, or building permit shall be issued for the erection, reconstruction, exterior alteration, restoration, rehabilitation, razing, relocation or demolition of any building, structure, signs, fences, walls, light fixtures, accessory buildings, pavements, grading, site improvements, significant landscaping features or other appurtenant element in an HP-O District unless and until such building or site element has been approved by the issuance of a Certificate of Appropriateness by the Commission of Architectural Review for the City.

INFORMATION TO BE PROVIDED BY PLANNING DIVISION

Application Number: _____ CAR Date: _____

Date submitted: 12-17-15 Received by: BB _____

Tax Map Number: _____ Zoning Map Number: _____

Architectural Inventory Rating: _____ Zoning District: _____

Additional Zoning Information: _____

_____

All buildings, structures or improvements located in the Old Westend Historic District and visible from a public right-of-way shall not be located, constructed, reconstructed, altered, or repaired unless a Certificate of Appropriateness has been issued by the Commission

of Architectural Review. The Commission meets once a month on the fourth Thursday of the month at 3:30 P.M. in the fourth floor City Council Conference Room located in the Municipal Building. All questions or applications should be submitted to the Planning Division, located on the second floor of the Municipal Building, 427 Patton Street, Room 207, Danville, VA 24541; (434)-799-5261. As of July 1, 2009 a $25.00 fee will be required for each application submitted for review.

INFORMATION TO BE PROVIDED BY APPLICANT

Important-Please read before completing application

a) All questions on this application must be fully answered
b) The application must be signed by the property owners or representative with written authorization by the owner
c) A drawing, photo, plan or sketch of proposed project with dimensions

Have you read and understand the Design Guidelines for the Historic Overlay District of Danville, Virginia? Yes

Are you aware of the federal/state tax credits and Real Estate Abatement program available for potential reimbursement/credit of money used during substantial rehabilitation projects? Yes

Would you like more information about these programs? No

Which one(s)? None

Property Location: 165 Holbrook Ave, Danville VA 24541

Name of Applicant: Mike Spangler (Marcella Kaigler)

Applicant's Address: 144 Sutherlin Ave, Danville VA 24541

Applicant's Phone Number: 336-459-2849 Email Address: handyman4545@gmail.com

Work Proposed (please circle one): Alteration/addition/rehabilitation/new construction/sign

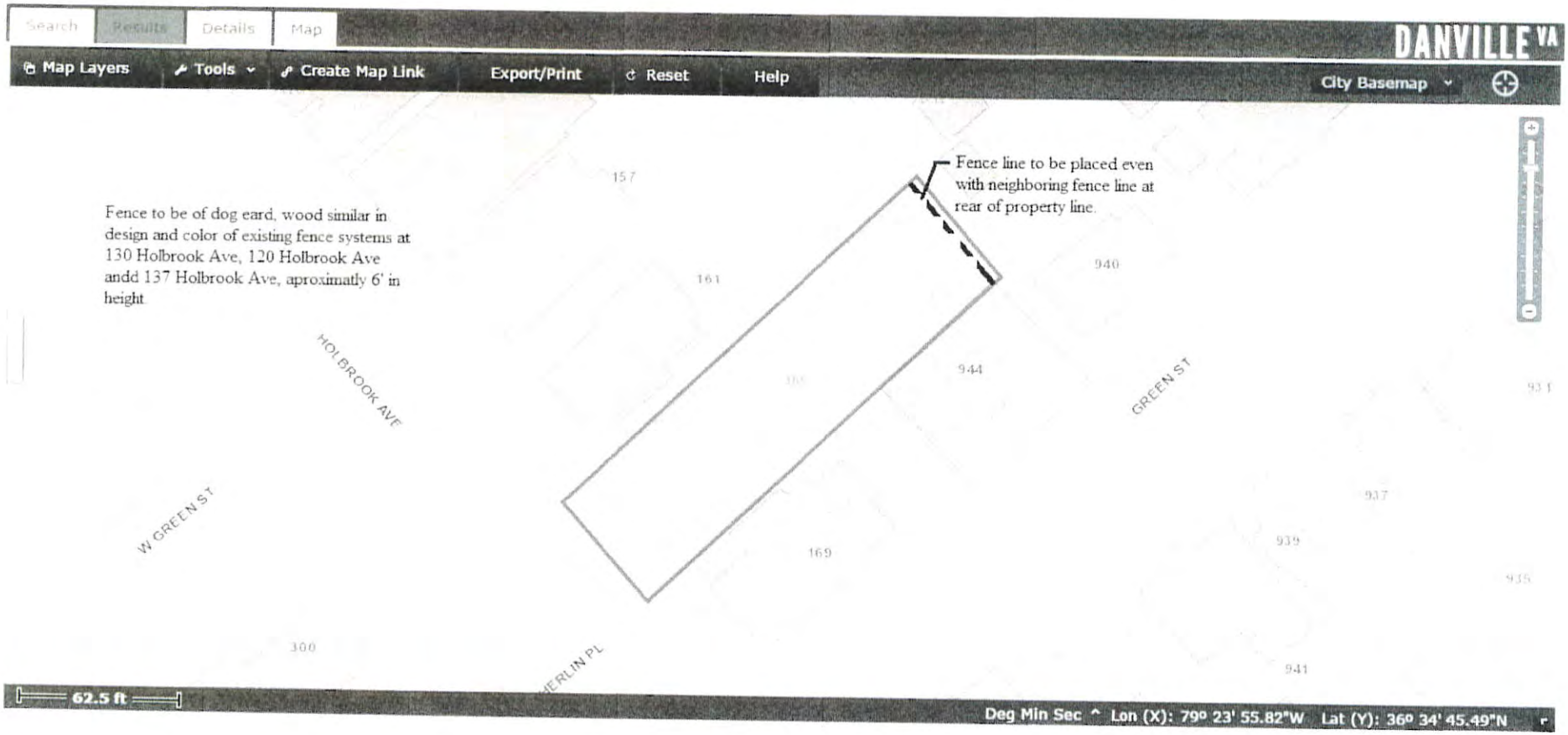
1) Abandon mid 1900's frt porch concrete stair and erect wood stairs (& opt. rails) to current building code compliance.
2) Remove multi unit egress/ingress stair on rear porch.
3) Erect privacy fence along rear of property to prevent intruders.
4) Repair or roof over existing front porch metal roof with like material, color and design metal roofing.
5) Remove existing stairs from rear porch 2nd Fl to attic and affiliated surrounding siding retaining roof and porch as is.
6) Remove and replace existing rusting metal gutter work and replace with new, ~~vinyl~~ aluminum to match existing gutter work.

Type of material(s) to be used: All work to be done with like or similar materials and color

Signature of Property Owner (if not applicant)

Signature of Applicant

CLEAR


Search
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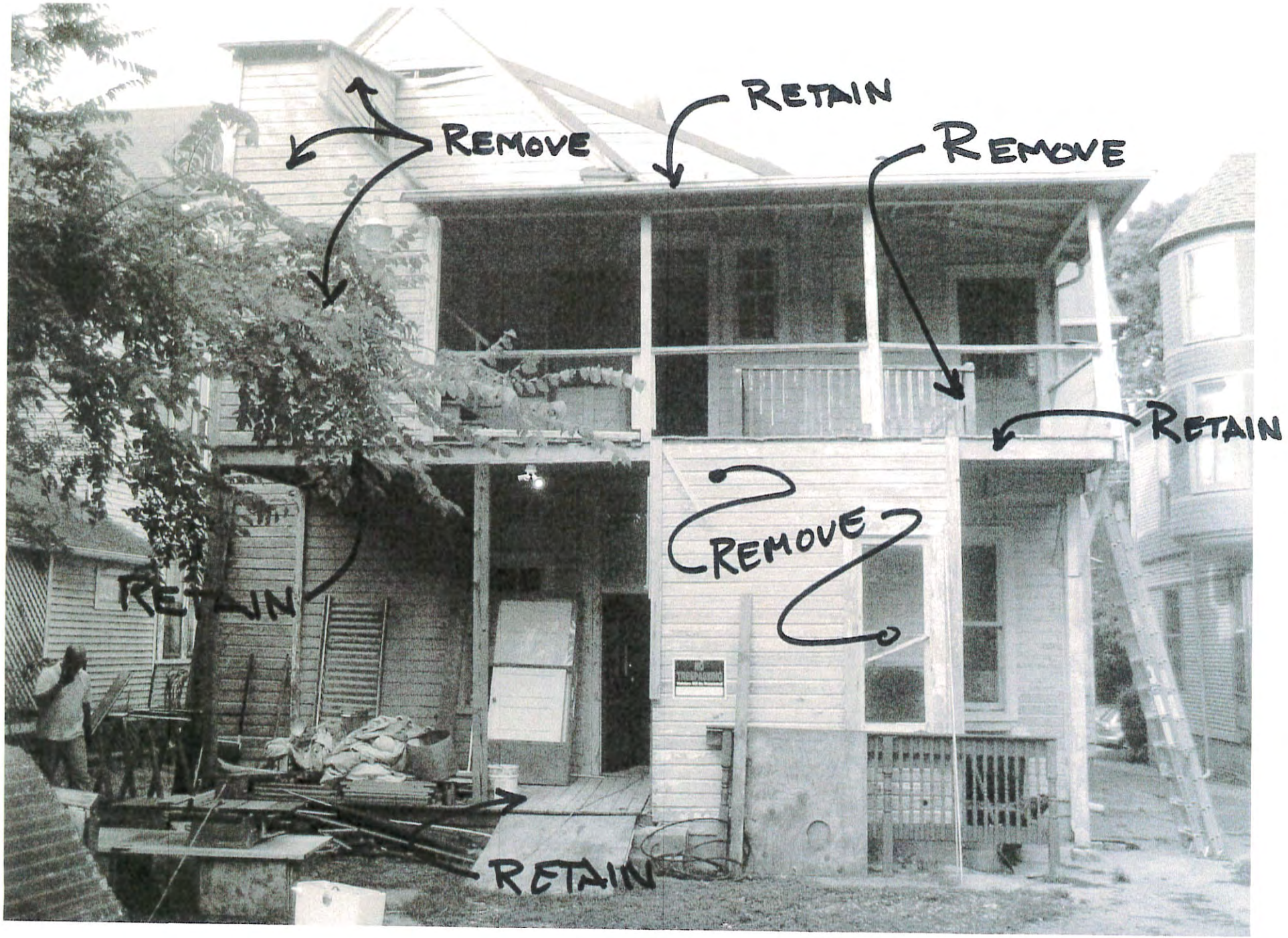
DANVILLE VA
Map Layers
Tools
Create Map Link
Export/Print
Reset
Help
City Basemap
Fence to be of dog eard, wood similar in design and color of existing fence systems at 130 Holbrook Ave, 120 Holbrook Ave andd 137 Holbrook Ave, aproximatly 6' in height.
Fence line to be placed even with neighboring fence line at rear of property line.
HOLBROOK AVE
W GREEN ST
GREEN ST
157
161
940
944
169
937
939
941
62.5 ft
Deg Min Sec
Lon (X): 79° 23' 55.82"W
Lat (Y): 36° 34' 45.49"N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DANVILLE

COMMISSION OF ARCHITECTURAL REVIEW

POST OFFICE BOX 3300 DANVILLE, VIRGINIA (434) 799-5261

December 21, 2015

Dear Mr. Spangler,

Thank you for application submission for the January CAR meeting. After review of your application, there are a number of items that need to be addressed prior to the January 28th meeting date. Your application has six (6) items listed and I will address each one individually. Please resubmit, if necessary, any information prior to the January 14th application deadline so that your application can be properly reviewed by the Commission.

1) *Abandon mid 1900's frt porch concrete stair and erect wood stairs (& opt,. rails) to current building code compliance.*
   - This item cannot be reviewed by the Commission. According to Article 3.R. Section 6 Item J entitled Application Submission Requirements: *If a denial for a Certificate of Appropriateness by the Commission of Architectural Review is appealed by the applicant to City Council and upheld; a request in substantially the same form shall not be resubmitted.*
2) *Remove multi unit egress/ingress stair on rear porch*
   - Please provide photos or drawing
3) *Erect privacy fence along rear of property to prevent intruders*
   - Please submit location, design, material, color and height specifications
4) *Repair or roof over existing front porch metal roof with like material, color and design metal roofing.*
   - As stated in Section 3 Item J of the Design Guidelines: *Roof repairs with like materials* does not require a COA
5) *Remove existing stairs from rear porch 2nd Fl to attic and affiliated surrounding siding retaining roof and porch as is.*
   - Please provide photos or drawing
6) *Remove and replace existing rusting metal gutter work and replace with new, vinyl to match existing gutter work.*
   - Please submit location, design and color specifications

Thank you again for your submission and I look forward to hearing from you.

Renee Burton, Senior Planner

COMMISSION OF ARCHITECTURAL REVIEW

January 28, 2016

Members Present	Members Absent	Staff
Michael Nicholas	Robin Crews	Renee Burton
Robert Stowe	Susan Stilwell	Clarke Whitfield
Robert Weir		Anna Levi
Sean Davis		Tracie Milam
Jeffrey Bond		Ken Gillie

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

ELECTIONS OF OFFICERS

Mr. Nicholas turned the meeting over to Mr. Whitfield for the Election of Officers.

Mr. Whitfield called for nominations for Chairman.

Mr. Weir nominated Mr. Nicholas for Chairman. The nominations were approved by a 5-0 vote.

Mr. Whitfield called for nominations for Vice-Chairman.

Mr. Nicholas nominated Mrs. Crews for Vice-Chairman. The nominations were approved by a 5-0 vote.

Mr. Whitfield called for nominations for Secretary.

Mr. Davis nominated Mr. Weir for Secretary. The nominations were approved by a 5-0 vote.

ITEMS FOR PUBLIC HEARING

1. *Request for a Certificate of Appropriateness, PLCAR2016000016, filed by First Presbyterian Church to remove an existing skylight and replace with standing seam metal to match remaining roof at 937 Main Street.*

Mr. Nicholas opened the Public Hearing.

Present on behalf of the case is Bob Newnam representing First Presbyterian Church on this request.

Mr. Newnam stated this is a skylight that was closed in, in 1954. The wire glass cannot be repaired at this point. Wire glass is basically illegal it's not being made anymore. The skylight that you have a picture of here, is when I was standing on the roof right beside it you can't hardly see any of it. If you go back to the Sutherlin Museum on the backside and look back through there you can. The picture from the left is the back of the sanctuary. The church is just amiable to anything you all want to do with it. I just figured standing seam since that is on the roof now it just needs to be reworked in. We can take that and just line it up with what is there already.

Mr. Nicholas closed the Public hearing.

Mr. Weir made a motion that the request meets the guidelines to approve as submitted. Mr. Davis seconded the motion. The motion was approved by a 5-0 vote.

2. *Request for a Certificate of Appropriateness, PLCAR2016000017, filed by Mike Spangler to complete the following at 165 Holbrook Avenue:*

    a) *Remove multi-unit staircases and enclosures on rear of structure*

Mr. Nicholas opened Public Hearing.

Mr. Nicholas stated the applicant has informed Renee that he will not be present and has asked for approval. The co-owner of the property Mrs. Kaigler has indicated that she is imposed to two of the three requests specifically which ones?

Mr. Davis stated both A and B.

Mr. Nicholas closed Public Hearing.

Mr. Nicholas stated if the co-owners of the property are at odds is the request properly before us?

Mrs. Burton stated yes because the application was signed by a property owner. So it must be accepted.

Mr. Nicholas stated so we can consider A and B even though the property owners can't agree on whether they want to do it or not?

Mrs. Burton stated yes opposition was just brought to our attention.

Mr. Weir stated is it possible that we can delay this until they come.

Mrs. Burton stated certainly you can postpone the items.

Mr. Whitfield stated didn't you have a conversation suggesting that?

Mrs. Burton stated I asked Mr. Spangler if he would like for the items to be postponed or would he like for them to be reviewed in his absence. He chose for them to be reviewed in his absence but that doesn't mean that it can't be the decision of the Commission to postpone them.

Mr. Nicholas stated it seems to me that I would want the owners of the property to present a unified front before.

Mr. Davis stated would it better for us to break this up into three individual items.

Mr. Nicholas stated you certainly can. You can make one motion on each.

Mr. Davis made a motion to table item A until the next meeting. Mr. Stowe seconds the motion. The vote was approved by a unanimous vote.

b) Install a 6' dog-ear style wood privacy fence along the rear property line

Mr. Davis made a motion to table item B until the next meeting. Mr. Stowe seconds the motion. The vote was approved by a unanimous vote.

c) *Replace existing round metal gutter at rear of house with aluminum gutter to match existing gutter system on the remainder of the house.*

Mr. Bond stated it would have been nice to have a little bit more information and better pictures.

Mr. Nicholas stated you can move to approve or disallow here, you can move to carry over that request to the next meeting and request the applicants be present.

Mr. Weir made a motion to table item C until the next meeting. Mr. Stowe seconded the motion. The vote was approved by a unanimous vote.

3. *Request for a Certificate of Appropriateness, PLCAR2015000353, filed by DRHA to demolish all improvements present on Parcel ID #22966, #25567 and #24032.*

Mr. Nicholas stated an issue has been raised both by members of the public and by members of the Commission. As to whether or not this request is properly before us, given the zoning codes provision on a sustainably similar request being filed within one year. As the Commission knows last June we considered a request related to these parcel ids and several requests for demolition were denied. I have therefore asked our legal counsel, as well as the Zoning Administrator Mr. Ken Gillie, to be present here to

be able to explain both the zoning code and the process for which this request comes before us. So if I could have you Mr. Whitfield give the explanation.

Mr. Whitfield stated I would like to refer to Mr. Gillie. Anything I need to fill in I would be glad to; under 2C of the zoning code it is his job to administer and enforce the zoning code. I will let him explain what his interpretation was of this application.

Mr. Gillie stated the Board approved part of the demolition last year. After the Board had its meeting we received a report that substantially changed the way we could potentially do anything to that property. Because of the substantial changes in my opinion it is a different application, we can't tear down certain portions without it affected other portions of the structure. So I made the determination that this is a substantially different application.

Mr. Whitfield stated since he has made that determination under section 13A of the zoning code only the Board of Zoning Appeals could overturn that decision and they have thirty days to appeal that decision.

Mr. Gillie stated that expired about a month and half ago.

Mr. Whitfield stated based on this application date it expired. At this point it is his opinion that it is properly before you, it is his job to administer and enforce the zoning ordinance.

Mr. Nicholas stated if I understand you correctly and please correct me if I am wrong. The City code empowers the Zoning Administer to make the determination as to whether or not this is a similar request.

Mr. Whitfield stated yes that's correct.

Mr. Nicholas stated once the Zoning Administer makes that decision if someone wants to appeal that what is the body they appeal to?

Mr. Whitfield stated they would appeal to the Board of Zoning Appeals.

Mr. Nicholas stated under the City Code does this commission have any authority to overturn the decision of the Zoning Administer?

Mr. Whitfield stated in my opinion they do not. It would only be the Board of Zoning Appeals who could in fact change that decision of the Zoning Administer.

Mr. Nicholas stated does any member of the Commission have any questions for Mr. Gillie or Mr. Whitfield about the process by which this request arises here?

Mr. Weir stated going back to the time that we approved the demolition of what used to be the welding shop and the bakery at one time. I thought we approved them not by parcel but by old street addresses? Susan gave us street addresses and we used those for the two addresses that we said could be taken down. Because they were in total disrepair and the only thing was that the flower shop in that corner building and everything along Jefferson had to remain.

Mrs. Burton stated addresses were discussed during the meeting but in the final motion the determination was made to use parcel ids; because that was the current identification to this properties. Not the known as or historic addresses of the property or the structures themselves. So the motions were made by parcel ids.

Mr. Weir stated I guess I'm confused because we said the two houses from downstairs and bakery slash welding shop could come down along with the little grocery store and that corner would remain. That was a big thing that we maintain that corner building and what use to be the music store and down Jefferson Street. Now all of sudden these parcels are brought up and we have spent eight thousand dollars to show that this building is no good anyway. I am the only one of the Commission that went through those buildings it is a mess.

Mr. Davis stated I thought we just agreed to vote on parcel ids but I thought we were addressing them in the meeting as parcel ids because it would make it easier, with the intent that the parcel id was tied to the house. In the report it is saying to cut the alley way, which is the stairway now has been covered and half board that up. We wanted to clarify that those houses we wanted down and we supported bringing those down.

Mrs. Burton stated that is in part why the application is again in front of you today. It was not known information that the parcel line actually when through that structure at the meeting in June. So when the parcels identifications where used the property line went through one of the structures causing what we have now which is about a ten foot gap of structure that has not been addressed.

Mr. Davis stated so we are here to be able to address that and take it back to that parcel ids.

Mrs. Burton stated there is a presentation by the applicant that will give you more detail.

Mr. Whitfield stated I want to make sure we determine you all are satisfied and that the Commission is satisfied with the regard to whether or not this request is properly before you. I was going to ask Mr. Gillie if he had anything to add.

Mr. Gillie stated when you find the actual parcel ids which are the true tie to a property. The addresses don't necessarily match and that's the issue we have here. At the time,

your motions didn't line up with what was actually physically there and because of that we have got gaps. So if we start doing any of the work it creates issues with other structures.

Mr. Nicholas stated but if I hear everyone correctly we did not know at the meeting last June that the parcel ids did not line up with the addresses. We made that assumption when we did it by motion.

Mr. Gillie stated correct.

Mr. Nicholas stated so our attempt to make it easier made it more difficult.

Mr. Gillie stated subsequently that's why we are here.

Mr. Nicholas stated that's why we are here. Before we get into the merits of the request are you guys satisfied with explanation of why this is back within a year or do you have more questions on that issue?

Mr. Weir stated it's a legal issue I guess because of the property line. I guess the house was built over the property line which created this gap. So, there was a mistake made many years ago.

Mr. Nicholas stated to be clear Mr. Gillie's ruling is only that the application can be brought to us. It's not that we have to approve it or have to disallow it; it's only that it's proper to hear it.

Mr. Nicholas opened the Public Hearing.

Present on behalf of this request Mr. Reynolds, Director of the Community Development Division.

Mr. Reynolds stated thank you for the opportunity to bring this matter back and I hope we can answer some of the questions I have heard already in our presentation. As we have already discussed in June of last year a request was made to demolish the structures located at Five Forks. Which is 254 Jefferson Avenue, 400 Jefferson Avenue, 806 Pine Street and the Façade of 402 Jefferson Street. What the Commission approved was a partial demo. In other words all the structures that Mr. Weir has pointed out. The Jefferson Street façade as many of you know maybe all of you know that was a building that burned. What remains there is simply just façade which was instructed by the City to do so that there wouldn't be a gap in the wall. So that wall is a hardie board false garage looking wall. This was defined by parcel number 22967, 22968 and 22969 that was from the Danville GIS, this was displayed on the screen at that meeting. So the parcels approved for demolition are those in the shaded area. B is the Victorian home; C is the concrete masonry buildings all the way to the left with what use to be a little

service garage beside it and the cinderblock building that fronts Pine Street. We just simply labeled D at the very bottom there because that building was never in question; we never intended to do anything with that building. Building A is the bakery/Hagan structure. Beside that is what is referred to you all as the florist building or the piano building. So, let's talk about the feasibility's. When we were approved to demolish only certain buildings the shaded area, we had to go to another level of investigation. To determine where the property lines were; not having in house the capability to do that we retained Dewberry and Mrs. Dodie Hudson is here representing Dewberry. She was in charge of the investigation to determine where in fact the property lines are. Not only to ensure that we did not go beyond what we were authorized to do. But we needed to be able to identify the property that had been cleared so that new deeds can be made. So that, they can be legally conveyed and so a developer or individual will not have any issues with banks or other developing financing companies. You have to prove that what you are financing is really what you say it is. So that was a great deal of purpose of the eight thousand eight hundred dollars that we have spent.

Mr. Nicholas stated the building that you have labeled C and B that's one building and that's what straddles the property line? Is that the building you are referring to?

Mr. Reynolds stated those are the Victorians.

Mr. Nicholas stated you are saying when we approved this back in June we didn't realize that the Victorian straddled the property line? So you are asking for permission to demolish C and B?

Mr. Reynolds stated completely as well as the stairway that sits between B and A.

Mr. Nicholas stated are you asking to demolish building A?

Mr. Reynolds stated not at this point.

Mr. Nicholas stated that's what I'm asking, carry on.

Mr. Whitfield stated the Housing Authority owns building A.

Mr. Nicholas stated so building A is not before us just building C and B.

Mr. Reynolds stated not yet.

Mr. Nicholas stated please go on and we will open it for Public Hearing.

Mr. Reynolds stated this presentation has a part A and B. So the building spans two parcels. It spans which then bleeds over to parcel A. So the physical survey of the parcel shows one building unexpectedly (we are talking about that Victorian) sits on two parcels. The engineering study on demolition by parcel the division by parcel is cost

prohibitive and irrational. You don't want to simply cut a building in half. I don't believe that was anybody's intent. The division at the stairwell is structurally possible and believed to be the intent of the CAR. We think that is what CAR intended. So the division at the stairwell you see the shaded area shifts to be in conformity with the lot lines. There was an alley way between those buildings until they were cobbled together and there is a stairwell in that area that needs to be removed as well.

Mr. Davis stated if you will look at building A where A intersects B. There is a yellow line that looks like a parcel line does that cut into the floors too? This piece here, this parcel line is this part of the stairwell or does this lead over and that cuts off.

Mrs. Hudson stated do you see the line that is separating B and A?

Mr. Davis stated yeah.

Mrs. Hudson stated that stairwell runs along and you can enter into the stairwell from Jefferson Avenue and it goes up along that red line. That part that you are seeing that little triangle is not part of the stairwell.

Mr. Davis stated okay but that intersect right there that is still the parcel correct?

Mrs. Hudson stated I think that yellow line that you are seeing is the GIS lines not the actual true survey lines.

Mr. Davis stated that's where I wanted to go okay so that's the GIS lines. What we are actually talking about is the physical red line that is up there to be demolished correct?

Mrs. Hudson stated that's what they are asking. Yes because that is where the stairwell is. What happens is the parcel and if you look in that report that we did. You will see a white line that goes through. Let's just say this is the line of the pharmacy building and then there is that alley way that a stair was built in. This is the wall of the Victorian home. About ten feet into the home is where the property line is. So we would have to cut the building in half.

Mr. Weir stated well I'm looking at the drawing and this aerial shot and you have got the staircase shown and its looks like it is taking off part of building A.

Mrs. Hudson stated so yes do you see some lines going through that. It's a hash line.

Mr. Weir stated yes.

Mrs. Hudson stated okay that is the portion that the stairwell is sitting in about ten feet along that parcel that will need to be kept.

Mr. Weir stated according to this it looks like it is coming right in here and it is cutting off that wall for building A.

Mrs. Hudson stated I think this is probably just the aerial from GIS not this actual aerial here with our lines on it.

Mr. Weir stated the pictures that we have here of the stairwell if you go up the stairwell and go left that is the old pharmacy that will remain?

Mrs. Hudson stated the pictures of the stairwell are actually on the outside wall of the pharmacy.

Mr. Weir stated this picture?

Mrs. Hudson stated yes.

Mr. Weir stated so this will be the pharmacy? That wall stays?

Mrs. Hudson stated I guess.

Mr. Nicholas stated if the request is approved as submitted. You question is does that wall stay?

Mrs. Hudson stated that wall would be part of the pharmacy, yes.

Mr. Nicholas stated so it would not be demolished.

Mr. Reynolds stated we do not have permission at this point to demolish the pharmacy. The wall that Mr. Weir was looking at there is between the outer wall of the pharmacy and the victorian.

Mr. Weir stated the hash mark just showed it coming into building A.

Mr. Reynolds stated that's been one of the struggles to make sure we understand the actually lot lines, the legal lot lines versus what was shown in GIS.

Mr. Nicholas stated please continue.

Mr. Reynolds stated what we are requesting is to demolish, again this is a rehash of last year, 22967, 22968, 22969 and that portion of 22966. The drug store building does sit on parcel 22966 and we are asking to demolish that part that includes the divided building the Victorian and the stairwell. We believe at that time that was the intent of the CAR.

Mr. Nicholas stated so looking at the minutes of the June 25, 2015, Renee correct me if I'm wrong. In reference to the motion to approve you already have permission to

demolish 22967, 22968 and 22969. The only thing you are asking for here is permission to demolish the portion of the parcel on 22966 as its written is the only thing that is before us right now correct?

Mr. Reynolds stated that is part A of this presentation.

Mr. Nicholas stated okay so far that's what you are asking?

Mr. Reynolds stated yes.

Mr. Nicholas stated okay keep going.

Mr. Reynolds stated before we get into part B.

Mr. Nicholas stated would you like for us to handle this?

Mr. Reynolds stated yes.

Mr. Nicholas stated at this point are there anymore questions from the Commission for the applicant? I am going to ask that we have the entire presentation and public comment before we open it up to votes. So far any other questions for the applicant?

Mr. Nicholas stated at this point we will open it up to members of the public.

Mr. Steve Wilson stated I'm a resident of 918 Main Street. So first of all, I was trying to listen to the exchange between the City Attorney and Mr. Gillie about the timetable for the appeal. You said thirty days from when?

Mr. Whitfield stated I don't know whatever day Mr. Gillie said.

Mr. Nicholas stated Mr. Whitfield expressed the Zoning Administrator Mr. Gillie makes the determination about the nature of the request. Once that is done a thirty day clock starts to run. Mr. Gillie when did you make the determination concerning to hear this request?

Mrs. Burton stated it was received just prior to Thanksgiving we received it I believe on the 19th does that sound correct?

Mr. Wilson stated so Mr. Gillie is the only one that can appeal?

Mr. Gillie stated it was November like she said. The day we received the application we went over it. So it would have been November 19th.

Mr. Nicholas stated so the answer to your first question.

Mr. Wilson stated so that was actually two months before the agenda item was actually crafted which turns out to be a violation to section 3.

Mrs. Burton stated that is incorrect. It was on the December agenda and then postponed. The actual members of the Commission received that agenda and then received a new updated agenda when that item had been postponed.

Mr. Wilson stated okay so about the actual request as many issues that come before the CAR we then set a precedent. Which then has an unfortunate trickle-down effect to everything that comes to the Committee because there are a number of people last year that were forced to wait a year before they could then come back to ask for putting wooden steps on their house.

Mr. Nicholas stated I think we are hamstrung by the law. From what the law says we don't have the ability to overrule that decision.

Mr. Wilson stated I have the details of the request from last June.

Mr. Nicholas stated let's say you are right you are absolutely.

Mr. Wilson stated basically the request here on the agenda doesn't have A, B or C it actually says demolish all the buildings at Five Forks except the one little building.

Mr. Nicholas stated Mr. Wilson stated I think the problem is assuming that you are 100 percent correct in your interpretation the problem is with the City Code and that the authority to overrule Mr. Gillie is vested by order of City Council and the Board of Zoning Appeals. So that even if this commissions agrees with you 100 percent by law we can't overturn his decision.

Mr. Wilson stated to clarify what the request was last year was to demolish all the buildings and that's the request this year. So irrespective of a piece of a building or whatever happen in between that someone thinks it is a total different request. My reading of the rules is that this is the exact same request to demolish all the buildings. Now if this was actually what Dewberry asked for was to clarify the half house and get that off the list. This is actually the repeat of a motion from last year but we are waiting for is B and C which you are going to demolish all the rest of the buildings. So I would just point out that this request is to demolish all the same buildings that we talked about a year ago. Therefore, if the Commission here wants to revisit the whole story from last year I didn't print out all the minutes from last year. We had a nice long discussion about it. I hope someone brought the minutes with you. So that was my comment about what is being ask for which is actually far beyond what is on that first bullet point.

Mr. Lawrence Meder (Retired Col.) stated I live in the Old West End. Could you go back to the A, B & C? If you go to C and come down and then you go to the left it's a little building in the back where what use to be a cab company. It's come to my attention that they have left all of their tires there. There is a drain right here that either goes into a

creek or into City water supply. The cab company was probably funneling oil through. I was wondering has the City done an EPA impact assessment of the area for the hazards to the community? If they do get permission to tear down this structure are they going to remediate the oil, the tires and the contamination first and then tear it down? Or are they just going to shove everything into a big truck? Since I have now been enlightened that you now own A. I actually had a chance to go inside of A. I need to understand is this line a door right here and its two apartments on top of it?

Mr. Reynolds stated the Hagan drug store building there is one entrance from Jefferson Avenue.

Mr. Meder stated over here there is like a glass front right?

Mr. Reynolds stated that is correct. There is a loading dock door on the Jefferson Street side that was we believed to be added at some time after the original building was built.

Mr. Meder stated there was a door back here that you could go through to get to the fire escapes and go up to the apartments?

Mr. Reynolds stated there is a door that leads into the ground level of A.

Mr. Meder stated next to one of these buildings is a wooden structure in between so it looks like it is a courtyard area.

Mr. Weir stated that is between A and D.

Mr. Davis stated you are talking about D with the building that has the apartments above it.

Mr. Meder stated so D is that building. Okay now I have my orientation right that helps. So this common wall here that goes to A and has a staircase on the left side. So you want to take the staircase and the remaining eight or nine feet of the building A.

Mr. Reynolds stated the staircase is actually railed and fastened to the side of the Hagan drug store building.

Mr. Meder stated the staircase gets you into to B upstairs?

Mr. Reynolds stated it gets you into A and B.

Mr. Meder stated is there another way to get into A if this staircase is removed?

Mrs. Reynolds stated not to the upper level.

Mr. Meder stated so if you have permission to tear down the staircase then the folks would not be able to get into the upstairs of A.

Mr. Reynolds stated not from the lower level. The stairs need to be removed because of deterioration.

Mr. Meder stated so then part of your plan would be to rebuild metal stairs to be able to get into A?

Mr. Reynolds stated we would build stairs that meet code.

Mr. Meder stated that's good to know. That if they get permission to remove the stairs that they will immediately put stairs back to get to the upstairs of A.

Mr. Reynolds stated I don't know if the word is immediately.

Mr. Meder stated would it be within a month, six month or a year? Or would it be like the buildings in the Old West End that no work is being done on?

Mr. Reynolds stated it would be after the building B was demolished and the staircase was removed.

Mr. Meder stated so within a year?

Mr. Reynolds stated I don't have a demolition schedule in front of me.

Mr. Meder stated within a year after it is demolished?

Mr. Reynolds stated oh sure.

Mr. Meder stated okay I think that is fair I'm not looking to see process overnight. So if any damage would occur to the wall when you take the staircase down to A would that be immediately repaired so that no damage is done to A due to weather?

Mr. Reynolds stated that would be up to the owner of the Danville Redevelopment and Housing Authority that is in contract with the City. There is no money currently.

Mr. Meder stated I would make a recommendation to The Commission of Architectural Review that you do not approve this request to allow them to take the additional eight feet on here unless there is a committee by which this subcommittee or organization of the City. To ensure that any damage that is done to building A is immediately repaired. So that storm water and snow and anything else doesn't damage building A. Your mission here what you say you are trying to do is save A and if we leave gaping holes in it then we won't be saving A.

Mr. Nicholas stated so your recommendation is that the Commission have a condition that if approved the owner has to have a commitment or a plan in place to ensure that any damage to A is remediated.

Mr. Meder stated damage that would facilitate water or storm infiltration into A. We are trying to save A and if there is a big hole when the staircase comes down then you won't be saving A. As a resident of the Old West End I can tell you that I am in support of the CAR decision to remove this red shaded area. I think it is wise to take the extra eight feet of that house that is kind of stuck on it, it should come down. But I do want to make sure one that we remediate the environmental damage that has occurred by the cab company and two that we ensure that A is put back if there is any damage. Three, that within a year after demolition has been finalized that the staircase is put back on A to give the new owners or whatever the ability to get to that. Obviously, it will be a fire hazard once the staircase comes down and the Fire Department will not be able to get up to the second level of A and if a fire starts up there we will lose the whole structure.

Mr. Reynolds stated part B of the decision is considered what we call a further analyze. The entire complex was proposed for demolition in June 2015 it continues to deteriorate rapidly. I don't think that is a news flash to anybody. The rehabilitation of the remaining buildings with the existing façade would not qualify for incentives. If I may pause there we have Allison Blanton with us from Hill Studios in Roanoke. She was a member of the team who did the original analysis on these buildings several years ago and she also appeared before this body in June of last year. I would like for her to come forward and make emphasis on that particular point.

Mr. Nicholas stated I have a question for you guys regarding the threshold matter. Is part B a request to demolish the same buildings that we denied back in June?

Mr. Reynolds stated yes sir it is.

Mr. Nicholas stated if I could have Mr. Gillie come back up here and address this point. Mr. Gillie I understand you're reasoning in part A and I recognize that we don't have the authority to overturn your ruling. I understand that part A of Mr. Reynolds request is substantially different. How is this part substantially different from the request that was made back in June?

Mr. Gillie stated you still have that same gap because the parcels don't match the addresses. If we tear portions down we leave other portions open and the potential to fall. So in my opinion that is a substantially different application because we have got a building that now would be structural unstable depending on what is approved or not.

Mr. Nicholas stated okay does that prompt any following up from Mr. Gillie from the Commission?

Mrs. Blanton stated I am from Hill Studios. I am here to just clarify the question about contributing or non-contributing status of the buildings and whether they will be eligible for historic tax credits. When the national registration nomination first came to Danville

in the Historic District it was done a long time ago. There was no period of significance stated in that nomination. Recently, I believe it was 2013 when we were hired by the City of Danville and the Department of Historical Resources to update the national registration nomination. Based on our update, which we went back and looked at and studied the construction dates; all of the buildings in the Danville Historic district known as the Old West End. We determined that just prior to World War II only about 90 percent of the neighborhood had been constructed at that point. That is one of the ways you approach how to determine when the period of significance ends. So when we updated the nomination we said the period of significance ended in the early 1920's. These buildings here we all recognize that they all date back to the turn of the century. So they are historic buildings. However, because of the permastone siding that was added in 1961; when they consolidated the Victorian house with the drug store on the corner and then also the aluminum siding that was added to 400 Jefferson Street. That renders those buildings while they are historic we recognize that they have been standing for more than fifty years and were built through the period of significance of the historic district. Because of their current condition with the platting on them they are determined non-contributing. They was after the period of significance ended if there had been changes that were made during that period of significance (i.e. prior to World War II). Then we would have said that the conditions of the buildings as they stand today dates back to the evolution of the neighborhood when it was gaining its significance. But the case in the situation here is that the cladding was added, permastone we know was in 1961. I'm not sure when the aluminum siding was added we know that it was post 1942 after World War II. So the buildings in their current condition, with the façade on it and the cladding that has been added; while they are old buildings they are considered non-contributing to the district. Therefore, they are not eligible for the State and Federal Historic rehabilitation tax credits. In order for the buildings contributing status to be changed to non-contributing or contributing you would need to remove the cladding in its entirety. I actually ask for a reading recently from the Department Historic Resources and Park Service, while five or ten years ago they were allowing people to do a partial investigated demolition and take off a section of the non-historic cladding and see what was underneath it. Since then they really told me they are requiring you to take the full façade off. For there to be any potential for these buildings to be eligible for tax credits someone would need to take the entire non-historic façade off and the cladding off of them and see what remains. The Department of Historic Resources would then make a determination if there were enough architectural integrity left in these buildings with the cladding removed to make them contribute to the Historic District. I honestly do not know the answer to that. I don't think anyone would know the answer to that which is why the DHR requires you to take the full façade off. So, I'm just here to help clarify what would be required to see if they would be eligible for historic tax credits. So, basically there is a substantial amount of

investment that would need to be made going in the direction of trying to make these buildings contribute and eligible for tax credits before that determination could be made. So, there is some risk involved in that and some investment that may end up at the end of the day you take the cladding off and you don't have an enough architectural integrity. I think that's what I am here to clarify.

Mr. Reynolds stated based on what Mrs. Blanton mentioned to the Commission the third point the full removal of the existing façade would need to take place to determine architectural integrity. We have not simply being sitting on our morals since the meeting in June as a matter of fact we weren't sitting on our morals up to the meeting in June. We have approached different funding sources in Richmond to try to see if we could obtain what I call risk capital to do some work to these buildings. It wouldn't be to go inside and totally redo the buildings. We are talking about exterior work that would in fact give us the opportunity to approach the Department of Historic Resources to see if we could get a favorable ruling about the period of significance and therefore be eligible for incentives. We continue to talk to them I haven't been able to get any commitments from folks they don't have any programs that fits this particular situation. But I have had some good conversations with folks that are trying to see what they might be able to do. There is not commitment and unfortunately no deadline to when something maybe available. The reality is those will likely require and we talked about this last year, if nothing can be done Mr. Meder mentioned repairing of the siding of the Hagan after the demolition to ensure that there wouldn't be any additional water infiltration settling. The building unfortunately and the companion buildings because of the way that the previous owners cobbled all those buildings together the roof elements have completely failed. They are taking on water like a sieve. In the Hagan building last year some folks were going in there I believe Mr. Weir went in there as well. There were some folks who went in there who were unable to breathe because of the level of mold that has accumulated. Here we are almost another year later. So we all know that vacant buildings worst enemy is water. Over a period of time the structural elements will begin to weaken and ultimately fail. So that is just the reality of where we are right now with the buildings. So, part B Mr. Chairman is for reconsideration to demolition the entire site; which would include the Hagan building, the florist building and the false façade that were left out of the request from last year.

Mr. Nicholas stated okay questions for Mr. Reynolds?

Mr. David Corp a resident of Holbrook Avenue. Mr. Corp stated the points I wish to make go to the history of the pharmacy and this may or may not influence the decision of the CAR. I would like to point that Hagan of Hagan pharmacy is spelled Hagan that has been used in some of the documents. This is not just the business of John L. Hagan; it was the residence of him and his wife, Jane Gray Hagan. Who is the preeminent author of the History of Danville that was published in 1950. This was her

residence. In addition to it being her husband's pharmacy. In addition to being an author she was the driving force in 1928 to the establishment of the Danville Public Library and the former confederate memorial of the Sutherlin mansion. She was its librarian for 20 years in 1928-1948. She is listed in the YWCA book of Danville's women who made a difference. I would also like to quote briefly from an email I received from Gary Grant who is unfortunately in Richmond and unable to be here. "While it appears to be true that the Hill Studios did some testing of what is behind the stone veneer. It would make more sense for a large enough test sample to be removed for everyone to see what the potential might be or might not be." Unless you have any questions of me that's all I have to say.

Mr. Wilson stated I wasn't totally prepared to reiterate the total demolition of the site as we talked about it seems to me it's the same story as last June. I was pleased with the results from last June which to recap was demolish all those concrete buildings. In fact, the minutes of last June there was intensive decision of these two houses and I have a quote from Renee that said "Yes 254 those are the two Victorians covered with the permastone those are the two" 254 that was the address. That was the first motion so a piece of the house was the intention of the committee with the address of 254. There was a bunch of back and forth about whether 260 was actually the Hagan drug. Now I'm just putting this into perspective because building A which on the various documents was either the bakery or the piano building. Building A is from what we can is the Hagan pharmacy from the 1890's until the 1920's anyway. That's the building that people are interesting in trying to save. So really it's never been totally revealed but now it's pretty clear and I think I have a picture. They built the former alleyway from two different directions the two buildings are four or five feet apart it would be pretty straight forward to cut the pieces apart. So the real question is it intensive to demolish the hagan drug and a second pathway be built. Would that be way more expensive than taking down the whole corner. Does anybody have relative prices for demolition everything that you had permission for and then we can take a look at that building because it is true about the historic register. So I have a quote already I had it last year to remove permastone from the building it will be about ten thousand dollars in a week. Whether you may or may not like to go over all the details of renovating that particular historic building. I can try to do it from memory from last year or if you would like to continue all the details from that particular building A the Hagan drug. The short version is getting rid of that stairway which obviously was added later when they intergraded all the stores together so if there is no longer an internal stairway. Obviously there was one back in the day when the Hagan's were living there upstairs. As well as, Temple Beth Sholom this was renting the upstairs for their synagogue in 1895, while they were building their location on Sutherlin. Obviously, there had to be a stairway there. So those buildings which were recreated in the wonderful plan that Allison Plat put together. Hills Studios has a plan for that corner, which actually recreated those buildings. So I spoke to some experts on

rebuilding the exact same buildings. The Hagan drug building in the plan was going to be rebuilt exactly the same as it was in the Hagan drug store. An engineer from Rehab builders which is a popular contractor in Danville, told me to tear down a perfectly good brick building and to rebuild an exact duplicate it doesn't make sense. So if you have a building that you can reuse unless you are going to build something totally different it would make sense to save a couple of those buildings. We are going to start this issue all over again it would be great to demolish everything but those two buildings and see what can be done with them. I already have two people who are interested in buying them but of course they don't want it with half of a Victoria house attached to it. So, another person has a great idea for use of it. So for sure there is an opportunity, besides just leaving a piece of this building dangling for a year. Obviously, it's going to have to be secured until one could get the owners to be proactive in terms of finding an owner. I think it might cost 20 or 30 thousand to get the building to the point where it does look like something someone would want to start on. It turns out that I believe Mr. Weir told me that the Hagan drug building wasn't as bad as shape as the Victorian houses. A lot of the issue in terms of salvaging that building has to do with the roof and the structure members inside. Sure if we want to revisit this whole construction scenarios then we really need to go over what will be left over from that building. I can't believe that it's going to be a lot of money to let that building sit. Now we know that there is a big space in between them so it's not going to be complicated to tear the rest of it away. I think that is my comment.

Mr. Meder stated so I posted this on the next door neighborhood this afternoon. Our City, its historic structures and there histories are very important in ways that we know and understand and some are yet to be determined. Without Historic Districts such as the Old West End what is left in a City? If they are torn down and demolished to make way for the current modernism. We can't erase our past and expect it not to affect the future impact of our actions. We now have one too many vacant lots next to the historic districts. Green space owned by no one available to no one and the only upkeep is when neighbors phone the City to say please mow the grass. This will just be another vacant lot in the historic district if the Commission agrees to tear all of it down. I don't need to hear anymore that a structure is unsafe in the Historic District or that it is going to be a fire hazard. I have taken two or three houses that should have been condemned, should have been torn down by this standard and have brought them back. I don't have enough time to do them all. I can't buy too many more because the agency that is this substructure within Danville has bought up like 25 structures within the Old West End. I hate to tell you this but if you buy the structure you have the responsibility to ensure that no further damage occurs to it because you are now the tenant of that structure yet that is not occurring. By Mr. Reynolds own words he said I have owned it since 2012 and you knew there was damage done to the roof by previous tenants and whatever they didn't do, it's being leaking in there now for two and a half years. Well

they are the owner and that's like anyone of you going home tonight and saying you know my roof has been leaking for two and a half years since I bought it. But I haven't done a darn thing about it. Of course you are going to fix your roof. This sub agency in Danville shouldn't be buying these houses unless they have the money to at least safe guard them. You now have been put in charge of our culture and our history. This is not an attack on Mr. Reynolds or this staff or this sub entity and I don't know how to call it anything other than that. I would really love to see a five year plan from this entity which I don't think exist.

Mr. Nicholas stated I believe you are referring to the Danville Redevelopment Housing.

Mr. Meder stated right we are not redeveloping anything. I have been here for two and a half years and they have owned houses in the Old West End and not a single nail is being driven. The only thing I have seen happen in this City is we keep tearing down houses. Now there are two more signs on Jefferson for two more houses to come down. I have got a Native American friend in Washington State that once told me only a white man would think that if you cut the top two foot off a blanket and sow it on the bottom that you will have more blanket. It amazes me that Danville would think that we could tear down Historic houses within Danville and actually have a more vibrant Historic District. It is impossible. There is no plan I went to City Council I said hey stop tearing down buildings until you have plan on what to do with the vacant lots. There is still no plan on what to do with the vacant lots. They are tied up. There are liens against them. I'm sorry Mr. Reynolds you don't live in Danville you don't drive by these houses and these vacant lots and see the grass a foot tall every single day. I can't even go on a walk on some the sidewalks in the Historic District because somebody at public works decided to put sixty signs on the sidewalk and telephone poles. It's crazy what is going on. It has to be reversed. Here is a proposition for building A. I say it will probably cost eighty thousand dollars to tear it down. Let's find an LLC that is willing to take eighty thousand dollars of this Redevelopment Housing Authority, money that would have gone to tearing this house and let's use it to fix it. Tear down the rest of it, clean it up and remediate the soil from the oil and be sure you are going to show the public that that oil contaminated soil got burned at 5000 degrees and a certified facility to purify to and then sell that other section to an LLC. Hand them the eighty thousand dollars you would have used to tear it down and let them bring it back. Start using private enterprise. When I moved in the Old West End I have seen at least a dozen people that have moved in and are restoring these houses. If we go wider than the Old West End there are houses that are outside the district that maybe in new districts now or just historic structures that individuals have poured hundreds or thousands of dollars. The money is here, the people are here, the motivation is here. We can find them but we can't find them if we tear it down there is nothing left. Danville just spent twelve million dollars tearing out the concrete in the River District and putting in Historic looking brick

pavers. Imagine that turned it back hundred years and it worked. Everyone loves it. They're walking on the bricks down there and they think it is great and you go to other cities and they are like wow they don't have the bricks that we do. They didn't just tear up the sidewalks and plant grass. If I was the Commission of Architectural Review I would not even vote on the second part. I would vote on the first item because it makes sense. I wouldn't even consider this; this is a redo from last June. If you do vote on it I would turn it down.

Mrs. Sonya Ingram stated I'm with the Preservation of Virginia. My comments are somewhat in response to Allison's comments about non-contributing structures become contributing structures; therefore, being able to receive tax credits. On January 26, just two days ago I talked to Lena McDonald from the Department of Historic Resources about this particular subject and she said that a building status can change from contributing to non-contributing if additional field investigation demonstrates that historic fabric is intact underneath a non-historic veneer. I have seen this most often with commercial buildings that had original facades covered during 1970's. She didn't say in her response to me that you had to remove all the permastone. But she did say that you have to do additional field investigation. So I would strongly advise that this part anyway be postponed until at least some permastone be removed and to see what the original fabric is like underneath. I mean why not? Based on the history that we have heard tonight and I hope you all received the historical information from Gary Grant. He talked about the structure that it's one of the last historical neighborhood commercial districts in the City. Then there is the John Hagan pharmacy, he also said that the temple of Beth Shalom organized in 1893 on the second floor of the drug store. That's where they were first organized. That is just some of the information that he provided. So I would highly recommend that the drug store be postponed not to vote on that until some further investigations are done.

Mr. Nicholas closed the Public Hearing.

Mr. Nicholas stated members of the Commission what I propose we do is that we discuss these in the order in which they were presented. Renee could I have you put up the request that consists of part A? I will note that 22967, 22968, 22969 have already been approved. So the actual request in this part is the portion of 22966. To makes this simple and easy the motion to approve or deny should subtract the language from here. So you would say I move that the request be approved or denied. I will state for the record and I can't tell any other Commission members what to do. I personally agree with Mr. Gillie determination as this part, part A of the request. I do think it is substantially different request. I disagree with Mr. Gillie's determination as part B; I think that is rehashing what we did back in June. With that being said it is Mr. Gillie's determination to make it and he has made it and no appeal has been made to the Board of Zoning Appeals. So the request is before us even if we would rather it not be it is. So

we are obligated to adjudicate the request as it has been presented. I will say that I think some points raised by members of the public are well taken. At least in my opinion, as to point B even though we are not empowered to make a ruling on that. Those are my thoughts.

Mr. Weir stated I would like to clarify a little bit about what was discussed. I did go in all the buildings that were available to me. When it came to the drug store there was no keys to let you into the first floor. So I did not go in that. I did go in the second floor by going up the stairs and in that way. I did not see the damage in the second floor there as the houses, the houses are in totally disrepair. You had to be careful where you stepped. So I can't say how the downstairs of that building was. It looked through the window very substantial that is just by sight. I don't see any way that we can save any of that house the 22966 that portion. I just don't see any other way if you take that part.

Mr. Davis stated were the keys to the floral shop and the drug store ever found and if not did we find someone with a drill bit that would be willingly to drill out the lock? I remember that was also talked about so that we could gain access to the outside of those buildings. That to part B I will hold that off.

Mr. Nicholas stated it's a new year I will remind everyone the process is a two-step process. The first question is this does part A meet the guidelines of demolition which is set forth in the code; which, Renee kindly printed for us in the packet. If the answer is no then the next question is despite the fact that it doesn't meet the guidelines. Does the request have an adverse effect on the district? That would be the second vote.

Mr. Weir stated I have a question to ask Renee. On the guidelines how would the guidelines address demolition? They talk about repair, new materials, demolition is destroying something basically.

Mr. Nicholas stated if you look at the staff's evaluation in the packet the factors are listed. That which is in italics is the actual factor and what it beneath it is staffs interpretation. The factors are numbered and in italics. Renee, I'm sorry I didn't mean to jump over you there.

Mrs. Burton stated its okay would you like for me to pull it up?

Mr. Nicholas stated please.

Mrs. Burton stated would that be better?

Mr. Nicholas stated what I will say is numbered and in italics is the actual factor, what is beneath it is staff interpretation. This is factored one what is the architectural merit of the building. It continues with factor 2, 3, and 4 and so on. Can you put the language of part A back up please?

Mr. Weir makes a motion that it doesn't meet the guidelines.

Mr. Nicholas stated I will say that in my opinion I do believe this does meet the guidelines. This particular request meets the guidelines. I think that given the way it was presented and the fact that they would be leaving eight foot of a house leftover and I think the contention is in part B not part A.

Mr. Stowe seconds the motion. The motion failed on a vote of 2-2-1. (Mr. Bond abstained due to a conflict of interest)

Mr. Nicholas stated would anyone like to make the opposite motion?

Mr. Davis stated it says right here number 4 what is the condition of the building, and if is seriously deteriorated, how financially feasible is it to restore/renovate? Ill note it's not there because deterioration has created a situation that is not feasible.

Mr. Nicholas stated since it was a 2-2 vote you can move to reconsider or you can make the opposite motion. Mr. Bond is the only one who has an excuse.

Mr. Davis stated I will change mine to yes.

Mr. Nicholas stated you make a motion to reconsider?

Mr. Davis makes a motion to reconsider. Mr. Stowe seconds the motion. The motion passed on a vote of 4-0-1. (Mr. Bond abstained due to a conflict of interest)

Mr. Nicholas stated unanimous the prior motion will be reconsidered. The question is does the request meet the guidelines and the motion is that it does not meet the guidelines.

Mr. Weir makes a motion that it doesn't meet the guidelines. The motion failed on a vote of 3-1-1. (Mr. Bond abstained due to a conflict of interest)

Mr. Nicholas stated so that moves us to the question does the request have an adverse effect on the district should it be approved or not approved based on that basis?

Mr. Weir makes a motion that we approve the demolition with the portion of parcel 22966 as it does not have an adverse effect on the district. With the condition of that outside wall of the pharmacy be repaired to prevent any future damage due to weather.

Mr. Whitfield asked due to weather or deterioration?

Mr. Nicholas stated to clarify are you asked that part A be repaired due to damage as a result of the demolition?

Mr. Weir stated right.

Mr. Nicholas stated any damage as the result of demolition be repaired?

Mr. Weir stated yes.

The motion passed on a vote of 4-0-1. (Mr. Bond abstained due to a conflict of interest)

Mr. Nicholas stated let's put up the language for item B please. Okay I will note that 22967, 22968 and 22969 has already been approved so the request is for 24032 and 22567 and the portion of 22966 that was not covered in part A of the previous motion. Is everyone clear on that? The question is does the request meet the guidelines?

Mr. Stowe makes a motion that it does not meet the guidelines. Mr. Weir seconds the motion. The motion passed on a vote of 4-0-1. (Mr. Bond abstained due to a conflict of interest)

Mr. Nicholas does this request have an adverse effect on the historic district?

Mr. Davis stated did the City ever find the keys to those two buildings? I remembered at one point that we were going to look for the keys and if not we would find a drill bit to go through or something similar to that to allow us to get in. The reason I bring it up is being able to tear down the inside wall, to be able to look at the exterior wall is a good way to tell if there is structural issues that are happening. Basically, from that language from part 2 the assumption is structural they don't know if the structure is bad or not. From that point they feel that they need to tear it down because they haven't taken any actions to find out if there is anything. So, what's the status of getting in there to find out interiorly the structure of the building?

Mrs. Burton stated the Housing Authority is in possession of the keys. They were present at one time. We have been in those buildings on a number of occasions. So there has been access to those buildings and it's present in the report what we have seen. As far as them being absent during the time when Mr. Weir entered the building I'm not sure where the keys were and where they may have gone to. I have not heard that they were discovered or any update on that.

Mr. Davis stated so why were we not contacted they we would have availability going on if yall have gone in?

Mrs. Burton stated that was prior to.

Mr. Davis stated that was prior to?

Mrs. Burton stated correct. To gain access to the buildings that would have to be approved by the Housing Authority.

Mr. Weir stated can we postpone this for someone to get some of that façade taken off to see what is underneath it? It seems like taken off all the façade is very expensive. There ought to be certain areas that we could pull some of that off and see what is underneath.

Mr. Nicholas stated I will tell you that the Commission certainly has the ability to postpone the request. The Commission doesn't have the ability to compel a property owner to do anything with their property. There is no way we have the authority to compel the property owner to take that action. We have the ability to request that the property owner take an action in deferred decision until the property owner does. However, if a property owner were to come back and say no. I'm not going to do that I want you to vote on my request we would have to adjudicate the request. They are entitled to a decision we can't condition it on specific actions of the property owner. Does that make sense?

Mr. Weir stated it makes sense but I don't agree with it.

Mr. Nicholas stated it would be nice if we could say let's hold off and make them do one thing or another.

Mr. Davis stated why is the decision that the façade underneath of the exterior is already in bad condition? That's what I do not understand. We are not going to take the effort to find out what is underneath it. It is more of we don't know and if it's bad then you are wasting money on tearing the façade could we actually tear down the whole thing?

Mr. Nicholas stated that is the condition of the property at least that you are understanding.

Mr. Davis stated yeah.

Mr. Nicholas stated you can't tell the property owner to do something. You can use what the property owners position into whether or not you think the request is sufficient to grant it or not.

Mr. Davis stated I thought the property owner was trying to restore and revitalize the area and basically it's not restoring. It's not making the effect of restoring.

Mr. Nicholas stated you may certainly factor that into your decision.

Mrs. Burton stated I would like to add that however the applicant must present an application before you for approval to remove the elements of the façade that you are

discussing now. That would have to be a separate approval because it would be an alteration of the structure; therefore extending the time.

Mr. Nicholas stated do we want to reopen the public hearing?

Mr. Weir stated I think so.

Mrs. Burton stated I believe a small section has already been removed.

Mr. Nicholas stated okay.

Mr. Nicholas stated are we comfortable reopening the public hearing?

Mr. Davis stated I am.

Mr. Nicholas reopened the Public Hearing.

Mr. Reynolds stated I want to make sure some questions get responded to. We have had three professional evaluations on this building since we have owned it interior and exterior. All of that information has been made available to the Commission at some point. Mr. Meder raised a question about the environmental concerns on the site. All of the demolitions that have been carried out by the City it is our practice to do a licensed environmental report. Do a report and whatever that report reveals in terms of needing mediation to meet the Department of Environmental guidelines is done prior to the demolition. The issue about the history of the site, it is our belief that whether existing buildings or sites where existing buildings once stood that history of folks that were involved in that should be incorporated into the revitalizing. So if there were on that site at some point at some time then there should be something on that site that celebrates the history of the original owners. Nothing prevents us from doing that. Then, there was a question about DRHA ownership in 2011. I believe that is when a number of us took a walk in the neighborhood and one of the issues that we heard was the number of structures that were in various people's ownership and the owners were not responding to the request to make the repairs or had any intention on trying to seek ways to repair the problems. Based on that and the study that was done by Alison Plat and Amanda Adams; which has resulted in the establishment of a portion of the Old West End being designed as a rental rehabilitation district. We begin to target funds to purchase homes to get them out of the hands of folks who clearly had no intention of making any kind of investment or reinvestment in these properties. Many of them had substantial legal issues that would without a great deal or time, effort and money would have prevented them from being legally transferred to begin with. Our goal has been to first of all get possession of those properties. We boarded them up as best we can and securing them to try to protect them. We have a private contractor that cuts the grass. We try to be good neighbors and then simultaneously trying to seek ways to get these properties

back into private hands and rehabilitate it and obviously folks living in them who would become part of the OWE community.

Mr. Nicholas stated Mr. Reynolds let me ask you and this is one point that Colonel Meder raised. What is the cost of the demolition of these buildings?

Mr. Reynolds stated the cost that we were given on this was on a bid basis for all the buildings and this was prior to June of 2015 was less than one hundred thousand.

Mr. Nicholas stated okay, I'm just going to use a round number and say one hundred thousand dollars. What is the thinking from DRHA why not take the money and rehab the buildings?

Mr. Reynolds stated well if we took that hundred thousand dollars and rehabbed the buildings, first I think that we could spend a lot more than a hundred thousand dollars just on the Hagan building. It has not roof and that is one of greatest cost; one of the more expensive costs bringing it into compliance with the code. The code says you have got to have a roof. So you are looking at fifty thousand plus just to put a roof on.

Mr. Nicholas stated I guess my question is why the decision for demolition opposed to rehabilitation? Is it cost or are their other factors?

Mr. Reynolds stated well there is cost and also as we mentioned during the June meeting the issue of trying to develop a viable commercial neighborhood center. Where a number of different uses that folks have said they would like to see in the community can be attracted and survive. If Renee would you put up that last slide? We have seen this on a number of occasions starting last year and this is also contented within the Hill Studio report. Trying to develop a redevelopment scenario where there are buildings sufficient to house activities both living and commercial. That would begin to improve the market conditions within the entire neighborhood and cause everything that we have been trying to do to go forward.

Mr. Nicholas stated thank you that's what I wanted to know.

Mr. Weir stated that's just what we would like to see there are no plans to do that. There is nobody willing to put the money out to do that. I don't know want to say it's a pipedream.

Mr. Reynolds stated just like there is nobody willing to put up the money to save the old buildings.

Mr. Meder stated is there a legal process where an individual in the City of Danville is able to buy a house out from the DRHA? I have tried to buy the one on Pine Street until I was blue in the face. I would also like to buy 808 Greet Street if you all ever get it. By

the way your private contractor, I have been cutting the grass at 808. On the right side of the house all the way back because it gets a foot high and I own the house next to it. I have already tried to buy a house from you all and I got brushed off. The brick house on Pine Street I came to you three times and you said a gentlemen is going to buy it and that was over six months. So I don't want to hear that there is no one willing to buy some structures that are here in Danville. How can we buy them if we are not allowed to buy them from the DRHA?

Mr. Nicholas stated I think that issue is a ripe issue.

Mr. Meder stated they are not just buying houses from home owners that are delinquent and aren't doing anything. They bought one from HUD when another active investor was trying to buy it. If they are going to take this action to buy these structures; if they are going to put them under their umbrella they need to ensure that they don't wait three years but they do something with them. Then come back and say oh well we have to tear them down now because they are unsafe. That's going to happen throughout the whole Old West End. Hypothetically say this if I come to the Commission next month and I own 12.7 percent of the Old West End Historic District and I ask your permission to tear it down what are you going to tell me? What are you going to tell me? Hypothetically speaking if I own 12.7 percent of the Old West End Historic District are you going to let me do it? Somebody asked me why I wear these clothes. Because I am working in the Old West End Historic District in these clothes every single day pounding nails and cutting wood. The day I show up to your meeting and I'm not dressed in this I'm either asking to tear them all down or I'm here to tell you goodbye. I think you need to figure out what the cost is to tear down all those buildings and what the cost is to not tear down A. I'm sure you already have that price and figure out a way to invest that money with somebody that actually wants to bring back to this City. Fifty thousand dollars it won't fully renovate the building. But it would be a start that someone can pick up and go with. There are people willing to do it. The mechanism to do it is not there. I know there are a lot of people in this room that has spent well over six figures bringing these structures back and they weren't City based.

Mr. Wilson stated I'm glad you opened the public portion of the meeting again. So anyway this is a wonderful plan. I just want to point out that is the Hagan drug right there that little building and that there is the alley in between. Actually right now these are all (if you have the other view) apartments and living. This is actually the wonderful Hill Studio plan and this building on the corner is the building they are going to leave. There is a wonderful view from the Quickie Mart of the wonderful part of that façade. I don't know if you have that picture that's the next picture on the Hill Studio report. This entire façade here is actually the prospective that anchors that corner. Whether the building is worthwhile or not that remains to be seen. In fact, there are those of us like Colonel Meder and I who would not be mystified by taking a look at that building. But

you see that alley it's actually nothing there. All those concrete buildings are just an eyesore. There is a little slice of the Victorian right along there. That's the stairway alley that we have been talking about right there. That would be behind these and so my only question is how much more would it cost to not demolish that building piece? I mentioned again in the beginning it's so distressing to discussing all this stuff that you guys forgot from last May. The question about the key and getting in the building, we talked about that in April. Actually in the April meeting was when it first came up and I have the minutes from the April meeting. Where everyone was mystified by what was going on. We tried to get the key so we all could have a big party inside and for security reasons it was too dangerous; if you remember those of you who were on the committee at that time. This is so last year. I was hoping we wouldn't have to go over all of this right now. Any case I just wanted to clarify that picture.

Mr. Nicholas closed the Public Hearing.

Mr. Nicholas stated the committee has determined that part B doesn't meet the guidelines. Now the question is does the remaining portion of 22966, all of 24032, 25567 will they have an adverse effect on the Historic District or not.

Mr. Weir stated if we don't approve this then they have to wait a year and come back?

Mr. Nicholas stated well, if we do not approve the request the applicant which is the DRHA has thirty days to note an appeal to City Council. If they note that appeal City Council has the final decision. If they do not note an appeal then the decision is final and they would have to wait another year and to bring back a substantial similar request as determined by the Zoning Administrator, Mr. Gillie.

Mr. Weir makes a motion that it would have an adverse effect on the district. Mr. Davis seconds the motion. The motion passed on a vote of 4-0-1. (Mr. Bond abstained due to a conflict of interest).

APPROVAL OF THE MINTUES

Mr. Weir made a motion to approve the December 10, 2015 minutes. Mr. Davis seconded the motion. The motion was approved by a unanimous vote.

OTHER BUSINESS

Mrs. Burton stated we would like to let you know the motion at 165 Holbrook Avenue in regards to the wooden staircase in the front as you know, was upheld by City Council. The thirty day appeal time has since expired. We have not received notification that it was appealed. We will keep checking for a certain amount of time and make sure it hasn't. Without an appeal that becomes a final notice of zoning violation and will be pursued as such.

Mr. Nicholas stated thank you. We have a new face I think.

Ms. Levi no, I was here last month.

Mr. Nicholas stated I wasn't.

Ms. Levi stated but I am new.

Mrs. Burton stated this is Anna Levi she is our new Associate Planner. She has been with the department since November.

Mr. Nicholas stated any other business from staff?

Mrs. Burton stated as this point no.

Mr. Nicholas stated any business from the general public for the Commission?

Mr. Meder stated I believe this is the last time I am coming up here. Last month I ask for permission to construct a concrete seat if you would on my porch at 407 Chestnut. It was brought up that perhaps if I did that it would not follow current code and it would be too high and it wouldn't be historically accurate. The Commission recommended that I should purchase a park bench to put on my porch versus keeping that request alive. So I did. In fact, that evening I went out and purchased a bench. As soon as the weather gets nice I will sand blast it and add a few pieces of metal to my porch so it doesn't walk away. So my request to build the structure on the right side of my house is withdrawn.

With no further business the meeting adjourned at 5:30 p.m.

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Approved