

RIVER DISTRICT DESIGN COMMISSION

MEETING OF

August 18, 2016

Members Present

R.J. Lackey  
George Davis  
Sheri Chaney  
Peyton Keesee  
Courtney Nicholas

Members Absent

John Ranson  
Justin Ferrell

Staff

Anna Levi  
Bonnie Case  
Clarke Whitfield

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

**ITEMS FOR PUBLIC HEARING**

- 1. A request has been filed for a Certificate of Appropriateness at 521 Loyal St to alter the existing storefront. The particle board façade and artificial windows will be replaced with a block and brick storefront.*

Mr. Davis opened the Public Hearing.

**Mr. Lackey entered at 4:01pm.**

Present on behalf of this request was Sherry Decker. Mrs. Decker stated I am here representing Steven Decker, the applicant, who is the contractor. I didn't know I was supposed to say anything. I am here if you all have questions. Ken Jones is the owner of Urban Fitness and he couldn't be here. He is out of town.

Mr. Davis stated we do have some questions. Is everyone familiar with where 521 is? It's Sherry's building and then it jumps back toward Urban Fitness. Is that right?

Mrs. Chaney stated it's in between my building and Urban Fitness. It is the big blue front façade.

Mr. Davis stated we talk to him extensively last week about what he had planned on doing with the store front and I think at that time he was still undecided.

Mrs. Decker stated he is planning on closing in part of the building at 521 Loyal Street. The size of the building is going to be 13 feet by 50 feet. The roof is going to be covered with EPDM rubber that is black. There will be gutters on the ends and sides running the water to the downspouts emptying onto the sidewalks as others do in the area.

Approximately 15 feet of the façade on the front will be replaced with brick backed by eight inch block and it will be painted to match the existing brick. There is a three foot steel fire rated door and a 4 foot by 4 foot glass window in a wooden frame there similar to what is on the gym. The remaining façade will be bricked at a later date as funds allow and the back wall can be painted if that is what is required.

Mrs. Chaney stated so he is only blocking in the brick block in the section that he is adding on and leaving the rest open to the rest of that area?

Mrs. Decker stated no, it will not be open he will leave the façade that is already there.

Mrs. Chaney stated besides that it is going to leave a large opening unless he is planning on leaving the ply board up.

Mrs. Decker stated he is going to leave the façade that is already there.

Mrs. Chaney stated and then break in where the addition is going to be.

Mrs. Decker stated on either side up to that beam that goes up. Yes ma'am that is correct.

Mrs. Chaney stated okay when you are looking at the front of the building he is building from his side of the building where the gym is. He is coming out fifteen feet I believe it is. He is basically going to add a new section onto the building.

Mr. Keesee stated on the right?

Mrs. Chaney stated to the left.

Mr. Keesee stated to the left of the building?

Mrs. Chaney stated yeah so if you look at the picture with the façade he is building a section in on the right hand side to attach to his current gym. The left side is going to be open but he is leaving the ply board up.

Mr. Keesee stated I knew he couldn't go left because it's no building over there.

Mrs. Chaney stated it attaches to my building. There is already a partial brick wall in there that he has built off of to make his addition.

Mr. Keesee stated how much property is between his building? It's a vacant lot isn't it Sheri?

Mrs. Chaney stated yeah I don't remember the acres.

Mr. Keesee stated I was just curious.

Mrs. Chaney stated it goes from the street back to the parking lot in the back.

Mr. Keesee stated so this picture we are looking at is supposed to be the addition.

Mrs. Chaney stated you see where the door and window is on the first level?

Mr. Keesee stated yes.

Mrs. Chaney stated that's going into his addition. It only takes up half of that store front. The wall comes in roughly the middle of the second window from the right on the top.

Mr. Keesee stated this addition is one story or two stories?

Mrs. Chaney stated one story.

Mr. Keesee stated it looks like two stories.

Mrs. Chaney stated the façade has always been two stories. The roof fell in about 3 or 4 years ago and they tore it down and it has just been façade ever since.

Mr. Keesee stated so he is going to rent this out or something?

Mrs. Decker stated this will be added onto the gym.

Mr. Keesee stated oh it's part of the gym. Okay.

Mrs. Decker stated Ken Jones the Owner of Urban Fitness is extending his gym.

Mrs. Chaney stated it used to be a door between both of those buildings but that door was closed off and it became two separate buildings. So he can open that door into the addition that he is doing.

Mr. Keesee stated it appears that he is going to go back with the same material that is on the existing building.

Mrs. Chaney stated yeah except for he is only going to do half brick and leave the ply wood up, there is ply wood there now filling that hole.

Mrs. Decker stated the plan is to finish when funds allow.

Mr. Davis closed the Public Hearing.

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

- 2. A request has been filed for a Certificate of Appropriateness at 523 Loyal St to replace a broken plate glass window in an old metal frame with a new*

*tempered glass window and new metal frame. The proposed replacement would match what currently exists at the front door.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Mrs. Sheri Chaney, the applicant. I have a broken window that I need to replace. The metal frame that is currently there is a small one inch piece of trim that is not going to be salvageable when they go to take it out. It is no longer used. So I am requesting to put in a new store front window that matches the one at my front door. There are pictures in the packet.

Mr. Davis stated you said the old frame was pretty much painted and caulked to death and everything else.

Mrs. Chaney stated they said there are brass screws and nails that are holding it in. They say there is no way. I will be lucky if it does not look like a scrap piece of metal when they pull it out.

Mr. Keese stated so the new window, Sheri, is a lot smaller than this model.

Mrs. Chaney stated no it is still going to be the same opening size.

Mr. Keese stated this picture, what is this of?

Mrs. Chaney stated that is what is at my store front right now.

Mr. Keese stated I don't have that one.

Mrs. Chaney stated this is what is currently at my store front. It is going to be the same as the front. They are all metal, but they no longer make that trim.

Mrs. Nicholas stated it's just going to be single pane right?

Mrs. Chaney stated as long as they can do a single piece of glass. If not I will have to split it and do a division down the center like that. It will be tempered glass. They said once they get in there they can tell. They are planning to do single pane.

Mr. Davis closed the Public Hearing.

Mrs. Nicholas stated does the motion allow for the window to be split if it has to be?

Mr. Whitfield stated the motion that Mr. Lackey made was for it to be approve as single pane unless it was required to be split.

Mr. Lackey stated that's what I was thinking.

**Mr. Lackey made a motion to approve the request. Mr. Keesee seconded the motion. The motion was approved by a 4-0-1 vote (Mrs. Chaney abstained from the vote).**

- 3. A request has been filed for a Certificate of Appropriateness at 729 Loyal St to restore an existing historic Coca-Cola ghost sign. The applicant would like to paint the brick wall surrounding the sign a brick-red color to minimize the appearance of other ghost signs. Additionally, a slogan such as "Welcome to Historic Danville" or "Historic River District" may be included.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Emilie Nicholls representing Coca-Cola. Ms. Nicholls stated I am with Coca-Cola Bottling Company. I run a grant program to restore murals and from what I understand the actual painting of the mural is approved. It is just the rest of the exterior that we are considering today. This shows what the building looks now and what the other side would look like by itself. If we were to match with the red color what it would look like. I contacted Ms. Levi and she advised that I needed to talk to this group for approval. In another town we actually had a similar issue where it was conflicting sides so we used the empty space and did a dedication to the town itself. So in West Virginia this is the before and this is the after. This is the dead space right here. They were renovating their downtown so we used their downtown logo. We thought a similar idea would go nicely if we did the Historic River District. To be honest my focus is my design but I would love to do something with the community. So I would love to do something but it is up to you. I'm not pushing for anything. I think today we were hoping to nail down the drawing.

Mr. Davis stated I went by the sign and the only other Coke signs that I can see around is where it said something cars. Are there other signs around that? Are they not distinguishable?

Ms. Nicholls stated not really and our focus is going to be obviously on the brand Coca-Cola. In NC there was a historic grocery store and the town asked me to save that sign along with the Coke mural. It had historic significance to the town which that goes along with the rest of the project. Nothing on this building had any kind of historical significance. So we just thought to fill some space we could do something with a touch of what is going on in that area. I don't know if you all saw the store on news. It's really fun working together with the community come up with this project. In the end we threw a community celebration. So there are a couple of slogans up for consideration for you guys.

Ms. Levi stated yeah let's see we have welcome to Historic Danville, Historical River District something along those lines I think would be nice. It is not set in stone. If you guys have any particular preferences then that would be great, but I think we need to get it solidify at this meeting as to what the wording would be.

Mr. Keesee stated where is the building for it to say welcome? Is it right when you come into the River District?

Ms. Levi stated it is actually. If you are coming from where the five forks are its right below that. If you are standing at the Five Forks at what use to be Economy Glass that's the building and it actually faces Five Forks. Which is actually in the Old West End but then you are really coming right into the Historic District.

Mr. Keesee stated if it is in the entrance I think you should put welcome.

Mr. Lackey stated how would we tie it into the sign?

Mr. Keesee stated it would just be below it.

Mr. Lackey stated what does the sign say on the edges of the River District?

Mrs. Chaney it just says River District.

Mr. Lackey stated it doesn't say welcome. I think it would be incongruous to me to do something different here.

Mr. Davis stated it's not really an entrance from anywhere. It is just in passing through.

Ms. Nicholls stated I just had an idea. Could we just do the logo?

Mrs. Chaney stated you mean the City of Danville logo? Or River District?

Ms. Nicholls stated River District.

Mr. Keesee stated I like that idea.

Mr. Davis stated I do too.

Ms. Nicholls stated I think that would be cool; just the logo not welcome.

Mrs. Nicholas stated would we keep the Reimagine That?

Mr. Lackey stated I would take the Reimagine That off.

Ms. Nicholls stated is that like a tag line that is not normally there?

Mrs. Nicholas stated it changes as it is used.

Mr. Whitfield stated but for the River District it is Reimagine that.

Mr. Lackey stated is it ever going to change?

Mr. Whitfield stated I was told about every decade.

Ms. Levi stated yeah.

Mrs. Chaney stated I would leave it as Danville River District then.

Mr. Lackey stated and not have the Reimagine on it.

Mrs. Nicholas stated instead of the Reimagine That, would that be replaced with Welcome? Just because it is an entrance to the River District from the Historic District even though it doesn't have that home marker like other places in the River District.

Mr. Davis stated to me that is not a street that you go in.

Mr. Lackey stated I like the logo without the reimagine that.

Mr. Whitfield the whole logo including the green going though right?

Mrs. Chaney stated yeah the green just no Reimagine that.

Mrs. Nicholas stated I know the one picture that you showed it has like a gas line and electric line is that going to be moved up?

Ms. Levi stated we don't know at this point.

Mr. Whitfield stated that is something utilities does.

Ms. Nicholls stated we moved the electric wire but the gas line will not move. He will just paint over it.

Mrs. Nicholas stated okay.

Ms. Nicholls stated because the wire will move and you can see it and it won't look as nice but the gas line obviously is mounted to the wall.

Mrs. Nicholas stated okay.

Mr. Fred Meder stated I have two questions. One is who is funding this and the other response would be I would not paint any of the brick that has not been painted before. There is an area of the brick that was not painted. I would stick to that and just paint the ones that was. It really pops out and will show that the building is old. If you paint over the whole thing it distracts from the building.

Ms. Levi stated that and the logo are the reason that this is here, because just repainting the ghost sign itself didn't need to come to the Commission. We had already brought that to you guys actually.

Mrs. Chaney stated we are here to approve the background to be painted and the sign as well.

Mr. Whitfield stated and the logo.

Mr. Meder stated I'm suggesting don't paint any brick that wasn't already painted. Don't continue to paint new brick. As far as funding goes 762 Loyal there is a ghost Pepsi or Dr. Pepper mural on it so if there is a funding for this maybe we can do that building as well.

Mr. Lackey stated I think the funding is Coca-Cola. I don't think they are going to do that.

Mr. Meder stated so you go right to the source?

Ms. Nicholls stated yeah so I run a grant program for this. Essentially I pick 5 to 10 places and year where I do this.

Mr. Meder stated well I can show you this building.

Ms. Nicholls stated I will say we do bottle Dr. Pepper but I don't think we do in this area. But I am up for some competition. I'll talk to our agency and see if we bottle here. For the wall it is like a white that all already been painted before and the only area that hasn't is a very thin border which may look a little awkward. Again, I'm not going to push anything.

Mr. Keese stated I agree with what you are saying.

Ms. Nicholls stated most of the building was actually painted.

Ms. Levi stated do you have a preference as to the location of the logo?

Mr. Keese stated where she has got it was that kind of more less what it was?

Ms. Levi stated the ghost sign would go right on top of where it already is.

Mrs. Nicholas stated they are asking the River District Logo where would we put that.

Mr. Keese stated oh okay.

Mr. Davis closed the Public Hearing.



**Mr. Lackey made a motion to approve as presented to including the logo without the Reimagine That. Mr. Keese seconded the motion. The motion was approved by a 5-0 vote.**

4. *A request has been filed for a Certificate of Appropriateness at 762 Loyal St to install a new garage door, replace broken windows with hardie board siding, repair and paint metal soffit, and replace the entrance door.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Fred Meder, I'm speaking on behalf of Brian Blair. Mr. Meder stated this is a building that we use for storage. We were told we had to board up the broken windows. So we boarded them up and painted it and put plexiglass so we have a little bit of light coming in. If you go into 762 there are three windows where they broke the plexiglass and then shattered the window. There are nine windows in here. They are 700 dollars apiece and that was like ten years ago. I don't know what they would cost now. So the windows just keep on getting broken out. The alley way for the florist was put on with siding and I think they used water colors because they put it on last year and the paint is already gone. I am suggesting that we do the hardy plank with paint that will actually last to match; if you all don't want us to do that we will do plywood and paint it white or cream. Last week before the meeting was canceled I was at the quicke mart that day and the windows were broken out and this man had six inch wire screen on it. I am from New York and the way you do this in New York is you do expand and steel if you want the window there and you have video cameras. So you know the people in this area are breaking out the windows on a consistent basis. We just want to board it up because it's just storage anyway. That's what the garage door would look like when installed. The last page is the garage door that we have purchased. The existing garage door is on a track and the bottom swings out so when the people jump off the train and need a place to stay they swing the door out and get in so it doesn't open all the way. On the right hand side of that garage door is another metal door that is falling apart.

Mrs. Chaney stated this is your garage door?

Mr. Meder stated yeah. It is in desperate need of maintenance. As far as the metal goes I have a product that is 100 percent silicone that will paint on this metal after we restore it and will keep it for 50 years. So it will be a permanent restoration. I have seen that there is some stucco work that we can fix above the metal as well.

Mrs. Chaney stated so you are going to repair the metal façade and then coat it. Then you are looking to replace all the bottom windows down below with plywood.

Mr. Meder stated or the hardi board which would look a little bit nicer. We don't want to disturb the frame any more than we have to because eventually this could be a showroom for collecting exotic cars.

Mrs. Nicholas stated so glass is behind what is currently been boarded up?

Mr. Meder stated most of it is broken. We might be able to save one or two pieces.

Mrs. Chaney stated but the frames are left there in place.

Mr. Meder stated it's really dangerous because it's not tempered glass. It's old glass. There is not security in this area and to be honest with you because of the Quicke Mart I can't even keep up with the trash.

Mr. Davis stated what about the area on the first picture where it used to say Bagby Equipment Co.

Mr. Meder stated I think we are just going to scrap that and make it crystal as glass. We don't really want to leave it because it not Bagby Equipment anymore.

Mrs. Chaney stated is that stained glass in that window?

Mr. Meder stated it's not stained glass. It's fluted it has little tiny stripes. I don't think it's consistent it isn't continuous on different pieces it's all metal that is kind of rotted out. Where the boards are there was an air conditioning unit there.

Mrs. Nicholas stated do you intent to put the plexiglass when you do the hardy board?

Mr. Meder stated no we are just going solid and use a light switch.

Mr. Davis stated Anna what does your department say about the Bagby Equipment? Is that something that has to be saved?

Ms. Levi stated it's not something that has to saved but it is a historic quality and it is something that adds to the Historical character of the area. That was why we recommended saving those windows.

Mrs. Nicholas stated but they are not windows they are metal.

Mr. Meder stated no they are still kind of a window. They reflect the light when it comes into the building.

Mrs. Chaney stated they are just lower panes of glass.

Mr. Meder stated they are very expensive pieces of glass. We don't want to make it so attractive that they break them.

Mrs. Nicholas stated but that part could be left alone.

Mr. Meder stated that's what I am saying defer that and look at this in six months or a year. It isn't going to go away. This building has been like this for a million years. To the right of it was a boiler room that exploded and we are constantly picking up debris everywhere from that.

Mr. Davis closed the Public Hearing.

Mr. Lackey stated staff recommended not doing that.

Ms. Levi stated we just want you to put some sort of time frame on it. Hardie board lasts a good bit longer than plywood would. Just some sort of limitation and if they reach that point than they can always come back.

Mrs. Nicholas stated and reapply?

Ms. Levi stated yeah if it's still looking nice then they can reapply.

Mr. Lackey stated what is the process is if we do that. Does staff keep a diary?

Ms. Levi stated yeah we keep everything on file.

Mr. Lackey stated what happens if 14 months from now staff goes over there and says this hardie board isn't supposed to be here?

Ms. Levi stated it would be the same process, there wouldn't be anything different. If that were to happen in fourteen months then they would just come to the next meeting.

Mr. Lackey stated I'm in favor of all of it but the hardie board. It's a shame that the crime in this area is the cause of this but you are always going to have crime.

Mr. Davis stated I certainly understand where he is coming from because I have some buildings where they play target practice with.

Mrs. Nicholas stated do we need to split the motion?

Mr. Whitfield stated no.

Mrs. Chaney stated the hardie board is more substantial than plywood it is going to last longer and look better.

Mr. Lackey stated to me this is a problem that needs to be solved in the area instead of boarding up windows. This owner aside you have got the problem here and I think this is something we need to wrestle with, we being the City in a different manner. I am

concerned about the boarding up of buildings as with staff because I think they recommended against it.

Mrs. Chaney stated they recommended it up to a year where they would have to come back in a year.

Mr. Lackey stated actually they recommended not doing it and said if you do, do it for a year.

**Mrs. Nicholas made a motion to approve the request with the following conditions; install the garage door, repair and paint the metal soffit, replace the entrance door and leave the glass where it says Bagby Equipment as is and then install the hardie plank for one year. Mrs. Chaney seconded the motion. The motion was approved by a 4-1 vote.**

5. *A request has been filed for a Certificate of Appropriateness at 133 S Ridge Street to install a metal cap over the chimney at the Free Clinic. This replaces a temporary tarp to address water leakage into the chimney and eventually into the facility.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Denise Buckner. Mrs. Buckner stated we kind of jumped the gun a little bit on this, so I apologize. What happen was we had a water leak a little over a year ago and we replaced the roof. That didn't fix the problem in one area and we have an old chimney that is deteriorating. At that time a couple of years ago we had put a sealer on the chimney but over time the brick continues to deteriorate to some level. The chimney has to be resealed. But what we did was we had a contractor look at it and they suggesting putting what they call an umbrella on it and resealing it. I told them that I think the umbrella extends beyond the boundaries of the chimney. So that I would have to come to you guys for approval. So they modified the design and said they didn't think we would have to get it approved. But that was our error for not checking with you all. Basically, what they did was put a stainless steel chimney cap over it but it looks different than a normal chimney cap because we didn't need a vented cap. They thought that would allow for water through the chimney which was creating some of your problem and we don't use the chimney so we feel that it didn't need a vent cap. So it's just like the stainless steel cap that sits right on top of the chimney. It seems like it has taken care of our issues.

Mr. Keesee stated so I'm assuming that use to be a fireplace?

Mrs. Buckner stated it was a venting not through a fire place but it has something to do with an old heating system. One of the solutions was to take the whole chimney down

but this was less costly. It's not exactly the same look as the original chimney but it was a more financial feasible solution.

Mr. Davis stated I drove by and said that looks just like the picture. We use those on skylights all the time. They are very simple and effective.

Mrs. Nicholas stated has it stopped the water?

Mrs. Buckner stated it has.

Mr. Davis closed the Public Hearing.

**Mr. Keesee made a motion to approve. Mrs. Chaney seconded the motion. The motion was approved by a 5-0 vote.**

6. *A request has been filed for the Commission to reconsider the issuance of a Certificate of Appropriateness at 125 N Union St. to install an awning. At the meeting of July 14, 2016 the Commission granted a COA to install an awning subject to it being a solid color to match the existing awnings in a tan or beige. The color of the new awning initially proposed was to be Balance Tidepool from Sunbrella. The new awning is to replace an existing awning that sustained damage in a storm.*

Mr. Davis opened the Public Hearing.

Present on behalf on this request was Ms. Corrie Teague. This request came to you at the last meeting for replacement of an awning on one of the IDA buildings on North Union Street that sustained damage during a wind storm. This is the original fabric that we had requested which was the most similar to what had been torn down. I was okay with going back and asking the vendor to change it to a solid. Somewhere along the way there was a miscommunication with the people that we had to contact and they had started cutting the fabric. So one way or another we will have to pay for the fabric. So we would like to first ask for reconsideration of the request for the Tidepool.

Mrs. Nicholas stated it's not been put up yet?

Ms. Teague stated it has not been put up yet.

Mr. Davis stated I did go by there and notice that the two awnings that are still there are very different stripes. I really don't think that having a different color one or different stripe would make a difference. Did you say this building is going to be torn down?

Ms. Teague stated this building was purchased for the future mixed use of commercial and a parking facility. So when the funding is accrued these buildings will be torn down.

Mr. Davis stated I do think it would still look better if there was a solid color in between but I really don't think it is going to make much difference. The two on either side are very different.

Mr. Lackey stated Corrie do you have any sense of when the buildings will be torn down? I figure probably not but I just figured I would ask.

Ms. Teague stated I do not. We hope within the next few years but we don't know. There are a lot of conversations that have to take place about potential TIF Districts.

Mrs. Nicholas stated you don't think this will cause such visual disharmony that the City will rise against this?

Mr. Davis stated no I really don't.

Mrs. Chaney stated I guess what my questions is before it was brought to your attention did you even notice that they were two different types of awnings.

Mr. Davis stated no.

Mrs. Chaney stated I didn't. That's what I am saying most people when they are driving through that area they are looking for a business number or name. They are not going to be really looking at awnings unless you are a architecture or designer who looks for that kind of stuff.

Ms. Teague stated the base color is the color that you all requested last time a khaki and the stripes are quite small. So from a distance you really wouldn't be able to see the stripes.

Mr. Keesee stated so the material has already been cut and they are ready to roll right?

Ms. Teague stated yes sir.

Mr. Davis stated usually they go ahead and put it up and then come and ask for permission.

Ms. Teague stated we wanted to hold off just in case because it's expensive to put it up.

Mr. Davis closed the Public Hearing.

Mr. Lackey stated do we have to move to reconsider?

Mr. Whitfield stated since it is on the agenda you can move right into the actual motion.

**Mr. Lackey made a motion to approve with three year timeframe. Mr. Keesee seconded the motion. The motion was approved by a 5-0 vote.**

7. *A request has been filed for a Certificate of Appropriateness to install an 8x10 ft wooden smoking shelter as 231 S Ridge Street.*

Mr. Davis opened the Public Hearing.

Present on behalf of this request was Mrs. Glenda McDermott from Heritage Tower Apartments. Mrs. McDermott stated as of August 1<sup>st</sup> we had to start a no smoking policy which has been a complete nightmare. There are possibly twenty senior citizens in this facility that are addicted to nicotine. So we are just trying to find somewhere that would be appropriate and nice for them to smoke. The stipulation being that it has to be twenty feet from the building but as far as the construction of any of those other questions this is my Maintenance Director, Larry Baker and he can answer those questions.

Mrs. Chaney stated are they not allowed to smoke on the balcony?

Mrs. McDermott stated they are not.

Mrs. Nicholas stated will this building be attached?

Mrs. McDermott stated no it is like in the very back of the courtyard next to the fence.

Mrs. Chaney stated is it on the Loyal Street side?

Mrs. McDermott stated Community Development where you all park you can actually see it from that lot.

Ms. Levi stated behind the library.

Mrs. Chaney stated so it's behind the library?

Ms. Levi stated yeah. So the Library is facing Patton and then right behind the library there is a row parking where a bunch of City cars are and then it's right behind that.

Mrs. Chaney stated so it's on that side. That's what I was trying to figure out where it was going to go.

Mr. Keesee stated so they have to walk that far in the rain and snow to smoke?

Mr. Baker stated we have to keep it inside of the fenced in area for protection. We use to have a patio set up with an umbrella where they used to be able to go out there and sit and visit.

Mrs. McDermott stated its going to be interesting to see how positive this is.

Mr. Lackey stated is this a State law that you are trying to follow?

Mrs. McDermott stated this is actually something that has been highly recommended by HUD encouraging the owners. It is also because of the health hazards of smoking which we are all aware of. The City you all don't allow smoking on the property and government buildings don't. You are talking about some upset people when they are told they can't smoke in the apartment. They say why is that you can drink in this building but you can't smoke? I had to send out a four page memo trying to explain and trying to get them to look at it from the perspective of the owners and HUD. If you have nicotine damaging to a unit when someone moves you have to go in take everything out and replace it you are talking about a cost of about three or four thousand dollars. I'm talking refrigerators, stove, carpet and everything you have to do it all. It is a large expense. Holiday Village which an assisted living property they started their policy a month before we did. I just received a memo last week from the owners of this property they are very serious about this. They are saying that once we have everything in place that if anyone is caught smoking on the property they will start the eviction paperwork.

Mr. Lackey stated this isn't like when the restaurants were told you can't allow smoking this is a policy of the owner of the building?

Mrs. McDermott stated they have all signed an addendum to the lease. They thought they would be able to cheat.

Mrs. Chaney stated so the people that live here do they rent or own these units?

Mrs. McDermott stated they are renting.

Mrs. Nicholas stated so this is your proposed. From the way it views the door on the building is raised?

Mr. Baker stated yeah we put the door on the 10ft side not the 8ft side so it will be facing our building.

Mrs. Chaney stated but it will be a ramp going up into the building?

Mr. Baker stated correct it will be a very excellent access for them to get into. It's going to be very easy.

Mrs. McDermott stated Mr. Dickerman used to work for the oil fields in Texas and he used to build these types of buildings all the time.

Mrs. Nicholas stated do we have to approve a ramp?

Ms. Levi stated you could do a stipulation that a ramp could be installed if necessary.

Mr. Baker stated it's only on one step.



Mrs. Nicholas stated I'm just thinking about with elderly people steps can be hard.

Ms. Levi stated you can make that stipulation.

Mrs. Chaney stated how many people can you fit in that unit?

Mr. Baker stated it can't be but about four or five. We don't have that many out there smoking at one time anyway.

Mr. Keesee stated so you won't have ash trays or a jar to put it in?

Mr. Baker stated yes.

Mr. Keesee stated it won't take much for this thing to catch on fire.

Mr. Davis stated how far is this from the building?

Mr. Baker stated over twenty feet away.

Mrs. Chaney stated it has to be twenty feet away from the building.

Mr. Keesee stated that's going to be real tough when it's zero degrees outside.

Mrs. McDermott stated hopefully that will deter them. I had the Virginia Department of Health come in yesterday and would you believe that only four people showed up to that meeting. So there is not a lot of interest to quit. So what I plan to do is to get her back in October and see if we have more interest then.

Mr. Keesee stated how about the e-cigarettes would you approve that in your building?

Mrs. McDermott stated I know what you are talking about. When she came yesterday she tried to bring something things with her, even a number for them to call for counselors to try and help them. The e-cigarettes were mentioned I'm not really familiar with the E-cigarettes but I suppose they don't put off nicotine. But I believe that they are worse because it is a large amount of nicotine that is actually put in the body more than cigarettes.

Mr. Keesee stated no smoke though but you're right it's a lot of nicotine.

Mrs. McDermott stated my husband smokes and I told him I don't want him smoking in the house and I don't want him smoking in my car. I told him I would like to move again so maybe he would quit smoking.

Mr. Keesee stated it's highly addictive.

Mrs. McDermott stated yeah it is.

Mrs. Nicholas stated will this building be regularly visited by staff?

Mr. Baker stated definitely yes.

Mrs. McDermott stated yes several times a day.

Mrs. Nicholas stated I am just concerned about a burning cigarette.

Mr. Keesee stated so you will have a light in there?

Mrs. McDermott stated yes.

Mr. Keesee stated will it have a fire extinguisher as well?

Mrs. McDermott stated yes definitely.

Mr. Lackey stated how is it going to be locked?

Mr. Baker stated it's not going to be locked it will be in a fenced in lot.

Mrs. McDermott stated we were trying to think of something because we didn't want to put them outside of the perimeter. We didn't want to put them in danger and then come back and be sued. This is as far back as we could get it.

Mr. Baker stated it's about 8 feet off the fence and 30 feet from the building. This here is a little garden area where they do their gardens.

Mr. Keesee stated this is going to be tough on them I will tell you that.

Mrs. McDermott stated it sure will. But the only other choice they have is to go off the property in front of the building and a lot of them had been doing that. I'm sure it's going to be interesting I'm sure it's going to be some that will want you to cheat. I appreciate you listening.

Mr. Davis closed the Public Hearing.

Mr. Lackey stated I have a question for staff these buildings that are not in materials that are traditionally used in the River District what are our guidelines or regulations say on those?

Ms. Levi stated this is a recommended material the apartments themselves are not actually a historic building so it does not need to match the building. So these are recommended materials.

**Mr. Keesee made a motion to approve. Mrs. Chaney seconded the motion. The motion was approved by a 4-1 vote.**

## **APPROVAL OF MINUTES**

**The July 21, 2016 minutes were approved by a unanimous vote.**

## **OTHER BUSINESS**

Mr. Davis stated I mentioned briefly in the email about the date in which we meet. Are there any other suggestions of another time that might be more convenient or leave it at the second Thursday?

Mrs. Nicholas stated is there anything thing going on the fourth Thursday?

Ms. Levi stated the fourth Thursday I would have to go back and look at the calendar. So I did look for the third week since you guys had indicated that would be a good week, if you wanted to keep it at 4'oclock any day but Thursday would work.

Mr. Whitfield stated Tuesday is council meetings and sometimes they have work sessions prior to the meetings.

Ms. Levi stated okay then so no Tuesdays. If you wanted to do before 4 there is a lot more openings. I know people have to work.

Mrs. Nicholas stated yeah I can't get out of school.

Ms. Levi stated okay we will leave it at 4 o'clock. I would have to look back at the city wide calendar.

Mrs. Chaney stated is that what you send out?

Ms. Levi stated well that is our calendar but this room gets scheduled by a lot of other different groups.

Mrs. Chaney stated the fourth Thursday according to this schedule is the Commission of Architectural Review.

Ms. Levi stated that's right so that won't work either.

Mr. Davis stated so is the second Thursday a problem or has it just been in the last couple of months that everything has come up?

Mrs. Nicholas stated it's difficult for me.

Mr. Davis stated the second week of the month I have a lot of meetings.

Mr. Keesee stated just pick another day and see what we can do with it.

Ms. Levi stated is there another day of the week? Wednesdays? I could look at the different weeks in the calendar.

Mrs. Nicholas stated my classes start at 7:05.

Mr. Davis stated some Wednesday afternoons some people get to play golf.

Ms. Levi stated oh okay. The Planning Commission is on Monday and that is the first Monday after the first Tuesday, so it varies between the first and second week. But the third and fourth week Monday maybe open.

Mrs. Nicholas stated what about Wednesday?

Ms. Levi stated we have had some opposition to Wednesday.

Mr. Keesee stated just pick one and let's do it.

Mr. Davis stated it would be very hard for her to do it.

Mrs. Nicholas stated can it stay as is.

Ms. Levi stated I think for now we have to go as is. I can look more indepthly at the calendar and give you all the days that 4 o'clock will work.

Mr. Davis stated change the Planning Commission. Let us have their Thursday.

Ms. Levi stated you guys do need to vote on the minutes.

Mr. Davis stated as long as there is no change it can be as presented.

With no further business the meeting adjourned at 5:04 p.m.

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Approved By: