

DOWNTOWN DESIGN COMMITTEE

TRANSCRIPT OF PUBLIC HEARING

TUESDAY, JULY 6, 2010, 5:15 P.M.

SCHOOL BOARD CONFERENCE ROOM, 3RD FLOOR, CITY HALL

MEMBERS PRESENT: Gary Leggett, Chairman
Sara Steele, Co-Vice Chair
Jason Baines
Kirsten Tynch

STAFF PRESENT: Samson Okafor

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1 (Call to order at 5:15 p.m.)

2 MR. LEGGETT: We'll call the meeting to
3 order. I'd like to welcome everybody. Thank you for
4 coming out this evening.

5 Everybody should have the minutes from the
6 last meeting. Any questions, changes, or additions?
7 Seeing none, they stand approved.

8 To summarize the purpose of your design
9 review, we take each applicant in order and give you an
10 opportunity to present to us what you would like to
11 have approved by the committee. If we have any
12 question, we ask those. At that time, you can answer.
13 And then we vote based on the information you have
14 given us.

15 There are some administratively approved
16 certificates. They're the ones that Sam approves
17 without coming before the board.

18 We'll call you up and look at your
19 application and give you a chance to present anything
20 that you have. If during the discussion any particular
21 product is mentioned by name, we're in no way endorsing
22 that product. It's just to give you an idea of what
23 we're talking about material-wise.

24 DDC-10-027, 606 COURT ST:

25 MR. LEGGETT: The first applicant -- I don't
see him here. DDC-10-027.

MR. OKAFOR: We can skip all the deferrals
from last month.

I would like to call to your attention all
the deferrals. We have to take action on them today.

MR. LEGGETT: New applications.

DDC-10-032, 818 DINWIDDIE ST:

MR. LEGGETT: DDC-10-032, request of Joe
Nemie to construct an A-frame roof over the side
basement door.

THE APPLICANT: Can I have Sam speak for me,
please? Sam knows everything. I don't want to sound
like rummy the dummy. Sam knows everything.

MR. OKAFOR: You have a picture of his
entrance into the side basement. He has indicated the
water is coming into the basement, and he wants to put
in a roof over the door of the basement. If you look
at the picture that I have provided you here, if you
look at this, he's going to have a post here, a post
here that goes up. The roof should be the same slope.
The roofing material shall be metal because the house
has a metal roof. That's what he has indicated.

1 I think he drew up some fantastic drawings
2 here. I was trying to check to make sure this roof
3 does not extend into the city right-of-way, and it
4 doesn't.

5 MR. BAINES: It doesn't protrude from the
6 existing column?

7 MR. OKAFOR: Yes. It does not. Yes.
8 Exactly. It doesn't go beyond the column. It's behind
9 the column. I did ask him if both sides of the roof,
10 if there's anything that would cover it, and he
11 indicated nothing. Just the roof to cover the entrance
12 to the stairwell.

13 THE APPLICANT: I want to make it look
14 decent. The one up there now is Earl Sheib. We have
15 nice homes in Olde Towne.

16 MS. STEELE: Will the 4x4 posts be wrapped
17 with other wood?

18 THE APPLICANT: It's an exposed. Two 4x4's
19 on the roof to keep the rain out of the basement.
20 We're going to paint the roof. The poles will be
21 painted almond. The roof will be the same color as the
22 roof on the house. It's going to look nice.

23 MR. BAINES: You're going to paint it to
24 match?

25 THE APPLICANT: The house, yes.

MS. TYNCH: Motion to approve.

MR. BAINES: I second it.

MR. LEGGETT: Any further discussion?
Seeing none, all in favor? (Response.) Any opposed?
(No response.)

Thank you.

We'll skip over 33 and 34.

DDC-10-038, 448 GREEN ST:

MR. LEGGETT: This is DDC-10-038. Request
of Eric Perryman to retain three signs that were
installed at 448 Green Street.

MR. OKAFOR: Application fee had been paid
because the sign is already there. He came and paid
the 250.

Go ahead.

THE APPLICANT: I just would like to get the
sign approved. I didn't make no changes to it. I just
changed the name.

MS. STEELE: You used all the existing
sizes, correct?

THE APPLICANT: Correct.

MR. LEGGETT: I see the one on the ground
has the up lights on that. What about the ones on the
side of the building? Are they lit in any way?

1 MS. STEELE: Yes. There's a down light on
2 the front. The other sign lights the parking lot. I
3 mean the parking lot side of the building has a light
4 that lights the parking lot, not the sign.

5 MR. LEGGETT: So there's no light inside?

6 MS. STEELE: No. The same side of the
7 building has the up light on the ground.

8 I make the motion we approve as submitted.

9 MS. TYNCH: Second.

10 MR. LEGGETT: Any further discussion?
11 Seeing none, all in favor? (Response.) Opposed? (No
12 response.)

13 Thank you.

14 DDC-10-034, 710 DINWIDDIE ST:

15 MR. OKAFOR: I think we have application
16 DDC-10-034. Install vinyl siding at 710 Dinwiddie
17 Street.

18 I did explain to the applicant about
19 wrapping the window trim and the fascia board, that the
20 guidelines are against it. I told him that about maybe
21 an hour and a half ago, not when he came in to submit
22 an application.

23 MR. LEGGETT: You're Chuck DuVal?

24 THE APPLICANT: Yes, sir.

25 MR. OKAFOR: This is the sample of the vinyl
siding he brought by the office. I think he's saying
that he prefers to use this.

THE APPLICANT: Everything on the block has
either Dutch lap or straight. I'll consider it. It's
more money. Every house on the block is vinyl sided
with something other than that except for one, which is
not sided at all.

MS. TYNCH: Which color?

THE APPLICANT: Gray.

MS. TYNCH: Heritage gray?

THE APPLICANT: Yes, is what I prefer.

MR. OKAFOR: In the Historic District and
Truxtun and Cradock, it remains the one with the 5 1/2"
reveal. Because of that, you only get it in unbeaded.
That's why he came in and I recommended that to him.
He can present it to the commission.

MS. STEELE: Is the house next door gray,
Heritage gray?

Are you planning on putting on a corner
bead? Are you going to put a corner bead on the house
so it looks like it has a trim piece on the edge.

THE APPLICANT: That would be what I prefer
to do.

MR. LEGGETT: As Sam just mentioned today

1 about the soffit and trim --

2 THE APPLICANT: Yeah. I didn't realize that
3 that was something that might not be acceptable. If
4 it's not, it's not. That's what obviously I prefer to
5 do just for maintenance issues. The house already has
6 all insulated windows. We just acquired the property a
7 month before last. It has all vinyl windows. It's not
8 like we're wrapping something that's got wood windows.
9 It's all vinyl.

10 MS. TYNCH: We try to avoid two gray houses
11 next to each other.

12 MS. STEELE: Typically that's not such a
13 great idea.

14 MR. BAINES: I was preferring the 5" double
15 lap for the selection.

16 MS. STEELE: Do you have any idea what's
17 underneath that siding? Do you know if it's 5"?

18 THE APPLICANT: No. You mean maybe the
19 original siding? No, I have no idea.

20 MS. STEELE: I would love to see -- a lot of
21 these houses are gone now. They're lost. I would love
22 to see somebody do -- if we approve vinyl in this
23 district, it would be really cool if the whole front of
24 the house wasn't lost to vinyl, and the front get taken
25 down to its original wood.

THE APPLICANT: You're talking about
removing asbestos then.

MS. STEELE: That's just my thought.

THE APPLICANT: That's way cost prohibitive.

MS. TYNCH: My only concern is having the
gray next to the gray house next door.

THE APPLICANT: The house next door is gray?
Is that what you said?

MS. STEELE: Yes. It's like a Heritage
gray.

THE APPLICANT: I don't have any problem
changing the color to whatever. If I thought it was
exactly the same color, I wouldn't want to do that. I
didn't see that that was the case.

MS. TYNCH: That's what it looks like in the
photo.

THE APPLICANT: That's a bluish color in
this picture. The one next door is kind of a bluish
color. Maybe it's bluish gray. We could do something
different.

MR. BAINES: Maybe something like a Hardie
plank.

MR. LEGGETT: Yes. Never approved vinyl
before. We're concerned with setting precedent.

MR. BAINES: Have you looked at using Hardie

1 plank?

2 THE APPLICANT: No. Every house on the
3 entire block, which is probably 10, are all vinyl
4 siding except for one, which is across the street and
5 down a little bit. They have the same siding. When I
6 came and asked this gentleman, he thought that vinyl
7 siding would be permissible.

8 MR. LEGGETT: Unfortunately, a lot were done
9 prior to this body being formed. Even asbestos siding
10 would not be allowed. We're trying to maintain the
11 historic nature.

12 THE APPLICANT: If it's going to be Hardie
13 plank, I'll just paint the thing the way it is. Hardie
14 plank, as you probably know, it's great material, but
15 it's very expensive.

16 MS. TYNCH: My motion is to deny vinyl
17 siding in this area in accordance with the design
18 sidelines.

19 MS. STEELE: Second.

20 MR. LEGGETT: Any further discussion? All
21 in favor? (Response.) Any opposed? (No response.)
22 Thank you.

23 MR. OKAFOR: Can the commission take action
24 on the first three deferrals?

25 DDC-10-027, 606 COURT ST:

MR. LEGGETT: DDC-10-027, Logan Raye's
application. I had one question on that. Looking at
your note. Who was 706 High Street? And when was
that?

MR. OKAFOR: 706 is Gosport.

MS. TYNCH: When they came and brought their
wrought-iron and chain link in between the posts, and
we denied it.

MR. LEGGETT: They don't have wrought-iron.

MR. OKAFOR: No. But the commission
approved for them wrought-iron. I think one commission
member indicated something about the initial request,
which is wood. They wanted to use wood, and the
commission indicated something like they don't prefer
wrought-iron because they don't want having something
looking like Nags Head.

MR. LEGGETT: My concern is that's the
location that set the precedent for all these people
using this crazy chain downtown. Yeah, they've got
better looking planters, but it's still a chain. I'm
not in favor of this Logan Raye's request at all since
we asked for redesign and samples, and we got the same
request all over again. In the future we really need
to hold fast on wrought-iron. We need to stick with

1 the guidelines.

2 MR. OKAFOR: The gentleman that came over
3 here for a sign wanted to put an outdoor dining area.
4 I told him the commission does not approve anything but
5 wrought-iron fence.

6 If you drive around downtown, most of
7 everything the commission approves is wrought-iron.
8 The guy got this last November. He got this
9 wrought-iron fence from last November. Then it took
10 him three months to figure out I can save money by
11 putting a rope.

12 MR. LEGGETT: I'm going to have to pull my
13 notes, because they never came before this group with a
14 request for wrought-iron that I can recall. They just
15 put up the planters and the chain and, Excuse me,
16 please, let me do it after the fact, like they've done
17 everything down there. I don't remember them ever
18 requesting. I wish they had.

19 MR. OKAFOR: Check the agenda for November
20 of '09. I think that's when they came.

21 MS. STEELE: I thought I remembered them
22 coming.

23 MR. LEGGETT: They came back after the fact
24 once the planters and chain were up to get approval for
25 that. They've notoriously never gotten approval until
after the fact.

MR. OKAFOR: I was looking for what the
commission approved. What the commission gave them
approval for at that time was a wrought-iron look-alike
fence.

MR. LEGGETT: If that's the case and they
didn't come back, we'll make them take the chain and
the planters down. They don't have wrought-iron.

MR. OKAFOR: I know the inspector has been
on most of them to do the right thing.

MR. LEGGETT: On Logan Raye's do we have a
motion?

MR. BAINES: Motion to deny.

MS. TYNCH: Second.

MR. LEGGETT: Any discussion? Seeing none,
all in favor? (Response.) Opposed? (No response.)
It's denied.

DDC-10-029, 804 DINWIDDIE ST:

MR. LEGGETT: The handrail for Silvanis
Jones. Do we ask him to go back and reproduce? I have
not heard anything since we left that evening. The
rails are not up yet. I went by there yesterday.
Maybe last week and I didn't see anything yet.

MS. STEELE: That is not hard.

1 MR. LEGGETT: There's nothing hard.
2 MS. STEELE: It's easier to do that than it
is to turn a baluster.

3 MR. LEGGETT: Sure it is, even scaling it
proportionate to what's required by code today.
Do we have a motion on that one?

4 MR. BAINES: On DDC-10-029, I make the
motion to deny it.

5 MS. TYNCH: Second.

6 MR. LEGGETT: Any discussion? Seeing none,
all in favor? (Response.) Opposed? (No response.)
Denied.

7
DDC-10-030, 725 HIGH ST:

8 MR. LEGGETT: DDC-10-030. I'm truly
surprised that one is not here.

9 MR. BAINES: Me too. The information is
unchanged.

10 MR. OKAFOR: That's why I said it's an
incomplete application. I thought that he later called
11 Fred to ask Fred what the commission said and relayed
the information back to Fred. The funny thing about
12 this one is this particular application, I discussed
with the director, and he said that's exactly what he
13 was looking at. There's no way that kind of sign
should have been approved in that area. The commission
14 is looking for something because they change signs --
all the big corporations change signs all the time.

15 MR. LEGGETT: They have a temporary banner
on this. Do they realize that has to come down?

16 MR. OKAFOR: After some days, yes. I
believe 90 days.

17 MR. LEGGETT: I thought it changed to 30.

18 MS. STEELE: Did he call you?

19 MR. LEGGETT: Let's double-check that and
let them know that can't stay up there indefinitely.
They're working under a timeline here.

20 MR. BAINES: It seems easy enough that
nTelos would be able to have another model.

21 MR. LEGGETT: And we mentioned that to Andy.
In Olde Towne Alexandria there's no way that would be
allowed there. There's got to be some other historic
22 area they can pull from.

23 Where is the tenant? Why aren't they here?
That's not Andy's role.

24 MR. LEGGETT: Do we have a motion?

MS. TYNCH: Motion to deny.

25 MR. BAINES: Second.

MR. LEGGETT: Further discussion? All in
favor? (Response.) Any opposed? (No response.)

1 Sam, would you check the deadline for the
2 time frame?

3 MR. OKAFOR: Yes.

4 DDC-10-033, 617 SOUTH ST:

5 MR. OKAFOR: Only one application left here,
6 if we don't have enough quorum for that application,
7 Ms. Steele can --

8 MR. LEGGETT: What is your deadline?

9 MS. STEELE: September.

10 MR. LEGGETT: So a month won't kill you?

11 MS. STEELE: If I can get somebody to put
12 the roof on if it's approved. If it's not approved,
13 then I have to come back. You guys have never approved
14 what I'm asking for. So we'll see.

15 MR. LEGGETT: Motion to defer?

16 MS. TYNCH: Motion to defer.

17 MR. BAINES: Second.

18 MR. LEGGETT: Any further discussion? All
19 in favor? (Response.) Any opposed? (No response.)
20 Any unfinished business?

21 MR. LEGGETT: Sam, you have on here under
22 new business the letter to Clayton Massey.

23 MR. OKAFOR: I don't know how I missed that
24 letter. The letter wasn't ready when there were some
25 issues with the Fourth Baptist Church. It has some
26 section of the guideline that says they can't have
27 parking in front. In other words, the building has to
28 be on the front or side of the street, not on the rear
29 with parking in the front. Fred has sent a letter. I
30 think I should have informed the commission about it,
31 but I completely missed it.

32 MR. LEGGETT: That came up in Planning
33 today. Fred did mention the fact he discussed that
34 issue with the architect, with the church, every step
35 of the way. That is not something we typically would
36 have picked up on anyhow.

37 MR. OKAFOR: I would have brought that up to
38 the commission, but I was Nigeria when that came to the
39 commission. It wasn't aware of it.

40 So the issue, build on the street side, not
41 on the rear side. It should be the building on the
42 front, and then you have parking on the back.

43 Fred said he has indicated that to the
44 architect and the pastor prior to them submitting that
45 application. And he sent a letter back to them
46 indicating that the building should be on the front
47 side, not the back.

48 MS. STEELE: I was wondering whether or not
49 that building was too large for the lot. You have to

1 have so much space and whatnot. That building looks so
2 big. I drove by there and thought, Where are they
going to park? On Sundays they fill all the space they
have.

3 MR. BAINES: Parking lot is being extended.

4 MS. STEELE: They park all the way down to
County.

5 MR. LEGGETT: Part of the discussion today
was the building may actually end up being "L" shaped.

6 MR. OKAFOR: That was my fault. I didn't
follow up on that when I came back. I should have
caught that, but I didn't.

7 MS. STEELE: It's hard when you go away,
Sam.

8 MR. LEGGETT: Anything else?

9 MR. OKAFOR: That's it.

MR. LEGGETT: We stand adjourned.

10 (Meeting adjourned at 5:55 p.m.)
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1 COMMONWEALTH OF VIRGINIA AT LARGE, to-wit:
2

3 I, Kimberly A. Watrous, RPR, a Notary Public for
4 the Commonwealth of Virginia at Large, of qualification
5 in the Circuit Court of the City of Norfolk, Virginia,
6 and whose commission expires September 30, 2013, do
7 hereby certify that this proceeding was recorded in
8 Stenotype by me and reduced to computer printout under
9 my direction; and that the foregoing constitutes a
10 true, accurate, and complete transcript of such
11 proceeding.

12 I further certify that I am not related to nor
13 otherwise associated with any counsel or party to this
14 proceeding nor otherwise interested in the event
15 thereof.

16 Given under my hand and notarial seal this 16th day
17 of July, 2010, at Norfolk, Virginia.
18

19
20 _____
21 Kim Watrous, RPR
22 Notary Reg. No. 195088
23
24
25