

**Meeting Minutes of the Design Review Board (DRB)
City Hall Council Chambers
Tuesday, June 4, 2019 @ 5:30 P.M.**

The Design Review Board (DRB) met via in City Hall Council Chambers on Tuesday, June 4, 2019 at 5:30PM, with the following members in attendance: Kevin DeMark, Ricky Richardson, Mike Henthorn, and Tip Pitts. Representing the Planning Department were Natalia Rosario, Planner III; and Julie Roland, Administrative Assistant. City Manager Chris Story also attended.

Roll Call

Mr. Richardson, the Chair, called the meeting to order and stated that notice of this meeting was posted and provided to the media 24 hours in advance as required by the Freedom of Information Act.

Mr. Richardson said all four members of the Board were present, constituting a quorum; and he went over the procedure for the meeting.

Mr. Richardson said the Agenda for tonight's meeting was amended because the applicant had pulled New Business Item #2 from the meeting; and the Agenda was approved by acclamation.

No Minutes were ready for approval at this time.

Old Business: None

New Business:

Final Review & Approval re new construction proposed at 431 E. Kennedy Street, located in DT-5. "The Robert Hett Chapman III Center for Philanthropy", Parcel # 7-12-11-237.00 from Adam Flynn, AIA, NCARB, McMillan Pazdan Smith Architecture, Agent; on behalf of Troy Hannah, President & CEO, Spartanburg County Foundation, Owner.

Ms. Rosario, Planner III was sworn; and she entered tonight's presentation and previously delivered packet into evidence as Exhibit A.

Mr. Adam Flynn was sworn; and he showed slides which he explained to the Board Members as follows. He said just identifying our site, site of the former number one Hardee's on Kennedy Street. Just a close up here next to the shopping center that previously had a Farmer's Market catty-cornered across the street from the current foundation headquarters. Mr. Flynn said as this site is in the DT-5 District, major notes were presented in the conceptual review, but the big one being the exemption for the side yard parking overlay in the building frontage. Existing site, you've seen this before. The existing site slips 12 feet front to back from Kennedy Street down to St. Paul's alley. Again, was formerly the side of the Hardee's. That building has been demolished, the existing pad remains. Most of the site is paved. He said it's not really visible, but there's a small grass area on the lower right there with a depression that we are pretty certain is not a storm water pond. We actually think it's the basement of an old building that used to be there.

Mr. Richardson said will you make any retention pond.

Mr. Flynn said we're tying into existing storm water. So there will not be any on the site. And we're actually reducing the amount of paved surface on the site as well. Just some photos of the existing site conditions showing the condition of current page building pad as well as that grass area. So when we presented, when we put our presentation forth, we were working with the DOT

on a concern that they had regarding our entry off of Kennedy Street. That has been resolved. So there was a conceptual view of this in the presentation packet, but the following next couple of slides are new to show the resolution of that. With the foundation's approval, we have changed the entry drive from a two lane drive with in and out to a single lane and only drive off of Kennedy Street. Access would be on to St Paul's. That does not change the location of the building, the amount of parking or anything other than the size of that drive. That was in part due to concerns from them about the adjacency across the street of the Minter Court, which although being a very small alley-ish road, was enough for them to raise issue with the in and out. Beyond that, again, we're showing kind of having to deal with grades. We have elevated the building. The building is level to Kennedy Street. That actually places at about four to four and a half feet above the parking lot, which then slopes down the remaining seven and a half feet to St. Paul's. Jump to the larger landscaping plan. As part of the landscaping plan, we are including a Plaza on the upper right, and a seating area at the lower left of the building. We do have a transformer, which is kind of a middle on the right side that is being screened by Holly. There's also a dumpster enclosure off of St. Paul's that will be fenced and also screened with vegetation.

Mr. DeMark said I'm sorry. Where's the transformer.

Mr. Flynn said the light is not really working, but if you can kind of see it. So again, both of those are highly removed from Kennedy Street, and they are screened with vegetation and fencing. Beyond that, let me regain my train of thought for a second. Oh, so along Kennedy Street, the City's recommendation at conceptual was to mimic the street trees that the foundation headquarters building has on the longest side. We have done that along part of the face of the building along Kennedy Street, the remainder of which is that open brick closet. Also, since we were approved to move forward with the monument sign concept, we have fleshed that out and you will see that later in the presentation, but that is also located facing Kennedy Street.

Mr. Richardson said Adam, is the width of that drive the same as presented.

Mr. Flynn said it's four feet narrower now. So originally it was a 20 foot two lane drive. Now it is a 16 foot single lane drive. There is a pull off near the main entry on the driveway itself that was included in both schemes. On the elevation, the primary material is a white brick. We've chosen one that matches as closely as we can to the existing building, the foundation building's brick, which is actually a painted brick. We're trying to match that with the natural color. We're also including metal panel. You see that in gray. Currently we're considering two alternates, one being a copper anodize so more of a bronze finish, and one being a clear anodized, which would be more of a steel finish. But regardless, it's the same product in a metal panel, if you wish to see color samples, I have them in my bag so I can show them to you. We are including storefront system with some decorative Mulligan components that were requested by the foundation. We also have cast stone trim at the top of the brick. And the very top eyebrow component is an exterior grade plaster. So similar to stucco, not EIFS. Just want to make that very clear. The sign is located, of course, in front of the building. We do have a blow-up of that later in the presentation, so I will not discuss that here. This slide primarily shows you that we have 67 feet, 4 inches of window length along the front elevation of 101 feet, 5 inches. Math wise that equates to roughly 60.5%, which is in compliance with the 60% requirement on Kennedy Street. We did include the other elevations. So the cutaway and the first section of the elevation that faces the insurance office on the West is shown here. The rear elevation that would face St Paul's, but is very far removed into the site shown here. The side elevation facing the Farmer's Market is shown here. We're also showing the actual mechanical unit that will be placed. We do have

renderings that show that that will not be visible, either due to screening or just distance place back in the building, which is now. So from the St. Paul side of the Farmer's Market side, the unit is set roughly 48 feet back from the front of the building. That combined with the height of the building and the grade drop at St. Paul's should hide the unit from view along Kennedy Street. It is screened by a 10 foot high eyebrow partition wall, which you saw in the elevations. That is material that matches the rest of the building, not a just simple screen as well. You saw this slide is justification for the monument signs so I will slip over it, and take a look at the sign itself. What we're proposing for the sign is an identifier that this is The Robert Hett Chapman III Center for Philanthropy Building. We've also identified the Spartanburg County Foundation. The sign face itself is roughly 28 square feet. A little bit more than that. I think the requirements for identifying the sign face size are marked per the downtown code. Maximum is 32. We're also including a 16 inch high brick base with a roadblock trim. And then on the side there with the foundational role, kind of capping off that section design. Materials wise, we will match materials to build, so the same white brick, the same metal panel.

Mr. Richardson said so the Robert Hett Chapman will be a metal panel.

Mr. Flynn said yes, that will be a metal panel superimposed on metal.

Mr. DeMark said and it's not internally illuminated.

Mr. Flynn said it is externally illuminated. That is the current plan. And again, this just highlights the materials. This was included in the packet on the following slide, as well as giving some dimensions onto the size of the lettering and location of such. Since we did come to agreement with DOT and we updated the renderings to show the narrower drive, as well as show some additional kind of viewing angles from the street perspective. This is looking from across the street from essentially the current foundation headquarters front door. What's important here is the alignment of the two front doors. They both hit at a 45 degree angle to each other. That they're a 45 degree angle compared to the street. This is a close-up of the sign showing external illumination. A view from the sidewalk across Kennedy Street, looking at the main face of the building and down the side, passing between it and Farmer's Market shopping center. An overview just to show kind of the general site condition relative to the street. And then this one, which shows kind of the driving perspective. We really think that this highlights how the building continues a line formed by the edge of that Farmer's Market building, as well as shows that between the eyebrow and the height of the building, that the mechanical unit is well screened. I believe that is my last slide. So I would gladly take any questions.

Board Questions for Applicant:

Mr. DeMark said so I've driven that site a couple of times. There's a lot of power lines that currently go across the front face of that. Are those going away or are those staying.

Mr. Flynn said it is likely that they will, at least some of them, will remain. Although we need to talk with electrical engineers and Duke Power to see if they would possibly variabilize as part of the work we could do on site. But that is not a discussion that's been had with them yet.

Mr. DeMark said okay. Because I think it really changes the look of things, those power lines. They're right there on the street.

Mr. Pitts said it also goes down between the Farmer's Market.

Mr. Richardson said yeah. It turns and goes down. I don't have any questions. Anybody else.

Mr. DeMark said the sidewalk changes sort of juxtaposes there.

Mr. Flynn said that's in part [crosstalk 00:12:26], our survey did not include a lot of information about what was actually there. What we are showing for the size of two and a half foot curb lawn, and then an eight foot sidewalk, that was based off of memory. And the transition would likely be a little gentler than that.

Mr. DeMark said there is a curb yard.

Mr. Flynn said it is a small curb yard. It's similar to other curb yards that are along Kennedy Street. But yes, there is a small curbed yard plus the eight foot sidewalk, which we feel is fairly generous for pedestrians.

Mr. DeMark said okay. Great.

Mr. Richardson said great. Anybody else got any questions of Adam. Okay. No questions. I guess this one. Sorry, go ahead.

Ms. Rosario said you're fine. Very briefly, Adam covered most of what you all have already given an exception to, just so that we have it in the record. Staff is recommending a final approval, subject to the conditions. Speaking on the curb block, that does reflect the conditions along Kennedy Street. And because of those power lines, staff was comfortable moving the trees closer to the edge of the building. And of course you already gave exception to the monument sign. And so, recommending approval. If you have any questions for me, I'm happy to answer.

Mr. Richardson said I don't think we have any, thank you. I guess we have to have a public hearing.

Ms. Rosario said we do.

Mr. Richardson opened the public hearing and asked is there anyone who would like to come and speak in favor of this proposal. And if you're with the foundation, you don't need to speak. There were none. He asked did anyone want to speak in opposition. There were none. He asked if anyone had a question about it. Seeing none we'll close the public hearing and we'll vote.

Mr. DeMark moved approval of the request, and was seconded by Mr. Henthorn. The motion passed with a vote of 4-0.

Preliminary Conceptual Review & Approval of the building's form, massing, and placement on the site re New Construction of a private residence to be located at 158 Hall Street in the DT-5 District, Parcel # 7-12-11-050.00; from Mike Henthorn, Henthorn Architecture & Construction; on behalf of Laura Henthorn, proposed buyer; on behalf of Pierce Wicker, Agent; on behalf of 158 Hall Street LLC, Owner. Request is contingent upon Design Review Board approval.

Mr. Richardson said I will ask that the record show that Mr. Henthorn who sits on the Design Review Board leaves the stage to become the petitioner. So we will now have three members of our committee on the panel.

Mr. Henthorn was sworn, and said I'll try and make this quick. The project we bring before you this evening is a single family residence at 158 Hall Street. We've asked for this review as part of my client's due diligence process before closing. And her purchase contract is contingent upon favorable review of this Board. So I'll start by talking about the site a little bit, and then I'll go into the problem we incurred a little bit and the design solution that we came up with. And I'll

spend a little time talking about the articles on the code that we're asking for review. I can't point with anything, so I'm just going to walk up here. You can see the site here at the little red balloon. This is Hall Street. This is Main Street. This is Johnson Developments, commercial property. This is Alabama Street. There's a blow up to the left and the existing sites are right down to the bottom. The property is about 59 feet wide, 267 feet long. It has an existing one story brick building on it. The site slopes from the street to the backboard, about 16 feet. To the back of the existing building and slopes 10 feet. Also, another thing about this lot is that there is the 22 foot drive that is centered on the adjacent property line. So the property line goes right down the middle of that drive. And as you can see from the photographs, the back of those lots are all parking lots. So that access is between those buildings that parking lot. To the south of the site is parking lot for that commercial building on Main Street. North two-story brick building which is a metal partial building, relatively new building looks like maybe it was built in the 80's. It is accessed from the back. There is a concrete block that goes to an exit way only on the street. That's a view of that drive that we were just talking about. The property line goes right down the middle of it. A little to the left, a little on site, a little to the right.

Mr. Richardson said is the plan to take that curb out, and that portion of asphalt.

Mr. Henthorn said which one.

Mr. Richardson said the project side, that side right there.

Mr. Henthorn said we'll talk about that. So that kind of shows you the feel of that site. It's a difficult site. It's been on the market for quite some time because it is a difficult site. . Next slide. You have the view of the existing building, right. This is the left property line up the side there, the parking to the left. And the next slide you can see various changing grade. They cut a lot of that out and graded it flat with the existing topography keeps going up at about a 16 foot slope. All right. So this shot, this slide shows kind of our solution to the elevation problem. Like I said, the site slopes about 10 feet from the street, which is about a level. So we've picked the middle part of the lot set up. This is our first floor level, but it's about 795'. That puts the basement at 785', which is a foot above the street. The program we bought is a three-bedroom house with ample entertaining space. The owner entertains a lot, fairly often, fairly large crowds. So one of the things that was important in this design is that, first of all, it's all at one level as much as possible. And that's hard to do on a site like this, but that there is not just interior entertaining space, but also private exterior space. So the property starts with access from the street. And we'll talk about that a little bit more, but just to go through these plans, this is the solution that we're proposing right now. There's a parking at that level. There's a flex room, a storage area, all that kind of stuff, stairs and potential future elevator to the next level. This is the first floor plan. It shows a living room down right there, kitchen dining, which are pretty good size rooms for entertaining. And they [vee] off into a courtyard, which would have a 6 foot brick wall on the South side to hide the parking lot, and also she was willing to be on. So if you're standing at that courtyard and looking out of that wall cuts off any view you have of that. Master bedroom is on the ground floor. The next floor is two bedrooms. Approximate square footage is about 3,600 square feet. We might as well start and talk about some of the things that we're asking for a review on. The project is in DT-5. DT-5 setback is stated as zero to 12 feet, but we have pushed the building back to the line of existing street frontage, which is pretty consistent all the way down even to the point of the commercial building, which also respects that frontage. So although it doesn't really cause us any hardship to move it to the 12 foot line, it doesn't really make any sense to me from an artistic point of view. Even if this was going to change over the

next five years, it might be possible, I think 12 feet's maybe a bit short anyway, but given the fact that all the other goings on both sides, in fact, the entire neighborhood are about this 20 foot set back, it seemed to make sense to move it back to that point. You can go ahead, show the next slide. This kind of just gives a view of what the massing of the building might look like with the exterior courtyard. That's a rendering. We're early on in the design process, but that's kind of where it sits right now, so you can see what the scale of it is. The other aspects of the code that we're asking for review of, the setback line is the first thing. Garage access in DT6, DT5 and DT4, front access on the lot is not allowed. However, this lot has another access, as many lots in Spartanburg and many other places. They end up taking up their alleys. The only access we have is from the front. So we're showing it from the front. No way to get to it otherwise. There has been some requests and discussion about sharing a drive that's already there. And you know, it's one thing to develop a new property by a single developer and utilize shared drives where rules and regulations are established and covenant. Everybody knows what they're getting into, mainly because all that kind of thing is covered. It's a wholly different thing to ask a single family residence to share and access their driveway through a commercial parking lot, which is what this is. So we have shown it coming off the accessory of Hall Street because it makes the most sense from a planning point of view. The lot is only a 60 foot wide lot, which is not very wide lot. So trying to go around it to get parking in the back doesn't make a whole, a lot of sense. Plus there's a lot of climb. There's a lot of expense involved in trying to do that. And although that happens many times in traditional neighborhoods, there's kind of a reason for that. At one point, Spartanburg and many other cities like that had alleys where they accessed their parking from the back of the lot. When the alleys were taken out, those houses had no other way to get to garages because the house already went from property line to property line. So if you were lucky enough, you had enough width. If you wanted to put a garage, you had to put it in the backyard. You had to pay that money to have a long extended driveway. It makes no sense to do that in our opinion, when you're doing a new facility, a new project. The garage, as designed by now, meets the requirements of 6.2.4, which talks about front loading bays. The requirements are that the garage is at least five feet back, which it is. The door has to be less than 50% of the facade, which it is. The facade is 45 feet by, the garage is 16 to 18 feet. So 18 feet max, which is less than 22.5. We have used a single flush wooden door and try to integrate it into the mass. It's part of the composition of the design, to try to alleviate an exterior of the fact that it isn't a garage door. One of the problems, I think, with garage doors in general is that they look like garage doors. And a lot of them are not very nice doors. So in this case, this is a flush wooden door, which again is part of the composition of the building. It doesn't really stick out as a door.

Mr. Richardson said Mike, is that a little deck, a balcony that comes out.

Mr. Henthorn said yes.

Mr. Richardson said okay.

Mr. Henthorn said those are the only things that I see that we're asking for review on. I'll take questions.

Board Questions / Comments

Mr. Richardson said you know, obviously I respect Craig's commentary, and I know he's looking at the rules. I don't have heartburn over the additional driveway, just because from a safety perspective, I don't think this street has an awful lot of pedestrian traffic. At least I go up and down Hall Street. I go in my parking garage on Hall Street. I rarely see pedestrians. So I don't

have any problem there. So talk to me a little bit about from the very first picture you're taking, what's the setback on each side. I'm sorry. That was my first question.

Mr. Henthorn said well in DT-5, there is no setback.

Mr. Richardson said so you're going to property line to property line.

Mr. Henthorn said no. There's a five foot easement on either side of that additional line. There's actually more than that now, but the owner has agreed to reduce the easement back to five feet, which it was originally. They had changed at some point in time, they reduced it back to five feet. So we will be taking seven feet of pavement out that driveway. So the driveway is 22 feet. Now when we take the seven feet out of it, we'll be adding 18 feet of drive on our side. So, a net 11 feet.

Mr. Richardson said okay. So here's kind of my question. If the owner wants to pull into the back of this property, wanting to put a shed back there, wanted to put some covered building back there. Could that person use that other driveway.

Mr. Henthorn said yes. It's an access easement. It's only 10 feet wide, but this building is not going anywhere for a long time. It's a relatively new building. It's a successful property. They probably will not change that. So even if they did, say at some point down the line, demolish this building or change it, or it becomes residential or whatever, you still want a ten foot easement that accesses the back of the store.

Mr. Richardson said did they know about your intentions here of cutting down part of that.

Ms. Rosario said if I may, yes. They signed it. I have an amendment to that. There's an easement agreement on record between the two property owners, and they've already signed an amendment to that agreement, reducing the easement to 10 feet, and just having the one.

Mr. DeMark said help me understand in that plan, I get the easement, but what is in the easement. Is that grass.

Mr. Henthorn said it's all asphalt.

Mr. DeMark said it's asphalt. So when it's built with the house, the wall of the house will be how far off of that asphalt edge.

Mr. Henthorn said if you go back to one of the plans, the first floor plan. You see there's a little bump out there that almost reaches the easement, not quite. But there's like a two foot strip that runs between there, which we will probably do some kind of planting along that edge just to protect the end.

Mr. DeMark said there's no access on that side at all.

Mr. Henthorn said no. We have no access at all. So there was a couple of reasons for that. One is to just allow us to build. If you go property line to property line, it's pretty difficult to build. But the other is it just gives us some flexibility for drainage and pavement. And so right now, the pavement, if you go back to the original survey, you'll see that paved goes all the way to the other building. So that easement now goes right down into there and it touches the building. So we're reducing that back to the five foot easement.

Mr. DeMark said okay.

Mr. Richardson said Tip, you got any questions.

Mr. Pitts said no, I like it. I think it's a good use.

Mr. DeMark asked how are you going to handle the HVAC and screening and that sort of thing. Will that occur on-grade.

Mr. Henthorn said well you see there's three masses that have sloped roofs and there's a flat roof as well.

Mr. DeMark said I like it too. I'm sold.

Mr. Henthorn said we can do more.

Mr. DeMark said is this preliminary or is this something else.

Ms. Rosario said this is preliminary, but if you feel comfortable, perhaps a final approval. That's at your discretion.

Mr. Richardson said do we have to make exceptions.

Ms. Rosario said yes. You would have to vote on the exception on the setback and the driveway and garage placement. That's either you vote to allow the exception or not.

Mr. Richardson opened the public hearing; and he asked anyone in opposition of this proposal or these exceptions, please come forward. Seeing none we'll close the public hearing and I'll move that we move for approval of the exceptions and get final approval for this project.

Mr. Richardson made a motion to give final approval of the proposal, and was seconded by Mr. Pitts. The motion passed with a vote of 3-0.

There being no other business, the meeting ended at 6:20PM.



Kevin James DeMark, Chair

Minutes edited by Logan Witter and Julie Roland