CITY OF CONWAY
COMMUNITY APPEARANCE BOARD MEETING
WEDNESDAY, FEBRUARY 22, 2012
CITY COUNCIL CHAMBERS – 4 P.M.

Present: Brooke David, Robert Miller, George Ulrich, Robert Harper, Jesse Olds
Absent: N/A
Staff: Joe Henderson, Zoning Administrator; Barbara Tessier, Secretary
Others: Louie Welch, Welch Sign Company; Tom Anderson, Carolina Theater

A. CALL TO ORDER

Chairman David called the meeting to order at 4:02 p.m.

B. APPROVAL OF MINUTES

Miller made a motion, seconded by Ulrich, to approve the January 25, 2012 minutes as written. The vote in favor was unanimous. The motion carried.

C. DESIGN REVIEWS

1. Fudge Buckets – Louie Welch of Welch Sign Company requests approval of one primary wall sign and three secondary window signs at 410 Main Street. (TMS#137-02-06-024)

Louie Welch was sworn in.

Henderson said this request was for one primary wall sign, 3 secondary window signs (one on each side of the door), and one sign band along the bottom portion of the windows. He said this property was within the Central Business District and subject to the Commercial Historic Design Review District guidelines.

Henderson said staff recommended approval of the sign for meeting the size criteria for both the window and wall signage however, he said staff was unclear about one particular section of the design guidelines, Section 5.27. He said this section was concerned with sign materials.

Henderson said the question was concerning inappropriate sign materials for wall signs. He said since the establishment of the CAB, they had been approving signs with vinyl application letters that were applied to either signboard or metal. He said this
section of the design guidelines (5.27) stated that “quick signs of vinyl lettering, heat transfers or stick-on lettering used as primary signs have a “cheapened and non-durable appearance for the business”. It also stated that “this may be applied as a secondary or subordinate sign…”. He said he and the Planning Director (Michael Leinwand) wanted clarification as to whether this was prohibiting of use vinyl lettering or whether it was prohibiting the use of a banner as a permanent sign. He said there was an illustration on the first page that said “flat vinyl letters applied to an out-of-scale signboard construction” were not appropriate. Henderson said staff felt that was referring to the scale of the sign. He said it was unclear whether vinyl application for primary signs was permitted. He said he wanted to talk through it with the Board and find out if they felt what they had been doing up to this point was acceptable, or whether they need to take a more literal interpretation of the guidelines.

Miller said there should be discussion on the issue, but not at the meeting. He said if it was not clear then it didn’t give the Board much ground to work with. Henderson said another issue derived from the guidelines was that the diagram showed that signs are to be dimensional lettering. He said staff was torn about it because these were guidelines. He said there was flexibility for the Board to say yes or no. He said before the guidelines were codified there was no flexibility.

Henderson asked Welch to speak about the letters not being dimensional. Welch said what was proposed was his client’s logo. He said the first thing he proposed in every case was a sandblasted dimensional sign. He said unfortunately it was an expensive product. He said he was not selling nearly as many sandblasted sign as he had in the past. He said the guidelines were just guidelines. He said to single out vinyl lettering as something that shouldn’t be allowed was not right. He said he thought they meant the cheap stick-on letters that people bought to make their own signs. He said he had done beautiful signs around town. He said the way he read it, hand-lettered signs would be permitted, and asked Henderson to confirm. Henderson said it specifically defined quick signs. He said quick signs would be a banner with vinyl lettering or heat transfers or stick-on lettering. He said if you went to the appropriate materials for signs, it stated wood with cut, stenciled or routed dimensional letters, aluminum (stencil), stencil or metallic foiled letter were appropriate.

Henderson asked if there were different types of vinyl lettering. Welch said he used high-grade, professional materials. He said it was all machine cut per job. He said it was far more durable than it was a few years ago. He said it was probably the most used material in the sign industry in the United States. He said he would rather sell a dimensional sign, a sandblasted sign or a routed sign, but it was just not going to happen in every case. Welch said in his mind, whether you liked the logo or not, it was their logo. He said using vinyl would not be derogatory to the city.

Henderson asked if the material used for the sign was one large stick-on application or was it a red background with individual letters. Welch said it was a red board and the computer cut the entire line of copy as it appeared on his proposal.
Henderson said the trend staff was seeing was signs are being submitted that were basically one computer graphic, printed out on a sheet of adhesive vinyl. He asked if the adhesive vinyl was therefore not appropriate, and if the individual letters were appropriate. He said the question was whether the individual vinyl letters were okay on a wooden or metal board. He said he was asking the Board to clarify because staff needed to know how to proceed with future sign requests. Welch said he couldn’t imagine them not being permitted. He said he would rather see a nice sandblasted sign, but the price was prohibitive to some.

Henderson said that they would be considered individual letters on this sign. He said the letters did not have dimensions added to them, which would be prohibited by the design guidelines diagram. He asked Welch if he thought his client would be open to changing the letters to dimensional letters. Welch said he did not think it would be an issue in this case. Welch said he did not think it should be dictated that every sign had to have shadowed lettering because it would not work in every case. He said he would hate to see the Board decide that shadowed lettering was mandatory because it might not be appropriate for all logos and signs.

Henderson said the whole issue of interpretation began with staff not knowing how to move forward with it. He said when the guidelines are unclear, staff reserves the right to seek clarification through the Board and ask for guidance as to what is acceptable for the community. Henderson said again the issue was if individual vinyl letters were permitted as had always been done. He asked if there was that much difference between vinyl letters and the metallic foil letters. Welch said the metallic letters were applied the same way.

Miller said that it was a new design guideline so they would find things like this as they went through it, and that amendments could be made as needed. He said within the guidelines the answers had to be either a yes or no, not an in between. He said if you left subjectivity to the table, it would be staff saying one thing, the applicant saying another thing looking to the Board to make a determination. He said it was not the Board’s responsibility to make a determination and try to redefine what the guidelines said. He said the guidelines were for them to follow. He said the guidelines needed to be clear and concise to begin with. He said he recommended that it be looked at if that was the question. He said he looked at it last night and it was confusing.

Miller said they were talking about the downtown area, Main Street, the historical environment so that had a certain design context to it. He said any applicant coming into the downtown area should anticipate some level of cost to renovate, restore, add to or whatever the case may be. The applicants should anticipate some added costs to be inclusive of the downtown area. He said he agreed that if the client’s logo did not have a shadow around the letters, they did not want to force business owners to design their logos because of what the Board thought the sign should look like. He said the sign might have a deeper quality to it if it could have some depth around the rim. He said they were trying to avoid just simple flat signs. He said he did not think the guidelines were dictating what the sign should look like, but getting away from the flat facades. He
said he did not know if there was a way to accommodate this particular sign. He thought perhaps the depth could be added around the perimeter of the sign. He said that would allow the logo to stay the way the owner wanted it to be and somehow fall in line with what the guidelines were trying to dictate. He said that was a question back to Welch. Welch asked if he meant still flat but with implied dimension. Miller said that was correct. Welch said that could be done. He asked if they wanted to make that a requirement. Miller said he had not yet made a motion to make it a requirement.

Harper asked what the material was behind the vinyl. Welch said it was pvc clad with aluminum finish. Harper asked how thick it was. Welch said about one-quarter inch. Harper asked how thick the vinyl letters were. Welch said if he shadowed the letters, it would still be the same thickness because it would be an implied depth.

Harper asked Miller how to get a dimensional look on the sign. Miller said it would be an implied dimension on the rim piece. Miller said it would give some level of shadow to it. Miller said he also wanted to avoid making the sign look cheap. He wondered if adding the shadow would make the sign look fake and cheesy. Welch said just doing the border concerned him about the balance of the sign. He said it might accentuate the border too much and pull away from the rest of the sign. He said in this case he’d rather see it clean like it was.

Henderson said he thought the guidelines were intentionally vague to add the element of flexibility. Miller said it needed to be more specific in terms of where it wanted to go. He said you either wanted to make it historic or make it modern. He said you didn’t want to do a falsification of either. He said the implied shadow line was a falsification of shadow. He said the Board could either approve the request as presented because the guidelines were vague, or they could say the guidelines were vague and therefore they could mandate that it be a completely dimensional sign. Miller said the Board never wanted to impede upon the pocketbook of business owners.

Henderson said staff would support whatever decision the Board made. He said because it was the franchise logo, they did not want to change the look of the overall sign. He said there was not much difference between the vinyl, the stencil, and the metallic foil lettering.

Miller made a motion, seconded by Ulrich, to approve the sign request as presented. The vote in favor was unanimous. The motion carried.

2. Carolina Theater Historic Preservation Tax Incentive- Tom Anderson, applicant, requests a conceptual review of proposed design and phasing plan for the restoration of the Carolina Theater, located at 406 and 408 Main Street. (TMS#137-02-06-023)

Tom Anderson was sworn in.
Henderson said the Board had seen the project several times before in the past year. He said he recommended that Anderson attend the CAB meeting to discuss his plans and his phased approach for the Conway Historic Preservation Tax Incentive. He said they were working on the application now, and thought the Board would see it at the first meeting in March.

Henderson said there was much more to this project than some of the other presentations had seen in the past. He said it was, in a nutshell, a restoration of its historic use, the Carolina Theater with a marquee on its front facade. He said it would involve a re-establishing of the marquee, not as a nonconforming sign, but as more of an architectural element.

Anderson said his goal had always been to reopen the theater not as a movie theater, but as a banquet hall. He said some place to have a concert or a wedding reception or a dinner theater.

Anderson said when he lost a tenant last year, he gutted out both sides. He said he came to the Board to get permission to change the front of the building. He said he looked at the application for the historic tax incentive at that time, but did not go forward with it. He said in October he had some time to work on the building, and he said Henderson told him that he couldn’t move forward until he went through the process. He said at that time, he decided to apply for the tax incentive. He said he had an opening in the next few weeks that would allow him to frame in the windows so that he could get rid of the plywood.

Anderson said he went to City Council and they qualified his property by designating it as 50 years or older. He said he was now here to tell the Board that he was going to fill out the application for the tax incentive.

Anderson said it was his ultimate goal to get it better looking than when he obtained the building. He said he was ready to take it to the next level now.

Henderson explained that what Anderson was referring to when he said Henderson could not move forward with anymore work, was should he desire to pursue the preservation tax incentive, all work approved under the incentive would be from that point in time. He said any additional work completed on the job would need to be included within the preservation tax incentive. He said Anderson could move forward with the work he had approved last year if he wanted to, but any completed work would not qualify for the tax freeze. He said any future work would have to be put into an itemized list that would be applied toward the 25% threshold.

Harper asked Anderson if he qualified for the tax, what would his timeframe be to have the resources to continue to do everything that he qualified for. Harper asked Henderson if there was a timeframe in which it had to be completed according to the ordinance. Henderson said the timeframe was within 2 years of the approval. Henderson said however, if he met the 25% threshold then a request for an extension
could be made for an additional 3 years for a total of 5 years. Harper asked Anderson if he could get this done in 5 years. Anderson replied that he hoped so. He said if not, it would be for sale. He said he had been working on the building for 12 or 13 years. He said the first step would be to finish up the inside and get tenants in. He said Rivertown Radio was coming in as soon as it was finished. He said the big part would be to open up the theater. He said he had drawings now and would try to include them in their packets. He said he was trying to lock this in because he was close to having funding to do the project. He said he had someone interested, and as it got closer to August, that person would have the ability to write a check for the project. He said the person had not yet said yes or written the check, but that he was very interested in the project. Anderson said this was not a project that would make money in the first few years and then again it might never make money. He said the backer was not concerned about that aspect.

Anderson said it would be a phased project. He said first they would put the glass in downstairs and finish up the front and get the tenants in. He said the next phase would be to renovate the back and put the marquee up on Main Street. He said he was not competing with the Theatre of the Republic. He said there might even be an alternating of shows between the two theaters.

Harper said he was probably the most vocal about the timeframe of getting the front done. He said he didn’t like the plywood. He said he didn’t mean to be critical, but his concern was for the best interest of people driving through Conway. He said he didn’t care what he had to do on the inside because he did not see it. He said the outside face part was his concern and asked about the timeframe on that. Anderson said within a couple of weeks of getting the incentive approved, he would finish the front of the building.

David asked how long it would take to hear back once the application was submitted. Henderson said what any tax incentive applicant wanted to do was approach the Conway CAB and then the county. He said the county was where the substantial saving came from.

Olds asked what the guidelines were for what had to be done to the building to ensure that he got the tax incentive. He asked Anderson if he was clear on what the guidelines were about what the approval guidelines were. Henderson said that was leading to what he was going to say. Henderson said the overall idea was that the CAB would be approving the project to return to what was represented in the old photographs. He said it was a restoration of the Carolina Theater. He said within the application, the Board would need to see Anderson hit on all the Secretary of Interior standards. He said all ten of the standards had to be met. He said that was the challenge that was in front of them. He said the county would be using the same review process. He said neither staff nor the Board had dealt with a theater restoration like this. He said having the design of the marquee down to the minutia; from the neon, to the hardware and the lights; and the square footage of the signage was crucial. Olds
said what he was saying was that if the application was not clear going in, it would not get approved.

Henderson asked Anderson if he had talked to anybody about recreating the marquee. He said the façade would be what was looked at. He said he thought this Board and the County’s BAR would be most concerned with it. Anderson said he had drawings. He said it would be fabricated in two sections. He said it would have aluminum skin much like it was. He said there were new products out now that looked like neon, but they were LED and very cost efficient to burn. He said it would, for the most part, look like the old marquee.

Anderson said today was just brainstorming and to get the Board’s input. David asked if they had to go over the 10 points today. Henderson said they did not because today was just informational.

**Amended 3/14/12** – Harper asked Anderson about the “Apartments For Rent” sign on the building. Anderson said that both apartments were rented and he just hadn’t had time to take the sign down. Anderson said he would go by in the next day or two and take the sign down.

D. PUBLIC INPUT

There was none.

E. BOARD INPUT

Olds said he was being very literal on the design guidelines Section C Chapter 5.2. Henderson asked if that was “all attached signs should be or appear dimensional.” Olds said that was correct. Henderson read from the guideline saying “hand hewn or crafted the way they were 100 years ago from period materials. True dimensional letters catch light and cast shadows adding depth and highlight and characters and logos during day or night.” He said then that it mentioned stencils or metallic foil lettering that is black. Henderson said it was saying it could be flat as long as it showed dimension. He wondered if it should be truly dimensional or flat. Miller said it was not vague, it was contradicting itself when it went from one section to the next. He said it was confusing. He said the guidelines were very detailed, but it had the wrong specifics. He said what the Board couldn’t do was say the guidelines can let you do this or this and CAB will make the determination. He can’t you couldn’t have a subjective Board make determinations on what each individual building or applicant was going to do. He said the guidelines need to say in the historic downtown area they are dimensional signs, period. He said it can’t say they can be dimensional or in some cases they can be vinyl, but if they are vinyl they can’t do this and this.

Olds stopped the conversation to point out that the guidelines said it was not expected that all signs be hand hewn or crafted as they were 100 years ago. He said
but then it gave 6 examples of what could be to fit the need and vinyl was not one of them. He said it was still cut and dry. Miller said he saw what Olds was saying.

Harper said people who wanted businesses in the downtown historic district needed see enhanced expense would be involved to do the correct signage. Miller said they wanted to be compliant to the business owners and the business community, but they had already done that in a great deal over the past few years. He said it was going to cost a little more to do something in the downtown area. He said Amanda’s Collection was a perfect example of that. He said it was a great example of what the buildings downtown needed to be. He said he knew some of the businesses didn’t last more than a few months, but perhaps they’d have better longevity if they put some money into the businesses at the same time.

Miller said it was not up to the Board to make the determination for the guidelines. He said the Board was here to make approval toward things that revolve around the guidelines. He said they could not be held subjectively responsible for a case-by-case basis.

Henderson summarized that in the future, if he were to receive an application for individual letters mounted on a signboard, as long as it maintained some element of implied dimension, it would be appropriate. He said individual vinyl letters will no longer be allowed without some aspect of dimension.

Harper said it could be vinyl if it were on a protruding letter. Miller said it had to be true 3-D, not the shadow. Olds said it could be a hand painted sign with implied dimension. Miller said that was hand painted not vinyl. Henderson said he had to be very clear because he had to deal with the sign companies. Miller said this was only specific to downtown.

Harper asked if vinyl with the dimensional look would give a crisper look than a hand painted sign with dimensional look. Miller said it could. He said it would depend on the look the applicant was going for. Miller said every single letter did not have to be dimensional, but the sign should have some quality. Henderson said the sign companies had huge printers that printed out a large vinyl stickers that could produce very good dimensional details. He asked if they were only allowing individual vinyl letters applied to signboard or could they allow the whole sticker. Miller said the guidelines were implying was that they did not want the implied shadow. He said they wanted a true dimension, a 3-dimensional object.

Miller said that vinyl was listed under the inappropriate materials, but he thought it meant a flat vinyl banner. He said the ability of the printers to print better details in vinyl was not addressed either. He said that was because he thought the guidelines were saying they don’t want the vinyl. He said if they business owners are offered vinyl as a cheaper alternative, that is what they are going to choose. He said the guidelines have to be crisp and clear to say either we are allowing or we are not. He said otherwise in 10 years, like the vinyl siding, there will be vinyl signs all over downtown Conway as
get a consensus on what the guidelines allowed. He said there was something to be said for flexibility, but if it was confusing or contradictory, it needed to be fixed. He said he thought they could develop an interpretation that he could, when dealing with the sign companies, say what staff had gotten from the Board and therefore this is what we are allowing. Miller said there would be things that came to the Board that do not fit the guidelines and they would be subjective and the Board was going to have to give their opinion. He said it would be better if it were an opinion about this vinyl with this type of shadow as opposed to this vinyl letter with this type of shadow as opposed to not knowing if they could permit vinyl at all. He said if the guidelines were concise within that then they could go case-by-case.

F. **STAFF INPUT**

There was none.

G. **ADJOURN**

There being no further business to come before the Board, the meeting adjourned at 4:55 p.m.

Approved and signed this 14th day of March, 2012.

Chairman, A. Brook David