

**MINUTES OF THE REGULAR MEETING OF THE  
SANFORD HISTORIC PRESERVATION COMMISSION  
7:00 PM, MONDAY, AUGUST 25, 2008  
WEST END CONFERENCE ROOM  
SANFORD MUNICIPAL BUILDING**

**Roll Call**

**Members Present:** Matthew Sakurada, Al Roethlisberger, Tim Mercer,  
Lora Wright, Mark West, & Katherine Zyla

**Members Absent:** Peter Thompson

**Staff Present:** David Montgomery, Bruno Pursche,

**Citizens:** Rick Guerro, Nancy Ruggirello & Mark A. Lane,  
Brandon Atkins, Howard Fleming, Scott Myers, Lan  
Dao, Michael & Nancy Humphrey

**APPROVAL OF THE PREVIOUS MEETING MINUTES FOR JULY 28, 2008  
AND THE AGENDA FOR AUGUST 25, 2008**

Chair Matthew Sakurada called the meeting to order, and called the roll.

Chair Matthew Sakurada explained that the difference in this agenda and the agenda which was e-mailed was that the tree survey maps was added. He asked if there were any other additions/deletions to the agenda for August 25, 2008 meeting. There being none, Chair Sakurada entertained a motion to approve the agenda. Member Al Roethlisberger moved to approve the agenda; Member Lora Wright seconded, and the motion passed unanimously.

Chair Matthew Sakurada asked the Commission if there were any additions/deletions to the previous meeting minutes for July 28, 2008. There being none, Chair Sakurada entertained a motion to approve the minutes. Member Tim Mercer moved that the minutes be approved; and seconded by Member Mark West, and the motion carried unanimously.

**REGULAR AGENDA:**

Chair Sakurada welcomed the guests and explained the process for the public hearing. All Guests were sworn in who wanted to address the Commission during the Public Hearing.

Chair Sakurada entertained a motion to re-open COA-08-37. Member Al Roethlisberger moved to re-open COA-08-37 for 121 S. Steele Street for AK&K Corporation that was previously tabled; Member Tim Mercer seconded, and the motion carried unanimously.

**PUBLIC HEARINGS:**

- **Review of Application for Certificate of Appropriateness COA-08-37** submitted by AK&K Corporation owner of 121 S Steele Street repair and paint tiles with acrylic epoxy paint (off white, the same as the window trim).

**David Montgomery, Staff, summarized the COA-08-37 staff report and gave a synopsis on the tabling of COA-08-37 at the last meeting so the applicant, staff, and Commission Member Mercer could meet to discuss other alternatives for repairing the building.**

Rick Guerrero represented AK&K Corporation; he explained that after an on-site visit with David Montgomery and Tim Mercer, he would like to change his original application by proposing to use two brick veneered corners, as an alternative to trying to patch the tile which would be very difficult to do. Member Mercer believed that people would not be able to tell that the brick wasn't there from the beginning. Member Roethlisberger mentioned if this amendment were to be approved to save some of the tiles when they were removed so that the applicant would have some extra in case he ever had to replace some bad or missing tiles in the future. He also thanked the applicant for taking another look at alternatives.

Howard Fleming, the owner of the business at 121 S Steele Street, was all for the solution they came up with and it would make it look a lot better.

Brandon Atkins stated he supported the project.

**Public hearing portion was closed by Matthew Sakurada, Chairperson.**

**FINDING OF FACT: Member Lora Wright moved that the Historic Preservation Commission find as fact that the proposed project COA 08-37, 121 S Steele Street, if constructed according to the amendment as agreed upon by the applicant in the course of the discussion at the public hearing, is congruous with the character of the district, for the reasons that the proposed brick veneer matched the existing brick of the building in color and texture, and that the brick column bases would blend in with the existing tile and is therefore, generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. Member Katherine Zyla seconded and the motion passed unanimously.**

**DECISION: Based on the preceding finding of fact, Member Katherine Zyla moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Rick Guerrero (AK&K Corp) for application COA 08-**

**37, 121 S Steele Street. Member Al Roethlisberger seconded and the motion passed unanimously.**

Staff Montgomery had Chair Sakurada address COA 08-55 since the applicant Lan Dao of 149 S Horner Blvd was present in the audience. Staff explained that the applicant had originally applied for a 42” deck and later changed it to a concrete patio. Mr. Montgomery at this time decided to bring the request before the Commission. Staff contacted the applicant last week and they had given the impression that they had withdrawn their application. Apparently, the applicant had withdrawn just the concrete patio and not the fence and was here for the public hearing. Mr. Montgomery was not ready to present this case to the Commission since he had the understanding that the COA had been withdrawn. Chair Sakurada decided to hear COA 08-62 first and handle her situation after that case.

- **Review of Application for Certificate of Appropriateness COA-08-62** submitted by Brandon Atkins, owner of 120 S Steele Street, who wished to 1) remove the exterior glass on the storefront, and 2) add metal railing and steps to facilitate outdoor seating.

**David Montgomery, staff, summarized the COA 08-62 staff report. He found that materials, patterns, textures, and colors; fenestration proportions, shapes, position, location and pattern; appurtenant features and fixtures were factors in this case. Due their friendship, staff only offered a comment and not a recommendation in this case.**

Due to conflict of interest Member Tim Mercer asked to recuse himself. Member Al Roethlisberger moved to recuse Tim Mercer from COA-08-62; and Member Katherine Zyla seconded, and the motion passed unanimously.

Member Roethlisberger visited the site and spoke with the tenant about their plans of what they wanted to do with this property. They informed him that they wanted to remove the large panes of glass, save/store them except for the one which was broken, and install a railing around the perimeter of the existing floor area to create an outdoor seating area, and maybe add some Plexiglas at the very end to protect from the weather. They were not going to modify the foot print or overhead ceiling area; the integrity of the entire front will be maintained, the only thing missing will be the panes of glass and the addition of the railing.

Brandon Atkins stated that the business that is going in to this space is a high end coffee/wine bar shop. Mr. Atkins discussed the lack of outside seating in the other downtown bar/café establishments. It will look different but it will compliment the space. The weather factor was addressed for the floor. Mr. Atkins responded that some kind of clear sealant could be use to seal the floor;

he has an investment in this and would not put his property at risk. Member Wright commented it would add a lot to the streetscape. The tenant Mark Lane stated that he and his wife are trying to bring something new to downtown Sanford in the form of Jazz Club; it will give people who come to Sanford from outlying communities like Pinehurst and Southern Pines and outlet for something to do in the evening. They are from Cary, but are moving to Sanford. He mentioned he too knew of coatings that can be put on the wood floor to protect it from the weather; besides, if the rain blew in we would squeegee that off and any furniture would be brought in at night. The requirement of the rail is mainly for safety and control. Chair Sakurada commented that the railing may take away from the historical building. Mr. Lane responded that yes it would be different, but that it could also be a draw for downtown because it is different.

Scott Myers commented that it would add a lot to downtown; this would be an alternative to Local Joes since it would be a more laid back atmosphere. He mentioned that there are other historical railings downtown that are similar to what the applicant is proposing. Mr. Myers totally supports the project with whatever type of railing the Commission would recommend.

Mike Humphrey stated he was neither for nor against the project, but said it could be a great idea. He had not heard historic preservation addressed; preserving the buildings we now have which is what this Commission is here to do. Mr. Humphrey did not have enough information to make a decision on the materials which could be approved under the code.

Howard Fleming from across the street in the antique/framing store spoke; he noted that a lot of his clients spend a lot of money in Sanford for custom framing, and they are looking for this type of establishment when they come in from out of town. He is totally in favor of it since it will enhance this area.

Rick Guerrero stated that he lost a piece of glass the other day that they may want to consider laminated glass as a replacement and that they may want to consider a glass rail as well.

**Public hearing portion was closed by Matthew Sakurada, Chairperson.**

Member Roethlisberger said he was really concerned about the possibility of the profile of the floor and the molding overhead being changed. He felt that after his site visit and this presentation that he was reassured that everything would be left just like it is, except for the removal of the glass; from a historic preservation standpoint, it won't impact the overall appearance of how the store front looks historically. He believes the idea is generally sound. A discussion pursued about historic integrity/elements and options to different types of rails.

**Chair Sakurada reopened the public hearing.**

Nancy Humphrey asked the applicant did he consider leaving the windows in place similar Mr. Gaddys restaurant on Horner Blvd so that the customer would be protected from the outside elements. Mark Lane responded that with the glass in place as it is, people would get very claustrophobic. Mr. Humphrey stated that the glass is most likely not tempered, therefore if it is removed, building code would not allow you to be put it back. Mr. Lane stated you won't be able to tell whether it is tempered glass that is put back or not; Mr. Atkins stated that he will do whatever the commission requires of him to make it work. Access to outside seating will be from inside at the main entry door.

**Chair Sakurada closed the public hearing.**

Member Roethlisberger readdressed the rail issue, citing that the Commission should recommend acceptable alternatives and allow the owner and tenant to choose what they want from those alternatives.

**FINDING of FACT: Member Mark West moved that the Historic Preservation Commission find as fact that the proposed project COA 08-62 at 120 S Steele Street by Brandon Atkins, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that the proposed wood material or black metal railing was similar to the materials of other railing that can be found on buildings throughout the district, and that the removal of the windows and storage of them on site did not detract from the character of the building, and, therefore, is generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. Member Lora Wright seconded and the motion passed unanimously.**

**DECISION: Based on the preceding finding of fact, Member Mark West moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Brandon Atkins and approve the proposal as shown in COA 08-62 at 120 S Steele Street subject to the conditions that the applicant, 1) store the removed glass safely on site, 2) construct the railing out of wood or wrought iron similar to other historic railing that can be found on several neighboring buildings, 3) meet all building code requirements associated with the installation of the railing and steps, and 4) replace the glass back if the railing is ever removed in the future. Member Lora Wright seconded and the motion passed unanimously.**

Chair Sakurada explained to Lan Doa that it was staff's understanding that COA 08-55 had been withdrawn and the Commission is not prepared to rule on it; she would need to get with Mr. Montgomery and resubmit her COA request.

The board members apologized to the applicant for the misunderstanding regarding her application.

**OLD BUSINESS:** Members were assigned or reassigned to the following blocks: (Block 1 – Katherine Zyla), (Block 2 – Al Roethlisberger), (Block 3 – Mark West), (Block 4 – Pete Thompson), (Block 5 – Lora Wright), (Block 6 – Tim Mercer) and (Block 7 – Matthew Sakurada). Mr. Montgomery asked to confirm the details for the Commission’s contact information so that he can get business cards made which will be sent with a letters to each of the blocks residences.

Mr. Montgomery took the Landmark application to the Law & Finance meeting and there were a lot of questions from City Council; some were afraid of opening Pandora’s Box that everyone would be able to apply for the designation. There were questions regarding application fees, some questioned the validity and economic benefit of the designation at all. Mr. Montgomery is trying to get some more information; SHPO may be able to send someone from their staff to give additional information about local landmarks; there is some feeling of maybe moving forward with Mrs. Rumley’s Landmark Application if this process is going to be dragged out for a considerable amount of time. Member Roethlisberger commented on finding additional information on line and that maybe having someone come down from SHPO to discuss the process and economic benefit for Landmark Status.

**Ad Hoc Committees Updates:** Chair Sakurada stated he needed to reassign committee duties and not have the newcomers together on the same committees. It was decided that Member Lora Wright would be on Safety & Security with Member West and Chair Sakurada; Member Katherine Zyla would be on the Marketing/Communications with Member Roethlisberger and Member Pete Thompson.

Member Al Roethlisberger moved that Katherine Zyla, be assigned to the Ad hoc Marketing/Communication Committee; Lora Wright and Mark West be assigned to the Ad hoc Safety and Security Committee; Member Lora Wright seconded and the motion passed unanimously.

**Guidelines Committee:** Mr. Humphrey made comment regarding the guideline committee and that the committee needed to present what they had come up with before the Commission. The guideline committee is represented by Bailey Kohl, Laura Younger, Michael Humphrey, Tammy Hebert and Chery Myers. A discussion pursued to hear from the guidelines committee on the third Monday in September at 7:00 PM.

**Marketing/Communication Committee:** Member Roethlisberger briefed the Commission on the Marketing/Communication committee meeting on August 18<sup>th</sup>. Several residents from the various national Register Districts were in attendance, including Bill Freeman from the Rosemount-McIver Park District

and the Wyhofs from Lee Avenue; Kenneth Laughinghouse from Hawkins Avenue was not there but had agreed to participate. The Commission got the budget approved for historic markers and the Committee definitely wanted to execute within the fiscal year so we don't lose out. Discussion of content, design and placement of 4 markers took place. No decision was finalized; the group wanted to wait particularly until after the Second Century Project revealed their branding campaign. A public presentation is scheduled for October 2, 2008 which may help guide us as to what the markers may look like. Originally we wanted two markers per district, in some areas like downtown it may not work out so well with all the entry points, so you have to make the best choice. The Wyhof's had their first National Night Out (NNO) for Lee Avenue this year. The newsletter did come out and was hand delivered in Rosemont/ McIver Park and David Montgomery mailed the rest to Lee and Hawkins Avenue.

**Safety and Security Committee:** Besides Hawkins Avenue, 170 people showed up for the Rosemount-McIver Park NNO; there was good support by residents of Hawkins Avenue at their NNO according to Member Mercer. Chair Sakurada addressed the traffic study and raw data that he has. He further attempted to meet with the City Engineer but has not gotten an appointment yet. The committee wanted to discuss some additional traffic calming measures.

**Tree Survey:** David Montgomery briefed the commission that the Tree Survey database is complete; over fifty different types of trees have been identified, and the consultant has made a recommendation to clean, reduce or remove damage/diseased trees. The city will remove those in the City ROW. A tree management plan based upon this data will be drafted, which will give insight of caring for trees, new trees which would be good for the neighborhood. This is all part of the initiative to become a Tree City USA which would cause us to become eligible for tree grants and free trees for planting.

**NEW BUSINESS:** Chairman Sakurada mentioned information that staff had passed along to him about other cities in North Carolina funding deteriorating buildings in historic districts. Michael Humphrey commented on the City of Goldsboro which identified some of the most distressed properties and went in with City funding and public labor to help out.

**PUBLIC COMMENT:** Michael Humphrey commented that the moving of the house isn't going as smooth as anticipated. The City of Sanford has been less than helpful in the effort of Public Works & Inspections; and we are not going to be able to fulfill part of the commitment as originally presented. There needs to be an architectural review committee with which you can deal with on a daily basis. It is not reasonable to work on a project for seven months, bring it before this commission, have it sit there for twenty-one days, have it approved and two weeks later we get the approved application. It must be completed in a

timelier manner. The City departments should be required to follow the approved COA; they installed the water meter and sewer tap where they wanted it, not where it was marked. This action has cost \$18,000.00 in delays. Feels city employees are playing games with this project, because he had called some people out at a City Council meeting for not doing their job. The process needs to be streamlined. It was recommended by Member Roethlisberger that maybe staff could be the advocate between the applicant and city. There may be a change in the new guidelines which address hardship issues. The city ran across Member Roethlisberger apron destroying the sod and on Green Street someone is parking a dump truck on the roadway. It was the consensus of the Commission to write a letter to the Planning Director and the Public Works Operation Superintendant to encourage support of the Humphrey's project and better coordination between departments in the future.

Nancy Humphrey noted unlike her husband she would like to see stop signs at the intersection of Vance and Summitt.

**ADJOURNMENT:** With no further business to come before the Commission, Chair Sakurada entertained a motion to adjourn. Commission Member Lora Wright moved, and seconded by Member Al Roethlisberger; the motion passed unanimously.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_

BY: \_\_\_\_\_  
**Matthew Sakurada**  
**Chairperson**

**ATTEST:**

\_\_\_\_\_  
**DAVID MONTGOMERY, PRESERVATION PLANNER**