

Minutes of the Regular Meeting of the
Sanford Historic Preservation Commission
West End Conference Room
7:00 PM Monday, September 26, 2016
Sanford Municipal Building

Roll Call:

Commissioners Present: David Nestor, Brian Mitchell, Philip Yarborough, Allen Gordon, Greg Stoch, Tracy Hughes and Jenks Youngblood

Commissioners Absent: N/A

Staff Present: Liz Whitmore, Anne Sears, Secretary to the Board, Al Benschhoff, The Brough Law Firm, PLLC.

Government Official Present: N/A

Witnesses and Guests: Beth H. Guerrero, Laina Peck-Bostwick, Sarah Peck-Bostwick, Paul Bostwick, Brandon Atkins, Fedd Walker, Tim Emmert, David McComa's, Matthew Konar, Jean Truman and Joceyln Stoch

Chair Nestor called the meeting to order.

1. Staff Anne Sears called the roll and a quorum was determined.
2. **Approval of the Agenda for September 26, 2016:**
Chair Nestor called for approval of the agenda for September 26, 2016. Staff Whitmore noted there was a revision to the agenda; she took off the discussion of the Rosemount-McIver guidelines and before them they have a revised agenda. At this time Commissioner Stoch arrives. Commissioner Gordon moved to approve the agenda as presented; seconded by Commissioner Youngblood and the motion passed unanimously.
3. **Approval of the August 15, 2016 Minutes:**
Chair Nestor called for the approval of the minutes for August 15, 2016. Commissioner Brian Mitchell arrives at this time. Commissioner Stoch moved to approve the minutes for the August 15, 2016; seconded by Commissioner Hughes and the motion passed unanimously.
4. **Public Comment:**
Chair Nestor asked if there was any public comment. There was none.
5. **Public Hearings:**
Chair Nestor asked if there was any financial conflict or conflict of interest among all seven cases being heard tonight. They are COA-16-33, COA-16-35, COA 16-34, COA 16-29, COA 16-30, COA-16- 31, COA 16-32. Commissioner Youngblood stated that he may have a conflict with COA-16-33 and he asked to make a statement. Attorney Al Benschhoff asked Chair Nestor for a motion to remove Commissioner Youngblood from this case. Commissioner Yarborough moved to recuse Commissioner Youngblood from case COA- 16-33; seconded by commissioner Allen Gordon and it pass unanimously. Commissioner Youngblood stated he had spoken to five property owners on Moore Street about the removal of the Bradford Pears in Depot park along the railroad tracks and three out of the five merchants agreed that they do not wish for them to be cut down and neither does he. Commissioner Youngblood relayed to staff Whitmore that Buck Harris of Harris Insurance had sent staff Whitmore an email stating that he did not want to see them removed and owners of Java does not want them cut down. Commissioner Youngblood added that the Bradford Pear that is in front of the new swings does block the view to the park, therefore, he said he was ok with cutting this one down and that would leave three on either side, and it would create a balance among them. Commissioner's Youngblood concern is that it will look bare. He stated that he likes the gingkoes that are planted there; but it will take them a long time to fill out. Commissioner Youngblood

reiterated that they would like for the trees to stay. Chair Nestor asked if anyone else had any comments. Commissioner Youngblood shared that the trees used to be lit at Christmas time and how beautiful they looked; but he wasn't aware if they still were. Commissioner Stoch asked if there was anyone else here representing the trees or if Commissioner Youngblood was speaking for all the folks? There was none. Attorney Al Benshoff relayed that once you adopt the motion you cannot hear from him Mr. Youngblood again. Chair Nestor called for a vote and asked if all were in favor that Commissioner Youngblood be recused and all said yes and no one opposed; and it passed unanimously.

At this time guest Fedd Walker and staff Liz Whitmore were given the oath.

- a. COA-16-33 – Application by City of Sanford, property owner of 106 Charlotte Street (Depot Park) who wishes to remove seven (7) Bradford pears (*Pyrus calleryana*) located between the railroad tracks and the Moore Street retaining wall.

In accordance with General Statutes the public hearing was advertised once a week for two successive calendars weeks prior to the meeting date and all public notifications have been fulfilled.

Staff Whitmore summarized COA-16-33. Staff Whitmore asked everyone to turn to page two. The guidelines important to this case and Streetscape are : They are proposing to remove those trees; shown on page 8, 9, 10 and 11, (Exhibits A, B, C and D) and there is a photograph of what the trees look like. Staff Whitmore noted that the removal of the Bradford pears will not impact the compatibility of the remaining landscape in relationship to the urban environment. There will be no intrusive development being proposed; therefore that guideline will not apply. There is no artificial planting material, no incompatible plant material being proposed. The one thing that does come into question is plantings, which obstruct the view of historic structure or important building details, shall be avoided. She asked everyone to look at pages 16-19, (Exhibits Fa, Fb, Fc and Fd.) She said these are photographs that she took and on page 16, Exhibit Fa, shows an interrupted view shed; page 17, Fb, shows the view from the center of pavilion. (cannot see into the park or the stage); page 18, Fc, shows a view from corner of Wicker and Moore streets looking north (shows an obstructed view); page 19, Exhibit Fd shows an uninterrupted view of Depot Park. Staff Whitmore noted that there is some issues with that view shed being interrupted. Staff Whitmore shared that plantings which create a potential hazard or obstacle for pedestrians, such as thorns, falling fruit, and low branching trees over sidewalks, should be avoided. Staff shared that Bradford Pears are beautiful in full bloom. She included a paper from NC Cooperative Extension that talks about how dangerous Bradford Pears can be and it should be noted that our City's Horticulture department is required by CSX to cut back those trees severely; at least twice a year. She asked everyone to look at page nine (Exhibit B) showing that these trees are flat; that they were sheared about three months ago. CSX has requested through the city to have these trees removed; because they are hitting the train, interfering and causing problems for the train. Staff Whitmore noted that ginkgoes are already planted there and in thirty years or so we may be faced with the same situation. Staff told the board if they choose to have those trees removed she will not recommend any replacement trees since there are already landscaping and ginkgoes trees in that location. Staff asked the board if they had any questions? Chair Nestor asked about the plant material on page 8 (Exhibit A)? Staff shared that you have the ginkgoes in the middle of the picture; evergreens are in raised beds beside them. Commissioner Stoch asked staff what was the railroad's chief complaint? Whitmore stated that the branches are hitting the train and she added that CSX owns that land and they require the city to shear those trees back and it is becoming a maintenance issue; the larger they get the more time it takes; it's a situation where energy and time could be used in a more efficient project. Staff Whitmore added that several years ago they were topped and it creates an unattractive tree and makes it more dangerous. Fedd Walker, administrator with the City's Facilities/ Beautification department stated that this action is being sparked by CSX to meet their needs and their concern of limbs beating the train. He relayed in order for us to maintain them and cut them back, we have to apply for a permit with CSX and the last cost he received, was a permit fee of \$5,000.00 and if it is two times a year that is \$10,000.00 just to trim the trees back. Chair Nestor asked Mr. Walker why CSX was not in here applying for the permit if that is their property? Mr. Walker said he did not know; but they emphasized that it is not on city property; but on CSX right of way and staff said that CSX said you cannot take a tree down or plant a tree in that area. Mr. Walker said he is here because of the railroad. Commissioner Mitchell stated his question is, as he looks at page 9, and you look further down the track, there are trees that are not in the park that seem to

be encroaching, more than the ones in the park and he asked who is responsible for those? Chair Nestor mentioned other areas where the trees are bigger and CSX doesn't seem to have a problem maintaining them; but now the Bradford Pears seems to be our problem. Chair Nestor asked Mr. Walker if he had paid the fee and he said no. Chair Nestor asked if pruning them on top would be an option instead, of getting on their right-of-way. Staff Whitmore stated that once you top the tree they can become more dangerous. Chair Nestor was in agreement, that it really becomes a garbage tree and he wonders if we could put off removing the trees a year or two? Mr. Walker shared that even if we get COA approval tonight, we don't have approval from CSX to take them down. Commissioner Yarborough said he didn't understand why we have to ask them to cut down our trees. Mr. Walker stated you are in the train's working right-of-way that could cause harm or death to an individual. Mr. Walker said it would be the same procedure if you were repairing a water or a sewer line and if you are close to a train crossing you must get a special permit to make the repairs. Commissioner Stoch noted that there was a significant difference of what the railroad's equivalent of a right of way is and that of public utilities easement right of way. Mr. Walker stated he thought they were similar, but the railroad has a rule that they can sort of do what they want. Mr. Walker provided an example and shared you have to have a permit to be on the railroad's easement. Commissioner Stoch shared that even if we choose to do nothing, they will be cut down if it is inconvenient for their trains and he asked about the visibility into the park. Chair Nestor added that when music is playing in the park people line up along the railing there with chairs on the sidewalk and sometimes the view is not clear because of the trees. Commissioner Stoch asked who is being damaged? Staff Whitmore said the general public. She added that the guidelines for downtown state plantings which obstruct the view of historic structures or important building details shall be avoided. Staff said it would depend on where you stand you might have a clear view; but in general you don't have a clear view and photographs were provided. Commissioner Gordon asked if this COA should be tabled? Commissioner Mitchell asked the age of the trees? Chair Nestor said around twenty plus years. Staff Whitmore said they tend to get very thorny and weedy if they are not pruned properly. Commissioner Gordon made a motion to table COA-16-33, 106 Charlotte Avenue to get more information on it; have some interviews from witness and property owners and bring it back to the commission. Staff Whitmore asked attorney Benshoff if we should have something in writing or have the witness come to the hearing? Staff Whitmore relayed in the past we want it in writing so it wouldn't be hearsay. Attorney Al Benshoff asked if the motion is to be tabled until a date certain or is it to table indefinitely? This is a quasi-judicial hearing, and the witnesses need to be present and testify before the Commission to preserve fundamental fairness. Attorney Benshoff stated occasionally you get comments outside the hearing and letters and every time you do that I must caution you that it's not properly before you and to give it the weight you deem appropriate knowing that the evidence that you hear is supposed to be responsible and relevant. Commissioner Stoch asked if we should modify the motion and Mr. Benshoff stated it is up to the board because it is also possible to just table it and then it would stay on the table indefinitely until there was a motion to pick it up again; but since you left the public hearing open in your motion, there is a question about re-advertising the public hearing. He said if the matter remains tabled for two or three months it should be advertised again. The commission was in agreement to add it to the November 28th agenda. Commissioner Gordon made a motion to table COA-16-33 until November 28th or the November meeting in case that date has changed; seconded by commissioner Greg Stoch and it passed unanimously. Fedd Walker left at this time.

At this time staff Liz Whitmore and guest Laina Peck-Bostwick was given the oath.

- b. COA-16-35 – Application by Richard Bimler, property owner of 405 N. Gulf Street, who wishes to remove one (1) tree. The tree is a Sweet gum (Liquidambar styraciflua) in excess of eight (8) inches in diameter at breast height. The tree has lost significant limbs in the past month and has a significant lean. Staff Whitmore provided a copy of the letter from Mr. Bimler withdrawing his application until further notice.
- c. COA-16-34 – Application by Laina and Sarah Peck-Bostwick, property owners, to replace the existing accessory structure (which has been removed for safety reason) with a new accessory structure that is 14' 7" x 28' that is approximately 411 square feet.

In accordance with General Statutes the public hearing was advertised once a week for two successive calendars weeks prior to the meeting date and all public notifications have been fulfilled.

Staff Whitmore summarized COA-16-34. She asked commissioners to turn to page two. She noted that the Matrix in the past stated if a shed was 12'x12' feet or smaller it could be approved at staff level as a minor; therefore all installation/construction of accessory structures will be deemed as Major work.

- a. DOWNTOWN GUIDELINES IMPORTANT TO THE CASE: Staff states on page three the Downtown guidelines states, that you should site and orient new outbuildings or garages in locations that are compatible with the traditional relationship of outbuildings or garages and they are proposing to put this in the rear yard. They will meet the setbacks required by the Unified Development Ordinance section 5.1. She noted it is a minimum of 30 feet setback from the front property line and 5 feet from the rear and the side property lines. (Exhibit A, page 9.)
- b. Outbuildings should be designed in be compatible in roof form, scale, massing material and detail with the historic character with the primary building on site. The design of the proposed accessory building complements the main structure on the property (Exhibits B, C and D, pages 10 and 11.)
- c. Select doors and windows for new outbuilding and garages that are compatible in placement, material, proportion, subdivision, pattern and detail with doors and windows of the primary building on the site and with other outbuildings and garages that contribute to the historic character of the district. Exhibit B, page 10 shows the doors and windows are compatible with other outbuildings and garages in the district.
- d. Finishes for new outbuildings and garages should be compatible in texture, scale, patterns, detail, finish and color, etc. The accessory structure is compatible with the primary building and is to be painted to match the primary building on the property (Exhibits B, C and D, pages 10 and 11.) on page 10 on the bottom it shows the colors of the main principal use of the home and it reflects the front porch, has essentially the same type of roof line as the main structure and it has double hung windows
- e. It is not appropriate to site a new outbuilding or garage in a location that will require the removal of a significant original site feature or building element. That is not proposed here, so they are in compliance with this guideline.
- f. It is not appropriate to design new outbuildings and garages that visually overpower the primary structure due to the size, height or siting. (Staff noted that this is a large shed but it does not overpower, it is a large lot and it is very deep.)
- g. Prefabricated wood storage buildings should blend with original structures and similar historic in the district in size, material and design and scale. Scale and size should be given special consideration. Metal and plastic utility sheds are not allowed. Staff noted that the proposed outbuilding is wood, while the outbuilding is large the rear yard is deep and the outbuilding will look appropriate in the selected location. The guidelines do not address window air conditioning units. The Matrix (Exhibit F page 13) states: "Mechanical Equipment-permanent or temporary-install or repair is deemed Minor Work." Staff recommends to place the window air-conditioner on the south side of the shed, so the unit will not be visible from the neighbors.

The applicant, Lanina Peck- Bostwick stated that the outbuilding will be for personal use and will not be used for a home business now or in the future (Exhibit 12.)

Staff Whitmore noted that this is the analysis and comments of staff only. Chair Nestor asked staff to provide a site plan for future submittals.

Lanina Peck-Bostwick was asked to come before the podium. She stated she had photographs that showed the size of the building. The fence surrounding the property is six feet tall. Applicant Lanina Peck-Bostwick shared that there is a picture of the house on page 20. She said they chose the building and the builder could get something that would complement the house. Ms. Peck-Bostwick added that the house that was there that we added the front porch details and made the windows to match the house and it will be the exact same shape as the building adjacent to their neighbors yard should line up almost as exactly as ours. Commissioner Stoch asked if the applicant's building is longer and she stated yes. She states it looks very small if you look at it in scale to the yard. She added that the yard is wide and goes back very far, we got three very large older trees and we are trying to preserve that area just the way it is. The applicant shared that they are building the shed for her father-in-law to work with his tools to have a comfortable space and she will also have a section for her crafts. She said she is very comfortable having a window air-conditioner placed on the south side. She added they have a

no-see through six foot fence and you cannot see into their backyard in any direction. There were no other comments for staff or applicant. Chair Nestor asked to close the public hearing.

Chair Nestor closed the hearing. Commissioners discussed case COA-16-34.

FINDING OF FACT MOTION:

Commissioner Mitchell moved that the Historic Preservation Commission find as fact that the proposed project COA- 16-34, 407 N. Gulf Street, if done in accordance with the decision by the Historic Preservation Commission, is congruous with the character of the district, for the reasons that the height of the project is not a factor, setback and placement is appropriate for the project in relation to average setbacks; the proposal is appropriate and congruous. The materials, patterns, textures and colors planned are appropriate and congruous because the project's architectural detailing is congruous, the roof shape, forms and the materials of the planned project are congruous; fenestration, proportions, shapes, positions are not factors. The general form and proportion of the project a building structure are congruous and the appurtenant features and fixtures of the project are 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; seconded by commissioner Yarborough and it passed unanimously.

FINAL MOTION:

Commissioner Mitchell moved based on the preceding finding of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Laina and Sarah Peck-Bostwick and approve the proposal as shown in COA-16-34, 407 N. Gulf Street; seconded by commissioner Yarborough and it passed unanimously.

Guests Laina Peck-Bostwick, Sarah Peck Bostwick and Paul Bostwick left at this time.

Chair Nestor mentioned that we have COA's- 16-29- thru-COA's 16-32. He asked staff Whitmore if we could combine them and she said yes, that we could do a motion for each one which will be easier for staff to write and for making the motions. Attorney Benschoff stated that there could be one public hearing, if that would work for the board. Separate motions are needed for each case.

At this time, staff Liz Whitmore, Brandon Atkins, Tim Emmert, David McComis and Matthew Konar, Beth Guerrero and Jenn Truman were given the oath.

At this time, staff Whitmore stated that she has four cases and the presentation will be given to the commissioners all at one time. A motion will be made separately for each case COA- 16-29, 16-30, COA-16-31 and COA- 16-32. It will make it easier for clarity when writing the minutes.

- d. COA-16-29 Application by Brandon Atkins, property owner of 229 Wicker Street and applicant Tim Emmert who wish to remove the corrugated metal on front façade of building along Wicker Street.

In accordance with General Statutes the public hearing was advertised once a week for two successive calendars weeks prior to the meeting date and all public notifications have been fulfilled for cases COA-16-29, COA- 16-30, COA-16-31, COA-16-32.

Staff summarized case COA-16-29. She stated they would like to remove the metal façade that is on the top half of Wicker Street. She stated they do not know what is behind the metal façade, whether it is windows; and don't know the condition, so in general what they would like to do is remove the corrugated metal with the understanding that they may or may not have to come back depending on the condition of what is behind that façade. Staff asked everyone to look at page 5. She stated she recommends a condition that would say, "Upon the removal of the corrugated metal façade, no work will take place prior to the owner/applicant meeting with the Historic Preservation staff, to determine which course of action is best suited for the exposed original façade. The owner and applicant shall apply for any Certificate of Appropriateness's that are necessary for any further work to the upper façade of 229 Wicker Street." Staff Whitmore stated that Mr. Atkins and Mr. Emmert were fine with that condition. Staff asked the

commission if they had any questions. Commissioner Stoch asked do we know when that aluminum was put on; was it long after the building was built and Staff Whitmore said yes. Staff Whitmore noted that Dossenbach's Furniture had aluminum and they took theirs's down about twelve years ago and restored their facade.

- e. COA- 16-30- Application by Brandon Atkins, property owner of 229 Wicker Street and applicant Tim Emmert who wish to create new openings with lintels and install a new aluminum required egress door, new required egress lighting and overhead doors on the alley side of the building.

Staff Whitmore summarized case COA-16-30. She stated on the side façade next to the alley, which would be the east façade, the applicant want to have three new openings with overhead doors, (they will roll up.) The building will be required to have ingress /egress doors and egress lighting about a foot off the ground. Whitmore asked everyone to look at page 3, (Exhibit A.) She stated they are going to install three overhead doors and create an opening for a door to code with an egress and lighting that is required by building code. Staff Whitmore ask everyone to look at Exhibit A on page 5. She said that a partial architectural elevation indicates 11 lights (Exhibit A, page 5) are necessary while another indicates 12 lights (Exhibit C, page 7.) Whitmore feels like twelve would be appropriate. Staff has the leeway to modify a major if it is no more than twenty percent. Staff Whitmore stated there are no proposed architectural elements on the side alley, it is a flat wall. They will not be diminishing any architectural elements nor creating a false architectural historical façade. She asked everyone to look at page 4. She said they are not any windows. They will not be replacing any windows; they will install a new door and window. The applicants will use clear glass, not shade or darken the glass for the overhead roll up doors.

Staff Whitmore stated after doing some research, she was able to provide more pictures to show everyone what roll up doors look like. They are going to have a knee wall or a waist high wall and the door will roll up, so it will be like a ledge. Commissioner Youngblood asked if tables in the alley would be present and staff said no. Staff noted on page 17 you can see the other two windows and roll up doors towards Wicker Street. A total of three roll up doors, will be installed. Commissioner Stoch asked if it would be ok to ask questions as we go along or at the end? Attorney Benshoff noted yes, it would be fine or let the applicant speak. Commissioner Stoch had a question about the lighting, he wanted to know if new egress lighting is required at the overhead doors on the alley side of the building. Staff Whitmore stated the egress lighting being proposed will be on the outside of the building.

- f. COA- 16-31 Application by Brandon Atkins, property owner of 229 Wicker Street and applicant Tim Emmert, who wish to remove a non-historic aluminum door and overhead doors on the Cole Street façade and replace them with a new aluminum door and overhead doors.

Staff summarized COA-16-31. This is the Cole Street façade. This building runs from Wicker Street almost to Cole Street, and the Cole Street side is almost three stories high. Staff stated that it could have been approved at staff level; but she thought it would be appropriate to bring everything before the Commission. Staff said as you can see the existing doors are very non-descript . These doors will match with what they want to put in on the side façade of the alley and when they redo the front it will match that also. The proposed steel door will provide more security. Staff Whitmore shared that she didn't have any conditions or recommendations to the commission. Chair Nestor asked staff if this is what they are putting in on page 21. Staffed noted yes, there will be two of them. The applicants, plans to remove the non-historic aluminum door and install a new aluminum overhead door with clear transparent glass rather than opaque transparent glazing panels. Staff Whitmore stated the historic downtown guidelines do not allow opaque glazing. Witness Tim Emmert added that transparent is what they want. COA-16-32 Application by Brandon Atkins, property owner of 229 Wicker Street and applicant Tim Emmert, to install a new aluminum storefront door, glazing and overhead doors along Wicker Street.

Staff Whitmore summarized COA-16-32. She stated that the applicant Tim Emmert wishes to remove the existing lower façade windows and doors and replace them with a new aluminum store front with glazing and roll up overhead doors on the Wicker Street façade side. Staff Whitmore noted that the two windows

on the façade (Exhibits A and B) shown on pages 9 and 10, is where they wish to remove two mirrored windows, and replace them with two roll up doors, which will be the same size as the windows that are there now. She added once they are rolled up, you would have an open air feel. They are very popular and very attractive with micro-breweries these days. At this time they also plan to replace the front door with the door that is being proposed on page 9, (Exhibit A.) Staff Whitmore noted that these windows have to be transparent; that glazing is not allowed. Staff Whitmore asked the Commissioners if they had questions about the façade? Chair Nestor asked staff Whitmore if the doors would be inset a bit and would they stay that way, and she answered yes. Commissioner Stoch asked how far away is the nearest resident from the brewery? It was noted that the Wilrik, which is a downtown apartment complex, is the closest residence. Commissioner Stoch asked if the City at some point would have to deal with noise complaints if the brewery starts open later? The other street that might be affected is Wall Street which is two to three blocks away. Applicant Tim Emmert stated the hours of operation would be Monday thru Thursday from five pm to 10 pm on weekdays and then on weekends the plan is to open earlier, either three pm or a four pm and stay open until ten pm.

Chair Nestor asked that each COA be discussed one at a time and Mr. Emmert will be on board to answer any questions that they may have and then all four COA's will be addressed.

COA- 16-29 Applicant Tim Emmert approaches the podium and stated his name and address. He stated he is with Mugger Hugger Brewery Company and he is hoping to locate a brewery at 229 Wicker Street. Commissioner Gordon relayed to Mr. Emmert that once the corrugated metal on the front façade of the building is taken down you may have to get it approved based on the condition of the façade. Applicant Tim Emmert was in agreement. Chair Nestor asked Mr. Emmert if they had a plan for above the door? He stated they would like to put a mural there; that they were checking prices for a mural and they have to wait and see what is up there. Tim Emmert said they had speculated on the square footage of the building and it is a one story building up front and in the back, it is two story. Mr. Emmert shared that at the back of the building, where you see the roll-up doors, is where the brewery area will be and then followed by cold storage space on one side; open space and staircase going to the second floor and then up front would be a tap room on Wicker Street, the public area. Commissioner Stoch, noted that the back space will not be the gathering space and he said that is correct.

Mr. Emmert continued onto COA-16-30 and asked the commission if they have questions. He stated they wish to create new openings with lintels and install a required new aluminum egress door, new required egress lighting and overhead doors on the alley side of the building. Commissioner Stoch asked if they own the alley, and Staff Whitmore stated yes and Mr. Emmert said there was an access easement for Sandra's Bakery. This will allow trucks to make deliveries for them and they have already spoken to Dossenbach Furniture. Mr. Emmert said they were trying to reach out to folks and have a good understanding with them. No other questions were noted.

COA- 16-31 on page 21 the applicant Tim Emmert wishes to remove a non-historic aluminum door and overhead doors on the Cole Street façade and replace them with a new aluminum door and overhead doors. Mr. Emmert noted that those doors would be open most of the time.

COA-16-32 Applicants Brandon Atkins and Tim Emmert wish to install a new aluminum storefront door, glazing and overhead doors along Wicker Street. Chair Nestor asked the applicant if they were just solid single pane glass windows on each side of the main entrance. Mr. Atkins stated yes. (reference page 20.) The interior spacing is odd, per Mr. Emmert; so there is not a lot that can be done with that area. Commissioner Hughes asked Mr. Emmert if they have a brewery in another state; which he answered no. Staff Whitmore stated on page 9 (Exhibit A) there are three windows and she wanted to know if he was going to incorporate that with just two rollups. He stated yes, that that space will have two roll-ups and then the remainder will be taken up by a solid see-through single-pane of glass. Mr. Emmert added that staff Whitmore had put forth a question about how you might handle the area above the store front, the

façade and what would happen if that came off and Mr. Emmert said that there might be just one other question that we might asked the commission to consider and with the pull up door on the alley way side (the one that goes right to the ground) add another swing door. The picture on page 9 (Exhibit A) shows that they are probably ten to fifteen feet apart. He stated he wanted to put it to the Commission that if it became more convenient for us to put those together and make it look like one piece; and we would like to ask if that could be a consideration and see if the Commission would allow staff Whitmore to approve it at staff level. Mr. Emmert stated they are working with the general contractor and this may be one of the things we may run into in the next couple of weeks. Chair Nestor asked the applicant if you are still going to have a garage door and the main door you might just have to unify them in the same opening. Applicant Emmert stated they have been trying to find the pull-up doors. His remark was that you cannot have a pull up door with a door in it. Chair Nestor asked if there were any other questions for Mr. Emmert. No other questions. Mr. Emmert sat down.

Chair Nestor closed the public hearing. He asked for all COAs to be done at one time.

Finding of Fact Motion

Commissioner Gordon stated in regards to COA- 16-29, 229 Wicker Street, I move that the Historic Preservation Commission find as fact that the removal of the corrugated metal façade on the upper level is done in accordance with the Downtown Design Guidelines and the decision of the Commission, is congruous with the character of the Historic District because materials, patterns, textures, colors are congruous and architectural detailing is congruous and fenestrations, proportions, shapes, position, location and pattern of the project is congruous, and is generally in harmony with the criteria in the design guidelines, the special character of the neighboring properties, and the historic district as a whole. Commissioner Gordon added, with condition upon removal of the corrugated metal façade no work shall take place prior to the owner and applicant meeting with the historic preservation staff to determine which course of action is best suited for the exposed original façade. The applicant should apply for any Certificate of Appropriateness that is necessary if any further work to the upper façade at 229 Wicker Street; seconded by commissioner Mitchell and it passed unanimously.

FINAL MOTION:

Commissioner Gordon stated based on the preceding finding(s) of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Brandon Atkins and Tim Emmert for the removal of the corrugated metal upper façade as shown in COA-16-29, 229 Wicker Street; seconded by commissioner Mitchell and it passed unanimously.

FINDING OF FACT MOTION:

Commissioner Mitchell stated in regards to COA-16-30, 229 Wicker Street, I move that the Historic Preservation Commission find as fact that the installation of three overhead rollup doors, one egress door and egress lighting, when completed in accordance with the Downtown Design Guidelines and the decision of Commission, is congruous with the character of the Historic District, as the materials, patterns, textures, colors, the architectural detailing, the fenestration, proportions, shapes, position, location and pattern of the project are all in accordance and is generally in harmony with the criteria in the design guidelines, the special character of the neighboring properties, and the historic district as a whole; with the conditions that if the egress door needs to be moved, it can be approved as staff level to insure congruity; seconded by Commissioner Gordon and it passed unanimously.

At this time, Beth Guerrero leaves.

FINAL MOTION:

Commissioner Mitchell stated based on the preceding finding(s) of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriateness to property owner Brandon Atkins and applicant Tim Emmert for the installation of three overhead roll up doors, one egress door, and egress

lighting as shown in COA- 16-30-229 Wicker Street; with the condition if the egress door needs to be moved; it can be approved at staff level; seconded by Commissioner Yarborough and it passed unanimously.

FINDING OF FACT:

Commissioner Gordon stated in regards to COA-16-31, 229 Wicker Street, I move that the Historic Preservation Commission find as fact that removal of two existing overhead roll up doors and one (1) ingress/egress door and installation of two new overhead roll up doors and 1 (one) ingress/egress door when completed in accordance with the Downtown Design Guidelines and the decision of Commission, is congruous with the character of the Historic District as a fact that the height of the project is congruous ,the setback and placement of the project are not factors and the appurtenant features and fixtures of the project are congruous, and are generally in harmony with the criteria in the design guidelines, the special character of the neighboring properties, and the historic district as a whole; seconded by Commissioner Yarborough and it passed unanimously.

FINAL MOTION:

Commissioner Gordon stated, based on the preceding finding(s) of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriateness to property owner Brandon Atkins and applicant Tim Emmert for the removal of two existing overhead roll up doors and one ingress/egress door and installation of two new overhead roll up doors and one ingress/egress door as shown in COA-16-31, 229 Wicker Street; seconded by Commissioner Mitchell and it passed unanimously.

FINDING OF FACT MOTION:

Commissioner Stoch stated in regards to COA-16-32, 229 Wicker Street, I move that the Historic Preservation Commission find as fact that the removal of the existing lower façade windows and doors and their replacement with a new aluminum store front and roll up overhead doors (with transparent glazing) on the Wicker Street façade, when completed in accordance with the Downtown Design Guidelines and the decision of Commission are congruous with the character of the Historic District as materials, patterns, textures, colors and architectural detailing, as fenestration proportions, shapes, position and location and patterns of the proposed project are all congruous and are 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; seconded by Commission Mitchell and it passed unanimously.

FINAL MOTION:

Commissioner Stoch stated based on the preceding finding(s) of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriateness to property owner Brandon Atkins and applicant Tim Emmert for the removal of the existing lower façade windows and doors and replace them with a new aluminum store front and roll up overhead doors with transparent glazing on the Wicker Street façade as shown in COA-16-32, 229 Wicker Street; seconded by Commissioner Mitchell and it passed unanimously.

At this time witnesses and guests, Brandon Atkins, Tim Emmert, David McGinnis, Matthew Konar, Jenn Truman left,
guest Joceyln Stoch remains.

6. New Business:

a. STAFF UPDATES:

1. Violations - Staff noted the we are still working on the violations and probably in November we will be taking those before City Council.
2. COAs: Staff Whitmore provided updates on minor and major approved (COAs) (See list included by reference.)

Staff Whitmore relayed that we will have a special call meeting on October Tenth, at six pm at the Buggy Building. This meeting will involve the city of Sanford who wish to install trees at Horner Plaza parking area. She has received final application today, and she plans to forward all the information out to commission members by next Tuesday, October 4th. Attorney Al, Benshoff asked staff Whitmore to add the review of the Downtown guidelines to the agenda. Staff Whitmore asked the commission if they want anybody that builds over a 12 x12 ft. accessory building to come before the board and Chair Nestor said yes, everyone was in agreement.

7. Announcements:

Staff Whitmore shared that the mural celebration for four of the murals, possible five murals is set for October 13th at Depot Park at 6:00pm. She stated that we have a vintage airplane to fly over and we plan to have live music and entertainment. She added we will serve hotdogs, crackerjacks, peanuts, ice-cream, popcorn and cokes. More murals are on the way. Staff noted that she would have to change the date of the February 2017 meeting; because of a conflict with her schedule. Chair Nestor asked staff if she had heard anything from the city obtaining more open parking. (The city has talked about buying properties from owners and turning them into parking spaces.) Staff Whitmore noted there are still a lot of talk going on, and she continues to attend the DSI meetings for information. Commissioner Youngblood asked if staff knew when they were going to pave the streets, she stated no. Commissioner Youngblood said he was in hopes that they might would come back and power washed the store fronts. Staff Whitmore relayed she will be at the North Carolina Preservation conference on Wednesday, Thursday and Friday of this week.

Staff Whitmore stated that she has met with commissioner Hughes. Ms. Hughes has stated that she and the realtors association have additional funding and they have asked if they could place either a wood or iron pavilion porch swing in Depot Park in the water fountain area, similar to the one on Moore Street. Chair Nestor encouraged commissioner Hughes to submit her application and bring it before the commission at the next meeting. It will be considered a Major.

8. Adjournment:

Chair Nestor called for adjournment. Commissioner Youngblood moved to adjourn; seconded by Commissioner Gordon and the motion passed unanimously. The meeting adjourned at 8:50 pm.

Adopted this ____ day of _____ 2016

Respectfully submitted:

Chair: David Nestor

Attest: _____
Secretary to the Board: Anne Sears