

**MINUTES OF THE REGULAR MEETING OF THE
HISTORIC PRESERVATION COMMISSION
SANFORD, NORTH CAROLINA**

The Historic Preservation Commission met in regular session in the City Council Chambers at City Hall, 225 E. Weatherspoon Street, on Monday, February 22, 2021, at 7:00 PM.

ROLL CALL

Members Present: Brian Mitchell, Chair
 Greg Stoch, Vice-Chair
 Philip Yarborough
 David Underwood
 Jason Cline
 Allen Gordon
 Charles Petty

Council Member : Sam Gaskins

Staff Present: Liz Whitmore, Historic Preservation Planner II
 Angela Baker, Clerk to the Board
 Kevin Hornick, Attorney

APPROVAL OF AGENDA

Having noted the presence of a quorum, Chair Mitchell called the meeting to order, and entertained a motion to approve the agenda. Board member Gordon made the motion, seconded by Board member Petty, the motion carried unanimously.

APPROVAL OF MINUTES

Chair Mitchell asked for a Motion to approve the January 25, 2021, minutes. Board member Stoch made a motion, seconded by Board member Cline, the motion carried unanimously.

NEW BUSINESS

Chair Mitchell read the quasi-judicial reference statement

Administer the Oath: Chair Mitchell called all participants speaking in favor of, or against the COA's, as well as staff, to come forward to be sworn in for testimony. Applicant Tim Emmert and Staff Liz Whitmore appeared and took the oath.

Conflicts of Interest: None.

- A. COA-21-08 – Application from Brandon Atkins property owner of 229 Wicker street and Applicant Tim Emmert who wish to paint a sign with logo on the south wall facing Cole Street. Work to cover all the existing “Ride and Shine” and Service, Center signage, additional brick area is to be painted with a black background with

yellow border. A previous COA was approved for signage COA 17-48 was approved on October 25, 2017.

Staff Presentation: Staff Whitmore stated that the Historic Preservation Commission received an application for a Certificate of Appropriateness from Brandon Atkins property owner of 229 Wicker Street and applicant Tim Emmert who wish to pain a sign with logo on the south wall facing Cole Street. Work to cover all the existing “Ride and Shine” and Service Center signage, additional brick area is to be painted with a black background with yellow border. A previous COA was approved for signage COA 17-48 was approved on October 25, 2017.. It was advertised in accordance with the General Statutes on February 10, 2021, and February 17, 2021, and the site was posed on Monday, February 15, 2021.

Exhibits A and B, pages 9 and 10, COA 17-48, October 25, 2017, shows the original signage and what the signage that was approved as a Major Work at that time.

Subject:

h. Signs and Awnings

1. Signs and awnings shall be compatible with the structure in size, scale, style, material, and graphics.
Comment: Applicant is proposing to paint the Hugger / Mugger sign with logo that will be 80 sq.ft. which allowed per the UDO on the Cole Street side of the building. (Exhibits C and D, pages 11 and 12).
2. Avoid removal of distinctive signs that are an integral part of the façade or contribute to the historic character of the structure or District.
Comment: Removal of distinctive signs is not part of the proposal therefore this guideline does not apply.
3. The location of new signs and awnings on commercial buildings shall conform to the appropriate placement of signs and awnings on historic buildings.
Comment: The location of the proposed sign will be where the existing sign is located. The proposed sign will be larger than the existing sign (Exhibits C and D, pages 11 and 12).
4. Design and locate storefront signs so that they do not obstruct architectural details of the building.
Comment: The proposed sign will not obstruct architectural detail of the building.
5. Attach storefront signs in a manner, which does not cause damage or major alteration to the historic elements of a building.
Comment: The sign will be painted on the Cole Street façade (Exhibit D, page 12). The proposed sign is larger than then existing painted sign (Exhibit C, page 11).
6. Use signs of a style appropriate to the age of the building.
Comment: The proposed Hugger / Mugger sign is an appropriate style for the building (Exhibit D, page 12).

7. Avoid using translucent plastic signs, which have lightening within the sign.
Comment: The proposed sign is not translucent and has no interior lightening.
8. Prohibit billboards and large billboard type signs in the District.
Comment: The back half of the building that faces Cole Street is zoned Light Industrial, zoning allows this building to have 80 square feet of signage (Exhibit D, page 12).

Staff Comments and Analysis:

The UDO states the following in regard to signage “the area of sign face shall be computed by means of the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem or other copy, together with any material color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

However, to be fair to Hugger Mugger, zoning is going to draw a box around the wording and logo to use for computing the sign size. This is because this how the former Planning Technician measured by David Montgomery, since he knew this was how signage had been measured in the past.

The above comments are of the opinion of staff only and it is the Commissioner’s discretion whether to agree or disagree with staff and make any additions or deletions as they deem fit.

Board Questions

Vice-Chair Stoch asked if the large sign, was larger than the square feet; and the words Hugger Mugger and Brewing Company exceed the square feet; and the whole sign encompasses the orange border.

Staff Whitmore stated that it has always been calculated by the words and logo. According to the UDO, it is should be calculated by the entire painted surface. The previous sign person has since retired, and the new person has caught this language. Hugger Mugger was approved for a previous COA based on these calculations. From hence forward, it will need to be calculated according to the UDO.

Chair Brian asked if they could have signage on both sides of the building.

Staff Whitmore stated that yes, since there is a back entrance; and they are going to have signage on the side of the building as well, since it is adjoins a public parking lot. It will be later, and have to be in a certain place.

Applicant’s Testimony:

Tim Emmert, with Hugger Mugger, 229 Wicker Street, Sanford, NC.

Board member Stoch stated that he wanted to confirm that the reason for the sign being wider is to cover up the Service Center sign, and it is actually the applicant’s logo.

Mr. Emmert stated that he attempted to remove the paint that is on the building. He said as you can see on page 11, there was an initial effort to get the paint off and restore the brick.

Staff Whitmore stated that staff met on site to discuss the signage and it is recommended that the paint be squared up with the garage door, so it didn't appear off-centered.

Board Discussion:

Motion: Board member Stoch made a motion in regards to COA-21-08, 229 Wicker Street, I move that the Historic Preservation Commission find as fact that the Hugger Mugger painted sign 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 design and painting fit in with the character of the neighborhood, 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. Motion seconded by Board member Petty.

Chair Mitchell called for a vote. The motion carried.

Final Motion: Board member Stoch made a motion based on the preceding findings of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriate to property owner Brandon Atkins and applicant Tim Emmert for painting of the Hugger Mugger sing on the Cole Street side of the building as shown in COA -21-08, 229 Wicker Street. Motion seconded by Board member Petty.

Chair Mitchell called for a vote. The motion carried.

New Business

- a. Required training per the Rules and Procedures.

Staff Whitmore stated that two people, including herself, are required to get training every year. She said that this year will be all online, and it will be free. Emails have been sent, and will be sent on when training opportunities will be available. (Page 2, Sec. 11 of the Guidelines.) She said that in the future, since opportunities are online, training is going to be on a meeting night. That way everyone will be able to participate. She is planning on doing it at the meeting in April.

- b. COA's – none.

- c. StreetFest – Historic Preservation Booth.

Staff Whitmore stated that this year during StreetFest in October, the HPC will have a meet and greet booth. Members will sign up for an hour and hand out information and answer questions. This will allow Commissioners have more involvement in the community.

d. Chimney Pots – 506 Sunset Drive

Staff Whitmore entered Exhibit E and F.

Staff Whitmore stated that the house located at 506 Sunset Drive has removed the three chimney pots; and replaced with a metal cover. She said that regular and certified mail letters had been sent. If infractions were imposed, the fines would be \$300 per day (\$100 per pot). It is done and it is obvious that the chimney pots are gone. Staff Whitmore stated that typically people will respond to her promptly about correcting the violation. She has not received any response from the owners.

There was a lengthy discussion amongst Staff and Board Members about the rules and procedures regarding violations; and opinions of the Board Members. The Board agreed that this matter needed to further attention, and not to be ignored.

Attorney Hornik reminded the Commission that the purpose of the Historic Preservation Commission is to determine whether a change is congruous with the character of the Historic District. He stated that if small changes like this are allowed to go on without being addressed, either before the fact or after, then the question becomes at what point the character of the Historic District changed, such that the Commission's work becomes mute.

Attorney Hornik recommended that this matter to be turned over to the City Attorney, Susan Patterson, for further legal review and action. The Board agreed.

Announcements

Chair Mitchell stated that there has been discussion about the opening the alley behind the Wilrik Building to access the parking lot on Horner.

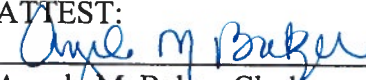
Staff Whitmore stated that she has been in discussion about Art and lightening along the alleyway.

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned on motion of Board member Stoch, seconded by Board member Petty, and unanimously carried. The meeting was adjourned at 8:15 pm.

Adopted this 22ND day of March, 2021.

BY: 
Brian Mitchell, Chair

ATTEST:

Angela M. Baker, Clerk