OAK RIDGE HISTORIC PRESERVATION COMMISSION MEETING
SEPTEMBER 10, 2014 – 7:00 P.M.
OAK RIDGE TOWN HALL

MINUTES

Members Present
Ann Schneider, Chair
Debbie Shoenfeld, Vice Chair
Ron Simpson
Mac McAtee
Caroline Ruch, Alternate (Sitting)

Staff Present
Sandra Smith, Town Clerk/HPC Staff
Bill Bruce, Planning Director
Bruce Oakley, Town Manager

Members Absent
Michelle Ungurait
Cara Townsend, Alternate

1. CALL MEETING TO ORDER

Chair Ann Schneider called the meeting to order at 7:00 p.m. After introductions of Commission members and staff, Schneider read a brief statement on the purpose, duties and responsibilities of the Commission.

2. APPROVE AGENDA

Debbie Shoenfeld made a **motion** to approve the meeting agenda. **Mac McAtee** seconded the motion, and it was passed unanimously (5-0).

3. APPROVE MINUTES OF AUGUST 13, 2014, MEETING

Mac McAtee made a **motion** to approve the meeting minutes. **Ron Simpson** seconded the motion, and it was passed unanimously (5-0).

4. OLD BUSINESS

A. **Request for COA:** JPC Monroe, LLC, requests a Certificate of Appropriateness for the Lowes Foods store at Oak Ridge Commons shopping center. The property is located at 2205-B Oak Ridge Road, Tax Parcel 0166224, Oak Ridge Township, and is zoned CU-SC (Conditional Use-Shopping Center).

The case was continued from the August 13 meeting where the architect was given feedback and a new plan was submitted. Schneider asked if any Commission members had any conflict of interest regarding the case, which could include having a fixed opinion; having ex parte communications with anyone about the case; or having a close family, business or financial interest in the project. None were disclosed.

Will Spencer, project architect, and Roger Henderson of Lowes Foods were sworn in by Town Clerk Sandra Smith.

Spencer said after receiving input from the Commission at the last meeting, he had updated the proposed plan and resubmitted it based on that input. He had also asked Roger Henderson and Gary Watson from Lowes Foods to attend the meeting.

Spencer said he believed he had addressed all the issues expressed by the Commission, and he had also brought material samples. He explained that the original brick used on the shopping center was no longer being manufactured because the factory had been shut down, but he asked the company for similar substitutes. They recommended Old Virginia brick, which was the same quality, color, etc. Spencer said a sample panel would be built in front of the store, which he said was a common practice, to show what materials would be used in the project.

He showed the Commission a sample of the aluminum that would be used for the window trim and explained that it would be painted white at the factory. He also showed a sample of the glass to be used in the windows, saying that it was not tinted or reflective.

McAtee asked if the intent was to look like the new elements on the store were built of the same materials as the original building, and Spencer said yes. Shoenfeld asked if the aluminum around the windows is painted white now, and Spencer said yes.

Simpson suggested that Spencer go over each area of the building that would be changed. Spencer asked if the Commission members had the updated drawings, and McAtee made sure that what the Commission was looking at was correct.

Spencer said there had been some concern expressed by the Commission about covering the brick arches, so this submittal showed that they were not being modified in any way. He said there was also some concern about the shape of the roof over the Lowes Foods To Go area and how it affected the fire lane, so that change had been removed from the plan and the Lowes Foods To Go pick-up area would remain in the parking lot, where it is now. Spencer said some members of the Commission had expressed concern about the highest windows on the new portion on the front of the building where carts would be stored, so he had removed the windows and the glass from the metal frames, and he had also removed the wooden trusses and reclaimed wood. Simpson asked if the brick arches would be painted white, as they appeared on the drawing submitted by Spencer. Spencer said the arches would not be painted, and they appeared that way on the drawing in error.

Schneider asked if all Commission members understood the proposed changes. She said it looked like material samples had been provided as requested, and she said Spencer had addressed the gables, roof pitch and façade. Shoenfeld reiterated that all materials should match the existing building or be as close as possible.

Simpson asked if the Lowes Foods To Go lane was still to be located at the front of the building, and Spencer said the purpose of it was to bring the customer closer to the building; if the area could not be covered, it would remain where it is currently located in the parking lot.

Schneider said it appeared now that the biggest changes to the building would be the new pop-up feature on the roof, the new logo on the sign, the new main entrance to the store, and the new cart storage addition with lots of windows. Regarding the new windows in the cart storage area, Ruch asked if it would be possible to see through those windows into the store, and Spencer said no.

Shoenfeld said she did not see the dimensions of the sign in her information packet. Bruce explained that a blanket COA had been issued for signs in the shopping center, and it specifies that signs must have white letters and be backlit. He said he would make sure that the sign meets those specifications when the sign permit is issued. McAtee asked if that meant the Commission does not need to consider the sign in its deliberations, and Bruce said yes. Schneider said because there are existing standards in place, the sign must conform to those standards.

McAtee asked if the drawing that was presented by the architect was representative of what the building will actually look like when constructed, adding that because of past problems it should be clear the building must look like what was submitted in the application and all elements must be to scale. If the design is changed, the HPC must approve those changes, McAtee said. Spencer said he understood.

Schneider thanked Spencer for being responsive to the issues stated at the last meeting. Spencer said after the last meeting, he spoke with Lowes Foods representatives, who had concerns about how the revised request represents their intent at rebranding the store.

Roger Henderson of Lowes Foods said he would like the opportunity to explain to the Commission why the company was doing renovations to their stores. He said through remodeling stores in the Winston-Salem area and at their two new stores, they have struck a chord with customers and he was tentative about tampering with the success they have achieved.

Henderson said originally, the prototype building had yellow lap siding. He added that the roof line they wanted along with the new Lowes Foods logo is beginning to be akin to McDonald's golden arches – customers only need to see them and don't need to see the word "McDonald's" to know what the restaurant is. He had Spencer pass out a drawing, which is hereby incorporated by reference and made part of the minutes, and he requested that the Commission consider a compromise so that they could achieve that type of roofline, which is similar to what might be seen on a barn, on the Oak Ridge store.

Although there was a lot of glass in the front of the building, Henderson said less glass could be incorporated in the design. He said he thought what was illustrated on the newly introduced drawing showed that they could accomplish what they wanted with the design and still hold on to the brick and attractive appearance of the shopping center. He also said he would like to have the Lowes Foods To Go drive-thru located at the front of the building because it was more convenient to have customers drive up to the building, and leaving the pick-up area in the parking lot was not in the best interests of customers.

Ruch said it was not the Commission's intention for the drive-thru area to be removed from the design – the Commission members simply did not feel the design and the wooden posts fit with the requirements of the Design Guidelines. Spencer said if the pick-up area used brick columns instead of exposed wood, he thought that the pick-up area could be relocated to the front of the building.

Simpson said much could be accomplished at the meeting through discussion, but that the Commission was unable to make decisions without adequate time to consider a plan. He said that was the first time he had seen the drawing that Spencer just passed out, and Spencer responded that he had only created it that morning. While it was not intended to be a surprise, Spencer said Lowes really wants to try to maintain their new brand. He asked if the Commission ever held special meetings, and Commission members said that occurs very rarely.

Henderson said if Lowes could not have something like the roofline on the drawing just passed out, he would recommend that they not make any changes to the roof since it would be an expense that does not make sense.

Schneider said she felt the Commission had three options: 1) To approve the plan as submitted; 2) To consider approving the conceptual new drawing, although she added that the drive-thru could not be discussed until it has been incorporated into the plan; or 3) To leave the roof line as it is now. She said her understanding was that Lowes Foods needed the pop-up element on the roof to accommodate the new logo on the sign. Henderson said he believed the new sign would fit on the building without any changes to the roof, although it would need to be measured.

Town Manager Bruce Oakley said his concern was that the new roofline that was shown on the new drawing just distributed was not part of the application submitted for approval.

McAtee said the Historic District Guidelines recommended that roof pitch rise be no less than 8/12. Schneider asked what the pitch of the roof was on the new drawing, and Spencer said it was 3/12. He said anything different than what was shown on the new drawing would significantly change the profile of the roof so that it would no longer be recognizable as Lowes new brand. McAtee said the new drawing of the building looked nice, but he reiterated that the Commission is bound by the Historic Guidelines. Spencer said Henderson had asked for his opinion of the new roofline profile; he said he told him he thought it looked good, but said he also knew that there were several sections in the Historic District Guidelines that might prevent the Commission from approving it.

Simpson commented that he was somewhat confused because the new drawing looks nothing like what was originally submitted for approval to the Commission. Henderson said that was because Lowes would really like the Oak Ridge store to look similar to their other new or recently renovated stores. Schneider asked if the new design had been discussed with Town staff, and Spencer said no because he had only drawn it that morning.

Schneider said she thought the latest design was attractive, but the Commission could not discuss it at that time because the members had not had ample time to

review it. She suggested Spencer might want to communicate with staff, who in turn might be able to pose general questions to the Commission regarding various elements that Lowes Foods might want considered. Schneider asked Oakley if an applicant had ever proposed two options to the Commission, and Oakley said no. McAtee said the Commission should approve, disapprove or continue cases before it.

Bruce said another option might be for the Commission to go ahead and vote on the plan as submitted. The applicant could then submit a design for a revised COA the following month; if it is not approved, the applicant would still have an approved plan to fall back on.

Schneider reminded the Board that Henderson had said they would rather not have the pop-up feature on the roof as shown on the submitted plan. Simpson said he believed the Commission might have been willing to approve the second plan that was submitted; Spencer said he did not want to force Lowes Foods into building something it does not want.

McAtee called Spencer's attention to two white rows above the arches on the drawing that had been submitted. Spencer said that was an error, and they should be red brick.

Schneider asked if the Lowes Foods To Go feature was shown on the left side of the drawing, and Spencer said no.

McAtee called attention to the rock feature on the newly revised drawing, and Spencer said the new branding and the Clemmons prototype store have a stone face on the base of the columns. Simpson asked if rock was used anywhere else in the shopping center, and Spencer said he did not think so.

Shoenfeld suggested Spencer submit a new drawing of what Lowes Foods has decided it wants now, and said the Commission could meet again the following month to discuss the revised application.

Henderson pointed out that the most recent drawing (presented that night) showed a lot of glass on the front of the building. While he would like to have that approved, he said he could have it removed if the Commission felt strongly against it. While he would love the glass feature to be approved, Henderson said what he really wanted approved was the new roofline.

McAtee asked if the glass portions of the building shown on the new drawing would open into the store. Spencer said they could, although that would require a significant alteration to the front of the building. He told the Commission that the Lowes Foods stores do not close when they are renovated, and construction work is primarily done at night. He added that frosted, translucent glass is also a possibility if the Commission does not like clear glass. Spencer said he did not know if any frosted glass exists currently in the Historic District, and he would need to study the Historic Guidelines to see if it meets the Guidelines.

Henderson said he would also like to have the Commission approve the faux stone foundation, but said he "wouldn't fall on a sword for it."

Ruch asked the purpose of the new barn-like roofline, and Henderson said Lowes Foods hoped customers would see the outline or shape and automatically identify it with Lowes Foods. He said the pitch/shape of the roof was beginning to appear in Lowes Foods advertising, and if the pitch is altered significantly at the Oak Ridge store, it has no value. He said the "barn-like" features would also be carried through the interior of the store. Ruch said the new drawing made her think of both a barn and a greenhouse, and Henderson agreed, saying Lowes Foods was trying to brand the concept of bringing the community "back to the table." Shoenfeld asked if Lowes Foods was trying to achieve a signature look with the pitch, and Henderson said yes.

Schneider said she had no problem with the amount of windows as long as the Historic Guidelines permit them. She said she didn't mind the higher windows, and felt it was a little more acceptable for the anchor store to have a little more drama than other stores in the shopping center. She said while she thinks the proposed new roof line is attractive, it needed to be determined if it would be permitted in the Historic Guidelines. She added that the Historic Guidelines were not meant to be prescriptive, and that exceptions can occasionally be made when it makes sense and when other items in the Guidelines are met. She said that was why the principles of proportion, rhythm, etc. are important, but she said she felt the design was worth considering.

Regarding the rock "foundation," McAtee said rock foundations are quite common in the Historic District and he thought they were mentioned in the Historic Guidelines.

Simpson said at the last meeting, Ruch had pointed out that the design of the shopping center was intended to mimic the architecture at Oak Ridge Military Academy. Simpson said a building on the academy campus could probably be found that would show some of the features presented on the new sketch. Ruch said she felt the new sketch was a much better compromise than what was originally presented.

McAtee asked if Lowes Foods might come back with a plan for the drive-thru, and Spencer said yes. Spencer said the sketch submitted that night was incomplete, and that a new one would be submitted to include the new roofline and appropriate notes, and would also include the drive-thru with brick columns –instead of wood ones like were on the original submittal – and a roof structure on the drive-thru that matched the shopping center. McAtee said Spencer might also consider an arched roof instead of a pitched roof.

Ron Simpson made a **motion** to continue the case until the October meeting of the Historic Preservation Commission in order to give Lowes Foods an opportunity to submit a revised request. **Caroline Ruch** seconded the motion, and it was passed unanimously.

B. Town Council report

Simpson, who gave the report at the last Town Council meeting, said Council members had no comments, but that they had approved the membership of the Land Use Plan Update committee which included Schneider as the HPC representative.

Shoenfeld said she would draft the next report and Schneider said she would give the report to the Town Council; McAtee agreed to be Schneider's back up, if needed.

C. COAs approved/reviewed at staff level

None

D. COAs approved but not completed

ORMA addition to Holt Hall. Smith said she had spoken that day to a landscape architect who is on the Academy's Board of Trustees and has been placed in charge of buildings and grounds. Smith explained to him what is still needed, and he said he would take care of it soon.

5. NEW BUSINESS

Review of rezoning request: AG to RS-40. The property is located on the east side of Linville Road, approximately 1,000 feet north of Scoggins Road, in Oak Ridge Township, Historic District Overlay Zone. It is Guilford County Tax Parcel 0166248, and consists of approximately 8 acres. The owner is Marion Elizabeth McDougal.

Bruce explained that as part of a longterm project of going through the development ordinance, the Town had not been enforcing that the Commission should be making a recommendation to the Planning & Zoning Board regarding rezoning requests within the Historic District. Bruce explained that this was not a COA request, and that the Commission is not reviewing the subdivision layout at this time; the Commission should simply be making a comment to the Planning & Zoning Board as to how the proposed land use change would affect the Historic District. Bruce said the Commission members should comment on whether the proposed rezoning is consistent with the Historic District and whether they had any concerns about what might emerge from a rezoning of the property. He said this was simply a change from agricultural to residential use.

Simpson said that because he also serves on the Planning & Zoning Board, he would like to abstain from voting on the issue, and the Commission agreed by consensus.

Schneider said that HPC was being asked to take the broad principles of the Historic Guidelines and determine if this use would be incongruous or fit in with the existing context of the District. She said the property's size would not allow an entire neighborhood to be built on it, and she asked if homes would be built facing Linville Road. Bruce said the property size would allow for a maximum of eight homes, and he thought the intention of the developer was for the houses to face Linville Road. McAtee asked if there could be eight separate driveways, or if a service road would be constructed; Bruce said the houses would have individual driveways onto Linville Road, but that he would encourage that shared driveways be considered.

Ruch asked if eight homes could be built on 8 acres, and Bruce said that was the maximum that would be allowed. Shoenfeld said it could be four 2-acre lots, and that the Commission didn't have the answer to that question right now. Bruce said the Town Council, when

considering the rezoning, will look at the same question as the Commission – whether residential is an appropriate use of this land.

McAtee asked who considers whether the property would still have a rural appearance, whether there is adequate open space, etc. Bruce said the subdivision ordinance includes requirements about dedicating open space if any of the property is in the flood plain. He said any changes in those requirements will be driven by the Land Use Plan Update committee. McAtee said he understood that; what he was concerned about was all the open spaces in the Historic District slowly getting filled up and whether that concern is being addressed by anyone. Bruce said that would still be addressed in the Land Use Plan and ultimately decided by the Town Council. McAtee asked whether the Commission had any say-so in the matter.

Schneider said the issue had also been a concern to her. She said the Historic Guidelines discuss the rhythm of open fields, residential and commercial, and she said the open spaces, like the beautiful place on Haw River Road (Kevin Harvick's property) that was recently rezoned for residential development, are disappearing. She said she had heard Bruce and Town Manager Oakley say that even though the Historic Guidelines might say some land should remain undeveloped, she asked if Bruce was saying the Commission has no basis for saying it does not want to see open space developed because it does belong to someone who would like to see it developed and has that right. While there could be strategies to address such issues in the future through the Land Use Plan, there is not really any way the Commission can do so now.

Shoenfeld asked if there were ordinances that dictate that there must be open space in some developments. Bruce said yes, but not in RS-40 zoning. Schneider said that lots must be about an acre or more. Ruch said she wasn't sure what the Commission was being asked to consider, and Schneider said it was whether it would be incongruous with the Historic District to change the zoning of this property from agricultural to residential use. Bruce said it would probably be more clear what the Commission's role was if, for example, the applicant was requesting the property be rezoned for a landfill, a Sheetz gas station/convenience store, or some other use seemingly inappropriate for that property.

Schneider said she thought the property was beautiful as it is, but that residential zoning is consistent with the surrounding area. Shoenfeld said she thought it was appropriate to have residential zoning in the Historic District as long as it meets the Historic District Guidelines. She said she thought the Commission was having a difficult time determining the number of properties in the District that should be built on. She asked if a zoning designation could dictate that there be fewer houses. Bruce said not with RS-40 zoning, which has the largest residential lot size required in Oak Ridge. He added that there are plenty of developments in the Town with larger lots, but that is determined either by the developer's choice or because of septic issues. He said that density is strictly controlled by zoning, which is a decision made by the Town Council, and that he was not sure density would be under the Commission's purview even when the subdivision plan for the property is presented.

Schneider said she believed the Commission had reached a consensus that residential zoning was compatible with the area surrounding this property. Bruce said he would forward that as HPC's comment to the Planning & Zoning Board.

6. COMMITTEE REPORTS/UPDATES

A. 2014-15 Budget update

Smith presented the 2014-15 budget, which is hereby incorporated by reference and made a part of the minutes. Schneider said money had just been spent on an ad in the Northwest Observer, which would appear on the budget next month.

B. Historic inventory/Markers

Schneider reminded Commission members of the historic marker dedication ceremony on September 13 at the J.L. Sawyer House. She also said she would contact Oak Ridge Military Academy about the ceremony for Linville Chapel.

C. Communications outreach

Schneider said the ad for the historic marker dedication would be in that week's Northwest Observer. The event was also posted on the Town website and Facebook page.

D. Display case

No report

7. CITIZEN COMMENTS

Councilman George McClellan said the Commission was doing a tremendous job, and that he was excited about the expansion at Lowes Foods.

8. ADJOURNMENT

Mac McAtee made a **motion** to adjourn the meeting at 8:15 p.m. **Debbie Shoenfeld** seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, Town Clerk

Ann Schneider, Chair