



**OAK RIDGE HISTORIC PRESERVATION COMMISSION
APRIL 18, 2018 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Debbie Shoenfeld, Chair
Kristin Kubly
Paul Woolf
Barbara Engel, Alternate (Sitting)

Staff Present

Sean Taylor, Planning Director
Sandra Smith, Town Clerk

Members Absent

Caroline Ruch, Vice Chair
Brian Hall (Alternate)

1. CALL MEETING TO ORDER

Chair Debbie Shoenfeld called the meeting to order at 7:00 p.m. She welcomed meeting attendees and reminded them to sign in. Shoenfeld then explained the purpose and goals of the Commission, which are to see that any proposed changes are compatible with the special character of the Historic District and the surrounding buildings.

2. APPROVE AGENDA

Kristin Kubly made a **motion** to approve the meeting agenda. **Paul Woolf** seconded the motion, and it was passed unanimously (4-0).

3. APPROVE MINUTES

Kristin Kubly made a **motion** to approve the meeting minutes from the February 21, 2018 regular meeting and the April 2, 2018 special meeting. **Paul Woolf** seconded the motion, and it was passed unanimously (4-0).

4. OLD BUSINESS

A. Town Council report.

Shoenfeld said that she presented the report at the April Town Council meeting concerning the February meeting. Shoenfeld also agreed to make an HPC report at the May Town Council meeting.

B. COAs reviewed/ approved at staff level.

Sandra Smith reported that a COA from Steven Lantz and Tony Cooler had been approved for the repainting of their shutters and the front door of their house.

C. COAs approved but not completed.

Pugh Oil's COA has been approved, but is not yet complete.

D. Design review meetings.

None

E. Historic District violations.

None

5. NEW BUSINESS

- A. COA CASE # 18-04:** FPB Oak Ridge LLC requests approval for signage. The property is located at 8004 Marketplace Drive in Oak Ridge Township. It is Guilford County Tax Parcel 0166237, Zoned CU-SC (Conditional Use-Shopping Center), Historic District Overlay, Greensboro (GW-III) Overlay, Scenic Corridor Overlay. The property is owned by FPB Oak Ridge LLC.

Shoenfeld stated that the Design Guidelines are designed to provide recommendations for design aesthetics within the Oak Ridge Historic District and are intentionally broad to allow applicants a broad pathway toward compliance with the goal of making sure approved projects are compatible with the District and the surrounding buildings. Shoenfeld said the Commission would be conducting a quasi-judicial evidentiary hearing, which means each Commission member acts an independent judge. She said Commission members are each tasked with being impartial. She asked Commission members to cite the application sections of the Design Guidelines in their deliberations. Shoenfeld said the Commission should take the evidence presented, apply the standards outlined in the Historic District Design Guidelines, make findings of fact, and render a decision. The Commission may approve, deny or continue consideration of the COA request, but a decision must be made within 180 days of the date the application was submitted. Appeals from this board are heard by Oak Ridge Board of Adjustment. Appeals from the Board of Adjustment are heard by Guilford County Superior Court.

Shoenfeld then explained what constituted a conflict of interest: A fixed opinion; undisclosed ex parte communications with anyone about the case; a close familial, business or other relationship with an affected person; or a financial interest in the outcome of the case. She asked if any Commission members had such a conflict with either of the COAs that were being presented tonight. Paul Woolf, Kristin Kubly, Barbara Engel and Debbie Shoenfeld indicated that they had no conflicts with COA Case #18-04 or COA Case #18-05. Shoenfeld did say that she had a conversation with Town Planner Sean Taylor concerning COA Case #18-04 because she had a

question about the application. Shoenfeld also said that she had a discussion with Town Manager Bill Bruce regarding COA Case #18-05.

Shoenfeld read the property description, then asked to confirm the eligibility of the project and whether the Commission had enough information to make findings of fact and render a decision. Commission members agreed by consensus that they did.

Shoenfeld said that there was a staff report for COA Case #18-04 from Town Planner Sean Taylor. Shoenfeld asked Taylor if he had any comments about his staff report. Taylor indicated in the staff report that the free-standing signage should be no larger than 6 feet in height and 50 square feet in area. Taylor said that he measured the signage from BB&T and then discussed with Pugh Oil's sign company about bringing the signage down to 5 feet 2 inches, which is more compatible with the sign next door. The new sign will not be as wide as the BB&T sign. The new sign is 28.32 square feet on the monument. Taylor said that the sign on the building should be 35.83 square feet. Shoenfeld requested that the staff report be included in the minutes and then asked Commission members if anyone had questions for Sean.

Kubly asked about the calculation percentage that the trademark would take and asked if it should only be 25 percent. Taylor said that he did not check that calculation. Kubly stated that she was referencing page 35 from the Design Guidelines under commercial signage, Item B that says, "Limit trademarks to 25 percent of sign area."

Woolf said that it appeared from the drawings that the trademark would be more than 25 percent. Shoenfeld said that the trademark was supposed to be limited to 25 percent and the sign is 28.32 square feet, so it probably falls into range. Shoenfeld asked if these were the correct dimensions for the sign on the building, and Taylor said yes.

Taylor said that the "V" trademark on the building was 4.5 square feet and the "V" trademark on the monument was 4.2 square feet. Shoenfeld said that they were definitely within acceptable range.

Taylor said that he had done comparisons between BB&T, Bank of Oak Ridge, Allen Tate, and JP Looneys. The requested signage falls within the same pattern of those buildings. Taylor added that the buildings all seem to have a "tower" that has signage on multiple sides.

Shoenfeld welcomed the applicant's representative, Mike Cockerham, to the meeting. Town Clerk Sandra Smith administered the oath to him.

Shoenfeld asked Cockerham to introduce the project and provide the Commission with a brief explanation.

Cockerham stated that he was instructed to bring a sample of the brick for the monument sign. He also said that he had enlarged art work if anyone wanted to see it.

Shoenfeld asked if the brick for the monument sign was the same color of the building, and Cockerham replied that he believed that it was.

Cockerham said that his project manager had been in close communication with town staff. Cockerham said that the individual letters would be indirectly luminated by gooseneck lighting. The only color on the building will be a large "V", which will be in vinyl. The "V" will be pin mounted to the brick, holes will be drilled into the walls and attached with adhesive silicone in order to keep it attached to the wall. The monument sign will also have indirect lighting. Cockerham said that he had a copy of the lighting if HPC members wanted to see it. Taylor said that he had already shared it with Commission members.

Taylor showed and shared a visual of the light fixture installed with Commission members.

Shoenfeld asked the Commission members if they had any initial questions for the applicant. Kubly asked what kind of landscaping would be surrounding the free-standing sign. Cockerham replied that the landscaping is something that the general contractor will provide. Shoenfeld and Sandra Smith said that the landscaping plan had already been approved and details about the plan was in the Commissions members' packets. Shoenfeld said that there should be landscaping around the signs.

Shoenfeld then read from the Historic Design Guidelines, page 33, Section 1, Items A-H. Commission members agreed that the applicant met all of these guidelines. Shoenfeld read Item I, "Employ only diffused illumination provided by soft white floodlights unobtrusively placed on a building or screened if situated on the ground. Shield all light sources to protect adjacent properties from illumination." Shoenfeld asked if the lighting met the criteria so that it does not overflow onto other properties. Taylor replied that he could not say for sure because he could not tell from his research the sign specifications for this type of sign. Taylor did say that the fluorescent bulbs would not be as overly powerful as an LED bulb. Taylor said that without the overhead sign pattern, it was difficult to determine. Shoenfeld said that Danny Yanusz usually reviews the lighting.

Shoenfeld then asked Cockerham if he could tell the Commission whether or not the lighting would illuminate beyond the signs themselves. Woolf asked Shoenfeld which signs she was referring to, and Shoenfeld replied that she was asking about all of the signs. Cockerham said that he did not think so. He said that the gooseneck lighting will shine down onto the building and this will be projecting up. He said that he did not have the width of what this light is, but that the light should be directed to the sign. Cockerham indicated that the light would be directable, so it could angle a bit if that was needed. Shoenfeld stated that this met the lighting guidelines.

Shoenfeld read from the Design Guidelines on page 34-35, Items K-P and stated that the applicant met all of these guidelines. Shoenfeld then read from page 35, from the section titled "Additionally Applicable to Commercial Signage," Item A. Shoenfeld said that there are three building signs that say the same thing that surround this building. Shoenfeld asked if that was typical in that shopping center because usually

there was only one sign. Taylor replied yes, that is was typical of that area to have more than one sign.

Shoenfeld continued reading from the Design Guidelines on page 35, Items B-G. She then asked the Commission members if they were all in agreement that the applicant met these guidelines and all of the Commission members said yes.

Shoenfeld stated that the finding of facts should include that the applicant meets the Design Guidelines and the staff report.

Paul Woolf made a motion to approve the findings of fact:

- To include that the project meets the historic guidelines according to its application
- To include the staff report

Kristin Kubly seconded the motion, and it was passed unanimously (4-0).

Kristin Kubly made a motion to approve COA # 18-04 to allow wall signage and a free-standing sign for Lot 2, in Oak Ridge Marketplace. Kubly read the property description.

Paul Woolf seconded the motion, and it was passed unanimously (4-0).

Shoenfeld congratulated the applicant on the approval of their COA.

- B. COA CASE # 18-05:** JPC Monroe LLC requests approval for a patio and fence. The property is located at 2205 Oak Ridge Road (Craft and Vine) in Oak Ridge Commons shopping center. It is Guilford County Tax Parcel 0166224, Oak Ridge Township, zoned SC, Scenic Corridor Overlay Zone, Historic District Overlay Zone. The property is owned by JPC Monroe LLC.

Shoenfeld read the property description into the record. She asked the Commission to confirm the eligibility of the application and determine if sufficient information had been submitted to make a decision. Commission members said yes to both questions. Shoenfeld stated that a staff report was written for this COA and asked Taylor if he had any additional information. Taylor replied that he tried to provide an additional aerial view to show the area that would be affected. This view shows the square area that the applicant wants to fence in and that it will not take up all of the green area. Taylor clarified that the shrubs would be removed, not the trees.

Shoenfeld asked that the staff report be made a part of the minutes and asked if members had any additional questions for Taylor. Hearing no questions, Shoenfeld asked the applicants to come forward, state their name and address, be sworn in, introduce their project and provide a brief explanation of the proposed project. Town Clerk Sandra Smith swore in applicants.

Phillip Cooke stated that he was representing JPC Monroe and his address was 1692 Highway 68 North in Oak Ridge. Toby Leasure stated that he was representing Oak Ridge Craft and Vine.

Leasure said that they were trying to expand the patio area of the business and will need to remove a little bit of the shrubbery. He stated that the work would be professionally done. Leasure said they would also like to add wrought iron fencing that would match the fencing already at Bella Luna and Rio Grande restaurants.

Leasure said that taking out the shrubbery may actually help because the shrubs collect a lot of debris. Cooke said that he supported the project, and added that rodents can collect in the shrubbery as well.

Woolf asked how much seating will be in the patio area. Leasure replied that he was not sure if he would add more tables or a luxury couch, but that he would like to be able to get 10-15 people out there.

Shoenfeld asked if the Commission had any other questions for the applicants. Hearing none, she reminded Commission members to cite applicable Design Guidelines when stating findings of fact. Shoenfeld explained that this process is critical to ensuring that the application is complete; otherwise, the Commission could choose to approve, disapprove or continue the request.

Shoenfeld referred to Section A, page 32 under Paint and Colors in the Design Guidelines. She said that the Historic District does not prescribe to a range of appropriate paint colors. She read, "The Design Guidelines do, however, prescribe the use of compatible paint colors appropriate to the architectural age and style of the building or structure." Shoenfeld said that the paint color of the tables that are already there and the fencing requested are black. Shoenfeld stated that black is not incongruent with the Historic District.

Shoenfeld referred to Section B, page 35 under Landscaping. Shoenfeld stated that there are several guidelines that suggest landscaping plays an important role in mitigating and harmonizing the effects of new structures and parking lots. Shoenfeld read from page 37, Section B, Item A in the Design Guidelines that says as a rule, retain and maintain mature trees and shrubs in accordance with the American National Standards Institute for Tree Care, which prohibits topping and deep pruning. Shoenfeld went on to read Section B, Item C, that says replace lost mature trees and shrubs with similar plantings, and repair landscaping. Shoenfeld referred to Section C, page 37 under Parking, Item B, which says use plantings and trees in medians to soften the visual effects of the interior expanse of parking areas. Shoenfeld then read from Section D, page 38 under Additionally Applicable to Site Improvement or New Construction, Item B, which says to front new foundations with complementary shrubbery plantings, and Item G, that says sidewalks should be planned and installed in a manner which preserves the surrounding trees/landscaping. Shoenfeld went on to say that in the Historic District, we try to preserve landscaping and if the applicant is thinking about taking the landscaping out, they might possibly want to put in some permanent potted plants.

Shoenfeld asked Leasure if he would add potted plants with some trees and shrubs, and Leasure said yes. Shoenfeld added that potted plants had also been added at Rio Grande and Bella Luna restaurants to soften the effect of removing the landscaping. Shoenfeld said that the potted plants should not be artificial. Shoenfeld said she had read all the guidelines that pertain to retaining landscaping.

Shoenfeld referred to page 41, under Fences and Walls in the Design Guidelines. Shoenfeld stated that proposals for new fences are evaluated in terms of appropriateness of design, materials, dimensions, architectural details, finishes, and locations. Shoenfeld then read from page 41, Section 4, Item C, that says to keep

front yards fences or walls to a maximum of height of 42 inches, and back or side yard fences to a maximum height of 7 feet. Shoenfeld stated that the proposed fence is 48 inches high, but it is compatible with other fencing that is being used around the other restaurant patio areas at the shopping center.

Shoenfeld then read from page 42, Section 4, Item D, which says applicant should construct privacy fencing or walls with brick, lattice, and/or individual boards rather than plywood and soften the visual impact with plantings. She stated that the proposed fence is not a privacy fence, so that guideline does not apply. Shoenfeld read Section 4, Item E, that says to limit chain link or similar fencing to back or side yards and use shrubbery or climbing vines to soften the appearance from the street. Shoenfeld said that the applicant has already said that they would install some greenery, so none of the other guidelines are applicable.

The Commission then outlined the following findings of fact:

- Landscaping plays an important role in the Historic District, and the applicant is planning to remove landscaping but because the applicant has agreed to add planters with potted plants of similar size and scale to plants at nearby restaurants, the Commission feels that it is following the Design Guidelines.
- Fences and Walls-Section 4, Item C says to keep fences to a maximum height of 42 inches and the proposed fence is 48 inches high. However, it is compatible with other shopping center fencing.
- The use of black paint is not incongruent within the Historic District.

Woolf questioned the height of the fence and wondered how difficult or challenging it would be to make it 42 inches. Leasure replied that he would have to talk with the contractor, but that he saw no problem with 42 inches, but he thought the wrought iron fencing was a standard 48 inches in height.

Wolfe asked how high the other fencing was in the shopping center, specifically at Rio Grande. Shoenfeld replied that it was 48 inches and Smith said that an exception had been made for that fencing.

Kubly said that she thought it was ok to keep the fences standard in height at 48 inches.

Kristin Kubly made a **motion** to accept the findings of fact as stated and to also include the staff report. **Paul Woolf** seconded the motion, and it was approved unanimously (4-0).

Kristin Kulby made a **motion** to approve COA-18-05 based on the findings of fact for 2205 Oak Ridge Road (Craft and Vine) in Oak Ridge Commons shopping center, Guilford County Tax Parcel 0166224, Oak Ridge Township, zoned SC, Scenic Corridor Overlay Zone, Historic District Overlay Zone, with the stipulation that planters and plantings be of similar size and scale to nearby restaurants be installed. **Paul Woolf** seconded the motion, and it was approved unanimously (4-0).

Shoenfeld congratulated the applicants on the approval of their COA.

6. COMMITTEE REPORTS/UPDATES

- A. 2017-18 budget update.** Currently on budget, but Shoenfeld asked for additional funding for plaques and advertising for the 2018-2019 budget. Shoenfeld asked if there was an update from the Finance Committee as to when the proposed budget would be approved. Smith indicated that the Finance Committee would present the budget to the Town Council and there would be public hearings in May and June. Committees will know their final budget details after June.
- B. Grant program.** Caroline Ruch, Brian Hall, and Shoenfeld met with Taylor, Smith and Ann Schneider to review current grant applicants. There are two applicants with outstanding information due, but it should be forthcoming soon. The Kelleher property and St. James AME Church are the two remaining projects with outstanding grants. St. James Church is near completion after a revision to the grant for their roof repair. We have not heard from the Kellehers.
- C. Historic Inventory/Markers.** Kubly has done a lot of research on the Old Mill, the Glidden Tour and Macadam Road. Articles on the Old Mill tend to date it back to 1822, and some of the articles are pretty old. A marker reflecting Oak Ridge's history will be dedicated in recognition of the 20th year of being incorporated.
- D. Training.** Smith emailed information about the May 18 training in Chapel Hill to all Commission members.
- E. Communications outreach.** Woolf said that an ad had been placed in the Northwest Observer on March 21 summarizing what HPC had achieved last year, the benefit to the community, and the Commission's vision for the future. Last year all COAs were approved with some stipulations. A mailing went out to all Historic District residents reminding them of the approval process if they do any updates to their property. Woolf said the subcommittee's new strategy is to use advertising only for information everyone in the community should know.
- F. Display case.** No update.

7. CITIZEN COMMENTS

Pam Simpson of 8022 Fogleman Road spoke, saying her husband is Ron Simpson, who serves on the Planning and Zoning Board as the chair. The Simpsons purchased a home in Oak Ridge in 2006 after moving from South Carolina. They chose Oak Ridge because it is minutes from Greensboro, but is still a small, rural town. Simpson said she wanted to share her disappointment in the look and proximity of the oil change business to the Historic District. She said it is encouraging when businesses such as CrossFit to a high standard, even when the effort is lengthy and difficult. She said the oil change building is a huge disappointment, and she prefers such businesses to be located in the outskirts of town. Simpson continued that most concerning aspect of the building are the glass garage doors. She said that she can imagine cars, lifts, oil drums and equipment that will be seen when the business is open, and no planting can adequately obstruct that. She said that Oak Ridge is going to grow, but the Commission has the authority and responsibility to make the

buildings consistent with what Oak Ridge wants for our community. Simpson added that the Commission does a great job, and she knows that in some ways their hands are tied.

8. ADJOURNMENT

Kristin Kubly made a **motion** to adjourn the meeting at 8:06 p.m. **Paul Woolf** seconded the motion, and it was passed unanimously (4-0).

Respectfully Submitted:

Sandra B. Smith, NCCMC, CMC
Town Clerk

Deborah D. Shoenfeld
Chair