



**OAK RIDGE HISTORIC PRESERVATION COMMISSION MEETING
AUGUST 12, 2015 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Ann Schneider, Chair
Mac McAtee
Ron Simpson
Michelle Davidson
Caroline Ruch, Alternate (Sitting)
Kristin Kubly, Alternate (Not sitting)

Staff Present

Bill Bruce, Planning Director
Bruce Oakley, Town Manager
Michael Thomas, Town Attorney

Members Absent

Debbie Shoenfeld, Vice Chair
Paul Woolf, Alternate

1. CALL MEETING TO ORDER

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

Schneider announced that the informal pre-submission conference (agenda item #8) would be held in the conference room and while it was still be a part of the public meeting, citizens would not have an opportunity to comment during that portion.

2. APPROVE AGENDA

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

3. APPROVE MINUTES OF THE JUNE 10, 2015, MEETING

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

4. OLD BUSINESS

A. Town Council report. Shoenfeld drafted the report for the August Town Council meeting and Schneider presented it, along with an update on the ongoing conversations with the state Historic Preservation Office (SHPO). Schneider said she would also be glad to present the report to the Town Council in September.

B. COAs approved/reviewed at staff level.

None

C. COAs approved but not completed.

Staff reported that the only outstanding COA at this time is the project at Lowes Foods. Other outstanding COAs addressing the Holt Hall landscaping and CrossFit would be discussed later in that evening's meeting.

5. NEW BUSINESS

Schneider stated that the Design Guidelines are designed to provide recommendations for design aesthetics within the Oak Ridge Historic District, and they are intentionally broad to allow applicants a broad pathway toward compliance. The goal of the Commission is to see that any proposed changes are compatible with the Historic District's special character. The Commission would be conducting a quasi-judicial evidentiary hearing, meaning each Commission member is acting as an independent judge. She said Commission members are each tasked with being impartial. She said the Commission members' individual opinions should not be expressed and the individual opinions of others should not be taken into consideration; 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, disapprove or continue consideration of the COA request, but a decision must be made within 180 days of the date the application was submitted.

Schneider asked if any Commission member would like to disclose any potential conflicts; Commission members were polled individually, and each said they had no conflicts to disclose.

Schneider said the meeting would be conducted as follows: an introductory statement by the applicant; initial discussion by the Commission to confirm eligibility; initial questions for the applicant; additional discussion by the Commission, allowing for any additional questions of the applicant; findings of fact; and a motion to approve, deny or continue. Ron Simpson asked about the staff report, and Schneider said it would be included in the initial discussion to determine eligibility.

Case COA-05-13A (continued from June 10, 2015, meeting): Oak Ridge Foundation/Kevin James requests approval of an amended COA for COA-05-13, dated 8-23-13. The project is at Holt Hall, located on the campus of Oak Ridge Military Academy, 2317 Oak Ridge Road, tax parcel 0162858, zoned PL.

Schneider read the property description into the record, and said Mark Overby, assistant chair of the Oak Ridge Military Academy Buildings & Grounds Committee was present at the meeting. Overby was sworn in by Town Planner Bill Bruce.

Schneider welcomed Overby and invited him to make a statement or provide any updates. Overby said the original COA was approved in 2013 because that was when the construction at Holt Hall was approved. He apologized for the landscaping not being taken care of, but said he understood there had been quite a bit of

conversation about the established bushes in front of Holt Hall not being appropriate. He said Kevin James had submitted a landscaping plan that showed what they would like to do to close out the COA, which included installing a more appropriate boxwood in front of the building instead of the hollies that are there now. Overby said James had requested a final completion date of January 31, 2016, which was based on James' business as a landscape architect; James had said December and January are slow times for him and he plans to bring a work crew from his business in to do all the work. Overby said James has all the appropriate equipment needed and will install the correct type and size of plantings needed, including 24- to 30-inch boxwoods in front of the building and 3-gallon ones on the sides of the steps. He said the proposed plan showed plantings closer together than they are currently; the bushes installed would only grow to about a height of 5 feet, which should put to rest issues with students hiding behind the bushes or jumping out of the windows into them.

Schneider asked the Commission to discuss eligibility and completeness of the application and ask any questions about the staff report. Simpson asked about the final completion date proposed: Overby said he understood the Commission had requested a firm date, and January 31, 2016, had been proposed. He again explained why James had requested that date, saying that James' business was slower during that time of year; allowing time for possible bad weather, the January 31 date would allow James time to ensure that the plants were installed by that date. Schneider said she thought the date should be noted if the COA is approved.

Schneider asked if the Commission members thought they had enough information to render a decision; McAtee and Simpson both said yes. Schneider asked if there were any questions or clarifications to be asked of the applicant, and none were specified.

Davidson said she wanted the applicant to know that she had enough information to make a decision at the last meeting where they appeared because she did not see that any real changes to the application had been made; she apologized to the applicant for having to appear before the Commission again.

Schneider said she was appreciative to the applicant for the additional information and landscaping plan that had been submitted. She asked if there was any discussion needed, and Simpson noted that there was a staff report; he asked if Bruce wanted to present it. Bruce said he had attempted to draw the Commission's attention to the appropriate sections in the Design Guidelines that had been addressed by the applicant, and said he was available to answer any questions. No Commission members had any questions.

Ron Simpson made a **motion** to adopt the staff report as a statement of findings of fact relative to the case, and also asked to incorporate the application, accompanying pictures, and design drawing as documents relevant in considering the decision. **Mac McAtee** seconded the motion, and it was passed unanimously (5-0).

Ron Simpson made a **motion** to approve the application for landscaping at Holt Hall, located at 2317 Oak Ridge Road on the campus of Oak Ridge Military Academy, being Guilford County tax parcel 0162858 in Oak Ridge Township, based on the findings of fact

previously noted and that the application complies in all respects and conforms with the Design Guidelines, with the addition of the stipulation that the project be totally completed by January 31, 2016. **Mac McAtee** seconded the motion, and it was passed unanimously (5-0).

Schneider thanked the applicants and said the Commission was excited about the project.

6. COMMITTEE REPORTS/UPDATES

A. Budget updates

The 2015-16 budget update was included in the packet, which is hereby incorporated by reference and made a part of the minutes.

Schneider noted two books by Bill Schmickle had been purchased, and said she had a discussion with him and he is a great resource, since he was one of the leaders who helped establish the Historic District. She said she would love to bring him in to lead a workshop for the Commission.

B. Historic inventory/Markers

Schneider said the marker order had been placed for the Col. Zack Whitaker house and the Larkins house, and that the subcommittee is still trying to set a date with Preservation Oak Ridge for the dedication of the marker at Ai Church.

C. Communications outreach

Schneider reported the Northwest Observer had asked if the Commission would do a Q&A about what the quasi-judicial process means.

Schneider also reported that Town and HPC members had an interesting and positive meeting on August 11 with representatives of the state Historic Preservation Office (SHPO), Susan Kluttz, the secretary of the Department of Cultural Resources, and the regional director of Preservation North Carolina. Schneider said the focus was on what the Commission had accomplished, and comments had been made about the district being a model for rural historic districts. She passed around a map that Town Clerk Sandra Smith had created, which showed contributing structures and properties in the Historic District in one color and modern infill which had been developed through the COA process in another color. Schneider expressed appreciation to Smith and Shoenfeld for their help in putting together a packet of information for meeting attendees.

Regarding an email she had sent out, Michelle Davidson said learning about such meetings by reading about them in the newspaper was not a good way to do things; if a matter important to the Commission comes up, she asked that Schneider or Town staff send out an update and do so immediately. Schneider commented that the meeting had occurred the day before and she had just updated the Commission; Davidson said a short update should have been sent to Commission members via

email. She said she had to read about things that affect the Commission in the newspaper.

Schneider responded that, regarding Davidson's email, she had already pointed out that no meeting had actually occurred at that time, and that she was simply reporting to the Town Council as chair of HPC about a phone call she had received. She said she was reporting now on what happened at the actual meeting.

Davidson said if an issue was important enough to make the news, she would hope that she was important enough to be notified. Schneider said it only made the news because newspaper staff attends all Town Council meetings, which Davidson is also welcome to do. Davidson said she guessed she was not important enough to be notified. Schneider said she also reported the phone call to the Town Council because she was leaving for vacation the following day, had several out-of-town guests, and it was a difficult time. She asked for Davidson's grace and understanding because the HPC makes communication a priority, but this was a situation when the sands were shifting very quickly – something that continued to happen the entire time she was on vacation. She said she had reported to HPC as soon as she could, because there was not really a clear report to give earlier. She said she was glad Davidson was interested in what was going on, saying that was "a real positive."

D. Display case

The next display would be concerning the 90th anniversary of Oak Ridge Elementary School. Schneider said the Commission had also received compliments on the display case.

E. Land Use Plan Update

Schneider said the Land Use Plan Update committee is making good progress on the vision statement and objectives. Simpson, who also serves on the committee, said he felt pretty confident that the updated Land Use Plan would be completed within about a year of when it started, which was in October 2014, and that public comments would be sought on the draft plan.

Davidson said Bruce had sent her information on the draft Land Use Plan update, which she had requested. She asked to discuss the objective in the Plan which says the Town will "Continue to use the Historic District as the primary design influence in the Town Core." She asked if that verbiage is grounded in the Design Guidelines. She said her hometown has a Historic District that includes many historic homes, so that type of district would spend much of its time honoring the history versus having new construction conform to a historic look. Bruce said he thought the intention of that particular objective that Davidson had questioned was to note that the Town Core is a much larger area than the Historic District. He said this is similar language to what is in the existing Land Use Plan, especially regarding commercial projects, which may be outside the Historic District but that are relatively close to it geographically so they can relate to each other architecturally. He said what the Town had done in the past, because of the language in the Land Use Plan, is to encourage applicants to include zoning conditions that deal with the

aesthetics of the building to try to include some historic elements. He said the existing plan does not go so far as to require those applicants to come before HPC, because the property is outside the Historic District, but that the intent is to try to get those applicants to include some historic elements so there is a smooth transition with and into the Historic District.

Simpson said it seemed that Davidson was saying that HPC lacked some legitimacy with the Historic District because Oak Ridge lacked a historic central town, which was something he said he did not understand. Simpson said although the Town does not have a central commercial area, much information was gathered to justify and approve the Historic District based on historic properties. Schneider commented that also included open space. Simpson said he did not understand Davidson's comment that because Oak Ridge did not have the traditional center city with historic homes that somehow that means the Town has a less-than-valid Historic District.

Davidson said she was from Ohio, and the Historic Commission there deals with the multiple numbers of buildings, their history, and the changes that applicants might be making to those buildings. Simpson said he was also from Ohio. Davidson said the Historic Commission from her home county has a very different approach than Oak Ridge, which seems to only consider new construction. She said she was just curious about wording in the Land Use Plan Update applying to property outside the Historic District.

Schneider said she had been talking with people who helped create the Oak Ridge Historic District, and was realizing how different the Oak Ridge Historic District is than other districts. She said that was mostly because it was a rural historic preservation district, which is rare. She said that was one thing Bill Schmickle and the president of Preservation North Carolina had spoken with her about; she said the Park property had once been a tobacco farm, and that preserving it as a park was an appropriate use according to the Design Guidelines. A Landmarks Program could protect only the historic structures, but the whole point of the Design Guidelines is to also protect and guide the modern infill. She said even in the Historic District in downtown Raleigh, there are still undeveloped properties. Schneider said that is why the Design Guidelines also address new construction. Schneider said at the recent meeting with state representatives, they commented on how well the Town was dealing with the development pressure.

Caroline Ruch said she thought Oak Ridge Commons was a perfect example of new construction that turned out successfully because of the Historic Guidelines. Davidson responded that it was not Oak Ridge's Historic Guidelines that caused Oak Ridge Commons to turn out like it did – it was Guilford County's Guidelines. Schneider pointed out that they were the same Guidelines, which were adopted from Guilford County. Schneider said the impetus for the creation of the Historic District was that N.C. 68 was going to be expanded into a four-lane highway with cloverleaf exits. At about the same time, Jerry Cooke had proposed a shopping center nearby, which was initially turned down by Guilford County. During that time, Bill Schmickle, Jim White and other residents mobilized to create the Historic District. That caused the Design Guidelines to be developed, which guided all the development of the central commercial area of Oak Ridge.

McAtee said all one needed to do was look at what was going on at N.C. 68 and Peeples Road and the nearby businesses, and said all that would be in Oak Ridge if not for the Design Guidelines.

Schneider agreed with Davidson that there were unique challenges in Oak Ridge, because of the development of open space.

Town Attorney Michael Thomas said the meeting with SHPO representatives, Preservation NC representatives and the Secretary of Cultural Resources was very successful, and that it was not a meeting with HPC, but rather with the Town. He said Schneider and Simpson attended as representatives of HPC, as well as members of staff and two Council members. He said there had been a tour of the Historic District; while there is still open space in the district, some of it had been developed successfully and included the Town Park, Town Hall and CMT Commons, just to name three projects. He said it was challenging to go from agricultural open space to a higher use of urban or suburban and still trying to maintain that open space. He said even the commercial core contained open space, and he thought the consensus from the state was that Oak Ridge had been successful in the roughly 20 years since the Historic District was created.

7. CITIZEN COMMENTS

None

8. INFORMAL PRE-SUBMISSION CONFERENCE

CMT Commons , 8309 Linville Road, tax parcel 0165098, zoned CU-LB

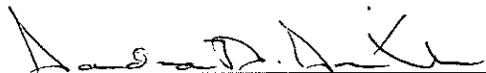
Schneider said although the meeting was being moved to the conference room, it was still open to the public and anyone who wanted to could join the meeting.

The meeting was moved to the conference room at 7:38 p.m.

9. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Respectfully Submitted:



Sandra B. Smith, CMC, Town Clerk



Ann Schneider, Chair