



**OAK RIDGE HISTORIC PRESERVATION COMMISSION
FEBRUARY 20, 2019 – 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Debbie Shoenfeld, Chair
Caroline Ruch, Vice Chair
Kristin Kubly
Paul Woolf
Brian Hall
Barbara Engel, Alternate (Not sitting)

Staff Present

Sean Taylor, Planning Director
Sandra Smith, Town Clerk

1. CALL MEETING TO ORDER

Chair Debbie Shoenfeld called the meeting to order at 7:02 p.m. She welcomed meeting attendees and reminded them to sign in. Shoenfeld then explained the purpose of the Commission, which is to promote restoration and preservation of historic structures in Oak Ridge. The review is to see that any proposed changes are compatible with the special character of the Historic District.

2. APPROVE AGENDA

Kristin Kubly made a motion to approve the meeting agenda as amended after switching the order of COA-19-03 and COA-19-04. Paul Woolf seconded the motion, and it was passed unanimously (5-0).

3. APPROVE MINUTES

Kristin Kubly made a motion to approve the minutes of the January 16, 2019 meeting. Paul Woolf seconded the motion, and it was passed unanimously (5-0).

4. OLD BUSINESS

A. Town Council report.

Shoenfeld said Caroline Ruch had given the Commission's report at the February Town Council meeting and would also give the report at the March meeting.

B. COAs reviewed/ approved at staff level.

Planning Director Sean Taylor reported on the removal of a rotten oak tree.

Shoenfeld asked if staff had reviewed the landscaping plan for COA-19-02 for Meredith and Lionel Shoffner. Taylor said yes, and that the landscaping was shown on the plat plan and foundation plantings were shown on photos submitted.

C. COAs approved but not completed.

COAs outstanding were COA-19-02 for Meredith and Lionel Shoffner and COA-18-06 for Maple Glade at Oak Ridge Military Academy.

D. Design review meetings.

None

E. Historic District violations.

None

5. NEW BUSINESS

Shoenfeld explained that the Commission would be following quasi-judicial procedures based on admitted evidence and sworn testimony. The appropriateness of a Certificate of Appropriateness (COA) is based on conformance with the Design Guidelines and compatibility with the Historic District.

Shoenfeld said the Commission can only consider the size, scale, materials and other criteria described in the Design Guidelines. The Guidelines are intentionally broad to allow applicants a broad pathway toward compliance; the goal is to ensure that approved projects are compatible with the District and surrounding buildings. The Commission may approve, deny or continue consideration of a COA request, but a decision must be made within 180 days of the date the application was submitted. Appeals are heard by Oak Ridge Board of Adjustment; appeals from the Board of Adjustment are heard by Guilford County Superior Court.

Shoenfeld explained that Commission members should not engage in discussions with applicants regarding past or current COA applications and should not discuss the Commission's proceedings except with the Chair or the Town staff.

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 any of the COAs being presented that night. Barbara Engel, Kristin Kubly, Caroline Ruch, Paul Woolf and Shoenfeld each individually indicated that they had no conflicts of interest. Kubly did disclose that she had casually discussed with applicant Mickey Tingen that Domino's was moving, but they did not discuss the specifics of the COA.

- A. **COA-19-01:** Mickey Tingen requests a COA for signage at Dominos, 8001-E Marketplace Drive, Oak Ridge, NC. The property is Guilford County Tax Parcel 165103, Oak Ridge Township, zoned CU-SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone. It is owned by Oak Ridge Marketplace Three LLC.

The staff report, which had been distributed to the Commission, is hereby incorporated by reference and made a part of the minutes.

Shoenfeld read the property description into the record and asked Commission members if they felt the project falls within the Design Guidelines and sufficient information has been submitted for the Commission to make a decision. Commission members Engel, Kubly, Ruch, Woolf and Shoenfeld all individually answered yes to the questions.

Planning Director Sean Taylor said the Commission would not be reviewing the signage on the side of the building for the pick-up area. Taylor said he is working with the applicant to do something that is more fitting and that will not create sign clutter; only the Domino's signs would be reviewed.

Hall asked if the sign is lighted and Taylor said no, other than what was approved in the signage plan for the entire building.

Philip Cooke, the owner of the building, came forward and was sworn in. Cooke said he was stepping in because Mickey Tingen was not present at the meeting. He said Domino's was simply moving from its current location across the street. He said Eric Bradley, the building architect, had signed off that the sign meets the building's signage criteria.

Woolf asked if the signage was similar to what is at the current location. Cooke said it would not be internally lit as it is now and that it would be similar to Carolina Priority Care, who rents the other end of the building. Woolf asked Taylor if the proposed signage would be about the same size as Carolina Priority Care, and Taylor said the overall size would be about the same.

Regarding the findings of fact, Shoenfeld referred to the section on signage in the Design Guidelines on page 33.

Hall also asked to incorporate the staff report into the findings of fact.

Ruch said it had originally not occurred to her that the letters would be larger than those on the Carolina Priority Care signage. Taylor responded that the individual letters on the Domino's sign would be larger than those on the Carolina Priority Care sign, but the overall height of the sign would be about the same because Carolina Priority Care was "stacked" on two lines. Ruch asked if the Domino's sign would seem extremely large in comparison, and Taylor said no. Woolf asked if the Carolina Priority Care sign would be double the height of the Domino's sign, and Taylor said no. Woolf asked if the "pick up" sign on the side of the building would have the same size letters, and Taylor said that sign was not being considered at this time.

Kubly asked if the illustration submitted in the packet was to scale on the wall, and Taylor said yes.

Shoenfeld referred the Commission to item g. on page 34, which said to construct signs of historic building materials using wood, brick or stone. She said the building is made of brick. Shoenfeld then said the new signs were a total of 46 square feet in size, which fits the criteria in the Design Guidelines which says signage should be 10 percent of the wall area or 50 square feet, and it is slightly smaller than that. She continued reading from the Guidelines, which say trademarks should be limited to 25 percent of the sign area, which they are in this case. She continued that signs should be located on the fronts of buildings, and said that this building is unique in that it has two fronts – one facing NC 68 and the other facing Tractor Supply on the inside of the shopping center.

Ruch asked if anything was mentioned that was not included in the staff report, and Shoenfeld said only item g. on page 34. Town Clerk Sandra Smith commented that she thought item g. only refers to freestanding signs. Shoenfeld asked the Commission if they felt item g. was applicable to the proposed signage, and Kubly agreed that it sounded like it was referring to stand-alone signs. In addition, Taylor said he thought it was more applicable to a historic structure than in this modern structure.

Woolf said there is nothing in the Guidelines that prevents signage from being made from aluminum, just plastic.

Kubly asked if the same material as used for the Carolina Priority Care signage would be used, and Taylor said exactly.

Ruch suggested the Commission also include the Guideline on page 34, item i, which says to use only diffused illumination by soft white floodlights. Kubly asked if the light fixtures on the building already have that type of light bulb, and Taylor said yes and that they were specifically built to illuminate signage.

Caroline Ruch made a motion to accept the staff report as findings of fact, and to add that the application also meets with the Design Guidelines on page 34, item i, which states to use only diffused illumination provided by soft white floodlights unobtrusively placed on a building or screened if situated on the ground, and to shield all light sources to protect adjacent properties from illumination. Kristin Kubly seconded the motion, and it was passed unanimously (5-0).

Caroline Ruch made a motion, based on the findings of fact approved by the Commission, to approve a Certificate of Appropriateness for COA-19-01 to allow for the construction of signage at Domino's, 8001-E Marketplace Drive, Oak Ridge, NC, being Guilford County Tax Parcel 165103, Oak Ridge Township, zoned CU-SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay zone, and owned by Oak Ridge Marketplace Three, LLC. The scope of the work is to be as described in the COA application dated December 4, 2018, and as described in the applicant's presentation and responses to the Historic Preservation Commission at its meeting on February 20, 2019 using drawings, materials, samples, photos and colors as presented to the Commission. Paul Woolf seconded the motion, and it was passed unanimously (5-0).

- B. **COA-19-04:** Allen Industries, 4G Wireless; DBA: Verizon. Heather English, Representative, requests a COA for signage at Verizon, 8001-D Marketplace Drive, Oak Ridge, NC. The property is Guilford County Tax Parcel 165103, Oak Ridge Township, zoned CU-SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone. The property is owned by Oak Ridge Marketplace Three, LLC.

The staff report, which had been distributed to the Commission, is hereby incorporated by reference and made a part of the minutes.

Shoenfeld asked to confirm eligibility of the request and that the applicant has submitted sufficient facts for the Commission to render a decision. Commission members Engel, Kubly, Ruch, Woolf and Shoenfeld all individually answered yes to both questions.

Planning Director Taylor said that as part of the application, the Commission would see information regarding a multi-tenant sign in front of the building, but since that sign already exists, it does not need to be reviewed.

Shoenfeld asking if any additional lighting would be added, and Taylor said not at this time.

Ruch compared the size of the lettering on the sign to what had just been approved for Domino's, saying that the proposed sign lettering was to be 24 inches tall and Domino's was a bit smaller. She said she did not know if that was an issue. Taylor said they had tried to get the scaling correct. He said the Domino's signage would be placed up on the "tower" structure on the building, so it would appear balanced. Kubly asked if this property was directly beside Domino's, and Taylor said yes. Shoenfeld asked if there would only be one sign, and Taylor said it would.

Heather English, a representative of Allen Industries, was sworn in. She said the sign incorporated the new Verizon logo and was a typical aluminum plate letter sign and had white letters with a red check mark. She said Verizon was nationally rebranding their stores, so she was working on quite a few projects for them now.

Shoenfeld asked members of the Commission to cite the applicable Design Guidelines. She suggested the format of the staff report be used for discussion purposes.

Woolf asked what material the sign would be made of, and Shoenfeld said it was aluminum. Woolf said the sign appeared to be basically the same as what was just approved only smaller. Ruch pointed out that the Verizon sign was actually taller than the Domino's sign. Kubly said the Domino's logo was taller though.

Shoenfeld said this sign also falls within the maximum of 50 square feet.

Ruch said she thought the Commission should again add page 34, item i. to its findings of fact.

Kubly said similar fonts were being used on the various signs on the building.

Caroline Ruch made a motion to accept the staff report as findings of fact, and to add that the signage meets with the general Design Guidelines on page 34, item i, which states to use only diffused illumination provided by soft white floodlights unobtrusively placed on a building or screened if situated on the ground, and to shield all light sources to protect adjacent properties from illumination. Brian Hall seconded the motion, and it was passed unanimously (5-0).

Caroline Ruch made a motion, based on the findings of fact approved by the Commission, to approve the Certificate of Appropriateness for COA-19-04 to allow for the construction of signage at Verizon, 8001-D Marketplace Drive, Oak Ridge, NC, Guilford County Tax Parcel 165103, Oak Ridge Township, zoned CU-SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone, and owned by Oak Ridge Marketplace Three, LLC. The scope of the work is to be as described in the COA application dated February 13, 2019 and as described in the applicant's presentation and responses to the Historic Preservation Commission at its meeting on February 20, 2019 using drawings, materials, samples, photos and colors as presented to the Commission. Paul Woolf seconded the motion, and it was passed unanimously (5-0).

- C. **COA-19-03:** Philip Cooke requests a COA for building elevation changes at 2213 Oak Ridge Road, Oak Ridge, NC. It is Guilford County Tax Parcel 166226, Oak Ridge Township, zoned CU-SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone. The property is owned by Cooke Outparcel E, LLC.

Shoenfeld read the property description into the record asked to confirm eligibility of the request and that the applicant has submitted sufficient facts for the Commission to render a decision. Commission members Engel, Kubly, Ruch, Woolf and Shoenfeld all individually answered yes to both questions.

Taylor said he had spoken with Philip Cooke, the applicant, earlier that day about the addition of the front patio told him there were some staff concerns and additional questions; Taylor said he and Cooke had agreed to remove consideration of it from the COA and have that portion of the plan come before the Design Review Committee, but that the remaining items on the COA would move forward.

Shoenfeld asked that the staff report, which had been distributed to the Commission, be incorporated by reference and made a part of the minutes.

Hall asked if windows were being added both on the side of the building facing NC 68 and the side facing the interior of the shopping center. Taylor said yes. Applicant Philip Cooke, who was still sworn in from a previous COA, agreed. Cooke added that windows were being added on the front elevation, but not on the side facing Allen Tate Realtors.

Pepe Silva, owner of Rio Grande Mexican Kitchen, which will occupy the space, sworn in by Town Clerk Sandra Smith.

Cooke stated that Eric Bradley, the architect, could not attend because he had the flu. Cooke said the project was a redevelopment of the former JP Looney's building. He

said the site plan would remain as is, but the accent colors on the building were being changed the exterior color from forest green to black, and that they were also trying to open the building up and allow more light, which was the reason for the window additions. He said the previous owners of the building had put a film on the upper windows and added fake mullions to them. Cooke said they would like to remove the film and put the mullions on the insides of the windows. He said the inside of the building would be complete change to adapt to the new use.

Shoenfeld said she understood the project would include putting in more windows and removing the film from the upper windows. She said she thought they were also painting the metal roof. Cooke said they were painting the metal roof and replacing coping at the top of the building as well as replacing the green gooseneck light fixtures with black ones. He added that they were replacing the landscaping on the NC 68 side of the building with more appropriate landscaping since they were adding windows on that side.

Shoenfeld acknowledged that the patio area was not going to be discussed, but asked about the fencing outside of it. Cooke said the new fencing to be installed exactly matches what is currently there.

Taylor stated that the side of the building still has the JP Looney's logo on it, which will be replaced.

Ruch asked about the arches on the building and if they would remain white. Cooke said they would, as would the area directly above the windows. Ruch said she noticed some green on the area right above the windows and asked if that would be replaced. Cooke said yes.

Regarding the landscaping, Ruch said it looked as if there were a tree in the center of the patio area closest to the parking lot on the landscape plan. She said she had visited the site and it looked as if there were access to a utility line there and that perhaps a tree could not be added there. She said the Commission likes canopy trees used where possible, but asked if a canopy tree would be planted as shown on the landscape plan. Also, she said the plan shows there is a stacked rock wall. She said the Commission would like to see samples of the rock. Cooke said no tree would be planted there. He said an exterior fireplace may be added later, so they did not want to block the view of that. Cooke said the stacked wall was put in the plan, but now they were thinking it might become a seating wall or a place for kids to trip, so it might be removed. He said the wall could remain or it could be removed, but they were thinking they would remove it from the plan. Woolf said the Commission generally does not like walls. Ruch said she understood why a tree would not be added there. She said she assumed Cooke would spruce up the landscaped area bordering the shopping center along NC 68 because there was a lot of road frontage there. Cooke said they would trim bushes, add pine needles, and reface and restripe the parking lot.

Kubly asked if the existing tall trees on the side of the building facing NC 68 were going to be removed, and Cooke said yes, because they would block the windows that were going to be added.

Woolf asked if Cooke intended to come back before the Commission to get a COA for the patio area, and Cooke said yes, if this COA is approved.

Hall asked what the plans were for the existing Rio Grande restaurant inside the shopping center. Pepe Silva said there were no plans at this time. Cooke said it could be a different type of restaurant or another tenant at Oak Ridge Commons could take that space. Hall said he guessed the Commission would see when a COA for that space comes up. Cooke said he was not sure a COA would be required for that space.

Kubly said she was not sure if the Commission needed to add page 37 of the Design Guidelines, item c, which says to replace lost trees or shrubs with similar plantings, but noted that the plan called for replacing trees with shrubs because of the addition of the windows. Shoenfeld said that species of trees tends to grow tall but does not have a very large trunk. She asked Cooke how many of those trees were going to be removed, and Cooke estimated about eight. Hall asked if they were actually considered trees or just overgrown shrub; Cooke said they were Leyland cypress trees, and Ruch pointed out that they were not suggested for use in Oak Ridge Commons. Taylor said in general, it is not good to plant that type of tree so close to a foundation, and it was probably good that they were being removed.

Shoenfeld pointed out that the Commission should keep in mind that there are Design Guidelines specifically for Oak Ridge Commons, which were used in preparing the staff report. For the findings of fact, she noted that the patio area was not to be considered in this COA, nor was signage. Woolf said this was basically just the addition of windows, landscaping and lighting. Shoenfeld said the stacked stone wall was also removed from the landscaping plan by the applicant.

Kubly said that the Design Guidelines say removal of a canopy tree requires a COA and asked if an additional COA was needed for removal of the Leyland cypress trees. Shoenfeld said no.

Caroline Ruch made a motion to accept the staff report as findings of fact, and to accept the renovation of the exterior of 2213 Oak Ridge Road, Oak Ridge, NC. The renovations to the building exterior meet with the Design Guidelines for Oak Ridge Commons, with the exception of the outdoor porch, which will not be considered in this COA; a Design Review meeting will be necessary to consider this addition as a separate COA at a later date. The stacked wall has been removed from the plan for landscaping. Removal of the mature trees on the NC 68 side of the building is necessary due to the new windows that will be installed. Although the general Design Guidelines on page 37 under Landscaping, item c. say the applicant must replace mature trees and shrubs with similar plantings, because that would impede the view from the windows, they will not be replaced with similar trees, which the Commission will allow in these findings of fact. Signage is not a part of this application at this time. Shoenfeld offered a friendly amendment to add that on page 3 of the Oak Ridge Commons Design Guidelines, it says that the use of Bradford pears and Leyland cypress are to be avoided, so another species should be used. Ruch accepted the friendly amendment. Brian Hall seconded the motion, and it was passed unanimously (5-0).

Caroline Ruch made a motion, based on the findings of fact approved by the Commission, to approve the Certificate of Appropriateness for COA-19-03 to allow for building elevation changes at 2213 Oak Ridge Road, Oak Ridge, NC, Guilford County Tax Parcel 166226, Oak

Ridge Township, zoned CU-SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone, owned by Oak Ridge Marketplace Three LLC. The scope of the work is to be as described in the COA application dated December 21, 2018 and as described in the applicant's presentation and responses to the Historic Preservation Commission at its meeting on February 20, 2019 using drawings, materials, samples, photos and colors as presented to the Commission. Kristin Kubly seconded the motion, and it was passed unanimously (5-0).

6. COMMITTEE REPORTS/UPDATES

- A. 2018-19 budget update.** Shoenfeld said the Commission was slightly over budget on communications outreach, but there was other money that was unspent and she thought they would be flush at the end of the budget year. Ads for this year's grants had been placed in the Northwest Observer, and letters had been sent to owners of historic properties.
- B. Grant program.** Steve Wilson of Oak Ridge Military Academy had talked to Shoenfeld about the possibility of revising the Maple Glade project for which the grant was awarded last year.
- C. Historic inventory/Markers.** The Commission is still considering the purchase of a marker during this fiscal year.
- D. Training.** Commission members discussed opportunities for training.
- E. Communications outreach.** Shoenfeld said she had scheduled an ad in the 2019 Northwest Finder, which comes out in February. An ad about the grant was scheduled to run in the January 31 edition of the Northwest Observer, along with two Save the Date classified ads.
- F. Display case.** No report

7. CITIZEN COMMENTS

None

8. ADJOURNMENT

Paul Woolf made a motion to adjourn the meeting at 8:16 p.m. Caroline Ruch seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, CMC, NCCMC
Town Clerk

Deborah D. Shoenfeld
Chair