



**OAK RIDGE HISTORIC PRESERVATION COMMISSION  
SEPTEMBER 18, 2019 – 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

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

**Staff Present**

Sandra Smith, Town Clerk  
Sean Taylor, Planning Director

**Members Absent**

Brian Hall

**1. CALL MEETING TO ORDER**

Chair Debbie Shoenfeld called the meeting to order at 7:00 p.m. She welcomed meeting attendees, then explained the purpose of the Commission, which is to promote restoration and preservation of historic structures in Oak Ridge. The review is to ensure 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. Paul Woolf seconded the motion, and it was passed unanimously (5-0).*

**3. APPROVE MINUTES**

*Paul Woolf moved to approve the amended minutes of the August 21, 2019 regular meeting. Barbara Engel seconded the motion, and it was passed unanimously (5-0).*

**4. OLD BUSINESS**

**A. Town Council report.**

Town Clerk Sandra Smith gave the report at the September Town Council meeting, and Shoenfeld said she would do it in October.

**B. COAs reviewed/ approved at staff level.**

Planning Director Sean Taylor said he had approved the COA for windows at the Charles Benbow House after discussion by the Commission at the August meeting.

He said he was also currently reviewing a COA for State Employees' Credit Union for removal of a dead tree and to trim other trees.

**C. COAs approved but not completed.**

COAs outstanding are:

- COA-19-03 for Philip Cooke/Rio Grande's building elevation changes
- COA-19-03A for Philip Cooke/Rio Grande's outdoor patio and front doors
- COA-19-05 for Gary and Myra Blackburn's fencing
- COA-19-06 Matt and Brooke Kuzmick's new front porch
- COA-19-07 for Drew Donnell's project to replace the roof and repair the skylight
- COA-19-08 for Stanley and Denise Sacks' house

**D. Design review meetings.**

Taylor said a design review meeting with Ruch, Brian Hall, Smith and himself had been held with Pepe Silva of Rio Grande about signage at the restaurant's new location; the COA application would be discussed later in the meeting.

**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 suitability 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 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 either of the COAs to be discussed. Caroline Ruch, Woolf, Kubly, Engel and Shoenfeld each individually indicated that they had no conflicts of interest.

- A. COA-19-03B:** Philip Cooke requests a COA for signage at 2213 Oak Ridge Road, Oak Ridge, NC. The property 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. It is owned by Cooke Outparcel E, LLC.

Shoenfeld read the property description into the record and asked Commission members if they felt the project falls within the Design Guidelines and whether sufficient information has been submitted for the Commission to make a decision. Woolf suggested the Commission save time by focusing on what had gone on at the design review meeting. The Commission agreed and said there was sufficient information to do findings of fact. Commission members said they had received the staff report. Shoenfeld noted that the staff report did not include information from the Oak Ridge Commons Design Guidelines.

Philip Cooke, 1692 NC 68, Oak Ridge, and Pepe Silva, 7600 Calmeria Court, Kernersville, were sworn in by Town Clerk Sandra Smith. Silva said he had submitted the revised information for the application. Cooke said he thought the main concern the previous month was the amount of signage on the front of the building. He said discussion during the design review meeting was about removing some of the signage so the front of the building did not appear cluttered.

Shoenfeld asked if the center sign above the door had changed, and Silva said no. Shoenfeld said the issue of cluttered appearance on the front of the building was the only issue of which she was aware. She noted that she had discovered that the property was split into three parcels, and Cooke said it was only two and that the building had originally been designed for a drug store.

Ruch said that the way the building was constructed would allow it to have three bays. Shoenfeld asked whether that and the size of the building should be considered as a means toward approving a COA for five signs.

Woolf said his opinion was that the cacti on either end of the front of the building were merely decorative items; if he saw only the cacti, Woolf said he would not know how the building was being used.

Kubly asked if the only real change was that the words “Kitchen” and “Cantina” were removed from either side of the center of the building, and Silva said yes. Shoenfeld said she thought the “Rio Grande Kitchen & Cantina” above the front door had been enlarged as well.

Shoenfeld asked if the monument sign seemed to be the appropriate size. Woolf responded yes, adding that he had no issues with that.

Planning Director Taylor said the computations for the maximum allowable size sign were included in the staff report. He said removing the words “Kitchen” and “Cantina” from the building front had led to a reduction of 48.9 square feet.

Shoenfeld stated that the size of the requested sign was included in the staff report. She asked that the staff report be incorporated by reference and made a part of the minutes. She said the staff report should be included in the findings of fact.

Ruch said it should also be included in the findings of fact that the Commission wanted to include the Oak Ridge Commons Design Guidelines, page 4, item number 2, which was specific to signage in the Commons.

Shoenfeld said the Commission should look at the Design Guidelines regarding limitations and discuss why they would consider the request. Ruch asked if she meant the Oak Ridge Commons Design Guidelines or the Historic District Design Guidelines, and Schoenfeld said both.

Ruch said the section on signage in the Design Guidelines started on page 33.

Shoenfeld then read from page 35, from the additional section about commercial signage, which says that as a rule, signs should be limited to one per parcel. Because of the size of the building, which was equal to about three parcels, Shoenfeld said the applicant warrants the five signs.

Kristin Kubly read item 2 on page 4 of the Oak Ridge Commons guidelines, which says that on a corner lot, two building mounted signs are permitted. She added that this building has three facades visible from various roads.

Shoenfeld read from the Historic District Design Guidelines which say for a building on a corner lot, it is permissible to have two signs. She said in this case, the building is located on two corners, so three signs should be allowable.

Planning Director Taylor referenced the updated staff report, which explains how signs are calculated for lots with multiple frontages in the ordinance.

Woolf asked how many signs had been requested, and Taylor said three signs for three building facades. Woolf added that there were also two decorative elements being requested. He said very few buildings have three sides that face a road, and the size of this parcel could have allowed two or three signs. He said he thought the cactus graphics were just decorative so they would be allowed.

Kubly said she thought the cacti created some balance and she thought that the building would look kind of blank to not have anything there. She said the cacti were a way to balance out that long frontage.

Ruch added that balance is one of the primary design concepts in the Design Guidelines.

Taylor referred the Commission to pages 47-48 of the Guidelines.

Kubly then read aloud from the Guidelines on page 48, item B. regarding balance.

*Caroline Ruch motioned to accept the staff report as Findings of Fact and to include the addendum presented that night that included the measurements. Kristin Kubly seconded the motion, and it was passed unanimously (5-0).*

*Caroline Ruch motioned that the Findings of Fact also include item 2 from page 4 of the Oak Ridge Commons Design Guidelines, which says a corner lot could have two building-mounted signs. Because of the size of the building and the fact that it could have been divided into two to three parcels, it is acceptable to have three signs. On page 35 of the Design Guidelines, item A states to limit signs to one per parcel, but the broad pathway in the Oak Ridge Commons Design Guidelines allows going above that. Three signs have been proposed with the business name as well as two graphics. The applicant has also proposed a monument sign, which falls within the Design Guidelines. On page 47-48 of the Historic District Design Guidelines, the primary design concepts include scale, balance, rhythm, proportion and order. The balance of the signs and the manner in which they fit onto the buildings fits the Design Guidelines. Paul Woolf seconded the motion, and it was passed unanimously (5-0).*

*Caroline Ruch then made a motion to combine with the above motion to allow COA-19-03B for signage at 2213 Oak Ridge Road, Oak Ridge, NC. The property 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, and owned by Cooke Outparcel E, LLC. Barbara Engel seconded the motion, and it was passed unanimously (5-0).*

**B. COA-19-09:** Philip Cooke requests a COA for new car wash doors at 2207-A Oak Ridge Road, Oak Ridge, NC. Being Guilford County Tax Parcel 166235, Oak Ridge Township, zoned CU- SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone. The property is owned by CBCS Properties, LLC.

Shoenfeld asked to confirm eligibility of the COA request and whether the Commission had enough information to make a decision. Engel, Woolf, Kubly, Ruch and Shoenfeld each individually said yes.

Planning Director Taylor asked that the staff report be accepted as submitted. Shoenfeld asked that the staff report be incorporated by reference and become part of the minutes.

Philip Cooke, who was still sworn in from the previous case, said the request was part of an upgrade he wanted to do to the car wash. He said they needed to change the existing doors, which were standard white painted garage doors. He said the doors rusted over time, and sometimes did not work in winter. Cooke said he was proposing vinyl roll-up doors that allow a customer to drive up, pay, and then the doors open, the vehicle is washed, and then the doors open again. He referred to a sample photo in the Commission's packet, and also passed a sample of the material to the Commission. He said his idea was to make the vinyl panels brown at the top and bottom and clear in the middle (for safety and also to allow people to see inside and outside). He said one advantage of using the material requested is if there is some emergency and a driver had to get out, a vehicle could drive out through either

the front or the rear door. Cooke said the vinyl doors were designed to break away, allowing vehicles to drive through them without damaging the vehicle.

Woolf asked if this type vinyl door was designed for this application and if it was possible for someone to get carbon monoxide poisoning inside the car wash when the doors were closed. Cooke answered yes to the first question and no to the second.

Kubly asked if the car wash doors would only be closed in winter. Cooke said they would be closed when the temperature was 35 degrees and under, and typically at night. Kubly asked if they would be closed in the summer, and Cooke said they would typically be wide open.

Cooke said he also had a brick sample from the building so Commission members could see how the brown on the door matched the brick.

Woolf asked if the doors were visible from the road. Cooke said they could likely be seen from cars traveling along Oak Ridge Road, but they would not be seen any more than they are now.

Shoenfeld asked the Commission to cite applicable section of the Historic District Design Guidelines as well as the Oak Ridge Commons Design Guidelines. She said the only thing she saw that might be applicable under the Commons guidelines was on page 5, item 3 under Prohibited Materials, which said prefinished metal and vertical siding or panels were prohibited. Regarding the Historic District guidelines, Shoenfeld said she saw no specifics on garage doors, but that they do need to fit with the overall design of the building. She cited the express need for compatibility of doors and windows with the overall design of a building.

Taylor said that his opinion was that the compatibility Shoenfeld has just cited applied more to residential use than commercial. He said the type of doors being requested for this site would not be compatible for a residence.

Kubly cited page 59, item 4, which has to do with additions to existing structures. She said the request was for more of a change than an addition. Because the doors would only be closed a portion of the time, they would not visibly detract from the building's appearance.

Woolf said the brown color of the vinyl would blend into the building.

*Caroline Ruch made a motion to accept the staff report as part of the Findings of Fact, and to include item 3 on page 5 of the Oak Ridge Commons Design Guidelines, which said prefinished metal trim was not acceptable. In the Historic District guidelines, there was no specific guideline to garage doors, but they do express the need for compatibility of doors and windows with the building itself. In the Historic District guidelines on page 59 under Existing Structures, it states that any addition should not visually detract from the building and should not be incongruent; even though this is not an addition, it is compatible. The brown vinyl door color fits with the color choices used within the Historic District per page 56, item K of the Design Guidelines. Paul Woolf seconded the motion, and it was passed unanimously (5-0).*

*Caroline Ruch motioned to approve COA-19-09 to allow the installation of new overhead car wash doors at 2207-A Oak Ridge Road, Oak Ridge, NC, Guilford County Tax Parcel 166235, Oak Ridge Township, zoned CU- SC (Conditional Use-Shopping Center), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone. The property is owned by CBCS Properties, LLC. Barbara Engel seconded the motion, and it was passed unanimously (5-0).*

**C. Staff report discussion**

Taylor pointed out some changes he had made in the staff report and accepted comments from the Commission on which version, or a hybrid, it liked best. The Commission briefly discussed Design Review Meetings.

**6. COMMITTEE REPORTS/UPDATES**

**A. 2019-20 budget.**

**B. Grant program.** Work was completed at the Charles Benbow house. Drew Donnell and Gene Stafford had not yet started their projects.

**C. Historic inventory/Markers.** No report

**D. Training.** Commission members were reminded that they needed to attend one historic preservation training session per year. Staff will send out info on training when it is received.

**E. Communications outreach.** The Commission discussed the possibility of doing oral histories.

**F. Display case.** No report

**G. Coffee table book.** No report.

**H. Christmas at Maple Glade.** Ruch reported on the continued progress on a Christmas at Maple Glade tour.

**7. CITIZEN COMMENTS**

- None

**8. ADJOURNMENT**

*Kristin Kubly moved to adjourn the meeting at 8:33 p.m. Caroline Ruch seconded the motion, and it was passed unanimously (5-0).*

Respectfully Submitted:

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Sandra B. Smith, CMC, NCCMC  
Town Clerk/HPC Staff

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Deborah D. Shoenfeld  
Chair