

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
MAY 9, 2023, 3:00 p.m.
WebEx Video Conferencing**

Historic Preservation Commission Members in Attendance:

Chair Eric Plaag, Vice-Chair Bettie Bond, Chuck Watkins, and James Sharp

Student Member: Riley Ziegler

Council Liaison: Virginia Roseman

Town Staff in Attendance: Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, Stacey Miller-Chief Building Inspector, and Marlene Crosby-Board Secretary

Others in Attendance: Chelsea Garrett- Watauga County Attorney, Deron Geoque-Watauga County Manager, Bill Dixon-Appalachian Architecture, Leigh Blevins-Appalachian Architecture, Alan Crees-Municipal Engineering, Allison Meade-Town Attorney, and Tim Futrelle-Mayor

Call to Order

Chair Eric Plaag called the HPC Quasi-Judicial meeting, held via WebEx, on May 9, 2023, to order at 3:04 p.m.

Chair Plaag introduced himself as the Chair of the Historic Preservation Commission and members Vice-Chair Bettie Bond, Member Chuck Watkins, Member James Sharp, and Student Member Riley Ziegler.

Chair Plaag introduced the Staff members as Ms. Jessica Mitchell, Long-Range/Special Projects Planner, Ms. Christy Turner, Senior Planner, Ms. Marlene Crosby, Board Secretary, and Ms. Allison Meade, Town Attorney.

Approval of Minutes

Vice-Chair Bond made a motion, seconded by Student Member Ziegler, to approve April 11, 2023, meeting minutes as amended with the following changes:

- Page 8, eighth paragraph, third sentence delete “building material that is currently on the building”
- Page 8, paragraph nine, first sentence change it to read “Member Sharp asked if the owner and architect can make progress on the other proposed façade improvements while accessing the area of the façade behind the board and batten.”
- Page 8, paragraph nine, remove the second sentence “Further, he added to his question if the HPC is left to discuss other matters such as the bulkhead, low wall, and the collapsing storefront windows.
- Page 3, paragraph two, second sentence change to “He said that in collaboration with Mr. Dixon, who was aware of the history of the Town, they had spoken with a stonemason who proposed a design that is functional and practical for their clients, as well as proposing materials that would match the historical look and feel of the Town.
- Page 3, last paragraph, last line change “River’s” to “Rivers”
- Page 4, first paragraph last line change “River’s” to “Rivers”

- Page 4, fourth paragraph, first line change “River’s” to “Rivers”
- Page 6, seventh paragraph, third sentence change to “He said the proposed stone panel in the frieze did not appear to have any architectural support.”
- Page 7, second paragraph, second sentence change to “He described the building as having wood-framed, possibly early metal-framed shop windows around the inverted entrance.”
- Page 7, second paragraph, third sentence change to “He said that given the date of construction, he had no doubt that the appearance in the 1940 photo.”
- Paragraph 7, third paragraph, second sentence change “there was” to “there is”
- Page 7, third paragraph, last sentence change to “below that was where the clerestory windows and the recessed entry were”
- Page 7, sixth paragraph, second paragraph change to “keeping” to “in keeping”
- Page 7, tenth paragraph, first sentence change “Chair Plaag said” to “Chair Plaag asked”
- Page 7, tenth paragraph, first sentence change “permitted work” to “permitted work,”
- Page 8, second paragraph, fourth line change “was non-party witness” to “was any non-party witness”
- Page 8, fifth paragraph, first sentence add another sentence at the end that reads “Chair Plaag asked Mr. Kevorkian, if he wanted to make a closing statement. He did not.”
- Page 8, ninth paragraph, third sentence change “COA” to “Certificate of Occupancy”
- Page 9, first paragraph, second sentence change to read “He said it is a common expectation in the preservation world that one should not add historic-looking features, even in an attempt to create a match between two adjacent properties.”
- Page 9, second paragraph, second sentence change to read “He said it creates the illusion of the footprint of the user space, particularly if it is done in a historic material such as stone.”
- Page 9, fourth paragraph, fifth sentence change “use temporary elements” to “many property owners use temporary elements”
- Page 9, fourth paragraph, sixth sentence change “removable” to “are removable”
- Page 13, third paragraph, first sentence change “he moved on the motion” to “he moved on to the motion”
- Page 14, third paragraph, third sentence change “today’s date, April 11, 2024” to “today’s date, or April 11, 2024”

Vote: Aye – All

Nay – None

The motion passed.

CASE Z06555-032323 WATAUGA COUNTY PARKING DECK – MODIFIED COA

Watauga County has requested to modify a previously approved Certificate of Appropriateness for Major Work (COA) for the proposed new construction of a parking structure on Water Street (Watauga County PIN: 2900-79-9830-000), located in the Downtown Boone Local Historic District. The modification includes a change in the exterior materials for a thin-set brick in precast concrete wall panel system, modify the window arrangement, and the number of window openings.

Chair Plaag opened this case and swore in the following members of the staff for both cases on the agenda, Ms. Jessica Mitchell, Long-Range/Special Projects Planner, and Ms. Christy Turner, Senior Planner.

Chair Plaa asked the Historic Preservation Commission members if any commissioner had a fixed opinion about the case that is not susceptible to change; if any commissioner had a conflict of interest regarding this case, including any financial interest in the outcome of the case or a close familial relationship with any person affected by the outcome of the case. There were no answers in the affirmative.

Chair Plaa asked if any commissioner had engaged in any undisclosed ex-parte communication regarding the application. There were no answers in the affirmative.

Chair Plaa asked Ms. Chelsea Garrett, Attorney, if she was representing Watauga County in this case. She said yes and noted that off camera, the following were present Mr. Deron Geoque, Watauga County Manager, Mr. Alan Crees from Municipal Engineering, and Ms. Leigh Blevins from Appalachian Architecture.

Ms. Garrett said she would make the opening statement and noted that Mr. Bill Dixon would be a witness presenting the information on the case. Chair Plaa swore in Mr. Dixon.

Ms. Garrett explained that the applicant is proposing to use precast brick panels on the proposed parking deck based on information about the anticipated expense of using natural brick that the applicant hoped they would be able to use. She established the fact that Mr. Dixon was the architect that Watauga County used when the original Certificate of Appropriateness (COA) was approved by the Historic Preservation Commission.

She asked Mr. Dixon if the original COA included the approved plans for a true brick veneer to be used on the proposed parking deck. Mr. Dixon replied yes, the approved plan was for a traditional brick veneer material to be used on the proposed parking deck. Ms. Garrett asked Mr. Dixon when did he, the applicant, or the contractor discuss that true brick veneer was desired. Mr. Dixon pointed out that when an applicant applies for a COA, they generally present a conceptual drawing for the review process. He further explained that generally, the owners do not release the architect to do full construction drawings because they want to know if the project would be approved. He explained that there is often a difference between the conceptual drawings and the end product when the architect does construction drawings because this is when they begin to deal with the materials for a building. He asked the HPC to be sympathetic to this information. He added that it is probably true in all cases that come before the HPC that they would be approving a proposed conceptual design, and it is up to the professionals to make it a reality. He said this is part of what happened on the proposed parking deck.

Mr. Dixon explained his concern for potential opportunities for moisture intrusion in a true brick wall that would not be in a similar exterior with a thin-set brick wall. He based this information on different experiences and looked at the exterior material on the addition to the Watauga Medical Center (WMC) and the Appalachian State University (ASU) parking deck.

Ms. Garrett confirmed with Mr. Dixon that he had indicated that his initial reason for questioning the use of true brick veneer was water intrusion. Mr. Dixon responded yes, that was his reason for questioning the use of the true brick veneer as a building material. Ms. Garrett asked Mr. Dixon exactly where on the proposed parking deck did he have a concern about water intrusion. Mr. Dixon referred to the building elevations on packet page 31. He said in the original approval; there were a total of ninety window openings in the structure. He said some of them are true openings shown in the lower left of the building elevation to let air in. He said most of the windows are false openings to represent the illusion of a

window. He noted that the false openings were added to break up the size and the massing and to make the proposed parking deck look like an inhabited heated and cooled building. He described it as an open parking deck subject to freezing, thawing, rain, snow, and wind.

Mr. Dixon asked Ms. Mitchell to screen share a sketch of a diagram of a window that he had previously emailed to her (permanently attached). He explained that a true brick wall system has a one-inch air cavity behind the brick and the sub-structure that is supporting it. He said that brick is a porous material, and water gets in the cracks of it. He said the idea is for the water to drain out the one-inch cavity. He further explained that over time, the cavities get full of mortar and do not drain well, and then spalling and cracking of the brick occurs. He said there is a one-inch air space in all of the 90 window openings. He stated it is the architect's job to prevent moisture from getting in the one-inch cavity. He said there are four sides to each window, considering there are 90 window openings, which is a lot of opportunity for moisture to get behind the brick.

Mr. Dixon pointed out there are two concrete precast material manufacturers in the North Carolina and South Carolina regions that make this type of material. He said the material is made in a factory under their controlled standards and shipped to the job site. He said the concrete precast material is typically shipped with openings that are 12 feet wide by 50 feet or 60 feet long increments. He explained that this is the case for the proposed parking deck, the precast material would go up along the perimeter of the building. He said with 12 feet increments, there are expansion joints that allow for movements in the concrete for freezing and thawing. He said typically, in a structure, when you have a brick veneer, you have an expansion joint not only in the concrete panel but also in the brick veneer, which should be in the same pane. He said with the brick being subject to the heat of the sun and being a darker color, it will expand greater than the concrete wall behind it. He said in the case of the proposed parking deck, there will be expansion joints every 12 feet. He said it was inevitable that this structure would have expansion joints in the middle of some of the window openings, as illustrated in the exhibits. He explained that rubber-tight expansion joints that shrink and expand would be less likely to allow for water intrusion. He said because of the way the windows lined up in the building, they were going to split up the precast concrete header sill allowing for further possibilities for water intrusion. He further added that this would defeat the purpose of having the precast concrete material, which is structural support. He said if you cut the sill in half, it will not be structurally sound.

Mr. Dixon explained that as he reviewed the previously approved COA design, he saw multiple areas where water could possibly get between the brick and the precast concrete header, which could cause long-term maintenance issues. He said the building would not be structurally sound or have a good appearance over a certain period of time. He said that precast concrete has been around since the 1950s. Ms. Garrett asked Mr. Dixon if the precast concrete was faux brick, and he said, no, it was a true brick that is manufactured like normal brick and typically cut in slices from one-half inch to three-eighths inch thick and poured into the wall panels as they are being made. He said it is better than having two different materials with a big air gap between them. He said it is a long, solid mass without the inherent water intrusion issues.

Mr. Dixon pointed out that with thin-set brick, the wall thickness is about 8 inches, and with true brick, the wall thickness is about 12 to 14 inches. Ms. Garrett asked Mr. Dixon why would the thinner wall thickness help. Mr. Dixon said in terms of the proposed parking deck, the thin-set brick allows for a larger

parking surface with easier maneuverability. He said the difference would make about one foot of space that can be used inside the parking deck itself, causing the foundation and footings to be smaller. He said that the setback might change, which would allow more green space around the building than if a true brick veneer was used.

Mr. Dixon referred to the application and the last paragraph of his architect statement. He suggested that the HPC review the following two examples of thin-set brick, which include the WMC and the ASU parking deck.

Ms. Garrett asked Mr. Dixon to explain the effect of using the precast concrete panels in terms of the reduction of windows. Mr. Dixon referred to packet page 31 and responded that because the precast concrete panels come in 12-foot increments, there was no way to avoid the 12-foot increments from hitting somewhere in the windows. He pointed out in the north elevation that the 12-foot panels would hit the center window that is marked out in red. Mr. Dixon said when you have an expansion joint using a thin-set brick wall panel, it is not as much of a significant issue if you were using a true brick veneer, and there is a difference in the expansion of the brick and the concrete itself. He said he tried every pattern when laying out the building to avoid a lot of the expansion joints in the precast structure and in the brick and to avoid the window openings in which there was no way to do it. He said the expansion joints are visible on the outside of the building and can be used to enhance the building or used to distract what is happening in the building, he said he preferred the latter to be able to use expansion joints.

Mr. Dixon polled the HPC to see who had visited the WMC and the ASU parking deck. He thought these were good examples for the HPC to look at, regarding the appearance of them because they used the thin-set brick concrete panel system as their exterior building material.

Chair Plaag asked Mr. Dixon if he was the architect on the Rivers Walk project. Mr. Dixon replied no, he did not work on that project other than designing some conceptual drawings early on in the project. Chair Plaag said the reason he asked Mr. Dixon if he had worked on the Rivers Walk project was that it appeared to him that they had used a thin-set brick product on the brick portions of that building.

Chair Plaag noted that he had been out of town and had not been able to view the Watauga County Medical Center building or the ASU parking deck structure. He added that he did not think the HPC was required to view the said buildings in order to review this case.

Chair Plaag said he was familiar with the Rivers Walk building and asked Mr. Dixon if the building material on the brick portions of the Rivers Walk building was thin-set brick veneer. Mr. Dixon said that officially he could not confirm with Chair Plaag about the type of building material on the Rivers Walk building.

Chair Plaag asked the other HPC members if they had viewed the brick building material in addition to the WMC building or the ASU parking deck structure. Vice-Chair Bond, Student Member Riley, and Member Sharp said that they had not viewed either one of them. Member Watkins noted that he had viewed both structures. Chair Plaag reiterated that he had not closely viewed them. Mr. Dixon said that it was unfortunate because they are good examples of the thin-set brick on the precast concrete panel. He thought the photographs in the meeting packet did a great job of showing the quality of this type of product.

Ms. Garrett asked Mr. Dixon to explain what he observed when he visited the two structures and

inspected the thin-set veneer and if he believed that it is indistinguishable from the true brick veneer. Mr. Dixon referred to packet page 30 and began explaining that, as he started creating the construction drawings for the proposed parking deck, he visited these two structures. In referencing these examples, he said he had a difficult time distinguishing between what was true brick veneer and thin-set brick. He explained the difference between the two types of brick as outlined in the exhibit drawing. He further added that the wall section on the right side of the drawing shows a thin-set brick that is a real brick made of red clay, fired like real brick, and then cut into sections of about a one-half inch or so. He said it is cast into the precast wall itself, and it has no cavity and no potential for water intrusion into a true brick wall. He said it is a much better product than the true brick. He explained that the wall section on the left side of the drawing shows a true brick cavity wall with a one-inch air space with a concrete panel behind it. He said in this air space is where moisture gathers, which can cause harm to the brick veneer.

Ms. Garrett asked Mr. Dixon if the thin-set brick was faux or synthetic. Mr. Dixon said that the thin-set brick was not faux or synthetic brick. She also asked Mr. Dixon if the difference between thin-set brick and true brick is that thin-set brick is thinner, and it is applied to a precast concrete panel and applied in sections. Mr. Dixon agreed with Ms. Garrett. Ms. Garrett asked Mr. Dixon if the difference was more of an application difference than a material difference; Mr. Dixon replied in the affirmative.

Ms. Garrett asked Mr. Dixon why true brick is referred to as true brick veneer; Mr. Dixon agreed with Ms. Garrett that veneer is considered the facade material and a name for the visible exterior surface, further adding that veneer used in this sense does not imply a synthetic material. Ms. Garrett asked Mr. Dixon if there was a difference between the true brick that is laid brick by brick or brick that is laid in these panels. Mr. Dixon said there is no difference in the material in the true brick or the thin-set brick.

Ms. Garrett asked Mr. Dixon if there were any other buildings in town that have a thin-set brick veneer. Mr. Dixon said it was his understanding from the property owners that the Southend Brewing Company building had thin-set brick veneer on it.

Ms. Garrett asked Mr. Dixon what type of brick was on the disanti, Capua, and Garrett Law Office buildings. Mr. Dixon said that a true brick veneer installed with an anchored veneer system to the wall behind it, with either wood framing, metal studs, or concrete. He said at the law office, the brick was not anchored well, and the brick was pulling off of the substructure. He said this was the same thing with the Mast Store building. He said the air gap continued to get bigger and bigger because of the water intrusion.

Ms. Garrett stated that she had no further questions for Mr. Dixon.

Chair Plaag asked the HPC if they had questions for Mr. Dixon. Member Watkins asked Mr. Dixon if he was building the proposed parking deck 50 years ago, how he would build it. He noted that the water intrusion issue would be the same, and there would not be a panel system for construction. Mr. Dixon said that the building would have been built from concrete and stucco and no brick veneer on it. Mr. Dixon said he thought the thin-set brick application began in the 1950s. He noted that 50 years ago, no parking decks were built. He said they may not have had brick veneer, but the architect would have done the best job possible to prevent moisture in the building. Member Watkins said that malls had parking decks 50 years ago. Mr. Dixon said brick veneer was installed onto raw concrete for most parking decks.

Member Watkins asked Mr. Dixon if the headers and the sills were cast at the same time. Mr. Dixon replied yes, in a thin-set brick application, the headers and sills would be cast at the same time. Member Watkins

asked if there would be a 12-foot section that had the openings and the sills in the same place. Mr. Dixon said yes, the appearance would be the same, adding they would be recessed, and the false storefront windows would be inserted into the openings, making them appear like windows.

Member Watkins asked Mr. Dixon who is the manufacturer. Mr. Dixon responded that there are two manufacturers and they are Metromont and Tindall Corporation, and they both have extensive experience in manufacturing thin-set veneer.

Member Watkins noted that he had read an article that suggested that thin-set brick veneer, on occasion, might pop off with expansion and contraction. Mr. Dixon said that he had not heard about this happening, and the same thing could happen with true brick veneer during the freezing and thawing process.

Member Watkins asked Mr. Dixon, on the finished panel, if the mortar between the bricks was in place. Mr. Dixon said yes, the mortar is in place.

Member Watkins noted that when he reviewed the two structures with the thin-set veneer, he thought the WMC work was superior compared to the work done on the parking deck at ASU. He explained it was partly because the vertical expansion joints had been tinted to match the mortar at the WMC, but in the ASU parking deck, the mortar was a refrigerator-white color as opposed to the rest of the mortar joints.

Member Watkins asked if there was some concern with the variation in the quality of the installation of the thin-set brick veneer. He asked Mr. Dixon who would do the installation of the proposed thin-set veneer. Mr. Dixon said, for example, if the Tindall Corporation shipped the building materials, he thought the general contractor would have a crane that would take it off the truck and install it. Mr. Dixon explained that the floor systems in parking decks are made of double T's, which are two T's that are attached together. He said the T's come in 12-foot panels attached to the wall panels that support the floor structure.

Mr. Dixon agreed with Member Watkins that the WMC building is a much better example of the thin-set brick veneer. He said the ASU parking deck is not quite as quality controlled.

Mr. Dixon stated that the expansion joints would be tinted to match the bricks on the proposed parking deck.

Member Watkins asked Mr. Dixon, given the fact that some of the fake fenestration is being removed and a panel system is being used, could he estimate the cost savings for Watauga County. Mr. Dixon explained that when he produced the construction documents, he made the decision that the thin-set brick veneer was the better product. He said he produced two sets of construction documents for the contractors to bid on. He knew the thin-set brick veneer would be more expensive from the factory, but there would not be the cost of a brick mason laying the brick. Ms. Garrett asked Mr. Dixon if he was bidding on both styles of brick; Mr. Dixon replied yes, he was bidding on both styles of brick.

Member Watkins pointed out that Mr. Dixon had stated that it was difficult to tell the difference between the two types of installation. He said the one thing drawn to his attention was that the mortar joints were perfectly uniform. He said if a brick mason was doing the work, the mortar joints would not be that uniform. Mr. Dixon responded that there are a lot of variables when the cement is mixed on-site and when the brick is laid on-site, including the variation in sand or the weather.

Vice-Chair Bond agreed that the cost of the project might be cost less if thin-set brick veneer was used

because the project might be less labor intensive.

Chair Plaag referred to packet page 73 and talked about the original plan that was submitted previously and included in the meeting packet. He said the drawing from that plan stated brick veneer typical. He asked Mr. Dixon if it was a true brick veneer used on the original plan for the proposed parking deck. Mr. Dixon said that the original plan did call for true brick veneer. Chair Plaag told Mr. Dixon that he could not locate any references to a precast concrete panel, but there are references to precast concrete lintels and cells and caps on the pilasters. He said there were no references to what the superstructure would be made of. He further asked if it was meant to be a precast concrete panel or more of a traditional formed concrete type of pour that would have taken place on-site. Mr. Dixon explained that at that point in working on the design, he had not gotten into the design enough to know the concrete type. He said it would probably have been a precast concrete system. He said when he presents to the HPC, they usually discuss the exterior appearance and not usually discuss the inside of the building.

Chair Plaag pointed out that when the conceptual drawings were initially presented to the HPC that Mr. Dixon was comfortable using a true brick veneer wall system over some sort of concrete superstructure underneath, whether it was precast concrete panels or a more traditional concrete pour. Chair Plaag noted that he wanted to make sure that, at that time, Mr. Dixon did not have any concerns regarding the use of a true brick veneer. Mr. Dixon said he was always concerned about using a true brick veneer. He added that he did not think it was appropriate to bring up the use of true brick veneer at that point because they were trying to get the conceptual design approved to build the proposed parking deck.

Chair Plaag referred again to packet page 73, where Mr. Dixon had indicated brick veneer typical was shown on the Water Street elevation. He asked Mr. Dixon if that would be a true brick veneer, not a thin-set brick system. Mr. Dixon said that it would be a true brick veneer. Chair Plaag said that at that time, Mr. Dixon was comfortable using the true brick veneer, and Mr. Dixon told Chair Plaag that he was correct in making that statement. Mr. Dixon said at this time, he thought the use of the true brick veneer was problematic.

Ms. Garrett asked Mr. Dixon about his practice when he labels brick on his drawings. She asked Mr. Dixon why he put true brick versus brick on his drawings. Mr. Dixon said he could not explain why he used that language in his drawings.

Chair Plaag referred to the drawing that was discussed earlier regarding the comparison of the true brick and the thin-set brick. He talked about the blue line on the drawing that represented moisture in the one-inch air space between the concrete and the brick veneer. Mr. Dixon explained brick veneer is a porous material, and the waterproofing goes behind the brick. He said the water would get behind that cavity, drain down the waterproof membrane, and then there is a series of weep holes along the bottom of the wall for the water to get out. Chair Plaag said when this process is done correctly, it is designed so that not all the moisture gets behind the brick and has nowhere to go. He said it is designed with a weep and drain system to allow that moisture to drain out. Mr. Dixon said that is correct, but there are some inherent flaws in that system because they often get clogged up with mortar, insects, and a variety of things that can prevent drainage from behind the wall after the building is completed.

Chair Plaag thought this was a standard method for commercial buildings or homes for maybe 100 years, where you would have a concrete foundation, a vapor barrier, and a series of weep holes. He asked Mr.

Dixon if this was a typical method of construction for about this period of time. Mr. Dixon said yes, for commercial buildings or homes, but not for a parking deck. Mr. Dixon pointed out that a building that is conditioned is probably easier to design than a building that is open to the elements, as in the case of a parking deck that has no windows. He added that in the case of a parking deck, it does not have a roof or windows and has a lot more opportunity for water to intrude.

Chair Plaag pointed out that when Ms. Garrett began talking about this case on an occasion, she indicated that she was going to give an update on the case based on concerns about cost, then Mr. Dixon transitioned to talking about concerns with water intrusion. Chair Plaag asked Mr. Dixon to explain how the conversation between him and his principal evolved from the last time this case was heard by the HPC until now. Chair Plaag asked Mr. Dixon if his principal had a concern about the cost, asked him to explore cost-saving methods, and he researched the thin-set brick, further deciding they could also address some concerns they had about moisture and how it might save on costs. Mr. Dixon responded that cost was never a factor. He said that the research that he had done during the design process made him realize the thin-set brick veneer was a better product, and he did not know if it was going to be any cheaper. He added that the cost was never discussed with the County Commissioners.

Chair Plaag stated that earlier in the meeting, Member Watkins had asked Mr. Dixon about an article he had read about thin-set bricks and the most common causes of failure in this type of system. Mr. Dixon said there were no common cases of failure in this type of system. Chair Plaag asked Mr. Dixon what happens to the thin-set brick when a seismic event occurs, thermal expansion, or vibration caused by wind. He asked Mr. Dixon isn't it fairly common in all of those scenarios as well as possible moisture intrusion from the interior of a concrete structure, that there could be cracking that occurs to the concrete. Mr. Dixon responded yes, and that is why there are built-in expansion joints.

Chair Plaag said that he had seen parking decks that use a concrete panel system where there are cracks in the midst of a panel, not at the joint, which is fairly common. Chair Plaag asked Mr. Dixon what happens to the exterior of a thin-set brick panel when the panel cracks. Mr. Dixon said he guessed the brick would crack and further commented that was a hypothetical question.

Ms. Meade voiced her discomfort and noted that she felt that there was some limit to the relevancy to the HPC of getting into a debate about things that are beyond the expertise of the HPC. She noted that there are no other experts present other than an architect who thinks the thin-set brick is a better product. She was not sure why it was relevant to the historic district standards that the HPC may think it is not as good a product as Mr. Dixon. She said ultimately, the review of the HPC is about appearance, and maybe some deeper questions about what is appropriate in the historic district when we have a product like this. She explained that more cases would be coming like this one, and this would not be the last time the HPC would face this type of material proposal. She said there are engineered wood interior products, and it will be easy for there to be engineered wood siding that fools everybody. She agreed that this is a difficult question regarding the proposed material, but she did not think it was appropriate to be debating these types of items, as opposed to the appearance issues.

Chair Plaag responded to Ms. Meade's concern about this type of questioning of Mr. Dixon. He said his reason for questioning the thin-set brick is that Mr. Dixon presented himself as an architect or person of expertise. Chair Plaag said that Mr. Dixon stated in his letter and testimony that he believed the thin-set brick is superior to a normal brick veneer wall system. He said that some of the things that Mr. Dixon was

concerned about with a true brick veneer are appearance-related topics, such as mortar cracking, brick cracking, brick spalling, and brick discoloration because of weep. He thought it was fair when someone is presenting in their expert opinion that a product is superior to the more traditional product that might be used. He thought it was also fair to cross-examine to ask that person, in their expert opinion, the possible things that are already recognized in the industry.

Chair Plaag said the list he started to read from was a report on the common causes of failure in thin-set veneer systems. He said his purpose was to determine if there were possible issues with thin-set veneer that are already documented within the industry. He said since Mr. Dixon has already presented himself as an expert, he wanted to get a better sense of how expert he was with regard to thin-set brick veneer.

Ms. Meade respectfully disagreed with Chair Plaag and explained that this is new construction, and two different types of exterior material could clearly be allowed. She said the owner gets to decide whether they want to use, for instance, wood or stone, despite the fact that there may be huge differences in both the cost and longevity of the two materials. She did not see where discussing the materials was any concern of the HPC

Chair Plaag asked Mr. Dixon if he was familiar with whether or not a thin-set brick system was an approved substitute material by the National Park Service (NPS) for use in historic properties or new construction in historic districts. Mr. Dixon responded no. Chair Plaag asked Mr. Dixon if he was familiar with how other historic districts have treated thin-set brick systems in terms of their suitability for established historic districts, particularly in new construction. Mr. Dixon responded no.

Chair Plaag asked Mr. Dixon if he was aware that the City of Charlottesville, Virginia, has a Downtown Historic District that is similar to Boone's architecture, and they prohibit using thin-set brick as a substitute material and exterior cladding material on new construction. Mr. Dixon confirmed with Chair Plaag that he was comparing Charlottesville, Virginia, with Boone, North Carolina, historically. Chair Plaag said their Downtown Historic District area involves construction that is similar to Boone's downtown construction.

Ms. Garrett interjected that while usually, these conversations can be productive, she felt like Chair Plaag was bringing up his own research and sources, although she recognized that Chair Plaag did have his own expertise. She felt the discussion was digressing into a board member trying to present evidence versus asking questions.

Ms. Meade responded and pointed out that she was not the decision maker, but she had sympathy with Ms. Garrett's point of view. She added that out of fairness to the applicants, because the material being presented was not in the meeting packet, and they have not had a chance to review or respond to it, makes it problematic. She said if this happens again, she thought the whole process should be examined because it may be relevant on the one hand, but it's not fair to the applicant to be met with evidence that is not of record and are not in a position to answer.

Chair Plaag asked Ms. Meade to clarify what burden is on the applicant in demonstrating a proposed substitute material that is suitable material for the proposed parking deck with regard to the historic district standards in relationship with the Secretary of the Interior's Standards for Rehabilitation. Ms. Meade referred to pages 98 through 99 of Appendix D, Sections 14.1 and 14.2, and she stated that she believed these would be the major standards that would be applicable to this case. She stated that these standards did not reference directly any NPS standards (Secretary of the Interior Standards). She said if

the SOI standards need to be considered, then Appendix D, Sections 14.1 and 14.2 standards need to be updated to reflect those standards.

14. New Construction of Commercial Buildings within the District

It is inevitable that new commercial buildings will be constructed within the District. The intention of these design standards is not to prevent such changes but to ensure that new construction is compatible with and complementary to the integrity and architectural character of the District. While new commercial buildings should not attempt to replicate existing historic properties, they should mesh with and support the historic design principles of the other commercial properties in the District. These standards are intended to preserve the integrity of the District while also encouraging sensitive and appropriate new construction.

14.1 New commercial construction within the District should not seek to duplicate historic buildings in the District or mimic their appearance. That said, new construction should strive to be sensitive to and compatible with the character-defining features of the commercial properties in the District. Thus, new construction should employ architectural design that reflects its current time, place, use, and culture, provided that this design is compatible with the character of the District.

14.2 New construction should incorporate the predominant historic materials typical in surrounding historic buildings when possible—usually brick, native stone, structural glass, wooden trim, and similar historic materials. Synthetic, non-traditional materials, such as vinyl, synthetic stone, fiber cement board, aluminum, plywood, parging, and pre-formed concrete panels, are not permitted in new construction. It is NOT appropriate in new construction to use contemporary substitute materials in place of traditional materials. The use of the highest-quality, historically appropriate, exterior-facing materials is encouraged.

Ms. Meade pointed out that Section 14.2 appears difficult to apply to this case. She added that Section 14.2 would prohibit it if the proposed material was something such as a vinyl brick. However, she agreed, as Chair Plaag pointed out, that it would not be permitted if it was a rehabilitation or renovation; however, this case is based on new construction. She noted that she did not think this was an easy case to review.

Chair Plaag thought that Section 14.2 was one of the two standards that were central to the proposed change. He said the thin-set brick was a substitute material, and the guidelines talk about brick, and they do not talk about panel systems that have a substantially thinner component that gives the appearance of brick but does not function like a brick. Ms. Garrett and Mr. Dixon interjected that the thin-set brick is brick, just a thinner brick. Chair Plaag disagreed with Ms. Garrett and Mr. Dixon and noted that thin-set brick is not just a thinner brick. He gave an example of an earlier version of a similar type of product on a building outside the historic district on “Hippy Hill.” He said the building material gives the appearance of brick and the feel of brick, and it is a brick veneer wall system. Ms. Garrett asked Chair Plaag if it was a true brick. Chair Plaag responded that it was something like the thin-set brick; it has an applique slight profile system applied over probably a concrete block. He said it was probably a product from the 1970s or 1980s that was sold to cover concrete blocks. Mr. Dixon asked Chair Plaag what this had to do with this case. Chair Plaag responded that the building material is a substitute material. He further explained that

it was not a brick wall in the traditional sense. He said it is a very low-profile product that is embedded in concrete and installed.

Chair Plaag voiced his concern that he can see the seams every time this type of substitute product is used on a building. He said that true brick wall systems do not have seams. Ms. Meade told Chair Plaag that she believed he was mistaken because she believed that they do have seams. She said that she had driven around town and she saw lots of buildings with true brick and thin-set brick. She added that these buildings need vertical seams to allow for expansion, otherwise, the brick would split at those seams as they expand and retract. Chair Plaag asked Ms. Meade if there were historic buildings in the historic district that used concrete panel wall systems. She responded no, and added that she didn't think that Chair Plaag was suggesting that a concrete panel wall system was inappropriate in the historic district. She pointed out that a concrete panel wall system cannot be seen, and it is like using metal studs instead of wood studs.

Chair Plaag referred back to the original plan that was presented to the HPC by Mr. Dixon. He said that the HPC had been asked to look at a façade of brick and stone that had no seams. He said the plan that the HPC has been asked to review now has seams. He also pointed out that now some of the windows needed to be removed. He noted that he had no strong objection to the removal of some of the windows. He mentioned that now there was a specific request to use precast concrete wall panels that were not included in the original application reviewed by the HPC. He said this is the reason that he asked Mr. Dixon if this was his original plan or not. Mr. Dixon told Chair Plaag that he was incorrect in that wall seams were not shown in the original presentation; he added there would certainly be wall seams where the brick and block meet. He explained that the HPC did not want the brick and block, they wanted only brick. Mr. Dixon said that Chair Plaag could not construe that there were no seams in the original presentation. Mr. Dixon reiterated that there were seams, you just could not see them.

Chair Plaag told Mr. Dixon that if he was able to cover the entirety of those seams on the original plan for this proposal without having seams in the midst of those brick portions and you only have seams at the rock pilasters, why can't you put the seams at the brick pilasters. Chair Plaag believed that the answer is that you cannot cover the spans with a concrete panel wall system.

Chair Plaag said his point was that the HPC was presented with an appearance that did not have seams in it, and that appeared to be a true brick wall not divided by seams because of an underlying concrete panel system. He said the HPC is now being presented with a proposed plan containing a concrete panel system. He said as a result, the appearance of those brick walls is going to change, and it going to look like a substitute system, not like a true brick wall. Mr. Dixon told Chair Plaag that he completely disagreed with him because he said when he is creating a conceptual design, he is not designing seams.

Ms. Garrett asked Mr. Dixon if he normally showed seams on buildings in his drawings, including if there was a natural break occurring because of a different use of materials along a long wall in a conceptual drawing. Mr. Dixon responded that only when you begin to create detailed construction drawings is when he would add the expansion joints on a building.

Ms. Garrett noted that she was confused about why there was so much focus being spent on seams. She said there was not much discussion on seams at the last hearings with the HPC on the proposed parking deck. She told Chair Plaag that she thought he assumed there were no seams based on the first

presentation. She said that seams were not part of the conversation prior to this point. She said from a construction standpoint, seams have to be used for expansion. She said she was not sure why this debate was happening.

Chair Plaag asked Mr. Dixon if he would have seams in a traditional cavity wall system, then would he have seams in the veneer brick. Mr. Dixon responded absolutely there would be seams in it. Chair Plaag asked Mr. Dixon why he would have seams if there was air space and the brick is not completely adhered to the concrete behind it. Mr. Dixon referenced as an example the King Street Flats building that was built three years ago to explain that brick expands differently than the metal studs behind it. He said there are vertical and horizontal seams on this building that cannot be seen because they are tucked in between the brick and the rock. He added that you cannot build massive buildings without having expansion joints. He said the Brick Veneer Association recommends expansion joints every 12 to 20 feet.

Chair Plaag asked Mr. Dixon if it was fair to state that he originally planned to put the expansion joints at the seams where he had the rock pilasters. Mr. Dixon noted that he was not thinking about seams when he created the conceptual design of the proposed parking deck.

Chair Plaag encouraged the applicant to follow the language in the COA application when preparing for a case regarding the design as presented. He said if the HPC does not know if the underlying system is a concrete panel system, that will necessitate the need for expansion joints that meet the width of the panels versus a more traditional concrete pour system that might make those seams further apart or better hidden in a panel system. He stated, as a result, the HPC cannot properly evaluate what is being proposed by the applicant.

Chair Plaag explained what he thought the HPC was approving in the initial approval was exactly what was presented to them at that time, which was a true brick veneer system over some sort of concrete system behind it. He said that given that concrete panels were not present; he did not think that concrete panels were involved. He pointed out that the HPC was being asked to review a modified plan that changes the appearance of the proposed parking deck that was approved by the HPC. He added that Member Watkins asked questions earlier in the meeting about the proposed change, which goes to this point. Chair Plaag pointed out that Member Watkins had concerns regarding the panel system if it failed and the appearance of the mortar being different in a thin-set brick and a true brick. He said these things are a substantial change to the appearance from a historic perspective. Chair Plaag added that in his experience, he has noted that buildings that use the thin-set brick show a very different appearance over a period of time compared to a true brick veneer system. Mr. Dixon told Chair Plaag that it was unfortunate that he did not visit the WMC or ASU parking deck to see that is not always true.

Ms. Garrett asked Chair Plaag for clarification considering the discussion about the original plans not showing seams, considering whether the brick be thin-set brick panels or true brick, and the application of concrete panels was not brought up, she asked Chair Plaag to confirm his statement about not considering seams. Chair Plaag confirmed that the inclusion of seams was his primary concern because Mr. Dixon highlighted it in his drawings. He explained his reason for asking about the windows was being made because the seams would fall in the middle of some of the windows. He added that this was a substantial proposed change, and it was discovered after the decision to explore this alternative system, which is an alternative to the original approval by the HPC.

Ms. Garrett stated that concrete panels are not prohibited as building material because they would be behind the brick. She stated that earlier, Chair Plaag had seemed adamant in his statements that the thin-set brick is not true brick but a substitute material. She asked Chair Plaag, from a historic standpoint, how it is a substitute material if it is made of the same exact material as brick, and the application of putting it on a panel and applied to a structure is different. She asked Chair Plaag to explain what is the difference in the brick just because one of the types of brick is thinner. Chair Plaag explained that the issue is typically that substitute materials create a very thin coating to simulate some other type of product, and they reveal their flaws over time. He said it is clear to the seasoned eye that the thinner brick is a substitute material that was used to save on costs. He added that over time, the appearance of the thin-set brick becomes incongruous with the appearance of the historic district.

Ms. Meade asked Chair Plaag if he was saying that if Mr. Dixon could prove to him that this type of brick lasted just as long as the normal construction of true brick veneer, if that would address his concern, and was this the crux of his issue. Chair Plaag said it was not the crux of his issue and that it would not look like a brick veneer wall system would look. Ms. Meade reminded Chair Plaag that they are discussing new construction. Chair Plaag pointed out that Appendix D, Section 14.2 states that it is not appropriate in new construction to use contemporary substitute materials in place of traditional materials. He reiterated that thin-set brick is a substitute material.

Ms. Garrett felt the reason for the debate was because she asked if a thin-set brick was a substitute material. She gave an example if hardy board wood comes in long strips, and then if it is cut into smaller pieces to apply it, why is it not considered the same wood applied differently? Chair Plaag explained the concern that when it is compared to a true brick veneer wall, the difference between the two types of brick is distinguishable. He said a large part of the difference is in the mortar pattern and, on a huge expansive wall, the seams that are created. He suggested the example of the Rivers Walk building, that he suspected used a thin-set brick veneer. Mr. Dixon noted that it was true brick on the Rivers Walk building. Ms. Meade agreed that she thought the Rivers Walk building had a true brick veneer on it, and it has expansion joints because of the construction. She pointed out that more recently, the newly constructed buildings in town, such as the WMC and at ASU, have seams even though it is a real brick.

Ms. Garrett and Mr. Dixon showed a sample of the thin-set brick to the HPC. She stated that it is an actual brick and not a substitution for brick, as they are made out of clay, just crafted to be smaller. She added that the thin-set brick is actual brick, not another material substituting for brick. Mr. Dixon noted that he could confirm that the Rivers Walk building has true brick on it because he thought Chair Plaag was mistaken about the brick on that building.

Discussion ensued on the windows. Chair Plaag referred to packet page 33 and discussed what he thought Mr. Dixon did: remove the center window of the three windows in each section between pilasters. Mr. Dixon agreed with Chair Plaag that was the proposal for the windows. Chair Plaag said one of the reasons that the thin-set brick concrete panel wall system was proposed was for concern for water intrusion in the windows, mostly on the Water Street view at the second level of the building. Mr. Dixon explained that he was concerned about the water getting in between the true brick and the concrete wall. He added with the thin-set brick, there is no cavity for the water to enter. Ms. Garrett clarified the question if Mr. Dixon was concerned about water intrusion on the top level versus the bottom level because the windows are recessed in on the bottom level, and there is not an opening for the water to go through on the top

level. Chair Plaag said his understanding is all of the lower-level windows are true openings. He assumed that in that type of system, there would be some type of coping that would prevent moisture from passing between a brick veneer and the concrete. Mr. Dixon agreed with Chair Plaag on the moisture prevention on the lower level windows. Mr. Dixon mentioned that, in this case, there would be a false storefront window frame that would cover the air space. He said the frame would not prevent moisture from going in those windows, but it would help to keep it out.

Chair Plaag suggested an option if the windows line up properly where the deck is at the second level, he said potentially the second-floor windows could be pass-throughs as well. He noted that car bumpers and headlights might show through the windows. Mr. Dixon said there are sections in the Unified Development Ordinance that do not allow what Chair Plaag suggested as an option, as the wall has to be solid up to 42 inches high.

Chair Plaag talked about reducing the windows from six to four windows. He said he did not object to this proposed change, whether the true brick veneer or the concrete wall panel system was used.

Chair Plaag asked the HPC if they had other comments or concerns regarding this case.

Discussion ensued on selecting the color of the brick for the proposed parking deck. Member Watkins pointed out that at ASU, every building around the parking deck has used a different color of brick than what is on the parking deck. He said it is a very noticeable appearance. Mr. Dixon responded that there is only certain brick that precast manufacturers like to use. He added that the brick had not been selected yet for the proposed parking deck, but the brick color would be a dark red and not a brown-orange colored brick. Member Watkins told Mr. Dixon that he wanted to know if there was a building within the site line of the proposed parking deck that would help Mr. Dixon form his decision on brick color. Mr. Dixon pointed out there is a building across Queen Street nearby Ms. Meade's law office is located, and there is a brick house beside her office; however, he stated that this might not be a fair comparison.

Ms. Garrett pointed out that a brick color was referenced in the initial meeting for this case. Chair Plaag referred to packet page 74, and Mr. Dixon said the brick color might not be the exact color shown under exterior materials, but it would resemble that color of brick.

Chair Plaag asked Ms. Garrett if she wanted to redirect. She voiced that she did not have a need to redirect, but she wanted to make a few closing remarks.

In closing, Ms. Garrett believed that having reviewed Appendix D, Section 14.2 regarding new construction on commercial buildings, she agreed with Ms. Meade and Chair Plaag that this is the most relevant section that applies to this proposal. She then read: new construction should incorporate prominent historical materials typical when surrounding historic buildings when possible, usually brick, or native stone. She continued referencing this section, stating that it continues to talk about glass and wood trim and similar historic materials. She pointed out that it mentions use of synthetic materials; she pointed out that through testimony in this meeting, it was discussed that the proposed material is not synthetic but is made of clay and the things that traditional true brick is made of. She listed that this section references non-traditional materials like vinyl synthetic stone, fiber cement board, aluminum plywood, and precast concrete panels. She noted that the concrete panels that were discussed would be underneath and not visible and no part of the structure.

Ms. Garrett pointed out that Chair Plaag had stated earlier that it was not appropriate in new construction to use contemporary substitute materials in place of traditional materials. She thought the term contemporary substitute materials was a vague term that may have some meaning when applied to specific situations. She noted that the proposed brick is brick, it is just thinner, and it is the installation that changes versus the material.

Ms. Garrett referred to Appendix D, Section 14.1, and she said that the code does state that new construction should employ an architectural design that reflects its current time, place and use, and culture provided that its use is compatible with the character of the district.

Ms. Garrett did not believe that the proposed material was prohibited. She said that one could argue that true brick veneer is the same brick attached to concrete panels because it is true brick. She said that veneer is anything attached to the exterior of a building that creates the look of the building. She thought this application of the thin brick was just a veneer on the concrete panels. She said it goes back to the proposal for a change in the installation of the material being used.

Ms. Garrett said she would understand if HPC and the Staff would need to revisit Appendix D, Section 14.2 to revise it. Her interpretation of this section was that it does not prohibit the proposed brick in this matter.

Ms. Garrett noted that there was a lot of discussion on water intrusion in this meeting. She stated that Member Watkins had asked how would a parking deck be built with the panel system. She understood there was a lack of comfort from the HPC in applying the brick in this way with a lack of familiarity. She said that does not change the fact that advances in technology allow for the application of materials to be more efficient for better performance.

Ms. Garrett said there was a lot of discussion on the potential failure of materials that are the traditionally applied brick veneer and the failure of the application of concrete panels. She noted that all materials are going to have a failure point. She said respectfully she did not think there was competent evidence for the HPC to deny this application based on speculation about the failure of the proposed material, especially if it is not already prohibited and addressed.

Ms. Garrett said she understood the trepidation, but this request, with the modifications, purports to what is allowed in Appendix D, Section 14, she thought the proposal was compatible with the district, but she said there was some tan brick around the proposed parking deck, but color was not an issue. She said respectfully it would be an injustice not to approve it. She said if the HPC wants to reconsider after this hearing to rephrase Section 14, she would understand.

In summary, she thought this proposal using real bricks should be approved. She told Chair Plaag that she made a statement when she was asking Mr. Dixon about the reasons for the proposed change, using the words "financially preferable" or to that effect, which were her words and not from a conversation with Mr. Dixon or the applicant. She said she had not been involved in a conversation about approaching the HPC with the proposed change because of finances. She said that Mr. Dixon had testified that the material would cost more. She said there might be a savings on labor costs that might balance it out. She said it was more of a hope that the savings would occur over time with not needing to maintain and repair the thin-set brick concrete panel system versus a more traditional application of brick. She noted that if the HPC would like to see any samples of material, she could work on getting them.

Chair Plaag asked Ms. Garrett if she had any objection to any of the materials in the meeting packet. Ms. Garrett said she did not have an objection to the materials in the meeting packet.

Chair Plaag asked Ms. Turner if she had any evidence pertinent to the application. Ms. Turner responded that she did not have evidence to present for this application.

Chair Plaag asked the HPC if they had any questions for Staff on this application. There were no questions for staff on this application.

Chair Plaag asked if there was any other interested party to speak or present evidence supporting the application, if there was any non-party witness to speak or present evidence supporting the application if there was any interested party to speak or present evidence in opposition to the application; if there was any non-party witness to speak or present evidence in opposition to the application. There were no answers in the affirmative.

Chair Plaag asked Ms. Garrett if she had a rebuttal to the information discussed for this application. Ms. Garrett said that she did not have a rebuttal for this application.

Chair Plaag asked the Staff if they wanted to make a closing statement. Ms. Turner said she did not have a closing statement for this application.

Ms. Meade made it clear that it is not a facile question when looking at the last sentence of Appendix D, Section 14.2, especially when it is read against the language of Section 14.1. She believed that it is the province of the HPC to decide what the language in Sections 14.1 and 14.2 means applied to this particular fact pattern. She said it is extremely fact-intensive based on the material in the meeting packet. Ms. Garrett responded that she was in agreement with what Ms. Meade said about Appendix D, Sections 14.1 and 14.2 because the HPC had the discretion to interpret its own ordinance. She said that she strongly agreed that her interpretation was the correct one.

Chair Plaag opened the floor for the HPC to discuss the evidence at hand regarding the proposal. He said he had two motions for findings of fact. He referred to packet page 48 and read Appendix D, Section 14.2.

Motion and Vote:

Chair Plaag began by reading into the record Appendix D, Standard 14.2 and made a motion seconded by Member Sharp that the Historic Preservation Commission finds the use of thin-set brick on a concrete panel system is the use of a contemporary substitute material used in place of traditional materials.

Discussion ensued on the finding of fact for this case. Member Watkins asked Chair Plaag about what evidence do we have from the National Park Service (NPS) or other preservation organizations regarding a substitute material instead of traditional materials. Chair Plaag noted this is part of why he asked Mr. Dixon if he was aware if the proposed material was approved by the NPS. Chair Plaag said if he recalled correctly, Mr. Dixon was not aware if the proposed material was approved by the NPS.

Chair Plaag gave an example of an exterior building material that is other than brick. He said this is an example of something that the NPS has approved. He mentioned Carrara glass or Vitrolite, a structural glass that was a common material used approximately from the 1930s until the 1950s. He explained that it was adhered with a mastic to masonry, which could be brick or concrete block. He said the Appalachian Theatre originally had this type of glass. He said after 40 or 50 years, the mastic would fail, and the panels would start falling off. He said when someone would begin to restore the glass, it was difficult to find enough salvaged glass to do it. He said the NPS has approved spandrel glass, which is a substitute material that is acceptable in restorations or rehabilitations of buildings that had a structural glass. He said the spandrel glass is held in place by the frame and not the mastic. He said most people do not notice the metal frame.

Chair Plaag added that the HPC had not heard evidence that thin-set brick on a concrete system is an approved substitute material. Member Watkins said it is a brick, it is just sliced thin, although it does not function in the same manner as a traditional full-size brick, even in a veneer fashion. He said in between those bricks are mortar joints, as there would be in a regular veneer application. He said the joint does not quite appear the same way that a tooled mortar joint appears. He said when he looked at the WMC

building, he was more impressed by the appearance of it than the ASU parking deck. He said the ASU recording studio, previously the bus station, is a good example of the appearance of concrete panels, and they obviously stand out as being incorrect. He said that he knows that governments are habitually bad about the maintenance of their buildings. He said the idea that there would be a product with the appearance of brick that might actually hold up better than the alternative is attractive in his view. He added that he found this to be a difficult and problematic question. He noted that the proposed material is not like replacing vinyl siding on a structure. He added because the thin-set brick is proposed for the parking deck, it will not be admired for whatever appearance Mr. Dixon is able to produce. He told Chair Plaag that he would not be able to support his motion for a finding of fact for the reasons stated above.

Chair Plaag responded regarding if the proposed material is a brick or not a brick. He said a “slice of bread” is not a “loaf of bread.”

Vote:

Aye- (Plaag, Riley, Sharp)

Nay – (Bond, Watkins)

The motion passed.

Motion and Vote:

Chair Plaag made a second finding of fact with the motion that thin-set brick on a concrete panel system does not represent the highest quality historically appropriate exterior facing material as used in this particular proposal. There was no second to this motion, the motion failed.

Chair Plaag explained that a finding of fact had been made that the material that was proposed is a contemporary substitute material being used in place of traditional materials. He said that Appendix D, Section 14.2 states it is not appropriate in new construction to use contemporary substitute materials in place of traditional materials.

Chair Plaag noted that he does not have a particular objection to the proposed window change in the number of windows being placed, providing they adopt the general arrangement that Mr. Dixon has indicated on the revised drawings with two smaller windows on top and the two larger ones below.

Chair Plaag asked the HPC if there was a motion to either approve or deny based on the finding of fact and the other evidence heard in this case. Ms. Garrett asked Chair Plaag if he was asking the HPC to approve the reduction of windows, specifically, because she would like the windows to be considered as a separate request, whether the panels are approved or not approved. Chair Plaag responded that the HPC could make two separate motions.

Motion and Vote:

Member Watkins made a motion, seconded by Chair Plaag, to approve the proposed change to reduce the number of windows and location of them.

Vote:

Aye- all

Nay – none

The motion passed.

Motion and Vote:

Vice-Chair Bond made a motion, seconded by Member Watkins, to approve the use of a thin-set brick mounted in the concrete panel wall system in place of the use of a true-brick veneer cavity wall system that was previously proposed and approved by the Historic Preservation Commission.

The following conditions are automatically included and a part of any approval.

- Where there is a conflict between the application information and the plans (February 24, 2022), the plans control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
- Any commitments and representations concerning the proposed exterior modification made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Vote:

Aye – (Bond, Sharp, Riley, Ziegler)

Nay – (Plaag)

The motion passed.

CASE Z06553-032323 SOUTHEND BREWING CO. – ADDITION AND PATIO IMPROVEMENTS – COA

Chair Plaag suggested that this case be tabled to a later date and time. Discussion ensued with the HPC, Staff, and Applicants, and they agreed to have a special meeting on Tuesday, May 16, 2023. Chair Plaag tabled Case Z06553-032323 Southend Brewing Co. – Addition and Patio Improvement – COA to Tuesday, May 16, 2023, at 11 a.m., via Webex.

ADJOURNMENT

Student Member Ziegler made a motion, seconded by Vice-Chair Bond, to adjourn the meeting at 5:31 p.m.

Vote:

Aye – All

Nay – None

The motion passed.

Eric Plaag, Chair

Marlene Crosby, Board Secretary