

TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
July 11, 2023, 3:00 p.m.
WebEx Video Conferencing

Historic Preservation Commission Members in Attendance:

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

Student Member: Riley Ziegler

Town Staff in Attendance: Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary

Others in Attendance: Allison Meade-Town Attorney, Chelsea Garrett-Attorney, Bill Dixon and Leigh Blevins-Appalachian Architecture, Jean Borhman-Applicant, Colton Matthew Lenz, and Jodie Feimster

Call to Order

Chair Eric Plaag called the HPC Quasi-Judicial meeting, held via WebEx, on July 11, 2023, to order at 3:06 p.m.

Chair Plaag introduced himself as the Chair of the Historic Preservation Commission and the other members of the HPC, including Vice-Chair Bond, 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

Chair Plaag outlined the following suggested changes to the May 9, 2023 meeting minutes:

- Page 3, paragraph one, first sentence, change “had an commissioner” to “if any commissioner”
- Page 4, paragraph four, first sentence, change “As Mr. Dixon” to “Mr. Dixon”
- Page 6, paragraph one, fourth sentence, change “set thin-set” to “thin-set”
- Page 6, paragraph one, sixth sentence, change “It said” to “He said”
- Page 9, paragraph three, fourth sentence, change “Mr. Dixon isn’t fairly” to “Mr. Dixon isn’t it fairly”

Motion and Vote:

Member Sharp made a motion, seconded by Student Member Ziegler, to approve the amended May 9, 2023, meeting minutes.

Vote: Aye – (Plaag, Sharp, Ziegler)

Nay – None

Abstain – (Bond)

The motion passed.

Chair Plaag requested that the approval of the May 16, 2023, Special Quasi-Judicial meeting minutes be tabled to the August 1, 2023, Advisory meeting. There was consensus from the HPC to table the minutes.

CASE Z06679-062423 Valcore Restaurant – COA

Jean Borhman, on behalf of Valcore, Inc., has filed an application for a Certificate of Appropriateness (COA) at 587 W. King Street (Watauga County PIN 2900-88-4868, formerly the John W. Hodges Building, now the Vetro Building) to install three (3) new windows, which will be operable sectional garage-style windows with mullions on the secondary elevation in existing openings. The applicant proposes to infill a gated opening and install a new full-glass aluminum storefront exit door on the tertiary elevation. Additionally, the applicant proposes two (2) new openings on the tertiary to accommodate the exhaust and intake ductwork.

Pursuant to the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District, specifically the section on COA Application for Major Work, a COA is required for the replacement of architectural details when there will be a change in design or materials from the original.

Chair Plaag swore in Ms. Turner and Ms. Mitchell.

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

Chair Plaag confirmed that Ms. Chelsea Garrett, Attorney, represented the applicant, Ms. Jean Borhman; Ms. Garrett replied yes. He confirmed that Ms. Garrett or Ms. Borhman had no objection to the materials in the meeting packet.

Chair Plaag asked Ms. Garrett if she had an opening statement to present to the HPC, and Ms. Garrett replied yes. She began by stating that the request was for a Certificate of Appropriateness (COA) for the old John Hodges Building, now known as the Vetro Building. She said this building was used for a number of different businesses. Ms. Garrett said the Vetro Building was constructed around the 1940s. She said, unfortunately, this building was significantly altered about 2002 by the owner, Mr. Vetro, who still owns the building.

Ms. Garrett said the request to renovate the building, as outlined in the meeting packet, will make minor improvements to some aspects of the building. She said all of the improvements are related to the secondary and tertiary elevations of the building. She said the applicant proposes to keep the openings or fenestrations the same, except for a change at the back tertiary elevation regarding the entrance door. She noted that she had some history that would be important to change the entrance door. She said the primary changes would be to the interior of the building for an upscale American Bistro Restaurant, which will be a restaurant business by the owners of the Local Restaurant.

Ms. Garrett asked that Mr. Bill Dixon from Appalachian Architecture be sworn in. Chair Plaag suggested that Ms. Jean Ann Borhman, the applicant, and Mr. Colten Matthew Lenz be sworn in. Chair Plaag swore in Ms. Borhman and Mr. Lenz.

Ms. Garrett called Mr. Dixon as the first witness and asked him how the proposed changes to the Vetro Building would affect the primary elevation. Mr. Dixon said the applicant is not requesting changes to the King Street façade. Ms. Garrett clarified that the applicant proposed a minor change that would be considered internal: adding a glass door about ten feet inside the building.

Ms. Garrett asked Mr. Dixon if the applicant proposed making any new openings on the secondary elevation, and Mr. Dixon replied no. She asked Mr. Dixon if the applicant proposed changing the upper floor windows, and Mr. Dixon answered no. She asked Mr. Dixon to outline the proposed changes to the bottom-floor windows. Mr. Dixon said the windows would not increase in size.

Mr. Dixon explained that when Mr. Vetro renovated the building in 2002, he created an exterior breezeway that runs the full depth of the structure that connects from the breezeway to the emergency exit stairs. He also said that Mr. Vetro had created four breezeway openings secured with wrought-iron gating in this renovation. Mr. Dixon said the applicant proposed enclosing the back three windows with fold-up, store-front windows on the second-floor level. Ms. Garrett confirmed with Mr. Dixon if the wrought-iron gating would be removed. She asked Mr. Dixon if the window seal material would stay the same around the windows; Mr. Dixon responded yes. He said the material on the bottom is a concrete seal, and the sides have been based on perimeter brick. He said the applicant would be proposing to close the actual openings themselves.

Mr. Dixon referenced the proposed elevations on packet page 59. Ms. Garrett asked if these elevations reflect installing windows with design elements that match the design of the windows on the upper floor, and Mr. Dixon replied yes. Mr. Dixon stated that the proposed windows appear to be double-hung. Ms. Garrett asked Mr. Dixon to explain how the windows would operate. Mr. Dixon explained that these windows would fold into the window jam so it could be an open-air restaurant in good weather. He added that these are the same windows that were proposed for the Southend Brewery Certificate of Appropriateness (COA) case. Ms. Garrett confirmed with Mr. Dixon that the proposed windows for the Valcore Restaurant would be similarly divided at the top, and the bottom of the window would remain open, and they would be consistent with the windows on the second floor of the building. Ms. Garrett confirmed with Mr. Dixon that there were no other proposed changes to the secondary elevation.

The applicant screen-shared images as examples in reference to the proposed fold-up windows.

Ms. Garrett referred to packet page 60 in the meeting packet, which shows the tertiary (south) elevation. She asked Mr. Dixon if there was a proposed change to the fire escape, and Mr. Dixon replied no. Mr. Dixon outlined that the applicant was requesting a change to the breezeway exit, which is a gated open exit that would be enclosed, and a new exit door would be installed to the left of the breezeway to have a second required exit out of the dining area.

Ms. Garrett and Mr. Dixon discussed the historical photos the applicant provided for this case. Mr. Dixon referred to packet pages 56 and 142 and stated that these were photos of the original building. He said that on the main level of the building, various openings had been altered significantly and bricked over.

Mr. Dixon referred to packet page 56 and stated that two historical photos on this page show the back of the building. He said the photo on the bottom of the page shows a metal railing across the back of the building with steps coming down from it. He said if you look closely at the photo, you can see some other openings that have been bricked over for windows and not a door, and it was more to the left than it currently is. He explained that in the 2002 renovation, an entry was added at the right corner of the back of the building. He said the applicant proposed bricking in the existing doorway and shifting the door to the left about three or four feet. Chair Plaag pointed out that a historical photo on packet page 91 clearly shows the back of the building.

Ms. Garrett asked Mr. Dixon to explain that the applicant proposes adding an exhaust hood and fresh air intake, which are required for a commercial restaurant, and will be located on the tertiary elevation. He said the ductwork for the exhaust hood and fresh air intakes would run up to the top of the building, where the rooftop units would be located. He said the exhaust hood and air intake are round and would be painted dark red to minimize their appearance. Ms. Garrett said the ductwork would also be painted dark red to reduce its appearance on the building. Ms. Garrett talked about attaching the ductwork to the back of the building. Mr. Dixon said they could drill through the mortar joints to secure the ductwork to the building.

Mr. Dixon pointed out that the Vetro building was severely altered during a fire in the 1970s and completely altered in 2002 by Mr. Vetro. He said all three of the visible elevations were changed significantly. He said it is challenging to try to sort between the original building and the 2002 renovation of the building.

Mr. Dixon stated that he had been working on the proposed Valcore Restaurant for a long time and had received a zoning permit. He was applying for demolition and building permits when the applicant was informed that the zoning permit had expired. He explained that the historic district was not established when the zoning permit was originally submitted. He said this application had come before the HPC for the COA because the zoning permit had expired.

Mr. Dixon referred to packet page 60 and pointed out that the grill above the area where they will infill for the existing door is for the air intake for the new heating and cooling systems that will be added for the restaurant. He said the grill must be relocated somewhere on the tertiary elevation. He said they are trying to relocate these units out of the dining room and into the kitchen. He said the grill would stay at about the same height on the back of the building between the stairs and other features of the building.

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

Chair Plaag asked the HPC if they had questions for Mr. Dixon. Member Sharp asked Mr. Dixon about the tertiary elevation was the door opening not feasible to install the exit door. Mr. Dixon replied that leaving the exit door in that corner of the building would not be historically accurate and would probably cut out six seats in the dining room area. He said six seats over time add up to a lot of income for the restaurant, which is why they propose moving the exit door. Ms. Garrett told the HPC that if they wanted to see an interior layout of the restaurant, Mr. Dixon could provide it for them to review. Chair Plaag requested to see the interior layout of the restaurant. The applicant screen-shared an interior layout plan of the building. Mr. Dixon explained that there is banquet seating along the restaurant's interior wall. The door opening would need to be changed to accommodate this type of seating and create a new fire exit lane.

Mr. Dixon pointed out that the applicant proposes new internal stairs to connect the prep kitchen to the dining area. He noted that the applicant is taking over half of the building for the proposed restaurant use.

Chair Plaag talked about the windows and noted that they appeared to consist of wood. He asked if the windows would be wood or metal, and Mr. Dixon replied that they would be metal. Chair Plaag asked Mr. Dixon what was happening around the current window openings. He said it appeared to be an unpainted brick element. Mr. Dixon said it is one thickness of brick that surrounds those windows, which he believed to have been done during the 2002 renovation. He said the brick was stuccoed over, and the stucco started falling off. He said that in 2019 the rest of the stucco was removed and painted. He said the window surrounds are not painted, and the applicant could have them painted at the pleasure of the HPC. Chair Plaag explained that he did not want to leave something on the building that creates a false impression of a trim element around the windows or invites somebody else to come along later and try to cover them up by putting a trim element on them that would never have been there historically or since 2002. He said that he preferred to see the window surrounds painted with a paint that matches the surrounding brick, and Mr. Dixon agreed with Chair Plaag on the painting of the window surrounds. Chair Plaag stated that the window sill was fine and did not need to be painted.

Chair Plaag referred to packet page 91 and confirmed the location of the new exit doorway would be to the left between the downspout and the window that had been bricked over on the right side of the building on the tertiary elevation.

Chair Plaag talked about the location of the air intake vent openings on the tertiary elevation. Ms. Garrett stated that the ductwork would be located on each side of the window on the far left. Chair Plaag asked if holes would be made in the brick to create the air intake vents. Mr. Dixon said yes, at the bottom of the two round vents. Chair Plaag asked where the base of the air intake vents would be in the building. Mr. Dixon said the two openings for the air intake vents would come out of the building on the left side between the power line and the bricked-in window and at the top of the main floor level. Ms. Garrett explained that the right vent would go through the top left corner of the bricked-in window, and the left vent would go through on the left of the bricked-in window closer to the downspout.

Chair Plaag talked about the propane tanks that would be removed and bicycle racks would be added. Mr. Dixon explained that they propose removing five or six propane tanks and adding one gas meter to the back of the building.

Chair Plaag mentioned mechanical units being located on the roof and assumed they would be placed near the rear of the top of the building. Mr. Dixon responded that the mechanical units are required to be placed ten feet from the property line. He explained that the mechanical units could not be placed on the left, western side of the building. He said the mechanical units would be placed away from the rear of the rooftop of the building. He said it is noted in the application that anything visible from Howard Street would be screened per the Historic District standards. Ms. Garrett confirmed that the mechanical units would not be seen from King Street or the secondary elevation side of the building and possibly visible on the tertiary elevation. Chair Plaag asked Mr. Dixon what normal screening material would be used if needed. Ms. Garrett read Appendix D, Section 7.3, from the historical standards that screening material should never be erected on top of a roof to obscure such elements. She added that the mechanical units would only be visible from the tertiary elements. She said if screening is preferable to not screening, the

applicant will screen the rooftop. Still, she added that the units must only be screened if visible from the primary or secondary elevation. Mr. Dixon said the elevation change would hide the mechanical units from Howard Street. He said this decision can only be made once the mechanical units are installed.

Appendix D. Section 7.3

Dormers and gables should never be added to the primary and secondary elevations visible from the street (unless replacing a historical element previously removed). They should be added to tertiary elevations only when it can be shown that they are appropriate for the building style. Adding dormers to commercial block buildings is especially inappropriate and should be avoided on all occasions and reversed in cases where this change has already been made. Skylights, solar panels, power ventilators, and mechanical equipment should always be restricted to the tertiary portions of the roof or areas behind parapet walls and hidden from the street. Screening materials should never be erected on a top to obscure such elements.

Chair Plaag asked the applicant if they would be open to a commitment to place the mechanical units on the rooftop so they are not visible from the primary or secondary elevations, and that they are placed as far back out of view from the tertiary elevation as much as possible to minimize their visibility. Ms. Borhman and Mr. Lenz stated that they would accept this condition. Chair Plaag said that Appendix D, Section 7.3, Roofs section, should be applied and that screening should not be used.

Chair Plaag asked Ms. Garrett if she had additional evidence to present at this hearing, and she replied no.

Chair Plaag asked the Staff if they wished to present evidence other than what was in the meeting packet, and Ms. Turner replied no. Chair Plaag asked if there were any questions for Staff regarding this application, and no questions were asked of Staff.

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 since there was no opposition presented regarding this application, it was fair for him to say that she did not have a rebuttal, and she said that was correct.

Chair Plaag asked Ms. Garrett if she wished to give a closing statement or wait for the Staff to be allowed to give their closing statement or defer. Ms. Garrett said that she would defer. Chair Plaag asked the Staff if they had a closing statement, and Ms. Turner responded no.

Ms. Garrett gave a closing statement for this application. She said that given the fairly substantial modifications made to the Vetro Building, the applicant believes the change to the aesthetic look of the windows on the second-floor elevation is an improvement. She did not see in Appendix D that it would prohibit the proposed changes. She said there was some language in the standards about building materials, and they would not replace historical materials on the building. She said moving the exit door was needed for the tenant's proposed use, and explained the proposal of moving the door to a location where there already was an opening before during a historically significant period.

Ms. Garrett said two holes would be added to have the ductwork installed. She said one of the holes would be entirely new, and the other hole would go into a place with a window at one point.

Ms. Garrett said the standards talk about trying to allow historical buildings to be modified for new contemporary uses with as few changes to those buildings as possible. She said the applicant would ask the HPC to approve the addition of the ductwork because the alternative is disruptive to the use of the building and the other tenants. She said the ductwork would be added to the tertiary elevation of the building, where the standards strongly require those types of changes to be made. In Appendix D. Section 13, she said this section reiterates the need to have any changes beyond the tertiary elevation, if possible, which is the most inconspicuous location for the vents. She said that because of the stucco on the building, if they can tell where the brick is and where the mortar is, they will go through the mortar joints when attaching the vents to the building.

Ms. Garrett said the applicant agreed to paint the brick around the windows and leave the window alone on the secondary elevation and for the mechanical units to not be visible from the primary and secondary elevations and, if possible, not from the tertiary elevation.

Chair Plaag asked Mr. Dixon, when they removed the bars from the windows, did he anticipate any damage to the masonry on that side of the building, or was that element wedged into those openings instead of anchored through them. Mr. Dixon said they are wedged through those openings and bolted from the inside surface of the brick of each of those openings. He added that the wall is as thick as the width of three bricks. Chair Plaag asked Mr. Dixon if he anticipated that removing the bars would require moving any of the bricks. Mr. Dixon replied that moving the bars would require unbolting what was there.

Chair Plaag asked Ms. Garrett if she wanted to add to her closing statement since he presented more questioning regarding removing the bars. Ms. Garrett stated she had nothing more to add to her closing statement.

Chair Plaag closed the testimony phase for this case.

Chair Plaag opened the floor for the HPC to discuss the evidence at hand. He reminded the HPC to limit their discussion to the proposal and its relationship to the standards applicable to the case.

Vice-Chair Bond stated that the applicant had met and exceeded the standards, particularly with the addition of the exhaust system. Chair Plaag noted that the two most problematic proposed changes are the relocation of the exit door and the holes for the exhaust vents. He referred to Appendix D. Section 10.1 and noted that it explicitly says that utilities and mechanical equipment should be placed at the rear tertiary elevation of the building, if feasible, is preferred. He said the applicant is doing what they can to honor this standards section. He said the best way to make the holes would be to put them through the bricked-in brick instead of the original brick. He said that in looking at the areas where this would be feasible, in his perspective, it would create more problems than it would solve. He said the applicant was proposing one of the least intrusive ways to accomplish the making of the holes, and the other HPC members agreed with Chair Plaag.

Design Standards for Commercial Properties Within the District

10. Utilities and Energy Retrofit

- 10.1 Install utilities and mechanical equipment in areas and spaces requiring the least possible alteration to the plan, materials, and building appearance. If feasible, installation at the building's rear (tertiary elevation) is preferred.

Chair Plaag said this is a case where the building whose significance lies in its historical significance, not its architectural significance. He said that in large part because of the multiple alterations to the building, some were for a good cause, such as the earthquake rods were put in the building because it was badly gutted after the 1970 fire. He said we are dealing with the remaining shell of the building. He said the owner has an obligation to preserve as much of the shell of the building as possible. He said this is a very different case from the other circumstances that the HPC has heard, and he was forgiving for damage to original masonry in this particular case. He said, especially if what is being proposed is the least intrusive way to accomplish what is proposed for a building.

Chair Plaag asked the HPC if they objected to the metal windows. Member Sharp said he did not have an objection to the metal, but he asked Mr. Dixon if the windows were painted a dark forest green on the secondary elevation of the building. Mr. Dixon responded that if painted, the applicant would match the paint color of those windows to the windows on the other elevations. Chair Plaag said if you look at the pre-1970 historic images of the second-floor east windows, at least three current windows differ from where the original piercings were, which was part of the 2002 renovation where they moved the second-floor piercings. He said we would find that the 6-over-1 window sashes were also different from the original sash type for those second-floor windows. He explained that there are elements that are not from the period of significance, and there is no way to fix them or go back and put the elements back to their original state.

Chair Plaag added that the applicant's willingness to make the east elevation as congruous as possible is admirable compared to the alternatives.

Motion and Vote:

Vice-Chair Bond made a motion, seconded by Student Member Ziegler, to approve the requested COA with three additions

And includes the following conditions:

- Where there is a conflict between the application information and the plans (initial submittal on April 26, 2023, and revised submittal May 20, 2023), 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.
- Windows on the secondary first floor that will replace the current metal bars ("jail bars"), that they will use those openings where there are unpainted window surrounds, and that brick will be painted to match the rest of the brick on that secondary elevation.

- Metal windows will be painted to match the color of the second-floor windows on the secondary elevation.
- HVAC and related mechanical equipment to be placed on the roof will not be visible from the primary or secondary elevations, and it will be placed as far forward on the building (as far North on the building as possible) to minimize any appearance from the tertiary elevation (Howard Street). No screening is to be used.

Vote: Aye – All

Nay – None

The motion passed.

With no further discussion, Chair Plaag closed this case.

Adjournment

Vice-Chair Bond made a motion, seconded by Student Member Ziegler, to adjourn the meeting at 4:17 p.m.

Vote: Aye – All

Nay – None

The motion passed.

Eric Plaag, Chair

Marlene Crosby, Board Secretary