

TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
AUGUST 9, 2022, 3:00 p.m.
WebEx Video Conferencing

Historic Preservation Commission Members in Attendance:

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

Council Liaison: Virginia Roseman

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-diSanti, Capua and Garrett, PLLC, Deron Geouque-Watauga County Manager, Bill Dixon-Appalachian Architecture, Alan Crees-Municipal Engineering, Jim Deal-Deal Moseley and Smith, John Winkler-Howard Street Ventures, LLC, and Laurence Lindsey- L-Squared Engineering

Call to Reconvene

Chair Eric Plaag reconvened the Boone Historic Preservation Commission hearing from July 26, 2022, held via WebEx, at 3:00 pm.

Approval of Minutes

Discussion ensued on the approval of meeting minutes. Chair Plaag asked Ms. Allison Meade, Town Attorney, that since these hearings are all continued would it be appropriate to approve all the minutes all at once rather than the HPC approve them individually. Ms. Meade said it was within the discretion of the Chair of the Commission to make that decision. Chair Plaag suggested tabling the approval of the July 12, 2022 meeting minutes until all other meeting minutes are available for review by the HPC or any additional dates if necessary.

Case Z05738-052522 Watauga County Parking Deck - COA

Deron Geouque, County Manager, on behalf of Watauga County, has requested a 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.

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 new construction of the structure in the Downtown Boone Local Historic District.

Chair Plaag reopened this case. He swore in Mr. Bill Dixon from Appalachian Architecture and Mr. Alan Crees from Municipal Engineering. Chair Plaag also swore in Ms. Jessica Mitchell, Long-Range/Special Projects Planner, and Ms. Christy Turner, Senior Planner.

Chair Plaag asked Ms. Chelsea Garrett to proceed with the revisions made since the last meeting; she noted that those changes had been included in the meeting packet. Chair Plaag pointed out that the revisions are on packet page 150.

Ms. Garrett asked Mr. Dixon to present the proposed revised changes to the HPC. Mr. Dixon said that the revisions include: the removal of the curved, arched windows; the removal of the large window openings in the lower level of the parking deck, and small openings have been made; replicated the windows from the upper-level window openings and added precast concrete sills and lintils to those same openings; shortened the chimneys to mimic

the former Watauga Democrat building, creating the look of a small residential two-story house. Ms. Garrett added that Mr. Dixon bumped out the lower level about four inches to help shorten the look of the chimneys at the stairwells. Mr. Dixon continued with the proposed revisions; he said the code requires that the rail openings be smaller than four inches. He said they added a solid wall behind the window with an aluminum storefront screen on the upper level of Queen Street. He said the screen is required to be 42 inches high to screen automobile parking from visibility. Mr. Dixon completed his presentation on the proposed revisions and asked for the HPC's feedback.

Chair Plaag reviewed the exterior elevations of Exhibit 11 on page 151 of the meeting packet. He asked Mr. Dixon about the third drawing representing the East elevation and the two openings on the wall. Chair Plaag asked Mr. Dixon if those two openings were in and out of the upper level. Mr. Dixon said they are in and out of the upper level.

Chair Plaag asked Mr. Dixon about the proposed South elevation specifically, the lower story openings that terminate after the fifth section. Chair Plaag said he assumed that it is because of the interruption of the grade. Mr. Dixon explained that the code limits the percentage of openings in the walls within the Downtown Fire District because of the proximity of the property line. He continued by stating there is a maximum amount of openings allowed on that side.

Chair Plaag said to Mr. Dixon that, similarly, on the North elevation along Queen Street, the termination of the faux windows is a visual consideration because of the grade. Mr. Dixon said it was because of the grade.

Chair Plaag asked Mr. Dixon if he created a raised parapet for stairwells so the roofing sits slightly below the parapet wall, and if the chimneys have also been reduced in height. Mr. Dixon said he intended to raise the parapet and reduce the height of the chimneys.

Chair Plaag asked if the roof's angle was slightly flatter than initially proposed. He wanted to ensure that the proposed metal roof is a standing seam roof instead of the panel roofing. He noted this could be a condition of approval. He continued that the annex building, the courthouse, and the administration building appear to have standing seam roofs as opposed to panel roofing. Ms. Garrett said the applicant would agree that the proposed parking deck roof has to match the surrounding county buildings. She said the applicant could accept this as a condition of approval.

Chair Plaag talked about the proposed awnings over the doorways on each chimney stairwell. He said this is a standard cable-hung awning with a metal box soffit; Mr. Dixon confirmed these awning details.

Member Watkins asked Mr. Dixon if he was satisfied with the height of the pseudo-chimneys as an architect. Mr. Dixon said he would have made them a little differently by making them step in as they go up so the top of them would not look so massive.

Chair Plaag asked Mr. Dixon if he had incorporated limestone elements to the sills and lintils to the faux openings, the window openings on Water Street, and coping for the door openings. Mr. Dixon said that he used precast concrete, which is largely similar to limestone and it is less expensive.

Chair Plaag asked Ms. Meade for direction on how clear the HPC should be in reviewing the revisions to the proposed plans. Ms. Meade responded that she thought the record needed to reflect a clear consensus to guide staff. She stated if what is intended to be approved is not in these newly revised elevations, then the HPC needs to be very clear about what they approve. Chair Plaag clarified that the revision to the width of the chimney stairwells would not get taller, but they would be stepped in slightly as they rise.

Discussion ensued on options for lighting fixtures. Ms. Garrett said the applicant is working on getting a lighting survey to determine the existing lighting or foot candles at the property. Ms. Garrett said that Mr. Deron Geouque, County Manager, had taken some photos of Queen Street that showed Queen Street being illuminated very well. She said that they are hoping that the existing lighting on Queen Street will help them limit the number of light fixtures needed on Queen Street. She continued if that is the case, then they can focus on the number of light fixtures needed on the South elevation.

Mr. Dixon presented full-color fixtures that were historic, in design, and used at the King Street Flats apartment building on King Street. He noted that at this development, they had some poles very close to the property line, which could shield the light from shining over onto the next property. He said these fixtures are acceptable within the bounds of the photometric requirements in the Community Appearance Standards of the UDO.

Discussion ensued on light poles along Queen Street. Chair Plaag asked if 20-foot poles would be used or bollard-type fixtures. Mr. Dixon said the goal would be to use poles, with pole heights down to 12 feet high or as low as possible, and provide enough safety and security. Ms. Garrett said that the applicant is exploring some down lighting on the chimney stairwells, even if it covers the corner because it would eliminate a pole at that location. She said the applicant would look into installing lighting on the interior side of the chimney stairwells to help eliminate additional poles.

Chair Plaag voiced his concern about having a lot of light poles standing above the structure beyond what we already have on Water Street, Queen Street, and in the alleyway on the east side. Chair Plaag asked Mr. Crees if it could meet the foot candle requirements using bollards or wall-mounted lights on the upper deck. Mr. Crees responded that it would not be impossible. He continued to state that if bollard lights are wanted, they would have to be sprinkled throughout the parking deck. He said this might eliminate some parking spaces. He said he would ask his lighting engineer about mounting lights between the parking spaces to determine if it would shine brightly enough to help eliminate some light poles. He said this type of lighting created dark area shadows that are problematic from a safety and security point of view. He told the applicant also to look at the possibility of mounting lights outside the chimney stairwells.

Discussion ensued on the 25 percent flexibility in the standards. Chair Plaag asked Ms. Turner to explain the 25 percent deviation from the levels noted in the UDO Section 25.07. Ms. Turner responded that the applicant has to ask for the deviation before they turn in the plans. She stated that the applicants have to know about it ahead of time and before the zoning permit is issued. Ms. Garrett said the applicant would like the HPC to strongly consider allowing the 25 percent reduction to help preserve the character and have the proposed parking deck look as historical as possible with fewer light poles. Ms. Turner reminded Ms. Garrett that at the last meeting, for the lighting, it was discussed that if the HPC would approve the COA, the applicant could prepare the photometric plan before the zoning permit was issued. Ms. Turner continued that the applicant would then come back and present the photometric plan to the HPC to approve the photometric plan and amend the COA.

Discussion ensued on amending the possibly approved COA application. Ms. Garrett asked Ms. Turner what the HPC would be amending about the actual COA if they were to issue one. Chair Plaag asked Ms. Meade the best way for the HPC to handle the possible amending of the approved COA application. Ms. Meade said she felt the HPC needed to articulate the requirements for the photometric plan so the plan would meet historic district standards.

Discussion ensued on the lighting plan meeting the UDO and Historic District Standards. Chair Plaag pointed out that there is a way for the UDO requirements to be met while keeping the historic district standards in mind. He referred to Section 7.4 Exterior Lighting of Appendix D, and read the standard aloud. He added that whatever lighting is employed needs to meet this standard.

Ms. Garrett referred to the lighting standards and stated that it would need to be the lowest requirement and then potentially employ the alternative, which is a 25 percent decrease to that if possible. Ms. Meade asked if the UDO lighting standards have minimums based on safety and do the standards match up with some national standard of lighting safety. Ms. Garrett said the purpose of Section 7.4 states the goal is to minimize lighting, and the only thing it provides is an actual minimum. Ms. Garrett explained she interpreted that language to mean that the applicant could do as little lighting as they want to. Ms. Garrett further stated the basic chart, in UDO Section 25.05, provides a minimum for the lighting the applicant can achieve. Ms. Turner responded that the interior lighting of a parking deck is mentioned in the UDO standards, but not in the historic district standards. Ms. Turner said the photometric standards would have to be met for the exterior of the building. Ms. Garrett asked Ms. Turner if the applicant needed to look at the activities listed in the chart, in UDO Section 25.05, under open parking areas or under street lighting, ranging from .2 f.c. to 9 f.c., as a minimum, to 3.6 f.c., as a maximum. Ms. Turner said this range referred to foot candles and noted that these are industry standards for foot candles. She said the language on foot candles is being revised by staff, and the applicant has to meet the requirements for foot candles presently written.

Ms. Garrett said that a maximum of 3.6-foot candle is not that bright, and the applicant will have difficulty with bright spots under the lights. She said the applicant would have to get low voltage fixtures not to exceed the maximum. She said the applicant would have to put several lights on the parking lot to disperse the background. She said this should be achievable by adding a low range and frequent sets of lights.

Chair Plaag referred to Section 7.5 of Appendix D, and read it aloud. He thought the applicant had an opportunity with the east and west tower to use wall mounted lighting but shining down into the parking lot. He said the applicant would not be creating a separate pole in those areas. He said if the applicant relies on this standard, it might help meet the surface lot's lighting range.

Chair Plaag stated for the record that the HPC expects that whatever lighting plan is developed will meet the requirements of Section 7. Exterior Lighting of Appendix D. Chair Plaag said he would like to see no light poles sticking above the parapet walls and a minimal number of them on the upper deck to keep the viewscape as uncluttered as possible.

Member Watkins asked if electrical wiring would be put through the cast concrete caps on the pilasters and then add a 12-foot pole on top of them. Ms. Garrett said yes, there would be a hole for the electrical wiring, but the height of the pole and the fence depend on which parapet it's going on. She said they would try to keep the pole height as low as possible. She said they would not all be 12 feet; some might be eight or ten feet high.

Ms. Garrett talked about the South elevation and the side of the parking garage closest to King Street. She explained there is a need for lighting on this side of the parking deck. She said they propose a low pole on the second or third parapet in the middle of the South elevation. She said that with the addition of this light pole, based on the existing exterior lighting, this might take care of the exterior lighting on the South elevation side of the parking deck.

Chair Plaag suggested adding a height limitation that in no case any light pole would exceed the height of the chimney stairwell element on the northwest corner tower. Ms. Garrett said the applicant could agree to that condition. Chair Plaag noted that even on the more easterly pilasters, they would still be below the height of the chimney stairwell element on the West end. He included that the HPC expects that whatever plan is adopted will follow the general guidelines in Section 7 of Appendix D. He said this means the applicant works with the Town to minimize the lighting required for safety purposes and not exceed it. Ms. Garrett said the applicant could agree to work with the Town to meet the safety requirements.

Ms. Meade sought an understanding of why a pole needs to go on top of a parapet wall. She stated that if lighting is needed on the outside of the building, there could be wall-mounted down lighting, and security lighting for the

outside of the building on the upper deck. She said that she would have expected there to be poles on the parking surface. Ms. Garrett explained that the surface lot poles create an issue for snow removal, and parking spaces are lost depending on where the poles are located. Ms. Garrett further explained that the applicant could not commit to the specifics of the pole height at this time. Ms. Meade said there was an issue with the HPC deciding on the pole height because the applicant talked about different aesthetic looks for the poles. Ms. Meade suggested that the HPC try to put it on the staff whether to bring the specifics of the pole height back to the HPC. Ms. Meade said that if the proposed lighting plan meets the requirements, the staff does not need to bring it back to the HPC for review.

Discussion ensued on when to submit a lighting plan. Ms. Garrett asked if every project that proposes lighting has to have a full proposed lighting plan before it comes to the HPC. Ms. Meade said the applicant described a 12-foot pole on top of a high parapet wall that is three and one-half feet to four feet above the parking level surface. Ms. Meade said that viewing the parking deck from King Street, one would be looking at a wall that is 14 or 15 feet high. Ms. Garrett said the parking deck is not entirely visible from King Street. Member Watkins said it looked like the proposed lighting pattern is what one would find in a mall, and he said this may or may not be fine. He said it is difficult to justify the kind of lighting pattern in a historic district.

Ms. Garrett pointed out that the applicant has to have the COA before August 22, 2022. She asked about the requirement for a lighting plan. Ms. Meade said she didn't think the COA approval needed to be held for the lighting plan. She said a decision needs to be made on the condition placed on the COA for lighting. Chair Plaag said that Ms. Meade is suggesting that if the HPC is inclined to grant the COA, a condition would be that the lighting for this project will comply with Section 7. Exterior Lighting of Appendix D. He also said there would be an understanding that staff may choose to direct the lighting plan to the HPC for further consideration to ensure that it meets the condition.

Ms. Garrett asked for specific guidance on the preference to have poles on parapets, and if the poles need to be lower. Chair Plaag said that Ms. Turner explained that the standard for exterior lighting differs from the standard for interior lighting in a building. He said that in this case, we are talking about exterior lighting. Chair Plaag explained that part of the problem is that without a lighting plan, we do not have a calculation for whether you can meet that wide range of .2 f.c. to 9 f.c., as a minimum, to 3.6 f.c., as a maximum for foot candles. He said it is his preference that there be no poles and instead use wall-mounted fixtures and bollards. He said this would be the least obtrusive and most congruous appearance for this deck in the historic district.

Chair Plaag said he liked the idea of proceeding with the understanding the applicant needs to meet the requirements of Section 7. Exterior Lighting of Appendix D. He said the staff would review and if they have any doubt, they will present it to the HPC for further consideration. Ms. Garrett agreed that what Chair Plaag said is reasonable regarding proceeding with the understanding the applicant must meet Section 7. Exterior Lighting. Ms. Garrett said the applicant must also comply with Section 14.5 of the UDO Standards.

Ms. Garrett asked if there were any issues with the community appearance standards of the UDO. Ms. Turner, said there would be landscaping requirements to be met for the proposed work at the front of the parking structure. Ms. Turner said a small landscape plan must be submitted and reviewed at the staff level.

Ms. Garrett asked for guidance from the HPC on the presented light fixtures. Chair Plaag said he did not object to the Colonial Style Revival style fixtures because they are elsewhere in the historic district. Vice-Chair Bond and Member Watkins did not have an objection to the Colonial Style Revival style fixtures.

Ms. Garrett asked if it helps the applicant achieve better lighting with fewer poles to have an arm on a pole rather than just having a straight pole. She said the applicant could consider having a pole with an arm as an option.

Chair Plaag asked Ms. Garrett if the applicant would be willing to accept the condition that if the Town approves modifications to the Queen Street wall, the applicant would agree to install a sidewalk along the top of that wall flush with the North elevation of the parking deck. Ms. Garrett said yes, and the applicant would prefer the sidewalk be put in along the Queen Street wall.

Chair Plaag outlined the following proposed conditions discussed at this meeting:

- The applicant shall meet the lighting standards set forth at Section 7 of the Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, UDO Appendix D. In meeting these lighting standards, the goal shall be to minimize the number and visibility of the fixtures, and in particular to avoid or minimize poles that are visible from the outside of the structure. Staff shall review the lighting plan submission, and if Staff has significant questions as to compliance with Section 7, the applicant agrees that the case will be brought back HPC for further review and approval of the lighting plan.
- The faux chimneys on the stair buildings shall not to exceed the height shown on the revised plans, and may be modified consistent with any of the examples that the applicant showed the HPC during the August 9, 2022 meeting.

Chair Plaag asked Ms. Garrett if the applicant would be willing to accept the automatic conditions of approval. Ms. Garrett said yes, the applicant is willing to accept the three automatic conditions of approval.

Ms. Garrett agreed that Chair Plaag accurately outlined the conditions agreed upon by the applicant at this meeting. She clarified that the applicant limiting the visibility of the poles is alright with the HPC.

Ms. Turner asked Ms. Meade if a revised architectural rendering was needed for the Conditional District Public Hearing held later this month. Ms. Meade said a revised architectural rendering would be required. Ms. Turner informed the applicant that the staff would need it submitted by Friday, August 12, 2022.

Chair Plaag asked the HPC members for their comments on the proposed parking deck. Vice-Chair Bond said the proposed changes presented in the revised rendering would make for a better building than was first proposed to the HPC. Member Watkins said he preferred the look of the original rendering better, but the revised rendering is okay with him. He added that it is important to have architecture and illumination levels that conform to the historic district.

Motion and Vote:

Member Watkins made a motion, seconded by Vice-Chair Bond, to approve the request by Watauga County for a Major Work Certificate of Appropriateness (COA) for the proposed new construction of a parking structure on Water Street located in the Downtown Boone Local Historic District because the proposed exterior modification is not incongruous with the special character of the historic district along with the following conditions of approval:

Conditions of Approval

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

- Where there is a conflict between the application information (May 25, 2022) and the plans (May 25, 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.

The Commission may issue an approval subject to reasonable conditions necessary to carry out the purposes served by the historic district (see G.S. 160D-940, 160D-947(a)):

1. The applicant shall meet the lighting standards set forth at Section 7 of the Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, UDO Appendix D. In meeting these lighting standards, the goal shall be to minimize the number and visibility of the fixtures, and in particular to avoid or minimize poles that are visible from the outside of the structure. Staff shall review the lighting plan submission, and if Staff has significant questions as to compliance with Section 7, the applicant agrees that the case will be brought back HPC for further review and approval of the lighting plan.
2. The faux chimneys on the stair buildings shall not to exceed the height shown on the revised plans, and may be modified consistent with any of the examples that the applicant showed the HPC during the August 9, 2022 meeting.

Vote:

Aye - All

Nay - None

The motion passed.

Case Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) – COA

John Winkler, on behalf of Howard Street Ventures, II, LLC (Wilcox Warehouse), has requested a Certificate of Appropriateness for Major Work (COA) to repair/replace and modify the exterior façade at 161 Howard Street (Watauga County PIN: 2900-79-8147-000). The applicant proposes to replace damaged stucco with natural stucco as well as repair the awning and roof.

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.

Chair Plaag announced that he is reopening this case from July 26, 2022.

Chair Plaag affirmed Mr. John Winkler, Howard Street Ventures, LLC applicant, and he swore in Mr. Laurence Lindsey from L Squared Engineering. Chair Plaag also swore in Ms. Jessica Mitchell, Long Range/Special Projects Planner, and Ms. Christy Turner, Senior Planner.

Chair Plaag asked Mr. Deal if he wanted to call on Mr. Winkler to address items discussed at the last meeting. Mr. Deal asked Mr. Winkler to state his name for the record. Mr. Deal asked Mr. Winkler how long he had been involved in the construction business; Mr. Winkler replied since 1971. Mr. Deal asked Mr. Winkler if he was familiar with the property being discussed on Howard Street; Mr. Winkler replied yes. Mr. Deal asked Mr. Winkler to present the evidence he had submitted to staff on potential awnings. Mr. Winkler noted that he had submitted to Ms. Turner several possibilities for awnings. Mr. Winkler added that he got the awning information from a company in Hickory, North Carolina, and this company is who he usually deals with for awnings. He said the frames are mostly aluminum some are steel, and they are available in a wide variety of colors. Mr. Winkler noted that he did not have a color or design; he continued that whatever color or design that is reasonable is okay with him. Mr. Deal asked the HPC if a fabric awning with an aluminum frame would be acceptable. Chair Plaag said yes, a fabric awning and aluminum frame would be acceptable, but noted several examples submitted by applicant that would not meet the standards.

Mr. Deal asked Mr. Winkler if another treatment could be used on the first-floor surface other than stucco. Mr. Winkler responded that it was his understanding that the Town does not allow any faux products to be used. Mr. Winkler said there is a natural stone and a thin brick that does not require a foundation. He explained they could be stuck directly to the building like faux rock or stone. He continued to explain that he did not know if these two

types of treatment were acceptable. Mr. Winkler said the only way he knows is to put stucco on it and try to make it look like it used to. He added that the only other change would be installing a fabric awning. Mr. Deal talked about Mr. Lindsey's testimony, and that one of the concerns included the previous application of stucco had been improperly installed and moisture was trapped behind the brick. Mr. Deal said one of the recommendations was to place a metal lath over it before the stucco was attached. Mr. Deal asked Mr. Winkler if he was proposing to replace the stucco on the building. Mr. Winkler said he thought it was the most reasonable and easiest way to adapt to all of the angles and offsets of the building. Mr. Deal said this concludes the questions that he had for Mr. Winkler.

Chair Plaag asked the HPC members if they had questions for Mr. Winkler. Member Watkins asked Mr. Winkler if he could put the old awning back in its place. Mr. Winkler replied in the affirmative, and he explained that the only problem with doing so is that he doesn't know where to find replacements for the old, broken terra cotta tiles on the original roof. Member Watkins asked Mr. Winkler if the old awning could be repaired and replaced. Mr. Winkler replied that the awning could be repaired and replaced due to the rotten plywood and sheathing. Vice-Chair Bond asked when the stucco was applied for the first time on the surface. Mr. Winkler noted Roger Wright and Kenneth Wilcox were the building owners at one time, and they had the stucco applied, which may have occurred around 1995 or 1996. Mr. Winkler said that Mr. Wright would have been in charge of this building and has since passed away.

Discussion ensued on the removal of the stucco. Chair Plaag asked Mr. Winkler if he had a contractor with historic preservation experience to offer an opinion on how to best manage the removal of stucco from the second-story brick. Chair Plaag also asked Mr. Winkler if the historic preservation contractor knew how to rehabilitate the façade of this building. Mr. Winkler replied no to Chair Plaag's questions, and explained he had used his own experience to remove all of the stucco, put the metal lathe on top of the brick, and secure it to the brick and block on that building. Mr. Winkler continued that if it is done correctly, this way of adding the stucco should hold up for years. Chair Plaag asked Mr. Winkler if he was aware that installing a wire lathe over historic brick permanently damages the bricks, so they can never be used as the exterior surface of the building again. Mr. Winkler answered that he wasn't sure if that was the original brick.

Discussion ensued on the exterior materials of the building. Chair Plaag explained that the original building built in the 1940s was made of block, and the brick was applied at different stages over the years. Mr. Winkler said he did not think the brick was historic and that there weren't three different types of brick on that building. He continued to state that one type of brick was put on the building in 1996, and the two types of brick were unknown when they were put on the building. Mr. Winkler said he was unsure how to restore the brick to make it look the same and didn't understand its benefit. Chair Plaag discussed some images included in the meeting packet and available at Digital Watauga. Chair Plaag referred to packet page 200, which indicates that by 1950 the upper portion of the façade on both the South and East elevation was brick and not concrete blocks.

Discussion ensued on the historical significance of the building. Mr. Deal stated that the historical significance is to the people or events, not to the structure and the business. Chair Plaag said the building itself is still part of its historical significance and the standards for the district apply regardless of the area of significance. Mr. Deal said he was not just arguing that it is not a historic building, but that it is not designated as a historical construction in the area of significance. Chair Plaag said it is a historically contributing building to the historic district, and the elements of integrity define that including the existence of original materials on the building. Chair Plaag said the standards in the district for these buildings apply whether they are listed for their significance architecturally or historically, and the applicant has to meet both standards. Mr. Deal said he is not arguing that the applicant has to meet the criteria; however, he is trying to figure out the possible standards.

Discussion ensued on the building materials of the Wilcox Warehouse building. Chair Plaag referred to packet page 176 and pointed out that the two westernmost buildings in this photo were originally part of the Wilcox Warehouse building and were made of concrete blocks. Chair Plaag explained that there is concrete block in the

lower part of the applicant's building in this case. He explained when more work was done to the building in 1994 or 1995, they blew out most of the storefront, and remnants of brick, some of which is infill stuck in to fill in gaps, is visible today. He continued to explain that this work to the storefront was to create a new set of doorways accessible from that level, as opposed to the ground level, and why the concrete block looks so new. Mr. Deal asked Chair Plaag if he had anything to show that the second level of that building was brick. Chair Plaag shared an image during the meeting that showed on the upper floor and the sides, the brick continues down and continues to the first-floor façade. Chair Plaag said the vast majority of this first-floor façade was a garage with bay openings because it was a warehouse. Mr. Deal asked if the façade was not brick. Chair Plaag said it was brick on the corner sides and between the openings on that façade, but most of that façade on the first-floor level was openings. Mr. Deal stated that it was difficult to determine what was between the windows. Chair Plaag acknowledged there was material except for openings. Mr. Deal said if Chair Plaag was stating his opinion that the whole building was brick, Mr. Deal stated he would disagree with his assertion. Chair Plaag said his point in raising the issue about the brick was not to argue with Mr. Deal about what would be appropriate on the first-floor or the storefront level of this building. Chair Plaag said the destruction done in the mid-1990s to the original skin of this building on the first floor had rendered it not salvageable. Chair Plaag pointed out that the first-floor matter is different from what is going on the second floor.

Chair Plaag read Section 1.2, included in the Staff Report within the meeting packet, and stated it is limited in what is known about the storefront; however, there is good evidence in that image of what the upper façade initially looked like. Chair Plaag continued now that the stucco had been taken off of it, it is at the point where the applicant is to reconstruct it, and that means not putting stucco back over it. Mr. Deal stated to also look at Section 4.2 and Section 4.6.

Ms. Meade assisted the discussion and stated she believed there will have to be staff testimony. She asked Mr. Deal if there was anything further for the applicant's case. Mr. Deal explained that there were two permits granted to replace the stucco and to replace the awning. He continued by stating an engineer provided a report and recommendation to attach metal lath and replace the stucco. Mr. Deal indicated it is his opinion such work would be in congruence with the district, looking at the building and what is down through there. He welcomed the HPC to ask questions, and that Chair Plaag reserved questions for Mr. Lindsey. Mr. Deal emphasized that there is a tenant of the building trying to open a restaurant and has been held up by this process. Ms. Meade stated that Mr. Deal's statement is his rendition of facts and is not evidence. She continued to explain that the HPC is to recall the testimony heard. She provided direction that the HPC is continue with questions as needed.

Discussion ensued on the additional materials submitted to Staff. Chair Plaag explained Staff had received from Mr. Winkler additional evidence via email that contained four documents. He noted that this evidence had been submitted after the meeting packet was published. Chair Plaag explained that there were awning, brick, stone, and stucco samples or finishes in the four documents. He asked Mr. Winkler if these four documents were incorporated into the case for the HPC's consideration; Mr. Deal confirmed that those four documents are for consideration.

Chair Plaag called Mr. Lindsey as a witness. He asked Mr. Lindsey what happens when you apply a wire mesh to an original brick that has been an exterior surface material and apply stucco over the wire mesh. Mr. Lindsey replied that he was not sure about the basis of this question. Mr. Lindsey answered that part of the question would depend on the brick's condition, and there are also three types of brick and concrete at the back wall. He explained that if it is not wanted for the brick to deteriorate from moisture to consider sealing it. He explained his suggestion would be to evaluate by direct testing if the metal lath screws would be acceptable to the brick to hold the length. Chair Plaag asked him when you install the wire mesh using those screws, they penetrate not just the mortar but also the brick surface. Mr. Lindsey said that wherever there is a specific pattern to the screws, depending on the materials to brick, the screw or bolt has to be sunk to a certain depth. Mr. Lindsey continued that would be evaluated by direct testing to see if the brick would hold the screws. Chair Plaag noted that either way, when penetrating the surface of a sealed brick with a screw it is undoing the effectiveness of sealing the

brick. Chair Plaag explained that in the pathway where the screw has entered, the brick surface becomes a pathway for water intrusion. Mr. Lindsey stated the process could be to seal the brick and the screws in the metal lath after the fact.

Chair Plaag referred to the first letter that Mr. Lindsey submitted. Chair Plaag pointed out that the Howard Street Plan is not a Historic Preservation Plan. He asked Mr. Lindsey to set aside the question of the Howard Street Plan and explain why it would be preferred to seal all brick surfaces versus leaving the brick as it is instead of putting the stucco over it as a preferred option. Mr. Lindsey responded that he had previously stated he had to make his observation from the road and walkway, and did not have access to a lift to evaluate the second-story part of the building.

Chair Plaag confirmed with Mr. Deal that he had concluded presenting his evidence; Mr. Deal confirmed. Chair Plaag asked Ms. Turner to state her recollection of the submittal of this case. Ms. Turner said the permit application for a minor renovation was submitted late on March 10, 2022, and the applicant said the work would begin on Monday. She said she first saw the application late on March 10, 2022. She said she called Mr. Judah Goheen, from the Winkler Organization, and asked him how much work he proposed. Mr. Goheen said they would repair patches of stuff falling off the building. She explained this is why she issued a permit on that date because it sounded like they would be doing minor repairs to the building. She said that after that date, she left for vacation. She said the workers took off more stucco while she was on vacation. Ms. Shook called Ms. Turner regarding the removal of the stucco, and this was when Ms. Shook and Ms. Turner decided to make a Statement of Conformity on March 17, 2022. Ms. Turner stated that a Statement of Conformity was issued on March 21, 2022.

Chair Plaag asked Ms. Turner to explain the requirements of the Statement of Conformity. Ms. Turner said the application was submitted on March 21, 2022, when it was issued with conditions. Ms. Turner said the conditions of the underlying historic masonry shall not be subjected to any additional damage or otherwise compromised in the course of the stucco and replacement. Additionally, she continued to read that the scope of work in the narrative, staff must approve any changes or additions before work begins. Chair Plaag asked Ms. Turner to state the proposed description of the job. Ms. Turner read aloud the description to include a stucco repair/replacement, awning repair, and removal of electrical conduit to remove previous tenants plug in lights. She further stated that it is to utilize the same type of stucco consistency and finish, will be painted the same color previously painted, and the replacement of stucco will utilize existing furring strip locations for replacement of stucco on the façade. She continued with the repair/replacement will not further damage the existing materials underneath the stucco. She said the proposed description described the awning, and the applicant will re-order the tiles that were on the awning and only remove the electrical for the sign.

Chair Plaag asked Ms. Turner if she understood this application meant the applicant would utilize the existing construction methods. Ms. Turner responded that, in essence, they would use the same types of furring strips in repairing or replacing the stucco where necessary.

Ms. Turner said that approximately the week after March 17, while she was on vacation, the staff went to the site and saw that a lot more work had been done than what was described. She said the applicant, around March 22, 2022, was asked to stop work on the building and to meet with staff. She said the staff asked the applicant to obtain a Certificate of Appropriateness (COA).

Chair Plaag referred to an application for a COA in the meeting packet dated March 24, 2022. He asked Ms. Turner if that was the date the COA application was submitted. Ms. Turner confirmed March 24, 2022, sounds right for when the COA application was submitted. Chair Plaag noted that the permit fee for the COA was not recorded as being received until May 25, 2022. She explained that at that time, Town Council was deciding how much a COA fee would be. She said the permit fee was \$374.00, plus advertising for adjoining property owner letters. She said the Council decided the COA permit fee would be \$100.00 until September of 2022, then Council would re-

evaluate the cost of the fee. She believed the applicant was asked to wait to pay the fee until Council had decided on the fee amount. Chair Plaag wondered whether the staff was asked to wait on the reviewing of the COA application until the fee had been paid. She said no, and the staff continued to review the application without the applicant paying the fee.

Chair Plaag asked Ms. Turner what happened after March 24, 2022, and if the applicant submitted any materials to support the case when the applicant paid his permit fee. Ms. Turner said that the staff did not receive information from the applicant until May 25, 2022, and the staff received the engineer's letter and photographs. She said that on June 9, 2022, the staff received a paint color sample and a project description. Chair Plaag asked Ms. Turner to explain what happens on the Town staff side once they received the information on May 25, 2022. Ms. Turner said that as soon as the staff received the information, they began to prepare a staff report for the HPC. She also noted that someone during the testimonies stated a project cost of \$225,000.00, but the applicant put \$29,000.00 on their application. Chair Plaag asked if the amount listed on the permit was relevant to the Town's codes and processes. Ms. Turner explained that for a zoning permit, we have a tiered system for existing buildings, and the project costs dictate what the applicant must do to the building to meet code standards. Chair Plaag confirmed with Ms. Turner that the repair work cost is not considered part of the tiered system.

Chair Plaag asked Ms. Turner to continue to explain what the staff does after they prepared the staff report on May 25, 2022. She said the staff reviewed the project descriptions and incorporated them into the staff report, and the adjoining owner property is posted according to the UDO requirements. He said the first meeting packet was published in June for the July quasi-judicial hearing.

Vice-Chair Bond asked Ms. Turner to clarify if the work on the restaurant is independent of the façade. Ms. Turner said that the proposed restaurant work is on a different permit application.

Chair Plaag asked Mr. Deal if he wanted to cross-examine Ms. Turner. Mr. Deal asked Ms. Turner if it would be expected for a person opening a restaurant to order a lot of equipment to be able to open the restaurant. Ms. Turner said yes, and the building inspector described that there was a lot of equipment left in the space the applicant was going to use. She noted that the applicant is supposed to include the restaurant equipment cost with their total building project cost.

Mr. Deal asked Ms. Turner about an email that she sent to Mr. Judah Goheen on March 15, 2022, saying the deadline to apply for the COA was March 24, 2022, before 3 p.m. for the May 10, 2022 meeting; he asked Ms. Turner if that was the recollection of that email. Ms. Turner said that was correct, and she remembered that email. Mr. Deal stated the email included a COA for the awning. She said the COA was for demolishing any part of the building or structure, including the awning and the terra cotta tiles as an addition to demolition to any part of the building or structure.

Chair Plaag asked Ms. Turner when she indicated that the deadline for the submittal of a COA application was to be listed on a given date, is it generally understood from the application that all supporting materials have to be in by the date for an applicant to meet the next date for being on the agenda. Ms. Turner said yes, that is the general rule. She noted that the staff does accept some materials after that date up until we have to publish the meeting packet. Chair Plaag noted that for an applicant submitting materials on May 25, 2022, the supporting documentation for a COA application wouldn't be sufficient to meet an early May COA hearing date.

Chair Plaag noted that at this point, we do not have other witnesses to testify for this case. He asked the staff if they had received any letters or requests to appear before this hearing. Ms. Mitchell said no, the staff had not received any letters or requests to appear before this hearing.

Discussion ensued on the comments from the HPC regarding this case. Vice-Chair Bond noted that she was having difficulty keeping up with the timing from when the applicant got a permit to do minor stucco repair, then less than a month, the whole proposed work had changed.

Chair Plaag said that he wanted to speak about some of the standards that were in place for this building and why he believed the applicant's proposal for this building is not appropriate. Chair Plaag referred to Section 1.2 and, in his opinion, this building features stucco at the South elevation that was installed using a flawed design in the 1990s. He said the stucco continues onto the East elevation, which is the upper half of the building, and it presumably suffers from the same problems. He hoped that a property owner recognizing that a problem like that would exist would also want to remove and correct the problem. He said, in his view, the visual evidence from the 1950s, which is during the period of significance for the district, shows that the second story of this building on the South and East elevations was covered in brick and that brick still survives. He stated his preference would be for the remaining stucco to be removed from both of those elevations, and repair of the brick completed following historic preservation guidelines and the district standards.

Chair Plaag stated, regarding the first-floor storefront on the South elevation, it was open to a redesign that meets the needs of the incoming applicant, provided that new construction is congruous with other storefronts in the historic district, particularly along Howard Street. He said the applicant suggested various materials that can be used to accomplish the right storefront without it looking out of place. He said that it would be a brick or concrete block, and the concrete block would not be attractive. He said a stone finishing is like a natural stone, if the applicant were so inclined to use it. He stated it would not be stucco because stucco is not historic to the district as a historical material.

Chair Plaag read Section 1.5 and explained because the stucco has fallen off the upper façade, the replacement windows installed into those openings, probably in 1995, are exposed and it would be difficult to replace them as they are missized to the original openings. He said this is an opportunity for the applicant to replace those six windows with windows that are more historically appropriate to the historic district. He said the alternative is to find a way without altering the historic appearance of those brick window openings, or find an alternative way to repair the existing windows that is visually appropriate to the historic district. He said National Park Service Guidelines might help explain if there is any doubt about whether the façade should be removed. Chair Plaag read Section 1.6 and said this goes with the issue of the underlying brick that is now exposed.

Chair Plaag read Section 6.11, and he said in this particular case, the owner had removed the awning because it in had failed and rotted out from its frame and decking. He continued to explain that a number of tiles are missing from it. He believed that the applicant indicated his willingness to replace the awning with a more appropriate awning type. He indicated the applicant had provided awning samples. He detailed the provided awning samples submitted and explained which ones were appropriate. Chair Plaag stated the awning with red columns, and the one with the visible open frame is inappropriate for the historic district. He said the other samples, including the awning type with a metal frame, considering the awning is fabric and not vinyl, are appropriate types and would be suitable replacements for this building. He stated his willingness to work with the applicant to develop an awning that is appropriate to the historic district and placed on the storefront that needs to be redesigned.

Chair Plaag read Section 7.9, and he said it was evident from the image we were looking at earlier, that this building initially had terra cotta tiles as the coping element. He said the stucco would have to be removed, creating a gap that the current coping will not work on. He said this was an opportunity for the applicant to restore the original design element coping with this building.

Member Watkins explained his thoughts on this case. He said that we have a series of buildings that have been worked on over the years, and there does not seem to be a way to return them to their original façade appearance because it's made up of a variety of materials added over a period of time. He said the materials are mismatched

and fairly cobbled together. He believed the choice was to either create a new building or use stucco to match what had been removed. He expressed his interest to find the most helpful solution to this situation.

Member Watkins discussed the awning, and explained if the applicant is to put a new style of the awning to meet the historic district standards, it will create a mismatch at the other end of the building. He added that the entire façade of that group of buildings had been altered by adding the raised walkway, which changed the appearance of the whole building.

Chair Plaag told Member Watkins that he disagreed with his interpretation, and again he read Section 1.4. Chair Plaag indicated this standard is very clear about this exact example. He explained that if this was new construction, the HPC would have to apply the new construction standards, in which stucco is not an accepted new construction element in the historic district. He pointed out that this building is historically independent of the two buildings to the West. He said they are not historically linked, they were built at different times, and different owners owned them when they were built. He said they have become linked to the 1990s because of poor aesthetic choices made during the 1990s. He said in terms of historical components of the building, this building is a separate and independent building from anything to the West. Member Watkins concurred, but he didn't think the HPC could compel any owner to restore the Town from the past. He expressed that he did not see the HPC's purpose served by insisting on restoring this building other than what it was initially, which was a warehouse.

Discussion ensued on the building materials by Chair Plaag and Member Watkins on the building material outside the building. Member Watkins said he looked at the first floor of the building, and due to the combination of materials, it did not look like the original appearance of the building was recoverable. Chair Plaag said, in his opinion, the exterior skin is the actual brick that was on the second floor of the building. Member Watkins asked Chair Plaag what he would suggest restoring on the exterior of the first floor of the building. Chair Plaag suggested a modern contemporary storefront that would cover up the combination of materials, which Section 1.4 calls for in the historic district. Member Watkins conveyed he did not see what Chair Plaag suggested as an improvement to the building. He thought Chair Plaag was suggesting new construction, and what is being proposed by the applicant does not meet the standards for new construction in the historic district. Member Watkins detailed that the applicant is putting back on what they are taking off and did not see that as new construction. Chair Plaag said the standards are clear that non-historic materials in the historic district should be removed whenever possible. Member Watkins expressed that in this case, he thought it was excessively stringent to remove the non-historic material because of what is under it. He further explained that if this was an architecturally significant building and a significant amount of original material survived, it could be restored to its original appearance. He said there would be some reason to ask the applicant to remove the non-historic material. Member Watkins said that when this project was completed, he did not think the result would add anything more to the historic district than what was already there.

Ms. Meade stated that the evidence has not been accepted into the record, and it is appropriate to officially accept into the record all materials in the packet. She expressed the exception that if the applicant objects to the narrative on page 179, that could be excluded. Further, she stated the evidence presented as new material needed to be included. Chair Plaag asked if there were no objections he would accept into evidence the additional materials submitted and the version of the packet for this hearing. Mr. Deal objected to the said narrative but had no objection to the additional materials mentioned at this meeting being accepted as evidence. Chair Plaag noted the objection and excluded the History section on pages 179 and the top of page 180 of the meeting packet. Chair Plaag accepted into evidence the additional materials submitted for this meeting, the version of the packet for this hearing, and excluded the exception as stated by Mr. Deal.

Mr. Deal said the HPC is continuing to discuss among their members, and he thought the HPC needed to continue their discussion. He stated if the HPC decided on certain conditions, his applicant could discuss them.

Discussion ensued on the scheduling of the next meeting to continue this case. Ms. Meade said that she could meet with the HPC on Monday, August 15, 2022, at 3:30 p.m. Chair Plaag, Vice-Chair Bond, Member Watkins, Mr. Deal, and Mr. Winkler and the members of the Planning Staff said they could meet on the said date and time to continue this case.

Adjournment

At 5:50 pm, Chair Plaag announced that he is continuing this case until Monday, August 15, 2022, at 3:30 pm, via WebEx or until the next regularly scheduled quasi-judicial hearing date.

Eric Plaag, Chair

Marlene Crosby, Board Secretary