

**CITY OF HENDERSONVILLE
Historic Preservation Commission**

Minutes of the Regular Meeting of August 18, 2021

Commissioners Present: Cheryl Jones, Chair, Chris Barron, Sam Hayes, Derek Cote, Kristie Ogletree

Commissioners Absent: Chuck Reed (Vice-Chair), Ralph Hammond-Green

Staff Present: Matthew Manley, Planning Manager/Commission Coordinator, Angela Beeker, City Attorney, Terri Swann, Administrative Assistant III

- I **Call to Order.** Chair called this meeting of the Hendersonville Historic Preservation Commission to order at 5:03 pm.
- II **Agenda.** Chair stated a revision has been made to the agenda. On motion of Commissioner Cote, the Findings of Fact H21-14-COA, H21-15-COA and H21-18-COA approvals were added to the agenda under Old Business. The motion was seconded by Commissioner Barron; the Commission approved the revised agenda.
- III **Minutes.** On motion of Commissioner Cote seconded by Commissioner Barron the minutes of the Regular meeting of July 21, 2021 were approved.
- IV(A) **Certificate of Appropriateness,** HVL Property Holdings LLC/Katie Montes, applicant, 147 1st Avenue East Unit C, (File No. H21-20-COA). Prior to the opening of the public hearing, Chair announced that any persons desiring to testify at any of the public hearings must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary to yours. A copy of the protocol for a quasi-judicial hearing is provided on the back table next to the agenda. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on. Therefore, we must ask that you refrain from speaking until recognized by the Chair and, when recognized, come forward to the podium and begin by stating your name and address. Anyone who wishes to testify during the public hearings should come forward to be sworn in. Chair swore in all potential witnesses.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a Certificate of Appropriateness permit from Katie Montes to undertake the following work at the above referenced property:

1. Construct a Stainless Steel cutout sign with backlighting (halo illumination).

The proposal is to remove the two existing signs over the east end of building façade and center the new sign between and above the two primary openings on the portion of the building considered Unit C. The date of construction of this building was 1901 and it was considered “contributing”. Apparent renovations to the exterior of Unit C have occurred since the inventory was compiled.

The sign is 16’ x 2.5’ and was reviewed by staff and approved without the backlighting. Illuminated signs

are considered a major work and need approval from the Historic Preservation Commission. This is a backlit sign and will be lit from behind. The light will reflect through the cutout of the sign. This type of lighting is referred to as "halo" lighting as the light reflects off the façade and shines through the cut out letters.

Mr. Manley showed a photo of the proposed sign. He also showed a photo of the front façade and pointed out where the sign will go. He stated the two vinyl, existing vinyl or plastic signs will be removed. This sign will be more in line with the historic character of the district.

Mr. Manley showed photos around the Main Street Historic District of similar signs. He also showed the Design Guidelines that would apply as well as a sample motion for approval or denial.

Chair asked if there were any questions for staff.

Chair asked if the existing fireplace sign was illuminated. Mr. Manley stated yes, and it is a nonconforming sign.

There were no further questions for staff.

Katie Montes, 147 1st Avenue East, Unit C stated she leased this space for her business and has worked hard with the office in Raleigh to uphold the historical quality of the building. She had asked to replace the windows back before Covid hit. She has approval to replace the windows and she did replace the glass. With her business being an art studio her concerns for the replacement were about the humidity, heat and the UV rays that could damage some of the art on display. She has put a lot of hard work into the replacement glass and she has worked hard to preserve the value of the historic building. The "halo" lighting for the sign is also a more efficient way to light the sign. She has hired a local artist to construct the sign.

Chair asked how the sign would be affixed to the brick. Ms. Montes stated the sign would be affixed to the brick by a special bolt that will safely affix the sign to the building without damage to the historic brick underneath. The brick has two layers and the bolt will go through both of those layers of brick. Chair asked if the sign could be removed without defacing the building and how she will run the electrical wiring. Ms. Montes stated yes, it could be removed without any harm to the building and they will be running the wiring the same way the existing sign was constructed. She stated no conduit would be seen.

Commission Cote asked if she was affixing the bolts into the grout joints. Ms. Montes stated no, the historical grout is not stable enough to hold the sign. She is going through the first and second layers of the brick.

Chair asked if she would pipe it straight through the brick. Ms. Montes stated yes, it would be much less noticeable that way.

Mr. Manley explained there is another façade that was placed over the existing 1901 brick. He stated anything constructed after the 1930's or 40's the mortar changes. The mortar would be too hard to drill into and it would ultimately crack.

Commissioner Hayes asked if the Commission was just dealing with the lighting. Mr. Manley stated yes. Staff has approved the sign without the light. It is his belief that the Commission must approve any illumination of a sign. He could not find any reference for approving attached signage but only for approving illuminated signage.

Chair asked if there were any further questions. There were no further questions.

Chair asked if there was anyone in the audience that had questions for the applicant or staff. No one had questions. Chair asked if there was anyone that would like to testify concerning the application. Chair asked if there was anyone that wished to speak before they close the public hearing. When no one came forward Chair closed the public hearing.

Commissioner Cote stated this sign would be a lot less offensive. Chair stated the sign would be less "in your face" and bright. The Commission felt like the sign would meet the guidelines and this was a simple sign and less obtrusive.

Commissioner Cote moved the Commission find as fact that the proposed application for a Certificate of Appropriateness, as identified in file #H21-20-COA, if installed according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Main Street Historic District for the following reasons: 2.1 Signage and Awnings – Signage Guideline 2.1 .6 – "Signs illuminated from within are generally not appropriate. Lighting for externally illuminated signs should be simple and unobtrusive and should not obscure the content of the sign or the building façade." The guideline uses the term "generally" suggesting that there are circumstances when internal illumination should be considered. The proposed "halo" illumination will function as an external illuminated sign as no light passes through the sign itself. Furthermore, the illumination is simple and unobtrusive and does not obscure the sign or the building façade. Additionally the wall sign meets all other Main Street Design Guidelines for Section 2.1 (Sign Guidelines .1-.4 and .7). After some discussion Commissioner Cote amended the motion to only include the guideline 2.1.6 and remove Sign Guidelines .1-.4 and .7. Commissioner Barron seconded the motion which passed unanimously.

IV(B) Certificate of Appropriateness, HVL Property Holdings LLC, 430 N. Main Street, (File No. H21-21-COA).

Chair opened the public hearing.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a Certificate of Appropriateness permit from HVL Property Holdings LLC and Brian Fraga (The Dugout), applicant to undertake the following work at the above referenced property:

The replacement of artificial siding with cedar shake siding on the front portion of the storefront below the windows fronting Main Street. The proposal is to cover the existing pressed-board faux brick. The date of construction of this building was not readily available but old photos show that the storefront was significantly altered after 1987.

Staff saw the project and informed the applicant that he needed to get approval from the HPC to continue with the work. The applicant did stop all work and filed an application.

The existing conditions and materials were shown in a photo. Staff has previously approved the cedar shingles on the awning and roof. They propose covering the half wall with cedar shingles to match. The applicant is also requesting to replace the storefront windows with roll-up glass windows. This is considered a major work and will be presented to the HPC as a separate agenda item.

Photos of the current siding as faux brick was shown along with the cedar from the start of the replacement. A photo from 1987 was shown with the storefront being recessed.

Examples of other properties using cedar on Main Street were shown. Also shown were some examples of natural wood being used on Main Street.

Mr. Manley presented several of the guidelines that should be considered. He stated this is not a major renovation to the storefront. He stated under Storefront Guidelines – New Design .7 is the most pertinent guideline which states: Where original or early storefronts no longer exist or are too deteriorated to save, retain the commercial character of the building through contemporary design which is compatible with the scale, design, materials, color and texture of the historic buildings.

Mr. Manley stated there is a reference to wood in the guidelines but not a lot of detail relating to siding. He stated under 3.6.2 Exterior Walls there is a mention of siding.

Mr. Manley stated the suggested motions are shown.

Chair stated the application is submitted by someone who is not attendance. The applicant is not here and she asked Angela Beeker, City Attorney if that was an issue. Ms. Beeker stated she is there to represent staff and it is really up to the Commission if they would like to proceed or not without the applicant in attendance. It is totally up to the Commission if they want the applicant there or not. Ms. Beeker stated staff does not have an objection to proceeding without the applicant. It was stated that the property owner is in attendance.

Chair asked if there were any further questions for staff. There were no further questions. Chair asked if the property owner or anyone would like to speak on the application. No one spoke.

Chair asked if there was anyone in the audience that had questions for the applicant or staff. No one had questions. Chair asked if there was anyone that would like to testify concerning the application. Chair asked if there was anyone that wished to speak before they close the public hearing. When no one came forward Chair closed the public hearing.

Commissioner Cote stated there are no massive or structural changes. Chair stated the façade will match what was replaced on the roof and awning.

Mr. Manley stated in the motion starting at furthermore, that should be left out of the motion as it pertains to residential.

Commissioner Hayes moved the Commission find as fact that the proposed application for a Certificate of Appropriateness, as identified in file #H21-21-COA, if installed according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Main Street Historic District for the following reasons: 3.1 Storefronts – Storefront Guidelines – New Design .7 - Where original or early storefronts no longer exist or are too deteriorated to save, retain the commercial character of the building through contemporary design which is compatible with the scale, design, materials, color and texture of the historic buildings. Commissioner Barron seconded the motion which passed unanimously.

IV(C) **Certificate of Appropriateness, HVL Property Holdings LLC, 147 1st Avenue East Unit B, (File No. H21-22-COA).**

Chair opened the public hearing.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a Certificate of Appropriateness permit from HVL Property Holdings LLC for the replacement of main door fronting 1st Ave E. The proposal is to replace the current wood door with glass door and side lights. The date of construction of this building was 1901 and it was considered “contributing”. Apparent renovations to the exterior of Unit C have occurred since the inventory was compiled.

The following details were provided for the replacement windows:

- Storefront to be Thermally Broken, 2” x 4 ½” Center Set, Flushed Glazed System for 1” Glass and 1” insulated panels.
- Glass to be 1” Insulated High Performance Low E Units with a ¼” Low E #2 over ¼” Clear Glass.
- Panel to be 1” thick Dark Bronze Aluminum Clad Architectural Panels with Stucco finish.
- Exterior Storefront finish to be Manufacturer’s Standard Dark Bronze Anodized.
- All Storefront Hardware to be Aluminum Entrance Manufacturer’s Standards.
- Hardware to include: Offset Pivots, Push/Pull, Deadlock with Cylinder, ADA Threshold, Surface Closer and Sweep.

This is considered a major work according to the standards of the Main Street Historic District Design Guidelines. Exterior painting of Unit C has occurred in recent weeks. The applicant has indicated that the wood siding adjacent to this door will be painted black to match the painting that has taken place on Unit C.

Mr. Manley showed a photo with the door to be replaced in yellow highlight. He stated the Commission will need to get clarification from the applicant on the glass and the estimate for stucco.

Photos were shown of the building and examples of Dark Bronzed Anodized Storefronts.

The tenant is proposing small scale manufacturing (which went before the Planning Board as a text amendment and will go before City Council in September for approval). The applicant can discuss potential uses. Their intention is to only change this door at this time. They are looking to include a glass door. The wood siding will be painted black.

Storefront Guidelines were shown and the Window and Door Guidelines were shown, along with the suggested motions.

Chair asked if there were any questions for staff. There were no questions for staff.

Josh Israel, 147 1st Avenue East, Unit B stated he is the property owner and the contractor for the project. He wanted to keep the building all one look. He applied to do hardie plank but will keep the cedar there. He wants to continue the cedar across and replace any damaged ones. The faux stucco above the glass will come out. The storefront will be glass and be in conformity with the small scale manufacturing requirements. The siding will continue across and they will paint it all.

Chair asked about the clear line across the front. Mr. Israel stated that is the wire for the exterior light for the Fire Code requirement. Chair stated she was talking about the divide where the door use to be.

Dennis Dunlap, Dunlap Construction 720B N. Grove Street stated that line is the flashing and it is how the door opens.

Chair asked if there were any further questions for the applicant. There were no further questions.

Mr. Israel stated the future use will have a glass storefront and that he had shied away from using the cedar or faux stucco.

Chair asked if there was anyone in the audience that had questions for the applicant or staff. No one had questions. Chair asked if there was anyone that would like to testify concerning the application. Chair asked if there was anyone that wished to speak before they close the public hearing. When no one came forward Chair closed the public hearing.

Commissioner Barron stated this will be a big improvement. Mr. Manley stated they will need to make reference to the change in the application in their motion. Chair stated the New Design guideline 3.1.7 would apply. She also stated the stucco is to be removed with all black siding and glass with cedar on top.

Chair clarified that the stucco portion of the application has been removed and it will now be all glass with the aluminum clad. The actual fill will be glass with aluminum siding and the top will be the cedar. Mr. Manley stated that is a change to the application so they might want to make reference to that.

Commissioner Cote moved the Commission find as fact that the proposed application for a Certificate of Appropriateness, as identified in file #H21-22-COA, if installed according to the information reviewed at this hearing, including that the application be amended to fill in the transom area above the proposed glass to match the existing cedar and paint, and with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Main Street Historic District for the following reasons: 3.1 Storefronts – Storefront Guidelines – New Design .7 Where original or early storefronts no longer exist or are too deteriorated to save, retain the commercial character of the building through contemporary design which is compatible with the scale, design, material, color and texture of the historic buildings. Glass storefronts with metal framing are considered traditional materials. Commissioner Barron seconded the motion which passed unanimously.

IV(D) **Certificate of Appropriateness, Dennis Dunlap, 430 N. Main Street, (File No. H21-24-COA).**

Chair opened the public hearing.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a Certificate of Appropriateness permit from Dennis Dunlap, (The Dugout) for the replacement of storefront windows fronting Main Street. The proposal is to replace the current windows with roll-up glass garage-type windows. The date of construction of this building was not readily available but old photos show that the storefront was significantly altered after 1987.

The applicant provided the following details for the replacement windows:

- 1-COUNT Model 650 Glass Aluminum Sectioned Garage Door
- 67" x 48"
- Silver Anodized
- 15" Radius Track
- Non-Insulated Tempered Glass

Mr. Manley stated they will be replacing the existing windows but the door will not go all the way down to the ground. This will be clear glass. Mr. Manley stated they will need to get clarification from the applicant on which windows are to be replaced.

Site photos were shown. A historic photo was shown, showing that the front runs perpendicular to Main Street. Examples of roll-up doors currently on Main Street were shown.

Mr. Manley stated this type of project has gotten popular. Some tax credits were used for these projects. The roll-up type doors and windows make the street more interactive. The customer can enjoy the weather and he has seen this type of project approved for historic tax credits before.

The Storefront Design guidelines were shown and also the suggested motions.

Chair asked if there were any questions for staff. There were no questions for staff.

Dennis Dunlap, Dunlap Construction, 720B N. Grove Street gave a handout showing the front façade. He stated all they will be doing is taking out the front two windows. They will not do the whole storefront. He explained how there is a center post and glass that will be taken out and he will install an aluminum frame glass roll-up garage door so they can roll-up and enjoy the weather and activity on the street. The recessed area is pitch black, making it hard to see inside the business. People are unaware if the business is open or closed. Having the roll-up windows will help this business so people know they are open during the day. That is what the owner is trying to achieve. Mr. Dunlap stated D9 Brewing has a full door and he also did the door at White Duck Taco on 7th Avenue. He explained how he constructed that storefront door. The windows will be 7' wide and 3' in height. It will be a big opening when the weather is nice.

Commissioner Cote asked in terms of the layout, the windows and the frame of this new door, will be about 7' x 3 ½' each. Mr. Dunlap stated yes, it will be two panes wide and two panes high. Commissioner Cote stated the post he is taking out will be mimicked through the centerline of the garage door so it is not massing at all. Mr. Dunlap stated correct.

Chair asked if there was anyone in the audience that had questions for the applicant or staff. No one had questions. Chair asked if there was anyone that would like to testify concerning the application. Chair asked if there was anyone that wished to speak before they close the public hearing. When no one came forward Chair closed the public hearing.

There was no discussion against the application. Chair stated the only thing they need to clarify is that it is only going to be that specific window since the proposal stated replace current windows. They need to specify it is only one. Commissioner Cote stated it is two windows on the recessed section.

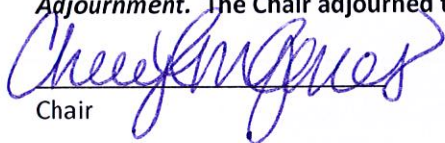
Commissioner Barron moved the Commission find as fact that the proposed application for a Certificate of Appropriateness, as identified in file #H21-24-COA, if installed according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Main Street Historic District for the following reasons: 3.1 Storefronts – Storefront Guidelines – New Design .7 - Where original or early storefronts no longer exist or are too deteriorated to save, retain the commercial character of the building through contemporary design which is compatible with the scale, design, materials, color and texture of the historic buildings. The use of clear glass and metal framing are considered traditional materials Commissioner Ogletree seconded the motion which passed unanimously.

- V **Approval of Findings of Fact.** Chair stated the Findings of Fact for H21-14-COA, H21-15-COA and H21-18-COA needed to be approved.

Commissioner Cote moved the Commission to approve the Findings of Fact for H21-14-COA, H21-15-COA and H21-18-COA. Commissioner Hayes seconded the motion which passed unanimously.

- VI **Staff update on approved COA's.** Mr. Manley gave an update on the staff issued COA's. Mr. Manley discussed the request for the maintenance of the Coke mural. Staff will follow up with the Chair concerning this. Mr. Manley gave an update on the Demolition by Neglect for 1420 Ridgecrest. He discussed how he went by the property and a number of the issues have not been addressed. The Commission may want to revisit this. The Commission discussed the 7th Avenue District. Commissioner Hayes had thoughts on the role of the Historic Preservation Commission on the redevelopment. Mr. Manley suggested forming a committee or having a representative of the HPC meet with Lew Holloway, Community Development Director to discuss the role of the HPC and to give their thoughts on it. Chair stated they should not focus on the structures but focus on the fabric of the history. Commissioner Hayes will take the lead on this, set up a meeting with Mr. Holloway and report back to the Commission. Commissioner Cote asked about the new requirement to serve on the Commission. Ms. Beeker stated all members must reside in the city's jurisdiction, they cannot just own property in the city's jurisdiction.

- VII **Adjournment.** The Chair adjourned the meeting at 6:36 p.m.


Chair