

RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
November 5, 2012

CALL TO ORDER

Chair Scott Shackleton called the Certificate of Appropriateness (COA) Committee meeting to order at 4:00 p.m.

ROLL CALL

Tania Tully, Preservation Planner, called the roll as follows:

Present: Will Alphin, Elizabeth Caliendo, Miranda Downer, Scott Shackleton

Excused Absence: Kiernan McGorty

Staff Present: Tania Tully, Martha Lauer

Approval of the October 1, 2012 Minutes

Mr. Alphin moved to waive the reading of the minutes for the hearing and adopt said minutes.

Ms. Downer seconded the motion; passed 4/0.

Minor Works

There were no questions regarding the Minor Work report.

The following is a list indicating persons in attendance and whether they were affirmed.

Visitor's/Applicant's Name and Address	Affirmed
Jeff Elsesen, 421 Salisbury Street 27601	No
Emily Reece, 613 Polk Street 27604	No
Steve Schuster, 313-204 W Martin Street 27601	No

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Mr. Alphin moved to approve the agenda as printed. Ms. Caliendo seconded the motion; passed 4/0.

SUMMARY PROCEEDINGS

There were no objections to the approval of the Summary Proceedings without a public hearing. The committee reviewed and approved the following cases 115-12-CA and 127-12-CA for which the Summary Proceeding is made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

115-12-CA 314 LINDEN AVENUE
Applicant: CITY OF RALEIGH URBAN FORESTRY DIVISION
Received: 9/20/2012 Meeting Date(s):
Submission date + 90 days: 12/19/2012 1) 11/5/2012 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: R-10

Nature of Project: Remove dying sycamore tree

Conflict of Interest: None noted.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	Remove dying sycamore tree
5.2	Demolition	

STAFF COMMENTS

Based on the information contained in the application, in staff's judgment:

- A. Remove dying sycamore tree is not incongruous in concept according to *Guidelines* sections 2.3.5, 5.2.7; however not replacing the tree is incongruous according to *Guidelines* sections 2.3.5; Raleigh City Code Section 10-2052(a)(2)c.5.i states that "An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure, or site within the district may not be denied.... However, the authorization date of such a certificate may be delayed for a period of up to three-hundred sixty-five (365) days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay."
- 1* The tree proposed for removal is 40 inches at diameter breast height (DBH).
- 2* According to the North Carolina Cooperative Extension Service housed at NC State University in the Department of Horticultural Science, sycamore trees are deciduous and range from 70 feet to 100 feet in height.
- 3* An inspection by an arborist certified by the International Society of Arboriculture (ISA) revealed that: the crown of the tree is dead.
- 4* From November 30, 2007 to August 25, 2010 the Urban Forester has requested removal of twenty-eight (29) trees, all of which were determined by staff arborists to be dying, in decline, or hazardous. Of these, twenty-two (23) were in the Oakwood Historic District.

- 5* The budget for tree planting in the City of Raleigh has been eliminated. The Urban Forestry Division of the Parks and Recreation Department will replace public trees in residential areas through its NeighborWoods program or a Tree Planting Permit (citizen purchase).
- 6* In 2008 and 2009 the NeighborWoods program received two COAs (207-08-MW and 017-09-MW) for the planting of sixty-seven (67) new trees in the public right-of-way. Of these, thirty-two (32) were in the Oakwood Historic District.
- 7* Since 2009 donations for the value of 13 trees have been made to NeighborWoods through the COA process.

Staff suggests that the committee approve the application, waiving the 365-day demolition delay, with the following condition:

1. That a large maturing tree as defined by the Urban Forester's "Suggested Street Trees for the City of Raleigh" be planted in Oakwood during the next NeighborWoods planting season.

Decision on the Application

There were no objections to approval without a public hearing.

Mr. Alphin moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 115-12-CA. Ms. Downer seconded the motion; passed 4/0.

Committee members voting: Alphin, Caliendo, Downer, Shackleton.

Certificate expiration date: 5/5/13.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

127-12-CA 613 POLK STREET
Applicant: KYLE & EMILY REECE
Received: 10/11/2012 Meeting Date(s):
Submission date + 90 days: 1/9/2013 1) 11/5/2012 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Zoning: R-10

Nature of Project: Construct pergola on rear deck; construct roof over rear deck

Conflict of Interest: None noted.

Staff Notes: Files for all COAs mentioned in the staff comments are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.3	Site Features and Plantings	Construct pergola on rear deck; construct roof over rear deck
3.8	Entrances, Porches, and Balconies	
4.1	Decks	

STAFF COMMENTS

Based on the information contained in the application, in staff's judgment:

- A. Construction of pergola on rear deck; construction of roof over rear deck is not incongruous according to *Guidelines* sections 2.3.6, 2.3.7, 3.8.9, 3.8.10, 4.1.3.
- 1* The additions and shed were approved in 1990 (CAD-90-034); the existing decks were approved in 1991 (COA CAD-91-033); the new structures will not be attached to historic fabric.
- 2* The proposed door changes and removal of the deck seating rail meet the guidelines and are included here for administrative efficiency.
- 3* Except for one post, the structures are being constructed on the existing decks.
- 4* Pergolas are commonly approved in rear yards.
- 5* The arch of the roofed structure follows the arch of the existing window; metal is a common roofing material.

Staff suggests that the committee approve the application.

Decision on the Application

There were no objections to approval without a public hearing.

Mr. Alphin moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 127-12-CA. Ms. Downer seconded the motion; passed 4/0.

Committee members voting: Alphin, Caliendo, Downer, Shackleton.

Certificate expiration date: 5/5/13.

PUBLIC HEARINGS

Chair Shackleton introduced the public hearing portion of the meeting. The committee heard the following cases in the following order for which the Certified Records are made part of these minutes: 119-12-MW, 124-12-MW, 125-12-MW and 129-12-MW.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

119-12-MW 110 E HARGETT STREET

Applicant: DARREN BRIDGER

Received: 9/28/2012

Meeting Date(s):

Submission date + 90 days: 12/27/2012

1) 11/5/2012 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT

Zoning: DOD, BUS

Nature of Project: [After-the-fact] install metal roof over existing pergola; change previously approved COA 063-12-MW

Conflict of Interest: None noted.

Staff Notes:

- Staff photographs of structure are available for review.
- Files for all COAs mentioned in the staff comments are available for review.
- It is the practice of the commission to treat “after-the-fact” applications as if the work had not been done.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.6	Garages and Accessory Structures	install metal roof over existing pergola
3.5	Roofs	

STAFF COMMENTS

Based on the information contained in the application, in staff's judgment:

- A. Installation of metal roof over existing pergola is incongruous according to Guidelines 2.6.6, 3.5.6.
- 1* The existing structure is constructed of treated wood and is not attached to any historic fabric; it was approved by staff (125-11-MW) based on a previous approval by the committee of a similar structure (213-08-CA at 117 E Hargett Street). The structure at 117 E Hargett Street was not roofed.
- 2* The addition of a metal roof completely changes the character of the structure.
- 3* Historically there may have been utilitarian storage units at the rear of businesses in the district; there is no known precedent for an open air roofed structure.

Staff suggests that the committee deny the application, with the following condition:

1. That the metal roof be removed within 30 days of this decision.

PUBLIC TESTIMONY

There was no one present to speak in favor of or in opposition to the application.

Ms. Tully distributed photographs of the property taken by staff.

Referencing 2.6.6 Mr. Alphin stated that he thinks this isn't a residential setting and doesn't know if there's a good point of reference for saying there shouldn't be a covered structure behind a commercial use. He noted that the shape of the roof is gable and doesn't see problem with it.

Mr. Alphin noted that 3.5.6 is referring to a replacing a missing roof.

Mr. Shackleton notes that in section 2.6 of the *Guidelines*, the photos are all residential, but doesn't see anything in the text that limits that guideline to residential.

Mr. Alphin noted that this is not an odd location for an accessory structure and notes that the structure itself has been approved.

Ms. Caliendo remarks on the similarity of this structure to the one approved in the summary proceeding; this is more like a pergola.

Mr. Alphin asks staff if the ridge in photograph was there before. Ms. Tully notes that except for the approval of the pergola itself, everything else has been after the fact. She noted that the applicant was stopped as they put ridge in, and a mesh awning was approved. Then they put roof on. What the ultimate plan was she doesn't know but this is what there.

Ms. Tully noted that there is no specific guideline speaking to this exact scenario and the commissioners were having right type of discussion.

Mr. Shackleton noted that this is not storage, it is seating.

Ms. Downer asked staff if the mesh that was approved going to be in same configuration. Ms. Tully said yes.

At Mr. Shackleton's suggestion Mr. Alphin moved that the public testimony portion of the hearing be closed. Ms. Downer seconded; motion carried 4/0.

Committee Discussion

The following points were made in discussion [speaker indicated in brackets]:

Section 3.6— scale, size has already been approved, as is the fact that is covered. We are being asked to look at the material that they chose. Were not happy that they didn't go through process, but that's not relevant. [Alphin]

If it came up that prior to installation that it was going to be covered with a standing seam metal roof, we probably would have approached it in the same way as the mesh covering. The configuration has already approved. [Downer]

Do we know what the metal is? [Shackleton] Ms. Tully said that the applicant calls it tin and that it is probably 5V. We did specifically prohibit 5V on Lane. [Shackleton] Ms. Tully noted that it was only on main historic building. 5 V was approved for the addition and was common roofing for accessory buildings. [Alphin]

The issue is that we don't have precedent for non-storage accessory, covered open air roofed structure, but we did allow it to be covered in fabric with waterproof material. Outside of the courtyard you can't really see it. [Shackleton] It is visible only from the passageway from Wilmington Street to the parking deck. [Alphin]

The structure is not visible from a public street. [Alphin]

I don't think that the metal versus the fabric changes the character. [Shackleton]

Historically there may have been storage facility in the rear of the building. [Alphin]

Do we want to say something about this not being storage? [Caliendo]

Or maybe it should say historically there may have been utility structures...[Alphin]

Findings of Fact

Mr. Alphin moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-3) to be acceptable as findings of fact, with the following modifications and additional fact to read as stated below:

- A. Installation of metal roof over existing pergola is *not* incongruous according to Guidelines 2.6.6, 3.5.6.
- 1* The existing structure is constructed of treated wood and is not attached to any historic fabric; it was approved by staff (125-11-MW) based on a previous approval by the committee of a similar structure (213-08-CA at 117 E Hargett Street). The structure at 117 E Hargett Street was not roofed.
- 2* The addition of a metal roof *does not change* the character of the structure.
- 3* Historically there may have been utilitarian *structures* at the rear of businesses in the district.
- 4* *The structure is not visible from any public street.*
- 5* *Metal roofs like 5V were common on accessory structures.*

The motion was seconded by Ms. Caliendo; passed 4/0.

Decision on the Application

Mr. Alphin made a motion that the application be approved.

The motion was seconded by Ms. Downer; passed 4/0.

Committee members voting: Alphin, Caliendo, Downer, Shackleton.

Certificate expiration date: 5/5/13.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

124-12-MW 400 FAYETTEVILLE STREET (SIR WALTER HOTEL)

Applicant: STEVE PARISE FOR RCD-ATLANTA

Received: 10/9/2012

Meeting Date(s):

Submission date + 90 days: 1/7/2013

1) 11/5/2012 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: RALEIGH HISTORIC LANDMARK

Zoning: DOD, BUS

Nature of Project: Remove awnings; install awnings on storefront

Conflict of Interest: None noted.

Staff Notes:

- File photographs are available for review.
- Files for all COAs mentioned in the staff comments are available for review.
- The Sir Walter Hotel was designated a landmark in 1980. It is described in part as “a massive ten-story, functional brick L-shaped structure with classical ornamentation at street and roof levels in the Neo-Classical Revival style.” The building, built in 1923-1924, is the only surviving major hotel in a town that once boasted many and derives its statewide significance from its role in the twentieth-century political history of North Carolina. The landmark report states “The first two stories are sheathed in a striated gray stone veneer. The ground floor which originally had a series of large rectangular openings, containing large doorways and show windows, has been remodeled over the years. Above this level runs a prominent projecting cornice, forming a base for the more elaborate second level treatment, which survives unaltered.”
- Ordinarily, review of awning installation is eligible for minor work approval by staff. However, proposed work in staff’s judgment may not meet the guidelines and would set a precedent. According to the commission’s Bylaws and Rules of Procedure, Article XV, “Staff will refer Minor Work projects to the COA Committee for review if in staff’s judgment the change involves alterations, additions, or removals that are substantial, do not meet the guidelines, or are of a precedent-setting nature.”

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3.9	Storefronts	Remove awnings; install awnings on storefront

STAFF COMMENTS

Based on the information contained in the application, in staff's judgment:

- A. Removal of awnings; installation of awnings on storefront is not incongruous in concept according to *Guidelines* section 3.9.1, 3.9.9; however the material, scale, and mounting of the awnings are incongruous according to *Guidelines* section 3.9.1, 3.9.9.
- 1* Based on the architectural description and historic photograph the stone veneer immediately above the windows is historic fabric. Current photographs reveal holes remaining from non-historic signage removed in the early 1990s.
- 2* A photograph of the building from circa 1928 shows fabric awnings mounted within the storefront openings.
- 3* The existing fabric awnings were approved along with a storefront alteration in 1997 (CA-4-97).
- 4* The existing awnings are installed within the storefront openings on the altered portion of the building; they are 1'10" tall with a 9" tight valance (total 2' 7") and project 2' from the building.
- 5* The new awnings are black aluminum on metal frames with open sides and are proposed to be mounted to the historic stone veneer immediately below the decorative projecting cornice. The height of the awnings would be approximately 6' with an approximate 2-1/2' projection.
- 6* The style of awning is similar to what is seen in new commercial shopping centers.

Staff suggests that the committee approve the application, with the following conditions:

- 1. That the awnings not be mounted to the historic stone veneer;
- 2. That the awnings be fabric/canvas;
- 3. That the awnings fit with in the storefront openings;
- 4. That the revised awnings be provided to and approved by staff prior to installation.

PUBLIC TESTIMONY

There was no one present to speak in favor of or in opposition to the application.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact

Ms. Caliendo moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-6) to be acceptable as findings of fact.

The motion was seconded by Mr. Alphin; passed 4/0.

Decision on the Application

Ms. Caliendo made a motion that the application be approved, with the following conditions:

1. That the awnings not be mounted to the historic stone veneer;
2. That the awnings be fabric/canvas;
3. That the awnings fit with in the storefront openings;
4. That the revised awnings be provided to and approved by staff prior to installation.

The motion was seconded by Mr. Alphin; passed 4/0.

Committee members voting: Alphin, Caliendo, Downer, Shackleton.

Certificate expiration date: 5/5/13.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

125-12-MW 400 FAYETTEVILLE STREET (SIR WALTER HOTEL)

Applicant: STEVE PARISE FOR RCD-ATLANTA

Received: 10/9/2012

Meeting Date(s):

Submission date + 90 days: 1/7/2013

1) 11/5/2012 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: RALEIGH HISTORIC LANDMARK

Zoning: DOD, BUS

Nature of Project: Install projecting signs

Conflict of Interest: None noted.

Staff Notes:

- File photographs are available for review.
- Files for all COAs mentioned in the staff comments are available for review.
- The Sir Walter Hotel was designated a landmark in 1980. It is described in part as “a massive ten-story, functional brick L-shaped structure with classical ornamentation at street and roof levels in the Neo-Classical Revival style.” The building, built in 1923-1924, is the only surviving major hotel in a town that once boasted many and derives its statewide significance from its role in the twentieth-century political history of North Carolina. The landmark report states “The first two stories are sheathed in a striated gray stone veneer. The ground floor which originally had a series of large rectangular openings, containing large doorways and show windows, has been remodeled over the years. Above this level runs a prominent projecting cornice, forming a base for the more elaborate second level treatment, which survives unaltered.”
- Ordinarily, review of a sign installation is eligible for minor work approval by staff. However, the sign locations and graphic material in staff’s judgment may not meet the guidelines and would set a precedent. According to the commission’s Bylaws and Rules of Procedure, Article XV, “Staff will refer Minor Work projects to the COA Committee for review if in staff’s judgment the change involves alterations, additions, or removals that are substantial, do not meet the guidelines, or are of a precedent-setting nature.”

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.8	Signage	Install projecting signs
3.9	Storefronts	

STAFF COMMENTS

Based on the information contained in the application, in staff's judgment:

- A. Installation of projecting signs is not incongruous in concept according to *Guidelines* sections 2.8.2, 2.8.3, 3.9.1, 3.9.8; however the scale and mounting of the signs is incongruous according to *Guidelines* sections 2.8.8, 2.8.11; and the material **may be** incongruous according to *Guidelines* section 2.8.7.
- 1* The signs are proposed to be mounted to the historic stone veneer immediately below the decorative projecting cornice.
 - 2* The face of the each sign is aluminum with an applied Sintra graphic. According to the website of 3A Composites USA, Sintra is "comprised of moderately expanded closed-cell polyvinyl chloride (PVC) in a homogenous sheet with a low-gloss matte finish." It also states that it is "Easily formed into just about any shape imaginable using wood and foam board fabrication techniques."
 - 3* The signs are not internally lit; there is no indication that the signs will be externally lit.
 - 4* The face of each sign is 2'5" wide by 3' tall; including the frame, each sign will project 3'6" from the wall and be 3'9" in height.
 - 5* The committee has approved the limited use of plastic including the following instances:
 - 039-10-CA at 115 E Hargett Street: Approved installation of two clear acrylic signs in metal frames on the condition that the signs not be lit. Potentially relevant facts of the decision included 1* "The proposed signs will be framed with black 2"x2" c-channel aluminum extrusion. The purpose of the proposed clear acrylic sign face is to obscure less of the historic fabric of the building." and 8* "When the design guidelines were being formulated, the intent of these provisions was to prohibit the use of modern commercial-standard internally-lit translucent-colored plastic box signs or colored translucent awning material that would create an expanse of glowing material using an internal light source to project images outward toward the eye."
 - 134-10-MW at 135 S Wilmington Street: Approved installation of vertical opaque lexan sign with back lit wooden spoon logo. Potentially relevant facts of the decision include 1* "A sign of similar size with back-lit letters was approved in this same location (023-06-CA); approval was based in part on the fact that "the plastic material is not intended to be the sign, but rather the means of minimizing the impact of mounting the sign on the building's exterior material." and 5* "...there will be no lighting behind the plastic – just the reflection..." and 7* "The sign mounting is reversible." and 8* "This is a district with commercial character." and 10* "The amended application states the following: The Period of Significance for the Moore Square Historic District is 1870 through 1939. PVC was discovered in 1872 and plasticized in 1926. Plastic was used in signage in the 1930s."

Pending the committee's determination regarding the use of Sintra graphic, staff suggests that the committee approve the application, with the following conditions:

- 1. That the signs be reduced in size and mounted such that there is no new damage to the historic fabric;

2. That the revised signs be provided to and approved by staff prior to installation.

PUBLIC TESTIMONY

There was no one present to speak in favor of or in opposition to the application.

A staff error was fixed. All guideline references to section 3.8 should have been to section 2.8 (signage).

Mr. Shackleton asked how the committee feels about the use of Sintra for the graphic?

Mr. Alphin asked if staff would typically ask to see a sample of the material. Ms. Tully said sometimes, but in this case she is personally familiar with the product. It is a PVC sheet commonly used for signage.

Mr. Shackleton noted that the product pretty much meets the characteristics we were looking for when we restricted approvals in 2010.

Ms. Tully said that to her the important facts are that it's opaque and you're not showing light through it, the matte finish, and you work it like wood. She noted that the sign face itself is metal, what else would you use to put a three dimensional graphic on there.

Mr. Alphin said that it seems to be a similar use to the two signs approved.

Ms. Downer asked if there was a recommendation on size. Ms. Tully thinks they're going to have issues with encroachment and the requirements of the Private use of Public Spaces handbook. From staff's perspective the sign is half the size of a door and pretty low.

Mr. Shackleton thinks it's good to add fact 6 that spells out that they're not shining light through material. Ms. Downer suggested they add this to fact 3 and Mr. Shackleton agreed.

Ms. Caliendo asked if it was a problem that the sign is being mounted to the lower part of the cornice. Mr. Shackleton pointed out that there is a condition that it's mounted such that there's no new damage.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact

Ms. Downer moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-5) to be acceptable as findings of fact, with the following modifications:

Change comment A:

Striking “; and the material **may be** incongruous according to *Guidelines* section 2.8.7”

Modify fact 3*:

Add that “that the sign is opaque.”

The motion was seconded by Ms. Caliendo; passed 4/0.

Decision on the Application

Ms. Downer made a motion that the application be approved with the following conditions:

1. That the signs be reduced in size and mounted such that there is no new damage to the historic fabric;
2. That the revised signs be provided to and approved by staff prior to installation.

The motion was seconded by Ms. Caliendo; passed 4/0.

Committee members voting: Alphin, Caliendo, Downer, Shackleton.

Certificate expiration date: 5/5/13.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

129-12-MW 209 WILMINGTON STREET

Applicant: JEHAN ZARKA

Received: 10/23/2012

Meeting Date(s):

Submission date + 90 days: 1/21/2013

1) 11/5/2012 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT

Zoning: DOD, BUS

Nature of Project: [After-the-fact] change exterior paint color; install sign

Conflict of Interest: None noted.

Staff Notes:

- Files for all COAs mentioned in the staff comments are available for review.
- It is the practice of the commission to treat “after-the-fact” applications as if the work had not been done.
- Ordinarily, review of a sign installation is eligible for minor work approval by staff. However, the sign design and face material in staff’s judgment does not meet the guidelines and would set a precedent. According to the commission’s Bylaws and Rules of Procedure, Article XV, “Staff will refer Minor Work projects to the COA Committee for review if in staff’s judgment the change involves alterations, additions, or removals that are substantial, do not meet the guidelines, or are of a precedent-setting nature.”

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.8	Signage	install sign
3.4	Paint and Paint Color	change exterior paint color
3.9	Storefronts	change exterior paint color; install sign

STAFF COMMENTS

Based on the information contained in the application, in staff's judgment:

- A. Change of exterior paint color; installation of sign is not incongruous in concept according to *Guidelines* sections 2.8.2, 2.8.3, 2.8.4, 2.8.5, 3.4.3, 3.9.7, 3.9.8; however the material and colors of the sign face are incongruous according to *Guidelines* sections 2.8.2, 2.8.5, 2.8.7,
- 1* The building is non-contributing.
- 2* The lettering on the sign is simple and easily read, however the sign colors contrast with the storefront and the size of letters are over scaled for the size of the sign.
- 3* The proposed sign is an opaque lexan sign face mounted in an aluminum frame.

- 4* The proposed sign is a modern commercial-standard internally-lit translucent-colored plastic box sign; the applicant has stated that the sign will not be lit.
- 5* In 2010 and 2011 there were several COA decisions regarding signage that may or may not be applicable to this application. These include the following:
- 039-10-CA at 115 E Hargett Street: Approved installation of two clear acrylic signs in metal frames on the condition that the signs not be lit. Potentially relevant facts of the decision included 1* "The proposed signs will be framed with black 2"x2" c-channel aluminum extrusion. The purpose of the proposed clear acrylic sign face is to obscure less of the historic fabric of the building." and 8* "When the design guidelines were being formulated, the intent of these provisions was to prohibit the use of modern commercial-standard internally-lit translucent-colored plastic box signs or colored translucent awning material that would create an expanse of glowing material using an internal light source to project images outward toward the eye."
 - 041-10-CA at 230 Fayetteville Street (Carolina Trust Building): Approved installation of internally illuminated vertical blade sign on the condition that the letters not be plastic. Potentially relevant facts of the decision include 6* "In Moore Square, wall-mounted letters backlit with low-voltage blue LED lights to create a halo effect were approved (135 S. Wilmington Street, 023-06-CA) in part because the letters themselves were constructed of opaque metal, and the LED lights were not to be directly visible." and 9* "The bottom of the sign is mounted above the 1st floor storefront."
 - 129-10-MW at 230 Fayetteville Street (Carolina Trust Building): Approved installation of sign with back lit letters and logo with the condition that the face of the letters be detailed with opaque aluminum. Potentially relevant facts of the decision include 11* "The sign is similar in design to the previously approved blade sign." and 17* "There is no other place for a sign on the building."
 - 134-10-MW at 135 S Wilmington Street: Approved installation of vertical opaque lexan sign with back lit wooden spoon logo. Potentially relevant facts of the decision include 1* "A sign of similar size with back-lit letters was approved in this same location (023-06-CA); approval was based in part on the fact that "the plastic material is not intended to be the sign, but rather the means of minimizing the impact of mounting the sign on the building's exterior material." and 5* "...there will be no lighting behind the plastic – just the reflection..." and 7* "The sign mounting is reversible." and 8* "This is a district with commercial character." and 10* "The amended application states the following: The Period of Significance for the Moore Square Historic District is 1870 through 1939. PVC was discovered in 1872 and plasticized in 1926. Plastic was used in signage in the 1930s."
- 6* The new paint color is the same as the adjacent building previously approved.

Staff suggests that the committee act on the application as follows:

Approve the change in exterior paint color

Deny the sign installation with the following condition:

1. That the sign be removed within 30 days of this decision, noting that this decision does not prohibit the submittal of a new COA application for a sign that meets the *Design Guidelines*.

PUBLIC TESTIMONY

There was no one present to speak in favor of or in opposition to the application.

Mr. Alphin commented that the sign has been up a while now. Ms. Tully stated that the violation letter was sent letter in August.

Mr. Alphin stated that he agreed with staff comments.

Committee Discussion

There was no discussion following the public hearing.

Findings of Fact

Mr. Alphin moved that based upon the facts presented in the application and the public hearing, the committee finds staff comment A. (inclusive of facts 1-6) to be acceptable as findings of fact.

The motion was seconded by Ms. Caliendo; passed 4/0.

Decision on the Application

Mr. Alphin made a motion that the change exterior paint color be approved and that the sign installation be denied with the following condition:

1. That the sign be removed within 30 days of this decision, noting that this decision does not prohibit the submittal of a new COA application for a sign that meets the *Design Guidelines*.

The motion was seconded by Ms. Downer; passed 4/0.

Committee members voting: Alphin, Caliendo, Downer, Shackleton.

Certificate expiration date: 5/5/13.

OTHER BUSINESS

1. 234-08-CA – Annual Review: Mr. Steve Schuster spoke on behalf of the request and made the following points: The sales office is not moving to the Lewis-Smith House because it has been sold to someone who will rehab it. LNR is now looking for a long-term sales center location. The entire Blount Street project has taken much longer than anyone anticipated. The sign provides a little bit of identity for the project. LNR knows it's not permanent but asks that you extend it another year. Mr. Alphin moved that the sign approval be extended for another year. The motion was seconded by Ms. Caliendo; passed 4/0.
2. Administrative Review of Conditions - 121-11-CA. Ms. Downer moved that Mr. Alphin be recued; the motion was seconded by Ms. Caliendo; passed 4/0. There were two outstanding items that staff didn't feel comfortable approving, the flat seam rusting or "living finish" metal siding and the metal clad windows. Ms. Downer moved to have staff approve conditions 3.a. & c. as submitted. Ms. Caliendo seconded; motion passed 3/0.
3. Committee Discussion
Ms. Downer moved that Mr. Alphin be allowed to return; the motion was seconded by Ms. Caliendo; passed 3/0.
 - i. Application Completeness
 - ii. Meeting Post-Mortem
4. Design Guidelines Update
5. After-the-Fact policy: Staff will bring data to the December meeting

ADJOURNMENT

The meeting was adjourned at 5:20 p.m.

Scott Shackleton, Chair
Certificate of Appropriateness Committee,
Raleigh Historic Development Commission

Minutes Submitted by:
Tania Tully, Preservation Planner