

**MINUTES OF THE REGULAR MEETING OF THE
HISTORIC PRESERVATION COMMISSION
SANFORD, NORTH CAROLINA**

The Historic Preservation Commission met in regular session in the Buggy Conference Room, 115 Chatham Street, Sanford, NC, on Monday, February 27, 2023, at 6:00 PM.

ROLL CALL

Members Present: Jason Cline
 Nate Dobbs
 Charles Petty
 Jim Erb
 Brian Mitchell
 Aidan Harbison

Staff Present: Liz Whitmore, Historic Preservation Planner II
 Angela Baker, Clerk to the Board
 Kevin Hornik, Attorney

Having noted the presence of a quorum, Board Member Cline called the meeting to order.

APPROVAL OF AGENDA

Board member Mitchell made the motion to approve the agenda, seconded by Board member Board member Petty. The motion carried unanimously.

APPROVAL OF MINUTES

Board member Petty made a motion to approve the minutes from January 23, 2022. Board member Dobbs seconded the motion. The motion carried unanimously.

NEW BUSINESS

Chair Cline read the Quasi-Judicial Statement.

Administer the Oath: Chair Cline called all participants speaking in favor of, or against the COA's, as well as staff, to stand and take the oath. Joann Thaxton; Chris Dalton and Staff Liz Whitmore appeared and took the oath.

- A. COA-23-06 – Application by owner Scruggs Real Estate Holdings, LLC and the City of Sanford for the installation of an Angel Wing mural to be installed on the south facing wall of 148 S. Moore Street.

Chair Cline read the Conflict-of-Interest Statement.

Conflicts of Interest: None

The Agenda Packet was entered into the Record.

Staff Presentation: Staff Whitmore stated that the Historic Preservation Commission received a Certificate of Appropriateness COA-23-06, was advertised in accordance with the General Statutes on Wednesday, February 15, 2023 and February 22, 2023; posted on Wednesday, February 15, 2023; and letters were mailed to property owners within 100 feet on Wednesday, February 15, 2023.

Exhibit A, page 8; Front Façade of the subject building.

Guidelines:

3. Rehabilitation of Existing Structures.

e. Masonry

1. The regular inspection and maintenance of masonry, with an eye toward the effects of weathering, is preferable to repair and replacement.

Comment: The applicant wishes to paint a mural on the south facing wall (in the alley). Exhibits B-C, pages 9-11.

2. When repair or replacement is necessary, the new material shall conform to the original in texture, material, and overall appearance.

Comment: The applicant is not proposing to repair or replace any materials.

3. Only originally painted masonry should be repainted. Avoid the painting of previously unpainted masonry surfaces.

Comment: The subject wall is currently unpainted; the applicant wishes to have a mural painted on the subject wall (south facing wall). Exhibits B-C, pages 9-11.

4. Avoid masonry maintenance methods that are destructive to the original material.

Comment: The proposal is to paint a mural on the south facing wall, Exhibits B-C, pages 9-11.

Staff Comments and Analysis:

Staff spoke to William Scruggs, owner of Scruggs Real Estate Holding, LLC on Thursday, December 1, 2022, and he confirmed with staff that he is more than pleased to allow a mural to be painted on the south facing wall of 148 S. Moore Street. Staff spoke to Mark Lyskowski Fall of 2022 and he stated that he fully supports the mural and will allow the artist to have access from his property to paint the mural. Staff presented the wings to the Friends of Sanford and they support the painting of said mural. The commission may choose to agree or disagree with the staff's synopsis of the facts applicable to this case.

Board Discussion

Chair Cline asked if this would be the first contributing building to have a mural.

Staff Whitmore said no; the building where the Steve Jones Mural is going is a contributing building; and the building that was approved the first time for Steve Jones was also contributing building. Charlie Watson Lane was not contributing when the sculptures were put in the alley.

Board member Erb asked if the mural would be painted on the building; and once it is on there it is not coming off.

Staff Whitmore said yes it would be painted on the building; and the mural could come off.

Board member Mitchell said this is different than painting a complete wall. He said that this is Art.

Staff Whitmore agreed, stating that this is in an alley and not on the front façade. She said that the previous Mayor was very keen on this project. The Friends of Sanford Board is the Mayor; Council members; City Attorney; and Finance Director. The project was first presented in 2021.

Board member Erb asked if there had been any discussion about putting this on steel.

Staff Whitmore said she would let the artist explain.

Board member Mitchell asked if the top of the building was painted.

Staff Whitmore said no, it was stucco on top of the brick.

Board member Dobbs asked if there would be any issue with the stain glass and reflection of sunlight.

Staff Whitmore said not at all.

Board member Dobbs asked if there was a desire to put more murals down the side of this building.

Staff Whitmore stated at this time no.

Board member Harbison stated that the positioning of the mural is closer to the sidewalk. He asked what is the thought behind putting it there instead of further in the alley.

Staff Whitmore stated that the Boards thought it was the best location. She said that further back was more parking and it is not a city owned alley.

Board member Cline stated that it didn't look like much room along the wall, especially if a car was parked there.

Staff Whitmore said true, and during the process there were at least 15 different locations were looked into and this was the best location. Originally it was supposed to go into Charlie Watson Lane and the property owners switched and the current owners didn't want it.

Board member Petty asked about the #sanfordnc at the bottom of the photo; would it be included.

Staff Whitmore said yes, it is a draw to downtown.

Attorney Hornik asked Staff Whitmore in her opinion would it be fair to say that these types of murals are common in the Downtown District.

Staff Whitmore stated yes. She said that all the Historical Murals are on buildings that are not in alleys. The interactive murals are in an alley; and this one will be as well. She said that this is the last mural on the project list for a while. She said the only thing being discussed is the railroad wall and it is more of a sculptural piece, which may or may not happen. She said there may be one in Jonesboro. She said in her opinion space is limited and she doesn't see anything in the near future since the process takes a long time.

Board member Cline asked if the brick was in good shape and would not need any repairs. Staff Whitmore said yes.

Board member Dobbs asked what was the City's desire to have the angel wings.

Staff Whitmore said that angel wings are the most popular interactive piece of public art you could do. Everyone loves them and it is a draw to people.

Applicant's Testimony

Chris Dalton, Sanford, NC.

The artist, Chris Dalton, stated that there are angel wings in so many cities. The response that was received from doing the butterfly wings was amazing and it has become a go to place. She said by placing the wings on this building it will bring people over from Steele to Moore and be closer to the Depot Park. She said that she will be putting some glass and crystals on the wings, and not ceramic, because they will hold up in cold and hot weather. It will only be in the feather and the rest will be painted a lacy look.

Board member Erb asked if any wings had been mounted on a steel plate to be attached to the wall and taken off later if needed. He said that someone may buy the building and not want the mural.

Ms. Dalton stated that the only thing she knows about a steel plate is the Before I Die Wall.

She said she isn't certain how it would hold up and if the paint would peel if it got hot.

She said that the actual size of the wings is about 15feet x 15feet. She said that it would not take a lot to remove it.

Staff Whitmore entered an email from Jeff Adolphsen, RLA, Senior Restoration Specialist Restoration Services Branch, NC State Historic Preservation Office, NC Dept. of Natural and Cultural Resources Ph: (919) 814-6572 Fax: (919) 807-6599, jeff.adolphsen@ncdcr.gov www.hpo.ncdcr.gov, dated February 27, 2023 at 4:31 pm, which states the following:

"Hey Liz,

"Best bet is for chemical stripper, unless the brick is blond or lighter color. I have seen chemical strippers stain light colored masonry. We always recommend that owner contact a company to do a sample panel, say 3x3 foot. I cannot recommend a specific product as each manufacturer has several strippers and each is probably very different.

We always state to start with the gentlest product and go from there. Maybe the gentlest gets most of the surface clean, except for a leaking downspouts. Those locations may require something a little harsher. Manufacturers include Prosoco, Dietrich, and Cathedral Stoneworks. Constructors include: Centennial Preservation Group (Matt Wolf 919-397-6493) in Raleigh, C. R. Lindman (Russ Botus 010=528-6400) in Creedmoor, and Seager Waterproofing (Jed Daniel 336-292-9284) in Greensboro. And, of course, I tell folks that the expense may possibly apply if the owner utilizes the historic rehabilitation tax credits...”

Attorney Hornik asked Ms. Dalton in her opinion as an artist, that these murals are a part of the character of the Sanford Historic District.

Ms. Dalton stated that the response she gets from people stopping and chatting that people do come to Downtown to see our murals from other areas, not just Sanford, and it is now incorporated into the town.

Staff Whitmore said that the Third grade Teachers at Tramway Elementary incorporated the murals into their curriculum. City of Sanford has been published in National Trade Magazines for the murals. It has become a fabric to Sanford.

Board member Dobbs asked if Ms. Dalton was the designer of the wings and in her personal opinion what would this bring or add to Sanford.

Ms. Dalton said she was the designer of the wings. She said that this is an interactive piece and when people come to see it, then will be in it. Like the butterfly. People are not just looking at it, but they are in the picture. She said it allows people to interact with art.

Final Discussion

Chair Cline said that this is not the only mural that has been approved and painted on brick. Steve Jones mural has been approved and project will begin this week.

Board member Petty stated that it is from a trusted artist; the artist spoke of how the art and the murals have taken on the nature of downtown; and brings tourism downtown and promotes the history of Sanford.

Board member Harbison asked if it could be considered in blocking off the parking space in front of the mural.

Staff Whitmore said that there is not a lot of parking in the alley at this time. She said in the future they would just work around it, like in other towns, or something could be considered as the need arises.

Board member Mitchell stated that the top half of the building has material on it, stucco / paint, and it makes it less offensive to the idea of painting brick. This isn't a building that is all brick.

Board member Erb stated that we have denied buildings being painted. The art has nothing to do with it, in his opinion. It is the painting of the building.

Attorney Hornik reminded the Board that there has been testimony from Staff and the Artist that the murals are a part of the special character of Sanford Downtowns Historic District. Putting a mural is distinctively different that someone wanting to white-wash and paint a building one color. The fact that there is evidence and testimony that what is being proposed to be painted is artwork versus just a solid paint on a building. The artwork is not incongruous with the character of the district, while painting brick wall a solid color is incongruous with the character of the district. The decision must be based on the evidence presented tonight. The mural that is presented tonight is similar to other murals that already exist in the district.

Board member Dobbs stated that he thinks the murals are part of Sanford and they tell a story. He doesn't quite know how the angel wings fit in as a part of Sanford.

Staff Whitmore said that the interactive art pieces are located in alleys and the murals that represent history are on a front façade of a building.

Finding of Fact Motion

Board member Petty made a motion that the Historic Preservation Commission find as fact that the proposed project COA-23-06, 148 S. Moore Street, if the painting of the mural, is done in accordance with the decision by the Historic Preservation Commission, is not incongruous with the character of the district, for reasons that there is a precedence from other murals; this is a trusted artist and have worked with previously; and that there are other interactive murals in the district and are generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. Seconded by Board member Mitchell. The motion carried unanimously.

Final Motion

Board member Petty made a motion based on the preceding findings of fact, that the Historic Preservation Commission grant a Certificate of Appropriateness to owner Scruggs Real Estate Holdings, LLC and the applicant City of Sanford and approve the proposals as shown in COA-23-06, 148 S. Moore Street. Motion was seconded by Board member Mitchell. The motion carried unanimously.

OLD BUSINESS

Amendments to the Downtown Guidelines:

1. Insertion of revision to awnings (2016) in the guidelines.

“Amendment to awnings: Should only the awning covering be replaced the extension from the front façade of the building may remain. However, if the entire structure is removed, (awning covering and the awning structure) and a new awning structure and covering installed the maximum extension shall not exceed 3 feet from the front façade of the building. If a building does not have an awning and one is installed the maximum extension shall not exceed 3 feet from the front façade of the building.

Board member Mitchell made a motion to have the revision to awnings inserted into the Downtown guidelines. Seconded by Board member Erb. The motion carried unanimously.

NEW BUSINESS

Staff Whitmore discussed COA's; Accomplishments for 2022; and Recommendations.

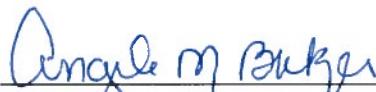
ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned on motion of Board member Petty, seconded by Board member Michell, and unanimously carried. The meeting was adjourned at 7:15 pm.

Adopted this 27th day of March, 2023.

BY: 
Chair

ATTEST:


Angela M. Baker, Clerk