

HISTORIC PRESERVATION REVIEW COMMISSION
232 N. Queen Street
December 4, 2017
Regular Meeting, 7:00 PM.
J. Oakley Seibert Council Chambers

With a quorum present, Chairman Gary Gimbel called the regular scheduled meeting of the Historic Preservation Review Commission to order at 7:00 pm. The following members were present: Gary Gimbel, Steve Knipe, Brance McCune, John Stillwagon, Ryan Perks, Terry Colburn and Chris Cox. Absent was: Mark Jordan. Also in attendance were Legal Counsel Kin Sayre, City Planner Tracy Sherman and Planning Secretary Holly Hartman.

APPROVAL OF November 6, 2017 MEETING MINUTES

Commissioner Colburn made the motion to approve the November meeting minutes as presented. Commissioner Perks seconded the motion, which was followed by a unanimous vote of “aye”. Motion carried.

STATEMENT OF PURPOSE

Read by Chairman Gimbel. Zoning Ordinance Article 10

I. UNFINISHED BUSINESS: None

II. NEW BUSINESS:

- 1. CASE #HP 17-00017. 125 W. Race Street. Public Hearing.** Application requesting a Certificate of Appropriateness to build new Police Department. City of Martinsburg, applicant.

Jodi Driggs and Brian Estep, Silling Architects, provided a thorough explanation of the project with a PowerPoint presentation that detailed the elevation, original design versus the new design, the translucent panels and provided images of the specific materials being used. Mr. Driggs passed samples of the fiberglass panels for the Commission to view. He also expressed a strong desire from the client to move forward with the original design and explained that there is only 17% light transmittance through the translucent fiberglass panels.

Chairman Gimbel stated that he feels the goal was achieved with the new design as the change in the lantern flows better with the rest of the building design. He asked the height difference between the existing building on site and the proposed new building. City Planner Tracy Sherman responded that staff could look up the height difference. Ms. Sherman explained that the application is proposing two options; the original design and the updated design.

Chairman Gimbel opened the public hearing at 7:20 pm.

Police Chief Maurice Richards spoke in favor of the project. Chief Richards stated that he has been at our station as Police Chief for two years. Prior to that he was Chief of Police at the Chicago Police Department for twenty-four years. Chief Richards explained that a new police station is needed. Staff, Chief Richards and the police department all feel that the original design is inviting for the community, that the blue light makes a statement and that the building is important for community relations. Chief Richards explained that he and his staff have worked with the consultant from day one and they feel that the original design is perfection.

As no one else came forward to speak for or against this request, the public hearing was closed at 7:25 pm.

Chairman Gimbel stated that this is only the second new construction in the historic district that he can remember other than the pedestrian bridge at the train station, which was not the same type of building.

Commissioner Colburn thanked the consultant for listening to the boards concerns and stated that she likes the transparency of the new design.

Commissioner Stillwagon expressed concern with the monolithic nature of the building. He stated that he researched the company's website and there was a building with a completely transparent design that he liked. Commissioner Stillwagon expressed that he likes the blue as the cap of the lantern and he also feels that the street lights should look the same as the rest of downtown.

Commissioner McCune stated that this is a new structure. The request is to replace what was already considered a modern building with a new modern building. It is not going to look historic in its entirety but will blend well with surrounding buildings.

Ms. Sherman referenced Section 1003, Plan Review Requirements, and explained that the Commission is not required to compare this design with surrounding buildings and can review the elements on a modern design structure itself. She stated that the original design is the better of the two choices and is the preference for City Hall staff.

Commissioner Stillwagon expressed concern with other projects being compared to the surrounding area and feels that this project was not well discussed with the Commission.

Chairman Gimbel clarified for the Commission that they were looking at two options being requested by the client. Legal Counsel Kin Sayre explained that the Commission should first vote on the original design.

Commissioner Cox made the motion to approve the request for the original design. Commissioner Colburn seconded the motion that was followed by a roll call vote of “nay” from Commissioner Perks and Commissioner Stillwagon and a vote of “aye” from Commissioner Knipe, Commissioner Colburn, Commissioner Cox and Commissioner McCune. Motion approved.

- 2. CASE #HP 17-00022. 327 Boyd Avenue. Public Hearing.** Application requesting a Certificate of Appropriateness to replace tin roof with shingles. Billie Wilder, applicant.

Billie Wilder, owner, provided an explanation of the project stating that her request is to change the remaining part of tin roof to shingles. She advised that the majority of the roof is already shingled and that the remaining section of tin had a bad leak that had to be repaired immediately so the work is already completed.

Ms. Sherman stated that the work was allowed to be completed prior to approval from the HPRC by the Building Inspector and City Engineer under emergency repair circumstances.

Chairman Gimbel opened the public hearing at 7:38 pm. As no one came forward to speak for or against this request, the public hearing was closed at 7:38 pm.

Commissioner Stillwagon made the motion to approve the request as submitted. Commissioner Colburn seconded the motion that was followed by a unanimous vote of “aye”. Motion approved.

- 3. CASE #HP 17-00023. 123 N. Queen Street. Public Hearing.** Application requesting a Certificate of Appropriateness to install vinyl window signage. Brandon Murphy, applicant.

Brandon Murphy, owner of True Love Tattoo, provided an explanation of the project stating that he would like to install removeable vinyl window signage at his new business location.

Chairman Gimbel opened the public hearing at 7:39 pm. As no one came forward to speak for or against this request, the public hearing was closed at 7:39 pm.

Commissioner Colburn made the motion to approve the request as submitted. Commissioner Perks seconded the motion that was followed by a unanimous vote of “aye”. Motion approved.

- 4. CASE #HP 17-00025. 129 N. Queen Street. Public Hearing.** Application requesting a Certificate of Appropriateness to install vinyl window signage. Constance Rogers, applicant.

Jennifer Hite, on behalf of Constance Rogers, provided an explanation of the project stating that Ms. Rogers would like to install vinyl window decals at her new business location.

Chairman Gimbel opened the public hearing at 7:41 pm. As no one came forward to speak for or against this request, the public hearing was closed at 7:41 pm.

Commissioner Cox made the motion to approve the request as submitted.

Commissioner Stillwagon seconded the motion that was followed by a unanimous vote of "aye". Motion approved.

III. OTHER BUSINESS: None

IV. DISCUSSION ITEMS:

1. Historic Tax Credits

Chairman Gimbel explained that he asked to have this item on the agenda as a new house bill was proposed with a tax cut on historic tax credits from 20% down to 10% and possibly less than that at a later date.

Mr. Sayre advised that the City Council would like to see the 20% tax credit remain as some of our cities biggest issues are keeping Mainstreet presentable and rehabbing downtown historic properties. He stated that the City Council has drafted a resolution and sent it to the President of the United States and to the United States Congress urging them to continue the Federal Historic Tax Credit Program. Mr. Sayre added that the HPRC could draft something and send it as well but that it would have to be an action item on the next agenda. He further stated that there may not be enough time for sending another resolution as the decision should be finalized before Christmas and the HPRC doesn't meet again until January.

Ms. Sherman advised that she will check with the City Recorder for a copy of the resolution and forward it on the Commissioners.

2. Signage – presented by legal counsel

Mr. Sayre explained that this information is specifically pertaining to the flashing message boards. He stated that it was a Supreme Court decision that municipalities should not regulate the content of signs. This is a First Amendment right; as long as there is no profanity or safety concerns. Mr. Sayre stated that color is considered to be part of the communication, therefore; the Commission cannot regulate that aspect of the sign. Chairman Gimbel advised that the HPRC is not responsible for safety issues, only the

aesthetic review. Commissioner Stillwagon would like to know where this information can be cited. Chairman Gimbel expressed concern that the digital sign can be changed daily without prior approval. Mr. Sayre compared that to window decals which are temporary and removable. Ms. Sherman included paint review as an example. It is not permanent and can be changed but the Commission reviews that as well.

Commissioner Knipe stated that his only concern with the digital signs is the amount of light pollution. Mr. Sayre advised that if the Commission would like, they can submit a Text Amendment application to the Planning Commission to change the review standards. Ms. Sherman added that she can test the waters with the city manager's office to be sure there is an appetite for the change and if there is, then the HPRC can work on the language of the amendment to present to the Planning Commission. Ms. Sherman will look for any interest in the proposal. She advised that the Comprehensive Plan has to be completed and in place first before any full updates or re-writes can be made to the Zoning Ordinance.

V. ACTION ITEMS: None

VI. ADJOURNMENT:

Commissioner Cox made the motion to adjourn. Commissioner Perks seconded the motion that was followed by a unanimous vote of "aye". The meeting was adjourned at 8:01 pm.

Gary Gimbel, Chairperson

Holly Hartman, Secretary