



TOWN OF BLACK MOUNTAIN

160 Midland Avenue ♦ Black Mountain ♦ N.C. ♦ 28711

Phone: (828) 419-9300 ♦ Fax: (828) 669-2030

MEMORANDUM

To: Town of Black Mountain Historic Preservation Commission
From: Jennifer Tipton, Zoning Administrator
Re: Agenda Packet for June 20, 2018
Date: June 11, 2018

The Town of Black Mountain Zoning Board of Adjustment will meet on Wednesday, January 20, 2018 at 6:00 p.m. in Town Hall at 160 Midland Avenue.

Please find the following items for your information and use at the meeting:

1. The proposed agenda;
2. Draft minutes from April ¹⁶~~26~~, 2018;
3. Sign Request for Mural at Cherry Street Bathrooms; and
4. Update on Downtown Newspaper Boxes.

Please let Jennifer Tipton know if you are **unable** to attend this meeting.
jennifer.tipton@townofblackmountain.org or (828) 419-9373.

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting, please inform Jennifer Tipton at (828) 419-9373 or by email at jennifer.tipton@townofblackmountain.org.

CC: Jessica Trotman, Planning Director
Ron Sneed, Town Attorney



**Historic Preservation Commission Regular Meeting
June 20, 2018**

PROPOSED AGENDA

- I. CALL TO ORDER**
 - Welcome
 - Declare Quorum
- II. ADOPTION OF AGENDA**
 - **Motion:** To adopt the agenda as presented [or as amended]
- III. ADOPTION OF MINUTES**
 - **Motion:** To adopt the minutes of April 24th, 2018 as written [or as amended]
- IV. OLD BUSINESS**
 - Update on Downtown Newspaper Boxes
- V. NEW BUSINESS**
 - Sign Request for Mural on Downtown Bathrooms on Cherry Street
- VI. COMMUNICATION FROM HISTORIC PRESERVATION COMMISSION**
- VII. COMMUNICATION FROM STAFF**
- VIII. ADJOURNMENT**



PUBLIC NOTICE

BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION

REGULAR MEETING

Wednesday, June 20, 2018 at 6:00 p.m.

The Black Mountain Historic Preservation Commission will meet for their monthly meeting on **Wednesday, June 20, 2018 at 6:00 p.m.** at Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to consider a request for a mural on the downtown bathrooms on Cherry Street.

The meeting is open to the public.



Jennifer Tipton
Zoning Administrator

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Jennifer Tipton, Zoning Administrator at (828) 669-2030 or by email at Jennifer.tipton@townofblackmountain.org

Posted to the Town Bulletin Board

www.townofblackmountain.org

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Application: Sign Permit

Agenda Item: New Business

Prepared by: Jennifer Tipton
Zoning Administrator

Meeting Date: June 20, 2018

Subject: Sign Permit

Request: To paint a mural on the downtown bathrooms

Location: 115 Cherry Street, Black Mountain, NC 28711

Zoning: CB (central business)

Historic Area: Downtown Historic District

Historic Classification: Non-Contributing Structure

Application Summary:

A sign permit request has been submitted to paint a mural on the downtown bathrooms on Cherry Street.

Recommendation:

Staff recommends that the Historic Preservation Commission approve the sign request for the mural.

Project Description:

Joyce Black-Woerz, of the Beautification Committee, has submitted a request to paint a mural on the downtown bathrooms. The reference for the mural is from "Spring Peaks", a photo by Joye Arden Durham that depicts mountains and trees. The mural will be painted with exterior paint and will then have a clear coat applied to seal and protect the mural. (See Exhibit 1)

The mural will be painted on the two panels between the doors and will be 3' wide by 5' long. The existing water fountains will be on the left panel and the mural will be painted around the fountains.

Site Location and Description:

The subject site is 115 Cherry Street, known as the downtown bathrooms. The building is surrounded by landscaping and sits in between an alley leading to a public parking lot and Seven Sisters Gallery.

Historic Resource Description:

The building was constructed in 1999 and is listed as a non-contributing structure within the Downtown Historic District. (See Exhibit 2)

Land Use Code Requirements:

Chapter 9 of the Town of Black Mountain Land Use Code is the ordinance regarding signage.

Murals are defined as a form of painting on a wall or the side of a building that does not advertise a product, service, establishment, or any type of business.

Wall signs, the surface area of which shall not cover an area greater than 50 percent of the total surface area of the walls which abut or fronts streets (surface area of the walls shall be computed excluding windows and doors). Fifty percent wall coverage limitations shall be computed including all signs attached to the building including product information signs, projection signs, roof signs, marquee signs, awning signs and suspended signs.

Historic Preservation Guidelines:

Minor Works Projects Approved by Minor Works Committee:

- Signage that is in the appropriate location, made of the correct materials, is consistent with these design guidelines, and is compliant with the Zoning Ordinance.

Chapter 4: Site Features**4.1 Signage and Awnings**

Signs, as much as the buildings in which they serve, can contribute greatly to the overall sense of place of downtown Black Mountain – positively or negatively. The purpose of design review of signs and awnings is to ensure that design, location, and materials are consistent with the character and scale of the building and are in keeping with the historic nature of downtown while also promoting and accommodating retail and street activity.

Signs in the downtown come in many different forms. Wall, projecting, awnings and window signs are the most common found in the district. Sign design is addressed in these guidelines but overall size, location and sign type falls under Chapter 9 of the Land Use Code of the Town of Black Mountain Code of Ordinances.

Sign Guidelines

- Retain and preserve signage that is original or is important in defining the overall historic character of the building.
- Signs should be compatible with the architectural character of the building in size, scale, materials and style. If possible, base new sign designs on historic documentation such as old photographs.

- Use traditional materials commonly found on early twentieth century commercial buildings such as wood, metal or stone or use modern materials that have the appearance of traditional.
- Whether they are wall mounted, freestanding or affixed to awnings, signs should be placed in locations that do not obscure any historic architectural features of the building or obstruct any views or vistas of Black Mountain's historic downtown.
- Wall signs should be flush-mounted on flat surfaces and done in such a way that does not destroy or conceal architectural features or details.
- Wall-mounted signs on friezes, lintels, spandrels, and fascias over storefront windows should be of an appropriate size and fit within these surfaces.
- Projecting signs are appropriate provided that:
 - They project no more than three (3) feet from the building.
 - The sign area is no greater than eight (8) square feet.
 - The bottom of the sign must be at least nine (9) feet above the sidewalk.
- Install freestanding signs appropriately, such as on well landscaped ground bases or low standards.
- Standalone manufacturer's signs are not appropriate.
- Digital and LED signs are not appropriate within the historic district and at historic landmarks, with the exception of interior open signs.
- Signs illuminated from within are not appropriate unless they relate to the period of the building. Lighting for externally illuminated signs should be simple and unobtrusive and should not obscure the content of the sign or the building façade.

Analysis:

1. The building at 115 Cherry Street is not a historical building nor a contributing building in the Downtown Historic District.
2. Murals are allowed as wall signs.
3. Wall signs are permitted in the Historic District.
4. The building measures approximately 15' x 29' for a total square footage of 435 square feet. Fifty percent of the square footage would be 217.5 square feet. Wall signs cannot exceed fifty percent of the wall space. The proposed mural has a combined square footage of 30 square feet (3' x 5' for each panel). The proposed mural does not exceed the allowable wall space.
5. The mural is not advertising any products or competing with any of the downtown businesses.
6. The theme of the mural fits in with the surrounding landscape and mountain vistas.

HISTORIC DISTRICT PROJECT

CHECKLIST

Property Owner(s): Town of Black Mountain

Project Address: 115 Cherry Street

PIN #: 0619-35-2993



This Project is located in the Local Historic District.

☐

This Project is located in the Conservation District.

☐

This Project needs a Certificate of Appropriateness. (Historic District)

☐

Approved by Staff (include date of approval)

Date: _____

☐

Approved by Minor Works Committee (include date of approval)

Date: _____

☐

This Project needs a Certificate of Review (Conservation District)

☐

This project has cleared Historic Commission Review (include date of approval)

Date: 11/20/18

☐

This project has been denied by the Historic Preservation Commission

Date: _____

Town Official's Signature: _____

Jennifer Apton

Date: 11/20/18



+Town of Black Mountain
160 Midland Avenue, Black Mountain, N.C. 28711
Phone: (828) 419-9300 - Fax: (828) 669-2030

SIGN PERMIT APPLICATION

(PLEASE TYPE OR PRINT IN INK)

Property Owner: Town of Black Mountain Phone #: 419-9300
Address: 160 Midland Avenue, Black Mtn, NC 28711
Applicant: Town of Black Mountain Phone #: 419-9300
Applicant Address: 160 Midland Avenue, Black Mtn, NC 28711
Sign Contractor: Joyce Black-Woerz Phone #: 989-9279
Property Identification Number (PIN): 0619-35-2993
Location of Sign(s): 115 Cherry Street (downtown restrooms)

Type of Sign(s) Requesting Permit For:

Ground Sign / Free Standing Sign	☐
Wall Sign	☒ - mural
Projection, Suspended or Marquee Sign	☐
Temporary Sign	☐
Political Sign	☐
Face Change	☐

Type (material): Wood _____ Metal _____ Plastic _____ Other ☒ paint

Size/Dimension of Sign: _____ s.f. _____ ht.

Wall Signs: Proposed Location: Front _____ Rear _____ Side _____
Size of Business' Front Wall Space: width _____ x height _____ = _____ s.f.
Window Area: _____ s.f. Door Area: _____ s.f.
Front Wall Space Area minus window and door area: _____ s.f.
S.F. of requested sign: _____ s.f.
Total S.F. of all (existing & proposed) wall signs: _____ s.f.

Sign Illuminated: Yes _____ No ☒
(will require an electrical permit)

SITE PLAN AND SIGN DETAILS REQUIRED - Attach drawing of proposed location and proposed sign(s) indicating size, height, style, etc.

Signature: _____ Date: _____

OFFICE USE ONLY

SIGN PERMIT (circle one) APPROVED / DENIED (decision for denial to be detailed on reverse)

Application Decision by: HPC Review Date: 6/20/18

Fees Collected: n/a Check #: — Issued Date: 6/20/18

Sign Permit #: _____



WATERCOLOR SKETCH FOR MURAL, "SPRING PEAKS" PHOTO BY JOVE ARDYN DURHAM
© CHERRY ST. RESTROOMS USED AS REFERENCE

United States Department of the Interior
National Park Service
NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

Section 7 Page 13

Black Mountain Downtown Historic District
Buncombe County, North Carolina

Service alley

35. **PUBLIC RESTROOM** 1999

115 Cherry Street

Noncontributing building

One story brick public restroom building. Design, mass, scale and materials compatible with commercial streetscape.

36. **COMMERCIAL BUILDING** 1929

117 Cherry Street

Contributing building

A two-story burnished brick veneered commercial building with replacement double-hung windows and large vents on second-story and altered recessed storefront. Area between first and second stories infilled with projecting weathered wood marquee. Built for R. H. "Harley" Reed's grocery store that moved from the corner of Church and State Streets. Grocery was in north portion of building while J. C. Wolcott occupied the south side in the 1930s and early 1940s during the summer months. Wolcott was a photographer who traveled from Lake Wales, Florida. Updated 1924 Sanborn map shows a two story brick store with a radio repair shop in back. The map also noted "auto in basement" and "stable in basement."

37. **CAROLINA FEED STORE** circa 1915

119 Cherry Street

Contributing building

A one-story brick commercial building with recessed panel parapet. Storefront has plate glass display windows flanking doors, all with transoms. Modern canvas awning across storefront. Originally Carolina Feed Store, later a hardware and furniture store, occupied and owned by Mr. W. H. McMurray in 1920s. By 1924 it was occupied by an auto repair business, the Black Mountain Telephone and Telegraph Company and the electric company. In the 1930s a dry cleaning establishment occupied the building, operated by Mr. Dorrah and his sister Mrs. Woodsides. Later was Ann Gibson's cafe. Today it is a cafe and gift shop. Shown on 1924 Sanborn map.

Service Alley

38. **COMMERCIAL BUILDING** 1939

121 Cherry Street

Contributing building

One-story brick commercial building with three-bay storefront comprised of a variety of display windows and doors. Canvas awning across storefront covers a recessed panel parapet. The first

2017-01 COD

ADD to chapter 38 Streets, Sidewalks and other public places Article I

Section 38-5. Newsracks.

- (a) *Purpose.* The purpose of this section is to provide for the regulation of newsracks. The Board of Commissioners has determined that newsracks of a certain design, due to their propensity for floating, tipping, and/or unintentionally opening due to wind or rain events, pose a health, safety and welfare concern to the Town of Manteo.
- (b) *Defined.* A *newsrack* is a self-service or coin-operated box, container or other dispenser used for distributing of newspapers or other printed material.
- (c) Newsracks shall not be allowed on public sidewalks unless the conditions of this section are met. After the effective date of this ordinance, no newsrack shall be placed on a public sidewalk until it has received a permit granted by the Town Manager or the Town Manager's designee. All newsracks in place prior to the effective date of this ordinance must be made compliant or be removed on or before April 1, 2017.
- (d) There shall be no charge made for the newsrack permit and it shall be issued provided that all of the following conditions are met:
 - (1) No individual newsrack shall exceed fifty (50) inches in height, twenty-four (24) inches in width, and twenty-four (24) inches in depth;
 - (2) Newsracks may be placed no closer than five (5) feet from the edge of a street curb, and shall be placed parallel to and no greater than six (6) inches from the sidewalk edge farthest away from the street curb, or the wall of a building which is adjacent to the sidewalk edge;
 - (3) Newsracks must be enclosed and must include a latching or locking mechanism that prevents the newsrack from opening due to weather conditions;
 - (4) Newsracks must be weighted or designed in such a manner as to prevent floating and/or tipping during a flooding event;
 - (5) Newsracks must be affixed with a sticker or other clear means of identification displaying the name and address and telephone number of the newsrack owner;
 - (6) Materials distributed or sold via a newsrack must be in compliance with N.C. Gen. Stat. § 14-190.1.
- (e) No newsracks shall be placed, installed, used or maintained:
 - (1) Within fifteen (15) feet of any fire hydrant;
 - (2) Within five (5) feet of any emergency call box or other emergency telecommunications equipment or any other emergency facility.

- (3) Within five (5) feet of any driveway or cross-walk.
- (4) Within five (5) feet of any area within the public right-of-way improved with lawn, flowers, shrubs, or trees.
- (5) At any location where the clear space for the passageway of pedestrians is reduced to less than five (5) feet.
- (6) Within a ten-foot radius of the points of intersection of the right-of-way of two (2) intersecting streets.
- (7) Within five (5) feet of any handicapped ramps or other facilities provided for handicapped persons.
- (8) Within five (5) feet of any building access, exits or any emergency access or exit ways.

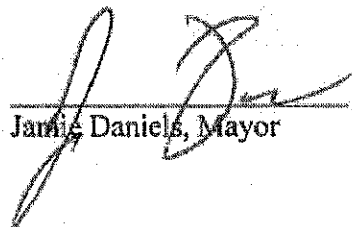
(f) It shall be the responsibility of the newsrack owner to keep the newsrack:

- (1) Reasonably free of dirt and grease;
- (2) Reasonably free of chipped, faded, peeling, and cracked paint;
- (3) Reasonably free of rust;
- (4) Free of graffiti;
- (5) Free of third party advertising stickers or fliers;
- (6) In good working order, with clear plastic or glass parts reasonably free of cracks, dents, scratches, abrasion, and discoloration.

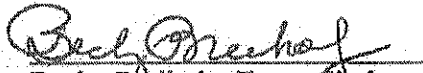
(g) In the event of failure of the locking or latching mechanism of a newsrack for any reason, resulting in the escape of the printed materials contained within the newsrack, it shall be the responsibility of the newsrack owner to clean up such printed materials. Failure by the newsrack owner to clean up such printed materials shall be littering in violation of N.C. Gen. Stat. § 14-399, and shall punishable in accordance therewith.

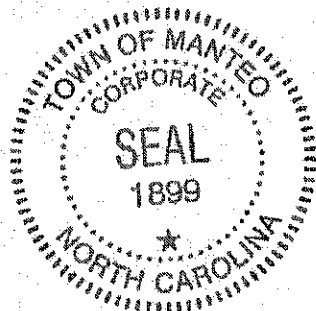
(h) *Penalty.* Except as provided otherwise herein, penalties for violation of this Section shall be administered as prescribed in Section 1-6.

Adopted this 4th day of January 2017


Jamie Daniels, Mayor

ATTEST:


Becky Breiholz, Town Clerk



Name	Location	Height	Width	Depth	Street	Sidewalk	Fire Hydrant	Call Box	Driveway	Crosswalk	RoW	Ped Path	Intersection	Handicap Ramp
Black Mountain News	W. State Street (Kilwins)	48 3/4"	19 1/3"	16 3/8"	6 1/2'	6 1/2'	n/a	n/a	n/a	n/a	n/a	6 1/2'	n/a	n/a
Living Choices	W. State Street (Keller Williams)	52 1/2"	15 5/8"	14 18"	8.83'	8.83'	n/a	n/a	n/a	n/a	n/a	8.83'	n/a	n/a
The Real Estate Book	W. State Street (Keller Williams)	48 1/4"	15 5/8"	14 1/8"	8.92'	8.92'	n/a	n/a	n/a	n/a	n/a	8.92'	n/a	n/a
Mountain Xpress	W. State Street (Keller Williams)	50"	16 1/4"	20 1/8"	9 1/2'	9 1/2'	n/a	n/a	n/a	n/a	n/a	9 1/2'	n/a	n/a
Community Publishers	Broadway (Town Hardware)	48 1/2"	48"	16"	7.41'	7.41'	n/a	n/a	n/a	n/a	n/a	7.41'	n/a	n/a
The Daily Planet	Broadway (Town Hardware)	49 1/4"	16 1/4"	20"	7.08'	7.08'	n/a	n/a	n/a	n/a	n/a	7.08'	n/a	n/a
United Country	Broadway (Town Hardware)	40 1/2"	16"	14"	7.58'	7.58'	n/a	n/a	n/a	n/a	n/a	7.58'	n/a	n/a
Clip and Save	Broadway (Town Hardware)	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove
Black Mountain Tour Guide	Broadway (Town Hardware)	42 3/8"	18"	19 3/8"	7'	7'	n/a	n/a	n/a	n/a	n/a	7'	n/a	n/a
Charlotte Observer	Broadway (Town Hardware)	48 5/8"	19 3/8"	14 3/8"	7.58'	7.58'	n/a	n/a	n/a	n/a	n/a	7.58'	n/a	n/a
Asheville Tribune	Broadway (Town Hardware)	48 7/8"	16 3/8"	20"	7.16'	7.16'	n/a	n/a	n/a	n/a	n/a	7.16'	n/a	n/a
Capital @ Play	Broadway (Town Hardware)	40 1/2"	16'	18 3/4"	7.58'	7.58'	n/a	n/a	n/a	n/a	n/a	7.58'	n/a	n/a
The Real Estate Book	Broadway (Town Hardware)	48 1/4"	15 5/8"	14 1/8"	7.33'	7.33'	n/a	n/a	n/a	n/a	n/a	7.33'	n/a	n/a
Homes and Land	Broadway (Mountain Properties)	44"	16 3/4"	14"	6.75'	6.75'	n/a	n/a	n/a	n/a	n/a	6.75'	n/a	n/a
Black Mountain News	Broadway (Mountain Properties)	48 3/4"	19 1/3"	16 3/8"	6.75'	6.75'	n/a	n/a	n/a	n/a	n/a	6.75'	n/a	n/a
WNC Homes & Real Estate	Broadway (Mountain Properties)	43"	18"	20"	6.33'	6.33'	n/a	n/a	n/a	n/a	n/a	6.33'	n/a	n/a
Mountain Xpress	Cherry Street (Seven Sisters)	50"	16 1/4"	20 1/8"	5.75'	5.75'	n/a	n/a	n/a	n/a	n/a	5.75'	n/a	n/a
Blue Ridge Outdoor	Cherry Street (Seven Sisters)	36"	20 1/4"	14 1/2"	5.75'	5.75'	n/a	n/a	n/a	n/a	n/a	5.75'	n/a	n/a
Black Mountain Tour Guide	Cherry Street (Cherry Street Kids)	42 3/8"	18"	19 3/8"	5.33'	4.75'	n/a	n/a	n/a	n/a	n/a	4.75'	n/a	n/a
Black Mountain News	Cherry Street (My Father's Pizza)	48 3/4"	19 1/3"	16 3/8"	6'	5.5'	n/a	n/a	n/a	n/a	n/a	5.5'	n/a	n/a
Black Mountain Tour Guide	Cherry Street (My Father's Pizza)	42 3/8"	18"	19 3/8"	5.5'	5'	n/a	n/a	n/a	n/a	n/a	5'	n/a	n/a
The Daily Planet	Cherry Street (My Father's Pizza)	49 1/4"	16 1/4"	20"	5.375'	5'	n/a	n/a	n/a	n/a	n/a	5'	n/a	n/a
Appalachian Voice	Cherry Street (My Father's Pizza)		20 1/2"	15 3/8"	5.58'	5.16'	n/a	n/a	n/a	n/a	n/a	5.16'	n/a	n/a
Community Publishers	Cherry Street (My Father's Pizza)	48 1/2"	48"	16"	5.5'	5.08'	n/a	n/a	n/a	n/a	n/a	5.08'	n/a	n/a
United Country	Cherry Street (rock wall)	40 1/2"	16:00	14"	5.75'	5.25'	n/a	n/a	n/a	n/a	n/a	5.25'	n/a	n/a
Health Resources	Cherry Street (rock wall)	43 3/8"	6 3/8"	18"	5.75'	5.25	n/a	n/a	n/a	n/a	n/a	5.25'	n/a	n/a
Shoji	Cherry Street (rock wall)	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove	remove
Black Mountain News	Cherry Street (Cherry Street Square)	48 3/4"	19 1/3"	16 3/8"	> 8'	off sidewalk	n/a	n/a	n/a	n/a	n/a	off sidewalk	n/a	n/a