



# HISTORICAL PRESERVATION COMMITTEE MINUTES

## REGULAR MEETING

Wednesday, February 3, 2021 @ 6:00 pm

The Kure Beach Historical Preservation Commission (HPC) held its regular meeting on Wednesday, February 3, 2021. A quorum of members was present, and Attorney Jim Eldridge attended.

### HPC MEMBERS PRESENT

Chairman Craig Galbraith  
Member Kathleen Zielinski  
Member Kenneth Richardson

### HPC MEMBERS ABSENT

Member David Garceau  
Member Tony Garibay

### STAFF PRESENT

Mandy Sanders, Town Clerk  
John Batson, Building Inspector

### CALL TO ORDER

Chairman Galbraith called the meeting to order at 6:05 p.m.

MOTION: Chairman Galbraith made a motion to excuse Member Garceau and Member Garibay from tonight's meeting.

SECOND: Member Richardson

VOTE: Unanimous

### ADOPTION OF AGENDA

MOTION- Member Richardson made a motion to adopt the agenda as presented.

SECTION- Member Zielinski

VOTE- Unanimous

### APPROVAL OF MEETING MINUTES:

- January 6, 2021 Regular Meeting

MOTION: Member Zielinski made a motion to approve the January 6, 2021 Regular Meeting minutes as presented.

SECOND: Member Richardson

VOTE: Unanimous

- January 6, 2021 Special Meeting

MOTION: Member Richardson made a motion to approve the January 6, 2021 Special Meeting minutes as presented.

SECOND: Member Zielinski

VOTE: Unanimous



# HISTORICAL PRESERVATION COMMITTEE MINUTES

**REGULAR MEETING**

**Wednesday, February 3, 2021 @ 6:00 pm**

## **PUBLIC COMMENTS**

Keith Rosenthal, 129 Third Ave South

- Owns residence in the B-1 district and just became aware of the Historical Preservation Committee and would like to gain a better understanding of the potential Historic District.

Chairman Galbraith suggested listening to the previous HPC meetings and the Special Joint Council Meeting on January 28<sup>th</sup> 2021 to bring himself up to date.

## **OLD BUSINESS**

1. Continued discussion of the design standards for the Kure Beach Downtown Preservation and Historic District.

Attorney Eldridge reviewed the revised Design Standards and the changes that came out of the Joint Workshop with Town Council. Revised Design Standards are hereby incorporated into the minutes.

**MOTION:** Chairman Galbraith made a motion to approve the Design Standards as revised by Attorney Eldridge.

**SECOND:** Member Richardson

**VOTE:** Unanimous

## **NEW BUSINESS**

Chairman Galbraith stated the original idea of the Historical Preservation Commission being made of members of the Planning and Zoning Commission was to get us to this point. Town Council may decide to keep the same membership, or to change it to include members of the public, Town Council members, and/or Planning and Zoning Commission members.

## **ADJOURNMENT**

**MOTION:** Member Richardson made a motion to adjourn at 6:24 pm

**SECOND:** Member Zielinski

**VOTE:** Unanimous

ATTEST: Mandy Sanders  
Mandy Sanders, Town Clerk

Craig Galbraith  
Craig Galbraith, Chairman

**NOTE:** These are action minutes reflecting items considered and actions taken by Planning and Zoning Commission. These minutes are not a transcript of the meeting. A recording of the meeting is available on the Town's website under Government>Planning and Zoning/Historical Preservation.

**DESIGN STANDARDS**

**KURE BEACH DOWNTOWN **PRESERVATION** DISTRICT**



Published by the

**Kure Beach Historic Preservation Commission**

117 Settlers Lane

Kure Beach, NC 28449

February 3, 2021

**TABLE OF CONTENTS**

**I. Preface.....2**

**II. Procedures for Amending the Design Standards.....2**

    2.1. Amendments .....2

**III. Required Approvals.....3**

    3.1. COAs Required.....3

    3.2. Minor Works Excepted.....3

    3.3. COA Procedures for Non-Minor Work.....4

**IV. Standards.....5**

    4.1. General Standards.....5

    4.2. Specific Standards for New/Renovated Commercial Buildings and Additions.....6

    4.3. Specific Standards for New Residential Buildings and Structures.....6

    4.4. Specific Standards for Additions to Residential Buildings and Structures.....7

    4.5. Relocation, Demolition, and Destruction.....7

## **ARTICLE I. PREFACE**

The objective of the Kure Beach **Downtown Preservation District** (the “District”) is to safeguard the heritage of the Town of Kure Beach (“Town”) by preserving important elements of its culture, history, and architecture and by promoting the use and conservation of the District for the education, pleasure and enrichment of the residents of the Town, the region, and the State. The District has an overall integrity of design, scale, setting, and materials which need to be maintained to preserve its unique character of a small-town, family-friendly 1940s to 1970s east coast beach town.

These standards specifically permit property development while ensuring the preservation of the District’s important elements and features which lend themselves to the unique character of the District.

These standards only address changes to the exterior features of buildings and structures within the District and are intended to assist property owners and the Town in determining whether the proposed changes are consistent and harmonious with the District’s neighborhood. These standards provide the Kure Beach Historic Preservation Commission (the “HPC” or “Commission”), Town Staff, and property owners with the minimum guidelines needed for making decisions on applications for Certificates of Appropriateness (“COAs”) which are required prior to making any changes to the exterior features within the District.

These standards will also enhance investment within the District and will increase public awareness of the District’s unique, small-town, family-friendly character.

## **DISTRICT BOUNDARIES**

The District, a four-block area bounded on the East by the Atlantic Ocean, on the South by J Avenue, on the North by L Avenue, and on the West by Third Avenue, represents a mix of commercial and residential structures and contains the oldest buildings in the Town. The District is the Town’s only commercial district (*e.g.*, beach-oriented hotels, shops, and restaurants) and retains a character that is reflective and reminiscent of a 1940s-1970s coastal community. Also located within the District are several public beach access points, the Town boardwalk, and the Town’s beachfront park and pavilion. The Town’s only stop-lighted intersection (Fort Fisher Blvd and K Avenue) and the oldest fishing pier on the Atlantic coast (originally built in 1923) are also sited within the District.

## **ARTICLE II. PROCEDURES FOR AMENDING THE DESIGN STANDARDS**

### **2.1. Amendments**

The following procedure shall apply with respect to proposed amendments to these design standards:

- a. Upon a suggestion to amend these standards made by a member of the HPC, the Planning and Zoning Commission, or Town Council, the HPC Chair shall call for discussion on the proposed amendment.
- b. Following the discussion, the Chair shall request a motion to place the question of the proposed amendment on the agenda for a noticed special meeting of the HPC where the Commission will consider and act upon the proposed amendment.
- c. The notice of the special meeting shall state that the purpose of the meeting is to allow for public comments on the proposed amendment and that the Commission will consider and act upon said proposal.
- d. A majority vote shall be sufficient for adopting or denying the proposed amendment.

### **ARTICLE III. REQUIRED APPROVALS**

#### **3.1. COAs Required**

Under the General Statutes of North Carolina and the Town of Kure Beach Code (“KBC”), a COA is required for the erection, alteration, restoration, relocation, demolition, or destruction of any exterior portion of any building, structure (including masonry walls, fences, light fixtures, steps, pavement, or other appurtenant features), above-ground utility structure, or any type of outdoor advertising sign within the District (all collectively referred to herein as “Exterior Features”). Applications for a COA are decided by the HPC following a quasi-judicial hearing wherein the applicant presents evidence showing that the proposed Exterior Features comply with these design standards. The issuance of a COA by the HPC is required prior to the issuance of a building permit.

#### **3.2. Minor Work Excepted**

Minor work on Exterior Features, as defined in KBC Chapter 15 *Zoning*, may be administratively approved by the Town’s Building Inspector without a COA hearing. The request for administrative approval of minor work shall be made to the Building Inspector in writing, describe the work to be performed, and show that the work complies with these standards. A dated letter approving or denying the request shall be issued by the Building Inspector to the applicant generally within two (2) business days after the date on which the Building Inspector received the request.

Appeals of administrative decisions for minor work shall be made in writing to the HPC and delivered to the Commission’s Clerk within ten calendar (10) days after the date of the Building Inspector’s letter setting forth the administrative decision. The appeal shall be considered and acted upon by the HPC in a special or regular meeting conducted no earlier than ten (10) calendar days after the date on which the Clerk received the appeal. The HPC’s decision on the appeal shall be made in writing and delivered to the appellant within ten (10) calendar days after the date of the hearing during which the appeal was taken.

Minor work on Exterior Features which may be administratively approved includes the following:

- a. Painting which complies with these standards.
- b. Installation of window air conditioners, television antennas, and other temporary mechanical equipment provided they cannot easily be seen from the street or are screened from view with shrubbery or appropriate fencing.
- c. Repairs to walkways, patios, fences and driveways provided that the replacement materials match the original materials.
- d. Replacement of missing or deteriorated siding, trim, roof shingles, porch flooring, steps, etc. provided that the replacements match the original materials.
- e. Installation of storm windows and doors provided the trim color is white or matches trim color of the building, and the storm door is of the "full view" type.
- f. Installation of gutters and downspouts provided the color matches the trim color of the building and is harmonious with the color of the roof ventilators and chimney caps.
- g. Installation of house numbers, mailboxes, and porch light fixtures which are compatible and harmonious with the surrounding Exterior Features.
- h. Alteration or restoration of a medium to dark gray or black asphalt shingle roof.
- i. Alteration, restoration or erection of shutters or blinds which are original to the building or identical thereto.
- j. Removal of aluminum awnings.
- k. Removal of cinderblock walk and steps.
- l. Removal of storm doors and windows which do not feature panels or decorative work.
- m. Removal of metal storage buildings.

### **3.3. COA Procedures for Non-Minor Work**

Application for a COA and payment of the associated fee shall be made to the Town's Buildings Inspection Department no later than thirty (30) days before the date of the next regularly scheduled HPC meeting. Each application shall include sketches, drawings, photographs, specifications, descriptions, and other information clearly showing the proposed work and how it complies with these design standards. Insufficient applications shall not be processed.

The HPC hearing shall be noticed and conducted in a quasi-judicial manner in accordance with the provisions of N.C.G.S. § 160D-406 and the applicant shall be prepared to show, on the basis of the application and other additional materials, documents, or exhibits which the applicant may want to submit into the record of the proceedings, that the proposed Exterior Features comply with these design standards.

All decisions by the HPC in granting or denying a COA shall be made in open session during the meeting in which the application is considered and may be appealed to the Kure Beach Board of Adjustment in the nature of certiorari and within the times prescribed for appeals of decisions in N.C.G.S. § 160D-405(d).

## **ARTICLE IV. STANDARDS**

### **4.1. General Standards**

a. The erection, alteration, restoration, or relocation of any Exterior Feature should have the look and aesthetic of a 1940s to 1970s building, and not be of modern or expressionist design. Exterior Features should be consistent and harmonious with the other Exterior Features within the District in terms of scale and design. Inappropriate modernist or expressionist architectural design elements include but are not limited to construction consisting of or containing predominant glass elements, glossy materials, round window features, exposed steel elements, broad roofs, or exaggerated overhangs.

For the purposes of these standards, “modernist architectural design” shall be interpreted and construed to mean an architectural style characterized by an emphasis on volume, asymmetrical compositions, based or linked boxes, minimal ornamentation, and vertical elements juxtaposed against horizontal elements for dramatic effect. “Expressionist architectural design” shall be interpreted and construed to mean an architectural style using materials such as brick, concrete, metals and glass to create novel and sculptural forms and massing which are sometimes distorted and fragmented to express an emotional perspective or an abstraction; a style which rejects historical styles, symmetrical forms, and traditional designs and which can result in unique exterior Features which stand out and are distinctive from their surroundings.

b. Colors on Exterior Features should be consistent and harmonious with the District’s neighborhood. For example, there should not be any pattern color designs such as those often associated with franchise operations nor should there be any striped or banded coloring/painting.

c. Building facades should be simple, and not consist of multiple sizes. Roofs should be uniform and roof features, uneven roofs, or oversized roofs should be avoided.

d. Design features, including windows and doors, should be normal scale. No large-scale windows or doors and no single architectural feature of an Exterior Feature should dominate the appearance of the building/structure.



e. In determining COA applications, the use of the property and the interior arrangements of the subject buildings/structures shall not be considered.

f. Nothing in these standards shall be interpreted or construed as preventing or restricting the authority to erect buildings to a height of 35 feet above ground level in accordance with N.C. Sess. Law 2006-126.

#### **4.2. Specific Standards for New/Renovated Commercial Buildings and Additions**

a. New and renovated commercial buildings and structures shall be designed with an architectural scale that is consistent and harmonious with the neighborhood and shall utilize details and elements, including but not limited to cornice lines, belt courses, fenestration bands, height, material selection, roof form, and street walls, which contribute to integrating the building/structure into the character of the site and the surrounding properties.

b. New and renovated commercial buildings and structures shall be designed so that a pedestrian's experience of the District's unique character is maintained.

c. There shall be no drive-through, curbside, or take-out operational services constructed within the District provided that walk-up service windows shall be permitted.

d. Exterior Features within the District shall not contain commercially oriented architectural features which are typically seen on franchise buildings such as golden arches, clowns, and/or towers/facades/uneven construction designed to emphasize franchise images, signs or logos.

e. All buildings on K Avenue between Atlantic Avenue and Fort Fisher Boulevard shall be commercial in nature. While mixed uses are permitted for multiple story buildings, the first floor of any such building shall be commercial in nature.

f. The signage for all commercial buildings and structures within the District shall be exterior lit only provided that small "open" window signs are permitted provided they comply with the sign regulations of KBC Chapter 15 *Zoning*.

#### **4.3. Specific Standards for New Residential Buildings and Structures**

New residential buildings and structures shall be designed with an architectural scale that is consistent and harmonious with the District's neighborhood and is compatible with the surrounding buildings and structures which contribute to the District's special character in terms of height, form, size, scale, massing, proportion, architectural style, and roof shapes.

#### **4.4. Specific Standards for Additions to Residential Buildings and Structures**

Additions to residential buildings and structures shall be permitted provided they are consistent and harmonious with the District's neighborhood and designed so that the overall character of the site, including trees and significant vistas of the District, are maintained.

#### **4.5. Relocation, Demolition, and Destruction**

COA applications for the relocation, demolition, or destruction of a building or structure within the District shall not be denied.