

RALEIGH HISTORIC DEVELOPMENT COMMISSION
CERTIFICATE OF APPROPRIATENESS COMMITTEE
Minutes of the Meeting
December 3, 2012

CALL TO ORDER

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

ROLL CALL

Martha Lauer, Executive Director, called the roll as follows:

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

Excused Absence: Kiernan McGorty

Staff Present: Martha Lauer, Chenetha Eason

Approval of the November 11, 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. Mr. Ralph Puccini, Notary Public, administered the affirmation.

Visitor's/Applicant's Name and Address	Affirmed
Ahren Rittershaus, 521 N. East Street 27604	Yes
David Meeker, 301 Fayetteville Street, Suite 2808 27601	Yes
Derek Ryott, 710 Independence Place 27603	No
Andy Robinson, 1096 Nichols Drive 27605	Yes

REVIEW OF SUMMARY PROCEEDINGS/APPROVAL OF AGENDA

Mr. Alphin moved to approve the agenda as printed. Ms. Downer 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 135-12-CA, 137-12-CA, and 138-12-CA for which the Summary Proceeding is made part of these minutes.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

135-12-CA 521 N EAST STREET
Applicant: AHREN RITTERSHAUS
Received: 11/15/2012 Meeting Date(s):
Submission date + 90 days: 2/13/2013 1) 12/3/2012 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT
Zoning: R-10
Nature of Project: Install 6 foot tall privacy fence in rear yard
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	Install 6 foot tall privacy fence in rear yard
2.4	Fences and Walls	

STAFF COMMENTS

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

- A. Install 6 foot tall privacy fence in rear yard is not incongruous in concept according to *Guidelines* sections 2.3.7, 2.4.8, 2.4.10.
- 1* The new section of wood fence will match the existing wood privacy fence with lattice on top.
- 2* An arbor with an arched gate is proposed for the portion of fence crossing the driveway; arbors are common landscape features in Oakwood.
- 3* The new fence and arbor will be unpainted to match the existing sections of fence.
- 4* Photographs included with the application indicate that there may be trees with roots extending into the fence line; tree protection was not included with the application.

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

- 1. That post holes be dug by hand so as to avoid damage to tree roots.

Decision on the Application

There were no objections to approval without a public hearing.

Ms. Caliendo moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 135-12-CA. Mr. Alphin seconded the motion; passed 4/0.

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

Certificate expiration date: 6/3/13.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

137-12-CA 405 POLK STREET - ROW
Applicant: CITY OF RALEIGH URBAN FORESTRY DIVISION
Received: 11/9/2012 Meeting Date(s):
Submission date + 90 days: 2/7/2013 1) 12/3/2012 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. Removal of 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 18 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 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, 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.

Ms. Caliendo moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 137-12-CA. Mr. Alphin seconded the motion; passed 4/0.

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

Certificate expiration date: 6/3/13.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – SUMMARY PROCEEDING

138-12-CA 401 POLK STREET - ROW
Applicant: CITY OF RALEIGH URBAN FORESTRY DIVISION
Received: 11/9/2012 Meeting Date(s):
Submission date + 90 days: 2/7/2013 1) 12/3/2012 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. Removal of 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 16 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 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, 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.

Ms. Caliendo moved to approve the application, adopting the staff comments as the written record of the summary proceeding on 138-12-CA. Mr. Alphin seconded the motion; passed 4/0.

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

Certificate expiration date: 6/3/13.

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: 131-12-CA and 132-12-MW.

Because there was no one present for 131-12-CA, the committee opted to hear 132-12-CA. Mr. Alphin moved to recuse Ms. Downer from hearing application 132-12-MW; Ms. Caliendo seconded; motion passed 3/0.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

132-12-MW 237 S WILMINGTON STREET

Applicant: DAVID MEEKER

Received: 11/9/2012

Meeting Date(s):

Submission date + 90 days: 2/7/2013

1) 12/3/2012 2)

3)

INTRODUCTION TO THE APPLICATION

Historic District: MOORE SQUARE HISTORIC DISTRICT

Zoning: BUS, DOD

Nature of Project: Install metal gate inside recessed entry

Conflict of Interest: Mr. Alphin moved to recuse Ms. Downer from hearing application 132-12-MW; Ms. Caliendo seconded; motion passed 3/0.

Staff Notes: Typically installation of a gate or door would be a Minor Work approvable at the staff level; however, in staff's judgment the change involves an alteration that is of a precedent-setting nature.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3.3	Architectural Metals	Install metal gate inside recessed entry
3.7	Windows and Doors	

STAFF COMMENTS

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

- A. Installation of metal gate inside recessed entry is not incongruous in concept according to *Guidelines* sections 3.3.11, 3.7.9.
- 1* The building is a non-contributing resource to the Moore Square Historic District.
- 2* The proposed metal gate may more accurately be described as partial metal grate wall with metal grate door.
- 3* The alteration is located on the side of the building inside a recess perpendicular to the sidewalk.
- 4* Per a November 27, 2012 email the applicant clarified that the gate will be unpainted steel, not the black powder coated aluminum noted on the plan drawing and rendering.
- 5* The gate will be latched open during operating hours, approximately 9 hours a day; the wall behind the open gate is white.

Staff suggests that the committee approve the application.

PUBLIC TESTIMONY

Mr. David Meeker, owner [affirmed] was present to speak in favor of the application. There was no one present to speak in opposition of the application.

Mr. Meeker explained that the purpose of the gate is to close off an alcove during non-business hours as the alcove has become a public restroom.

Committee Discussion

There was no discussion.

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 1-5) to be acceptable as findings of fact.

The motion was seconded by Mr. Alphin; passed 3/0.

Decision on the Application

Ms. Caliendo made a motion that the application be approved.

The motion was seconded by Mr. Alphin; passed 3/0.

Committee members voting: Alphin, Caliendo, Shackleton.

Certificate expiration date: 6/3/13.

Mr. Alphin moved to readmit Ms. Downer to the meeting; Ms. Caliendo seconded; passed 3/0.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

131-12-CA 300 E DAVIE STREET
Applicant: LEMONTE F MITCHELL, TRUSTEE BOARD
Received: 11/9/2012 Meeting Date(s):
Submission date + 90 days: 2/7/2013 1) 12/3/2012 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT

Zoning: RB, DOD

Nature of Project: Pave parking area; install access ramp

Amendments: Based on a closer review of the application by staff it also includes removal of landscaping features and enlargement of an existing curb cut and driveway apron.

Conflict of Interest: None noted.

Staff Notes: A site visit by staff confirmed the existence of granite curbing.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
2.1	Public Rights-of Way and Alleys	Pave parking area
2.3	Site Features and Plantings	Pave parking area; install access ramp
2.5	Walkways, Driveways, and Offstreet Parking	Pave parking area
3.11	Accessibility, Health, and Safety Considerations	install access ramp

STAFF COMMENTS

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

- A. Paving of parking area; installation of access ramp is not incongruous in concept according to *Guidelines* sections 2.1.11, 2.1.13, 2.3.1, 2.3.8, 2.5.5, 3.5.6, 2.5.7, 2.5.10, 2.5.11, 3.11.2, 3.11.3.
- 1* The area being paved is already primarily gravel and used for parking.
 - 2* The commission previously approved the paving of an existing gravel parking area in the Blount Street Historic District.
 - 3* The parking area is being reconfigured; one curb cut is being abandoned and one is being enlarged to allow for two-way traffic; there is existing historic granite curbing; no information about retention of the curb is included.
 - 4* A new low-slope concrete ramp is proposed for the south side of the building; the new ramp is not shown on the planting plan; a hedge noted as being retained will be removed to facilitate the new ramp.
 - 5* No existing trees are proposed for removal; new Maple trees, shrubs, and groundcover are being planted along the east property line and Davie Street.

- 6* To facilitate the reconfiguration of the parking area an existing non-historic timber wall and concrete steps top nowhere will be removed.
- 7* New lights are being installed on existing poles; details and specifications are not included in the application.
- 8* The Prince Hall Historic District is one of residential, institutional, and commercial character.
- 9* Details and specifications of the new concrete ramp were not included in the application; a water-washed finish is typically required.

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

- 1. That existing granite curbing be retained.
- 2. That the following details and specifications be provided to and approved by staff prior to the issuance of permits:
 - a. retention of granite curb.
- 3. That the following details and specifications be provided to and approved by staff prior to installation:
 - a. new lighting fixtures
 - b. finish of concrete walk.

PUBLIC TESTIMONY

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

Committee Discussion

Ms. Downer noted that one number in "A" findings of fact should be corrected: "3.5.6" should be "2.5.6." There was no additional 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 1-9) with the correction of the typo to be acceptable as findings of fact.

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

Decision on the Application

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

1. That existing granite curbing be retained.
2. That the following details and specifications be provided to and approved by staff prior to the issuance of permits:
 - a. retention of granite curb
3. That the following details and specifications be provided to and approved by staff prior to installation:
 - a. new lighting fixtures
 - b. finish of concrete walk.

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

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

Certificate expiration date: 6/3/13.

OTHER BUSINESS

1. After-the-Fact Applications: To be discussed at January meeting.
2. Tweet Topics: The committee briefly discussed three types of tweets: (1) numbers of what was heard, what passed to keep people abreast of committee activity; (2) meeting highlight chosen at meeting each month (like picture of plan for an updated store front, or “such and such business receives COA”); (3) trades article re-tweets. This will be discussed further at January meeting.
3. Staff Conference Follow-up: To be discussed at January meeting.
4. Committee Discussion
 - i. Application Completeness
 - ii. Meeting Post Mortem
5. Design Guidelines Update

ADJOURNMENT

The meeting was adjourned at 4:28 p.m.

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

Minutes Submitted by:
Tania Tully, Preservation Planner