

City of Raleigh

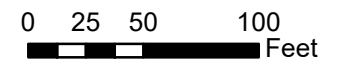


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COA-0093-2019

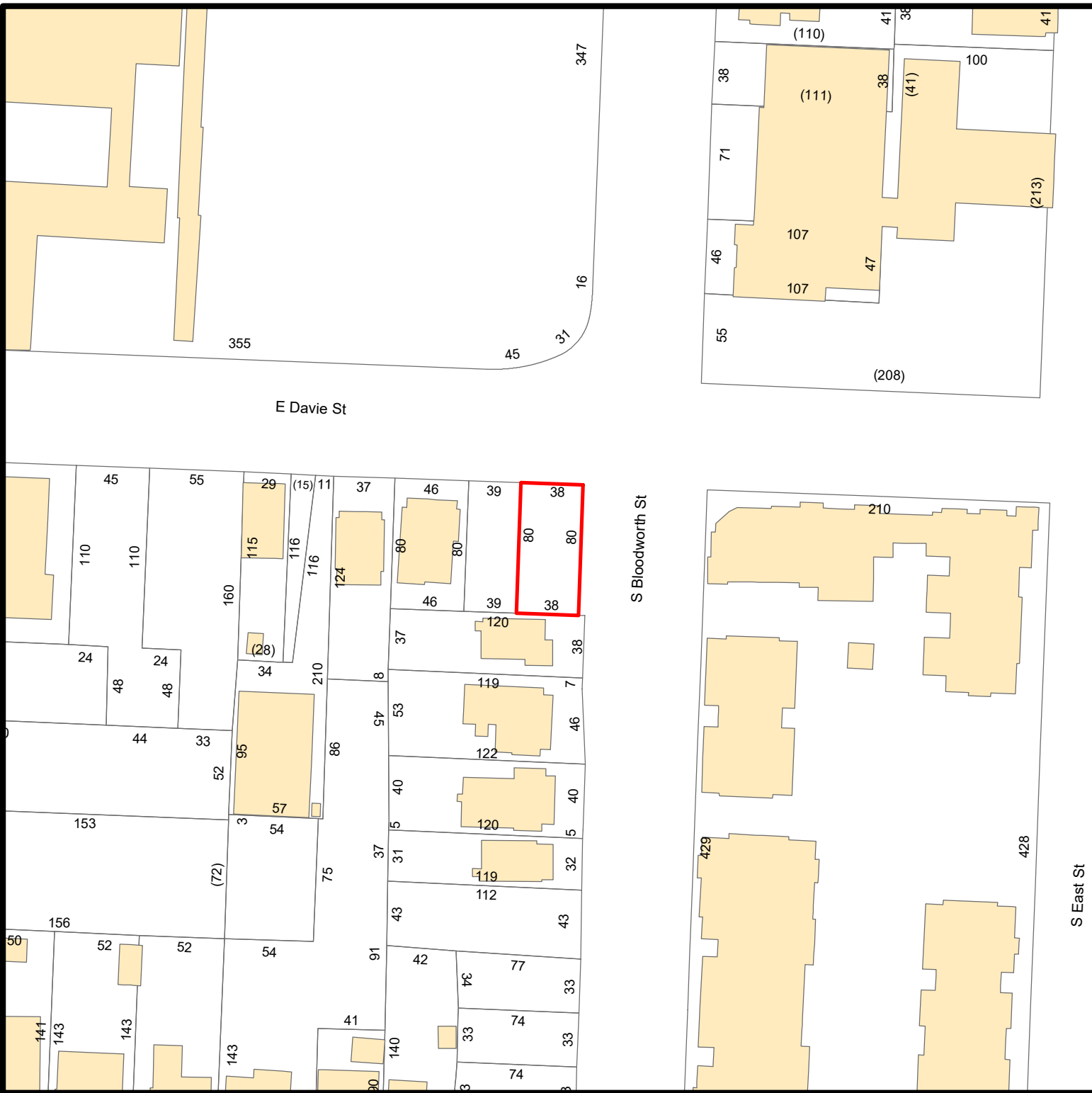
330 E DAVIE STREET

PRINCE HALL HISTORIC DISTRICT (HOD-G)



Nature of Project:
Remove tree

APPLICANT:
CHASE NICHOLAS FOR
330 E DAVIE STREET LLC



APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – CERTIFIED RECORD

COA-0093-2019 330 E DAVIE STREET

Applicant: CHASE NICHOLAS FOR 330 E DAVIE ST, LLC

Received: 8/14/2019

Meeting Date(s):

Submission date + 90 days: 11/12/2019

1) 9/26/2019 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: PRINCE HALL HISTORIC DISTRICT

Zoning: General HOD

Nature of Project: Remove tree

Staff Notes:

- Unified Development Code section 10.2.15.E.1 provides that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District...may not be denied.... However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance.... **If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.**”
- Previous COA cases are available for review.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<i>Sections</i>	<i>Topic</i>	<i>Description of Work</i>
1.3	Site Features and Plantings	Remove tree

STAFF REPORT

Based on the information contained in the application and staff’s evaluation:

A. Removal of a tree is incongruous according to *Guidelines* section 1.3.1, 1.3.3, 1.3.5, and the following suggested facts:

1* The “Report and Recommendation for the Designation of the South Person/South Blount Historic Overlay District” (now referred to as the Prince Hall Historic Overlay District) describes the property as a vacant lot and “stone retaining wall/foundation wall and stone steps remain.” As a vacant lot it is considered non-contributing to the character of the district.

2* A 44” diameter White Mulberry tree is proposed for removal. No replacement tree is proposed on the property. The application states “The owner is open to reviewing

recommendations for the planting of a replacement tree of a historically-appropriate species on another property on the same block, as the current tree location is not well-suited for a large species in the long term.” There have been no cases in the recent past in which a similar request has been approved.

- 3* The application states, “... the tree is likely to disrupt and be disrupted by the future development of the property” and “The owner also intends to develop a pocket park on the lower portion of the lot and retain the existing foundation walls.” No details were provided for the future development of the site.
- 4* The application also states, “The tree is located in a corner very close to two homes.” No dimensions for the distances to the nearby houses were provided, although the site plan shows the tree is 4’ from the west property line and 10’ from the south property line.
- 5* An arborist report was provided that it is “a vigorous tree with a full crown with some large diameter dead wood.” The report also details a number of structural issues with the tree, although it also states, “The tree’s stem would need to be exposed by eliminating the ivy in order to assess the structural integrity.”
- 6* The report also provides a number of recommendations for treatment of the tree if it were to be retained. The application does not indicate whether any of these measures have been explored.
- 7* The arborist report indicates that “little developmental pruning or maintenance has been performed on this tree for some time” which has resulted in some of the current condition issues.

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

1. That a 365-day demolition delay for the tree be imposed.
2. That prior to the issuance of the blue placard the following be provided to and approved by staff:
 - a. location and species of a replacement tree of similar or identical species of appropriate scale.

Staff Contact: Melissa Robb, melissa.robb@raleighnc.gov

Type or print the following:		
Applicant name: D. Chase Nicholas for 330 E Davie Street, LLC		
Mailing address: 133 Fayetteville Street, 6th Floor		
City: Raleigh	State: NC	Zip code: 27601
Date: August 13, 2019	Daytime phone #: 317-997-6778	
Email address: chase@empire1792.com		
Applicant signature: <i>D. Chase Nicholas</i>		
<p>Minor work (staff review) – one copy</p> <p>Major work (COA committee review) – ten copies</p> <p style="padding-left: 40px;">Additions > 25% of building sq. footage</p> <p style="padding-left: 40px;">New buildings</p> <p style="padding-left: 40px;">Demolition of building or structure</p> <p style="padding-left: 40px;">All other</p> <p>Post approval re-review of conditions of approval</p>	<p>Office Use Only</p> <p>Transaction #: _____</p> <p>File #: <u>COA-0093-2019</u></p> <p>Fee: _____</p> <p>Amount paid: <u>\$154</u></p> <p>Received date: <u>8/14/19</u></p> <p>Received by: _____</p>	
Property street address: 330 E Davie Street		
Historic district: East Raleigh / South Park		
Historic property/Landmark name (if applicable):		
Owner name: 330 E Davie Street, LLC		
Owner mailing address: 133 Fayetteville Street, 6th Floor		

For applications that require review by the COA Committee (major work), provide addressed and stamped envelopes for owners for all properties with 100 feet on all sides of the property, as well as the property owner.

Property Owner Name & Address	Property Owner Name & Address
Nicholas Baglio, 324 E Davie Street	Carlton Place Development, LLC, 450 S. East Street
Matthew Munoz and Lara O'Brien, 322 E. Davie Street	Smith Temple Freewill Baptist Church, 317 S. Bloodworth Street
The Steel Pile, LLC, 320 E. Davie Street	Amalgamated Empire Properties, LLC, 323 S. Bloodworth Street
Beverly Smith, 408 & 416 S. Bloodworth Street	Wake County Board of Education, 301 S. Person Street
The Steel Pile, LLC, 412 S. Bloodworth Street	330 East Davie Street, LLC, 330 E. Davie Street
313 East Cabarrus Street, LLC, 313 E. Cabarrus Street	

I understand that all major work applications that require review by the Raleigh Historic Development Commission's COA Committee must be submitted by 4 p.m. on the date of the application deadline; otherwise, consideration will be delayed until the following committee meeting. An incomplete application will not be accepted.

Will you be applying for rehabilitation tax credits for this project? Yes <u>No</u> Did you consult with staff prior to filing the application? Yes <u>No</u>	Office Use Only Type of work: _____ _____
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Design Guidelines: please cite the applicable sections of the design guidelines (www.rhdc.org).		
Section/Page	Topic	Brief description of work (attach additional sheets as needed).
1.3.1 / Page 23	Site Features and Plantings	Owner intends to remove a mature tree in rear of lot. Tree is in poor condition (see attachments).

Minor Work Approval (office use only)
Upon being signed and dated below by the Planning Director or designee, this application becomes the Minor Work Certificate of Appropriateness. It is valid until _____. Please post the enclosed placard form of the certificate as indicated at the bottom of the card. Issuance of a Minor Work Certificate shall not relieve the applicant, contractor, tenant, or property owner from obtaining any other permit required by City Code or any law. Minor Works are subject to an appeals period of 30 days from the date of approval.
Signature (City of Raleigh) _____ Date _____

Raleigh Historic Development Commission
One Exchange Plaza, Suite 300
Raleigh, NC 27601

Attachment to Major Work COA Application: Tree Removal at 330 E. Davie Street

Description of Work

The owner of 330 E. Davie Street intends to remove a mature white mulberry tree from the rear of the vacant lot at 330 E. Davie Street. The subject tree is not an ornamental species, does it contribute to the character of the site (currently vacant), and does not provide shade to inhabitants or the sidewalk. As evidenced by the attached letter from Triage Arborist Services, the tree is in poor condition and is impaired by decay and adventitious sprouting.

In addition to being aesthetically and physically compromised, the tree is likely to disrupt and be disrupted by the future development of the property. The tree is located in a corner very close to two homes. The owner also intends to develop a pocket park on the lower portion of the lot and retain the existing foundation walls. An uncontrolled tree fall in any direction would likely be detrimental to one of these structures.

The owner is open to reviewing recommendations for the planting of a replacement tree of a historically-appropriate species on another property on the same block, as the current tree location is not well-suited for a large species in the long term.

SITE PLAN

COA-0093-2019 (330 E Davie St)

- White Mulberry (*Morus Alba*) (approximate location)
- Remains of foundation/wall





Triage Arborist Services

August 2, 2019

Ref: 330 Davie St.
Raleigh, NC
Attn: Chase Nicholas
Empire Properties
chase@empire1792.com
317-997-6778

To all interested parties,

For your consideration.

At the request of Chase Nicholas of Empire Properties, on Friday, July 19, 2019, I conducted a summary structural/health assessment of a very large White Mulberry (*Morus alba*) growing as a perimeter planting on the corner of the undeveloped lot at 330 Davie St., Raleigh. The purpose of this assessment was to evaluate and document current tree health and condition, identify potential risk against future site development, and offer recommendations for any necessary remediation.

This assessment was performed as a ground level (no climbing), non-invasive (no excavation) visual inspection of the tree. My methodology included identification of any apparent pathogens (insect, fungal, bacterial or viral), mechanical and structural defects, and species habit.

OBSERVATIONS:

I am presented with a mature, 44" DBH (diameter at breast height) White Mulberry tree growing on the elevated portion of this property close to the fence shared with a neighboring home.

My initial view is of a vigorous tree with a full crown with some large diameter dead wood.

The tree's crown is mainly comprised of advanced re-sprouts from visible large diameter topping cuts to the main scaffold limbs.

It is apparent that little developmental pruning or maintenance has been performed on this tree for some time.

An exception would be the entire side of the tree closest to the neighboring home having been cut back for clearance.

This has resulted in an uneven crown distribution of severely crossing, rubbing and conflicting limbs. Several low scaffold limbs facing the street corner are strongly cantilevered and weeping low over the mowed area.

The full integrity of the stem is difficult to assess at this time due to the heavy growth of English Ivy all around.

There is abundant adventitious sprouting low on the stem just above where decay is evident from an old lost, large diameter stem near ground level.

Some buttress root upheaval seems probable on the tension side of the lean closest to the neighboring home.

CONCLUSIONS:

It is unusual to find such a large specimen of this species as they are generally short lived (a human lifetime is typical) and weak wooded.

Development of the lower portion of this property and the addition of human traffic would elevate the immediate concerns associated with the poor structure of this tree.

The trees stem would need to be exposed by eliminating the Ivy in order to fully assess the structural integrity.

RECOMMENDATIONS:

There are enough factors here to warrant removal even with incomplete information about the condition of the stem of this tree.

However, if the intent is to retain the tree to the site with planned development, further work will be needed to:

- remove the Ivy and evaluate for any possible stem flaws/decay,
- prune the crown to eliminate dead wood, crossing/conflicting limbs,
- prune cantilevered limbs for weight reduction,
- eliminate low sprouts and all surrounding weed, tree, bramble growth,
- add mulch to protect the critical root zone from traffic/compaction and competition.



Risk assessment is a theory of a tree's present and projected future condition. In analyzing risk factors, objective data may not always apply by standard. The living, biological element creates wide variables. Risk mitigation is an on-going process and periodic, follow up assessments should always be made to track decline or recovery.

The statements made herein are based on current Arboricultural practice and technique and are true and factual to the best of my knowledge and based on the information available to me at this time. The exposure of additional information at a later date may contribute to further opinion.

My compensation for this assessment is not contingent upon a pre-determined or stipulated result and I have no personal interest or bias with respect to any parties involved.

Please do not hesitate to contact me with any further questions or concerns.

Sincerely,



Triage Arborist Services
Kevin L. Steed
ISA Certified Arborist/Municipal Specialist #SO-5519AM

125 Dark Oak Dr. Cary, NC 27513

919-633-4258









