**DRAFT Action Minutes: Historic District Commission**

**Meeting Date:** January 9, 2017

**Members Present:** Mary Frances Vogler, Woodrow Burns, Bob Epting, John Sweet, Craig Carbrey, Susan Smith, James White, Kimberly Kyser.

**Members Absent:** Kimberly Kyser.

**Staff and Other members present:** Aaron Frank (Staff), Mike Klein (Staff), Councilmember Nancy Oates, Brian Ferrell (Attorney).

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| **Agenda Item** | **Discussion Points** | **Motions** | **Votes/Actions** |
| **Opening** | The meeting opened at 6:40p.m |  |  |
| 1. **Preliminary Meeting Information** |  |  |  |
| 1. **Secretary reads procedure into the record** | Aaron Frank (Town staff) read the procedure into the record. |  |  |
| 1. **Swearing in of public hearing** | Aaron Frank (Town staff) swore in members of the public wishing to testify during the evening’s meeting. |  |  |
| 1. **Roll Call** | Mary Frances Vogler, Woodrow Burns, Bob Epting, John Sweet, Craig Carbrey, James White, and Susan Smith were present. |  |  |
| 1. **Public Charge** | Chair Bob Epting read the public charge into the record. |  |  |
| 1. **Action Minutes** |  |  |  |
| 1. **Approval of the December 12, 2017 Action Minutes** | Commissioner Smith noted that at the December 12th minutes should write that item 5a is *congruent* rather than *in congruence*. | Commissioner Burns moved and Commissioner Carbrey seconded to approve the December 7th minutes subject to the suggested corrections, to be made by staff. | Motion is unanimously approved 7-0. |
| 1. **Reports and Updates** |  |  |  |
| 1. **Update on Outreach Initiatives** | No update was provided and the Chair intended to provide an update at the February meeting. |  |  |
| 1. **Update on SHPO grant proposal for Design Guidelines.** | Commissioner Sweet reported that the SHPO grants are now open and the Commission will be submitting an application for a grant to help fund our project to update our Design Guidelines. His Committee also intends to pursue funding to complete the survey of 58 properties that are located mostly to the north of the Franklin-Rosemary Historic District. |  |  |
| 1. **Consent** |  |  |  |
| 1. **Old Business** |  |  |  |
| 1. **219 E Franklin St. Certificate of Appropriateness** | Josh Gurlitz and Laura Moore presented the application on behalf of the applicant. | Commissioner Vogler moved and Commissioner Smith seconded to close the public hearing.  Commissioner Sweet moved and Commissioner Vogler seconded to make a finding of fact that the proposed stone wall with low columns at major entrances is appropriate given the history and features of the property and the Design Guidelines featuring landscaping in public rights of way and for walls and fences on page 15, 16, and 17. Low stone walls are characteristic of the District and have existed on this property, and are therefore congruent.  Commissioner Sweet moved and Commissioner Vogler seconded to make a finding of fact that the proposed tea arbor is incongruent with the design guidelines on page 14, 15, 16, and 17. It is a location where a low gate of iron or wood would be appropriate although a tea arbor would not be.  Commissioner Sweet moved and Commissioner Smith seconded to make a finding of fact that the location, design, and scale of the proposed sidewalk are consistent with the Design Guidelines for public rights of way, as well as for driveways and walkways on pages 19 & 20. Brick is an appropriate material inside the property and Chapel Hill grit is an appropriate material in the public right-of-way.  Commissioner Epting moved and Commissioner Burns seconded to make a finding of fact that if a different sidewalk material is necessary, subject to fire department approval, that brick is an appropriate sidewalk material and preferred to concrete. Commissioner Sweet made a friendly amendment to the motion to cite consistency with the Design Guidelines Pages 46 & 47 regarding safety.  Commissioner Burns moved and Commissioner Carbrey seconded to make a finding of fact that the lighting plan as proposed is congruous with the historic district.  Commissioner Sweet moved and Commissioner White seconded to make a finding of fact that the project as proposed is located in a portion of Franklin-Rosemary Historic District close to downtown for where there are a number of other large institutional buildings of similar scale intermixed with smaller scale residences.  Commissioner Sweet moved and Commissioner Smith seconded to make a finding of fact that the size and scale of the project as proposed is too large and covers too much of the lot and too greatly overwhelms the original structure for it to be appropriate and congruent with the design guidelines. The motion failed, with only three votes in the affirmative.  Commissioner White introduced findings of fact for each of the LUMO review criteria excluding 3.6.e.4.f and j.  Commissioner White moved and Carbrey seconded to make a finding of fact that the height of the building in congruous with adjacent buildings. The motion passes 5-2, with Commissioners Sweet and Smith voting no. (3.6.2.e.4.a)  Commissioner White moved and Commissioner Vogler seconded to make a finding of fact that the setback and placement of the building on the property is congruent with the special character of the historic district. The motion passes 5-2 with Commissioners Sweet and Smith voting no. (3.6.2.e.4.b)  Commissioner White moved and Commissioner Carbrey seconded to make a finding of fact that the exterior construction materials including textures and patterns are congruent with the Franklin-Rosemary District. The motion is unanimously approved. (3.6.2.e.4.c)  Commissioner White moved and Commissioner Carbrey seconded to make a finding of fact the architectural detailing such as lintels, cornices, and foundation materials is congruent with the historic character of the neighborhood. The motion is unanimously approved. (3.6.2.e.4.d)  Commissioner White moved and Commissioner Burns seconded to make a finding of fact that the roof shape forms and materials are congruent with the historic neighborhood. The motion was approved unanimously. (3.6.2.e.4.e)  Commissioner White moved and Commissioner Carbrey seconded to make a finding of fact that the general form and proportion of building is congruent with the historic character of this particular historic district taken as a whole. The motion failed with Commissioners Smith, Sweet, Vogler, and voting no. (3.6.2.e.4.g)  Commissioner White moved to make a finding of fact that accessory and other features such as lighting, hardware, awnings, and etcetera are congruent with the historic character of the neighborhood of this particular historic district as a whole. The motion failed for lack of a second. (3.6.2.e.4.h)  Commissioner White moved and Commissioner Sweet seconded to make a finding of fact that the structural conditions and soundness of the project are congruent with the historic district as a whole. The motion was unanimously approved. (3.6.2.e.4.i)  Commissioner White moved and Commissioner Carbrey seconded that based upon these findings of facts the Certificate of Appropriateness be approved. The motion was approved. | Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Approved 5-2 with Commissioners Sweet and Smith voting no.  Approved 5-2 with Commissioners Sweet and Smith voting no.  Unanimously approved 7-0.  Unanimously approved 7-0.    Unanimously approved 7-0.  Unanimously approved 7-0.  Approved 6-1 with Commissioner Sweet voting no. |
| **Recess** | Chair Epting moved to take a 5 minute recess. |  |  |
| **Reconvene** | The meeting reconvened at 8:28p.m. |  |  |
| 1. **New Business** |  |  |  |
| 1. **307 Hillsborough Street** | Brian Herndon and James Morgan presented the application on behalf of the applicant. | Commissioner Sweet moved and Commissioner Carbrey seconded to close the public hearing.  Commissioner Sweet moved and Commissioner Carbrey seconded to make a finding of fact that the materials for the garage are congruous with the house, including the standing seam roof, and the enviro-shade, which is intended to create an appearance that is compatible with the district.  Commissioner Sweet moved and Commissioner Vogler seconded to make a finding of fact that the size and location of the windows are congruous.  Commissioner Sweet moved and Commissioner Vogler seconded to approve the Certificate of Appropriateness based upon its congruity with the historic district. | Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0.  Unanimously approved 7-0. |
| 1. **127 Mallette Street** | Ron Webber spoke representing the applicant.  Adam Lowe spoke regarding the application. | Commissioner Sweet moved and Commissioner Carbrey seconded to close the public hearing.  Commissioner Sweet moved and Commissioner Vogler seconded to re-open the public hearing.  The application was withdrawn and no action was taken. | Unanimously approved 7-0.  Unanimously approved 7-0. |
| 1. **229 E Franklin Street - Lambda Chi Alpha** | Lee Albertson spoke representing the applicant. | Commissioner White moved and Commissioner Vogler seconded to close the public hearing.  The Commission directed the applicant to work with staff to provide additional application details, and decision on the application is deferred until a future meeting. | Unanimously approved 7-0. |
| 1. **Recommendation to Council for Commission Member Appointments** | The Commission unanimously recommended that the Council appoint Joseph Reckford to the Historic District Commission. | No motion made. | N/A |
| 1. **Recent Council Items** |  |  |  |
| 1. **Consider Proposal to Adjust Land Use Management Ordinance Amendment: Historic District Commission Procedures and adopted Council Resolution (October 18, 2017 Council agenda item)** | The Commission solicited the input of SHPO and following this discussion recommends that the Council adopt the Model Ordinance as the preferred approach for future Commission proceedings. | No motion was made. |  |
| 1. **Consider Transmitting Proposed Revisions to the Ethics Guidelines for Town Advisory Boards and Commissions to the Historic District Commission and the Board of Adjustment for Review and Recommendations (November 29, 2017 Council agenda item)** | The Commission elected to forward the proposed revisions to the Ethics Guidelines to Town Council. | No motion was made. |  |
| 1. **Announcement of Upcoming Events** | Commissioner Burns announced that the Historic Preservation Workshop will be held on January 20th from 9:00a.m. to 12:00p.m.  Chair Epting announced that a Quasi-Judicial training will be held on January 22nd at 6:30p.m. | No motion was made. |  |
| **Courtesy Review** |  |  |  |
| 1. **321 W Cameron Avenue - Alpha Sigma of Chi Psi Inc.** | Bert Johnson presented a courtesy review for a low stone wall (fire-pit). The Chair recommended the application be placed on the Consent Agenda of a future meeting. | No motion was made. | N/A |
| 1. **179 E Franklin Street - Post Office Alley Renovations Project** | David Swanson presented the Post Office alley renovation project and received comments from the Commission. | No motion was made. |  |
| **Adjournment** | The meeting adjourned at 10:31p.m. | Without objection the meeting was adjourned by the Chair. |  |
| **Next Meeting – February 13, 2017** |  |  |  |