

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
January 29, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, January 29, 2020 at 4:00 p.m. in the Plaza Conference Room of the Melvin Municipal Office Building.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), David Arneke (College Hill), Jesse Arnett (At Large), Linda Lane (At Large), Amanda Hodierne (Fisher Park), Ann Stringfield (At Large), Sylvia Stanbeck (At Large) and Max Carter (At Large). Mike Cowhig and Stefan-Leih-Geary were present of the Planning Department. Terri Jones, City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. All responded yes. Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting. Mr. Arnett indicated he would need to be recused from item 3b, 709 Percy Street.

APPROVAL OF ABSENCES

Wayne Smith's absence was acknowledged as unexcused. Ms. Geary advised Commissioners serve until they resign or are replaced. Neither of those has occurred. Staff has to reach out each month to Mr. Smith and Mr. Smith can attend, if he is able.

ADJUSTMENTS TO SCHEDULE:

No adjustments were made to the schedule.

APPROVAL OF DECEMBER 11, 2019 MINUTES

Mr. Arnett advised item 3c, the first speaker in support should be Dee Wilson and Mr. Arnett's address should be 3312 Windrift Drive. Ms. Hodierne made a motion to approve the December minutes as amended, seconded by Mr. Arneke. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, Cater, and Stanbeck. Nays: 0).

Chair Wharton advised of the policies and procedures in place for the Historic Preservation Commission.

SWEAR/AFFIRMATION OF SPEAKERS:

Staff and those speaking were affirmed.

APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2338 1013 N. Elm Street

Mr. Cowhig stated there are several after the fact applications for tree removal on the agenda and is probably the number one misunderstanding of the Historic District Regulations that staff deals with daily. Obtaining a Certificate of Appropriateness (COA) is mandatory if a tree is over 4" in diameter, whether it is diseased, dead, healthy, or whatever it may be. When an after the fact application for tree removal comes before the Commission, the Commission has the option of placing a condition(s) upon the approval to replace the trees. Staff can approve tree removal, but cannot place a condition that a tree should be replaced.

Mr. Cowhig stated this is a after the fact application for the removal of two trees at 1013 N. Elm Street, also known as the Dolly Madison Condominiums. Staff received a call and the Code Enforcement Officer issued a notice of violation upon inspection. Mr. Cowhig displayed pictures of the Dolly Madison Condominiums where trees appeared as stalks. The trees provided shade to the parking area and were an advantage in providing shade to

the parking area. Staff is recommending a condition to be added for trees to be replaced in a suitable location and suitable species. The Commission should encourage the need for the parking areas to be shaded and the visual impact be softened with tree canopy.

Mr. Arneke asked if the Commission has the option to reject the application and if so, what would be the next step. Mr. Cowhig deferred to Ms. Jones. Ms. Jones stated if this was construction, the property would have to be returned back to the way it was originally. There is no way to actually enforce any controls in a way that the trees would survive. Ms. Jones stated the recourse is to have them plant a new tree along the property for each one that was removed as a minimum.

Mr. Arneke asked if the Commission had the option of saying no to the COA application and requiring them to plant new trees. Mr. Cowhig responded the Commission can only place a condition on an approved COA. Ms. Jones stated if the Commission denies the COA, the Commission would be making a perpetual statement of non-compliance and the applicants could be fined every day. Typically for zoning violations for the Historic Preservation, applicants would only be fined for days an inspector verified that it was in non-compliance. Ms. Jones advised a Zoning Inspector could inspect the property but there is no way to abate the violation. Mr. Arneke stated then in general after the fact COAs there is no real penalty involved. Ms. Jones responded that was correct. There are some violations for which you can restore the property back; not to the original pre-activity condition but it could be required. If the COA is denied, technically the applicants would have to restore the property to its previous condition and that is not possible. Mr. Arneke stated all the trees on the property could be cut down and as long as there is a condition required to plant new, there would not be any other penalties. Ms. Jones stated if the COA is denied, they remain in violation. Mr. Cowhig stated if someone was in the process of cutting down all the trees, the Code Officer could stop them.

Ms. Lane suggested as a condition the Commission can require replanting. It does not have to be one tree; it can be 10 trees of a certain caliber. There is no limit to what is conditioned. Mr. Arnett stated there is little recourse if someone decides to circumvent the process. Ms. Hodiernie stated this is a large area that the Commission needs to be addressed. Ms. Lane stated there has to be a penalty. Ms. Jones stated the Commission could go after the companies that are doing the work. Ms. Lane stated companies are not required to abide the code. Ms. Jones responded they would be doing work without a permit basically. The COA counts as a permit and could be cited. It is technically the obligation of the property owner to make sure everyone is in compliance. Ms. Jones stated there was not enough information to know what companies are out in the public unless they are caught. Ms. Hodiernie stated that was the larger issue to be discussed.

Mr. Arnett stated in the application the trees were in an electrical easement, and asked if the trees had been altered by Duke Power. Mr. Cowhig responded it appeared that the trees had been heavily cutback as they are close to the utility lines and referred to a photograph depicting the cuts. Mr. Arnett expressed concern regarding how the placement of new trees would shape the parking lot. Mr. Cowhig agreed it was an important concern.

Ms. Stringfield stated canopy trees should not be used for replacement of the trees under power lines. Ms. Lane stated they could also be placed elsewhere on the property if it was not appropriate in the power line area. Mr. Cowhig stated the building was built in the 1920s and did not have parking originally. Ms. Hodiernie asked if staff received this request after it had been cited. Mr. Cowhig responded they received a call from someone living on Carolina Street. Staff then advised the Code Compliance Officer. Ms. Hodiernie asked if the citation is on hold until the COA process is completed. Mr. Cowhig responded if someone were to ignore the notice of violation and failed to submit a COA application, they would be fined.

Chair Wharton asked if a property owner has a tree that is damaged, rotted, or whatever and they have it documented via a photograph or an arborist, and applies for an COA, if that was normally approved at staff level in order to not appear before the Commission. Mr. Cowhig stated it depends. Normally Judson Clinton will look at the tree and if he feels that the tree warrants being removed, staff will issue that at the staff level. Chair Wharton stated would be a speedier process if you have good evidence of a deceased tree. Ms. Leary stated the flip side is that if you don't get your COA, the after the fact applications automatically come to the Commission which allows the Commission to place conditions. For a tree that is dead or worthy of coming down, the applicant

sets themselves up for having to purchase a new tree to replace one illegally cut down. Mr. Cowhig stated he believed there were Commissions in North Carolina requiring trees to be replaced. Legal for this Commission has always felt that the Commission did not have the authority. The ordinance does not answer that question of can you require a tree be replaced when it dies. It is an interpretation and there are a few Commissions in North Carolina that do interpret that they have the authority to require trees be replaced. It is a slippery slope. Someone could face thousands of dollars to replace a tree that is dead or struck by lightning and is something to carefully think about. Mr. Cowhig asked Ms. Jones if the Commission could require trees be replaced. Ms. Lane stated as long as it is a reasonable condition but it cannot be arbitrary. Ms. Lane suggested there could be legal language stating if you take a tree down, this could happen and a penalty would need to be placed. Ms. Jones stated there is a state statute that will take effect January 1, 2021 which reprioritizes all of the zoning, development, sub-division, and includes historical preservation laws for municipality in the county. There will need to be revisions to the code to merge compliance with that. There will be a process in the fall looking at the land development ordinance, housing and building, fences and so forth. It will also change guidelines and regulations. It would probably be ripe for discussion about what kind of regulations the Commission wants for the Historic District. Chair Wharton stated this was a good discussion but it was a long agenda and people were waiting and may be an issue to be placed on a future agenda to start discussing some policy changes.

Chair Wharton inquired if there was anyone present to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone present to speak in opposition to the application to come forward and state their name and address for the record.

Jim Haslach, Fisher Park Neighborhood Association, 812 Olive Street, stated the Fisher Park Board did not support the application for the reasons the Commission talked about regarding after the fact. The owner was invited to their Board meeting for discussion but did not appear. The Fisher Park Board does not think the request was appropriate and also wondered about a fine to be imposed when the deed is already done.

Chair Wharton inquired if there was anyone else present to speak in opposition to the application and to provide their name and address for the record.

Cheryl Pratt, 910 Magnolia Street, stated the trees are now completely gone, down to the ground, and the power lines are low all the way around the parking lot. There could be small scale trees placed in the back to soften the parking lot. Ms. Pratt suggested crepe myrtles or something like that to be placed all the way around the perimeter of the parking lot.

Chair Wharton inquired if there was anyone else present to speak in opposition to the application. No one came forward. With the applicant not present, there was no rebuttal. Chair Wharton inquired if the Commissioners had further discussion.

DISCUSSION:

Ms. Stringfield suggested more than two trees be planted and the two stumps to be ground down. It was suggested that Judson Clinton suggest a type of tree for tree replacement. Mr. Arnett asked if the Commission had to name a specific number in the condition of trees being replaced. Ms. Jones responded she would recommend a number being specified. Ms. Hodiernie suggested broadening it to include landscaping. Ms. Geary suggested the applicants work with city staff to develop a landscape plan that includes as a minimum, four under story trees to buffer the parking area from view. Two under story trees equals one canopy tree in her mind. Discussion was held regarding different types of trees and combinations of shrubs. The number of trees can be determined in working with staff and the applicant on a landscaping approach. Ms. Lane expressed she felt that was the best way as the Commission is not here to decide what the ratio of trees should or could be. Chair Wharton stated a due date would need to be placed on the condition. Ms. Geary suggested to place a condition that if the trees do not survive for a period of however long the Commission chooses, they are replaced.

FACT FINDING:

Mr. Arnett moved that based upon the finding of facts presented in application 2338, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the Historic

District Program Manual and Design Guidelines and that staff comments and **Guidelines on page 23, number 1** are acceptable as findings of fact.

Seconded by Mr. Arneke. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodieme, Stringfield, Cater, and Stanbeck. Nays: 0).

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves application number 23328 and grants a Certificate of Appropriateness, with conditions, to applicant Joel Asher for work at 1013 North Elm Street with the following conditions:

1. The applicant works with city staff to develop and implement a landscape plan to screen and shade the parking lot that is equivalent to 2 canopy trees.
2. This plan be implemented within four months from January 29, 2020
3. If the new landscaping does not survive one full year from planting, that it must be replaced in kind.
4. Grind down stumps to ground level.

Seconded by Mr. Carter. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodieme, Stringfield, Cater, and Stanbeck. Nays: 0).

Mr. Arnett recused himself from item 3b.

3b. Application #2336 709 Percy Street

DESCRIPTION:

Mr. Cowhig reminded the Commission of approving a Certificate of Appropriateness to remove a garage at this address that had almost been destroyed by a tree that fell. At the time the applicants stated they would rebuild. The applicants have submitted plans to build a pool house directly on the footprint of the garage. Staff feels the plans represent a structure very similar in form to the garage that was removed. Staff did wonder if the roof could be fit the way the garage was previously but the plans dos meet the guidelines as submitted. Staff feels it does a good job of meeting the guidelines due to compatible materials being used and the design that is very similar to what was there previously.

Chair Wharton inquired of any questions for staff. Ms. Stringfield stated the left side of the structure is hipped and asked if staff would like to see one on the right also hipped. Mr. Cowhig responded it was a question that came up and wondered if there was a technical reason. Staff feels it meets the guidelines either way.

Chair Wharton inquired if there were any further questions for staff. Having none, Chair Wharton inquired if there was anyone wishing to speak in support of the application. Chair Wharton requested to come forward and provide their name and address for the record.

Josie Barnes, 709 Percy Street, stated the building was never used as a garage as cars could not fit in. There is an existing pool and would like to use the structure as a pool house.

Chair Wharton asked if she would consider a hipped roof. Ms. Barnes she would if the cover was an issue. Chair Wharton responded the left side is hipped and the other side is not.

Jesse Arnett, 3312 Windrift Drive, referred to the left side as the hip form. The reason the right side had the gables instead was so the covered porch space could have a vaulted ceiling on the inside. It is a similar form to the front porch and referred to a photograph of the porch. Mr. Arnett stated the design was intended to mirror some of the details of the front porch.

Mr. Arneke asked why the other end was a hipped roof. Mr. Arnett responded to imitate the previous building and the main house. Ms. Lane asked if the whole roof interior would be visible from the deck area. Mr. Arnett indicated on a photograph where space was interior space and referred to the floor plan. The wall does go all way up to the roof line. Ms. Lane stated if it was hipped, it would have a truncated appearance looking up. Mr. Arnett responded that was correct and was why he chose to use the gaydar material to allow for the full height of the

peak all the way to the outside of the structure. Ms. Lane asked if when going in on the interior side if that was opened all the way up. Mr. Arnett responded it was.

Chair Wharton inquired if there were any further questions for the applicant. Having none, Chair Wharton inquired if there was anyone else to speak in support of the application.

Mindy Zachary, 604 Summit, representing the Dunleath Board and stated the Board was unanimous in support of the application for their neighbor to rebuild the pool house.

Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Seeing none, Chair Wharton asked if there was discussion or if someone would like to make a finding of fact.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts in application 2336, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual Design Guidelines and the staff comments and the following guidelines under New Construction Buildings, page 80, items 1 through 6, are acceptable as findings of fact.

Seconded by Mr. Carter. Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Lane, Hodierne, Stringfield, Stanbeck and Carter. Nays: 0).

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application number 2336 and grants a Certificate of Appropriateness to Josie Barnes for work at 709 Percy Street.

Seconded by Mr. Arneke. Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Lane, Hodierne, Stringfield, Stanbeck and Carter. Nays: 0).

Ms. Jones advised the Commission the City of Land Development Ordinance does say that the Commission may deny applications for work that may be incongruous. The Commission is not required to deny it.

3c. Application #2334 1005 Magnolia Street

DESCRIPTION:

Mr. Cowhig stated this application was for work at 1005 Magnolia Street in the Fisher Park Historic District. The new owner is completely renovating the house and which is in poor condition. The owner also removed a garage without a Certificate of Appropriateness. The garage was a masonry structure. Staff presented pictures of the garage. Mr. Cowhig stated it was a stucco structure similar to the house. Mr. Cowhig referred to a picture depicting a coating to the wall that was applied. The applicant had repaired cracks in the stucco with the idea of coming back and painting. The assumption was the house had been painted. When staff was at the location, it appeared the stucco has never been painted. It appears to be original and staff would like to keep the original look to the house. Mr. Cowhig displayed a photograph of the garage that was removed and stated he had discovered through the National Register Nomination for Fisher Park that the garage was not listed as a contributing structure. A photograph was shown indicating the remaining wall of the garage. Mr. Cowhig indicated the elevation change of about 3 or 4 feet. A photograph was shown indicating the neighbor's patio going up to the wall of the garage before the garage was demolished and also served as a privacy wall for the neighbor. Mr. Cowhig advised it was a terracotta block covered with stucco. Mr. Cowhig referred to the letter in the packets provided to the Commissioners and stated emails can be provided as background but a decision cannot be made based on them, so there needs to be sworn testimony and the facts of the case.

Chair Wharton stated some of the information in the email is visible in the photograph. Mr. Cowhig had requested the neighbor to come as he would have been helpful. Staff's issues are the garage itself and would recommend a wall to go back along the property line that would replicate the wall of the garage and help maintain the character of the property. Staff recommended that the stucco be treated in a way that it will not end up as painted. Mr.

Cowhig referenced a photograph where the cupolas were sagging and advised it was addressed by adjusting the posts to raise up. The cupolas were only 2-3 inches wide at that that time and now are 7-8 inches in width which distorts the original look. Staff feels it needs to be addressed. Mr. Cowhig stated the applicant could have requested a COA for demolition based on some of the inadequacies of the historic garage which was in poor condition.

Ms. Stringfield asked how the former south wall of the garage could be reconstructed. Mr. Cowhig responded it could be a block wall with stucco to match the design. Ms. Stringfield stated there are two walls and staff was not asking for both to be replaced, only the south wall as that is the one that adjoins the neighbor. Mr. Cowhig responded something will need to be done because there is a grade change and there will need to be a retaining wall of some type. Ms. Stringfield asked for an explanation regarding cupolas and the width difference. Mr. Cowhig indicated with his hands what the cupolas looked like before and what they look like currently. Ms. Lane asked if it matched the wall in design. Mr. Cowhig responded there is a simple box on the box. Mr. Arnett asked if the Commission is being asked to consider the portion of the application for a COA regarding painting or staining the stucco. Mr. Cowhig stated yes. Mr. Arnett asked if the Commission decides no and the applicant will not be allowed to paint or stain the stucco, is there a way to salvage the work with what has already been done. Mr. Cowhig stated that was a good question that staff does not have an answer to. Ms. Lane suggested to require the applicant to take whatever patches have been done and make a color match to the old existing color of stucco. Companies were discussed in who specializes in that type of work. Ms. Lane asked about the windows. Mr. Cowhig responded the applicant is repairing all of the windows.

Chair Wharton inquired if there were any further questions for staff. Having none, Chair Wharton inquired if there was anyone wishing to speak in support of the application to come forward and state their name and address for the record.

Aaron Moore, 1003 Bearhollow Road, stated they are trying to determine a way to blend. The places repaired were due to water issues. On either side there are properties that have parking lots resulting in basement flooding of about 2 feet every time it rains. The remedy was to use stucco inside so the bushes would not be pulled out and everything dug up. Mr. Moore believes the water issue has been solved but there are a lot of problems with the stucco. One issue was stair steps that jutted out. Mr. Moore referred to photographs depicting those issues. The porch is falling. Mr. Moore referred to a photograph depicting the terracotta and wood. It appeared the top was nailed and was falling. It has been reattached, but in the process, because the building was jacked up, it is shifting and moving more. Mr. Moore is in contact with a specialist at Guarantee Supply who does stucco mixtures. It is not solid stucco, it appears to have stone in it. Mr. Moore asked if they can do areas for testing purposes and if it does not look right, they can go further and evaluate.

Mr. Cowhig asked if it would be a stucco mix that would be applied over the existing patched areas. Mr. Moore responded yes and stated it would be a two base process. In some of the cracks that are wide, the base would be put in and then the stucco applied on top. Mr. Moore indicated work done by prior owners and depicted the work that he has done. Mr. Moore is attempting to have the closest match of stucco and will make a decision from there. Mr. Moore referred to a photograph depicting the fallen porch and advised it is not perfectly level currently. All the cracks in the stucco is where water damage has occurred on the structure of the house. Mr. Moore would like to re-pour the porch because it has a dramatic slope. On the back side, there is a gap between the house and the actual porch where there is caulk and other materials that need to be removed. It also has a water issue as it is only covered on half, the other half is exposed allowing exposure to water. Ms. Lane asked if repairing with like would be an issue or not. Mr. Cowhig stated it would not be an issue at all. Mr. Cowhig asked if the flooring of the porch was going to be raised. Mr. Moore responded that was correct and he will attempt to have a gradual slope and referenced in the photograph where it would be. Mr. Moore stated he will not be removing anything, it will be a specific blend. It will be poured into a frame, leveled, and then smoothed off. Mr. Cowhig asked if it would change the height of the step risers. Mr. Moore responded he believed it would still be in compliance but it will change the height. Ms. Lane asked if the building inspector would make that decision. Mr. Cowhig responded the building inspector would probably want to look at that. Mr. Moore will speak with the building inspector and whatever the inspector says will be relayed back to the Commission. The back gaps will be repaired as well. Ms.

Lane asked if the columns were cantered in any way or were they parallel or aligned. Mr. Moore believed they were cantered. Ms. Lane responded if they are, to be very careful on maintaining the design on it. Ms. Lane asked what was the material used on the cap currently. Mr. Moore responded it is the same stucco. Mr. Moore presented some photographs of work done in the back and explained why it was done. Mr. Moore stated he is fine with trying a way to repair spots such as blending and then have it inspected again.

Chair Wharton inquired if there were any further questions for the applicant. Having none, Chair Wharton is there was anyone to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application.

Jim Haslach, Fisher Park Neighborhood Association, 812 Olive Street, stated they looked at the information and saw the work on the steps. They saw there was a lot more work being done that was stated on the COA and the Association did not feel they could support the COA due to the lack of information.

Chair Wharton inquired if there was anyone else to speak in opposition to the application. Chair Wharton stated there had been no discussion regarding the construction of the garage wall. Chair Wharton asked the applicant to come back up to talk about that.

Aaron Moore, 1003 Bearhollow Road, stated there was water in the backyard was an issue to the garage. Mr. Moore stated he did not think of it as being a garage because the one wall was falling. When his insurance person came out, they stated it needed to be removed because there was no foundation on the one that was not attached. The insurance representative stated he needed to get it removed as it was dangerous. There was so much in the garage and he was removing things and it was his fault to not see that the neighbor's wall was attached to his. Mr. Moore stated there is an encroachment of the patio and indicated how the wall turns, goes straight across and then turns and indicated another way. The neighbors used the garage as their wall but actually their patio is approximately 8-10 inches on that property. Ms. Hodierné asked if he had a survey depicting that. Mr. Moore responded he does. Mr. Moore intends to restore it and to sell it. It may be a problem when the property is sold and did not know how to solve that part but will be spoken to at another time. Mr. Moore is content to build the wall back. Ms. Geary stated there was discussion of creating a permanent feature that allows the neighbor to have that 8-10 inches of his property. The patio is completely outside of the Commission's purview in terms of what should be reviewed. Her concern regards asking a property owner to rebuild a wall that is technically a garden wall. It is a building wall that the neighbor decided to use as their patio wall. Before requiring a person to place it back in the same footprint, they are actually being required for something to be put there that was not being used in the way that would be requiring. Ms. Hodierné stated that is what the survey will show. Mr. Arnett stated this is interesting to think about because according to the neighbor the biggest encroachment is less than 3 inches. Mr. Arnett stated in this particular situation the wall did somewhat define the character of the neighbor's property, but is the applicant responsible for maintaining the character of the neighboring property. Ms. Lane asked if a wall is built, the design could be discussed or should the decision to build a wall be first. Ms. Hodierné stated she felt the Commission needed to figure out if the Commission is okay with the fact that the garage is gone and from there it would be more about continuity which means a landscaping wall and allowing it be different. Normally it is placed in the same footprint, but in this particular case it may not be appropriate.

Chair Wharton stated this case is quite complicated. The Commission could say the natural processes essentially turned the garage into a wall through a process of decay. The wall itself is in some sense, character defining. Chair Wharton did not feel the Commission was pushing too far to request stucco to match the house and felt it was within the Commission's authority to ask for that. Chair Wharton asked Ms. Hodierné if she saw a path for them to stop the encroachment issues. Ms. Hodierné stated she did not want to give a directive at this meeting that would force the applicant to come back and say his surveyor has showed something. The closing attorneys can say the applicant has to do this and the applicant would not be able to because of this COA and now it needs to be amended. Ms. Hodierné stated the Commission needs to give the applicant direction and work with staff to make sure this gets carried out in a way that does not tie his hands. Chair Wharton stated when talking about conditions, they will need to think through to allow for flexibility.

A brief discussion was held regarding if there would be a requirement for a setback request. A decision was reached that it would not be required.

Chair Wharton asked if there was a finding of fact and then discuss the conditions.

FINDING OF FACT:

Ms. Hodiernie moved that based upon the facts presented in application 2334 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the Historic District Program Manual Design Guidelines and staff comments contained in the staff report and the following guidelines: Demolition Guidelines on page 73 for the demolition of the garage. For the stucco repairs on the exterior walls, cited the guidelines on page 47, specifically items 1, 2, and 3. For the facade on the exterior facia boards, cited page 47, item 2. For the outside patio area cited Guidelines for Fences, Walls and Site Features, items 3, 4, and 5. Ms. Hodiernie stated all of the items are acceptable findings of fact.

Seconded by Mr. Carter and Mr. Arneke. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernie, Stringfield, Stanbeck and Carter. Nays: 0).

MOTION:

Chair Wharton inquired if there was a motion. Ms. Hodiernie therefore moved that the Greensboro Historic Preservation Commission approves application number 2334 and grants a Certificate of Appropriateness to Aaron Moore for work at 1005 Magnolia Street with the following conditions.

1. That the exterior stucco repairs be done in keeping with the materials shown via testimony to match the existing stucco as closely as possible to be done on test slides and then consulted with Mr. Cowhig and Ms. Geary to determine the appropriate color.
2. That the front column repairs be made such with the cupolas being returned to their previous conditions.
3. That the new wall in the rear yard on the left side be made of stucco and matches the existing other wall. The new wall should be 6 feet in height.
4. That the wall on that side have a cap feature that matches the existing wall.

Seconded by Mr. Arneke. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernie, Stringfield, Stanbeck and Carter. Nays: 0).

3d. Application #2337 Greensboro College

DESCRIPTION:

Mr. Cowhig advised the next two applications are for tree removal and is somewhat related with adjacent properties. Staff was notified that trees had been removed in the Historic District without a COA, they were investigated and some of the trees were on Greensboro College property. In part, these applications are associated with the Emerald Ash Borer. It is a tough situation as there are a lot of Ash trees in College Hills, especially in this location. Emerald Ash Borer can be treated but is very expensive. Treatment has to be repeated each year or at least every two years. Each treatment is thousands of dollars. Mr. Cowhig requested the Commission to keep that in mind. Recently Greensboro College, along with adjoining property owners, removed several dead or diseased trees near the West Hall, which included two of the Ash trees. Arborist Judson Clinton and Mr. Cowhig met with Greensboro College officials to talk about this and to reestablish a connection. Greensboro College also had to remove a tree that was struck by lightning and died. The after the fact application was submitted explaining that a lot of this was a result of the Emerald Ash Borer disease. The stumps were grounded. Mr. Cowhig stated he believed some of trees were approved by the Commission many years ago and believes some of the trees should be planted in new parking lots to soften the effect. Staff is recommending that new trees be started to replace the one and would like to see trees in the parking areas, if possible. A photograph was shown depicting the tree struck by lightning and damage to a house.

Chair Wharton inquired if there were questions for staff. Having none, Chair Wharton inquired if there was anyone to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition. Chair Wharton requested them to come forward and state their name and address for the record.

Chair Wharton inquired if there were any questions. Mr. Arneke asked if there was anyone present from Greensboro College. None were present. Chair Wharton inquired if there was anyone else to speak in support of the application. Mr. Cowhig clarified that the properties of Greensboro College, 307 and 309 Mendenhall all adjoin. There is an alley and some of the trees are very close to the residential properties and some are actually on the properties. Chair Wharton inquired if there was anyone to speak in opposition to the application. Chair Wharton requested for the speakers to come up one at a time and state their name and address for the record.

Arlen Nichols, 216 S. Mendenhall Street, stated she is on the Executive Board of the College Hill Neighborhood Association and was asked to speak on behalf of the Association. Ms. Nichols stated within the historic district, trees are a very important part of the overall look and feel and historical integrity of the neighborhood. She would argue in many cases that protecting and maintaining the trees are just as important as protecting and maintaining the historic homes. The Association is aware that many of the older trees are reaching a critical time and a lot of old and majestic large trees are reaching the end of their life span. It's more important than ever to focus on the preservation of the trees that are here. Ms. Nichols stated the College Hill Association within the last several years have invested over \$30,000 to have a professional company come in to complete a tree survey and inventory for the entire College Hill Historic District. Ms. Nichols stated the reason this was done is that it is important to have the records, to know what types of trees are there, to know the health of the trees, which trees are healthy and which trees have potential issues, like the Emerald Ash Borer issue. It is something the Association has actively been working on to protect the trees. At the time and in conjunction with the tree inventory that was completed, documentation was sent out at the completion of the inventory to all property owners within the College Hill Historic District to make them aware of the regulations that anyone who purchases and owns property within the College Hill Historic District, these are the guidelines that were expected to be adhered to. That does include Greensboro College as well as the property owners, including Mendenhall.

Ms. Nichols read the official COA disposition the College Hill Neighborhood Association had asked her to read. "We as a neighborhood are saddened by and do not support the removal of the removed trees. It was moved and subsequently unanimously voted that we respectfully and vociferously request that the City of Greensboro begin enforcing the penalties that are outlined in the Historic District Plan to include, in this case, that these penalties be assessed retroactively." When referencing penalties, it means monetary penalties and actions to include proper replacement of the removed trees, which many of these cannot be replaced. The Association expect proper replacement of the species of trees, an appropriate maturity of trees for those replacements and strongly suggest that staff, including Judson Clinton, be active in the selection of those replacement trees. Ms. Nichols thought it was interesting when Ms. Jones referenced the legislative changes that are expected January 1, 2021 and referenced regulations over guidelines as a potential move. Ms. Nichols asked if it was correct to assume that if they moved to regulations over guidelines that would enhance the enforcement options. Ms. Jones stated it may but it unknown at this time. Ms. Nichols stated the Association actively worked to support Greensboro College, they look out for their students and being good neighbors take it very seriously. Ms. Nichols believes the College understands that COA applications are required for removal of trees whether they are dead, injured, struck by lightning, or healthy and it is very disappointing for the Association to see the photographs after the fact and not photographs of the trees beforehand. The Association is not aware if the College worked with Judson Clinton, the city arborist. Mr. Cowhig responded Mr. Clinton was not consulted. With regard to Emerald Ash Borer, the Association was aware the disease would be affecting their trees. The Association worked proactively to make it known that they would share costs to help treat those trees and have done that with a number of residents. The Association would much rather help in burden and cost sharing to protect the trees as opposed to seeing them taken down.

Chair Wharton asked Ms. Jones in relation to what was said regarding the Commission has no power to enforce fines or retro active fines and so forth, except for what was outlined previously. Ms. Jones responded the Commission has the authority to impose fines. The City cannot impose any retroactive fines and was not sure if

there was a notice of violation regarding this. Mr. Cowhig contacted the Greensboro College and advised them of the violation. Chair Wharton asked if there were any types of retroactive penalties that the City can enforce for a violation like this. Ms. Jones stated she would have to research that but was not aware of any. First is a notice of violation with a 30 day period to cure. If they apply for a COA in that period, there is no further enforcement action. The next step if it not complied with would be the assessment of civil penalties starting at \$50.00 and escalates up to \$500 and becomes \$500 for every month thereafter. A penalty is not assessed if the directive is complied with. Chair Wharton stated they complied with the violation by applying for a COA. Ms. Jones stated that was her understanding but did not know where they are at the stage of enforcement. A penalty is not assessed if they actually comply with the directive to stop. Mr. Arnett stated in theory if the Commission denies the COA that it would basically perpetuate. Ms. Jones stated first the applicant would be able to appeal the decision, at which time there is an automatic stay under state law and would be enforceable at that time. Currently the appeal would be to the Board of Adjustment. Ms. Jones stated the city is facing some recalcitrant in other areas from imposing civil penalties which is now going to court to try to collect. Ms. Jones did not know if a Judge would support a perpetual violation. Ms. Jones thought perhaps a forced settlement or resolution with money going into a tree fund or something close to that could happen.

Mr. Arnett stated the Commission should be hearing cases about healthy trees and staff should be able to approve the removal of damaged or diseased trees. It is unfortunate that there are no teeth at the staff level for approval that results in the Commission having to hear all these cases and after the fact. Ms. Jones stated the Land Development Ordinance says the Commission can approve with conditions or modify the application. That authority is not at the staff level. Ms. Geary stated she pulled up the first page of the explanation for the removal and sees dead ash, dead elm, struck by lightning, dead mulberry, one dead catawba and thought perhaps Greensboro College should provide whatever evidence they had. The arborist report that told them that the trees are dead and struck by lightning which might help the Commission's decision become clearer. If they are indeed dead and had they come to the Commission prior to taking them down, the application would be a very clean matter. In terms of potential appeals, the Commission needs to be careful and ensure that the Commission is not trying to be punitive in what is perhaps a straight forward situation, if that evidence can be presented to the Commission that the statements listed are true. Ms. Jones stated the Commission has ample time to continue this case. Mr. Arnett stated he understood the need for property owners to act quickly in that situation. Unfortunately applying for a COA and it being heard by the Commission could result in a six week delay. In a dangerous situation that is a long time to wait. His question was who makes the determination of whether something is diseased and damaged. Ms. Geary stated Mr. Cowhig and herself went. If the trees are obviously dead, staff would issue a COA and would not require them to do a new planting. There is a policy where if it is after the fact, applications are brought to the Commission. There is no arborist report and that information may be there and no photographs had been presented. Ms. Geary stated staff had a good working relationship with the Greensboro College and they may have legitimately felt the plants were dead and diseased and is a clear cut case. Mr. Arneke stated this is an issue that he has brought up before as the COA application is entirely deficient. The Commission cannot make any sort of judgment based on four lines saying dead trees. Mr. Arneke felt that type of application should be returned back to the applicant and advised the guidelines state they have to do more.

Ms. Nichols stated they see this type of application all the time just because someone who is not an arborist looks at a tree and it looks dead to them. It does not mean the tree is actually dead and has learned this living in the historic district. She has trained herself and worked with the city officials and has studied this. It is expensive to have trees removed. Ms. Nash feels an arborist should be consulted first before taking down trees without appropriate and official approval. Ms. Nash stated Greensboro College knows better than this. Mr. Arneke stated the college has been in the historic district for 40 years and have cut down trees without COAs before.

Ms. Nichols stated she is not a litigious person, the Association is not interested in going into litigation, and do not want the city and the legal staff to have to take on additional court cases. Ms. Nichols feels having more stringent financial citations could be a very effective deterrent in preventing things like this in the future and might be a good incentive for further education in choosing to do things differently from a process standpoint.

Chair Wharton asked if there was anyone else to speak in opposition to the application and to provide their name and address for the record.

Beth Langlois, 1010 West McGee Street, stated her property borders Greensboro College and also backs up to 307 Mendenhall. Ms. Langlois indicated on a photograph the back of their property looking right to the dorm which previously was screened from the trees that were cut. Greensboro College has received COAs after the fact more than once. When there was a tree survey sent out to all of the property owners in College Hill, a page was in survey stating there was a fine for removing trees over 4 inches in diameter. The Greensboro College habit is to ask for forgiveness rather than permission. Ms. Langlois stated her property value is affected by the College taking out the trees because all you can see is the dorm. There is no sound buffer. There are a lot of cars and stuff going in and out. There is a large parking lot with a large light that now comes straight onto her property with no trees screening it.

Chair Wharton asked Ms. Langlois if she saw some of the trees that were taken out. Ms. Langlois responded yes. Chair Wharton asked if they appeared to be dead to her. Ms. Langlois responded no. They had leaves on them and if something has leaves on it, to her, it is not dead to include the tree hit by lightning which was witnessed by her. A few years before, the same tree was severely damaged by an ice storm. Instead of having professionals come out and take care of this tree, which was as big around as the table, the College had their maintenance personnel sawing on it. The College has resources and can take care of trees. The Association will help their neighbors with the cost of treatments. Chair Wharton asked if those were the two Ash trees behind West Hall that she could see. Ms. Langlois responded she was not sure if they were Ash trees or not. Ms. Langlois did not know. Chair Wharton asked if the trees appeared to be dead by her visual of them. Ms. Langlois responded no.

Arlen Nichols, 216 S. Mendenhall Street, stated she heard someone say that the treatment of Emerald Ash Borer is very expensive. Ms. Nichols stated they share the cost with Tyler Harps Tree Service and believes the amount for the overall treatment to save that tree was approximately \$400 to \$500 and the Association paid half of that. Ms. Nichols did not feel that the life of a grand old tree that is too much money. If someone came to the Association and said they could not afford any of it and will cut it down, the Association would probably vote to pay for all of the treatment. In the grand scheme of things, it is not a huge amount of money.

Chair Wharton inquired if there was anyone else to speak in opposition to the application. Seeing none, Chair Wharton stated the applicant is not present to rebut.

Ms. Hodiernie moved to table this application for the purpose of determining if Greensboro College has any evidence that would allow this to be a less issue.

Mr. Arnett agreed there is not enough evidence. Ms. Hodiernie stated perhaps this should be thought over in the next week and email Ms. Geary to give her some thoughts for a future agenda about how to revisit this application in terms of the "what can be done" question. Mr. Arnett agreed and stated there are a couple of issues in what to do with the trees. Mr. Arnett was personally disappointed when he received the agenda and saw that 4 out of 6 were after the fact applications and is questioning what can be done to deal with that in a better way.

Ms. Jones stated under state law administration decisions can be appealed to the Board of Adjustment. In rejecting the application, it also would open a dialogue with the applicants. It is clear in the ordinance that it is supposed to be accompanied by drawings or photographs.

Chair Wharton stated there was a motion to continue with a request for more documentation that has not been seconded.

Seconded by Mr. Arnett. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernie, Stringfield, Stanbeck and Carter. Nays: 0).

Mr. Arneke requested staff to advise Greensboro college specifically of what the problem is and any type of documentation the College has, the Commission wants to see and if they could provide a site plan indicating where all the trees are geographically. Chair Wharton agreed that the process is working poorly. In the past there have been other ordinances that apply penalties for after the fact applications during a presentation. Ms. Geary

stated in the past when looking at ordinances, under the law it has to be an after the fact application fee but has to be for all applications. The Commission would have to start charging for staff level COAs and Commission level COAs for all projects and that does not get support. Ms. Jones stated the fee has to reflect the amount of work that goes into it. It cannot be an arbitrary fee for different categories, if the staff work is the same. After the fact may affect staff with more burden in doing more research. Chair Wharton stated if everyone is willing, this will be moved under Commission Chairman as to the discussion on how to proceed and moved on with the applications.

Seconded by Mr. Arnett. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodieme, Stringfield, Stanbeck and Carter. Nays: 0).

3e. Application #2333 309 S. Mendenhall Street

DESCRIPTION:

Mr. Cowhig stated 307 and 309 S. Mendenhall were combined because they are adjoining properties owners and participated in the tree removal. This is primarily ash trees that were diseased. Chair Wharton asked how was it connected to Greensboro College. Mr. Cowhig stated it is only physical related. They are abutting property owners and access to their property through the same drive of the Greensboro College parking lot. Photographs were shown indicating 307 and 309 S. Mendenhall Street. Both are multi-family dwelling and both have parking lots at the back. Mr. Cowhig indicated on the photograph a row of trees in-between the two properties which are all ash trees. Another tree was shown on the opposite side that was removed. Photographs were shown depicting behind 309 S. Mendenhall and the parking behind. This is the same issue of no COA being applied for or issued. Mr. Cowhig stated in this case the stumps were still there and it was clear where the trees were removed.

Chair Wharton stated there is a statement regarding the tree service concerning the condition of the trees. Chair Wharton inquired if there were questions for staff. Chair Wharton inquired if there was anyone present to speak in support of the application for both 207 and 309 South Mendenhall.

SPEAKERS IN SUPPORT:

Mike Schettino, 5614 Buddingwood Drive, stated in reference to 309 he was advised that a couple of ash trees next to the wooden fence. The wooden fence belongs to the owner of the purple house that took came to show that the trees were dying and all the dead limbs were falling into his yard and causing damage. Mr. Schettino stated he did not know anything about the trees. He thought a dead or dying tree could be removed because of the damage. He received a letter and spoke to Mr. Cowhig.

Chair Wharton inquired if there were any questions. Mr. Arneke asked how long had the applicant owned the property. Mr. Schettino responded approximately 5 years. Chair Wharton asked if these were the only two trees that were removed. Mr. Schettino responded that was correct. They were right on the fence. Chair Wharton asked how long ago was it that the neighbor spoke to him about the trees. Mr. Schettino responded it was this past summer. Chair Wharton asked when were the trees removed. Mr. Schettino responded it was in the fall. Mr. Cowhig asked if the trees on the other side of his parking were his trees. Mr. Schettino responded they were not but have damaged his roof.

Chair Wharton inquired if there were any further questions for Mr. Schettino. Having none, Chair Wharton inquired if there was anyone else in support of this application. Chair Wharton advised the speaker to speak their name and address for the record.

Sarah Wimbush, 3700 Oak Ridge Road, stated she is the property owner of 307 Mendenhall, next to Mr. Schettino. Ms. Wimbush advised she had 10 trees that had to be removed sometime in December. Two years previously Tyler contacted her and said there was inventory done and they had identified some ash trees and that she had a lot. Ms. Wimbush called Davie who looked at it and said all were Ash trees. Ms. Wimbush did not immediately move on it because the size of the tree had a lot to do with what the charge was for treatment. Davie wanted \$7000.00 for 10 trees that would cover 3 years of treatments with no guarantee. Hearing that number, she wanted to know the cost to take them out which was \$10,000.00. Ms. Wimbush needed time to build up revenue and was why she waited. She did not know there was some money available that could help because in 20 years it

would have been \$20,000.00 and they could still die. Ms. Wimbush stated she is liable if her tree causes damage to her neighbor. Mr. Schettino had advised of the damage of his roof and a small branch could do damage for which she is liable. Ms. Wimbush stated the trees were a good selling point for her.

Mr. Arneke asked how long had she owned the property. Ms. Wimbush stated she was a property manager for over 20 years. Her home was in a trust and was transferred to her approximately 8 years ago. Mr. Arneke asked why didn't she apply for a COA to take the trees down. Ms. Wimbush stated in the 20 years of managing these properties, there was one diseased tree that had to be taken out. She called the tree service and it was taken out and nothing happened. Mr. Arneke asked why didn't she apply for a COA then. Ms. Wimbush responded she did not know. Chair Wharton asked if she didn't realize she was in an historic district or didn't realize it applied to trees, or something else. Ms. Wimbush stated she was probably 22 at the time and didn't have the knowledge. There was also a tornado that happened and a lot of tree work was done at that time. Ms. Wimbush stated she wrongly assumed that the tree personnel would know a COA was needed. Ms. Wimbush stated she wished there was a proactive way to let property owners know that a tree inventory was done and there were bad ash trees. Mr. Arneke asked if she was contacted. Ms. Wimbush responded she was not notified. Chair Wharton stated it was established that Ms. Wimbush was unaware and to move on from that point.

Chair Wharton inquired if there was anything else the applicant would like to say. Seeing none, Chair Wharton inquired is there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application and to come up again and state their name and address for the record.

Arlen Nichols, 216 S. Mendenhall Street, stated in regards to what was just reviewed with the property and the owners, Ms. Nichols requested to read the COA disposition from the College Home Neighborhood Association which stated, "We as a neighborhood are saddened by and do not support the removal of the removed trees. It was move and subsequently unanimously voted, that we respectfully and vociferously request that the City of Greensboro begin enforcing the penalties that are outlined in the Historic District Plan to include, in this case, that these penalties be assessed retroactively." The College Hill Neighborhood Association are searching for monetary penalties as well as proper replacement trees which includes placement, species, and appropriate maturity level among other items.

Ms. Nichols pointed out Tyler Hart is a scientist and is very passionate about the trees. The Association knew Mr. Hart was actively looking for the Emerald Ash trees to make sure they could be identified on the inventory and he wanted to do personal outreach to owners who might be affected because they have those types of tree. Mr. Hart was extremely clear that the College Hill Neighborhood Association was bearing half of the cost for treatment. Ms. Nichols felt it was implausible knowing Mr. Hart and his personality, knowing that this was a very specific outreach on his part, that he failed to mention there was any monetary assistance provided. She was not part of the conversation and Mr. Hart could speak to that. Ms. Nichols stated it was also important to note insurance issues are different than maintenance issues and adhering to the requirement and guidelines when you own properties in a historic district. Ms. Nichols has been through this with a dead tree that had limbs hanging over on a neighbor's home and just had a very large 100 plus year old tree suffer lightening and storm damage but it didn't kill it and was a very expensive cleanup. Ms. Nichols found it disappointing that it would have been \$7000,00 to treat and potentially save but instead paid \$10,000 more to have them removed. Ms. Nichols indicated on a photograph how large the trees were. Ms. Nichols walked there frequently and never noticed that anything was dead. She did not take pictures or document it. Ms. Nichols stated when you buy in the Historic District, it can be expensive to maintain these properties and it can be expensive to take care of the trees. It is a huge responsibility. It can be very difficult but does not take away the responsibility.

Chair Wharton inquired if there was anyone else to speak.

Beth Langlois, 1010 West McGee Street, stated her property backed up to 309 Mendenhall. In the beginning of summer there was a storm and some large branches fell on one of the trees. Ms. Langlois indicated trees on a photo and one did not have any leaves in the summer, branches were falling out that landed in their yard resulting in damages to the bushes. Her husband did advise Mr. Schettino of a tree that appeared to be dead because it had

no leaves and was dropping branches into their yard and damaging it. Ms. Langlois indicated other trees that had leaves on them. The other issue with 309 was there was a huge tree in his front yard that Mr. Schettino took out without a COA. Ms. Langlois stated a neighbor talked with Mr. Schettino about it and advised him that he needed a COA but the tree was already down. Ms. Langlois does not know if anything ever came out of that situation. Ms. Langlois stated the removal of the trees took away the screen to Greensboro College. The tree survey with the letter advising of the fine if a tree is removed without permission was sent out to all the property owners. Ms. Langlois agreed with Ms. Nichols if Tyler Hart talked to someone about the Ash tree, he probably told them there was help to save the trees. All the trees between 309 and 307 had leaves on them this past fall. Branches can be trimmed, the whole tree did not need to be taken out.

Chair Wharton inquired if there were any questions. Chair Wharton noted for the record he was not questioning anyone's character or integrity by stating that some of the testimony has been speculation or hunches. That Commissioners can hear that but it cannot be considered when making a decision. Chair Wharton inquired if there was anyone else to speak in opposition. Seeing none, Chair Wharton advised the applicants of the opportunity to rebut.

Mike Schettino, 5614 Buddingwood Drive, stated in reference to the front tree that was taken down he had pictures if anyone wanted to look at it. Nobody came by and told him he needed a COA.

Chair Wharton advised that is a separate issue and the Commission is only considering the current issue.

Mr. Schettino stated he spoke to an adult male, driving a black Ford pickup truck, that he believed to be the resident of the corner house. Introductions were made but he was no longer able to recall his name and the person spoke to him about the trees. Mr. Schettino approached him and at no time was it suggested that there was any assistance for the Emerald Ash Borer and at the time was unaware of the other dead tree. Mr. Schettino stated he trying to be a responsible homeowner.

Sarah Wimbush, 3700 Oak Ridge Road, stated she wanted to make it clear that the \$7000.00 to treat the trees was the quote she was provided and would be happy to contact Billy Matthews again to see if that matches with the estimate provided to her two years ago regarding treatment of the trees. Ms. Wimbush stated that was for 3 years with no guarantees.

Mr. Arnett asked staff if the title of arborist a licensed designation. Mr. Cowhig responded it is a certification. Mr. Arnett stated it does make a difference to him whether a determination was made by a certified arborist versus a true company. Mr. Cowhig responded some tree companies do employ certified arborists and some do not.

Mr. Arnett stated these cases appeared to him to be similar to the last one that was continued due to not enough evidence presented that the trees were diseased or damaged. Mr. Arneke stated there was a good point made regarding opinions and speculation. There is nothing the Commission can point to as evidence regarding the condition of any of the trees. Chair Wharton stated there were some eye witnesses and non-expert testimony in terms of assessing the health of the tree. Discussion was held regarding whether the last two cases should be continued along with the Greensboro College as it is hard to determine whether it congruous or incongruous without more information about the condition of the trees. A decision was made to approve both COAs with conditions to remediate the situation.

Chair Wharton requested if someone would make a motion.

FINDING OF FACT:

Mr. Arneke moved that based upon the facts presented in application 2333, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and the staff comments and the guidelines under Trees and Landscaping, pages 21-23 are acceptable as findings of fact.

Seconded by Mr. Carter. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodieme, Stringfield, Cater, and Stanbeck. Nays: 0).

DISCUSSION:

Conditions to be attached to the Certificate of Appropriateness was discussed and agreed upon.

MOTION:

Mr. Arneke therefore moved that the Greensboro Historic Preservation Commission approves application number 2333 and grants a Certificate of Appropriateness to Mike Schettino and Sarah Wimbush for work at 307 and 309 South Mendenhall Street with the following conditions.

1. The trees be replaced on a one to one basis subject to staff concurrence.
2. The property owners work with staff on a landscaping plan for placement of the trees and the appropriate species.
3. The trees be replaced by May 31, 2020.
4. Any trees that die within one year will be replaced in kind.
5. The stumps of the trees that have been cut down will be grinded or cut at ground level.

Seconded by Hodiernie. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernie, Stringfield, Cater, and Stanbeck. Nays: 0).

3f. Application #2340 909 Walker Avenue**DESCRIPTION:**

Mr. Cowhig stated the last application is for 909 Walker Avenue. There were two items. One is to replace the roofing shingles which does not require a COA. The removal of the boiler or cook stove at the rear of the house does need a COA. A major renovation of the house is being conducted. Mr. Cowhig referred to photographs depicting the chimney at the back of the house. Mr. Cowhig stated it is what he would call a boiler chimney or could have been a cook stove. Mr. Cowhig advised the Commission has fairly routinely approved removal of secondary chimneys. Another chimney, which is probably the fireplace chimney, is located in the middle of the house and hard to see in the photograph. It would be hard to argue that it should be retained because the guidelines do not make exceptions for secondary chimneys. Mr. Cowhig felt the chimney adds character to the house but the Commission should vote in favor of the application. The guidelines say "chimneys for furnace stacks that are not essential to the character of the structure or that were added later, may be removed if it will not diminish the original design of the roof or destroy any historic details." Mr. Cowhig stated he would suggest to the new owners of this property that they investigate the historic tax credits and talk to state personnel about this particular issue.

Mr. Arnett stated this was a case very similar to one previously and the same reason that the new roof could not be done without removing the chimney. Ms. Hodiernie stated the Commission could require the applicants to obtain a second opinion. Mr. Cowhig suggested continuing the case to have the applicants obtain more information and a second opinion. A decision was made, as the applicants were not present, to continue the case to allow the applicant to obtain a second opinion, look into tax credit opportunities, and speak to the state historic personnel.

Ms. Hodiernie made a motion to continue the case with the request for more information.

Chair Wharton stated College Hill representatives were present and asked if the Commission needed to hear their testimony before continuing the request. Ms. Jones stated the application is incomplete and the Commission needs additional information.

Arlen Nichols, 216 S. Mendenhall Street, stated regarding this application the disposition of the College Hill Neighborhood Association supports the boiler chimney removal and a new roof as described. It was a unanimous vote in the affirmative. Ms. Nichols was in support of a continuation and sharing information regarding the tax credits was a very good idea. Ms. Nichols stated, as a realtor, would highly recommended Chimney Sweep out of Kernersville as they do a great job and are very cost effective.

Chair Wharton advised there is a motion for a continuance and requested a second. Seconded by Mr. Arneke. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernne, Stringfield, Cater, and Stanbeck. Nays: 0).

ITEMS FROM COMMISSION AND CHAIRMAN

Chair Wharton stated there has been a lot of discussion about the after the fact process and wanting to address issues. Chair Wharton suggested addressing a solution to this problem as a future agenda item. Chair Wharton suggested asking City Council to amend the ordinance in such a way that the Commission is not handling so many after the fact applications. Ms. Hodiernne stated it was important that the Commission not be tempted to dive into it right now. Ms. Hodiernne would like to gather her thoughts and felt it would be helpful if the Commissioners wrote down their thoughts and have more meaningful discussions after staff has time to prepare. Chair Wharton asked if that could be placed on the February agenda. Mr. Arnett stated the issue of not having enough information or seeing professional recommendations in writing is important that should be attached to the application is another item to discuss.

Chair Wharton stated he did not have anything further and asked if there were any items from the Commissioners.

Mr. Arneke stated everyone has received an invitation to attend the Preservation Greensboro annual meeting and dinner and encouraged everyone to attend. The speaker will be Nancy Finegood who has experience with the Living Trades Academy. Ms. Geary stated Living Trades, a skilled work force by training unemployed and under employed workers in preservation skill sets. Mr. Arneke stated this has great potential for the community. Ms. Geary stated staff is waiting on approval but the City would sponsor the Commissioners and a guest to attend this annual meeting which includes dinner on February 12, 2020. Ms. Geary would need to know who will attend by close of business on January 30 via email. Further details of the dinner were discussed.

ITEMS FROM PLANNING DEPARTMENT:

Ms. Geary advised if the Commissioners are parking in the Green Street parking deck, staff can validate parking. Ms. Jones advised there likely will have to be special meetings to discuss the upcoming changes in the ordinance.

Chair Wharton stated there are speakers from the audience.

SPEAKERS FROM AUDIENCE:

Ms. Nichols stated College Hill asked her to address the COA application approved at the last meeting for 818 Walker Avenue. Ms. Nichols stated there was concern regarding the approval of the application and requested to have the application added to the agenda at the next meeting. Ms. Nichols believed there were communication issues and process issues that were missed. The concern of the Association is an issue with precedents moving forward.

Chair Wharton stated he would talk with staff regarding the next agenda. The applicant has to ask the Commission to discuss the decision. Chair Wharton was not sure if the College Hill Neighborhood Association has standing to appeal the decision. Ms. Nichols stated that was another process related question.

Ms. Jones stated generally the Association has to have at least one individual that is aggrieved by the decision. Ms. Nichols responded there was a unanimous group aggrieved. Mr. Arnett stated it was a lengthy discussion with the case and it was the second time the case had been before the Commission. Ms. Nichols stated the Association didn't know that the status had changed and would be reheard. The Association also had a misunderstanding that when a disposition is sent as a Historic District, in writing, they thought it was always heard and it had weight as if it were witnesses. The Association now understands that is not the case and was a major misunderstanding. Ms. Nichols stated the Association worked and helped the applicants. The applicants understood when they left the Association meeting that the Association did not approve it. The Association made recommendations for builders and design help. Ms. Nichols stated it was a harsh learning experience. The Association knows the Commission was thinking outside of the box in helping the homeowners come up with solutions.

Chair Wharton stated the Commissioners do not see emails and cannot consider them. The Commission can only consider evidence presented at the public hearing. Chair Wharton stated he was surprised the Association did not know that. Ms. Lane stated many people and organizations can say they are against something but it does not mean it flows to the Commission's decision making process. Chair Wharton stated it has to be heard at the meeting in order for the Commission to consider their position. Chair Wharton stated Commissioners do not get those communications as they are considered Ex parte communications that the Commissioners are forbidden to have. Ms. Nichols stated the College Hill Association has deep respect and admiration for what this Commission does. The Association would have been at the meeting and would have actively engaged as they did with the applicants to come up with alternate solutions that would have looked different and would not have been visible from the street. It would not have adversely affected the streetscape and potentially adversely affect property values and would not have set what the College Hill Association considers a bad precedent for future COA applications. Ms. Nichols stated she was sorry it happened but at the same time they would rally and stated the Commission will be seeing more members from the College Hill Neighborhood.

MOTION TO ADJOURN:

Ms. Stringfield moved to adjourn the meeting at 7:34 p.m. Seconded by Mr. Arneke. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Lane, Hodierna, Arnett, and Stringfield. Nays: 0).

Respectfully submitted,

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
February 26, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, February 26, 2020 at 4:00 p.m. in the Plaza Conference Room of the Melvin Municipal Office Building.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), David Arneke (College Hill), Jesse Arnett (At Large), Linda Lane (At Large), Amanda Hodierne (Fisher Park), Ann Stringfield (At Large), Sylvia Stanbeck (At Large) and Max Carter (At Large). Mike Cowhig and Stefan-Leih-Geary were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. All responded yes. Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting.

SWEARING IN:

Everyone wishing to speak were sworn.

1. APPROVAL OF ABSENCES:

Wayne Smith's absence was acknowledged as unexcused.

2. APPROVAL OF MINUTES, JANUARY 29, 2020 REGULAR MEETING:

Mr. Arneke made a motion to approve the January minutes as submitted, seconded by Ms. Stringfield. The Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, Carter, and Stanbeck. Nays: 0).

Chair Wharton advised of the policies and procedures in place for the Historic Preservation Commission.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2341, Greensboro College (Approved with Conditions)

Mr. Cowhig advised this is an after the fact application continuation from the previous meeting regarding the removal of several trees on the Greensboro College Campus, located with the College Hill District and are obligated to follow the same Certificate of Appropriateness as homeowners within the district. Photographs were shown depicting the location of the tree removals. In each case the stumps were grounded. One of the reasons for the tree removal was there were two Ash trees behind the West Hall. The Emerald Ash Borer has been devastating for Ash trees and are now reaching the point where they've been diseased for a quite a long time and dying. Photos were shown depicting a tree struck by lightning, three dead Mulberry trees and one Catalpa tree. **Staff referred the Commissioners to the Guidelines on page 21, to retain mature trees that contribute to the character of the Historic District.** In this particular case, some of the trees were trees that started when the parking lots were created and would have been approved by the Commission at that time.

Staff recommended approval based on the fact that staff feels the trees needed to come out.

Mr. Arneke asked where was the documentation for the recommendation. Mr. Cowhig responded they do not have documentation. Mr. Arneke responded all the Commission has is them saying a bunch of trees were cut down. Mr. Cowhig stated staff has worked with Greensboro College for a long time. They did neglect to obtain the COA in this case but in previous years, they have been good about it. Mr. Arneke stated in other previous years, they haven't. They've had the tree people there on Sundays cutting down trees with no COA. Mr. Cowhig responded he was only providing his experience working with the Greensboro College and they never have taken a tree down that did not need to come down, based on staff experience but did understand Mr. Arneke's point.

Staff does feel the trees should be replaced and prefers some trees be placed in or around the parking to soften the impact of the cars parked there. Tree replacement would be good for the campus and the Historic District.

Chair Wharton believed one of the reasons for the continuance was for Greensboro College to provide documentation such as site plans and a report from an arborist. Mr. Cowhig responded that was correct. Chair Wharton inquired if there were any other questions for staff. Having none, Chair Wharton inquired if there was anyone present to speak in support of the application.

Chris Elmore, VP For Business and Finance, Greensboro College, 815 West Market Street, stated he recently replaced Dr. Robin Daniel who is retiring. Mr. Elmore apologized and stated part of this oversight was due to the transition as he did not know of the process and Dr. Daniel was not fully aware of what was going on at the time. The College tries very hard to not cut down trees that do not need to be cut down and is not something the College takes lightly. The trees were taken down because they were a liability and appeared to be dead or in the process of dying.

Chair Wharton asked if there were any questions for Mr. Elmore.

Mr. Carter inquired if there were plans to plant more trees there. Mr. Elmore responded the College is open to some pre-planting in some of the same spaces. There is a new sense of urgency regarding the campus being near downtown and cameras will be placed around the campus which need good site lines, especially the parking lots for the safety of students and staff. They do plan on having landscape to soften the area.

Chair Wharton inquired if in addition to cameras, if there were lights there already. Mr. Elmore responded there are some lights but would like more to be placed in the area. Chair Wharton asked if the College will be coming out with a plan addressing the cameras and lighting and the good spots for a tree to be replaced. Mr. Elmore responded a lighting plan and funding is probably in the future, with landscaping being number one.

Ms. Stringfield asked if the College was aware that the City has a City Arborist, free of charge, that could provide guidance and assistance regarding the type of trees to be replaced. The arborist has assisted the historic district in landscaping issues.

Chair Wharton inquired if there was a reasonable timescale for a landscaping plan and suggested to the Commission the granting of a COA be contingent on a landscaping plan to protect the tree canopy in the neighborhood and to ensure the College gets the kind of tree that will match the uses needed. Mr. Elmore stated the lighting plan is dependent on funding and is probably several years down the road. Mr. Elmore stated they will adhere to a COA and any determinations made within that COA. Mr. Arnett agreed there should be a time frame in place and other applications have ranged from 4 to 6 months.

Mr. Carter stated Guilford College has also done landscaping around the parking lots and planted trees thin enough to be a detriment to hide behind. Mr. Carter suggested Mr. Elmore speak with someone at Guilford to see what types of trees were used there.

Chair Wharton asked if there were any further comments or questions for Mr. Elmore. Seeing none, Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Seeing none, Chair Wharton stated conditions could be discussed now or after determining a Finding of Fact. Mr. Arneke stated there could be a finding of lack of fact as there is no documentation, no site plan, nothing submitted.

DISCUSSION:

Chair Wharton stated he did not think anything could be done regarding the deficiency of the original application and cannot obtain an arborist report on a tree that has been turned to sawdust. Mr. Arneke expressed his disappointment in the unprofessionalism of a 4 line request to remove 7 dead trees. It is not a significant piece of work for any property owner, 7 canopy trees and is not the first time Greensboro College has not provided the Commission with good information. Mr. Arneke stated he would vote against the request and could not support the actions. Ms. Stringfield stated her disappointment but would support the request with conditions for the good of the neighborhood. Ms. Stringfield felt the City Arborist would be able to assist in tree consultation and landscaping fairly quickly. The Commission decided 3 months or 90 days would be enough time for completion

of tree plantings and landscaping. Mr. Arnett stated he did not feel comfortable waiting 4 months to have a plan for the Commission to approve and even longer for the planting. Ms. Lane asked if there would be a new approach in design or if the trees would go back in the same location. The Commission agreed the City Arborist and staff would screen the design and landscaping within 90 days. The City Arborist will advise on the type, size, and location of the tree and assist with the planting list but cannot design the landscape. Chair Wharton requested to have a Finding of Fact that it is not incongruous.

FACT FINDING:

Mr. Arnett moved that based upon the finding of facts presented in application 2341, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the Historic District Program Manual and Design Guidelines and that staff comments and testimony, along with the **Guidelines for Trees and Landscaping, page 23, numbers 1-6** are acceptable as findings of fact.

Seconded by Ms. Stringfield. The Commission voted to approve 7-1. (Ayes: Chair Wharton, Arnett, Lane, Hodieme, Stringfield, Carter, and Stanbeck. Nays: Arneke).

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves application number 2341 and grants a Certificate of Appropriateness, to Greensboro College for the work at 815 West Market Street, with the following conditions:

1. Trees that were there be replaced at a minimum ratio of 1 to 1.
2. The proposed replacement trees be approved by the City Arborist with respect to styles, species, and location.
3. The new trees be planted within 90 days from 2/26/2020.

Seconded by Mr. Carter. The Commission voted to approve 7-1. (Ayes: Chair Wharton, Arnett, Lane, Hodieme, Stringfield, Carter, and Stanbeck. Nays: Arneke).

3b. Application #2339, 909 Walker Avenue (Denied)

DESCRIPTION:

Mr. Cowhig advised this is a continued application from the last meeting. The applicants are asking to be able to remove a secondary chimney on the house at 909 Walker Avenue. Additional information had been requested by the Commission and the applicants responded, via email, information regarding the assessment which indicated the chimney is not stable enough to be repaired and the flashing would not work because of the instability of the chimney. Mr. Cowhig advised it is a secondary chimney, but is not essential to the historic character of the house. The Commission has approved the removal of secondary chimneys in similar situations. Staff recommends and strongly encourages property owners to consider repair. There are historic tax credits that may be of assistance. Mr. Cowhig stated the guidelines are clear that it is not appropriate to shorten or remove original chimneys when they become deteriorated. Chimney and furnace stacks that are not essential to the character of the structure or were added later may be removed.

DISCUSSION:

Chair Wharton stated his recollection was this was continued because the Commission was hopeful that a masonry contractor would look at the chimney to determine if it could be shored up. It is a utility chimney but it is fairly attractive. Mr. Cowhig advised it did not appear anyone has relooked at the chimney. Chair Wharton stated it is a borderline case and staff opinion is not a feature the Commission would normally require to be preserved. Mr. Cowhig advised he did not have a picture of the primary chimney. It was noted the secondary chimney is more visible than the main chimney. The Commission felt more pictures were needed to evaluate properly. Mr. Carter asked if the flashing would be to the brick or the sheeting, as the sheeting could be replaced.

Chair Wharton inquired if there was anyone present to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. No one came forward.

The applicant was not present to address the Commission.

Chair Wharton stated if the application was denied, the applicants would need to come back with more documentation and information regarding the condition of the chimney. Mr. Cowhig clarified if the Commission was requesting someone knowledgeable about masonry look at the chimney. It was unanimous to have a second opinion on the true condition of the chimney and as a minimum to have the applicant present to answer questions the Commission has. Chair Wharton inquired if someone would like to make a finding of fact.

FINDING OF FACT:

Mr. Arneke moved that based upon the facts in application 2339, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the **Historic District Program Manual Design Guidelines and guidelines under Roofs on page 53, numbers 1-5 and guidelines on masonry and stone on page 50, numbers 1-6**, are acceptable as findings of fact.

Chair Wharton asked of Mr. Arnett for his architect's opinion regarding if it was a character defining feature. Mr. Arnett responded he did believe it was. The slight doubt is just how visible it is, as in one picture it is very prominent and the other pictures not very visible. Chair Wharton responded he has walked by the property numerous times and the chimney is very visible as you walk down Walker Avenue. Ms. Lane stated secondary chimneys are usually shorter. Chair Wharton stated an additional finding would be the Commission did not receive sufficient evidence for demolition.

Mr. Arneke stated in addition to the guidelines cited, additional findings are that the chimney is a character defining aspect of the house in that it is unusually detailed, particularly in the corbeling and visibility of it from the street. Additionally, there was no evidence presented to support the homeowner's opinion that the chimney is unstable.

Seconded by Ms. Hodierne. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, Stanbeck and Carter. Nays: 0).

MOTION:

Mr. Arneke therefore moved that the Greensboro Historic Preservation Commission does not approve application number 2339 and denies a Certificate of Appropriateness to Brian Johnson for work at 909 Walker Avenue.

Seconded by Ms. Hodierne. Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, Stanbeck and Carter. Nays: 0).

Ms. Jones advised the applicants will need to be aware of appeal rights which is 15 days from the date of decision on 2/26/2020.

3c. Application #2349, 901 Magnolia Street (Approved with conditions)

DESCRIPTION:

Mr. Cowhig advised staff was not sure if they could approve the application at the staff level and at the last minute decided the Commission should address this request. The homeowners would like to build an accessory building in the backyard indicated on the photograph depicted. The applicants received approval to repair the existing garage and would like to build a 7 foot high privacy fence along the rear property line because the house backs up to a parking lot of a business on North Elm Street. The guidelines recommend 6 feet height for privacy fences, but zoning allows a 7 foot privacy fence. Staff feels this is a special situation and would be reasonable to approve. The applicants would also like to remove some trees that are under the power lines. Mr. Cowhig referenced a photograph depicting a major distribution line running behind the houses on Magnolia Street. Duke Power cut back all the trees that are volunteered underneath the lines to the point where they are not viable trees any longer. There are two Bradford Pear trees that the applicants would like to remove for landscaping purposes, which staff does support as the Bradford Pear is now considered to be an invasive tree. Mr. Cowhig provided images depicting how the accessory structure would be detailed to be compatible with the garage. Mr. Cowhig advised the applicants brought this house a couple of years ago and have restored it back to a single family home. The applicants are continuing to restore the house and are doing a good job of restoring which staff wants to recognize. Staff strongly support this application. The guidelines are in **Accessory Structures, page 36, number 2, design new garages and outbuildings to be compatible with the main structure in material and design**

using existing historic outbuildings as an example. Limit the size and scale of the garages and accessory structures so that the integrity of the original structure or the size of the existing lot is not compromised. Staff does not feel the structure will be large enough to compromise the character of the existing lot and is located in a place that is typical of historic outbuildings. Mr. Cowhig advised under **Trees and Landscaping, page 23, retain mature trees that contribute to the character of the historic district.** Staff does not feel the Bradford Pears and the trees that have been cut back so severely under the power lines contribute to the character of the historic district. **Fences, wall, and site features, page 26, 5c, Introduce privacy fences or privacy walls in the rear yards only that must not exceed 72 inches in height.** Mr. Cowhig stated that it should probably had not said “must not” because these are guidelines and not rules.

Mr. Arneke asked if the 3 foot setback from the property line was adequate under the current ordinance. Mr. Cowhig responded that is the new setback. Ms. Lane asked what was the setback for the fence. Mr. Cowhig responded the fence only has to be on the property.

Chair Wharton inquired if there was anyone to speak in support of the application and to please state their name and address for the record.

Patricia Hagmaier, 404 West Bessemer, representing the Fisher Park Neighborhood Association, advised the Association has reviewed the COA and support it as written.

Chair Wharton inquired if there was anyone else wishing to speak in favor of the application.

Jim White and Nancy Schmidt, 901 Magnolia Street. Mr. White referred to the photograph depicting the trees on the property and clarified initially there were four trees requested to be removed, but have now decided to keep the Ash tree. Mr. White indicated a tree that has been cut and is covered with ivy. The wish is to replace the Bradford trees with an ornamental tree. Mr. White indicated the commercial property located behind them is a law office with a fire escape on the back of the building facing his home which is used as an entrance and for smoking with heavy activity and traffic. Mr. White indicated a 7 foot fence that abuts to the garage and the fence on the other side is a 6 foot fence.

Mr. Arneke asked what was the siding referred to as Smartside, pre-primed siding. Mr. White responded he believed it was like cement board stuff but will be painted. The plans indicate vertical but they are requesting horizontal to look like the siding on the rear of the house. Mr. Arneke asked what was MiraTec trim. Mr. White responded he did not know what that was.

Mr. Greg Sieber, 523 Woodland, Contractor, stated the products mentioned are newer products. They are not cement board products but are similar to particle board and treated with different treatments to ensure they are insect and rot resistant. They will last a very long time.

Ms. Lane inquired if there would be a new door going on the existing garage. Mr. Sieber responded there would be a new entry door. Mr. Arneke inquired about the door that would be placed on the side. Ms. Schmidt responded it has not been chosen as of yet. It will be a personal entry door with windows on the top half only. An illustrative drawing will be provided to staff for approval. Ms. Lane asked if the accessory building had a double door. Mr. White responded it is a French door. Ms. Lane inquired if there were simulated divided lights. Mr. White responded it was purchased at Architectural Salvage, along with their doors.

Ms. Stringfield asked what was the thought regarding replacing trees. Ms. Schmidt stated the tree in the center will not be touched. They will reapply if Duke Energy chops it off. Both sides of the chain link fence are divided. One part of a tree goes straight up and the other part of the tree goes out over the yard. Depending on how the trees respond to trimming will determine replacing the cut trees.

Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone speak in opposition. Seeing none, Chair Wharton requested a Finding of Fact and talk about any conditions at that time.

FINDING OF FACT:

Ms. Stringfield moved based on the facts presented in application 2349, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous within **Historic District**

Program Manual under Design Guidelines and the staff comments and the Guidelines under Garages and Accessory Structures, page 36, numbers 2-5, Guidelines for Fences, Walls, and Site Features, page 26, number 5c, and Guidelines for Trees and Land Scaping on page 23, numbers 1-6, are acceptable as findings of fact.

Seconded by Mr. Carter and Mr. Arneke. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, Stanbeck and Carter. Nays: 0).

DISCUSSION:

It was decided the garage side door would be approved by staff. Discussion was held regarding the replacement of trees, to include an ornamental tree. Possible placement of bushes was discussed among the Commissioners.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application number 2349 and grants a Certificate of Appropriateness to applicants Jim White and Nancy Schmidt for work at 9015 Magnolia Street with the following conditions.

1. That the garage side door be approved by the Historic District City Staff.
2. That the tree stumps be grounded down to ground level.

Seconded by Mr. Carter. Commission voted to approve 8-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, Stanbeck and Carter. Nays: 0).

3c. Application #2261, 305 W. Bessemer Avenue (Approved with conditions)

DESCRIPTION:

Mr. Cowhig advised there was a Certificate of Appropriateness needing further approval of product replacement regarding 305 West Bessemer Avenue, a stucco house being renovated. The contractor, Greg Sieber is present and has the product for the Commission's approval for the replacement of windows located on the second floor in the dormers. Photographs were shown depicting 305 West Bessemer Avenue for the Commissioners. A copy of the COA for this project was provided to the Commissioners as well.

Mr. Greg Sieber, 523 Woodland, stated there are aluminum clad products. The replacement would be solid vinyl and would be white or brown. Mr. Sieber indicated windows on the side, front and a window on one side will be double hung and original. Mr. Sieber stated the windows are rotting. Mr. Sieber indicated an area that would be enclosed with all glass. Mr. Cowhig asked regarding the windows in the dormer, the two end dormers that are casement windows. Mr. Sieber responded they are not casement, they either tilt or swing out which is on the original approval. Photographs were shown depicting the house indicating the pathway and steps leading to the house. Mr. Sieber advised they are staying within the footprint of the house. Mr. Arnett stated he recalled that was always the plan. Chair Wharton stated it appeared there was a favorable opinion on the window.

ITEMS FROM COMMISSION AND CHAIRMAN:

Ms. Stringfield suggested to have after the fact tree removal/replacement requests reviewed by the City Arborist and bypass the Commission for approval by an arborist and city staff. Ms. Stringfield inquired if staff could address replacement trees rather than bringing those to the Commission. Ms. Stringfield suggested for Commission to trust the City Arborist and have the tree removal part of a condition that staff approves on the application. Mr. Arnett asked if that was only for after the fact tree removals. Mr. Cowhig stated in Greensboro, staff does not require a tree to be replaced when it dies and staff has never required a tree to be replaced under those circumstances. Mr. Cowhig advised it has always been the position of legal staff that staff did not have the authority to do that. A way to look at it was if a tree dies, is that the fault of the property owner. The cost would be expensive to take down a tree and then add the replacement cost. Mr. Cowhig did not know if it was legal to do that.

Ms. Jones, stated it would have to be justified in how it preserves the integrity of the historic district. There may be situations where tree replacement is appropriate but not always. There will need to be decisions made on the changes that will be required by 160D. Ms. Jones stated she did not know if all the changes and looking at

everything in the guidelines can be done at the same time. There are decisions to be made with revisions. One of which is, do appeals go to the Board of Adjustment or straight to court, which is now an option as of January. It is unusual for a quasi-judicial board to do what's called a certiorari on the record of review currently mandated. In most appeals, it is receiving another chance to prove the case. In Historic Preservation Appeals, the Board of Adjustment is only supposed to look at what happened on the record. There are pros and cons either way but the decision has not been made to date. City Council would want a recommendation from the Historic Preservation Commission as to what changes will affect how COAs are processed.

Ms. Stringfield stated she does believe a City Arborist can help staff make excellent decisions about whether it is an after the fact tree removal or something else and is only asking the Commission and staff to consider that. Chair Wharton stated having a public hearing does take a lot of time to allow the Commission to make good decisions in the interest of the neighbors in the neighborhoods. Ms. Jones stated if there is interest in city wide tree regulations and landscaping, there is a committee that has just been started regarding all of that. Both Elizabeth Link and Judson Clinton of city staff are associated with that. That committee will be looking at changing requirements within the central business district where currently it is not required.

Ms. Stringfield stated she has been investigating possible ways to address the issue of identifying living within the historic district when a home is purchased. Currently there are 13 counties within the state that uses that use the same Register of Deeds software and we can ask the software company to add a field to clearly indicate on the form that a property is located within the historic district. Ms. Hodiern stated the Register of Deeds does not produce the deed document. Attorneys do and the better avenue to pursue the form would be the Realtors Association. Currently there is a general North Carolina deed form used by attorneys and realtors which would be a starting point. Chair Wharton stated the historic district has an email distribution list and the Dunleath Board there is a tag line at the end of every mail stating "are you thinking of changes to the exterior of your house, you might need to get a COA" and has a link to the Historic District FAQs and a link to Mr. Cowhig's telephone number which may help. Ms. Lane asked about a flyer within the water bill or included in the news with the water bill. Ms. Stringfield stated she will continue to investigate all options.

SPEAKERS FROM AUDIENCE:

Chair Wharton advised there were speakers in the audience wishing to speak to the Commission and requested them to state what the Commission may need to know.

Ms. Kelly Wyrick and Ms. Raigen Stiefel introduced themselves. Ms. Wyrick stated they were looking for advice from the Commission. Ms. Wyrick spoke to Mr. Cowhig for permission to come before the Commission regarding the Sedgefield stables and show ground area and the situation there. They have been before the Zoning Board for a rezoning.

Ms. Wyrick stated Sedgefield Stables was created with the development of Sedgefield for its country and horse events and is only a few years from reaching the century year mark. The original barn was built in 1927 and a new barn added in 1940, along with the showring and a long row of stalls. It has been developed into a nationally recognized barn and was at one point one of the principal hunter barns in the country. The site has hosted horses since the early years of the twentieth century. From 1939 into the 1950s, fox hunters mounted their horses and loosened their hounds on this property. There have been many legendary hunters and riders. In 2012 Sedgefield Stables was home to the Social Collegiate Cup and colleges such as UNCG, High Point, Elon, Wake Forest United and NCANT Equestrian units show currently. Sedgefield stable and showgrounds have survived 92 years of every kind of weather that North Carolina has thrown at it. If as many nature disasters and dangerous weather incurred have not managed to destroy such a significant part of Sedgefield's history, then the community should not either. It needs to be allowed to remain home to the many people that travel from near and far to take advantage of the stables and showroom that has been in use for so many years. It is currently still a walking show ground. Shows are scheduled for the 2020 year. Developers are attempting to rezone it to put 220 units of affordable housing on the property.

Ms. Lane asked where was this location. Ms. Wyrick responded at the corner of Vandalia and Groometown Road.

Mr. Arneke asked who is “they”. Ms. Wyrick responded Affordable Housing Management. Ms. Lane asked who owns the property currently. Ms. Stiefel responded 3 unrelated people. Ms. Wyrick distributed materials regarding Sedgefield. Ms. Lane asked when was the public noticed. Ms. Wyrick responded January 24. Not everyone received notice, only people within 600 feet of the property. February 6 was the neighborhood hearing and the rezoning meeting was February 17, 2020. The Zoning Commission granted rezoning. Ms. Wyrick and Ms. Stiefel are requesting an appeal. Ms. Wyrick stated there was an annexation meeting that they did not attend. Ms. Jones stated part of the property is in the City and the rest is not. Ms. Wyrick stated 10% is not and about 90% was in county but thought the City had agreed to annex the property. Ms. Jones advised that is a decision for City Council to make on March 17, 2020.

The area is now only for shows, no boarding of horses. There is no funding as of yet to build the 220 units. The property was granted back in 1991 as eligible to be listed on the National Register of Historic Places. Ms. Lane asked if it was or was not on the registry. Mr. Cowhig responded when they were planning the western leg of the outer loop, there was environmental review that included an assessment of historic resources in the area and Sedgefield Stables was identified as a property that was worthy of being eligible for the National Register. They will be using federal funding for this project and there will have to be a memorandum of agreement with the state. There are some procedural steps that have to take place to be eligible for the register. A determination of eligibility triggers section 1 and 6.

Ms. Geary advised this could be processed in-house by staff. This is a project that the developer has not purchased the land yet but are looking at using federal funds. City housing staff contacted her to determine if there was historic significance on the property. That was when Mr. Cowhig found it listed on the State Historic Preservation Offices website that it is eligible which triggered a conversation with the state. State staff have been very amicable and welcoming toward the preservation piece but they don’t know what that might mean. It is only eligible and not listed. If they choose to pursue it, they will need to figure out what that entails.

Mr. Cowhig advised he will send Ms. Wyrick a link to the report completed in 1991 which is a fascinating story about that part of Guilford County. Ms. Lane asked it was 1991 and has never become registered. Ms. Stiefel responded not that they were aware of. Both Ms. Geary and Mr. Cowhig responded no, someone would have needed to apply and fund the National Register nomination. Mr. Cowhig stated normally an architecture historian is hired to do it and it could be costly. Ms. Wyrick stated the entire property would be destroyed. Ms. Stringfield asked if they are hoping the Historic Preservation Commission will make a statement. Ms. Stiefel responded they are looking for suggestions, ideas, anything to try and save the property as it is very important to the community. There is no other facility like this one within 60 miles. There are people that will not be able to participate in that sport any longer once it is gone. The site is very unique to the Triad.

Mr. Arneke asked if they had talked to Preservation Greensboro. Mrs. Wyrick responded they have not yet and are working as quickly as they can. Mr. Arneke recommended speaking to Mr. Benjamin Briggs of Preservation Greensboro. Ms. Stringfield stated the Commission will provide contact information. Chair Wharton stated Zoning recommended approval, it will go to City Council, City Council will vote on the rezoning and annexation. Ms. Jones stated they vote on the annexation first. Ms. Lane asked how could the process be stopped. Ms. Stiefel advised their appeal request was denied. Ms. Jones advised that it was a continuance which was denied. Mr. Carter asked if Piedmont Land Trust was a possibility. Ms. Stiefel stated they believe they can find alternate buyers but need time. There was never a sign posted that the property was for sale. One of the owners put a letter of intent to sell on their Sedgefield Showground Facebook page. Riders knew it was coming but no one in the neighborhood knew. It was never publicly announced.

Char Wharton strongly suggested talking to Mr. Briggs as he understands the process. It will probably be a political matter before it is a preservation matter. Chair Wharton stated they would be able to obtain someone to testify to its historic value but in order to turn City Council, they will need to have a lot of people show up at the meeting. Mr. Cowhig recommended contacting the National Trust for Historic Preservation for consultation. Ms. Wyrick and Ms. Stiefel thanked the Commission for their time.

MOTION TO ADJOURN:

Chair Wharton stated the meeting was adjourned at 6:02 p.m.

Respectfully submitted,

Mike Cowhig, Exec. Sec.

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
May 7, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Thursday, May 7, 2020 at 4:00 p.m. virtually via Zoom.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), David Arneke (College Hill), Jesse Arnett (At Large), Linda Lane (At Large), Amanda Hodierna (Fisher Park), and Max Carter (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Wharton welcomed everyone to the meeting. Chair Wharton inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Wharton stated the Historic Preservation Commission has not done a remote meeting before and will do the best they can to ensure everyone's due process rights are met. Chair Wharton advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Wharton advised of the policies and procedures for the Historic Preservation Commission.

Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting. Chair Wharton advised he received a letter in the mail from some residents regarding one of the COA applications, Greensboro College. It is what is known as an ex parte communication. He read part of it before realizing what it was and asked if any other Commissioners had received the letter. Mr. Arneke advised he did receive an email on the same subject but did not read either one. Ms. Hodierna stated she also received a letter and discarded the email after realizing what it was. She remains unbiased and undecided on the matter as of now. Ms. Lane advised she received a letter and read it but it will not affect her decision.

1. APPROVAL OF ABSENCES:

Mr. Cowhig advised Sylvia Stanbeck was not comfortable with the technology and was not present.

2. APPROVAL OF MINUTES, FEBRUARY 26, 2020 REGULAR MEETING:

Chair Wharton inquired if there were any corrections or additions to the minutes. Hearing none, requested a motion to adopt the minutes. Mr. Arneke made a motion to approve the January minutes as submitted, seconded by Ms. Hodierna. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierna, and Carter. Nays: 0).

Chair Wharton advised of the policies and procedures for the Historic Preservation Commission.

Staff Mike Cowhig and Stefan-Leih Geary were sworn for their testimony.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2362, 516 Park Avenue (Approved with Conditions)

Mr. Cowhig stated the property at 516 Park Avenue is a one story home. It is a very interesting house and probably one of the older houses in this neighborhood. Based on the style of the home it was probably very early 20th century. The siding was changed at some point. The current owner is doing a complete renovation of the house and would like build an addition on the back. Staff was provided a copy of the plans and staff feels it meets the **Historic District Design Guidelines, Additions and cited the guidelines from page 76, 1-6**. Staff feels this addition is designed and located so it does not diminish the architectural integrity of the house or affect character defining features and will be distinguishable from the house through a change in the wall plane. Mr. Cowhig stated the original siding is covered and are not yet aware of what the reveal would be of the original siding but suspects it's within the 4 ½ to 5 inch range based on the style of the house. Staff would like the original siding

retained with the new siding. It is hoped that at some point the siding will be removed and the original exterior of the home restored. Staff feels it is a great candidate to be restored and would be eligible for tax credit, especially if used for income producing purposes. The property could be combined with federal and state tax credits and theoretically obtain a 35% tax credit. Staff recommend approval of this application.

Chair Wharton asked if there were any questions for staff. Hearing none, Chair Wharton requested the applicant to state his name and address for the record. Sachan Anchan was sworn to provide testimony and consented to the remote meeting.

Sachan Anchan, 304 Isabel Street, stated when looking into the renovation aspect, it was discovered a lot of things were added after the fact. In order to completely fix and restore to the original character, they had to have an addition as the bathrooms that were added on are stacked on to the house. With advice from Tim Visnor (ph.) and Mike Cowhig they are working through the process.

Chair Wharton inquired if there were questions for the Mr. Anchan. Ms. Lane asked if the Commissioners were asking questions about the design at this point of the meeting. Chair Wharton responded that was correct. Ms. Lane asked regarding the drawings received if they were the same that were being projected through Zoom. Mr. Cowhig responded they were the same. Ms. Lane stated the new roof ridge line appears to be equal to the front original roof ridge, the highest point, and asked if that was correct. Mr. Anchan responded that was correct. Ms. Lane stated that was the only critical thing she noted and suggested possibly there could be a differentiation in the ridge line height so it would not have a barn like look from the side elevations. Ms. Lane stated the vertical walls are very nice but could also be area to differentiate the new roof to be. Mr. Arnett stated in looking at the roof line, it does not quite come up to the ridge and is just barely short. Ms. Lane asked how much of distance guessing from the drawing. Mr. Arnett responded probably less than a foot. Ms. Lane stated she would like a consideration for a more pronounced differentiation.

Chair Wharton inquired of the applicant if he had any thoughts regarding that. Mr. Anchan asked if it was part of the portion on the left side of the photograph. Chair Wharton responded Ms. Lane was referring to the main ridge line on the main part of the extension heading straight back. On the elevation it appears that ridge is exactly the same height as the south ridge line. On the roof plan, it appears to be a little bit lower. Mr. Anchan stated he did not have the exact dimension but there is a difference in the new ridge line. Ms. Lane would like to see more of a differentiation.

Chair Wharton inquired if there were any other speakers in support of the application. Speaker Mindy Zachary was sworn in to provide testimony and consented to the remote meeting.

Mindy Zachary, 604 Summit Avenue, advised there was a Board meeting which voted unanimously to support this application.

Chair Wharton inquired if there was anyone else wishing to speak in support of this application. Having none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Having none, Chair Wharton closed the public hearing and requested if the Commissioners had any further discussion regarding this application.

Mr. Arneke inquired of Mr. Cowhig if there was any information on the windows that will be used in the addition. Mr. Cowhig responded they would recommend either wood or clad. Mr. Arnett stated the ridge line does not bother him and did not feel any differences could be seen from the street. Mr. Cowhig stated this house is a Queen Anne or late Victorian cottage and stated they need to know if the columns will be retained. Mr. Anchan responded they will be retained. Ms. Lane asked if the siding would be reviewed on staff level for the materials that would be used. Mr. Anchan responded they have decided to keep the existing siding currently there with material that is similar to hardy plank. Ms. Lane advised she was speaking in particular the size of the siding.

Ned Kilgore was sworn in to provide testimony and consented to the remote meeting.

Ned Kilgore, 306 Bills Drive, McLeansville, stated the siding is approximately 4 ½ to 5 inches and is a fine siding. The plan is to have the hardy board match what is depicted currently without having to tear off the whole side of the house with aluminum. It will match the reveal pattern of the current aluminum siding rather than the

original siding. Ms. Lane inquired of the design intent for the front door. Mr. Anchan responded the current door will remain the same.

Chair Wharton inquired if there was any further discussion or questions for the applicant. Having none, Chair Wharton requesting to have a fact finding motion.

FACT FINDING:

Mr. Arnett moved that based upon the finding of facts presented in application 2362, in the public hearing the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the **Historic District Program Manual and Design Guidelines** and that staff comments and testimony, along with the **Guidelines for Additions, pages 75-76, 1 through 6**, are acceptable as findings of fact. Seconded by Mr. Arneke. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernne, and Carter. Nays: 0).

DISCUSSION:

Chair Wharton inquired if there was any discussion for any conditions to be imposed. Staff will approve the windows that should be wood or clad, not vinyl. Mr. Arnett suggested adding the front porch columns not be replaced.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves application number 2362 and grants a Certificate of Appropriateness to Sachan Anchan for the work at 516 Park Avenue with the following conditions:

1. Staff approve window selection and be constructed of wood or clad.
2. The existing front porch columns not be modified or removed.

Seconded by Mr. Carter. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Lane, Hodiernne, Arnett, and Carter. Nays: 0).

3b. Application #2363, 807 Simpson Street (Approved)

Mr. Arnett requested to be recused from the next agenda item as he had a conflict of interest.

DESCRIPTION:

Mr. Cowhig advised this application is for the property located at 807 Simpson Street in the Fisher Park Historic District and also for an addition to the house. Plans and images have been submitted and provided to the Commissioners regarding the property. Mr. Cowhig advised staff feels that all the guidelines have been met for the addition. It is small and located such that it would not diminish the architectural integrity of the house or affect the character defining features. Staff felt the addition would be distinguishable from the house, site disturbance would be minimal and matches the brick of the house. Staff feels with wood trim the materials will be compatible with the house but also understandable as an addition. Staff recommended approval of this application.

Chair Wharton inquired if the Commissioners had any questions regarding the application. Having none, Chair Wharton requested to hear from the applicant. David and Janet Craft were sworn to provide testimony and consented to the remote meeting.

David and Janet Craft, 605 North Church Street. Mr. Craft advised the home was purchased from a rental company. Mr. Jesse Arnett was contacted to assist in the design and are engaging with New Age Builders on the renovation process. Per the images depicted, a lot of repair work has been completed. Mr. Craft stated he believed this house to be a well portioned and scaled addition to allow for a bedroom on the first floor and a laundry/mud room. The garage has been relocated further back to allow for more yard space.

Chair Wharton inquired of the Commissioners for any questions for the applicants. Mr. Arneke inquired to hear more regarding the moving of the garage. Mr. Craft responded the garage was approved at staff level. The garage was picked up and moved back 20 feet off its pad. The overhang over the back door on the house will go away because the overhang will be moved over the door on the side of the garage. Mr. Cowhig advised staff did approve the garage, understanding the Commission was not going to meet for a while. The New Age Builder

crews were ready to go and the garage was not moved very far into the back. Most garages within the Historic District get demolished and staff was pleased to have this one restored. Mr. Craft advised the garage was moved 21 feet back, similar to the length of the addition to keep the scale perspective.

Chair Wharton inquired if there were any further questions for the applicants. Having none, Chair Wharton requested to hear from the Fisher Park HOA. Keisha Hadden was sworn to provide testimony and consented to the remote meeting

Keisha Hadden, 404 West Bessemer, advised she was representing the HOA, stated the Board met the previous week and discussed this application. The Board moved to support it as written with two additional amendments. The Board would like the City to look at the setbacks and the window choices for the addition as they appear more modern than the original house.

Chair Wharton inquired if there were any questions for Ms. Hadden. Having none, Chair Wharton inquired if there was anyone else to speak in favor of the application. Mr. Arnett was sworn to provide testimony and consented to the remote meeting.

Jesse Arnett, 3312 Windrift Drive, stated the zoning district decides setback. The allowed side setback is 5 feet. There is 5 feet 6 inches at the closest corner of the addition. The rear setback is not an issue and should be in compliance under zoning. Mr. Arnett advised the applicants wanted to have a more of a modern feel, especially to the interior. The back yard is beautiful, very secluded, and has a lot of potential. Mr. Arnett referred to the site plan to indicate the addition and the relocation of the garage creating a very private area in the back right corner of the yard. The design goal was to place the bedroom at the rear of the addition and have big windows to allow the owners to enjoy the beautiful outdoor space. It is a more modern window choice compared to the existing house but felt it was appropriate. The Guidelines for Additions called for additions to be compatible with the original structure and materials, style, detail. Mr. Arnett felt that was accomplished through the shape of the roof, brick and wood trim, and all the details pulled from the original house. The Guidelines also say it can be similar to the original structure. The applicants preferred to do the large window to fully enjoy the view. The rest of the windows and doors have divided lights to be more similar to the original design. The one window that is different is in a location that only the owners will see.

Chair Wharton inquired if there were any questions for Mr. Arnett. Chair Wharton inquired if the divided light would be grid between the glass or simulated on the exterior and interior. Mr. Arnett responded it would be simulated divided light. Chair Wharton inquired if the Commissions had any other questions. Chair Wharton inquired if there was anyone else to speak in support of this application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Hearing none, Chair Wharton closed the public hearing.

DISCUSSION:

Chair Wharton inquired if the Commissioners had discussion regarding this item. Hearing none, Chair Wharton inquired if someone would like to make a finding of fact.

FINDING OF FACT:

Ms. Lane moved that based upon the facts presented in application 2363 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the **Historic District Program Manual Design Guidelines and Guidelines under Windows and Doors Additions, pages 75-76, 1 through 6** are acceptable as findings of fact. Seconded by Mr. Carter. Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Lane, Hodieme, and Carter. Nays: 0).

MOTION:

Ms. Lane therefore moved that the Greensboro Historic Preservation Commission approve application number 2363 and grants a Certificate of Appropriateness to Mr. & Mrs. Craft for work at 807 Simpson Street. Seconded by Mr. Carter. Commission voted to approve 5-0. (Ayes: Chair Wharton, Arneke, Lane, Hodieme, and Carter. Nays: 0).

3c. Application #2358, 919 Carr Street (Approved with conditions)

DESCRIPTION:

Mr. Cowhig advised this application is 919 Carr Street, in the College Hill Historic District. The owners are completely renovating the house and are at the point they need approval for the windows and doors. This is a midcentury modern house and is considered non-contributing. It is an unusual and interesting structure in the College Hill National Register of the Historic District and could potentially become a contributing structure as it appears to be older than 50 years. The Guidelines recommend more flexibility should be granted with non-constructors or structures that have some architecture merits to attempt to make architectural changes sensitive to the original design intent. Photographs were depicted for everyone to review. Mr. Cowhig advised some of the windows were replaced by a previous owner with vinyl windows. Mr. Cowhig believed the original windows were horizontal sliding windows. Mr. Cowhig believed the front door was an original. Houses from this period did have very plain, unadorned doors without panels or any other detail. The door currently there is consistent with the architecture of the house although it could be replaced with another door from that period. Staff recommended for the new windows to maintain the horizontal slider look and if possible, use aluminum windows that would be similar to the original. Mr. Cowhig advised staff's recommended conditions would be horizontal sliding windows with consideration given to replace the existing windows and the front door match the design of the existing front door or another mid-century model or style with the material being either wood fiberglass.

Mr. Arneke inquired if some of the windows have already been replaced. Mr. Cowhig responded some of the windows were replaced by a previous owner and appears to have been replaced some time ago. That was his opinion and would need to be confirmed with the owners. Chair Wharton asked Mr. Cowhig for his opinion on the appropriateness of the two door designs proposed in the application. Mr. Cowhig responded he did not think they were appropriate for this mid-century design. Chair Wharton advised there was not anything in the guidelines regarding design samples from mid-century. Mr. Cowhig stated they are popular now and there are a lot online. Chair Wharton asked if they applicants could be advised on what would be an appropriate style door. Mr. Cowhig responded staff could advise. Chair Wharton inquired if there were any further questions for staff. Ms. Hodierné inquired where was the window that was not a horizontal slider. Mr. Cowhig responded if standing in front of the house, it would on the left side. Ms. Hodierné asked if that was the side that also had window openings where the new window would get replace. Mr. Cowhig responded that was correct. Chair Wharton inquired if there were any other questions for staff. Hearing none, Chair Wharton inquired if there was anyone to speak in support of the application and to please state their name and address for the record.

Thomas Dotson was sworn to provide testimony and consented to the remote meeting.

Thomas Dotson, 2208 West Cone Boulevard, advised since the submission of the application, he was able to obtain aluminum windows and would like to replace all of them to get it back to the original style. The order has not been placed as he wanted to obtain approval first. Mr. Dotson stated he is good with obtaining a new door but has found one matching the original. Mr. Dotson advised when the house was purchased the home, the windows were already in place.

Chair Wharton inquired if there were any questions of the applicant. Mr. Arneke inquired if the window on the front, first floor, was there when he purchased the home. Mr. Dotson responded that was correct. The one on the top is the original, the bottom one was replaced before he purchased the home. Mr. Arneke asked if the French doors in the back were new. Mr. Dotson responded the previous owner put them in but they are not planning to replace them unless they need to. Chair Wharton asked if the windows found were the ones recommended by staff. Mr. Dotson responded the bigger windows were the aluminum horizontal sliding windows, some of the smaller ones he was not sure if they would be horizontal but are aluminum styled windows. Chair Wharton inquired of any other questions for the applicant. Mr. Arneke asked what was being planned for the large window in the rear. Mr. Dotson responded it was one large window completely cracked but is of the same aluminum style outside of it and is a picture window. The original one did not have markings or dividers, just one large window. Mr. Arnett asked if the door being replaced was one flush door. Mr. Dotson responded they found a solid flush door. Ms. Hodierné asked Mr. Dotson if he would mind providing a quick summary of the other renovations to

the side he undertaking. Mr. Dotson stated they are attempting to leave it as basic as possible and are attempting to match the paint to what it currently is and outside the grass would be as it is. There will not be changes to the balcony or anything like that. Ms. Geary asked if it was only the wooden elements being painted. Mr. Dotson responded that was correct. Chair Wharton inquired if there were any further questions for Mr. Dotson. Chair Wharton inquired if there was anyone else to speak in support of the application.

Arlen Nichols was sworn to provide testimony and consented to the remote meeting.

Arlen Nichols, 216 South Mendenhall Street, speaking on behalf of the College Home Neighborhood Association. This was unanimously approved by College Hill and read into the record, “The CHNA, College Hill Neighborhood Association, support this application and wishes to express gratitude for the applicants’ work toward improving this property. We have agreed that the structure does not merit strict enforcement of the Historic District Guidelines due to the era of construction but we do rely on the HPC to determine the most appropriate course of action based on the combined models of the guidelines.” Ms. Nichols requested to ask two questions of the applicant.

Ms. Nichols asked if Mr. Dotson found a mid-century style front door that could potentially be put in place and if so, could he describe that. Ms. Nichols stated historically there was a very flat roof and inquired if they were successful to determine ways to manage that and mitigate any issues that might come about for future water damage during the course of the renovations. Mr. Dotson responded he didn’t find a different door and if staff wanted to help him with that, he would grateful and willing to comply. He found a solid slate door like the one currently there. Mr. Dotson stated he was able to have the roof completely replaced and there is no water damage. They went back to the traditional flat roof resulting in no actual changes to the design. Ms. Nichols stated this is a very interesting property for everyone in College Hill. Advised Mrs. Deal designed the home originally and her husband built it and Mrs. Deal was very heartened by the fact that Mr. Dotson is striving to keep it in its original condition and to restore it property and keep it in very good order moving forward and thanked him for his work.

Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone speak in opposition to the application. Hearing none, Chair Wharton requested of the Commissioners if there were any discussions regarding the application. Chair Wharton stated with no discussion requested a Finding of Fact.

FINDING OF FACT:

Mr. Arneke moved based upon the facts presented in application 2358 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous within **Historic District Program Manual under Design Guidelines and that the staff comments in Guidelines, page 10, None Contributing Buildings, and Windows A-B, Under B pages 1-6**, are acceptable as findings of fact. Seconded by Mr. Arnett. Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernne, and Carter. Nays: 0).

DISCUSSION:

It was decided the conditions recommended by staff are sufficient and added staff should approve the applicant’s selections on the windows and door.

MOTION:

Mr. Arneke therefore moved that the Greensboro Historic Preservation Commission approves application number 2358 and grants a Certificate of Appropriateness to applicants BMS Investment Properties, LLC for work at 919 Carr Street with the following conditions.

1. Horizontal sliding windows matching the original be used and be aluminum if feasible and staff approve those selected by the applicant.
2. Consideration to be given to replacing windows that were replaced previously with the horizontal sliding windows.
3. The front door matches the design of the existing front door or be another mid-century modern style. The material should be either wood or fiberglass.

4. The large window located at the rear of the house be a picture window to match what was originally there.

Seconded by Mr. Arnett. Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodiernne, and Carter. Nays: 0).

3d. 207 North Park Drive (Approved)

DESCRIPTION:

Mr. Cowhig advised this is an application for 207 North Park Drive in the Fisher Park Historic District. The work to be done is the carport. This is a situation where garages or accessory structures are considered non-contributing and encroach into the setbacks. If the foot print is enlarged, it cannot be done without a variance. In the Historic Districts, a variance is called a Special Exception. The Commission would issue a Certificate of Appropriateness and if it meets 10 of the guidelines, a recommendation will need to go to the Board of Adjustment for a Special Exception for the setback requirements based on meeting the design guidelines, or meet the test of hardship, to be granted a variance from the Board of Adjustment. The carport is considered a non-contributing structure in the National Register of the Historic District and staff feels the proposed changes are sensitively designed and will be in character of the property in the Historic District. The construction materials will include stone and cement siding similar to the house. In converting this structure from a carport to a garage, essentially moving the storage space outside of the garage to allow for two cars to be parked. Staff feels this work meets the guidelines for **Non-contributing Buildings, page 57**, which states considerable flexibility is warranted when making changes to non-contributing buildings and under **Accessory Structures and Garages, page 36**, design new garage and out buildings to be compatible with the main structure on the lot and material design using existing historic outbuildings in the district. Staff felt it made sense to apply the construction guidelines to this project since this is a totally renovated building have the effect of a new garage. The **Guidelines, Material Style and Detail, page 76**, say in terms of material style and detail, design additions to be compatible with the original structure rather than duplicating it exactly. Mr. Cowhig stated the Commission will need to recommend a Special Exception to the Board of Adjustment as the carport is within 3” of the property lines and cannot be expanded.

Chair Wharton inquired if there were any questions for staff. Ms. Hodiernne asked if there were existing site condition photographs. Mr. Cowhig responded there are. A photograph depicting the fence and the side was displayed. Ms. Hodiernne asked if the photograph was taken from the adjacent property owner’s yard. Mr. Cowhig believed that was correct. Ms. Hodiernne asked if the structure was actually on the property line. Mr. Cowhig indicated the survey depicting the structure just about on the property line. Chair Wharton inquired of any other questions for staff. Seeing none, Chair Wharton asked for the applicant to speak.

Matt Bergeman was sworn to provide testimony and consented to the remote meeting.

Matt Bergeman, 207 North Park Drive, stated this property was purchased last year and is a non-contributing structure with an accessory building. In its current condition it is deteriorating and is not functional. The intent is to have become functional and add value to the property and keeping it within the historical perspective.

Chair Wharton inquired if there were any questions for Mr. Bergeman. Seeing none, Chair Wharton inquired if there was anyone else to speak in favor of the application.

Carl Myatt was sworn to provide testimony and consented to the remote meeting.

Carl Myatt, 213 North Park Drive, stated he was the architect for the project. Mr. Myatt stated he appreciated the Commission and staff’s work. Mr. Myatt advised the carport on the property line is an issue and are aware it will need to be before the Board of Adjustment. The Bergemans’ are aware they will need to have a portion of the building within 3 feet and new walls have to be non-combustible which they plan to achieve with metal studs and cement siding board. It is not an attempt to copy or restore the garage or carport to the existing building but are trying respect the building that was put there in 1980. Essentially the materials are being replaced, the roof is being replaced, and replacing the wood siding with cement board with the same width of 6 inches. There have been discussions with the property owners behind them as they may need to get on that property to waterproof a portion of the back wall. In Fisher Park, all of the water from Isabel Street washes across their lot towards the properties on North Park Drive resulting in a large amount of water running off into those backyards. Over the

years this building has deteriorated with the wood siding as it been somewhat buried 6 to 8 inches. There is a need for a water proofing coating on the new wall at the footing level. There is both a storage building out toward the courtyard in the back of the house to make it an element of the courtyard and are repeating the stone columns that are on the building at the front elevation and are truncated columns. The columns are smaller but still have the ceiling of the column and is the one element they are trying to bring from the existing building into the structure. That is an attachment to the garage and is not part of the original building.

Chair Wharton inquired if there were any questions for Mr. Myatt. Seeing none, Chair Wharton inquired if Ms. Hadden would provide testimony,

Keisha Hadden, 404 West Bessemer, advised the Fisher Park Association was provided the COA which was discussed. They did not see any issues with it and supported the application

Chair Wharton inquired if there were any questions for Ms. Hadden. Seeing none, Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone in opposition to the application. Seeing none, Chair Wharton inquired if the Commissioners had any discussion regarding the application. Mr. Arneke inquired if they will make a decision on the COA and then a recommendation to the Board of Adjustment. Chair Wharton responded that was correct. Two separate motions. Chair Wharton requested a Finding of Fact to be made.

FINDING OF FACT:

Ms. Hoderne moved that based upon the facts presented in application 2371 and the facts presented in the public hearing, the Greensboro Historic Preservation Commission finds that the proposal is congruous with the **Historic District Program Manual Design Guidelines, page 57, are sufficient as findings of fact as well as the Guidelines, page 36, Guidelines, page 76, 1-2**, are acceptable as findings of fact. Seconded by Ms. Lane. Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hoderne, and Carter. Nays: 0).

Chair Wharton inquired if there was any discussion regarding conditions. Seeing none, Chair Wharton requested a motion.

MOTION:

Ms. Hoderne therefore moved that the Greensboro Historic Preservation Commission approve application number 2371 and grants a Certificate of Appropriateness to Nicole and Matt Bergeman, 207 North Park Drive, with no conditions. Seconded by Mr. Carter. Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hoderne, and Carter. Nays: 0).

Ms. Hoderne moved that the Greensboro Historic Preservation Commission recommend to the Board of Adjustment that they approve a Special Exception for the rear yard setback and side yard setback to accommodate this proposal. Seconded by Ms. Lane. Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hoderne, and Carter. Nays: 0).

3e. Application #2372, 815 West Market Street (Denied)

Mr. Cowhig advised this application is for the Greensboro College, 815 West Market Street, requesting lighting of their athletic field which would require having four 50 foot aluminum poles. Two rows of lights to equal 10 lights on one pole and 9 on the other but would need to be confirmed by the college representatives. Mr. Cowhig depicted photographs of the athletic field from various angles. Mr. Cowhig advised the proposal is to add the lights to the athletic field. The lighting guidelines are divided into residential and commercial institutional. Mr. Cowhig state the one important consideration is the guideline that states the sight line should be designed and located to minimize the impact on surrounding properties. In looking at applications for Greensboro College, the introductions are the guidelines. There is guidance for institutional and commercial properties and referenced two factors that must be considered when reviewing an application. The first one and the one that only applies to this particular issue states “the functional needs of a commercial or institutional property owner must be considered. The property owner should be allowed to use the property in the manner needed as long as it maintains the character of the historic district.” Mr. Cowhig stated the guideline goes back to approximately 2001 or early 2000s when the Historic Preservation Commission overhauled the guidelines. At that time the relations between

the College and the Historic Preservation Commission and the Neighborhood Association were at a low point. Mr. Cowhig thought the college felt having to meet the regulations and guidelines were setting up a roadblock for them to fail their mission and was at the point to request being removed from the historic district. Negotiations took place and there was a committee composed of residents of the Historic District, Commissioners, and property owners who worked on the issues and the Commission decided to include something in the guidelines reflecting an understanding and provided assurance to the college that the College could do the things they needed to do to be successful. Mr. Cowhig stated that is the guide staff looks to in a case like this. Mr. Cowhig personally felt there are things that could be done to mitigate the lighting of the field such as establishing conclusively there would be no trespassing on the surrounding properties. Additional trees would help on that end of the field as a buffer. Mr. Cowhig stated Duke Energy has fixtures designed to confine the lighting to what the space needs to be. Mr. Cowhig stated these are staff comments. When he first saw the application, he thought it was stadium lighting but does not believe that is what these lights would be. Stadium lighting is much higher than the 50 foot pole. Mr. Cowhig felt there were mitigation steps that could be taken.

Chair Wharton inquired if there were any questions for staff. Mr. Arneke stated he did not see anything in the application that speaks to what the lights and light standards would actually look like. Mr. Cowhig responded an image was provided which came in the previous day and depicts an example of a 50 foot pole. There would be more fixtures on the area but it was an example of the pole and type of light fixtures. Mr. Arneke asked when did staff receive the application. Ms. Geary advised it was received on April 6. Mr. Arneke asked why were they seeing the picture now with the lights as it is difficult for the Commission and the neighborhood to make a judgement on the lighting without knowing what they look like. Mr. Arneke stated staff made their recommendation without a picture and the Commission cannot do that. At this point in the process, it is not appropriate and was not happy with that. Mr. Cowhig stated he understood that completely. Mr. Arneke stated the **Guidelines say, page 31, "Application Requirements, drawings, photos, or illustrations showing design and dimensions of proposed lighting fixtures."** Mr. Arneke asked if that was a requirement or not. Mr. Cowhig responded it is a requirement. Mr. Arneke stated his displeasure with the drawing not being submitted with the application and stated it was not a good practice. Chair Wharton responded that one thing that could be considered concerning the COA would be whether the Commission would need more detail in terms of the fixtures. Chair Wharton inquired if any other Commissioners had questions of staff. Chair Wharton advised Mr. Carter he was unable to discern what was being said. Ms. Geary advised Mr. Carter was requesting clarification regarding the timing of when the lights would be used. Chair Wharton stated the application mentions something about that. Mr. Cowhig responded in the application that the lights would be used in early evening hours, primarily during the winter months when it gets dark earlier. Mr. Arnett stated he thought the question was whether it was for practice or competition and it appears it is for both according to the application. Chair Wharton stated on the application "the intent of this installation is extension of practice and competition times from late September through mid-November and mid-January through March. Chair Wharton inquired if that answered Mr. Carter's questions. Mr. Carter responded but was not discernible. Mr. Clegg advised he believed Mr. Carter said the lights may or may not be within NCAA standards. Chair Wharton stated there may be a problem with NCAA but that would need to be worked out between the College and the NCAA. Chair Wharton inquired if there were further questions for staff. Mr. Arnett asked where there was a strip of land and trees was the property of the College or part of the public right of way. Mr. Cowhig responded he believed it was part of the College property. Mr. Arneke stated he believed it was in the public right of way because College Hill District funds were used to pay for that and would be limited to work in the right of way.

SPEAKERS FROM AUDIENCE:

Chair Wharton advised all of the participants on Zoom Chat will have a chance for them to speak for or against the application. Chair Wharton inquired if there were any more questions for staff. Seeing none, Chair Wharton stated there were a lot of names and will identify everyone first by staff and then everyone on the list. At the end of the list will inquire if there is anyone else to ensure everyone will have their say. Chair Wharton identified first those speaking in favor.

Robin Daniels was sworn to provide testimony and consented to the remote meeting.

Robin Daniels, 6923 Maynard Road, provided the background of the Greensboro College soccer team, football team, and lacrosse starting with the Price field property in 1998. The property was sold in 2013 and in 2015 the Greensboro College Board approved what is their official turf field currently. Football practices are in the morning before classes. Soccer shares the field sometimes staggering and sometimes on the field at the same time which limits the plays. When a game of one field interferes with the practice of the other, they have to try to practice at an off time and becomes difficult to have regular practices. Alternative sites are usually available but is not predictable. Greensboro College has had a 20 year partnership with Grimsley High School during which the fees paid for five games to be played there have risen from \$3,500 a season to \$15,000 this past season. The last meeting with the Grimsley Booster Club it was indicated that the fees would probably increase to \$20,000 moving forward as they are working to improve their facility. On a long term basis that level of investment for five games is unsustainable for the College.

Mr. Daniels advised the enrollment this past fall was 600 full time traditional undergraduate students, comprised of adult student and others, graduate programs but the 600 represents the student athlete population as well. Approximately 190 out of the 600 were on the roster for one of the teams that uses the field, representing about 32% of the total traditional undergraduate population. Adding all the sports and students participating in a sport it is approximately 55% of the total traditional population. Athletics is a significant part of the college experience for these students as well as their families. Students attend the College to get an education and participation in their chosen sport must be scheduled around the academic needs of the student. There are no athletic scholarships. The student athletes are students first, athletes second. Mr. Daniels advised of the hours for the majority of the classes and advised activities to support academic and general student development. To maximize opportunities for student athletes to participate in those activities, practices and games are scheduled after 3:00. Price Field was closed the football team practices before morning classes. Faculty complained students were regularly fall asleep, if they attended early classes at all. There has been a noticeable affect resulting with football having the lowest retention rate of any athletic team. Greensboro College is a member of USC conference in Division 3. NCAA schedules all of the conference games with the goal of minimizing missed class time and minimizing stress of travel for the visiting team which often means interference with practices and other teams requiring field time. When conflicts occur, the coaches must schedule a time for practice that may interfere with student development or academic support opportunities. It is the student's choice but are encouraged to err on the side of academics always.

Mr. Daniels advised the lights could eliminate the need for regular early morning practices that inhibit academic performance and could extend the amount of available practice time on weekdays in the fall after 3:00 p.m. as seasonal daylight diminishes and end by mid-November. The field use would not be extended after that time as typically the field use would be completed. Lighting would extend the amount of available practice time on weekdays after 3:00 p.m. until seasonal daylight increases sufficiently in the spring. Lacrosse players are the primary users in the spring and that extension would end early in the evening and be able to in earlier in the spring. The lights will only be used to extend the use of the field for athletic contests or practice activities. This is not something that was originally intended to be done when the new field was built but there are not enough daylight hours often. These are not stadium lights, they are field lights and do not need meet any NCAA competition level standards because it is extending their daylight time for practices primarily. In competition, if a game were to go into overtime and needed to have lighting at that end of that game, it could be provided. The Greensboro College philosophy is that College athletics should be done on Saturday afternoons.

Mr. Daniel advised Dennis Kernodle is prepared to discuss the lighting and distribution and deferred to him.

Chair Wharton inquired if any Commissioners had any questions for Mr. Daniel. Chair Wharton asked if he would be amenable, if the Commission were to approve this application, to conditions on the hours and times of year when the lighting could be used. Mr. Daniel responded they would be amenable as long as it allowed the practices in which would be somewhat variable in terms of the schedules. The goal is to allow the students to practice and then move on to whatever remains to be done in the evening as early as possible. Mr. Daniel stated he did not have a problem with discussing parameters. Chair Wharton emphasized the time scale for the lights to be installed was by late September. Mr. Daniels responded that was correct. Chair Wharton advised due to

technical issues would need to come back to that question from Mr. Carter. Seeing none, Chair Wharton stated Dennis Kernodle was next on the list to speak in favor. Dennis Kernodle was sworn to provide testimony and consented to the remote meeting.

Dennis Kernodle, 428 Auto Park Drive, Burlington, NC, advised has been in working with Mr. Daniels, who has made quite a few concessions in the design and followed the guidance of the City Ordinance. The angle of the fixtures minimizes the light at night and aimed the light to go down the field.

Chair Wharton inquired if there were any questions for Mr. Kernodle. Mr. Arnett asked what type of finish would be on the poles and if there was an option for a black finish. Mr. Kernodle responded the design is based around a galvanized finish which is standard. Ms. Hodiernie stated she saw the application stated each pole has 15 lights and asked if it would be 3 rows of five. Mr. Kernodle advised that was the original design and has been changed to some poles with two rows of five and the other two poles have five and three. The lighting revision plan is in the Commissioner's packet demonstrating that provision. Ms. Hodiernie stated in normal pole lighting there are shielding or shoebox fixtures on the poles so no one could trespass and inquired if there would be something similar on this type of lighting. Mr. Kernodle responded there is a study that will be done if the track line of the lighting is out of commission or unattended to be able to manipulate that with this shielding. Ms. Hodiernie asked if these poles would be mounted on some type of cement foundation or straight in the ground. Mr. Kernodle responded they are straight in the ground. Ms. Hodiernie asked if it is a true 50 feet from the grade to the top of the fixtures and everything. Mr. Kernodle responded that was correct.

Chair Wharton inquired if there were any further questions for Mr. Kernodle. Chair Wharton asked Mr. Kernodle if he could provide an idea if someone was walking on the sidewalk or first or second floor in the house across the street, what would they see in terms of light. Would there be glare or any light from the lights come in directly to homes or would they see glaring lights from their homes. Mr. Kernodle advised there may be a glare looking into the light but would not from within the home or street. The light coming off the field is almost non-existent, but the light in the middle of the field is like a lit candle. Chair Wharton inquired if there were any further questions for Mr. Kernodle. Seeing none, Chair Wharton stated the next speaker would be Alexander Elkan.

Alexander Elkan was sworn to provide testimony and consented to the remote meeting.

Alexander Elkan, 230 North Elm Street, wanted to point out the requirements for the application and the process. In relation to Mr. Arneke's point, it does not appear that there were photographs but the design was submitted with a name and site plan indicating the measurements are correct which is sufficient. Mr. Elkan stated he would like to speak in rebuttal. Chair Wharton inquired if he had anything else to add. Mr. Elkan did not.

Chair Marshall inquired of any questions for Mr. Elkan. Seeing none, Chair Wharton advised Anthony Meley was next to speak in support. Anthony Meley was sworn to provide testimony and consented to the remote meeting.

Anthony Meley, 6204 Reata Drive, Summerfield, advised Greensboro College did not ask him to speak on their behalf. He is part of the community and owns two homes on West McGee Street. He has student athletes attending Greensboro College and live in the community as well. Mr. Meley attended Greensboro College back in 1990 to '95. Mr. Meley advised student athletes at the school have very limited time. Some kids have to get up at 4:30 or 5:00 in the morning to practice when the sun is just coming up. It is a real hinderance for the athletes that have to go off campus to practice. To have lights on the campus would be positive for the community and the school. Mr. Meley advised he in the industry of lighting and can answer some of the questions. Stadium seating, the poles are over 100 feet tall. Here it will be 50 feet and lighting the fields. On a Friday night with football game happening, the lights in the parking lot are not from the stadium. The lights are illuminating the stadium grass. The light would not shoot into windows.

Chair Marshall inquired if there were any questions for Mr. Meley. Ms. Geary advised before moving to those in opposition, Mr. Carter called in via phone and referred a question for Mr. Robin Daniels. Mr. Carter asked how the City of Greensboro handles the scheduling. Mr. Daniels stated he believed it cannot be mandated that they play at night. Greensboro College does not want o play at night. The league typically doesn't want to play at night because that puts an extra stress on the visiting team many times and sometimes forces them to spend an extra night. The league is motivated to schedule the games earlier in the day which usually makes it better for travel and a better playing atmosphere. Even with lights, the league cannot mandate them to play at night if there are no compliant lights. NCAA requires a certain number of lumens to play a contest and the field will not be lit even near to that level.

Chair Marshall inquired if there was anyone else to speak in support of the application. Chair Wharton moved on to those in opposition and advised the applicant he will have the opportunity to rebut those speaking in opposition. First was the Neighborhood Association Representative, Arlen Nichols, who was previously sworn.

Arlen Nichols, 216 South Mendenhall Street, provided the official response from the College Hill Neighborhood Association which was a unanimous response from the prior Monday evening meeting on May 4.

“The CHNA, College Hill Neighborhood Association, strongly opposes this application for the following reasons:

1. The proposed lighting is incongruous with the Historic District character of College Hill.
2. There is great concern for inevitable light trespassing into neighboring property.

The Association requests that this application be continued for hearing during the time of regular business when attendance will not be severely restricted for the current pandemic. Very serious concerns have been raised regarding traffic safety as well as other possible zoning concerns. The Association requested that the Greensboro Planning Department delay this application until an adequate public discussion occurs for city departments such as Zoning and Code Enforcement as to the possible long term ramifications of such a project in an Historic District Overlay.

Chair Wharton asked if Ms. Arlen consented to the remote meeting. Ms. Arlen responded yes. Chair Wharton asked if the Neighborhood Association would like this continued until it can be heard in a non-remote public hearing? Ms. Arlen responded that was correct as they have elderly members that are not technological savvy and having to practice social distancing per the Governor’s order, they cannot go into their homes to assist them with technical issues in order to attend this meeting.

Chair Wharton inquired if there were any questions for Ms. Nichols. Seeing none, Chair Wharton stated the next speaker was Joe Wheby who experienced a technical delay and Chair Wharton moved on to Joy Watson. Ms. Watson advised she did not have anything to say in opposition. Chair Wharton moved on to Brian Crean. Brian Crean was sworn to provide testimony and consented to the remote meeting.

Brian Crean, 801 West McGee Street, Unit 8, stated he is the President of the Historic Wafco Mills Condominiums Association, a community of 28 properties inside the Historic Mill. Mr. Crean has lived in the Mills since 2002 and served on the Board for most of that time. They are opposed to this application for three primary reasons. The lights do not belong in an historic district. There is a debate whether these will be stadium or field lights, 50 foot poles with 10 lights on some and 9 on others appear as stadium lights to him. There have been photographs and would be interested to see them to ascertain if the lights are consistent with any of the existing lights in the neighborhood as they are not galvanized steel or 50 feet tall. Mr. Crean did not feel these lights are historically designed but has only seen the photo that was part of the application he reviewed on the city web site and has not seen the most recent photograph. Mr. Crean stated field lights, stadium lights, sporting lights in general does not speak to the mission of the community. They do not maintain the character of the historic district. Lights for the tennis courts are not as bright or tall as these being proposed. The second issue has already been mentioned and will continue to be mentioned by many more. Even if the lights are not pointing directly at neighboring properties, it will impact the livability and the property value of all of the houses and all of the condominiums. There are traffic and parking concerns. Greene Street is overrun at times on a Saturday afternoon with illegal parking, parking in no parking areas, and in front of fire hydrants. Parking is a related issue with the lights that would impact the neighborhood. Mr. Crean requested the Commission to think long and hard about voting on this too quickly as this will impact the neighborhood for years to come.

Chair Wharton asked Mr. Crean if he was requesting a continuance on this application. Mr. Crean responded that was correct. His Board is unanimously opposed and would suggest at least a continuance if there is not a firm vote against. Chair Wharton inquired if there were any questions to Mr. Crean. Seeing none, Chair Wharton advised the next person on his list was Leighsa Windsor. Leighsa Windsor was sworn to provide testimony and consented to the remote meeting.

Leighsa Windsor, 1716 Madison Avenue, stated she was opposed to the proposal. She felt there would be a significant impact to the surrounding neighborhoods, to include parking issues that are already an issue. There is the potential of trespass, as well as a significant negative impact to the property value. Ms. Windsor requested that the Commission vote against this application. If not voting against, to move for a continuance so more people can

participate. As Ms. Windsor understood, the announcement to this meeting was mailed out on April 28 and it is May 2 with an application vote. Ms. Windsor brought to the Commissioners attention that at the February 26 meeting at the Historic Preservation Commission it was stated a lighting project was probably several years down the road. Yet the application was submitted on April 6. Chair Wharton inquired if there were any questions for Ms. Windsor. Seeing none, Chair Wharton advised the next speaker would be Mary Hoyle. Mary Hoyle was sworn to provide testimony and consented to the remote meeting.

Mary Hoyle, 909 West McGee Street, apologized to the Commission as she was the person along with her neighbors who sent the letter and did not realize it was a misstep. Ms. Hoyle advised the reasons why they are in opposition to this application. Having a total of 60 lights on four 50 foot poles is completely incongruous with the Historic College Hill Neighborhood. Ms. Hoyle stated she was very concerned about the trespass lighting issue. Her home is directly across the street. There have been temporary lights at night at the playing field. There have been a lot of trespass lighting that comes into her living room, through the living room to the dining room and even into the kitchen. Any time those lights are in use, it will have a negative impact on the quality to the people living in houses where this will be an issue. Greensboro College indicates the lighting will be used in practices and competitions from late September through mid-November and from mid-January through March. In the event, or the unfortunate circumstances, that this application is approved, there will be long term effects. Ms. Hoyle stated she was very concerned that Greensboro College may be able to rent the playing field for other types of competition such as lacrosse tournaments or soccer tournaments. The field has been rented for those kinds of things and there would be nothing that could prevent them from doing that. Suddenly these restricted periods of time would come wide open. Ms. Hoyle stated in the event that the application was approved, to have it specified that they cannot go out of the timeframe placed in the application. Ms. Hoyle stated she is very concerned that this is being done quickly as new information has come out today that has significant impact. Ms. Hoyle agrees with the traffic issues and the more the field is used at night, the more concern there is. Ms. Hoyle highly recommends the Commission deny this application. If the application cannot be denied tonight, she would ask for a continuance regarding this application.

Chair Wharton inquired if there were any questions for Ms. Hoyle. Seeing none, Chair Wharton stated the next person to speak was Judge Richard Stone. Mr. Clegg advised he did not know Judge Stone's name. Chair Wharton advised the next speaker would be Janet Frommann.

Janet Frommann was sworn to provide testimony and consented to the remote meeting for herself but stated she knew a lot of neighbors would like to be her and they are not. The timeframe to have this meeting was too short. She was here to hear what everyone else had to say. Chair Wharton asked if she would have any testimony that would add information. The Commission has heard about trespass lighting, parking, and extended use of the field and asked Ms. Frommann if she had additional information to provide.

Janet Frommann, 1000 West McGee Street, lives across from the scoreboard, the speaker, and the lights. Ms. Frommann advised when she purchased the house, she was very happy to spend so much time on her porch looking at the city scape. There is a light on the College that looks directly into her eyes when she attempts to look out and has to shield herself behind things so she can sit and enjoy being there. If that is just one light and there will be two 50 foot poles with how many lights. Ms. Frommann is very concerned for her quality of life, investment of her property would go down. Ms. Frommann was concerned that she will not be able to enjoy her home as she has done and was the reason why she purchased this home. Ms. Frommann is very concerned the investment she has put into the home will continue. Ms. Frommann stated she would like to know if anyone knows how tall that light pole is. Chair Wharton advised there was a flag pole in the application. Ms. Frommann advised it was not in the application, it is in her face right now and if there appears there will be two more poles in her face. Ms. Frommann advised she is sitting rather high up on a hill looking directly at the pole and is very concerned she will be looking at not just poles but major lighting. The idea that it will not be glaring towards, she did not believe. Ms. Frommann stated she has other concerns but was sure other people would be addressing them. Chair Wharton inquired if there were any questions to Ms. Frommann. Seeing none, Chair Wharton called the next speaker, Mark Tarnacki.

Mark Tarnacki was sworn to provide testimony and consented to the remote meeting.

Mark Tarnacki, 810 Walker Avenue, stated he would like to express his opposition to the proposed lighting of the four towers at the College. Mr. Tarnacki's home is almost directly behind the proposed lighting. In addition, Mr. Tarnacki felt the towers would adversely contribute to the neighborhood's historic character. The towers would light up the night sky, bleed over the surrounding trees, attract crowds, unwelcome insects, and disrupt bird patterns, particularly during the critical migratory periods that just happen to align when you need them the most. Mr. Tarnacki expressed concern that there has been no study about environmental impact, impact of additional traffic, noise, light pollution, and no regard or study about community safety. Another concern is that once installed, the College will use these lights for non-college affiliated uses. Given the needs of the Colleges to increase their revenue, this will exceed the boundaries of appropriate use for the field in the community. Chair Wharton inquired if there were any questions for Mr. Tarnacki. Chair Wharton advised the next person on his list to speak was Dylan Spears. Dylan Spears was sworn to provide testimony and consented to the remote meeting.

Dylan Spears, 1506 Liberty Drive, and owns for the past 8 years, 100-H Walker Lane located across the street from the community there. Mr. Spears stated he has lived in Wafco Mills for the past years. Currently is the President of Wafco Mills Condo Owners Association, representing 66 property owners, all of whom live within both eye and earshot of Pride's Field. Mr. Spears advised he just found out about the College's intention to install lights on Pride's Field within the last few days. They have not yet been able to convene as a community to discuss all of the impacts of the impending light solutions. Mr. Spears advised he has received concerning notices from multiple members in the last few days and is truly unable to speak at this time on behalf of the community as a whole. Currently a board meeting is being scheduled, however following the protocols that are necessary and laid out by the COA bylaws to conduct such a meeting, takes time and was not feasible prior to this meeting. The community was beyond shock that this was being voted on at this meeting. They are property owners, not tenants. Mr. Spears requested to have additional time to have discussions within their community prior to any decision being made. This meeting was anticipated as being their meeting and being held no later than May 21. Mr. Spears also asked that any permanent decisions made be extended until after that time. As a homeowner with regards to Pride Field, multiple members of their community have previously expressed concern over the sound evolution from both loud music on speakers and whistles as early as 5:30 in the morning. With the ability to illuminate Pride Field and in return the surrounding city block, this disturbance can continue well past the time that most of the neighboring community is trying to rest. In the past, Greensboro College has rented the field for non-athletic purposes, along with the athletic events, approximately four athletic events. Greensboro College has a class action so their intention is to use the field as a revenue stream and one that would be significantly more advantageous to rent with proposed lighting installed. This would all happen at the expense of the surrounding residential community. Greensboro College athletics continually disrespects the community with such actions as allowing the field lighting to take place and would embolden their brashness. Mr. Spears stated Greensboro College continues with their past track record of asking for forgiveness rather than permission with the removal of trees as they would like to describe. These types of actions should not be rewarded. Mr. Spears is a huge supporter of athletics and understands why Greensboro College wants to illuminate Pride Field. The impacts to the surrounding community are severe and need to be strongly considered. Greensboro College current lights are visible from our community at the present and the athletic fields are mostly encompassed within the university campus. Pride Field is 49 yards from the Wafco community and only half of that from other residential homes. Most who reside in the area live here and are not renting property to others. Mr. Spears requested the Commission to please take the things he has mentioned under consideration before making the decision and ultimately delay the decision until the 66 members, all of which will be significantly affected, are able to discuss options. There have been many questions regarding the application, information was just provided today, and back in the February meeting it was said lighting was going to be years away. It very much appears this is the "I'll be rushed theory", perhaps because a virtual meeting is necessary and the community is not out and able to be vocal. Mr. Spears asked the Commission to consider everything. Students are important but there is more than 600 people in the neighborhood being affected. Chair Wharton inquired if there were any questions for Mr. Spears. Seeing none, Chair Wharton advised the last person on their list was Wanda Freeman. Ms. Freeman was sworn to provide her testimony and consented to the virtual meeting.

Wanda Freeman, 621 Walker Avenue, stated she believed as several others have said that this is a bad idea. She is opposed to the project for a number of reasons which have already been stated. Ms. Freeman is very concerned

with both the light pollution and noise pollution which are not only very incongruous with the neighborhood being an historical and residential neighborhood. Ms. Freeman stated it will cause the residents and animal wildlife stress to their mental and physical health. The noise pollution comes also from the practices, and bands. Ms. Freeman hears a lot noise pollution from things that go on now without the lighting of the field such as excessively loud speaker music being piped in and heard through the neighborhood. From where she is located, she cannot see the field, she is able to see the lights through the night sky lit up. Ms. Freeman is very concerned in how that will affect the quality of life. Ms. Freeman felt it also posed the potential for safety concerns such as traffic, trespassers, and so on. This is not a good idea for their neighborhood and implored the Commission to please vote unanimously against this project. If the Commissioners cannot do that tonight to continue this case and allow the stakeholders in the neighborhood to receive adequate notice in an appropriate time to talk about this. Chair Wharton inquired if there were any questions for Ms. Freeman. Mr. Clegg advised Joe Wheby was present. Joe Wheby was sworn to provide his testimony and consented to the virtual meeting.

Joe Wheby, 405 A, Fulton Street, stated he is the owner and occupant of 405-A Fulton Street for over 15 years and can throw a rock to the athletic field from his front stoop. Mr. Wheby stated he adamantly opposed the COA for the lighting. The request is incongruous with the historic district zoning. Mr. Wheby reviewed the survey in the past few days and there are 33 residential properties that are within line of sight of the athletic field. A lot of the properties are elevated above the sealed grade and would be looking down on the property. Mr. Wheby went to the Guilford County Tax GIS data base and pulled up the 33 properties and added the tax property value and comes to over 5.4 million dollars. Property values in this neighborhood have continued to appreciate in the last few years. One of the reasons for the increase is there is a strong appearance of the zoning regulations. Approximately 3 years prior, Greensboro College removed the athletic fields natural grass and replaced with artificial turf. Since then, residents have seen a significant uptake in the field's usage, bringing in more traffic, noise, and parking issues. He and the neighbors have observed youth soccer events and other events that the field is rented for non-school functions. Mr. Wheby feels this type of activity will expand into the evening hours. In looking at the web page of the Greensboro Historic District program, the frequently number one question asked and quoted, "the purpose of the regulations is to protect architecturally significant buildings and the neighborhood setting." Mr. Wheby stated installing 50 foot light poles with 15 lights on each in the open space of that field in the courtyard of the College campus and adjacent with the College Hill neighborhood does not protect architecturally significant buildings or the neighborhood setting. Mr. Wheby stated he opposed the COA and request the Commissioners to deny it. Chair Wharton inquired if there were any questions for Mr. Wheby. Chair Wharton advised he has reached the end of the list of those opposed. Chair Wharton asked if there was anyone else present to speak in opposition that had not spoken already. Ms. Nichols asked if she could provide her personal testimony as she was speaking on behalf of the neighborhood previously.

Arlen Nichols, 216 South Mendenhall Street, stated there were a few additional points. Some of the primary concerns was if this was approved, there would be significant light pollutions, sound pollution, litter, ash pollution from increased traffic, and parking issues which also creates significant safety issues not only for residents but also the people attending events at the College. The lights are not in keeping with the historic nature of the neighborhood. With regards to time and usage of these, the application is stating limits on usage, the neighborhood strongly believes once they are approved and installed there would be no enforcement mechanism for the use by the College. Greensboro College has rented the field to outside parties and it appears if this was to be put in place, they would be able to do that as well with no real enforcement which would be a major concern. This is a large tax base for the city. The neighborhood invests a lot of money in their property maintaining the historic nature of the College Hill Historic District. Property values have continued to rise in the last 3-5 years in particular. The neighborhood believes that should this COA be approved it would have a very negative impact on the property values in College Hill. Chair Wharton inquired if there were any questions for Ms. Nichols. Chair Wharton inquired if there was anyone else present to speak in opposition to the application. Seeing none, Chair Wharton advised Mr. Daniel he had the opportunity to rebut.

Robin Daniels, addressed the rental concerns and stated Pride Field has tremendous use by their own students. There have been a couple of high school games on the field when their fields were too wet to play. They were called and did not charge anything for those schools to use their fields because that's part of being within the Greensboro community as far as they are concerned. Early on, the field was rented a couple of times and has been stopped. The artificial turf is actually carpet, made in Georgia just like every other piece

of carpet that gets put down in homes and it has a life. They are not interested at all in trying to generate revenue by wearing out their field with further use. Mr. Daniels stated he was perfectly willing to put in place constraints around that use. It would be strictly their college students and under normal practice times. Mr. Daniels stated there is no intent to try to rent the field out because he does not have enough management staff to oversee that type of thing. The coaches are responsible for their teams and that is who would use the field and is who they are doing this for. Mr. Daniel stated he wanted to make that very clear. Chair Wharton inquired if there were any other comments. Mr. Daniels responded not from him but Mr. Elkan may have something to say. Chair Wharton inquired if Mr. Elkan would like to speak.

Alexander Elkan, stated there has not been enough evidence submitted to the Commission and should be proved within the Guidelines. The applicants submitted the evidence showing why the guidelines within the application should be approved and the certification issued. The purview of the Commission is to consider the application based on the evidence submitted. The evidence provided is in compliance with the Certificate of Appropriateness. Aspects of the guidelines indicate one factor for consideration are the personal needs of the applicant. In regard to the engineering testimony regarding the lights, the guidelines indicate one factor that is to be considered under these circumstances is the functional needs to the commercial or institutional property owner must be considered. A property owner should be allowed to use the property in the manner needed as long as it maintains the character of the historic district. A number of folks have asserted that lighting will distort the historic district. The problem with that is the guidelines themselves set forth in the Design Guidelines, page 14, are written to ensure that alterations in a neighborhood setting will be handled in a manner that preserves significant architectural features and maintain the special character of the historic district. Mr. Elkan submitted the term determination related to the historic district is whether is in compliance when the guidelines

Mr. Arneke asked if the applicant has an opportunity to rebut testimony. Chair Wharton stated that was correct. Mr. Arneke asked if others would have an opportunity to rebut testimony as well. Chair Wharton stated his understanding is Mr. Elkan is the legal representative for Greensboro College and has the opportunity to do this rebuttal. Ms. Jones advised Chair Wharton he was correct. If Mr. Elkan is representing the applicant, a property owner, or someone else with standing, he has the opportunity to cross examine or rebut. Mr. Arneke stated nothing has been said about him being a representative of anyone but himself. Mr. Elkan stated he did introduce himself as an attorney in the beginning. Chair Wharton asked if he wished to continue. Chair Wharton inquired if he was a legal representative of Greensboro College. Mr. Elkan responded he was. Chair Wharton inquired if Mr. Elkan had more to stay.

Mr. Elkan responded the last he would say is the Commission should follow the Guidelines for Lighting which simply says that for commercial use buildings, the site lightings should be designed and located to minimize the impact to surrounding property. The lighting proposed would not be incongruous. Chair Wharton inquired if the Commissioners had any questions for Mr. Elkan. Chair Wharton stated anything that was raised in the rebuttal remarks by Mr. Daniels or Mr. Elkan can be rebuttal. Chair Wharton inquired if anyone in opposition wished to respond.

Dylan Spears, stated he understood Mr. Daniels' intentions in renting the fields but questioned if they would be willing to not rent. Greensboro College financial struggles has been very public. When it comes time to replace the turf that has been made, who is to say the decisions aren't going to be made so that it can be rented and will continue to be rented because it has been done in the past. Mr. Spears compared it to the rails portrayal currently going on in the city. It is about what can happen, not necessarily what will happen in terms of what should be deemed acceptable. Per Mr. Elkan's response, no way are the 50 foot poles represented in the historic community.

Arlen Nichols, stated there was an excellent point stated indirectly or directly in response to Mr. Elkan's last comment at 6:05 pm by Joe Wheby where he said "the college has been the College Hill Historic Neighborhood overlay and required to get pre-approval for changes to the historic nature of the neighborhood. While understanding Mr. Elkan's point regarding industrial use, they are trying to accomplish with the installation of these lights would argue they fly in the face of the historic nature, look, feel, and integrity of the historic district." Ms. Nichols stated she has deep appreciation for city staff and folks in the Planning Department, Mike Cowhig and Stefan-Leih Geary in particular who work very hard to protect those in the historic district, the values, and integrity of the historic district. Both are always consistent in making

detailed presentations that weigh the applicant's arguments. Staff relays facts and details the applicant has not relayed to the parties hearing the application. Ms. Nichols respectfully stated if as Greensboro College is arguing that there would not be light trespass from the installation of these poles and the number of the lights in the way that they would be directed and claiming there would be no light trespass. Why would they need to hide the fact that there had been large trees planted, they weren't large planted years ago, along the West McGee Street neighboring the fields. Why would there be a consideration for extra trees and highlight the fact they are there and were planted in conjunction with MSD funds. Ms. Nichols believed she heard more needed to be planted to shield from perspective light trespass. Chair Wharton advised Ms. Nichols she was not rebutting what has been said here but are rebutting staff comments. Ms. Nichols apologized.

Chair Wharton inquired if there was anyone wishing to respond to the rebuttal of Mr. Daniels and Mr. Elkan.

Wanda Freeman, stated she was going to rebut Mr. Elkan's assertion that all of the property owners should be able to do what they want to do basically. Ms. Freeman respected that but stated any property owner does not live in a vacuum. The College within a historical neighborhood affect many people as property owners. There is more to the College Hill neighborhood than just physical designs.

Chair Wharton inquired if there was anyone wishing to respond to the rebuttal of Mr. Daniels and Mr. Elkan. Seeing no hands, Chair Wharton stated they will move on to the Commissioners discussion. Chair Wharton requested to hear from the Commissioners thoughts. Their charge is to approve or approve with conditions, deny or continue.

DISCUSSION:

David Arneke, stated he did have some sympathy for representatives of the neighborhood who want to continue this. Today was the first time the light poles were shown indicating what they look like. Mr. Arneke stated he would very comfortable going ahead and rejecting the application. Mr. Arneke stated he did not feel there could be 50 foot galvanized light poles within a few feet of the street and claim it does not affect the character of the historic district in a negative way. Mr. Arneke did feel lights could be created in such a way that would fit the character of the historic district. If the lights were not so close to the neighbors, he was not sure he would object to it. It would depend on how close and intrusive, what they look like, what they are made of, and would they negatively affect the character of the historic district more than it would benefit the College. There are alternatives for the College. Fields in other locations have been used in the past. No evidence was presented that they could not use other fields. Evidence has been provided that they would rather not but this situation is not like a previous one where a college came before the Commission and stated there was an absolute necessity that they have a digital greeting sign on their property on West Market Street. A necessity for them to compete successfully for students. In this case, there are alternatives and no evidence has been put forward that they could not find another place within the community to have practices run beyond sunset. Mr. Arneke stated as a Commissioner, the most critical point is these lights would be completely inappropriate for the historic character of the neighborhood. Particularly because they are so intrusive and will be too much of an intrusion on the historic character to have the poles right there. If the majority of the Commission wants to continue this request, that is fine. The Commission has all of the evidence needed to reject the application now.

Linda Lane, stated she was leaning on behalf of the College. She is a Fisher Park resident and has the same issues. Ms. Lane requested everyone to think about the baseball stadium in town right in her neighborhood and she did not find it oppressive. Ms. Lane stated she felt for Colleges overall that are going through extremely huge financial difficulties currently. This would be one measure that would help the College and Ms. Lane felt it was appropriate. Ms. Lane stated if it came up for a vote on this date, she would vote for the College. If it is continued and no vote is taken, there will be time for more evidence to come forward that may sway her position.

Amanda Hodierna, stated this is a balancing act. The compelling tipping point is the right thing to do what they need to do, in order for the College to have their property function in the way they need to and not negatively affect the historic district character they are located in. Based on everything she heard at this meeting, it comes down to the visual impact with the 50 foot light poles and the light trespass. The hours and the use for competitions can be controlled. It can be conditioned and enforce it. The applicant has stated they are willing to do that and the Commission could have that discussion if it gets to that point. Ms. Hodierna stated she was focused on the visual impact and the light trespass. There has been no evidence to make a

determination in terms of what the lights will actually look like. A street scape rendering would have been useful. A 50 foot galvanized light pole is a daunting thing to imagine but it could possibly be not as bad. The fear of the unknown is warranted. Helping the Commission and the neighborhood to envision that and understand the impact to the character would be very useful. Ms. Hodiern stated she understood the lighting plan but it is hard to conceptualize. It would be useful to have some point of reference that allows everyone to interrupt that data and testimony and put it in context. What are the lumens at the Target shopping center parking lot and other places within the area. A comparison needs to be made against others within the neighborhood. Ms. Hodiern did not feel that she knew if there would be light trespass or not. For those reasons, she would be open to a continuance if the applicant would be willing to bring the type of evidence mentioned. Ms. Hodiern stated Mr. Arneke made a great point regarding the alternatives available and would like to have evidence on that as she agrees with Ms. Lane that the Commission does not want to hamstring the college here and there needs to be a thriving college experience for Greensboro and their students. College Hill is named for the colleges and Greensboro College is one of them. There is a need to bolster and help the College as there would be a major impact if the college could not maintain sports. Ms. Hodiern would like to see evidence for other options and stated she was not inclined to grant a continuance based on the Pandemic circumstances. It is not ideal for folks but this has been a large turnout for the Commission and felt there has been a great representation and thanked everyone for the job. She would hate to curtail an applicant's due process. The Commission needs to keep things moving forward as long as it is reasonable as this venue is.

Max Carter, stated he is in favor of a continuance. Mr. Carter stated he is very sympathetic to the neighborhood and the impact this could have on them and is also cognizant of the challenges to smaller colleges like Greensboro. In speaking to John Newsome was told Mr. Newsome anticipated that about 10% of America's small liberal arts colleges will go under in the next few months if this Pandemic continues. It appears the Pandemic could impact into the fall the sports programs. Mr. Carter stated he did not feel the City of Greensboro wants to lose Greensboro College, the College where 55% of the students are athletes and if adversely impacted Greensboro goes under. The College cannot be tuition dependent to survive if 55% percent of their student body does not come back or if there is trouble recruiting 55% of the student body. For those reasons, Mr. Carter is hoping a continuance would give both the neighborhood, the city, and the college opportunities to explore other avenues of comprising on lighting, timing, other spots. To get together and hash out the fact this adversely affects everyone. Mr. Carter currently is in favor of a continuance and could not vote either way right now.

Jesse Arnett, stated the first thought is the nature of the historic districts that the Commission is asked to administer. These districts encompass both residential properties as well as commercial and institutional. All are stakeholders in the historic district. Mr. Arnett is sympathetic to Greensboro College needs as an institutional and the use of the property and is also sympathetic to the neighbors who would be impacted by this proposal. Mr. Arnett stated there were issues brought up in regard to curfews and noise issues. Mr. Arnett understands the impact on residents but does not feel they are relevant to this particular proposal. Mr. Arnett stated from what he has heard from the lighting consultant there is a good faith effort to minimize the impact but that does not mean there will be no impact. Mr. Arnett would not object to a continuance. If a continuance is granted, Mr. Arnett would like to have a specific proposal of the lighting poles and would want to know if there are other options beyond the standard galvanized pole that could be more sensitive visually. Discussions have been held on restrictions on the use of the field and if the continuance is granted, he would like for the applicant to come back with a specific proposal for restrictions on the use of the field. Mr. Arnett, felt, as several people testified, a continuance would allow the various neighborhood groups more opportunity to digest this proposal as this is something with a large impact on a large neighborhood area. Mr. Arnett advised he would not object to a continuance but added the applicant has satisfied the requirements of the Guidelines in the application.

Chair Wharton thanked everyone for their participation in the very long virtual meeting and everyone's civility in a very contentious case. Chair Wharton stated his own experience in living in a historic district that used to have a minor league baseball team and stadium on the edge of the neighborhood with night games. Some may remember that when not only baseball left, the stadium in the former Aycock neighborhood, the reaction of the neighbors was to do everything they could to keep those night games going as they felt it was a great thing for the neighborhood. Chair Wharton understands living in College Hill, they don't have to feel

the same way about sporting events in your neighborhood. Chair Wharton stated he did not find anything detrimental to the character of the historic districts. With respect to the neighbors and the concerns regarding the different uses in the field, Chair Wharton felt that the applicants have made a decent case that it can be congruent with the historic guidelines, but in order to make it work there will need to be very detailed agreements regarding the hours of use, who could use the field, and the times it would be used. Chair Wharton did not think there would be a good job of working those things out at this meeting and is favor of a continuance with the recommendation that the College and the neighborhood work together as best they can to develop guidelines. Chair Wharton is aware the neighborhood does not want the field to be used that way and suggested talking with the College to attempt to mitigate the negative impacts of the use. The Board would have something to look at as currently the Commission does not have the best information. From the neighborhoods' testimony that they felt that they did not have enough time to react and would like to have a continuance so information can be provided that the other Commissioners have spoken to regarding the appearance of the poles, use of the field, hours and the seasons in use.

Ms. Lane asked if they were being asked to vote on this and not the continuance and if they would be done together. Ms. Lane advised she would be in favor of taking a vote and possibly having conditions to be worked out as part of the approval, if it were to be approved. Ms. Lane stated she was unclear on the process. Mr. Arneke responded and stated he would be absolutely against approving something for Greensboro College in the hopes that they would provide reasonable compromises and felt it would be inappropriate. Ms. Lane stated that they, as a Commission they can determine certain conditions that are not detailed tonight due to the time. Chair Wharton stated if the Commission approved it with conditions, then the conditions would have to be stated now. Chair Wharton felt the Board is moving toward approving the conditions but rather than coming up with conditions and hours of use, seasons of use and other things on the fly, suggested the neighborhood and the College could get together and achieve a clear idea and bring to the Commission some possibilities for that to be approved. Mr. Arneke stated that was perfectly reasonable but estimated the chances of that to happen would be about zero. What was heard tonight a great lack of trust on the part of the neighborhood toward Greensboro College. Delays that Greensboro College has treated the historic districts, particularly lately, is not the kind of behavior that engenders trust. Greensboro College consistently comes before the Commission with after the fact COAs. Chair Wharton interrupted as he felt that what Mr. Arneke was saying could be prejudicial to his ability to vote on this issue. Mr. Arneke responded what is he saying is what the neighborhood has experienced. There is no trust between Greensboro College and the neighborhood. Chair Wharton stated he was hopeful for the parties to get together for talks and bring to the Commission possible conditions. If the neighborhood did not want to meet with Greensboro College, perhaps they could come up with conditions regarding hours of use, appearance of the pole. To provide the Commission with more information regarding the visual effect of the poles which would provide a better idea resulting in a better decision at that point. Mr. Arneke stated he did not think the neighborhood would refuse to talk to the College but it appears there is not much trust between the neighborhood and the College.

Mr. Arnett advised he was in agreement with Chair Wharton in that if this was approved with conditions, those conditions are better coming from the stakeholders than coming from the Commission. A continuance would provide an opportunity for that to happen. Whether it does or not, is up to the stakeholders. If they come back before the Commission at the next meeting without an agreement, at the point the Commission will determine the conditions. Mr. Arnett did feel the Commission was the best qualified to develop specifics that would be fair to everyone involved. Chair Wharton stated the Commission has tried to do detailed conditions on the fly and very often does not work out well. These have long lasting effects both for the College and the neighborhoods. More information would be beneficial for both parties. Chair Wharton stated he would like to see a motion for a continuance so the community and college can provide the information on what kinds of conditions on use. It would be better to hear from the community. Ms. Lane stated she felt proper notice was completed and the proper steps to get as much input. There has been a great outturn of people speaking up. If this application is continued, it needs to be addressed for everyone to reach a decision.

Chair Wharton asked Ms. Geary when the next meeting was and requested information regarding whether they would need permission of the property owner. Ms. Jones advised the Commission did not need the consent of the property owner. Under the Land Development Ordinance, a continuance can be granted. Any application can be continued. If a decision is not made within 120 days of the application date, which was April 5, it will be automatically approved. Chair Wharton asked when the next scheduled meeting. Ms.

Geary stated they are planning to have the regularly scheduled May meeting. The unknown is whether that will be in person or under the virtual platform on May 27, 2020. Chair Wharton stated it could be continued to the May 27 meeting with the request from all parties to communicate and negotiate on conditions and more information needed. Ms. Jones suggested all the comments by the Commissioners who requested additional information on what the poles look like, what the lumens are, all of those issues as well. Ms. Jones stated the applicants and the opponents are aware that the additional information should be brought to the next meeting on those issues. Ms. Geary advised she has been taking notes and advised the Commission of the requested items for more information and stated the items to ensure nothing was missed. Chair Wharton added items to be included in the motion.

Chair Wharton inquired of Mr. Daniels if would have enough time to respond. Mr. Daniels advised he thought it would be fine and will do their diligence. For the record, he would be in favor of black poles as the felt they would be more aesthetically pleasing. Chair Wharton encouraged everyone to work on this as good as they good and hoped the Neighborhood Association and the College relationship improves. Chair Wharton requested Mr. Arnett to make the motion for a continuance. Mr. Carter advised Guilford College has two athletic fields. One lighted with practice lights and one lighted with stadium lights. It might be a good idea for someone to look at the differences and the impact.

Mr. Arnett moved that the Historic Preservation Commission continues application 2372 to the next regularly scheduled meeting on May 27, 2020 and the applicant bring additional information and testimony on the issues regarding the items Ms. Geary advised the Commission on. Seconded by Ms. Hoderne. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hoderne, and Carter. Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Wharton advised he did not have any items.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig advised he did not have any items. Ms. Geary advised staff will keep everyone informed as to what kind of format there will be for the May meeting. Ms. Geary stated her appreciation for the Commissioners' time and stated for people in attendance there were practice meetings and extra time spent in preparation for this meeting, particularly David Wharton. Ms. Geary stated Chair Wharton is their leader in this effort and did an impeccable job of making this meeting flow very well. Ms. Jones added they do appreciate Chair Wharton moving forward and exploring this new platform of holding a remote meeting.

Chair Wharton thanked everyone, the Commissioners, city staff, everyone who gave testimony. It was a great job.

SPEAKERS FROM THE AUDIENCE:

There were no speakers.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Arnett. Seconded by Ms. Lane. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hoderne, and Carter. Nays: 0).

Chair Wharton stated the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
May 27, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, May 27, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), Ann Stringfield (At Large) David Arneke (College Hill), Jesse Arnett) (At Large), Linda Lane (At Large), Amanda Hodierne (Fisher Park), and Max Carter (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Wharton welcomed everyone to the meeting. Chair Wharton inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Wharton advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting.

1. APPROVAL OF ABSENCES:

Mr. Cowhig advised Sylvia Stanbeck was an excused absence.

2. APPROVAL OF MINUTES, May 7, 2020 REGULAR MEETING:

Chair Wharton inquired if there were any corrections or additions to the minutes. Mr. Arneke advised page 3, Mindy Zachary, 604 Summit Avenue, did not identify her as representing the Dunleath Neighborhood Association. No other corrections were notated. Mr. Arneke made a motion to approve the May 7 minutes as amended, seconded by Ms. Hodierne. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, and Carter. Nays: 0).

Chair Wharton explained the order of business regarding Certificates of Appropriateness.

SWEARING IN OF STAFF:

Staff Mike Cowhig and Stefan-Leih Geary were sworn for their testimony.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2372, Lighting of Pride Field (Approved with Conditions)

Mr. Cowhig provided a brief history on the application from Greensboro College requesting to add lights to the athletic field, Pride Field. This is a continuation from the last meeting to allow the applicant to obtain additional information. The neighborhood and college personnel have met and appears to have been productive. Mr. Cowhig stated a comparison illustration has been provided by the applicant indicating various kinds of lighting for athletic fields, stadiums, and such. At the last meeting it was strongly urged for the college and neighborhood to meet in the interim. A meeting was held and some issues have been resolved. Mr. Cowhig reminded the Commission staff did vote in favor of the application and referred to the Guidelines on page 3, starting with the introduction and referred to condition guidelines about attempting to minimize light trespass for lighting the historic district. Those who spoke in opposition were concerned about the lights and maintaining the historic character of the neighborhood.

Chair Wharton stated he did have any questions and asked the Commissioners if they had any questions for Mr. Cowhig. Mr. Arneke asked if the power light poles in the historic district typically 40 feet. Mr. Cowhig responded they vary in height. Mr. Cowhig felt that most utility poles for cable and cell phone distribution are

probably in the range of 24 to 26 height. Chair Wharton inquired if there were any further questions for staff. Mr. Carter asked if Mr. Cowhig did not know what came of the meeting between the college and the residents. Mr. Cowhig stated he heard it was a very productive meeting and that was all he really knew. Chair Wharton inquired if there were any further questions. Seeing none, Chair Wharton stated the Commission will move on to the speakers.

The speaker was sworn and consented to the remote recording.

Robin Daniel, 6923 Maynard Road, Summerfield, thanked the Commission for charging the college with engaging with the neighbors regarding the lighting issue. Mr. Daniel also thank James Keith of the College Hill Historic District Neighborhood Association for responding positively to his request to meet and discuss. They met on May 21, 2020 and addressed not only concerns regarding the lighting, but issues of trust as cited by Mr. Arneke at the previous hearing. Both the college and neighborhood expressed a desire to move forward and developing a positive working relationship. Mr. Daniel stated he left the meeting encouraged. Mr. Daniel apologized to the WAFCO Mills residents as he did not realize that they were not represented by the Historic Neighborhood Association and did not realize here was a separate association for WAFCO Mills and therefore he did not reach out to them independently. Mr. Daniel stated he understands the response to concerns he forwarded to President Keith were distributed or sent to the WAFCO Mills residents. The number one issue was light trespass. A document was depicted sent out to the neighborhood after the meeting. The lighting proposal does meet the current code and ordinance for lighting of this type in this area. Mr. Daniel stated an updated photometric plan has been submitted indicating the foot candles at the property line showing no more than one foot candle of the light at the property line along McGee Street and is code compliant. The lights have been aimed a bit more toward the center of the field to reduce number of lumens and has been approved by the Engineering and Planning Department. Field lighting and hours of light would not exceed 9:30 pm, Monday through Friday, or past 6:00 pm on Saturday and would only be used in situations of reduced light moving into November and the fall. There are 3 teams playing in the fall. Some will not practice every day but will be playing games or away games. Whenever there are two teams needing to use the field, they will practice as early as possible and the field would not be in use that way every evening during the windows of August 15 through the third week in November or January 10 through the end of April. Mr. Daniel advised the pole color will be black and conical in shape and will look like the lamp lights on McGee Street. Everything that has been stated is in writing and the college has pledged to do, as they heard everything that was expressed loud and clear at the last meeting.

Mr. Daniel stated with all of the logistics involved, it will be prohibitive to use an alternate site for the five sports which are considered higher risk sports. Baseball will be off site as they do not require nearly as much equipment kept on site. The college is extending practice times for students already on the campus and should not generate any additional traffic around the campus at any given night. Mr. Elkin requested to have Mike Widerman, engineer who designed the photometric map, to explain the map.

The speaker was sworn and consented to the remote recording.

Mike Widerman, 113 James Circle, Eden, referred to the photometric which is not the correct but explained each of the poles are designated with lines coming out of them. At the top and bottom there is a designation of five fixtures and four fixtures on the left and five fixture and five fixtures showing a mounting height of 47 and 49 feet for the 50 foot pole that will be there. This was laid out using AGI 32 a top end software lighting design to meet the criteria of the light trespass on the McGee Street side depicted. The updated version of the drawing has the foot candle levels on the left side of McGee meets the criteria of no more than one foot candle of light trespass in that area. From north to south, on the current correct photometric plan, there are a couple of spots that show one foot candles and toward the bottom the rest are zero. The boxes represented on the outside of the drawing were a graphical representation of the fixtures and how they would be aimed. The lines on the drawing itself depicted the aiming point of the fixture on the field. The numbers listed in red are a foot candle level of light expected to be on the field at that particular point.

Chair Wharton inquired if the Commissioners had any questions for Mr. Widerman. Mr. Arnett asked these were measuring direct light or include reflective light. Mr. Widerman responded it is a direct light measurement. A grid was created of the field and that point reflects the amount of light that the program sees at that point. Ms.

Stringfield asked about the light color temperature. Mr. Widerman responded they were 5,000K. Ms. Stringfield asked what the height of the lights would be. Mr. Widerman responded to optimize the layout with the fewest number of fixtures, reduce the glare, and get the lighting levels needed in the center portions of the field, 50 feet is what was settled on for an optimal output, not to say that they may be adjusted. Achieving the light level in the center of the field was a challenge. Ms. Stringfield asked if the height could be reduced. Ms. Widerman responded not easily. Ms. Stringfield asked if hoods could be added to the lights to change the direction of light if necessary. Mr. Widerman responded the current proposal did not include any hoods but they are available. For this type of light and the distribution that it puts out, the aiming points of the lights are not straight out at a 90 degree direction. Part of the information shown in the boxes listed there, are the horizontal and vertical rotations of those fixtures that are aimed down at the field. They could look at adding hoods to the fixtures, if necessary. Ms. Stringfield felt it might be helpful, particularly after installation to have testing. Mr. Widerman responded hoods can be added at any time for any of the fixtures were creating lighting issues. Chair Wharton inquired of any other questions for Mr. Widerman.

Mr. Arneke asked Mr. Daniel if there was any consideration given to a portable or temporary lighting fixtures that could be put up as needed and then taken down after the event or practice session and preserved out of sight. Mr. Daniel responded they tried those two years ago. They have to run on diesel generators which is a problem noise and pollution wise. There are not poles tall enough that provide enough light except to shine straight out to get any lighting on the field. Mr. Arneke stated he was curious because ESPN use those lights broadcasting football games, as an example at stadiums that do not lighting. Mr. Daniel responded he did not know whether it would be within the college budget or not.

Alexander Elkan, 230 North Elm Street, Attorney for Greensboro College, advised he would reserve time for rebuttal.

SPEAKERS IN FAVOR:

The speaker was sworn and consented to the remote recording.

Arlen Nichols, 216 South Mendenhall Street, spoke for the College Hill Neighborhood Association. Ms. Nichols stated they extended sincere gratitude to Mr. Daniel, President of Greensboro College for inviting the Board members from the CHNA to join them on campus to openly discuss and address the concerns that were raised at the last HPC meeting and concerns regarding the lighting project that could potentially affect the College Hill Neighborhood, which also included WAFCO Mills Condominiums. Ms. Nichols asked Mr. Daniel if the memorandum was in the paperwork and included in the record. Ms. Geary advised she did not receive any type of document and was not sure if an agreement between the neighborhood and the college was within staff's purview. Ms. Jones advised anyone with standing can submit any documentation they want for the hearing. However there may be certain agreements between the neighborhood and the college that are not enforceable by the City for conditions imposed by the Historic Preservation Commission. Ms. Jones stated she has not had the opportunity to review the document to make a determination one way or another. Chair Wharton asked for clarification regarding if there are conditions attached to this application. Ms. Jones advised the private parties, the College and the Neighborhood Association, can come to their own agreement and they would have to enforce that agreement privately. There are only certain types of conditions that the Commission would be able to impose that is within their purview and thus the City Inspectors would be able to inspect and enforce. Ms. Jones stated some uses such as hours of operation can be regulated but is a difficult thing for the City to enforce when City Inspectors do not work 24 hours a day. Hours of operation with respect to the use of the lights could be done. Ms. Jones did not think the use of the field is within the purview of the Commission. It is a not COA for use of the field, the COA being sought to install light poles. Chair Wharton advised once they are at the point for conditions on the COA, the Commission will go through those issues at that time.

Ms. Nichols inquired if she could send the memorandum referenced to Ms. Geary to share with the Commissioners. The memorandum is a good faith working agreement that Mr. Daniel and others at the college presented to the Neighborhood Association and conditions they were willing to offer and were acceptable to College Hill. Ms. Nichols read the official response into the record. "CHNA advises that while generally believing this project to be not appropriate in the historic neighborhood and incongruous with the Secretary of Interior Guidelines. CHNA recognizes the special circumstances as an institution of higher education and the need for lighting on their athletic field at Greensboro College. CHNA will not oppose the application based on trust

that Greensboro College will strictly adhere to the conditions as outlined in Greensboro's College memorandum response to the College Hill's concerns in conjunction with the revised COA application and the hearing at this time."

Chair Wharton inquired if there were any questions for Ms. Nichols. Seeing none, Chair Wharton asked in opposition for those speakers to indicate. The speaker was sworn and consented to the remote recording.

OPPOSITION SPEAKERS:

Mr. Brian Crean, 801 West McGee Street, thanked Greensboro College as he was not invited to the college as he was inadvertently left off, but is glad to know of the changes. The College may have been somewhat late in reaching out to the neighborhood. At the last meeting Mr. Crean stated he was disappointed by some of the comparisons to the Grasshopper's stadium and the other stadium by Dunleath. It was important for everyone to remember neither of those stadiums are inside the boundary of either historic district. Mr. Crean stated other differences in parking lots, apartment buildings, a wider street and the Dunleath neighborhood is buffered by Yanceyville Street, also a much wider road, farmers market, office building and the comparison are not applicable nor should they be a consideration. The proposed lights will be tallest and brightest lights inside any of the three historic districts. They are consistent or congruent with any other lights in any of the historic districts. College Hill is next to downtown and not downtown. The lights will be glaring for 6 months inside the district. They are not acceptable within the historic district and if approved in the future, would easily be approved for Fisher Park or Dunleath. The college has been working closely with the Planning Department to address light trespass concerns. Everyone has been working in good faith. Mr. Crean believes the light trespass regulations primarily relate to the downtown area and not the city's own historic district overlay. The overlay guidelines would supersede the city's light trespass guidelines. It is an overlay and not an underlay and appears those guidelines would be the primary consideration. Mr. Crean read from the Lighting Section of the document. "The selection and placement of exterior lighting can be especially important in the historic districts because lots are generally very narrow and houses are closely spaced. Lighting on one property can easily affect neighborhood properties. Lighting of a relatively low height and light of low or moderate intensity is typically most suited for Greensboro's historic district. Power companies' security lighting usually is inappropriate for most residential locations because it tends to spread over into surrounding properties." These are the City's words. These proposed lights would be brighter than Duke Power. All of that light will bounce off the field and impact many homes in the neighborhood. The lights may not shine directly into rooms and windows but will change the neighborhood dramatically. Mr. Crean stated he likes to search for win/win solutions to problems in general. During the last meeting heard all of the issues Greensboro College struggles with. Pride Field wasn't always overscheduled. The Greensboro College football were recently formed in 1997 and did not even exist for 160 years of the school's history. The team has never had a winning record and in the past 3 years have finished in last place in the conference, winning 1 game each season. Six different coaches and now they want to install the highest brightest most expensive lights in all three of the Greensboro's historic districts so football players can still play. The lights won't save Greensboro College and even they could, is not the duty of the Historic preservation Commission. UNCG has been expanding and thriving without a football team. Mr. Crean stated he thought Greensboro College needs to rethink their athletic programs. These lights were not needed for many years and now they're needed to save the school and is not fair to the neighborhood and the lights will not be good for the historic character of Greensboro and will hurt property values. Mr. Crean expressed hope the Commissioners would follow the historic district guidelines according to the City Overlay.

Chair Wharton inquired if there were any questions for Mr. Crean. Seeing none, Chair Wharton called on Joy Watson. The speaker was sworn and consented to the remote recording.

Joy Watson, 907 West Wendover Avenue, stated she is an At Large member on the WAFCO Homeowners Association Board of Directors. The Board is not in favor of the lighting due to the impact to residents at WAFCO already impacted by the noise of outdoor speakers causing noise pollution to the residents and are not in favor of the lights going in.

Chair Wharton inquired if there were any questions for Ms. Watson. Hearing none, Chair Wharton called Wanda Freeman. The speaker was sworn and consented to the remote recording.

Wanda Freeman, 621 Walker Avenue, Unit B, considers herself a resident of College Hill and does not think here perspective would change if she did live in WAFCO or in that particular corner of College Hill. She can not see the but from where she lives can hear all of the noise and if she were to look up would be affected by the

lights in the sky. Ms. Freeman is opposed to the light project and is only speaking for herself on that. Ms. Freeman stated there is large opposition to having these lights in the neighborhood as it is incongruous and inappropriate that will cause more trespass light. Greensboro College has not been the most courteous of neighbors. She was pleased to hear the Greensboro College reached out to the College Hill Neighborhood Association and trying to rebuild community trust. Ms. Freeman stated if not the neighborhood's responsibility or the responsibility of the Commission to take care of Greensboro College financial health. She is opposed to this project but appears that it is going in that direction and is hopeful the relationship between Greensboro College and the neighborhood continues moving forward.

Chair Wharton inquired if there were questions for Ms. Freeman. Seeing none Chair Wharton requested the next speaker.

The speaker was sworn and consented to the remote recording.

Joe Wheby, 405 A, Fulton Street, stated he is opposed to the COA for Greensboro College regarding the lighting. A long term best interest in the historic neighborhood is not being considered enough. Allowing these lights will impact the full time residents and property owners for decades to come for the benefit of a few transient students that do not own property, do not pay taxes. This would be come a very slippery slope and opens the door to uncertainty in the future. There are 33 residential properties within the line of sight of the field. Of those 33 residents, there is a collective tax value of 5.4 million dollars. Mr. Wheby requested the Commissioners to take the full time residents and property owners in consideration and deny this COA.

Chair Wharton inquired if there were any questions for Mr. Wheby. Seeing none, Chair Wharton requested the next speaker. The speaker was sworn and consented to the remote recording.

Janet Frommann, 1000 West McGee Street, stated she was present at the last meeting and heard a lot of concern from property owners. Speaking for herself as a property owner finds this request to be untenable for her property being exposed to light and noise to 9:30 pm. Ms. Frommann understands the need for sports and Greensboro College need for those sports. Ms. Frommann feels the property values will go down. Sound travels within this community and when there are early practices, airhorns were also going off and then whistles. Ms. Frommann asked the time of 9:30 was arrived at. Ms. Frommann stated she feels like this will go through despite how much opposition there is to it. She was definitely opposed and felt like she is being annexed into the college instead being in the historic district. Ms. Frommann is concerned regarding trust issues even if it is in writing, and doesn't know where the PA will be and turned on. Ms. Frommann was told the anthem volume can be regulated. Ms. Frommann stated she would like to not have her quality of life so impacted.

Chair Wharton inquired if there were any questions for Ms. Frommann. Seeing none, Chair Wharton called for the next speaker. The speaker was sworn and consented to the remote recording.

Dylan Spears, 100 WAFCO Lane, stated he appreciated the opportunity to speak. As Mr. Wheby said, they are the tax paying citizens here in this area that are being affected. Mr. Spears stated part of what he will say that is changed is hearing the College Hill Neighborhood Association was able to meet with Greensboro College which was very encouraging to hear. Mr. Spears stated perhaps Greensboro College is changing its ways after 100 plus years. Mr. Spears would like to push on behalf of the WAFCO Mills Condominium Owners Association, as well as the Mill that Mr. Crean is the President of. They are completely separate from College Hill. There are four or five properties in College Hill that are closer to the college than WAFCO Mills and WAFCO Mills represent about 80 properties and are affected as anyone. The fact they were not invited to the meeting with the College is dead wrong. The past Thursday WAFCO Mills was having a board meeting of their own discussing the different members' opinions and thoughts regarding this. They too are very concerned of what may be taking place. After the last meeting, Mr. Spears was of the opinion that this was definitely going to get railroaded through. This does not belong in an historic society and violates the covenants of the Historic Society. Mr. Spears did not think it is right the college was told to meet with the surrounding community members and to reach out just to the College Hill Neighborhood Association. Mr. Crean and himself were on the call, and both identified themselves as being Presidents of the Boards, WAFCO and WAFCO Mills. Mr. Spears felt everyone is of the opinion that it is going to happen and is just a matter of what can be controlled because the Board is going to take other things into account.

Mr. Spears addressed Mr. Daniel and stated he hoped he would push the Board to extend this to allow Mr. Spears, Mr. Crean and Mr. Daniel to sit down and talk. He is willing to work something out with Mr. Daniel but there are

concerns that have not been brought up. Mr. Spears asked if there was any type of guarantee that the lights will be used at 6:00 on Saturday mornings. The airhorns are heard and is dark. Looking at the lighting plan, WAFCO Mills was told there was no direct lighting, no lumens or light sticks was the term used, but in looking at the numbers on the left side of the diagram, it is all 1 and that shows direct light landing on the hedges. The picture shown side by side it shows a class 3 buffer zone, which is wider than 40 feet and includes trees that over 50 feet tall. There is not even a class 1 buffer zone present were the lights will be going up. The updated drawing shown at this meeting, they are misled again by the college with the visual 40 foot utility pole as compared to lights and everything else. The gentleman from the City Inspector's office specifically said that poles and College Hill are not 40 feet tall and described as being in the 20's. They are not being given all the accurate information and are being told bits and pieces of what the College wants. In February, in the meeting of February 27, 2020, the college was talking about lights being years down the road. All of sudden with the Corona Virus, people aren't able to attend meetings in person and now the college needs lights. They were told at the last meeting that the college had somewhere between 600 or 800 students. Less than half of them are student athletes, and are talking about more or as many people affected people in the Wasco Mills Community alone than those that would benefit from the college. There is more to this and needs to have talks with the neighborhood directly adjacent to the property. Look at the bigger picture. They are open to talks but that is more to this. It is a known fact the school's financial situation.

Chair Wharton inquired if there were any questions for Mr. Spears. Seeing none, Chair Wharton inquired if there was anyone else to speak in opposition. Seeing none, Chair Wharton inquired of Mr. Daniel if would like to speak in rebuttal.

REBUTTAL:

Robin Daniel, advised the graphic with the comparative poles was provided to us by an architectural firm. Mr. Daniel did not go out and measure light poles. There was no intent to mislead anyone with that. Mr. Daniel apologized if that was the way it was perceived but it was not their intent. Mr. Daniel stated he did send the document. He had asked if he needed to amend the application and was told that he did not need to amend and to send the conditions that were discussed at the meeting. Mr. Daniel did submit the additional document Ms. Nichols referred to that he did read from and are the conditions that the college is proposing to live by in the use of the field.

Alex Elkan, 230 North Elm Street, stated in his view, structure and the text of the guidelines, the matter before the Commission is very limited. Page 14 of the Guidelines states the structure of the guidelines and how to use them in any case. The guidelines themselves were set forth and are written to ensure that alterations to build things that are needed in a neighborhood setting would be handled in a manner that preserves the significant architectural features and maintains the special character of the historic districts. As to this lighting proposal, the guidelines state on page 32 for commercial and institutional buildings. Number 3, the only one applicable, states site lighting planning should be designed and located to minimize the impact on surrounding properties. By doing so, that is the range of that the guidelines protect the character of the historic neighborhood. Mr. Elkan stated the presentation by Mr. Daniel was done by the lighting experts to show that the lighting has been designed and located to minimize impact. Greensboro College has proposed additional conditions that in Mr. Elkan's estimation go above and beyond what is required by the guidelines to minimize the use of those lights and further limit the impact on surrounding properties.

Chair Wharton stated that was the end of the public hearing and asked the Commissioners for discussion.

DISCUSSION:

Ms. Hodiernie asked Chair Wharton if he had received the additional proposed conditions that were mentioned. Ms. Geary provided the additional conditions on the screen which was displayed and read by the Commissioners and those attending the meeting. Ms. Hodiernie stated she couldn't remember everything that was addressed and seeing the document was very helpful and seeing exactly what was proposed. Ms. Stringfield asked if the adjacent trees are mainly trees on the McGee Street side of the stadium are on Greensboro College property or public

property. Mr. Daniel responded he believed those trees were on the right of way. He did not think they were on the college property proper, but will make sure to verify that. Ms. Stringfield asked if Greensboro College would add tall Evergreen trees, not deciduous trees along that property even if adjacent to the McGee Street sidewalk which in time would mitigate some of the light trespass. Mr. Daniel responded if there was room to do that to allow the tree growth, he was willing to look at that issue. He was thinking of around the southeast corner there could be some planting there. Ms. Stringfield asked if the lights could be shielded or hooded. Mr. Daniel responded the lighting engineer said that and would rely on what he says.

Mr. Arneke stated he does not see how 50 foot stadium lights would be in keeping with the historic character of the district. Talking about mitigating effects for the light that comes out of them but does not see how it can be ignored even a black pole could be accepted as being consistent with character of historic district. Mr. Arneke referred to Lighting Guidelines on page 33. If Duke Power lights are not appropriate for security, he did not see how these lights could be acceptable for the historic district even though they are for another purpose. The lights are a secondary issue as a resident of the historic district who is not directly affected, the point for him is these lights are simply not consistent with the character of the historic district or how it could be. Mr. Arneke stated he was disappointed that the college did not look possible alternatives. They do exist and are used for purposes on putting football games on television and there could not be any doubt it could generate a good amount of light. Mr. Arneke completed a Google search and found at least three vendors that could be an alternative and would not have a significant impact on the esthetics of the historic character. Mr. Arneke felt it was something that should be looked at.

Dylan Spears stated if the Commission makes the wrong decision in moving forward with this request to place some type of stipulation on it that if the college sells the property, the lights have to come down.

Chair Wharton asked Mr. Arnett to speak. Mr. Arnett stated that in the long term health and vitality of the historic district it's best to clarify individual property owners use their property to the fullest. The bottom line is on page 3, each of the districts includes not only residential but commercial and institutional uses as well. This variety helps make the Historic Districts unique areas of the city and contributes to their "spirit" and neighborhood character. Page 4, in carrying out its charge, the Commission must be careful to ensure that the rights of property owners are recognized and respected and full use of private property is guaranteed within the bounds of the guidelines. Page 9, The functional needs of the commercial or institutional property owner must be considered. The property owner should be allowed to use the property in the manner needed, as long as it maintains the character of the Historic District. Mr. Arnett felt that good faith measures have been made to minimize the impact to the neighbors and to address the neighborhood concerns. The property owners are the most important stake holders. Mr. Arnett feels the Commission is charged with upholding the guidelines because we believe the historic districts are a community asset and equally valuable to full time residents, transient residents, and other at large residents. Ms. Lane advised she agreed with Mr. Arnett comments and had nothing more to say that would bring anything new to this discussion. Ms. Hodiern stated she also agrees with Mr. Arnett in that the Commissioners are charged with considering the functional needs of the institutional stake holders and the property owners in the historic district and cannot throw that consideration out. Just as important is the requirement to maintain the historic district. Ms. Hodiern stated this is a painful decision. Perhaps there are more details to work out the physical appearance regarding the lighting and buffering. There is more work to be done to balance out the details. Ms. Stringfield referenced page 9, Commercial, Home, and Institutional guidelines state the functional needs of the commercial or institutional property owner must be considered. The property owner should be allowed to use the property in the manner needed, as long as it maintains the character of the Historic District. Ms. Stringfield stated she has two homes within a few blocks of stadiums and both have significant light intrusion and would like to make sure that is minimized. Mr. Carter stated he wished this could be a win/win and felt it could be. Mr. Carter was glad Greensboro College did meet with the College Hill Association and hope they were open to an extension of this to meet with other neighborhood as they have some valid concerns. Mr. Carter did not know if all alternatives had been explored. There are golf ranges that have screens that go well above 50 feet and wondered if there was some of screening that could be erected that would mitigate further the lighting impacting the closest neighbors. Mr. Carter stated one of the most important factors is Greensboro College itself is its own historical district. Greensboro College pre-dates College Hill, established in 1838 and is a valuable historical resource in Greensboro. That should be taken into consideration as there are extenuating circumstances. The football and soccer program are important recruitment elements in a college the size of Greensboro College and can add up to a quarter of its student body. It's important to retain them, and have adequate practice facilities

and should be taken into consideration. This historical property in and of itself is important to maintain. Lighting at times is a problem in a standard environment. It didn't exist in 1838 but times have changed as the college added football in 1997 in order to bolster its enrollment and has been successful in doing that. Mr. Carter stated he felt it needs to be maintained and not only because football guarantees at least one win for Guilford College each season. Chair Wharton stated in some sense this was a very difficult proposal because the impacts will have a profound effect on the neighborhood. Chair Wharton stated he was in agreement with what Mr. Arnett said that it does fall within the guidelines and the guidelines are pretty clear that the Commission needs to allow institutional property owners to do what they do. Greensboro College has made a good faith effort to go within the guidelines to make sure that the writing doesn't encroach. There is a difference between this kind of writing and the comments. It is imperative to minimize the encroachment of the lighting as much as possible. The question is, does this proposal maintain the character of the historic district. Chair Wharton stated the Commission specifically cannot regulate uses and the question is if this lighting is going to affect the physical environment significantly. Chair Wharton stated his opinion was that as far as the guidelines were concerned, it does not. Chair Wharton stated he was inclined to vote with conditions. Mr. Arneke stated no one seems to be concerned about how these things are going to look which will be the main aspect of the impact on the historic district. Mr. Arneke asked if he was missing something as these are 50 feet light poles and some will be about 20 or 30 feet away from houses. The aesthetics of that concern him and wondered why he was the only one. Mr. Arnett responded for him it was the fact that a black pole is available and a condition important to him was ensuring that the pole was black as it helps to mitigate the visual impact of the poles. He also felt they will be adjacent to an athletic field was not a usual sight. Mr. Arnett felt appropriate steps have been taken. Mr. Carter advised he echoed the sentiments of Mr. Arnett. With the exception of old Wrigley Field before 1988, you would expect to see light poles at athletic facilities. It is part of the environment of the college and is not unusual to see at a college. Mr. Arneke responded the UNCG and Guilford are not in historic districts. Mr. Arneke understood the functional needs of the institutional must be considered, but his reading was to consider. The Commission seems to be taking the point of view that the functional needs of the institution are the determining factor in whether to approve something. Mr. Arneke states just like with the digital sign on Market Street, Greensboro College's argument is we have to have this or the college will fail and this is an absolute necessity for us. There are alternatives and they could pursue the action of obtaining portable temporary lighting. Mr. Hodierna stated she was not swayed or compelled the notion of saving the college or this is what's best for the college. The Commission is not here to place judgements and ask them what they need to run their institution. The Commission has to accept the testimony, it was under oath and there were experts who run the institution that hired lighting engineers. Ms. Hodierna did see the need to look behind that other than to make sure the Commission has done their due diligence and feel it is a reasonable step. Mr. Arnett agreed that people come for additions on their home and they are not grilled if they really need that addition. Mr. Arneke stated he was not questioning the lights but was questioning if there is a way to achieve their objective without putting up the 50 feet light poles that will be there 24/7, 365 days a year. If there was an alternative it would have a lesser impact on the character of the historic district which is his point and it has not been pursued. Mr. Arnett stated he would counter by saying he felt the applicant has provided extensive testimony about the alternatives that they have used in the past and alternatives that they have evaluated and the reasons why they've come to this conclusion is that this was the best decision.

FINDING OF FACT:

Mr. Arnett moved that based upon the facts presented in application number 2372 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the historic district Program Manual found in Design Guidelines and that finding testimony followed the guidelines on page 3, 4, and page 9 and then in the Lighting Section, page 32, number 3. These Guidelines are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted to approve 6-1. (Ayes: Chair Wharton, Arnett, Lane, Hodierna, Stringfield, and Carter. Nays: 1, Arneke).

DISCUSSION:

Conditions were discussed on topic such as time limit on hours and to exclude Saturday and Sunday. Buffering and hooded /shielding to ensure the lights trespass was discussed. Ms. Hodierna inquired of Ms. Jones if there could be a condition for landscape planned element. Ms. Jones advised she was sure there was some type of an electrical permit that would be required to hook the lights up to electricity. Ms. Jones did not know that this would require any type of screening like a cell tower would. Ms. Geary asked if asking Guilford College to come back with a landscaping plan either at staff level or Commission level for approval providing for Evergreen screening

where possible on Greensboro College property and a plan to install the landscaping. Ms. Hodierne stated she thought staff could approve that. Ms. Stringfield requested a condition to ensure that these lights would be hooded or shielded to ensure that they are not trespassing into residential properties. Mr. Daniel stated they were held by a standard of a 1 foot candle. Mr. Daniel is concerned who determines what is encroachment. He does not know how the light trespass measures, but Engineering and Inspections has always had a way to determine that. Mr. Daniel is concerned about who would decide that standard. Trip candles were discussed in detail. Light hoods and shields were further discussed to mitigate the lighting in particular on McGee Street properties. Mr. Daniel stated they do have netting already in place on the ends of the field and would need to augment that. Netting is designed to get it to a C3. Mr. Daniel felt there was an opaque product to hang with the netting to help retain the light. Netting was discussed in detail regarding how tall it would be. Mr. Daniel will need to get the numbers. Mr. Daniel stated they will do whatever reasonable steps they can to mitigate light intrusion. The hours and days of operation was determined. Ms. Jones advised this application will go another process, if hasn't already, to look at some of the factors mentioned. Technical Staff will review everything and make their determination.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves application #2372 and grants a Certificate of Appropriateness to Greensboro College with the following conditions:

1. The proposed new poles have a black finish.
2. The college submit a landscaping plan for approval by City staff and that the plan will be installed and maintained.
3. The Greensboro College ensures in writing that the use of lighting will not exceed 9:30 pm., Monday through Friday, nor past 6:00 pm. on Saturday. There will be no use of lights on Sundays and Saturday morning prior to 8:00 am. There will be no PA system used with lighting.
4. The Greensboro College ensures in writing that use of field lighting will be limited to formally supervised student athlete activities during the active part of the year when classes are in session. Operationally this limitation means no use of field prior to August 15 or after November 21, during the fall semester. During the spring semester, no field lighting will be in use before January 10 or after April 30.

Seconded by Mr. Carter. The Commission voted 6-1. (Ayes: Wharton, Arnett, Lane, Hodierne, Stringfield, and Carter, Nays: Arneke). Chair Wharton thanked everyone for working through a very long and difficult meeting.

3b. Application #2359, 211 S. Tate Street (Withdrawn)

3c. Application #2379, 900 West McGee Street (Approved without conditions)

3d. # Application #2384, 701 Spring Garden Street (Approved without conditions)

DESCRIPTION:

Mr. Cowhig stated the applicants are planning to upgrade their service in the neighborhood which involves replacing some utility poles and adding some type of communications equipment, antennas, and such. There are two locations This is for wireless network upgrades and Verizon is utilizing the existing overhead utility system for the wireless upgrades. The pole is a little higher than the poles being replaced. The College Hill District is a thriving changing district where allowances have been made for changes. This request is somewhat of a reflection on the current technology with wireless services. Visual impact would be minimal. A number of existing items will be reused, leader boxes will be installed. These have been installed on public roads all along the city. In the historic district they have been placed in areas not easily visible from the street. This generally meets the guidelines in place for a public right of way. Images were depicted indicating how the pole would look.

Chair Wharton inquired if there were any questions for staff. Mr. Arneke asked what side of the street will the pole be on. Mr. Cowhig responded it will be on the Greensboro College side. The sycamore tree by the Greensboro College fence does not look very healthy but it is an important tree and will have someone look at it as it helps soften the impact of the pole. The Neighborhood Association did all of the planting and landscape on

that street using the MSD funds and Mr. Cowhig felt almost certain part of that location was part of Greensboro College's campus. The neighborhood felt it was important that the strip be landscaped. Mr. Arnett asked if it was only equipment located on the pole. Mr. Cowhig stated that was correct. Ms. Stringfield asked if the pole could be painted. Mr. Cowhig responded he did not know but representatives were here and could respond to that question. Mr. Arneke asked if these would continue to be wood utility poles. Mr. Cowhig responded they will be wood.

Chair Wharton inquired if there were any further questions for staff. Seeing none, Chair Wharton requested Pam Henderson to speak, but there was technical difficulty. Chair Cowhig stated he thought there was another representative from Verizon and requested Terry Land to come forward. Ms. Geary advised Terry Land was also available to speak in favor.

The speaker was sworn and consented to a remote meeting.

SPEAKERS IN SUPPORT:

Terry Land, 800 Oak Hall Drive, Holly Springs, stated this is an existing pole replacement with the intention to utilize existing poles whenever possible to reduce the impact of adding a new pole portion to the existing street light. The intention at this location is to replace the existing wood pole which is currently damaged. The pole would be replaced entirely with a brand new structure. The wood pole will not have any type of finish on it. That is restricted by the pole owner. The owners provide them with the replacement pole which is wood only. The antennas being installed are very small but are not able to be painted due to some of the technology involved with the poles. They will be reduced in visibility. All equipment that may be installed lower on the pole will be shrouded and covered from view.

Chair Wharton inquired if there were any questions for Mr. Land. Mr. Arneke inquired if the new pole would have the same risers going all the way up as the current does. Mr. Land responded it will. The existing equipment will be moved onto to the new pole and prepared for the existing pole owner. Two risers will be added and will cover up all of the cabling running up and down the pole. Mr. Arneke asked how tall the current pole was. Mr. Land responded the current pole was approximately 30 feet and they are proposing a 34 foot pole. There was a photo stimulation drawing provided representing the new equipment that would be installed. Mr. Arneke stated on the schematic it appears the top antenna tip is about 38 feet high. Mr. Land responded the antenna tip would be 38 feet tall and the top of the wooden pole structure itself would be 34 feet tall.

Chair Wharton inquired if there were any further questions for Mr. Land. Seeing none, requested the next speaker to speak.

Ms. Geary advised Ms. Henderson has been sent instructions on how to call in to the meeting. Chair Wharton requested Ms. Nichols to speak.

Arlen Nichols, 216 South Mendenhall Street, College Hill Neighborhood Association, stated the College Hill Neighborhood Association asked for her to read their official response to this COA 2380 and 2384. Ms. Nichols requested to do both as she has an engagement. "The College Hill Neighborhood Association relies on the Historic Preservation Commission to please utilize the guidelines that everyone living within the historic district uses, according to the Secretary of the Interior, and render the decision of this application based on those guidelines." Ms. Nichols stated they are neither in favor or opposed to the request and are relying on the Historic Preservation Commission to rely on the historic guidelines.

Ms. Geary advised Pam Henderson was available. The speaker was sworn and consented to the remote meeting.

Ms. Geary advised Pam Henderson was available. The speaker was sworn and consented to the remote meeting.

Pam Henderson, 7820 Marken Road, Charlotte, NC, stated this facility is simply a replacement wood pole which will have antennas. Ms. Henderson referred to the photo simulation in the packet depicting how the pole will look after it is completed. The position of the pole will not interfere with any other poles. The wood pole will be a natural wood color. Ms. Henderson stated probably the pole could be painted but not the equipment.

DISCUSSION:

Chair Wharton inquired if the Commissioners had any questions for Ms. Henderson. Seeing none, Chair Wharton inquired of Ms. Jones, Counsel, if there are two different opportunities for the speakers in support if they could be heard together. Ms. Jones stated not if there was no one signed up to speak. Chair Wharton inquired if the Commissioners had any discussion regarding this item. Mr. Arneke stated the risers would probably cover up most of the pole except for a few in the front. Chair Wharton inquired if there were any further comments. Seeing none, Chair Wharton requested to have a finding of fact. Ms. Stringfield inquired if 2380 and 2384 could be combined or were they totally separate. Ms. Jones, Counsel, responded the two hearings can be heard together but will need to make separate votes for each one. To be clear, they will be issued separate COAs. Chair Wharton asked Ms. Henderson if she had any further comments regarding the Spring Garden request. Ms. Henderson responded she did not. Chair Wharton asked Mr. Land if he had the same response. Mr. Land responded he had nothing else to add. Chair Wharton stated the Commission would vote on them separately and also separate findings of fact and inquired if someone would like to make finding of fact. Ms. Jones stated unless there are different conditions on the two, the Commission could combine the motion assuming everyone on the Commission is clear that they are voting on both items and two separate COAs would be issued. Ms. Jones stated assuming there are no different findings of fact or different conditions. Chair Wharton inquired if all of the Commissioners understood and asked if there were any different findings of fact or conditions for either application. All of the Commissioners responded they understood. Chair Wharton requested a finding of fact for both 2379 and 2384.

FINDING OF FACT:

Mr. Arneke moved based up the facts presented in applications 2379 and 2384 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the historic district program manual and design guidelines. Staff comments and Guidelines under Streets, sidewalks and the public right of way on page 20, number 6, are acceptable as findings of fact. Seconded by Mr. Arnett. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodieme, Stringfield, Arneke, and Carter, Nays: 0).

Ms. Geary advised 2379, 900 N. McGee Street, is the correct application number. The original agenda had 2380 and was changed in the documentation which was a staff error.

MOTION:

Mr. Arneke therefore moved that the Greensboro Historic Preservation Commission approves applications # 2379 and #2384 and grants a Certificates of Appropriateness to Verizon Wireless for work at 900 N. McGee Street and 701 Spring Garden Street without conditions. Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodieme, Stringfield, Arneke, and Carter, Nays: 0).

A brief recess was taken at 6:46 pm for a 5 minute recess. The meeting resumed at 6:51 pm.

3e. Application #2382, 312 Isabel Street (Approved)

DESCRIPTION:

Mr. Cowhig advised staff looked at the tree which appears to not be very healthy condition with visible evidence of damaged roots and strong evidence of sap which the City Arborist warns against. Judson Clinton advised he does not consider Magnolia trees as street trees in the way that oaks and pine trees in the neighborhood are, but are great trees. Staff supported the application.

Chair Wharton inquired if there were any questions for staff. Seeing none, Chair Wharton requested the applicant to speak.

The speaker was sworn and consented to the remote meeting.

Brad Crump, 312 Isabel Street, stated he would like to replace the magnolia tree in front of the house. Referencing the picture indicated where there was a Ginkgo tree planted last fall and would like to plant another Ginkgo identical to it on the other side of the walkway to replace the magnolia. Mr. Crump was hopeful the Commission will look at this as a two for one exchange. They have met with all of the

immediate neighbors and they are in support of the project. The Fisher Park Neighborhood Association is in support of the project.

Chair Wharton inquired if there were any questions for Mr. Crump. Seeing none, Chair Wharton inquired if Keisha Hadden wished to speak.

The speaker was sworn and consented to the remote meeting.

Keisha Hadden, 404 West Bessemer Street, stated because the tree is in poor health, the Fisher Park Neighborhood Association supports this COA to remove the magnolia tree and replace with a Ginkgo tree.

Chair Wharton inquired if there were any questions for Ms. Hadden. Seeing none Chair Wharton inquired if there was anyone wishing to speak in opposition to the application. Seeing none, Chair Wharton asked if the Commissioners had any discussion. Seeing none, Chair Wharton inquired if someone would like to make a finding of fact.

FINDING OF FACT:

Ms. Stringfield moved that based up the facts presented in application 2382 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the historic district program manual and design guidelines. Staff comments and the following **Guidelines under Guidelines for Trees and Landscaping on pages 23, 25, and 26**, are acceptable as findings of facts. Seconded by Mr. Arneke. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodierne, Stringfield, Arneke, and Carter, Nays: 0).

Chair Wharton inquired if Ms. Stringfield would like to make a motion.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application # 2382 and grants a Certificates of Appropriateness to applicant Brad Crump for work at 312 Isabel Street with the following condition.

1. The size and location of the replacement tree be approved by the City Arborist. The stump of the Magnolia should be ground to ground level. The replacement tree should be replaced by November 2020.

Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodierne, Stringfield, Arneke, and Carter, Nays: 0).

3f. Application #2381, 901 Magnolia Street (Approved)

Mr. Cowhig stated staff's opinion was this application is congruous with the historic district guidelines, although there is not very much guidance in the Guidelines for Solar Panels. A copy of the report produced by the National Trust for Historic Preservation was presented. It is a policy document and a practical guidance for allowing solar panels to be used on historic structures. These panels are sustainable energy sources and will be on the south facing slope of the roof. The panels will be black in color. The solar panels will not be easily visible on the roof and the impact on the historic structure and the district should be minimal. There will be no changes to the roof itself so no character-defining features of the house will be affected. That comes through very clearly in the solar panel report.

Chair Wharton inquired if the Commissioners had any questions for staff. Hearing none, Chair Wharton requested those speaking in support. The speaker was sworn and consented to the remote meeting.

James White, 901 Magnolia Street, stated they were going to try to do what they can to help with climate warming and climate change. They are excited as they finally have a property that has the southern exposure that makes this project possible. There are two other solar panels in Fisher Park that he is aware of. One is right next to him on Magnolia Street and the other right on the corner of Hendricks. North Carolina and Solar Now is the company they would like to use. They have provided some pretty extensive details on the project.

Chair Wharton asked if anyone had any questions of Mr. White. Seeing none, Chair Wharton requested the next speaker.

Keisha Hadden, Fisher Park Neighborhood Association, stated because the applicant meets the guidelines of North Carolina and previously approved solar panels in the neighborhood. The Fisher Park Neighborhood Association supports this COA.

Chair Wharton inquired if there were any questions for Ms. Hadden. Chair Wharton advised there is no one to speak in opposition and asked the Commissioners if there was any discussion. Ms. Stringfield advised she was ready to make a finding of fact.

FINDING OF FACT:

Ms. Stringfield moved that based up the facts presented in application 2381 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the historic district program manual and design guidelines. Staff comments and the following **Guidelines for Utilities and Mechanical Equipment, numbers 1 through 4**, are acceptable as findings of fact. Seconded by Ms. Lane. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodiernne, Stringfield, Arneke, and Carter, Nays: 0).

Chair Wharton inquired if Ms. Stringfield would like to make a motion.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application 2381 and grants a Certificate of Appropriateness to applicant James White for work at 901 Magnolia Street. Seconded by Ms. Lane. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodiernne, Stringfield, Arneke, and Carter, Nays: 0).

DESCRIPTION:

3g. Application #2380, 401 West Bessemer (Continued)

Mr. Cowhig stated this is an application for demolition of an existing garage in preparation for a new garage. The plans for the new garage have not been developed and will need to be presented before the Commissioners at a later date. The building does appear to be a contributing structure and has some architectural merit. It would be hard for the Commission to recommend in favor of demolition of the garage. It appears to be repaired. This garage needs quite a bit of work. Staff understands the older garages are not always functional for various reasons. such as not being large enough for modern automobiles. The Commission cannot prevent demolition, the Commission can delay demolition. Based on the guidelines that say “since this action cannot be reversed, the decision to demolish an historic structure should be carefully considered, and all alternatives to demolition should be explored. During the delay period, the Commission should negotiate with the owner or other interested parties including state and local preservation organizations and seek answers to the questions listed within the guidelines.”

Mr. Arnett asked if there were any pictures of the main house on the lot. Ms. Geary attempted to google the address. Ms. Stringfield stated the garage appeared to be in good shape compared to many others. The application mentions future replacement which we know would need to be a separate COA. Ms. Stringfield asked if staff had any sense that the owners wanted to replace this and set a new garage much further back. Mr. Cowhig stated he has not looked inside the garage to determine what kind of shape it is in structurally. Ms. Stringfield asked if there was an idea of the age of the garage as it appears to be a 50’s garage. Mr. Cowhig responded he did not know but it has been there a long time. The house itself has much different siding material and the garage may not always have been with the house. Chair Wharton stated in staff’s comments, it states it is a contributing structure and listed in the National Register. Mr. Cowhig responded that was correct.

Ms. Peters advised Chair Wharton, Mr. Hatcher and herself were available to answer any questions. A photograph depicting the home and garage was displayed. Chair Wharton inquired if there was anyone wishing to speak in support. The applicants were sworn and consented to the remote meeting.

Jeffrey Hatcher and Toddie Peters, 401 W. Bessemer Avenue. Mr. Hatcher stated they moved in the house 10 years ago. At that time worked with Southern Evergreen who gave the consideration that they would fix

this garage by propping it up, pushing it forward and righting it so it would not be leaning backwards and to the right. They were unable to do so and what was done was to re-enforce it internally with particle board. That is all that has been done with the garage since that time. It has been reassessed by New Age Builders. What is shown in the pictures are areas of rot along the eaves, in the back of the picture the wood is not matching the original structure. There is particle board that is painted on the outside in the rear of the building as well as the original wood around the rest of the building. Paint is coming off and boards that are rotting, water is around the baseboards all the way around the building, and the concrete is uneven. A second builder has looked at the garage and their recommendation was to tear it down and start over which is the reason they are before the Commission at this time. They were told they would not get an estimate on re-building the structure until they came before the Commission. He was not sure if that was accurate and if they should have brought plans for a new structure to present to the Commission. Their intention is to match the current structure as best they can. There are questions about the offset from the property line on the rear and to the right of the building. There is an oak tree, approximately 5 or 6 feet away, about the length of the three garbage cans at the corner of the garage. There would be issues doing work on the garage that could affect that tree, especially if the work involved the concrete that is the base of the garage. Mr. Hatcher stated his biggest concern was in putting a new roof on it, new shingles were put on by him due to leaking. To replace the roof, all of the rotten boards, re-enforce the floor boards so it will not leak would be more work and cost than the value of the building. Ms. Stringfield asked if the long term intent is a different COA to move this one or to build a new garage further back on the property. Mr. Hatcher responded they had a conversation with the Neighborhood Association regarding this. He did not understand what this process was to have this COA approved or not approved. The Neighborhood Association had the same question and were not in favor of them taking the garage down. They are before the Commission to obtain information about what they need to do to proceed with this. Mr. Hatcher stated he understood the Commission feels it is in good shape compared to many garages in the neighborhood and would agree but it is not in good shape. This garage is leaning backwards and to the right does not mean it is in good shape. Mr. Hatcher thought the City could come and condemn it but he was before the Commission to ask for assistance as far as what they should do in terms of having it become a fit and stable structure; what they would need to do to comply with that. They have every intention of being in compliance with the historic district. Having a garage that can't be used for anything because it is structurally unsound and other reasons is not in accordance with the value of the house sitting 20 feet in front of it. Ms. Stringfield stated she absolutely respected what Mr. Hatcher stated.

Mr. Hatcher stated he would welcome anyone to come to the property to look at the structure, including the anyone from the Neighborhood Association. to come to the property, introduce yourself so they can meet. They are neighbors, would love to meet other neighbors, and would love to talk and show their house. Ms. Peters stated they do want the garage to look the same that it does. They love the house, the garage goes with the house. They have no idea if it was the original or when it was built. There is no information in anything they received or found regarding the garage. Chair Wharton stated the Historic Preservation likes to find a way not to destroy and when applicants come before the Commission for a demolition, the Commission's charge is to try to help to find a way not to do that. The Commission requires strong evidence demonstrating something really does need to be demolished. Chair Wharton was not encouraging to have the structure condemned but if it was a life and safety issue proceeding with a demolition is an option. The Commission does not have the power to tell you not to demolish but they do have the power to delay for 365 days. If there are serious structural problems, they need to be documented for the Commission so the Commissioners can make a decision that would not be punitive for applicants. Mr. Hatcher stated he would not call the City to have it condemned to be confrontational but is very concerned about the structure as it does not feel sound and what was done previously was unsatisfactory. Mr. Arnett stated he has serious doubts that either one of the two very large trees would survive removal of the structure and a new structure being built in the same location. Based on current construction costs, without seeing the interior, the repair would be more cost effective option for him. Mr. Arnett stated on the outside of the structure rotted wood and more cosmetic issues would be easy to take care of. Mr. Arnett asked

regarding the structural and foundation issues if Mr. Hatcher had received comments from the Neighborhood Board members on those issues. Mr. Hatcher stated the foundation in the garage is cracked that runs through the center of it, partly from the roots of the tree adjacent of the garage. If any work is done on the foundation or around the garage, the root system would be damaged. Mr. Hatcher is not sure how to make this a feasible structure and feels it would have to be stripped to the studs to obtain a functional structure again and that would only be to repair with it still leaning. Mr. Hatcher did not feel a leaning structure was the intent of the structure in front of it or of the neighborhood. Ms. Peters stated they have put a lot of money into caring for the house and making sure the house is in really good shape. The garage doesn't match the house in any way. Ms. Stringfield stated if she wanted to move that garage, she might submit an application which requires the reason for demolition, a site plan, and the builder's footprint and to build the garage further back that may be more useful which is often approved. Ms. Stringfield stated she was surprised upon learning that this was a contributing structure as it appears to her it was built in 1950s. Mr. Hatcher stated he agreed with Ms. Stringfield. At the Neighborhood Association meeting, he was very clear that he did not believe the structure existed when the house was built or that it was part of the original building. Mr. Hatcher could not swear that is the case but in the observation of the structure did not feel it was an original structure.

Max Carter agreed with both Mr. Hatcher and Ms. Stringfield that the structure does not look that old and maybe mid 1900's architecture. Mr. Carter asked if Mr. Hatcher knew from looking inside whether the studs are a standard distance from each other. One of the reasons it could be leaning is it could have been shoddily built and asked Mr. Hatcher if he felt that. Ms. Peters responded Joe Thompson is meeting with them and have a lot of good questions now to ask of him. Ms. Peters inquired if there were other recommendations to be asked to share them. Mr. Hatcher stated he guessed they were standard but did not know as he was not an architect. Ms. Stringfield suggested to ask Mr. Thompson if the garage door and windows could be salvaged for another use or donation. Ms. Geary provided the National Register depicting year of construction, contributing or non-contributing and other information. This particular house was listed as 1900 – 1925 grouping.

Mr. Cowhig stated he felt the garage doors may have been replaced. Ms. Lane stated the opening was not a standard size for garages from 1920. The structure looks like a two car garage for model as in the back. Ms. Lane advised it is missing its center support that was probably and there is probably a column with some support within the middle of the garage, although it is not a hipped roof. The doors are suspect but the structure appeared to her to be authentic. Mr. Arnett stated the detailing of eaves is very nice.

Chair Wharton inquired if there were further questions for the applicants. Ms. Stringfield suggested for this to continue in order to have the building's footprint. Ms. Peters stated they are not in a rush and are in it for the long term. Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone in opposition to the application. The speaker was sworn and consented to the remote meeting.

Keisha Hadden, representing Fisher Park Neighborhood Association, advised that there was not enough information with the COA so the Neighborhood Association did not support the COA at this time.

Chair Wharton stated the applicants have the opportunity for rebuttal. The applicants declined. Chair Wharton stated the comments from the Commissioners indicated they would like more information regarding this application. A motion to continue would be an appropriate action at this time to the next month's meeting and allow the applicants to more photographic evidence, photographs of interior, a site plan indicating where it is located and where the trees are. A conceptual plan would be helpful. Ms. Lane asked if a request should made for an Engineer's Report. Ms. Stringfield stated she felt it is in the best interest of the applicants to provide more information. Ms. Jones reiterated the Commission cannot deny a COA for demolition but can delay up to 365 days. Chair Wharton stated having a written report of an assessment of the structure would be helpful. It did not need to be an engineer; a contractor would be able to assist. Ms. Geary stated the procedures were recently changed to allow up to 60 days without the applicant's approval and asked if that would allow the Commission to continue for 60 days and then make a decision. Ms. Jones stated the Commission could continue up to 120 days to

make a decision, not a continuance. It is not clear in the law whether the Commission could then impose a 365-day delay after that. Ms. Geary clarified it could be continued for 60 days. Chair Wharton asked the applicants if continuing to 30 days would give them enough time to obtain the additional information. Ms. Peters felt it was fine and expect to have the information needed within 30 days. Chair Wharton stated the 30-day continuance would be his recommendation.

Ms. Hodierne moved to continue case #2380 for 30 days. Seconded by Ms. Lane. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodierne, Stringfield, Arneke, and Carter, Nays: 0).

3h. Application #2383, 807 Simpson Street (Continued)

Chair Wharton stated the applicant requested a 30 day continuance. Mr. Cowhig stated he spoke to Mr. Craft who requested a continuance to obtain an Arborist.

Mr. Carter moved to continue case #2383, 807 Simpson Street for 30 days. Seconded by Ms. Hodierne. The Commission voted 7-0. (Ayes: Wharton, Arnett, Lane, Hodierne, Stringfield, Arneke, and Carter, Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Wharton advised he did not have any items. Ms. Stringfield asked if the Commissioners had permission to visit the property and speak to them. Ms. Jones responded if she did speak to them or have any conversations about it, it would have to be disclosed as an ex-parte communication. If she wanted to walk the property, she can ask them for permission but should not discuss the merits of it without other Commissioners being present.

Chair Wharton thanked everyone for the hard work on hard issues and difficult circumstances.

Ms. Jones advised that Alexis Grossman is an Elon law student and has sat through both very long meetings

SPEAKERS FROM THE AUDIENCE:

There were no speakers.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Carter. Seconded by Ms. Hodierne. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, and Carter. Nays: 0).

Chair Wharton stated the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
June 29, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, June 29, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), Ann Stringfield (At Large) David Arneke (College Hill), Jesse Arnett) (At Large), Linda Lane (At Large), Amanda Hodierne (Fisher Park), and Max Carter (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Wharton welcomed everyone to the meeting. Chair Wharton inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Wharton advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting.

1. APPROVAL OF ABSENCES:

Mr. Cowhig advised Sylvia Stanbeck was an excused absence.

2. APPROVAL OF MINUTES, May 27, 2020 REGULAR MEETING:

Chair Wharton advised of the corrections to be amended in the May minutes. Mr. Arnett made a motion to approve the May 27, 2020, minutes as amended, seconded by Mr. Arneke. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodierne, Stringfield, and Carter. Nays: 0).

Chair Wharton explained the order of business regarding Certificates of Appropriateness.

SWEARING IN OF STAFF:

Staff Mike Cowhig and Stefan-Leih Geary were sworn for their testimony.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2383, 807 Simpson Street (Approved)

Mr. Cowhig stated the tree proposed is an oak tree. The City Arborist felt there were possible treatment options that could be taken without removal of the tree, such as pruning to reduce the weight of the tree, which would allow the tree to continue to contribute to the character of the historic district and the ecosystem for years to come. There are core drillings conducted by a certified arborist which indicated extensive decay and recommended removal of the tree for safety of the residents. Based on the information contained in the application, the opinion of the City Arborist and a more recent analysis by a certified arborist who has recommended the removal of the tree. The arborist advised the tree is close to an accompanied structure. Staff recommends granting the Certificate of Appropriateness as this tree removal is not incongruous with Historic District Guidelines, Trees and Landscaping, pages 21-23, Retain mature trees that contribute to the character of the historic district.

Chair Wharton asked if there were questions for staff. Seeing none, Chair Wharton requested the applicant to state his case. The speaker was sworn and consented to the remote recording.

David Craft, 605 North Church Street, stated he will be moving to 807 Simpson Street. The arborist found significant rot, in particular one tree that is sitting over his neighbor's guest house and brought to their attention by their neighbor. Mr. Craft advised two canopy trees will be planted and is requesting the removal of the tree so it does not cause harm to his neighbor.

Chair Wharton inquired if any of the Commissioners had questions for Mr. Craft. Hearing none, Chair Wharton advised Keisha Hadden was next on the speakers list. Ms. Geary advised Chair Wharton it did not appear Ms. Hadden was present. Chair Wharton inquired if there was anyone who wished to speak in favor of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Seeing none, Chair Wharton asked if there was discussion. Seeing none, Chair Wharton inquired if there was a finding of fact.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application number 2383 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual found in the Design Guidelines and that staff comments and the following guidelines under Guidelines for Trees and Landscaping, page 23, numbers 1-3, 5 and 6, are acceptable as finding of fact. Seconded by Mr. Arnett. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Arneke, Arnett, Carter, Hodierne, and Lane, Nays: 1, Arneke).

DISCUSSION:

Chair Wharton asked if there should be a condition stating the placement of the canopy trees to be done in consultation with the City Arborist and within a time limit. Mr. Arnett stated there will be construction activity in the back yard that may impact the timing of when the trees can be replaced. April 2021 was determined and accepted by the applicant who will plant two canopy trees.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application #2383 and grants a Certificate of Appropriateness to David and Janet Craft for work at 807 Simpson Street, with following condition:

1. Plant and maintain two canopy trees in consultation with the City Arborist by April 2021.

Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Carter, Hodierne, and Lane, Nays: Arneke).

3b. Application 2368, 706 Summit Avenue (Approved with Conditions)

Mr. Cowhig advised some of these trees are on the 706 Summit Avenue property and some are on 704 Summit Avenue. The new owner of 704 Summit Avenue has indicated he would like to remove additional trees. The cumulative effect of the tree removal of so many large canopy trees could be significant. It would be desirable to have a plan prepared by a landscape architect who can further assess the effect the trees are and will have on the structures and mitigate the impact of the tree removal within the historic district. It was the opinion of the City's Arborist that the trees appear healthy and not a threat to the building. The small trees appear to be a Ligustrum which is an invasive species that is harmful to vegetation and wildlife habitat and should be removed. Mr. Cowhig stated based on the information contained in this application, staff recommended against granting this Certificate of Appropriateness as presented based on the opinion of the City Arborist, Judson Clinton. Mr. Cowhig stated the guidelines are pretty clear regarding retaining future canopy trees that contribute to the character of the historic district. It is staff's opinion the proposed tree removal is incongruous with the Historic District Design Guidelines – Trees and Landscaping, pages 21-33, Retain mature trees that contribute to the character of the historic district.

Chair Wharton inquired if there were questions for staff. Ms. Stringfield stated she looked at the trees and it appeared that at least two of the large trees are adjacent to the brick port cochere's of the adjacent house and felt they should be removed. Mr. Carter asked if the two large trees in the distance were indicated by the City Arborist as a threat or had root structure that was invasive. Mr. Cowhig responded stated the City Arborist based his opinions on a visual inspection, but was not sure. Ms. Hodierne asked if the property owner of 704 Summit should be present at the meeting as it appears issues are being discussed regarding their property. Ms. Jones stated the letter in the packet indicates that they are in agreement with the COA, but Ms. Hodierne was correct in that the applicant would be responsible for two properties. Ms. Hodierne stated she was concerned that rather than considering the application the way it came in removing all 5 trees, it appears the Commission is heading toward a potential result where the Commission selectively picks which ones are appropriate and which ones are not. It

appears from the visual, the Commission is leaning toward removing are on the 704 property and there is no applicant present. Ms. Jones advised the Commission can proceed either way. The case can be continued if the Commission feels a necessary applicant is not included. Ms. Jones advised her understanding was that it was not clear whose property the trees were on initially. Mr. Cowhig stated it is not clear where the property line is. There is a fence in the back and the two pecan trees are clearly on the 704 Summit side of that fence, if that fence is close to the property line. The two oak trees from his visual inspection appeared to be on the property line. Mr. Arnett stated knowing there is potentially a future application coming from the neighboring property for removal of more trees, it may shade the thinking on this and concern as a whole. Perhaps there will be a unified application in the Comprehensive Plan for both properties. Ms. Lane advised she was not comfortable with any approval at this time. Ms. Hodieme stated she would like to hear more regarding the damage to the foundation and what was the damage to better understand the request from Dr. Allen. From staff's visual inspection, no damage was seen but there were a lot of trees and brush making it difficult to determine.

Dr. Stanley L. Allen, 1522 Worthington Place. Dr. Allen stated over the past 3 plus years, almost \$28,000 has been spent dealing with flooding in the basement and problems within the crawl space next to the basement related to this issue. As it was explained to him, the roots are under the concrete lifting up the foundation and creating cracks resulting in leaks. Dr. Allen is leasing this building to a dentist who purchased his practice and would like to purchase the building. An offer has been made with one contingency being the trees be removed as the potential buyer is aware of the flooding and other issues that are occurring. Dr. Allen indicated the building was erected in 1987 and the trees were not nearly as large. The property was not within the historic district until a week before breaking ground. The adjacent property owner has given Dr. Allen permission to remove any trees and is open to whatever the Commission suggests in terms of removing trees as he plans on doing major landscaping to his property in the near future. There are many factors in addition to the esthetics requiring him to make this request. Vandals have attempted to steal the copper from the air conditioning unit but were thwarted. A good deal of overgrowth of trees and brush has been out of Dr. Allen's control and has incurred all the monetary costs related to this. Dr. Allen stated he would like to retire and take care of family issues. The sale of the property is critical to allow him to fulfill his plans. The commercial building is hard to see due to the trees overwhelming the entire area. In today's codes, structures cannot be built within 25 feet of large trees. Dr. Allen stated he valued trees but these trees are located in a commercial area and he did not see other options to solve the problems he is incurring.

Chair Wharton inquired if there were questions for Dr. Allen. Ms. Lane asked when did the hardships related to water intrusion begin. Dr. Allen responded it may be 15 years. The \$28,000 is only within the last few years. Cracks were appearing in the foundation which initially was thought of as settling cracks. Ms. Lane asked if that was a crawl space only. Dr. Allen responded it is a finished basement. Ms. Lane asked how high were the ceilings in the basement. Dr. Allen responded they are approximately 8 or 9 feet. Ms. Lane asked if the basement was used for anything related to the practice. Dr. Allen responded that is where the staff lounge is located. Ms. Lane asked if there were windows in the basement. Dr. Allen responded there are. Ms. Lane asked how high were the windows. Dr. Allen responded they are very small, approximately 2 feet high and 4 feet long and only one window. A door leads into the garage. Dr. Allen referred to photographs depicting images of the site. Ms. Lane asked what did Tar Heel do differently than others over the years. Dr. Allen responded the concrete was drilled inside down through block and placed a type of concrete channel and a series of pumps. Water is grabbed, goes into the channel which is the pumped out. The pump is in the garage and the water is pumped out through the back of that building. That was approximately 3 years prior and has been a continuing process. The cracks will become larger as the system is jeopardized by the subterranean growth of the large tree roots. This is not a question of if, but when those trees come down. Ms. Hodieme asked who with the ribbon the trees that need to come down. Dr. Allen stated the inspector requested ribbons be placed on the trees. There have been two inspectors and both recommended tree removal and advised him that in today's code the building could not even be that close to a tree of that size. Ms. Lane asked if the tree was removed, was there another place on the property that could maintain a full canopy type tree over time without foregoing land for parking. Dr. Allen responded there is no room. The island takes a full parking space, parking is a premium. Ms. Stringfield asked if the future

buyer would be required to meet the requirements of the COA that required replanting of certain trees. Dr. Allen responded they may be open to it. If trees were planted, they would need to be close to the street but thought shrubbery would be a better option. Ms. Stringfield stated a City Arborist could recommend trees of all sizes and perhaps no canopy trees. Ms. Jones stated the COA and any conditions attached to the COA, would run with the land. If the tree removal is approved and the trees not removed, it would expire after a year. Ms. Jones advised it would not matter if the buyer was open to the idea or not, the COA would run with the land and be a requirement and condition on the property. Ms. Stringfield stated she visited the property and it is a tight cluster of trees. Ms. Stringfield was leaning for some sort of reduction in the number of trees. Ms. Stringfield asked if Dr. Allen could provide the HPC staff a site plan depicting trees to be removed and work with the City Arborist and staff to make a decision. At the same time a document should be in place from the adjacent 704 neighbor agreeing to remove the trees. Ms. Jones stated if there is a question regarding if a tree is on the property line or partly on the other property, having the consent of the other property owner would be necessary. Tree removal cannot be approved on the other property as they are not part of this application. If the adjacent property is not ready with a COA, it cannot be required. There will eventually be cumulative effects in the neighborhood that may adversely impact later applicants. Ms. Jones' understanding of the letter or memo from the adjoining property owner was to deal with trees that might be on the property line. An image was depicted with ribbons indicating the 5 trees to be removed. Ms. Stringfield stated the two pecan trees are very close to the property line and should come down and will cause damage to the port cochere at 704 Summit Ave. The Ligustrum is an invasive tree. Chair Wharton asked when Dr. Allen was told it was tree roots causing the problems with the foundation, was there any indication if it was all the trees or some of them. Dr. Allen responded the oak tree was a part of that cause. Dr. Allen stated the trees are an ongoing hazard. Chair Wharton asked if the City Arborist indicated the problems with the roof could have a different solution other than removing the trees by pruning or placing a root barrier. Dr. Allen responded a young dentist will be moving into the building and if she has to do too much in maintenance, she will find another place and lose the sale. Dr. Allen stated it was not displayed in any of the pictures, but due to settling a lot of work was done and a lot of money spent. As a business owner risks need to be minimized as much as possible. Mr. Carter stated in performing research it appears the roots can extend out equal to the height of the tree. The roots will intrude. Chair Wharton inquired if there were any further questions for Dr. Allen. Hearing none, Chair Wharton inquired if Mindy Zachary was present and speaking in support.

The speaker was sworn and consented to the remote recording.

Mindy Zachary, 604 Summit Avenue, stated the Board met and were unanimous in support of the application. Ms. Zachary stated that the property at 704 Summit had significant roof damage from some of these trees. It is obvious they are wonderful trees but are in the wrong place if the structures can be saved over time.

Chair Wharton inquired if there were any questions for Ms. Zachary. Chair Wharton inquired if there was anyone in support or opposition to this application. Seeing none, Chair Wharton asked if there was a fact finding motion. Seeing none, Chair Wharton inquired if there were any further questions for staff.

DISCUSSION:

Ms. Lane stated based upon the testimony of Dr. Allen and the Neighborhood approval she would be in support of removal with the caveat that potentially some trees could be planted on the property that would not grow too large and be more manageable for the scale of the land. Max Carter stated the testimony of the property owner was compelling and was hopeful medium trees could be planted in the future. Mr. Arnett stated he was struggling with the oak closest to the street and the others are right next to the building that are threats. Mr. Arneke stated he was concerned with the pecan tree that is clearly on the neighboring property. Mr. Arneke recognized the new owner expressed support for the removal but was not comfortable supporting the removal of a tree on adjacent property. Ms. Stringfield asked if the new adjacent property were able to provide a document to the historic district staff promptly with the specific tree removal approval, would that be acceptable to Ms. Hodierne and Mr. Arneke. Mr. Arneke responded it would. If the property owner was here and expressed his support that would be fine. Mr. Arneke stated they cannot vote on based on asking for something to happen in the future. It should be the property owner who applies for the removal of the pecan tree. Mr. Arneke recognized Dr. Allen's situation needing to sell the building and did not want to delay his progress with that. Ms. Lane asked if that could be covered in a

condition. Ms. Jones stated the Commission is proceeding on what was submitted indicating the other property owner has consented to it. That has happened in other situations where there was a question. Ms. Jones stated if this property owner goes ahead and removes trees not on this property, he would have a private dispute with that neighbor. Ms. Jones did not think the Commission's decision put any liability on the city. Ms. Jones stated the Commission can make as a condition, a signed, notarized statement from the other property owner be provided to staff before any work occurs. Ms. Geary clarified for the record if the document submitted by the neighbor was used again and had his signature notarized, it would be acceptable to the Commission. Ms. Jones stated in issuance of the COA, a copy should be sent to the neighbor with the caveat that it was not approved for his property to remove any trees on his property.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application number 2368 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual found in Design Guidelines and that staff comments and the following guidelines under Guidelines for Trees and Landscaping, page 23, numbers 1-3, 5 and 6, are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, Hodieme, and Lane Nays: 0).

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves with conditions, application 2368 and grants the condition to applicant Dr. Stanley Allen for work at 706 Summit Avenue with conditions:

1. City staff receive a specific, notarized document from the owner of 704 Summit Avenue for approval of removal of the specific 5 trees that currently have ribbons on them
2. The owner of 706 Summit Avenue replaces one new tree by November 2020, with the tree choice approved appropriately by the City Arborist.

Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, Hodieme, and Lane Nays: 0).

3c. Application #2397, 1000 North Elm Street (Approved with Conditions)

Mr. Cowhig stated a COA was approved for the repair of the side porch which had serious structural issues. The application stated the porch columns would be repaired. During the course of the work, a decision was made to replace the columns. The new columns appear to be a metallic material. The railing was also replaced and is taller than the original railing due to building code. Staff recommended against this Certificate of Appropriateness. It is staff's opinion the proposed changes are not congruous with the Historic District Design Guidelines, Porches, Entrances, and Balconies, page 62. (1) Preserve and maintain historic porches, porticos, balconies, pergolas, terraces, and entrances. (2). Preserve and maintain historic materials and features of historic porches such as tongue-and groove flooring, beaded board ceiling boards, trim, railings, lattice, entablatures, columns, steps, balustrades, brackets, soffits, fascia boards, and decorative trim. (3). If a porch element or detail is deteriorated and requires replacement, replace only the deteriorated element to match the original in material, size, scale, texture, and detail. It is not appropriate to replace deteriorated porch elements with incompatible materials, such as metal supports and railings for wooden columns and rails, or concrete for wood steps. Mr. Cowhig stated with many of these repairs, contractor's interpretation of what is beyond repair is usually not the same as staff's definition. It is easier to replace than repair for contractors. Repair does require a different skill level for repair of wood columns suffering from rot. It can be done.

Ms. Lane stated the scale of the columns are the side porch are out of whack compared to the original photographs and her memory of what they looked like before the removal. The scale on the front does not appear to be identical to the size used on the side porch. The scale on the porch to be really "whacky". It looks like the columns are not properly scaled as they appear overbearing and larger than the original columns that were there previously. The porch on the far back of the property appears to have the original column maintained and the scale is appropriate. Chair Wharton stated in looking at the picture of the original as opposed to the new ones,

there is actually an interesting feature in the capital of the original ones. At the very top of the capital on the original porch and the front porch, there are little pieces, like a dental molding, at the top of the capital. Chair Wharton stated he had never seen anything like it before and felt it was distinctive to the house. Ms. Lane stated in looking at the base of the new columns on the porch, they are askew and appears like they are fighting for placement. In looking at the picture originally, they are in the space of the porch platform. Chair Wharton stated the porch is not level and the new column bases want to be level. Ms. Lane stated the bases are within the porch and the new ones are fighting to stay on the porch in looking at the very bottom base of the columns and are not sitting properly. Ms. Stringfield stated her concern when looking at the new columns was warping. Ms. Stringfield first thought it was plastic but they are not plastic. Chair Wharton inquired if there were questions for staff. Seeing none, Chair Wharton requested Mr. Haynes to speak in support of the application.

The speaker was sworn and consented to the remote recording.

Jimmy Haynes, Manager, Manager of 912 Holdings, LLC, 1000 North Elm, stated 912 Holdings owns this property. Mr. Haynes advised this property was purchased 11/1/2019. Extensive renovations have been done inside. The former owner was Brad Walker who had a COA dated April of 2019 for work on the porch. The broker for the property assured them the porch was being redone. There was a contractual right in the contract that the seller would deliver the premises on the closing date with the porch completed in a workman like manner in compliance with the COA and referred to what was stated within the COA. 912 Holdings in good faith relied upon the fact that Mr. Walker had obtained a COA. The project was delayed and dragged on. 912 Holdings was unable to contact the contractor that did the work on the porch. The notice of violation from Mr. Cowhig was received in February. The property was purchased in November and attempted to contact Mr. Walker to no avail. 912 Holdings wants this property to look amazing and would not characterize it as appearing “whacky”. Mr. Haynes stated they are asking for a supplementary COA for the work that has been done. This problem has been inherited and in an effort to achieve substantial justice, the Commissioners can take it for what it is worth in that they relied in good faith on a COA that never materialized. From the invoice received from the contractor the columns are fiberglass. Mr. Haynes stated the Fisher Park Neighborhood Association was in support of this project.

Chair Wharton inquired if the Commissioners had questions for Mr. Haynes. Mr. Carter stated in looking at the picture depicted, asked if there was a crack in the foundation of the porch where there had been a crack before. Mr. Haynes believed it was a weed that was sticking up. Mr. Arnett asked who was the owner of the property at the time a decision was made to replace rather than repair. Mr. Haynes responded it was Brad Walker. The property had been brought by 912 Holdings but they were responsible. There were roof issues they needed to get out in front of it and did not want to address it until this issue was figured out. There is a membrane on the top that leaks and if something is not done soon, they will be faced with another issue. Until this issue is figured out, the roof cannot be repaired. Ms. Hodiern asked for the date of closing. Mr. Haynes responded November 1, 2019. Ms. Hodiern asked for the date of completion on the porch. Mr. Haynes said it was toward the end of February. Mr. Haynes thought the last time Mr. Cowhig came out to check them out, everything was done at that point. Ms. Hodiern asked if the columns were up in February. Mr. Haynes responded the columns were up but the wood rails were not and the columns were not painted. Ms. Lane asked if the columns were new at that point. Mr. Haynes responded the columns were new and in place when the notice of violation was received. The notice was sent to the seller to contact the contractor to have them finish the job. Ms. Hodiern asked if the COA was in the due diligence materials during the examination period. Mr. Haynes responded it was. Ms. Hodiern asked if Mr. Haynes knew it said to replace the old ones. Mr. Haynes responded it did not say that, it stated repair deteriorated side porch and repair wood rot on porch columns. The entire foundation of the side porch was replaced. Mr. Haynes felt the COA was ambiguous and they were not the ones who applied for it. Ms. Lane asked what happened to the old columns. Mr. Haynes responded he had no idea but believed the contractors took them away. Chair Wharton asked if the fiberglass columns were in place when the property was purchased. Mr. Haynes responded after the property was purchased. Mr. Arnett asked if 912 Holdings had any control over the direction of the repairs. Mr. Haynes responded they did not. Ms. Stringfield stated there were at least two column bases not meeting the floor of the porch and asked Mr. Arnett if there was anything that could be done to safely have them meet the porch. Mr. Arnett responded it was hard to determine based on the pictures exactly how the bases were

made but felt improvements could be made Ms. Stringfield stated she felt under the bases the previous day and there are two bases that are either stressed or are simply not meeting the pushed floor because the floor is angled to allow water to run off. Mr. Arnett felt the base could be adjusted on the porch and the gaps filled in with a shim and/or caulk. Chair Wharton stated he has only seen the decorative feature at the top of the capital once and would call it a character defining feature. They are not there on the new ones and asked if there was a way to attach something or recreate a design on the new capitals. Mr. Haynes stated he would look into it. He did not know what the notched cap was. Mr. Arnett stated he has not seen that type before but thought it was a dental block or something. Photographs were shown depicting the original details and photographs of the new columns which indicated there was no dental blocking whatsoever. Ms. Geary stated what was being suggested as perhaps one solution was to add the dental molding to the columns. Chair Wharton stated it is a small feature but also felt the Commission definitely said repair on the COA. There was no permission to replace and it is the loss of these small features that deteriorate the architectural character of the district. Mr. Haynes understood, but did not know what the molding was. Mr. Haynes questioned whether it was available. Ms. Lane stated it is an architectural feature that is important. Chair Wharton stated he would not be able to find another column that has those particular capitals because it is distinctive to the era at that time. The only remedy would be possibly finding some way to carve and attach a decorative feature, glue it on and caulk to match the dimension. Mr. Arneke agreed with Chair Wharton that it is distinctive and the work that was done did not follow the COA. Chair Wharton stated he was not trying to penalize the current owner, was only trying to determine a way that it can be brought up to the quality that the original COA had requested. Mr. Haynes stated it is an unnecessary hardship for the current owner who relied on that COA that was not done correctly. It is an added expense to have to redo and cut out moldings to glue and caulk up there. Mr. Haynes did not know what all was involved. It is an after the fact COA and unfortunate situation and stated \$100,000 has been spent on the house for renovations. Mr. Haynes requested a condition stating to use reasonable efforts to create some sort of treatment as an add-on to match the front columns as they originally existed. Chair Wharton stated he did not feel it would be difficult for a carpenter to fit some pieces on the column attach them, caulk and paint, and they will look fine. Chair Wharton inquired if there were any further questions for Mr. Haynes. Seeing none, Chair Wharton stated also speaking in favor of the application was Keisha Hadden.

The speaker was sworn and consented to the remote recording.

Keisha Hadden, 404 West Bessemer, representing Fisher Park Neighborhood Association who have met and looked at the COA recently and support the After the Fact for the columns that were replaced. All of the details were not realized that were missing on the columns when it was discussed by the Association but would support replacing them as they were. Chair Wharton inquired if there were any questions for Ms. Hadden. Seeing none Chair Wharton inquired if there was anyone else to speak in favor or opposition to the application. Seeing none, Chair Wharton inquired if there was further discussion among the Commissioners.

DISCUSSION:

Ms. Lane stated she would like an effort made to replicate the original capitals and the bases be adjusted. Ms. Lane clarified the unevenness of the bases look “whacky”, not the porch.

FINDING OF FACT:

Ms. Lane moved that based upon the facts presented the facts presented in application # 2397 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the Historic District Program Manual and Design Guidelines and that staff comments and the following guidelines under Porches, Entrances, and Balconies, page 64, are acceptable as finding of fact. Seconded by Mr. Arnett. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Arnett, Carter, Hodieme, Stringfield, and Lane, Nays: 0).

MOTION:

Ms. Lane therefore moved that the Greensboro Historic Preservation Commission approves with conditions, this application 2397 and grants a COA to 912 Holdings, LLC for work at 1000 North Elm Street with the following conditions:

1. The dental block features and the capitals be replicated and approved by staff.
2. The gaps between the column base and the porch floor be filled.

Mr. Haynes stated he will make reasonable efforts to match to replicate the capital but to absolutely replicate that was not even sure something could be found. Ms. Geary stated staff can help and can provide contact information with professionals that will assist in finding the right skill set to replicate that small dental block molding, which is what is being spoken to. Mr. Haynes asked if the motion could say reasonable efforts to replicate. Chair Wharton stated the public hearing is over. The Commission does acknowledge the concerns expressed but are confident that the dimensions and size of the dental blocks on the capitals can be achieved. Ms. Hodiernne stated if there was a road block to contact staff to advise what has been attempted and request to work for a solution. Staff will either make an adjustment at their level or they will say okay, we hear you and this needs to go back to the Commission. There is an opportunity for follow-up.

Seconded by Mr. Arnett. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Arneke, Arnett, Carter, Hodiernne, Lane, and Stringfield, Nays: 0).

3d. Application #2396, 923 Carr Street (Approved with Conditions)

Mr. Cowhig stated this application is for the demolition of a house at 923 Carr Street. The house suffered a fire resulting in severe damage. The home is a contributing structure in the College Hill National Register Historic District. The removal will leave a gap in an otherwise intact block of historic houses that are unique in Greensboro because of their close spacing, short setback from the street and architectural rhythm. The roof is completely gone and the house is now under Minimum Housing Code enforcement. The removal will leave a gap in an otherwise intact block of historic houses that are unique in Greensboro because of their close spacing, short setback from the street and architectural rhythm. Based on the information contained in the application, staff recommends in favor of granting this Certificate of Appropriateness with conditions. In staff's opinion demolition is not congruous with the Historic District Design Guidelines: Demolition, page 73. However the Historic Preservation Commission may not deny an application for a Certificate of Appropriateness for demolition. Staff recommends that the date of issuance of this Certificate of Appropriateness be delayed long enough to ensure that all possible alternatives to demolition have been fully explored.

Chair Wharton read aloud the guidelines from the Historic District Design Guidelines: Demolition, page 73. The demolition or removal of any structure in a Historic District require a Certificate of Appropriateness. The Commission may not deny an application for demolition, but it may delay the effective date of the Certificate for up to 365 days in the case of a structure that contributes to the character of the Historic District. Since the action cannot be reversed, the decision to demolish an historic structure should be carefully considered and all alternative to demolition should be explored. During the delay period, the Commission should negotiate with the owner or other interested parties including state and local preservation organizations and seek answers to the following questions:

- Is there a well-developed proposal for the use of the site necessitating demolition? Could another site serve the purpose just as well?
- Could the existing structure be adapted to suite the owner's needs?
- Could the property be sold to someone willing to preserve the building?
- As a last resort, could the building be moved to another location?
- Does the site have known or potential archaeological significance?
- Is the structure of national, state, or local significance?

If alternatives to demolition are exhausted and approval for demolition is granted:

- Record the structure thoroughly with photographs and other documentation, including identifying and recording any special architectural features of the building, important landscape features, structures, and archeological significance of the site.
- Protect any large trees or other important landscape features during demolition.
-

Proposed Condition:

That the site of the house be graded and seeded with grass within 30 days of demolition and the property be maintained on a regular basis.

That the house be photographically documented.

That any trees or mature shrubbery be protected during the demolition and a plan to that effect submitted prior to demolition.

That a Certificate of Appropriateness be obtained along with other necessary permits for redevelopment of the site.

Chair Wharton inquired if there were any questions for staff. Hearing none, Chair Wharton requested the property owner to speak.

The speaker was sworn and consented to the remote recording.

Andy Clark, 4805 Archwood Drive, requested approval to demolish what is left of the house at 923 South Carr Street. The home was destroyed by an early morning major fire on 5/14/2020. No one was injured. The house has been condemned by the City of Greensboro as not safe and the City Ordinance inspectors request the home be removed as soon as possible. There are unsupported chimneys. The carpets and structure have been open to the elements since the date of the fire. The roof is entirely gone and offers no protection. It is Mr. Clark's opinion the house is beyond saving unfortunately. John Martin of Preservation Greensboro reached out to him regarding a possible purchase of the property but it was determined the property was too far gone. Mr. Clark felt the best thing to do is to demo and grade the lot to city code mainly due to the unsafe condition of the property and it would be very difficult to make it so no one could go in.

Chair Wharton inquired if there were any questions for the applicant. Ms. Stringfield asked Mr. Clark if there was a possibility of saving some of the architectural features such as the columns and column headers and donate to Architectural Salvage of Greensboro. Mr. Clark was willing to donate anything that could be salvaged from the property and suggested it be done in a very timely basis as the property is extremely unsafe. Mr. Arneke asked if anyone else expressed any interest in purchasing the property as is. Mr. Clark responded there was a person who is interested in the property as a lot, not the house. Chair Wharton asked if Mr. Clark was interested in rebuilding on the site. Mr. Clark responded he was not. He is a general contractor and his forte is repair of properties. Mr. Clark has done several fire damaged homes but nothing that was destroyed to this extent. Ms. Hodiern asked when the city determined the house unsafe and condemned it. Mr. Clark responded it was about a week after the fire.

Chair Wharton inquired if there were any further questions. Hearing none, Chair Wharton requested to hear from Eric Snavelly speaking in favor of the application.

The speaker was sworn and consented to the remote recording.

Eric Snavelly, 925 Carr Street, representing the College Hill Neighborhood Association. There was a recent meeting with not enough members present to complete a COA with their stance, but want the voices of the members to be heard. There was full approval from those present at the meeting for this application to go forward. Chair Wharton inquired if there were any questions for Mr. Snavelly. Hearing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Mr. Snavelly advised his wife wanted to speak as an adjacent property owner in support.

The speaker was sworn and consented to the remote recording.

Alexa Snavelly, 925 Carr Street, stated the property is unsafe and open to the elements and there is an opening in the back that allow anyone to enter. The chimneys appear to be very unsupported. There is a good aerial view from the second floor of her home into the property. Everything in the house is burnt all the way and she is concerned about the integrity of the walls staying up, especially with the elements. Her main concern is the safety of the property, the potential damage to her property, and the safety of her home. Chair Wharton inquired if there were any questions for Ms. Snavelly. Hearing none, Chair Wharton

inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application.

The speaker was sworn and consented to the remote recording.

Lynn Hemm, 924 Carr Street, stated she was in total support of the application and agree it is a property that the fire totally consumed. It is a safety hazard and will hurt both houses if the chimneys come down. There may be some burnt trees in the backyard that could be a potential safety hazard. The fire was very intense and unfortunately this house cannot be saved. Chair Wharton inquired if there was anyone else to speak in favor or opposition to the request. Hearing none, Chair Wharton requested if there was any discussion among the Commissioners.

DISCUSSION:

Chair Wharton stated it sounds like the house needs to come down. Mr. Arneke advised he lives across the street and hated to see this house go but the damage was too severe. No one has stepped up to restore it and probably no one will. It was Preservation Greensboro Development Fund that had expressed interest in purchasing the property. Chair Wharton stated Architectural Salvage would probably like access to the porch posts and possibility the windows and doors. Chair Wharton asked Mr. Clark how much time was needed in terms of allowing for the removal of anything without delaying the demolition for too long. Mr. Clark advised the underground gas line needs to be removed and has spoken to a contractor regarding demolition. There still needs to be an asbestos test. Mr. Clark stated 2-3 weeks if possible. He would like the demolition done soon due to the unsafe condition of the property. Mr. Clark felt the porch columns may be okay but was reluctant on removing windows because of instability of the walls. The chimneys are very unstable. The condition of the house is very uncertain especially in terms of safety. Ms. Lane suggested John Enos and Mr. Clark speak to perhaps develop a plan. Mr. Enos is in charge of ASG and can make a decision with Mr. Clark as to what can be taken and the level of safety. Staff will arrange a meeting.

Chair Wharton asked if any Commissioners wanted to place a delay. No one expressed agreement to a delay. A discussion regarding using the wording of congruous or incongruous was discussed in relation to this application.

FINDING OF FACT:

Mr. Arneke moved based upon the facts presented in application # 2396 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the historic district program manual and design guidelines. But that the damage to the house is sufficiently severe that it needs to be demolished. Staff comments and the Guideline, page 73, as an acceptable as finding of fact. Seconded by Mr. Arnett. The Commission voted 7-0. (Ayes: Wharton, Arneke, Arnett, Carter, Hodierna, Lane, and Stringfield, Nays: 0).

DISCUSSION:

Conditions were discussed and finalized.

MOTION:

Mr. Arneke therefore moved that the Greensboro Historic Preservation Commission approves application #2396 and grants a Certificate of Appropriateness to Andy Clark for work at 923 Carr Street with the following conditions. That the site of the house be graded and seeded with grass within 30 days of demolition and the property be maintained on a regular basis.

1. That the house be photographically documented.
2. That any trees or mature shrubbery be protected during the demolition and a plan to that effect submitted prior to demolition.
3. That a Certificate of Appropriateness be obtained along with other necessary permits for redevelopment of the site.
4. That the owner work with Architectural Salvage of Greensboro to determine if items can be safely salvaged from the remains of the house.

Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Arneke, Arnett, Carter, Hodiernne, Lane, and Stringfield, Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Wharton advised the Downtown Greenway project has placed medians down Summit Avenue and some excavation was performed resulting in the discovery of cobblestones and old trolley tracks exposed during the excavations. There was neighborhood discussion regarding what should be done as these are the trolley tracks that went down Summit Avenue through the Dunleath neighborhood. They have worked with Historic Preservation staff. The Transportation staff was very open in working with them to determine what to do with the information. It was discussed to perhaps salvage the cobblestone and track for use in the Summit Avenue project. A consultation was had with New South Associates who work in architectural surveys and preservation of cultural resources resulting in a determination the best thing would be to document the site. Ms. Geary and Chair Wharton documented everything photographically and cobblestones and tracks were preserved by covering it up as it was deemed that salvaging these materials would not have been feasible. New South Associates has agreed to do a ground penetrating radar survey of that site which is where Chestnut Street used to intersect with Summit. It is thought that perhaps they'll find a significant trolley stop or possibly a station. New South will perform a survey of looking for trolley remains as it goes up Summit Avenue for their use as they continue with the Summit Avenue project. A little piece of Greensboro history was uncovered that Chair Wharton is very glad to know.

ITEMS FROM THE PLANNING DEPARTMENT:

Chair Wharton stated the Planning Department has information regarding the Certified Local Government Annual Report. Ms. Geary stated Chair Wharton had requested for that to be placed on the agenda. Ms. Geary was unclear what part of that needed to be addressed other than to just brief on what it is. Ms. Geary stated the Commission is a certified local government through the National Park Service which means that Mr. Cowhig and herself meet certain qualifications and the Commissioners attend training to meet certain requirements each year. The Commission is required to maintain a majority membership of professional expertise in ratio to the neighborhood representatives or non-professional Commission. Annual reports are completed where the Preservation Office provides suggestions on potential training opportunities. Staff has always asked for more information on new materials and alternate materials. The issue of new growth wood versus old growth wood is a constant struggle. The Preservation Office has listened to the suggestions for training. There have been many good seminars over the years specific to what the different Commissions are asking for. Along with that report, there is discussion regarding the number of COAs that are processed each report cycle. Typically for this Commission is approximately a 100 COAs per year. Ms. Geary has done reports on after the fact COAs processed each year which can run anywhere from 3 or 4 annually. The most has been 9 in one annual reporting year. Ms. Geary stated that the state historic preservation does have a staff person as the CLG coordinator. Amber Simpson recently resigned. There is a new person in that staff role but due to the public health issues, Ms. Geary has not met that individual. Mr. Cowhig added being a certified local government in good standing puts the Commission in a preferred position to get funding for continuing the city's architectural survey work. Currently there is a survey of African Americans neighborhoods and should be completed in the next month or so. Ms. Geary stated the national registration grant and the previous grant was for the downtown survey update that was done to help make it easier for interested developers or property owners who want to use the tax credits. Chair Wharton thanked staff for the update and providing all the information regarding benefits out of that program. Ms. Geary stated the exposure of the trolley tracks is one of the reasons she is in the business she is as those type of discoveries is very exciting. Chair Wharton stated it was a very interesting discovery and so many people were helpful with the preservation of the discovery and support from the staff, Engineering Department, New Staff, and volunteers.

SPEAKERS FROM AUDIENCE:

There were no speakers from the audience.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Arnett. Seconded by Ms. Lane. The Commission voted to approve 7-0. (Ayes: Wharton, Arneke, Arnett, Carter, Hodiernne, Lane, and Stringfield, Nays: 0). Chair Wharton stated the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
July 29, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, June 29, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), Ann Stringfield (At Large) David Arneke (College Hill), Jesse Arnett (At Large), Linda Lane (At Large), Amanda Hodieme (Fisher Park), and Max Carter (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Wharton welcomed everyone to the meeting. Chair Wharton inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Wharton advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting.

1. APPROVAL OF ABSENCES:

None.

2. APPROVAL OF MINUTES, July 29, 2020 REGULAR MEETING:

Mr. Arneke made a motion to approve the July 29, 2020, minutes, seconded by Ms. Hodieme. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodieme, and Stringfield, Nays: 0).

Chair Wharton explained the order of business regarding Certificates of Appropriateness.

SWEARING IN OF STAFF:

Mike Cowhig and Stefan-Leih Geary were sworn for their testimony.

Max Carter joined the meeting already in progress.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3b. Application 2407, 1005 West McGee Street (Approved with Conditions)

Mr. Cowhig advised this application was for the construction of a garage and there were two plans. The first plan was for a two car garage with a height that exceeded 15 feet. Because the setback requirement is 10 feet, it would require a special exception to be approved by the Board of Adjustment. As an alternative, a design depicting a one car garage enabling two cars to be parked in the garage and closer to the property line was shown. This house is a contributing structure in the National Register Historic District. The house was completely renovated and maintains the character of the house. The applicants propose to use stucco

material for the exterior of the garage which will match the exterior of the house. The overhang will be the same garage as it on the house. Staff felt this was a very sensitive design and did not feel the additional length and height of the structure would be an issue as it will be located well away from the street. There is a wide range of sizes and forms of historic garages and accessory buildings within the district. The materials, siding, and scale of the new structure will be consistent with the character of the property and the historic district. Having a single level plan would allow more trees to be saved and result in less pavement. The existing driveway is in bad shape and the paveway will be paved with asphalt. Staff referred to the guidelines for garages, **Accessory structures and Garages, design new garages and out buildings to be compatible with the main structure on the lot. The material and design using existing historic out buildings in the district and an example would be to limit the size and scale of garages and accessory structures so that the integrity or size of the existing lot is not comprised or significantly diminished. New garages and accessory buildings should be located in the rear yards and not pass the center line of the house.** The applicants are not changing the dimension or placement of the driveway, it will only be repaved. **The Guidelines say, "select appropriate materials for new driveways, including concrete tracks, McCadden brick and crushed stone. Parking areas for residential properties should be well screened at the rear of the property.** For those reasons, staff strongly supported the application.

Chair Wharton inquired if there were questions from the Commissioners. Ms. Stringfield asked regarding garage windows and door, if staff knew what the materials would be. Mr. Cowhig responded he did not know and would be a question for the applicant. Ms. Hodierne asked if the proposal was to fill in the track driveway with a complete asphalt surface. Mr. Cowhig stated there was a layer of rock over the tracks that were broken up. The first few feet are intact but beyond that, it is all cracked. The plan is to create a new driveway without the two tracks. Ms. Hodierne asked if that was a part of this application. Mr. Cowhig responded it is part of the application. Mr. Arneke asked if asphalt was an appropriate surface for the driveway. Mr. Cowhig responded in his opinion asphalt wears out over the years to be complimentary and there are asphalt driveways within the district. Mr. Cowhig stated the guidelines do not state specifically on whether it is allowed or disallowed. Chair Wharton inquired if there were any further questions for staff. Seeing none, Chair Wharton swore in Sam Wood for both his testimony and consent to the remote meeting.

SAM WOOD, 1005 West Magnolia Street, stated the plan was for a 2 car garage with the intention of having 2 vehicles end to end in a single width space. The ceiling would be slightly taller than normal at about 12 feet. The ridge line would remain below the 15 foot level in having the single car width. Mr. Wood advised there was a large Oak tree in the backyard they are trying to preserve. In reviewing the plans, the 2 car width was a major concern and would push toward the Oak tree and was very concerned about the root structure. The garage will have the same look of the house with the siding, the ridge line, shingle roof, and stucco siding of the same color. The builder who renovated the house has the recipe for the color and will be able to color match the stucco. Discussion was held regarding asphalt versus something else. Mr. Wood stated details regarding repaving the carport have not been discussed. Mr. Wood advised he did meet with the Fisher Park Neighborhood Association who expressed a concern regarding water run-offs. Currently the run-off flows down the driveway and collects in the backyard with downspouts coming off the gutters and he intends to diminish that issue.

Chair Wharton inquired if the Commissioners had questions from Mr. Wood. Ms. Stringfield asked Mr. Wood if he could provide the materials that would be used for the garage windows. Mr. Wood responded they have not gone very far into those details yet. The architect may be able to speak to that better than he could. Mr. Cowhig stated staff typically recommend simulated divided light for new windows and doors where the muntins are permanently attached to both the exterior and interior of the glass. That could be double paned insulated glass and is typically what is recommended. Ms. Stringfield was concerned as she was a long time Fisher Park resident regarding the tremendous run off going down that driveway and having a way to ameliorate that once it is no longer a semi-permeable driveway. Ms. Stringfield asked Mr. Wood if he intended to replace, if requested by the Commission, the two trees that need to come down with this garage. Mr. Wood responded yes, and did not see any issue why that would not be able to be done. Chair Wharton inquired if there were any further questions for Mr. Wood. Chair Wharton advised the next speaker was Gary Nolan. Mr. Nolan did not respond due to a technical issue. Chair Wharton stated the next speaker was Thomas Moreau. Chair Wharton swore in Thomas Moreau for both his testimony and consent to the remote meeting.

Thomas Moreau, advised both Mr. Cowhig and Mr. Wood did an excellent job of recapping the project but there were a couple of comments regarding the windows and the muntins. The muntins will be placed on the top half of the window and a simulated divided light would be in the windows and have insulated glass. They are looking at the stucco and the stucco finish and then banding around the windows to match to the house. Mr. Moreau would recommend a wood window so it could be painted to look just like the house. The door into the garage is shown as glass also, somewhat like a window with the muntins in the glass to allow for as much natural light as possible. Rather than matching the four panel solid wood front door, they would prefer light in the door in the back of the garage and along the front garage door where one of the panels will have light in it. It would probably be a standard aluminum overhead door in the garage. There had been discussion regarding the drainage and they are in the process of obtaining someone to address that issue of adding more impervious material that would cause more issues. It will be addressed as they move further along in the design. Chair Wharton inquired if the Commissioners had questions for Mr. Moreau. Seeing none, Chair Wharton inquired if Mr. Nolan was available. Mr. Nolan was unavailable due to a technical issue. Chair Wharton requested Mr. Halsch to speak next. Chair Wharton swore in Jim Halsch both for his testimony and consent to the remote meeting.

Jim Halsch, 812 Olive Street, advised the Fisher Park Neighborhood Association had a meeting the previous Monday and are in support of the project but did express concerns regarding the water runoff. It appears there will be a 100 percent more paved area when looking at the driveway, the building, and the aprons around the building. The Association would like that issue to be addressed substantially. There are commercial buildings around there and they did not want this to go to commercial with this type of building. Mr. Wood has assured them that was not his intention. The Association feels strongly the water is an issue on this project. Chair Wharton inquired if there were any questions from the Commissioners for Mr. Halsch. Seeing none, Chair Wharton inquired if Mr. Nolan was available. Mr. Nolan was unavailable due to technical issues. Chair Wharton requested advice from Ms. Jones. Ms. Jones stated as Mr. Nolan had not testified, the Commission can go forward with the case. It is unlikely that an appeal would be filed based on this. Chair Wharton inquired if there was

anyone else to speak in favor of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the application. Seeing none, Chair Wharton inquired if there was discussion among the Commissioners. Ms. Stringfield advised she was willing to move to support the application unless there were other considerations. Ms. Stringfield stated because there are only two trees to be removed in the backyard, it is a well treed yard regardless. Her motions would suggest that Mr. Wood replace one tree in the backyard. In taking out two thin ones, one would be satisfactory. Mr. Arnett requested to see the pictures of the trees that would be removed. Mr. Wood indicated two small trees on a photograph. Chair Wharton advised to make a motion for a finding of fact and then discuss possible conditions. Chair Wharton inquired if someone would like to make a motion.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application # 2407, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines, and that the comments and the following Guidelines under Guidelines for Accessory Structures and Garages, page 36, numbers 2-4, Guidelines for Trees and Landscaping, page 23, numbers 2-3,5-6, Guidelines for Walkways, Driveways, and Parking Areas, page 30, numbers 2-6, and Guidelines for New Construction, page 80, numbers 1-6 are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Lane, Hodiernne, and Carter, Nays: 0).

DISCUSSION:

Chair Wharton inquired if Ms. Stringfield would like to discuss possible conditions. Ms. Stringfield stated there were two planned conditions. First condition is the one car garage as designed and discussed. Second, one tree be replaced by March of 2021. Ms. Stringfield stated she did not mind saying two trees if the Commission members would prefer two because two tall slender trees are being removed. Mr. Arnett advised one seemed adequate. Mr. Arneke agreed as it does not appear there is a lot of room to add trees in the backyard. Mr. Carter, Ms. Hodiernne and Ms. Lane agreed to one tree being adequate. Ms. Lane requested the Commissioners have further discussion to decide what the surface area should be on the driveway. Mr. Arnett stated either asphalt or concrete was acceptable as that appears to be the two options they were considering. Ms. Lane responded the original design could be continued with the runways going to the back and seemed more appropriate. If there was a way to marry it with the larger surface area that could be explored and perhaps handled at the staff level. Chair Wharton asked Ms. Lane if she was thinking of concrete strips for the part of the driveway going past the house and possibly asphalt in the rear. Ms. Lane stated that or concrete to have similar material meeting the runners with the earth in-between. Ms. Lane felt that needed to be examined closer. Chair Wharton advised it would provide a more permeable surface that may help with the drainage. Chair Wharton asked Ms. Lane if she was thinking of asking the applicant to work with staff to explore those options to reduce the amount of impermeable surface. Ms. Stringfield and Mr. Arneke agreed. Ms. Hodiernne agreed but wondered in saying that should be done with staff, what would be the criteria or considerations being asked of staff to judge against or would that be needed. Ms. Hodiernne felt there was not a lot of guidance of what is being asked of staff to do. Ms. Geary stated she understood that the Commission would prefer that the footprint be maintained at the front of the property, perhaps to the mid-point of the house and would then transition into a solid surface. Ms. Geary stated she gathered the Commission did not have concerns with concrete versus asphalt, it was more the amount. Mr. Arnett felt the guidelines do not require the ribbon style, but is

suggested as an option. Mr. Arnett stated perhaps the Commission could direct the applicant to explore driveway options that minimize the amount of impermeable surface as that was the concern specifically brought up by the Neighborhood Association. Ms. Lane asked if the Commission was saying the pre-existing conditions are not authentic. Mr. Arnett responded no, but did feel the applicant was required to put the ribbons back just because that was the pre-existing condition. The guidelines do not require that. Ms. Lane stated she was saying ethically as well. Chair Wharton agreed with Ms. Lane that the ethically the ribbon style would be the better option. Mr. Arnett's point was whether the Commission has the authority to require it in this case when it hasn't been required in other cases. It was a question of fairness to all the applicants. Ms. Geary added Guideline number 5, page 30, states "**select appropriate materials for new driveways, including concrete tracks (narrow strips)**" and then goes on to recommend other materials. Ms. Stringfield advised that was in the motion and had no objection to saying the Commission prefers concrete ribbon styled driveway to at least the mid-point of the house to reduce impermeable surfaces. Ms. Stringfield stated that would be to the owner's best interest for this case and this property. Chair Wharton advised he thought the Commission should recommend those options should be pursued both for esthetics and drainage purposes. Ms. Jones suggested the Commission not have the applicant explore options but make the decision on this matter. There would be a lot of discretion for staff, if the applicant comes back and say they cannot do one option or the other. In looking at Guideline 1, the Commission can deny in part the COA to create a new driveway and have them repair the existing driveway. Ms. Geary stated in that case it would be a repair of the existing driveway and then construction of a new driveway pad in the rear. Ms. Geary provided a possible wording for a condition. Chair Wharton stated Guideline 1 does provide the Commission with authority to ask the applicant to repair that section. The existing driveway is in bad shape and will get worse during the construction of the garage and perhaps it should be replaced with ribbon style driveway. Chair Wharton read the guideline aloud for the Commissioners.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves with conditions, application #2407 and grants a Certificate of Appropriateness, to applicant Samuel D. Wood for work at 1005 Magnolia Street with the following conditions:

1. The approval is for a two car garage that is the width of one car.
2. A replacement tree can be placed anywhere on the property by March of 2021.
3. The applicant will work with staff to alter the design of the driveway to reduce the amount of impermeable surface and retain the design of the ribbon driveway to the mid-point of the house.
4. The windows will be wood simulated divided light windows.

Seconded by Ms. Lane. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Arneke, Arnett, Lane, Hodiernne, and Carter. Nays: 0).

3b. Application #2403, 1005 McGee Street (Approved with Conditions)

Mr. Cowhig advised this application is for a one story addition at the rear of the house. There is an offset on either side that would help to meet the guidelines for distinguishing additions from the house. The house was covered in aluminum siding probably in the '50s or '60s and at that time, the porch floor was replaced completely with cement and original porch columns were replaced with metal supports. The applicants would like to replace the metal supports with more appropriate columns. There are no documents indicating what type of columns may have been there. The applicants provided a photograph depicting a house in Dunleath that has

columns similar and could have been used on this house based on similar houses in the historic district. Staff felt the addition was sensitively designed and met **the guidelines in terms of materials, style, and detail, design additions to be compatible with the original structure rather than duplicating exactly. Distinguish additions from the original structure through change in roof line, wall plane, detailing, and/or material.** Staff did not feel the addition affected any character defining features of the historic structure. It is not a large addition and would not affect the integrity of the house. **The Guideline states changes in height that would alter the character and scale of the existing building to accommodate an addition are not appropriate. Minimize sight disturbance for construction additions to reduce the possibility of destroying any site features or existing trees.** This request meets both of those guidelines. There is a tree that would have to be removed to construct the addition. Mr. Cowhig depicted images of the property and the back of the house. The garage appears to be an original garage. The image of the fish pool was shown depicting the “real reason” the property was brought which appears to have been original to the property which is one of many wonderful things within the Historic District. **The Guidelines related to the changes with the front porch state it is not appropriate to add elements or details to porches to create a false historical appearance.** Staff felt the applicants are attempting to replace with items that may have been there and would meet the guidelines. Staff heartily supported the application.

Chair Wharton inquired if there were any questions for Mr. Cowhig. Ms. Stringfield asked what was the tree that would have to be removed. Mr. Cowhig advised it is the maple tree directly behind the house. The applicants have a lot of trees in the backyard that would compensate for the loss of that tree. Chair Wharton inquired if there were any further questions for staff. Seeing none, Chair Wharton requested the applicants. Chair Wharton swore the applicant both for their testimony and consent to the remote meeting.

Nadia Cech, 605 Park Avenue, stated they have lived in Dunleath for approximately 15 years. Both her and her husband Gavin Douglas are professors at UNCG. They fell in love with everything about the house and love historic homes and living in an historic house. Their goal is to ultimately restore the house back to what it may have looked like originally in the 1920s when it was built. They will maintain the features that are historic and restore the ones that are not. They will be working on the front porch replacing the pillars with something more historic and more a 1920's style. They are open to suggestions about what type of pillars should be used. The addition on the back will not be visible from the front and is designed to increase the square footage in the back of the house and increase the value of the property without impinging on the defining features of the house. They did propose to replace the tree that is being removed even though there are a lot of trees in the back. They would consult with an arborist to place another tree if there is space for it.

Mr. Cowhig commented on the photograph in regard to covering the sheet walls of the front steps. In his experience when steps and sheet walls have bricked over, in many cases changes the dimensional relationship and have at times resulted in being not compliant with the codes. There have been bad experiences with bricking over things like that and there might be another solution to whatever the issue may be. Mr. Cowhig recommended giving that strong consideration. Ms. Cech responded the only thing she was proposing was possibly to put a brick veneer on the top of the podiums at the top of the steps but was not attached to that idea and would leave as is if preferable. Mr. Cowhig stated staff can look at that. Ms. Geary asked

Ms. Cech to verify the showing of the most recent elevation drawings with the 2 sets of French doors. Ms. Cech responded it was the most recent. A photograph was shown depicting a house in Dunleath similar to the design they were considering. Ms. Cech stated they are very open to whatever the Commission recommends regarding the pillar design.

Chair Wharton inquired if there were any further questions for Dr. Cech. Seeing none, Chair Wharton advised Gavin Douglas to speak. Chair Wharton swore in the next speaker testimony and consented to the remote meeting.

Gavin Douglas 605 Park Avenue, advised he had nothing much to add. They are happy to add a tree and to get the fish pond up and working. Both are very committed to trying to restore the house as much as it can be and are able to. They may be before the Commission again with more improvements in the future. Mr. Douglas thanked everyone for the work that is done by the Commission and staff.

Chair Marshall inquired if there were any questions for Dr. Douglas. Seeing none, Chair Wharton advised Arlen Nichols was present to speak in support. Ms. Geary advised she had not heard from Ms. Nichols. Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton asked if there was anyone to speak in opposition to the application. Seeing none, Chair Wharton asked if there was discussion.

DISCUSSION:

Ms. Stringfield stated she was pleased to support the application. The only condition would be to replace one tree that needs to be removed for this project. Chair Wharton stated given a choice of the columns, he preferred the ones included on the elevation drawings as they appear to more appropriate for this style of house. Mr. Arneke and Ms. Lane agreed with Chair Wharton. Ms. Hodiernie stated she felt it was important to state what was being approved for the columns, the railings between the columns, and going down the porch steps. Ms. Geary stated the elevation shown is the most current depiction and does not show a railing. As long as building code does not require it, they would be fine. Mr. Cowhig advised based on his experience, the applicants will probably be required to install railings. Mr. Cowhig stated he was the one who questioned the columns on the elevation drawings. Chair Wharton stated it appeared a railing would be required as it appears to be 3 feet from the floor to the ground. The railing according to code is a taller railing appropriate for these homes, but may be tricky to integrate with the tapered column on the top. Mr. Cowhig advised that would require more thought and staff would be happy to work with the applicants on that issue. The picture shown on the house in Dunleath is a good starting point. Mr. Cowhig stated Mr. Arnett had designed a railing nicely designed and detailed in such a way you did not notice the extra height. If done well, it does not have to be a problem in his opinion. Ms. Geary advised everything will be newly built and be designed to meet building code. Everything will blend together in a proportion that is accurate. Mr. Cowhig stated staff would be happy to work with the applicants for an appropriate design as they get into those details. Chair Wharton suggested a condition stating the design proportions of the columns and railings be worked out with staff approval. Ms. Geary stated staff could be historic district staff and building code staff.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application #2403 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and that the staff comments and the following guidelines under, **Porches, entrances, and balconies, page 64, numbers 1 and 2. Guidelines for Additions, page 76, numbers 1 – 6. Trees and**

Landscaping, page 23, numbers 2,3, 5, and 6, are acceptable as a Finding of Fact. Second by Mr. Arneke. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Lane, Hodierna, and Carter. (Nays: 0).

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves, with conditions, application #2403 and grants a Certificate of Appropriateness to applicant Nadia Cech for work at 1005 West McGee Street, with the following conditions

1. That they will replace one tree by March 2021 in consultation with Judson Clinton, City Arborist.
2. That they rebuild the porch columns using the designed shown on the elevation of this application.
3. That they work with City staff to ensure the porch railings are proportional and meet building codes.

Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Lane Hodierna, and Carter. (Nays: Arneke).

3c. Application #2410 753-761 Chestnut Street

Mr. Cowhig advised this application is for construction of roofs over the decks at the rear entrances to this apartment building on Chestnut Street and is a non-contributing structure in the Historic District. Mr. Cowhig provided background information that the person who built the original apartments had vacationed in Holland and liked the architecture there and built these Dutch colonial looking apartments. The apartments are nice. At some point in time the windows were replaced in these buildings. There are two laundry room windows on the back of one of the buildings with very nice wood on them. Staff did not feel the current owners should be responsible for that and wanted it on the record. **Guidelines, Changes to Non-Contributing Structures, page 10, "when making changes to the buildings themselves, the guidelines in this document pertaining to exterior changes should be followed. However, considerable flexibility is warranted when making changes to non-contributing buildings. Decisions that make practical and esthetic sense that may be contrary to specific guidelines are welcome when they uphold the overall intent of the guidelines.** Staff feels this proposed work does meet those guidelines. The roof over the decks will make the buildings more livable, functional, and will solve the water issues. **The Guidelines for Roofs say preserve and maintain original roof details such as decorative rafter tails, crown moldings, soffit boards or cresting. If replacement is necessary, the new details should match the original.** Mr. Cowhig stated he put that in because this is a change to the roofs of these structures. Mr. Cowhig pointed out a tree in front of one the buildings where the main leader was completely broken off during a storm and a second leader is leaning on the building. The applicants have applied to have that tree removed and would be approved at the staff level. Staff strongly supported the application. Chair Wharton inquired if there questions of staff. Seeing none, Chair Wharton swore in the property owner for both their testimony and consent to the remote meeting.

Sachin Anchan, 304 Isabel Street, advised the decking failed fire inspections. The prior owners patched the decking. It had been classified in the past as a fire and safety hazard. While restoring the property, the existing roof lines and the way the decks was set up had caused water issues for tenants in both upstairs and downstairs units. Working with the

designers, it was determined to be in the best interest to extend the roof line to cover the decks and doorways into the buildings for both upstairs and downstairs tenants. Mr. Anchan indicated a bowed 2x4 board that had been made to stand up on one of the buildings. Mr. Cowhig advised the railings currently there were replaced at some point from the original design and the proposed design for the new railings would be more consistent with railings found within the neighborhood. Chair Wharton inquired if there were any questions for Mr. Anchan. The speaker was sworn and consented to the remote recording.

Ned Gillfore (ph), 306 Bills Drive, McLeansville, stated the points have been made. The conditions of the deck themselves are to the point where they are dangerous. Adding a roof will solve the problems of safety for the tenants as most use the rear access and rarely the front access stairwell.

Chair Wharton inquired if there were any questions for Mr. Gillfore. Seeing none, Chair Wharton advised Mindy Zachary was the next person to speak. The speaker was sworn and consented to the remote meeting.

Mindy Zachary, 604 Summit Avenue, stated the Neighborhood Association Board met and were unanimous in support of the application.

DISCUSSION:

Chair Wharton inquired if the board members had discussion. Ms. Stringfield stated the new roof mimics the laundry room roof. It is appropriate and safer for the residents. Ms. Stringfield was in support of this application. Chair Wharton stated as a neighborhood resident, was glad that Mr. Anchan was taking care of the property and upgrading it.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application #2410 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and that the staff comments and the following **Guidelines under Rooms, page 53, number 3. Guidelines for Porches, Entrances, and Balconies, page 64, numbers, 2 -5. Guidelines for Safety and Code Requirements, page 70, numbers 1-3. Guidelines for Non-Contributing Structures, page 10, no numbers associated with it, are acceptable as Findings as Fact.**

Chair Wharton advised he had not asked if there was anyone to speak in opposition to the application and asked if there was anyone wishing to speak in opposition of the application. Chair Wharton inquired if there was a second to the Finding of Fact motion. Seconded by Mr. Arnett. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Arneke, Arnett, Lane, Hodierne, and Carter, Nays: 0).

MOTION:

Ms. Stringfield moved that the Greensboro Historic Preservation Commission approves application 2410 and grants a Certificate of Appropriateness to applicant Sachin J. Anchan for work at 753, 757, and 761 Chestnut Street. Seconded by Arnett. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Arneke, Arnett, Lane, Hodierne, and Carter, Nays: 0).

3d. Application #2409 116 Cypress Street

Mr. Cowhig stated 116 Cypress Street has been undergoing major renovations over the past year. Mr. Driver, the owner, inquired if the front porch could have gutters on the front porch roof only. Because of the vintage of the late Victorian house, it has crown molding which houses of this nature usually do and may not have had gutters originally. The crown molding is a detail that is considered important. The State Historic Preservation Office has agreed to the removal of the crown molding and the building out of the fascia board to install an Ogee or a K style, a typical gutter seen on most homes. There are Guidelines that say details like that are important. Mr. Cowhig stated not many people even ask to place gutters on old Victorian houses and usually take the crown molding off and put the gutter on as it is a lot easier to install. There are half round gutters that can work with crown molding. That is the issue and referred to **Guideline under Roofs, number 4, Preserve and maintain original roof details such as decorative rafter tails, crown molding, soffit boards. If replacement is necessary, the new detail should match the original.** There has been excellent work on this house, the double hung side windows are there and all the windows have been restored. The exterior looks wonderful, especially compared to a few years ago and gave the applicant credit. Staff appreciates someone even asking as so many do not ask when it comes to gutter replacement.

Chair Wharton inquired if there were any questions for staff. Ms. Stringfield verified that the staff suggestion was for the applicant to make repairs as necessary to the current molding and then install U shaped gutters. Mr. Cowhig responded that would be staff's preference but understood the crown molding is in bad shape. A craftsman could probably replace the deteriorated sections but did not know if that crown molding was even available now. Mr. Cowhig advised Mr. Clark could provide more detail regarding his conversation with Mitch Wilds of the State Historic Preservation Office. Ms. Lane asked if the crown molding was kept as original was there any way to incorporate a gutter system without tampering with that profile. Mr. Cowhig responded as he understood, the half round gutters do not have to be attached to the fascia board or gutter board. They are straps attached to the roof and it's all in the way they are installed. Ms. Lane advised she not clear on where it would hang. Mr. Cowhig responded the top of the gutter would be even with the top of the crown molding and the roof shingles would lean over. Ms. Lane stated in essence it would hide the crown and be even with the crown molding. Mr. Cowhig responded any gutters would hide the crown molding. The crown molding has a practical origin to it as it covers the seam where pieces of wood are joined. Crown molding is a character feature of the late Victorian structures. Less and less is seen because they are often removed to install gutters. Ms. Lane asked where the downspouts were proposed. Chair Wharton responded that would be a question for Mr. Driver. Mr. Arnett stated there are strapped hangers that attach to the roof and hang out beyond. The gutter would be in front of the crown moldings and would hide it but not be completely blocked. It gives a different effect than the K style gutters. It is an attempt to imitate crown molding but is not a great imitation because it has to carry water. Ms. Lane stated the width of the gutter would project further than the roof shingle edge. Mr. Arnett stated whatever the width of the gutter is, it would project out beyond the line. Standing underneath you would see the crown molding and the underside of the gutter. Ms. Lane asked if that was usually a rounded shape. Mr. Arnett responded it is like half round, a semi-circle. Looking at this particular perspective, you would see some of the crown molding as well as the gutter. Chair Wharton referred to Tracy Pratt's home in Fisher Park as an example of the half round gutters. Ms.

Stringfield asked Mr. Arnett to respond to the question regarding downspouts. Mr. Arnett stated that would need to be worked out. Often when using half round gutters, you also use a round downspout as opposed to the rectangular fluted ones seen with the K style gutter. In looking at the roof, it is likely that at least one downspout would have to be routed along the porch column on the corner. The others may be able to be placed up against the house depending on where exactly the gutter fits. Mr. Carter stated the guttering in a lot of places does try to mimic the crown molding and from a distance if the crown molding was removed and that guttering put in that place, most people would not notice the difference. Ms. Lane agreed. Chair Wharton inquired if there were further questions for staff. Seeing none, Chair Wharton requested the applicant to provide their name and address. The speaker was both sworn and consented to the remote recording.

Dean Driver, 4701 Land Road, stated he did contact Mike Wilds and they have tried to be true to the house in every way they could. There is an approval from an existing Certificate of Appropriateness that broadly approves the gutters across the house. Originally there was going to be more guttering. Cost was an issue but several gutter installers said if there was a really good job on the porch, it would catch the water through the main roof. It is not ideal as there would be a lot of splash which is hard on the siding. Right now they are trying to do the minimum to change the appearance of the house. All that is planned currently at the front of the house is the perimeter of the wrap around porch. If the crown molding on there was intact and usable, they would be more accepting of the half round gutter that is quite a bit more expensive and not sure how durable as the modern gutter. They have been unable to locate a similar crown molding cross section that is available. Replacing crown molding is an expensive process and then basically obscuring it from at least the street view with a gutter system of either type is daunting. Mr. Driver agreed the look of the modern type gutter is at least similar to a crown type layout and want to present to the Commission to see if it could be done by just building it out and putting in a standard gutter. Mr. Driver would like to place it in the back area for a downspout. The corner area would receive a downspout. The downspouts have to be a good size because it serves not only the porch roof but the entire main roof on the front side with a lot of water coming off. One of the pilings has been rebuilt due to so much water coming down from the current configuration. That was their incentive to protect the foundation of the house.

Chair Wharton inquired if there were questions for Mr. Driver, Ms. Lane commented she appreciated the applicant coming forward and asking for permission but if you're in the street, it would not be obtrusive to go along with a more traditional common case style gutter system. Given the fine restoration that the applicant has done, Ms. Lane did not feel it would be a big negative and was willing to discuss that with other Commissioners. Ms. Lane was leaning to allow a case style. Ms. Lane understood the historical significance and perhaps good record keeping or a booklet of the house would show what was done. Chair Wharton stated Mr. Driver has done a fantastic job rehabilitating this home. Chair Wharton asked if the applicant were to install a modern gutter, was there a plan to trim or renew any roof material off any extension of the roof as it is right now. There have been houses where it appeared the crown molding was removed and removed a couple of inches of the roof overhang which looks really bad. Chair Wharton asked if Mr. Driver could provide insight on what the plan would be.

Mr. Driver responded the roof has been replaced recently and kept the same geometry as the original roof. At this point, Mr. Driver felt it would be easier to build it out with a 2x4 to get the gutter in the proper position than to trim the roof, and it would preserve at least the original footprint of the roof. Anyone that would try to restore this house exactly in 100 years from now would look at it and say they used the crown molding and that's why that is extended. Mr. Driver advised he would prefer to build it out.

Chair Wharton inquired if there were any further questions for the applicant. Ms. Stringfield clarified if Mr. Driver had spoken with the State Historic Preservation Office in Raleigh and it was suggested that in this case using the standard case style gutters would be acceptable to them. Mr. Driver responded that was correct. He spoke to Mitch Wilds. When he explained the existing crown molding was irreparable, Mr. Wild was quickly onboard and stated that was a big ask for homeowner to replace something and then obscure it immediately after that. Mr. Wilds was onboard with it from the practicality aspect. Ms. Stringfield advised she was leaning that way as well, although in the photographs only saw one place where the molding is damaged. Mr. Driver indicated on a photograph the entire front damage. To keep water from coming down on people going on to the front porch, a piece of sheet metal was placed at an angle that diverted the water over. The entire front piece has a new coat of paint but is in bad shape. Ms. Stringfield stated she normally would not support this but respected Mitch Wilds expertise on something of which she has no expertise. Mr. Driver brought this up as this home is located on a prominent corner and the crown molding would be the feature of the house and was hesitant to do anything to violate the house. Chair Wharton inquired if there were any further questions for Mr. Driver. Chair Wharton advised Mindy Zachary was the next person to speak. The speaker was both sworn and consented to the remote meeting.

Mindy Zachary, 604 Summit Avenue, stated the Neighborhood Association Board met and were unanimous in support of the application. There were many comments about how appreciative the board members were of the Drivers efforts to restore the house and all of the rehabilitation work done thus far. It has been wonderful to watch the house come back and the Board was happy to support the application. Ms. Zachary stated personally that she knew if Mr. Driver had to put up new crown molding, it would be Home Depot's or Lowe's crown molding or something. It would be something another owner later on, should they choose to take off the gutters, could put up just as easily. From her personal experience using new wood on an old house does not hold up. A roof gutter system that mimics the look of the crown molding would be perfectly appropriate. The most important thing are water issues in the neighborhood and to keep water away from the house. At this point that is more important than the crown molding that can be put up at another time.

Chair Wharton inquired if there were any further questions for Ms. Zachary. Seeing none, Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition of the application. Seeing none, Chair Wharton inquired if those Commissioners who had not spoken previously would like to speak.

DISCUSSION:

Mr. Arneke agreed with the removal of the crown molding. He did not like the idea but as a practical manner it would be better to go and have a good gutter system in place. Mr. Arnett stated he was very torn. The crown molding is a nice detail and sets an historic

home apart from new construction. It is character defining and similar to requiring divided simulated divided light on new windows when expensive new homes do not have that detail. Mr. Arnette understood the owner's concern regarding expenses related to repairing the crown and using a half round gutter. Mr. Arnett was hopeful the applicant would explore that option as Mr. Arnett felt that would have a much nicer result, but appreciates the practical concerns with that. The neighborhood support does hold a lot of weight. Mr. Arnett stated the job Mr. Driver has done on restoring this house is fantastic. He surveyed the house before it was purchased and knew it was in sad state. Chair Wharton was similarly torn. Chair Wharton had the same situation in his house in trying to find someone who could do half round molding and he chose the same crown molding and same problems with the crown molding. It does seem counter-productive as the original crown molding has been hard to obtain and the new crown molding would be made out of material that will probably not be as durable as the original. To cover that back up does not seem tenable.

Ms. Stringfield asked in a case where all the Commissioners are conflicted, can a person make a motion that is incongruous with the guidelines and yet still approve, has it been done before. Mr. Cowhig responded that can be done. Chair Wharton agreed and asked for a finding of fact.

FINDING OF FACT:

Mr. Arnett moved based upon the facts presented in application # 2409 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the Historic District Program Manual and Design Guidelines and that staff comments and the Guidelines, page 51, number 4, are acceptable as finding of fact. Seconded by Ms. Stringfield. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Lane, Hodiernne, and Carter, Nays: 0).

DISCUSSION:

Chair Wharton stated he would like to have a condition that the roof not be trimmed in order to complete the project.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves, application #2409 and grants a Certificate of Appropriateness to applicant Dean Driver for work at 116 Cypress Street, with the following condition

1. That the roofing material on the porch not be trimmed back.

Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Lane, Hodiernne, and Carter. (Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Wharton stated he had no items.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig advised there was a guest, Heather Lane, who has conducted the survey of African/American neighborhoods in Greensboro and will provide an update and progress report. The City received an HPF grant to document African American neighborhoods in southeast Greensboro. In late January they met with the task force compromised of city

staff, representatives from Preservation Greensboro, representatives from the neighborhood

Heather Lane, provided a summary of what has been done so far and where they are currently in the larger scope of the project and advise of some of the drawbacks experienced due to the pandemic. The City received an HPF grant to document African American neighborhoods in southeast Greensboro. In late January they met with the task force comprised of city staff, representatives from Preservation Greensboro, and representatives from the neighborhood to determine which neighborhoods and streets would be looked at. They rode throughout the neighborhood on that day with Beth King, from SHPO, to develop a game plan on how to conduct the survey. In February resources were collected from the library. The survey was done of the neighborhoods on the ground walking of the neighborhood the first week of March and then everything shut down. It was fortunate that while they were out there, 139 buildings were documented that had been documented in earlier surveys the City had conducted. The records are currently being updated for those properties with most of them north of Gate City Boulevard. Sixteen new individual buildings, largely churches and modernist styled buildings were documented. The biggest component was documenting whole neighborhoods. Instead of doing intensive level surveys for a large number of buildings, neighborhoods were documented as a whole with one photograph of all of the buildings and then attempt to identify where there were potential historic districts and give a broad overview of what those neighborhoods looked like. There were approximately 500 buildings that were documented in that manner.

Neighborhoods were identified based on the plats and not necessarily the way the neighborhood residents identify them. The three main areas were the Washington Street redevelopment area, near Washington and Perkins and near the Washington Street Elementary School. It probably is not eligible for the national register as it was redeveloped in the 70s. It is very architecturally intact and a cohesive segment but not old enough to pursue anything currently. Clinton Hills and Benbo Park neighborhoods extend all the way along Benbo Road, from a couple of blocks of South Gate City Boulevard.

The plan is to propose two potential national register historic districts. They expect to propose two separate districts before the Commission in September to present the findings of the survey which will also depict maps and things. The two districts adjoin each other and are being looked at as doing separate districts to allow the Commission to have flexibility in the future regarding whether the Commission would want to nominate part of one or lump the two together to do a single nomination. There would be more flexibility if it was to be documented as a single neighborhood.

Currently the SHPO is reviewing the individual files that have been created and updated for those properties. There are a 150 or so individual files and SHPO is working on that. They are currently working on the historic context part of the report. A lot of resources were collected to include books and published resources and some items from the UNC archive in Chapel Hill. It was planned to present oral interviews with a number of the residents and go through the flat vertical files from the library and museum. It did not happen due to the pandemic. Ms. Lane felt there was sufficient general information from the published sources they have and from some planning reports that Mr. Cowhig and Ms. Geary were able to find. There are a number of people from the task force that are neighborhood residents willing to interview some of the neighborhood residents and record those interviews. There are at least two interview audio files that have been sent to them. Ms. Lane stated they are attempting to find work arounds to keep this project moving and

collect as much information as possible without being able to physically go and talk to people and access resources in the library and museum.

Ms. Lane stated as part of the working report, they are hoping to add a number of things to the study list for the national register. The two districts previously mentioned and a list of 11 individual properties, are mostly modernist style churches and houses they are hoping to add to the study list. One of the components to nominate properties individually was to include interior photographs. Interior photographs could not be taken or provided because it was not safe to go inside people's homes currently. The City mailed letters to the owners of the properties requesting them to take interior digital photographs and send them back to them and are hoping to collect those photographs within the coming weeks. The other things they were not able to obtain photographs of will be addressed in the report as being potentially eligible and will be notated that there was not enough information. Those things will still be called out as potentially significant but may not be able to list as many things to the study as would be listed in a normal year.

Ms. Lane stated they are in the process currently of amending the contract to extend it. Initially the contract was to expire in the middle of August but due to pandemic, the park service has granted extensions to the grant. They are working with the State Preservation Office to extend their contract to October 15. It does not change much in terms of what was being planned except there was supposed to have been a draft report to the Commissioners to review. Hopefully there will be a draft presented to the Commissioners by mid or late August. That report will still go to the National Registered Advisory Committee for their October meeting which was always the plan. The contract has been extended to go through that October meeting in order to finalize the report up to the October meeting.

Ms. Heather Lane asked if there were any questions or if Mr. Cowhig or Ms. Geary had anything to add to that. Ms. Geary stated the task force was doing a tremendous job and noted in the audience were Beth King and Jeffrey Smith from the State Historic Preservation Office. Ms. Geary thanked Mr. Chad Roberts, a neighborhood representative working with the Historic District Preservation Commission, for coming to the meeting.

Chair Wharton asked if he could be provided some sense of the people side of this project and how it was being received in the communities they have gone through and what kind of feedback is being received from the people they are working with.

Ms. Heather Lane stated there was a public meeting with the neighborhood residents in late January and the residents were generally very receptive. It is an area that probably should have been documented a long time ago and we are just now catching up to the significant African/American neighborhoods. Ms. Lane felt the residents were generally very interested and excited they are finally getting some attention. Ms. Lane referred to Mr. Roberts to speak to being a resident

Mr. Roberts stated the residents are very curious and waiting to see or learn more about how the process will work. He has not heard personally from anyone who received letters from the City regarding their interior photographs. The deadline is coming up. Mr. Roberts felt it has generally been well received and the neighborhood is curious to learn more about what will happen next.

Ms. Heather Lane stated she did not remember the deadline on the letter but will probably be flexible on that. The study list of things should be nailed down probably by mid-September at the latest. If Mr. Roberts is talking to anyone in the neighborhood who is worried about the deadline, let them know to continue sending things in. The other thing that they tried to emphasize at the first meeting was that this is just a first step. There is no

way all of the information can be collected with all of the stories of this neighborhood for this small project. Ms. Lane felt very optimistic that once these neighborhoods are on the State's Study List, they will follow through with the momentum to keep going to both National Registers Districts and to keep going with the oral histories. It was worked out with the Greensboro History Museum that they would take the lead on the oral histories and then archive the information and make it available so that it is in a format more usable for the general public. The Greensboro History Museum is hopeful they will be able to keep running with the oral history component coming out of the pandemic.

Mr. Roberts stated as far as the history side of it, he has picked up a little bit of information here and there. There are some fine details the neighbors want to know that are probably - when talking about the historic registry and the qualifications - are going off of what they saw or read in the newspaper, such as some of the people involved and the lawsuits. That bridge can be crossed when they get to it.

Ms. Heather Lane stated Mr. Cowhig and herself talked about doing a follow-up meeting with the task force to discuss the next steps going forward after this project, what the next phases may look like, and whether or not everyone wanted to apply for more HPF funding to do some of those next phases.

Mr. Cowhig felt it was a good idea to get the committee back together soon with a Zoom meeting to brainstorm and take stock of where they are currently and what should they be doing for the future.

Ms. Geary stated it is unfortunate because with the committee group there was a lot of momentum and had a really great turnout with the public neighborhood meeting. It was really tremendous. A lot of just storytelling and sharing of people's memories. Ms. Geary thought it was a very positive event and thought Ms. Lane and the neighborhood representatives have really been able to carry through all what has happened in the last several months to make sure that this project continued to move forward.

ITEMS FROM THE COMMISSION CHAIR:

Chair Wharton thanked everyone for their work in the project and felt it was fantastic. Chair Wharton was excited with moving forward in the future.

Ms. Heather Lane stated it was not turning out to be quite the project as originally thought but the project is carrying on and doing the best that they can with what they have.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig advised there was nothing further.

SPEAKERS FROM THE AUDIENCE:

No speakers from the audience.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Arneke. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Wharton, Arneke, Arnett, Carter, Hodierne, Lane, and Stringfield, Nays: 0). Chair Wharton stated the meeting was adjourned at 6:14:00 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
AUGUST 27, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, August 27, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair David Wharton (Dunleath), Ann Stringfield (At Large) David Arneke (College Hill), Jesse Arnett (At Large), Linda Lane (At Large), Amanda Hodieme (Fisher Park), and Max Carter (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Wharton inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Wharton welcomed everyone to the meeting. Chair Wharton inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Wharton advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Wharton inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting. Ms. Hodieme requested to recuse herself from Item 4 on the agenda. Chair Wharton disclosed regarding item 4, the rezoning application, he received two emails from David Craft but did not have any conversations regarding it.

1. APPROVAL OF ABSENCES:

Ms. Geary advised Sylvia Stanbeck was an excused absence and was assisting Ms. Stringfield in joining the meeting.

2. APPROVAL OF MINUTES, July 29, 2020 REGULAR MEETING:

Mr. Carter made a motion to approve the July 29, 2020, minutes as amended, seconded by Mr. Arneke. The Commission voted to approve 6-0. (Ayes: Chair Wharton, Arneke, Arnett, Lane, Hodieme, and Carter. Nays: 0).

Chair Wharton explained the order of business regarding Certificates of Appropriateness.

SWEARING IN OF STAFF:

Staff Mike Cowhig and Stefan-Leih Geary were sworn for their testimony.

Ann Stringfield joined the meeting already in session.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2412, 746 Park Avenue (Approved with Conditions)

Mr. Cowhig stated this application was for the removal of a tree within the Dunleath neighborhood at 746 Park Avenue. Images were provided to all of the Commissioners depicting the tree within a few feet of the foundation. Visible disturbance of the foundation was shown. For that reason, staff felt it was reasonable to take it down. Mr. Cowhig advised in many cases staff has approved tree removals when trees are causing damage. In this

particular case, this is a magnificent tree but unfortunately there is not a way to save it as it is too close to the foundation of the house. Based on the information within the application, staff recommended in favor of grating this certificate. Removing a healthy canopy tree is incongruous with the **Historic District Design Guidelines for trees and landscaping, pages 21-23**. This tree is a large healthy Willow Oak within a few feet of the home and there are signs of damages to the foundation. The Guidelines on page 23 recommend retaining mature trees that contribute to the character of the historic district.

Chair Wharton inquired if Commissioners had questions for staff. Ms. Hodiernie inquired if the City arborist had been consulted or looked at the property. Mr. Cowhig responded the arborist did not look at this tree. Images were sent to the arborist but since it was obviously a healthy tree, staff did not see a reason to involve the arborist.

Chair Wharton inquired if there were any further questions for staff. Seeing none, Chair Wharton inquired if the property owner, Dorothy Lewis, wished to speak. The speaker was sworn for testimony and consented to the remote recording.

Dorothy M. Lewis, 746 Park Avenue, advised she was requesting the tree be removed on that side of her home as it pulling out from the foundation. The tree has to be removed because it has caused walls within the interior to crack on the side where the tree is located. Expensive repairs will be needed when the tree is removed.

Chair Wharton inquired if any Commissioners had questions of Ms. Lewis. Chair Wharton stated the Dunleath Neighborhood Association was not able to have a representative at this meeting. Chair Wharton inquired if there was anyone to speak in opposition to the application. Seeing none, Chair Wharton asked if there was any discussion among the Commissioners.

DISCUSSION:

Ms. Stringfield advised she supported the request. Mr. Arneke stated this was almost a text book example of wrong tree, wrong place. Mr. Arnett asked if there was a place for a suitable replacement tree to be planted within the yard. Mr. Cowhig believed there was.

FINDING OF FACT:

Mr. Arnett moved that based upon the facts presented in application number 2412 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the **Historic District Guidelines and that Guidelines 1 and 2, on page 23 are acceptable as finding of fact. Ms. Stringfield requested to add Guidelines 5 and 6, on page 23. Guideline 5 specifically addresses replacing mature trees that are necessary to take out.** Mr. Arnett and Mr. Carter both accepted the amendment suggested. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, Hodiernie, and Lane. Nays: 0).

DISCUSSION:

Mr. Arnett suggested a condition be made for replacement of the tree. Ms. Stringfield stated in the past the Commission failed to have the stump be ground to ground level and as suggested, place a new replacement tree on the property under the guidance of the city arborist, Judson Clinton, December 31, 2020, or longer if suggested. Chair Wharton advised that if stump grinding was a not an option for the applicant, the guideline stated the stump can be simply cut level to the ground. Ms. Stringfield stated that would be acceptable as well. Chair Wharton inquired if there were any further conditions the Commission may want to consider. Seeing none, Chair Wharton requested the motion be made.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves application #2412 and grants a Certificate of Appropriateness to Dorothy Lewis for work at 746 Park Avenue with the following condition:

1. That one suitable replacement canopy tree be planted. The location and species to be determined in consultation with the city arborist.
2. That the tree be planted no later than December 31, 2020.
3. That the stump of the existing tree either be cut or ground flush with the ground level.

Seconded by Ms. Lane. No further discussion. The Commission voted 7-0. (Ayes: Wharton, Stringfield, Arneke, Arnett, Carter, Hodiern, and Lane. Nays: 0).

3b. Application 2418, 699 Chestnut Street (Approved with Conditions)

Mr. Cowhig stated this was an application for 699 Chestnut Street in the Dunleath neighborhood. A tree was removed without a Certificate of Appropriateness. The property owner was notified by enforcement staff and the property owner submitted an after the fact application. It is unusual to have so much documentation for an after the fact tree removal case, but the property owner has provided images, a description, and advised he had several arborists evaluate the tree before taking it out. Based on the information in the application, staff recommended in favor of granting the certificate. Although removing a healthy canopy tree is incongruous with the Historic District Design Guidelines for Trees and Landscaping, in this particular case the tree was evaluated by several experts who concluded that it posed a serious risk to lives and property. The tree that was removed was evaluated by experts beforehand and the experts agreed the tree was hazardous and recommended it be removed as soon as possible. **The Guideline is to retain mature trees that contribute to the character of the Historic District.**

Chair Wharton stated it sounded like a case that if staff had been consulted, would have probably given a staff COA to okay this one. Mr. Cowhig responded it was very possible. As it is an after the fact, it was the main reason the Commission was hearing it. Chair Wharton inquired if there were any questions for staff. Hearing none, Chair Wharton swore in the applicant and who consented to the remote recording.

William J. Wallace, 2501 Duck Club Road, stated he is the owner of the building at 699 Chestnut Street. Mr. Wallace advised he did not want to have to remove the tree both from its duty and esthetics as well as the cost for removal. The tree started shifting and when the heavy rains occurred it moved dramatically. A hand could be placed between the trunk and the soil. They became very concerned about the house next to the tree as the roots had actually penetrated under the foundation and could damage the foundation of the house. There were four certified arborists who evaluated the tree. Mr. Wallace advised he was looking to perhaps limb it up, cable it, or brace it. All of the arborists recommended that it be removed. Their concern was that there was likely center root rot in the tree, which was confirmed after the removal. Mr. Wallace stated stump grinding had been contracted for that, but when the arborist looked at it after it was taken down, he recommended not do that for two reasons. One was the bank where the tree was would erode and the roots of the large Elm that was between that tree and the street were intertwined in the area causing a concern of damage to the Elm. His plan was to landscape with pine straw over it to appear uniform. Mr. Wallace advised he does plan on planting one or two replacement trees in that spot but is waiting until it is cooler so the

trees will have a better chance of survival. He is looking at a Thuja Green Giant so it can hide the utility meters from the street view. Mr. Wallace stated he is open to input from the arborist. Chair Wharton asked if the power lines on Chestnut Street were on his side of the street or the other side of the street. Mr. Wallace responded they are on his side. A boom truck was used to take the tree down and the wires go through the Elm tree which may be a future issue, but not currently. Chair Wharton suggested the front lawn may be a nice place for a canopy tree if the power lines would allow it. There will be a canopy tree planted in the back close to a magnolia tree. Chair Wharton inquired if there were any further questions for Mr. Wallace. Seeing none, Chair Wharton inquired if there was anyone else to speak in support of the application. Seeing none, Chair Wharton inquired if there was anyone to speak in opposition to the request. Seeing none, Chair Wharton inquired if there any discussion by the Commissioners. Seeing none, Chair Wharton requested a Finding of Fact be made.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application number 2418, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and that the staff comments and the following **Guidelines under Trees and Landscaping, page 23, numbers 1-2, and 5**, are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, Hoderne, and Lane. Nays: 0).

Chair Wharton inquired if there was any discussion regarding conditions. Ms. Stringfield suggested to replace one new tree on the property with the guidance of the city arborist, Judson Clinton, by December 31, 2020. Chair Wharton inquired if there was anything else from the Commissioners. Chair Wharton requested Ms. Stringfield to make the motion.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves, with conditions, application 2418 and grants the conditions and a Certificate of Appropriateness to applicant William J. Wallace, of Meadow Lane Partners, LLC, for work at 699 Chestnut Street with the following condition.

1. That one new tree be placed on the property under the guidance of the city arborist, Judson Clinton by December 31, 2020.

Chair Wharton asked to add the tree to be indicated as a canopy tree. Ms. Stringfield stated she did not mind adding that as long as Judson Clinton approved. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, Hoderne, and Lane. Nays: 0).

4. RECOMMENDATION REGARDING REZONING APPLICATION, 201 LEFTWICH STREET

Ms. Hoderne recused herself from this item.

Mr. Cowhig advised the City Planning Department received a rezoning application for 201 Leftwich Street in the Fisher Park Historic District. Mr. Cowhig read from the Land Development Ordinance regarding the Commission's role when there is a rezoning application for property in an historic district. "Zoning map amendments for property within an historic district must follow the zoning map amendment procedures of 30-4-5, except as follows: (a) The Planning Department must refer such requests to the Historic Preservation Commission for review at the next regular meeting." The Historic Preservation Commission must make its

recommendation to the Zoning Commission. The Historic Preservation Commission must vote to recommend that the proposed zoning map amendment be approved or denied and base their decision on whether or not an amendment is congruous with the goal of preserving and maintaining the character of buildings, structures, features, sites, and settings, found within the Historic District Overlay. The Historic Preservation Commission may not consider issues unrelated to the preservation of buildings, structure, features, sites, and settings found within the Historic District Overlay. Staff interpreted that to mean the Commissioner's role is to consider the potential impact of any changes resulting from the change in use of the property or the historic character of the property. Two examples of possible changes would be handicap accessibility and off-street parking. Mr. Cowhig advised any future exterior changes would have to be approved by the Historic Preservation Commission. The Zoning Commission can consider broader neighborhood issues at their meeting in September but this Commission needed to focus on the preservation of the building and the potential impact. Staff felt taking into consideration potential changes to character defining features would be one issue to think about.

Chair Wharton stated his understanding is the resident and the owner has been using it as a place of business and have not installed a handicap ramp. Chair Wharton asked if the applicant would be required to do so if the zoning category was changed from residential to office. Mr. Cowhig responded it was his understanding that it would. Ms. Jones advised it was her understanding the applicant would no longer be living in the house and therefore not qualified to have a home office but wants to continue to keep the law practice and needs an office type designation for zoning.

Ms. Stringfield asked if she should recuse herself and advised approximately 3 months prior, a friend and neighbor was considering selling her home to this applicant. The applicant asked her what would be involved in the rezoning for his home if it were necessary to complete the sale. Ms. Stringfield stated she discussed extensively, because it was not a COA at the time months ago, the concerns that would be raised naturally and that the applicant should spend significant time discussing with City Planning staff and Zoning staff if there were any contemporary permitted use options or conditional zoning, other than what he was then asking. There was significant discussion months ago, before this was a COA and requested advice, if she should or should not recuse herself. Chair Wharton advised he would defer to Ms. Jones; but since a COA had not been submitted, it did not appear to him as ex parte conversation and did not feel Ms. Stringfield was a party with an interest in the property. Chair Wharton advised he did not see any reason for Ms. Stringfield to recuse herself. Ms. Jones advised this was not a quasi-judicial hearing as is done on a Certificate of Appropriateness. This was a recommendation but asked Ms. Stringfield if she felt she could provide an unbiased opinion and decision in this matter when making the recommendation. As long as Ms. Stringfield was not receiving any direct or indirect financial benefit from the outcome of this rezoning application, Ms. Jones did not believe Ms. Stringfield needed to recuse herself in this instance.

Ms. Lane asked if the house was currently considered single-family or multi-family. Mr. Clegg responded it was zoned R-7, which is a Residential Single-Family zoning district.

Ms. Lane inquired if it was an R-7 and the Commission recommends to change to Office, asked if the recommendation would be as long as the owner chooses or is it retro and be changed back to single-family without anything other than this type of application through the zoning department. Ms. Jones responded if the rezoning is granted by the Zoning Commission or City Council, it will run with the land and be in effect until a new application is made. Single family residences are an allowed use in the office zoning district. For instance, if they no longer wish to use it as an office, it may be maintained as a single-family residence without being a non-conforming use.

Ms. Geary stated the use of the property will change to Office and where that can come into play was if the building caught on fire and was demolished, a new building would be in its place. Someone could propose that an office type building be constructed. It would have to meet the Historic District Design Guidelines for new construction. Ms. Geary referred to the Westerwood neighborhood discussing rezoning issues and the Commission needed to be mindful of what is allowed under different zoning categories. Chair Wharton stated the answer to Ms. Lane's question is the zoning runs with the property. If it was rezoned to office, it would stay until the city changes the zoning code or is requested by an owner. Nothing can be built randomly and has to be built by the guidelines of the historic district. Ms. Stringfield stated from the gathered comments, the Commission should be thinking of the impact of what the zoning changes to the building, structures, features, and site would be if it became office zoning. Chair Wharton stated also included was the setting as something to be considered. Mr. Carter asked was there any issue with parking since the building appears to have been used as single-person law office. Mr. Arnett stated the Land Development Ordinance, Section 30-11-4.2, advised off street parking requirements for a zoning district can be waived in the historic district. Ms. Jones stated they can ask for some dispensation from the normal zoning district requirements to meet the context of the historic district. Mr. Cowhig advised this building is a contributing building. Ms. Jones stated if the applicant kept the existing structure, it would not be subject to additional parking requirements. With no further questions, Chair Wharton stated there were a number of speakers wishing to comment. Chair Wharton requested Mr. Stephen Robertson to speak about his proposal.

Stephen Robertson, presented a photograph of the house that on .16 acreage. The house is under 200 square feet. Mr. Robertson purchased the house about 4 years prior while practicing law out of his home. Mr. Robertson presented a photograph depicting his logo for the business with the color scheme of the house. Mr. Robertson is board certified in Family law with an excellent reputation in family law matters, pro bono work, domestic violence, child custody, alimony, property division, marital dissolutions, and guardianship areas. The reason for the rezoning is he is purchasing another house and will no longer be able to take advantage of the small business from home opportunity available currently. Mr. Robertson has met with an architect who advised him of the ADA Accessibility issues which would require minor changes made such as a ramp that could change the appearance of the house. It is anticipated there will be occasional meetings. Most of his staff works remotely, but occasionally come to the house for various things. Mr. Robertson felt most law practices were moving to remote even before the pandemic situation and much of his work was moving more to remotely even before the pandemic. Occasionally clients are at this location. There is a long driveway going to the back of the house where staff vehicles park on those occasions when going to the office. There have not been any issues with street parking. Mr. Robertson stated they are good neighbors who would like to continue being neighbors and continue practicing law out of this house.

Chair Wharton asked if there were any questions for Mr. Robertson. Seeing none, Chair Wharton stated next speaker was Keisha Hadden of the Fisher Park Neighborhood.

Keisha Hadden, Fisher Park Neighborhood, stated the Fisher Park Board met recently and also spoke with Mr. Robertson. The rezoning application was discussed for the Leftwich house. The Board did not support the spot rezoning of the house from residential to commercial. They would like the neighborhood to move from commercial to residential. Approving this rezoning may open up other residential properties to apply for commercial rezoning and is not the direction that the Fisher Park Board and their neighborhood wants to go in. Chair Wharton inquired if the Commissioners had any questions for Ms. Hadden. Seeing none, Chair Wharton requested David Craft to speak. Ms. Geary advised there was an email

received by him advising he may not be able to attend but indicated he agreed with Ms. Hadden and opposed the request. Chair Wharton requested Cheryl Pratt to speak.

Cheryl Pratt, stated she opposed the rezoning. The Neighborhood Association has spent thousands of dollars in the past 3 years maintaining residential zoning, moving one house from commercial office to residential, and having a special use permit rather than Central Business District zoning. The Neighborhood Association is very much trying to maintain the integrity of a neighborhood that is right next to downtown residential.

Mr. Arnett stated in reading the application, it appeared there was a condition on the rezoning application that would be conditioned for office, specifically for a law office or a single family residence. Mr. Craft responded that was correct. Mr. Arnett asked if that meant if someone purchased the property in the future and wanted to change that, they would have to go through a separate rezoning process to obtain a different type of use approval. Ms. Jones responded that was correct. Mr. Arneke inquired if the condition could be very specific stating only a law office or only an office. Ms. Jones responded it could be conditioned to that but generally is not. Medical offices are definitely different than profession offices such as realtors, law offices, insurance agencies and such. That is not the condition proposed at this time but, it could be conditioned to that specific of a use if the applicant desired. Chair Wharton depicted other possible uses and displayed uses on the screen for everyone. Ms. Jones confirmed the application was for rezoning to office with the condition it would only be a law office or a single family residence. Chair Wharton inquired if he was correct that if Mr. Robertson were to change the condition, there would need to be a publicly advertised public hearing for it to happen. Ms. Jones responded the Zoning Commission would advertise and additional or more restrictive conditions can be added prior to that but could not make it less restrictive once it is advertised. Ms. Jones stated at times there are interpretations made by the Zoning Administrator that one use is equivalent to another. Because the Historic Preservation Commission must comment on this, the condition cannot be changed to be less restrictive at this point without having to come back to the Historic Preservation Commission for another recommendation. The applicant could add more restrictive conditions between now and then. Chair Wharton inquired if there was anyone else to speak on the recommendation. Chair Wharton recognized David Craft joining the meeting.

David Craft, stated he lives around the corner and there is very little parking on Leftwich Street, especially for a business. To have a business intrude a good block into the residential historic district is very much out of character.

DISCUSSION:

Chair Wharton inquired if the Commissioners had any discussion or recommendations. Ms. Stringfield thanked Mr. Robertson for making a significant effort to obtain some neighborhood friendly solutions and presented a strong case. Ms. Stringfield stated she firmly believed rezoning 201 Leftwich Street or any building one block within the neighborhood would have an effect on the residential setting of the neighborhood. As much as the efforts are appreciated, Ms. Stringfield was not in support of this application as is. Mr. Arnett stated he was of the opposite opinion. One of the things that makes the historic district neighborhood special is the mix of uses that is outlawed in a great majority of the city. Not to mention that the Commission is considering an application that the applicant has voluntarily added a condition that is fairly restrictive and allows the applicant to continue using the property as he has been for two years with no major or negative effect on the surroundings. It appeared the historic character would

not change to the site for parking. If a handicap ramp is necessary, that is not unprecedented in the historic district. Mr. Arnett stated he supported the application. Ms. Lane stated she believed in a very mixed neighborhood which is what it is and the Commission needs to be flexible over periods of time. The applicant has proven his business not to be an egregious impediment to Leftwich Street. If an owner purchased it as an office, they could change it with the proper application. Ms. Lane was in support of the change. Mr. Carter was sympathetic with the neighborhood concerns. There appears to be enough restrictions that in moving forward or for what time Mr. Robertson decides he needs to sell, there would be opportunities to stop an egregious use of the property. In comparing Old Salem or Williamsburg, there was a mix of law offices, post offices, grocers, and cottage industry was the norm. Mr. Carter was in support of the application. Mr. Arnett did not think this application would have a significant impact on this particular block or the historic district in general. In driving through there, the house stands out as a well preserved and well maintained property. It reflects extremely well on the applicant's respect for the historic district. Mr. Arnett could not see a two member law firm generating the kind of traffic or any other problems that would be a concern in the neighborhood or historic district. Mr. Arnett was in support of the application. Chair Wharton stated he agreed. The kind of segregation of residential uses from the uses such as law offices is a modern idea and did not start until the 1950s in Greensboro. There are a lot of home businesses within the historic district. Chair Wharton stated with respect to his neighbors and friends in Fisher Park, felt this application was compatible with the building. Putting an accessibility ramp is done for residences and businesses. If the building was burned down, the same issues would be faced if it was a residence or a building, or office use. Parking is an issue. There is almost nothing behind the building and there is plenty of on street parking for a small office. Chair Wharton supported a recommendation for the rezoning to office with the condition it be limited to a law office.

MOTION:

Mr. Arnett moved that Commission recommend the rezoning request be approved as submitted in the paperwork, with the condition that the applicant has noted restricting it to a law office. Seconded by Mr. Carter. The Commission voted to approve 5-1 (Ayes: Chair Wharton, Carter, Arneke, Arnett, and Lane. Nays: 1, Stringfield).

Mr. Arnett stated the relative recent origin of use-based zoning. There is about 70 years of evidence that it does not produce neighborhoods like Fisher Park, College Hill, or Dunleath but it produces Wendover Avenue, cul – de- sacs. The New Comprehensive Plan has a lot of language that hopeful will help the Commission to move in a different direction and hopes the Commission will support the adoption of that plan and any land use regulation changes incurred to make it happen for the city. Chair Wharton stated he was a representative on the Citizen Committee for the new Comprehensive Plan and spoke in support of it to City Council who did adopt that plan and he and Mr. Arnett were in agreement there.

PUBLIC HEARING ON NATIONAL REGISTER NOMINATION FOR BLUE BELL COMPANY PLANT, 620 S. ELM STREET

Mr. Cowhig advised this is a National Register Nomination for the Blue Bell Company Plant at 620 South Elm Street. The City of Greensboro participates in the nomination of properties to the National Register of Historic Places. The Historic Preservation Commission considers the nomination and makes a recommendation in agreement or disagrees that the property meets the criteria for listing in the register. City Council also comments on the National Register

nominations. This will be before the City Council on September 15, 2020. Staff provided an opportunity for public comments through various means and have released news releases. It is included on the website and in the public meeting notice. Staff also provides opportunities for public comment because of the certified local government obligations with the state. After meeting and reviewing the nominations, the Historic Preservation Commission and City Council will send their comments on. Staff would send the recommendation to the state Historic Preservation Office, along with any comments from the public received. That will be done in time for the North Carolina National Register Advisory Committee meeting on October 8, 2020. The nomination is then forwarded to the keeper of the National Register and the National Park Service for actual listing on the register. Mr. Cowhig referred the Commissioners to page 3 of the nomination that stated how the National Register criteria is met. In this case the areas of significance are industry and architecture. In Section 8, page 7 on the nomination is a Statement of Significance which is the most important thing for the Commission to look at it as it makes a strong case for meeting the criteria of listing in the National Register. Mr. Cowhig referred to a narrative outlining the key aspects of the property that would lend it to meeting the criteria for listing on the register. The Blue Bell Company exemplifies early to mid-century development of the textile industry in Greensboro. The building itself when built was the state of the art open plan with a concrete reinforced factory building, and headquarters for the Blue Bell Corporation. The Blue Bell Company was purchased in approximately 1980 and renovated for mixed uses. The south Elm Street facade was protected and is still there today. This nomination shows how important the south end of town was with respect to the textile industry, especially with regard to the railway access. Blue Bell was one of the largest manufacturers of overalls in the nation and probably the world as well. It was one of the City's most important employers. Most of the workers were females when opportunities for women were very scarce. The Historic Commission appreciates the entrance to South Elm Street being carefully restored. The building is significant for its progressive design for the time of using concrete and steel. Most of the residents of longevity in Greensboro know that Blue Bell eventually built a building on North Church Street. The company merged with VF Corporation to become one of the largest makers of jeans in the world. Mr. Cowhig recognized Jerry Leimenstall who provided a lot of architectural service for the original renovation in the 80's. This is one of the best nominations Mr. Cowhig has seen in a long time that makes a strong case for the nomination. Chair Wharton stated it was impressive work and welcomed David Zimmerman speaking on behalf of Andy Zimmerman.

Mr. Zimmerman stated the application provided is quite detailed as far as the building is concerned. Work has been done to preserve the building from top to bottom and to restore the building to what it was as a manufacturing facility with the overall look and character of the building. The building is on the National Register and is a tax credit project which was important all the way around with the amount that was required to restore the building back to what it was years ago. All of the photographs presented showing all the rehab work have all been accepted at the state level. The state is very much behind the project from all of the conversations and the work done was phenomenal. They are looking and hoping for everyone's approval and will continue to work hard on their projects to keep the preservation of these old buildings alive.

Chair Wharton inquired if there was anyone to speak on the nomination. Mr. Cowhig stated if the Commission supports this nomination, there is a form for the Chair to sign. Chair Wharton stated he was 100% in support of the nomination. Chair Wharton asked for any thoughts from the Commissioners. Mr. Arneke stated he thought it was terrific. The nomination was wonderful and he learned a lot from it. The building looks fabulous. Mr. Carter stated he was fully in support of the nomination. Mr. Arnett stated this was a fantastic project and very worthy of

being in the National Register. Ms. Stringfield stated she absolutely was supportive of the recommendation. Ms. Hodierne advised she was in support and stated it was fun to watch the project happen as it was going on visually on Elm Street and equally fun to read the report and hear the history both to the City and to the site. Ms. Hodierne stated it was very well done.

MOTION:

Mr. Arneke moved that the Historic Preservation Commission find that the Blue Bell Company plant meets the criteria for inclusion in the National Register of Historical Places and supports the nomination. Second by Mr. Arnett. The Commission voted to approve 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, Hodierne, and Lane. Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Wharton advised his term ended in August and this would be his last meeting pending someone replacing him. In consulting with city staff, they felt it would be good to elect a new Chair. There were conversations with Amanda Hodierne who said she would be interested in chairing the Commission. Chair Wharton nominated Ms. Hodierne as the next Chair. Seconded by Lane. Chair Wharton advised there did not need to be a second for nominations. Ms. Lane stated they will miss Mr. Wharton as Chair. Chair Wharton stated Council were in support in getting a replacement and expect he'll be back as a Commissioner at some time. Ms. Hodierne stated that was a significant part of the discussions that Chair Wharton would be around to make sure everyone stays in line.

Chair Wharton stated he felt this was a very talented board currently with a lot of expertise and a good temperament for it. It has been fun working with everyone and felt they all could be Chair. Ms. Stringfield thanked both Chair Wharton and Ms. Hodierne. The Commission voted to approve the election of Ms. Hodierne as the new Chair 7-0. (Ayes: Chair Wharton, Stringfield, Carter, Arneke, Arnett, and Lane. Nays: 0). Chair Wharton handed the meeting over to the Ms. Hodierne. Chair Wharton advised David Arneke is Vice Chair and his term is ending also. Chair Wharton asked if Mr. Arneke wanted to stay on as Vice Chair until replaced. Mr. Arneke stated to go ahead and elect another Vice Chair because he is hopeful his College Hill representative will be appointed soon. Ms. Geary stated Mr. Arneke has served for 7 years in August and never officially reappointed. He goes down in history as the Commissioner that has fulfilled that obligation of serving once your term expires until you are replaced. In an email sent to him, Ms. Geary stated "we have finally made a determination that you've served two full terms and we can free you from your service to the HPC."

Chair Hodierne asked if anyone had a nomination. If not, she had one that she would put on the floor. Ms. Stringfield suggested Jesse Arnett for Vice Chair. Ms. Stringfield advised her term of office will be ending as well, although she understands continuing to serve until a replacement is found. Chair Hodierne stated that was who she was going to nominate. Chair Hodierne inquired if there were any other nominations on the floor. Mr. Arnett stated he was willing to accept the nomination. The Commission voted to approve 7-0. (Ayes: Chair Hodierne, Lane, Arneke, Wharton, Carter, Stringfield, and Lane. Nays: 0).

Ms. Geary added that while Ms. Stringfield has graciously agreed to continue serving in order to focus on the replacement of the Chair and Vice Chair, believed Ms. Stringfield in working with attempting to find a replacement for her. At that time there will only be one other outstanding seat that would need to be filled.

ITEMS FROM THE PLANNING DEPARTMENT:

Chair Hodierné asked given the open ended, indefinite Zoom platform that will be on for a while, if the Commission was out of luck if there was a member who wanted to be excused or was there an alternate that could be tapped during that time. Ms. Jones advised it was her understanding that alternates are not appointed because it is supposed to be a 9 member board. Chair Hodierné stated that was her point that without that person and will be without that person it would always be an 8 member board. Ms. Geary stated that was why she has been working with the City Clerk this summer who has reached out to Council members expressing concern that come August 15, this Commission was losing 3 members with a still outstanding appointment. Ms. Geary stated she personally has not been involved in any conversation follow-up on that but did note the City Clerk understands the situation and is actively trying to help fill these seats. Chair Hodierné stated it is a secondary issue having the primary seats filled, but was a question she had as it has been going on for some time, with no end in sight.

Ms. Lane asked Chair Hodierné if she would like suggestions from the other Commissioners if they have ideas. Ms. Geary stated it is very specific and is an issue. This Board is even more specific as it is required that the majority of members have professional backgrounds in the preservation or related fields. The way City Council operates for all Boards and Commissions is each council representative is allowed an appointment. They are very strategic in making sure that each council person gets that opportunity and then that has to be balanced with making sure that this Commission has 3 representatives from each of the local historic districts and two are from the same council district. Ms. Geary suggested if anyone on the Commission has name, staff will cross reference what district they are from and the type of background they have. Every year when completing the certified local government report to the State Historic Preservation Office, Ms. Geary has to speak on who comprises their Commission and who the new members are. Ms. Jones advised there was significant discussion at the last City Council meeting to not only make sure there was geographic diversity covering all of the council districts, but that there would be racial, ethnic, and gender diversity on Boards and Commissions as well. City Council intends to be more deliberate with appointments and will be looking at many factors that will complicate the fact that this is a particular board that has to have specialized experience and knowledge. If the Commissioners know of anyone who is interested and has experience with Historic Preservation, provide those names to Ms. Geary to be provided to council members.

Chair Hodierné stated the next item was how to handle appeals if they go to the Board of Adjustment or to Superior Court. Ms. Jones stated there was no urgency to make a decision. If there was a change to having them go directly to Superior Court, an amendment to the Land Development Ordinance would have to be done and go on to City Council at that point. Chair Hodierné asked if Ms. Jones was saying currently it is going to the Board of Adjustment and the Commission has the opportunity, because of the 160-D rewrite. Ms. Jones responded that was correct. The 160-D rewrite gave municipalities and counties the option of going directly to Superior Court. Ms. Jones did not know what prompted that but suspected there are not a lot of appeals but that in smaller jurisdictions, the Board of Adjustment is already very busy handling variances and other things. This is the one area that the Board of Adjustment has to decide on the record and they have a little bit of difficulty staying with on the record. They open it up to additional evidence and often remand. It does not mean that the Court would not

remand cases as well for similar reasons or different reasons. It is an option to consider. Ms. Jones stated there would definitely be a timing benefit with going to the Board of Adjustment when people need a decision on their COA. Going to Superior Court, especially during Covid-19, can take a lot longer than it would to get on the next Board of Adjustment calendar. The price is not that much different, but is a little bit more expensive to file with the Board of Adjustment.

Chair Hodierné asked if everyone was good with talking more about this issue. Chair Hodierné stated it appeared to her it is somewhat odd where this Board is assembled based on very specific criteria, backgrounds, and professional expertise and when there is an appeal it goes to a Board that has another whole set of criteria with it without the knowledge set that the Historic Preservation Commission is charged with. It can be a good thing to an extent to obtain perspective but is also an opportunity to lose the focus on the Historic Preservation's guiding light which is applying the guidelines to the COAs. As mentioned by Ms. Jones, Chair Hodierné thought there was procedurally a misunderstanding on the Board of Adjustment of well intending volunteers doing the best they can but are not lawyers or judges. Being a Judge on an appeal of a quasi-judicial decision entails procedural burdens that would be placed on the Board of Adjustment members. Board of Adjustment cases, which is the city's other quasi-judicial, appeals go straight to Superior Court. There is symmetry there that could have value.

Mr. Arnett asked in looking at the document and the outcome that was sent by Ms. Jones, was it a fair summary. It appears that if appeals went to Superior Court, they will mainly be reviewing the process and making sure the hearing and finding was done properly. The Board of Adjustment currently has the opportunity in some ways come to a different conclusion than the Historic Commission does and is not necessarily indicative of how the Historic Preservation Commission conducted the meeting, but rather to disagree with the findings. Chair Hodierné stated staff and Ms. Jones do a great job of ensuring the Commissioners are following all of the quasi-judicial protocols, consider the right evidence, make findings of fact, and throw out ex-parte communications. Mr. Arnett ask why do all of that if it will never matter on a whole record review. Chair Hodierné stated it does matter and is done for a reason to preserve the record to be correct if anyone ever has to look behind the Commission. On an appeal to just have a do over basically, Chair Hodierné did not feel it was how the Historic Preservation Commission was to function.

Mr. Arneke asked if he was correct if when an appeal goes to Superior Court, it is heard with only a Judge and no jury. Ms. Jones stated that is correct. It is heard by a single Judge. Ms. Jones advised she has rarely seen the Judge allow any additional evidence. For some of the other Boards and Commissions, when the applicant is pro se and they do not have an attorney, the Judge will sometimes give the applicant latitude to talk. Ms. Jones stated for the most part Superior Court Judges are looking at the statutory factors, reading the transcript in the record, and perhaps less swayed by emotional issues in the cases. Across all of the quasi-judicial Boards and Commissions, there are not very many appeals that go to Superior Court for any Board or Commission. The HPC has not been appealed very often to the Board of Adjustment, maybe once a year or once every other year.

Chair Hodierné asked if someone was not comfortable with this Commission's decision and wanted to try again, what would stop them from re-filing. Was there a time period for re-filing later or for making a tweak and then re-filing. Ms. Jones stated her understanding was if there was some kind of new information, a reconsideration can be done. Ms. Jones stated unlike

some of the other Boards and Commissions where it is stated you cannot submit the same application; she did not know if COAs had that same restriction. Mr. Cowhig stated if an application is denied, the property owner can revise and address the reasons why it was denied and submit a new application right away. Ms. Jones stated there are other avenues than just appealing the decision. Mr. Arneke advised it can be difficult to remain silent when the BOA members get off track. Ms. Stringfield advised she has experienced that also. Ms. Stringfield stated one of the points on the sheet for a Superior Court Appeals states timing of the appeal is at the discretion of the court in accordance with the rules of civil procedural and asked if the timing was longer than the Board of Adjustment. Ms. Jones responded there have been administrative appeals that have not gotten to a decision in at least 12 months. At one point these types of hearings were only heard twice a month. Currently they go on the motions docket and can be submitted at any time. Currently with Covid-19, it is difficult to obtain court hearings and things filed. But it all depends on how cooperative the other side is and how quickly they want a decision. Ms. Jones stated she could foresee someone delaying the court proceeding longer because consent is needed for a quasi-judicial hearing. A Board of Adjustment appeal could be delayed during Covid 19 but typically they cannot delay too long. It is up to the discretion of the Judge. Ms. Stringfield stated that was her only concern and felt the Superior Court makes sense given what she has seen at the Board of Adjustment meetings. Chair Hodierne asked if any enforcement action is needed during an appeal. Ms. Jones responded there are some decisions that may have to be stayed but if it was an after the fact and someone was attempting to abate that violation by obtaining permission, it would not be able to proceed to civil penalties during the appeal process. Ms. Stringfield asked if penalties are collected. Ms. Jones advised issuing and collecting them are two very different questions.

Chair Hodierne did not feel the City was making a lot of money on this issue and would be more concerned where there was a safety issue on what had been built after the fact or without a COA and the Commission was requiring the applicant to take it down and come back and do it right. Chair Hodierne asked if it was truly was a life and safety issue, would the City have other avenues to look at that and abate that situation. Ms. Jones responded often times yes. Particularly with the fact if something has been built without a COA, it has been built without a permit. If there was an appeal being dragged out, Ms. Jones would be petitioning to the Court for ancillary injunctive relief to address those types of serious safety issues that present in a particular case. Ms. Jones stated her work level regardless of whether it goes to the Board of Adjustment or a court is basically the same. Chair Hodierne inquired if the other Commissioners wanted to think about this until the next meeting. Ms. Jones recommended it be placed on the next agenda to allow for public outreach. It would not need to be a public hearing. City Council would have to hold a public hearing on it. It may be good to have the word out in case there are things that the Commission is not thinking of currently that may have unintended consequences to this change of decision. It is going to City Council for a public hearing if this change is recommended.

Chair Hodierne stated she would not be against directing staff to put it on the next agenda and will be published to allow people an opportunity. The Commissioners agreed. Chair Hodierne inquired if there were any speakers from the audience.

SPEAKERS FROM AUDIENCE:

There were no speakers from the audience.

Mr. Carter stated Mr. Wharton has served the Commission very well and asked if there was any way to minute appreciation. Ms. Geary advised traditionally nothing has been done other than verbally expressing appreciation and bow down to those who have served extenuating terms and taking the Commission through unusual times recently. In years passed during the national planning, functions have been held in the fall providing an opportunity for staff to acknowledge service of all the Commissioners and Chairs. It was not done this past fall as they were working as a department diligently on the Comprehensive Plan. It was planned for this fall but due to the global pandemic she does not expect for that event to take place. Mr. Clegg stated based on the other Boards he has been associated with, was not able to think of any other precedents. Mr. Carter moved that the Commission minute an appreciation for David Wharton's service, seconded by Ms. Lane. The Commission voted to approve 7-0. (Ayes: Hodierne, Arneke, Arnett, Carter, Lane, and Stringfield, Nays: 0).

Chair Hodierne thanked Mr. Wharton for his service. This is a great Board that Mr. Wharton had a lot to do with in shaping and training the Commissioners. Mr. Wharton thanked all the Commissioners. One of the reasons this Commission functions so well is staff runs the program so well and Mr. Wharton has very much enjoyed working with everyone and will miss everyone.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Arnett. Seconded by Mr. Carter. The Commission voted to approve 6-0. (Ayes: Hodierne, Arneke, Arnett, Carter, Lane, and Stringfield, Nays: 0). Chair Hodierne stated the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
September 30, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, September 30, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierne (Fisher Park), David Arneke (College Hill), Ann Stringfield (At Large), Max Carter (At Large), David Wharton, (Dunleath), Linda Lane (At Large), and Jesse Arnette (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Hodierne inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Hodierne welcomed everyone to the meeting and inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there were none. Chair Hodierne advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Hodierne inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting. No one had.

1. APPROVAL OF ABSENCES:

Mr. Cowhig stated there were no excused absences.

2. APPROVAL OF MINUTES, AUGUST 26, 2020 REGULAR MEETING:

Mr. Arneke made a motion to approve the August 26, 2020, minutes, seconded by Ms. Stringfield. The Commission voted to approve 7-0. (Ayes: Chair Hodierne, Arneke, Arnett, Lane, Wharton, Stringfield, and Carter. Nays: 0).

Chair Hodierne explained the order of business regarding Certificates of Appropriateness.

SWEARING IN OF STAFF:

Staff Mike Cowhig and Stefan-Leih Geary were sworn for their testimony.

3. UPDATE OF ARCHITECTURAL HISTORIAN: Survey of African American Neighborhoods in east and southeast Greensboro. Heather Slane.

Ms. Slane presented a power point presentation representing the African American Neighborhoods in east and southeast Greensboro. Ms. Slane stated the post-World War II developments of east and southeast Greensboro were significant for a number of reasons; outstanding examples of modernist residential and religious architecture, examples of the work of prominent African American architects and builders, and home to leaders and participants in the civil rights movement in Greensboro. The survey focused on historically African American residential and institutional resources within an area generally bound by East Market, US 29, Bennett, East Florida, and south MLK Street. The early 20th century Greensboro was strictly segregated with residential development legally mandated in 1914, resulting in a clear pattern of racially based neighborhood development that remains visible on the City landscape to the

present. Upper and middle class white neighborhoods formed west of the City near now UNGC. North of the City were affluent white neighborhoods, working class white neighborhoods northeast of downtown near the City's industries, and south of town was a white neighborhood known as South Greensboro. Ms. Slane depicted a map outlining districts in green as eligible for the National Register, blue lines were those listed in the National Register. African American neighborhoods have never really been looked at. Warnersville was the first planned neighborhood for African Americans in Greensboro, established in the 1860s and anchored by schools and churches. Union Cemetery at East Whittington and South Elm Streets was established in the 1880s to serve the early churches in Warnersville. In the early 20th century African Americans settled primarily in East Greensboro, drawn by the establishment of Bennett Seminary, now Bennett College, which purchased land for a campus in East Greensboro in 1875. The Agricultural and Mechanical College for the Colored Race, now NCA&T, was established in 1893 and the campus was constructed on the north side of East Market Street. The earliest neighborhoods surrounding the University included Dudley Street neighborhood, Scott Park, College Heights, and Eastside Park in Lincoln Grove. Early churches, schools, and a black business district were located on or near East Market Street, north of the study area.

In the early 20th century, residential neighborhoods in East Greensboro began to expand through new growth and followed the previously established patterns of racial division. Southeast Greensboro remained predominantly African American. The city limits were expanded in 1923 on the east side of the City. The boundaries were extended beyond the concentration of development around Bennett College and NCA&T. Nocho Park at the north end of the study area was one of the African American developments that followed annexation. The neighborhood was platted in 3 stages from 1924 to 1926 for future green space and land was set aside for recreation. Schools and churches were significant institutions in and adjacent to Nocho Park as they had been in Warnersville. They included Washington Street School, Dudley High School, east of O'Henry Boulevard, and the L. Richardson Hospital. The presence of schools, churches, and hospitals made the area especially desirable and early residents included teachers, brick layers, barbers, and other laborers and professionals. In 1936 the Homeowners Loan Corporation utilized status to evaluate residential neighborhoods. The group assigned one of four colored grades to indicate mortgage security in that neighborhood and a system that led the practice to be termed "red lining". Racial identity was a significant factor in grade assignments with all of the survey area graded yellow, identified as definitely declining, or red identified as hazardous, which resulted in refusal by banks offering home loans in these areas. Warnersville was completely red and the study area was a combination of red and yellow.

The Housing Act of 1949 authorized federal assistance to acquire and clear properties deemed blighted. The Redevelopment Commission of Greensboro was established in 1951 and renewal projects began in earnest in 1958 focusing on the African American neighborhoods south and east of the City, resulting in the demolition and subsequent reconstruction of most of Warnersville. Urban Renewal called for the widening of East Market Street from two to six lanes, devastating more than 70 black owned businesses along the street. Prominent African American churches in both areas were also destroyed and congregations largely relocated to the growing Clinton Hills development. West of Nocho Park, a 1930s residential area deemed by the Home Owners Loan Corporation to be "largely consisting of cheap type Negro cottages" demonstrated hazardous mortgage security and those were leveled in the 1950s for public

housing. Ray Warren Homes, the City's third public housing project and first integrated housing development after the 1951 construction of Smith Homes for whites and Morningside Homes for blacks, was a complex of 70 buildings including apartments, gathering spaces, playgrounds, basketball courts, and a child care center. Street patterns were realigned to reflect the popular curvilinear principles at the time. Located south of Nocho Park, Clinton Hills was platted in 1926 but remained largely undeveloped until after World War II, centered on Benbow Road. The development included curvilinear street patterns and incorporated natural green spaces and may be the first African American neighborhood in Greensboro to do so. Clinton Hills, smaller plats for Spaulding Park, Spaulding Heights, and an area known as Neighbors United benefited from the proximity to NCA&T and Bennett College; as well as a growing upper middle class in the middle of the 20th century that occupied sprawling ranch and modernist style homes. The south end of Clinton Hills was re-platted in 1956 by white developers, Kirkman and Kory. Houses in that part of the neighborhood were speculatively built, more modest in size and housed middle class African American families employed as teachers, assistant professors, clerks, and other mid-level positions. Developed in 5 plats between 1959 and 1962, the Benbow Park neighborhood is located south and east of Clinton Hills and was also planned and speculatively built by Kirkman and Koury.

The City of Greensboro also redeveloped a residential area west of Nocho Park while the Clinton Hills and Benbow Park neighborhoods to the south were growing. This area was designated "definitely declining" by the Home Owners Loan Corporation. It was noted as a good residential section helped by its proximity to Bennett College and A&T. The area was selected by the Redevelopment Commission of Greensboro for an urban renewal project in the 1960s known as the Washington Street Redevelopment, carried out in the 1970s. Similar to the Ray Warren Homes project, nearly all of the existing homes in the Washington Street redevelopment area were demolished and the roads realigned. African Americans were relegated to their own neighborhoods, businesses, churches, schools, cemeteries, and recreation on the east side of town, with whites occupying the remainder of the city. Segregation was enforced not only by social practices, but also local ordinances and neighborhood covenants. Throughout the 1950s and '60s, many of Greensboro's white residents fought to maintain the status quo while the City's African American residents grew increasingly frustrated with the racist policies and practices. The well know sit-ins that began in February of 1960 by four NCA&T students, are recognized by a mural on the north wall of the Windsor Community Center. Community resident Arlen Jenkins recalled protesting in the 1960s while a student at Dudley and later at NCA&T. He stated "My generation was out there pounding the streets. That's what we did in the '60s. We were integrating Greensboro" and recalled that her father, Edward Jenkins, architect, always stayed home when she went out to protest so he could bail her out of jail if she was arrested. It was common for residents in the neighborhood to mortgage their homes to raise funds for protester's bail. Prominent civil rights attorney, Kenneth Lee, frequently represented jail protestors pro bono.

The architectural history of Southeast Greensboro is not complete without a discussion of four prominent African American architects, two of whom lived in the study area and all made significant contributions to Greensboro's built environment and modernist narrative. None were Greensboro natives, W. Edward Jenkins, William Street, Jared Gray, and Clinton Gravely found their way to Greensboro by the mid-20th century. The parallels between their lives and career paths were significant. They each served in the Army Corp of Engineers during World War II, except Clinton Gravely who was too young. All four men either taught at or attended the

Department of Architectural Engineering at NCA&T. Jenkins, Street, and Gravely all worked for Edward Lowenstein who specialized in modernist designs and openly recruited architects of color. Eventually all four men established independent firms and together represented the first African Americans to be registered architects in North Carolina, the first to be hired by white firms in the state, and the first to join the North Carolina Chapter of the American Institute of Architects. Each faced the challenges of racism in the mid-20th century and each contributed to their field, not only by achieving greater racial equality but also as leaders of the modern movement in Greensboro.

Ms. Slane presented the six things presented to the National Register Advisory Committee for placement on the study list. There were 8 additional individual buildings they had hoped to obtain interior photos of but were not able to do so due to the pandemic. They are listed in the report as things that would be eligible for the study list if the interiors were confirmed. First was the J. Kenneth Lee house, eligible for the National Register under criterion C for architecture. Designed by local African American architect Edward Jenkins, the flat roofed modernist style house was completed in 1959. Ms. Slane provided a picture depicting the home and described the specifics of the home. The house may be eligible for the National Register under criterion B, for its association with J. Kenneth Lee, born in Charlotte and graduated from NCA&T in 1945 with a degree in Electrical Engineering. Mr. Lee served in the Navy as an electrician's mate during World War II. In 1951, after a lengthy lawsuit, Lee along with Harvey Beech became the first two African Americans to attend the UNC Chapel Hill Law School and first African American graduates of the law school in 1952. During his 38 years of legal practice, Mr. Lee participated in more than 1700 civil rights law suits and various civil rights leaders and organizations met in the Lee house. The boundary of the proposed National Register designation should include the full parcel.

Constructed in 1964, Dr. Alvin and Gwendolyn Blount appear eligible for the National Register under Criterion C for Architecture. It was designed by local architect Gerald Gray. Ms. Slane described the specifics of the house. The house may also be eligible for the National Register under Criterion B for its association with Dr. Alvin Blount. Dr. Blount graduated from NCA&T with a degree in math and chemistry in 1943. In 1954, Dr. Blount started a medical practice in Greensboro, operating at the nearby L. Richardson Hospital. In 1957 Dr. Blount became the first African American in North Carolina to be certified by the American College of Abdominal Surgeons. Dr. Blount served as the Chief of Surgery at Richardson Hospital for 23 years. At the time of his death, Dr. Blount was the last living litigant in the case of Simpkins versus Moses Cone Hospital, a 1963 landmark Supreme Court decision that desegregated hospitals throughout the south. In 1964 Dr. Blount became the first African American physician to perform surgery at Moses Cone. The boundary will include the whole parcel.

Designed by African American architect, William Street as his personal residence, the 1965 split level modernist styled house is eligible under Criterion C for architecture. Ms. Slane provided the specific details of the inside and out of the home. Mr. Street earned degrees from Hampton University and the University of Illinois and began his career as a Professor of Architecture at A&T and later chaired the Department. Mr. Street worked as a structural consultant for Architect Edward Lowenstein. In 1952 Mr. Street became the second registered African American Architect in North Carolina.

There are three proposed historic districts. Ms. Slane included a map of all three districts to depict they are all contiguous and abut each other directly. They were listed separately as

there would be more options down the road for actually listing on the National Register. Listing all three districts together would be a large and expensive project and listed separately there are more options for combining them later or doing them separately. There is a lot of shared history and architecturally [the neighborhoods] are somewhat different. First is the Benbow Road Historic District and would be eligible under Criterion A for community planning and development, African American ethnic heritage and social history and under Criterion C for architecture. It may be eligible under Criterion A for its association with civil rights activities in Greensboro. The planned African American development was initially platted as several separate developments, including Clinton Hills in 1926, Spalding Park in 1955 and 1956, Spalding Heights in 1964 and a number of other smaller plats.

The sprawling ranch and modern style houses were largely custom built displaying a wide variety of forms and styles. A number of them were designed by Greensboro's noted African American architects and collectively represent some of Greensboro's vast examples of modernist residential architecture. Others, especially those along South Benbow Road, were more typical ranch houses or cottages with colonial or Tudor revival detailing. Benbow Road is one of a number of sub-divisions platted as a response to the growth of Bennett College and NCA&T in the early 20th century. The area was planned and built for Greensboro's growing African American upper and middle classes. Occupants included teachers, doctors, lawyers, architects, engineers, and professors at A&T. Several residents were influential in civil rights lawsuits and legislation. Many others participated in civil rights activities, including sit-ins and other forms of protest. A full inventory of buildings and occupants will uncover significant connections to Greensboro's larger civil rights history. Ms. Slane depicted a close-up photograph indicating the boundary of the proposed district.

Clinton Hills historic district would be eligible for the National Register for community planning and development and architecture. The planned development was initially platted in 1926; however, in 1956 when the area remained largely undeveloped, it was re-platted to accommodate alterations to the curb near a street grid along Bennett, East Florida, and Oxford Streets. Ms. Slane showed homes designed by Koury and Kirkman throughout the district and explained how they were constructed. Houses along South Benbow Road did not necessarily follow the repetitive forms found in the interior of the neighborhood, although the scale and form of the houses is consistent. These areas were developed by white investors, it was planned and built for African American occupants in Greensboro's growing black middle class. A period of significance extends from 1956 when the neighborhood was re-platted around 1960 when it was largely built out.

The Benbow Park Historic District appears eligible for the National Register under Criterion A for community planning and development and Criterion C for architecture. The planned African American development was platted from February of 1959 to February of 1962. Large lots with deep setbacks and curb near the streets enhanced the rolling terrain of the area. This area was developed by Kirkman and Koury Home Builders, a company that capitalized on the housing shortages of the 1950s and built more than 8000 houses in both white and black neighborhoods throughout Greensboro within approximately 20 years. Ms. Slane stated the houses in the subdivision were almost entirely easily identified variations of the ranch and split level forms repeated throughout the sub-division. Ms. Slane referred to the details of the houses on the outside of the home that stood out in contrast to the more modernist styles and details found in the adjacent proposed Benbow Road Historic District. The presence of the

styles is indicative of the sub-divisions development by white developers and builders who employed the styles and details popular in white sub-divisions of the era. While the district was developed by white home builders, it was planned and built for African Americans in Greensboro's growing black middle class. Occupants included teachers, engineers, postal workers, clerks, professors and employees of NCA&T. The period of significance would extend from 1959 to 1966 when the area was largely built out.

Ms. Slane stated this presentation was an abbreviated version of the report that will be presented to the National Register Advisory Committee on October 8, 2020. Ms. Slane provided a link to the YouTube channel for the North Carolina State Historic Preservation Office. Ms. Slane stated the meeting starts at 10:00 a.m. but there is a large agenda of items occurring before the survey presentation. The survey presentations will probably be in the afternoon but Ms. Slane did not have an exact time for presentation. At some point it is hoped to present this to the neighborhood when the world reopens in the spring or even later and was hopeful to announce future steps for the project.

Mr. Carter stated it was an amazing presentation. Ms. Lane stated it was beautiful work. Mr. Arneke stated it was very exciting. Ms. Slane stated they are hoping to obtain more access to more buildings. There were plans to do an oral history and were unable to. Ms. Slane is hopeful it will pick up again at some point when the world opens. Chair Hodiern stated it was very interesting information and could see a lot of interesting rabbit holes to explore and shared Ms. Slane hopes that it can continue. Chair Hodiern stated it was nicely done and very informative and was hopeful others would see the presentation.

4. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

4a. Application #2425, 919 Carr Street (Approved with Conditions)

Mr. Cowhig stated this is a COA application for 919 Carr Street in the College Hill Historic District. Coincidentally this is a modernist structure in the College Hill neighborhood, probably built around 1960 or so and is a simple brick structure. Photographs depicted the front and back of the building. Mr. Cowhig provided the background of when the owners were before the Commission for approval of exterior changes. The applicants are completely renovating the building which appeared to be in very rough condition when purchased. One aspect of the work was someone had replaced the original windows with vinyl windows that did not match the original mid-century modernist windows. The applicants have replaced the vinyl windows with aluminum horizontal sliders matching the design of the original windows. Staff is very appreciative of having that done and it is a win for the neighborhood to have windows compatible with the character of the building.

The gravel driveway has been widened. The guidelines recommend against double width driveways. A photograph was shown indicating the property before the work was done. One of the issues was there are very narrow lots in College Hill and other historic districts. If there are multiple vehicles parked side by side, the visual impact of the automobiles could be overpowering and is part of the logic behind the guidelines recommending single width driveways. People do usually create a space behind the house which is acceptable. There is a walkway from the front stoop to the public sidewalk. At one time there was a step just left of the stoop which is no longer there. Staff is very grateful for the work that has been done in renovating this house in a way that restores much of the character of the property. This is considered a non-contributing building because it is outside the period of significance which

may be 1890 to 1930. If the National Register nomination is updated, this property would likely be reclassified as a contributing structure as it more than likely 60 to 70 years old.

Mr. Cowhig referred to the **Guidelines for walkways, driveways, page 30**, that states “When needed, introduce new driveways and walkways that are compatible with existing driveways and walkways in terms of width, location, materials, and design. Generally, double width driveways and circular driveways are not appropriate.

Ms. Stringfield asked if the walkway was still underneath all the new gravel that was poured. Mr. Cowhig responded he did not know and thought it was still there. It was not in good condition. Mr. Cowhig stated it is unknown whether the step is there or not. Chair Hodiernie inquired if there were any further questions for staff. Seeing none, Chair Hodiernie requested the applicant to come forward. Mr. Carr stated his name and address for the record, and consented to the remote recording.

Tom Carr, 2208 West Cone Boulevard, stated the intent was to widen the driveway when the gravel was brought in mainly for drainage issues underneath the house. The drainage issues still exist even with the widening of the driveway, the new grass in the back, and the gravel placed around. It was not intended to create more parking space. Mr. Carr stated a brick mason will be replacing the step. Chair Hodiernie asked if there was a walkway underneath the gravel. Mr. Carr assumed it was there but did not know for sure, but will find out. Chair Hodiernie inquired if any Commissioners had questions for Mr. Carr. Ms. Stringfield asked if the sidewalk was there, could Mr. Carr have the gravel pushed off so the walkway would exist and the driveway narrower. Mr. Carr responded he did not see why it could not be done. Mr. Carter asked if other methods were applied to take care of the drainage issue such as ditching or any other work. Mr. Carr responded they are waiting for the rain to calm down as it has been very wet and they cannot work on it. Chair Hodiernie inquired if there were any further questions for Mr. Carr or staff. Ms. Stringfield asked if there would be any parking in the back of the building. Mr. Carr responded there would not be parking in the back and the back would be grass. A photograph depicting the step up to the front door was shown. Chair Hodiernie stated it appeared there was a pavement connection between the step and the walkway. Mr. Carr stated there was. Mr. Arnett asked if the applicant intended to re-pour the driveway apron. Mr. Carr responded he did not but could. Mr. Arnett stated he was curious because the current pictures depict some of the sidewalk next to the apron had been removed. Mr. Carr stated it was not in his plan but could do whatever needs to be done to restore it back to what it was. Chair Hodiernie inquired if there was anyone else wishing to speak in favor of the request. Chair Hodiernie inquired if Amy Solo was present. Seeing none, Chair Hodiernie inquired if there was anyone in opposition to the request. Seeing none, Chair Hodiernie requested to have discussion.

DISCUSSION:

Ms. Stringfield stated if the walkway was there, even if in poor condition, and the applicant can scoop the gravel back into the driveway section and replace the small step that leads to the front stoop, it would become very much like it was previously. Ms. Stringfield would be very satisfied with that result. Mr. Arnett stated as far as the driveway is concerned, it is too wide as is currently and the gravel should be moved to something more like the original. If the walkway is no longer there, does it need to be replaced as well. Ms. Stringfield stated the driveway will need to be not as wide as it was before, as the guidelines clearly state you can't have a double wide driveway, and a walkway of some sort needs to be put back, whether that is to the side into the street or straight out. Mr. Arneke stated the small walk up to the house was always

problematic because it was used simply as an extension of the driveway. Mr. Arneke advised he did not have a problem with the driveway extending that wide. From the picture the walk came down to where the driveway normally would have been expected to start and did not think the width was a problem at all. It would simply leave the house with no walkway to the sidewalk except for the driveway, which would be a little odd but since the driveway is right there, he was comfortable with that. Mr. Arneke felt replacing the walkway would simply re-introduce a somewhat problematic element to all of it. Mr. Arneke stated what is shown in the picture from the left side over to the edge of the walkway, that width would be fine. Ms. Lane stated the current pictures depicting the stone spreading wide, appeared to be out of ordinary circumstances and needed to be contained or bordered in a way that makes sense, as it appears like a field of stone taking over the house. Mr. Arneke felt bring the driveway back to where the walkway was, would provide the right proportion. Mr. Arnett stated it would match up to the width at the top of the driveway apron. Chair Hodiernie stated it appeared there was a consensus among the Commissioners. Chair Hodiernie inquired if there were any other thoughts in a different vein or in addition. Mr. Arnett stated the question now is how does the Commission proceed on this application as the current situation does not meet the guidelines. Procedurally should it be denied or approved with a condition to reconfigure the gravel. Ms. Hodiernie stated if the Commission agreed that the current driveway width is not only the gravel pad but also to the right edge of the sidewalk would be saying leave it at that width. If the sidewalk is not part of the existing width, it would need to be approved but have an outside boundary of the existing sidewalk width. Ms. Stringfield stated conditions could be placed. Ms. Jones stated the Commission could do either one. It is not clear whether staff has documented what the original driveway and sidewalk were. A picture was referred to depicting two cars that were parked there with the original driveway to be an appropriate width. Mr. Arnett agreed with Ms. Stringfield in that approving with conditions is probably the best move for the Commission as there would be a way to be more specific about what should be done. Mr. Arnette stated he also agreed that is hard to give an exact reference to existing conditions as the Commission did not know if the sidewalk is still there. There are several different pictures from different times that depict it at different widths. Ms. Geary stated the Commission could require the applicant and the owner to work with staff to determine the final footprint of the gravel driveway, based on the original photographed documentation and a site visit. All of the Commissioners agreed it would be a good compromise. Ms. Lane asked if the intent was to have two cars in the driveway. Mr. Arneke responded no; it was always a problem. There would be a lot of parking in the front yard if that happened. Ms. Lane asked if it should be maintained properly as a single car driveway as the ultimate goal. Mr. Arneke responded yes. Mr. Arnett asked what if the Commission approved with a condition the applicant consults with staff to determine the appropriate footprint for a single width driveway. Chair Hodiernie requested that be in the form of a motion for a Finding of Fact.

FINDING OF FACT:

Mr. Arnett moved that based upon the facts presented in application number 2425 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the **Historic District Program Manual and Design Guidelines and that staff comments and the guidelines on page 30, numbers 3 and 5 are acceptable as finding of fact.** Seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodiernie, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane. Nays: 0).

DISCUSSION:

Chair Hodiernie asked for a discussion regarding the conditions to be applied, although if the applicants work with staff that would supplant the need for conditions. The general consensus was there was not enough information to make conditions that are more specific.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approves application #2425 and grants a Certificate of Appropriateness to Thomas Dotson and Tom Carr for work at 919 Carr Street with the following condition:

1. That the applicant consults with staff to determine the appropriate footprint for a single width driveway.

Seconded by Mr. Arneke. No further discussion. The Commission voted 7-0. (Ayes: Hodiernne, Stringfield, Arneke, Wharton, Arnett, Carter, and Lane. Nays: 0).

4b. Application #2429, 547 S. Mendenhall Street (Approved)

Mr. Cowhig stated this is 547 South Mendenhall Street in the College Hill Historic District, which is the old West End Hose Company, a/k/a Hose Company #5, built in the 1890s. This is a particularly significant building in Greensboro. For the last several decades it has been used as a grocery store. At some point in time, an addition was built on the north side of the building and added on to that addition was a cooler of some type. Mr. Cowhig pointed out on a photograph the entrance way, articulated with a pediment, and apparently a set of stairs behind the brick entrance that led to the apartment above the fire station. It was not known when that addition was made but it is not in good condition. The owner would like to replace that addition with a slightly larger version and would incorporate the cooler. The cooler would no longer be visible. The Board and Batten material currently there is the appropriate material to be used in this situation. The signage would be relocated to hide some of the mechanical equipment and would assist in eliminating some of the clutter outside of the building. Mr. Cowhig stated if there was a request for an addition on an original wall of the building, staff would be concerned but this addition is already there and has been there since the district was created. **The Guidelines for Additions, page 76, the proposed addition design and location would not diminish the architectural integrity of the building. It will be an expansion of an existing non-original addition. Construction materials will be similar to the existing materials. Site disturbance should be minimal because of the relatively small size of the addition. In terms of material, style and detail, design additions should be compatible with the original structure rather than duplicating it exactly. Distinguish additions from the original structure through change in roofline, wall plane, detailing and/or material. Locate, design and construct additions so that the character-defining features of the historic structure are not obscured, destroyed, damaged, or radically changed. Limit the size and scale of additions so that the integrity of the original structure is not compromised.** Mr. Cowhig stated in looking at the floor plans for the project, the original north wall of the building will not be disturbed. Staff felt that was very important and was pleased to see that. Staff stated if there was a way in the process to somehow restore some of the look of the side entrance, as it such a unique feature, that would be desirable. Staff's opinion was this would improve the overall appearance of the building and staff supported the application.

Chair Hodiernne inquired if there were any questions for staff. Seeing none, Chair Hodiernne requested the applicants to come forward. Mr. Eisenburg stated his name and address for the record, and consented to the remote recording. Mr. Patel stated his name and address for the record, and consented to the remote recording.

Jay Eisenberg, 514 South Mendenhall Street and Ketankumar Patel, 113 Old Salem Drive. Mr. Eisenberg stated the addition is falling apart and leaks very badly. To replace everything that needs to be replaced would be almost as much as adding a new addition. They would like to fit into the neighborhood and be good neighbors. When the project is completed, the air conditioning units on of the building will be hidden by the sign and will not be seen. The cooler that is there will be eliminated, along with a lot of drainage issues because the building is on a hill. Floor space will not be added, only storage space, and will enhance the store.

Chair Hodiernie inquired if there were any questions for the applicants. Ms. Stringfield asked if the door on the left on the front of the building opened into office space. Mr. Eisenberg responded it has been sealed. Chair Hodiernie inquired if anyone else was present to speak in support of the application. Seeing none, Chair Hodiernie inquired if there was anyone present to speak in opposition to the application. Seeing none, a discussion was held.

DISCUSSION:

Mr. Arneke stated this will improve the look on that side of the building and appear to be more finished. Hiding the air conditioning unit on the roof was a good idea. Mr. Arneke stated in the past there have been problems with the signs being internally illuminated and asked if the signs could stay off. Mr. Eisenberg responded there are no light bulbs in the fixtures. There are externally illuminated hanging lights. Chair Hodiernie inquired if there was any further discussion. Seeing none, Chair Hodiernie requested a motion.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application 2429, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and that the staff comments and the following **Guidelines under Additions, page 76, numbers 1-6**, are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Hodiernie, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane. Nays: 0).

Chair Hodiernie inquired if there were any conditions that should be added. Hearing none, Chair Hodiernie requested a motion for approval.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application 2429 and grants a Certificate of Appropriateness to applicant Ketankumar Patel, for work at 547 South Mendenhall Street. Seconded by Mr. Arnett. The Commission voted to approve 7-0. (Ayes: Chair Hodiernie, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane. Nays: 0).

4c. Application # 2428, 736-738 Park Avenue (Approved)

Mr. Cowhig stated this application is for 736 and 738 Park Avenue in the Dunleath Historic District. There are two numbers because it was built as a duplex structure. The current owners are Room at the Inn and also own 734 Park Avenue next to these properties. It is the old Sternberger house that was moved from Summit Avenue onto Park Avenue. The yellow Sternberger home was constructed in the 1920s. Room at the Inn has been located at these properties for some time and they are excellent stewards of the historic properties. A site plan was projected indicating the location. It appears to be on angle to avoid trees near the back of the property, but would be a question for the applicant. The materials and design are consistent with the Guidelines. It will be located at the back of the home, not visible from the street. There is a playground that could be interpreted as a structure but is not a structure.

There will be two structures. There is a rule regarding a 5 foot separation between structures on a lot which the applicants are aware of and will maintain the 5 foot separation. Staff supported the application as it does meet the **Historic District Design Guidelines for Accessory Structures and Garages (pages 35-36). Design new garages and outbuildings to be compatible with the main structure on the lot in material and design, using existing historic outbuildings in the districts as an example. Limit the size and scale of the garages and accessory structures so that the integrity of the original structure, or the size of the existing lot, is not comprised or significantly diminished. New garages and accessory buildings should be located in rear yards and not past the centerline of the house.** Mr. Cowhig stated this request was reviewed by the Planning Services staff and does meet zoning requirements.

Chair Hodierné inquired if there were any questions for staff. Mr. Arneke stated on the list of materials to be used for the shed it mentions LP Smartside siding and asked what that was. Mr. Cowhig stated he understood it was a composite of wood based material. It would be the same material as the existing accessory structure. It is painted and has the characteristics of wood. Chair Hodierné inquired if this was a purchased unit that has been set and installed. Mr. Cowhig responded sometimes accessory structures are built on site and sometimes they are brought in and was unsure which one this building was. Chair Hodierné inquired if there were any further questions for staff. Seeing none, Chair Hodierné requested the applicant to come forward. Mr. Hoeing stated his name and address for the record, and consented to the remote recording.

Paul Hoeing, 944 Bryansplace Road, Winston-Salem, stated this site is a maternity home. The current shed houses strollers, high chairs and other bulky items provided to the women when they leave after the birth of their child and are self-sufficient. The reason for the size of the addition is a combination of factors. There are six clients within the house who are provided diapers and are provided diapers when they leave. The building would house diapers, donated clothing sorted by size, things of that type. Shelving will be placed on the interior to accommodate the clients to walk through and chose what is appropriate for their needs. At one time the materials were stored inside the house but due to Covid the space has been repurposed for bedrooms to house additional homeless women. Dutch Barn built the original barn on the site and they would match with what they have and comply with the regulations that are in place. The color of the barns will match the color of the house. Chair Hodierné asked in terms of the angle shown on the drawing, if that was to avoid trees. Mr. Hoeing responded that was correct and also blended in aesthetically with the property. Chair Hodierné inquired if there were any questions from Mr. Hoeing from the Commissioners. Ms. Stringfield stated the applicant on the actual application form states O. Albert Hodges and asked when a determination is made, would it be made to the applicant or to Mr. Hodges. Mr. Hoeing responded to Albert Hodges, who is the President of the Maternity Home. Mr. Hodges advised he was present; Mr. Hoeing is the Board Chair who set up this project. Chair Hodierné asked Mr. Hodges since it is being recorded to state his name and address for the record. Mr. Hodges stated his name and address for the record, and consented to the remote recording.

Otis Albert Hodges, 6651 Rayle Farm Court, stated the other benefit from this request is it will not add or decrease traffic to the property but will greatly reduce the amount of times to go off site and the number of trips for supplies. Mr. Hoeing stated due to the Covid conditions, they have not been able to receive voluntary items such as diapers and those type of things and were purchased as needed. Having the additional storage will reduce costs and they would be able to receive contributions from donors such as baby clothes and things of that nature which

were stopped because there was no room. Chair Hodierné inquired if there was anyone else to speak in support of the application. Chair Hodierné asked the speaker to state his name and address for the record. Mr. Evans stated his name and address for the record, and consented to the remote recording.

Andrew Evans, 602 Park Avenue, stated the Board met and reviewed and discussed the COA. It was voted to approve the COA with no other conditions or limitations. Chair Hodierné inquired if there were questions for Mr. Evans from the Commissioners. Seeing none, Chair Hodierné inquired if there was anyone else in support of the application. Chair Hodierné inquired if there was anyone in opposition to the application. Seeing none, Chair Hodierné requested to have discussion.

DISCUSSION:

Ms. Stringfield stated she was very positive regarding this project and wanted to ensure Mr. Hodges and Mr. Hoeing were aware that being in an historic district, this building could be situated closer to the property line than if they were outside of a historic district. It appears from the drawing by having it angled there is a loss of space and it could be situated closer to the property line. Staff could assist them with any questions. Ms. Stringfield was satisfied if this was their choice. Ms. Geary stated a building can currently be within 3 feet of the property line and if the applicants wanted it to be closer, a Special Exception would need to be filed with a filing fee associated. Mr. Hoeing stated they will follow the guidelines. Chair Hodierné inquired if there was any further discussion among the Commissioners. Chair Hodierné stated this was submitted as part of the application and part of the Commissioners materials, the sheet provided by the applicant entitled Accessory Shed Details and asked if that was all of what was being approved without having to read it in as conditions or anything. Ms. Jones stated it was her understanding, unless the applicant wanted to modify anything, that was submitted and would be bound by their application. Chair Hodierné asked if that included the picture of the current shed that is being matched. Ms. Jones responded that was correct. Chair Hodierné inquired if there was a motion.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application 2428, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and that the staff comments and the following **Guidelines under Accessory Structures and Garages page-36, numbers 2-5**, are acceptable as finding of fact. Seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodierné, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane. Nays: 0).

Chair Hodierné stated there was no discussion for conditions and inquired if there was a need for conditions to be placed. Seeing none, Chair Hodierné requested a motion to act on the case.

MOTION:

Ms. Stringfield moved that the Greensboro Historic Preservation Commission approves application 2428 and grants a Certificate of Appropriateness to applicant, O. Albert Hodges, for work at 738 Park Avenue. Seconded by Ms. Lane. The Commission voted to approve 7-0 (Ayes: Chair Hodierné, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane. Nays: 0).

4d. Application 2430, Greensboro College (Continued)

Mr. Cowhig advised Greensboro College formally requested a continuance for their application regarding the tree removal. They met with the College Hill Neighborhood Association who expressed concerns. Greensboro College would like to work with the neighborhood and requested a continuance to the October meeting. Chair Hodierné asked Mr. Cowhig was aware of any opposition to the continuance request. Mr. Cowhig responded no. Ms. Geary advised she notified the speakers who were in opposition that this application was not going to be heard at this meeting. Ms. Geary stated the case can be continued without the applicant and property owner's permission for approximately 120 days. Ms. Jones stated the amount of time was changed for HPC to make a decision from 60 days to 120 days and removed the requirement of consent of the property owner. Chair Hodierné requested if there was any discussion regarding the continuance from the Commissioners. Ms. asked if it was 120 days from this meeting or 120 days from the application date. Ms. Jones responded from the date the application was received by the City. Chair Hodierné inquired if there was a motion to grant the request for a continuance for application 2430, Greensboro College. Mr. Carter moved to approve the request for a continuance by Greensboro College. Seconded by Ms. Lane. The Commission voted to approve 7-0. (Ayes: Chair Hodierné, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane, Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Hodierné advised she had no items.

ITEMS FROM THE PLANNING DEPARTMENT:

Chair Hodierné inquired if everyone received the text amendment on the appeals process. Discussion of Possible Changes to the COA Appeal Process. Ms. Jones stated there were some changes suggested by the Planning Department which were basically formatting and to add a footnote to clarify some things. A slide was depicted displaying the changes suggested. Ms. Jones stated the later changes were highlighted in red and was to conform with how some other zoning text amendments are done. Under Section 30-3-7.4, there will only be one type of appeal that the Board of Adjustment hears out of the Land Development Ordinance and that is the Zoning Administrative determinations which are notices of violations or determinations by the Zoning Administrator. Section 30-4-6 addressed how the Board of Adjustment would handle Historic Preservation Commission appeals on Certificates of Appropriateness which will not be necessary as the appeals will now go straight to court. Section 30-4-12.4 addressed the provision that sent the appeals of the Historic Preservation Commission decisions to the Board of Adjustment and is replaced by the Superior Court for Guilford County. State law was recently amended to give the option of either sending these appeals to the Board of Adjustment or sending directly to Superior Court as other Boards and Commission decisions go directly to court at this time. The new section 4 is adding a footnote that clarifies appeals of Historic Preservation decisions will be made to the Superior Court of Guilford County. In the event the Historic Preservation Commission votes to recommend this text amendment, it will be presented to City Council on October 20, 2020 and be subject to a public hearing at that time. Public notice of the hearing will be published in one of the local newspapers. Anyone interested who has not had an opportunity to comment, would have the opportunity to make a comment before City Council.

Chair Hodierné asked if this was moving through by itself or as part of a package of a few amendments. Ms. Jones responded this would move by itself at this point. There have been some amendments related to both the adoption of the new Comprehensive Plan and some related to the new Chapter 160-D for Planning and Zoning regulation. Ms. Jones thought there will be another package of 160-D changes when everything is codified by the state and the

final language will be known at that time. Ms. Jones advised there may be one other change required of the Historic Preservation Commission having to do with terminology around the guidelines and turning them into regulations. Staff and Ms. Jones looked at how best that would be handled and whether that leads into a larger discussion of the guidelines and provisions to the guidelines. At this point, this particular amendment would go forward on its own and be applicable to any of the cases that was heard at this meeting because for previous decisions, the time to appeal is expired. Ms. Hodiernie inquired if any of the Commissioners had questions for Ms. Jones or follow-up discussion. Ms. Stringfield asked for confirmation from the last meeting on that it actually costs less for an applicant to appeal to the Superior Court at a cost of \$200 versus \$400 but might take longer as the Superior Court does not necessarily have a monthly meeting with a beginning and ending. Ms. Jones responded that was correct. There is a different filing fee but whether or not applicants or appellants would feel comfortable going to Superior Court without an attorney representing them was questionable. It is not required to have an attorney present but is a more formal proceeding than appearing before the Board of Adjustment. There may be additional costs associated with it, but a primary difference especially during this time of Covid 19 is that the court system is very much delayed in processing cases currently. In the past, there have not been many appeals from the Historic Preservation Commission on COAs to the Board of Adjustment. There may be one a year, but there is always the potential for more to occur.

Chair Hodiernie asked Ms. Jones what action was needed from the Commission or was this information only. Ms. Jones responded at this point she would ask for a vote on whether the Commission recommends the text amendment to go forward. If the Commission does not recommend it, staff is not at the point that they're ready to recommend it over the Commission's objection. Chair Hodiernie asked if this was staff's preference. Ms. Jones responded that was her understanding. Ms. Jones stated there are pros and cons of either approach that may have an impact on the City or have an impact appellant. It would be more in line with all of the other Quasi-judicial decisions made by Boards and Commissions of the City. Mr. Wharton stated he felt it was a good idea on the whole. There may be some costs for people who want to appeal if they feel they should hire an attorney and based that on some of Chair Hodiernie's comments from the last meeting. Mr. Wharton felt the Superior Court is better equipped to handle these in a way that is should be legally handled because the Board of Adjustment does not always truly understand that they shouldn't re-hear the cases de nova and was strictly his opinion. Mr. Arneke agreed with Mr. Wharton as he has sat through a couple of appeal hearings with the Board of Adjustment. The Board of Adjustment does not receive enough of them to be comfortable with the process It will improve the decision making process to move appeals to Superior Court. Chair Hodiernie stated she was in support for reasons already expressed and agreed with both statements just made. Chair Hodiernie liked the idea of cleaning this up to be more in line and in keeping with Quasi-judicial procedure in North Carolina. Chair Hodiernie inquired if there were any further thoughts or comments. Chair Hodiernie inquired if a motion was needed or if the recommendation was acceptable. Ms. Jones responded it would be helpful to have a motion as the information could be provided on the outcome of the vote to City Council. Chair Hodiernie requested a motion be made.

Mr. Wharton moved the Historic Preservation Commission recommend the text amendment change to City Council. Seconded by Ms. Lane. The Commission voted to approve 7-0. (Ayes: Hodiernie, Stringfield, Arneke, Wharton, Carter, Arnett, and Lane. Nays: 0).

Chair Hodiernie inquired if there were any other items from the Planning Department. Ms. Jones announced she was leaving the City of Greensboro, effective Friday, October 9, 2020 to become the first in-house Town Attorney for the Town of Garner in Wake County. Ms. Jones stated she enjoyed working with everyone. Mr. Wharton stated he hoped it was a great move

for her. It has been great working with her all these years, and will miss her. Mr. Carter congratulated Ms. Jones. Ms. Jones stated she suspected the Town of Garner's efforts to do some historic revitalization has played into small part of her selection. Chair Hodierné stated she was sure Ms. Jones would be stellar in that role and congratulated on being at the helm in Garner. The Commission will sorely miss her, not only in the Commission but in the City Attorney's office as she was a great asset and Chair Hodierné enjoyed working with her. Ms. Jones stated in the interim, Andrea Harold, currently one of the Assistant City Attorneys will fill in and assist with the Historic Preservation Commission. Ms. Harold currently represents the Police and Fire Departments but is a local long time resident of Greensboro and is familiar with the Historic Districts. Ms. Geary added special thanks to Chair Hodierné who just led her first official HPC meeting and did a very good job, like she has been doing it for years. Mr. Carter asked if the Commissioners minute their appreciation for Ms. Jones.

Mr. Carter moved that the Commissioners minute in the official minutes of the meeting, the Commissioners appreciation for Ms. Jones' valiance and well-ordered assistance to the Commission. Seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Hodierné, Arneke, Arnett, Carter, Lane, and Stringfield, Nays: 0).

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Arneke, Ms. Lane, and Mr. Wharton. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Hodierné, Arneke, Arnett, Carter, Lane, and Stringfield, Nays: 0). Chair Hodierné stated the meeting was adjourned at 5:57 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
SS/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
OCTOBER 28, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, October 28, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierne (Fisher Park), David Arneke (College Hill), Ann Stringfield (At Large), Max Carter (At Large), David Wharton, (Dunleath), Linda Lane (At Large), and Jesse Arnette (At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Terri Jones, Deputy City Attorney was also present.

Chair Hodierne inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Hodierne welcomed everyone to the meeting. Chair Hodierne inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Hodierne advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Hodierne inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting. Mr. Arnett advised he would need to recuse himself from Application 2441.

1. APPROVAL OF ABSENCES:

Mr. Cowhig stated there were no excused absences.

2. APPROVAL OF MINUTES, SEPTEMBER 30, 2020 REGULAR MEETING:

Mr. Wharton made a motion to approve the September 30, 2020, minutes, seconded by Mr. Arneke. The Commission voted to approve 7-0. (Ayes: Chair Hodierne, Arneke, Arnett, Lane, Wharton, Stringfield, and Carter. Nays: 0).

Chair Hodierne explained the order of business regarding Certificates of Appropriateness.

SWEARING IN OF STAFF:

Staff Mike Cowhig and Stefan-Leih Geary were sworn for their testimony and consented to the remote meeting.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2433, 809 Simpson Street (Approved with Conditions)

Mr. Cowhig advised 809 Simpson was an application for the removal of large Oak tree and advised how tree removal requests are handled. Staff usually inspects and if there are obvious indications the tree is dead, badly diseased, dangerous, or causing structural problems, removal will be approved at the staff level. If there are any questions, the City Arborist will be asked to examine the tree. Since the pandemic began, the City Arborist has not been as available with good reasons why that is the case, and will not be readily available for a while. It will be very important to make sure arborists employed by tree service companies are involved. When staff examined the tree, it showed some signs of possible issues but would

need an expert to make that determination and placed this request on the Historic Preservation Commission agenda. Staff would recommend a replacement canopy tree be planted because it is important to have canopy trees remain in the historic district as the historic districts are losing canopy trees rapidly. Images of the tree were displayed for review by the Commissioners. Staff does support the removal based on the documentation provided by the applicant indicating a certified arborist has inspected the tree and recommended removal. Chair Hodiernne inquired if the Commissioners had questions for staff. Mr. Carter stated he did not see the dead branches in the canopy and asked what staff saw when they examined the tree. Mr. Cowhig responded he did not see a lot of dead wood in the tree. This tree was located on the side of the street where the power lines are on the same side of the tree street and thought Duke Energy removed limbs from the tree over the years. Mr. Arnett asked in regard to the power lines if there would be room for a canopy tree in the front of the house. Mr. Cowhig responded that would need to be something to look at carefully for the type and location of the tree. It may need to be a lower canopy tree or placed in a different location on the property.

The applicant was sworn for testimony and consented to the remote recording.

Ms. Nancy Doll, 809 Simpson Street, stated the photographs depicted where some of the tree branches are dying. Three reputable tree companies examined the tree; Bill's Tree Service, Hunt's Tree Service, and JR Tree Service. Ms. Doll did not have a statement from them but JR Tree Service placed a flexible rod that went up about 6 feet into the tree. Duke Power butchered this tree. The tree is hollowing inside, bark is changing color, and is leaning toward her home. If the tree came down on her house it would be a major catastrophe. Ms. Doll advised a tree did come down across the street in July and landed in her front yard, missing her car by about 3 feet. The roots were very shallow for the size of that tree and made her decide to look more seriously at her tree.

Chair Hodiernne inquired if any of the Commissioners had questions for the applicant. Ms. Stringfield stated she would be supportive of the request but did have some questions. Ms. Stringfield asked Ms. Doll if approximately 8 feet south of this mature canopy tree, was there another large Oak canopy tree nearby. Ms. Doll responded that was correct. Ms. Stringfield asked to the right of the tree was there a small aging dogwood tree about 5 or 10 feet away. Ms. Doll responded that was correct. Ms. Stringfield wanted to make those points because there are only so many canopy trees in a front yard that can be within a space. Two very large old canopy trees, one ailing, is a concern. Mr. Carter inquired if any of the tree personnel provided an estimate on the age of the tree. Ms. Doll responded they did not but her guess was it was roughly 100 years old like a lot of the trees in the neighborhood are. Mr. Wharton inquired how were the canopy trees in her backyard. Ms. Doll responded she has a lot of trees in the backyard. Chair Hodiernne asked Ms. Doll if she was present when the various tree people came out to evaluate. Ms. Doll responded she was there with each one. Chair Hodiernne inquired if any of the tree people were arborists or certified. Ms. Doll responded they are all bonded and certified and are familiar enough with trees, but was uncertain if they were registered or licensed arborists. All three concluded the tree was dying rapidly. Mr. Carter advised he could vouch for Bill's Tree Service as they are very reputable and are arborists. Mr. Cowhig advised Bill's Tree Service is a certified arborist. Ms. Doll stated she would prefer to use the JR Tree Service as their bid was approximately \$1500 less than the other two. Ms. Stringfield stated all three tree services are some of the most respected in Greensboro. Chair

Hodierne inquired if there were any further questions for the applicant. Seeing none, Chair Hodierne inquired if there was anyone to speak in favor of the application. Chair Hodierne stated Ms. Keisha Hadden had signed up in opposition to the application. Not seeing Ms. Hadden, Chair Hodierne inquired if there was an alternate representative from the Fisher Park Neighborhood Association. Ms. Geary advised she had invited the Neighborhood Association representatives and had re-sent the invitation to Ms. Hadden. Ms. Geary advised Ms. Hadden emailed what the neighborhood's stance was. Ms. Harrell advised it would not be appropriate to read what the email stated. Chair Hodierne inquired if there were any further questions for the applicant. Seeing none, Chair Hodierne closed the public portion of the hearing.

DISCUSSION:

Chair Hodierne inquired if there were any further comments remarks. Ms. Stringfield stated as much as she hated to see trees removed, she would be in support of the removal of the tree. The three tree services mentioned are some of the most respected in town. Ms. Stringfield has used JR Tree Service many times and they don't like to take down trees if they don't need to. Ms. Stringfield stated this canopy tree, which she has seen personally, is within 8 to 10 feet of another canopy tree in better shape. Two large canopy trees are not needed in a small front yard area. There is a small aging dogwood tree that may do better without this particular tree there. If a replacement tree is insisted upon, Ms. Stringfield would not recommend another canopy tree on that side of the street under the power lines or have another canopy tree exactly where this tree was. On the other side of Ms. Doll's front yard there was room for a mid to small level tree that the Commission could suggest for there or somewhere else on her property. Chair Hodierne stated if there no further comments, requested a motion for the Finding of Fact.

FINDING OF FACT:

Ms. Stringfield moved that based upon the facts presented in application number 2433 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the **Historic District Program Manual and Design Guidelines and that staff comments and the guidelines under Trees and Landscaping, page 23, numbers 1-3, 5 and 6 are acceptable as finding of fact.** Seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodierne, Stringfield, Arneke, Wharton, Arnett, Carter, and Lane. Nays: 0).

DISCUSSION:

Chair Hodierne stated this may be a good candidate for the applicant to work with staff to determine if there was something that could be appropriate. Chair Hodierne inquired if there was anyone who had other suggestions. Ms. Stringfield stated normally there is a recommendation for Judson Clinton but he is currently not available and working with the historic staff would be satisfactory. Mr. Cowhig advised there may be a reference for trees within this neighborhood from the Neighbor Woods Program. Staff will research that. Mr. Wharton advised Greensboro Beautiful might be able to recommend a tree also. Mr. Cowhig responded staff would check with them. Ms. Stringfield stated Judson Clinton's document indicating the canopy level as the mid-level and the shorter tree is on the City of Greensboro's web site. Chair Hodierne asked if everyone was comfortable with a condition the applicant work with the Historic Commission's staff on the selection of a type and location replacement tree. Ms. Geary asked if the Commissioners would consider adding a minimum diameter and a height of 4 inches. Ms. Stringfield responded yes. Mr. Wharton stated his concern was that an understory tree like a Dogwood or a Redbud is nearly a mature tree for some species and

preferred not to make that recommendation. Mr. Arneke agreed with Mr. Wharton. Ms. Stringfield asked if a six month time frame was acceptable to the rest of the Commissioners. Chair Hodierna stated that was acceptable to her and stated she agreed with Commissioners Wharton and Arneke on the diameter of the height comment. Ms. Doll advised all the tree companies have backlogs currently and JR Tree Service may not be able to get to it for another month or two. Ms. Stringfield stated it would need to be planted within 6 months or would have to wait until next October. Chair Hodierna asked if a condition should be added regarding the stump removal. Ms. Doll responded JR Tree Service will do that as it is part of their offer.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves, with conditions, application #2433 and grants with conditions a Certificate of Appropriateness to applicant, Nancy Doll, for work at 809 Simpson Street, with the following conditions:

1. Ensure that the tree stump is removed to ground level.
2. Ensure that a new low to under story replacement tree is planted on the property within six months with the guidance of the City Historic District staff who will also consult with appropriate agencies.

Seconded by Mr. Arneke. No further discussion. The Commission voted 7-0. (Ayes: Hodierna, Lane, Arneke, Wharton, Arnett, Carter, and Stringfield, Nays: 0).

3b. Application 2441, 115 North Park Drive (Approved with Conditions)

Mr. Arnett recused himself from this application.

Mr. Cowhig, Planning Department, advised this application was for 115 North Park Drive in Fisher Park for an addition to the house. The siding for the addition will match the existing wood shingle siding on the house. Mr. Cowhig stated this is a very special house in Fisher Park and is a very nice design addition. The addition meets the guidelines of the addition being located, designed, and constructed so that character defining features of the structure are not obscured, destroyed, damaged, or radically changed. Staff feels the addition clearly meets that test. One guideline that caused some concern was the guideline in distinguishing additions from the historic structure, but since it is a small addition was not sure if that was a concern. Mr. Cowhig stated he felt the applicants have done an excellent job of the design. Mr. Cowhig stated this was a unique structure within the historic district which staff appreciated very much. Staff strongly supported this application.

Chair Hodierna inquired if there were any questions for staff. Seeing none, Chair Hodierna inquired if the applicant was present to speak on behalf of the application.

The applicant was sworn for his testimony and consented to the remote recording.

Randolph Jackson, 115 North Park Drive, stated the request is to have a downstairs bedroom and bathroom that would be handicapped accessible for someone who is becoming older. Mr. Jackson stated he and wife both love this house and the Fisher Park neighborhood and are very careful to not remodel or do anything to their home that would damage it in any way. This application has been thought about, is a good idea, and if it is good with the Commission they would like to proceed with this project. Chair Hodierna inquired if there were any questions for the applicant from the Commissioners. Ms. Lane did not have a question but

wanted to say the house is fabulous and was excited for them. Chair Hodieme inquired if there was anyone else wishing to speak in support of the application.

Mr. Arnett was sworn for his testimony and consented to the remote recording.

Jesse Arnett, 3312 Windrift Drive, addressed the guideline comment of distinguishing the addition. Mr. Arnett stated on the back corner addition it extends out with the existing wall. The reason for that is because that is a bedroom that is functional and has the two sets of windows and four casement windows. The space where there are existing windows was a sleeping porch when the house was originally constructed. The room to the right with the two large double hung windows was a later addition. The Jackson's provided Mr. Arnett with the original plans when he worked on the home. The sleeping porch area was extended once and is being proposed to extend to the rear of the house. Mr. Cowhig inquired if the large casement windows would be reused. Mr. Arnett responded they may be replaced with more modern windows with a similar look since there will be a new pair of windows right next to it. The intention would be to have windows that are the same size and light pattern. Mr. Cowhig stated if they can't be reused to think of donating to Architectural Salvage. Chair Hodieme asked Mr. Arnett if the materials would be the same as the original structure. Mr. Arnett responded that was correct, wood shingles painted to match the existing shingles. Chair Hodieme inquired if the Commissioners had any questions for Mr. Arnett. Ms. Stringfield asked what were the materials of the new windows. Mr. Arnett responded they would be either aluminum clad wood or potentially an all wood. It would be of the type approved regularly by the Commission for the historic district. Chair Hodieme inquired if there was anyone else wishing to speak in support of this application. Seeing none, Chair Hodieme inquired if there was anyone to speak in opposition to the application. Mr. Wharton advised Keisha Hadden raised her hand in support. Keisha Hadden was sworn for her testimony and consented to the remote recording.

Keisha Hadden, 404 West Bessemer Avenue, on behalf of the Fisher Park Neighborhood Association, advised the Fisher Park Neighborhood Association met and went over the COA and are in support of the COA as written.

Chair Hodieme inquired if there were any questions for Ms. Hadden. Seeing none, Chair Hodieme inquired if there was anyone wishing to speak in opposition. Seeing none, Chair Hodieme closed the public hearing.

DISCUSSION:

Chair Hodieme echoed this was a beautiful home in Fisher Park and the Jacksons' and Mr. Arnett have done a nice job planning out an addition that will help the home be livable and continue to be a nice home for years to come. Chair Hodieme inquired if there was a motion.

FACT FINDING:

Ms. Stringfield moved that based upon the facts presented in application number 2441, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Design Guidelines and that the staff comments and the following **Guidelines under Additions, page 76, numbers 1-6**, are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted to approve 6-0. (Ayes: Chair Hodieme, Lane, Arneke, Wharton, Carter, and Stringfield. Nays: 0).

Chair Hodieme inquired if there was any discussion of conditions. Seeing none, Chair Hodieme inquired if there was a motion on the application.

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approve application 2441 and grant a Certificate of Appropriateness to applicants Randolph and Jane Jackson, for work at 115 North Park Drive. Seconded by Ms. Lane. The Commission voted to approve 6-0. (Ayes: Chair Hoderne, Lane, Arneke, Wharton, Carter, and Stringfield. Nays: 0).

3c. Application 215 SOUTH MENDENHALL STREET (CONTINUED)

Mr. Cowhig advised this is an application for the property of 215 South Mendenhall Street in the College Hill historic district. The Commissioners were provided a drawing depicting a major re-landscaping of the entire site to include construction of a carport and replacement of the existing driveway in the rear of the apron which is very small and will be expanded. There will also be a new retaining wall constructed in the front of the home to the left of the front walkway. Also requested are a picket fence, general landscaping planting and removal of some trees that are not healthy and will be replaced with new trees. Mr. Cowhig stated staff felt the retaining wall met the guidelines as it is a masonry wall. Unlike other walls in the historic district, it does not continue across the front of the property. It is a type of wall that is not seen in the historic district. The last new retaining wall built in Fisher Park was constructed of random granite pieces with grapevine mortar joints typically seen in the historic district. The driveway apron will involve removing some granite curbing. It states on the plan that the granite curbing will be repurposed and staff wanted to confirm that would mean there would be no gap in the granite when the apron is reconstructed. In general, staff felt this was a really marvelous landscape plan and will enhance the property even more. This is one of the Redevelopment houses the City acquired back when College Hill was a redevelopment area. In the 1980s it met the test of blight under North Carolina Urban Renewal Law. This neighborhood has come a long way and it is exciting to see people investing in these types of projects. The carport will have columns that match those of the house. The fence needs to be confirmed that it is a wooden fence and fitting to the historic district. Staff does support the application and felt it met the guidelines for accessory structures and garages.

Chair Hoderne inquired if there were questions from the Commissions of staff. Ms. Stringfield asked if the carport design was not in their packet and what was presented was a photograph of another carport. Mr. Cowhig responded they received the photograph yesterday. It is a simple structure. A hipped roof structure supported by columns and easy to understand what it will look like. The hipped roof is a characteristic form in the historic district. Staff apologized for the Commissioners not receiving a copy of the photograph in advance. Ms. Stringfield asked did a condition need to be made regarding materials on the carport. Mr. Cowhig responded the Commissioners can make those conditions. Ms. Stringfield asked if it was clear what trees would be removed from the property. Mr. Cowhig responded it was clear to him and appeared reasonable to him. Ms. Lane asked if the front steps would stay as is. Mr. Cowhig responded that was the way he read the plan. Ms. Lane asked if the grading will slope to the sidewalk as existing. Mr. Cowhig responded that was a point for clarification. Ms. Lane was curious about Hoogendorn Holly and asked if it would become a wall when fully grown. Mr. Cowhig stated that would be a good question for the applicant. Chair Hoderne inquired if there are any further questions for staff. Hearing none, Chair Hoderne requested to hear from the applicant, Jennifer Mahoney. Chair Hoderne inquired if Ms. Mahoney or a representative were present to speak. No one came forward. Ms. Geary stated she communicated with the property owner

and had not received a new email contact or phone contact. Chair Hodierné inquired if there was anyone who wished to speak in support of the application. Seeing none, Chair Hodierné stated the Commission had the option to go ahead and act on the application or can continue to the next meeting and wait to hear from the applicant and still make the timelines, and inquired if the Commissioners had thoughts or opinions regarding that. Mr. Arneke stated he would prefer a continuance as he had some questions about the plan that the applicant would need to address. Chair Hodierné stated there was a lot going on in the plan and the Commission would benefit from hearing the explanation. Chair Hodierné inquired if anyone was opposed to the continuance request. Seeing none, Chair Hodierné requested a motion.

MOTION:

Mr. Arneke moved that the Commission continue consideration of Application 2440 until the next meeting on December 9, 2020. Seconded by Mr. Arnett. The Commission voted to approve 7-0 (Ayes: Chair Hodierné, Lane, Arneke, Wharton, Arnett, Carter, and Stringfield. Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Hodierné stated she attended the Virtual Preservation North Carolina 2020 annual conference which Mr. Arneke also attended. Materials have not been received to date, but should be receiving recorded links of all the sessions and will pass those along to staff. There were great sessions and a great job of adapting and putting everything virtually. The key note speaker was Richard Rothstein, author of *The Color of Law*, and will offer to pass the book along to whoever may be interested after she has finished reading it. There were some very intentional and institutional things that happened reflecting where we are today with some of the challenges to overcome with disparities and housing between minority and different ethnic and diverse populations. There were ideas presented on how everyone may need to make some intentional moves to do that. There was interesting discussion about how that translates in the historic districts themselves, whether or not those help or hurt those divides, and how everyone can start to think about overlapping those things. Chair Hodierné invited Mr. Arneke to share any remarks about the presentation.

Mr. Arneke stated he has been to a few of the conferences before and this was very good. The speakers were excellent and put a terrific agenda together. Mr. Arneke complimented them for being out in front on a lot of the current issues that are facing the preservation movement. The National Trust annual conference is happening now virtually and they are addressing similar questions to what the Preservation North Carolina conference did. Mr. Arneke stated he has read *The Color of Law* and which is a revelation and highly recommended the book.

Mr. Wharton stated there was a presentation recently in Greensboro about placing some traditional African American neighborhoods on the National Register Study List and asked if there was any discussion of using tax credits that are available for being on the National Register as a reinvestment tool for those neighbors that have been traditionally distrusting. Chair Hodierné stated there was discussion regarding whether that would help or hurt those communities to have that financial burden. Chair Hodierné stated her characterization would be that there was not a firm answer to that question but there was a lot of discussion regarding already starting from a point where it's challenging financially to overcome some things in those neighborhoods. Do you really want to have things that make the upkeep and

maintenance of your home more expensive and how can that be utilized so it is a tool that helps instead of going the opposite direction.

Mr. Arneke stated there was a session at the National Trust Conference focusing on the issue of integrity, historical integrity, with much of the discussion centered on materials and how to reconcile the National Trust Rules, the National Register Rules with the problem of designating an area or a structure that may not be able to have the same financial resources to support it to the standards of the Secretary of Interior. Particularly when looking at structures that over time have been significantly altered and how is that weighed integrity question in balance with the historic value of what happened at a particular place. Mr. Arneke felt that question will occur more and more when talking about not only national register but local designations for landmarks and that type of thing.

Mr. Wharton stated some of the neighborhoods have been given historic status to what is essentially a destructive urban renewal project or a blight. The structures built in the '60s now are of no interest in keeping an historical monument to something that was destroyed in the traditional African American neighborhoods. Mr. Arneke stated that was a good point and the contrast between Warnersville and the neighborhoods along Benbow is very striking. The neighborhoods that are being studied now to go on the study list are great examples of the architecture of their time and the historic significance of those neighborhoods. In Warnersville, all that was wiped out and what came after it lost all the historic value of the neighborhood. Chair Hodiern stated it does bring up interesting discussions for the actual architectural features and aesthetics and what happened there, who lived there. The question is, is it the fabric and contribution of that neighborhood for things other than its actual architecture and aesthetics. Does that rise to the level to replace what it lost. Ms. Geary stated that was one of the reasons the Heritage Community Program was established and was first discussed regarding Warnersville, which is the first Heritage Community recognized in Greensboro. The buildings in Warnersville are not the type of structures that would be recognized from an architectural standpoint but collectively represent a point in history that is significant for American history. Ms. Geary hoped moving forward some of the standards will be modified in some way to allow these areas to be recognized as being historically significant but may not meet some of the other tests.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig stated on October 8, 2020, Heather Slane with HMW Preservation presented her recommendations from her survey of the east Greensboro neighborhoods. The National Register Advisory Committee placed 3 districts along Benbow Road and 3 individual properties on the National Register Study List. The next step will be to prepare actual nominations to the National Register. Staff is contemplating applying for the next round of Historic Preservation fund grants to do that nomination work. Staff makes it very clear in those neighborhoods that being on the National Register is primarily an honor but does place new restrictions on the private property owner doing work privately and would be privately funded. The National Register can protect the neighborhood from things like urban renewal because if federal funds are involved in any sort of project, or federal licensing or state licensing, a review process is then triggered. There are advantages but staff does make it clear there are no restrictions on the private property owner.

Chair Hodiern stated it was nice having the presentation by Ms. Slane going into the conference as this is a salient issue in many communities. To understand the context and

significance that was here in town brought the issue home and provided a good framework for everyone to reflect on how that information can be moved forward in a meaningful way. Mr. Cowhig advised that Ms. Slane was not able to do the level of research and conduct oral interviews due to Covid but those are things that are being planned to do. There is a committee composed of people from the neighborhood that are continuing to meet and discuss the next steps.

Chair Hodierne inquired if there were speakers from the audience or Commissioners that wished to speak. Ms. Geary advised there will be a combined meeting for November and December on December 9, 2020.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Wharton. Seconded by Mr. Carter. Chair Hodierne stated the meeting was adjourned at 5:24 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
December 9, 2020**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, December 9, 2020 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodiernne (Fisher Park), Ann Stringfield (Fisher Park, At Large), David Arneke (College Hill), David Wharton, (Dunleath), Linda Lane (Fisher Park, At Large), Jesse Arnette (Green Valley, At Large), and Max Carter (New Garden Guilford College Heritage Community, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present of the Planning Department. Andrea Harrell City Attorney was also present.

Chair Hodiernne inquired if copies of the Certificate of Appropriate (COA) applications and meeting minutes were made available to the Commission members five days prior to the meeting. Mr. Cowhig replied they were.

Chair Hodiernne welcomed everyone to the meeting. Chair Hodiernne inquired of staff if there were any adjustments to the agenda. Mr. Cowhig responded there was none. Chair Hodiernne advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Commissioners and staff were introduced to the attendees of the meeting. Chair Hodiernne inquired if any of the Commissioners had a conflict of interest or discussed applications prior to the meeting. Mr. Arnett advised he did not receive the agenda but has the online agenda to follow.

1. APPROVAL OF ABSENCES:

Ms. Geary advised Commissioner Sylvia Stanback was an approved absence.

2. APPROVAL OF MINUTES, OCTOBER 28, 2020 REGULAR MEETING:

Chair Hodiernne inquired if there were any changes to the last meeting in the agenda packet.

Mr. Carter made a motion to approve the October 28, 2020, minutes, seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodiernne, Stringfield, Arneke, Wharton, Lane, Jesse, and Carter. Nays: 0).

Chair Hodiernne explained the order of business regarding Certificates of Appropriateness.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2440, 215 S. Mendenhall Street (Approved with Conditions)

Mr. Cowhig was sworn in for his testimony and consented to the remote meeting.

Mr. Cowhig, City of Greensboro, Planning Department, advised this application was continued from the last meeting. It is an application for a two car carport at the back of the house that will contain a storage shed attached to it, a new driveway and apron; a new sliding control access gate at the driveway. A master landscape plan has been developed for the property to include the removal of a number of dying trees; two Crape Myrtle trees in the front yard. New trees would be added and blue stone steps to the front porch will be added. On the side of the house there will be a new wood picket fence in the front yard and on the sides of the house, to include an entrance gate, a new 32' high mortared dry stack wall and a new brick

paver in the front yard on the left side depicted on the master plan. Staff supports the application. It is an impressive plan for the property and will be consistent with the guidelines. The carport will be a simple rectangle hipped roof structure of materials similar to the house. It will not be so large that it will compromise the integrity of the house and is in a location similar to historic out buildings in the district. Staff felt application meets the guidelines for accessory structures. The masonry walls are found throughout the historic district. The wall will be fairly low constructed of stone and staff felt it met the letter of the guidelines because the guidelines recommend new walls be of brick, cement, or stone. The wall is a dry stacked stone wall. Other walls have been constructed in the district but staff feels this wall does meet the letter of the guidelines which say, "Introduce new retaining walls constructed of brick, stone, or concrete in a design consistent with the property and the neighborhood." Mr. Cowhig advised the driveway is very narrow with a very narrow apron and upgrading the driveway makes very good sense. It can be done and still maintain the character of the site. The proposed picket fence is similar in design, materials, height, and location to fences in the historic district. Staff felt it meets the guidelines. Mr. Cowhig advised staff felt it is a very nice plan which meets the guidelines.

Chair Hodiernne inquired if there were any questions from the Commissioners of Mr. Cowhig. Ann Stringfield stated the plan does look good but the **Guidelines for Fencing, page 26, number 5(a) states the height of the picket fence would be less than 48 inches in height.** The drawing depicted states the picket fence will be 6 inches below the porch rail elevation. Ms. Stringfield did not know how the porch elevation relates to the actual height of the fence and asked Mr. Cowhig if he knew. Mr. Cowhig responded that would be a question to confirm with the applicant as he was not sure. Mr. Cowhig stated he thought it was going to be a 3 1/2 foot picket fence. Ms. Stringfield stated the **Guidelines for Fencing, number 5(c) states, for example, back yard fences would be less than or equal to 2 inches in height** and asked what was the height of the proposed 14 foot wide driveway gate. Mr. Cowhig responded that would also be a question for the applicant to address.

Chair Hodiernne inquired if any other Commissioners had questions for staff. Seeing none, inquired if the applicant was present to speak in support of the request. The applicants, Jennifer and Douglas Mahoney, were sworn for their testimony and both consented to the remote recording.

Jennifer and Douglas Mahoney, 215 S. Mendellhall Street. Mr. Mahoney stated this is somewhat of a comprehensive plan to have things more aligned with their specific preferences. A lot of work has been done inside the house prior to the house being purchased. On the outside there are a lot of things they wanted to "spruce up." Mr. Mahoney stated the gate was intended to be 36" in height and is for containment of their dog and vehicles. Mr. Mahoney stated there is a side road running down the side of the property. The land slopes from the house downward to Mendellhall Street. There is an existing wall that appears to be dug along the side of the house. Mr. Mahoney was unsure how to answer the question as the land down by the sidewalk on Mendellhall Street slopes down a couple of feet but along the side of the house it is 2 feet tall. Mr. Mendellhall did not know if that was to 48" from the road and if it is, which road. The intention was for the fence to not slope downward and stay at the same height as the ground slopes down. Mr. Mahoney stated they would do whatever it is required to stay at 48" above the sidewalk on the side. The fence would not be any lower than a 3' at any place when standing beside the property. The slope down to the sidewalk is different and has a

cinder block wall running down the side currently. This fence would be a 2' cinder block wall with a 2' picket fence at the tallest point to stay within the 42" intention of the wall.

Chair Hodierné inquired if the Commissioners had any other questions for the Mahoney's. Ms. Stringfield stated the design is lovely and advised her questions were answered. Ms. Stringfield advised the Guideline for Fences on page 26, number 5(a) states "the height of the picket fence needs to be less than or equal to 4" in height. That is just the fence itself and is already higher than the sidewalk and the road. It is only the fence that needs to be 42" height. Mr. Arneke asked if there was anything that would show what the gate would look like. Ms. Mahoney responded there was not but there was a house on Carr Street that has a gate like the one they had in mind. It would be a black metal gate with spacing in-between the poles and is a very basic design Mr. Arneke asked how wide was the gate. Ms. Mahoney responded it would be 14 feet across with a smaller apron. Mr. Arneke asked if the driveway was that wide. Ms. Mahoney responded the driveway is currently 14 feet but in the proposed plan will be shifted a little bit that will allow better access to the side entry carport. Mr. Arneke inquired if it would be shifted toward the back or the front. Ms. Mahoney responded toward the front. Mr. Arneke stated the wall along O'Dell Place currently follows the grade of the front yard and then goes back almost even with the house and becomes taller. Mr. Arneke asked if that wall was going to be the same or would it be one height all the way back. Ms. Mahoney responded they do not have a plan to change the current wall on O'Dell Street. Chair Hodierné inquired if there were further questions for the applicants. Seeing none, Chair Hodierné inquired if there was anyone else to speak in favor of the application. Seeing none, Chair Hodierné is there was anyone present to speak in opposition to the application. Seeing none, Chair Hodierné asked the Commissioners for any thoughts.

DISCUSSION:

Ms. Stringfield stated she was very pleased with the application. Ms. Stringfield asked if any of the Commissioners had any conditions based on the discussion thus far. Mr. Arnett stated he did not have any conditions but asked if any of the other Commissioners remembered the reason why this application was continued and if there were specific questions the Commissioners wanted the applicants to answer. Mr. Arneke advised he had wanted it continued to address the gate. Ms. Stringfield stated at the last meeting there were no drawings or indications regarding the size, shape, or design of the carport. Ms. Lane stated there was a question regarding the retaining wall that existed. Ms. Lane was unsure if the side wall was going to be changed or not at the last meeting. Chair Hodierné requested to see the rendering of the carport. Chair Hodierné stated the carport drawing did appear to be completely detached from the home. Ms. Lane asked if the storage shed was something that has rules or regulations that the Commission needs to discuss, and was it there before or brand new. Mr. Cowhig responded it was new construction and is attached to the carport. Ms. Lane stated the setback look tight and inquired if that was normal. Mr. Cowhig responded the setback requirements are 3 feet and would have to meet that requirement on both sides. It is close on the left side. Chair Hodierné inquired what would the siding material be on the carport and storage area. Ms. Mahoney responded it will be Hardie plank painted to match the house. Ms. Stringfield asked if the Hardie plan and other things need to be a condition. Mr. Cowhig stated they would not need to be conditions because the applicants would not obtain a permit unless the building meets the setback requirements. A note could be made regarding the siding material.

Chair Hodierna swore in Ms. Geary for her testimony. Ms. Geary consented to the remote meeting.

Ms. Stefan Leih Geary, City of Greensboro, Planning Department, stated staff requested the applicants use a smooth Hardie plank siding and not the faux wood grain Hardie siding. Mr. Arneke requested to have it specified that the carport and storage area would have the same profile as the house. Chair Hodierna inquired if the applicants would be willing to discuss changing that to a mortared wall that staff could handle internally after this approval. Mr. Cowhig responded that could be a staff level decision if the applicants chose to do that.

FINDING OF FACT

Ms. Stringfield moved that based upon the facts presented in application number 2440 and the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the **Historic District Program Manual and Design Guidelines and the staff comments, and the guidelines under Accessory Structures and Garages, page 36, numbers 2 -4. Guidelines for walkways, driveways and parking areas, page 30, numbers 1-6. Guidelines for trees and landscaping on page 23, numbers 1-6, Guidelines for fences, walls, and site features, page 26, number 4-5(a) and 5(c) are acceptable as finding of fact.** Seconded by Mr. Arneke. The Commission voted to approve 7-0. (Ayes: Chair Hodierna, Arneke, Wharton, Lane, Stringfield, Arnett, and Carter. Nays: 0).

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves, with conditions, application #2440 and grants a Certificate of Appropriateness to applicant, Jennifer Mahoney, for work at 215 South Mendenhall Street, with the following condition:

1. That the new carport and shed should have a smooth Hardie board siding with the same profile as their house siding.

Seconded by Mr. Arneke. The Commission voted 7-0. (Ayes: Hodierna, Arneke, Wharton, Lane, Stringfield, Arnett, and Carter. Nays: 0).

3b. Application 2445, 815 West Market Street (Approved with Conditions)

Mr. Cowhig provided the background of Greensboro College's previous submission of an application for work on their field. That application was withdrawn and a new application was submitted. In the interim, the College went before the College Hill Neighborhood Association and explained their objectives with this plan. The Neighborhood reviewed it and provided input before submission of the new application. The request is to remove a large Sycamore tree on West McGee Street, directly behind the Pride athletic field and to install a goal post with a net. Staff, along with Judson Clinton, have been to the site and examined the tree which is in decline. Staff supports the removal of the tree because there are compelling reasons such as it is in serious decline located next to a public sidewalk and an active athletic field. Mr. Cowhig stated this is a very large Sycamore tree and somewhat of a landmark tree on West McGee Street. Judson Clinton, the City Arborist, likes to point out the idea of retrenchment pruning because what he calls historic trees can have their life extended through retrenchment pruning. It is somewhat of a European approach to tree management. In this particular case, staff feels it is reasonable to take the Sycamore down based on tree should be removed in the interest of safety. The college does plan to replace the tree with several new trees along West McGee Street. Staff supports the removal of the tree and the college's proposal for the

scoreboard and the other items with the athletic field improvements. Mr. Cowhig cited the preamble to the guidelines which states “institutional properties should be given the flexibility to do the things they need to do to be successful, as long as it does no harm to the Historic District.” Staff feels that is this particular case and is a good chance to get some new trees started. The neighborhood used its Municipal Service District funds to plant trees along that side of West McGee Street many years ago which are now good sized trees and have a beneficial effect. Mr. Cowhig stated staff does support this application and appreciates the willingness on behalf of the college to work with the neighborhood to create a plan that benefits everyone.

Chair Hodiernne inquired if there were any questions for staff. Seeing none, Chair Hodiernne inquired if the applicant was present to speak on behalf of the application. The applicant, Ann Hurd, was sworn for her testimony and consented to the remote recording.

Anne Hurd, Vice President of Greensboro College, 815 West Market Street, stated this request was brought to HPC in October but had not yet met the conditions of the previous COA to have a full landscape plan along McGee Street. Robbie Daniels retired after that application in June and was not a smooth handoff at the college in addition to Covid. The application was pulled to allow the College to go back into a full landscape plan on McGee Street and receive input from the Neighborhood Association. Mark and Daniel Reaves of Revington and Reaves Landscape and Architectural Planning were hired to implement the plan. The Neighborhood stressed the importance of paying attention to developing tree canopy along McGee Street. No one is happy in losing the large Sycamore tree but it is failing. A second and third opinion was obtained regarding the health of the tree. Reaves Landscape provided a landscape plan for the college which was presented to the College Hill Neighborhood Association meeting in November and requested their input. Mr. Mark Reaves provided the Neighborhood Association with a timeframe of four days to provide any additional comments. The Association was very happy with it and voted to do a letter of support for this project. Continued improvements are being made to Pride Field and it made more sense to place everything in the plan. The college hopes to eliminate continued applications for COAs and want to establish a good relationship with the neighborhood. Ms. Hurd request Mark Reaves to explain the whole plan and what it will accomplish.

Chair Hodiernne swore in Mark and Anna Reaves for their testimony and both agreed to the remote recording.

Mark and Anna Reaves, Revolution Mill, Suite 143, Greensboro. Mr. Reaves presented a presentation outlining the project. There are four components to this project. Location for the goal post, a new score board on the east end of the field, removal of the Sycamore tree, landscape improvements along West McGee Street.

A rotating goal post of 5’ tall, 20’ wide goal post that has a swivel because the field is used for multiple sports. A net of 50 x 35 will be behind that. A new support board 20” x 11” east of the field was depicted. The decision to remove the Sycamore tree was not taken lightly. Both Judson Clinton of the city and Reaves Landscape looked at it. Photographs were depicted indicating dead wood and branches creating a safety issue on the sidewalk and parking areas. Revington Landscape helped the college think about what new landscaping might look like and presented slides depicting those images. Mr. Reaves stated the landscape plan contains all the items that Greensboro College would like to put into Pride Hall as well as the landscaping trees. After the Sycamore tree is removed, elms will be placed. The missing gap of the hedge

material where the Sycamore was will be replaced. The scoreboard will be screened with Evergreen material to block out that view of the scoreboard and the view for Wafco Hill residents. The skywalk along West McGee will be enhanced. Mr. Reaves depicted graphics of the current conditions of the field, the Sycamore tree after removal, and the gaps created by the removal of the tree. Renderings were shown depicting the canopy trees that will be used for replacement and views from Wafco Mills. Mr. Reaves stated the Everclear Elms will be a close match to the existing Lacebark Elms.

Chair Hodierné inquired if the Commissioners had any questions for Ms. Hurd or Mr. Reaves. Mr. Carter stated some people were concerned about nandinas because the berries are toxic to some birds and animals and asked if they would consider sterile nandinas as opposed to berries or something else to be placed there. Mr. Reaves responded if the Commission was opposed to the nandina, they would choose a different plant. Chair Hodierné asked if there was a phasing proposal for installation of everything. Ms. Hurd responded an announcement was just released that a donor was going to fund the scoreboard and will happen sooner than they had anticipated. Ms. Hurd stated the net with the goal post will only be raised all the way up when is a kick is made at the goal post and will not be displayed all the time. Chair Hodierné clarified that the field goal post, the scoreboard, the netting, and all the plantings would be all one project. Ms. Hurd responded that was correct. Mr. Reaves advised the Sycamore will come down first, then the field goal, then the street plantings. Mr. Carter asked if there were any options for retro scoreboards like that was at Wrigley Field. Ms. Hurd responded the scoreboard was LED lights and accommodates all sports. Mr. Wharton stated a faux historical appearance should be avoided and the design of the current one looked fine. Mr. Arneke stated it appeared the new scoreboard looked very much like the old one. Ms. Hurd responded the new scoreboard may be a little bigger than the old one. The old one will stay in place and is in the other corner and helps to shield what is going on in the field. Both will look similar. Chair Hodierné asked because of the time of year, would this happen in the spring to start planting. Mr. Reaves stated the planting can be in the winter as the fall and winter are much better for planting. Ms. Reaves stated they are hoping to start on it immediately so the trees can be planted. As long as the ground is not frozen, you can plant. The Sycamore tree needs to be first and then put the field goal up and then do the planting. Ms. Stringfield stated old Sycamores are in decline throughout the city and appreciated that American Hollies will be planted to screen the backside of the scoreboard. Wafco Mills residents will also appreciate that. Ms. Stringfield inquired what was the color of the back of the new scoreboard. Mr. Reaves believed it was black. Ms. Reaves stated it was either black or a dark green. Ms. Hurd stated they are looking forward to the Greenway at the foot of the hill and are attempting to continue that canopy all the way down to the Greenway which would make a nice pathway for the neighborhood and students.

Chair Hodierné inquired if there was anyone else present to speak in support of this application. Seeing none, Chair Hodierné asked if there was anyone to speak in opposition to the request. Chair Hodierné advised this will be brought back to the table for discussion.

DISCUSSION:

Chair Hodierné inquired if the Commissioners had any further discussion. Mr. Arneke stated it looked fine. Removing the Sycamore tree will help the esthetics of the street. Mr. Arnett agreed and stated the plan appeared to be a well thought out plan and an improvement over the existing conditions. Mr. Wharton concurred with both Mr. Arneke and Mr. Arnett. Mr. Wharton

thanked the applicants for making a very careful application and their efforts in working with the neighborhoods. Chair Hodierna stated her appreciation in the recognition of the landscape plan and took extra time to come back with a more concise plan and used the time to speak with the neighbors. Chair Hodierna inquired if there was a motion.

FACT FINDING:

Mr. Arnett moved that based upon the facts presented in application number 2445, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous with the **Historic District Program Manual and Design Guidelines** and that the staff comments and the following **Guidelines on page 3 and 23, and Guidelines for Signs, page 34, numbers 3 and 4** are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Hodierna, Arneke, Wharton, Lane, Stringfield, Arnett, and Carter. Nays: 0).

Chair Hodierna inquired if there was discussion for conditions. Mr. Carter asked if it was possible to fill in the gap exposed with the removal of the tree with non-poisonous nandina would be great but understood they come in smaller than those present and would leave it up to the landscapers to make that determination. Mr. Reaves responded he understood and they may choose a different species altogether. Chair Hodierna stated it could be crafted into a condition.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission approve application 2445 and grant a Certificate of Appropriateness to applicant, Anne Hurd, for Greensboro for work at 815 West Market Street with the following condition.

1. That the applicant works with city staff to determine a species for the screening hedge.

Seconded by Mr. Carter. The Commission voted to approve 7-0. (Ayes: Chair Hodierna, Arneke, Wharton, Lane, Stringfield, Arnett, and Carter. Nays: 0).

3c. Application# 2449; 107 E. Bessemer Avenue

Mr. Cowhig advised this is an application for the property of 107 East Bessemer Avenue in the Historic District. Mr. Cowhig provided the background and stated a pine tree fell on the left side of the house near the back and did extensive damage to the home. A side gable was crushed. Staff has been working with the property owners and those can be approved at staff level. While the work is being completed, the applicants would like to correct a long standing problem with the house. Mr. Cowhig displayed a photograph taken in 1982 depicting a screen on the front porch constructed of vertical boards in a 2 x 4 frame that rests under the beam of the front porch roof and was possibly added in the 1960s as it was a feature used in carport construction and other residential uses at that time. An image was shown depicting how the house looks currently. The front porch roof has been sagging and at some point, a frame was built to support the porch roof. Mr. Cowhig advised he has never seen this type of construction where the porch roof covers only a portion of the floor and appears to be a porch/terrace combination. Staff has spoken with numerous people who are very knowledgeable about construction in old houses regarding this situation and so far, no one knows how to fix this issue. Ms. Geary provided an explanation that it is probably cantilever construction and there probably were no posts supporting the porch roof originally. Staff has tried to approve this COA application at the staff level and did approve with the idea the applicants would use a matching bracket to support the porch roof. When construction was about to begin, the contractor advised that it probably would not work. The applicants are back to square one. One idea is to add a couple of simple columns to support the roof. The columns would be in the middle of the

porch floor and would not look attractive, but it is a solution that makes sense. This is a brick house that in order to repair the porch back to what it was originally, essentially the porch roof would need to be removed and rebuilt and open the walls at the attic to have the beams built. This would be a huge expensive undertaking to repair it back to where it was or could be a minimalist solution with steel posts supporting the roof. Staff supports this application. Repairing it back to the way it was is not a feasible option in their opinion. Mr. Cowhig advised he did talk with individuals at the state Historic Preservation office and local contractors, but no one has a solution.

Ms. Lane asked what the span was post to post, not counting the middle post existing currently. Mr. Cowhig responded the two out posts was probably 10 feet, possibly 11. Ms. Lane asked if it aligned with the window opening. Mr. Cowhig responded it did not. Ms. Lane asked if the bracket above the roof was out of alignment already by the tree falling. Mr. Cowhig responded it is out of alignment because the porch roof has been sagging for a long period of time and the bricks are pulling down from the weight. Mr. Cowhig felt that it was related. Ms. Lane asked if where the rollup shades were, was it a new feature. Mr. Cowhig responded that was not original. Ms. Lane asked if the whole structure was '60s related. Mr. Cowhig responded that was his guess. Mr. Cowhig stated this is a very unusual house and could not find another house with this particular arrangement for a porch. Ms. Lane asked if there was only one column on the outer most point supporting the whole roof. Mr. Cowhig did not know for sure without documentation photos. There was no evidence suggesting that.

Ms. Geary added she had done research looking at planned books and kit houses. There was a stylistic trend where it was like half roofs that did cantilever out. It was not very common. Staff was hypnotizing that it might be what they were attempting to do with this roof. Mr. Arnett asked Mr. Cowhig if it was possible that the porch roof was not original and possibly constructed later. The inside appears to have a plywood ceiling as opposed to a tuck and groove which could indicated later construction. Mr. Cowhig responded it was possible. Mr. Arneke stated the round columns appeared incongruous. Chair Hodiernie suggested moving on to the applicant regarding the application.

Chair Hodiernie swore in Libby Crosby for her testimony and agreed to the remote recording.

Libby Crosby, 107 East Bessemer Avenue, stated since purchasing with this property they have been issues with the front structure. The bottom floorboard of the structure holds the slanted boards that shelter the front window. At some point the slats were removed but the structure was left there. It is covered with an aluminum type siding and definitely is not part of the original house. As long as they have been in the house, they have struggled with what could be done to have the structure removed off the porch to have more room. It has become obvious there would need to be some type of column system or some measure of support to support the roof. Two very large trees on the side lot came down on the house resulting in considerable damage. In addition, there is a need to replace the roof but due to the overhang over part of the porch has begun to settle which needs to be corrected. In correcting that situation something will need to be done regarding the front structure on the porch. They have reached out to everyone and anyone for information or photographs of the house and have not found anything to indicate what the original house looked like. Contractors have advised there would need to be some type of columns or structural support other than a bracket. A bracket big enough to support that roof would totally consume the entire terrace and was not an option. They are attempting to find the most aesthetic option that can be done to tie in with the unique of the house and replace the current structure with a more pleasing area.

Chair Hodierno inquired if there were any questions for the applicant from the Commissioners. Seeing none, Chair Hodierno inquired if there was anyone else to speak in support of the request.

Chair Hodierno swore in Keisha Hadden for her testimony and agreement to the remote meeting.

Keisha Hadden, 404 West Bessemer Street, advised the Board met and discussed this COA. The motion is half in support and half not based on what has been discussed currently. The motion was the HOA supported the repair of the storm damage, replacement of the roof, and returning the house to the pre-damaged condition. The HOA did not support the changes to the porch without clarification of the design, materials, and what would actually be done.

Chair Hodierno swore in Cheryl Pratt for her testimony and agreement to the remote meeting.

Cheryl Pratt, 910 Magnolia Street, concurred with Keisha that the Board's standpoint was pleased that the applicants was doing the repairs from the storm damage. Ms. Pratt stated she drove around the neighborhood looking at roofs like this one and there was nothing. An architect did look at the roof and there were questions if the roof was original to the house. If it had only two gables and the porch was not covered at all. Without knowing the design that the Neighborhood would like to see, the Board would like to see clarification on what the design will be before approving.

Chair Hodierno inquired if there was anyone else in favor of the request. Seeing none, Chair Hodierno inquired if there was anyone to speak in opposition to the request.

DISCUSSION:

Chair Hodierno stated it appears the rounded columns are not necessarily the heart of the proposal if there was another idea that would be better suited. Chair Hodierno asked if the Commissioners would like a brain storming session. Mr. Arnett agreed the round columns may not be the best fit but two was probably the right number. Mr. Arnett thought the best thing for the applicants would be to keep them as simple as possible. Mr. Wharton concurred with Mr. Arnett. Mr. Wharton felt round columns would clash with the style of the house. Mr. Wharton did not see a need to taper columns. It may give the appearance of a false historic appearance and simple squared columns would probably be a good fit. Mr. Arneke agreed, particularly as it is so hard to determine what was originally there. The best solution would be the simplest and not draw attention to them. Placement and types of columns was discussed further. Ms. Geary shared an image depicting square columns might look like. Mr. Arnett advised one column would need to be in the corner and the other located between the left edge of the window and the right edge of the front door. Mr. Arnett felt the width of a square column would be equal to the width of the other side of the beam. Other photographs of columns were depicted by Ms. Geary. Chair Hodierno asked Mr. Cowhig if the post requires a COA as opposed to staff level approval. Mr. Cowhig responded that was correct. Chair Hodierno clarified if a support mechanism would need to be in the front of the post since a bracket would not work. Mr. Cowhig advised that was correct. Chair Hodierno stated it appeared everyone was in agreement that some support mechanism is necessary and were discussing what that may look like to provide staff and the applicants direction as to what to engage a contractor to do. Chair Hodierno stated the idea of the added columns may be out of keeping with the style of the house and something very simple and basic is what is being determined. Ms. Lane stated the latest picture was excellent in depicting style and simplicity. The scale is critical and needs to hold the proper weight and not look like a match sticky. That type of scale is tricky but can be done with proper site measurements. Chair Hodierno felt an architecturally sound site plan would not be determined at this meeting and felt perhaps the Commission could provide staff with enough guidance as to what the Commission is looking for. Chair Hodierno asked Mr.

Cowhig if staff could review drawings and go from there. Mr. Cowhig responded if staff was provided that direction and would be an acceptable approach, staff could work with the applicant and their contractor. Chair Hodiernie inquired of the Commissioners if they would be comfortable with setting parameters to allow staff to make the choice or if they felt the application needed to come back with a sketch. The general consensus of the Commission was in support of trusting staff with the scale and details of the post. Ms. Stringfield felt there could be a condition for two square, simple columns designed to be approved by the Historic District staff. Chair Hodiernie stated if there was no further discussion, requested a motion.

FACT FINDING:

Ms. Stringfield moved that based upon the facts presented in application number 2449, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the **Historic District Program Manual and Design Guidelines** and that the staff comments and the following guidelines under **Guidelines for Roofs, on page 53, numbers 1, 3, and 4, and Guidelines for Porches, Entrances, and Balconies, on page 64, numbers 1, 2, and 4**, are acceptable as finding of fact. Seconded by Mr. Arneke. The Commission voted to approve 7-0. (Ayes: Chair Hodiernie, Arneke, Wharton, Lane, Stringfield, Arnett, and Carter. Nays: 0).

MOTION:

Ms. Stringfield therefore moved that the Greensboro Historic Preservation Commission approves application 2449 and grants a Certificate of Appropriateness to applicant, Elizabeth Crosby and Barry Burks, of Burks-Crosby Company, LTD, for work at 107 East Bessemer Avenue with the following condition:

1. That two simple square columns are added with the designs being approved by the Historic District staff.

Seconded by Ms. Lane. The Commission voted to approve 7-0. (Ayes: Chair Hodiernie, Arneke, Wharton, Lane, Stringfield, Arnett, and Carter. Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

No items from the Chair.

ITEMS FROM THE PLANNING DEPARTMENT:

No items from the Planning Department.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mr. Carter. Seconded by Mr. Arnett. Chair Hodiernie stated the meeting was adjourned at 5:59 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs