

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
January 27, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, January 27, 2021 at 4:00 p.m. remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierne (Fisher Park), Jo Leimenstoll, (Fisher Park, At Large) David Arneke (College Hill), David Wharton, Dunleath), Jesse Arnett) (Green Valley, At Large, Jo Leimenstoll (Elm Street, Greensboro) 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 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, with a special welcome to Jo Leimenstoll, a new Commissioner suggested by Ann Stringfield to be a part of the Historic Preservation Commission. 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. No one responded. Chair Hodierne explained the order of business regarding Certificates of Appropriateness.

1. APPROVAL OF ABSENCES:

Linda Lane was an excused absence.

2. APPROVAL OF MINUTES, DECEMBER 9, 2020 REGULAR MEETING:

Mr. Carter made a motion to approve the July 29, 2020, minutes, seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodierne, Leimenstoll, Wharton, Arneke, Arnett, Carter, and Stringfield, Nays: 0).

SWEARING IN OF STAFF:

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

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3b. Application 2456 108 Fisher Park Circle (Approved)

Mr. Cowhig stated this application was for 108 Fisher Park Circle in the Fisher Park Historic District. The application was for a roof over the patio at the back of the house and could be approved at staff level. The Commissioners focus will be for the roof itself. Drawings and photographs were provided indicating what the roof will look like at the back of the house. The original features affected were the back stoop, basement window, and are considered

character-defining features of the house. The materials, style, detail, and design of the roof are compatible with the original structure but will not be exactly duplicated as composite materials will be used. With the new code dimensions for the railing should help to distinguish the roof addition from the original structure and site disturbance should be minimal. The guidelines state in terms of material, style, and detail, design additions to be compatible with the original structure rather than duplicating it exactly; distinguish additions from the original structure through change in the roofline, wall plan, detailing, and/or material; locate, design and construct addition 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 comprised; changes in height that alter the character and scale of the existing building to accommodate an addition are not appropriate; minimize site disturbance. Staff felt this project does meet those guidelines. Mr. Cowhig did not have a picture of the home. The Schwarz's have done a major renovation and the house is very impressive. Staff recommended in favor of granting the Certificate of Appropriateness.

Chair Hodierné inquired if there were questions for staff from the Commissioners. Seeing none, Chair Hodierné requested the applicants to state their name and address for the record. Chair Hodierné swore the applicant in for her testimony and consented to the remote meeting. Chair Hodierné thanks Ms. Schwarz for the detailed drawing received.

Jennifer Schwarz, 108 Fisher Park Circle, stated currently this is a small parking pad at the rear of the house. During Covid, it was realized there was no useable outdoor space such as a patio and decided to add that feature to the house as it appeared that was the only thing missing. Ms. Schwarz did not know if they will use the upper deck, but wanted the railing because it is a nice character feature for the house. In designing the house, they walked around the neighborhood and saw a number of side porches in many of the homes in Fisher Park and modeled after that. It is a new feature but want it to look like it belongs to the house. Mr. Cowhig stated the railing would have to meet code if there was access to the rooftop, otherwise it could be a decorative feature built lower than code height, if that was their choice. Ms. Schwarz stated they were not planning to be on the upper deck as they would have to climb out of a window. Chair Hodierné stated it did appear any changes to the second level would be made to the second story that would provide an exit. Mr. Arnett stated someone may think that would logically be case but he had worked on a project where he designed something similar and designed a lower than code railing on a flat rooftop that was not accessible except via a window from a bedroom. Ultimately it was decided by Code Enforcement that it would not pass. Their stance is if you have the railing, it has to meet the requirements of code. Ms. Schwarz stated they did not have a problem with that.

Chair Hodierné inquired if there was anyone else to speak on behalf of the application or the project. Seeing none, Chair Hodierné inquired if the Commissioners had any questions for the applicants. Chair Hodierné swore the applicant in for her testimony and consent to the remote meeting.

Cheryl Pratt, 910 Magnolia Street, stated the Fisher Park Neighborhood Association Board met and discussed this project. It was unanimously voted to support the project.

Chair Hodierné advised there was no one else to speak in favor and inquired if there was anyone in opposition to speak. Seeing none, Chair Hodierné asked if there were any comments or discussion from the Commissioners.

DISCUSSION:

Max Carter stated the project looked good. Chair Hodierne inquired if there was a motion.

FINDING OF FACT MOTION

Mr. Arnett moved that based upon the facts presented in application # 2456, 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 Guidelines on page 76, numbers 1-6**, are acceptable as Finding of Fact. Seconded by Carter. The Commission voted 7-0. (Ayes: Chair Hodierne, Wharton, Arneke, Carter, Arnett, and Leimenstoll. Nays: 0).

DISCUSSION:

Mr. Arnett advised he did not have conditions to add and asked if anyone else had any to submit.

MOTION:

Mr. Arnett therefore moved that the Greensboro Historic Preservation Commission application #2456 and grants a Certificate of Appropriateness, to applicant Jennifer Schwarz for work at 108 Fisher Park Circle. Seconded by Ms. Leimenstoll. The Commission voted to approve 7-0. (Ayes: Chair Hodierne, Wharton, Arneke, Carter., Arnett, and Leimenstoll. Nays: 0).

3b. Application #2457, 815 West Market Street (Approved)

Mr. Cowhig stated this application is for Greensboro College to replace the existing handicap accessible ramp and steps at the back of the main building to be brought up to current ADA standards. Drawings and photographs were provided depicting exactly what the college would like to do and how it would be done. Materials will be used that are similar to the existing materials and compatible with the materials of the main building. The location of the handicap accessible entrance is at the back of the main building. The new ramp is designed to meet ADA standards and not damage historic materials and features of the historic building. The historic entrance doors will be retained and made to operate automatically. The new ramp is designed to allow it to be removed with minimal damage to the historic building. Brick will be used that is similar to the brick of the building. The ramp and steps will be in scale with the historic structure. Mr. Cowhig stated this is a good example of how much the historic character of the building is valued and was very impressed in how it was determined to keep the existing doors and make them automatic. Mr. Cowhig pointed out on the photographs a couple of basement windows that are arched and would not be obscured and felt it would be a good idea to at least document that feature of the building. Staff felt this application meets the guidelines for Safety and Code Requirements which say; Introduce fire exits, stairs, landings, and ramps on rear or inconspicuous side locations; construct fire exits, stairs, landing, and ramps in such a manner that they do not damage historic materials and features; construct them so that they can be removed in the future with minimal damage to the historic structure; design and construct new fire exists, stairs, and landings to be compatible with the scale, materials, details, and finish of the historic structure; introduce reversible features to assist persons with disabilities so that the original design of the entrance of porch is not diminished and historic materials or features are not damaged.

Chair Hodierna inquired if there were questions for staff from the Commissioners. Seeing none, Chair Hodierna requested the applicant to come forward to speak on this application. Chair Hodierna swore the applicant in for her testimony and consent to the remote meeting.

Anne Hurd, 534 Wooddale Drive, speaking on behalf of Greensboro College, 815 West Market Street. Ms. Hurd referred to the existing map depicted on a photograph. The ramp is very narrow and extremely difficult for someone in a wheelchair to get to the top of the ramp, open the doors and maneuver to get inside. Ms. Hurd advised under the black floor mats the concrete is deteriorating. Along the left side of the sidewalk, there are two very old granite benches. There is another granite bench along the sidewalk that angles off to the left of the photograph. The benches will be moved to the brick area to allow for a gathering type of space for people can sit and plantings will be planted around the patio down the walk. Everything will be repurposed and reused. The west side of the building is actually dirt and with a crawlspace for the occasional groundhog having access. There are daylight windows and basement on the east end of the building with another way to get under on the south side. Ms. Hurd pointed out the old railing depicted on the photograph that will be removed. There will be a new more historical light fixture underneath the ledge over the door.

Chair Hodierna inquired if there were questions for Ms. Hurd from the Commissioners. Chair Hodierna asked how big was the landing at the top of the stairs to the door. Ms. Hurd responded there was an architectural drawing provided that contained that information. Ms. Hurd stated there are push plates inside and outside of the building. The door will operate mechanically and also manually. Chair Hodierna inquired if there were any other questions for Ms. Hurd. Seeing none, Chair Hodierna inquired if there was anyone else to speak in support of the application. Seeing none, Chair Hodierna inquired if there was anyone in opposition to the application. Seeing none, Chair Hodierna inquired if the Commissioners had any thoughts or questions.

DISCUSSION:

Mr. Arneke stated it was a great improvement. Ms. Leimenstoll felt it was much more sensitive to the entrance way and was not only meeting current code, but is a more compatible and attractive solution. Mr. Carter stated Greensboro College can take pride for the design. Chair Hodierna stated it a nicely designed project and liked the comment about the added regarding the granite benches. Chair Hodierna asked Ms. Hurd if she would be open to adding that as a condition of approval, to do what was described about maintaining and repurposing them in the hardscape design. Ms. Hurd responded yes, and that it was in the narrative. Chair Hodierna inquired of staff if a condition is in the narrative of the submitted application would that suffice. Ms. Geary responded if it is in the application, the Commission was approving it as part of the whole application. Ms. Hurd asked if it could be clarified that the benches will be removed very carefully. It is old granite and if it breaks there is no way to replace it. Chair Hodierna inquired if there was any other comments or discussion from the Commission. Seeing none, Chair Hodierna inquired if there was a motion.

FINDING OF FACT:

Mr. Arneke moved that based upon the facts presented in application #2457 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 guidelines under, **Safety and Code Requirements, page 70**, are

acceptable as a Finding of Fact. Second by Mr. Carter. The Commission voted 6-0. (Ayes: Hoderne, Wharton, Arneke, Carter, Arnett, and Leimenstoll. (Nays: 0).

MOTION:

Arneke therefore moved that the Greensboro Historic Preservation Commission approves application #2457 and grants a Certificate of Appropriateness to Greensboro College for work at 814 West Market Street. Seconded by Mr. Carter. The Commission voted 6-0. (Ayes: Hoderne, Wharton, Arneke, Carter, Arnett, and Leimenstoll. (Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Hoderne thanked Ann Stringfield for her years of service and staying on the Commission until she found her own replacement and shepherded Ms. Leimenstoll through with a great replacement. Chair Hoderne stated Ms. Stringfield will be missed and very much appreciated her time with the Commission. Mr. Carter requested a Minute of Appreciation for Ms. Stringfield, Mr. Wharton seconded.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig introduced Kurtis Rogers, staff's new intern and a student in public history at UNCG who will be working with them on a project that was a result of last year's survey of African American Neighborhoods in east and southeast Greensboro. Staff applied for a grant from the National Park Service called African American Civil Rights Grant. If the Historic Commission is awarded a grant, staff would like to do a national register nomination for the combined 3 districts in the Benbow Park area that were placed on the National Register Study List. At the same time, staff would like to have oral histories in east Greensboro focusing on both historic architecture and civil rights significance. It will be a project with a lot of community involvement and Kurtis will assist staff with the preliminary work in setting up the oral histories, laying the ground work for that and establishing connections within the community. Staff invited the Commission members to participate in the project. Staff would like to reach out to colleges, churches, and other institutions in the east Greensboro area. Ms. Cowhig invited Mr. Rogers to speak regarding his internship.

Kurtis Rogers thanked everyone and stated he was very excited to be working with Mike. In the last semester he and his class created an exhibit for the Magnolia House, representing the historical relevance to the community. Mr. Rogers plans to keep on doing what he did last semester this semester. Mr. Cowhig stated Kurtis' major as explained to him is taking history and putting it in a form that would be as interesting as possible to the public. Mr. Rogers stated public history is a new field of study starting from the '70s. His plans during his internship is to engage with the public and determine the best ways to engage the public with environment or history itself. Mr. Rogers is very interested in the inner workings of how things get accomplished. Mr. Cowhig stated Kurtis was the ideal person for this project and was a very happy coincidence for staff. Mr. Cowhig stated staff was glad to have Kurtis Rogers. Chair Hoderne welcomed Mr. Rogers and stated it appeared the project would be perfect with his skill set.

Mr. Arnett asked if during the summer City Council approved a new Comprehensive Plan. Mr. Cowhig responded that was correct. Mr. Arnett stated it is a great document and a great step going forward for the future of Greensboro. One that could look more like the past and more like the neighborhoods the Historic Commission is charged with protecting. Mr. Arnett asked if there was any movement to update the actual Land Development Ordinance. It appears to be the biggest obstacle implementing recommendations into the plan. Mr. Clegg responded there is not a huge appetite for a complete overhaul of the LDO

but staff was looking at different pieces of it. An analysis has just begun of the policies and building codes from the perspective of missing middle housing, which is housing seen in neighborhoods that are between single-family detached housing and apartment complexes, bungalows, quad complexes and others. How to allow more of those in certain areas. Staff is looking at where to get the most bang for their buck and make sure the code is up to date and doing what they want it to do. There should be an update soon. Staff has been working on a mid-term update, looking at different departments and what the different departments are doing to implement the plan and what kind of structure power will bring projects going forward.

Mr. Arnett asked if it was basically the Planning staff's reasonability to make those changes in order to implement the goals of the Comprehensive Plan. Mr. Clegg responded staff sees it as a plan for the whole city, community partners as well as the city organization. There are a lot of projects going on. Storm water is looking at the flooding issues that have occurred in the past few years. Looking at the membership with the Government Alliance for racial equity in terms of equity issues. There are a lot of different moving pieces to it. In terms of land use, they generally take the lead on those pieces and try to ensure that the people are looking at the plan that are growing capital improvements, budgeting, and those types of issues. It is definitely being looked at as something the city will try to implement.

Mr. Wharton stated some cities have gone ahead and basically abolished districts that have only single-family housing as an equity issue and may be tracked in other cities. Mr. Wharton asked if there was a political will to do that or was staff keeping track of what would be the best practices in terms of rezoning that would be good for Greensboro. Mr. Clegg responded the Planning Department is definitely keeping track of those types of changes that are nationwide. Planning plans to study how there can be good public conversations about those types of changes. There have been "energetic" conversations about rezoning from R-3 to R-5, which are very similar districts but there are people that will not accept that type of change. Some of the changes from a public acceptance standpoint could be far off. It is being studied and staff is trying to educate both the public and themselves.

Mr. Arnett agreed and understood those type of conversations go south quickly. It appears a lot of times conversations get framed in the wrong way. Mr. Arnett stated one advantage that Greensboro can have going into the future is that Greensboro did not grow as fast and sprawl out as big some of the neighboring cities. It may appear that Greensboro has fallen behind, it can turn into an asset, if things are changed moving forward. Changes will not happen on their own and urged Planning to be bold in what is pushed for. Mr. Clegg thanked Mr. Arnett for his comments. There used to be buy right duplexes on corners, that was taken out with the last LDO update. Planning will be looking at how to push things forward.

Mr. Cowhig stated there were discussions regarding missing middle housing. Examples were requested of historic missing middle housing in Greensboro. It was very enlightening to see how many examples are found in the historic districts and older neighborhoods. Mr. Wharton stated the Strong Towns movement discuss about those types of things. Mr. Wharton felt it would be very difficult for staff to lead the conversation as it is not their job. Perhaps it is for citizens to determine a way to set up those conversations and talk to the public about them. Mr. Wharton advised he would be very interested in doing that with anyone else who would like to participate. Mr. Arnett stated he would be very interested and agreed it was a big job for staff to do. It is not necessarily their job to be the ones to lead the public conversation. Chair Hodiern stated Mr. Clegg had mentioned previously

that on the horizon is the technically oriented update going through the building codes and other codes to remove the things that preclude missing middle housing.

ITEMS FROM THE COMMISSION CHAIR:

Chair Hodierna expressed appreciation for the conversation and the Commissioners forward thinking and how to advance. Mr. Arnett stated perhaps the pandemic has been an opportunity in changing thinking in how they view their homes and neighborhoods. Mr. Clegg stated as things evolve there will be interesting conversations.

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. Wharton. Seconded by Mr. Arnett. The Commission voted to approve 6-0. (Ayes: Hodierna, Wharton, Arneke, Arnett, Carter, Hodierna and Leimenstoll. Nays: 0). Chair Wharton stated the meeting was adjourned at 6:14 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
FEBRUARY 24, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, February 24, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodiernne (Fisher Park), David Arneke (College Hill), David Wharton, (Dunleath), Linda Lane (Fisher Park, At Large), Jesse Arnette (Green Valley, At Large), Jo Leimenstoll (Fisher Park), and Max Carter (New Garden & Guilford College Heritage Community, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from 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. Chair Hodiernne explained the order of business regarding Certificates of Appropriateness.

1. APPROVAL OF ABSENCES:

Ms. Geary advised Commissioner Sylvia Stanback was an approved absence.

2. APPROVAL OF MINUTES JANUARY 27, 2021 REGULAR MEETING:

Mr. Arneke made a motion to approve the January 27, 2021, minutes; seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodiernne, Wharton, Arneke, Arnett, Lane, Leimenstoll and Carter. Nays: 0).

2a. SWEARING IN OF STAFF:

Mike Cowhig and Stefan Leih Geary, Greensboro Planning Department, were sworn in for their testimony and both consented to the remote meeting.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2462, 1109 W. Market Street (Continued)

Mike Cowhig, stated this application is for work at 1109 W. Market Street, within the College Hill District. A COA is required before making any exterior changes. Work had begun on the property consisting of fiber cement siding over the existing siding. The existing siding is not the original siding and was a cover material composed of asphalt that simulated brick used in the 1930s and 1940s prior to the introduction of aluminum siding. The guidelines under Exterior Walls, Materials and Finishes, pages 44-47, state the intent is to preserve original form materials and details of exterior walls. If replacement is necessary, replace only the

deteriorated material or detail with new material to match the historic material in composition, size, shape, textile, pattern, and detail.

Mr. Cowhig advised there are federal and state tax credits for the rehabilitation of historic properties with a possibility in a case such as this. College Hill is a national registered historic district and generally properties are eligible for the tax credits. A big part of the northwest corner of the College Hill Historic District was left out and this property is within that area. It has to do with the way boundaries were determined for national registered districts and very different than local historic districts. Mr. Cowhig stated the College Hill National Register Historic District probably has not been updated in 25 years. One possibility to consider would be taking another look at the National Register District to determine if those properties might qualify now for inclusion. There is a lot to be done in revising a national register historic district and updating it but is something the neighborhood might be interested in doing. Staff's opinion was this project is incongruous with the historic district guidelines for exterior walls, materials, and finishes.

QUESTIONS:

Mr. Arnett asked if the materials appearing as brick was actually asphalt siding. Mr. Cowhig responded it was asphalt siding. Looking to the right of the second-floor window, there was a small area where the asphalt siding has deteriorated. The original siding material is wood Clapboard but it appears there are wood shingles above the wood Clapboard which is not unusual for a house of this vintage and style. Mr. Arnett asked if the siding shown was the new Hardie board siding. Mr. Cowhig responded it was. Staff did not know what the condition of the original siding was under the asphalt siding. Through the redevelopment program there were several houses in the College Hill area that had vinyl asbestos or aluminum siding removed and the original siding restored. Most were repairable. For this particular house, it is unknown what the condition of the siding is on this house. Mr. Arnett asked if anyone from staff has seen this house in person with the new Hardie board partially installed. Mr. Cowhig and Ms. Geary responded they had. Mr. Arnett stated it appears wavy in the picture. Mr. Cowhig responded he felt that was a resolution issue as he thought it was standard fiber cement siding and did not have a bevel. Mr. Cowhig thought the siding overlapped but was not certain of that. Mr. Carter asked if the Commission finds this inappropriate, should the asphalt siding be stripped off and go to the original or for the applicants to find faked grit, if available. Mr. Cowhig responded the guidelines recommend removal of substitute siding and repair and restoration of the original materials. This particular asphalt has been on there for a very long time. Some things acquire significance in their own right over time but doubted that was the case for this request, but should be considered. Ms. Leimenstoll inquired if the asphalt siding was still intact on the elevations, could it be left the way it is. Mr. Cowhig responded they could. Ms. Leimenstoll stated the real issue was where the Hardie plank had been applied on top of the asphalt siding on the second floor where it appeared to be very deteriorated.

Chair Hodiernie inquired if any other Commissioners had questions for staff. Seeing none, Chair Hodiernie inquired if the applicant was present to speak in support of the request. David Durham, was sworn for his testimony and consented to the remote recording.

David Durham, 5809 Bowie Road, Whitsett, stated they were only doing maintenance to the house. On the upper level, it is straight up plank, not a siding. Mr. Durham stated he thought it was built at a later date and the asphalt siding was to close the whole house up. On the other side of the house is basic plank siding. The plan was to do maintenance, seal it up and make it

water tight again. The left siding is short and 1 ½ inches at each layer. Mr. Arnett asked if the section going up to the brick was like an exterior sheet that was only planks butted up against each other, rather than lapping. Mr. Durham responded that was correct. Mr. Durham stated the only siding on the back portion was asphalt siding. Great effort was made on behalf of the owners in attempting to locate something that would match, but to no avail. Mr. Arnett asked if the plan was to install Hardie over the entire house or only on the back elevation. Mr. Durham responded they were working at different stages and as money permitted to install. Ms. Leimenstoll asked if the portion painted red did not have wood Clapboards underneath the asphalt shingle but had asphalt shingles under the Hardie plank. Mr. Durham responded that was correct. Ms. Leimenstoll asked if that was because they were thinking this was an addition and the rest of the building possibly had wood shingle Clapboards underneath the asphalt shingles. Mr. Durham responded he did not find any shingles underneath any of it and most was Clapboard siding. On the shorter addition in the back portion, most of it was plywood or particle board that was extremely deteriorated. Chair Hodierné stated Mr. Durham had mentioned he was attempting to restore the water seal. Mr. Durham responded that was correct to make it water tight. Chair Hodierné asked if that meant the owners had water intrusion and was there water damage. Mr. Durham responded there was no real damage. The owner had looked at it and wanted to fix it as it was very unattractive with the bottom portion every worse. Mr. Arnett asked if the reveal on the parts of the house that do have Clapboards underneath the asphalt siding was similar to the new Hardie siding. Mr. Durham responded it was. Mr. Durham stated Hardie siding on the home now is basically the same as cedar and there is a 1 ½ lap on each board. Ms. Leimenstoll stated the photograph does not suggest that is lapped siding, it appears to be flush. Mr. Durham responded it was a bad photograph. Chair Hodierné stated that perhaps since staff had visited this site if they had some insight on how it looked on site. Ms. Geary responded in looking at the photograph, it appeared much worse than she remembered. Ms. Geary did not note in person there was a wave to it or the appearance of each board almost abutting and felt she would have noticed that in person. Mr. Cowhig agreed with Ms. Geary that it appeared to be normal installation of Hardie boards. Chair Hodierné inquired if Chris Luper was present. Chair Hodierné swore in Chris Luper for his testimony and consented to the remote recording.

Chris Luper, 4209 Shoal Creek Drive, part owner, stated they were concerned regarding water intrusion and the deterioration of the back siding and wanted to replace the siding with something that was historically appropriate and would seal the back for water proofing purposes.

Chair Hodierné inquired if there were questions for Mr. Luper. Mr. Arnett asked Mr. Luper if he would be open to restoring the wood siding underneath the asphalt where it currently exits on other parts of the house. Mr. Luper responded they would prefer to attempt to find the most cost-effective solution and without an analysis it would be hard to say. The preference was to do something cost effective, historically appropriate and consistent with other properties in the district. Ms. Leimenstoll stated there is no guarantee of the condition of the Clapboards under the asphalt siding and stated she was aware of many homes in Greensboro where the siding was removed later and the Clapboards needed repair in certain areas, but were mainly intact and that was an affordable option. Chair Hodierné inquired if there were further questions or comments for Mr. Luper. Seeing none, Chair Hodierné inquired if Dana Allen was present. Mr. Luper advised Ms. Allen had to leave for a meeting. Chair Hodierné inquired if there was

anyone else to speak in favor of the request. Seeing none, Chair Hodierne inquired if there was anyone to speak in opposition to the request. Chair Hodierne swore in Rosemarie DiGiorgio for her testimony and consented to the remote recording.

Rosemarie DiGiorgio, 716 Walker Avenue, read a letter into the record from the College Hill Neighborhood Association. “At the College Hill Neighborhood Association on February 22, 2021, The CHNA moved to recommend denial of the Certificate of Appropriateness application for 1109 West Market Street due to a lack of information presented in the COA, their recommendation is that the property owner work with a qualified contractor to establish a construction plan that maintains the historic integrity of the property. This would require the removal of the asphalt shingle siding. Based on eponymous historic preservation guidelines for the City of Greensboro, preservation in the form of restoration seems to be what is called for. The CHNA cannot recommend anything but a return to the original weather board siding, which was evidenced in the photograph included in the COA or a siding that most resembles the original construction. This requires the removal of not covering of the asphalt single faux brick siding before any other siding to be considered. We thank the property owners for starting the process of rehabilitating the property and invite the property owners to come to the next meeting to discuss the project in greater detail, if they would like. The next meeting is going to be held on Monday, March 29, at 7:00 pm via a Zoom link.”

Chair Hodierne inquired if there were any questions for Ms. DiGiorgio. Chair Hodierne inquired if there was anyone else wishing to speak in opposition of the request. Seeing none, Chair Hodierne inquired of the Commissioners if there were further questions for anyone who had testified. Chair Hodierne inquired if the applicants would like to respond to the opposition testimony. Seeing none, Chair Hodierne closed the public hearing for discussion.

DISCUSSION:

Mr. Carter stated this application should result in a consultation between the homeowners and the neighborhood association. An offer was made and perhaps together alternatives could be discussed. Ms. Leimenstoll stated the guidelines are clear regarding adding substitute materials, adding substitute siding and Hardie plank is only noted as an acceptable choice for new additions, as she interpreted the guidelines. It sounded like Hardie plank was chosen as “historical” which Ms. Leimenstoll assumed meant very textured and least resembles wood. Ms. Leimenstoll stated the area that appeared to be most deteriorated is the rear elevation. One scenario may be to remove the asphalt siding and redo the Clapboards on the rear facade as the first phase and then move forward to the side and front facades as subsequent phases. Ms. Leimenstoll stated as she understood the guidelines, the Commission needs to address where changes have been made. The Commission is not required to ask that the asphalt siding on the elevations that are intact be removed at this point. Mr. Arnett stated it appears there are two pieces to this. The one story additional on the back, testimony was the siding plywood and, on that section, the Hardie plank seems like an upgrade. There was testimony that on the rear elevation there was no Clapboard siding underneath the asphalt shingles, only sheeting that are horizontal boards abutted against each other and restoration on that elevation is not an option. Ms. Leimenstoll stated her understanding from Mr. Durham was there were Clapboards not on the addition, but the portion that is a full two stories. Mr. Durham advised it is not Clapboarded boards, they are only flat planks nailed. In his opinion, it was only sheeted with 3/4” boards and placed the asphalt siding over it. Mr. Arnett asked if that was the two-story section of the roof. Mr. Durham responded that was correct. In looking close to

where that section is missing, the boards are not lapped, they are butted. Mr. Wharton asked if there was evidence that there was clap board siding on the side in the front elevations of the house. Mr. Durham responded along the bottom edge of the side and front of the house some asphalt had been torn off and was apparent from that portion that it has been removed or torn off due to weather and age. Mr. Wharton stated on the front and side elevations, there was original Clapboard siding underneath the asphalt. Mr. Durham responded toward the front side of the house, but not at the rear, it is intermittent. Mr. Arneke stated this is an unusual situation with the back elevation being so different from the others. Mr. Arneke did not think it would be a good decision for the Historic Commission to go along with idea of putting Hardie plank over existing wood siding on the other elevations or covering up the asphalt siding. Mr. Arneke stated it would be a radical step for the Commission. Mr. Arneke felt the only option was to deny the application and recommend that if they want to replace the asphalt siding, look at the viability of the wood siding underneath and replace it with wood siding where needed. Mr. Arnett stated he was inclined to approve the completion of the repair currently underway on the rear elevation because there was testimony there was not Clapboard siding underneath the asphalt shingles. As the owner moves into additional phases or repair where there is Clapboard siding underneath the asphalt, the first course of action should be to attempt to restore the historic siding material. Mr. Arneke agreed that made sense.

Chair Hodierné asked staff if the Commission would have to approve the request conditionally to be limited only to the rear addition or could the request be bifurcated and denied as to the main structure and approved as to the addition. What would be the best way to handle that. Ms. Geary stated this project was only for the rear elevation. If the approval is clarified the Commission would only be approving the use of the Hardie board material for the rear elevation and is all the applicants would have approval for. If the applicants moved forward with the other areas of the property, they would have to come back with another application. Mr. Cowhig stated he thought it was for the entire house. Chair Hodierné stated in looking at the application, it is not specified it is only the rear addition. If it is not in the application, the Commission would need to frame it as a condition that any approval would only apply to the rear addition. Ms. Leimenstoll expressed concern putting any additional layer on top of the asphalt shingle because of the condition of the shingles and wall. Ms. Leimenstoll, stated if the Commissioners wanted to entertain some use of Hardie plank, the asphalt shingle siding has to be removed and what is underneath clarified to see if what might have been Clapboard for shingles or other materials. It is easier to understand an addition not having the Clapboard. Given the features of this house and the brackets on the rear elevation, it was hard to imagine not having Clapboards underneath the asphalt shingles. The first step should be to remove the shingles to verify the condition of the siding or other materials beneath before determining whether it is appropriate to put Hardie plank there. Mr. Arnett stated that was reasonable to him to remove the damaged material for assessment of what is underneath and would be the best course for installing the new material property. Ms. Geary advised the Commission can make that as one of the conditions that the deteriorated material be removed prior to the installation or that the deteriorated material be removed and the existing material be evaluated. Chair Hodierné asked if that was an evaluation staff could perform. Staff advised they would be glad to do that. Mr. Carter stated the conditions stated were acceptable in going ahead with the rear elevation upgrade and taking off the old asphalt. Mr. Wharton concurred with the conditions and had some of the same worries that Ms. Leimenstoll had regarding the stability of the material underneath and whether that was a recommended installation for Hardie

planks. Mr. Wharton would vote for a condition to remove the asphalt material before re-siding. Chair Hodiernie inquired if there were any further comments from the Commissioners.

FINDING OF FACT

Mr. Arnett moved that based upon the facts presented in application number 2462 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is congruous in relation to the rear elevation and the **Historic District Program Manual and Design Guidelines, the staff comments, and the guidelines on page 44, are acceptable as finding of fact.** Seconded by Mr. Arneke.

Ms. Leimenstoll asked Mr. Arnett if he was saying that the project was congruous. Mr. Arnett responded he was based on his understanding of the testimony, there was no original siding material underneath to be restored, which is what the guidelines recommend if there was such a material. Since there is none, it was Mr. Arnett's opinion removing the asphalt siding and replacing it with Hardie would move it nearer to the intent of the guidelines. Mr. Cowhig indicated a spot on the back-wall asphalt siding and stated it had appeared to him that there were wood shingles on the upper portion or at least from his inspection, it appeared that there may be wood shingles under that portion of the rear wall of the house. Mr. Cowhig stated he could be completely wrong because it was a very small opening but that was his impression. Chair Hodiernie stated her understanding was the Commission was comfortable moving forward with allowing the Hardie plank on the rear addition that did not currently have any asphalt siding showing, as opposed to and distinguished from the rear elevation which would be the two-story rear wall shown on the photograph that the Commission believed to be the primary structure or at least an earlier structure in the asymmetrical addition. Mr. Arnett responded it was his understanding that the Commission was comfortable moving forward with voting. His understanding of the testimony was the rear elevation, the two-story portion, did not have original wood siding underneath the asphalt. On other sides of the house, it is clear that there is original wood siding underneath the asphalt. Ms. Leimenstoll stated her understanding was the Commission was not totally clear on that and she felt the Commission was leaning towards having the asphalt siding removed to determine the condition and the materials beneath it. If new siding had to be added it would give a more substantial sub straight to attach new siding. Mr. Arnett stated everyone is on the same page as to the second part as to what happens to the actual COA, but advised was happy to amend his finding of fact. It was a gray area. If there was original siding underneath, the proposed project is incongruous but if there is not and is only a sheeting, then in his opinion what was proposed is congruous with the guidelines. There is not enough information in front of the Commission to make that determination currently.

Ms. Harrell advised there was a second on the floor and could be voted. At this point, it is clear that there is not necessarily a consensus. Mr. Arnett withdrew his motion on the finding of fact. Ms. Geary stated the concern with the clarification can come again through specific conditions and those conditions can clearly state what approach the Commission wanted for each element. All of the Commissioners may want to agree on terminology of the one-story addition in red and terminology for the two-story rear elevation. The Commissioners can refer to the other three facades of the property as the other three facades. The terminology has to be consistent.

Chair Hodiernie stated going forward when talking about the addition, it will be the one-story asymmetrical structure seen in the rear and fully red Hardie plank currently. Referring to the rear elevation, it should be the two-story back wall that appears to be the primary structure. When speaking about the primary house or the remaining walls, it will be the front and two side elevations which the Commission is currently not looking at but needs to be addressed as the

application does not specify that it is only the rear. A motion needs to be put out there to try and figure out the consensus. What were the thoughts on how to treat the rear addition. Mr. Arneke stated his sense was the Commission was in general agreement that lacking actual original siding there, the Hardie plank is appropriate. Mr. Arneke asked was there asphalt siding on that addition with the Hardie plank being placed on top of. Chair Hodiernie stated her understanding of the testimony was there no asphalt siding on the rear addition. Mr. Durham stated there was portions of asphalt siding speckled over it. Most of it was sheer plywood or particle board that was deteriorating. Mr. Wharton asked on the asymmetrical addition, was the asphalt removed before applying the Hardie plank. Mr. Durham responded in some areas it was removed and in others was not. Mr. Wharton stated he felt there was not enough information about what is going on with the rear elevation. The Commission has the ability to continue this application until more information is provided. Mr. Wharton felt some investigation was warranted to what was actually on the rear elevation before deciding whether the original siding should be repaired. If there was no original siding or original shingles, the Commission can make the decision to put Hardie plank on. Mr. Wharton stated his preference was to have more information before the Commission grants or denies a COA. Ms. Leimenstoll agreed with Mr. Wharton. Ms. Leimenstoll saw it as a stretch to allow Hardie plank on an addition even though it is not a new addition because additions often have a different material. It sounds as though there was never any Clapboards or anything on the rear addition. Ms. Leimenstoll felt it would be incongruous to put the Hardie plank over the asphalt siding, over the earlier Clapboards, or whatever is underneath the rear elevation as opposed to the rear addition. Ms. Leimenstoll felt determining what is underneath the asphalt siding is very important in making a decision regarding what is appropriate in terms of repair or replacement. Mr. Arnett stated he was on board with a continuance. His opinion is if original wood Clapboards exist under the asphalt shingles, the Commissioners would like to see those restored as opposed to new siding material placed on top of that. If there are locations where there is not any original siding material under the asphalt, he was inclined to approve the Hardie board in those locations. Mr. Wharton made a good point in that the Commission does not have enough information to make that judgement. Mr. Arneke advised he agreed as well. Mr. Carter agreed. Ms. Leimenstoll stated since the intent is eventually, if not now, to deal with the deteriorating of the asphalt siding on the primary elevations, it is very important to verify that the Clapboards are there. Chair Hodiernie advised she was hearing a new consensus emerge and asked if there was a new motion. Ms. Leimenstoll asked if the asphalt siding would be replaced or repaired.

MOTION:

Mr. Wharton moved to continue this application until the next monthly meeting with a request for the applicant to investigate any original materials under the asphalt on the rear elevation and a request to present evidence to the Board regarding that at the next meeting. Mr. Arnett stated rather than saying "rear elevation", he would say investigation in all areas where work is proposed at this time, in case they are planning to do some of the other elevations at the same time as this work. Mr. Wharton accepted the friendly amendment. Ms. Leimenstoll asked for the applicants to confirm they would consult with staff once the work has been revealed. Chair Wharton moved to continue the application to investigate the original materials on any elevations where work is being proposed and present evidence to the Commission. The applicants will work with staff on those activities. Seconded by Ms. Leimenstoll. The Commission voted 7-0. (Ayes: Hodiernie, Wharton, Arneke, Arnett, Leimenstoll, Lane, and Carter. Nays: 0). Chair Hodiernie advised this matter is continued to the March 31, 2021 meeting. Chair Hodiernie advised the applicants if there were questions about what they should do or what is needed when bringing it back in 30 days, to contact Mr. Cowhig or Ms. Geary for assistance.

3b. Application 2463, 677 Chestnut Street (Approved)

Mr. Cowhig advised this application is for the expansion of a community garden in the Dunleath neighborhood. It located at 677 Chestnut Street. Information received and seen by staff. Staff supports the application as they are very familiar with that property and know that there are few, if any, mature trees that are desirable. The property is overgrown with invasive species such as Locust, Kudzu, and Wisteria. The garden was cleared back in the 90s or so and the vegetation has come back over time. The out of control vines have killed most of the trees. The community garden has been a tremendous success despite shade projected on the vegetation. The expansion would not affect any mature trees that contribute to the character of the historic district. Clearing the overgrown area for additional garden space would enhance the character of the historic district. Staff feels this is a congruous project for the historic district and will be a valued enhancement to the neighborhood.

Chair Hodiernie inquired if there were any questions for staff. Ms. Leimenstoll asked if any real change in topography was anticipated as it is mainly clearing out the newer growth. Mr. Cowhig responded they are just clearing out what is there and will become a much more attractive area. Mr. Wharton stated in clearing this site in terms of historical preservation there are some archeological remains in the woods from what is thought to be some of the walls or garden work of the original Dunleath mansion. Clearing this area out will make those more accessible to the public. There is also a couple of large Magnolia trees in the back and may increase their visibility. Those trees probably go back to the 19th century. Mr. Wharton felt it was enhancing the historic character. Chair Hodiernie stated if there were no further questions or comments of staff, inquired if the applicant come forward to speak on behalf of the application.

The applicant was sworn for her testimony and consented to the remote recording.

Esther Maltby, 680 Chestnut Street, stated there is just Kudzu, Locust, and Wisteria which is very difficult to garden. The spot is priceless to their section of the neighborhood and people are there constantly. Ms. Maltby stated she was very grateful for the Commission to allow this as it would provide so much more neighborhood space and every inch would be used. Ms. Matlby thanked everyone for allowing it.

Chair Hodiernie inquired if there were any questions for Ms. Maltby. Chair Hodiernie inquired if there was anyone else wishing to speak in favor of the application.

The speaker was sworn for his testimony and consented to the remote recording.

Brian Gillies, 505 Park Avenue, representing the Dunleath Neighborhood Association. Mr. Gillies advised the Dunleath Neighborhood Association is in favor of the project.

Chair Hodiernie inquired if there were questions for Mr. Gillies. Seeing none, Chair Hodiernie inquired if there was anyone else wishing to speak in favor. Ms. Maltby requested to be heard again.

Esther Maltby stated in testament to this and the neighbors loving it so much, it has taken them \$3000 to clear the area professionally and they are only 250 or \$300 from that goal which has been raised by neighbors. Ms. Maltby felt that in itself says this is a very useful endeavor and the neighborhood will use it well.

Chair Hodiernie inquired if there was anyone else wishing to speak in favor or opposition of the application. Seeing none, Chair Hodiernie requested discussion or questions.

DISCUSSION:

Mr. Carter stated he was very much in favor of this request. Chair Hodiernie inquired if someone would make a motion.

Motion:

Mr. Arneke moved that based upon the facts presented in application number 2463, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Guidelines and that the staff comments and the following **Guidelines under Trees and Landscaping, pages 1-23**, are acceptable as finding of fact. Seconded by Mr. Wharton. The Commission voted 7-0. (Ayes: Chair Hodiernie, Arneke, Wharton, Arnett, Leimenstoll, Lane, and Carter. Nays: 0).

3c. Application# 2464; 719 Fifth Avenue

Mr. Arnett recused himself from this matter.

Mr. Cowhig stated this was an application for 719 Fifth Avenue in the Dunleath historic district for the construction of an addition at the back of the house to create a more functional floorplan. There was an existing one-story kitchen wing on the back of the home and over time additions of a deck and a porch were made to it. The applicants would like to rework the first floor into a new floor plan that will meet their needs. Due to the location at the back of the house, principal elevations and character defining features will not be disturbed and the architectural integrity of the house will be preserved. Staff felt the additional should be distinguishable from the house through a change of the wall plane on one side with an offset. Site disturbance should be minimal as the footprint will not change. Materials, including new siding with the same reveal as the existing siding, will be compatible with the house. For those reasons, staff felt this application meets the **Guidelines for Additions, page 76**.

Chair Hodiernie inquired if there were questions for staff. Ms. Leimenstoll stated in the picture depicting the southwest corner, in the proposed addition of the screened in porch, the two windows in the photograph are not depicted because they are behind the screened in porch and the note on the photograph states they would be replaced with casement windows like the rest of the house, but the rest of the house is double hung window and asked for clarification on the windows and that wood double hung windows would be there. Chair Hodiernie advised the applicant or the applicant's representative would need to address that issue. With no further questions, Chair Hodiernie requested to hear from the applicant.

The applicants were sworn for their testimony and consented to the remote recording.

Burt and Rebecca VanderVeen, 719 Fifth Avenue. Mr. VanderVeen stated this house was added on possibly in the 90's with "pods", such as laundry and kitchen pods. When purchased the house was a duplex and had a third pod which is the tiny porch seen in one picture of the house. They are looking to unify the last bit of the reunification from the duplex to a single-family home with this project and remove the ugly siding, deteriorating deck and roof. Ms. VanderVeen stated the other part of the project is to make the roof line more unified. It is at least two different roofs currently and would like it be all one material and the same height. Mr. VanderVeen stated the interior space goes from a 9' roof to an 8' roof in some parts and then a step-down floor with another 6- or 7-foot roof. Ms. VanderVeen stated the exterior porch does not have space use and if incorporated into the interior would be more functional. Mr. VanderVeen advised there are two different sets of windows. All the windows will be replaced with the property double hung casement windows as per the drawings.

Chair Hodiernie inquired if there were questions for the applicants. Chair Hodiernie inquired if there was anyone else to speak in favor of the request.

Chair Hodiernie swore Jesse Arnett for his testimony and consented to the remote recording.

Jesse Arnett, 30312 Wayne Drift Drive. Mr. Arnett stated the windows will be double hung windows in the kitchen. Mr. Arnett stated this was not an expansion of the footprint of the house. The screen porch is where the deck is currently. The porch will be an extensive rebuild and will be enclosed to address the issues mentioned by Mr. VanderVeen. There will be a clean roof line to resolve the different height issues. The soffit, ease, siding, and everything will match the existing home. Chair Hodiernie inquired if there were questions for Mr. Arnett. Seeing none, Chair Hodiernie inquired if there was anyone wishing to speak in favor of the application.

Chair Hodiernie swore in the speaker for his testimony and consented to the remote recording.

Brian Gillies, 505 Park Avenue, Representative of the Dunleath Neighborhood Association and advised the Dunleath Neighborhood Association approved this project.

Chair Hodiernie inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Hodiernie inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Hodiernie inquired if there were questions or comments from the Commissioners.

DISCUSSION:

Mr. Wharton asked if this project was eligible for historic preservation tax credits and had it been explored by the applicants or staff. Mr. Cowhig responded additions are not eligible for tax credits, only work to the original portions of the house. It is possible and worth pursuing the question because in some cases they have prorated projects. It's partly to the original portion of the house and partly an addition and worth checking into. Mr. Wharton advised looking at the Sandborn map to see if part of what they're doing is in the original footprint that could save them some money. Mr. VanderVeen stated on the original Sandborn maps there was the kitchen. Ms. VanderVeen stated the very old original kitchen that may be a small porch might be a portion of what was the original. Mr. VanderVeen stated they have some interior facia uncovered. Mr. VanderVeen stated he will definitely look into that and take it offline. Mr. VanderVeen thanked Mr. Wharton for the information. Ms. VanderVeen stated part of this project was also to have the column out of their kitchen which they think existed because it was probably at the very edge of the property once upon a time. It may be an exterior type that they decided to put an island around. Mr. VanderVeen stated it was not an original column. Chair Hodiernie inquired if there were any further questions or discussion. Chair Hodiernie inquired if there was a motion.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application number 2464, 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 Additions, page 76, numbers 1-6**, are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted 6-0. (Ayes: Chair Hodiernie, Wharton, Arneke, Leimenstoll, Lane, and Carter. Nays: 0).

Chair Hodiernie inquired if there was a motion granting or a denial of the COA.

MOTION:

Ms. Leimenstoll therefore moved that the Greensboro Historic Preservation Commission approve application 2464 and grants a Certificate of Appropriateness to the VanderVeens, for

work at 719 Fifth Avenue. Seconded by Mr. Wharton. The Commission voted to approve 6-0. (Ayes: Chair Hodiernne, Wharton, Arneke, Leimenstoll, Lane, and Carter. Nays: 0).

3c. Application# 2466; 913 Magnolia Street

Mr. Cowhig advised this application is for 913 Magnolia Street in the Fisher Park historic district is for several items. Construction of a laundry room addition, replacing the rear entrance with windows, adding patio doors at the back of the house and reworking the entry with new windows on the existing garage. This application probably sets a record for the most thorough application in terms of details supplied that staff very much appreciates. The most important thing is the location of the work is at the back of the house and the principal elevations and character defining features should not have any impact. The addition is a one-story that the applicants have chosen to use stucco as the exterior wall material to help distinguish the addition from the original house. Site disturbance should be minimal as it is a small addition. Materials, including new windows and stucco siding will be compatible with the historic materials and will preserve the architectural integrity of the house. Guidelines for additions, windows, doors, and accessory structures and garages. Mr. Cowhig added the property owner may want to consider tax credits for this project and something to consider. The garage was interesting because it is two adjoining properties, with a shared driveway and an actual shared garage. The garage itself is probably a contributing structure and, if it is a contributing structure, would qualify for tax credits.

Chair Hodiernne inquired if there were questions for staff. Ms. Leimenstoll stated using stucco for the one-story addition helps to differentiate. Since the addition would be stucco and fascia and abuts brick on the side, it appears in the elevation there a slight inset so that the applicant was not trying to make stucco flush with the face of the brick. Ms. Leimenstoll wondered if the stucco wall will be set in slightly from the face of the brick wall and join on the side elevation. Chair Hodiernne stated that will be answered by the applicant. Chair Hodiernne inquired if there were any further questions or comments for staff or a heads up to the applicant. Seeing none, Chair Hodiernne swore in the speaker for her testimony and consent to the remote recording.

Sharon Graeber, 1903 Curry Street, Architect, stated this project is three parts. First the addition of a small laundry room to southwest corner of the residence. It will have a 42 square foot footprint. Second project is opening of the kitchen area with doors leading into the kitchen area. It had previously been infield by the previous owner and the current owner would like to open the space up. The existing door will be replaced and the side window will be replaced with a double fixed window to mimic a French door. An area will be taken out that will be a French door entering into a new breakfast area. The carriage house in the back, which is the shared building, the northern most room will be renovated and have a bi-fold patio door leading to the patio. All of the materials used on the carriage house will be replaced to match existing colors, size, and texture. The stucco finish on the new laundry room will be of the same finish as the stucco on the second-floor level of the existing main house. The north window on the carriage house will be restored. The only new element will be the bifold patio door. Renderings were shown looking into the courtyard at the carriage house with the bifold doors across the patio. Another depicted the actual window and mutton pattern that the owners have selected. All of the work will be in the back-rear patio area currently fenced in.

Chair Hodierna inquired if there were questions for Ms. Graeber. Chair Hodierna requested Lou Anne Flanders-Stec and Bob Stec to speak in favor. Chair Hodierna swore Lou Anne Flanders-Stec for her testimony and consent to the remote recording.

Lou Anne Flanders-Stec, 913 Magnolia Street, stated they are very pleased with the opportunity to better configure their kitchen and dining area, and moving the laundry room from what should be a breakfast area and provide an opportunity for future home owners as well and having upgrades to the carriage house to create an inside/outside living space.

Chair Hodierna inquired if there were questions for Ms. Flanders-Stec. Ms. Leimenstoll asked if Ms. Graber or Ms. Flanders-Stec could address whether the question regarding the stucco of the new addition being slightly inset from the brick facade. Ms. Graber responded it will be an inset. Ms. Lane requested design thoughts from Ms. Graber on why there will be fixed windows in the opening on the left side of the new French doors. Ms. Graber responded it would mimic the French doors that will be installed there. Ms. Lane asked if the panes would match the smaller double hung windows and have a fixed light below that. Ms. Graber responded the whole thing is a fixed panel. Ms. Lane asked if the space on the other side was the kitchen. Ms. Graber responded where the six panes are that was the kitchen area. Where the French doors are is the breakfast room. Chair Hodierna stated if there were no further questions, inquired if there was anyone else to speak in favor of the request.

Chair Hodierna swore Cheryl Pratt for her testimony and consent to the remote recording.

Cheryl Pratt, 910 Magnolia Street, representative for the Fisher Park Neighborhood Association, stated Keisha and herself met with the home owners and reported back to the Fisher Park Neighborhood Association Board. The Board voted unanimously to support all three parts of the project. Ms. Pratt requested to have it noted that the back of this house is up on a fairly significant high hill and fenced in to where you cannot see from the street or anywhere else all the glass going in. The carriage house is able to be seen and clearly seen from Hendricks Street and is currently in horrible shape. Ms. Pratt was very pleased that the owner will be doing something delightful to carriage house.

Chair Hodierna inquired if there were any questions for Ms. Pratt. Chair Hodierna inquired if there was anyone else wishing to speak in favor of the application. Seeing none, Chair Hodierna inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Hodierna brought it back to the Commission for questions and discussion.

DISCUSSION:

Mr. Carter concurred with Mr. Cowhig that this application was very detailed and was glad to hear the carriage house will be restored. Mr. Carter asked if that was originally the carriage house would it be big enough to fit a car in. Ms. Graber responded currently there are no plans to use the southern part that is shared which was previously a garage or carriage. There is no floor there. At this time there are no work plans for that section of the building. The building cannot be accessed. There is a gate there and a car could not be placed there currently. Chair Hodierna inquired if there was further discussion. Hearing none, Chair Hodierna inquired if there was a motion.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application number 2466, 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 Additions, page 76, numbers 1-6 and Guidelines Windows and Doors, page 57, number 1, and Accessory Structures and Garages, page 36, number 1**, are acceptable as finding of fact. Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Chair Hodiernne, Wharton, Arneke, Arnett, Leimenstoll, Lane, and Carter. Nays: 0).

MOTION:

Ms. Leimenstoll therefore moved that the Greensboro Historic Preservation Commission approve application 2466 and grants a Certificate of Appropriateness to the Stec, for work at 913 Magnolia Street. Seconded by Mr. Wharton. The Commission voted to approve 7-0. (Ayes: Chair Hodiernne, Wharton, Arneke, Arnett, Leimenstoll, Lane, and Carter. Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Hodiernne stated at the last meeting there was a discussion about the missing middle concept and things that could be done to take a more proactive role in that concept and looking forward to that goal for the city. Chair Hodiernne stated the City is engaged in the study mentioned by Mr. Clegg at the last meeting where a consultant had been engaged to go through the ordinances and building codes and look at what obstacles and barriers there may be in those regulatory documents that keep that concept from becoming a reality. There will be a virtual event on March 3, 20201 on either the beginning of that study or some intermediary findings of that study. For those who are interested and want to follow that process everyone was encouraged to reach out to Mr. Clegg to obtain the Zoom link. Mr. Clegg stated there will be a lot of research, looking at zoning districts, the Comp plan and some other small area plans. They really want to hear from community builders, realtors, before finalizing the study reports. There will not be any particular recommendations and are just doing a general analysis to see where there are opportunities and if there are some particular barriers that are not being seen in the ordinance.

Mr. Arnett stated Mr. Wharton and himself had a good conversation following the meeting and discussion regarding about this topic. This is a topic that they both feel passionate about and have discussed about possibly forming a group of citizens and starting with some informal get togethers as the weather warms up to have people become more aware of these topics and how it affects the City and perhaps to build momentum to see change. Mr. Arnett advised he was glad the City was taking steps now and would like to see that carried to its fullest extent. Mr. Arnett would like members of this Commission to be a part of that process and anyone they may know who may be interested. There are no formal plans to date, but are attempting to band together a group of like-minded people. Mr. Wharton thanked Mr. Arnett and stated he discovered they are both big fans of the Strong Towns movement. If Covid and the weather allow, he would be happy to host an event where people could talk about this. One thing that often gets left out when towns are trying to upgrade their zoning laws or get things to happen, a lot of times city staffing is a good idea. Very often the only thing lawmakers hear is opposition from people who are opposed. Mr. Wharton felt it would be good to have an organization of citizens that are not a part of the city necessarily who can exchange ideas and when need be, advocate for them in a public forum. Ms. Leimenstoll said it sounded great.

Chair Hodiernne stated the two bits of news was exciting to hear and that there have been active steps taken both formally by the City and informally by Historic Preservation members.

Chair Hoderne stated that was all she had and inquired if any other Commissioners had anything to shar.

Mr. Carter hoped before dismissal that their appreciation for Mr. David Wharton would be minute'd for his service to this Commission as the prior Chair and also his ongoing commitment to the Commission's work. Mr. Carter stated the Guilford College, New Heritage Community is not under HPC's purview but provided an update on the continuing loss of historic structures in the community. When Mr. Cowhig put together the brochure about the Heritage Community several historic buildings was featured such as the Coble farm house, the barn; the Ballinger houses. The Coble barn and farmhouse has been lost and are about to have a rezoning hearing before City Council that will probably lead to the loss of 1904 Ballinger house and the open area at the intersection of Fleming, New Garden, and Ballinger that was the site of the third significant skirmish in the Battle of New Garden. There are 12 British soldiers buried somewhere underneath that area and are about to lose it. Mr. Carter wanted to let everyone know when it is not protected, it is not protected.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig stated staff is moving forward with the African American civil rights effort. Mr. Rogers, staff intern, and some of the other members of the committee are going to begin oral histories in that Benbow Park area immediately. Staff is thrilled about that. Chair Hoderne stated she was glad that was able to get back on the table.

SPEAKERS FROM THE AUDIENCE:

There were no speakers.

Chair Hoderne expressed an official farewell and words of appreciation to David Wharton who was the immediate past Chair for the whole time she was on the Commission and prior to that also. Chair Hoderne very much appreciated his leadership, guidance, and example that he set during that time and will definitely miss him on the Board. Chair Hoderne stated she hoped Mr. Wharton will come back and visit. Everyone advised they would miss Mr. Wharton. Mr. Wharton thanked Chair Hoderne and all of the Commissioners. Mr. Wharton stated he enjoyed working with everyone and may be back as a Neighborhood Board Representative for some meetings.

ADJOURNMENT:

Mr. Carter moved to adjourn the meeting. Seconded by Mr. Arnett. Chair Hoderne stated the meeting was adjourned at 5:52 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
March 31, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, March 31, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodiernne (Fisher Park), David Arneke (College Hill), David Wharton, (Dunleath), Linda Lane (District 3), Jesse Arnett (Green Valley, At Large), Jo Leimenstoll (Fisher Park), and Max Carter (New Garden & Guilford College Heritage Community, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Al Andrews, 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 advised application numbers 2478, 2476, and 2482 were removed from the agenda. Chair Hodiernne referred to the screen agenda that the Commission will be following. Chair Hodiernne advised the matter of 704 Summit Avenue was not on the agenda, but is being publicly discussed. It will not be heard or adjudicated at this current meeting. Aspects of the case may come before the Commission in the future. As such, it will be properly noticed according to North Carolina law and the rules and laws of the Commission. It would be against that law and procedure to discuss at this meeting. The Commission does not want to prejudice or adversely affect the due process rights.

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. Wharton disclosed he had received an email regarding case 2477, 425 East Hendrix Street, but did not read it and advised the person who sent it that he could not discuss that item with them. Chair Hodiernne explained the order or business regarding Certificates of Appropriateness.

1. APPROVAL OF ABSENCES:

It was advised Mr. Carter would arrive later due to a conflict in schedule.

2. APPROVAL OF MINUTES February 24, 2021 REGULAR MEETING:

Ms. Leimenstoll made a motion to approve the February 24, 2021, minutes as amended; seconded by Arneke. The Commission voted to approve 6-0. (Ayes: Chair Hodiernne, Wharton, Arneke, Arnett, Lane, and Leimenstoll. Nays: 0).

2a. SWEARING IN OF STAFF:

Mike Cowhig was sworn in for his testimony and consent to the remote meeting.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2471, 901 Magnolia Street

Mike Cowhig advised this application was for work at 901 Magnolia Street. Home of Jim White and Nancy Schmidt who have been before the Commission in the past as they have been restoring the home. The site work has been beautiful and the home is very impressive. The applicants would like to construct a patio at the back of the house as indicated by the plans the Commissioners have received. Mr. Cowhig stated ordinarily items such as these would be approved by staff, but was not approved as staff was aware of the neighbor's concern for post debris. Staff approvals are reserved for things that can be safely assumed would be of little or no interest to Historic District neighbors. Staff felt it was appropriate that this case came before the Commissioners. Staff felt the plans for the patio as depicted on the screen met the guidelines without question. A masonry patio is very consistent with the character of a historic neighborhood but will involve excavation. The post Oak tree limbs on the property next door extend over the sight as depicted in the photograph shown. The possibility of root damage is a legitimate concern. Protecting the tree canopy is always a goal of the historic district program. There is a section in the guidelines devoted to trees and landscaping and an addendum providing guidance for protecting trees during construction projects.

The City Arborist, Judson Clinton, and Mr. Cowhig visited the site on two occasions. At the first meeting the idea of exploratory digging was discussed. There are two trenches as depicted in the photographs on the screen. Mr. Cowhig has looked through records to determine if there were other cases such as this case. There was a case where it was approved only after exhaustive efforts were made to devise a plan for mitigating the impact of construction on the trees. Pruning by hand, use of an air spade to aerate and loosen the soil around the trees were used and post construction tree care was done. Another case involved a garage was planned near a giant Willow Oak with a grade beam used for the foundation on one side to avoid the roots. Mr. Cowhig felt that would not work in this instance. Mr. Cowhig stated Mr. Clinton's role is to provide general advice regarding trees and has not done a professional in-depth assessment of the root system of the tree. Mr. Clinton would not be able to provide a definitive answer regarding this particular application, but could provide some perspective.

QUESTIONS:

Ms. Leimenstoll asked if Mr. Cowhig would be able to estimate how much the excavation intrudes on the root zone. Mr. Cowhig responded the tree overhangs. It was his understanding the root zone and the drip line of the tree are roughly equivalent. Mr. Cowhig advised his guess was 10 feet but did not know for a fact. Mr. Arnett asked if it was not for this issue of impacting the tree, staff would have approved the application. Mr. Cowhig responded that was correct.

Chair Hodiernne swore James White and Nancy Schmidt for their testimony. Both consented to the remote recording.

James White and Nancy Schmidt, 901 Magnolia Street. Ms. Schmidt advised when the house was first purchased in 2016, it was divided into a two-family apartment with a large gravel parking pad in the rear. Currently 2/3 of the backyard is still gravel and rock, very uneven and dangerous to walk on. The front and sides of the property have been landscaped and would like to soften the 2-foot elevation difference in the back yard. The applicants would like to install a patio and a small play area, and create gardens in the rest of the area. Part of the gravel parking area will be removed and affirmable patio will be installed approximately 12

inches below the grade level of the driveway. A short shaft rock wall will be added between the existing driveway and the patio. Ms. Schmidt advised the Commissioners have the specifics of their application. Ms. Schmidt stated it was not their intention to hard the Oak tree in their neighbors back yard. This tree and the many trees in Fisher Park are valued. The trees make the area very special and was a major factor in their decision to move to Fisher Park. They are attempting to balance the protection of the tree with their goal of making a safe backyard in particular for their two grandsons and their selves. The grandsons are 3 and 7 months. They are the primary childcare providers and take care of them almost every week day and often on the weekends as well. The 7-month-old grandson, Ben, is blind. There must be a safe and accessible backyard for both boys, but particularly for Ben as he becomes mobile in the next few months. Their plan would allow Ben to freely and independently explore the back-yard space. Scott Wyatt, the Davie Tree Arborist, employed by the neighbors and their landscaper, Tim Apple, Mike Cowhig, and Judson Clinton agreed during an onsite consultation, air trenching or hand digging would reveal the existence of the root zone and any roots that may be in the area of the proposed patio. There was a possibility that there would not be any root zones in the proposed excavation because of the existence of the driveway and the parking pad. Investigations appeared to be the next step to determine that. The neighbors agreed to the trenching proposal. Mr. Apple advised air or hand trenching and advised there was no one to do the air trenching because there was no one in Greensboro. Mr. White hand dug with a trowel into the 37-foot-long trench along the edges of the proposed perimeter of the patio. The trenching revealed five roots less than 1/2" in diameter. One large dead tree stump and one 3" root that might be from the Oak, or the dead tree stump, or the Bartlett Pears previously in the yard. Mr. Clinton, City Arborist, advised that if the root was live, it could be cut back for the patio construction. The root zone is normally 32 feet around. After all of the digging and trenching that has been done that is only what has been revealed regarding roots. Ms. Schmidt and Mr. White appreciated the Oak tree but believe they are able to proceed with their patio plan in a safe and educated manner that will not significantly impact the tree and allow their grandsons safe and accessible use of the backyard.

QUESTIONS:

Ms. Leimenstoll asked if the patio itself would be permeable. Ms. Schmidt responded that was correct. It would be flagstone on top of gravel. Ms. Leimenstoll asked if some of the gravel in the parking area would be removed. Mr. White referred to a picture depicted on the screen indicated the trenches are where the stack stone would be and the gravel to the right would be removed a foot down to soften the grades of the back of the property. The stack stone wall would be the barrier for their grandson, Ben, on that side of the yard. Fencing has been placed across the back yard and the southern yard. Mr. Wharton asked if Mr. Clinton had said that cutting the one 3" root would not significantly affect it even if it were the root to the Oak tree. Ms. Schmidt responded as she recalled, Mr. Clinton stated when they found out if it was a dead root, it could be removed. If it was a long root, it could be cut to accommodate the patio. Mr. White stated the root looks very different in the look and feel than the other four or five roots which were about 1/2" diameter roots. They are suspicious that it is not Oak but do not know that for sure.

Ms. Geary advised Judson Clinton was present at the meeting.

Chair Hodierna swore Judson Clinton for his testimony. Mr. Clinton consented to the remote recording. Chair Hodierna advised the Commission would like to hear about his findings on this site and what he was able to determine.

Judson Clinton, City Arborist for the City of Greensboro, 300 West Washington Street.

Mr. Clinton stated working backwards from the last comment regarding the roots identified in the excavation. The one root in question was larger in diameter than the others and the reason for the concern. The Schmidts have gone above and beyond with hand digging and accommodating their neighbors, the Lovelaces. They have all done a great job with the project. The roots will be identified and if a root is identified as obstructing their project, the Schmidts have agreed to excavate slightly further back from the outside wall of the excavation to find a good cut with the roots, if necessary. Many of the roots in the trench did appear to be from other vegetation aside from the subject Oak tree. One of the challenges with the mature Oak tree was it was struck by lightning and has pitch toward the Lovelace's home. The Lovelaces are nervous about any type of work on the back side of the tree in terms of having type of adverse impacts on the tree which Mr. Clinton respected. The Schmidts will do their best to identify where the roots and that sort of things. Mr. Clinton was confident the Schmidts would be willing to make a good cut if necessary and ensure where everything was going. There are some old roots in there that are decayed and decomposed that need to be cut out. Mr. Clinton stated the root quantity of pruning is on the underside for this size of a tree with the amount of root available for this tree. Everything has been hand dug and greatly appreciated as it makes it easier to take care of the roots.

Chair Hodierna inquired if there were any other questions for Mr. Clinton. Seeing none, Chair Hodierna asked Mr. Clinton to remain in the meeting in case of any other questions during discussion.

Chair Hodierna swore Tracy Pratt for his testimony. Mr. Pratt consented to the remote recording.

Tracy Pratt, 910 Magnolia Street. Mr. Pratt stated he is a resident and property owner in Fisher Park and fully supported this COA. 901 Magnolia Street was converted to a duplex years ago. The property was not maintained very well during that time. Mr. White and Ms. Schmidt purchased the property approximately 3 years ago and have continually made improvements. Most important was a return of the property to a single-family residence. This improvement involves the patio in the back yard, completely out of sight from the street view. Mr. Pratt stated the only item in the guidelines pertaining to patios is on page 42, item 4 patio material. Mr. Pratt stated he has been told this is before the Commission due to a neighbor has voiced opposition to the use of the patio. The opposition appeared to be based on the impression that the property owners had more of the tree protection guidelines, page 86 in the Design Manual and that the patio installation would damage a large tree located on the right on the property line. The neighbor is demanding, among other things, that the patio be removed 32 feet from the property line. It would have a significant impact on how Mr. White and Ms. Schmidt can utilize their yard. It is not a practical solution. The neighbor contacted five arborists and appear to have cherry picked statements from each to support their claim. Some of the arborists have not even seen the site. They were consulted over the phone and made statements regarding tree protection in general. Near where the patio installation is planned, currently is 12 to 18 inches of compacted gravel going under the canopy tree in question and up to its trunk. The gravel bed has been in place for years as the previous owners installed it to

create parking path for the tenants. The parking pad has been compacted over time from cars constantly parked there. A trailer was also stored under the tree and anything was to damage the tree, that should have been it. Due to the fact this condition has existed for years, the tree has long since adapted to its growing conditions. To install the patio much of the compacted gravel would be removed to allow the ground to be level to accept a new patio. Staff and the City Arborist visited the site, commented, and made recommendations on how to proceed. It was suggested that the property owner dig a trench, by hand, along the perimeter of the proposed patio encroaching on the tree zone to determine how much of a root system would be affected. Mr. White did a 36- foot trench by hand. Very few roots were uncovered. Those uncovered were relatively small and some may not be connected to the tree in question. One of the arborists consulted stated if the uncovered roots were cleanly cut, it would not be detrimental to the trees. The home owner advised Mr. Pratt one of the arborists stated that if the area of the affected root zone was 10% or less, no significant damage would be inflicted on the tree. It was indicated that the affected root area is less than 10% of the root zone. Mr. White and Ms. Schmidt have altered their original plan significantly and consented to several root sessions to appease their neighbor's concerns. As a Fisher Park property owner, Mr. Pratt was appalled that one neighbor has made such unreasonable demands on another neighbor by limiting how they can use their own property. This is dangerously close to setting a precedent denying Fisher Park residents from constructing patios, landscaping, and/or installed home additions in the future. As long as the district guideline are complied with, there is no reason why this COA should not be approved. Mr. Pratt urged the Commission to approve this COA.

Chair Hodierné inquired if there were questions for Mr. Pratt from the Commissioners. Seeing none, Chair Hodierné advised Cheryl Pratt was the next speaker.

Chair Hodierné swore Cheryl Pratt for her testimony. Ms. Pratt consented to the remote recording.

Cheryl Pratt, 910 Magnolia Street, Representative for the Fisher Park Neighborhood Association. Ms. Pratt advised the Fisher Park Neighborhood Association Board reviewed the COA and felt there was not enough information to make an informed decision as they wanted to hear from the City Arborist.

Chair Hodierné inquired if there were any questions for Ms. Pratt and the Fisher Park deliberation. Seeing none, Chair Hodierné inquired if there was anyone else to speak in favor of the request. Ms. Eva Pratt advised she was speaking in favor.

Chair Hodierné swore Eva Pratt for her testimony. Ms. Pratt consented to the remote recording.

Eva Pratt, 11404 Gate Hill Place, Reston, VA. Ms. Pratt advised she was hired by Mr. White and Ms. Schmidt as a consultant for plant material that they wanted to have in their yard for landscaping. Ms. Pratt advised she is a certified horticulturalist and wanted to speak regarding what was said by the arborist had stated and what Tracy Pratt had stated. There should not be any large concern that there will be any more impact to the tree versus what is already existing such as the gravel lot, the camper parked underneath the root zone, and the garage nearby. The soil is compacted. The addition of this small patio near the vicinity of the tree will not compact the soil any more than it already is. This tree has lived for quite some time and it is clear that it has adapted and still thriving. This is not new in terms of drastically changing the environmental conditions of the tree. Oak trees are known to be highly adaptive to unfavorable

soil conditions. There should not be any type of drastic change to the tree. In terms of cutting the roots, nothing should be drastically impacting the tree. It is normal for urban trees to have their roots trimmed on, especially early trees near sidewalks or close to buildings. Trees have been having much more of their roots pruned and have still been able to survive. The small amount that would potentially be pruned on this tree for this patio would be insignificant.

Chair Hodierne inquired if there were questions from the Commissioners of Ms. Eva Pratt. Seeing none, Chair Hodierne inquired if there was anyone else in favor of the application. Seeing none, Chair Hodierne moved to opposition speakers. First speaker was Rick Bardolph. Mr. Bardolph deferred to Kay Lovelace and will off the first part of their presentation.

Chair Hodierne swore Rick Bardolph and Kay Lovelace for their testimony. Mr. Bardolph and Ms. Lovelace consented to the remote recording.

Kay Lovelace, 903 Magnolia Street. Ms. Lovelace presented photographs depicting the tree in question where the tree trunk is on their property. According to the guidelines, half of the critical root zone is on the Ms. Schmidt's and Mr. White's property. They are very concerned about the tree. A picture of a 80-ton pop-up trailer was shown to indicate there was a significant amount of weight on the tree. Ms. Lovelance stated Ms. Schmidt and Mr. White have created a beautiful home and garden at 901 Magnolia. They and the neighborhood have benefitted. They acknowledged that Ms. Schmidt and Mr. White have as much right to a patio as they do and it meets their family needs or interest. They understood their interests in creating safety for their grandchildren. They do not feel this specific plan is the only way to meet their neighbors' interest. Looking at their demands, their position is to follow the tree protection guide verbatim, "move the patio 32 feet". In talking with people familiar with these hearings, they understand the Commission will make the determination about what should be done and there will be a need to compromise. They accept the Commission's expertise. Their purpose is to represent their interest and the neighborhood's interest in preserving an Oak tree. They are asking the patio to be constructed in such a way that is protects this tree. The comments are based on the language of the program manual and the tree protection guide, and the recommendation of experts such as arborists and an anthropologist are offered. They consulted with the City arborist. Construction options were presented as possible compromises with the understanding that they may require further modifications or other alternatives may be found. They have tried to take into account their neighbors need and as many features as possible on the original plan. Ms. Lovelace depicted on the screen the Historic District Program Manuel and Design Guidelines for trees and landscaping, page 23; Take all precautions to protect existing trees during new construction, paving and any site work. Referred to the Tree Protection Guide in the appendix of the document for specific precautions and requirements. The two she spoke to were highlighted in yellow. Preserving the land within the critical weight zone and avoiding trenching at all costs and as a last alternative. Ms. Lovelace stated there have been a lot of extreme storm events causing a loss of Oak trees and a lot of flooding. The second one is Keystone plants. Oaks are the most important plant for the food web in North America. In 84% of the counties in North America, they are either number 1 or 2. The Oak tree is the last remaining canopy tree on their two properties. Two canopy trees have been planted as investment in Fisher Park's Neighborhood future. Protecting trees is not aesthetics versus property rights. Both are important and all the decisions made add up.

Ms. Lovelace stated per the Historic District Guidelines, the critical root zone extends in a 32-foot radius from the center of the tree. They were told by most arborists that the top 8 to 12

inches of the soil are the most critical. The proposed patio footprint extends 14 feet horizontally into the root zone and is excavated at least a foot between the current grade level. Most of the roots are small or narrow in diameter and especially susceptible to stress from the change in conditions. The tree is in good condition currently. The damage could be critical and would likely fall on their 1920 house. Pictures were shown depicting their neighbors COA with the tree being represented as a brown circle on the right. The critical root zoning is in green. It indicates how much of their patio overlaps into the critical root zone. The patio and the resulting soil disturbance extend far into the root zone. A blue bar near the house indicated where risk size roots have been found. The black arrow showed the general area of a large stump. Their COA does not mention the program manuals requirement for tree protection. Ms. Lovelace stated they believe the patio would not have to impinge on the roots at all if any of the alternatives proposed would be followed. Ms. Lovelace depicted photographs of the roots. The first one was a large root that Mr. Clinton thought was live. Mr. Clinton stated sometimes you wouldn't always expect roots of this size to come from that Oak but sometimes it happens. In their last meeting, what Ms. Lovelace remembered Mr. Clinton encouraged Ms. Schmidt and Mr. White to explore to find out where the origin of the root was. The second finding was the stump where the black arrow was which is about 2 feet across, extending under the driveway. Part of the issue with the stump is how much further into the driveway and the root zone would have to be excavated to deal with the stump. How many of the Oak roots are entangled with the root from the stump. Other roots were shown that have been found. They are pencil size roots found in several places. They are to the left of the stump and have been found in the trench to the house and she has seen some that have been cut in excavation.

A lot of research has been done in preparing for this meeting and trying to determine the best way to take care of their tree. Oaks are common in Texas but not in Greensboro. Only 1% of the trees in Dunleath and College Hill in 2014. One of the things found was a statement from Austin Tree Surgeons stating: "because the Post Oaks are small or narrow in diameter, they are quickly susceptible to stress from a changing condition of any kind, exposure, temperature, water, moisture, lack of oxygen due to added soil, flood or pooled water, fertilizer, weed killer emergent. There also may be a plan not on the COA for a garden between the patio and the driveway. If that is the case, it would put additional stress on the tree. Ms. Lovelace thought their neighbors have also mentioned planter boxes that would be a very good idea.

A lot of arborists were contacted because there was difficulty getting arborists come on site. Craig Yoshimoto from Chapel Hill recommended by the Director of Conservation at the North Carolina Botanical Garden as the arborist he most respected. Mr. Yoshimoto stated it was devastating to the tree to dig within the critical root zone. No soil should be added on top of the zone and recommended a low deck built on piers. Craig Mayer (ph.) recommended exploratory hand raking which Mr. White has done. Mr. Mayer recommended not excavating but installing a ground level patio. Mr. Mayer suggested using logging mats for any driving over the roots during construction. Scott Wyatt met with both of the neighbors and consistently said the farther, the better and recommended no closer than the edge of the frame part of the house at 901 Magnolia. Mr. Wyatt also said that a garden between the patio and the tree was not the solution, it would further compress roots and keep them from breathing in and absorbing water and nutrients. It was okay to put plants in planter boxes. Judson Clinton, as they remembered, recommended uncovering especially the arm size root before making a decision on how to proceed. Bill Lyman has been taking care of the tree since 2006 inspected the tree for damage and said it was in good health.

Mr. Bardolph advised he would be going through cross sections of the various plans. A drawing was depicted the tree to the right and showed the first 5" of the depth of the driveway as gravel. There have been several quotations about what the depth of the gravel was. One stated up to 20 inches which he had not seen anywhere. They believe all along the length of the trench, the average depth of the gravel there is 5" and what is below it appears to be native soil. Mr. Bardolph stated the first plan started with a stacked stone wall as a retaining wall between the driveway and the new elevation of the flagstone patio. There is about a 1" transition to the right in looking at the picture depicted. The idea is that it will be a water diversion and also a grave land debris stop. Left was a 1 foot drop down to the stone surface of the flagstone patio. Mr. Bardolph showed the basic structure components of the patio if flagstone, a layering level, and then usually a 3-4-inch stone base, adding up to 5 1/2 inches. With the 12 inch drop from the driveway elevations of the surface, it is about 17 1/2 inches overall. That is the whole excavation to be carved out as depicted on the left of the plan. Because of the depth of the excavation and not represented in the COA, what they have seen in the 10 to 12-inch-deep hand excavation by Mr. White does not represent what is underground south of the stone wall. It is 17 1/2 deep and they are sure they are not seeing all of the roots involved. There have been some surprises in some of the other excavations. The stump was found and it is likely there will be other surprises downhill from the stacked stonewall. The main point is the overall depth of the removal is approximately 17 1/2 inches and 14 feet in toward the tree. Mr. White and Ms. Schmidt talked about safety and accessibility for the grandchildren. Mr. Bardolph stated the stacked stonewall provides a 1-inch high transition between the driveway and the 12-inch-deep recess flagstone patio. Mr. Bardolph felt it was intended as a water diversion and probably a debris stop. This presents a trip and fall hazard at the edge of the foot-high drop down to a stone surface. There should be some sort of a safety barrier there and believe that is planned but not shown or described in the COA. It may be planter boxes positioned there. Something needs to be placed there to protect both adults and children from stepping off to the one-foot drop. Planter boxes are not problematic to them at all for the root zone and could serve as a similar safety purpose at the southern mark of the patio with the options they propose. Contrary to the tree protection guide, the COA starts with cutting roots and does not take any account of the critical lead zone as defined. It is not mentioned. The plan would require cutting of the large wrist sized live root that may be related to the tree. They understood Mr. Clinton as recommending further excavation to see its growth. This plan may also require cutting important roots that could be entangled with the stump. With respect to the smaller root that do all of the water nutrient absorption would go away with the excavation. With respect to water absorption, it would depend on how much damage was done to the roots and whether this has an effect on water uptake and eventually long-term viability of the tree. The deck surface by its nature would be more uniform and provide few, if any, trip hazards. Rails could be placed to channel access to the driveway, garden, and play areas. Transitions to the play area and the garden might be addressed with steps, rails, and planter boxes. The roots are more protected than in the COA because piers that support the deck could be carefully located to avoid Oak roots, including those entangled with the stump and further excavation could be avoided. Alternative number 2, this is in the same location, is not 32 feet away. It is exactly what is shown on the drawing provided. A slide was shown depicting the cross section of the same northeast corner of the patio looking toward the west. The top of the flagstone construction would be installed with the same finished grade as the gravel driveway resulting in no abrupt transition and one 1-foot drop. It would require digging 5 inches

below the driveway grade. This would be replacing the current gravel there for the base of the patio and were in favor of this alternative as it conservative with respect to the roots. The option would require that grandchildren and adults step up or down to reach the patio and would mitigate tripping hazards. The stack stone could be as high as desired as a visible transition and border between the driveway and the flagstones and long as it is spaced and does not go below the current gravel level of five inches deep and may eliminate the trip and fall hazard. There is no one foot elevation change, there is no elevation change at all.

Transitions to the play area and garden would be a foot higher on the south than what is in the COA plan and could be addressed with grading, steps and rails, and planter boxes. A compromise was depicted with the removal of only the gravel horizon. It would be important to carefully dig around the stump so if roots are entangled with the Oak roots and to please insure as little damage as possible. Roots of all sizes are essential to the functioning of the tree, nothing is dispensable. The at grade option was depicted for the preservation of water absorption and preferable to the plan in the COA and was their second most preferred option. Alternative 3 was a hybrid splitting the difference between the COA's 12-inch recess and the at grade zero recess presented in Alternate 2. It would require digging about 10 inches down from the grade level at the driveway rather than the 17 to 18 that would be required in the current plan. It requires more digging and risk to the roots and is not one they were in favor of. As long as the base does not go below 5 inches from the driveway grade level at the low wall on the edge of the patio, it could be as tall as desired above grade level providing a distinct transition and debris stop. It does not avoid digging into the critical root zone but it appears to them to adequately preserve most of the roots if enough care taken during installation. Careful pruning of very small roots by a licensed arborist when needed. In option 2, it is important to carefully dig around the stump so if roots were entangled are not damaged. Option 2 mostly preserves the water capacity of the design.

Three different alternatives were provided by Mr. Bardolph and Ms. Lovelace and are at the same location. They feel that moving the patio downhill would be another option that would pose less risk further away from the roots and stump and would require less grading overall. They were not insisting on that option. Mr. Bardolph provided other considerations. First, they ask as per the guidelines, a garden that would require added soil on the zone between the patio and the driveway be avoided. Second, in the tree protection guide there are requirements they would ask to be adhered to. Protective orange poly safety fencing and salt around the critical root zone prior to any land disturbance. To avoid taking equipment and materials over the tree root zone, they would like to see the construction access and egress occur through the back fence. There is a large parking lot that could provide that access if the owner of the lot would give permission. It is their understanding that it was done previously when the shed was constructed. If that access is not allowed, maybe the arborist would recommend using rubber logging mats over the tree roots. Construction site activity such as parking, material storage, dirt stock piling, and concrete wash-out shall not be permitted within the critical root zone and is the direct language from the tree protection guide. They asked that all of the activities be avoided within the critical root zone of the tree, much of which is on their portion of the shared driveway. Mr. Bardolph advised Mr. White had previously stockpiled about 5 tons of granite blocks on this area during excavation of those blocks and the building of a wall at the front of their property. Mr. Bardolph stated they are willing to continue to work with their neighbors and with the Historic District Commission to find a solution to this dilemma. Their hope was the Commission would help them reach a resolution that allows their neighbors to have a patio that

meets the needs of their family and meets the requirements of the tree protection guide. At least in spirit, if not to the letter, more importantly protects this canopy tree.

Chair Hodierné inquired if there were questions from the Commissioners for Ms. Lovelace or Mr. Bardolph. Seeing none, Chair Hodierné inquired if there was anyone else to speak in opposition of the request. Ms. Lane asked when can the Commission ask questions of the applicants. Chair Hodierné requested to see if there were questions on the testimony just heard and any other speakers. If none, will open up for questions for any of the testimony heard. Ms. Leimenstoll stated her understanding was the proposal would take away the gravel that is under the tree closer to the property line than the patio and he was saying he did not want soil put there. Mr. Bardolph responded it was not his understanding from the COA that the 5 or so inch gravel extending from the low stack wall back toward the tree was going to be removed. He did not see it in the COA. Ms. Leimenstoll responded she misunderstood that. Chair Hodierné stated there were no other speakers in opposition. Chair Hodierné asked if there were any other questions regarding the direct testimony of the applicants.

QUESTIONS:

Ms. Lane asked if Ms. Schmidt and Mr. White agree that the drawings presented by Ms. Lovelace and Mr. Bardolph are accurate. Mr. White responded they just saw them for the first time. Ms. Lovelace stated she did not know if they could agree and would have to study them further. It was a very small little image on their screen. Ms. Lane stated she wished those three drawings had been presented to the Commissioners earlier to study because it does make important information for the Commissioners to understand if is accurate. Ms. Lane understood it was being proposed to be what they understand is the proposal or the possible three alternatives. Ms. Lane needed to understand if those drawings are truly correct. Chair Hodierné asked if Ms. Lane was talking about the drawings that labeled the depths of each item. Ms. Lane responded the three section drawings that are proposed as an alternate solution, 1, 2, and 3. Chair Hodierné reminded all the Commissioners of the evidentiary standard for material and competent evidence. The Commission needs to be careful to rely upon first hand evidence that is presented here. People are welcome to express information that has been relayed to them or they have been able to ascertain. To the extent, there is evidence about out of hearing statements and things other people have said. The Commissioners need to look at their first hand sources and is the stand the Commission is held to with the quasi-judicial proceeding. Mr. Wharton stated that was a concern he had of how much the Commission can weigh in the evidence as it is basically second hand or hearsay evidence even though they are from experts. Mr. Wharton advised he did not in any way question the good faith of the people giving testimony. The applicant has a right to rebut and asked if that would be a part of the meeting. Chair Hodierné responded she was unsure if further questioning was finished. If not, it would be an appropriate time to do that.

Seeing no hands, Chair Hodierné asked Ms. Schmidt and Mr. White if they would like to provide rebuttal testimony in direct response to anything they heard not new and additional remarks for the first time.

Nancy Schmidt asked Ms. Lane if she was asking them to respond to their alternate proposals. Ms. Lane responded she wanted to understand if the section drawings represent their intent on the depth of the dig, in their preferred application. Ms. Lane stated she is trying to understand what they want. Mr. White responded they have dug the exploratory trench and is where the stacked wall will be. Mr. Bardolph is correct, just into the patio side of that, they

will have to dig probably 5 inches deeper than his exploratory trench to lay the foundation. So that section drawing was probably close to what would happen. Mr. White pointed out that because of the scope of the yard, they are not talking about 17 inches across the entire 18 foot of the patio. It will only go out 6 or 7 feet probably, where the gravel has not been disturbed. Beyond that, where he dug up the stone for the front wall, that gravel has been disturbed and down to about the level where the base will be. Everything has been exposed and dug up that is going to be exposed on approximately 2/3 of the area of the patio. It is down to the grade where it needs to be. It is only a triangle of the parking pad that has not been disturbed. To answer the question, that section drawing is probably close to accurate. The first one shown. Ms. Lane asked if at that point of the stacked wall, if that was close to accurate, that drop goes down 17 inches and then slowly rises to other contours of the land away from the tree. Mr. White responded that was correct. Ms. Schmidt stated it goes down 17 inches because they put down whatever gravel pad base that was needed and then the build material and stone goes on top of that. Yes, right at that point it will be dug down 17 inches probably. Mr. White stated he has dug down 10 inches into the critical root zone and found one large branch and small twigs. Ms. Schmidt stated she believed the critical root zone is 8 to 10 inches deep and they have exposed that amount. Mr. White stated there is a risk of potentially finding other things going down an additional 5 inches. Ms. Lane asked when the soil is removed, even though the trench is done, they do not know how many roots may be exposed with the scraping of the rest of the surface area to the perimeter they want. Ms. Schmidt responded yes, but one of the arborists that she believed Mr. Bardolph and Ms. Lovelace hired from Davey Tree, said that once you do your initial perimeter and correctly, carefully, cut those roots, it doesn't matter what you do on the other side. They are gone. Ms. Lane asked if the center zone is basically free of critical material. Ms. Schmidt responded once the perimeter is defined, yes.

Chair Hodierné asked Ms. Lane's question was answered or enough for now. Ms. Lane responded enough for now. Chair Hodierné asked the applicants if they had rebuttal testimony they wished to provide.

REBUTTAL:

Ms. Schmidt addressed the alternate ideas and advised 3/4 of their back yard currently is gravel on rock. It is uneven terrain. There is a two-foot drop from the elevation of their yard at the back of their house to the side of their neighbor's yard and to the rear of their property. They are attempting to go down one foot to the patio and then slowly grade so it is not being dumped on their other neighbors all of the water and runoff. The low deck would not prevent that problem and then they would have a 2-foot drop on the edge of that deck because there wouldn't be enough space to have a gradual incline after that. Putting patio stones on top of the gravel would end up being the same problem. On their COA they put the play area back by the fence so there would be a two-foot drop and then go into that area. They want the children to be able to play in the whole yard, not have that 2-foot drop that would require constant supervision. Ms. Schmidt stated they have made a lot of compromises in what they intended to do. The major one was moving where initially they wanted their patio to be closer to their kitchen steps and have now moved it and it is a walk to get to it. They had envisioned to have the step down from the driveway onto the patio. They would pick up the youngest child and put him down on the patio and then he would be free to do what he wanted to do under supervision. Ms. Lovelace stated a lot of digging has been done and not many roots have been

found. Ms. Schmidt hoped the tree was not being held up by half of the roots. They had permission to take out the Bartlett Pears and while being removed, Mr. White found a large granite block. Mr. White kept digging to discover there were no roots there and it was almost impossible for roots to be there as they would have run into the granite block. Ms. Schmidt did not think there were any reasons to go into the other compromises made. The significant one was the patio having a big out door space when the youngest child can play, learn, and explore nature in a manner similar to this sighted sibling. As his grandparents, they want to raise their youngest grandchild to have as many experiences and opportunities as a sighted child would have. They can't control the world but can control their backyard and make it safe for him.

Chair Hodierné advised the opposition they had the same rebuttal opportunity and reminded them to limit their comments to actual rebuttal to the rebuttal by Ms. Schmidt and keep any comments to new and responsive.

Kay Lovelace, stated the issue that keeps being raised is the top 8 to 10 inches of roots being the most important. What has been learned is that there is a five-inch layer of gravel where those roots would be cut. If they are under that 5-inch layer of gravel that was put on there, there would be the problem of the roots possibly being under that and being cut down by the 17 1/2 inch excavation that will be needed for the patio at that top area closest to the tree. Once those roots are cut at the top area, it is unknown what is under the 10 inches that Mr. White has dug. There is 5 inches of gravel on top and possibly 8 to 10 inches of roots under there. There would be 17 inches of soil needing to be excavated and there could be significant roots in there. That is why they think it is important to have one of the compromises. None of them actually move the patio anywhere from where they want it to be. They are not trying to keep their neighbors from having a patio, they are attempting to make it more palatable to the health of the tree.

Rick Bardolph, stated with respect to the grade for the deck being lesser as you go downhill, he understood the patio, in reading the COA plan, grades to the southwest corner with about 4 inches of decline from the northeast corner. It would be 4 inches lower in elevation at the far corner. Whatever extraction of soil will follow the contour down deeper. It's not exactly true it will be tapering narrower and narrower as you go toward the southwest. It follows the top elevation of the flagstone and has to drain to the back corner. It is shown dropping 4 inches. The lower horizon follows the same elevation. It is true the soil is sloping off in that direction, but it does not result in feathering out to nothing.

Chair Hodierné brought it back to the Commission for discussion. The public hearing is not officially closed but is paused to allow any Commissioner to ask a question that can be answered but asked that there be no interjecting into the deliberation conversation of the Commission.

Chair Hodierné noted Max Carter had joined the meeting in progress. Chair Hodierné advised Mr. Carter he would not be able to vote on this matter since some of the testimony was not heard by him.

DISCUSSION:

Chair Hodierné stated she had a couple of questions for Mr. Clinton as did Ms. Lane.

Ms. Lane asked in understanding what was said at the beginning of the meeting needed re-clarification on his statement that he felt that the existence of the roots exposed most likely,

even if they were Oak roots, that that would not impact negatively to the tree's future life. Ms. Lane asked if she was understanding that or putting words in his mouth. Mr. Clinton responded when talking about the critical root zone of trees, the theoretical core zone is where they are talking about what you see in text and see on construction documents. It is typically put in place. Without being on-site and without knowing exactly where all the roots are, is somewhat a two-dimensional way of describing where they think the roots should be based upon research on root systems and their size. It does tend to be in that range but if you are on site and you can do hand digging in exploration to find out where the roots are and then you begin to follow those back. The real critical roots of the tree are the structural roots digging and excavating with large machinery in those areas of 10 to 12 feet of the trunk is not advised. Further out is where the critical zone comes into play as far as being able to prune. Mr. Clinton referred to a drawing indicating where great roots were located. Trees follow the soil volume. Stone has been on top of this root system for an unknown amount of time. The approximate weight of this type of stone is close to 140 to 150 pounds per cubic foot that has been laying on there with cars parked on it. When the stone is alleviated, that will reduce the amount but there are roots that appear to be going into the soil. There are random roots sometimes. To say that the critical root zone is this exact geometrical shape around a tree, is theoretical. If there is no heavy machinery. Mr. Clinton did not see logging mats being applicable. He did not know what the heaviest weight of the equipment would be in the back, but it appeared some of the statements made by other arborists were based on not really knowing the full scope of the work, not knowing the site history, and not really knowing where the roots are. Now that they are on site, there is organic matter with 75% of the root zone appearing to be outside of the area where they are pruning. Individual roots have been identified. Some look like could go to foundational plants but should not be ruled out that it is not an Oak root. The Schmidt's are willing to try to find the origin of the roots which will occur when attempting to make a good cut on the roots for the benefit of their project and the tree. Those are some things generally speaking about trees and the critical root zone. If the roots are under soil which is underneath. There was discussion of the difference in grade There may be roots that have been buried under this mass of stone for as long time. Mr. Clinton felt that the majority of the roots are going to be coming back into the space where the soil has less weight and finding a path of least resistance is what the roots will do. The applicant dug a trench but they are not using a mechanical trenching device or hydrolytic power equipment. Hand digging is definitely recommended unless there is another way to get the stone off. The applicants are doing a great job with what he has seen. The Lovelace's do take great care of their tree and they are trying to do their best to ensure that this tree does last for the neighborhood and it doesn't fall. Without this project, this tree could fail. The residual risk will never be gone until the tree is actually no longer here. With or without this project, this tree is a risk to this structure. With lightening damage and the compaction over time, the reality is that there does need to be a plan in place for planting other trees in the neighborhood as well as the entire city. The tree definitely needs to be watched, especially with the history of the stone but the tree has adapted to these conditions and does look like it is doing very well for an urban tree with all the compounding elements involved.

Chair Hodiern stated his statements were helpful and answered some of her questions. Mr. Wharton asked if the applicants proceed with the plan as it is now, did he consider it likely or unlikely that this would damage the tree. Mr. Clinton responded in regards to working on root systems and building patios, driveways, things like that, as long as the tree is not intentionally

harmful and trimmed in a way that killed the tree. In this case the number of roots that are exposed were exposed by hand digging. They are talking about pruning the roots by hand which is highly recommended. They are taking the best practices to attempt to save the tree with regards to the neighbor's respect. Mr. Arneke asked if Mr. Clinton would say that this project represents no risk to that tree. Mr. Clinton responded he would not say it is zero risk. If the roots are trimmed and there is acute activity on the root system, it may not be the determining factor or the root cause of any problems. What is more commonly seen with urban trees that have been around for a long period of time is compounded stress. What is being done on this project by hand digging and pruning by hand, they are attempting to eliminate stress of a project like this where there would normally be an excavator to dig it out in a couple of hours. Heavy machinery on top of the tree and things like that would be stressful. There could be mechanical damage. Mr. Clinton stated it is not recommended to only look at the project in the life of the tree because the tree has been struck by lightning before and has the history of stone on top of the root system. Pruning by hand would not correlate to a direct adverse impact on the tree. Mr. Arneke stated so this project represents no risk to the tree. Mr. Clinton responded they are doing work on the root system and if they are careful, the risk will be minimized by doing the work by hand. Chair Hodierna stated there were a couple of best management practices mentioned to take proper precautions and mitigate risks. One is the hand excavation and another one mentioned was called making a good cut. Chair Hodierna requested Mr. Clinton to elaborate on that. One, was she hearing it right and two, how is it ensured that is done? Mr. Clinton responded the homeowner can have an understanding of what good cut is. They can become educated if they are not familiar with that or interested in learning that information. Mr. Clinton would recommend a certified arborist to instruct the work. A good cut is the difference between a trenching machine or some type of machinery cutting the roots at a random location versus intentionally chewing it up with rotating blades versus hand cutting to a proper lateral. That would be the differences. In nature, you have to think that trees do take impact damage from storms, landslides, flooding and things like that. Trees along creek banks lose portions of their root systems and sit at weird angles and live long lives. It's very important to understand that with or without this project, the residual risk of the subject tree should be monitored on a regular basis. Chair Hodierna asked if there any other best management practices besides those two that he would recommend for this project, if approved. Mr. Clinton responded one best management practice that would be recommended would be lightning protection on the tree. If attempting to save a tree and go through the effort that he was witnessed which is very impressive. Lightning protection would be recommended.

Chair Hodierna inquired if there were any further questions for Mr. Clinton. Seeing none, Chair Hodierna inquired if there were comments or discussion points.

DISCUSSION:

Mr. Wharton stated this is one of the most detailed presentations he had ever seen and appreciated the work that went into it. Mr. Wharton has been reviewing the guidelines again, looking at what the applicants have proposed, and what the neighbors have proposed in terms of meeting the guidelines. Guideline, page 21, number 6, says take all precautions to protect existing trees during new construction and then refers to the tree protection guide which said, a reasonable effort should be made to have utility line trenches and similar uses avoid the critical root zone. Due to certain site conditions where the disturbance of a critical root zone are

unavoidable, underground tunneling or directional boring of utilities, it is preferred trenching shall be used as the last alternative and root pruning equipment specifically designed for that purpose shall be used. Mr. Wharton felt the applicants have offered the design to try to protect the tree. They are obliged to take reasonable efforts to protect the tree. With the hand digging and with the appropriate root pruning that Mr. Clinton advised, the applicants would have met the guidelines and he was willing to approve this application with conditions that they proceed according to the methods and expert people on site doing the work. Mr. Arnett concurred with Mr. Wharton and that conditions would be in order. Mr. Arnett stated it appears the exploratory trench that has already been done is not quite up to the full depth of the proposed excavation on the site and wondered if the trench should be excavated down to the full deck that construction work requires and re-examine the roots to make sure there are no other critical roots that may be in the last five or six inches of soil that had not been covered. Based on the testimony heard, Mr. Arnett would be satisfied if the exploratory mission didn't turn up any red flags, it would seem reasonable to proceed. Mr. Arneke stated his concern was it was pointed out there are other factors that are compromising the potential lifespan of the tree. This would add some degree of risk to the tree. His sense of what has been said is that it isn't a huge risk but there is some risk by taking it out this way. If there were no alternatives for the home owner except to put this patio where it was stated, he would say go ahead and do it. There are alternatives. It's a spacious yard with room to move to left and avoid the critical root zone completely. Mr. Arneke would be much more comfortable if it did not intrude into that area. Judging from what has been said theoretically the critical root zone being 32 feet out, intrudes far into that. Even if it is not 32 feet, this goes way beyond that. Mr. Wharton advised he was not comfortable with adding an additional risk to the tree when there would be a way to avoid it. Mr. Arneke advised he was not in favor and would ask the applicant to reconsider the placement of that particular feature to see if it could be removed from the critical root zone completely. Ms. Lane stated she thought the Commission was crossing into a very delicate area and the Commission needs to go back to what they have to rely on. What the applicant has done that fits the guidelines that the Commission has at their fingertips. Ms. Lane stated she agreed with Mr. Wharton that both parties have done suburb extensive work here to make the best decision. The Commission cannot be in the arena of designing patios. That is not the Commissions job. Ms. Lane stated nothing is without risk and the Commissioner has to measure the risk. The Commission has to be practical and go by the guidelines. Mr. Arneke agreed with Ms. Lane but his reading of the guideline's is don't do it, it's too close to the tree. Chair Hodiern stated that is where the question is. Chair Hodiern inquired if there were any other comments from the Commissioners. Ms. Leimenstoll stated in listening to the comments there clearly has been a lot of thought given to this. If the Commission were inclined to approve this to make it conditional on excavating the trench in the area that is closest to the tree. That is clearly where there is the most risk of something directly impacting the tree. There is one thick root that is unknown where it belongs to. If this is stress to the tree, it will be in that area closest to the tree in the corner closest to the house. Mr. Wharton asked Ms. Leimenstoll how did she see the COA going forward. Would someone be on site who would make a determination and say we haven't found any more significant roots, you can proceed or someone on site that says no, there are too many roots here and it has to stop. That person likely should be Judson Clinton. Risks can be minimized but you cannot say exactly how it would affect the tree. Ms. Leimenstoll stated it is very clear that the life of this tree cannot be predicted whether this happens or not. Someone would have to say, you went down the hole

17 inches and it doesn't appear that are major stressors. Chair Hodiernie stated if the property owners were amenable to excavating that additional depth and if another root in that depth, would know what Mr. Clinton told them about the previous roots. They would know what the advice is if they find a root. The only unknown would be if in those last five inches the roots became so significant, would it be enough to cause him to change his opinion. Chair Hodiernie stated she coupled that with the compelling testimony that has been heard that this onsite investigation that has occurred, is much more dispositive of what is happening in the root system and root zone than the textbook guidelines of what are the basic considerations. That is the standard that is here. A better standard for more information is to go on site and look. The Commission has the benefit of that knowledge. That to her was the compelling testimony that allows her to apply that into the guidelines and say they have taken all the precautions to protect the tree. There is always a risk but the basis of the Commission's decision has to be take all precautions. That has been done and agreed with the open question of can we look further down and what should be done if something is found. There is a lot of information that the property owners have gleaned from their research thus far and Mr. Clinton's involvement thus far to be able to allow them to know what to do if there were to find an additional root. Mr. Wharton agreed with what was said. The applicants have and are taking the precautions that the guidelines require. Mr. Wharton referred to a case where the magnolias had a root issue much more significant than this case and the tree survived. The guidelines do not compel the Commissioners to say we can never risk any trees. It is that there has to be precautions to protect them in accordance with the site features and the necessities.

Chair Hodiernie inquired if there was a motion.

FINDING OF FACT

Ms. Leimenstoll moved that based upon the facts presented in application number 2471 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, the staff comments, and the following guidelines on page 41 for patios and the guidelines on page 21 regarding retaining mature trees that contribute to the character of the historic district, guidelines 1, 3, and 6, are acceptable as finding of fact.** Seconded by Mr. Wharton. The Commission voted 5-1. (Ayes: Chair Hodiernie, Wharton, Arnett, Leimenstoll, and Lane. Nays: 1, Arneke).

Conditions were discussed and it was decided to include the best management practices be used. The hand excavation and the lateral cutting by hand without machinery. The open item is should the condition of asking the property owner to further excavate the exploratory trench prior to construction. Chair Hodiernie stated she was not against that and thought it was a good idea, but the Commission does have to note to what end the Commission is asking them to do that. Mr. Wharton stated the hand digging the exploratory trench to 17 inches would expose any other roots that would need to be hand pruned rather than machinery probed. It would decrease the likelihood of harming the tree. Chair Hodiernie stated the condition that the Commission is looking for is that prior to construction, the property owner complete the exploratory trench to the 17-inch depth. In the event additional roots, the roots are treated with the same best management practices as the roots they are already aware of.

Therefore, Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approved, with conditions, application 2471 and grant a Certificate of Appropriateness to James White and Nancy Schmidt for work at 901 Magnolia Street with the following condition:

1. That prior to construction of the patio, the hand dug trench be excavated to the full 17 inches in the area most directly within the tree root perimeter to reveal if there are additional routes that may be require hand cutting. All best management practices for hand trenching and lateral cutting of roots be followed. Second by Mr. Wharton. The Commission voted 5-1. (Ayes: Chair Hodiernne, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays:1, Arneke).

Chair Hodiernne commended all the parties for their thoughtful and well researched arguments and their courteous nature that the deliberations had at this meeting. Chair Hodiernne appreciated that and felt very encouraged for the future of the historic districts that there are such careful considerations of these types of matters.

Chair Hodiernne stated the Commission is just past the 2-hour mark and suggested a short break at 6:09 p.m. to reconvene at 5:15 p.m. Mr. Carter advised he would have to leave around 7:00 p.m. due to a prior obligation.

The meeting resumed at 6:15 p.m.

3b. Application 2477, 425 Brandon Street (Approved)

Mr. Cowhig advised this application is for the construction of a screen porch at the back of the house. Staff debated approving at the staff level but it came down on the side of thinking that it should come to the Commission. Staff feels this application clearly meets the guidelines. It will be a small screen porch, located at the rear of the home and will not affect any character defining features of the house. The porch will be distinguishable through change in the roof line, wall plane, detailing, and compatible materials. The guidelines on page 23, for additions, say in terms of material, style, and detail, design additions to be compatible with the original structure rather than duplicating it and distinguished additions from the original structure through the change in the roof line, 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 the addition. Staff felt it meets those guidelines nicely. The image provided with the application shows a screened porch addition that has boxed eaves. This house has open rafters and staff would suggest to use an open rafter roof system and compatible treatment be used such as an exposed rafter roof, tongue and groove soffit and those sorts of things that would help it to be more compatible with the character of the house.

Ms. Leimenstoll stated in the sketches it appears that the roof of the porch is lower and, in the photograph, the exposed rafter on the left-hand side. Ms. Leimenstoll asked if the porch would be inset enough to avoid removing that rafter in the photo. Mr. Cowhig responded staff thought of that also and was one thing they wanted to clarify at this meeting. Ms. Leimenstoll stated it is always better to have an addition or a porch not try to line up with an existing wall plate. The raft would retain the distinctive feature and differentiate the porch from the main block of the house. Mr. Cowhig responded he thought that was an excellent suggestion.

Chair Hodiernne inquired if there were any other questions or comments for staff. Seeing none, Chair Hodiernne requested the applicant to speak.

Chair Hodiernne swore Mitchel Sommers for his testimony. Mr. Somer consented to the remote recording.

Mitchel Sommers, 425 Brandon Street, stated several years prior he was before the Commission to request a front screened porch. There had been one at one time and it was somewhat restoring the front porch back to what it was. Mr. Sommers loves his front porch but

the feeling of a front porch is different than a back porch. Mr. Somers loved people going by and talking to the neighbors but there are times he would like something more private in the back and not be eaten up by the bugs but be able to read a book or listen to music to relax. Mr. Sommers advised his mother passed to Covid and had left him some money and he would like this to be a gift from his mother and enjoy his home.

Chair Hodiernie inquired if there were any questions for Mr. Sommers from the Commissioners. Ms. Leimenstoll asked if he was comfortable with her comment about the porch wall not aligning with the side wall of the house and inset slightly to the right-hand side of the bracket that is shown. Mr. Sommers responded he liked the suggestion. He would also hate to cut away a piece of the house. It looks like it is a few feet and liked the suggestion. Ms. Leimenstoll responded it would probably 6 to 8 inches. Mr. Arnett stated in the sketch there is a note that says the siding to match the existing home and asked which side of the material did he plan to use in the gable of the porch. Mr. Sommers stated he would be interested to hear the Commission's thoughts on what would look nice. Mr. Arnett stated his opinion was the shakes would be more appropriate since that is what is in the upper part of the gable on the main part of the house and would match that.

Chair Hodiernie inquired if there were any other questions for the applicant. Seeing none, Chair Hodiernie inquired if there was anyone else to speak in favor of the application. Seeing none, Chair Hodiernie inquired if there was anyone who wished to speak in opposition to the application. Seeing none, Chair Hodiernie advised there was a Brian Gilles (ph) signed up as an unknown speaker. Chair Hodiernie inquired if Mr. Gilles was on the call and if he wished to speak. Ms. Geary advised Mr. Gilles was supposed to be representing the Dunleath Historic District and was scheduled to attend the meeting but never made contact with Ms. Geary. Chair Hodiernie did not see him on the call and inquired if the Commissioners had any questions or comments, or deliberations

DISCUSSION:

Chair Hodiernie asked the Commissioners what they thought of the suggestion from Mr. Cowhig regarding the open rafter support system and if that was something the Commissioners would want to look at. Mr. Arneke stated that would be a good idea. Everyone agreed. Chair Hodiernie requested Mr. Arnett to provide a brief description of what the Commission is approving. Mr. Arnett stated looking at the picture, the roof overhanging on the side wall and you can see the individual rafters are exposed looking up from underneath. Mr. Arnett referred to the example of the completed screened porch and on this example the overhang of the roof is closed in with probably a piece of plywood or a similar material. The Commission would like to match the overhang detail on the existing house. Mr. Sommers asked if the back wall where he would enter from his house into the porch, would it be the wall that is there right now with the rafter and everything and the porch would be somewhat encased. Mr. Arnett responded he thought it could be done without needing to remove all of the siding material that is there.

Chair Hodiernie inquired if there was any further discussion or comments. Mr. Wharton asked if Mr. Sommers architect was on this project. Mr. Sommers advised Scott has done a lot of work for him in this neighborhood and home. Scott does beautiful work, but Mike has helped to provide the required drawings. Scott is the architect but would not say he is an architect as much as an incredible builder. He would be the one who would be making the decisions on how it would be built. Mr. Wharton wanted to make sure everyone was on the same page in

terms of what the design is, maybe before building staff could approve a measured drawing depicting the design of the rafters before proceeding with building. Mr. Sommers stated Mr. Cowhig is very much accessible and very helpful and believed if there were questions Mr. Cowhig would help. Chair Hodiernie stated to ensure that gap is bridged, they could become conditions of approval.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application number 2477, 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 on page 23**, are acceptable as finding of fact. Seconded by Mr. Arneke. The Commission voted 7-0. (Ayes: Chair Hodiernie, Arneke, Wharton, Arnett, Leimenstoll, Lane, and Carter. Nays: 0).

MOTION:

Therefore Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approve application number 2477 and grant, with conditions, a Certificate of Appropriateness to Mitchel Sommers for work at 425 Brandon Street with the following conditions.

1. The addition be detailed to become compatible with the structure, including exposed rafters, tongue and groove soffit, and shakes in the gable.
2. The porch side wall be inset from the side wall of the house to retain the exposed rafter on the house.
3. The details for the porch be approved by staff for the HPC to confirm understanding with the contractor.

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

3c. Application# 2481; 815 W. Market Street

Mr. Cowhig stated this application was from Greensboro College. Staff met with Ms. Hurd and another representative of the college and a contractor to look at the West Hall where they are having a serious water infiltration issue at this building which is a dormitory. It has to do with the parapets on the building. Apparently, the water is getting inside the building at the parapets. Mr. Cowhig was unsure how but that is the source of the infiltration. It has been a long-standing problem that the College has had to fix more than once in the past. It has been investigated a number of possible options to repair the problem. For technical reasons, a strictly repair approach that does not change anything and will not be a permanent solution. The College has opted for encapsulating the parapets. The proposed work would result in the covering of the original coating on the parapets. It is an original route detail that adds to the character of the building and the historic district. From a preservation standpoint, that would not be the solution that you would like necessarily but there is an issue with water infiltration and need to do something. Mr. Cowhig stated this will be explained in more details by the college staff. From the guideline's standpoint, staff would have to say it does not meet the guidelines per se, but staff understands the issue. Staff sees this often on historic and older buildings with parapet walls. Often there are terracotta tile coping that are being replaced regularly with metal coping. Staff referred to the Guidelines on page 53, that say retain and preserve original roof form pitch overhang and significant features such as chimneys, dormers, turf, cornices, balustrades and preserve and maintain original roof details such as decorative rack or tails, crown molding, soffit boards, If replacement is necessary, the new detail should match the original.

Mr. Carter asked if the parapets would be removed and asked if it was copper sheeting. Mr. Cowhig responded they would be encapsulated with metal. Ms. Leimenstoll stated the description says there is a concrete coping on it. It is very hard to see that in the photograph. Ms. Leimenstoll asked if it was like a band of concrete stone. Mr. Cowhig responded it is concrete at the top and extends slightly over the beginning of the wall. It is not thick and is not a decorative detail, but is an original detail that should be preserved. Ms. Leimenstoll asked if Mr. Cowhig's understanding was the concrete would remain and the metal only encapsulate the concrete and not go down the face of the brick. Mr. Cowhig responded his understanding was that it would not go down the face of the brick on the side but on the back it would. Chair Hodierne asked if it was a fair statement in the end result, if this was approved, it would look like a copper trim instead of concrete trim. Mr. Cowhig responded that was correct.

Chair Hodierne inquired if there were any other questions for staff. Ms. Lane asked when would the questions of the previous attempts to mitigate water and how it was done be allowed. Mr. Cowhig responded that was a good question for the applicant.

Chair Hodierne swore in Anne Hurd for her testimony. Ms. Hurd consented to the remote recording.

Anne Hurd, Vice President at Greensboro College, 815 West Market Street. Ms. Hurd stated the building is on the corner College Place and Odell Place. It is on a public street but not on a main thoroughfare. The building was built in 1965 and completed in 1966. It has been altered somewhat. The stairwell windows have been bricked in. There were glass windows there at one point. There is no way to alter the brick facade. Water is coming in the concrete along the top and the bricks along the top water is seeping in through that. Ms. Hurd did not know the answer to everything that has been attempted, but there have been numerous people looking at it. The college does not want to alter the way it looks. Of the contractors and roofers who have looked at it, the idea the college liked the best was to put the 24-gauge pre-finished antique bronze cap on it. The bronze should not be able to be seen as it is a three-story building. The concrete part will be obscured. All six of the parapets would have the antique bronze cap. They may not be all looking in the same way, some are worse than others. It is a matter of time before all them leak and comes down the interior wall. A slide was shown depicting where the water was coming in and going down, especially to the third-floor rooms. That is the best option the college has come up with, to cap all of the parapets and would all look the same.

QUESTIONS:

Chair Hodierne inquired if there were questions for the applicant. Mr. Carter stated that was done in the past to Shore Hall that had two parapets leaking and they were capped not with bronze but perhaps vinyl. Mr. Carter suggested speaking with them to determine if that has been effective. Ms. Leimenstoll advised she sees the water stains. A traditional way to repair that is to insert flashing under the concrete cap but into the brick to stop any moisture. That option would be invisible from the street. It would be helpful to see an image of what the bronze cap would look like on the concrete or on a similar building. It is not the most character defining feature but was curious if flashing inserted into the wall from the roof side and then comes down where it meets the roof as it would be a traditional way to solve this. Ms. Hurd stated there have been a lot of roofers and contractors. Ms. Hurd has not been in all the meetings. She attended the final meeting where a conclusion was made to see the Historic Preservation Commission. There would be minimal changes to the outside. Ms. Leimenstoll stated she could send some pages of traditional detailing for that, but it may have been discussed. Ms. Lane was curious that the water staining is on the front facade which makes

her believe there is penetration through the concrete cap and possibly it may be partially resulting from a need of re-pointing. Ms. Lane asked if that has been looked into that aspect of coming on from the exterior as well as the rear side of the parapet. Ms. Hurd referred to a slide that indicates where they have been up inside looking at where the water is coming in and how they think it might be resolved. Ms. Hurd thought they tried to look if something could be done inside to mitigate it and were not able to. Ms. Hurd stated she did not know the answer to her question. Ms. Lane stated flashing of some size on the back side of the parapet is imperative and was curious what has been done in order jump to the approach of capping which would be a continuous cap to cover the concrete and then go down the back wall to create flashing. Ms. Hurd responded she believed Ms. Lane was understanding it right. Ms. Hurd stated no repairs have been done at this point. There have been a lot of opinions and experts to try to determine what would be the best thing to do. Nothing has been tried as of yet. Mr. Cowhig advised the contractor he spoke with was very knowledgeable and gave the impression that they have studied this issue very carefully. The contractor explained that there is a construction feature that part of construction of a lot of institutional buildings like this. It was described as feature that sort of channels water away. It was not part of the original construction of this building and the contractor contends that it will always be a problem. Ms. Lane asked if that was because of the current condition. Mr. Cowhig responded the contractor believed that there was a flaw with the original construction resulting in this issue. Ms. Lane asked if the way the water is carried away possibly is not functioning the way it should. Mr. Cowhig responded that was the way it was described by the contractor. Ms. Lane stated concrete, if that is the material of the cap, was extremely porous and capping it with metal to be impervious to water may be very advantageous.

Ms. Hurd stated after looking at all the options that was the one the college felt was the best and looked the best. Mr. Wharton asked if the college was talking about removing the concrete coping, it will just be covered up so that at a later date if there is another solution was deemed acceptable, it could go back to its original appearance without damaging the coping. Ms. Hurd responded the college hopes this will be the last as the building is almost 60 years old. Mr. Wharton hoped the building would be there. The current solution will have a life span and perhaps others might want to have an option open for them to find a solution as well. The roof is slate and is fine. Chair Hodiernie asked how the bronze cap be attached. Ms. Hurd responded she did not know. It says encapsulate with 24-gauge pre-finished wall panel of antique bronze color and coping that would cover the brick and stop water entry. Those were all the details available to Ms. Hurd. Ms. Lane stated the question really was does this vertical facing on the back side become the flashing and does that flashing go under the slate or sit on top and redirect the water elsewhere. It is somewhat of a critical piece of the design. Ms. Hurd or Mr. Cowhig did not know the answer. Mr. Cowhig did not know if they would take the slate up and put them under the slate or not. Ms. Lane stated normally the flashing would go in and then the slate would be on top of that and was curious if that was the extent or what the extent would be. Mr. Arnett stated it is visible in photograph number 1 if you zoom in. Mr. Arnett's understanding of what was being presented was the water infiltration was not happening with parapet and the water was seeping into the masonry itself. Mr. Arnett stated time has taken a toll with the water seeping through gaps and migrating down through the brick itself to the interior of the structure. The one detail he wished they had on this proposed coping is how much of that detail at the top will be covered by the metal. Mr. Arnett assumed that the concrete would be covered and would hope it would be extended out to the face of the top

course of brick and then have some sort of brick edge beyond that. If that was the case, it would not seem to be visually intrusive but the Commissioner does not have anything to look at to indicate whether or not that is actually what is being proposed. Ms. Hurd stated she did not know and apologized for not having that level of detail. Ms. Leimenstoll stated one thing to consider was to provide an image of what this looks like or another building as a way for there to be clarification. What the Commission cares about is what does it look like on the outside. If it will only cover the concrete. That is a minimal change to the parapet. If the concrete remains, then the Commission knows it is there in the future if there is an alternative way to repair this in the future. Ms. Hurd responded she would be glad to and advised she did know that they were going to encapsulate it. The concrete will stay. Mr. Cowhig asked if that could be handled with a condition. Ms. Leimenstoll thought it could. Chair Hodiernie suggested putting a pin in that for a minute. If there were no more direct questions about the actual application, Chair Hodiernie wanted to make sure there were no other speakers who want to speak on this. Chair Hodiernie inquired if there was anyone else to speak in favor of the request. Chair Hodiernie stated there was Rose Marie DiGiorgio from the College Hill Neighborhood and asked if Ms. DiGiorgio was present. Chair Hodiernie inquired if there was anyone who wished to speak in favor of this application. Seeing none, Chair Hodiernie inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Hodiernie brought it back and complete the discussions and deliberations.

DISCUSSION:

Chair Hodiernie agreed in seeing the schematic of installation is something that staff could handle, but was concerned that there is no testimony on what has been tried previously. The Commission does not know how this degree of remedy was arrived at. Ms. Hurd stated the college has not tried anything yet. There have been people looking and providing ideas and what did they would work at. Of all the ideas, the college believes the bronze looks the best and will work the best. Chair Hodiernie stated Mr. Thompson is very knowledgeable and has his reasons, but the traditional treatment of something like does not work here. Chair Hodiernie had concern the Commission has not heard that and do not know why that is bypassed as an option at this location. Mr. Carter referred back to Guilford's experience. They may have tried several things on the parapets on Shore Hall and wound up placing a cap on it. Mr. Carter did not know if that solved it but is something that perhaps Greensboro College could check into. Guilford had tried several other remedies that did not work and ended up capping. Ms. Hurd stated the College Hill Neighborhood Association did vote to approve, adopted, or accepted it the past Monday night and are not opposed to it.

Chair Hodiernie inquired if there were any other questions for Ms. Hurd or comments for staff discussion. Mr. Arnett stated the things he was thinking about and wished that there was more detail to see what the size would be. Mr. Arnett was balancing in his mind as it pertains to previous discussions had with institutional uses, he thought the guidelines is a little less stringent. Mr. Arnett was also weighing the fact that this structure is not listed as a contributing construction in the district. Mr. Arnett stated on the one hand he would like to have more information but he is trying to decide whether that is worth delaying this. Mr. Carter asked if there have been any health risks associated with this such as black mold or anything else creeping down the interior walls. Ms. Hurd responded not yet, but there is no one living in the rooms the water is coming in.

Chair Hodiernie asked what did the Commission want to do. Mr. Arneke asked if only the concrete would be encapsulated, he had no problem with that and did not think it would change the character of the building hardly any. If it is only the concrete that is being covered,

he is fine with that. Second by Mr. Carter. Ms. Lane agreed and stated the coloration of the bronze would help not make it so obvious and would hopefully give it the final solution that it needs. Mr. Wharton concurred with the suggestion. If this was a contributing structure there might be a more stringent standard. No materials are being removed and can put it back if they want to try another solution at a later date. Ms. Leimenstoll agreed and as long as it only covering the concrete, it would be a minimal change. Ms. Leimenstoll would like it to be verified or confirmed that it is a metal coping that only wraps the concrete. Chair Hodierna stated she thought there was testimony that it would not come down the exterior front wall but would come down the interior wall. Ms. Leimenstoll stated that was her understanding but it was not stated within the description. Chair Hodierna asked if that would change the direction of this conversation. Ms. Leimenstoll whatever they need to do on the back is important. Mr. Wharton stated that was his understanding as well. Mr. Arneke stated it was fine with him. Chair Hodierna inquired if there was a motion.

FACT FINDING:

Mr. Arneke moved that based upon the facts presented in application number 2481 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the **Historic District Program Manuals and Guidelines, the staff comments, and the Guidelines on page 53, numbers 1 and 2, are acceptable as findings of fact.** Second by Mr. Carter. The Commission voted 7-0. (Ayes: Chair Hodierna, Wharton, Arneke, Arnett, Leimenstoll, Lane, and Carter. Nays: 0.).

MOTION:

Mr. Arneke moved that the Greensboro Historic Preservation Commission approves application 2481 and grants a Certificate of Appropriateness to Greensboro College for work at 825 West Market Street. Seconded by Mr. Carter. The Commission voted 7-0. (Ayes: Chair Hodierna, Arneke, Wharton, Arnett, Leimenstoll, Lane, and Carter. Nays: 0).

Mr. Carter left the meeting in progress for another obligation.

3d. Application# 2487; 703 Simpson Street

Mr. Cowhig advised this application was for construction of a new garage at 703 Simpson Street. There was a garage previously which was literally flattened by a giant Oak tree and the homeowners are hoping to rebuild a new garage that is similar to the original garage. The same footprint would be used, similar materials. Staff felt this request would clearly meet the guidelines. Staff advised the garage will encroach within the setback distance to the property line and will require a Special Exception through the Board of Adjustment who can approve a Special Exception to Zoning setbacks in the historic districts if it is first recommended by the Historic Preservation Commission. If the Commission approves this application, the Commission will need to make the recommendation regarding the Special Exception. There is an option A and option B. Staff felt both options are clearly consistent with the guidelines.

Chair Hodierna inquired if there were questions from the Commissioners to staff.

Seeing none, Chair Hodierna swore in Debbie Davis her testimony. Ms. Davis consented to the remote recording.

Debbie Davis, 703 Simpson Street, advised their garage was totally obliterated from a tree located in back of their land fell onto it. They would like to go ahead and rebuild. They would like to keep the garage close to where it was. Originally the garage was 18 feet wide. The site plan indicates 3 feet was added to the width. What they would like to do is put the garage in the same corner, on the same line and in the back. A Special Exception will be needed from

the Board of Adjustment. Ms. Davis stated they have a shared driveway and from the front. A photograph depicting where the property was with the shared driveway. The neighbor's garage is on the right and theirs is on the left. The garages from the front were the same and each had a garage door and an entry way door. The only difference were the roof lines. Their roof line matches their house line which is a pitched roof. A photograph was shown depicting what the garage looked like prior to the tree falling on it. They would like to make some livable space on the side of the garage where there are French doors that open up, whether they need to open outward or inward the Commission would be determining that. Option B with the doors on the side is their preference. The outside material originally was wood planks on the side. While cleaning them, it appeared a lot of them were original to the garage on the right-hand side. They would like to use Hardie plank instead of the wood for better wear and will not have to worry about rotting. There is a lot of moisture that comes from the back two houses. Their house is more downhill, on the down side and get the water flow from Eugene Street down. A photograph depicting their electrical box on the inside of the garage which came from their house. If this is approved, they will try to have a variance to bring the electrical in through the back. There are electrical wires on the property behind them that run. There is a pole that is very close. They would like to attempt to have that so it will not run from the house and have a separate meter box. Ms. Davis stated they have a retaining wall in desperate need of repair. The garage took out some of the retaining wall the wall was made or is made out of railroad ties. Due to all of the water, the railroad ties have blotted out. If the Commission approves this application, they would like to re-do the retaining wall but instead of railroad ties, would use brick. Whatever they are doing to the back will be better, in their opinion, than what it originally was.

Chair Hodierné inquired if there were any questions for the applicant. Ms. Leimenstoll stated Ms. Davis mentioned it was 3 feet wider than the original garage but that is moving into their backyard, not towards the property line. Ms. Davis responded that was correct. In looking at the photograph with original garage, the 3 feet would be moving to the left which is all of their property. Looking at the site plan that was submitted where the garage in the very back right-hand corner, there are faded dashes which would have been where the original garage came from over to the thick line. They would like to go 3-feet over. Again, originally it was 18 or is 18. If allowed, they would like to go 21 feet and be able to put the doors on the side as it would look almost identical to what they had to those coming up the driveway but no one would be able to see the doors on the side. Ms. Leimenstoll stated it was mentioned whether the doors would swing in or out and stated she thought they would want them to swing out if possible, otherwise there would be very little interior space to put anything in. One plus of the French doors would be you would get some daylight in that space.

Chair Hodierné inquired if there were any other questions for the applicant. Ms. Lane stated it doesn't truly impact what they are doing but it sounded like she said you would be bringing in a new electrical service to the garage. Ms. Davis responded they had electrical service to the garage. If you were to look at the original photograph of the garage, you are able to see where it was on the front where electricity came in and came from their house to the very front of the garage. If this is approved, they would like to get a separate meter box for just the garage. There is no plumbing. Ms. Lane stated having been through this personally, there was no reason why they couldn't bring electricity to the garage from your existing service and bury it and would not have to deal with any overhanging wires.

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

Cheryl Pratt, 910 Magnolia Street, stated the Fisher Park Neighborhood Association looked at this project and unanimously voted in favor of supporting it. All of the parts and supporting it being rebuilt back to its original spot. Coming down the driveway, the two garages are like bookends and to pull it out further would look for awkward. Ms. Pratt advised she had been at the area when the garage was flattened. The Neighborhood Association felt the Special Exception was warranted in this case. The 3-foot addition will not change the way it looks from the driveway and the French doors on the side opening into their side garden sounded lovely. Replacing all the rotted wood around the raised beds and replacing that with brick also seemed appropriate. The Fisher Park Neighborhood Association voted in support of their project.

Chair Hodierna inquired if there were any questions for Ms. Pratt. Seeing none, Chair Hodierna inquired if there was anyone else to speak in favor of the application. Seeing none, Chair Hodierna inquired if there was anyone to speak in opposition to the application. Seeing none, Chair Hodierna brought it back to the Commissioners for questions or discussion.

QUESTIONS:

Chair Hodierna asked Mr. Cowhig if the matter before them simply the garage and not the retaining wall material. Mr. Cowhig responded it was only that matter. Staff felt the retaining wall could be approved at the staff level.

DISCUSSION:

Mr. Wharton stated it appeared to be a great project. Ms. Leimenstoll agreed.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application number 2487, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous with the Historic District Program Manual and Guidelines and that the staff comments and the following **Guidelines, page 36, New Garages and Out Buildings**, are acceptable as finding of fact. Seconded by Mr. Wharton. The Commission voted 6-0. (Ayes: Chair Hodierna, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

MOTION:

Therefore, Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approves application number 2487 and grants a Certificate of Appropriateness to Scott and Debbie Davis for work at 703 Simpson Street. Second by Mr. Wharton. The Commission voted 6-0. (Ayes: Chair Hodierna, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

Mr. Wharton made a motion to recommend in favor of a Special Exception to the Board of Adjustment because the placement of the garage is in keeping with the historical placement of accessory structures. Seconded by Ms. Lane. The Commission voted 6-0. (Ayes: Chair Hodierna, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

3e. Application# 2485; 425 E. Hendrix Street

Mr. Cowhig advised this application is for 425 E. Hendrix Street in the Dunleath District. This house is known as the Hendrix House, on the corner of Yanceyville and Hendrix. This house was associated with a lot of land at one time in the neighborhood and is a very special house. The application is to replace the slate roof with asphalt shingles and to construct a parking area. The house is in the process of being sold or was recently sold. The new owner would like

to keep the house as a single-family residence. Mr. Cowhig stated whenever he was asked about replacing a slate roof and it is a special house, he always encourages them to seek a local Guilford County land mark status. That reduces the property taxes and the reduction in property taxes could be used as a fund to maintain a specialty roof like slate roofs as they are expensive to maintain and replace. Staff inspected the roof and it does appear to be in poor condition and the 120-year slate was probably used when the house was built instead of the 200-year slate. Slate is a sacrificial material and at some point reaches the end of its useful life. The visual inspection the roof appears it is very poor condition. The applicant would also like to construct a parking area at the back of the house. Staff felt a 6-space parking lot is out of character with a single-family home in the historic district. Staff would rather see 3 spaces and a turning bay. In general, staff is excited this house will be renovated. Staff pointed out the tax credits available for this house.

QUESTIONS:

Ms. Leimenstoll asked if the photograph, on page 2 of 17, within the Commissioners package was a picture of the asphalt shingles. Mr. Cowhig responded he thought it was the roof. It appeared to be an architectural shingle. Ms. Leimenstoll requested clarification on the 3-bed parking with a turning bed. Mr. Cowhig advised he was recommending 3 spaces and a turning bay. Ms. Leimenstoll stated in looking at the design, she was trying to understand were Mr. Cowhig was envisioning. It appears it would be a big impact on the view from Yanceyville Street. Mr. Cowhig responded his thought was if a space was given up closer to Yanceyville, landscaping screening could be placed there to screen from Yanceyville Street. The lot is not very big and a parking lot that size proportioning is somewhat out of scale with the residential character of the property. Ms. Leimenstoll asked if the 97.54 foot was the property line. Mr. Cowhig responded it was. Chair Hodiern inquired if that was Bessemer that runs behind. Mr. Cowhig responded there was an apartment complex directly behind the house. At some point in time the owners of the house sold off part of their property and apartments were built on that land. There was not a lot of land left with the house. Chair Hodiern asked if there was an existing curb cut off of Yanceyville. Mr. Cowhig responded there was not. GDOT reviewed the plan and they were looking at it as a commercial and would probably apply commercial standards to it which would mean a wider apron and throat that normally seen. That was another reason in attempting to reduce the parking. Chair Hodiern inquired if there were any other questions for staff.

Chair Hodiern requested to hear from the applicant, Lisa Copeland of 425 East Hendrix Street. Not seeing anyone, Chair Hodiern stated there was a Tracy McCorkle (ph.), realtor for the applicant signed up as well. Seeing none, Chair Hodiern inquired if there was any correspondence from the applicant in reference to the meeting. Mr. Cowhig responded the applicant had stated they would be present at the meeting. Ms. Geary as of yesterday and today they were planning to attend. Chair Hodiern stated the only other speaker was Elizabeth Farabee, realtor for the property owner.

Chair Hodiern swore Elizabeth Farabee for her testimony. Ms. Farabee consented to the remote recording. Chair Hodiern asked Mr. Andrews, City Attorney, if there would be an issue with the type of commentary that Ms. Farabee can give. Mr. Andrews asked if Ms. Farabee was the realtor for the applicant or someone else. Chair Hodiern responded it appeared Ms. Farabee was the realtor for the property owner and the actual applicant was a contract purchaser. Ms. Farabee stated that was correct. Chair Hodiern asked if she would be

speaking for the record title owner currently. Ms. Farabee responded that was correct. Mr. Andrews stated Ms. Farabee was able to speak but could not speak for the applicant and could not agree to conditions and such. Ms. Farabee can only provide the Commission information that the Commission can use in order to make their decision. Ms. Farabee was not able to agree to any type of conditions.

Ms. Geary advised someone had just joined the meeting by phone but did not know the name. Chair Hodierné asked the person with the phone number ending 2622 was associated with the 424 East Hendrix Street project to unmute and let the Commission know who they were. It appeared the person was not associated with this request. Chair Hodierné asked the Commissioners members if they wanted to hear this case now without the applicant present. Mr. Arneke did not want to make a decision on this without the applicant and had questions. Mr. Wharton agreed with so many decisions to be made and it would not be fair to the applicant for the Commissioner to do that without their testimony. Chair Hodierné agreed and asked if anyone would have a problem with skipping this and moving on to next item and coming back to this to see if the applicant has joined. This item was closed and moved on to the next item.

3f. Application# 2488; 516 Park Avenue

Mr. Cowhig stated 516 Park Avenue is located in the Dunleath Historic District. The application is for replacement of non-original windows. Mr. Cowhig referred to the staff comments and advised he used the old application for an addition and was incorrect. Mr. Cowhig stated previously the applicant was before the Commission for a COA application for addition to the house on Park Avenue. It was approved. Recently the windows were replaced on the front of the original portion house that were vinyl with new wood windows. When staff looked at the windows, it was noticed that new wood windows were 6 over 1 window and GBG grid between the glass. In all the projects the Commission has approved over the last several years, the standard has been to use simulated divided light windows that have muttons permanently attached to the exterior and the interior of the glass. They can still be insulated glass windows. The muttons are on the exterior and the interior. Muttons do a good job of maintaining the look of historic windows. The addition at the back house had grid between the glass windows. Mr. Cowhig advised a condition had been placed on the original approval that the windows would be one over one window. This is an issue that needs to be resolved. The applicant would like to replace the existing non-original front door with a French door. The door that would be most suitable for this style of house/ French doors are a door used commonly in the neighborhood. The house was heavily altered probably in the 1950s or 60s with the original windows replaced. The aluminum siding installed and other alterations. When a new addition was added, it raised questions of what would the windows be like, what would the siding be like. Those sorts of questions. The Commission did place a condition on the approval that the windows would be wood one over one windows.

Chair Hodierné asked if the application in their packet was the currently submitted application. Mr. Cowhig responded that was correct. Ms. Leimenstoll stated French doors as an option and asked if the Commission or staff knew what the original front door looked like. Mr. Cowhig responded it is not known. It is a Queen Anne cottage, an early house in the neighborhood that may have had a door with glass in the top and panels in the bottom half. It is just not known. The French door would certainly be an improvement. Mr. Arnett asked if the two issues discussed today were the windows in the addition that were not what was approved on the

COA and no COA for replacing the existing windows. Mr. Cowhig stated that was exactly right. Mr. Wharton stated his recollection on Park Avenue was there a lot of French doors in that area. Mr. Cowhig responded it appeared to be the door of choice in Dunleath. Chair Hodiernie stated with no other questions for staff, inquired if the applicant was present.

Chair Hodiernie swore Sachin J. Anchan for his testimony. Mr. Anchan consented to the remote recording.

Sachin J. Anchan, 210 Isabel Street, stated he was unaware of the one on one windows when his contractor ordered the windows and installed them. His understanding was that has to be wood windows for the addition part. Wood windows or vinyl clad windows as opposed to any other material. The contractors are local contractors that have worked in the historic district. While working through the process, it was pointed out to him at the front part of the house had vinyl windows and would be better if they were changed to wood windows. Mr. Anchan stated his understanding was they had approval to install wood windows is a part of the historic district. The box windows were removed and installed the wood windows. They were notified later there was no COA for the existing part of the house. It applied only to the other part of the house. The doors at some point in time were replaced. There were two doors found under the house and felt there was a door that could be similar to what was in the house. It was decided to put a jam around the door and then installed it. The thought was putting a door back in that matched the rest of the neighborhood would make it conforming.

Chair Hodiernie inquired if there were questions from Mr. Anchan. Seeing none, Chair Hodiernie advised Brian Giles was signed up to speak. Chair Hodiernie inquired if there was anyone else to speak in favor of the application. Seeing none Chair Hodiernie inquired if there was anyone in opposition to the application. Seeing none, Chair Hodiernie opened it up for discussion.

DISCUSSION:

Ms. Leimenstoll asked if the windows on the addition were being discussed or only the windows on the front of the house. Chair Hodiernie responded that was correct. The addition windows will be done in compliance with the previous COA from the previous year. Now the applicant wants to make the original portion of the house windows match those that were approved for the addition. Mr. Cowhig stated his understanding was that Mr. Anchan was asking for approval of the windows as installed. Mr. Anchan stated that was correct. Chair Hodiernie stated that would override the previous COA. Mr. Wharton asked if since the COA was approved with one over one windows and those were not installed, his understanding was Mr. Anchan would be in violation. Mr. Cowhig responded that was correct. Mr. Wharton thought the door was fine and was appropriate. A lot of the French doors appeared to be original to the bungalows. Mr. Wharton was in favor of the French door. The Commission was very clear regarding the style of window when the previous COA was issued and could not be any clearer. Mr. Wharton felt the windows were not appropriate and would not approve the current windows. Mr. Arnett agreed with Mr. Wharton on the door being a great choice and also the windows being inappropriate.

Chair Hodiernie asked if the discussion was the windows for the entire house. Mr. Arneke stated he not feel the Commission had anything to do with the windows on the addition. It is a matter for code enforcement. Chair Hodiernie responded she thought Mr. Anchan was attempting to cure his violation with a COA that goes back and allows for this. Mr. Andrews requested the applicant express as best he can what exactly he is seeking. Chair Hodiernie

requested Mr. Anchan to stated exactly what he is seeking regarding the windows on the addition and the original structure.

Sachin J. Anchan, stated he was unaware until this call that he was not in compliance with the addition part of the COA. Mr. Anchan was of the mindset everything was okay with the addition that had the COA approval last year. Coming into this meeting, he was requesting that the wood windows on the front part of the house be approved as installed. Mr. Cowhig stated staff did not realize that the windows in the addition did not meet the conditions of the COA until they went to take pictures recently of the windows on the front of the house.

Chair Hodiernie stated there is nothing on the table for the Commissioners regarding the addition. The door and the window type for the original structure of the house are the only items before the Commission. Mr. Anchan advised that was his understanding. Chair Hodiernie recapped what had been discussed. Ms. Leimenstoll agreed the door seems very appropriate and only one over one wood windows would be appropriate replacements for the front of the house. Mr. Arneke agreed. Chair Hodiernie requested a fact-finding motion.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application number 2488, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is partially incongruous with the Historic District Program Manual and Design Guidelines and that the staff Specifically the proposed new door is not incongruous with the Historic District Program Manual and Design Guidelines, page 57. The wooden windows with 6 over 1 mutton pattern on the grid between the windows are incongruous with the Historic District Design Guidelines on, page 57. Seconded by Mr. Wharton. The Commission voted 6-0. (Ayes: Chair Hodiernie, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

MOTION:

Therefore, Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approve the proposed new front door for 516 Park Avenue, application number 2488 and grant a Certificate of Appropriateness for the door to Sachan Anchan for work at 516 Park Avenue. And that the Commission does not approve the request for the replacement of the front wooden windows with the between the glass 6 over 1 mutton pattern for application 2488, and denies a Certificate of Appropriateness for the window replacement.

Second by Mr. Arneke. The Commission voted 6-0. (Ayes: Chair Hodiernie, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

Chair Hodiernie referred back to the previous application. Ms. Geary advised the applicant and the applicant's real estate agent were now on the call.

3e. Application# 2485; 425 E. Hendrix Street

Chair Hodiernie referred back to the previous application. Ms. Geary advised the applicant and the applicant's real estate agent were now on the call. Chair Hodiernie requested to hear from the applicant, Lisa Copeland of 425 East Hendrix Street. C

Chair Hodiernie swore Lisa Copeland for her testimony. Ms. Copeland consented to the remote recording.

Lisa Copeland, 2032 Carlswood (ph.) Court, stated she was interested in purchasing the home and save it from any impending destruction from the weather. The roof shows signs of leakage. Ms. Copeland was unaware that it was a slate roof. Their solution to be able to save it was to replace the slate roof with asphalt shingles. Ms. Copeland was asking the Commission to allow them to change the slate roof. There is no off-street parking for the house. If rooms

within the house were rented out, there would be a need for an additional parking lot in the back to accommodate 5-6 cars.

Chair Hodierné inquired if there were questions from the Commissioners for the applicant. Ms. Leimenstoll asked if Ms. Copeland could be more specific regarding the asphalt shingles. Ms. Copeland stated the picture was not in color. It is a slate replica architectural shingle and looks just like slate. Ms. Copeland wanted to get back to the original as best she could. Mr. Wharton asked Ms. Copeland if her intent was short term rentals for the house, such as VRBO or an Air B&B or something like that. Ms. Copeland responded she would first like to start off with college students and have it somewhat more aligned to what the area has. Ms. Copeland was unsure if she would change it in the future or not. It will probably be a year for renovations to be completed on the house and will hire people who can live onsite. Mr. Wharton asked if the underlining zoning was RM-18. Ms. Copeland stated it is zoned for apartments. Mr. Arneke asked if there were two apartments currently or more. Ms. Copeland responded it is only a single-family home. The home is designated as four bedrooms but there is a fifth bedroom as a Master on the first floor. There is one kitchen. Mr. Arneke asked if it would be rented out as a single unit. Ms. Copeland responded that was correct. Chair Hodierné asked if there would be four more unrelated individuals in one unit. Ms. Copeland responded probably not that many, probably 3 with guests. Mr., Arneke advised zoning would limit the occupancy to no more than 4 unrelated persons. Chair Hodierné stated that was not necessarily in their purview but was something for Ms. Copeland to consider to cover all her bases. Ms. Copeland stated more than likely it would be 3 people. It is what she has been seeing most have. Mr. Wharton stated the traditional way parking is done with a narrow drive from the street leading back instead of off of Yanceyville and asked if that was an option to be considered. Ms. Copeland responded the problem with that is you would have to take out some of the historic trees and she would rather not do that.

Mr. Wharton asked Ms. Copeland if she would be amenable to reducing the number of spaces behind the house and having people consider using the available on street parking of that. Ms. Copeland responded she could reduce the guests. Ms. Leimenstoll stated currently the parking lot is very large and eating up the entire side back yard with a fairly large concrete A-frame. It appeared going all the way back to the rear property line and come very close to sidewalk on Yanceyville changes the character from a more residential character to more of a commercial. Ms. Leimenstoll encouraged Ms. Copeland to think about a smaller number of parking spaces and also thinking about buffering the parking so it is not so visible from Yanceyville Street or the rear property line. Ms. Copeland stated the drawings she has submitted show it will be surrounded by shrubs. The drawing is based on what the driveway permit people are requiring. If had been a commercial it would have been 24 feet wide, but as residential it is 12-feet is what is minimum. Ms. Copeland agreed with the buffer and will have Japanese shrubs surrounding the entire parking lot. They will not be between the house and the apartments to the right. There is a fence that goes 10 feet into the apartment complex's property and is not part of the property. Looking at the property it appears longer than what it is. If shrubs are allowed on the apartment property, she will. Ms. Copeland advised she would not be able to have a permit if she took away the distance for turn around. Mr. Wharton stated Mr. Cowhig had recommended 3 parking spaces with a turn-around which would require a different site plan, and asked if she would be willing to make that modification. Ms. Copeland responded she preferred 4. Chair Hodierné stated even if it were to open out, once getting to the interior of it, it appeared to be more of driveway with parking pads and aprons. It would be more in

keeping with the residential nature as opposed to the expanse of the parking lot seen from the street and much more indicative of a commercial use which is not usually seen in historic districts. Chair Hodiernie stated she did not have a strong opinion about how that would be laid out but would like to have that esthetic.

Mr. Arnett asked if the number of spaces proposed could be brought under a threshold where dimensional requirements were not included. Mr. Cowhig stated the applicant has indicated they would go along with more of a residential standard of 12 -foot wide drive as opposed to a 24-foot commercial standard. Mr. Wharton if there could be consideration at some point approving part of it for now and then asking the applicant to come back with an alternate parking plan that would be more in keeping with the residential character of the property. Ms. Copeland stated she would agree.

Chair Hodiernie inquired if there was anyone wishing to speak in favor of the application. Tracy McCorkle was signed up as a realtor for the applicant to speak in favor. Chair Hodiernie asked if Ms. McCorkle would like to speak. With no response, Chair Hodiernie inquired if Elizabeth Farabee would like to speak.

Chair Hodiernie swore Elizabeth Farabee for her testimony. Ms. Farabee consented to the remote recording.

Elizabeth Farabee, 711 Percy Street, stated the slate roof was the primary reason she was joining the call. The value of the slate roof compared to the value of the house would be disproportionate if the future owner was forced to continue with the slate roof. You cannot see the roof from the street. The property is surrounded by apartments and she personally did not think the parking lot would interfere with the look of the neighborhood simply because of the location of that house and apartments across the street and left of the house.

Ms. Copeland advised Tracy was attempting to talk and is on a phone. Ms. Geary assisted.

Chair Hodiernie swore Tracy McCorkle for her testimony. Ms. McCorkle consented to the remote recording.

Tracy McCorkle, 9000 Quiet Reserve Road, realtor representing Lisa Copeland in the possible purchase of the property. The roof is unseen and at its end of life based on the reports and so forth that has been received. Two slate companies have inspected the roof and both said the same. The applicant would like to replace that with the asphalt shingles that Ms. Copeland referred to. As far as the parking lots, as Ms. Farabee had said this house is the only house specifically within that radius. The other properties around this property are either duplexes or apartments and all have offsite parking and off-street parking. The parking lot submitted would look the same as what it does in the area that is located in.

Chair Hodiernie inquired if there were questions for Ms. McCorkle. Seeing none, Chair Hodiernie requested discussion and thoughts.

DISCUSSION:

Ms. Leimenstoll stated she was very comfortable with the architectural shingles replacing the deteriorating slate. Ms. Leimenstoll wanted to separate that from the parking lot design because she was concerned that there is no buffer along the rear property line. Ms. Leimenstoll encouraged consideration of a design with fewer parking spaces and some additional buffering. Mr. Wharton concurred with Ms. Leimenstoll. Being very familiar with the area. There is rear parking but does not butt up onto the thoroughfares where it can be seen.

Mr. Wharton the buildings there are not historical buildings. Mr. Wharton felt the Commission could accommodate the property owner in terms of having some rear parking. Mr. Wharton felt the Commission can do it better. On street parking is very characteristic of historic districts and would be good for them as it tends to slow the cars down. On street parking is appropriate for this area, while still allowing some rear parking for the property. Mr. Arneke agreed. The Commission should accommodate some parking in the back and would be very reasonable. Six spaces for a single unit dwelling is excessive. Mr. Arneke stated he hated losing slate roofs, but there is no reasonable alternative. Mr. Arnett concurred with everything that had been said. Regarding the parking, Mr. Arnett thought it would be helpful to have the applicant submit a parking plan specifically with a certain number of off-street spaces. Mr. Cowhig's suggestion with 3 spaces could be done. The applicant did express a desire for four. Mr. Arnett would like to see a design that would accommodate 4 parking spaces in the rear of the property.

Chair Hodierné stated it appeared as though this would be bifurcated with the roof decision being made this evening and request a continuance for the parking lot. Mr. Arnett asked procedurally would it be denying the parking and have the applicant resubmit a new plan. Chair Hodierné stated she thought the Commission was able to have a continuance that asks for a response to the Commission's comments. There are no prohibitions on a meeting and refiling and there is no fee. Chair Hodierné did not feel the Commission was saying no, but saying the Commission wants to see more and see the reaction to the feedback given. Mr. Arnett stated he was fine with a continuance. Chair Hodierné stated either way whether it is denied and then ask for a refiling or as a continuance, encouraged the applicant to drive around the area of Fisher Park as whole and on both sides of Elm and observe some of the multi-family homes interspersed within the neighborhood and see how the parking lots are. There were a couple of ideas and ways to have some of the mitigating softening features on it so that it doesn't look so expansive and commercial. A few could be put together and come back with that strikes the right residential feeling. Ms. Copeland responded with more time; she will provide the Commissioners something they will really like.

Chair Hodierné stated the Commission appreciated Ms. Copeland's willingness to look at that. Chair Hodierné inquired if there was a motion.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application number 2485, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is not incongruous in terms of roof replacement with the Historic District Program Manual and Guidelines and that the staff comments and the following **Guidelines, page 53, Roofs** are acceptable as finding of fact. However, the Commission finds that the proposed parking lot is incongruous with the Historic District Program Manual and Design Guidelines. In that it is larger most parking areas for single-family residences in the historic district. It is not congruous with the **Guidelines on page 30**. Seconded by Mr. Arnett. The Commission voted 6-0. (Ayes: Chair Hodierné, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

MOTION:

Therefore, Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approves application number 425 East Hendrix Street for the replacement of the slate roof with architectural asphalt shingles. The Commission does not approve the proposed design for the parking area. The Commission recommends a continuance of the parking area design to allow

for a revised parking design to be submitted. Second by Mr. Lane. The Commission voted 6-0. (Ayes: Chair Hodierna, Arneke, Wharton, Arnett, Leimenstoll, and Lane. Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

No items from the Chair or other Commissioners.

ITEMS FROM THE PLANNING DEPARTMENT:

No items from the Planning Department.

SPEAKERS FROM THE AUDIENCE:

No speakers from the audience.

ADJOURNMENT:

Mr. Wharton moved to adjourn the meeting. Seconded by All. Chair Hodierna stated the meeting was adjourned at 8:31 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
April 28, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, April 28, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierno (Fisher Park), David Arneke (College Hill), David Wharton, (Dunleath), Linda Lane (District 3), Jesse Arnett (Green Valley, At Large), Jo Leimenstoll (Fisher Park), and Max Carter (New Garden & Guilford College Heritage Community, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Andrea Harrell, City Attorney was also present.

Chair Hodierno 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 Hodierno advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Chair Hodierno explained the order of business regarding Certificates of Appropriateness. Commissioners and staff were introduced to the attendees of the meeting.

1. APPROVAL OF ABSENCES:

Sylvia Stanback was an approved absence.

2. APPROVAL OF MINUTES March 31, 2021 REGULAR MEETING:

Ms. Leimenstoll made a motion to approve the March 31, 2021, minutes as amended; seconded by Lane. (The Commission voted 7-0. Nays: 0). (Chair Hodierno, Wharton, Arneke, Arnett, Carter, Lane, and Leimenstoll.

Chair Hodierno inquired if any of the Commissioners had any disclosures or agenda items that the Board members need to discuss prior to getting into the agenda. Any disclosures that need to be on the records as this is a quasi-judicial proceeding, or any recusals, conflict of interest or discussed applications prior to the meeting. Mr. Wharton advised he felt he should recuse himself on the Application # 2493, 704 Summit Avenue. He is a neighborhood representative and felt he had a fixed opinion of the case already and did not want the applicant to feel that they were not getting a fair hearing from him. After the COA was submitted, a meeting was held with the Neighborhood Association, the Mayor, and a Council member. Many conversations were held regarding the application that Mr. Wharton considered to be ex parte communications. Mr. Wharton requested to be recused from that item and to speak as a representative of his Neighborhood Association. Mr. Wharton would not be voting. Chair Hodierno asked for the record, was it item 3b, application # 2493, 704 Summit Avenue. Mr. Wharton responded that was correct. Chair Hodierno inquired if Mr. Wharton was citing the statutory reason of a fixed opinion for the basis of the recusal. Mr. Wharton responded a fixed opinion and ex parte communications.

Mr. Carter made a motion to recuse Mr. Wharton from application 2493. Seconded by Mr. Arnett. (The Commission voted 6-0. Nays: 0). (Chair Hodierno, Arneke, Arnett, Carter, Lane, and Leimenstoll.

Chair Hodiernie disclosed on item 3b, she had discussions with the City Attorney's office and the Historic Preservation Commission staff about the procedure of this item and the scope and purview of the Board. No merits of the application were discussed. The group has exchanged emails about the same subject matter, only the scope that this would eventually be a COA. The scope of emails was it should not be discussed and was not discussed. Chair Hodiernie advised she did not have a fixed opinion and could be completely unbiased.

Ms. Harrell asked since of those communications were with other Commission members, were there any commission member, as a result of those conversations have a fixed opinion or has any opinion that was changed regarding that item on the agenda. Ms. Harrell advised if she heard none, she would assume the answer was no.

Chair Hodiernie turned the meeting over Mr. Cowhig.

2a. SWEARING IN OF STAFF:

Mike Cowhig, Planning Department, was sworn in for his testimony and consent to the remote meeting.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2471, 511 Charter Place

Mr. Cowhig stated the first application for a COA on the agenda was for 511 Charter Place. Ms. Geary received a communication from the applicant advising he had encountered an unexpected, last-minute work commitment. The applicant has requested this item be continued. Mr. Cowhig requested a motion of continuance.

Ms. Leimenstoll made a motion to approve the continuance request; seconded by Carter. (The Commission voted 7-0. Nays: 0). (Chair Hodiernie, Wharton, Arneke, Arnett, Carter, Lane, and Leimenstoll. Chair Hodiernie advised the application would be continued to the next meeting on May 26, 2021

Mr. Wharton was now an audience member and potential speaker as an audience member and not as a member of the Commission regarding application #2493.

3b. Application #2493, 704 Summit Avenue

Mr. Cowhig advised this application is for 704 Summit Avenue, in the Dunleath Historic District. The applicant Moshera Mills, the property owner is Adebayo Properties. An after the fact application for the demolition of the house. An after the fact application results from a notice of violation issued for a historic district violation, such as exterior work underway or completed without a COA. The notice of violation instructs the property owner on how to correct the violation by obtaining a COA. The applicant submitted a COA and is under consideration currently. Based on the information contained in the application and the fact the house is already demolished, staff recommends in favor of granting the COA with a condition. The facts of the case are the house was classified as a contributing structure in the Summit Avenue National Register Historic District. The house had not been well maintained in recent years but appeared to be in reasonably good structural condition. On March 18, 2021, the City of Greensboro Engineering and Inspection Department issued a building permit for demolition of the structure located at 701 Summit Avenue. On March 19, 2021, the demolition of the property at 704 Summit occurred. Mr. Cowhig referred to the **guidelines devoted to demolition which states "the demolition or removal of any structure in a Historic District requires a Certificate of Appropriateness"**. The Commission may not deny an application for demolition, but may delay the effective date of the Certificate 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 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 to 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 suit 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; and does the site have known or potential archeological significance; is the structure of national, state, or local significance. If alternatives to the 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, landscape features, structures and archeological significance to the site. Large trees and other important landscape features should be protected during demolition. If the site is to remain vacant for more than 60 days, it should be cleared of debris, reseeded, and maintained in a manner consistent with other properties of the historic district. Staff's proposed is the site of the house be graded and seeded with grass within 60 days of demolition and the property maintained on a regular basis.

QUESTIONS:

Mr. Arneke asked if the Commission considers After the Fact Applications as if no work had been done. Mr. Cowhig responded staff discussed but did not know if that was codified but was certainly something recommended in the past. Ms. Harrell stated it was not written or codified anywhere. Generally speaking, this is a different type of case because sometimes it can be fixed. This cannot be fixed. It is impossible to consider that no work has been done regarding a demolition. Mr. Arneke asked in a case such as this, if a house is demolished, the Commission has no recourse and nothing can be done. Ms. Harrell responded the Commission can take into consideration what the law says regarding demolition which is different than an improvement. The Commission can say no, it cannot be done right now and try to work with the property owner, but it cannot be prevented. In this case there is the ability to have some financial recourse to the city. In a case like this, that would not be something the Commission would be able to do. In this particular case, there are not a lot of options.

Mr. Carter asked if after the fact could the Commission say this was inappropriate and let the chips fall where that may. Mr. Carter advised he was troubled regarding establishing a precedence of it being easier to ask forgiveness than permission. Mr. Arnett stated he felt this discussion should be after hearing the testimony. Mr. Arnett stated he did have questions but at this point felt the Commission should hear the case and then discuss how it should be handled.

Ms. Leimenstoll asked if there were still large trees and other landscaping features on the site that should be retained. Mr. Cowhig responded there were two very nice trees very close to the structure. Staff has talked with the applicant on taking care with the demolition to try minimize any damage to the trees. Mr. Cowhig stated what is left on the site is the basement walls perhaps as high as 8-feet. Judson Clinton thought was if the demolition caused the walls to fall inward that would desirable. Taking pains with the demolition around the trees will be important. Mr. Cowhig stated he not believe there were any other historic site features. There

was nice side work but does not appear to be historic. With no further questions, Chair Hodierné requested the applicant to come forward.

Chair Hodierné swore in Moshera Mills for her testimony and Ms. Mills consented to the remote meeting.

Moshera Mills, 100 South Elm Street, Greensboro. Attorney for Adebayo Properties. Ms. Mills advised the client will be signing to the meeting. Ms. Mills stated a letter and several exhibits were submitted with the application. Ms. Mills advised her client did not intend to maliciously demolish any property without proper approval. In talking with staff, it appeared there was an oversight on why it wasn't flagged like it should have been. The applicant for the permit was a contractor who was doing the demolition. Since it was not flagged, the COA was not applied for until she was contacted. There was a lot of discussion and voicing of opinions. Ms. Mills did receive the Notice of Violation which was also attached. The demolition was in a half-completed state when the contractor was advised on-site to stop. When Ms. Mills was contacted is when the application was submitted to go through the proper channels. The property was in severe disrepair with a lot of water damage, trash, trees very overgrown. Pictures were shown depicting the outside and inside of the building. Ms. Mills stated she was advised there were several calls regarding homeless or others attempting to squat in the property that had to be run off and clean up the trash. Ms. Mills stated asbestos waste shipment was submitted depicting the proper cleanup of asbestos that may have been on the property. A visual inspection was done. Ms. Mills advised her client wants to be in compliance with all zoning regulations. To leave the property as is, is not safe and not in accordance with the zoning laws. The applicant was asking permission to complete the demolition and comply with any conditions with the approval to clear and grade the land to ensure it is compliant with the zoning regulations. Ms. Mills advised her client has no immediate plans to build but has been advised any building or plans to build would go through the proper channels to obtain approval before any of those started. Ms. Mills has talked with her client in completing the demolition, preserving the trees or any other shrubbery. Ms. Mills advised she was open to questions and would contact her clients for answers for questions she may be unable to answer.

Mr. Arnett asked what was her client's initial intention in purchasing the property in the first place. Ms. Mills responded initially the intent was to repair and keep the property as is. Due to poor conditions such as asbestos, piping issues, and water damage, it did not appear feasible. There were many issues with the property and repairing those issues would not have been safe and usable. Mr. Arnett asked if the poor condition were things not known at the time of purchase. Ms. Mills responded she did not if those conditions were evident at the time of purchase as she was not involved at the time, but would ask her client. Ms. Mills did not know if any inspections were done. From conversations with her client, it was purchased because they wanted to be in that area and may not have known the extent of the issues the home had.

Chair Hodierné inquired if there were any further questions for Ms. Mills. Ms. Leimenstoll asked it was a definite plan to rebuild. Ms. Mills responded the clients have not sought to have blueprints. There has been nothing done with plans being drawn up or meeting to see if it could be reconstructed as it was. There is nothing other than an idea, desire or intent. Chair Hodierné asked as Ms. Mills knew, the intent was a residential use originally and now to be determined new structure. Ms. Mills responded the only thing that she knew was the intent to have a structure built that is exactly of what was there. Old blueprints were obtained of the

structure previously there at the time the purchase was being considered. Chair Hodiernie asked when the assessments were made regarding the water damage, piping, and other unsafe conditions, was it the same contractor that applied for the demolition permit. Ms. Mills stated she was unsure and would have to ask her client, but did think they had reached out for expertise in terms of piping, electrical, boiler system, and things of that nature. Ms. Mills requested to contact her client. Ms. Harrell cautioned the Commission members on placing too much reliance on testimony offered for someone not present at the meeting due to the Quasi-Judicial nature of these hearings. Ms. Mills stated her client was driving and should be home within 10 or 15 minutes to log on. Chair Hodiernie advised a pin would be placed in those questions as the Commission needs to hear from the client. Chair Hodiernie inquired if there were any further questions for Ms. Mills.

Hearing none, Chair Hodiernie inquired if there was anyone who wished to speak in favor of the application. Seeing none, Chair Hodiernie advised she had one speaker signed up in opposition, David Wharton.

Chair Hodiernie swore in David Wharton for his testimony. Mr. Wharton consented to the remote meeting.

David Wharton, 667 Percy Street, Greensboro. Mr. Wharton advised he was representing the Dunleath Neighborhood Association. Mr. Wharton depicted 704 Summit Avenue on the screen. Mr. Wharton stated this was Iva and Thomas Reavis' home listed on the National Register of historic places, constructed in 1924. Mr. Wharton read into the record an architectural assessment of significance from Benjamin Briggs, Executive Director of Preservation Greensboro. "The Reavis house is a late example of Craftsman style architecture. The textbook in Craftsman details the cross-gable form of the Reavis house as unusual. Architectural historian Virginia McAlester estimates that about 25% of houses in this style features the crossed gable style". A picture was shown depicting the gables. Unusual for this style, the prominent forward-facing gable of the Reavis house supported palladium or three-part windows, topped by an arch attic vent. This house did not have the shingle sheathing that most Craftsman styled houses have. The Reavis's may have selected a more traditional siding for the entirety of the house to reflect the colonial reliable style. The composition of this house is somewhat of an echo of the plantation house, known as the Dunleath manor, after which Mr. Wharton's neighborhood was named. The Dunleath house was once located at 480 Church Street, erected in 1857 for the Dick family, designed by Philadelphia architect William Smith Andrews, and destroyed December, 1968. The forward-facing gables used in arch Floridian windows were similar in style to the Dunleath house, although there is no documented connection in terms of the architecture between the two.

Mr. Wharton stated Adebayo Properties purchased the house in May of 2020. The owner of the property next door, 706 Summit, applied for COA to remove some trees on his property and also on 704 Summit. Kevin Graves was listed as an Officer of Adebayo Properties; the local address is Mr. Graves home. Mr. Graves wrote a letter supporting the application for a COA giving permission to cut the trees and needed to remove some of his own. A COA for 706 and 704 Summit Avenue was issue on June 24. On July 29, an asbestos survey for 704 Summit was performed for Mr. Graves and found asbestos on the site and removed. The demolition permit issued in March was not the first attempt to demolish this house. On November 10 of 2020, A1 Demolition applied for a permit to demolish this house. The permit was entered into the system by Employee #18488 and cancelled 9 minutes later.

Mr. Wharton asked the Department of Engineering and Inspections what happened, Michael Lewis advised the technician who entered the permit did not remember. Mr. Lewis called the demolition company who advised the permit was cancelled because the paperwork was not available for the Historic District program and did not move forward. On March 18, 2021 another demolition permit was entered into the system by the same employee, granted, and issued to God's Way Landscaping at 9:59 am and by 3:49 p.m., a different contractor, ASJ Wilson had placed their sign on the site, brought in a crew, and started at 4:20 p.m. on the demolition. Mr. Wharton was notified by Tom Franklin of the demolition beginning and called ASJ Wilson at 4:05, identified himself as a member of the Commission and told them that the demolition required permission of the Historic Preservation Commission and that the property owner could be liable for fines if the demolition continued. The office manager, Cynthia, hung up on him. At approximately 4:20 p.m. the same day, Russ Clegg of the Planning Department arrived on site and interrupted the demolition in progress. A tornado warning had been issued at that time and Mr. Clegg, after consulting with City staff, determined the structural integrity of the house had been compromised and posed a danger to the public. Permission was given to proceed with the demolition. At that point most of the rest house went down.

On the afternoon of March 19, Mr. Wharton contacted the City about the house and received an email from the Assistant City Manager, Kim Sowell, who advised 704 Summit was not under any minimum housing violations as had been claimed by some of the workmen on the site. The Neighborhood Association met with Mayor Vaughn, Councilwoman Goldie Wells, and members of city staff to discuss the situation. Mr. Wharton advised he led the Neighborhood Association meeting and the reason he requested to be recused from this matter as he had formed very strong opinions on it. Mr. Wharton advised he would be grateful to Ms. Mills if she would pass on the reaction the Neighborhood Association had to what has happened.

The Neighborhood Association was formed in the 1980s approximately the same time the neighborhood was designated as a locally zoned historic district. A few years later was listed on the National Register of Historic places. 704 Summit was listed on the National Register as a contributing structure. The loss of contributing structures has the potential to endanger the status as a national registered district. If that designation is lost, the ability to use state and federal tax historic tax credits that have been an important for redeveloping the neighborhood. The Neighborhood Association has been actively engaged in promoting redevelopment on Summit Avenue. A design charrette was sponsored in the early 2000s that led to the adoption of an overall strategic plan for the neighborhood, and adopted by City Council. A multi-million-dollar corridor plan was adopted for Summit Avenue and Yanceyville Street. Streetscape work for that project is scheduled to begin this spring. The preservation and renovation of historic structures is key integral part of the plan. For that reason, the illegal destruction of an historic house at the intersection at the very heart of that corridor plan was both shocking and insulting to the neighborhood that has used its time, effort, and tax money into this effort. It was personally insulting to many neighbors and business owners who abide by the Preservation Ordinance and dutifully apply for COAs and work with the city and neighborhood to make the historic district program work. To witness a flagrant violation of the ordinance and with such impunity makes some people feel disrespected and foolish for playing by the rules. This incident has very much eroded confidence in the efficacy of the historic district program.

The house cannot be brought back. As contentious as this situation has been it is true that the owner of 704 Summit is also a member of the Neighborhood Association. Mr. Wharton

unsuccessfully attempted to reach out to Mr. Graves before the last neighborhood meeting to invite him for discussion of the situation and did not receive a response. The Neighborhood Board opposes the demolition of any structures, but extended a hand in friendship to Adabayo Properties and Mr. Graves and any other offices of the company. The Neighborhood has a lot of expertise and experience in navigating the historic district process and a lot of friends and connections in the local architectural and preservation community who would be willing to provide advice and encouragement in working with the owners to produce the best possible outcome for the neighborhood and the owners in the process of redeveloping the site. The officers of Adabayo Properties were invited to join the neighborhood list and to attend the neighborhood meetings. The Neighborhood Association would like to make sure they receive a copy of the Historic District Design Guidelines and would be happy to send a copy of that to the address listed for Adabayo Properties.

As President of the Neighborhood Association, Mr. Wharton extended an invitation to the officers and meet with them individually in person or via electronically to brief them on the neighborhood's plans, procedures, goals, and to learn about their aspirations and intentions for this property. The Neighborhood Association recommended a condition be added to the COA that no trees and landscape features or retaining walls protected under the Preservation Ordinance be removed or demolished. If any trees are threatened by the remaining demolition to the foundation, a tree preservation plan should be submitted and approved.

Chair Hodiernie inquired if there were any questions for Mr. Wharton from the Commission.

QUESTIONS:

Ms. Leimenstoll asked if it was the Neighborhood Association's understanding that the house was beyond salvage and redevelopment would mean new construction at the site. Mr. Wharton responded that was correct. There was nothing left but fragments of the foundation.

Seeing no other Commissioners, Chair Hodiernie inquired if Ms. Mills would like to speak. Chair Hodiernie swore in Moshera Mills for her testimony. Ms. Mills consented to the remote meeting.

Moshera Mills. Ms. Mills stated her client advised her that A1 Salvage, was hired initially to do the demolition and advised the house was in poor condition and refurbishing was not a possibility at that time. A1 did not perform the demolition or begin it. ASJ contractor was the one who started the demolition. There was much frustration and stress on both sides of the fence and advised something was put in the contractor bulldozer to render non-working. Ms. Mills advised her client is a lifetime resident of Guilford County, who travels for his work and is not physically present much, and may have been a reason for not attending the meetings. Ms. Mills thanked Mr. Wharton for extending the offer of working together to accomplish the goals of the historic district, zoning, the city, and Mr. Graves.

Chair Hodiernie inquired if there were any other direct questions for Ms. Mills from the Commissioners.

Mr. Arneke asked how did it happen that her client demolished the house without a COA. The City made a mistake in issuing the permit for the demolition but it was clear that the house was in a historic district. It is the property owner's responsibility to follow the design guidelines and rules of the historic district. Ms. Mills responded her client relied on the contractors and other folks to follow the correct procedures and not the best way. Ms. Mills was contacted to ensure not only this procedure but moving forward all zoning, city, state, guidelines are met. Her client relied on the contractors to have the knowledge and expertise to submit the correct paperwork

that did not happen. Had the permit been flagged or the contractor advised, her client would have followed all of them. It is the responsibility of the homeowner to know all of the zoning guidelines and laws and follow them. Ms. Mills was glad she was contacted and on board to ensure that nothing like this will happen at any time for this property or any other property obtained by her client in the future. Ms. Mills felt strongly her client's reliance on the contractor was where the ball was dropped.

Mr. Arneke stated one of the contractors had advised the owner that the house was not salvageable and asked if there was any documentation or anything reflecting the specific degree of the problems, what the problems were, etc. Ms. Mills specifically asked the owner and indicated there is a report and as soon as he arrives at his residence will send to her. Ms. Mills has a lot of documentation surrounding the demolition, permits, and the facts that took place recently, but did not have that particular report. As soon as she receives the report, it will be shared through email to make it available.

Chair Hodierné asked Ms. Mills if it was her testimony there was an application for demolition that was withdrawn or cancelled and no communication to her client regarding the need for a COA at that time. Ms. Mills responded she did not know. She did not know about the prior permit until Mr. Wharton just presented information regarding that it had been withdrawn. Ms. Mills advised she would inquire as to whether or not her client knew that a permit had been withdrawn and the necessity for the COA. Chair Hodierné inquired if there were any other questions for Ms. Mills. Seeing none, Chair Hodierné left the meeting open as Mr. Graves may be joining the meeting in progress.

DISCUSSION:

Chair Hodierné requested to hear comments in discussion. Mr. Arnett asked in the event the Commission denies an application for demolition, does the Commission set the timeline and the expiration of that time, and what happens. Mr. Cowhig responded a good example would have been the house at the corner of Green and Fisher Park. The church decided to demolish that house and submitted the COA and the Commission voted to delay the demolition. What was technically being done was approving the demolition but delaying the issuance of the COA for 365 days. During that time there were negotiations and discussions in an attempt to save the house. It did not work. The COA was approved at the meeting, with the date being 365 days from the Commission meeting. Mr. Arnett stated so there was not an option for the Commission to deny the application and it is a matter of timing of the issuance. Mr. Cowhig responded that was correct. Mr. Arneke asked if the ability there as limited by state laws. Mr. Cowhig responded that was correct.

Ms. Geary advised there was a person wishing to speak who had been overlooked to speak in opposition to the request.

Chair Hodierné swore in Cheryl Pratt for her testimony. Ms. Pratt consented to the remote meeting.

Cheryl Pratt, 910 Magnolia Street, Greensboro. Ms. Pratt stated she is a board member of the Fisher Park Neighborhood Association, the COA committee and on the Board of Preservation Greensboro Development that are watching this issue with great interest to see how it will be resolved. Ms. Pratt appreciated all the time the Commission was giving to this matter.

Chair Hodierné inquired if there were questions for Ms. Pratt. Seeing no one else, Chair Hodierné stated the discussion could continue.

DISCUSSION:

Mr. Carter asked if the Commission denies the COA, can additions be applied. Chair Hodierné responded her understanding was the Commission would not be able to. Ms. Andrea Harrell, City Attorney, advised that was correct. Mr. Arnett stated it was his understanding that the Commission cannot outright deny the application. Mr. Arnett felt it was good to record the disapproval of the actions taken place. The Commission needs to chart the best way based on where it is now. Chair Hodierné agreed and stated it was important legally and for the integrity of the Commission. The Commission can only act under the authority, scope and purview they have available. Ms. Lane stated it was being said the Commission cannot deny an application for a demolition. Ms. Harrell responded that was correct, the Commission can not deny, only delay for the 365 days. Ms. Lane stated in fact the Commission is not the authority to give a COA of demolition or were they. Ms. Harrell responded the Certificate of Demolition comes from Building and Inspection. There is a check box that says whether the property is an historic district or not. If that box is checked, it is incumbent upon staff to confirm the COA has already been issued. Ms. Lane asked as a Commission, they do not give the authority on the demolition side of the request. Ms. Harrell responded that was correct. Ms. Lane stated therefore the Commission could be against the COA and say they do not agree. The Commission does not have to agree for the COA. Mr. Arnett responded the Commission cannot reject the COA, it has to be approved under state law for demolition. Other types of COAs can be denied, but not for demolitions. Chair Hodierné stated it may sound silly and ridiculous but felt the idea and the rationale was if you are a property owner or investor in a property, 365 days is a long time to carry a piece of property with nothing going on. It is a tool to foster another avenue for the property owner to allow for another way to monetize that asset. It feels powerless now, the sequence of events works out is a big incentive to figure something else. Chair Hodierné encouraged the Commissioners to not feel too discouraged. Ms. Lane verified the Commission has no other authority other than to say yes basically. Ms. Harrell stated the Commission can delay the demolition up to 365 days, but if there was an agreement with conditions in the interim, work could be started sooner. It is something the Commission has control over regarding demolitions, but the Commission can never outright say no.

Mr. Arnett stated conditions should be attached to the approval. Ms. Leimenstoll heard a condition recommended by staff and also the Neighborhood Association. Both were regarding the site itself in protecting the mature trees on the property. Those conditions are ones the Commission can attach to an approval of the COA. It is becoming very clear what powers the Commission does and does not have. Ms. Leimenstoll asked if the Commission had the opportunity to make a recommendation to the City about how this process could be improved for future certificates to ensure this sort of situation would not be repeated. Ms. Harrell responded she had anticipated that question and has the statute, 160D-942, Powers of the Historic Preservation Commission making recommendations regarding other city departments is outside the purview of the statute. Comments from Commissioners staff would take into account recommendations for any citizen, including a Commissioner on this Board. The Commission voting on a formal resolution of some kind to present to staff, would be outside the powers and duties under 160D. Mr. Arnett asked if it would be appropriate for the

Commission to vote on this particular application as the last COA application and then continue as the next agenda item with a general discussion of all the issues surrounding this particular incident. Chair Hodiern asked would that be to separate the process and thoughts and feelings of that from the actual pending subject request. Mr. Arnett yes because he and probably others have more questions about the breakdowns and process that led to this point. Mr. Arnett did feel it was appropriate for the Commissioner to discuss all of this during the discussion of the application.

Ms. Geary advised the property owner, Mr. Kevin Graves, had joined the meeting. Staff is prepared to discuss some of the procedural changes and suggestions under consideration but would like to do that after the COA discussion and keep the conversations separate. Chair Hodiern stated it was a good plan to separate the conversations. Conversation will be limited back to the COA.

Chair Hodiern swore in Kevin Graves for his testimony. Mr. Graves consented to the remote meeting. Chair Hodiern asked Mr. Graves to address the advice and expert opinion given from the contractor regarding the state of the property when purchased.

Kevin Graves, One Stone Creek Court, Greensboro. Mr. Graves stated he had an inspector come to his home last year when the property was purchased through their Property Management Group on May 22, 2020 for his client, an MBA player. A broker called and advised of the property. Mr. Graves looked at the property and thought he would love the property because of the way it looked and the cost. Mr. Graves stated he did not know about the historic aspect. Mr. Graves spoke with an Inspector from A-1 Salvage, recommended by a friend. The person from A-1 Salvage inspected the entire house and determined, if this is to be refurbished it would take a miracle because the walls, electricity and piping in the basement area. Mr. Graves did not know about historic homes and took the recommendation. Mr. Graves attempted to have A-1 Salvage to do a demolition on the house and rebuild it the way it was with new material. Due to Covid it was delayed and then advised by A-1 Salvage that he and his client needed to go to the City of Greensboro for their permit. Mr. Graves attempted to obtain a demolition permit and was advised he did not want a demo permit because he was not demolishing the property. A-1 Salvage about a month later were off the grid and Mr. Graves did not hear from them.

Mr. Graves came back to town and received a recommendation for a construction and demolition company who advised they could do the work. Mr. Wilson was advised when he went to get the permit, the permit was signed off and he would do a complete demolition. Mr. Graves was out of town and did not realize how much of an issue this was until receiving calls regarding the property being on News2. Mr. Graves stated he did not know much about historic districts and preservation societies, but did know when the property was purchased there were two vagrants living inside the property. The vagrants were there for almost a year. The morning the demo was supposed to be completed, there was a tornado warning. The demolition company was held up for 3 hours because the vagrant advised he had squatters' rights and would not leave. People from the community were present, OSHA was called and then the City Manager. Someone was so upset they put sugar in the demolition person's gas tank of his construction equipment. A bulldozer was used because a crane could not be used due to the vegetation trees and power lines.

Chair Hodiern asked if A-1 Salvage applied and then withdrew their application for the demolition permit and Mr. Graves was never advised at that time about the historic district and

the COA process. Mr. Graves responded he was not told of that. A-1 called him and told him he needed to obtain the permit personally. Mr. Graves went to obtain a permit and was told he could obtain a permit personally as the property owner. His goal was to obtain a permit and build it back the way it was. Mr. Graves was contacted by the next-door neighbor, Dr. Stanley Allen, to have trees removed and needed his signature to cut the trees down. Mr. Graves was unaware of the historic preservation. The house had a tree that grew through the back-porch area with tree roots going through the foundation under the bottom.

Chair Hodiernie inquired if there were questions from the Commissioners for Mr. Graves. Mr. Arnett asked when the property was originally purchased the house, what was the intention for the property. Mr. Graves responded was to house young graduate students at A&T. They knew the property had been used years ago to house young pregnant felony females there for the birth of their children. Mr. Graves anticipated having a safe boarding house area for young female graduate students of A&T. This house was not safe with the front porch caved in and the owner covered it with a carpet and fixed it with plywood. Mr. Graves' goal was to find a company that would demo the house and rebuild at the same time so the house would look the same as it had been but with modern materials. Mr. Graves stated the person from A-1 Salvage stated it was a fire hazard. The squatter had propane tanks, hot plates and other things pulling electricity in the basement. Mr. Arnett asked Mr. Graves if his intention was still the same for the property to rebuild and use as housing for students. Mr. Graves responded for only female graduate students because females concentrate on their studies. Mr. Arnett spoke to the issues of overgrowth and trash discovered during the due diligence in preparation to purchase the property and asked if they were not known until after the purchase of the property. Mr. Graves responded after the purchase, it was sitting because of Covid and filled with things the previous owner left. The vagrant was found out when the junk company went into the basement to finish cleaning things. Mr. Arnett asked Mr. Graves if his company was unaware of the condition of the property when purchased. Mr. Graves responded they did not know it was that bad. They were going to try to refurbish and renovate the home. His partner was aware of the condition that house was in and did not care about the cost.

Chair Hodiernie inquired if there were any other questions for Mr. Graves. Chair Hodiernie stated she was glad Mr. Graves joined the meeting. The direct testimony and context provided helped complete the record in terms of how it got to this. Mr. Graves stated when it comes to preservation, he was ignorant, but did not understand how that property got to the way it was. Chair Wharton introduced himself to Mr. Graves and stated the Neighborhood Association had discussed the situation and would like to extend the hand of friendship to him and to assist him if would like to rehabilitate or redo the property. They have a lot of expertise and experience in preservation. Mr. Wharton stated he would be happy to meet with Mr. Graves personally to explain the process and assist with help in the design review process. Mr. Wharton will send his contact information to Mr. Graves. Mr. Graves stated he was not trying to fight with anyone. Chair Hodiernie requested to hear the thoughts and feelings of the Board. Mr. Arnett stated the Commission has heard it all and also knows that there is only one path forward to take. Mr. Arnett was prepared to make a motion to approve with conditions discussed. Chair Hodiernie asked if there are blueprints if it would be appropriate for staff to obtain a copy of those to have as a record of the house. Mr. Cowhig stated that would be great for the archives. Mr. Graves responded he will share them. Ms. Geary stated with new construction projects or larger scale projects in the past, there has been a sub-committee to assist with the design conversation

and help guide how the project is developed to ensure they are in keeping with the guidelines that could be potentially added as a condition.

Mr. Wharton spoke as a meeting member in application #2493 and did not vote for or against the Fact-Finding motion.

FACT FINDING:

Mr. Arnett moved that based upon the facts presented in application number 2493 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, staff comments, and the following guidelines on page 72, concerning demolition, are acceptable as finding of fact.** Seconded by Ms. Leimenstoll. The Commission voted 6-1. (Ayes: Chair Hodiernne, Arneke, Carter, Arnett, Lane, and Leimenstoll. Nays 0).

Mr. Wharton spoke as a meeting member in application #2493 and did not vote for or against the motion.

MOTION:

Therefore, Mr. Arnett moved that the Greensboro Historic Preservation Commission approves, application 2493 and grant a Certificate of Appropriateness to applicant Moshera Mills, and property owner Adebayo Properties for work at 704 Summit Avenue with the following conditions:

1. That the existing remaining trees on site be protected during the remaining demolition work.
2. That the lot be graded and reseeded upon completion of demolition and that the property be maintained to the standard as the rest on the neighborhood within 60 days.
3. That the property owner will provide a copy of the original house plans to city staff.
4. That the property owner will consult the Design Advisory Sub-Committee of the Commission in preparation for any future construction on the site.

Second by Ms. Leimenstoll. The Commission voted 6-1. (Ayes: Chair Hodiernne, Arneke, Carter, Arnett, Lane, and Leimenstoll. Nays: 0).

Chair Hodiernne stated the motion carried unanimously and the COA was granted with those conditions.

ITEMS FROM THE COMMISSION CHAIR:

Chair Hodiernne stated she did not have anything further to discuss.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Arnett asked if there had been any discussion regarding a date returning to in-person meetings. Mr. Clegg responded there have been very broad discussions regarding the general use of the building but not anything regarding public hearings that he was aware of. City Council started a hybrid meeting where council members and some city staff have had in council chambers. All the participants and most staff are on Zoom. Mr. Arnett asked if that decision was at the Commissioners' discretion or an order above them governing how Commissions meet. Mr. Clegg responded there is a state order currently that would probably expire in June that had some bearing on that. Mr. Clegg did not anticipate anything new until that time. The City Manager's office would probably provide some indication of being open to conversation and proceed from there. Mr. Clegg advised he has not been privy to any conversations about what that format would be. Ms. Harrell advised it would be the City Manager's office and their decision. Most staff are looking to the CMO to drive when the meetings are in person.

DISCUSSION:

Mr. Wharton requested to hear what staff discussion has been regarding changes in procedures or the way the Historic Preservation Commission interfaces with other departments to keep this type of error from happening. A lot of things came up at the Neighborhood meeting of suggestions which were sent to the city.

Mr. Clegg stated there were several iterations of a list from the Dunleath Neighborhood as well as ongoing efforts because of MSD program that is going on. Staff complied ways of moving forward. Some have bearing across all the different historic districts and some are more particular to Dunleath. One is looking at the revolving fund to acquire, rehab, and sell properties. College Hill is a redevelopment area and at times there was a lot of active purchasing of homes and rehab of homes in the College Hill area. In the mid-2000s there was house purchased by the church and resold. There is a history of doing that and programs that are being looked at.

Mr. Arneke asked due time restraints to address the demolition issue on how this occurred and why. Mr. Arneke asked there was a situation almost egregious as this one when he was first on the Board. They were told the process had been fixed, which is has not. Who is responsible and could they come and tell the Commission what happened. What happened was unacceptable and not the first time it has happened.

Mr. Clegg responded he could not speak to the previous incident that happened. There are others who have more institutional knowledge. The process for demolition is out of the Engineering Department. There is a check box on the form identifying properties as being in an historic district among other things or landmarked properties. Mr. Clegg felt the Engineering Department was very conscious over the years contacting Mr. Cowhig and Ms. Geary to obtain information about anything flagged in that way. In this instance even though it was flagged as being in an historic district, the permit got issued. It was human error and missed. It has been addressed in a couple of ways so far. One, to add a second check-off point in the process. A planner who also signs off the process. The point of it being the responsibility of the property owner to get a COA is important. The forms are continuously changed to make that a more obvious point. It has been moved up and highlighted to make it more apparent.

Mr. Arnett asked regarding the form depicted on the screen, was it a demolition permit application or a building permit application. Mr. Clegg responded it was a demolition permit application. There are two forms, a commercial and a residential. Mr. Clegg stated there was a request from the neighborhood that demolitions require a delay period of a week in addition to a sign being posted in the yard. Mr. Clegg stated that is what has been done to avoid human error again.

Chair Hodiern stated in the past there was discussion regarding the possibility of having a penalty applied to contractors who act without proper permits and asked if that has been looked at. Mr. Clegg responded he did not know. Mostly the process has been looked at. Mr. Clegg will ask that question. It is a tricky in this instance because there was a permit issued.

Mr. Arnett stated the Commissioners were provided a copy of the demolition permit and next to where it was signed and dated, there are three blank lines that say "referred, granted, or denied". It appears to be an easy way to slow the process down and understood the contractor's confusion when the piece stating when they say their permit application has been granted. One way to help this from happening again would be if it shows flagged as being in the historic district that the granted box not be granted unless there is a COA for the site. It appears the way the process works currently, is the permit technically granted but still incumbent on the property owner to obtain the COA before

acting. Mr. Clegg stated his understanding they cannot obtain a permit until acquisition of the COA, unless there is human error.

Mr. Wharton stated the previous Dunleath meeting Mayor Vaughn raised the possibility of a change in the ordinance so that for any demolition permit there would be a one-week delay and a sign posted in front of the property to be demolished indicating it was scheduled for demolition. That would provide the neighborhood the opportunity to call the city. Mr. Wharton asked if there was any discussion with Kim Sowell or any council members regarding making a change in the ordinance. Mr. Clegg responded that was passed along to Kim Sowell as one of the requests from the neighborhood and also Ken McDowell to investigate. Mr. McDowell is the Head of Engineering and Inspections. It is being looking into. Mr. Clegg will check where they may in that process and provide an update. Chair Hodiern stated it may be helpful in the analysis to consider that it is the mirror image of what it is offered when the City condemns a property and slates it for demolition. There is a waiting period before that demolition occurs.

Mr. Clegg stated Planning is open to other thoughts and suggestions to improve the process and will provide the results of the question of a 7-day delay period. Mr. Cowhig stated from a larger Historic Preservation standpoint, a city-wide delay, a day or a week, would allow staff to check the city historic resources inventory to determine if it is possibly an historic structure. It is not likely someone will change their plans at the last minute, but at the very least, it would be known by staff and be able to document it.

Chair Hodiern stated in terms of the Commission's ability to pose a waiting period of up to 365 days and the discussion of what could happen during that time, asked if staff's office have any involvement with monitoring, being updated, or attempting to facilitate it. It is prescribed a waiting period and hope for the best or was there involvement in attempting to facilitate anything to happen and making sure it is being pursued. Mr. Cowhig stated staff is heavily involved in negotiations. Ms. Leimenstoll stated it does state "during the delay period, the Commission should negotiate with the owner or other interested parties, including state and local preservation organizations." Chair Hodiern asked Ms. Harrell, if during a waiting period, the Commission is allowed to negotiate and follow up with the applicant and would be allowed to place it on the agenda to request updates and engage in discussions. Ms. Harrell responded absolutely and should be encouraged.

Chair Hodiern inquired if there was anything else regarding the global issue of demolition. Chair Hodiern stated her appreciation the Dunleath Neighborhood being willing to extend an olive branch to facilitate the best outcome that is still possible.

Mr. Arnett stated both items on the agenda for this meeting had claims that they were unaware they were in an historic district. Mr. Arnett questioned what could be done on a larger scale to raise awareness. It appears there are a lot of opportunities along the way for a property owner to learn their property was in an historic district and what that means for them. Mr. Wharton felt most of the questions could probably be address on a tri-fold brochure of the neighborhood. It would not stop all, but would be an easy way to get information out through the Neighborhood Associations and the realty community. It would help. Chair Hodiern stated a target opportunity would be could. If there was a person or a committee of people to call a realtor and offer the brochure to them. Mr. Arnett stated realtors educated on what it means to a property owner in the historic district would benefit them professionally as well. Mr. Clegg advised they have a good relationship with the Regional Realtors Association and any kind of materials developed, he would be happy to distribute to them. From previous conversations it appears there are people who specialize in historic district and historic homes and very receptive to that kind of information and

marketing materials. There are those who are not as serious for those types of issues and is harder to educate. Mr. Cowhig responded they could reprint the brochure and distribute it. Ms. Geary stated actually they do all the things talked about. Mr. Cowhig and Ms. Geary have gone to the Realtors Association luncheon. Statistically Ms. Geary has done some analysis on the COA after the fact and the Historic Commission is fairly low from the state. Those things are reported annually as part of the CLG report. There are approximately 90 COAs a year issued. The average is between 4 and 5 After the Facts application a year. It appears to be so big when being addressed because they are after the fact and are very time consuming for staff and the Commissioners. Mr. Arnett asked if there is a line on the seller disclosure form that address the property status in the historic district. Chair Hodiernie stated there is not, but it was a good idea. Mr. Clegg advised it was looked into and was willing to explore it more. It needs to be disclosed that it is in within a historic district, but is not something that falls in the City's Government's jurisdiction and did not know how to approach it a process improvement. Chair Hodiernie stated the forms are co-authored forms by the Bar Association and the Realtors Association. She will see if that can be placed on there and report back to the Commission. Mr. Arnett stated the ideal situation would be not only on the seller disclosure form, that it would trigger some sort of form the buyer has to sign at closing acknowledging they are aware of their property status and what that entails. Chair Hodiernie stated that would be nice but otherwise would not be beneficial. The other opportunity may be for those who answer the questions regarding demolition and COAs provide more informative information. Ms. Geary stated the process has been tightened. Staff receives calls frequently and information is provided on what they need or do not need and what the differences are. Mr. Arneke stated it is good but it shouldn't depend on the individuals. It should work no matter who is involved. When you have single point of failure, it just asking for trouble. Engineers should know that and know better. Mr. Arnett stated on the form and part of the ambiguity is all it says is historic district and a place to say yes or no. Perhaps it needs to be more specific regarding the local Historic District versus National Register and would force education on the people who administer it and also provide another place to stop and think about what is going on. Mr. Clegg responded the new revised form does have landmark property, Local Historic District and National Historic District broken out into three categories and may. Mr. Cowhig stated there needs to be a double check mechanism because demolition is final. Mr. Cowhig stated they receive daily calls to inquire if the property is within an historic district, and if it is, the permit will not be issued until they have a COA from realtors all the time. There can always be more done. There is not a huge problem with awareness in Greensboro. Mr. Cowhig stated this was like a perfect storm situation. It is a tragedy for anyone cares about the historic districts. Mr. Arneke stated this was about as bad as it can get. When a buyer doesn't get involved with the process than what was shown for this application. Even without the process breaking down, there can be problems. Staff has been looking at other procedures to possibly reinvigorate the ordinance which could be a valuable tool.

Chair Hodiernie inquired if there was anything else from staff or Commissioners. Mr. Arneke stated he thought at some point it would be worth discussing how to approach After the Fact applications. The guidelines do not address the idea of approaching After the Fact guidelines as if the work had not occurred. That is very important to the process and ought to be codified somehow and be explicit that is the case or if not the case, to be told. It is critical for dealing with these types of problems. Ms. Geary stated that is guidance received from the State Historic Preservation Office in their training. Ms. Geary will reach out to them and find out where that comes from. Staff has absolutely been guided to review them as if the work has not been done yet. The situation present at this meeting

was very different because of the lack of being able to deny demolition. In terms of other projects, a 7-foot fence where only a 6-foot fence is allowed are supposed to be treated as if the work had not been done. Ms. Geary will verify with the State Preservation Office to determine where the guidance finds its roots.

Mr. Arnett stated he had a larger question of at some point should there at some point sit down and revisit and refine some of the guidelines. There are a few common issues that keep coming up again. There needs to be clarification around synthetic building materials and window construction. If given time, the Commissions could all probably list out four or five issues that could be clarified. Mr. Arnett asked what would be the process of updating guidelines. Would it be something the Commissioners initiate or staff initiates. Mr. Cowhig responded it could be staff or Commissioners. Mr. Arneke stated it has been some time. Mr. Cowhig stated he thought the Commission was due. Mr. Arneke stated he would be glad to be on a sub-committee to help with recommendations of things that could be changed. Mr. Arneke over the years there have been occasional issues not addressed by the guidelines either because of new technology or it hadn't come up before. Mr. Cowhig advised staff would get back on that topic but agreed so much has changed that changes need to be done.

Chair Hodierne inquired if there was anything else on that issue to discuss. Chair Hodierne stated there have been previous discussions regarding infusing more housing opportunity and housing types into the zoning districts. There is legislation that has been introduced, H401, that looks to require duplexes, triplexes, and quadplexes as well as accessory dwelling unit in all residential zoning districts. It is state legislation and would be statewide. It is in committee now and getting a lot of attention from APA and municipalities. There is other material in the bill having to do with zoning process more generally. The point of interest for the Historic Commission is the attempt to infuse some housing options at a state level. Chair Hodierne encouraged anyone who was interested to take a look at it and read it, evaluate and see if it is a good tool for the Commission to get where they want to be. Mr. Arnett asked if there were any local representatives on the Committee. Chair Hodierne advised she would send the information to Mr. Arnett. Mr. Clegg advised the first memo scan was complete and would be sent out to the Commissioners.

Chair Hodierne advised if there was nothing else from Commissioners or staff, were there any speakers from the audience.

AUDIENCE SPEAKERS:

None.

ADJOURNMENT:

Ms. Leimenstoll moved to adjourn the meeting. Seconded by Mr. Carter. Chair Hodierne stated the meeting was adjourned at 6:46 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
MAY 26, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, May 26, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Acting Chair Jesse Arnett, Green Valley (At Large), David Arneke (College Hill), David Wharton, (Dunleath), Linda Lane (District 3), Jo Leimenstoll (Fisher Park), and Max Carter (New Garden & Guilford College Heritage Community, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Allen Buansi, City Attorney, was also present.

Chair Arnett 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 Arnett 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.

1. APPROVAL OF ABSENCES:

Sylvia Stanback was an approved absence. Amanda Hodieme was an unexcused absence.

2. APPROVAL OF MINUTES APRIL 29, 2021 REGULAR MEETING:

Ms. Leimenstoll made a motion to postpone the approval of the April meeting minutes until the June meeting for clarification issues; seconded by Wharton. (The Commission voted 6-0. Nays: 0). (Chair Arnett, Arneke, Wharton, Lane, Leimenstoll, and Carter).

2a. SWEARING IN OF STAFF:

Mike Cowhig and Stefan-Leih Geary, Planning Department, were sworn in for their testimony and consent to the remote meeting.

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

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

3a. Application #2471, 511 Charter Place. (Approved with Conditions)

Mr. Cowhig stated this item was continued from the April meeting. This was an after the fact application. The applicant was unaware of the requirement for a Certificate of Appropriateness to replace the front porch floor with wood planks that the applicant felt was appropriate. The standard for the historic district says “wood tongue and grove flooring”. The practical reason for the tongue and grove was it does a good job of keeping water out of the structure. Planks without the tongue and grove will allow moisture to get underneath the porch floor. Mr. Cowhig stated this house has never looked better and was very impressed with all the work that has been done. Mr. Cowhig reviewed some records and discovered a similar application from years ago on Percy Street. In that case the Commission allowed time for the applicant to replace the plank flooring with tongue and grove. In that case, it was replaced successfully a couple of years later and done with the agreement of the Commission. Staff could not support this application as it is inconsistent with the guidelines. Staff understood it was an honest mistake.

Chair Arnett inquired if there were questions for staff. Ms. Lane asked if there was a certain standard in the tongue and grove dimension or was it slightly different. Mr. Cowhig responded there is a variety of tongue and grove widths. The most common was the 3 to 3 1/2-inch width. Ms. Leimenstoll stated it also should slope away from the house. Seeing no other questions for staff, Chair Arnett requested the applicant to come forward.

Chair Arnett swore Zack Prevette for his testimony and consent to the remote meeting.

Zackary Prevette, 511 Charter Place. Mr. Prevette stated he and Leah have lived in the residence for approximately a year. He knew it was an historic neighborhood but was unaware of all the applications and the

steps to take for external things on the home. The porch was rotting where the apex of the roof is located. Water had gathered in that area and had been painted over and rotted more. Leah fell into an area and Mr. Prevette made the decision to replace it. A contractor advised Mr. Prevette he had done other homes in the area and this wood was appropriate. Mr. Prevette had the contractor do the work which was completed in two days. Mr. Prevette apologized for not knowing the type of application and the process to go through it. Mr. Prevette loved his porch and would hate to replace it but will do what is necessary to be compliant.

QUESTIONS:

Chair Arnett inquired if any Commissioners had questions for the applicant. Ms. Leimenstoll asked if the rotted supports and such were replaced. Mr. Prevette responded there was a lot of repair underneath the house. The crawl space and joists throughout the house on the bottom were all repaired with brand new lumber. Ms. Lane asked how much square footage of the boards were replaced. Mr. Prevette responded approximately 250 to 400 square feet. Ms. Leimenstoll appreciated Mr. Prevette's explanation. Ms. Leimenstoll was glad the structure for the porch and crawl spaces have been repaired. It is incongruous to use the planks without the tongue and groove though. The historic district is slowly losing architectural character. There has been a lot of great improvements to this house, despite the inconsistency of the new porch flooring, Ms. Leimenstoll wanted Mr. Prevette to know how much the other work that has been done with this house was appreciated. Chair Arnett inquired if there were any further questions for the applicant. Ms. Lane asked if the species of the wood currently used on the 1x6 was known. Mr. Prevette responded it was treated decking board and was unsure if it was pine.

Chair Arnett inquired if there were other speakers in favor of this application. Seeing none, Chair Arnett stated Rebecca Muich from the Dunleath Neighborhood Association was in opposition to this application. Chair Arnett swore Rebecca Muich for her testimony and consent to the remote meeting.

Rebecca Muich, 605 Fifth Avenue, representing the Dunleath Neighborhood Association Board. Ms. Muich welcomed Mr. Prevette to the neighborhood and advised his house looked beautiful. Ms. Muich stated the Association did not have any additional comments to make regarding the application and the rationale for refusing the application beyond what was stated by Mr. Cowhig.

Chair Arnett inquired if there were questions for Ms. Muich from the Commissioners. Hearing none, Chair Arnett inquired if there was anyone else to speak in opposition to the application. Chair Arnett advised Mr. Prevette of the opportunity to rebut any testimony in opposition.

Zach Prevette stated he realized there are standards to uphold within the neighborhood. It was an honest mistake and will move on from there.

DISCUSSION:

Chair Arnett inquired if there was any discussion. Mr. Carter stated he did not know how much power the Commission had to require ripping out and replacing the wood, other than saying the Commission does not approve. Mr. Carter stated he would struggle with requesting demolition of the decking as such. It is incongruous with the requirements but did not see it as visible from the street and did not know how it would detract from the historic nature of the neighborhood. It is different than visible site lines. In spite of the regulations, Mr. Carter would have trouble requesting a demolition of the porch. Ms. Leimenstoll referred to a photograph depicting the porch indicating gaps between the planks. Ms. Leimenstoll was concerned regarding the water going into the crawl space that could cause rising water damage issues with the brick foundation. Ms. Leimenstoll was concerned regarding the long-term impact both on the maintenance of the building and keeping future deterioration and also it is very clear in the guidelines replacement with inappropriate materials is incongruous. Ms. Leimenstoll stated she would not consider it to be a demolition, it is an after the fact COA request. It was an honest mistake. Ms. Leimenstoll felt it was visible and had an impact on the neighborhood. Mr. Wharton welcomed Mr. Prevette to the neighborhood. Mr. Wharton saw this had been done while walking the neighborhood and he knew it wasn't within the guidelines and apologized for not stopping and introducing himself to him. Mr. Wharton agreed with Ms. Leimenstoll regarding allowing it. Eventually the wood will allow the sub-structure to rot and erode resulting in the same problem. With a lot of reluctance, Mr. Wharton was not in favor of granting this COA. Mr. Wharton advised Mr. Prevette if he did have a copy of the guidelines, he could

provide one to him. Mr. Prevette responded that would be excellent. When this house was purchased, they knew it was within an historic district but had no idea about guidelines and those types of restrictions. Mr. Wharton advised there is a Neighborhood Welcoming Committee but it is hard for them to find out when a new property has been purchased. They do try to drop off a welcome basket that has a copy of the guidelines and apologized he did not receive one. Mr. Prevette advised that there have been houses sold down the street and there will be some new families moving in. Mr. Wharton stated he would appreciate having the addresses and have the Welcoming Committee on it. Ms. Lane stated she felt it is a very important detail and is visible, maybe not from the street, but certainly walking by she would be able to discern that. Ms. Lane advised she would not be in favor of keeping the flooring but possibly there could be a timeline worked out acceptable as suggested by Mr. Cowhig with a program to replace the wood within a certain timeline. Mr. Prevette stated there are several homes within the historic district that have treated lumber porches or painted over them. Ms. Lane stated it was unfortunate but starts the chain of events and also allows people to say maybe I should do it and deal with the consequences, which is also a problem the Commission faces. There are consequences that can be severe and the Commission has made those hard decisions in the past.

Chair Arnett inquired if there was any further discussion. Hearing none, Chair Arnett inquired if there was a motion for a finding of fact.

FACT FINDING:

Ms. Lane moved that based upon the facts presented in application #2471, 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 facts are found on **Guidelines, page 64**, and are acceptable finding of fact. Second by Ms. Leimenstoll. (The Commission voted 5-1. Nays:1. Carter). (Chair Arnett, Arneke, Wharton, Lane, and Leimenstoll).

DISCUSSION:

Chair Arnett inquired if there was any discussion regarding potential conditions. Mr. Wharton asked given this was a substantial investment by the property owner, could a timeline be given of a couple of years to bring the porch into compliance and soften the blow somewhat. Ms. Leimenstoll advised she was comfortable with that suggestion. Ms. Lane was not comfortable with two years and felt it should be approximately 12–18 months. Mr. Arneke agreed with Ms. Lane and felt a year was sufficient. Mr. Wharton preferred it to be longer but would agree to the 12-month timeframe. Chair Arnett inquired if there were any further thoughts. Hearing none, Chair Arnett requested a motion. Ms. Lane asked to add the applicant would work with staff and show the boards that will be place for proper identification. Mr. Prevette asked what type of species of wood was acceptable. Ms. Lane responded it is not the species, it is the cut of the lumber and need to be tongue & groove. Staff can assist and approve the lumber. Ms. Leimenstoll advised typically the lumber is primed and painted which enhances the life of the flooring. Mr. Prevette requested an 18-month timeframe as lumber costs are very high currently and hope to see them come down. Mr. Wharton advised he supported the request. Ms. Leimenstoll was hopeful others in the neighborhood would learn from this and that this was given a grace period to reverse the material. Mr. Prevette stated these are things that could have been avoided earlier if there been more communication with each other. More newsletters would be great.

Chair Arnett closed the public hearing. Chair Arnett asked staff since it would be a longer time period, what was the mechanism to ensure it occurs within the 18 months. Mr. Cowhig advised the project would be in a database checked by both Mr. Cowhig and Ms. Geary. Ms. Geary advised typically she sets a reminder on her calendar. Chair Arnett inquired if there were any other conditions. It was the consensus of the Commission for an 18-month timeframe.

MOTION:

Therefore Ms. Lane moved that the Greensboro Historic Preservation Commission approves application #2491 to Kenneth Prevette for the work at 511 Charter Place with the following condition:

1. Staff will work with Mr. Prevette for final choice of flooring material to become compliant. This should happen within 18 months and no longer.

Ms. Leimenstoll advised she was confused on the language regarding whether the application was approved or not. Ms. Lane responded the finding of fact were facts stated. The Commission can approve with conditions even though it was after the fact. Ms. Geary advised typically it can be approved with conditions. If the application is denied, there would be no opportunity to place a condition. Ultimately the flooring will be replaced and the Commission has to grant approval for the floor. Through a condition, the material needs to be specified. Chair Arnett stated the Commission would be approving the replacement of the original porch flooring and specifying what the material needs to be.

Second by Ms. Leimenstoll. (The Commission voted 5-1. Nays:1. Carter). (Chair Arnett, Arneke, Wharton, Lane, and Leimenstoll).

Mr. Cowhig advised staff would be on the lookout in consultation with Architectural Salvage of Greensboro for any demolition where there may be an opportunity to salvage porch flooring. The 18-month timeframe provides staff a good amount of time to do that.

3b. Application #2499, 687 PERCY STREET (Approved)

Mr. Cowhig indicated on the photographs that the historic garage was hit by a tree. There has been a rash of not only large trees falling in the historic district, but a number of historic garages and sheds taken out by trees falling down. In this case, the structure appears to be in very poor condition due to damage. This is a contributing structure in the Summit Avenue National Register District. Staff would love to see it restored, although it may have reached a point where that is not feasible. Due to safety issues as result of the damage, staff supports this application.

QUESTIONS:

Chair Arnett inquired if the Commissioners had questions for staff. Ms. Leimenstoll asked for the photo she had presented to be displayed. In the spring of the late 1980's, students in the Interior Architectural program did a survey of all the outbuildings in all three local historic districts. Ms. Leimenstoll was able to locate a photograph of this outbuilding. It may be helpful for other properties within the districts where there may be a question about the appearance of the outbuilding. It is a resource of actual photographs and could be useful for some outbuildings in the district from 30 years ago. The photographs will be in Ms. Geary's office in notebooks. A photograph of the outbuilding was displayed for the Commissioners.

Seeing no other questions for staff, Chair Arnett requested the applicant to come forward. Not seeing Ms. Brown, Chair Arnett requested Rebecca Muich to come forward. Chair Arnett swore Rebecca Muich for her testimony and consent to the remote meeting.

Rebecca Muich, 605 Fifth Avenue, Dunleath Neighborhood Association Board. Ms. Muich advised the Dunleath Board was in favor of this COA for the same reasons as stated by Mr. Cowhig. The deterioration of the structure is very advanced and the Dunleath Board did not see any reason to oppose the COA.

Chair Arnett inquired if the Commissioners had any questions for Ms. Muich. Hearing none, Chair Arnett advised there was no one to speak in favor of the request. Chair Arnett asked if there was anyone present in opposition to the request. Seeing none, Chair Arnett inquired if the Commissioners had any discussion.

DISCUSSION:

Ms. Leimenstoll stated the structure did appear to be very dilapidated and would need to be reconstructed to put it back. Ms. Leimenstoll felt it was past the point of being salvaged. It was distressing to learn of how many of the outbuildings are being lost in the historic districts due to falling trees and storms. Mr. Wharton concurred with Ms. Leimenstoll. The buildings were too narrow to fit cars in and cannot be used for their original purposes. Mr. Wharton thanked Ms. Leimenstoll and her previous students for doing the survey as it was a great resource. Chair Arnett stated in the guidelines, one stated that if approval for demolition is granted, to protect any large trees or important landscape features during the demolition. Chair Arnett asked if there was anything like that on this site that is of concern. Mr. Cowhig responded he did not think so. Staff can take a look to determine if there are. Chair Arnett inquired if there was further discussion. Hearing none, Chair Arnett requested a motion for a Finding of Fact.

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application #2499, 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 facts are found on Guidelines, Demolition, page 73, show that it is not incongruous given the deterioration and damage to the structure, no longer stable and could be considered a hazard. The guidelines on page 73 are acceptable as a Finding of Fact. Second by Mr. Arneke. (The Commission voted 6-0. Nays: 0.) (Chair Arnett, Arneke, Wharton, Lane, Leimenstoll, and Carter).

DISCUSSION:

No further discussion.

MOTION:

Therefore Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approves application #2499 and grant a Certificate of Appropriateness to applicant, Linda Brown, for work at 687 Percy Street. Second by Mr. Wharton. (The Commission voted 6-0. Nays: 0.) (Chair Arnett, Arneke, Wharton, Lane, Leimenstoll, and Carter).

3c. Application #2501, 705 MOREHEAD AVENUE. (Continued)

Mr. Cowhig advised this is an after the fact application. Staff was advised of this through a report by a neighbor. Apparently, the main chimney on the house was taken down. Staff was unable to find any pictures of the house where the chimney was visible. The state of North Carolina has photographs taken when the National Register Nomination was prepared and staff will check with them for an image that will help. Typically, on L planned houses, the chimney usually is located where the two gable roofs intersect. If the chimney was taken down just below the roof, everything below the roof would still be intact and was a way of knowing what the chimney was like. The guidelines are clear on preserving original chimneys and foundations because of their character defining nature. The chimney tells a lot about the story, the original construction, and how the house was heated over time. Chimneys are an important feature in the historic district. Staff recommended against the approval of this COA.

QUESTIONS:

Chair Arnett inquired if the Commissioners had questions of staff. Ms. Leimenstoll advised she had looked at Google Street View and it appeared there were pictures from 2012 but the trees are hiding the view. Ms. Leimenstoll felt perhaps an aerial view on Google Earth would show the chimney. Perhaps looking into an attic space to see where a chimney was or is. Chair Arnett stated on the County GIS site on the oblique aerial photographs taken at an angle, does show something. Chair Arnett inquired if there were any other questions for staff. Mr. Carter asked if this application would require rebuilding the chimney; what would be the Commission's action. Mr. Cowhig responded if the Commission denied the application, the property owner would be required to rebuild the chimney. Chair Arnett inquired if it would be similar to the porch floor talked about in the beginning of the meeting where there would be an option to approve with conditions or rebuilding. There's no documentation of what it looked like, but there was a suggestion staff could provide examples of chimneys on similar style of houses. An approval with conditions as an option. Mr. Cowhig believed it would be an option. Ms. Geary stated it is difficult in the after the fact situations, to not create burdens on property owners. It is the Commission's duty to review after the fact applications as if the work has not been conducted. Historic districts have existed for over 20 years and there is signage, newsletters, and a lot of information available providing awareness of the properties located within an historic district. It is a consideration. Mr. Arneke pointed out this was an income producing property and one of several the owner has in the historic district. This is a long-time property owner in the historic district who knows the rules. Mr. Cowhig advised if the Commission denied the COA application, it would then be the obligation of the property owner to either restore it to the way it was or come back with an application for a chimney with proposed changes. Ms. Lane stated from her experience when the chimney has been removed, it has to go back up by current building codes. If that was the restriction or required, it would not look like the chimney that was removed. If the chimney is abandoned on the interior, it may be a case to rebuild even though it is not functional to look aesthetically appropriate. Mr. Cowhig responded that

sounded reasonable. Chair Arnett thought Ms. Lane was correct, there was a case where there was testimony to that effect from the Chief Building Inspector. Mr. Carter asked when the application stated “it was safe and more cost efficient to have the remaining brush removed above the roof line when the roof was repaired and re-shingled”, did it mean that there was no chimney above the shingles now and the hole has been shingled over. The consensus was yes, but would be a good question for the applicant. Chair Arnett inquired if there were any further questions for staff

Seeing none, Chair Arnett requested Lou Ann Hicks, property owner to come forward. Chair Arnett swore Lou Ann Hicks for her testimony and consent to the remote meeting.

Lou Ann Hicks, 705 Morehead Avenue. Ms. Hicks moved to the neighborhood in 1995. Inside the house, the fireplace was bricked over. The chimney was formerly used to exhaust an old gas heating system, which was later determined grated the lining of the chimney, causing the mortar to weaken. Bricks started falling off when the chimney was used. A new heating system with moisture vents was placed on the side of the house outside. After that installment, the chimney could not be used because of the deterioration inside and some bricks fell into the chimney, blocking exhaust from the old heater. Ms. Hicks advised she saved the bricks. The chimney was up high from the street level and cannot be seen. Mr. Cowhig advised staff was willing to attempt to retrieve more information about this case. Staff may be able to look inside the house to take pictures and have a better idea of the chimney. Ms. Hicks stated it would take time because access to the attic was very small and currently blocked by items. Mr. Cowhig stated perhaps staff could obtain information through other sources such as Guilford County Imagery and others. Ms. Hicks stated she had at least two pictures of the crew working on replacing the shingles depicting the remaining bricks.

Chair Arnett inquired if the Commissions had questions for Ms. Hicks. Ms. Leimenstoll asked when the roof was re-shingled. Ms. Hicks responded it was 2019. Mr. Wharton inquired if Ms. Hicks only saw the chimney when it was already falling apart or could she describe the chimney when it was attached. Ms. Hicks responded years ago she saw the chimney but did not remember at this time what it looked like. Mr. Wharton stated he was not totally convinced the chimney was an actual defining architectural feature of the house. Currently what was shown on aerial views was not very visible and did not show any decorative elements. Ms. Lane inquired if there was only one fireplace in the center of the home. Ms. Hicks responded that was correct. Ms. Lane asked in walking through the front door, would the fireplace be in front or to the right. Ms. Hicks responded formerly there was a hallway and to the right may have been French doors. The fireplace was in the front room. Ms. Lane asked if the furnace was not meant as a furnace or was it an original fireplace with a wood fire. Ms. Hicks responded she assumed that was correct as it had a mantle piece and tiles on either side. Ms. Lane was attempting to determine the types of chimneys the Commission looks at. There are sometimes two chimneys, one behind the prominent one that would be for the fireplace and the other usually further back on the property related to furnace, cook stove, or heating system. Ms. Hicks stated the kitchen did not have plaster walls, it was drywall and appeared to be more modern. There was no evidence of any other type of furnace. Chair Arnett inquired if there were any other questions for Ms. Hicks. Seeing none, Chair Arnett advised Rosemarie DiGeorgio, would speak on behalf of the College Hill Neighborhood Association. Chair Arnett swore Rosemarie DiGeorgio for her testimony and consent to the remote meeting.

Rosemarie DiGeorgio, 716 Walker Avenue. Ms. DiGeorgio represented the College Hill Association. The Association was not in favor or opposed. This was an after the fact application and the Board did not come to a decision. It was discussed, but not voted on. Ms. DiGeorgio read into the record some of the points discussed. “The College Hill Neighborhood Association members agreed there was no point in speaking for or against the COA because the chimney was removed beforehand. Several members expressed dismay that the COA was written after the fact.” Guidance was received from Ms. Geary that should be discussed. Ms. DiGeorgio provided that feedback to the President of the Association advising in the future discussion should be done and the Association should come to a decision on COA’s even though they are after the fact. Chair Arnett advised there was no one signed up to speak in opposition. Chair Arnett inquired if there was anyone to speak in opposition. Seeing none, Chair Arnett closed the public hearing.

DISCUSSION:

Mr. Carter was very hesitant for a hole to be poked through a roof to build a non-functioning chimney, not visible from the street. Ms. Lane felt the chimney would be visible if it was the primary chimney. Mr. Wharton advised previously legal was asked if the Commission was obliged to view after the fact applications as if no work had been done and were advised there was nothing codified regarding that. It would be the choice of the Commission to do that or not. Mr. Wharton doubted if the chimney was the primary. It appeared to be a fairly unitarian chimney from the slight evidence received. This was a borderline case as to whether it was actually a character defining feature of the house or not. There were no pictures. Even if it was a character defining feature, it was very hard to see. Functionally it appeared to be a rear chimney. Mr. Wharton felt the COA should be allowed on that basis. Ms. Leimenstoll felt the lack of photographs, along with the issue that it is after the fact and should be thought as not having happened yet was very challenging. From the one photo that Mr. Arnett found, it appeared it would show up just to the left of the gable facing the street. There may be other houses in College Hill that have chimneys in those locations that may make it easier to understand how prominent it may or may not have been. As it is very high up, it was very difficult to determine how significant a feature it was. Ms. Leimenstoll was ambiguous. Mr. Wharton did not feel he would be in favor of requiring the applicant to rebuild the chimney unless there was better documentation of what the original chimney was like. Otherwise, it may be a fake reconstruction of something that was never there. Ms. Hicks stated the chimney was not impressive visually. If a hole is cut in the roof for a chimney, it would have to be capped or a breach would be created allowing damage by the elements. Chair Arnett advised Ms. Hicks her comments were appreciated but the public hearing had been closed. This was only a discussion among the Commissioners.

Chair Arnett inquired if there was any further thoughts or discussion. Ms. Lane stated she would not agree to a rebuilding unless there was better documentation at this point. Her vote was it should be denied but was not 100% on conditions. Mr. Arneke advised he was reluctant to approve the application because the effect could have other owners of income producing properties knock chimneys down for any reason. There is always a struggle to have property owners respect the guidelines. Mr. Arneke appreciated the argument it may not have been a defining feature, but did not like the idea that decision is handed over to a property owner to make that decision unilaterally. Chair Arnett stated he would have preferred more information to make a determination. It has been challenging in being able to obtain good photographs to have a thorough understanding of what the chimney was like. After the fact applications are always very difficult and this one even more so. In the past, discussions regarding chimneys often came down to the question of is it a primary versus secondary, character defining feature or not. What Chair Arnett heard the Commissioners say and agreed, there was not enough information to make a determination. It was mentioned by Mr. Cowhig that staff could attempt to gather more information on this chimney and better documentation to assist the Commissioners. Chair Arnett asked if the Commissioners felt a continuance would be the best option at this point. The roof repairs have been completed and a delay would not cause harm to the applicant. The consensus of the Commissioners supported the suggestion of obtaining more information.

Mr. Cowhig advised staff would dig deeper. Ms. Geary advised the property owner did mention that she had some images of the condition of the chimney at the time it was removed. Ms. Lane asked if this was not continued, the vote would be up or down on whether or not the COA was approved and no conditions were needed. Ms. Geary responded that was correct. Ms. Lane asked if it was denied and not continued, what would the status be at that point. Ms. Geary advised since this was an after the fact and the property owner is in violation, the remedy would be to return the property to the way that it was or receive a COA. If the application is denied, it would mean the property owner has not received a COA for the work and would only be able to come into compliance by returning the property to the way it was. It would be up for interpretation. Would it mean the deteriorated chimney would be installed or would they be required to rebuild a brand-new pristine chimney. Technically the ordinance says "return it to the way it was before you did the work." Mr. Arneke stated any time a replacement is made rather than a repair, it has to meet code. Ms. Geary responded that was correct and would trigger a new building code. Ms. Leimenstoll stated if it was non-functioning, code interpretation would be different. Ms. Lane advised she did not understand the benefit of a continuance. Mr. Cowhig reiterated they may be able to locate some images. They can attempt to dig deeper and perhaps come up with some images. There were a lot of pictures taken of the College Hill neighborhood. There was a major report in the College Hill Concept Plan was done. Staff could go through old

images. Chair Arnett stated he heard that some Commissioners were inclined to approve this application because they may be of the opinion that the chimney was not a character defining feature. Many Commissioners felt if more information was found, it may be easier to make that determination. The Commission does approve removal of non-character defining chimneys. Chair Arnett advised Ms. Hicks the Commission would be very appreciative of any pictures or information she may be able to uncover and send to city staff over the course of the next couple of weeks.

Chair Arnett inquired if there was a motion to continue. Mr. Carter moved to continue this application to the June meeting. Seconded by Mr. Wharton. (The Commission voted 6-0. Nays: 0.) (Chair Arnett, Arneke, Wharton, Lane, Leimenstoll, and Carter). Chair Arnett advised the application was continued to the June 30, 2021 meeting.

3d. Application #2503, 909 WEST MCGEE STREET. (Approved with Conditions)

Mr. Cowhig advised this was an application for the removal of a very large walnut tree in the backyard of 909 West McGee Street. The city arborist, Judson Clinton and Mr. Cowhig met to look at the tree. Mr. Cowhig advised the tree is approximately 80 feet tall at least, completely covered in vines. The arborist advised he could not tell what was going on with all the vines on top of the tree, but in looking at some of the other walnut trees discovered they were showing signs of Balsam Cankers disease which has done a great deal of damage to walnut trees. This is part of the property belonging to the Scarborough house, the house Governor Morehead built for his daughter on West McGee Street. There was a grove of walnuts and this was one of them. Mr. Clinton had advised it was very possible the tree could have that disease. The homeowner is faced with the issue of if someone is hired to remove all the vines, it would be very expensive and it may be discovered it had that disease. The guidelines are clear on preserving historic trees, especially large canopy trees such as these. It is a dilemma. For the reasons mentioned, staff supported the application.

QUESTIONS:

Chair Arnett inquired if Commissioners had questions for Mr. Cowhig. Ms. Leimenstoll requested to see the site plan again to determine if the tree was right on the property line. Mr. Carter asked what type of canopy was there and if this tree was taken out, were other canopies there. Mr. Cowhig responded there was quite a lot of canopy trees back there because of all the trees and a lot of Walnuts and Oaks. This tree will be missed but there are a lot of others there that would compensate for that tree. Chair Arnett inquired if there were any other questions.

Hearing none, Chair Arnett inquired if the applicant was present to speak in favor of the application. Chair Arnett requested Mary Hoyle to come forward. Chair Arnett swore Mary Hoyle for her testimony and consent to the remote meeting.

Mary Hoyle, 909 West McGee Street. Ms. Hoyle stated she hated to lose this tree, but was very concerned about safety and liability issues. The arborist had advised her the tree was probably well over 100 years old. Last summer a similar sized tree in her neighbors' yard where the Scarborough property was, split in two. Not during a storm or wind, spilt in two and it was very fortunate it did hit their house or the next house down. If it were not for the vines, the tree would not be providing much of a canopy because in comparison to whole tree, there is not much foliage at the very top. Ms. Hoyle's neighbor on the other side has two large Maple trees that shade her yard. There still is a lot of shade. Ms. Hoyle reiterated her concern about safety and liability issues.

Chair Arnett inquired if the Commissioners had questions for Ms. Hoyle. Ms. Leimenstoll stated in the application it was mentioned about the neighbor's concern and that a limb had fallen into their yard earlier. Ms. Hoyle responded it was during a bad storm last fall. Ms. Hoyle stated limbs fall in her yard large enough to require someone to cut the limbs because they cannot be removed out of the yard without cutting them. Chair Arnett inquired if there were any further questions. Hearing none, Chair Arnett requested Rosemarie DiGeorgio to state her name and address for the record.

Rosemarie DiGeorgio, 716 Walker Avenue. Ms. DiGeorgio was representing the College Hill Neighborhood Association. The COA was discussed and the Association voted in support of the tree removal. Ms. DiGeorgio read into the record a written statement. "The members agreed that while keeping trees is generally most desirable, the Walnut tree in question is being smothered by vine overgrowth and needs to go not only out of concern for human safety, but for the health of neighboring trees."

Ms. DiGeorgio advised she was the neighbor Ms. Hoyle referred to. They share at the back fence and the tree line as Ms. Leimenstoll noticed is right on the property lines. They did contact Ms. Hoyle to advise her of their concerns regarding the tree. The tree is very large. The branch that fell was wrapped in vines and looked dead. The tree is leaning toward the DiGeorgio property and if it fell, because of its size, it would fall on the house. It was discussed and both had concerns regarding safety and liability. The DiGeorgio's appreciated the arborist out and writing up the COA and support any decision Ms. Hoyle makes regarding the tree.

Chair Arnett inquired if the Commissioners had questions. Hearing none, Chair Arnett inquired if there was anyone else to speak in support of the application. Hearing none, Chair Arnett inquired if there was anyone present to speak in opposition to the application. Hearing none, Chair Arnett closed the public hearing.

Chair Arnett inquired if the Commissioners had any thoughts or comments.

DISCUSSION:

Ms. Lane stated the condition she would like to propose is that a canopy tree is selected for replacement as opposed to an ornamental type tree within the time frame typically given of six months. Mr. Arneke and Mr. Carter agreed. Mr. Wharton was in favor as long as there was a determination there was room for another canopy tree. There is a large amount of canopy trees there and there may not be enough light for another canopy tree to survive. Black Walnuts are actually very aggressive at killing other trees. The roots are very toxic. Mr. Clinton should be the one to determine if there was enough room for another canopy tree and a recommendation for the type of species that could compete in that environment. Ms. Leimenstoll stated it sounds like other canopy trees are shading Ms. Hoyle's back yard already. Ms. Leimenstoll advised she was not familiar enough with the rear property line to know, but if it appeared there was space for a much smaller canopy to be planted that may grow there, would be a good recommendation. Ms. Leimenstoll expressed concern it may not be necessary and felt it should be a property owner decision. Ms. Lane felt with professional advice a tree could be planted in memory of the new tree and possibly somewhere else if it did not fit in that spot. Chair Arnett advised the applicant has stated their intention to plant a new tree. Chair Arnett stated the Guidelines do stipulate to place material trees with similar canopy. His interpretation of the guidelines would be replacement with a canopy tree was the default position of the guidelines. It is fine to make a condition on the timeline and would like a canopy tree if appropriate for that spot. The Commission was not qualified to make that call and would like Judson Clinton to assist in selecting the appropriate species of a replacement tree. A canopy tree would be the preference of the Commission, if appropriate. Chair Arnett requested a motion for a finding of fact.

FACT FINDING:

- Mr. Arneke moved that based upon the facts presented in application #2503, 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 facts found on **Guidelines, pages 21-23, under Trees and Landscaping** acceptable as a Finding of Fact. Second by Ms. Leimenstoll. (The Commission voted 6-0. Nays: 0.) (Chair Arnett, Arneke, Wharton, Lane, Leimenstoll, and Carter).

MOTION:

Therefore, Mr. Arneke moved that the Greensboro Historic Preservation Commission approves application #2503 and grants a Certificate of Appropriateness to applicant, Mary Hoyle, for work at 909 West McGee Street, with the following conditions:

1. That the property owner work with the Historic District staff and City Arborist, to identify an appropriate canopy tree if there is appropriate space for a canopy tree, or otherwise another type of tree to be planted within the next 12 months.

Second by Ms. Lane. (The Commission voted 6-0. Nays: 0.) (Chair Arnett, Arneke, Wharton, Lane, Leimenstoll, and Carter).

ITEMS FROM THE COMMISSION CHAIR:

Chair Arnett stated he did not have anything further to discuss.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig advised staff has been doing some work and research, part of which is related to the demolition of the house in the Dunleath neighborhood. Mr. Cowhig was working on looking at the demolition by neglect ordinance and comparing it with ordinances in other cities to provide recommendations for improving that ordinance and getting that back to the tool that can be relied on and use when needed. Mr. Cowhig advised he was also working on a scope outline of a process for updating the guidelines. Mr. Cowhig asked the Commissioners if there were volunteers willing to work with staff to act as a sounding board and advise on the quality control function moving forward. Mr. Cowhig will send a memo with more detailed information.

Ms. Geary added that regarding 909 West McGee Street. One of the reasons timelines are placed on things such as trees, is it helps staff to have a standard to meet when working with the property owners and the timeline has passed. Staff can point to that when working with property owners to say these are the conditions of your approval versus open ended conditions which are great for customer friendly to do that but it has come back to haunt staff in the past. The stipulations are in place to help staff to pin things down and be able to move on to other projects.

Mr. Clegg advised at the last meeting; it was asked to look into the possibility of a city-wide delay of 7 days for any kind of demolition. It was forwarded to the Engineering and Inspections Department, and the City Manager's office. They did not want to move forward with that because of the sheer number of demolitions city wide versus a small number of historic district demolitions. It was felt the changes they had made to the process in adding other eyes to looking at demolitions as they were approved would be sufficient to ensure that nothing went through that was not supposed to be on the demolition list. There was another request from the Commission to add COA numbers to the building permit form, in addition to laying out the different historic districts on the form which they did. Mr. Clegg was able to have them add the COA number as an additional visual reminder that a COA was needed and ensure a COA was awarded before is demolition permit is given out. That change was done to both of the demolition forms.

Chair Arnett advised Mr. Cowhig he would be happy to help with updating the guidelines. Mr. Wharton also advised he would be interested in participating in that process as well. Ms. Leimenstoll advised she would be glad to participate as time permits.

AUDIENCE SPEAKERS:

None.

ADJOURNMENT:

Mr. Carter moved to adjourn the meeting. Chair Arnett stated the meeting was adjourned at 5:59 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
JUNE 30, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, June 30, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierne, David Arneke (College Hill), David Wharton, (Dunleath), Linda Lane, and Jo Leimenstoll, Adrienne Isreal Mike Cowhig and Stefan-Leih-Geary were present from the Planning Department. Allen Buansi, 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 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 welcomed Adrienne Israel as the new Commissioner. Ms. Israel advised she was a retired professor from Guilford College and stated her degrees.

1. APPROVAL OF ABSENCES:

The absences of Jesse Arnett and Max Carter were approved.

2. APPROVAL OF MAY 19, 2021 REGULAR MEETING MINUTES:

Both Chair Hodierne and Ms. Israel advised they were absent from the May meeting; both had read the minutes from that meeting and were comfortable participating in the discussion.

Ms. Leimenstoll made a motion to approve the May meeting minutes as revised; seconded by Wharton. (The Commission voted 6-0. Nays: 0). (Chair Hodierne, Arneke, Wharton, Lane, Leimenstoll, and Israel).

2a. SWEARING IN OF STAFF:

Chair Hodierne swore in Mike Cowhig for his testimony and consent to the remote meeting.

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS: (Denied)

Chair Hodierne explained the order of business regarding Certificates of Appropriateness

3a. Application #7501, 705 Morehead Avenue. (Denied)

Mr. Cowhig advised this item was continued from the last meeting. New information was received, including new photographs. One photograph showed the outside portion of the chimney had crumbled and another photograph depicting the interior chimney support still intact. Mr. Cowhig stated this was a primary chimney that vented the fireplaces which told the story of the original construction of the house, making it a character-defining feature. Instead of repairing the chimney by repainting and relaying the bricks, the decision was to remove it below the roof line. Mr. Cowhig advised in staff's opinion, the proposed work was incongruous with the Historic District Design Standards, Masonry and Stone: Foundations and Chimneys (pages 49-50). Staff did not support the application.

QUESTIONS/COMMENTS:

Due to no audio, the questions or comments were not captured. The testimony of Ms. Hicks, Ms. DiGeorgio and Bill Burkely was comprised from notes of staff and the minute taker (Christine Swanson).

Ms. Hicks came forward and was sworn for her testimony and consented to the remote hearing.

Lou Ann Hicks, 705 Morehead Avenue, stated she had lived at the property since the mid 1990's but the property was owned by Louis Towne. Over the years the property owner and Ms. Hicks have made improvements and did maintenance. They would like to have a roof over the chimney. A new heating system with moisture vents

was placed on the side of the house outside. After that installment, the chimney could not be used because of the deterioration inside. Some bricks fell into the chimney, blocking exhaust from the old heater. Ms. Hicks advised she saved the bricks. The chimney was up high from the street level and cannot be seen.

QUESTIONS:

Due to no audio, the questions or comments were not captured.

Chair Hodiernie inquired if there was anyone else to speak to this application. Ms. Rosemarie DiGiorgio came forward and was sworn for her testimony and consent to the remote hearing.

Rosemarie DiGiorgio, 716 Walker Avenue, advised that College Hill Neighborhood Association was not in support or opposition. The Association voted to leave the matter in the decision of the Commission.

Chair Hodiernie inquired if there was anyone else to speak to this application. Bill Burkely, came forward and was sworn for his testimony and consent to the remote hearing.

Bill Burkely, advised he lived next door to this property. Several years prior he had come before the Commission requesting the removal of his chimney and was denied, which required him to build a new chimney. Mr. Burkely stated chimneys are important features. Mr. Burkely felt the Commission should be consistent in what they approve. Mr. Burkely advised he was happy to show images of his chimney. Chair Hodiernie thanked him and advised it was not necessary as they understood the intent of his testimony.

QUESTIONS:

Due to no audio, the questions or comments were not captured.

Chair Hodiernie inquired if there was discussion.

DISCUSSION:

The Commissioners discussed the significance of the chimney and the type of brick that would be necessary to rebuild the chimney. The Commissioners considered the appropriateness of having to rebuild the entire chimney but determined their concern is only that which can be seen on the exterior of the structure. Referencing the provided new image indicating the interior structure of the chimney, Mr. Wharton suggested that they could utilize this to build a new chimney. Questions arose of documentation images, which none have found that provide details of the chimney. The Commissioners and the Applicant felt there are good examples throughout the district that could be used as a model. The Applicant also stated there were salvaged bricks available that may be reused or matched. The Commissioners also inquired about the current status of the property for minimum housing violations. Mr. Cowhig responded that to his knowledge, the property is still under violation and continued to stay in violation until all of the items in the report are resolved. The minimum housing violation report was presented and as part of the discussions. The Commissioners discussed the significance of chimneys and their contribution as a character defining feature of an historic property. It was felt that is was not necessary for the chimney to be working but should be rebuilt based on available examples.

Chair Hodiernie inquired if there a motion.

FACT FINDING:

- I. Mr. Arneke moved that based upon the facts presented in application #2501, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the **Historic District Program Manual and Design Standards**, and that staff comments and **Standards under Masonry and Stone on page 50, numbers 1 *Preserve the shape, size, materials and details of character-defining chimneys and foundations and other masonry/stone features. Significant chimney details include features such as brick corbelling, terra cotta chimney pots, and decorative caps. Decorative grilles and vents, water tables, lattice panels, access doors, and steps are character-defining features of foundations that should be preserved as well. And, number 6: It is not appropriate to shorten or remove original chimneys when they become deteriorated. Chimneys and 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 historic details.***

are acceptable as finding of fact. Second by Mr. Wharton. (The Commission voted 6-0. Nays:0). (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

Chair Hodierna inquired if Mr. Arneke wanted to do the motion.

MOTION:

Therefore Mr. Arneke moved that the Greensboro Historic Preservation Commission does not approve application #2501 and denies a Certificate of Appropriateness to Lou Ann Hick for the work at 705 Morehead Avenue.

Second by Ms. Leimenstoll, Ms. Lane, and Mr. Wharton. (The Commission voted 6-0. Nays:0). (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

3b. Application #2507, 717 PERCY STREET (Approved)

Mr. Cowhig advised this application was for 717 Percy Street in the Dunleath Historic District. The work proposed is for construction of a dormer on the roof and install skylights. Staff provided the Commissioners with an elevation drawing of the dormer and information depicting the location of the proposed skylights. The dormer to be installed would be constructed to provide interior space. Mr. Cowhig stated attempting to achieve additional living space on one story bungalows is a difficult design problem. Staff felt the applicant has provided a creative and sensitive way to achieve that. The dormer would match the existing dormer on the opposite sloop of the roof. Mr. Cowhig referred to the home next door and indicated the front facing gable form. Staff did not feel the skylight would be easily seen from the street and would not cause any harm to any architectural features of the roof. The page number for additions should 75-76 and roofs 51-54. Staff supports this application. He presented Staff comments citing Standards under Additions and Roofs.

QUESTIONS:

Chair Hodierna inquired if there were any questions for staff. Seeing none, Chair Hodierna inquired the applicant was present. Jonathan Hein was not present. Chair Hodierna inquired if Arnold Rogers was present. Chair Hodierna swore in Mr. Rodgers for his testimony and consent to the remote hearing.

Arnold Rogers 715 Percy Street, advised he lived next door. Mr. Hein has a dormer on the opposite of the house and placing a dormer on would match. The skylights would not be seen. Mr. Rogers advised he was in favor.

Chair Hodierna inquired if there were questions for Mr. Rogers. Seeing none, Chair Hodierna requested Brian Gillies to come forward. Chair Hodierna swore Mr. Gillies for his testimony and consent to the remote hearing.

Brian Gillies, 505 Park Avenue, representing the Dunleath Neighborhood Association. Mr. Gillies advised the Dunleath Neighborhood Association supports this COA and felt it was a great idea.

Chair Hodierna inquired if the Commissioners had any questions for Mr. Gillies. Hearing none, Chair Hodierna inquired if the property owner was present. Ms. Geary advised she had not seen his name but Mr. Hein had advised he was going to attend. Chair Hodierna inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Hodierna inquired if there was anyone to speak in opposition. Chair Hodierna inquired if the Board wanted to discuss this without the applicant. The consensus of the Commissioners was to proceed with the proceeding. Chair Hodierna inquired if there were questions for any of the speakers or discussion.

DISCUSSION:

Ms. Leimenstoll stated the drawings and the photographs of the types and appear of the skylights were extremely helpful in understanding the impact of the new dormer and skylights. (The Commission voted 6-0. Nays:0). (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

FACT FINDING:

Ms. Leimenstoll moved that based upon the facts presented in application #2507, at 717 Percy Street, 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 Standards**, and that the staff comments and the following standards under **Standards for Additions, pages 75 and 76, 1-5**. And **Standards for Roofs, page 51-54, 1 and 4** are acceptable as a Finding of Fact. Second by Mr. Wharton. (The Commission voted 6-0. Nays:0). (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

MOTION:

Therefore Ms. Leimenstoll moved that the Greensboro Historic Preservation Commission approves application #2507 and grant a Certificate of Appropriateness to Jon Hein, for work at 717 Percy Street. Second by Mr. Wharton. (The Commission voted 6-0. Nays:0). (Chair Hodiernie, Leimenstoll, Arneke, Lane, Wharton, and Israel).

3c. Application #2509, 722 Percy Street. (Approved)

Mr. Cowhig advised this was an application at 722 Percy Street. The applicant submitted plans which were not received before the building was placed on the property. The storage building is on the property currently. Pre-constructed wood storage buildings have routinely been approved within the historic district as long as they are at the back of the house and not easily visible from the street. Staff is obligated to submit the site plan for any accessory structure to Planning Services for their review regarding consistency with the zoning requirements, in particular setbacks. The site plan provided indicates the structure on the property line and there is a 3-foot setback requirement. There is also an alley back there which staff is not sure of the status. The applicants may be assuming where their fence is located is their property. That is something that needs to be clarified and resolved. The survey shows the building is right on the property line. The Commission cannot recommend approval of something that violates the zoning ordinance. Staff learned if the structure is larger than 12-feet in any dimension of the building and greater than 12-feet, a permit is required. Staff felt the building does meet the standards for new garages and outbuildings, page 36.

QUESTIONS:

Chair Hodiernie asked regarding the potential issue with the property line and the proximity to it, was that something that would be determined out regardless of what the Commission does here. It is already in process as part of staff's review. Mr. Cowhig responded that was correct. If the applicant chose to do so, the Commission could recommend a Special Exception to the setback and would be one way to address the issue. There is a process where alleys can be closed. Planning Services is researching that process. The alley may no longer be open. Chair Hodiernie asked if it was appropriate for the Commission to make an "if necessary" recommendation for the Special Exception that would be needed or did the Commission have to wait for the other issues to be determined. Mr. Cowhig advised a recommendation could be made on the basis of "as necessary." Chair Hodiernie inquired if there were further questions for Mr. Cowhig.

Chair Hodiernie asked if the applicant, Bev Kehayes was present. Ernest Kehayes was present. Chair Hodiernie requested Ernest Kehayes to come forward. Chair Hodiernie swore Mr. Kehayes for his testimony and consent to the remote hearing.

Ernest Kehayes, 722 Percy Street. Mr. Kehayes felt they were caught off guard by the building company as it was delivered quickly with no opportunity to debate changes. This is a portable building and could be moved. Mr. Kehayes advised he could show the relationship of the building to the yard via his laptop. If the alley is a concern, it would not be seen. It is not able to be seen and would not cause complaints.

QUESTIONS:

Chair Hodiernie inquired if there were questions for Mr. Kehayes. Mr. Arneke inquired if the alley still carried traffic or was it not in use. Mr. Kehayes responded since the early 2000s, there have been events on the opposite side of the alley from where he is located. There has been no traffic or movement. There is a tree in the middle of what would be considered the alley and no way could it be used. Mr. Wharton stated he understood on the side of Percy and elsewhere, the alley technically belongs to the Cone Development Company. It is almost impossible to run down all the heirs of that company to figure out who actually owns it. The property owners along the alley have crept into the right of way for the alley with fences or outbuildings. Mr. Wharton did not see the ally as being viable anytime soon. Mr. Wharton asked if the building was the location where he wants it to be. Mr. Kehayes responded it was. Mr. Kehayes advised he felt it was 51 inches away from the fence and at the other end

it was 47; roughly 4-feet off of the fence or what would be considered the alley. The fence has been there for years. Ms. Lane expressed she had a problem with not conforming to the setbacks. Ms. Lane did not feel comfortable agreeing on a placement that was not part of the city planning approval process. Chair Hodierné requested that to be on hold and will come back to that issue. Chair Hodierné inquired if there were any further questions for Mr. Kehayes. Seeing none, Chair Hodierné advised there was a second speaker, Brian Gillies.

Chair Hodierné requested Brian Gillies to come forward. Mr. Gillies had been sworn previously.

Brian Gillies, 505 Park Avenue, Dunleath Neighborhood Association. Mr. Gillies advised the Neighborhood Association was confused about the application. If it was just the placement of the storage building, the Association was okay with it.

Chair Hodierné inquired if there were questions for Mr. Gillies. Chair Hodierné inquired if there was anyone else wishing to speak in favor of the application. Seeing none, Chair Hodierné inquired if there was anyone wishing to speak in opposition to the application. Mr. Rogers advised he would like to speak in favor. Chair Hodierné requested Arnold Rogers to come forward. Mr. Rogers was previously sworn.

Arnold Rogers 715 Percy Street. Mr. Rogers stated he has an outbuilding. It appears to be appropriate for the neighborhood. Where it is placed, he was unable to comment on but advised he was in favor of the application.

Chair Hodierné inquired if there were questions for Mr. Rogers. Seeing none, Chair Hodierné inquired if there was anyone wishing to speak in favor or opposition to the request. Seeing none, Chair Hodierné resumed to further discussion.

DISCUSSION:

Chair Hodierné stated in the staff comments, the description of work was placement of storage building in backyard. Standards on page 36 speak to the design, size, scale, and the look. Chair Hodierné asked if Mr. Cowhig could clarify if the Commission was approving only the placement or approving the design look and the appropriateness with the standards. Mr. Cowhig responded he felt the Commission would be approving both. The guidelines speak to designing new garages and outbuildings to be compatible with the main structure on the lot. Pre-constructed buildings are not designed to be compatible with a particular historic setting, but have been routinely approved in the historic district due to costs. Materials are important and this outbuilding appears to be wood and not vinyl or aluminum. Mr. Kehayes confirmed the material was wood.

Ms. Lane felt strongly that the Historic Preservation Commission needed to recognize proper setbacks and alleyways that exist. Ms. Lane would approve this request with a condition that it would be put through to the proper planning department or other departments regarding the approved upon location. Mr. Wharton asked Mr. Cowhig if he thought the building was on the property line. Mr. Cowhig responded looking at the site plan shown on an actual survey of the property which indicates the building is on the property line. It would be up to the applicant to advise that was precise or not. Mr. Wharton stated his main concern was that it is not actually sited in the alley. There are a number of historical outbuildings that have a zero-property line setback. Mr. Wharton would not object to that type of setback as long as it was approved by the Board of Adjustment. Mr. Wharton expressed his concern that it was not actually being placed in the alley right of way and could possibly be a legal issue. Ms. Lane asked if the owner drew on the site plan to indicate where the building is or was in the official document. Mr. Cowhig responded the storage building footprint was drawn onto a copy of the actual survey. Mr. Kehayes stated the survey itself does not show anything other than the house location and the property lines. It is exactly as shown and roughly 6-feet into the alley that doesn't really exist. The building is moveable but did not make sense for it to be 10-feet closer to the house because of an alley that is non-existent and has been fenced in every direction for approximately 18 plus years. Mr. Kehayes stated if the alley needs to stay open, it would result in moving the outbuilding 13 feet away from the fence. Ms. Lane stated these types of things are not in the Commission's purview to answer. It could be 30 years of the fence sitting there, it doesn't mean it is right. Chair Hodierné asked if there was further discussion on the design and compatibility. The placement needs to be decided based on Guideline 4, that speaks to locations being in the rear yard. The setbacks are under the zoning code and outside of what the Commission does. There is also a process in the city that if a property owner feels it can meet the test and criteria for not having to comply with a setback, it can be asked to attempt to have that relief

and also not what the Commission does. Chair Hodierna asked Attorney Buansi what the role of the Commission was in meeting the guideline requirements and carrying out the Commission's scope, but not wading into a property owners' right to seek a Variance or a Special Exception. Mr. Cowhig advised a recommendation could be made for a Special Exception as part of the approval. Chair Hodierna stated there has not been any testimony of meeting the criteria for a Special Exception. Mr. Wharton advised from his perspective since zero setbacks are somewhat of a tradition within historic neighborhoods, he did not feel the need for a special hardship to be justified by the Commission. Mr. Wharton stated he did not feel the Commission could approve the placement of a building on property that the applicant does not own. Mr. Buansi responded that was correct.

Beverly Kehayes requested to speak. Chair Hodierna swore in Beverly Kehayes for her testimony and consent to the remote hearing.

Beverly Kehayes, 722 Percy Street. Ms. Kehayes advised in the middle of the alley is a tree with a diameter of approximately 4-feet or more. A tree with a diameter of that size would have to be over 50 years old. The alley has not been used at all. They are attempting to go up to where the fence was when the property was purchased. The building would be 4 ½ away from the fence and encroaches slightly on the alley. It does not make sense why the building should be moved up and leave a large space that would have no use. The building currently is 4-feet from the fence to accommodate the tree.

Chair Hodierna felt the conversation had gone into property ownership. A survey had been provided depicting the Kehayes' property line and a platted alley. The Commission only had evidence that the alley exists and their property line is separate and apart from that. The Commission does not have any authority to grant the right to go off their property line. That is what a survey does, it tells where the property is. Chair Hodierna felt the Commission would not have any ability to say they could go outside of it. It is a legal process that they would have to undertake outside of this meeting. Chair Hodierna understood the frustration of the Kehayes, but whether or not the Commission wants to recommend a Special Exception with the setbacks, was a discussion to be held.

DISCUSSION:

Ms. Israel inquired who was responsible for the alley since it is city property. Mr. Cowhig responded the alley was not city property, it was private property. Ms. Lane asked who was responsible for keeping it clean. Mr. Kehayes advised he was. Mr. Wharton stated when the neighborhood was platted, the alleys belonged to the Cone Development Company or Summit Avenue Development Company. The heirs of the Cone Company have never relinquished ownership. The city has not taken ownership. Mr. Wharton assumed the maintenance of the alleys originally was done either by the Cone Company or the neighbors. Over a century since the alleys were not maintained, a lot of property owners moved their things into the alley, even though they didn't own it. That has not been a legal process, it is just what happened. Ms. Israel asked if there was a problem where the building was placed, it's your problem between them and whoever owns the property next to it. Ms. Israel asked if the city had regulations about how close something should be built next to another property. Chair Hodierna responded that is the setbacks. Ms. Israel was curious on how far the Commission can go on these types of questions, as this is her first meeting. Ms. Geary requested to be sworn in order to testify.

Chair Hodierna swore in Ms. Geary for her testimony and consent to the remote meeting.

Stefan-Leih Geary, City of Greensboro staff. Ms. Geary stated everything Mr. Wharton said was on point. A study was conducted on the alleys. In some cases, the individual property deeds have remarks and statements about alleyway rights. Other more general approaches were the Cone Development Company property. There are two process at play in this situation. First is the property line setback and a different process and would need to be addressed through a Special Exception. This Commission can make a recommendation in favor of that and the property owner would need to file with the Planning Department and go through that approval process. Over the years, much has grown into the alley, fences and other accessory buildings, trees, pre the Historic District designation. Technically, it has not been formally closed. There is a process by which all of the property owners on the alleyway can come together and make that request. That would be the second directive needed to come out of this if the Commission chooses to pursue that. One solution is through a condition of approval, if the Commissioners are all in agreement on design and the materials of the shed. If it is acceptable with the building

being on the property line, the next step would be to have a condition requiring a Special Exception be pursued and then making that recommendation. A second condition should be added that the shed would need to be removed from the alley unless the property owner and surrounding properties pursue official closing of the alleyway. Otherwise, the alleyway issue will probably not be resolved anytime soon and this active application will be sitting out there.

Chair Hodiernie agreed with Ms. Geary. Chair Hodiernie inquired if anyone had questions for Ms. Geary. Ms. Geary stated she felt the report was a spreadsheet for information and was happy to share that to anyone interested in it. Ms. Lane asked if the COA was denied as written, what was the next step for the owner. Chair Hodiernie thought they would need to apply, if they choose to. Ms. Geary advised if the Commission denied it, the applicants would have to remove the accessory building. Ms. Lane asked how were the other agencies tied to the condition of approval. Chair Hodiernie responded the Commission would recommend the Board of Adjustment would consider a favorable Special Exception allowing encroachment into the setbacks. Approval by the Commission would say it would have to be on the property line, period. No allowance for an intrusion into the alleyway. If the neighborhood wanted to come together and pursue that and were successful in the alleyways being abandoned and rejoined with the property owners, at that time, they would be able to move it accordingly because it would divide the alleyways amongst the neighboring property owners from the center lines and their lots would grow by 2 or 3 feet. Survey and dimensions would change. It would be something the community would be able to do if the other process was pursued. Ms. Lane asked if the location was what the Commission was approving. Mr. Cowhig responded the Commission would be approving a site plan indicating the placement of the building on the property. Ms. Lane asked even though it was not correct in the world of zoning setbacks and the drawing is approved the way it is. Ms. Geary responded the Commission was not approving it. There would be a condition on approval that in order for it to be on the property line, the Commission would recommend in favor of a Special Exception. The applicant or property owner would then have to file an application to the Board of Adjustment, go to the hearing and state their case and obtain approval of the Special Exception. The second condition would be in the future if the alleyway is closed, the Commission would allow it to be on the property line of the new setback. Mr. Arneke asked if a motion could go forward that the Commission could use as a basis for discussion, as it might help clarify. Mr. Wharton stated without a current survey of the property, the testimony was the storage building on the property line. Chair Hodiernie stated that was correct but the spoken testimony acknowledged that is not exactly accurate. Mr. Wharton asked if the Commission could approve the placement of the shed on the property line and vote for a recommendation to the Board of Adjustment for a Special Exception, which the Commission is empowered to do. It would be left to the property owner to comply with the COA. Chair Hodiernie responded her understanding was that would be an appropriate action for the Commission. The consensus was the Commission would approve the placement of the shed on the property line and vote for a recommendation to the Board of Adjustment for a Special Exception. Ms. Israel stated it is an issue of how close to another person's property line a building can be placed. Ms. Lane commented you may think you are on your property line; you may not be. These are gains of inches. Alleyways and other property rights may be infringed upon. Ms. Lane felt strongly that was understood. Ms. Geary stated if the Special Exception is pursued, a new survey will be done depicting where the building is. Mr. Arneke advised he would like to make a motion.

FACTFINDING:

Mr. Arneke moved that based upon the facts presented in application #2509, 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 Standards, and that the staff comments and the **Standards for Accessory Structures and Garages, page 36, numbers 2-4**, are acceptable as a Finding of Fact. Second by Mr. Wharton. (The Commission voted 6-0. Nays: 0.) (Chair Hodiernie, Leimenstoll, Arneke, Lane, Wharton, and Israel).

MOTION:

Therefore, Mr. Arneke moved that the Greensboro Historic Preservation Commission approves application #2509 and grants a Certificate of Appropriateness to Bev and Ernest Kehayes, at 722 Percy Street. As shown in the survey submitted with the COA application illustrating the structure on the property line and not beyond the

property line. Second by Mr. Wharton. (The Commission voted 6-0. Nays: 0.) (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel). Mr. Arneke moved that the Greensboro Historic Preservation Commission recommend to the Board of Adjustment a Special Exception to allow the storage shed to be placed on the property line at 722 Percy Street. Second by Mr. Wharton. The Commission voted 6-0. Nays: 0.) (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

Chair Hodierna advised the applicants their COA was approved and a recommendation was made to the Board of Adjustment to look favorably upon their request for a Special Exception to allow the applicants to be right on their own property line. It is a separate process that the applicants will need to pursue with the Planning Department.

3d. Application #2514, 630 N. Elm Street. (Continued to July 28, 2021 meeting)

Mr. Cowhig stated this application was for 630 N. Elm Street in Fisher Park. The application is a request to be allowed to remove an oak tree in the front yard of the property. The request is not based on the tree being unhealthy. The applicant would just like to take it down. The tree appeared to be growing at an angle and appears to be healthy to staff. As Judson Clinton points out, you'll know when a tree is leaning because the ground will upheave on the opposite side of the lean. The standards are clear "retain mature trees that contribute to the character of the historic district. Staff was recommending denial of this COA.

QUESTIONS:

Chair Hodierna stated in the first paragraph of the applicant's explanation it appears to talk about what was said, but then says "also have a dead tree at back of property that needs to come down. Mr. Cowhig advised that was not a part of this because it is a dead tree that staff can approve. Ms. Israel asked if a tree doctor looked at the tree. Mr. Cowhig responded Judson Clinton, the City Arborist, did look at it but he does not do what a tree service would do and do a full through analysis of the tree. Mr. Clinton only performs a quick look at the tree and gives some general advice.

Chair Hodierna inquired if there were further questions for staff. Seeing none, Chair Hodierna requested Angelia Espinoza to come forward. Ms. Geary advised Ms. Espinoza had advised she would need to call in as she is traveling. Ms. Geary did not see her named registered and did not see any phone numbers registered. Ms. Geary felt Ms. Espinoza was not present.

DISCUSSION:

Mr. Cowhig stated the Commission probably needs to hear from the applicant, Angelia Espinoza. Chair Hodierna inquired if Commissioners were in favor of a continuance. Ms. Israel suggested to find a reasonably priced person to evaluate the tree. Chair Hodierna stated she felt it was the type of testimony the applicant would or should have. Ms. Israel suggested requesting the applicant obtain a consultation as that is the type of information needed by the Commission. The overall consensus was to continue the case to hear from the applicant.

Chair Hodierna stated there was another speaker from the Neighborhood Association. The Commission was in agreement of the continuation. Chair Hodierna requested a motion.

MOTION:

Mr. Wharton moved the Commission continues Application 2514 to the July 28, 2021 meeting. Second by Mr. Arneke. The Commission voted 6-0. Nays: 0.) (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

3e. Application #2518, 603 N. GREENE STREET. (Denied)

Mr. Cowhig advised this application is for 603 North Greene Street in Fisher Park Historic District. This is a house owned by Holy Trinity Episcopal Church and used for their music programs. Maintenance work has been done on the house. The existing porch railing was replaced with a porch that is a framed wall covered with wood shingles. Photographs were shown dating back to 2007 depicting the house. In the National Register Nomination, the house is classified as a four square but it clearly has Queen Anne details. This type of use of wood shingles is something typically found on Queen Anne style homes. Another photograph was shown depicting the house on an angle. Mr. Cowhig was unsure if it was a polygon. The house was constructed around 1900 and is a formed square but does have some Queen Anne features. In carefully looking at the porch railings, that could be

considered to be a feature that should be retained on this house. Holy Trinity is a wonderful steward of historic properties that they have around the sanctuary. Holy Trinity owns two other houses on Fisher Avenue wonderfully maintained. The standards have a preservation section where the introductory states “Allowing institutional property owners more flexibility because of the needs of their programs, especially when using historic structures.” The Commission could not, in good conscience, recommend in favor of the application. This was a detail staff would like to have kept. It was an intentional design of the original construction of the house. Staff referred to Standards for Porches on page 65, that say Standard 1 “Preserve and maintain historic porches, porticos, balconies, pergolas, terraces, and entrances. And Standard 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, rackets, soffits, fascia boards, and decorative trim 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 wooden steps.”

QUESTIONS:

Ms. Leimenstoll inquired if other houses in Fisher Park had this sort of detail. Mr. Cowhig responded none that he was aware of. This house is earlier than most houses in Fisher Park and is more like on the edge of Fisher Park and more associated with downtown center city historic houses. Ms. Israel inquired if a before and after picture could be shown. Photographs were shown depicting the house in its current condition. Ms. Israel asked if the shingling was not available. Chair Hodiernne advised the Commission would hear about that when the applicant speaks. Mr. Arneke advised there are houses in Fisher Park with porches closed, rather than having a balustrade. Mr. Cowhig was unsure of those in Fisher Park but there are other houses with that treatment. Ms. Geary advised on Wharton Street in Fisher Park, in the National Register District but outside of the local district. A few of the cottages have been shingled and one may have a lap siding, but does have the wall to the porch and not the balustrade.

Chair Hodiernne inquired if there were further questions for staff. Seeing none, Chair Hodiernne inquired if the applicant was present to speak in favor of the application. Chair Hodiernne requested J. Michael Thomas, Attorney for the property owner, Holy Trinity to come forward. Chair Hodiernne sworn in Mr. Thomas for his testimony and consent to the remote meeting.

J. Michael Thomas, Attorney, 3309 Albemarle Drive, advised he was also a Junior Warden of Holy Trinity Episcopal Church, lay position in charge of the physical campus. The application was filed after realizing they were in the historic district with the building. It is the first structure in the Fisher Park district going north on Greene Street. The misunderstanding in taking over was this project was it was on the “to do” list and Mr. Thomas failed to confirm the extent of the historic district. This project is a multi-pointed to deal with problems of maintenance, deck deterioration, and the fact homeless people took up residence between Shake shingle rails previously there. The building is used by the music program and houses offices for the music director and other officers for music. The idea of the project was to open up the porches as well as restore the functionality and safety of the deck. Mr. Thomas has not found pictures of the house at porch level depicting what it looked like originally or even 8 or 9 years ago. The one picture included with the application is in the collection of the Greensboro Historical Museum, but the porch is not seen. The observation deck has the plain open railing system. Mr. Thomas stated they were attempting to emulate the plain open railing, believing it was probably original. They did not think the shake-shingle was the addition or an original feature. Mr. Thomas advised he has been looking for pictures and will continue to search for pictures of this house. The Historical Museum dated the black and white photograph shown on the screen, circa 1930 and Mr. Thomas thought it was 1930s to the 1940s. Mr. Thomas stated they achieved what they had wanted, which was a compatible structure on the front and rear porches and were proceeding on general compatibility ideas. If the Commission assumes that the shingled covered rail system is original, that’s one case. If they came in later at some uncertain date, that is another date. Mr. Thomas cannot say one way or the other; he did not know. There is work that needs to be done on the house. The round columns were replaced exactly where they were on the pedestals for appearance and a security issue.

Appearance because there will be further work and further interaction with the city regarding the house. The current paint job is poor. On the side and back, a lot of wires hanging off of the building. As a district house, they are more sensitive to the need to conform to standards.

QUESTIONS:

Ms. Leimenstoll stated the 2007 photograph is what is character defining about the building as many of the drawings were altered over time. For Ms. Leimenstoll it is not whether the shingles were original at the get go, but were clearly there for many years and are distinctive features. It is not so much whether they were there originally but that they have been there for a substantial part of the life of this building and are very distinctive in the Historic District. Ms. Leimenstoll asked if the small finials were still there. Mr. Thomas did not know. This was the first time he had seen the photographs and the finials. Ms. Israel requested to see the black and white picture ad asked about the house. Mr. Thomas advised that house was torn down presumably in the '60s or somewhere in that time frame when the parish house was built. The house on top of it was the house on the far left. Ms. Israel asked if it was known when the shingles were used and if they were still available. Mr. Thomas responded there was no information about the installation of the shingles or the source. It was to open up the porch and secure it with a better railing system that was open. Ms. Lane asked when was the reconstruction finished. Mr. Thomas responded in the last three months. Mr. Arneke stated on the back porch, the work there to open it up was done at some point in the past that is unsure. Mr. Thomas responded the opening as revealed in the 2007 picture, was done since then, but M. Thomas did not have that information with him. It was open and had the closed rail system on it with a square box for a column, made out of 1x 6 and no internal elements. Just a square box on the corner.

Chair Hodiernie inquired if there were further questions for Mr. Thomas. Seeing none, Chair Hodiernie inquired if there was anyone else wishing to speak in favor of this application. Seeing none, Chair Hodiernie inquired if there was anyone wishing to speak in opposition. Chair Hodiernie request Ms. Pratt to come forward. Chair Hodiernie sworn in Ms. Pratt for her testimony and consent to the remote meeting.

Cheryl Pratt, 910 Magnolia Street, Fisher Park. Ms. Pratt stated the Fisher Park Neighborhood Association Board met and voted unanimously against supporting this COA. They felt it was against the standards on page 64 for Porches. The Association was distressed that it is an unusual porch treatment for the neighborhood and hate to see unique things go.

Chair Hodiernie inquired if there were questions for Ms. Pratt. Seeing none, Chair Hodiernie advised Mr. Thomas was entitled to rebuttal to the opposition testimony, if he would like. Mr. Thomas declined. Chair Hodiernie inquired if there was anyone else to speak. Ms. Geary advised Tracy Pratt was signed up as well as Cheryl Pratt. Chair Hodiernie request Mr. Pratt to come forward. Chair Hodiernie sworn in Mr. Pratt for his testimony and consent to the remote meeting.

Tracy Pratt, 910 Magnolia Street, Greensboro. Mr. Pratt advised Holy Trinity church has been present for a very long time and involved in several projects. Mr. Pratt believed the church was aware their facility was located in the Historic District and was surprised the church is claiming they didn't know their structures were in the historic district. Mr. Pratt felt when things like this happen, they are done knowing there are probably restrictions and go ahead and do the work anyway in hopes it will be approved. This house is unusual and the type of railing on the house is unique and an important feature of the house. Mr. Thomas found it odd the flooring was done before obtaining a COA. It doesn't matter if this type of railing was not original to the house. It's been there long enough to where it blends to the historic nature of the house. Mr. Pratt felt the Commission should not approve this COA and stressed it is his opinion the Board should require the church to replace the railing to the way it was before the work. It is a unique feature of the house and a defining feature. It is very unusual and there are not many of those. It was a shame they felt like it was not important and that is has been removed.

Chair Hodiernie inquired if there were questions from the Board of Mr. Pratt. Chair Hodiernie advised Mr. Thomas could rebut if he would like.

Mr. Thomas did not disagree with the speaker of what should be known. Mr. Thomas hoped the first thing for the Operations manual would be a campus map with a super imposition of the historic district. A COA should have

been applied for first, but his position would have been the same. Mr. Thomas disagreed with the idea of something put on later. Something was added and could have been well after the original construction and should be given the same deference as original elements. No one knows what was there that far back or how long the shingles rails have been there. Mr. Thomas contended what has been put there, which was in the original application, is compatible with the structure and the historic district. Mr. Thomas hoped the Commission would be indulgent of the church's need for this change.

Chair Hodiernie inquired if there were questions from the Commission of after of the speakers. Seeing none Chair Hodiernie inquired if the Commissioners had discussion.

DISCUSSION:

Mr. Arneke stated it was an interesting point whether the original work was or the previous porch treatment was original, but was reminded that when the Southeastern Building was being renovated, the National Trust had to be consulted. It is either on the Register or in a National Registered District. There was a very interesting disagreement between the property owner and the National Trust because the Trust wanted the facade from the 1950s to be maintained when the building was renovated, even though it wasn't the original front of the building. The property owner was seeking to remove the façade and restore the original. Mr. Arneke agreed that even if it is not original, something like the porch becomes part of the historic character of the structure after a period of decades. It was extremely disappointing to him to see this has disappeared and agreed with Ms. Leimenstoll and Mr. Pratt that it is a character defining feature of the structure.

Ms. Geary stated she consulted A Field Guide to American Houses by Virginia and Lee McAlester. Page 293 was the first page with Victorian Houses, a style called shingle. There were multiple examples of Victorian structures. Ms. Geary believed the National Register has it wrong as a four squared. There was very little about a structure that has four squared detailing. There are rounded corners at the front porch and a steeply pitched roof with a parapet widow's walk. Multiple examples of a closed in balustrade whether it was stone or shakes. Having worked in this neighborhood for years, Ms. Geary stated she had no doubt that it is an original feature. Mr. Wharton stated there were a couple of things indicating to him that it is an original. It has shingles on the dormer of the house that appear to match the shingles around the porch. Victorian style precedes the four squared style. It seemed very unlikely to him that if the house was being renovated after it was built, an older style would have been added. If this work was being considered as if no work had been done and there was doubt about whether it was an original feature or not, no permission would have been given to remove something that had a good chance of being an original feature if the Commission didn't know. Mr. Wharton stated his position was to not approve the COA. Ms. Leimenstoll stated the Commission follows the Secretary of Interior Standards about changes over time. Ms. Leimenstoll believed it is very likely the shingles are original, but the point is if this came to the Commission before it had been done, the Commission probably would not have approved replacing it with the open railings.

Ms. Leimenstoll inquired how much longer it would be as she had a conflict as mentioned at the beginning and was concerned about a quorum. Chair Hodiernie advised there would still be a quorum. Ms. Leimenstoll excused herself from the meeting at 6:32 p.m.

Ms. Israel asked if the former railing was deteriorating and could it have been duplicated with the shingles that were there. Mr. Cowhig responded those shingles are available. Zooming in on the 2007 image, the foundation was covered with wood shingles. Chair Hodiernie stated it was a very interesting issue whether or not the shingles were original. In looking at the textual guidance, the standards are what the Commission has to follow. A term is used that is not one the Commission has used yet; it says historic. Preserve and maintain historic porches in Guideline 1, Guideline 2, Preserve and maintain historic materials and features of historic porches. In the glossary was character defining and defined but historic is not. To everyone's point, Chair Hodiernie was inclined to agree that something could take on historic significance even if it wasn't potentially original. Coupled with the fact that the Commission is hearing a lot of educated testimony from folks who have knowledge about this to believe that it is original. It is compelling to the Chair that is at least historic. Ms. Israel advised she had a picture from another house on Chestnut Street before 1900 with shingles like that in a book of Ethel Stephens Arnett. Ms. Israel felt this house was historic. Ms. Lane asked if the columns had been retained from original to current status. Mr.

Thomas responded they were solid columns, approximately 6 feet that were retained and remounted on the pedestal. Ms. Lane asked if they were altered. Mr. Thomas responded they were not altered. Chair Hodierné stated the railing looks very nice, was well done, and an attractive railing. Attention was taken to make it not something that would be completely out of keeping with the district. Ms. Geary advised there are several examples of this type of balustrade on Victorian and Stick style structures referencing the *Field Guide to American Houses* written by Virginia and Lee McAlister. Mr. Thomas asked Mr. Cowhig if there had been any previous COA applications on this house, to his knowledge. Mr. Cowhig responded there could have been some but it would have been a long time ago. Mr. Cowhig did not have any COA applications in their electronic folders. There are hard copies that go much further back. There has not been a COA application for this house in quite a while. Mr. Thomas asked because according to the pictures seen, the steps look different also and appears at some point, the church did some significant renovations involving those elements. That may have further taken him into a false sense of security but that was how they found it this past spring. The balustrade or railing system was clad in the shingles and was as far down as it went. Chair Hodierné asked if the first story under the porch was shingle siding or the same as the second floor. Mr. Thomas responded it was a thin clapboard siding. Ms. Lane stated she has not studied many houses like this one, but it is peculiar for the elevation to have the windows so far apart with all the clapboard. Ms. Lane asked where the existing shingles are right now. Mr. Thomas responded they were on the balustrade on the front porch, on a balustrade structure in the rear porch, and on the dormer. After searching, Mr. Cowhig advised he did not find any COAs. Mr. Cowhig thought David Millsaps did work on this house at some time and had replaced some shingles with new wood shingles, but could not say that with certainty.

Chair Hodierné inquired if the Commission felt ready to go forward with a continuance or was there enough information for a decision. The consensus of the Commission was they were ready to decide. Chair Hodierné asked Mr. Thomas if there was anything else that would be worthy of pushing pause or did he feel all the evidence was there. Mr. Thomas responded he preferred the Commission disapprove and have an opportunity to find more photographic evidence. The Commissioners have made it fairly clear that there has been a long-term presence of an element, even if not original, would be considered worthy of historical preservation and its removal would be frowned or disapproved. Mr. Thomas disagreed but the Commission may be right. In a proper build-up to an application he would have exhausted that possibility by obtaining every picture from whatever source he could. Mr. Thomas would like an opportunity to find pictures but if the Board determined it wouldn't make any difference, he would not get in the way and would move on to the next step of dealing with the situation.

Chair Hodierné closed the public hearing. Mr. Wharton advised he was trying to think what would the path be for the Commission to approve this application. At best, if it was not absolutely original, it would have been a style decision made fairly early in the life of the building and would have acquired historical significance. It was agreed the attorney made a mistake. The Commission does not have a definition of what makes a house or building historical. The consequence for the applicant would be to redo it. Mr. Cowhig advised applicants always have the right to appeal decisions of the Commissioners. Chair Hodierné inquired if there was a motion.

FACT FINDING:

Ms. Lane moved that based upon the facts presented in application #2518, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the Historic District Program Manual and Design Standards, and that the staff comments and the following **Standards, page 64 (Porches, Entrances and Balconies)**, are acceptable as a Finding of Fact. Second by Mr. Wharton. The Commission voted 5-0. Nays: 0.) (Chair Hodierné, Wharton, Arneke, Lane, and Israel).

MOTION:

Therefore, Ms. Lane moved that the Greensboro Historic Preservation Commission does not approve application #2518 and denies a Certificate of Appropriateness to applicant, Michael Thomas, on behalf of Holy Trinity Episcopal Church, for work at 603 North Greene Street. Second by Mr. Wharton. (The Commission voted 5-0. Nays: 0.) (Chair Hodierné, Wharton, Arneke, Lane, and Israel).

ITEMS FROM THE COMMISSION CHAIR:

None.

ITEMS FROM THE PLANNING DEPARTMENT:

Adoption of Terminology Changes to the Historic District Program Manual and Design Standards as part of updates associated with Chapter 160 of North Carolina Land Use law.

Chair Hodiernie stated this was an adoption of terminology changes to the Program Manual in order to comply with the new 160D. 160D is the new statutory scheme coming in effect this year after many years governing all municipal and county planning and development. This is happening across the board in every jurisdiction right now as everyone is getting their ordinances up to par with the new statutes. Chair Hodiernie requested Ms. Geary to speak. Ms. Geary asked if Alan Buansi had anything to add.

Mr. Buansi stated in 2021, the North Carolina State Legislature adopted a new Chapter 160D for North Carolina State statutes to consolidate city and county enabling statutes for development regulations previously under Chapters 153A and 160A. All of these statutes are consolidated into one unified chapter, Chapter 160D. The new law did not make any major policy changes but did provide clarifying amendments that meets the incorporated into local regulations. The one change concerning the Historic District Programs is the change from Guidelines to Standards. That change was made to the program standards that were emailed to the Commissioners in the agenda. This does not change any of the processes or procedures which were already in line with the state legislation. Tonight, the Commissioners were asked to formally vote to adopt this change. The change is changing the word guidelines to standards.

Ms. Geary added this was an older document done in a publication software called Qwork that no longer exists. In the conversion of that document to something that could be manipulated, major formatting changes and things that took place. There will be some areas where there are blank lines. Generally, the changes are only replacing the word guidelines with the word standards. General editorials have been incorporated. If there is a place was missed replacing the words, advise Ms. Geary of the error. New guideline will be coming out soon and this document will be replaced. Chair Hodiernie inquired if there were any questions. Mr. Arneke inquired if this needed to be voted on. Ms. Geary responded the Commission needs to adopt the revised standards to meet the requirement of Section 160D.

Mr. Wharton moved to adopt the revised standards to meet the requirement of Section D. Seconded by Ms. Lane. (The Commission voted 5-0. Nays: 0.) (Chair Hodiernie, Wharton, Arneke, Lane, and Israel).

Chair Hodiernie inquired if there were any speakers from the audience. Seeing none, Chair Hodiernie requested a motion to adjourn.

ADJOURNMENT:

Mr. Wharton moved to adjourn the meeting. Chair Hodiernie stated the meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Mike Cowhig, Executive Secretary
MC/cgs

MEETING MINUTES OF THE HISTORIC PRESERVATION COMMISSION JULY 28, 2021

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, July 28, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierna, David Arneke (College Hill), Jesse Arnett (Green Valley, At Large) Jo Leimenstoll (Fisher Park), and Adrienne Israel (New Garden & Guilford College Heritage Community, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Allen Buansi, City Attorney, was also present.

Chair Hodierna inquired if all the Commission members were contacted to ensure a quorum and if the meeting was properly advertised and the applicants notified. Chair Hodierna inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were mailed to the Commission members five days prior to the meeting. Ms. Geary advised due to some difficulties, mailed packets were not sent out. The electronic packet was sent to the Commissioners. Chair Hodierna inquired if everyone on the Commission had received their packet and had an opportunity to review everything via email. Chair Hodierna inquired if reasonable efforts were made to identify and notify the surrounding property owners and other interested parties for all of the COA applications. Mr. Cowhig responded they were. Chair Hodierna welcomed everyone to the July 28 meeting of the Greensboro Historic Preservation Commission. Chair Hodierna advised this was a remote meeting being conducted in accordance with Session Law 20-20-3. Certificates of Appropriateness are subject to Quasi-Judicial hearings. Chair Hodierna 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.

1. APPROVAL OF ABSENCES:

David Wharton, Linda Lane, Max Carter, and Sylvia Stanback were not approved absences.

2. APPROVAL OF THE APRIL 28, 2021 and JUNE 30, 2021 REGULAR MEETING MINUTES:

Several of the Commissioners advised they did not receive the June minutes. Ms. Geary inquired if the Commissioners would like to continue the June minutes until the August meeting to ensure everyone had a chance to read the minutes. Chair Hodierna stated the Commissioners can act on the April minutes now and continue the June minutes. Mr. Arneke moved to approve the April 28 meeting minutes; seconded by Mr. Arnett. (The Commission voted 4-0. Nays: 0). (Chair Hodierna, Leimenstoll, Arneke, Arnett.) Ms. Israel abstained as she was not present at that meeting. Chair Hodierna advised she had not been present at that meeting. Mr. Buansi stated as a general matter, it is always good if you were present at the meeting. If present at the meeting, it is totally appropriate to vote on this particular motion. Ms. Geary stated the motion was for April meeting minutes. There were four votes to approve the April minutes. Ms. Geary advised Commissioner Israel was not on the Commission at that time. Mr. Buansi stated he had to do more research into the bylaws and requested to move this agenda item to later on in the meeting. This item was tabled and moved on to the COAs.

Mr. Buansi apprised the Commissioners of his findings regarding meeting minutes approvals. Mr. Buansi advised at the end of the applications per Section 3-3-8.5 of the Land Development Ordinance of a vote. "The majority of members present are sufficient to approve or deny approval of the minutes, even if that vote is under 5 affirmative votes." Mr. Buansi stated in reference to abstaining from a vote, generally speaking every Historic Preservation Commission member has a duty to vote except on matters where one member has a fixed opinion prior to a hearing that is not susceptible to change; a member has had an undisclosed ex-parte communication; or a member has a close familiar business or association involving their own financial nature. North Carolina generally follows in the spirit of a duty to vote for an elected government board member. Mr. Buansi recommended to Ms. Israel to use her best judgement and take a vote either way. Ms. Israel stated earlier that she would vote yes even though

she was not on the Commission at the time and will do so. Chair Hodierné requested a vote on the approval of the April 28 meeting minutes. (The Commission voted 5-0. Nays: 0). (Chair Hodierné, Leimenstoll, Arneke, Arnett, and Israel). Ms. Geary inquired if there was a motion to formally continue the June meeting minutes until the next meeting. Chair Hodierné made a motion to approve the June 30, minutes to the next meeting to allow for everyone to review them. Second by Ms. Leimenstoll. (The Commission voted 5-0. Nays: 0). (Chair Hodierné, Leimenstoll, Arneke, Arnett, and Israel).

3. APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

Chair Hodierné explained the order of business regarding Certificates of Appropriateness

3a. Application #2514 630 N. Elm Street. (DENIED)

Mr. Cowhig advised this was a continued application from the last meeting. At that time, the Commission choose to continue the application because the applicant was not present and there were questions that staff could not answer. This was a request to remove an Oak tree located in the front yard of 630 N. Elm Street. A number of images were shown depicting the property and the specific tree the owner is requesting to remove. Although the tree was growing on an angle, Mr. Clinton, City Arborist, has stated “a tree that grows on an angle is not necessarily a leaning tree.” Mr. Clinton considers a leaning tree to not be at risk to falling. This particular tree appears to be healthy and contributes to the canopy of the property. This house is probably the only house in the neighborhood on Elm Street that has a nice canopy and buffers the property from the heavy traffic of N. Elm Street. Mr. Cowhig advised the guidelines are pretty clear on maintaining and preserving trees that contribute to the character of the historic district. Staff was not in support of the application for that reason.

Chair Hodierné inquired if there were questions for staff from the Commissioners. Ms. Israel asked if a tree doctor has been consulted to examine the tree. Ms. Israel asked if there was a way to determine one way or the other if the tree was damaged. Mr. Cowhig responded that possibility was relayed to the property owner. The owner understands the tree is healthy and would like to replace with it a different type of tree. Ms. Israel understood the concern that the tree could fall and the owner could make a lawsuit against the City for leaving it up. Ms. Israel asked if a professional assessment had been done. Chair Hodierné stated the applicant can address that when the applicant speaks.

Ms. Espinoza came forward and was sworn for her testimony and consented to the remote hearing.

Angelia Espinoza, 634 N. Elm Street. Ms. Espinoza advised this was an investment property and she lived two doors down from this property. A picture was displayed of the tree in front of the house. The tree is leaning to the right over the neighbor’s commercial property next door. Ms. Espinoza advised she has not had an arborist look at the tree because her concern was not if the tree was healthy or not. It is an aesthetic issue and a concern that the limbs during storms would come down and fall on the neighbor’s property. There are no limbs growing to the left side of the tree, all are growing to the right side of the tree. Ms. Espinoza would like to have this tree come down and replace it with another tree, a fast-growing Chinese Elm tree. This particular tree is a concern and there is a dead tree behind it. Ms. Espinoza would like both trees to be removed.

Chair Hodierné inquired if there were questions for the applicant from the Commissioners. Chair Hodierné inquired if there was anyone else to speak in favor of this application. Keisha Hadden came forward and was sworn for her testimony and consented to the remote hearing.

Keisha Hadden, 404 W. Bessemer Avenue, advised that the Fisher Park Neighborhood Association had a mixed stance. The Board supported removing the dead tree in the back, but did not support removing the tree in the front as it appeared healthy. The Fisher Park Neighborhood Association would defer to the City Arborist for his recommendation.

Chair Hodierné inquired if there were questions for Ms. Hadden from the Commissioners. Chair Hodierné inquired if both trees were for the COA discussion. Mr. Cowhig responded the tree in the back is clearly dead and approved by staff. The Commission was only considering the tree in the front of the home. Chair Hodierné inquired if there were any other speakers in favor or in opposition of this request. Chair Hodierné advised even though it was not a hard and fast opposition, offered Ms. Espinoza time for rebuttal if she would like to make any responsive comments.

Angelia Espinoza, stated she was disappointed. Her concern was having a lawsuit because one of the large limbs would come down onto the neighbor's property. There are plate glass windows in his building. Large limbs have come down on her other property during these violent storms of late. Ms. Espinoza stated damaging her neighbor's property was a major concern for her and did not know what her options were. Ms. Espinoza wanted it on record regarding her concern regarding the limbs causing damage to her neighbor's property. Ms. Espinoza was unsure what she would have to do in that situation.

QUESTIONS:

Chair Hodierna inquired if there were any questions. Ms. Leimenstoll asked if Ms. Hadden was speaking on behalf of the Fisher Park Neighborhood Association. Ms. Hadden responded that was correct. Chair Hodierna closed the public hearing for discussion among the Commissioners.

DISCUSSION:

Jesse Arnett stated the tree appeared healthy. **The Guidelines on page 23, #1, Retain mature trees that contribute to the character of the historic district.** Mr. Arnett felt the tree should be retained. Ms. Israel asked if the petitioner had made any efforts to trim the trees back. As long as the tree is not cut down or damaged in any way, it was normal to cut limbs from trees without killing the tree. Chair Hodierna asked the Commissioners if the question Ms. Israel raised, warranted reopening the public hearing. Ms. Leimenstoll did not feel the issue of trimming limbs was part of the Commission's purview. Ms. Israel stated that was what she wanted to know. Chair Hodierna agreed. Removing the limbs could be explored and was a prudent thing for property owner to look into was not precluded by the decision of the Commission. Chair Hodierna inquired if there were any other questions, comments, or a motion.

FACT FINDING:

Mr. Arnett moved that based upon the facts presented in application #2514, in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the **Historic District Program Manual and Design Standards**, and that staff comments and **Standards under Trees and Landscaping, page 23, item 1, Retain Mature Trees that contribute to the character of the Historic District**, are acceptable as finding of fact. Second by Mr. Leimenstoll. (The Commission voted 5-0. Nays: 0). (Chair Hodierna, Leimenstoll, Arneke, Arnett, and Israel).

MOTION:

Therefore Mr. Arnett moved that the Greensboro Historic Preservation Commission does not approve application #2514 and denies a Certificate of Appropriateness to Angelia Espinoza for work at 630 Elm Street. Second by Mr. Arneke. (The Commission voted 5-0. Nays:0). (Chair Hodierna, Leimenstoll, Arneke, Lane, Wharton, and Israel).

3b. Application #2507, 705 SIMPSON STREET (APPROVED)

Mr. Cowhig advised this application was for 705 Simpson Street in the Fisher Park Historic District. The scope of the work would be to replace the brick walkway in the front with a bluestone walkway. The applicant would like to paint the front steps a color consistent with the look of the bluestone walkway. Mr. Cowhig advised Ms. Geary would provide input on discussions that have taken place since the application was received that he was not a part of. In looking at the existing walkway, it did not appear to be original and was not in great condition. Based on the period of construction of the house, Mr. Cowhig questioned whether the front stoop and steps were original and could imagine it was a wood floor at one time with wood steps. There was nothing to validate that but was an opinion. Staff supports this application because putting down a new walkway in the existing walkway location would maintain the character of the property. There are other bluestone walkways in the historic district and would not be incompatible or be new material. **The Guidelines on page 28, to retain historic driveways and walkways, including steps and sidewalks in their original locations when deteriorated repair with materials that match or are compatible to the original. Select appropriate paving materials for new walkways, including concrete, brick and stone. Simulations of natural materials, such as stamped concrete are not appropriate.**

Chair Hodierna inquired if there were any questions for staff from the Commission. Seeing none, Chair Hodierna inquired Kristen Huff was present. Chair Hodierna swore in Ms. Huff for her testimony and consent to the remote hearing.

Kristen Huff, 490 Band Camp Road, Saugerties, New York. Ms. Huff was very excited to be relocating back to North Carolina and to move into 705 Simpson Street. The exterior will be painted a dark gray with white trim and would like to replace the walkway with bluestone. Paint the brick at the front porch a dark gray to match the bluestone or a whitewash, depending on what was approved, and what her designers and landscapers recommend.

QUESTIONS:

Chair Hodierna inquired if there were questions for Ms. Huff from the Commissioners. Ms. Leimenstoll stated it was often hard to keep paint coating on a walkway surface and was concerned that Ms. Huff would be disappointed if the brick was painted and then did not adhere well. Ms. Huff stated that was a good point and was one of the reasons she was eager to have options from the actual contractor specifically regarding the stairs. Ms. Huff stated if she replaced everything with bluestone, it would not matter. But if for some reason things cannot be replaced with bluestone, then she would be looking to paint. Ms. Huff was looking at what the options would be. Ms. Leimenstoll advised she was an architect who has dealt with a lot of brick painting and was familiar on the issue of brick. Ms. Leimenstoll suggested to consider cleaning the brick steps, get the bluestone walkway in and see if she was unhappy with the appearance of the two. Ms. Huff thanked Ms. Leimenstoll for the suggestion. Chair Hodierna asked if the treatment on the existing brick stoop was up for the Commission's consideration or was it a staff matter once Ms. Huff makes a decision. Mr. Cowhig responded it was an issue for the Commissioner's consideration. It was one of the 10 commandments in the historic district to not paint unpainted masonry. Ms. Geary and Mr. Cowhig were hesitant to approve this at the staff level. Chair Hodierna asked if the stoop was in equally poor condition as the walkway or more an aesthetic goal that should match. Ms. Huff responded it was an aesthetic to ensure the stoop and the walkway cohere. Chair Hodierna asked for guidance as she was unsure how far the Commission could go on a decision for the porch treatment if they did not know what that might be. It was a clear request of what is being asked for on the walkway but was not sure if the Commission would really know what they would be approving for the stoop. Ms. Geary depicted an image of the side view of the front porch depicting paint and a condition of the wall. Ms. Geary stated the applicant was dealing with masonry that have been partially corroded. Ms. Leimenstoll stated it was clear the paint was not adhering well. There were always issues arising with damp and moisture in brick and very hard to get paint to stick to brick on a vertical surface, much less a horizontal surface that would be walked on. Ms. Geary added the brick appeared to be a 1950s smooth common brick and probably added at a later point in time. Mr. Arnett stated it appeared the foundation on the house was paint or limewash, but was not bare brick. Commissioner Hodierna stated if there were no other questions, requested to hear from the other speaker.

Chair Hodierna swore in Ms. Pratt for her testimony and consent to the remote hearing.

Cheryl Pratt, 910 Magnolia Street, speaking on behalf of the Fisher Park Board. There was a long discussion regarding this application. Ms. Hadden and Ms. Pratt viewed the brick. It was a very bright red, obviously new brick. The foundation appears to have originally been limewash, as does the original part of the front stoop. The front stoop was covered over with the new brick. The current owner living in the house informed Ms. Hadden and Ms. Pratt that the previous owner had done the brick work around a decade ago. It is new brick and new mortar. There was a spirited discussion at the Board meeting because it was agreed to not paint old brick, but this is new brick. The Board supported Ms. Huff's project of the stone walkway and to either paint or limewash on her stoop to look better and match with the stone walkway, depending upon what her contractor feels could stick to the brick. It is not old brick or old mortar. Chair Hodierna inquired if there were questions for Ms. Pratt and the Neighborhood Association from the Board.

QUESTIONS:

Ms. Leimenstoll stated her concern was not whether it was old or new brick, it was getting paint to adhere to a horizontal surface and would be an ongoing maintenance issue. Ms. Pratt stated the Board also discussed limewash which is not a paint and would actually soak into the brick and have a whitewash appearance. It would

gradually wear off over time but would not be as slippery as paint. The Board did not know what Ms. Huff's contractor would be able to recommend regarding what would stick on the brick. Chair Hodierna inquired if there were any other speakers present in support or in opposition to the request. Seeing none, Chair Hodierna inquired if Ms. Huff had a response or rebuttal to the Neighborhood Association. Ms. Huff stated she will explore getting the stoop and the stairs in bluestone try avoid any type of painting.

DISCUSSION:

Chair Hodierna inquired if there were any other questions or discussion. Ms. Leimenstoll asked if Ms. Huff was saying that she was interested in the possibility of replacing the steps and stoop in bluestone. Chair Hodierna stated she understood Ms. Huff was interested in exploring all the best options for how to manage the stoop. Ms. Huff was not crazy about the red brick there now and would like something more aesthetically aligned. Ms. Huff was open to ideas from the contractor as to what that may be. It appeared that Ms. Huff had a very clear idea and the driving improvement was the walkway replacement. Chair Hodierna inquired if the Commission could act on the walkway replacement, which would allow Ms. Huff to make decisions on the stoop and come back to hear about the stoop later. Chair Hodierna did not know, without Ms. Huff coming back, what would be approved or denied at this meeting regarding the stoop. Ms. Huff stated she will be receiving estimates from the contractor on bluestone replacement for the walkway, separate from the bluestone request for the stoop. Ms. Huff stated her thought was to replace the walkway but not the porch and was attempting to gather all of her options. Ms. Huff advised she could come back before the Commission. Ms. Geary asked if Ms. Huff today was asking the Commission first to approve the bluestone for the walkway and the porch flooring. If the Commission was not comfortable with the covering of the porch with bluestone, Ms. Huff would like them to consider approving either a paint or limestone wash. Ms. Huff responded that was what they had talked about. Chair Hodierna inquired if all of the Commissioners were clear on the request and the order of operations or if there were any questions or follow-up. Ms. Israel was comfortable with considering bluestone and whatever else Ms. Huff would like to do and could come back to the Commission regarding the stoop. Ms. Israel had thought the red was being replaced by bluestone for the walkway and porch. Chair Hodierna inquired if everyone understood what was being approved or denied was the request to replace everything with bluestone. If the applicant decided that was not what would be done, the applicant would come back and explore a separate option. Mr. Arnett stated that was not what the application itself stated and there was no reference to bluestone on the porch. Mr. Arnett asked if it was acceptable for the Commission to add that. Mr. Arnett felt bluestone on the porch and steps would be wonderful but wondered how it would be done. The simplest way would be to add on top but in looking at the stoop, the stoop was almost flush with the front door and the additional thickness of the stone would cause an issue. If the applicant did want to go with bluestone, there could be more significant undertaking involved. Mr. Arnett questioned if in that case there would be a need for more details on exactly what was being proposed for approval by the Commission. Chair Hodierna asked Mr. Buansi, City Attorney, if it was appropriate for the Commission to interpret and act on the application in the way that it was outlined, given the observations from Mr. Arnett that is not what the application states. Mr. Buansi it was always good to err on the side of what the request actually is in the application. Mr. Buansi asked Ms. Geary if there have been similar situations like this in the past that were dealt with. Ms. Geary responded in a public hearing, there was often new information to the meetings and decisions made based on new information presented as part of the public hearing. Earlier in this meeting there was an application that had two trees on it, but one of the trees could be approved at staff level. If the Commission chooses to approve an application; it could be handled through a condition. It can also be separated and brought back to the Commission at another meeting. Mr. Cowhig echoed what Mr. Arnett said as there was a big difference from a technical and construction standpoint with replacing steps or a stoop with bluestone construction versus installing bluestone on top of a stoop and steps. There are code issues, the height of the riser changes the dimensions. Mr. Cowhig felt that should be carefully looked at. Ms. Israel stated on the application it did state paint the steps gray. Ms. Israel did not want to over-complicate or hold the applicant up in making the approval. Chair Hodierna stated the staff and attorney guidance was that the Commission could do that. This was sworn testimony, the applicant was present and her due process rights were fully protected. Chair Hodierna felt the Commission was able to take the alteration to her application straight from the applicant, but was concerned about whether or not there was enough information to make the decision. Mr. Arnett stated another way was if the

Commissioners felt comfortable with the application as presented and was acceptable, the application could be approved as is. If the applicant changed her mind and decided to do bluestone instead, it could be submitted as a new application. Chair Hodierna inquired what the Commission's stance on that approach. Mr. Arneke stated Mr. Arnett's suggestion made sense, particularly because of possible complications of the height of the porch relative to the door if bluestone was placed over the brick. Mr. Arneke was happy with the application as written and if the applicant wanted to change the plan, it would be a simple matter for the applicant to submit a new application for covering the steps with bluestone. The new strategy is the Commission will act on the application as written, which is a request to replace the walkway with the bluestone and to paint the brick stoop in a gray or blue to match. Depending on how the applicant takes the decision and what she chooses to do, would be welcome to return to the Commission with a different request. Chair Hodierna stated for Ms. Huff and everyone's benefit that there is no waiting period or prohibition on doing that whenever Ms. Huff so chooses. It could be brought forward as early as the next meeting, if the applicant wished to do so. It appeared there was open and fluid communication between Ms. Huff and her contractor. It would free Ms. Huff up to take the first steps and go forward from there. Chair Hodierna closed the public hearing.

FACT FINDING:

Mr. Arneke moved that based upon the facts presented in application #2523, at 705 Simpson, 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 Standards**, and that the staff comments and the following standards under **Porches, Walkways, Driveways, and Parking areas, page 28; Guidelines 1 and 2; (1.) Retain historic driveways and walkways, including steps and sidewalks in their original locations. When deteriorated, repair with materials that match or are compatible to the original. (2.) Select appropriate paving materials for new walkways, including concrete, brick, and stone. Simulations of natural materials such as stamped concrete are not appropriate. Guidelines on Porches, Entrances, and Balconies, page 62, Guidelines 1 & 2; (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 boards, ceiling boards, trim, railings, lattice, and entablatures, columns, steps, balustrades, brackets, soffits, fascia boards and decorative trim. If a porch element or detail is deteriorated and requires replacement, replace only the deteriorated elements to match the original in materials 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 wooden steps.** are acceptable as a Finding of Fact. Second by Mr. Arnett. (The Commission voted 5-0. Nays:0). (Chair Hodierna, Leimenstoll, Arneke, Arnett, and Israel).

MOTION:

Therefore Mr. Arneke moved that the Greensboro Historic Preservation Commission approves application #2523 and grant a Certificate of Appropriateness to Kristen L. Huff, for work at 705 Simpson Street. Second by Ms. Israel. (The Commission voted 5-0. Nays:0). (Chair Hodierna, Arneke, Arnett, Leimenstoll, and Israel).

Items from the Commission Chairman:

Chair Hodierna advised she did not have any items.

Items from the Planning Department:

Mr. Cowhig advised the City just received word that the Historic Preservation Commission was awarded a grant from the National Park Service through the African American Civil Rights Grant program. It was a \$40,000 grant to be used to prepare a National Register Nomination for the Benbow Park Historic District which had been placed on the National Register's study list after a survey was conducted in 2019 and 2020. The money will be used to continue the oral history interviews that have been conducted in the neighborhoods. Mr. Cowhig stressed the next item was confidential and to not tell anyone. A grant was also received to prepare a National Register nomination for the downtown Greensboro Expanded District. There was survey in 2017 that presented an expanded boundary for the district and updated the survey information. That was placed on the study list and staff will be able to do that. It is long overdue. Staff was very excited about both grants. All of the Commissioners

expressed congratulations and stated it was great work. Ms. Geary advised the information presented really needed to not be discussed. The CL Grant before the State Historic Preservation Office does their promotion for that. Last year it was let out early and they were in trouble. It needs to be under wraps at least for a while.

Speakers from the Audience:

Chair Hodierna advised seeing no speakers from the audience, thanked everyone and requested a motion to adjourn. Mr. Arneke moved to adjourn the meeting. Second by Ms. Leimenstoll.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
AUGUST 25, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, August 25, 2021 at 4:00 pm, remotely via Zoom.

COMMISSION MEMBERS PRESENT:

Chair Amanda Hodierna, David Wharton, David Arneke (College Hill), Jesse Arnett (Green Valley, At Large) Jo Leimenstoll (Fisher Park), Linda Lane, (At Large), and Adrienne Israel (New Garden & Guilford College Heritage Community and Max Carter (New Garden & Guilford College Heritage Community, At Large, At Large). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Allen Buansi, City Attorney, was also present.

Chair Hodierna inquired if all the Commission members were contacted to ensure a quorum and if the meeting was properly advertised and the applicants notified. Chair Hodierna inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were mailed to the Commission members five days prior to the meeting. Ms. Geary advised due to some difficulties, mailed packets were not sent out. The electronic packet was sent to the Commissioners. Chair Hodierna inquired if everyone on the Commission had received their packet and had an opportunity to review everything via email. Chair Hodierna inquired if reasonable efforts were made to identify and notify the surrounding property owners and other interested parties for all of the COA applications. Mr. Cowhig responded they were. Chair Hodierna welcomed everyone to the July 28 meeting of the Greensboro Historic Preservation Commission. Chair Hodierna advised this was a remote meeting being conducted in accordance with Session Law 20-20-3. Certificates of Appropriateness are subject to Quasi-Judicial hearings. Chair Hodierna 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.

APPROVAL OF ABSENCES:

No absences were noted.

APPROVAL OF THE JULY 28, 2021 REGULAR MEETING MINUTES:

Ms. Israel made a motion to approve the July 28, meeting minutes as amended. Seconded by Mr. Arneke. The Commission voted 8-0. (Chair Hodierna, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll and Arneke). Ms. Leimenstoll, Arneke). Mr. Buansi, City Attorney, advised two separate motions. Ms. Leimenstoll advised of an additional correction to the July 28, minutes. Ms. Lane made a motion to approve the July 28, 2021 minutes as fully revised. Second by Mr. Wharton. The Commission voted 8-0. (Chair Hodierna, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll, and Arneke).

APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

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

3a. Application #2728 425 E. Hendrix Street. (CONTINUED)

Chair Hodierna swore in Mr. Cowhig for his testimony and consented to the remote hearing.

Mike Cowhig, Planning Department. Mr. Cowhig advised this application was for 425 East Hendrix Street in Dunleath Historic District, known as the Hendrix House. This home is well known within the historic district. The new owners are completely renovating the house and would like to have exterior work that required a Certificate of Appropriateness. The key items were; install a circular driveway in the front of the home and remove some of the trees on the property. Staff received an architectural drawing of the driveway indicating it would fit within the dimensions of the property. The guidelines specifically recommend against circular driveways as it is an appropriate type of driveway. Circular driveways are not commonly found within historic districts. Mr. Cowhig

stated this property is very unique, surrounded by apartment buildings constructed throughout the 60s through 80s, and somewhat separated from the neighborhood to an extent. This home is located next to Yanceyville Street. Driveways were not introduced into this neighborhood until the 20s and 20s. Most lots are small and narrow, making circular driveway impractical. This home was built on a large tract of land and could have easily accommodated a circular driveway, and was easy to imagine this large home with a circular driveway. Staff supported this application but would like to have more information regarding the materials used for the driveway. Mr. Cowhig stated it would be desirable to have materials that are not as stark as concrete. Alternatives would be a light color pea gravel or tar and chip which would be a softer material. Staff was also concerned regarding the trees on the property. There are two very large Magnolias framing the house on either side. An American holly and quite a few Dogwoods. Mr. Cowhig believed the applicants were proposing to remove most of the Dogwood trees. Mr. Cowhig felt it was reasonable to remove some but should keep some. Mr. Cowhig was unsure if the owners realized Dogwoods will not become massive and thought their concern was the view of the home being blocked and would like to have an unobstructed view of the property. Images were shown depicting a wrought iron fence and the multiple trunk Magnolias. A Pecan tree was shown depicting the limbs almost on top of the house with roots that are pressing up against the foundation. It would be reasonable to allow for that tree removal. Photographs of other Pecan trees were shown on the property. Staff was concerned that the trees be undisturbed as much as possible during the driveway construction and steps taken to protect the trees during construction if heavy equipment was involved. Mr. Cowhig referred to the tree protection guide during construction and to guidelines for **Trees and Landscaping, pages 21-23 and Walkways, Driveways, and Parking areas, pages 28-30. The guidelines on page 30 state when needed, introduce new driveways and walkways that are compatible with existing driveways and walkways in terms of width, locations, materials, and design. Generally, double width driveways and circular driveways are not appropriate. Construct new driveways and walkways in locations that require a minimum of alteration to historic site features such as landscaping, retaining walls, curbs, and sidewalks. Select appropriate materials for new driveways, including concrete tracks (narrow strips), macadam, brick, and crushed stone. Conceal edging materials used for gravel driveways. Keep new driveway aprons and curb cuts to the minimum width possible.** Mr. Cowhig advised staff heard from the long-time owner of the house, Anne Finn. This house had been in her family for a century or more. Ms. Finn felt there was a circular driveway on the documentary image previously shown and felt it was a walkway. There is not a clear impression of a circular driveway. Ms. Finn expressed a concern in ensuring the trees would be protected during construction. Chair Hodierné inquired if there were questions for staff from the Commissioners.

QUESTIONS:

Mr. Wharton asked if the elliptical walkway in the front of the home was an historical feature or added later. Mr. Cowhig felt the walkway had been there a long time, possibly as long as 50 years. Mr. Wharton felt it was a feature that even without being an original feature, could acquire historical significance. Chair Hodierné inquired if there were further questions for staff. Hearing none, Chair Hodierné requested to hear from the applicant and inquired if Ms. Gore was present. No one came forward. Chair Hodierné tabled this item and moved to the second item.

3b. Application #2527, 207 S. MENDENHALL STREET (APPROVED)

Mr. Cowhig advised this application at 207 South Mendenhall in the College Hill Historic District was for the removal of 6 trees for the extension of the concrete driveway to continue the pavement into the backyard for parking and underneath an existing carport. It will also require a small additional flare at the entrance to the driveway at the street as it very narrow that the applicants would like to widen slightly at the street. A photograph was shown depicting a small section of granite curb that could be removed and the flare extended a foot or more. The trees being requested to be removed are a 12" Southern Red Oak, not in very good condition, that the City Arborist inspected and agreed needed to be removed. There is a 12" Black Walnut and 13" and 10" Elm trees. Photographs were shown depicting trees with Xs to be removed and Ys indicating they will remain. Staff met with the City Arborist to examine each of the trees. The City Arborist felt the ones proposed to take out were reasonable and noted this property has an abundance of canopy. Once these trees are removed, there will be

substantial canopy coverings from other trees. Staff recommended in favor of granting this CAO. Mr. Cowhig referred to the Guidelines for Trees and Landscaping, Walkways, Driveways, and Parking areas. The guidelines say to retain mature trees that contribute to the character of the historic district. Chair Hodiernie inquired if there were questions staff from the Commissioners.

QUESTIONS:

Ms. Israel asked if it was one of the walnut trees dropping nuts on the cars that would be removed. Mr. Cowhig responded that was one. Ms. Israel asked if the tree was in bad shape or because it was dropping nuts on the car. Mr. Cowhig responded the applicant would like to remove the tree for that reason. Mr. Cowhig stated staff would prefer that the tree stayed. When the excavation will be done for the pavement, it would do damage to that tree because it is very close. Staff felt there are many other trees that would compensate for the loss of the walnut tree. Staff recommended a condition be placed that at least one new tree be started in a better location such as the front yard, as there are no trees in the front yard Ms. Israel stated she asked to be consistent to what had been stated previously. Ms. Leimenstoll asked if concrete was the preferred material because the first part of the driveway was already concrete. Mr. Cowhig responded the applicant had told Mr. Cowhig that part of the reason was it could be used as play area or a basketball court. Mr. Cowhig agreed with the preferred material. Mr. Wharton asked if the applicant wanted to widen the apron between the sidewalk and the street. Mr. Cowhig responded it would be widening of the flare at the street and not a widening of the driveway. Staff would like to have as much of the granite retained as possible, but it is very narrow there. Mr. Arneke asked if the widening would only be on the left. Mr. Cowhig responded it would only be on the left. Mr. Arnett stated it appeared from the photograph the existing concrete appeared new. Mr. Cowhig responded the driveway was gravel up until a few months ago.

Chair Hodiernie requested to hear from the applicant. Chair Hodiernie swore in Curtis Chesney for his testimony and consent to the remote hearing.

Curtis Chesney, 207 S. Mendenhall Street. Mr. Chesney stated he did not have a lot to add but answered the question of the driveway. The right side would be the same and the left would come out approximately 2 feet because it is very narrow. When pulling into the driveway cars hit the historical topper and hurting the wall and cars both. Mr. Chesney stated the driveway was recently laid by the prior owners. Mr. Chesney assumed it was to help the sale and for cost reasons stopped. Everything past where it stops is not seen from the road and would be extending the concrete work recently done to complete the driveway and parking area. Mr. Chesney stated the walnut tree was more than walnuts dropping. The lot is very wooded and overly thick with no sun breaking through. When the walnut tree is removed, there will be a Willow Oak, Persimmon, Catalpa and others. All are taller than the Oaks. It made the most sense to remove the Walnut as it hugs right on the driveway.

QUESTIONS:

Chair Hodiernie asked if the extension of the concrete would be the same width as the existing driveway and would not flair out as the gravel does. Mr. Chesney responded it follows where the gravel is and under the carport in the exact footprint of the carport and planned to go 5 feet to allow for bicycles and things of that nature. When the fence is built, they plan to have a 5-foot section of fence there. Chair Hodiernie asked if there were any questions for Mr. Chesney from m the Commission. Mr. Wharton asked for clarification on widening the driveway. Mr. Chesney responded it has not been measured exactly Mr. Chesney indicated on the screen where the break and the granite was and stated that would be the natural place to do it. It appeared to be 2-feet to Mr. Chesney. Mr. Wharton stated that would allow for those turning in with a left turn, a little bit more grace against the wall. Mr. Chesney responded exactly. With it being a stone wall with a capper on the top, it is a tight fit going in. Mr. Chesney did not know visually what the Commission preferred. It could be on the other side but the idea was to discourage people so the wall would not be hit and damaged. Chair Hodiernie inquired if there were further questions for Mr. Chesney. Seeing none, Chair Hodiernie stated there was no one else signed to speak but asked if there was anyone who wished to speak in favor of the request. Chair Hodiernie swore in Rosemarie DiGiorgio for her testimony and consent to the remote hearing.

Rosemarie DiGiorgio, 716 Walker Avenue, representing the College Hill Neighborhood Association. Ms. DiGiorgio advised the College Hill Neighborhood Association met on August 23,

2021. Ms. DiGiorgio advised the Association was in favor of the application. When speaking to Mr. Chesney, there was a 6-foot fence part of the COA and asked if that was removed from the COA. Mr. Cowhig responded staff planned to approve that at the staff level. Chair Hodiernie advised Ms. DiGiorgio it was removed because it had been approved at staff level. Ms. DiGiorgio read into the record the statement from the College Hill Neighborhood Association. "The College Hill Neighborhood Association (CHNA) met on Monday, August 23 to discuss the COA application for 207 South Mendenhall. We thank the applicant for joining our meeting so we could discuss the application in more depth. The committee commends the applicant for a thoughtfully written, detailed application. No concerns were voiced about the fence or driveway expansion request, but there was significant conversation regarding the request to remove trees. We believe the applicant understands the importance of the tree canopy in the yard and how it contributes to the overall preservation and feeling of the historic district. However, because of our responsibility as residents to protect and preserve our tree canopy with past, present, and future COA requests, we have a few suggestions for the applicant and Historic Resources Commission. For this COA application and future COA applications, the CHNA would like more specific information about the health and species of each tree applicants request to remove. For this application in particular, the removal of each of the trees, as we understand it, has been reviewed by Mike Cowhig and City Arborist, Judson Clinton, and the committee defers to their recommendations based on health and safety and preservation concerns. The only tree that caused some potential concern among residents was the black walnut tree centrally located in the yard. If the black walnut tree is 'high risk,' aged, and in danger of harming the residents or their property, we recommend its removal. If the tree is removed, the property owner has agreed to plant another historically accurate canopy tree in a more appropriate area of the yard. With consideration of the above comments, the CHNA supports the approval of all requests outlined in the COA. As all of this work is being performed behind the home, it does not appear that any of those changes will be visible from the street."

Chair Hodiernie inquired if there were questions for Ms. DiGiorgio. Seeing none, Chair Hodiernie inquired if there was anyone else wishing to speak in favor of the application. Seeing none, Chair Hodiernie inquired if there was anyone wishing to speak in opposition to this request. Seeing none, Chair Hodiernie inquired if there were further questions for the applicant from the Commissioners. Seeing none, Chair Hodiernie closed the public hearing.

DISCUSSION:

Mr. Wharton advised he was in favor of granting the application as is. In cases where trees have been taken down, the Commission often asks them to replace canopy trees. The Commission saw a good visual of the applicant's backyard with enough canopy. Mr. Wharton stated he would not be in favor of requiring the applicant to plant another tree in this case because there is so much tree canopy already. Ms. Lane agreed with Mr. Wharton and did not see any reason to change the wording of the COA at this point. Chair Hodiernie agreed. The backyard is well canopied. The Commission would need to know what the success would be in attempting to start a new large canopy tree with all of the shade in the back. Chair Hodiernie stated in staff comments, the recommended condition was to add a new canopy tree in the front yard that was explained by Mr. Cowhig that that was typically something that was done. Mr. Arnett stated he leaned toward agreeing with Mr. Wharton and Ms. Lane. Most of the circumstances where it is recommended to plant replacement tree(s), it is because the trees being removed cause a loss of a canopy. In this particular case, the applicants' proposal to remove several trees does not appear there would be any substantial effect on the tree canopy. If the Commission feels it is not causing a loss to the canopy, Mr. Arnett did not feel it was necessary to require a replacement tree. Chair Hodiernie inquired if there was a counter opinion or further comments. Mr. Carter stated he agreed. Seeing no further discussion, Chair Hodiernie requested a motion.

FACT FINDING:

Mr. Arneke moved that based upon the facts presented in application #2527, at 207 S. Mendenhall Street, 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 Standards**, and that the staff comments and the following standards under **Trees and Landscaping, (pages 21-23) Walkways, Driveways, and Parking areas,(pages 28-30)** are acceptable as Findings of Fact. Second by Mr. Wharton. (The Commission voted 8-0, Nays:0). (Chair Hodiernne, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll, and Arneke).

MOTION:

Therefore Mr. Arneke moved that the Greensboro Historic Preservation Commission approves application #2527 and grants a Certificate of Appropriateness to Curtis Chesney, for work at 207 S. Mendenhall Street. Second by Mr. Carter. (The Commission voted 8-0, Nays:0). (Chair Hodiernne, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll, and Arneke). Chair Hodiernne inquired if there was discussion or conditions to add. Chair Hodiernne stated she would like to add one as suggested by staff that the proper root pruning be part of any work within the critical roots zone of the trees in close proximity to that new paving area of concrete. Mr. Arneke was amenable to the addition. Chair Hodiernne stated the motion was the granting of the COA with the condition for the root pruning. (The Commission voted 8-0, Nays:0). (Chair Hodiernne, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll, and Arneke).

Mr. Chesney requested clarification regarding the condition. Mr. Cowhig stated staff would provide the information to Mr. Chesney. It is like best practices on how to manage the critical root zone area of the existing trees so no damage would be done and risking the loss of a tree.

Resume 3a. Application #2728 425 E. Hendrix Street. (CONTINUED)

Chair Hodiernne advised Ms. Gore has not joined the meeting. Mr. Clegg and Mr. Cowhig responded neither one heard anything from Ms. Gore. Mr. Cowhig advised he attempted to call and the line was busy for the last 15 minutes. Mr. Cowhig advised he was concerned as Ms. Gore planned to be present at the. Chair Hodiernne stated the Commission was entitled to hear the case, but was inclined to not hear the case without input from the applicant. Mr. Wharton stated the Commission has to hear from the applicant and added for a proposal of this scope, what has been received was a very incomplete application. A last-minute picture was provided of the drive, but a site plan with the trees to be taken down was not provided. That information was important to hear. Without that information, Mr. Wharton did not see how the Commission could vote on it, and maybe the applicant should be asked to amend the application to make it complete.

Chair Hodiernne advised she had the same concern. The schematic submitted for the driveway did not appear to be on an actual survey with GO located items. There is no idea of the dimensions or how it overlaid with any of the obstacles on the site and would be useful to know. There was not enough good information provided. A survey would be a good starting point. Mr. Cowhig stated part of staff's thought process was staff was unsure that a circular driveway would fit and meet all of the city standards. Staff felt this would have been an opportunity to find out from the Commission whether a circular driveway would be acceptable. Chair Hodiernne stated this was not part of the Commission's purview to evaluate the driveway manual rules. It would be good evidence to see how all of the requests would overlay together, especially since part of the application was tree removal. Mr. Arnett inquired if it would be appropriate for the Commission to have a discussion currently regarding the general appropriateness of the circular driveway. If all of the Commissioners felt a circular driveway was okay,

the Commission could then request the applicant to provide more details regarding materials and a proposal for exactly which trees would be removed.

Chair Hodiernie asked Mr. Buansi, City Attorney, if it was a due process violation to talk about the appropriateness of the circular driveway without the applicant present. Mr. Buansi recommended saving that for when the applicant was visually present. Mr. Buansi was concerned regarding due process and their ability to respond to any concerns being raised at this meeting. Mr. Wharton thought perhaps it would be useful for the applicant to know those thoughts in terms of submitting an amended or revised application and asked if that would be a due process issue. Mr. Buansi responded it could be a problem because had the applicant been able to make it to this meeting, they would have had the opportunity to hear the feedback from the Commissioners. Since they are not present at this meeting, the applicant does not have that opportunity and are not able to respond. Mr. Buansi recommended saving it for the hearing when the applicant is present and can respond. Mr. Wharton felt since the guidelines were very clear that circular driveways were not appropriate, wanted to make sure the applicant knows that. There will be a vote on what is in the guidelines and not an arbitrary or capricious reasoning that it would make the house more elegant. Chair Hodiernie advised that application 2528 would be continued to the next meeting. A motion was made by Ms. Lane to continue the application to the September 29th meeting. Seconded by Mr. Wharton. (The Commission voted 8-0, Nays:0). (Chair Hodiernie, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll, and Arneke).

Items from the Commission Chairman:

Not items from the Commissioners. Chair Hodiernie advised she did not have any items.

Items from the Planning Department:

Mr. Cowhig advised Mr. Clegg would be showing the story map. Mr. Clegg stated Mr. Cowhig has been working on an architectural survey of houses in the Benbo park area that are now eligible for the study of historic resources. Staff came across a couple of stories in the neighborhood beyond architecture such as the history of the area and some of the early African/American architects that worked to build houses in the area.

A story map was created that tells the story and allows people to see how this area is laid out and walks through what mid-century architecture is. Talks about Greensboro for those who are not in Greensboro and the different architects involved in this area. Different buildings that were built. There are pictures and great interior pictures of different churches and homes. On the side of the story map is more information regarding the houses and the individual work and locations. The story map provides a virtual tour to look at these houses online or use it as a field guide to go out and look at these houses in their neighborhoods and see where they are. Staff is very excited about this. It is a great tool to tell the story of both the history, architectural and the architects and weave it together in a way that is interesting and fun whether in Greensboro or elsewhere.

Staff looked at significant sites from the Gillespie Golf Course to the community centers, different churches in the area and places such as Magnolia House and Richardson Memorial Hospital for architecture and the historical facts. Mr. Clegg put the link in the chat so everyone could have access.

Ms. Hodiernie stated it was very cool and clarified if the link was off of the City web site. Mr. Cowhig responded that was correct. Mr. Arneke stated it was very exciting and very cool. Chair Hodiernie inquired if there was a way to profile the story map to allow more people to see it, as opposed to someone who would know to look for it. Mr. Clegg responded there was a very good story in the paper. Dick Baron has a couple of articles when staff first started working with the neighborhood and doing

surveys. It was on the City's Facebook page which received a lot of looks the first time around. Staff is attempting to keep it out there in circulation.

Mr. Cowhig added staff received a grant from the Federal African/American Civil Rights Program to do a full national register nomination of the Benbo Park Historic District. There were 3 contiguous districts identified in the survey done in 2020 of neighborhoods in east and southeast Greensboro. There will be a full national register nomination with funding in 2021.

Mr. Cowhig stated staff had promised they would review the demolition by neglect ordinance which has not been used in a long time there are reasons why it has not been used. Staff have done reviews and comparisons with other communities. Mr. Cowhig stated for those who did not know, the demolition by neglect ordinance provides an alternative to demolition as the final remedy under housing code enforcement. If you're in an historic district and the property is determined undergoing demolition because of neglect and maintenance, the property owner can be fined or the city can actually make the repairs and place a lien on the property. No where else in the city can that occur. There has never been a budget for the city completing the repairs, but is still an option. In the past, using the demolition by neglect ordinance had some good results and some really bad results. The problem is in the procedures set up initially. Staff compared this ordinance with other communities, especially Raleigh. Raleigh has a very solid way of applying their ordinance. Raleigh's Commission is called Historic Development Commission. If the city receives a request for a determination of demolition by neglect, a preliminary investigation would be done and if warranted, would turn it over to the inspections department to begin proceedings under the demolition by neglect ordinance. Greensboro's is somewhat convoluted. The Planning Director was involved and went straight to the Historic Preservation Commission for a public hearing which was extremely embarrassing and caused major relation problems in historic districts for a while. Staff wants to fix it and come back to the Commission with a draft that will make more sense and would be more effective. Staff will continue to work on that and bring a draft back to the Commission at the next meeting to review.

Mr. Wharton stated it was a good idea and would like to see it moving forward. Mr. Wharton asked if MSD funds be used to repair those properties. Mr. Cowhig responded Rich Ducker at the School of Government told staff that municipal service district funds can be used for any service function or facility that the city could otherwise provide. Mr. Cowhig felt the answer was yes, with the caveat the Commission would want to make sure legal staff would be on board with that. Mr. Wharton stated historically one of the problems with the ordinance was that City Council has never been willing to fund the part of the ordinance that would pay for repairs. There has never been political traction for that, but if the historic districts had some monies held in their MSD accounts in reserve, that would provide a mechanism for funding those instead of letting the property owner fail to repair and then it ends as a demolished building. Being able to step in with monies to do the repairs and place a lien on the property, eventually that money would go back to the city and could be held in reserve for similar projects. Mr. Wharton asked if Mr. Cowhig could place what he has said for things to be considered. Mr. Clegg stated one of the things that has come up when talking about that, is only two of the local districts have municipal service district funds and attempting to determine the rational way in being fair to those who pay into it and making sure the system works.

Mr. Cowhig stated staff was still moving forward with the idea of updating the guidelines. This past year the General Assembly amended the general statutes to consolidate municipal planning functions into a single section called, 160D. One of the objectives of that was to ensure quasi-judicial decisions such as reviewing Certificates of Appropriateness are based on adequate guiding standards. That has caused communities to revisit their guidelines. Staff has changed the wording from guidelines to standards, but

it is more than that. The intent is for it to be more than that. The standard should carry more weight than guidelines. One of the definitions was that standards are high in authority and limited in application, whereas guidelines are low in authority and more general in application. Ms. Jones did quite a bit of research and advised the Commission that the standard for the Historic Preservation Commission should be binding and mandatory for preservation decisions. A lot of the guidelines and documents sound like recommendations and advice. It is something to think through which could result in good things. Perhaps a set of standards that the public could see that was very clear what can and cannot be done within an historic district. Currently staff advised an issue can be brought to the Commission but staff felt that should be changed. Staff is working with the sub-committee members who have volunteered; Mr. Arnett, Ms. Leimenstoll, and Mr. Wharton to meet and have an initial chat on how to move forward. Mr. Cowhig will schedule a Zoom meeting in September. Chair Hodierné asked if there was ability to bifurcate the structure, where there are set of standards and a set of guidelines or would it have to be one or the other. Mr. Cowhig responded it was an excellent suggestion. Currently people obtain their information online and if the Commission wants people to know about the historic districts and the standards and what could be expected regarding the historic districts, there needs to be a clear and effective online presence. It could be a bifurcated that way. Hyper-linking allows for very creative options and felt the Commission should be taking advantage of GIS mapping technology to make new standards and whatever else the Commission would like to make more interesting and effective. Chair Hodierné stated having an interactive document as opposed to a static PDF would have more merit and a mobile app platform. Mr. Cowhig stated currently there is a PDF document on the website, which is nice but not easy to navigate. Mr. Cowhig would like to have true web pages that are alive and interactive, as opposed to a PDF document. Mr. Cowhig did not know if IT personnel would approve but felt it was worth exploring. Chair Hodierné suggested having some of those to display to the Commissioners at the next meeting to get an idea of show other people can present their guidelines or standards.

Chair Hodierné inquired if anyone else had anything else regarding the Planning Department items. Seeing none, Chair Hodierné requested a motion to adjourn. Ms. Israel moved to adjourn the meeting. Second by Ms. Lane. The meeting was concluded at 5:18 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary
MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
SEPTEMBER 29, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, September 29, 2021 at 4:00 pm, remotely via Zoom. Commission members present were: Chair Amanda Hodiernne (Fisher Park), David Wharton (Dunleath, District 2) (, David Arneke (College Hill), Jesse Arnett (Vice Chair, At Large), Linda Lane (District 5, At Large), Adrienne Israel (New Garden & Guilford College, At Large) Sharon Graeber (District 1, Clinton Hills Benbow Park area), and Deborah Kaufman (District 5). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Allen Buansi, City Attorney, was also present.

Chair Hodiernne welcomed two new Commissioners, Sharon Graeber and Deborah Kaufman and stated appreciation for them becoming a part of the Commission.

Chair Hodiernne inquired if all Commission members were contacted to ensure a quorum and if the meeting was properly advertised and the applicants notified. Chair Hodiernne inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were mailed to the Commission members five days prior to the meeting. Ms. Geary advised due to some difficulties, mailed packets were not sent out. The electronic packet was sent to the Commissioners. Chair Hodiernne inquired if everyone on the Commission had received their packet and had an opportunity to review everything via email. Chair Hodiernne inquired if reasonable efforts were made to identify and notify the surrounding property owners and other interested parties for all of the COA applications. Mr. Cowhig responded they were. Chair Hodiernne welcomed everyone to the September 29, 2021 meeting of the Greensboro Historic Preservation Commission. Chair Hodiernne advised this was a remote meeting being conducted in accordance with Session Law 20-20-3. Certificates of Appropriateness are subject to Quasi-Judicial hearings. 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 regarding any of the items on the meeting agenda. With no response, Chair Hodiernne inquired if any of the Commissioners had any ex parte communications or discussions that should be disclosed on any of the agenda items. With no response, Chair Hodiernne inquired if there were any absences.

APPROVAL OF ABSENCES:

The absence of Joe Leimenstoll was noted as unexcused.

APPROVAL OF THE AUGUST 25, 2021 REGULAR MEETING MINUTES:

Ms. Kaufman advised of a year error on page 2 seconded sentence and on page 6 a spelling error. Ms. Lane made a motion to approve the August 25, 2021, meeting minutes as amended; Seconded by Mr. Arneke. The Commission voted 8-0. (Ayes: Chair Hodiernne, Israel, Wharton, Arnett, Lane, Arneke, Lane, Graeber, Kaufman; Nays: 0).

APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS:

Chair Hodiernne explained the order of business regarding Certificates of Appropriateness. Chair Hodiernne advised this was a remote meeting being conducted in accordance with Session Law 20-20-3. Certificates of Appropriateness were subject to Quasi-Judicial hearings. Chair Hodiernne advised of the policies, procedures, and process rights related to the remote meeting of the Historic Preservation Commission. Chair Hodiernne inquired if any Commissioners had a conflict of interest regarding any of the items on the meeting agenda. With no response, Chair Hodiernne inquired if any Commissioners had any ex parte communications or discussions that should be disclosed on any of the agenda items. With no response Chair Hodiernne requested to hear from Mr. Cowhig.

3a. Application #2728 425 E. Hendrix Street.

Chair Hodiernne swore in Mr. Cowhig for his testimony and consent to the remote hearing.

Mike Cowhig, Planning Department. Mr. Cowhig advised this application was for 425 East Hendrix Street in the Dunleath Historic District and was a continued application from the last meeting. The request was for a number of work items. The new owners have replaced the slate roof and would like a fence along the Yanceyville Street side of the property. It would be a 30” high picket fence that could be approved by staff. Items the Commissioners needed to consider were the construction of a circular driveway in the front of the home and the removal of some trees. Photographs were shown indicating the condition of the property. Staff considered this home to be one of the more significant homes in the Dunleath Historic District. The house is a Neoclassical door revival house with two story columns in the front. More images provided by staff indicated trees surrounding the home such as Dogwood, Magnolia, Pecan, Walnut, and Dogwood trees. Images of Pecan trees in bad condition were shown along with trees depicting roots up against the foundation of the house. Staff expressed their concern regarding the circular driveway and trees that may have critical roots that could be harmed and a Pecan tree very close to the driveway. Mr. Cowhig stated from the guideline standpoint, circular driveways were not commonly found within historic districts. Most lots within the historic district are small or narrow, making circular driveways impractical. This particular house was built on a large amount of land and could have accommodated a circular driveway. Currently there was a circular walkway that staff felt contributed to the historical character of the property and the district which would be lost. Mr. Cowhig advised the **Standards stated “when needed, introduce new driveways and walkways that are compatible with existing driveways and walkways in terms of width, locations, materials, and design. Generally, double width driveways and circular driveways are not appropriate. Construct new driveways and walkways in locations that require a minimum of alteration to historic site features such as landscaping, retaining walls, curbs, and sidewalks. Usually driveways should lead directly to the rear of the building. Appropriate materials needed to be selected for new driveways.** Mr. Cowhig stated a number of trees, including the large Magnolia tree on the property, frame the house and provide shade. Staff felt the American Holly, the Willow Oak, and the Pecan tree in the front are all important trees. Dogwood trees are a nice understory tree and generally don’t get very big. Staff felt some of the Dogwood trees could be removed without negatively affecting the character of the property. It was not clear to staff if the driveway will be in the critical root zone of any of the mature trees. **The Standards say “to retain mature trees that contribute to the character in the historic district.”** Mr. Cowhig advised staff was ready to answer any questions the Commissioners may have.

QUESTIONS:

Mr. Wharton referred to a photograph displayed and stated it appeared there was a curbed walkway and asked if staff felt there was originally a curbed walkway. Mr. Cowhig responded he looked at it and could not discern that. It appeared there was a wider curve than the circular driveway being proposed. Mr. Cowhig did not feel there was anyway of telling for sure from the image shown. Ms. Israel requested to hear more information regarding if the applicants were proposing a single lane driveway on top of the walkway. This was a bigger lot than normal and would that alter the historic presentation of the house. Ms. Israel did not understand the why. Mr. Cowhig responded everything in the standards was written to encourage taking cues from the historic neighborhood in terms of new things introduced. Mr. Cowhig stated circular driveways were rare within the historic district and felt the implication was this request would be out of keeping with the character of the historic district. Ms. Israel stated there may have been buggies during the time period as there was no actual date of when the house was built and appeared to be a small driveway. Mr. Cowhig advised this particular house, in his opinion, was not typical of houses in general in the Dunleath historic district. Mr. Cowhig advised he would put it in a different category in terms of the size and character. This house was very imposing and had impressive formal structure in a neighborhood where there were many smaller houses on smaller lots. It should be considered there are different time periods represented in the district and different development periods. This house was probably from the turn of the 20th century or later in the 1920s. There were a lot of Craftsmen bungalows built on smaller lots. This particular house was an early house for the neighborhood and somewhat of a nominally. When this image was taken, the house was sitting on a large tract of land. It was not hard to imagine a drive where buggies pulled in

front of the home. Mr. Arneke asked what was the width of the walkway currently there. Mr. Cowhig responded he would guess 3 to 4 feet wide. Chair Hodierné asked if the Commission was approving an after the fact roof replacement or was it handled at staff level. Mr. Cowhig responded it was handled at staff level because this came to the Commission by a previous applicant. It was determined at that time that slate roof was beyond repair and replaced. Chair Hodierné asked if there was a circle drive at the original house on Baker Place; and if so, was it original to the house. Mr. Cowhig responded he was not sure but did not think so. Mr. Cowhig stated Hillside had a driveway that did not circle in the front of the house but circled from Fisher Park Circle around the back of the house and exists on Victoria Street. Ms. Israel asked how wide was the driveway proposed to be by the applicants. Mr. Cowhig responded 9 feet, which would be a fairly narrow driveway.

Chair Hodierné requested to hear from the applicant. Chair Hodierné swore in Brian Elam and Cristina Gore for their testimony and both consented to the remote hearing.

Brian Elam and Cristina Gore, 425 East Hendricks Street, Greensboro. Mr. Elam stated they were drawn to the home because of its historical significance and the beauty of the home. The home was built around the 1896 timeframe and probably no one has done work to the home since 1920. Mr. Elam & Ms. Gore want to preserve as much as they can but also make it functional. There is no driveway at this house, but there are four parking spots located in front of the house. Next to this house is an apartment building and across the street a multi-family building with little parking. Adding a parking space for a home of this size was a question of how to add a place that cars could pull in but also maintain the elegance of the home. In restoring the elegance, a driveway could be placed without removing any of the trees. The plan is for a narrow driveway for elegance and also to leave a space to have nice landscaping with a water fountain. The goal is for the house to be visually appealing to showcase the historic era. The smaller fence with the house can be seen from the roadway and not hidden. There was a tree with roots pushing into the foundation and was a damage issue. The Magnolia trees, Grapevines, and thick trees provide a variety of lush greenery. The applicants want the home to have the front back to be seen and have grass grown in areas where there is no sunlight in the front yard. Ms. Gore said there was a mound inside the kitchen because of the roots. All of the kitchen flooring was removed and the beams were cut slightly to level the flooring. The driveway is very small because they wanted to keep 50 feet empty from the corner of Hendrix Street. From there would be 45 feet for the space in the front and another 20 feet of vacant land. It was planned to be very narrow for one car. They would like to have grass, flowers, bushes, and fountains in the front area with less trees. Ms. Gore stated no trees needed to be removed from the front in order to do the driveway. The trees needed to be trimmed at the corner. Transit requested a fence of 30 inches. The bushes and trees are approximately 10 to 20 feet at the intersection. Some of the trees are in very bad shape and the roots are damaging the sidewalk but would not interfere with the driveway. Ms. Gore stated they would like to put down stone pavers in keeping with the elegance of the house. Mr. Elam stated they were open to options for other preferences of a driveway type.

QUESTIONS:

Chair Hodierné inquired if there were questions from the Commissioners for the property owners. Ms. Geary advised an additional drawing came in too late to put on the website but displayed on the screen for the Commissioners. Mr. Arneke asked how many total trees were anticipated to be removed. Ms. Gore responded the back right one was damaging the house with the roots in the ground and needed to be removed. Mr. Elam stated there were smaller trees near the circular driveway that were slightly over the 4-inch space and closer to 6-inches. Mr. Elam felt those trees were voluntary and if removed would clean that area up, but it was not necessary for them to be removed. Ms. Gore stated there one large tree was blocking the view of the house, but would not interfere with the driveway. The driveway would not touch any trees other than perhaps one small one that appeared to be a voluntary tree. On the side there were two large trees blocking the view of the home coming from Hendrix Street. Trees closest to Yanceyville and by the metal fence were pushing up the sidewalk. Mr. Elam stated the only tree that that should be removed was the one in the rear of the house on the Yanceyville side because of the root issue. Ms. Israel stated in the application it stated the house would be used to showcase real estate values in Greensboro and asked if they were planning to use the house as their office and if one of the reasons for the driveway was for potential clients to park. Mr. Elam responded they have real estate clients who

would like to buy in Greensboro and there would be an office in the house. The main office will be the Brokerage office on Berkshire and Yardley Way. Ms. Gore advised she was a US citizen originally from Argentina and most of her clients are investors from Argentina and invested in Florida, but has her company here. The market in Florida became very high due to HOA fees. Ms. Gore started looking for investment properties in Greensboro because of family members located in Greensboro. Ms. Gore looked at the house and decided to buy it for herself and to assist her clients in lodging and get the feel of North Carolina in the historic district. Mr. Elam stated they would be living in the house part time. Ms. Gore stated one of her sons was coming from Argentina and would be living in the house also. Ms. Israel asked was the driveway 4-feet or 48-inches. Mr. Elam responded currently there are the giant pavers and approximately 4-feet. Chair Hodiernie asked if the site plans were based on any survey data or had it been laid out by an engineer. Mr. Elam responded it was from the county's plat map of the property and an architect did the drawing of the driveway and surrounding area. Chair Hodiernie inquired if there had been a surveyor to geolocate the tree locations. Mr. Elam responded there was not. There was a tree 70-feet from the corner in the middle and another small one that was 78-feet from the corner. It was exactly 98.5-feet to the beginning of the last tree on the left front of the house measured by the architect. Chair Hodiernie asked if the tree causing the most concern was the Pecan tree on the back right-hand side of the house and interfering with the foundation. Ms. Gore responded that was correct. Ms. Gore stated there was not a lot of natural light coming in due to all the bigger trees. Chair Hodiernie stated she was trying to understand if there was any conflict between the proposed driveway and the existing trees on the property. Mr. Elam stated the only tree was in the back because it was damaging the house. Smaller trees were in the front, but did not have to be removed. Chair Hodiernie inquired if there were other questions or comments. Mr. Wharton stated he felt there was a gravel drive used for horse and buggy traffic, the use of the drive was to drop people off and not for parking. In the standards, there would be historical precedence for a circular drive if it was not used for parking. **Standard number 6, "the garden should be well screened at the rear of the property."** Mr. Wharton referred to a previous COA on this property who had proposed a parking area of about 4 or 6 parking spaces off Yanceyville in the rear of the property. That would be appropriate and would need to have a curb cut on Yanceyville Street. Mr. Wharton stated as a Commissioner it was hard for him to approve or justify something that goes right against what the standards say. Mr. Wharton asked if they would consider a rear parking area as opposed to a front parking area. Mr. Elam responded they would consider another parking area and understood the standards. Mr. Elam stated parking in the area is difficult. An accessory or an additional driveway on the side for a parking area would be good. Mr. Elam believed a circular driveway at the front added to the home and went back to the original picture. Chair Wharton agreed with him as something like that was in the original feature of the house that was historically appropriate. In the standards it is very clear that parking in the front is not permitted. As a neighbor aware of increasing street parking, Mr. Wharton was willing to work with Mr. Elam with the Neighborhood Association to open up more spaces on the street. Street parking tends to calm traffic. Mr. Elam stated he would not want to take up too much of the space on the side of the house and wanted the house to fit in with all of the landscape. Yanceyville was a very busy place and did not like the option of going on and off of it and for safety issues. Mr. Elam stated the house was purchased because they wanted to restore it to become a beautiful home to enjoy in North Carolina. Mr. Elam advised his daughter went to Elon College and he had previously lived in the Lake Norman area. His daughter was completing nursing school in Greensboro and Mr. Elam owns the home his daughter lives in. Mr. Elam loves the area and would work with neighbors in the historic neighborhood, making it convenient and not parking three blocks down the street to come to the house. Chair Wharton stated as Commissioners, all of their authority is empowered by the state to make decisions based on the standards. If the Commissioners do something other than that, the Commissioners could be considered to be doing arbitrary and capricious judgements. It is a fairness and a due process issue. An issue having to do with what other neighbors can expect and if the Commissioners would adhere to the standards or not. Chair Wharton stated he was going to continue thinking about this request through the discussion. Ms. Gore asked if there was a way around the standards because the surrounding cities around Greensboro have houses like this one, except they all have driveways that were beautiful. Having a circular driveway makes the house appear more elegant. Not having a driveway means double parking on the street to unload cars. Chair Hodiernie stated all of the standards for the City, the Commission, and homeowners in the district were to provide everyone a comprehensive idea of predictability and transparency as to

what the expectation is for the ongoing evolution, livability, and maintenance of the structures in those neighborhoods. Districts need to continually be invested such as the applicants were doing and is key to the districts in order to maintain the integrity of them as they exist in Greensboro. This is about context and this same home might have had a different treatment somewhere else, but the standards were developed very specifically and textually for the districts in Greensboro in an effort to ensure that that integrity remains intact as people come in and improve, maintain, and reinvest. It is about creating transparency and predictability for people as they do that and maintaining that integrity of the district. The Commissioners job was to walk that line and ensure the standards are adhered to enough that that mission is carried out. The Commissioners also make sure these homes remain viable and livable for everyone. Mr. Elam stated they did not have to remove large trees. It would be the small Dogwoods that ideally would open the house to be seen more. Mr. Elam stated the Dogwoods don't have to be removed for the driveway to go in, but it would open up to allow for landscaping options.

Chair Hodierna inquired if there was anyone else to speak in favor of this request. Chair Hodierna swore in Mark Blevins for his testimony and Mr. Blevins consented to the remote hearing.

Mark Blevins, 321 East Hendrix Street, Greensboro. Mr. Blevins stated he rides past this property on his bicycle every day. The house is imposing as it a beautiful home on a large lot that should have some additional consideration for the generally not acceptable clause on circular driveways. In full disclosure, Mr. Blevins will be asking for a circular driveway later and he hoped it would not affect his own case. Mr. Blevins sees the nature of that property and the historic circular driveway/pathway as contributing to the neighborhood. Mr. Blevins had been a Commissioner of an historic district in Gastonia and understood what Commissioners are up against with standards. Mr. Belvin's stated he was a horticulturist by training and in riding past the property in question was able to see peeks and glimpses of the home. The home would be truly magnified with opening the plant structure, removing a few of the volunteer trees, maintaining some of the beautiful stately ones, and going forward with a solid landscape plan for his neighbors there. Chair Hodierna inquired if there were questions from the Commissioners to Mr. Blevins.

Seeing none, Chair Hodierna inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Hodierna inquired if there was anyone wishing to speak in opposition to the request. Chair Hodierna advised there was a neutral, Chris Nunez of Dunleath. Chair Hodierna swore in Chris Nunez for his testimony and Mr. Nunez consented to the remote hearing.

Chris Nunez, 507 Heritage Place, Greensboro. Mr. Nunez was speaking on behalf of the Dunleath Neighborhood Association. The Association reviewed the COA and had no opinion. The Association received feedback from various neighbors on Hendrix Street opposing some of the aspects of the COA, specifically the driveway. In the Neighborhood Association's opinion, the driveway was not historical to the house. Looking at some historical photographs, it was believed the house was originally a walkway. The Neighborhood Association did not want cars or the ability for cars to park in front of homes and preferred any driveway be placed behind the home. The Association was concerned that the construction of the driveway would harm the original beautiful wrought iron fence running along Hendrix Street that is clearly historical. Part of the fence would have to be removed for the building of the driveway and would rather see the fence preserved as opposed to building the driveway. Concern had been expressed that building the driveway would harm some of the older trees. In general, building a driveway in front of the house was similarly rejected. Chair Hodierna inquired if there were questions from the Commissioners for the speaker.

Seeing none, Chair Hodierna inquired if there was anyone else wishing to speak in opposition to the request. Seeing none Chair Hodierna inquired if the applicants would like to address any concerns stated in opposition.

Mr. Elam stated he did not know how many opinions were expressed but respected them. Those who opposed did not take a risk of restoring a property to bring it to elegance and make it useable for others. The trees are an opinion and is respected but the applicants have a vision also. Ms. Gore stated they would like to know how to build on the back for parking. The Grapevines would need to be taken out to build a driveway in the back. Ms. Lane asked if the applicants were aware of the prior COA that was before the Commission before they brought the home or after the home was brought. Mr. Elam responded they were in their contract when they became aware of the COA. Mr. Elam stated they were aware that the COA was that the people were looking at a multi-family

use or something like that and looking at 9 parking spaces which would destroy that house by having that much concrete and parking area there.

DISCUSSION:

Chair Hodierne requested to hear the thoughts of the Commissioners. Mr. Arnett asked if the Commissioners felt it would be helpful to break the discussion down in considering tree removal and the driveway. Mr. Arnett stated the dogwoods that are proposed to be removed, in looking at the standards for landscaping, **Standard #1 is retain the mature trees that contribute to the character of the historic district.** Mr. Arnett felt Dogwood trees, even mature Dogwoods were not as crucial to the character in the district as mature hard woods on the lot. Chair Hodierne asked if the Dogwoods of a minimal diameter at breast height would warrant a COA. Ms. Lane thought it was an Understory tree and not in the Commission's purview or would it be strictly by the 4-inch rule.

Chair Hodierne swore in Ms. Geary for her testimony. Ms. Geary consented to the remote hearing.

Ms. Geary, Greensboro Planning Department, stated the way the standards are written regarding trees, the 4-inch diameter at breast height apply does apply to all trees, regardless of whether they are Canopy tree or an Understory tree. Chair Hodierne inquired if the Dogwoods were even 4-inches at breast height. Ms. Geary responded they were but are right at that height. The applicant determined that they were likely volunteers. It sounded like that was the reason the applicants would like them removed. Staff typically approves applications for clean up on lots. When there is a tree that is 4-inches, staff does have to bring that to the Commission as it is not in their authority at staff level. Pictures were displayed indicating the wider shot of the front part of the home. Chair Hodierne asked if the picture was showing the mature Dogwood that is of concern. Mr. Arnett stated his opinion was that mature or not, none of the Dogwood trees rose to the category as crucial as the mature hard woods on the lot did. Ms. Lane agreed. Ms. Lane felt removing some of the trees not well maintained or impairing the gist of the house, the Commission could come to an agreement of what would be removed and what would be added as new specimens in the property, but not necessarily in the front of the property. Ms. Israel stated based on what staff offered, it appeared it would all be discretionary to the homeowner. The front area trees are not historic trees. The only one the property owners wanted definitely to remove was the Pecan tree growing into the foundation. Ms. Israel felt a conclusion was needed to approve that aspect of their proposal. Chair Hodierne inquired if there was a consensus for someone to make a motion on the removal of the Pecan tree by the foundation of the home causing damage to the actual structure and the removal of the small volunteer dogwood trees in the front of the home. Mr. Wharton advised he would be in favor. The standards specifically state the preservation of Greensboro's mature trees. The canopy is a special concern in historic preservation, but there was nothing preventing the Commission from approving the removal of non-canopy healthy trees. Given this site, it would be appropriate for the Commission to approve the removal of the Dogwoods as well as the canopy. Chair Hodierne asked if there was further discussion on that point. Seeing none, Chair Hodierne requested a motion be made.

FACT FINDING:

Mr. Arnett moved that based upon the facts presented in Application #2728 in the public hearing in the Greensboro Historic Preservation finds that the proposed project is not incongruous with the Historic District Design Standards and that the staff comments and the following **Standards under Trees and Landscaping pages 21-23, #1, retain mature trees that contribute to the character in the historic district,** are acceptable as finding of fact. Second by Mr. Wharton and Mr. Arneke. The Commission voted 8-0. (Ayes: Chair Hodierne, Israel, Wharton, Arnett, Arneke, Lane, Graeber, and Deborah Kaufman; Nays: 0).

MOTION:

Therefore Mr. Arnett moved that the Greensboro Historic Preservation Commission approves the third asterisk item regarding trees on application number 2728 and grants a Certificate of Appropriateness to Cristina Gore for work at 425 East Hendrix Street. This approval only relates to the trees as previously stated; Second by Mr. Wharton. The Commission voted 8-0. (Ayes: Chair Hodierne, Israel, Wharton, Arnett, Arneke, Lane, Graeber, and Deborah Kaufman; Nays: 0).

DISCUSSION:

It was determined a tree would not be in the path of the driveway but the driveway would be close to the base of the tree close to a utility pole. Mr. Arnett referred to the standards and the role of the Commissioners to interpret and apply the standards and the only basis for making decisions. Mr. Arnett felt the word “generally” was important and provided the Commission with discretion to have a conversation of whether this property was different enough than a typical property in the historic neighborhoods to warrant a different type of consideration. Mr. Wharton advised it was Guideline #6 under parking. Mr. Arnett read the next sentence stating parking areas in front yards were not appropriate. Ms. Lane stated this same question had been raised in the past and felt it falls on precedence and where the Commission needed to be careful. Ms. Lane understood the emotion involved in wanting to make something pretty but a precedent was needed by taking a turn against staff recommendation. Ms. Israel wanted to ensure the Commission would be consistent with the standards. All of the standards were not in staff recommendations and number 6 made it clearer. Chair Hodiernie stated recently on West Bessemer, Blue Ridge Construction was building a house and the Commission denied the request but approved a new garage. Mr. Arneke stated he felt the house on West Bessemer was the house discussed and was still being worked on. There was a house with a driveway toward the back of the property so cars could continue and park in the back. Mr. Arneke stated it did not seem possible for this particular lot. For that reason, it was difficult to square the proposal with the standards regarding not parking in the front yard. That guideline more than anything else is what trips the Commission up on this application. Mr. Wharton stated it was painful for him to say that he did not think he could approve this because of the front parking area. Mr. Wharton, as a neighbor, wanted very much to encourage people who were enthusiastic about preservation. There were 10 landlords on Chestnut Street that would like front yard parking in their yards or in other places within Fisher Park because of the difficulty of parking within historic districts. Mr. Wharton would hate to see one of those cases come to the Commission and if turned away, be appealed to Superior Court on the basis that the Commission was being arbitrary and capricious in making decisions. That is, decisions not rendered that are in the standards causing the legitimacy of the Commission to be eroded. Mr. Wharton stated it was with reluctance that he could not approve a driveway especially because it is intended to be used for front yard parking. Chair Hodiernie stated the parking is different from the buggy path. There was no qualifier and would very much go against precedent opening the Commission to things. Chair Hodiernie thought of an earlier comment on being open to doing something in the back. Mr. Elam sounded open to considering and asked questions. Chair Hodiernie’s concern was there would not be any way for the City to enforce parking or make it happen. There would be no way for police to know how long cars sat in the front. It was tempting for Chair Hodiernie to attempt to create a sort of dichotomy to where both could be done. Chair Hodiernie could not see how it could be possible and was getting tripped up on a driveway dual function. Mr. Wharton stated the applicant does not intend to use it for permanent parking and could see that for them but the property will be there for another 30 years or so. There was no way the Commission would be able to stop future owners from using it in a different if this application was approved. Ms. Israel stated she agreed after guideline #6 was read. It was clear that the Commission should not approve but was encouraged that the Neighborhood Association representative said they were willing to help get the no parking removed from the front of the house. There should not be a house where you don’t have access to your own home from the street and was a concern, but outside the purview of the Commission. Ms. Israel agreed the Commission could not violate the standards. Chair Hodiernie asked if there were no further questions for any of the speakers, would close the public hearing. Seeing no objection, Chair Hodiernie closed the public hearing and requested to hear a motion.

FACT FINDING:

Therefore Mr. Arnett moved on the facts presented in application number 2728 in a public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the Historic District Program Manual and Design Standards, and that the staff comments and the following standards on page 30, under Parking and Driveways, especially standard s#3 & 6, number 3; 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. Number 6.

Parking areas for residential properties should be well screened at the rear of the property. Parking areas in front yards are not appropriate. New parking areas should be designed to have a minimal effect on the neighborhood environment. That those standards are accepted as a finding of fact. Second by Ms. Lane. (The Commission voted 8-0). (Ayes: Chair Hodierna, Israel, Wharton, Arnett, Arneke, Lane, Graeber, and Kaufman; Nays 0).

MOTION:

Therefore, Mr. Arnett moved that the Greensboro Historic Preservation Commission does not approve Application number 2728, the item regarding the driveway and the only part being referred to and denies a Certificate of Appropriateness to Cristina Gore for work at 424 East Hendrix Street. Second by Ms. Kaufman. The Commission voted 8-0. (Ayes: Chair Hodierna, Israel, Wharton, Arnett, Arneke, Lane, Graeber, and Kaufman; Nays: 0). Chair Hodierna noted for the applicant that all of the decisions here were appealable directly to Superior Court within 30 days of the decision. Chair Hodierna requested a discussion regarding how to solve the parking and access question for this property.

DISCUSSION:

Mr. Elam stated as much as he did not like the outcome, respected the consideration given by the Commission. The issue was there was no way to come in from the back, side, or front. They are left with Yanceyville being the only way to get into the property which is a very busy road. A school across the street did not help the situation. A house of this size should have parking of some sort in the rear and were open to that. Mr. Elam will remove the grapevines and such on the one side of the home. Mr. Elam asked if there was any way to go have access from either the side where there were multi-family units directly onto the side and behind the house that could make the access easier. Chair Hodierna advised that would be a private easement solution where the applicants could approach the owners. It would be in the owners' discretion to grant an easement to the applicant to reach their property. If that occurred, it would be a site planning issue from there. Mr. Arneke stated in looking at the GIS map of the neighborhood, that idea appeared to be the most efficient solution if the applicant could negotiate an easement with the property owner immediately to the left of the property. The amount of land for an easement would not be significant compared to the size of that lot. Mr. Arnett felt that would probably be the best solution, if that negotiation was possible. Mr. Elam responded the issue with that is the elegance of the home. In looking at the care of those homes, there were garbage cans and the buildings not adequately being taken care of. Mr. Elam stated they would have to look at coming off of Yanceyville. Mr. Arnett advised a compromise solution might be where they would be able to exit and enter from Yanceyville but there could be a drive across the entire rear of their property which would access into the neighboring property and could avoid challenging turns out of the driveway but not make it so the only access to their property would be through the neighbor's property. It may be worth exploring if it was a possibility. Mr. Wharton stated he was also President of the Dunleath Neighborhood Association and one of the jobs the Neighborhood Association does was advocate to the City on behalf of neighborhood issues, such as increasing the amount of on-street parking. Some places in College Hill you can only park in certain places if you have a permit. There is a possibility that there could be some reserved street parking for their residence. Mr. Wharton advised he would be happy to look into that. There was a multi-million-dollar streetscape project coming through that would reduce the number of traffic lanes on Yanceyville and a bike lane which may help slow down traffic on Yanceyville. Mr. Elam agreed part of the use of the property was to entertain guests coming in to Greensboro from South Florida, South America. If the main entrance was coming through those properties to the rear, to the side, it would diminish the impact of the work being put into the home. Mr. Elan responded they were open to the options. If those properties were to come on the market, Mr. Elam would love to buy them because of the potential. Mr. Wharton stated the applicants may want to talk to the property owners as they may be interested in selling. Mr. Arnett stated in looking on the application just voted on, he did not feel the driveway was inappropriate for the particular house but what tripped him up was the guideline that was very clear about no parking in the front of the house. As proposed, the circular driveway was the only opportunity for off street parking. Mr. Arnett stated based on the standards, felt there needed to be another option besides the circular driveway for off street parking. It was Mr. Arnett's personal opinion and saw where Mr. Elam was going with a circular driveway and how it related to the architectural of the house. Chair Hodierna thanked everyone for listening to this discussion and thoughtful responses. Chair Hodierna hoped there would be a solution that would work for the applicants whether or not it involved a COA or not, but was hopeful there was another solution that will augment all the nice work being done with this property.

3.b. Application #2537, 614-620 NORTH ELM STREET.

Mr. Cowhig advised this application was from First Presbyterian Church, owners of the parking lot at 614-620 North Elm Street. These were 3 former lots now named 614 -620 Elm Street. The application is to place two dumpsters in the parking lot. Currently the dumpsters are in the parking lot on North Green Street and will be moved to the North Elm Street parking lot. The standards for dumpsters are in the section for Fences, Walls, and Site Features. There are two items; One, place items such as swimming pools, playground equipment, concrete pads, and basketball goals, tree houses, dumpsters, and trash receptacles only in areas such as rear yards, not visible from the street. Trash receptacles and dumpster areas must be adequately screened from view of the public right of way and adjoining residences with shrubs and/or fencing.

Mr. Cowhig advised in preparing staff comments, staff reviewed the site. Mr. Cowhig stated in his initial reading of the standards and looking at the application, took a very literal look at it and felt they could be in an enclosure and could be screened, located at the back of the lot. It was difficult to apply the standards to this particular situation because it is a parking lot. Mr. Cowhig felt the standards were written with properties that have existing structures on them in mind and the idea that if a dumpster is behind the building, it would be screened from view. That is not possible in this application. Staff felt the dumpsters, because of their visibility from nearby residences and the public right of way as proposed, would have a negative impact on the character of the historic district. There was an existing privacy fence along the rear of the lot line of the parking lots. The proposed location would be in close proximity to a house on Magnolia Court and the dumpsters would be very close to that particular house.

QUESTIONS:

Mr. Arnett inquired if there were visuals depicting where the dumpsters were currently located. Mr. Cowhig responded staff did not. Mr. Cowhig advised the dumpsters were in a parking lot on Green Street and because of the elevation change, were not very visible. There was approximately a 10-foot elevation change from the street to the location where the dumpsters were located. There was little or no visual impact on the historic district where they are currently located on Green Street, next door to the Community Garden. Ms. Lane inquired what was the reason for the location change. Mr. Cowhig responded that would be a question to be answered by the applicant. Chair Hodierné inquired if there were further questions. Seeing none, Chair Hodierné requested to hear from the applicant.

Chair Hodierné swore in Tim Millisor for his testimony and consent to the remote hearing.

Tim Millisor, 617 North Elm Street, First Presbyterian Church, Greensboro. Mr. Millisor stated the two dumpsters in question were located in a lot across from the church on North Green Street. The church was attempting to sell the property the dumpsters are located on and looking for a different way for the garbage to be picked up. This request appears to be the only logical place of a property owned by the church to place the dumpsters in the back and screen them. It would then be both a trash dumpster and a recycle dumpster which is currently on North Green Street. There are very few other options for the Church, other than having the same type of containers that are normally put out on the street. This proposal is a part of attempting to find a solution that would work for the church. The exact standards and map were used from the City of Greensboro's Dumpster Locations and Facility Standards. There would be a concrete path to place the dumpsters on and a fence around them in accordance with the drawing depicted on the screen. The placement could be adjusted to be further away from the back fence if necessary. The facility standards address maintaining setbacks from the property line.

Chair Hodierné inquired if there were questions for the applicant from the Commissioners. Seeing none, Chair Hodierné inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Hodierné inquired if there was anyone to speak in opposition to this request. Chair Hodierné swore in Cheryl Pratt for her testimony and consent to the remote hearing.

Cheryl Pratt, 910 Magnolia Street, Fisher Park Neighborhood Association. Ms. Pratt stated the Fisher Park Neighborhood Association met and unanimously voted to not support this COA. The Association felt very strongly that this request would be a detriment to the neighborhood and the city as a whole. In the past 10 years, this stretch has changed dramatically to where all the large homes have been renovated, redone into single family or office, or a bed and breakfast. Everything up and down the stretch is gorgeous, leading to the Performance Arts Center. This parking lot has always been a blight on this street. It has never been well maintained and has large potholes, trash, and weeds. This parking lot has always been in poor condition and has never been well maintained. Looking at this lot compared to the rest of North Elm Street, it really stands out. Ms. Pratt stated the Association felt adding dumpsters into the mix would make it even worse. Staff of the Church would have to walk across North Elm to dump their trash. Other than pre-school pickup time, anyone could walk across North Green at any time of day with eyes closed and nothing would happen. North Elm is always busy at other times. Gates in front of the dumpsters would need to be open before every pickup and closed after pickup. The Association did not feel that would happen and the gates would be propped open for everyone to drive by and see the dumpsters. For the surrounding Fisher Park neighbors, there would be an increase in noise, garbage flies, and vermin. The dumpsters would be 5-feet away from the closest home on Magnolia Court. The Association felt strongly that the Church needs to find space on their own campus for their garbage and not foist it onto their neighbors. The back stretch of Florence up against the park would not be up against homes or on Fisher where the Church already glass containers, smaller garbage containers could be placed there. The Association felt the Church was not a good neighbor to the neighborhood and putting their trash up against homes is one more step. Chair Hodierné inquired if there were questions for Ms. Pratt from the Commissioners. Ms. Pratt stated her phone, email, and the Neighborhood Facebook page was blown up from emails, phone calls, and public input. None supportive of this request. Ms. Geary depicted photographs showing the current lot that displayed broken concrete, pot holes, and a sign stating the parking lot was dedicated to veterans which Mr. Pratt felt was very sad and ironic. Chair Hodierné inquired if there were questions for the speaker. Seeing none, Chair Hodierné requested Gary Richardson to speak. Mr. Richardson did not respond. Chair Hodierné inquired if there was anyone else to speak in opposition to this request. Seeing none, Chair Hodierné inquired if the applicant would like to speak in rebuttal. Mr. Millisor declined to speak in rebuttal. Chair Hodierné inquired if there was anyone else to speak in favor or opposition of the request. Seeing none, Chair Hodierné closed the public hearing

DISCUSSION:

Chair Hodierné inquired of staff what the property was zoned as and if this property was part of any city required parking agreement for the church that mandates it be a parking lot to support the use of the church and the current square footage. Mr. Cowhig responded it was zoned Office. Mr. Cowhig believed it was zoned Office because there were houses and one of the houses closest to Magnolia Court Condominiums was an office. The church needed additional parking and the house was offered up to move and moved to West Bessemer Avenue. Whether the parking was required, in the past, churches were exempt from parking requirements in Greensboro. Chair Hodierné inquired if there were further thoughts from other Commissioners. Mr. Arnett provided **Guideline on page 9, “when interpreting the Historic District Design and Standards for their applicable ability to commercial and institutional properties, there are two factors that must be considered when reviewing an application; 1). 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. Arnett stated as discussed in other cases, it was important to recognize the needs of the institution. Ms. Israel stated the standards provided by staff seem to be at odds with this proposal and asked if the Commission was saying because the standards were designed for residential areas only and this is not a residential area and is why it could be approved. It was not behind the building and could be viewed by the public. Mr. Cowhig responded historically this property was at one time residential. North Elm Street was lined with homes and then commercial buildings were located at the intersection. These standards apply across the board to any zoning category. Ms. Kaufman stated in the chat, homeowners have indicated that the dumpsters would be placed behind. Chair Hodierné stated the chat statements were not sworn testimony and should not be used. There was testimony from a sworn witness that it is 5-feet from the last house on Magnolia Court. Chair Hodierné inquired if there were any further thoughts or questions from the Commissioners. Mr. Buansi provided

an update regarding parking requirements. The requirement for institutions of religious assembly would be one space per 20 square feet of seating area. There would need to be calculations to determine exactly what number would apply in this scenario. Mr. Cowhig stated the church was built before zoning requirements were put in place and are grandfathered. Ms. Graeber asked if the position of the dumpsters was in the proper location to be adequately serviced by a truck. Chair Hodierné stated there was no direct indications of the traffic movement, but thought it would come and circle a U pattern, reverse and back up to the dumpster and go straight after it was emptied. Chair Hodierné stated the City would review that for the turning radius and the ability to access it when a site plan application went in. Chair Hodierné stated she was struggling with **Guideline number 1, page 26, “such as rear yards where they are not visible from the street”**. Chair Hodierné felt that statement qualified the point of the rear yard example location, is that it is screened by a building. That language took it out of the application on a parking lot and the Commission would need to consider whether Guideline number 2 could stand alone in putting the structures basically anywhere as long as they are screened. It could fall short and the guideline did not address the proximity and vicinity to other neighboring residences. Chair Hodierné stated she was struggling with the balance on how to ensure historic districts are functional for institutional property owners and making sure the fabric is maintained for residential owners. Mr. Arnett shared his thoughts that the biggest detriment of the historic character of this lot was the fact that it is a parking lot instead of a building. Mr. Arnett felt the application, as proposed, did not take into consideration the impact on surrounding properties or the neighborhood. It appeared the bare minimum was taken from the standards and placed in the corner without consideration of additional screening or landscaping. The request was necessary but there were ways to mitigate the visual impact not evident in this application. If the gate was open to the side as opposed to the street, it would be helpful and there could be a landscape buffer around it. Mr. Arnett felt there more could be done with this application to make it appropriate for the neighborhood. Ms. Israel stated she knows the area well and did not understand how it could not be visible from the street even with a fence around it. Mr. Arnett stated with no building to place the dumpster behind, it could not be blocked. Dumpsters can be placed inside brick enclosures, surrounded by landscape of shrubs screening the brick. There would be no hiding that it is a dumpster and steps could be taken to make it appear more attractive. Mr. Arnett recognized the situation for the church and the lack of more attractive alternatives. Mr. Wharton provided the history of the parking lot. On the far left of the lot, there was a home purchased by the church and moved to allow the lot to become a parking lot. A parking plan with asphalt and landscaping islands was submitted at that time, along with the removal of a tree to the Commission. The Commission did not approve because they did not approve the removal of the tree. Mr. Cowhig responded that was correct and when the plan was not approved, the church walked away from it. Mr. Wharton felt Mr. Arnett’s suggestion for landscaping was a good suggestion. Mr. Arnett stated he was not sure in suggesting that for the entire parking lot on the basis of an application for the dumpster, but was not inclined to approve the application without substantial changes in how the enclosure presents itself to the surroundings. Mr. Arneke agreed. The location chosen was inappropriate as it was being placed right up against a residence. There was no need to do that with a large parking lot. Mr. Arneke felt the Commission could approve this proposal with the dumpsters placed somewhere else. The current location was wrong in every way imagined. Mr. Arneke felt the Commission should not approve the application. If the applicants found a less conspicuous location and something more than only placing a fence or wall around it was done, it could be approvable. A photograph was shown depicting where the proposed site was. Chair Hodierné asked if the gravel area was included in the 614-620 Elm Street location. Mr. Cowhig responded it was included. Ms. Geary stated as mentioned, there are other opportunities with the site. Ms. Hodierné stated in the sites mentioned by Mr. Arnett there was a section on neighborhood setting, **“is of critical significance in preserving the neighborhood character and any potential impact it may have on the district as a whole.”** Chair Hodierné felt that was where the Commission had textual support for weighing the impact to the remaining residential part of the neighborhood. Chair Hodierné inquired if there were further questions for staff. Seeing none, Chair Hodierné advised the applicant noted he wished to speak. Chair Hodierné stated the public hearing could be reopened or if the Commissioner feels it could proceed without it, the Commission could move on to a decision. Mr. Arnett stated in looking at the development standards in the Zoning Ordinance regarding dumpster locations, it did specifically state containers abutting the residential zoning district must be set back from the side rear property lines by the minimum setback of the zoning

district of the lot in question. Mr. Arnett felt due diligence should be done by the applicant if the location meets the City's zoning standards in the first place. Chair Hodierna stated it was out the Commission's purview but was something the applicant should look into. Chair Hodierna inquired if the Commission wanted more testimony or did feel it was at a decision point. Mr. Arneke stated he was willing to hear from the applicant if the applicant had a brief comment to make. Mr. Wharton agreed and advised there was a resident who had not been sworn previously who wanted to make a statement also. Ms. Israel would like to hear more testimony.

A motion was made by Mr. Wharton to reopen the public hearing on this item. Second by Mr. Arneke. The Commission voted 8-0). (Ayes: Chair Hodierna, Israel, Wharton, Arnett, Arneke, Lane, Graeber, and Kaufman; Nays: 0).

Chair Hodierna requested Joseph Borcas (ph.) to state his name and address for the record. Chair Hodierna swore in Mr. Borcas for his testimony and Mr. Borcas consented to the remote hearing. Mr. Borcas advised he was married to Ann Marsh.

Joseph Borcas, One Magnolia Court, Greensboro. Mr. Borcas stated the location was a terrible place for dumpster to be and would be right outside his kitchen window and already a very busy area. Of all the places to put a dumpster, this suggestion was not thoughtful. The church does not have the best track record of keeping up the maintenance of the area. Mr. Borcas felt having the dumpster there would attract rodents. Mr. Borcas was concerned his property value would go down. Mr. Borcas felt the Church should find another place for the dumpster. Chair Hodierna inquired if there were questions from the Commissioners for Mr. Borcas. Seeing none, Chair Hodierna inquired if there was anyone else wishing to speak in opposition. Chair Hodierna requested the applicant to speak in rebuttal or any other direct testimony based on statements said.

Tim Millisor stated he listened very intently to the comments from everyone. Mr. Millisor was open to a more aggressive blind to the dumpsters and open to repaving the entire parking lot and at the same time concrete would be made for the dumpsters to sit on. Mr. Millisor was dubious regarding the pictures shown. At one point in time brick was missing in the front but was repaired and did not believe it was the current condition. There could be weeds and trash and would make sure that was addressed. At one time it was proposed to take the land that had the house now zoned, completely redo it and pave it to make it all one parking lot. The stone area was in the back of the other area and was turned down by the Commission. The request was re-submitted and approved by the Commission. In the stone area there were concrete bunkers around all the large trees to protect them when it was re-approved. Mr. Cowhig apologized because Mr. Millisor was correct and that information had not been pointed out. The church did come back with a plan to improve the area where the house was. A COA was approved for that. Mr. Wharton apologized for not remembering as well. Mr. Millisor makes sure fresh mulch is placed every fall. A landscaper weeds and mows. Mr. Millisor was unsure of the condition pictures that were shown and will check on that. Mr. Millisor stated if this Commission disapproved this and allowed him to reapply with some changes to adhere to the standards and make those changes, he would be glad to do so the next meeting. The request could be approved with conditions for Mr. Millisor to comply with. Mr. Millisor felt his only other option was if the dumpsters were no longer on the current properties, to give them back to the company rented from and use street cans like residential. Mr. Millisor stated there were not a lot of options available but will do whatever the Commission requests. The Commission needed to consider the fact when there is no longer access to Green Street, there would need to be a way for the city to pick up trash. The area where the dumpsters currently sit do not have rodent or smell problems. All trash is bagged. Mr. Millisor requested to be told what the Commission wants to see and he would re-issue it. If it is a no on this property, he will consider other options. Chair Hodierna inquired if the Commission had questions for the applicant or any of the speakers. Seeing none, Chair Hodierna closed the public hearing.

DISCUSSION:

Chair Hodierna appreciated the applicant's willingness to revisit the request. Chair Hodierna stated she thought there was an outstanding question to what was even permissible for this location, based on what was stated regarding residential proximity and whether or not that pushed it back to the building location. There was no filing fee and no waiting period to reapply. Chair Hodierna was inclined to deny this request and receive a new application. Chair Hodierna did not know if there was enough information currently to move forward with a

conditional approval. Chair Hodiernie advised she was open to other thoughts from the Commissioners. Ms. Lane stated she supported what Chair Hodiernie had stated. Ms. Lane did not feel the Commission should go on with a further discussion of what the Commission was looking for. A vote should be taken and the applicant return with another proposal. Chair Hodiernie noted staff was the liaison for that purpose and could provide guidance on what was needed that would be more in keeping with the standards. Chair Hodiernie inquired if there were further comments or anything else from the Commissioners. Seeing none, Chair Hodiernie requested a motion.

FACT FINDING:

Mr. Wharton moved that based on the facts presented in Application 2537 in the public hearing, the Greensboro Historic Preservation Commission finds that the proposed project is incongruous with the Historic District Program Manual of the Design Standards and the staff comments and standards # 1 and 2 for Miscellaneous Items, are acceptable as Finding of Fact. Second by Mr. Arnett. The Commission voted 8-0). (Ayes: Chair Hodiernie, Israel, Wharton, Arnett, Arneke, Lane, Graeber, and Kaufman; Nays 0).

MOTION:

Therefore Mr. Wharton moved that the Greensboro Historic Preservation Commission does not approve application #2537 and denies a Certificate of Appropriateness to Tim Millisor, for work at 614 - 620 N. Elm Street. Second by Mr. Arnett. The Commission voted 8-0, Nays:0. (Chair Hodiernie, Wharton, Lane, Israel, Arnett, Carter, Leimenstoll, and Arneke, Nays: 0).

Mr. Arnett advised he had to leave the meeting at 6:59 p.m.

Chair Hodiernie requested a recess at 7:00 p.m. The meeting resumed at 7:06 p.m.

3c. Application #2540, 321 E. Hendrix Street.

Mr. Cowhig advised this application was 321 East Hendrix Street in Fisher Park to construct a circular driveway very similar to the 425 East Hendrix Street situation. This also was a corner lot where a neighborhood street intersects with a major thoroughfare, Church Street. Another similarity was the number of apartment structures close by resulting in limited on street parking space. The driveway proposed would provide off-street parking in a manner that did not require backing out onto a busy thoroughfare which was important to the applicants. This particular house was constructed without a driveway. There may have been an alley at one time but was unknown. Due to the proximity and numerous apartments, there was very little on street parking for tenants. On street parking was very limited. A circular driveway would resolve the parked cars visible on the street. Usually driveways lead directly to the rear buildings and the walkways lead directly to the front steps of the home. Staff was very interested in working with these new home owners in any way to achieve a solution to this problem. Chair Holston inquired if there were questions for staff. Seeing none, Chair Hodiernie requested the applicant to come forward and advised Mr. Blevins had been sworn in previously.

Mark Blevins, advised he was seeking the Commission's authorization for a driveway to have their vehicles in the rear of their lot. Parking is at a premium on Hendrix due to the multi-family properties. Mr. Blevins advised he had three young daughters that would be driving in the near future. Mr. Blevins bikes to work every day. There is a pedestrian bridge directly across from his home going over the train tracks for safety reasons, Mr. Blevins was requesting the Commission to consider a pull through option for this property outside of the generally restricted nature of those types of structures.

Chair Hodiernie inquired if there were questions for the applicant from the Commissioners. Seeing none, Chair Hodiernie inquired if there was anyone else to speak in favor of the application.

Brian Elam, stated he felt Mr. Blevins pain. Mr. Elam was supportive based on the safety issue and knowing what the neighborhood was. The residents are left with limited parking residents as a result of multi-family units blocked off in the front and use street parking even though they have parking. Chair Hodiernie inquired if there were questions from the Commissioners for Mr. Elam. Seeing none, Chair Hodiernie inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Hodiernie inquired if there was anyone wishing to speak in opposition to the request.

Cheryl Pratt, Fisher Park Neighborhood Association. Ms. Pratt stated the Association was thrilled the Blevins brought the property and looked forward to all the renovations that are being done. The Association has had this issue before with circular driveways that were denied due to the standards. The Association felt they could not approve a circular driveway. On a separate note, the Association also felt that two curve cuts coming that close to Hendrix off of Church Street would not be safe for other commuters. The Association unanimously did not support the request. Chair Hodiernie inquired if there were questions from the Commissioners for Ms. Pratt. Seeing none, Chair Hodiernie inquired if there was anyone else wishing to speak in opposition to the request. Seeing none, Chair Hodiernie inquired if Mr. Blevins had a rebuttal response to the opposition testimony.

Mark Blevins, stated his home was contributing to the neighborhood and his family wants to be contributing to the neighbor as well. The curve cuts on Hendrix are at the edge of the district. There are a lot of people just on the other side of that. Mr. Blevins as a former Commissioner and Chair, understood the concerns and appreciated the Commission's consideration that this might not fall within the general restrictions of a pull through nature of a driveway. Mr. Wharton stated he was curious as it appeared there could be a single curve cut for the driveway and a small turn around in back. Mr. Wharton asked if there was a reason he did not want to go with that option. Mr. Blevins responded there was a lot of room for turn arounds. They eventually want to have a garage in the back corner consistent with others in the neighborhood and be able to pull directly into the garage and have the turn around space. Mr. Blevins wanted a pull through driveway slightly further back into the property to not be too obvious. Mr. Blevins stated he would resubmit additional plans for landscaping to conceal the vehicles with a better plan. This property had a history of rental with not a lot of landscape material as a result. It was one of their other phases for development on this parcel. Chair Hodiernie asked when saying "pull through", was Mr. Blevins indicating it would all be one way all the time. Mr. Blevins responded they were seeking to not have to back out onto Church Street which was his primary concern. The speed limit sign says 30 but is not observed. Safety is the primary concern. Not backing onto Church and pulling through the driveway would allow seeing the traffic ahead for safety and sight visibility. Chair Hodiernie asked if when everyone was home, would there be 2 to 3 cars stacked in single file with no pull off area to park. Mr. Blevins responded depending on what would be allowed and also part of why the corners were shown instead of rounded, to allow a vehicle to be bypassed and could park. Otherwise it would be first in, first out. Chair Hodiernie stated there would be enough width there that a person could pull in and pull off to the side slightly; like parallel parking and other cars could still use the throughway. Mr. Blevins responded that was correct. Ms. Lane asked Mr. Blevins if he had looked at a different layout that may work for coming in, doing a back wide turn and come back out; had he examined those kinds of configurations on his property. Mr. Blevins responded he had and was why he was looking for guidance if he did not achieve approval at this meeting. Ms. Israel stated she was looking at the drawing that appeared the drive proposed going around behind the house and asked if it was in the front or the rear of the house. Mr. Blevins responded it was at the rear of the property; but is a corner parcel on Church at the back of the home, on the side of the property. It would be a small pull through in the backyard. Ms. Geary showed pictures and highlighted the path of how the pull through would look like. Ms. Israel asked why a turnaround was not proposed instead of a circle. Mr. Blevins stated if he started with turn arounds, it would be hard to ask for the pull through. Chair Hodiernie asked if it was the intent that the chain fence would remain and everything proposed would be on the outside of the fence and the fence maintained in the back yard fully intact with the current proposal. Mr. Blevins responded with the current proposal, yes. The fence was bare aluminum chain link and not preferred in the ordinance. The ordinance also says maintain vegetation if you can and is going on currently. Eventually there will be a fence proposal. Chair Hodiernie stated it appeared it was important for Mr. Blevins to preserve the integrity of the back yard. Mr. Blevins responded ideally, yes. Chair Hodiernie inquired if there were any further questions from the Commissioners to the applicant or staff. Ms. Graeber asked what was the distance at the back of his house and the sidewalk. Mr. Blevins responded it was 25-feet. The question was put on hold due to a video technicality. Seeing none, Chair Hodiernie closed the public hearing.

DISCUSSION:

Ms. Israel stated she was concerned that the written proposal did not say it was a circular driveway, but the drawing does. It was an issue for her, but not a huge issue. Chair Hodiernie stated that would be able to be overcome as this will be a two-phased COA. If approved, it would assure Mr. Blevins that he could have it drawn

up, pay for it, and bring it back to the Commission with better details and elaborations on that and with the specific language that was important. Mr. Wharton stated staff did not cite **Standard 6 on page 30** which is more relevant in this situation than in the previous situation, where it says “**parking areas for residential properties should be well screened and at the rear of the property, parking areas in front yards are not appropriate. New parking areas should design to have a minimal effect on the neighborhood environment.**” Mr. Wharton not seeing a measured drawing of exactly how much space was available in the back yard there. There would be a sacrifice for when there is a backyard and parking. The placement of the pull through on Church Street puts parking on the street level which is part of the streetscape and deteriorates that street area. It would have a strong effect on the neighborhood. Eyeballing the site plan and the satellite, there was opportunity for a straight end driveway with a couple of parking spaces and enough room to back up and pull out. Mr. Wharton thought a clever architect could site a garage in an area where the car could pull out, back up, and go out toward the front. Mr. Wharton thought it was doable and the Commission should not ignore Guideline #6.

Ms. Graeber advised she was back in the meeting and heard everything that was said. Chair Hodierné asked if she had any follow-up questions or was it answered with the 25-foot dimension. Ms. Graeber advised it was answered. Ms. Lane stated this COA was a request, not a discussion for construction of a circular driveway that was being discussed. The Commission was not hypothetically discussing whether or not the Commission will or will not agree to this. Chair Hodierné stated it was her understanding that it was a full COA. An approval of this would not mean they could go straight to building permits or whatever else is necessary. Instead it would be an approval from the Commission to go and develop those plans, come back to the Commission for approval and more specific details, dimensions, materials, landscape treatment, and whatever else the Commission would need to see. It is a mechanism offered by the Board to provide the applicant with some guidance so they know whether or not they should spend their resources on fully developing this type of request. Ms. Lane felt it should say conceptual ideas presented. The COA says construct a circular driveway. Mr. Cowhig stated a conceptual approval was a way to provide feedback to the applicant needed to go ahead and develop full-blown plans. It can be expensive, especially in this type of case when there was clearly a guideline issue involved. Staff felt if the Commission chose to approve this conceptual plan, a condition could be placed on the approval to have fully detailed construction drawings brought back prior to beginning the project. It was a way to provide an answer to do something and for a yes or no answer. The Commission could request detailed plans or architect drawn plans to have that question answered. Staff felt conceptual approval fits well in that instance. Chair Hodierné added because the Commission is quasi-judicial and there cannot be any ex parte communications. Normally this would be somewhat uncomfortable but there is a need for it when a member of the public is not allowed to approach the Commission to ask how they feel about something. It is a prohibitive communication with no other way to obtain feedback other than this process. Ms. Israel stated there was a staff recommendation and the Commission has been advised of the consequences going against that recommendation. Ms. Israel felt the Commission did not want to risk approving something, someone spend money, come back with architectural drawings of a circular driveway and have wasted their money, creating another problem. To her, this was problematic because of the drawing. Several of the Commissioners were not comfortable reverting from the standards, especially as it appeared there were opportunities for other means of on-site parking. Chair Hodierné asked if there were any counter opinions or thoughts. Mr. Arneke stated he agreed. Chair Hodierné stated it appeared there was not an appetite for approval of this concept based on the fact there appears to be alternative methods more in keeping with the standards. Chair Hodierné asked Mr. Blevins if there were any specific questions he had and if there was any other feedback he would like to ask. Mr. Blevins stated he would go forward with the Church Street plan to the Commission in the future and thanked the Commission for their feedback. Chair Hodierné closed the public hearing and requested a motion.

FACT FINDING:

Mr. Wharton moved that based on the facts presented in Application 2540 in the public hearing and the Greensboro Historic Preservation Commission, finds that the proposed program is incongruous with the **Historic District Program Manual and Design Standards** and the staff comments and **standards # 3,4, and 6**. Number 6 was not included in the staff comments, on page 30 of the Historic District Program Manual and Design

Standards are acceptable as Finding of Fact. Second by Ms. Lane. The Commission voted 7-0. (Ayes: Chair Hodiernne, Israel, Wharton, Arneke, Lane, Graeber, and Kaufman; Nays: 0).

MOTION:

Therefore Mr. Wharton moved that the Greensboro Historic Preservation Commission does not approve application #2540 and denies a Certificate of Appropriateness to Mark & Anna Blevins, for work at 321 Hendrix Street. Second by Ms. Lane. The Commission voted 7-0, Nays: 0. (Chair Hodiernne, Israel, Wharton, Arneke, Lane, Graeber, and Kaufman; Nays: 0).

3d. Application #2541, 321 E. Hendrix Street.

Mr. Cowhig advised this application was a proposal to add windows to the side gable ends to allow the attic to be converted to living space. Plans indicate a three-part window similar to the windows on the first floor directly below. Many similar Craftsman homes in the historic district have windows in the gable ends and the change would not be incompatible with the character of the historic district or the property. It was good to see someone taking advantage of interior space, especially attic space for additional interior space without having to construct an addition. This is a secondary elevation and the new windows would be compatible in proportion, location, shape, pattern, size, material, and details with the existing windows. Mr. Cowhig referred to **Standards for Windows and Doors; Retain and preserve the pattern arrangement, and dimensions of window and door openings on principal elevations. This was a secondary elevation. Staff recommended some conditions; 1.) That the new windows be simulated divided light windows. Windows that could be double glazed windows but the muntins are permanently attached to the exterior and interior of the glass and match the muntin profile of existing windows on the house as closely as possible; 2.) The window casings, drip cap, sills, all the window trim, match the window trim on similar bungalows with a wood shingle siding.** This is a house with a first floor that is brick and does not have window casings to match, nor should they match. A good example of the type of window casings that should be there. It is a wider casing usually and ensure there are drip caps added. There is a wooden vent at the very top of the wall at the eaves. Staff hopes the wooden vents can be retained and was something requiring a discussion with the contractor and building inspector. If they could be retained, it would be a very nice feature of the house and staff would like to see it preserved. Staff felt consideration should be given to 2 or 3 double-hung windows instead of matching the 3-part window on the first floor. Generally, the 3-part window is usually in a dining room and often done to make a space for a side board. Not always the case in large Craftsman bungalows, and the gable ends where there is interior space under the roof have two or three double hung windows. Some are in a row, sometimes there is a separation between the windows. Staff felt it could be a nice addition of interior space for the house in a way that maintains the character of the house in the neighborhood.

Chair Hodiernne inquired if there were questions for staff from the Commissioners. Ms. Lane thanked Mr. Cowhig and Ms. Geary for the really good analysis of this project. Ms. Lane stated she supported it 100%. Staff approval would be appropriate for the final design and elevation of the windows. Ms. Lane deferred to her other board members on that. Chair Hodiernne inquired if there were any other questions or comments for staff from the Commissioners. Seeing none, Chair Hodiernne requested Mr. Blevins to speak who was previously sworn in.

Mark Blevins, stated the reason for the three front windows was for consistence with the first floor of their home and had been seen in other parts of the neighborhood on the first and second floor areas. Mr. Blevins appreciated the flexibility to work with staff on the final design that was based on other similar structures for that bungalow feel and look. The designs were very expensive and appreciated the Commission looking at them. Chair Hodiernne inquired if there were questions for Mr. Blevins from the Commissioners. Ms. Israel noticed it said windows and then scratched out and said are requested. Ms. Israel asked if that meant he had already ordered the windows or was just requesting windows to be put in. Mr. Blevins responded requesting for the exterior penetration. The windows have not been ordered. Ms. Israel understood esthetically for the same type of windows upstairs as they are downstairs. But if he did not have that, asked if he would be able to find something that would be satisfactory. Mr. Blevins responded certainly, yes. Chair Hodiernne inquired if there were further questions for the applicant

from the Commissioners. Seeing none, Chair Hodiernne inquired if there was anyone else wishing to speak in favor of the request.

Cheryl Pratt, Fisher Park Neighborhood Association. Ms. Pratt stated the Fisher Park Board supports the applicant's plans. The Association had the same discussion staff did as far as the type of window and perhaps the shape of windows. It was completely up to staff to approve that. Chair Hodiernne inquired if there were questions of Ms. Pratt from the Commissioners. Seeing none, Chair Hodiernne inquired if there was anyone else to speak in favor or opposition to this request. Seeing none, Chair Hodiernne closed the public hearing.

DISCUSSION:

Chair Hodiernne stated this was a great use of space and echoed Ms. Lane's comments to staff. Chair Hodiernne understood the pain of trying to order windows to match historically. Sometimes when trying so hard to fit a certain mold, it can be look more awkward than if there was the flexibility to do something more compatible. The conditions staff has laid out regarding the parameters of what does need to be the same are good guide posts. Chair Hodiernne stated her support the flexibility on the final shape or configuration. With no further comments, Chair Hodiernne requested a motion.

FACT FINDING:

Mr. Wharton moved that based upon the findings of fact in Application 2541 in the public hearing and the Greensboro Historic Preservation Commission, finds that the proposed project is congruous with the Historic District Program Manual and Design Standards and that staff comments and standards # 1 for are acceptable as Finding of Fact. Second by Ms. Graeber. The Commission voted 7-0. (Ayes: Chair Hodiernne, Israel, Wharton, Arneke, Lane, Graeber, and Kaufman; Nays 0).

DISCUSSION:

Conditions to be added were discussed and agreed upon, consistent with the recommendation.

MOTION:

Therefore Mr. Wharton moved that the Greensboro Historic Preservation Commission approves Application #2541 and grants a Certificate of Appropriateness to Mark & Anna Blevins, for work at 321 Hendrix Street with the following conditions:

1. That the new windows be simulated divided light windows and muntins permanently attached to exterior and interior of the glass.
2. That window casings, drip caps, sills, etc., match window trim on similar bungalows with a wood shingle siding
3. That original wood vents be retained if feasible.
4. Giving the applicant the ability to consider using two or three double hung windows instead of the matching three-part windows in consultation with City staff.

Second by Ms. Lane and Ms. Israel. The Commission voted 7-0. (Chair Hodiernne, Israel, Wharton, Arneke, Lane, Graeber, and Kaufman; Nays: 0).

Items from the Commission Chairman:

Chair Hodiernne welcomed the two newest members and their contributions at this meeting.

Items from the Planning Department:

Mr. Cowhig advised two grants were received to do a downtown national register update that would actually expand the downtown Greensboro historic district. Staff was working on the administrative task involved in getting that set up and ready to go. Staff will be putting out requests for proposals for an architectural historian to do that work soon. The grant for the Benbow Park national register historic district nomination is more complicated because it is a federal grant. Staff is in the process of setting it up. Mr. Cowhig advised staff will be looking for help and advice from Commission members when staff

gets into that project. Staff would like to get back on the Standards update just as quickly as things can get underway. Ms. Geary has been working very hard on all sorts of different administrative things that keep the ship going. Ms. Geary stated there is a lot of administrative work. Staff will come back hopefully next month with a few more ordinance rules of procedure, updates and changes. Ms. Geary stated there are plans to have a standard update. The current document is the old set of standards with the word Guidelines removed and changed to Standards. A print order has been submitted to provide a hard copy of that document with the word “Standards” to help in making motions using the word standards instead of guidelines.

Chair Hodiernie thanked staff for all the work they do to keep the historic districts at their best and add new and other historic opportunities for the City of Greensboro. Mr. Cowhig stated one of the things they do is process landmark designations in the City of Greensboro that are submitted from the Guilford County Historic Preservation Commission. The City appoints three members of that Commission. The property owner applies and they recommend in favor of the land mark designations and then goes on to City Council. Staff handles that processing. 716 Walker Avenue is an interesting house in College Hill. It is the home of Laura Brockman who Charles Duncan McIver, founder of UNC asked her and her brother Charles, both musicians, to teach music at the State Normal and Industrial School. That evolved into the music department known today. There are many features built into the house that reflect their musical background. There is stained glass with some sort of symbol. Chair Hodiernie stated staff walked through them before and it has been interesting.

Ms. Geary advised the Commissioners are representatives of the Historic Districts and encouraged them to spread the word that folks should not be shy about signing up to be speakers. A great deal of time was spent by her responding to long emails that people took the time to write in regards to some of these items, only to reply and say that as staff she could not testify for them and provided the link to be placed on the speakers list. There were not many people signed up to speak in opposition and did not reflect the number of individuals who had reached out to Ms. Geary. Ms. Geary was unsure on how to encourage people to not be afraid to sign up. This platform is the easiest it has ever been for people to become involved and come to the meetings. Normally the meetings are not four hours long. Perhaps everyone could get that word spread, if you want your voice heard, you need to come to the meeting and sign up to speak. Chair Hodiernie stated it was a good point and to have to reopen a public hearing when people place things in the chat. Chair Hodiernie stated at the beginning of the meeting will note that the only way to address the Commission, was to come forward and be sworn in and is the only way to have their voice heard. Ms. Geary did not know if she could control the chat function. People should not be talking behind the scenes like they did or reaching out to a property owner or potentially reaching out to a Commissioner. Chair Hodiernie will address the chatting issue.

SPEAKERS FROM THE AUDIENCE:

None.

MOTION:

Seeing none, Chair Hodiernie requested a motion to adjourn. Mr. Arneke moved to adjourn the meeting. The meeting was concluded at 8:08 p.m.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary

MC/cgs

**MEETING MINUTES
OF THE
HISTORIC PRESERVATION COMMISSION
OCTOBER 27, 2021**

The meeting of the Greensboro Historic Preservation Commission was held on Wednesday, October 27, 2021 at 4:00 pm, remotely via Zoom. Commission members present were: Chair Amanda Hodierna (Fisher Park), Jesse Arnett (Vice Chair, At Large), (David Arneke (College Hill), Linda Lane (District 5, At Large), Adrienne Israel (New Garden & Guilford College, At Large) Jo Leimenstoll (Fisher Park), and Sharon Graeber (District 1, Clinton Hills Benbow Park), and Deborah Kaufman (District 5). Mike Cowhig, Stefan-Leih-Geary, and Russ Clegg were present from the Planning Department. Allen Buansi, City Attorney, was also present.

Chair Hodierna inquired if all Commission members were contacted to ensure a quorum and if the meeting was properly advertised and the applicants notified. Chair Hodierna inquired if copies of the Certificate of Appropriateness (COA) applications and meeting minutes were mailed to the Commission members five days prior to the meeting. electronic packet was sent to the Commissioners. Chair Hodierna inquired if everyone on the Commission had received their packet and had an opportunity to review everything via email. Chair Hodierna inquired if reasonable efforts were made to identify and notify the surrounding property owners and other interested parties for all of the COA applications. Mr. Cowhig responded they were. Chair Hodierna welcomed everyone to the October 27, 2021 meeting of the Greensboro Historic Preservation Commission. Chair Hodierna advised this was a remote meeting being conducted in accordance with Session Law 20-20-3. Certificates of Appropriateness are subject to Quasi-Judicial hearings. Chair Hodierna 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 Hodierna inquired if any of the Commissioners had a conflict of interest regarding any of the items on the meeting agenda. With no response, Chair Hodierna inquired if any of the Commissioners had any ex parte communications or discussions that should be disclosed on any of the agenda items.

APPROVAL OF ABSENCES:

David Wharton was an excused absence.

APPROVAL OF THE SEPTEMBER 29, 2021 MEETING MINUTES:

Ms. Lane requested to postpone the minutes as she had not had enough time to read through them carefully. It was a long meeting. Mr. Buansi advised it was okay to do that but the minutes are to capture the essence of the conversation, not necessarily specific things people have said. It was acceptable for the Commissioners to postpone approval of the minutes. Ms. Israel advised there was a significant amount of wording issues. Mr. Arnett made a motion to postpone approval of the September 29, 2021, minutes to the next meeting; Seconded by Mr. Arneke. The Commission voted 8-0. (Ayes: Chair Hodierna, Leimenstoll, Arneke, Arnett, Israel, Lane, Graeber, and Kaufman; Nays: 0).

3. Recommendation on Rezoning Application, 208 West Fisher Park Avenue and 703-709 North Greene Street from RS-7 (Residential Single-Family) to RM-8 (Residential Multi-Family).

Chair Hodierna swore in Mr. Cowhig for his testimony and consent to the remote hearing.

Mike Cowhig, Planning Department. Mr. Cowhig advised this was a rezoning application. When the City receives a rezoning application and the property is located inside a local historic district, under the rules of the Historic District, the application comes first to the Historic Preservation Commission for a recommendation. The Commissioners goal is advisory and will before the Greensboro Planning and Zoning Commission who will decide the rezoning. This rezoning is preliminary to a Certificate of Appropriateness application to develop the property located at 208 West Fisher Park Avenue and 703 to 709 North Greene Street. The request for this property is to be rezoned from Residential Single-Family-5 and CD-O (Conditional District-Office to the new zoning category of Conditional District-Residential Multi-Family-8 with the following: (1.) Uses would be

limited to a maximum of 9 dwelling units. Mr. Cowhig stated the Historic Preservation Commission staff does not do staff comments for rezoning applications. It is the Planning and Zoning Commission who will make the determination. Mr. Cowhig advised the Fisher Park Historic District was developed prior to zoning being implemented in Greensboro. The neighborhood has a mix of uses of multi-family dwellings side by side to single-family dwellings in Fisher Park. The Commission was being asked the question of was this zoning category a compatible zoning category for the historic district. It is a land use question and not a design issue at this point; was the land use in this zoning category consistent with the character of the historic district. David Stone, the applicant was present to speak.

Chair Hodiernie requested Mr. Stone to state his name and address for the record. Mr. Stone was sworn in for his testimony and consented to the remote meeting.

David Stone, 2904 Lawndale Drive, Greensboro. Mr. Stone confirmed D. Stone Builders submitted an application for rezoning five pieces of property located at 208 West Fisher and 703-709 Greene Street. The request was for development of the property into 8 luxury townhome units. Mr. Stone shared two preliminary sketch plans depicting the vision for this project. The site will consist of four townhomes each, with one point of ingress and egress off of Greene Street. All of the parking garages will be located at the rear of the property. The homes will have driveways that will accommodate two cars in addition to two car garages. Overflow parking will be located at the rear of the property. A photograph was shown depicting what the homes will look like. A lot of time and thought was put into the process of designing a neighborhood that would be a nice mix between classic and contemporary. The townhomes will be constructed of brick with pre-cast stone accents around the windows and front porch that will face Greene Street. A rear elevation was shown depicting where the garages would be located on the back side of the property. There will be un-covered balconies and screened porches. No windows were on the buildings currently. Mr. Stone stated currently no windows are being shown on the housing. Half of the homes will be end units with windows and other features along the sides. Mr. Stone referred to page 2 of the document submitted indicating an additional optional that would allow for a rooftop terrace providing additional outdoor living. There will be some additional heated and cooled space, such as a family room or bonus room type area similar to the other homes but with a different roof pitch. Mr. Stone stated he met with the Fisher Park Neighborhood Association at their monthly meeting and shared this same information with them. The Neighborhood Association had questions. Mr. Stone heard their feedback and addressed their concerns to the best of his ability. Letters will be sent out to those on the mailing list received from the Planning Department who wish to attend and provide feedback, express their concerns, or questions at the upcoming November zoning meeting. Mr. Stone stated he would be glad to answer questions from the Commissioners.

Chair Hodiernie inquired if there were questions from the Commissioners for Mr. Stone. Ms. Lane asked if this was a total demolition of the existing buildings. Mr. Stone responded that was correct and was part of the conversation with the Fisher Park Neighborhood Association. Mr. Stone believed the Association indicated they would like to have the home located at 705 North Green Street preserved. Mr. Stone has had conversations with the Preservation Society. D. Stone would be happy to donate the home and will continue to have further conversations regarding the preservation of that home as this request moves forward.

QUESTIONS:

Ms. Lane asked if this was a total demolition of the existing buildings. Mr. Stone responded that was correct and was part of the conversation Mr. Stone had with the Fisher Park Neighborhood Association. There was one home located at 705 North Greens Street that the Fisher Park Neighborhood Association indicated they would like to have preserved. D. Stone Builders is open to the conversations with the Preservation Society and would be happy to donate the home and hopeful to continue the conversation. Chair Hodiernie inquired if there were any other questions for the applicant. Chair Hodiernie asked Mr. Stone to refer to the sketch and requested Mr. Stone to go over the sketch again for everyone. Chair Hodiernie asked if that was a wholesale option or for certain units. Mr. Stone responded it was still in the thought process right now. It was an option that may be provided for some units and was unsure if it would be done across the board.

Chair Hodiernie inquired if there were other questions for Mr. Stone. Ms. Lane asked if in any of the mockups, was there an attempt to retain properties and do a mix of new development amongst the landscape. Mr. Stone

responded that has not been looked at. Ms. Lane asked if it was something that would be considered by D. Stone. Mr. Stone responded they would consider it. Mr. Arnett felt the conversation was drifting from the question on the table today to something that would be addressed in more detail in the future. The question before the Commission was, is this land use compatible with the historic district. Chair Hodierné stated that was correct and all of the questions needed to be directed towards that type of analysis. The question was; as a land use, was it residential appropriate. Chair Hodierné stated on the notes from staff there was a condition attached to this request that the uses would be limited to a maximum of 9 dwelling units. Chair Hodierné inquired if that was the only condition that was filed. Mr. Stone responded that was correct. Chair Hodierné asked if all the drawings and everything had not been reduced to a condition to date. Mr. Stone responded that was correct. Chair Hodierné asked both Mr. Cowhig and Mr. Buansi, if it was correct that because this request was in the historic district, it was automatically beholden to the design guidelines and anything built would be subject to a future COA. Mr. Cowhig responded that was correct. Chair Hodierné asked if the request would come back to the Historic Preservation Commission at that point as new construction under the guidelines. Mr. Cowhig responded that would be correct.

Chair Hodierné inquired if there were any further questions for the applicant from the Commissioners. Seeing none, Chair Hodierné inquired if there was anyone wishing to speak in favor of the application. Chair Hodierné swore in Ms. Hadden for her testimony and Ms. Hadden consented to the remote hearing.

Keisha Hadden, 404 West Bessemer, Fisher Park Neighborhood Board. Ms. Hadden advised Mr. Stone did come to the Fisher Park Neighborhood Board meeting, which was appreciated by the Board. There were items that in the near future will be clarified such as retention, some of the large Oak trees on the property, the cooperation and relocation of the historic house at 605 Greene Street, further communication on storm water and landscape plans. Additional talks were for Architectural Salvage to have access to the properties other than 705 Greene and the other buildings in the neighborhood are looked ad used when completing the designs for this property. The Fisher Park Neighborhood Board were looking forward to seeing more detailed elevations. Chair Hodierné inquired if there were questions from the Commissioners to Ms. Hadden. Seeing none, Chair Hodierné inquired if there was anyone else to speak in favor of this application. Seeing none, Chair Hodierné inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Hodierné inquired if there was discussion amongst the Commissioners.

DISCUSSION:

Chair Hodierné inquired if there were questions or thoughts among the Commissioners. Mr. Arneke stated it appeared that if the development was being limited to no more than 9 unit and was about what was there originally or could be even less. Mr. Arneke stated he thought there was a four-unit apartment building and four single-family lots on Greene Street. Mr. Arneke asked staff if the one corner was where a house was torn down approximately 10 or 15 years ago. Mr. Cowhig responded that was correct. A house was located at 701 North Green Street which is where the Community Garden is located now. Mr. Arneke asked if that was the house that had a door that was somewhat angled toward the corner. Mr. Cowhig responded that was correct. Mr. Arneke stated the property as it is now was probably less dense than when originally built out. Mr. Arneke asked it townhomes would be an appropriate replacement for those properties. The density would be going down slightly. Ms. Israel asked why the application was necessary for a rezoning application because there are currently townhomes and multi-family units all around that particular area. Mr. Cowhig responded there was a point in time where the City's Land Development Ordinance was updated and reviewed approximately 20 years ago. The City did down zone a number of properties in the three historic districts that were primarily residential, single-family residential. Ms. Israel asked if the City, as an afterthought, changed it to restrict to single-family and the applicant was now asking whether or not the Historic Preservation Commission endorse going back to what had been applied. Mr. Cowhig stated that was correct and stated in that general area there is a quite a mix of multi-family and single-family. Ms. Leimenstoll stated she understood the Commission was only making a recommendation on this request for a rezoning application and understood it is not increasing density. Ms. Leimenstoll felt confused because there are existing buildings and assumed the Historic Preservation Commission would have to approve demolition of those buildings. Ms. Leimenstoll was unsure what impact would have on any future requests to demolish existing properties if this rezoning is recommended. Mr. Cowhig stated he would like to hear from Mr.

Buansi on that. Mr. Cowhig understood this as a rezoning application and a recommendation by the Commission would not bind the Commission in terms of the review of the applications that will come before the Commission. It might be a separate application for the demolition of the structures. The Commission has the authority to delay demolition for up to 365 days. The Commission would not be giving approval to the design. The design would have to come back to the Commission for a COA. Mr. Buansi agreed completely with Mr. Cowhig's statement. This is only a recommendation action. Mr. Arnett stated the question before the Commission was whether multi-family residential uses was appropriate within the historic district. Mr. Arnett stated in driving around the historic district there were many examples of multi-family buildings that are successfully integrated with the single-family buildings in the neighborhood. Ms. Israel added there was one house that looks historical in that area and this proposal would be an improvement. Chair Hodiernie inquired if there was anyone else wishing to speak. With no more questions of the applicant and no objection from the Commissioners, Chair Hodiernie closed the public hearing. Chair Hodiernie requested to have a motion made.

MOTION:

Mr. Arnett moved that the Greensboro Historic Preservation recommends approval of the application as presented. Second by Ms. Lane. The Commission voted 8-0. (Ayes: Chair Hodiernie, Leimenstoll, Arneke, Arnett, Israel, Lane, Graeber, and Kaufman; Nays: 0). Chair Hodiernie advised it was a unanimous vote to recommend to the Planning and Coning Commission approval of the rezoning item.

APPLICATIONS FOR CERTIFICATE OF APPROPRIATENES:

4 a. Application #2549, 715 Simpson Street

Mr. Cowhig stated this application was for 715 Simpson Street in the Fisher Park Historic District. The project is for the construction of an accessory structure in the backyard of the property. Elevations, a site plan and a description of materials. Staff felt the materials and proposed design of the building met the standards for garages and accessory structures found in **Garages and Accessory Structures, page 37 of the Historic District Design Standards**. This request was for a 20x20 foot structure that would not be visible from the street. A photograph was shown depicting the area where the structure would be. The structure will consist of fiber cement siding with wood louver shutters and cedar shakes. The windows would be simulated divided light clad windows. The muntin pattern on the windows will match that of the house. Staff does need to confirm a couple of the elevations as they looked slightly different which may be a function of the clad equipment. The guidelines say to **“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 garages and accessory structures so that the integrity of the original structure, or the size of the existing lot, is not compromised or significantly diminished.”** The request has been reviewed by the Planning Services staff and did not see any issues with the request. Staff wanted to ensure that all precautions would be taken to protect any existing trees during the construction. Staff does support this application request.

Chair Hodiernie inquired if there were questions for staff from the Commissioners. Seeing none, Chair Hodiernie requested the applicants to come forward. Chair Hodiernie requested Rosemary Kenerly to provide her address for the record. Ms. Kenerly was sworn in for her testimony and consented to the remote hearing.

Rosemary Kenerly, 715 Simpson Street.

The Kenerlys' were sworn in separately as they were at two different locations. Chair Hodiernie requested Jay Kenerly to provide his address for the record. Mr. Kenerly was sworn in for his testimony and consented to the remote hearing.

James Gray Kenerly, 715 Simpson Street. Mr. Kenerly stated with four growing children, they need a place for the children to be able to play on their property and would like to have a playhouse which would be essentially a very large room for the children that would be a playhouse now and eventually a study area for them as they grow older. There would be no kitchen or closets and would just be a large play area. They do not want to have anything done to their existing home at all. This structure will be a good alternative for the children to play in. Chair Hodiernie inquired if there were questions from the Commissioners for the applicant. Seeing none, Chair Hodiernie inquired if there was anyone else to speak in favor of the application.

Keisha Hadden, Fisher Park Neighborhood Board. Ms. Hadden stated the Kenerly's presented this information to the Fisher Park Board. The Board was in favor of the COA as written. Chair Hodiernie inquired if there were questions from the Commissioners for Ms. Hadden. Seeing none, Chair Hodiernie inquired if there was anyone else wishing to speak in favor of this request. Seeing none, Chair Hodiernie inquired if there was anyone to speak in opposition to this request. Ms. Israel asked if the room would be sound proofed from music. Mr. Kenerly responded the room is an insulated structure. The structure will be a normal building built to absorb sound. There would not be sound proofing placed but is insulated next to the interior walls. Ms. Israel stated if the neighbors do not complain, it would be fine. Mr. Kenerly responded that was a great point. Chair Hodiernie inquired if there were any further questions for the applicant. Seeing none, Chair Hodiernie inquired if there was any discussion.

DISCUSSION:

Chair Hodiernie stated the structure was a very creative way to have additional space for family needs that everyone could identify with and that will keep the historic structure intact and without any change to the front or any of the facades that could have created to have more of an analysis from the Commission. It was creative problem solving and the type of thing the Commission likes to see for the historic district. Chair Hodiernie stated she did not have a problem with the request. Mr. Arnett stated it was a great project and solution to the family's need and was completely compatible with the house and neighborhood. Mr. Arnett stated the Commissioner may want to consider a condition with the divided light pattern in the windows. It was Mr. Arnett's opinion in looking at the main house, most of the houses have 6 over 1 double hung windows except on the front which was 8 over 1 as they are very wide windows. Mr. Arnett felt on the proposed playhouse, it indicated 6 over 1 but the configuration was in the wrong orientation and should be 3' wide by 2' high instead of vice versa. Mr. Arnett suggested the windows a condition. Mr. Arnett stated in looking at the plans, the columns on the front porch were noted as columns to match the existing house and suggested to perhaps have staff approve the eventual selection of column to ensure it would match with the what is there now on the house. Chair Hodiernie stated there were good suggestions to ensure the Commission looks at all the details to keep the house as compatible as possible. Chair Hodiernie inquired if the applicant would address those remarks. Mr. Kenerly responded they were good suggestions. After speaking with the Fisher Park Neighborhood Board and Ms. Hadden, believed it was a cad drawing issue regarding the windows and not the fact that it was intended to look the windows on the side. Mr. Kenerly believed the cad drawing would not allow it. Communication has been initiated with the designer and contractor who have advised it would not be a problem, it was a design issue in the drawing. Ms. Kaufmann asked if the applicant would be limited in terms of color, if the standards said anything regarding that. Mr. Cowhig responded that was a good question. Years ago, the Historic District rules did govern color and changes to the color of exterior buildings had to be approved. That thought process when the rule was changed during the last guidelines update that since color was reversible, to leave the color selection up to the individual home owner. Chair Hodiernie inquired if there were additional questions or comments. Mr. Arneke asked what type of siding would be on the structure. Mr. Cowhig responded he believed the applicant had stated it would be fiber cement siding. The trade name is Hardie Plank. Mr. Kenerly stated that was correct. Ms. Leimenstall stated staff encouraged the applicant to take care in protecting any trees that were not being demolished and asked if that was a definite plan. Mr. Kenerly responded absolutely. In the backyard due to the way it has grown over the years, there are not many trees in that back. The ones that are there, are very muted and very thin. There will not be an impact to them at all. Ms. Kenerly added there were a couple of Crepe Myrtles that they planted years ago that have never taken off and would be the only things that would need to be taken out. It will just be taking out broken tree limbs and that type of clean up. Chair Hodiernie closed the public hearing any further discussion or a motion.

FACT FINDING MOTION:

Mr. Arnett moved that based upon the facts presented, in Application number 2549, 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 Guidelines on page 36, numbers 2 and 3 for accessory structures and the Guidelines on page 80, for new construction,**

number 1 through 6 are acceptable as Findings of Fact. Second by Mr. Arneke. The Commission voted 8-0. (Ayes: Chair Hodierne, Leimenstoll, Arneke, Arnett, Lane, Israel, Graeber, and Kaufman; Nays: 0).

A short recap regarding the conditions was discussed between Chair Hodierne and Mr. Arnett.

MOTION:

Therefore, Mr. Arnett moved that the Greensboro Historic Preservation Commission approves Application number 2549, and grants a Certificate of Appropriateness to Rosemary and Jay Kenerly for work at 715 Simpson Street, with the following conditions:

1. That the 6 over 1 divided light pattern in the windows be arranged as 3 wide x 2 high configuration.
2. That city staff approve the final porch column selection.

Second by Ms. Leimenstoll. The Commission voted 8-0. (Ayes: Chair Hodierne, Leimenstoll, Arneke, Arnett, Lane, Israel, Graeber, and Kaufman; Nays: 0).

4b. Application #2548, 632 NORTH ELM STREET.

Mr. Cowhig advised this was an application to replace a deteriorated driveway with a new concrete driveway. A retaining wall will be constructed along the side of the driveway, with a parking area at the back of the house. A drawing was shown depicting the initial site plan submitted with the application. Since then, staff has spoken with the applicants and the design has since changed. The applicants also attended the Fisher Park Neighborhood Association meeting. The applicants created a layout of the parking where there will be four spaces delineated and separated with planting areas. Mr. Cowhig stated staff was pleased with those changes. Mr. Cowhig pointed out an Oak tree that would be very close to the new pavement. Careful root pruning would be needed to minimize any harm to that particular tree. Mr. Cowhig stated the applicants have chosen to have a simple concrete retaining wall and noted most retaining walls along driveways within historic districts are not stepped and follow the grade. Good examples of that are within the neighborhood. Staff preferred to see that of retaining wall done and supports this application. Staff deeply appreciated what the applicants have done and the way the applicants have cooperated throughout this process. Since this project first came before the Commission for an initial COA, the applicants have done a tremendous amount of work over a long period of time. It was in very bad condition. Staff wants to ensure the shutters are still there and will go back on the house. Staff does not want them to be forgotten. The updated plan for parking area will be shown. Mr. Cowhig referred to the **Guidelines for Parking areas, walkways, driveways and parking areas, page 28 – 30 and Trees and Landscaping, pages 21-23 and Fences, Walls, and Site Features, pages 24-27.** Staff felt this project meets those standards.

Chair Hodierne inquired if there were questions for staff from the Commissioners. Mr. Arnett asked what would be the use of the building. Mr. Cowhig responded there were 3 apartments and it has been 3 apartments for most of the history of the house. Based on the appliances and such in the apartments when Mr. Cowhig reviewed the apartment, guessed it was probably converted to apartments in the '50s or '60s. Mr. Arnett asked when Mr. Cowhig referred to retaining walls and referenced not being stepped, was he referring to the top of the wall. The wall follows the slope and the grade as opposed to being stepped down to handle a grade change. Mr. Cowhig attempted to find a photograph depicting what the wall may look like.

Chair Hodierne inquired if there were any other questions for staff from the Commissioners. Seeing none, Chair Hodierne requested to hear from the applicant, Dakorie Murphy. Chair Hodierne requested Mr. Murphy to provide his address for the record. Mr. Murphy was sworn in for his testimony and consented to the remote hearing.

Dakorie Murphy, 632 N. Elm Street, representing BMS Investment Properties. Mr. Murphy met with the Neighborhood Committee and originally presented a full parking area made entirely of concrete, which has since been changed to gravel. The wall will be a concrete wall, approximately 4-feet in height. There will be ornamental form concrete end caps to make it appear historically accurate and added elegance. Mr. Murphy advised the shutters have been sand blasted and repainted the original color. Once the renovation is complete, the shutters will be added. This property will be four apartments, and the reason for all the parking spaces. Mr. Murphy shared the new plan with the Commissioners and indicated where there would be gravel in the back with landscaping and planting areas. A retaining wall was shown along the side of the driveway to help with the severe erosion issues

that are present. A photograph was shown depicting a step-down from the gravel to the rear walkway that is currently 4-feet wide. The existing driveway was shown that will be replaced. Ms. Leimenstoll asked about the parking spaces in the new drawing. Mr. Murphy stated the parking spaces would be the same process as previously shown with accommodating four parking spaces, and approximately 10-feet wide. Mr. Murphy stated there was visitor parking on the neighbor's property but will stay as it currently exists. Chair Hodierné inquired if there were further questions for the applicant from the Commissioners. Mr. Cowhig referred to a photograph depicting an example of a wall that will be placed on the property. Mr. Cowhig advised the wall shown was not as steep of a slope as anticipated on this property, but was sloped. Mr. Cowhig indicated the retaining wall that would run with the land. It would have a consistent height off of the ground. Mr. Arnett stated he understood the top of this wall would not be level, would slope down roughly the same slope as the driveway. From the driveway it would remain a consistent height and would result in a wall that would not be as tall as the street edge. Mr. Cowhig stated there are all types of retaining walls in the historic district. This particular wall was not a defining type of wall. Chair Hodierné inquired if Ms. Hadden wished to speak in favor of this application.

Keisha Hadden, stated Mr. Murphy did meet with the Fisher Park Board and the application was discussed. The Board voted to support the project and asked Mr. Murphy to consider using a more permeable material in the backyard parking area and is what Mr. Murphy has proposed currently.

Chair Hodierné inquired if there were questions for Ms. Hadden from the Commissioners. Seeing none, Chair Hodierné inquired if there was anyone else to speak in favor of the request. Seeing one, Chair Hodierné inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Hodierné inquired if there was discussion regarding the request among the Board.

DISCUSSION:

Chair Hodierné asked staff if this request was two COAs the Commission needed to consider. Mr. Cowhig responded it was one COA. This item could be combined as a driveway parking area and a retaining wall as it is essentially one project. Chair Hodierné asked if any part of the application could staff approve or was a vote needed from the Commission for each element. Mr. Cowhig responded a vote was needed from the Commission. Chair Hodierné inquired if there was any discussion or questions from the Commissioners. Ms. Leimenstoll stated how nice it was the applicant would be using gravel instead of concrete for the parking area. Mr. Cowhig stated there are many different types of gravel and there some types worked better visually in historic districts. Mr. Cowhig felt pea gravel or smaller gravel was more in keeping with the character of the historic district as opposed to standard crushed gravel. Mr. Cowhig was unaware of what type of gravel the applicant has chosen or if a decision has been made, either would be acceptable. Chair Hodierné asked if the applicant was proposing both ends of the retaining wall end points to have the cylindrical end cap feature. Mr. Murphy responded that would definitely be done at the road. The top comes to the point of the sidewalk and hoped to be able to incorporate it near the sidewalk. The logistics have not been confirmed to date. Chair Hodierné stated she could not imagine a cylindrical end cap and asked if the end cap would be a more rounded post at the end. Mr. Murphy responded it would follow the wall and spiral off the wall and spiral around back of it. On the top it would be either an ornamental type sculpture or a flower pot or something. Ms. Leimenstoll stated since there was not a definitive description, perhaps it should be a condition when the endcap is designed to be reviewed by staff. Mr. Murphy advised they would submit drawings. Chair Hodierné inquired if there were any other questions, discussion, or feedback from the Commissioners. Seeing none, Chair Hodierné inquired if there was a motion.

FACT FINDING MOTION:

Mr. Arneke moved that based upon the facts presented, in Application number 2548 and the revised site plan submitted 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 Standards, and that the staff comments and the Guidelines on page 23, number 4; page 26, numbers 6 and 10;** are acceptable as Findings of Fact. Second by Ms. Leimenstoll. Mr. Arnett inquired if there could be a stipulation that this was a revised version and not the original request. The Commission agreed on changing the initial wording of the Finding of Fact Motion which was then amended. The Commission voted 8-0. (Ayes: Chair Hodierné, Leimenstoll, Arneke, Arnett, Lane, Israel, Graeber, and Kaufman; Nays: 0).

DISCUSSION:

Chair Hodiernie inquired if there needed to be a discussion regarding conditions or if everyone agreed. Ms. Leimenstoll stated one condition was the submittal of drawings for detailing of the end caps of the retaining wall. Another condition to be considered was care should be taken in root pruning of the Oak Tree to help in the survival while construction was going on. Ms. Israel the use of pea size gravel. Wording was discussed regarding the endcaps being approved by staff so it would not come back to the Commission. Ms. Lane stated the size was stated as pea gravel and asked if it would be pea gravel. Chair Hodiernie responded that there was a product called pea gravel. Ms. Lane responded that was correct and was not like anything like other gravel that were granite based or other stone based. Ms. Israel stated Mr. Cowhig had said pea size gravel. Chair Hodiernie stated it was up to the Commission to decide. Ms. Lane pea gravel was less desirable but Ms. Lane was willing for staff to make that decision. Mr. Cowhig advised if gravel was ordered for a driveway, it was usually crushed granite, but there is a size smaller than the typical crusher used in construction and a size typically used for driveways. Staff can have discussions with the applicant regarding that and resolve that issue easily. Chair Hodiernie inquired if any of the Commissioners had any further comments. Hearing none, Chair Hodiernie requested the second motion be made.

MOTION:

Therefore, Mr. Arneke moved that the Greensboro Historic Preservation Commission approves Application Number 2548, and grants a Certificate of Appropriateness to BMS Investment Properties for work at 632 N. Elm Street, with the following conditions:

1. That the design of the retaining wall endcaps be approved by the Historic Preservation staff.
2. That care be taken to encourage the survival of trees along the driveway.
3. That city staff approve the gravel selection that will be used in the parking area.

Second by Ms. Graeber. The Commission voted 8-0. (Ayes: Chair Hodiernie, Leimenstoll, Arneke, Arnett, Lane, Israel, Graeber, and Kaufman; Nays: 0).

ITEMS FROM THE COMMISSION CHAIR:

Chair Hodiernie stated she had not items to discuss.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Cowhig stated staff was continuing work on the two grants for the National Register nominations. Ms. Geary advised there was language in the ordinance asking that each of the historic districts have a representative on the Commission. The language currently had ambiguity to it. The legal department asked staff to add some clarifying points such as each locally zoned historic district will have a representative that either owns property or resides in the historic district. Ms. Geary requested Mr. Buansi to address that item more clearly.

Mr. Buansi stated legal recommended this change be made after staff brought to counsel's attention some of the ambiguity within the document. The ordinance currently reads "each district will be represented" but does not state an explicit requirement that the person representing a district actually live in the district. Staff indicated to counsel their understanding was there was a practice of recommending folks who either owned property or resided in the historic district. This change was made in response to that understanding and codifying that practice. Ms. Geary read the current text; "**30-3-8.2 of the Ordinance under Membership: B is district representation that currently reads each historic district must be represented by at least one person on the Historic Preservation Commission.**" The proposed text would be the text amendment Zoning staff will take to be approved by City Council: "**B District for representation each locally zoned historic district shall be represented by at least one person on the Historic Preservation Commission who resides or owns property in the locally zoned historic district.**" It was further clarification of staff implementing it in this way and wanting to make sure that it was phrased properly from a legal standpoint. Ms. Geary stated this was not a formal text amendment requirement. A recommendation was not required of the historic preservation amendment process as no content was changed. Ms. Geary asked Mr. Buansi if that was also his understanding. Mr. Buansi responded it was. Chair Hodiernie stated it appeared the Commissioners were creating a text amendment that better represented the historic district. Chair Hodiernie stated the amendment was a good thing and felt everyone was in favor of that practice. Chair Hodiernie inquired if there was any discussion or questions regarding the text

amendment. Chair Hodierno inquired when would the amendment become a vote. Ms. Geary responded is set to be before Planning and Zoning Commission at their November 15 meeting and from there on to the December City Council meeting.

SPEAKERS FROM THE AUDIENCE:

There were no speakers.

MOTION:

Chair Hodierno requested a motion to adjourn. Ms. Leimenstoll moved to adjourn the meeting. The meeting was concluded at 6:40 p.m. Unanimously approved.

Respectfully submitted,

Mike Cowhig

Mike Cowhig, Executive Secretary

MC/cgs