



TOWN OF CHAPEL HILL

Historic District Commission

Meeting Minutes

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Chair Sean Murphy
Vice-Chair Duncan Lascelles
Deputy Vice-Chair Polly van de Velde
Michael Booth
Brian Daniels

Josh Gurlitz
Nancy McCormick
Anne Perl De Pal
David Schwartz

Tuesday, May 9, 2023

6:30 PM

RM 110 | Council Chamber

Language Access Statement

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Opening

Roll Call

Anya Grahn-Federmack, Staff Liaison, Katherine Shore, Planning Staff, and Kevin Hornik, Counsel to the Commission

Present

9 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Polly van de Velde, Michael Booth, Chair Brian Daniels, Josh Gurlitz, Deputy Vice-Chair Nancy McCormick, Anne Perl De Pal, and David Schwartz

Secretary reads procedures into the record

Commission Chair Reads the Public Charge

Approval of Agenda

A motion was made by Lascelles, seconded by Daniels, to hear item #9-306 Ransom before #8-Housing Choices Text Amendments and remove the closed session from the agenda. The motion carried by a unanimous vote.

Announcements

McCormick asked the Commission to determine whether they would take the month of July or August off. The commission agreed to make that determination via email.

McCormick also informed the Commission that the Council had adopted the proclamation declaring May as Historic Preservation Month. The Commission was working with Town Staff to promote different history- and preservation-related events. Grahn-Federmack committed to sharing links to these when they were made available to her.

Petitions

Approval of Minutes

1. March 23, 2023 Action Minutes [\[23-0364\]](#)

A motion was made by van de Velde, seconded by Gurlitz, to approve the March 23, 2023 and April 11, 2023 meeting minutes. The motion carried by a unanimous vote.

2. April 11, 2023 Action Minutes [\[23-0365\]](#)

A motion was made by van de Velde, seconded by Gurlitz, to approve the March 23, 2023 and April 11, 2023 meeting minutes. The motion carried by a unanimous vote.

Historic District Commission Candidate Interviews

3. Historic District Commission Candidate Interviews [\[23-0366\]](#)

There were no questions or discussion about Commissioners van de Velde and Gurlitz that had applied to continue to serve on the Historic District Commission (HDC).

The Commission interviewed Rebecca Rogers. Rogers spoke of recently graduating from the People's Academy and her interest in serving on an advisory board. She described her experience working to preserve a national heritage area and historic church in Augusta, Georgia. She discussed returning to her hometown of Chapel Hill after retiring and the changes she has noticed since her childhood. She considered the challenges faced by the Commission, including modern developments along Rosemary Street adjacent to the historic district. She was interested in preserving the character of the districts to the extent that its reasonable.

The Commission continued their discussion of applicants to the end of the

meeting.

Information

4. Administrative Certificate of Appropriateness (COA) Approvals & Maintenance Memos [\[23-0367\]](#)

Continuations

5. 223 E. Rosemary Street [\[23-0368\]](#)

A motion was made by van de Velde, seconded by Perl de Pal, to continue the item to the June 13, 2023 meeting. The motion passed with a unanimous vote.

Consent

6. 304 E. Franklin Street [\[23-0369\]](#)
approved.

7. 403 McCauley Street [\[23-0370\]](#)

A motion was made by Gurlitz, seconded by van de Velde, that the applications on the consent agenda were not incongruous with the special character of the district and to grant the Certificate of Appropriateness (COA). The motion carried by a unanimous vote.

Text Amendments

8. Housing Choices for a Complete Community Land Use Management Ordinance (LUMO) Text Amendments [\[23-0371\]](#)

Hornik explained that the Commission did not have a formal role in the text amendment process. He stated that the staff was providing this as an informational presentation at the request of the Commission. The state statutes require that the Planning Commission make a formal recommendation to the Council; however, the Historic District Commission does not have the same requirements.

Grahn-Federmack presented an overview of the Housing Choices text amendments. She explained that the project was in response to a Council petition requesting a range of housing types while they waited for the Land Use Management Ordinance (LUMO) rewrite project to be completed. The Projected Housing Needs study and Complete Communities Strategy further supported the need for a range of housing types. She presented the project

timeline and shared dates for upcoming Planning Commission and Town Council meetings. She described how the initial proposal presented to the Town Council in January 2023 had evolved based on staff research and public feedback. Grahn-Federmack explained how zoning could not address concerns related to student renters, deter out-of-town investors, or ensure units met certain price points. She presented the housing types included in the current proposal and pointed out key changes to those uses that exist in the current LUMO. She shared ways Commissioners and the public could share their feedback with Council.

Grahn-Federmack and Tas Lagoo, Planning staff, responded to Commissioner questions. Staff reiterated which housing types would be allowed in those zoning districts within the historic district overlays and that Missing Middle referred to the types of units, not the costs of housing units. Commissioners asked about strategies to protect the historic districts, and staff explained that uses within the historic districts are established by the underlying zoning. There was interest in receiving more data and ensuring that the proposal did not incentivize the demolition of historic buildings. Staff and the commission discussed the challenges of restrictive covenants, whether other municipalities had implemented similar reforms in their historic districts, and potential outcomes of the text amendments.

The Chair asked for public input.

Evan Rodewald, Laurel Hill Neighborhood Association, appreciated the excellent points and discussion that he found had been lacking from the debate. He pointed out that the Future Land Use Map (FLUM) had stated special consideration is needed for local and National Register historic districts. He believed the proposed text amendments would incentivize demolitions. He requested that the local and National Register historic districts be exempted from the proposal.

Linda Brown, Franklin-Rosemary resident, strongly opposed changes to the R-1 and R-2 zoning districts. She understood the need for affordable housing, but recognized that the text amendments could not guarantee affordable units. She described the developmental pressures on the historic districts and the demands for student housing close to campus. She felt the plan was dismissive to homeowners who had invested in preserving their historic properties for future generations. She pointed out that her neighborhood had a variety of house sizes, lot sizes, and renters and property

owners. She feared the demolition of historic homes and incompatible infill that would destroy the historic neighborhoods around UNC.

Tom Heffner, President of Preservation Chapel Hill, explained his organization's concerns about the text amendments and urged that the local and National Register districts be exempted. He found that multi-family developments and increased density in the historic districts would alter the character and compromise the historic integrity of the districts. He pointed out that the LUMO established the historic districts and the importance of the districts in preserving the special character of historic areas. He also stated that the FLUM intentionally recommended allowing density near multi-modal corridors to protect neighborhoods. He felt the proposal would negatively impact property values and make it difficult to sell homes. He believed the proposal needed careful consideration of alternatives and long-term impacts.

Christie Osborn, Westwood resident, wanted to see more tree protections. She felt the proposal needed to be thought through further to prevent tear-downs and she urged the town to do more to inform residents of this proposal. She emphasized that historic houses could not be rebuilt.

Ronni Booth believed the problem should be solved methodically in phases to identify unintended consequences. She advocated for a pilot program in certain places and protection of those areas where there were unknowns. She did not believe it was appropriate to experiment in the historic districts and expressed her concerns about unintended consequences. She believed the community should work together to find a better answer and slow down the current approach.

The Chair requested comments from the Commissioners.

Van de Velde agreed with Ms. Booth's suggestions of a pilot program and phased approach. She thought it would be helpful to introduce these changes in an optimal neighborhood and exclude the historic districts.

Lascelles believed the historic districts define what Chapel Hill is, serving as the gateway to town. The historic districts define what Chapel Hill is and its attractiveness. He did not see how the text amendment would be compatible with the beauty and objective of maintaining the historic districts. He was disappointed that it took so long for the item to come before the Commission when the historic districts would be significantly and adversely impacted. He

was unsure that the Council cared about the historic districts. He did not believe Missing Middle housing would be affordable. He reminded the Commissioners that once a historic structure is lost, it could not be replaced. He supported Mrs. Brown's comments that the neighborhoods already allowed diverse housing types of offerings. He found that the text amendment would incentivize developers and would not meet its goals of creating more opportunities.

Booth stated that old houses and old trees could not be replaced and they should be cherished. He feared destroying something that could not be replaced.

Gurlitz expressed concern about not knowing the impacts and outcomes of the proposal. He felt that there needed to be a review of the Historic District Design Standards against the proposal to see how the Commission's interpretation of the Historic District Design Standards would apply to new housing types. He stated that the Commission may not have a role in LUMO text amendments, but they do have a role in applying the congruity standards in the districts before changes are made.

Daniels also recommended exempting the historic districts. He felt that some solutions could likely apply to Chapel Hill more broadly; however, the challenge is that the historic districts are adjacent to campus and diverse housing in those neighborhoods is not an economic reality. He recognized the demands of student housing development.

Van de Velde found that the Town should not be providing student housing. She felt that parking requirements for accessory apartments incentivized student housing with one parking space per bedroom.

McCormick shared the others' concerns and discussed the disparities between the neighborhood conservation districts (NCDs) and National Register and local historic districts.

Schwartz found the premise of these efforts questionable. He felt that the Town already has a diverse mix of housing types in areas like Southern Village and Meadowmont. He found it concerning that the Town did not take steps to rezone areas in the past that would encourage a range of housing types and now asked existing neighborhoods to bear the burden of more density. He pointed out that the FLUM's focus areas were intended to allow

density in specific locations in order to protect established neighborhoods. He believed special consideration of historic districts was necessary to guarantee the continued preservation of local and National Register districts. He had not heard from staff that there was a plan for achieving the goal of preserving neighborhoods. He found the text amendments were premature and would undermine the character of the historic districts. He also thought that the Commission should recommend to Council that the historic districts be exempted until there is a set of tools to ensure the text amendments would not incentivize demolition of historic structures.

Perl de Pal agreed with the others. She believed Design Standards should be established prior to adopting the text amendments. She found that Chapel Hill is defined by its history and that history could not be recreated. She expressed concerns about parking, tree canopy, impervious surface, and storm water. She thought the Town needed to determine what is needed to be inclusive and diverse. She stated that the predominate reason for the housing crisis was the cost of land, and land expenses led to greater number of units. She believed core data was needed and encouraged the Council to be at the forefront of the issue by working with local groups to develop a new initiative. She wanted more time and data.

Van de Velde stated that the Blue Hill district had been rushed with very few limitations on development.

Murphy found there needed to be more information demonstrating the text amendment would not lead to significant teardowns and impacts to the historic districts. He felt special considerations were needed for the historic districts. He pointed out that where Missing Middle housing reforms had been implemented, there were lawsuits and articles about unintended consequences. He recommended the Town pause, do more research, and determine what other municipalities' unintended consequences are so they could be avoided in Chapel Hill. He stated that Northside had seen demolitions because of unintended consequences that could have been prevented.

Schwartz made a motion to authorize the chair to craft a statement on behalf of the Commission requesting that Council exempt the historic districts from the proposed text amendments and that the Chair or his designee deliver the statement at the May 24, 2023 meeting. Murphy requested that a committee help him write such as statement, and the motion failed for lack of second.

The Commission discussed the process for crafting a statement and its content.

A motion was made by Schwartz, seconded by van de Velde, for the Commission to authorize the chair to form a committee to prepare a statement recommending to the Council that the proposed text amendments not be applied to the historic districts at this time and that the Chair arrange for the statement to be presented to the Town Council at the May 24, 2023, meeting. The motion carried by a unanimous vote.

Schwartz, Daniels, and Lascelles volunteered to form a committee to aid Murphy.

New Business

9. 306 Ransom Street

[\[23-0372\]](#)

Noah Kilmer, landscape designer, presented historic photographs of the house. He explained that the house had a major interior and exterior renovation and the property owners were now focusing on landscape improvements. He shared site plans and explained they planned to replace existing concrete paths with Chapel Hill grit. New bluestone stepping stone pathways would be added to the front and back yard. They also proposed resurfacing the existing wood decks with a modified oak material and changing the orientation of deck steps.

Commissioners expressed appreciation for the proposed work and landscaping solutions.

A motion was made by Daniels, seconded by Perl de Pal, that the application was not incongruous with the special character of the district and to grant the Certificate of Appropriateness (COA). The motion carried by a unanimous vote.

Historic District Commission Candidate Interviews

[\[23-0366\]](#)

A motion was made by Daniels, seconded by Perl de Pal to recommend Council to reappoint van de Velde and Gurlitz to the Commission. The motion passed by a unanimous vote.

Aye: 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Michael Booth, Chair Brian Daniels, Deputy Vice-Chair Nancy McCormick, Anne Perl De Pal, and David Schwartz

Recused: 2 - Deputy Vice-Chair Polly van de Velde, and Josh Gurlitz

A motion was made by Schwartz, seconded by van de Velde, to forward a positive recommendation to Council for the appointment of Rebecca Rogers. The motion passed with a unanimous vote.

The Commission chose not to take action on Nikkima Santos's application as she was not in attendance.

Closed Session

Adjournment

Next Meeting - June 13, 2023

Order of Consideration of Agenda Items:

- 1. Staff Presentation*
- 2. Applicant's Presentation*
- 3. Public Comment*
- 4. Board Discussion*
- 5. Motion*
- 6. Restatement of Motion by Chair*
- 7. Vote*
- 8. Announcement of Vote by Chair*

Public Charge: The Advisory Body pledges its respect to the public. The Body asks the public to conduct themselves in a respectful, courteous manner, both with the Body and with fellow members of the public. Should any member of the Body or any member of the public fail to observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this public charge is observed.

Unless otherwise noted, please contact the Planning Department at 919-968-2728; planning@townofchapelhill.org for more information on the above referenced applications.

See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.