

MEMORANDUM

TO: Chapel Hill Historic District Commission

FROM: Colleen Willger, Planning Director
Anya Grahn, Principal Planner
Charnika Harrell, Planner I

SUBJECT: 150 E. Rosemary Street: Certificate of Appropriateness (COA)
(PIN 9788379851, Project #21-047)

FILING DATE: September 17, 2021; Amendment filed May 16, 2022

DATE: June 13, 2022

COA SUMMARY

On September 14, 2021, the Historic District Commission (HDC) approved a Certificate of Appropriateness (COA) for the creation of a landscaped public space on the southwest corner of Henderson Street and E. Rosemary Street, directly behind the U.S. Post Office building. The applicant, Michael Stevenson, on behalf of Grubb Properties and the Town of Chapel Hill, requests an amendment to the COA for:

- Modified design of Chapel Hill grit and brick paver areas
- Extension of the fieldstone wall along Henderson Street
- Removal of the trash enclosure
- New Duke Energy utility boxes and associated screening

EXISTING CONDITIONS

The subject lot is zoned Town Center- 3-Conditional Zoning District (TC-3-CZD) and is located in the Franklin-Rosemary Historic District.

BACKGROUND

June 23, 2021	The applicant submits a COA application to construct a new landscaped public park.
July 20, 2021	HDC reviews the proposed scope of work and grants a COA for the realignment of the alleyway. The HDC continues the remaining items to their September meeting. [See Meeting Materials ¹ + Minutes ² .]

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5037465&GUID=2A7D4F4F-AAE9-4AE7-9C16-680C86AC1B21>

² <https://chapelhill.legistar.com/View.ashx?M=M&ID=873613&GUID=120D1950-5EBD-4373-90E0-00B78CC3EE3B>

September 14, 2021	The HDC reviews and approves the COA for the park space. [See Meeting Materials ³ + Minutes .]
May 17, 2022	The applicant submits a request for a amendment to the approved COA.

DISCUSSION

The applicant is requesting to amend an approved COA to **allow**:

- Modified design of Chapel Hill grit and brick paver areas
- Extension of the fieldstone wall along Henderson Street
- Removal of the trash enclosure
- New Duke Energy utility boxes and associated screening

The site design is shown in the application materials (Attachment 5).

If the COA is granted for the exterior changes, the applicants would then be required to obtain any necessary zoning compliance and building permits from the Town.

NOTE

The [*Chapel Hill Historic Districts Design Principles and Standards*](#)⁴ are incorporated into the record by reference.

ATTACHMENTS

1. Attachment 1 – Written Decision (approving the COA)
2. [Special Character Essay – Franklin-Rosemary Historic District \(pages 25-29\)](#)⁵
3. Application Materials

³ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5037465&GUID=2A7D4F4F-AAE9-4AE7-9C16-680C86AC1B21>

⁴ https://townhall.townofchapelhill.org/large_docs/historic_district/CH%20HD%20Design%20Principles%20and%20Standards.pdf

⁵ https://townhall.townofchapelhill.org/large_docs/historic_district/CH%20HD%20Design%20Principles%20and%20Standards.pdf

WRITTEN DECISION - APPROVING CERTIFICATE OF APPROPRIATENESS

WRITTEN DECISION APPROVING AN APPLICATION FOR CERTIFICATE OF APPROPRIATENESS FOR THE PROPERTY LOCATED AT 150 E. ROSEMARY STREET (PIN 9788-47-2803, PROJECT #21-047)

WHEREAS, having reviewed the applicant's argument and various documents and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Historic District Commission (HDC) finds as facts those facts summarized by the Chair at the conclusion of the Commission's hearing of this matter and hereby incorporates them by reference as Commission Findings of Fact; and finds that such facts are supported by competent, material, and substantial evidence presented to the Commission; and

BE IT RESOLVED by the Historic District Commission of the Town of Chapel Hill that, having considered the requested Certificate of Appropriateness (COA) at 150 E. Rosemary Street, requested by Michael Stevens on behalf of Grubb Properties, to allow:

- Modified design of Chapel Hill grit and brick paver areas
- Extension of the fieldstone wall along Henderson Street
- Removal of the trash enclosure
- New Duke Energy utility boxes and associated screening

In accord with the improvements on the attached site plan, and identified as Orange County Property Identifier Number 9788-47-2803, the Board makes the following finding:

1. The requested Certificate of Appropriateness (COA) is not incongruous with the special character of the NAME Historic District.

The following Design Standards apply to the Application:

1.1 Site Features (page 42):

1.1.2. Retain and preserve historic relationships between district buildings, structures, or streetscapes and their site features, including site structures, retaining walls, fences, foundations, driveways, and walkways.

1.1.7. Introduce new site features to be compatible in scale, design, and materials with the overall historic character of the site and district. Utilize traditional materials in the construction of benches, terraces, gazebos, trellises, fences, and walls.

1.1.8. Introduce contemporary site features—including playground equipment and swimming pools—in locations that do not diminish or compromise the overall character of the site and district, typically in rear yards or other locations not visible from the street.

1.2 Public Rights-of-way (page 45):

1.2.1. Retain and preserve the topography, materials, site features, and street patterns of the rights-of-way and the dimensions of the streets, alleys, sidewalks, and planting strips, that are important in defining the overall historic character of the districts.

1.2.2. Protect and maintain the details, features, and material surfaces of the historic streetscape—including, but not limited to, red brick and Chapel Hill grit walkways, fieldstone walls, and brick gutters—through a program of regular maintenance and repair using accepted preservation methods.

1.2.7. Locate necessary street furniture, trash receptacles, mailboxes, newspaper racks, and similar elements in locations that do not compromise, but instead complement the historic character of the streetscape. Select benches and other street furniture that are compatible with the historic district in design, scale, and materials.

1.3 Walls & Fences (pages 48-49)

1.3.6. Site new walls and fences in configurations and locations that are compatible with the character of the building, site, and district and consistent with the location and height of other walls and fences in the district.

1.3.7. Construct new walls using traditional materials and designs that are compatible in configuration, height, material, scale, and detail with the character of the building, site, and district.

- a. Walls in front and side yards should generally not exceed 30” and should be constructed of red brick or fieldstone.
- b. Walls constructed of cut stone, bare concrete block, or with thin stone veneers applied to concrete or other structural block are not appropriate in locations visible from the street.

1.3.8. Construct new front- and side-yard fences using traditional materials and designs that are compatible in configuration, height, material, scale, and detail with the character of the building, site, and district.

- a. Front- and side-yard fences, in front of the rear corner of the main block of the building, should generally not exceed 30” in height, should be constructed of wood or metal with structural members facing inward to the property, and must be painted or sealed.
- b. Temporary, light-gauge wire fencing may be constructed as necessary to keep animals out of gardens, side, and rear yards.
- c. Chain link, vinyl, or split rail fences are not appropriate.

1.3.9. Introduce contemporary utilitarian walls and fences in rear yards only where they do not compromise the historic character of the building, site, or district.

- a. Wood, composite, or chain link fences exceeding 30” in height should be relegated to rear yards, beginning beyond the rear corner of the main block of the building and should be screened with landscaping materials as much as possible.
- b. Sites with significant variations in topography should consider segmented walls and fences that step up and down to follow the topography.

1.4 Walkways, Driveways, & Off-Street Parking (pages 52-53)

1.4.5. Design new walkways, driveways, and off-street parking to conform with the spacing, width, configuration, and materials of character-defining walkways, driveways, and off-street parking areas in the district.

1.4.6. Site new walkways, driveways, and off-street parking areas in locations that are compatible with the character of the building, site, and district—typically to the side and rear of existing

buildings—and locate them so the topography of the site and mature trees and other significant site features are not significantly altered, damaged, or lost.

- a. In residential areas, do not locate off-street parking areas in front yards. Whenever possible, driveways should lead to parking areas to the side or rear of the primary building on the site.
- b. In commercial and institutional areas, parking should be located at the side or rear of the property whenever possible.

1.4.9. Construct new walkways in traditional materials and designs that are compatible in configuration, material, scale, and detail with the character of the building, site, and district. a. These include red brick, flagstone, concrete, and Chapel Hill grit. b. Do not use asphalt or contemporary materials that mimic other materials for sidewalks within the historic districts.

1.4.11. Utilize perimeter plantings, trees, shrubbery, hedges, and other landscape features—including low stone walls—to screen new driveways and off-street parking areas visually from the street, to buffer adjacent residential properties from their visual impact, and to reduce the solar heat gain of paved surfaces. Further reduce the visual impact of large parking areas by subdividing them with interior planting medians.

BE IT FURTHER RESOLVED that the Commission hereby grants the application for a Certificate of Appropriateness , in accord with the plan listed above and the following conditions::

1. The certificate of appropriateness shall be valid for three hundred sixty-five (365) calendar days from date of issuance. If the authorized work has not commenced within that period, has not been extended by the commission, or has been discontinued for more than three hundred sixty-five (365) calendar days from the date of issuance, such certificate of appropriateness shall expire and the applicant shall be required to reapply and obtain a new certificate of appropriateness before commencing further work.

Signed - Historic District Commission Chair, Sean Murphy

This, the 13th day of June, 2022.