



TOWN OF CHAPEL HILL

Historic District Commission

Meeting Minutes

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

Chair Robert Epting
Vice-Chair Sean Murphy
David Schwartz

Diane Kunz
Nancy McCormick
Angela Stiefbold

Tuesday, September 10, 2019

6:30 PM

RM 110 | Council Chamber

Opening

Roll Call

Staff Present: Anya Grahn, Liaison to Commission, Becky McDonnell, Liaison to Commission, Brian Ferrell, Counsel to Commission

Present 6 - Chair Robert Epting, Vice-Chair Sean Murphy, Diane Kunz,
Nancy McCormick, David Schwartz, and Angela Stiefbold

Commission Chair reads public charge

Secretary reads procedures into the record

Secretary swears in members of the public

Approval of Agenda

A motion was made by McCormick, seconded by Schwartz, to approve the September 10, 2019 agenda. The motion carried by a unanimous vote.

Announcements

Petitions

Catherine Burns presented a petition calling for the Commission to exercise their full responsibilities as permitted by their Certified Local Government (CLG) designation. Specifically she mentioned the Commission working closely with property owners to find alternatives to demolition and updating the public on the proposed Land Use Management Ordinance (LUMO) text amendments. She urged the Commission to be civil and fair to all. She also discussed an interest in following Raleigh's model for design review.

Susan Smith was interested in the Commission doing more courtesy reviews, especially of complex projects, to ensure applications will be congruous with the special character of the district. She explained her experience attending a design committee meeting in Raleigh.

Election of Commission Officers

Chair Epting explained that the election of officers would occur at the end of the meeting.

a. Election of Chair

Kunz nominated Schwartz as Chair; no other nominations were made. A motion was made by Murphy, seconded by Kunz, to elect Schwartz as Chair by acclimation; the motion carried unanimously.

b. Election of Vice Chair

Schwartz nominated Murphy for Vice-Chair. There were no other nominations. By unanimous vote, Murphy was elected Vice Chair by acclimation.

c. Election of Deputy Vice-Chair

A motion was made by Epting, seconded by Schwartz to elect Kunz as Deputy Vice Chair by acclimation. There were no other nominations, and the motion passed unanimously.

Approval of Minutes

1. July 9, 2019 Meeting Minutes

[\[19-0707\]](#)

A motion was made by Murphy, seconded by Schwartz, to approve the July 9, 2019 minutes. The motion carried by a vote of 5-0; Stiefbold abstained from the vote.

Aye: 5 - Chair Epting, Vice-Chair Murphy, Kunz, McCormick, and Schwartz

Abstain: 1 - Stiefbold

HDC Candidate Interviews

2. Historic District Commission Candidate Interviews

[\[19-0708\]](#)

Chair Epting explained there are three (3) vacant seats on the Commission. Without objection, this item was moved to the October meeting to allow additional qualified applicants the chance to apply and would be present at the next meeting.

Staff Communication

3. Short Term Rentals

[\[19-0709\]](#)

Anya Grahn, Town staff, provided an overview of the Short Term Rental (STR) topic. She explained the different types of rentals, the number of rentals in the community, and the Council's direction to create updated

regulations for STRs.

Members of the community spoke and expressed concerns about potential regulations. Some explained their ability to afford their homes due to the revenue brought in by their STR. Others described how they have worked with their neighbors to reduce concerns. Michele De Fosset explained she would be petitioning the Council the following night to request the topic be expanded to include student rentals.

Consent Agenda

4. 313 E. Franklin Street

[\[19-0710\]](#)

Staff Liaison Grahm introduced the application, explaining that it was an after-the-fact Certificate of Appropriateness (COA) application for the replacement of existing sidewalks and pathways with light- and medium-colored pavers.

The Commission found that this was not an in-kind replacement as the red bricks were replaced with larger, concrete pavers. They pointed out that the new pavers had a rounded edge, while the original bricks had square edges. They did not believe the material was compatible as it did not match the original.

David Phillips, contractor, discussed his difficulty purchasing red bricks. The Commission believed red bricks were available for purchase.

Chair Epting proposed that this item be continued to the October 2019 Historic District Commission meeting. The motion carried by a unanimous vote.

5. 716 Gimghoul Road

[\[19-0711\]](#)

Staff Liaison Grahm explained that this was an after-the-fact COA application for modifications to an existing pergola, including the partial reconstruction of the pergola with a modified roof pitch. She explained that the applicant was also requesting to screen in the structure.

Property owner Benjamin Brodey explained the structure's deterioration and that his repairs had exceeded the original scope.

A motion was made by Murphy, seconded by Stiefbold, to approve the application based upon the findings of fact and conclusions of law proposed

by the staff in the Staff Report. The motion carried by a unanimous vote.

6. 224 E. McCauley Street

[\[19-0712\]](#)

Staff Liaison Grahn explained the proposal to extend an existing gravel driveway to create a gravel parking area in the backyard.

Property owner Rig Patel presented the design for the parking area. He explained there would be adequate parking for five cars, allowing them to turn around without impeding on the existing landscaping; this would prevent damage to existing mature trees. He summarized the health of an existing tree and two arborists' recommendations for protecting the tree.

A motion was made by Schwartz, seconded by Murphy, to approve the application based upon the findings of fact and conclusions of law proposed by the staff in the Staff Report. The motion carried by a unanimous vote.

7. 500 North Street

[\[19-0713\]](#)

Staff Liaison Grahn presented the after-the-fact COA application for a siding replacement. She explained that in April the Commission had approved the replacement of a wavy-shingle asbestos siding with a new cement board siding of a similar profile. She explained that the applicant was seeking approval for a more square-cut shingle siding.

The Commission found that as the house had been built in 1939, the wavy-shingle asbestos siding was likely the original material. They discussed that the siding that had been approved in April appeared closer to the original siding material than the installed siding. The Commission also found that the height and width of the shingle differed significantly from the original.

The HDC opened the public hearing. Linda Brown discussed how applicants find ways of going around the Commission. She did not find that this style of shingle was similar to any others in the neighborhood.

Chair Epting proposed, without objection, that this item be continued to the October 2019 Historic District Commission meeting. The motion carried by a unanimous vote.

Old Business

8. 203 Battle Lane

[\[19-0714\]](#)

Architect Bret Horton reviewed the Commission's approval from July. He

explained his intent to restore the existing metal shed and construct a new shed on site. He discussed challenges of parking and accessing the site. He explained how ADA parking was relocated to make it more convenient to enter the house and the terrace. He described modifications his team had made to the dimensions, materials, and design of the ADA ramp.

He also proposed changes to the Commission's approval from July. He explained that fiberglass windows were not available in the size required; he was considering replacing the proposed windows with aluminum-clad wood windows. The Commission discussed opportunities for replacing the windows with aluminum clad and explained that the windows should be replaced in-kind, meaning new wood windows. The HDC directed the applicant to return with a proposal at a future date.

A motion was made by Murphy, seconded by Schwartz, to approve the application based upon the findings of fact and conclusions of law proposed by the staff in the Staff Report. The motion carried by a unanimous vote.

New Business

9. 108 W. Cameron Avenue - Certificate of Appropriateness

[\[19-0715\]](#)

Attorney Kevin Hornik summarized the applicant's request for an after-the-fact COA for exterior changes. In 2018, the fraternity had constructed a raised brick patio with an enclosed porch. Shortly thereafter, the applicant had replaced the screened openings with simulated, divided light vinyl windows, similar in design to those on the main house; the windows prevented water from entering into the covered patio. They had also installed a metal circular staircase to connect the upper patio to the ground level based on the fire marshall requiring an emergency exit. On the northwest corner of the property, an existing patio was uncovered and rebuilt of red brick with a new fieldstone retaining wall surrounding the patio. The fraternity also replaced an existing parking area with new lawn space.

The Commission reviewed the changes. They were supportive of removing the parking area. They believed that the patio and wall were likely a replacement of what had originally existed. They understood the need for the metal staircase. They believed the windows were an improvement to the design of the patio. They found the changes were congruous with the district.

A motion was made by Schwartz, seconded by McCormick, to approve the applications based upon the findings of fact and conclusions of law proposed

by the staff in the Staff Report. The motion carried by a unanimous vote.

10. 108 W. Cameron Avenue - Concept Plan

[\[19-0716\]](#)

Counsel Ferrell explained that the Commission could provide any additional comments they had about the concept plan. Chair Epting clarified that the Commission had approved the COA, and this reflected the HDC's approval of the concept plan specific to this site.

11. 408 Hillsborough - Concept Plan

[\[19-0717\]](#)

Architect Phil Szostak explained the history of the site. He pointed out the current defects of the building which required upgrades. He presented the site plan, describing proposed changes to the parking lot, landscaping, and garbage storage. He proposed constructing new at-grade patios with decks above to provide residents with outdoor space and views of the green space. He described his proposal to replace the existing red spandrels with new glass to create floor-to-ceiling windows.

The Commission provided individual comments on the proposal:

Chair Epting remembered that the modern red color was new and that the building was originally a brownish-red; he believed it was time for the building to be refreshed. Epting also discussed the challenge of the grade and his preference to preserve the building. He thought the parking lot was what was unattractive about the site. While he willingly supported this concept plan as a way to preserve an original Modernist structure in the District, he cautioned that this approval should not be taken as encouragement for new or expanded multi-family uses in the Historic District.

Schwartz thought the buildings had some architectural significance as an exemplar of a significant style and period. He was glad to see it reused and that its Mid Century appearance would be preserved. He believed that the neighbors concerns about noise were not coming from this site, but from behind this site. He wanted to see the buildings remain red.

Murphy thought the original design of the buildings was very simple. He thought that the proposed railings detracted from the design and asked the architect to consider ways to tuck in the railings to make them appear more symmetrical with the decks. He asked if the new columns supporting the deck could be removed or possibly reduced in size to emphasize the horizontality of the building's design.

Stiefbold wanted to see the project maintain the same character as the red banding and horizontality, rather than emphasizing the verticality of the design.

The architect described the construction schedule and possible staging.

Adjournment

Next Meeting - DATE

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 and Development Services Department at 919-969-5066; 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.