



TOWN OF CHAPEL HILL

Historic District Commission

Meeting Minutes

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

Chair David Schwartz
Vice-Chair Duncan Lascelles
Deputy Vice-Chair Sean Murphy
Chris Berndt
Brian Daniels

Josh Gurlitz
Nancy McCormick
Anne Perl De Pal
Polly Van de Velde

Tuesday, September 14, 2021

6:30 PM

Virtual Meeting

Virtual Meeting Notification

Board members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend the Zoom webinar directly online or by phone. Register for this webinar: [URL](#) After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: ###-####-####

Opening

Roll Call

Anya Grahn, Liaison to Commission, Charnika Harrell, Liaison to Commission,
Brian Ferrell, Counsel to Commission

Present 7 - Chair David Schwartz, Vice-Chair Duncan Lascelles,
Deputy Vice-Chair Sean Murphy, Christine Berndt, Josh
Gurlitz, Nancy McCormick, and Anne Perl De Pal

Excused 2 - Brian Daniels , and Polly Van de Velde

Commission Chair reads the public charge

Secretary reads procedures into the record

Approval of Agenda

Grahn stated that the applicant for 150 E. Rosemary Street had requested to be first on the agenda. Commissioners Murphy, Berndt, and Lascelles were not in favor of changing the order of the agenda as there were only two Certificate of Appropriateness (COA) items.

A motion was made by Gurlitz, seconded by Murphy, to approve the agenda. The motion carried by a unanimous vote.

Administrative Approvals

1. COA Approval Report

[\[21-0648\]](#)

Grahn explained that this item was informational only, and there was no vote on this item as staff has taken action on these COA applications based on the authority provided in the Design Principles & Standards for administrative approvals.

Announcements

Grahn mentioned that the Planning Department now had its own Zoom license for advisory board meetings. The Historic District Commission could return to their second Tuesday of the month schedule whether they were meeting virtually or in-person.

Commissioner Lascelles stated he would need to leave at 8:30pm.

Chair Schwartz reminded the Commission that officer elections would occur at the October 12, 2021 meeting.

Petitions

Approval of Minutes

2. July 13, 2021 Meeting Minutes

[\[21-0646\]](#)

Commissioner Berndt requested that the July 13, 2021 meeting minutes be amended to reflect her concern that the shared driveways would no longer match and her disclosure that she had visited the site at 715 Gimghoul Road.

A motion was made by Lascelles, seconded by Gurlitz, to approve the July 13, 2021 meeting minutes with the amendments proposed by Berndt. The motion carried with a unanimous vote.

3. July 20, 2021 Meeting Minutes

[\[21-0647\]](#)

Commissioner Murphy requested that the July 20, 2021 meeting minutes be amended to reflect that the Commission had requested the architect to provide the square footage of the new addition and the square footage of the demolished portion of the house at 214 Glenburnie Street.

A motion was made by McCormick, seconded by Berndt, to approve the July

20, 2021 meeting minutes with the amendments proposed by Murphy. The motion passed with a unanimous vote.

Old Business

4. 214 Glenburnie Street

[\[21-0625\]](#)

Commissioner Berndt stated she was familiar with the application as she had visited the site, reviewed the materials from the past meetings, and watched the video of the July 20, 2021 meeting. Chair Schwartz gave permission for her to vote on the item.

Commissioners Berndt, Gurlitz, and Perl de Pal disclosed they had walked past the site.

Berndt asked if the Commission could incorporate the proposed conditions of approval recommended by the applicant and neighbor as they related to landscaping, which is beyond the purview of the Commission. Ferrell confirmed it could be included as the applicant had voluntarily agreed to include them.

Berndt also asked if the demolition of the rear portion of the house was part of the COA process. Grahn explained that the Land Use Management Ordinance (LUMO) gives the Commission the ability to delay demolition for up to 365 days in an effort to determine if there are alternatives for demolition. Grahn said the Commission should determine the historical significance of the rear portion of the house and then decide if it would approve demolition. Ferrell clarified that the demolition request was part of the application as a whole and not a stand-alone demolition.

Murphy requested clarity on whether the applicant had determined if the rear portion of the house was original or a later addition. Project architect, Cari Paulus Filer, explained that the rear of the house was not visible from the street. She stated the applicant had not yet determined if it was an addition or part of the existing house; however, they believed it was part of the original house. She said this part of the house had been modified and no longer had original windows and doors.

Paulus Filer provided a summary of the changes that had been made based on the Commission's input at the July 20, 2021 meeting. She stated the chimney on the north elevation would be maintained; the applicant no longer requested to paint the brick; and the front portico had been redesigned. She

presented elevations showing that the existing door design would remain in place but the pediment would be projected several feet on to the existing stoop to provide shelter at the front door. Cast iron hand railings would be introduced. The architect described pushing the volume of the side addition further behind the front facade, lowering the roof ridge, and narrowing the addition in size. She discussed the challenges of removing the dormer and found that it broke up the mass of the roof. She explained how landscaping elements such as a specimen tree in the garden would soften the appearance of the side addition.

The architect stated that a hyphen had been incorporated to step back the addition from the walls of the original house. She provided an aerial image of the site and renderings showing the visibility of the additions from North Street and Glenburnie Street. She discussed scale in terms of the public experience from the right-of-way.

Commissioner Berndt disclosed that she provided questions to staff that were shared with the applicant. She reviewed the list of questions and provided details about the square footage of the existing house, the proposed addition, and the proposed demolition. She described the size of the existing one-story garage addition that had been converted to a playroom and the size of the proposed new addition. She explained to the Commission that the contractor will brace the existing structure to protect its structural stability until the new addition could be built. She stated the applicant intended to salvage the existing brick from the rear addition to replace damaged bricks on the existing house. The rear wall of the existing house would be maintained. She described how the project complied with the required setbacks.

The Commission discussed the form of the shed dormer. Paulus Filer provided examples in the neighborhood of dormers and pointed to the Design Standards. She explained the challenges of centering the dormer on the roof due to the location of an interior staircase.

The Commission considered visible side additions in the Franklin-Rosemary Historic District. They discussed that the roof ridges had been lowered by one foot in order to maintain access to the attic. The side addition had been narrowed by eighteen inches and pushed eighteen inches further into the rear yard so it was thirty feet behind the facade of the historic house.

Commissioner Murphy reviewed the Design Principles on page 132. He

found that the proposed project demolished 38% of the existing house and added an addition that created a 118% larger house. He did not find that the proposed addition complied with Design Standards 4.8.4, 4.8.6, and 4.8.7. He found that the project as proposed destroyed character-defining building features and was not subordinate to the historic house. Paulus Filer reiterated the poor condition of the rear portion of the house and explained it was not visible from the right-of-way. Murphy stated that the Design Standards did not support demolition of portions of the house not visible from the right-of-way. The applicant and Commission discussed Design Standard 4.8.9 that required additions to be self-supporting. Paulus Filer provided dimensions of the facade width and the Commission considered the size of the new additions and their visibility from the street. Paulus Filer explained how the proposal complied with Design Standard 4.8.7 and the techniques used to reduce the visibility of the addition's massing.

The Commission recognized that Lascelles had to leave at 8:30pm. They and LeAnn Nease Brown, attorney to the applicant, explained the need for a supermajority vote when there were only six Commissioners present. Nease Brown said that the applicant had provided evidence that the house had significant plumbing issues that had damaged the foundation and reiterated the owners' interest in saving the original structure. She asserted that the Design Standards allow for additions to be equal in size to the existing structure and offer ways to mitigate it through design. She found that the state enabling legislation, LUMO, and the Standards allow for additions so long as they are designed properly and the historic structure remains the prominent feature seen by the public.

Commissioner Lascelles left the meeting at 8:30pm.

The Commission took public comment. Bill Camp discussed the applicant's request to paint the brick, reviewed the Commission's request to the applicant to reduce the size of the addition at the last meeting, and described the visibility of the additions from the right-of-way. He found that the scale of the addition was problematic and did not support incorporating the stipulations provided by the applicants and their neighbors. Property Owners Vickie Seager and Benjamin Gildin explained the challenges of the existing house accommodating a modern family's needs. Nease Brown requested that the Commission provide direction so the applicant understood what was needed for final action.

The Commission requested that the applicant provide an analysis of how the proposal complied with the Design Standards and address the scale of the addition. Some commissioners were interested in limiting the size of the side addition to that of the existing side addition. They also requested more detail about the replacement windows and the dimensions of the architectural features to be replaced. The Commission wanted to ensure historic materials were replaced in-kind, not similarly to the original materials.

The Commission took a break from 8:49pm to 8:55pm.

The Commission resumed their discussion about the size of the side addition. McCormick did not believe the garden structure complied with the Design Standards as it was more ornate than the plainer architecture of the house. Murphy reiterated his concern that the addition did not comply with the Design Standards due to its size. The Commission and applicant agreed to a time extension, continuing the item to the October 12, 2021 meeting.

5. 150 E. Rosemary Street

[\[21-0633\]](#)

Commissioner Berndt disclosed that she provided questions to staff that were shared with the applicant.

Commissioners Gurlitz, Perl de Pal, and Schwartz disclosed that they had walked by and visited the site.

Commissioner Berndt stated she was familiar with the application as she had watched the tape and reviewed the materials. Chair Schwartz gave permission for her to vote on the item.

Commissioner Berndt asked about the conditional zoning district (CZD) application for the project and whether the Commission would function the same way as the Community Design Commission (CDC) in the process. Grahm explained that the Commission would review the CZD application in the future and clarified that the Commission was only reviewing the COA application to determine whether the project was not incongruous with the special character of the historic district. She explained that as part of the CZD application, the Commission could forward recommendations to the Town Council. Berndt asked whether they could add conditions about reviewing lighting plans, and Grahm said the applicant had to consent to any stipulations outlined in the CZD application. Grahm pointed out that the Commission had approved a COA for the realignment of the alleyway at their last meeting.

Applicant Joe Dye, Grubb Properties, stated that the Town green would be included in the CZD review as it was an element of the economic development agreement between his company and the Town. Michael Stevenson, project architect, shared the location of the historic district boundary in relationship to the property lines. He presented photos of the existing conditions and described the scope of work that included widening the sidewalks and extending Post Office Alley. He pointed out the proposed paving, retaining wall, and planting materials. He provided examples of contemporary lighting fixtures that would be incorporated into the park. He presented renderings of the proposed design and the changes to the fieldstone walls since the last meeting.

The Commission discussed whether the project would be ADA accessible and Stevenson explained the challenges of making the entire site ADA accessible due to the change in grade between the Post Office and E. Rosemary Street. He described how different levels of the site would be ADA accessible from Post Office Alley, the lobby of the new office building, and E. Rosemary Street. The Commission discussed the design of the trash compactor's enclosure and the use of the alley. Commissioners expressed interest in a vertical gateway or transitional element that signaled the entrance to the historic district and providing a public charging station for electronics. Commissioners spoke of the utility poles at the site remaining post-construction, the use and maintenance of precast seating walls, and providing public art on the trash enclosure gate. The Commission recommended the use of footlights for lighting, and the architect spoke of challenges to provide safety lighting due to the tree canopy. Some Commissioners expressed concerns about storm water runoff and use of the site by skateboarders.

The Commission took a break from 10:21pm-10:25pm.

Commissioners Berndt and Gurlitz found it was premature to review a COA application for the project prior to the CZD entitlement process. Berndt felt uncomfortable approving a project with very little public input and she was interested in more community dialogue before removing the magnolia tree. Gurlitz expressed concern about the lighting and found that downtown should have consistent lighting plans and features. Perl de Pal felt uncomfortable making a decision without the new adjacent building included in the process. The Commission discussed voting, and Ferrell explained that any substantial

changes to the design would require the applicant to amend the COA.

A motion was made by Murphy, seconded by Perl de Pal, to approve the COA application for the park at 150 E. Rosemary Street with the condition that public artwork to be determined by the applicant and the town be placed on the trash enclosure gates and that the project use the Town Standards for street lights. The motion passed with a vote of 5 to 1.

Aye: 5 - Chair David Schwartz, Deputy Vice-Chair Sean Murphy, Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

Nay: 1 - Christine Berndt

Excused: 3 - Vice-Chair Duncan Lascelles, Brian Daniels , and Polly Van de Velde

Commissioner Berndt voted nay. A motion was made by Berndt, seconded by Gurlitz, that the Commission would ask the Town Council, as the property owner, to undertake a participatory process to look at the design of the public green and bring back any changes to the commission as an amended COA.

Aye: 5 - Chair David Schwartz, Christine Berndt, Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

Nay: 1 - Deputy Vice-Chair Sean Murphy

Excused: 3 - Vice-Chair Duncan Lascelles, Brian Daniels , and Polly Van de Velde

New Business

Discussion Items

6. Revisions to Historic District Commission Rules of Procedure

[\[21-0373\]](#)

Fieldstone and Brick Walls

Design Review Advisory Commission Petition to Town Council

Adjournment

Next Meeting - October 12, 2021

The Commission adjourned and continued the remaining items to the October 12, 2021 meeting.

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.