

**CITY OF ELIZABETH CITY
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY, FEBRUARY 7, 2019
4:30PM**

MEMBERS PRESENT

Rick Boyd - Vice Chairman
Georgene Falcon
Ed Fearing
Blair Jackson
Doris Johnson
David Luke - Absent
Rachel Stallings - Absent

Also present were Matthew Schelly, Community Development Director; Kellen Long, Planner; Yvette Chamblee, Secretary to the Commission; and members of the audience.

Vice Chairman Boyd called the meeting to order at approximately 4:30pm with a roll call and stated there was a quorum.

Kellen Long, new planner for the Community Development Department, and Corrine Ferguson, new Elizabeth City Tourism Director, were present and introduced to the Historic Preservation Commission.

Vice Chairman Boyd called for a motion to adopt the Thursday, February 7, 2019 agenda as presented. Ms. Falcon made a motion to **APPROVE** the Thursday, February 7, 2019 agenda as presented. Ms. Johnson seconded the motion. **ALL IN FAVOR: FALCON, JACKSON, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

Vice Chairman Boyd called for a motion to approve the Thursday, November 8, 2018 minutes. Ms. Jackson made a motion to **APPROVE** the Thursday, November 8, 2018 minutes. Ms. Falcon seconded the motion. **ALL IN FAVOR: FALCON, JACKSON, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

Ms. Chamblee, secretary to the Commission, read the **STATEMENT OF DISCLOSURE** as follows:

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial, and responsible to the public; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city

public officials and its employees; disclosure of interest in legislative action must be stated for public record, as per City of Elizabeth City Code of Ordinances Section 32.04. Any official act or action before the Historic Preservation Commission shall be publicly disclosed on the record of the Commission the nature and extent of such interest and the Commissioner shall withdraw from any consideration of the matter if excused by the Commission pursuant to G.S. 160A-75.

Mr. Schelly asked if there were any disclosures at this time in regards to cases HP 01-19 and HP 02-19. Ms. Jackson commented she was part of the second application, which is HP 02-19, and she's recusing herself from the Commission. Mr. Schelly asked if any of the Commission members were members of the Elizabeth City Historic Neighborhood Association. All Commission members including Matthew Schelly responded they were members of the Elizabeth City Historic Neighborhood Association except Commission member Doris Johnson. Mr. Schelly questioned the Commission, if they had any discussion with the applicant, Vidal Falcon, in regards to HP 01-19. Mr. Schelly asked the Commission members by being Elizabeth City Historic Neighborhood Association members, would they need to recuse themselves from the hearing since Mr. Vidal Falcon, the applicant of the case HP 01-19, is a member of that same organization. The Commission responded they would review the case with open minds. Ms. Jackson made a motion to **DO NOT RECUSE** ourselves from voting on HP 01-19 due to the fact that we are Elizabeth City Historic Association members. Ms. Johnson seconded the motion. **ALL IN FAVOR: FALCON, JACKSON, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

Vice Chairman Boyd read the following **STATEMENT FROM THE CHAIRMAN:**

Prior to today's meeting, notification was sent to neighbors living within 100' of the properties in question. Commission members received a copy of each application and were to visit the site. North Carolina law provides that persons have an opportunity to address an application; thus the Commission conducts a public hearing on the application. During the hearing the Commission receives evidence to determine that proposed changes are not incongruous with the special character of the historic district or the historic property. They review this evidence against guidelines listed in the City's ordinance before issuing a Certificate of Appropriateness. Each application is heard the same way. The judicial format of the hearing requires that they be impartial. Any written Staff comments are evidence presented just as any other evidence. If any Commission member has had reason to discuss the specific details of the application; they ask to be excused from hearing the application.

Because of the quasi-judicial format of the hearings, the Commission hears evidence and judges whether the change is not incongruous. The Commission is required by North Carolina law to swear in persons who speak before the Commission and offer evidence.

Application HP 01-19, filed by the Elizabeth City Historic Neighborhood Association, for property located at 504 East Colonial Avenue. The applicant is requesting approval to place an honorary plaque on the façade of 504 East Colonial Avenue in honor of Luther "Wimpy" Lassiter. The applicant is also requesting approval for honorary street signs on Colonial Avenue from Martin Luther King Jr. Drive to Water Street, also in honor of Luther "Wimpy" Lassiter.

Mr. Vidal Falcon, applicant, and Kellen Long, Planner, were called forth and sworn.

Ms. Kellen Long presented her Staff Analysis report as follows:

The first case before you this afternoon is HP 01-19 filed by the Elizabeth City Historic Neighborhood Association for the property located at 504 East Colonial Avenue. Constructed in 1902, this structure is listed in the National Register as a 2-story brick commercial building. According to the 1930's Sanborn maps, 504 East Colonial Avenue had a 2nd floor lodge hall called City Billiards. This lodge hall was the location where famous Billiards Player, Luther "Wimpy" Lassiter began his career as a young boy. The applicant is requesting a certificate of appropriateness for the following two items:

- (1) Place an 18" x 24" plaque on the structure of 504 East Colonial Avenue in honor of Wimpy Lassiter. The proposed plaque will be placed to the left of the entrance door to the upstairs space where Wimpy began his career. The proposed plaque will have a green leatherette background with a raised cast aluminum boarder and satin finished lettering.
- (2) Place 5 honorary street signs on Colonial Avenue that would span from Martin Luther King Jr. Drive to Water Street in honor of Luther "Wimpy" Lassiter. The proposed honorary street signs would be brown in color and would be placed under the official street sign for Colonial Avenue. The proposed signs would also be comparable in size to the existing street signs.

In the staff report provided to the Commission, staff recommends consideration and action on both items separately.

The first item of an honorary plaque on 504 East Colonial Avenue, Staff has asked the applicant to be prepared to discuss the design and details of the proposed plaque to ensure color and materials are congruous with the structure since a colored proof was not available to staff. Staff has also sent recommendations of designs for plaques that are congruous with other plaques in the historic district.

IF the Commission deems the request for the plaque appropriate, in whole or in part, Staff recommends the following as conditions of approval:

1. Care should be taken when installing new signs, both to prevent damage to historic fabric, and to ensure the safety of pedestrians.
2. Fittings should also penetrate mortar joints rather than brick, when possible.
3. Maintenance of the plaque should be determined between property owner and the applicant.

The second proposed item in this application is to place five honorary street signs on Colonial Avenue that would span from Martin Luther King Jr. Drive to Water Street. The applicant has noted that if there are too many signs on one individual street sign post, that they would not propose a street sign to be placed there.

It should be noted that this item is atypical from the cases generally heard by the Commission. The placement of the street signs would not directly impact a historic structure; however, the street signs would be placed on City Property and not private property. Considering the signs would be located on City Property, this item was sent to our Utilities department for comment, since they are responsible for our street signs. A few comments and questions to note from the Utilities Department are as follows:

- Who will be responsible for maintenance of the honorary street signs from wind damage and vandalism etc.?
- Will the presence of additional signs on the post provide confusion to drivers navigating the area?

It should also be noted that City Council has a naming policy for public property. Should the Commission approve the request for the street signs either as presented or with conditions, this item will then need to be approved by City Council to ensure compliance with Council's naming policy. This policy has been included as an addendum to this report.

If the Commission finds the applicant's proposal acceptable and the Certificate of appropriateness is approved, staff recommends the following as a condition of the approval:

- Approval from City Council
- The Applicant must adhere to all requirements of both City Administration and the City of Elizabeth City's Public Utilities Department regarding the installation and maintenance.

Mr. Vidal Falcon commented the Elizabeth City Historic Association has been discussing this project for over a year. Wimpey Lassiter as a native son of Elizabeth City had gained a lot of success in the world of billiards. Wimpey's recognition of accomplishments was

long overdue. Wimpey has been a subject of our historic Ghost Walk about three times. Wimpey began his career in billiards at the current location and the current signage on the building says, "City Ques." The original name of the building was something like, "City Billiards." The proposed plaque consists of cast aluminum, raised lettering, weather resistance, and last a long time. The Elizabeth City Historic Neighborhood Association was given approval to apply the plaque onto the billiards building.

Ms. Falcon commented is this plaque a material that would not fade. Mr. Falcon commented due to the cast aluminum, raised lettering, and silver background, he doesn't think the plaque would.

Ms. Johnson made a motion to **APPROVE** HP 0-19 the sign application for Wimpey Lassiter. Ms. Jackson second the motion. **ALL IN FAVOR: FALCON, JACKSON, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

In regards to the street sign for "Wimpey" Lassiter, Mr. Vidal Falcon commented cities around the country are using honorary street signs to recognize people in the community, who have made contributions to the City. The Elizabeth City Historic Neighborhood Association would like to give double recognition for "Wimpey" and to place honorary street signs on Colonial Avenue, which is that area closest to where he started his career. The Elizabeth City Historic Neighborhood Association recommended Martin L. King, Jr. Drive and Water Street but the pool hall was between McMorrine Street and Poindexter Street. The Elizabeth City Historic Neighborhood Association would like to have the expandable area but, if it come down to only two or three signs, we would be admittable to it.

Chairman Boyd commented on what the signs would be like. Mr. Falcon commented the honorary street signs would be just like the city street signs. The signs would be placed below, have the language honorary on the sign so, people wouldn't be confused that it is a regular street sign, and the sign would be named "Wimpey" Lassiter Way.

Ms. Johnson commented would the Lassiter street sign be added as a third sign on the sign post that displays crossing streets, Colonial Ave and MLK Drive. Mr. Falcon commented the Wimpey Lassiter Way street sign would be added just below the names of the crossing streets on the sign post but, the street sign would only be facing Colonial Avenue.

Ms. Falcon commented the street sign would be a brown colored street sign and not a green color street sign. Mr. Falcon commented the street sign would be a historic color brown, which is the traditional color for historic signage. Mr. Falcon commented on the Pailin's Alley street signage.

Ms. Deborah Malenfant was called and sworn. Ms. Malenfant explained the origin of the Pailin's Alley's street signage, in which Pailin's Alley's signage was a different process because, the alley was already named Pailin's Alley. Wimpey Lassiter Way signage is a different process from Pailin's Alley.

Ms. Johnson commented was it stated that people would get confused if an extra street sign was added to the street sign post. Ms. Long explained that was a comment from the Public Utilities Department because, they are in charge of our street signs.

Ms. Jackson made a motion to **APPROVE** the applicant's request to have the Wimpey Lassiter Way street sign put on the appropriate existing street sign with the conditions that staff provided. Ms. Johnson seconded the motion. **ALL IN FAVOR: FALCON, JACKSON, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

Application HP 02-19, filed by Center Square Development Company LLC, for property located at 602 East Colonial Avenue. The applicant is requesting approval to re-open a 32" door on the east side of the building fronting Pailin's alley. Additionally, the applicant is proposing to replace second floor windows that face Colonial Avenue, replace existing light fixtures with ones that match those installed in the façade of 606 B East Colonial Avenue, install new awning fronting Pailin's Alley, and remove existing door to create alcove.

Mr. George Jackson was called and sworn.

Chairman Boyd commented case HP 02-19 would have to be tabled by the Commission for the lack of a quorum. Ms. Jackson, a Historic Preservation Commission member, had to recuse herself from the hearing due to her husband, George Jackson, being the applicant.

STAFF REPORT

The Planning Commission met and made a recommendation for the Text Amendment 03-18, which is about adopting the Local Historic District and Landmark Design Guidelines, to become a part of the Unified Development Ordinance.

OLD BUSINESS

Ms. Falcon questioned how many were going to the Historic Preservation Conference at Wrightsville Beach, North Carolina. Ms. Long commented there would be four Historic Preservation Commission members and two staff persons.

NEW BUSINESS

Election of Chairman and Vice Chairman postponed until the March 7, 2019 meeting.

The Historic Preservation Commission took a brief intermission at approximately 5:06pm to allow Mr. Schelly to call Commission member Ed Fearing. The Commission needed to find out how much longer would it take for Mr. Fearing to be present at the Historic Preservation Commission meeting because, the Commission needed a quorum to proceed with the HP-02-19 case.

The Historic Preservation Commission reconvened at approximately 5:11pm and Mr. Fearing was present.

Ms. Kellen Long presented her Staff Analysis for case HP-02-19 as follows:

The second case before you this afternoon is HP 02-19 filed by Center Square Development Company LLC for property located at 602 East Colonial Avenue, better known as the former Thumper's building. Constructed between 1891 and 1896, the structure is listed on the National Register as the Sharber and White rental building. In 2018, Mr. Jackson representing Center Square Development Company was approved by the Historic Preservation Commission to complete four exterior improvements, but was not able to complete because of damage discovered to the southwest corner of the building, which took precedence over the alley improvements. The Certificate of Appropriateness that was issued in January 2018 expired after 6 months, resulting in reapproval for exterior improvements. The applicant is requesting approval for the following six items:

- (1) Reopen a 32" door on the east side of building fronting Pailin's Alley. Door will provide access to fenced encroachment space to the alley. The proposed door will match the door to Hoppin' Johnz on the opposite side of the alley, and will satisfy all fire codes.
- (2) Repair second floor windows on Colonial Avenue. At present, three of the four windows have plywood in lieu of sash. The applicant is proposing that unless used wooden sashes can be obtained locally, then vinyl replacement of windows matching condos immediately across from Colonial Avenue will be obtained. A photo of the existing 4 windows on the structure and of the vinyl windows across from the structure have been included in the staff analysis.
- (3) Replace current alley vapor lights and lights behind awning on Colonial Avenue with new bulkhead lighting that will match those at Ghost Harbor brewery. The applicant is proposing three bulkhead light fixtures to be placed on the alley's facade, and an additional four bulkhead light fixtures facing Colonial Avenue under existing awning. Please note that I have misstated the proposed number of fixtures in the staff analysis. The proposal from the applicant includes 7 fixtures, not four.

(4) Install new awning fronting Pailin's Alley. The proposed awning will match Ghost Harbor brewery that is made of galvanized sheet metal and metal frame. The proposed awning will also satisfy fire codes.

(5) Remove existing door to create alcove with entrances to kitchen area and upstairs of building. The interior walls of the alcove will match current texture and color of exterior wall.

(6) Repaint using the existing color scheme.

In the staff report provided to the Commission, Staff referenced a document (ITS Number 22) published by the National Park Service regarding the addition of new entrances on historic buildings. Generally, to meet the standards, a new entrance should be simple in design and while it should not appear to be historic, it should blend with the historic façade. When possible, a new entrance should be added to a side or rear elevation.

IF the Commission deems the request appropriate, in whole or in part, Staff recommends the following as conditions of approval:

1. The applicant shall secure all necessary building permits prior to commencing work; and
2. Care shall be taken during construction so as not to damage the historic structure.

This concluded Ms. Long's presentation.

Mr. George Jackson, the applicant, came forth and addressed the Commission. Mr. Jackson commented the four second floor windows in the Thumpers' building has plywood over them and there is no restoring the windows. Mr. Jackson commented he would like to use black vinyl windows to replace the windows. Mr. Jackson also requested to put in a fiber glass door that looks exactly like the door on the other side of Pailin's Alley.

Vice Chairman Boyd commented there were other items such as vapor lights, awning, and painting included in the HP 02-19 case.

Ms. Falcon commented on the three out of four windows that were boarded up with plywood.

Ms. Johnson commented on the fiber glass door resembling Hoppin John's door.

Ms. Falcon commented any windows that were made out of wood would need to be rehabilitated. In case HP-02-19, there aren't any windows there at all.

Ms. Johnson made a motion to **APPROVE** HP-02-19 with all recommendations stated by staff and the Historic Preservation Commission. Mr. Fearing seconded the motion. **ALL IN FAVOR: FALCON, FEARING, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

Ms. Falcon made a motion to **ADJOURN** the Thursday, February 7, 2019 Historic Preservation Commission meeting. Ms. Johnson seconded the motion. **ALL IN FAVOR: FALCON, FEARING, JACKSON, AND JOHNSON. NONE OPPOSED. MOTION CARRIED.**

The Historic Preservation Commission meeting adjourned at approximately 5:24pm.

Respectfully Submitted,

Yvette M. Chamblee
Secretary to the Historic Preservation Commission