

**CITY OF ELIZABETH CITY  
HISTORIC PRESERVATION COMMISSION  
REGULAR MEETING  
THURSDAY  
June 11, 2015  
4:30 PM**

Chairman Golden called the meeting to order with the following members present: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson, Marion Stokes and Dorothy Rosenke. Also present were June Brooks, Planning Director, Kaitlen Alcock, Planner and Dawn Harris, Secretary to the Board. An introduction of the Commission members was made. It was stated for the record that the Commission had a quorum with all members present.

Chairman Golden stated that the Commission has a revised agenda. She asked that the Statement of Disclosure be read. Ms. Harris read the following statement: Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial and responsible to the public; that governmental 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 the public record, as per City of Elizabeth City Code of Ordinances Section 2-113. Any member of the Historic Preservation Commission who has an interest, as defined in Section 2-111 of the City of Elizabeth City Code of Ordinances, in any official act or action before the Commission shall publicly disclose on the record of the Commission the nature and extent of such interest, and shall withdraw from any consideration of the matter if excused by the Commission pursuant to G.S. 160A-75.

Chairman Golden made a motion to ADOPT the June 11, 2015 Agenda. Ms. Falcon seconded the motion. **ALL IN FAVOR: GOLDEN, ADAMS, FALCON, JOHNSON and ROSENKE. NONE OPPOSED. MOTION PASSED.**

Chairman Golden asked for additions or corrections to the June 2014 minutes. Chairman Golden stated on page 3, sixth sentence from the bottom at Mr. Donnelly's statement she recommended removing "but" from the sentence. Chairman Golden asked for a motion to approve the June 12, 2014 minutes. Ms. Rosenke made a motion to APPROVE the June minutes. Ms. Stokes seconded the motion. **ALL IN FAVOR: GOLDEN, ADAMS, FALCON, JOHNSON and ROSENKE. NONE OPPOSED. MOTION PASSED.**

First item on the agenda was **Application HP-04-15** filed by Benjamin Cahoon of Cahoon & Kasten Architects on behalf of Harbor Lights Capital Partners, LLC for property located at 112 North Water Street. This is the location of the Hurdle Hardware building. The applicant is proposing various exterior renovations to include but not limited to painting of the brick, addition of a storefront, removal of wing brick infill and installation of large picture windows.

Chairman Golden made the following statement:

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.

Chairman Golden called those planning to speak to come forward and be sworn in. Ms. Harris swore in the following: Mr. Benjamin Cahoon, Mr. Robert Springer, Mr. Michael Lincoln and Mr. Jim Bayne.

Ms. Alcock gave the following overview.

### **STAFF REPORT**

"The case before you this evening is HP 04-15 made by Benjamin Cahoon of Cahoon and Kasten Architects on behalf of property owner Harbor Lights Capital Partners, LLC. The property in question, 112 N Water Street, is listed on the National Register of Historic Places as 110 N Water Street, the old Hurdle True Value Hardware store. Originally constructed in 1885, the structure was remodeled in the 20th Century. It is described as a two-story brick commercial building with a 1940's main façade. The shell is thought to be the remains of the three-story Lathrop Oil Mills on the site in 1885 as seen on the 1885 Sanborn Map. A COA was approved in 2006 and renewed in 2008 permitting the extension of the roof to a height of 39 feet; the removal of a chain link fence to be replaced by a wrought iron security gate; opening of previously bricked-in windows on the ground floor; replacement of the existing glass commercial doors with metal doors; removal of the aluminum awning; replacement of the glass in the transoms; and removal of the brick under the awning.

The current applicant is seeking a COA for numerous exterior renovations all of which have been summarized in the staff report provided to Commission members as well as in the application materials. Also included in the report were excerpts from the National Park Services Technical Preservation Briefs as they relate to the restoration of historic storefronts, the use of substitute materials and identifying elements which contribute to the architectural character of a structure. Staff did seek input from the State Historic Preservation Office Staff, including Reid Thomas, Scott Powers and Laurie Mitchell. A summary of the conversation Ms. Alcock had with the Preservation Office staff this morning was provided to the Commission. The Preservation Office staff's overall response was very positive and they commend both the applicant and the property owner for undertaking this endeavor. They did make a few

recommendations with regards to the proposed paint color, first-story windows, privacy wall and stairs. Instead of the deep red paint color proposed, a red with orange undertones, more reminiscent of a natural brick color would, in their opinion, be more appropriate. Preservation Office Staff feels that the proposed exterior elements should be in keeping with the historic industrial use of the building. As such, they feel a single-pane glass window without muntins would be more preferential for the first-story windows. Similarly, they suggested the proposed stair and railings be of a less contemporary design as well as a dark gray or black color rather than chrome to give an iron-like appearance. Finally, with regards to the vinyl privacy wall, preservation staff felt something more industrial looking, made of metal rather than vinyl would be more appropriate for the historic character of the building.

If the Commission approves the request in sum or in part, Staff recommends the following as conditions of the approval; first, the applicant, to the extent possible, should adhere to the standards set forth in the National Park Service Technical Preservation Briefs referenced in the Staff Report and second, all construction and site improvements should abide by the applicable building and fire code requirements as well as the local zoning regulations as found in the Elizabeth City Unified Development Ordinance.”

Chairman Golden asked if there were any questions from the Commission for Ms. Alcock. There were none. She called Mr. Cahoon forward to present his overview of the project.

Mr. Cahoon thanked Staff and stated that Ms. Alcock had been tremendously helpful in responding to them. Mr. Cahoon stated from what the HPC has in their report and the supplemental information that came through today he was just going to make himself available for questions. He did want to address a couple of issues that had come up today because they may be less clear to the Commission.

First was the State's request that the stair and the railing be of a more industrial character. Mr. Cahoon stated that in his thinking the stair and railing were pretty simple and industrial in the way they were initially presented. He stated that they have submitted an alternative to those that will be more traditional. They will be dark in appearance; more like a wrought iron look. Mr. Cahoon stated that they have no objection to this change. Next is the privacy wall. He stated that he had been asked for a sample of what was initially proposed. [He pointed out the sample.] It is the vinyl privacy wall. It comes in eight foot sections and would be six foot tall. The State has suggested that the wall be of a slightly more industrial metal look. Mr. Cahoon stated they have no issue with this change. He stated that they do want to make some objection to the comment on the storefront windows regarding the State's suggestion that it be one large plate glass window; which would have been traditional in some circumstances. He stated that their concern at this point is given the most recent renovation that was done to the building and the fact that windows in the upper section are now more residential in character. He stated to have the large undivided windows on the bottom floor just seems to be too much contrast. They think to split the middle to divide those windows with a center divider vertically and a divider in the upper portion is still a traditional store front look. It would help bring it in line with the upstairs' windows. The other issue that was brought up was the color. He stated that he went out today with samples. He stated that it does make a difference in what type of light you view the colors. The developer has no objection to a color that is a little more like the brick that is down the street on another building. Mr. Cahoon stated that they really need to paint this building. They are not

going to be able to avoid the painting. He stated that he thinks, and the Commission is probably aware that with older buildings and soft brick it would be really impossible to get the color off. So, it does need to be painted and they agree a brick color is appropriate.

Ms. Stokes requested that it not be too orange.

Mr. Cahoon passed the samples of the colors around to the Commission. Following discussion it was noted that the Commission preferred the "Fireweed" red color for the building.

Chairman Golden asked if the applicant's intent is to still use the gray color. Mr. Cahoon stated yes. Chairman Golden asked if the cementitious panels on the storefront are still in the plans. Mr. Cahoon stated yes. He stated that he has a sample and would like to make an observation about that. Mr. Cahoon stated that this material looks very, very close to the materials used in the storefronts downtown. Of course, they are all painted. The intent of the material is that it be painted so it looks like all the other storefronts.

Chairman Golden stated that it is her understanding that instead of having the double door the applicant is planning to have two entrances. Mr. Cahoon stated that the recess is already there. The alcove is there. He stated that in Elizabeth City downtown there is not a market for a single large space like this. They need three shops on the ground floor to make the square footage work right. To put those entrances inside the alcove, putting two of them on either side and one in the center on the street, you get the symmetrical center appearance to that entrance. The other two are not really visible in direct elevation view. Chairman Golden stated looking at the building the entrance on the right would be an access to a proposed restaurant. Mr. Cahoon stated yes, a restaurant or retail. They are hopeful that it will be a restaurant. Mr. Adams asked if the other entrance was to the other side. Mr. Cahoon stated yes. There was some confusion regarding the drawing but it was noted that what was presented is correct showing three entrances.

Chairman Golden asked that once they do all the infill it will be painted and nobody will know the difference. Mr. Cahoon stated that he thinks that once all of the work is complete if someone came by that did not know the building; it will be hard for them to know that there had been a renovation done. It is going to be a very traditional storefront.

Chairman Golden asked that Mr. Cahoon tell here where the privacy fence is going. Mr. Cahoon stated that there is a one-story wing on the rear of the building. There will be a roof deck on the roof of that for the benefit of all of the tenants. There is an access from the building [main body] directly to that roof. There is also a unit right there. This unit will have a view outside their window across the roof and to the river, but they will also have a lot of people walking back and forth to get to the roof deck. So, on the roof deck the neighboring wall that's higher than the roof deck--about four feet away from that will be the six foot privacy fence. It creates a hallway that goes from the building out to the roof deck. It screens the people walking back and forth from the building to the roof deck to the unit that is adjacent. He stated that the privacy fence is on the roof. The privacy wall will be out of view. Mr. Cahoon pointed out the fence location on the plans to the Commission.

Chairman Golden asked if the shingle infill was going only on the back. Mr. Cahoon stated yes. He stated that the single infill is only one small location. The previous developer put doors in on

the back elevation. Their intention was to put some small private decks there. This developer does not want to build those small decks. So, they want to take the doors out and the windows are shorter than the doors. They need to infill the bottom. It is literally one opening and at the top.

Chairman Golden stated that she thought the stair and railing was magnificent. She thinks they are very appropriate but would like for them to be painted black. She asked how they would do the wrought iron look. Mr. Cahoon stated that they would be using an aluminum rail due to the maintenance issue and it would be painted black.

Chairman Golden asked if they will be replacing the doors in the back and side. Mr. Cahoon stated the primary entrance to the building in the rear which is a big masonry opening there now. They are going to fill it in with glass and around on the side. The same kind of material from the front will be used. Chairman Golden asked how secure the property will be from people wandering. Mr. Cahoon stated that on the site plan there is a proposed automatic fence. Ms. Stokes asked if parking for the residents will be in the back. Mr. Cahoon stated yes. He then pointed out on the site plan where the automatic fence will be placed. He stated that all of the area in the back at some point was paved. He had seen photographs with cars parked. They are able to provide the number of parking spaces as required by the zoning ordinance. There is no parking requirement for the commercial in the front. Ms. Falcon asked about the composition and color of the gate. Mr. Cahoon stated what they have talked about doing is a gate that will look like a tall version of the wrought iron rail. It will be between six and eight feet high, framed with vertical rails in it. It would move back and forth. It would look very much like the picture of the rails and would be black. Ms. Rosenke asked if it would coordinate with the stairs. Mr. Cahoon stated yes. Chairman Golden asked if the refuse pickup will be accessible. Mr. Cahoon stated that they actually have the dumpster access outside the fence.

Ms. Stokes asked the Commission what had been decided about the windows. Mr. Adams stated that from what he sees everything is agreed upon today except the windows. He asked if that was fair to say. Mr. Cahoon stated that they would really like to see the divided windows. He stated that they think it looks both appropriate and fits the building. Mr. Cahoon stated he would make that argument to Mr. Thomas. Ms. Stokes stated that she likes the divided windows and a lot of the older buildings [in town] have had divided windows.

Mr. Adams stated that in the Staff recommendations that were included in the agenda packets talked about the column wrap and the cementitious trim panels. He asked if there were any other discussions on this versus the comments that Staff recommendations were concerned about. He asked the Commission if it had been concluded as satisfactory in their opinion. Ms. Rosenke stated that Staff was concerned about it, but Reid Thomas was not.

Ms. Rosenke asked if there would be visual screening for the dumpsters. Ms. Brooks stated that according to Code dumpster have to be screened from the public right-of-way or street. If Public Works wants to make an exception then Staff can work with Mr. Cahoon.

Mr. Adams asked what the general timeframe will be for the project if it is approved today. Mr. Cahoon stated that this project is also before the City for a Conditional Use Permit. That process will conclude with a Council meeting in September. That will be the last step. Technical

Review Committee will be later this month. Mr. Adams asked how many apartments there would be. Mr. Cahoon stated there will be 10 apartments.

Ms. Stokes asked what the canopy is for. Mr. Cahoon stated that the canopy is just to cover the entrance to the one apartment in the rear. Chairman Golden asked if the canopy would be black. Mr. Cahoon stated that since everything seems to be going that way, it probably will be black. Ms. Stokes asked if Mr. Thomas had issue with tearing the shed down. It was stated no.

Chairman Golden stated that the Commission would go right down the list now that discussions have been made. She called for motions as follows:

Item 1: Ms. Rosenke made a motion to approve the repainting of the exterior brick with the body being Sherwin Williams Fireweed and the trim Sherwin Williams light gray. Ms. Johnson seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 2: Ms. Falcon made a motion to approve the Trim Band and column Wrap to the storefront as presented with the exception that the color be Sherwin Williams Firewood. Ms. Stokes seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 3: Ms. Rosenke made a motion to approve applying cementitious trim panels to the storefront as presented. Mr. Adams seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 4: Ms. Stokes made a motion to approve the installation of new storefront windows as presented. Ms. Johnson seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 5: Ms. Stokes made a motion to approve the installation of new storefront doors as presented. Chairman Golden seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 6: Chairman Golden made a motion to approve the privacy fence as recommended by the Commission. It should be constructed of a metal like substance instead of vinyl and black in color [like wrought iron]. Location is to be at the rear (north rear wing) elevation. Ms. Falcon seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 7: Ms. Falcon made a motion to approve the installation of new windows as presented. Ms. Stokes seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 8: Ms. Rosenke made a motion to approve the installation of the brick infill with the color being changed to Sherwin Williams Fireweed. Chairman Golden seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 9: There was discussion to change the color of the shingle infill to light gray. Chairman Golden made a motion to approve the installation of the shingle infill as presented in the color light gray. Ms. Rosenke seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 10: Ms. Stokes made a motion to approve the installation of steel stairs and railings as presented with the exception that both stairs and railings will be constructed of black metal color. Ms. Falcon seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 11: Ms. Stokes made a motion to approve the installation of an aluminum canopy as presented with the exception that the color will be black. Ms. Falcon seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 12: Ms. Rosenke made a motion to approve the installation of a steel door with the exception that the color will be Sherwin Williams Fireweed. Ms. Stokes seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 13: Ms. Stokes made a motion to approve the demolition of the 13' x 18' single-story portion off of the northeast corner of the building. Ms. Rosenke seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

Item 14: Following brief discussion Ms. Stokes made a motion to approve the eight foot security fence in the color black. Ms. Golden seconded the motion. All in favor: Roy Golden, Gordon Adams, Georgene Falcon, Doris Johnson and Dorothy Rosenke. None opposed. Motion passed.

With no further business, meeting was adjourned.

Respectfully submitted, Dawn Harris, Recorder

*\*Minutes were approved at the August 13, 2015 meeting.*