

**CITY OF ELIZABETH CITY  
HISTORIC PRESERVATION COMMISSION  
REGULAR MEETING  
THURSDAY, JUNE 15, 2018  
4:30PM**

**MEMBERS PRESENT**

Jarrett Koch - (Chairman)  
Rick Boyd - Vice Chairman  
Gordon Adams  
Georgene Falcon  
Doris Johnson (Absent)  
Rachel Stallings

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

Chairman Koch called the meeting to order at approximately 4:40pm and stated there was a quorum. There was an introduction and roll call for the Historic Preservation Commission members.

Chairman Koch called for a motion to approve the agenda. Mr. Boyd made a motion to **APPROVE** the agenda. Ms. Falcon seconded the motion. **ALL IN FAVOR: ADAMS, BOYD, FALCON, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Chairman Koch called for a motion to approve the Wednesday, May 23, 2018 Historic Preservation Commission minutes. Mr. Adams made a motion to **APPROVE** the Wednesday, May 23, 2018 Historic Preservation Commission minutes. Ms. Stallings seconded the motion. **ALL IN FAVOR: ADAMS, BOYD, FALCON, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Chairman Koch asked Ms. Chamblee, secretary to the Commission, to 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 disclose 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.

Chairman Koch read the following **STATEMENT FROM VICE 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.

Chairman Koch asked the audience members to come forth and be sworn, if anyone plans to speak today in reference to HP 09-18. Mr. Dean Schaan, the applicant, came forth and was sworn.

Chairman Koch read the **Consideration of Application** as follows:

Application HP 09-18, filed by Dean Schaan on behalf of Seven Sounds Holding, LLC for exterior improvements and signage to the Hurdle Hardware building located at 112 North Water Street. The applicant is proposing to remove existing non-original windows; assess condition of the existing façade masonry, install new metal storefronts with a brushed aluminum finish and glass transoms; install new steel casement windows to fit the original second floor window openings; and possibly clean and remove existing paint if feasible. Signage will be incorporated.

Mr. Schelly presented his report:

The application today is for 112 North Water Street also known as Hurdle Hardware and it has also been the subject of several Certificate of Appropriateness in the past. Most

recently, there's been a Certificate of Appropriateness for removal of a third floor and now this is in regards to restoring front and side facade to its former condition. Note, in your agenda packets, you have pictures or photographs of the facade with the front and side facades in the 1940's and the proposed improvements are matching the conditions of those facades in the 1940's. So in summary, the applicant is requesting to move the existing non-original windows; asses the condition of the facade masonry; install new metal storefronts with a brushed aluminum finish and glass transoms; install new steel windows to fit the original first and second floor window openings; clean and prepare surface for new paint; and add new signage.

If the Certificate is approved, Staff recommends APPROVAL of the application as shown and presented with the following as conditions of the approval:

- The color of the paint for the building shall be a color that is closest to the original brick color.
- The design and the illumination of the projecting sign on the front façade be approved as a separate COA by the HPC;
- The applicant or their designated contractor shall secure all necessary building permits prior to commencing work;
- All construction equipment and machinery shall be located within the rear parking area of the location to the extent possible; and
- All construction debris shall be properly disposed of and removed from the site within 14 days of completing the removal.

This concluded Mr. Schelly's report.

Mr. Dean Schaan came forth to address the Historic Preservation Commission. Mr. Schaan commented when Ben Cahoon was architect for the building previously, he wasn't pursuing the Historic Tax Credit. The building had been modified and denied by the National Park Service. Mr. Schaan is considering restoring the building back to its original contributing status for many reasons such as Mr. Schaan and his partners have been engaged in the downtown; had some Historic Preservation work done on the Fowler building, and Mr. Schaan and his partners believe, know it's the right thing to do, and are committed. Secondly, the Historic Tax Credits are substantial towards our building process. Mr. Schaan and his partners started engaging the State Historical Preservation Office and wanted to see if it was possible to restore the building in order to make the Hurdle Hardware building a contributing building. Based on recommendations, Mr. Schaan and his partners came back before the Historic

Preservation Commission to request the removal of the roof, which was approved. The Historic Preservation Commission's approval initiated Mr. Schaan and his partners to go back and redesign the storefront of the Hurdle Hardware. The removal of the roof altered the shape of the building and altered the shape of the storefront. Mr. Schaan is requesting to restore the Hurdle Hardware building back to the 1940's historical photos.

Ms. Stallings questioned, "Have you reapplied for the Historic Tax Credit." Mr. Schaan responded, "Yes, they have submitted Part One to the State's Historic Preservation Office." Mr. Schaan also explained they have engaged Reid Thomas and Scott Powers out of the Greenville office and Tim Simons out of the Raleigh office. The State Historic Preservation Office has engaged the National Park Service. The nomination for contributing buildings was put together and submitted in 1976. For Hurdle Hardware to be considered for a Historic Tax Credit, they would take the date of the nomination and go back 50 years. The Southern Hotel was an exception to the nomination because; the Southern Hotel facade dated back less than 50 years but, it was approved. The State is going to bat for them and is asking the Park Service to consider our 1940's to be considered for approval.

Ms. Falcon asked, "Could you go back as far as the 1920's, in regards to the building?" Mr. Schaan responded, "It depends on the date that a major modification took place on a building. There was a fire that destroyed the Hurdle Hardware building around 1939. Therefore, the building was significantly modified in the 1940's. So, that's what they go with, the last major overhaul and modification of the building, even if the shell of the building dates back to 1886."

Mr. Boyd asked, "What was it originally?" Mr. Schaan responded, "It was an oil lamp factory named Lampford Oil Lamp Factory and they actually had an oil lamp fire. After that time, the building has had various names such as Hurdle Hardware and was once one of the original spots for Jordan Electric. We do really stress that nomination which from the 1970's be revisited and see if we can get Elizabeth City Downtown Historic District remapped and have new nominations that could be eligible to meet the period of significant as far as the Historic Tax Credit."

Ms. Falcon asked, "Would you consider going back and doing it as a 1920's type, if they deny?" Mr. Schaan, responded, "Absolutely, I don't quite know the process but as far as my understanding talking with the State since, the major modification to that building was done in the 40's that's what they use."

Mr. Adams asked, "What are your plans if you don't get the Historic Tax Credit?" Mr. Schaan responded, "We still plan to remodel the building. We still plan to remove the roof for a couple of reasons: We want to return the building back to its original contributing architecture; and plus structurally when they put that roof on they added a

lot of weight to the building and some of the columns are on the verge of being over stressed. We still plan to follow through and restore the building back to its 1940's type of facade. If we can get a 40% savings on the Historic Tax Credit that's more successful our business but, we still plan and commit to restoring the building back to its 40's facade."

Mr. Adams asked, "What's the intended use?" Mr. Schaan responded, "The intended use is a brewery. We plan to open up a fairly significantly large brewery operation in that building."

Mr. Adams asked, "Is that all it's going to be used for? No apartments, upstairs?" Mr. Schaan responded, "First floor of the building will be the brewery operation. Second floor, we have proposed two things: We are incorporating half of the second floor into a venue space for venue applications such as parties, rentals, weddings, and whatever people would like. The venue space will probably hold around 150 people; and on the front side of that we are looking at placing some smaller Airbnb type units."

Mr. Adams asked, "The front entrances are the double doors going to be functional?" Mr. Schaan responded, "Currently, the building has one center access. Taking in consideration the 40's facade, there was actually two entrances in the building and yes, they both will be functional entrances into the same space."

Chairman Koch asked, "Would anyone else like to address the Historic Preservation Commission, if so please come forth and be sworn?" Ms. Deborah Malenfant, representing Elizabeth City Downtown Inc, came forth and was sworn.

Ms. Malenfant commented the investors and developers are making a strong effort to restore the historic integrity of the property and doing what's right with regards to historic preservation and they're investing a lot of money in the building, in the project, and in the downtown. So, Elizabeth City Downtown Inc. fully supports what they are attempting to do with the restoration of the project back to its original historic integrity.

Chairman Koch called for a motion. Mr. Boyd made a motion to **APPROVE** HP 09-18 as written with the conditions proposed by the staff. Ms. Stallings seconded the motion. **ALL IN FAVOR: ADAMS, BOYD, FALCON, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

### **STAFF REPORTS**

- Mr. Schelly commented he and Chairman Koch attended the Historic Preservation Tax Credit forum held in Hertford, North Carolina on yesterday. Mr. Schelly would like to invite the speaker, Reid Thomas, to come to Elizabeth City and speak about various topics. Mr. Thomas is available sometime in the fall.

- Mr. Schelly commented the Historic Preservation Guideline Book will need to be discussed today.
- Chairman Koch commented on the Historic Preservation Tax Credit forum he attended along with Mr. Schelly. Chairman Koch commented he found the forum to be very informative. Chairman Koch had no idea the amount of money available from the State for commercial projects and residential projects. Depending on the project and the zoning classification whether it's a non-profit, a residential, an income earning property, or commercial property, you can get anything from 15% to 45% of your cost of improvements to the property recouped through tax differences, tax credits, or tax rebates. There are different stipulations and time frames that the State would explain when you apply.

### **OLD BUSINESS**

- Mr. Adams commented about there was an accident and the alleyway. Ms. Malenfant commented the alleyway behind the Arts of the Albemarle. The metal work artist had an accident and broke his leg and had to have surgery. The timeline to have the alleyway completed has changed somewhat but, the alleyway should be completed by October 31, 2018 in order to receive the grant.
- Mr. Boyd commented one of the wooden portions of the picnic table is done and it's on display at the Arts of the Albemarle. Pasquotank County High School put the table together and the Pasquotank County High School Art Department painted the picnic table.
- Ms. Malenfant commented we discovered there was a name to the alley, which we did not realize previously so, we were going to have a naming contest that fit the design and the tree but, there is an official name for the alley, which is IVES ALLEY. Mr. Boyd commented we have the original medallion, which will be incorporated into the project.
- Chairman Koch commented on the Historic Preservation Guideline Book and asked if there were any suggestions, comments, or did anyone want to speak in reference to the book. Mr. Boyd commented Kaitlen Alcock did a great job on the guideline book. Mr. Adams asked, "When could he submit some of his minor questions about the guideline book to Mr. Schelly?" Mr. Schelly commented he wanted to discuss comments about the guideline book together. Mr. Schelly informed the Historic Preservation Commission that the Historic Preservation Guideline Book will be presented to City Council for information and educational purposes on Monday, June 25, 2018. This presentation is to prepare City Council

to formulate their own questions, issues, or concerns about the guidelines. Mr. Schelly asked that the Historic Preservation Guideline Book be added to the agenda for the next Historic Preservation Commission meeting in July. Ms. Falcon asked, "If one of them had a problem with the guideline book, doesn't matter, right?" Mr. Schelly responded, "It would be up to the Historic Preservation Commission to consider, if there's a valid concern." Mr. Boyd asked, "Who do you need to come to the meeting?" Mr. Schelly responded, "All of you would be great and the meeting begins at 5:30pm on June 25th."

### **NEW BUSINESS**

- Ms. Stallings had a general question about is there something in the bylaws for the running of the Historic Preservation Commission that requires the packets to be mailed or is that just how its always been, especially in this day and age with email and PDF formats. Ms. Chamblee commented it's not all in PDF. Ms. Stallings commented she understood that not the entire agenda packet is in PDF. Ms. Falcon commented or the other thing we could do is we could pick them up instead of having them paying postage. Ms. Stallings commented we've had packets not being received and I know it's not staff. It's the post office. Ms. Chamblee commented she will report back to the Historic Preservation Commission during the next meeting in regards to what the Historic Preservation Commission's bylaws state about the mailing of agenda packets.

Chairman Koch called for a motion to adjourn. Mr. Adams made a motion to **ADJOURN** the Thursday, June 14, 2018 Historic Preservation Commission meeting. Ms. Falcon seconded the motion. **ALL IN FAVOR: ADAMS, BOYD, FALCON, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Historic Preservation Commission regular scheduled meeting adjourned at approximately 5:18pm.