

**CITY OF ELIZABETH CITY  
HISTORIC PRESERVATION COMMISSION  
REGULAR MEETING  
THURSDAY, JULY 13, 2017  
4:30PM**

**MEMBERS PRESENT**

Jarrett Koch - Chairman  
Harvey Harrison - Vice Chairman  
Gordon Adams  
Rachel Stallings  
Georgene Falcon  
Doris Johnson

Also present were Kailten Alcock, Planner; Yvette Chamblee, Secretary to the Board; and members of the audience.

Chairman Koch called the meeting to order at approximately 4:31pm and stated there was a quorum. There was an introduction and roll call of the Historic Preservation Commission members. The April 2017 and May 2017 minutes were amended to the agenda. Ms. Falcon made a motion to **APPROVE** the agenda with the amendment of adding the April 2017 and May 2017 minutes. Mr. Harrison seconded the motion. **ALL IN FAVOR: HARRISON, STALLINGS, KOCH, FALCON, JOHNSON, AND ADAMS. NONE OPPOSED. MOTION CARRIED.**

Chairman Koch asked Mrs. Chamblee, secretary to the board, 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 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 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.

First item on the agenda was application HP 08-17 filed by Dean Schaan dba ECBC, LLC for a proposed street facade enhancement at 113/115 North Water Street. The applicant is proposing various enhancements to include removing the existing corrugated metal at transom; preparing the building for depainting and possibly a new paint scheme; replacing the existing roofing; reconstruct lower level entrances and window framing; etc.

Ms. Alcock read the **Consideration of Applications** as follows:

The first case before you this afternoon is HP 08-17 filed by Dean Schaan of ECBC, LLC for property located at 113 North Water Street also known as the New Fowler Store. The applicant has worked closely with the North Carolina Main Street Center to develop a facade design to include the addition of a wood frame transom and entry door, wood bulk head under the storefront with recess panels, removal of paint from the brick, and repainting of the trim and doors in shades of navy, red, green, and white. As you all may recall, the applicant recently removed the vinyl siding and frame in preparation for the renovation. Staff included an excerpt from the National Park Services Technical Preservation Brief 11, which includes recommendations and best practices when rehabilitating historic storefronts. If the Commission chose to approve the request either in whole or in part, Staff suggested the following conditions of approval:

- All necessary building permits shall be secured prior to commencing work; and
- Any future signage is subject to the review and approval of the Historic Preservation Commission and/or Planning Staff.

This concluded Ms. Alcock's report.

Present from the audience were Mr. Deann Schaan on behalf of ECBC, LLC and Mr. Benjamin Cahoon on behalf of Harbor Lights Capital Partners, LLC. Mr. Schaan and Mr. Cahoon were called and sworn by the secretary of the Historic Preservation Commission.

Mr. Schaan came forth and presented information to the Commission about the HP 08-17 project. Mr. Schaan referenced a slight modification to the Certificate of Appropriateness application on pages seven and eight in regards to two full transom windows had been located on the store front of the buildings located at 113/115 North Water Street, which was pointed out by the North Carolina Main Street Design Center. Since the initial photographs were sent to the North Carolina Main Street Design Center, Mr. Schaan discussed other findings that

---

were detected by the North Carolina Main Street Design Center such as the transom window on one building is six to eight inches taller than the transom window on the other building; the buildings are actually two separate buildings with slightly different designs; and the transom window on the building to the right is a few inches taller. The only alteration is to have the proper height of the original transom openings.

This concluded Mr. Schaan's presentation.

The Commission commented on the following items: the outside door on the right of the building; the two buildings being separate buildings; the outside door on the right of the building leading to the second floor of the buildings; and the position of the second floor windows over the first floor windows.

Mr. Schaan responses to the Commission's comments were as follows: the outside door on the right of the buildings will be restored to its original design as well as the inside window, which is now bricked, will be restored to its original design. Sometime during the 1940's or 1950's the buildings were combined as one piece of property and sold as one property. As for now, the first floor is an open space combining the two buildings and there's a solid brick wall dividing the buildings on the second floor with a cinder block opening. The outside door on the right of the building leads to an upper level on the inside of the building. A cinder block addition was built inside on the right of the building in which you have to exit the back of the original building and enter into the addition and then cross over and enter into the left side of the building. The intent of the windows is to restore each window to its original design.

Ms. Deborah Malenfant representing Elizabeth City Downtown Incorporation was present, called, and sworn. Ms. Malenfant spoke in favor of the HP 08-17 application as improving the facade of the vacant downtown buildings as well as maintaining the integrity of the historic community.

Mr. Harrison made a motion to **APPROVE** the request as presented with the amendment that building permits be secured prior to commencing work and signage be reviewed and approved by the Historic Preservation Commission or Planning Department Staff. Ms. Falcon seconded the motion. **ALL IN FAVOR:**

---

**KOCH, HARRISON, FALCON, JOHNSON, STALLINGS, AND ADAMS. NONE OPPOSED. MOTION CARRIED.**

Ms. Alcock read the **Consideration for Applications** as follows:

The second case before you this afternoon is HP 09-17 filed by Benjamin Cahoon on behalf of HCWGMW2, LLC for property located at 112 North Water Street. As some of our Commission members may recall a request was heard for the subject property in 2015, which included many of the same items mentioned in this petition. Although the Certificate of Appropriateness was approved since no work was under taken the certificate has since expired. As such the applicant comes before you today requesting approval for items such as the repainting of the exterior brick; installation of new storefront windows, new store front doors as well as retractable doors, and the installation of a steel staircase and railing on the rear elevation. The complete list of the requested items was included in the supplemental documentation as well as the staff report provided to the Commission. Staff discussed the 2015 request with several specialists from the North Carolina State's Historic Preservation office, whose comments were included on page six of the Staff's report. Overall they were at favorable to the requested changes, which they felt would allow the building to blend more with the neighboring buildings and would somewhat reverse previous inappropriate alterations made. As with the previous case, if the Commission deems the request appropriate and approves the certificate either in whole or in part, staff recommends the following as conditions of the approval; the applicant, to the extent possible, adhere to the standards set forth in the National Park Service Technical Preservation Briefs specifically Briefs 10, 11, and 22 and all construction and site improvements abide by the applicable building and fire code requirements.

This concluded Ms. Alcock's report.

Mr. Benjamin Cahoon, who was in the audience, came forth and presented information to the Commission about HP 09-17. Mr. Cahoon spoke about the 2008 renovation as well as the 2015 renovation project that was approved for at the location of 112 North Water Street but, no work was ever done. Therefore, the 2015 Certificate of Appropriateness application had expired. Mr. Cahoon stated that the proposed application for HP 09-17 included

the following: repainting of the exterior brick; applying trim band and column wrap to the storefront; applying cementitious trim panels to the storefront; installing new storefront windows, new storefront doors, privacy fence, new windows, brick infill, shingle infill, steel stair and railings, steel doors, a retractable storefront, and a security gate; and demolishing a portion of the building.

This concluded Mr. Cahoon's presentation.

The Commission commented on the following items: the retractable doors; the second and third floors being used for condos, apartments, or storage; possibility of installing a balcony; expectations of the project; potential tenants for the restaurant space downstairs; transitioning of the original windows; transom lights; interest in the microbrewery; and the appealing appearance to the community.

Mr. Cahoon responded to the Commission's comments by stating the following: the retractable doors would go up and over to blend with the ceiling and allow the building to appear as an open storefront; some people are speculating the possibility of creating an event space on the second in order to support the business on the first floor but, a Special Use Permit would be required; no balcony would be constructed in this project even though it was discussed in the 2008 renovation project; there are great expectations for this project so, the project would be moving forward due to the anticipation of business growth within the community; the potential tenants for the restaurant space downstairs are a part of the development team; and matching the transom windows and lights with the buildings located across the street at 113/115 North Water Street could possibly be incorporated into the project for the location of 112 North Water Street. Mr. Cahoon agreed with the Commission that this project would be an addition to the attraction of the downtown area.

Ms. Malenfant representing the Elizabeth City Downtown Incorporation came forth. Ms. Malenfant stated she's in support of the HP 09-17 application from an economic development concept.

Mr. Schaan, who is part of the design team on this project, came forth. Mr. Schaan stated he's in support of the project.

Mr. Don Morris, who lives at 110 North Water Street, which is adjacent to the property located at 112 North Water Street, was called and sworn. Mr. Morris stated he's in support of the HP 08-17 and HP 09-17. Mr. Morris stated his concerns about the grassy area behind the building located at 112 North Water Street and the possibility of live entertainment at the microbrewery.

Ms. Alcock addressed Mr. Morris' concern about the live entertainment issue. Ms. Alcock stated the live entertainment concern wouldn't be addressed by this Commission. The Elizabeth City's Code of Ordinances does allow live entertainment. Live entertainment would be addressed in the Special Use Permit that would be required by the microbrewery. Any violations of the live entertainment would be addressed with the City of Elizabeth City's Noise Ordinance and enforced by the City of Elizabeth City's Police Department.

Mr. Cahoon addressed Mr. Morris' concern about the grassy area behind 112 North Water Street. Mr. Cahoon stated the pavement is in poor condition in that area but, a portion of the area could be filled in and used so that people can view and enjoy the Pasquotank River.

Mr. Harrison made a motion to **APPROVE** the request presented with the exception to add transom lights and acquire the normal permits for the project. Ms. Johnson seconded the motion. **ALL IN FAVOR: HARRISON, JOHNSON, FALCON, ADAMS, STALLINGS, AND KOCH. NONE OPPOSED. MOTION CARRIED**

Ms. Falcon made a motion to **APPROVE** the April 13, 2017 and May 11, 2017 Historic Preservation Commission minutes. Ms. Johnson seconded the motion. **ALL IN FAVOR: ADAMS, KOCH, STALLINGS, JOHNSON, HARRISON, AND FALCON. NONE OPPOSED. MOTION CARRIED.**

No **Committee Reports** given.

### **STAFF REPORT**

1. Arts of the Albemarle inquired about placing a star on the sidewalk outside of the Arts of the Albemarle building. The star would be for Holly Wright, who participated and interacted with the Arts of the Albemarle.

2. The idea of having murals displayed on walls of buildings located within the City of Elizabeth City such as the Coca Cola and Beehive murals has been in discussion. The Historic Preservation Commission proposed to hold a Public Hearing in order to receive input from the community. The City Ordinance would be researched to determine if there's an ordinance on displaying murals within the City of Elizabeth City.

3. The 2017 North Carolina Main Street Conference is being held in Clayton, North Carolina on March 13 through 15, 2018.

### **OLD BUSINESS**

- Tax status of the house located on the corner of Persse Street and Lane Street. The Commission asked Ms. Alcock to investigate and find definitive answers in regards to the tax status of the house for the next meeting.
- Ms. Alcock has been approved to work from home in order to work on the guidelines for the Historic Preservation Commission.

No **New Business** given.

Mr. Adams made a motion to **ADJOURN** the meeting. Mr. Harrison seconded the motion. **ALL IN FAVOR: ADAMS, HARRISON, STALLINGS, JOHNSON, FALCON, AND KOCH. NONE OPPOSED. MOTION CARRIED.**

The Historic Preservation Commission meeting was adjourned at approximately 5:45pm.

Respectfully submitted,

Yvette M. Chamblee  
Secretary to the Historic Preservation Commission