

**CITY OF ELIZABETH CITY
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY
December 10, 2015
4:30 PM**

Chairman Golden called the meeting to order with the following members present: Roy Golden, Gordon Adams, Rick Boyd, Georgene Falcon, Doris Johnson and Marian Stokes. Also present were 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.

Chairman Golden asked for a motion to adopt tonight's agenda. Ms. Stokes made a motion to **ADOPT** the December 10, 2015 Agenda as presented. Ms. Falcon seconded the motion. **ALL IN FAVOR: GOLDEN, ADAMS, BOYD, FALCON, JOHNSON and STOKES. NONE OPPOSED. MOTION PASSED.**

Chairman Golden asked for additions or corrections to the October 2015 minutes. There were none. Chairman Golden asked for a motion to **APPROVE** the November 12, 2015 minutes. Mr. Boyd made a motion to APPROVE the November minutes. Mr. Adams seconded the motion. **ALL IN FAVOR: GOLDEN, ADAMS, BOYD, FALCON, JOHNSON and STOKES. NONE OPPOSED. MOTION PASSED.**

Chairman Golden 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 asked for those applicants and persons wishing to speak to come forward and be sworn in. Tracy Dean came forward and was sworn in by Ms. Harris.

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.

First item on the agenda was Application HP 15-15, filed by Tracy Dean and Erin Harrell [Honey & Hive Boutique] for property located at 510 East Main Street. The applicants are requesting exterior changes to the property to include the painting of wood trim around the windows, the installation of a new awning and the painting of the bricks along the bottom storefront.

Chairman Golden asked for Ms. Alcock's Staff Report. It is as follows.

STAFF REPORT

The case this afternoon is HP 15-15 filed by Tracy Dean and Erin Harrell of Honey & Hive Boutique for property located at 510 E Main Street. The property is listed on the National Register as the Kramer Building, built in 1909 as a commercial rental property and one of the most stylish commercial buildings that survive in Elizabeth City. The six store front first story has replacement storefronts of green marble and closed transoms. Furthermore, the building lies within the Primary Fire District which requires only non-combustible materials be used in construction.

As was summarized in the staff report provided to the Commission, the applicants are seeking a COA to allow for the repainting of the window trim in Sherwin Williams Tricorn Black; recovering the existing awning in a black and white stripe Sunbrella® fabric with a straight edge; and painting the exterior brick below the storefront windows in Sherwin Williams Pure White. Staff will pass around samples of both paint colors, which are a part of Sherwin Williams America's Heritage Collection and the awning fabric. When considering the appropriateness of these changes, Staff referenced two Technical Preservation Services briefs published by the National Park Service as well as the expertise of Reid Thomas with the North Carolina State Historic Preservation Office. Based on the information contained in the briefs, Staff feels the awning replacement and repainting the window trim is appropriate; however, Staff will leave the determination as to the appropriateness of the chosen color up to the opinion of the Commission. Staff further referenced The Secretary of the Interiors Standards for Rehabilitation which expressly state that any historically unpainted brick should not be painted for two primary reasons. The first being the potential to adversely affect the historic character of the structure and the second relates to long term maintenance issues that can arise from moisture getting trapped behind the paint. Mr. Thomas also echoed these concerns in his correspondence with Staff.

If the Commission decides to approve the request in sum or in part, Staff recommends as a condition of the approval that a fire retardant material or coating be used for the awning and that for all exterior work completed, care is taken so as not to damage the historic fabric of the structure.

Chairman Golden asked for the applicant to come forward. Ms. Tracy Dean came forward and was sworn in by Ms. Harris.

Ms. Dean stated that she really didn't have anything to add. She stated that all they were asking for is what Ms. Alcock had stated. She stated that she didn't know if the Commission had any questions.

Chairman Golden stated that she likes their choice. She stated that she likes the black and white awning. She likes the paint choice of black going around the windows and thinks it is appropriate and very attractive. Chairman Golden stated that she thinks it ties in with the marble facade. She stated that she is very concerned that at the last minute the change in the awning selection has come to light. She stated that she does not feel comfortable approving a vinyl awning.

Mr. Boyd stated that some of the Commission did not hear what was going on and asked Chairman Golden to expand on what's going on. Chairman Golden was holding an awning sample brought in by the applicant. She stated that this is the on fire retardant awning. She stated that they do not treat the canvas awning.

Ms. Dean asked what the surrounding buildings are using for their awnings. Is it all fire retardant and what company did they use? Chairman Golden stated that was going to be her question. Ms. Alcock stated in working on the JC Penny building that the City has considered purchasing she had emailed around to numerous manufactures in the area that do the Sunbrella® fabric and was told there are other companies that offer the fire retardant treatment to the canvas. She stated that she will have to go back to her emails from Ernie who the applicant is using but believes he mention this as well. She will have to get further clarification. She told Ms. Dean that she would provide her with other options of other companies. Ms. Dean stated that she had spoken at length with Ernie and he has said he couldn't do the treatment.

Ms. Falcon asked for the reason why Staff did not want to approve the color black for the applicant. Ms. Alcock stated that Ms. Brooks didn't feel comfortable going with such a stark change without Commission input. Ms. Falcon asked if it was because it was not an appropriate color for the age of the building. Ms. Alcock stated she didn't think that was it. It was just her opinion she wanted the input of the whole Commission with the applicant going from the medium brown to something so different.

Chairman Golden stated that she thinks because of the break at the bottom with the brick and the wood trim and the awning that there has to be some amount of continuity. She stated that the brick cannot be painted. She thinks the black complements the awning.

Ms. Falcon asked the applicant if she has seen a full size awning out of the vinyl. She stated that from the sample you couldn't tell if it was shiny or not. Ms. Dean stated no they have not. The whole fire retardant issue came up at the last minute and they were just trying to get options.

Chairman Golden asked if the fire retardant requirement was for all of downtown. Ms. Alcock stated yes per the building inspector. That was something she was made aware of during the application from the old Hurdle Hardware building. Chairman Golden stated that the Commission is to assume that the businesses that applied for the grant through ECDI met the code. Ms. Alcock stated that she could not say one way or the other. Chairman Golden stated that she couldn't either and she approved them for the grant. Ms. Dean stated that Ernie had said he had done a few of the awnings downtown. She stated that she didn't know which ones he has done, but Ernie had stated that he had never done a fire retardant awning and this is the first time he has heard of it. Ms. Dean stated that this is what he [Ernie] had said on the phone. Ms. Johnson stated that she knows for a fact that there is a company in Virginia that does the fire retardant. They don't have as many colors to choose from but it is an option. Ms. Johnson had used this company when renovating a building for her restaurant. She stated that perhaps some of the other businesses were grandfathered in. This company told Ms. Johnson that she was in a fire district and would need the fire retardant. She offered to provide the company's information. Ms. Alcock stated

to Ms. Dean that she doesn't mind working with her to find other companies that carries the Sunbrella® fabric.

Mr. Boyd stated that the Commission really hates to hold up anybody from moving forward with their projects. He stated that the awning the applicant wants is the canvas. He stated that he really likes that one. It is much nicer than the shiny vinyl. Mr. Boyd asked Ms. Alcock if the Commission could give tentative approval that they can acquire a treated canvas in the color they want or have the fire retardant applied to the awning. If they are unable to do this, then they will have to come back with another plan. Ms. Alcock stated that she thinks that will be fine as long as they state in the motion that approval is with conditions. Mr. Adams made comment regarding asking the one who wrote the code if they have an alternative company. Ms. Alcock stated that she can talk with Stanley Ward of the Inspections Department. She stated that when she was getting quotes for the City to have awnings done on the JC Penny building Ernie was the first one that she went to. She stated that she didn't know about the treatment until one of the individual's she had emailed sent her an email back and told her. It has to be applied to the canvas after the fact. Mr. Adams asked if this was for all sizes of canvas/awnings. Ms. Alcock stated it is all aspects of a building downtown; any construction materials, etc. It has to do with the fact that all the buildings are so close downtown.

Ms. Stokes asked about the painting of the bricks. Ms. Alcock stated that it was part of the applicant's request. When she contacted Reid Thomas he had stated that was the one thing he felt strongly about not doing. Not only because of damaging the historic character but he had said you get moisture buildup behind the paint. Paint these days are not designed to be breathable and let the moisture out. He had stated that it would be a nightmare down the road for maintenance. Mr. Boyd stated that the face of the brick will literally fall off.

Mr. Adams stated as far as the white at the bottom of the building, he thinks it looks great. He asked if other material could be considered. He had looked at the Overman and Stevenson building and they have some other type of material put on the outside of the brick. He wasn't sure what it was. He was assuming that there was brick on that building. Chairman Golden stated that she wasn't sure if there was brick behind it or not.

Chairman Golden asked if anyone had questions or comments for the Commission. There were none.

Mr. Boyd made a motion to **APPROVE** HP-15-15 black paint color as presented. If canvas nonflammable material can be found for the awning, the awning is approved in black and white. The painting of the brick is denied. Ms. Stokes seconded the motion. ***ALL IN FAVOR: GOLDEN, ADAMS, BOYD, FALCON, JOHNSON and STOKES. NONE OPPOSED. MOTION PASSED.***

Chairman Golden clarified that the applicant and Planning Staff will find a canvas awning maker that can do a fire retardant application before being installed.

Mr. Wade Nichols was present and introduced himself. He is the new Executive Director for Elizabeth City Downtown.

There are no Standing Committees.

New Business: Ms. Alcock stated that there is a new business moving into the old City Wine Sellar building. Carrie Cakes from Camden will be moving in. They will be doing the Jump Start application.

Old Business: Ms. Stokes asked about the project at the Hurdle Hardware. Ms. Alcock stated that Mr. Springer was in the office about a month ago. The project is moving forward but at a slow pace. He is trying to coordinate with the contractors.

Ms. Johnson asked about the Church Street building and what's going on there. Mr. Boyd stated that he had driven passed it last month and there were people doing something inside the building. A comment was made that what permits that the HPC had granted has now expired.

Tonight was Ms. Stokes last night of serving on the Commission. She has served on the Commission for six years and will be missed. Chairman Golden thanked her for all of her support.

Chairman Golden asked if anyone had questions or comments for the Commission. There were none at this time.

With no further business, meeting was adjourned.

Respectfully submitted,

Dawn Harris, Recorder