

GREENVILLE HISTORIC PRESERVATION COMMISSION MINUTES

September 23, 2008
Greenville, NC

The Greenville Historic Preservation Commission held a meeting on the above date at 7:00 p.m. in the City Council Chambers of City Hall located at 200 West Fifth Street.

COMMISSION MEMBERS PRESENT:

Minnie Anderson	Candace Pearce, Chair	Rick Smiley
Greg Jarrell, Vice-Chair	Dale Sauter	Ryan Webb
Jeremy Jordan	N. Yaprak Savut	

COMMISSION MEMBERS ABSENT:

Dennis Chestnut Franceine Rees

STAFF MEMBERS PRESENT: Sandy Gale Edmundson, Secretary; Jonathan Edwards, Cameraman; Merrill Flood, Director of Community Development; Bill Little, Assistant City Attorney; Carl Rees, Senior Planner; and Tom Wisemiller, Planner

OTHERS PRESENT: Calvin Mercer, City Council Member

ADDITIONS/DELETIONS TO THE AGENDA

Motion was made by Mr. Jeremy Jordan and seconded by Mr. Greg Jarrell to add two agenda items: Public Input Session on Five Points Plaza and the Façade Improvement Grant (FIG) Program Guidelines. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 22, 2008 AND AUGUST 26, 2008

Motion was made by Ms. N. Yaprak Savut and seconded by Mr. Jeremy Jordan to approve the July 22, 2008 minutes and the August 26, 2008 minutes. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Mr. Little shared the Public Comment Period guidelines with the Commission.

1. The Public Comment Period shall not exceed a total of thirty minutes, unless the Commission, by majority vote, extends this limit.
2. Each individual will be allowed no more than three minutes for comments, unless the Commission, by a majority vote, extends this time.

3. An individual wishing to address the Commission during the Public Comment Period shall register with the Secretary of the Commission prior to the opening of the meeting by signing his or her name, address and short description of his or her topic on a sign up sheet provided by the Secretary to the Commission.
4. Any item which is the subject of a public hearing conducted at the same meeting shall not be discussed during the Public Comment Period.
5. If the thirty minutes allocated to the Public Comment Period has not expired after the individuals who have registered have spoken, individuals who have failed to register before the meeting may speak during this comment period and will speak following those who have registered in advance. If time remains, the Chair will ask if any other individuals desire to address the Commission during this comment period. An individual wishing to speak shall raise his or her hand to ask to be recognized by the Chair. After being recognized by the Chair, the individual shall state his or her name, address and the topic to be addressed. If permitted to speak, the individual shall limit his or her comments to the same three minutes limit.
6. The Chair shall act as official timekeeper. When an individual has thirty seconds left in their time to speak, the Chair will state "Thirty Seconds." The individual will need to bring their comments to a close. When time expires, the Chair will announce "Time Up." At that point, the individual must stop talking and return to their seat or leave the meeting room. No additional comments will be permitted or accepted once time has expired.
7. No action will be taken on matters raised during the Public Comment Period. If matters discussed require action by the Commission, the Chair will request staff to review and provide a recommendation at the next meeting.

There was no public comment.

SPECIAL PRESENTATION

Staff research: Do communities require the replacement of historically significant architectural features that have to be removed as a result of natural causes?

Mr. Wisemiller: The issue: An architectural feature of a locally designated historic property must be removed in the interest of public safety. The North Carolina Statute: If the building inspector orders removal/demolition of an architectural feature/building, no Certificate of Appropriateness (COA) is required; otherwise, removal/demolition would fall under purview of the historic preservation/district commission. The Historic Preservation Commission's review is that no exterior portion of a building, including features, shall be demolished on a designated landmark without COA approval. If the

unsafe feature is character defining, local guidelines would encourage it to be retained and preserved, if possible according to the *Secretary of Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*. If the feature is not character defining, removal could be handled with MWCOA.

Mr. Wisemiller: If the unsafe feature cannot be feasibly repaired (retained and preserved), major maintenance project equals removal of the character defining feature is only temporary. The property owner intends to reconstruct the original feature, matching the historic material in composition, size, shape, color, pattern and texture, and reuse as much original material as possible (yet should still be identified as a contemporary re-creation). For some jurisdictions, project would be Minor Works or would require no paperwork; other jurisdictions would require full COA process. Permanent removal of the character defining feature and/or replacement with a new design; the property owner states that not only is repair infeasible, he/she cannot or does not wish to, reconstruct the original feature. If the owner proposes new design that is compatible with the historic character of the building in height, proportion, roof shape, material, texture, scale, detail, and color equals full COA process. If the owner proposes to remove the feature without replacing it (demolition) equals full COA process.

Mr. Wisemiller: An additional question would be: Was the problem due to the fault of the owner (neglect) or not the fault of the owner (natural causes, design flaw)? Some case studies: In New Bern, NC, several porches that had been neglected were damaged by 1999 storms (Floyd). Building inspector ordered demolition; therefore, no COA required. In Gastonia, NC, at least two cases in which property owners had allowed features to deteriorate (dormer, porch columns); board required owners to rebuild these features to match previous appearance. In Salisbury, the commission did not require an owner of an unsafe house that was 60-70% destroyed by fire to rebuild the structure, but that scenario is similar to when the building inspector orders demolition in interests of public safety.

Mr. Wisemiller: Using reconstruction as a treatment is when a contemporary depiction is required to understand and interpret a property's historic value (including the recreation of missing components in a historic district or site) and when sufficient historical documentation exists to ensure an accurate reproduction, reconstruction may be considered as a treatment.

Ms. Pearce asked Mr. Bill Little, Assistant City Attorney, to write for the Design Guidelines infeasibility as a reason for the demolition of the chimney.

COMMITTEE REPORTS

Design Review Committee

The Design Review Committee did not meet.

Selection Committee

The Selection Committee did not meet.

Publicity Committee

The Publicity Committee did not meet.

NEW BUSINESS

Façade Improvement Grant (FIG) Project Area Boundaries

Mr. Wisemiller presented the Façade Improvement Grant (FIG) Project Area Boundaries Map to the Commission of new areas to be eligible for FIG funds as recommended by Commission members.

Motion was made by Mr. Jeremy Jordan and seconded by Mr. Greg Jarrell to approve the proposed map.

Ms. Anderson asked that the community be given an opportunity to be informed and to be given a chance to comment on this proposed expansion of the FIG project area boundaries.

Mr. Jeremy Jordan and Mr. Greg Jarrell withdrew their motion.

Motion was made by Mr. Rick Smiley and seconded by Ms. Minnie Anderson to continue this agenda item until after the public can be informed. Motion carried unanimously.

Update on Façade Improvement Grant (FIG) Program Activity

Mr. Wisemiller gave the following FIG report to the Commission.

Staff has not yet received all of the signed contracts from applicants; we had been waiting to forward all of them together to the City Manager's Office for approval, but so as not to delay those who have completed all steps, we will forward a partial packet this week.

Application 06-12 for 120 West Fifth Street to apply lime stucco per the North Carolina Historic preservation guidelines to the west façade of the building and repair the damage from previous inappropriate cement-based stucco application: the new owners were granted an extension when they purchased the property, but we will have to ascertain whether the new owners still plan to complete the project as originally approved. If not, the funds could be released back into the program budget.

At the urging of the Historic Preservation Commission's Chair, staff is revising the language in the FIG Guidelines to make it clearer that it is a matching grant program, rather than a full reimbursement for all eligible work.

Advertisements for the fall 2008 grant cycle will go out this week with a deadline of October 31. The Design Review Committee will then review the applications in early November.

The City's historic preservation consultant is going to be helping to improve and streamline the internal staff process – reviewing applications for completeness, assisting applicants, filing, database, tracking, etc.; the additional assistance will help us to be on track for the spring 2009 cycle.

Ms. Pearce requested that the Commission review the Façade Improvement Grant applications at the November 25, 2008 meeting.

Update on the Imperial Tobacco Warehouse

Ms. Pearce: According to Mr. Les Everett, Chief Building Inspector, Mr. Steve Biggs (demolition contractor) contacted him and informed him that the owner (Mr. Earl Wilson) has accepted an asbestos abatement bid. Eastern Environmental has been named the abatement contractor. As a result they plan to submit the contract information to the Department of Health and Human Services (DHHS) which will begin the 10 day notice period. Mr. Biggs will contact Mr. Everett with the specific starting date and activity as set forth by DHHS.

Update on Non-compliant Historic Properties

Mr. Wisemiller gave an update on non-compliant properties.

At 2909 Memorial (Oakmont), enforcement is in progress until violation remedied or official appeal is submitted; over \$7,000 in fines; turned over to bill collections for payment.

At 400 South Summit Street, property owner appealed the Commission's decision to approve the revised proposal to install 4 over 1 wood replacement windows to the Board of Adjustment.

At 110 South Harding Street, the deadline to replace the inappropriate door has passed. The applicant has been informed that enforcement measures will proceed.

HPC RESOLUTIONS

Demolition by Neglect Ordinance

Ms. Pearce presented three (3) resolutions to the Commission.

**RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION
OF THE CITY OF GREENVILLE REQUESTING THE CITY COUNCIL
OF THE CITY OF GREENVILLE TO ENACT
AN ANTI-DEMOLITION BY NEGLECT ORDINANCE**

WHEREAS, City Council of the City of Greenville by ordinance #1925, dated 8 December 1988, enacted and established powers and authorities under the new Historic Preservation Commission to act as both a historic district and historic landmarks commission for the City of Greenville;

WHEREAS, the City Council authorized the enactment of an ordinance to prevent the demolition of any designated landmark or any building, structure or site within a designated district due to neglect;

WHEREAS, demolition by neglect permits a property owner or one who has possession, custody and control of property to permit designated landmarks or property within a historic district to suffer such deterioration, potentially beyond the point of repair, as to threaten the structural integrity of the structure or its relevant architectural detail to a degree that the structure and its character may potentially be lost to current and future generations;

WHEREAS, to promote the purposes of historical preservation, property owners should maintain or cause to be maintained the exterior and structural features of their properties and not allow conditions of neglect to occur on such properties; and

WHEREAS, without an anti-demolition by neglect ordinance, property owners are permitted to neglect such properties until demolition is the only remedy.

NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Greenville that it does hereby request the City Council to enact an anti-demolition by neglect ordinance to protect, safeguard and promote the historical preservation of designated historical landmarks and the preservation of any building, structure or site within a designated historical district.

This the _____ day of _____, 2008.

Candace Pearce, Chairperson
Historic Preservation Commission

ATTEST:

Tom Wisemiller, Secretary

Mr. Jarrell expressed concern with the Commission becoming involved with defining neglect for property owners.

Motion was made by Mr. Jeremy Jordan and seconded by Ms. N. Yaprak Savut to send this resolution to City Council. Motion carried with a vote of 7 (Jordan, Savut, Anderson, Pearce, Sauter, Smiley, Webb) to 1 (Jarrell).

**RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION
OF THE CITY OF GREENVILLE REQUESTING
PRESERVATION OF WHITE'S THEATER**

WHEREAS, the Historic Preservation Commission was established to act as both a historic district and historic landmarks commission for the City of Greenville;

WHEREAS, in 1914, Sam White, the owner and proprietor of Sam White Piano Company constructed and opened in 1915 on what is now known as Fifth Street, the first theater in the City of Greenville and operated for many years as White's Theater; and was later operated as the Park Theater until it closed in 1999;

WHEREAS, White's Theater's exterior has been partially restored through the Façade Improvement Grant Program authorized by the City Council of the City of Greenville and administered by the Historic Preservation Commission;

WHEREAS, the partial restoration has removed the metal façade revealing its original brick façade and unusual rounded parapet; and

WHEREAS, White's Theater is the oldest intact theater in the City of Greenville and is of historical significance to the downtown commercial district.

NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Greenville that it does hereby request the City Council to direct Community Development and such other staff departments as be necessary to save White's Theater from demolition so that it will be preserved and an appropriate use made of this historic property.

This the _____ day of _____, 2008.

Candace Pearce, Chairperson
Historic Preservation Commission

ATTEST:

Tom Wisemiller, Secretary

Motion was made by Mr. Greg Jarrell and seconded by Mr. Dale Sauter to send this resolution to City Council. Motion carried unanimously.

**RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION
OF THE CITY OF GREENVILLE REQUESTING
PRESERVATION
OF THE CHERRY HILL CEMETERY**

WHEREAS, the Historic Preservation Commission was established to act as both a historic district and historic landmarks commission for the City of Greenville;

WHEREAS, in 1872, Tilghman R. Cherry deeded to what is now the City of Greenville a six acre tract located near what is now the 200 block of South Pitt Street for the use as a cemetery;

WHEREAS, the tract of land became known as Cherry Hill Cemetery and is the final resting place of many of the prominent business and community leaders and their families responsible for growth of the City of Greenville and whose names and deeds are still recognized throughout the City of Greenville;

WHEREAS, the City Council of the City of Greenville has authorized the construction of multi-family dwellings adjacent to Cherry Hill Cemetery and that such construction will increase vehicle and foot traffic in and near the cemetery;

WHEREAS, the current low wall around the cemetery is not sufficient to deter foot traffic and others living in and near the multi-family dwellings from entering cemetery for inappropriate purposes and potentially damage the graves or markers; and

WHEREAS, Cherry Hill Cemetery is of historical significance to the City of Greenville.

NOW, THEREFORE, BE IT RESOLVED by the Historic Preservation Commission of the City of Greenville that it does hereby request the City Council to direct Public Works, Community Development and such other staff departments as be necessary to protect and preserve Cherry Hill Cemetery as a historically significant property.

This the _____ day of _____, 2008.

Candace Pearce, Chairperson
Historic Preservation Commission

ATTEST:

Tom Wisemiller, Secretary

Motion was made by Mr. Jeremy Jordan and seconded by Ms. N. Yaprak Savut to send this resolution to City Council. Motion carried unanimously.

ANNOUNCEMENTS/OTHER

HPC Planning Workshop

Ms. Pearce: The Historic Preservation Commission will hold a workshop meeting on Friday, October 17, 2008 from 9:00 a.m. until 3:00 p.m. in the Municipal Building's third floor conference room. The agenda includes greetings from City and Elected Officials; an introductory exercise; legal procedures; work plan overview; lunch; break out sessions by committee; and committee reports

Five Points Plaza

Mr. Rees: Mr. Rees: The Sixth Street parking lot at Evans and Fifth Streets is a public gathering space for Uptown Greenville, open air markets and other events. Greenville Utilities will serve the entire parking lot at not additional costs. Uptown Greenville is taking the lead on this project. There will be a public forum from 5:30 p.m. – 7:00 p.m. in the Willis Building to come out and talk about how that particular lot should be used. In October, there will be a focus group to include business owners, potential developers, and environmental folks to understand what the feeling will be about the use of that space. If a determination is made that this is worth pursuing, then a designer will be hired and have them design it and build it.

Facade Improvement Grant Program Guidelines

Mr. Wisemiller: The \$5,000.00 grant amount has been approved by City Council. The language in the FIG program guidelines will reflect that change.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Thomas G. Wisemiller
Planner II