

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD HISTORIC PRESERVATION COMMISSION
7:00 PM, MONDAY, NOVEMBER 24, 2008
WEST END CONFERENCE ROOM
SANFORD MUNICIPAL BUILDING**

Roll Call

Members Present: Matthew Sakurada, Al Roethlisberger, Tim Mercer, Lora Wright, Peter Thompson, Mark West, Charles Taylor, Councilman

Members Absent: Katherine Zyla

Staff Present: David Montgomery, Anne Sears

Citizens: Michael Humphrey, Kate Rumely, Bill Wilson, April Montgomery James Floyd, and Roberta Kraitsik

APPROVAL OF THE PREVIOUS MEETING MINUTES FOR OCTOBER 27, AND THE AGENDA FOR NOVEMBER 24, 2008.

Chairman Matthew Sakurada called the meeting to order, and called the roll.

Chairman Matthew Sakurada asked if there were any additions/deletions to the agenda for the November 24, 2008 meeting. Member Al Roethlisberger, moved to change the order of COAs and that COA#08-76 to be heard last. Chairman Sakurada moved to entertain a motion; Member Lora Wright, moved that the agenda be approved as amended and seconded by Member Al Roethlisberger, and the motion passed unanimously.

Chairman Matt Sakurada, entertained a motion to approve the minutes for October 27, 2008 as amended with the grammatical errors he had already given to staff. Mr. Mike Humphrey guest, asked to speak. Chairman Sakurada opened the floor to Mr. Humphrey. Mr. Humphrey addressed that W.B. Wicker School Landmark proposal on page two (Old Business) the third paragraph, as not having a proper motion requesting a joint public hearing with City Council. Staff David Montgomery, addressed Mr. Humphrey's concern and that the intent of the discussion was to have both boards hold a joint public hearing to review the report at the same time. David also stated that this board has not made a recommendation to City Councilman at this time. Mr. Humphrey also questioned the number of board members present to conduct a meeting noting that Katie Zyla's name was not mentioned in roll call. David noted that Mrs. Zyla had written an official letter of resignation and would not be present at tonight's meeting. Mr. Humphrey questioned why her resignation was not on the agenda. Chairman Sakurada noted that it was on the agenda under new business. Lora Wright, commented that while there was not a proper motion at last month's meeting, there was certainly an understanding that the Commissioners would be meeting with the City Councilman.

Chairman Matt Sakurada, again entertained a motion to approve the minutes for October 27, 2008. Member Peter Thompson, motioned to pass the minutes as amended by with Chairman Matthew Sakurada corrections, and seconded by Member Tim Mercer and the motion carried unanimously.

PUBLIC HEARINGS:

Chairman Matt Sakurada, said that the first case for the public hearing is a recommendation of an ordinance designating W. B. Wicker School, located at 900 South Vance Street, and owned by BCCDC Wicker LLC as a local historic landmark. Chairman Matt Sakurada, welcomed the guests, and had them sworn in to testify for the public hearing.

After it was determined that there was not a conflict of interest, Chairperson Matthew Sakurada opened the public hearing.

Staff David Montgomery brought to every one's attention what documents they had before them: the report submitted by Brick Capital Corporation, comments from the N. C. Department of Cultural Resources State Historical Preservation on the report, and the last document is the ordinance designating W. B. Wicker School as a local Landmark. Staff noted if you so choose, you could recommend to Councilman to approve, deny, amend this local landmark ordinance, or request additional information before a decision is made.

Councilman Charles Taylor had several questions, which he wanted clarification. Councilman Taylor had received a copy of a document from SHPO that was the original ordinance that the City of Sanford had adopted in 1997 establishing the Historic Commission. The ordinance stated that no property shall be a designated a landmark, until the following steps have been taken. As a guide for identification and revaluation of landmark, the commission shall at the earliest possible time and consistent with the resources to undertake an inventory of properties of historic, architectural, historic in culture significant within the city of Sanford. Councilman Taylor asked if this has been done. Staff David Montgomery noted yes that the entire county had been surveyed by Daniel Pezzonni in the early nineties before his book was written. Subsequently, the City has had 4 national register district nominations, where those properties were reexamined and resurveyed.

Councilman Taylor's issue was not with the W. B. Wicker School. Councilman Taylor encouraged everyone to visit the site, and that it was a beautiful project. Councilman Taylor said that his concern was with the procedure that was used. Councilman Taylor said that an application was drafted, but never approved in the minutes. He said he was worried about the path down the road by not having the policy in place.

Councilman Taylor also had another question, about how the commission called to be made an investigation report on the historical, architectural, pre-historical, education, or cultural significance, of each building structure site area, for objects proposed for designation. Such report shall be forwarded to the division of archives in history, N. C. Department of Cultural Resources. Councilman Taylor was assured by Chairman Matthew Sakurada it was done at a previous meeting. Councilman Taylor wanted to make sure all the steps & bases were covered. It only takes one scenario to set a precedent.

Staff David Montgomery, wanted to make one correction, noting that the ordinance Councilman Taylor was referring to had been repealed when the UDO took its place. The UDO, however, said basically the same thing.

Councilman Taylor wanted to know if the application he had given to Kate Rumely for guidance for her report was adopted by the board. Staff answered it was not. Councilman Taylor suggested that you need to adopt a policy going forward now.

Member Peter Thompson said that there were still some issues to be ironed out, including some debate on the fee structure - whether it would be a straight fee or based on a percentage. Councilman Taylor,

commented again, that he was worried that if an existing policy is not in place, that every home that is 50 years or older will come in. Everyone will be overwhelmed with paperwork.

Member Al Roethlisberger said that he had done some quick research on the Internet and he had looked at several applications and their fees in comparison; some cities did not even enforce a fee. Member Al Roethlisberger noted that he had also spoken to preservation staff in Asheville. Asheville has 45 local landmarks to date, and has been doing this about 30 years. They get 4 to 5 requests a year and 1 or 2 are approved. They have a lot of experience of what it takes to process these landmark applications. Each case stands on its own merit. Theirs is evaluated on two tracks, architectural and local social history.

Member Al Roethlisberger explained that we have had only one requested before in the past and it was 10 years ago. So we don't have a process. The W.B. Wicker School is a historic building, and Al believes in general, has been well rehabbed. But if someone tried to apply what we would require in a local district, they might point out it has vinyl windows, and some of the interior is new. Does it matter? Asheville's staff responded it would depend.

Member Al Roethlisberger said for example, if you would look at a building from an architectural standpoint, should all buildings that receive landmark status remain as they originally existed and, therefore, the bar is set extremely high. Let's say the windows are one of the key architectural features and then they are gone will the structure no longer qualify. Perhaps a structure that has been well rehabbed may not align with all of the Department of Interiors Standards of Rehabilitations, but has a very significant local social impact. Then the City of Asheville also has a process for that when they discuss that, and that bar is set a little lower. They had several examples per Member Roethlisberger. One of the examples was a house in Asheville built by a local architect that worked at Biltmore. He built the house, not very remarkable, and it had been rehabbed, and some of the key features were missing, but he had a very important impact to the city of Asheville. Another example, was a building in downtown in Asheville that had been built in the 1920s, a remarkable building from the exterior, but sometime in the 1950s had been converted into a TV studio. The interior had been entirely gutted, retained none of its architectural features in the interior and staff initially thought that it would fail through the application process. Then someone pointed out that the local TV station had a very important historic impact to Asheville; that was enough to carry it through. Another example she provided was a Queen Anne house that had been landmarked early on in their program; while it was a nice house and in very good shape, it probably would not be landmarked today. It also was already in a local district, so it was already being protected, so it didn't need that protection, which is one of the reasons people employ landmark status. The owner of the building may feel perfectly justified in thinking the building should be qualified, but it may not pass the mustard.

Councilman Member Charles Taylor commented that what he understood from Raleigh's application is that the policy was in place before submitting a report. It was like the policy wasn't in place, but we are acting on it anyway.

Member Al Roethlisberger also had looked at other applications - some were longer, but were very similar. Councilman Charles Taylor also asked the question to Kate Rumely whether she is on any sort of time restraint as far as the tax advantage for next year. She answered yes.

Chairman Matt Sakurada, said we wanted the Guidelines Committee to develop it, but they were still working on the guidelines. Member Al Roethlisberger, said to be fair to the Guidelines Committee, they were very busy with the guidelines, and told us up front they were practically burned out. Member Al Roethlisberger thinks that we can debate what the priority here is, and he thinks the board bears some responsibility and Member Lora Wright agreed.

Chairman Matt Sakurada shared his thoughts that when you look at the requirements, there is nothing about a policy or an application form. Councilman Charles Taylor commented that you have to have a stake in the ground to start with, that his biggest concern is what we use to determine landmark status. Chairman Sakurada said we proceed with every request that gets submitted on an individual basis; that anybody could request and submit a report. Councilman Charles Taylor noted that there was no set standard, and he was trying to address the issue so everyone can move forward.

Member Lora Wright noted that the W.B. Wicker report was very thorough and clear. Member Lora Wright also asked if they could go ahead and approve the sample application as it was drafted. Can the board make a motion to approve this draft application and use it as a standard, and let's move forward. It was noted that the W.B. Wicker report has already been made. Member Tim Mercer asked a question, if we were to have a policy, what would that policy consist of – 1) an application, and 2) submitting the report to the SHPO, and 3) a vote from the board recommending approval, denial, or amending, to City Council. Guest Mr. Humphrey addressed the Commission and responded that the Commission doesn't have the frame-work for the next person that requests landmark status.

A question from guest Bill Wilson arose and he asked if those that signed up get ample time at the stand as this gentleman. Chairman Matt Sakurada, answered yes, and asked Mr. Humphrey to sit down. Mr. Humphrey spoke up and said that he thought that he had a right to speak to the issue at hand. Chairman Matt Sakurada noted that he was going to first ask people to speak who were in support and then those that were against it to speak just like they always do. Chairman Matt Sakurada told Mr. Humphrey he could speak then. Mr. Humphrey said he thought that he had a right to speak to the issue again. Chairman Matt Sakurada said he heard him, and he would let him speak when he was addressed. Mr. Humphrey's wanted it noted in the record that he was not given an opportunity to speak on the point. After this Mr. Humphrey left.

Member Peter Thompson asked staff what staff told Mrs. Rumely when she filled out the draft application. Staff commented that he told her that the Commission was still working on the details of the draft, but these are the kind of the guidelines you want to follow when you submit your report.

Mrs. Kate Rumely asked to speak. Chairman Sakurada opened the floor to Mrs. Rumely. She requested that you recommend to the City Council that the Wicker building be designated with local landmark status. Mrs. Rumely said she provided a report in good faith. Mrs. Rumely commented that it was not just the architectural integrity of the building, but the social history and culture that happened in the history of the school. Mrs. Rumely also noted what was currently going on in that school on a day to day basis. She then thanked the board for their consideration on this matter.

Mr. Bill Wilson of 1502 Woodland Avenue then spoke. He stated that he stood before us in support of Wicker School being designated as a local landmark. He noted that the project had taken over 6 years to turn a run down facility into a facility that is very valuable to the community, both culturally and socially significant. He also spoke of the architecture of the building and that it was a very unique building; he suggested that everyone visit the site. He believed that each of these projects stands on its own. He asked that the Commission consider the improvements made to the building, what it has meant to this community, and asked them to base their decision based on that. Mr. Wilson also encouraged other people to submit requests for local landmark designation. Before closing, Mr. Wilson asked that the board make a recommendation to approve it, and send it forward to City Councilman. No one else spoke either for or against.

The Public Hearing was closed by Chairman Matt Sakurada.

Chairman Matt Sakurada asked the Commission if there was any further discussion. Member Al Roethlisberger, told the Commission to look at the draft application and asked if there is anything missing that should be added.

Peter Thompson commented that he thought that the fees associated with the draft application were the biggest issue that needed to be resolved. Al expressed his concern that although he did not necessarily want to impose a fee for a Landmark Application, we might want to recognize that it will take more work for staff to process in the upcoming years. Councilman Charles Taylor noted that the biggest complaint is a lack of established procedure. He gave praise to Brick Capital for filling out the application as thoroughly as they did. His question, however, is each application willing to supply that amount of detail in the future.

The Commission wanted to ask a question of April Montgomery, guest, who was in the audience. Chairman Matt Sakurada opened the public hearing back up

Mrs. April Montgomery, who as consultant for Circa Inc. administers some of the historic preservation program for the city of Raleigh, spoke. She said that the City of Raleigh does have a fee of approximately \$250.00 which was instituted in January of 2008. The City, however, has the opportunity to waive that, particularly for church groups or non-profit organizations. Member Al Roethlisberger asked Mrs. Montgomery what was her reaction for charging a fee for the city of Raleigh. She commented that the city of Raleigh has five historical districts and 137 landmarks, and it got where they couldn't manage the program without something to offset the costs. Fees were assessed more to fund the process than it was to gate the number of applicants. She also noted that some of the fees from other communities may sound odd, but what the communities were trying to do is factor in their costs of advertising in the paper, and it also covers the staff cost and notification.

Councilman Charles Taylor asked how many potential properties qualified under our 50 year rule. Staff David said there could be hundreds, but that anybody could have requested landmark designation in the past as well. Staff commented that there is some degree of subjectivity with landmark status, and each project stands alone. David also pointed out that is why the decision is made by City Council and not by a quasi judicial board. For landmark status the HPC is just a recommending body, just like the Planning Commission is for rezoning requests.

Member Roethlisberger had another question for Mrs. Montgomery. He wanted to know in her professional opinion if anything was missing from the application. She noted that every preservation program in a community where it is just starting has issues. The Commission may feel like the program has been going on for a very long time, but in reality you really are still in the beginning phase of developing a preservation program; other communities have been doing it a lot longer. She also noted that there are properties that just rise to the top, where there context isn't irrelevant, but it is understood. Wicker School would be such an example. The context for Rosenwald Schools in the state is well-established; the idea that a community this size has a school that is this large is substantial. The fact that it was constructed in brick is really rare and unique for Rosenwald schools. And one of the most important features in a Rosenwald School is the size of the windows; it irritated Julius Rosenwald when he looked at African American Schools in the south, the kids in school had no windows. That is why many Rosenwald Schools have huge window panes; Mr. Rosenwald insisted on it. If you drive anywhere in the southeast and you see buildings with windows that are almost a story tall it may help you identify it as a Rosenwald School.

Mrs. Montgomery also commented that the building tells a story, the fact that it is still exists and is still so significant in the community, and is individually listed on the National Register, the debate about whether or not it is eligible is clearly understood. She gave examples of other buildings like the Railroad House,

the Temple Theater, and Old City Hall. She said there is going to be a handful of those in the beginning that you can just push through.

Mrs. Montgomery said when you get into residential structures how are you going to decide what is significant and what is not; the context will be different. Her thoughts were that buildings that make Sanford what it is, are understood. When you get applications for individual houses, whose house is going to get to be a Local Landmark and whose is not. In the end she felt the W.B. Wicker School context is well established, nothing lacking from the application that she saw.

Chairman Matt Sakurada closed the public hearing again.

So, Member Al Roethlisberger said with those comments in mind, he wants to approve the draft application, but Matt said we are not approving the application, but making a recommendation on this ordinance. Member Al Roethlisberger said he didn't think he would agree with that. We should have a process first.

Member Al Roethlisberger asked if we approved an application tonight could we not change the application at some point in the future. Chairman Sakurada Matt said he did not see anything in here that we need to have a policy that defines a specific process. People can submit what they want to submit. Chairman Sakurada Matt commented that he was willing to take up the discussion and approval of an application later in the meeting but after the subject at hand.

David commented that the UDO is clear; the UDO says the HPC shall make an investigation and report on the historical, architectural, educational, or cultural significant to each building structure site area or object proposed for designation references. David also said if you believe in taking the guidance of the draft application we were working on with what Brick Capital submitted, it should qualify as an investigation or report. Therefore, in his opinion you don't need an application, but if you feel better about it, you should.

David also recommended after you make your recommendation for the ordinance to City Council, the Commission could state that within 3 months that it will discuss and approve an application at our retreat, and then submit it to City Councilman at their retreat, so they can look at, and see if there are any issues, such as fees or whatever else they want to change. Nothing is wrong with what the Commission did, or Brick Capital did. Councilman Charles Taylor spoke up and said that there was nothing wrong with what Brick Capital did. They have set a very high benchmark for everybody else to reach, the problem is having something to work off in the future. Councilman Charles Taylor asked if by chance tomorrow, the Commission received a lot of applications, is the Commission prepared to take them up under the existing policy that is in place now. The consensus was yes. Staff noted the Commission is just making a recommendation to city Councilman. You have investigated Brick Capital's report and you are just making a recommendation that they adopt, deny, or amend the ordinance. Member Roethlisberger used an example, if someone approached us tomorrow, such as the Temple Theatre, are we going to provide them this draft to work from. The consensus of the group was yes. Everyone seemed confident that the W.B. Wicker School qualified as a local landmark. Member Tim Mercer, noted in the future if it is subjective, and we are making a recommendation on a project, and we need more information, then we can simply request more information.

Chairman Sakurada wanted a motion. Member Lora Wright made a motion that the Commission has investigated the report for the W.B. Wicker School and the Commission accepts this ordinance as it is and recommends its approval to City Council for adoption. The motion was seconded by Peter Thompson. Chairman Sakurada Matt asked if there were any further questions and with no further comments, the motion was carried unanimously.

It was noted in the record that Mayor Cornelia Olive had arrived at this time.

Staff David Montgomery asked the board if they wanted to have a joint public hearing or not with City Council. Chairman Matt Sakurada, said he wanted to get everything cleared up.

Mrs. Rumely asked to speak. Chairman Sakurada opened the floor to Mrs. Rumely. Mrs. Rumely spoke that at the previous meeting that Mr. Humphrey was speaking about, it appears to me that you came to a consensus on an issue - that this happens at public meetings, especially when people are trying to be civil. Mrs. Rumely appreciated having everyone there tonight, and all the work the Commission is doing.

Member Al, Roethlisberger noted that Mrs. Rumely had a good point, and not to jump at the whim of one citizen, but that the Commission represents the opinions of a number of residents. With that in mind, the act has been done, and it cannot be undone; moving forward it may do less harm to have another joint public hearing since this is somewhat a contentious issue for some citizens.

Staff asked everyone again if they would like to do to have a joint public hearing. Chairman Matt Sakurada wanted to have joint public hearing, and not have issue come back up. David suggested that one of the Commissioners make a motion to reflect a request for a joint public hearing with City Council to consider the ordinance.

Councilman Taylor asked what impact this would have time wise. With the public notice requirements of a public hearing, staff noted it would be Dec. 18, 2008 before the next available City Council meeting. Mayor Olive spoke up and asked about City Council's options. David said certainly Council could request more information from the applicant. Lora Wright did want to put on record that Mr. Humphrey would have been allowed to speak, but he was asked to speak in turn in due time, which he did not agree to.

Member Roethlisberger, put the question on the table whether we should ask for a joint public hearing or should City Council hold a public hearing on its own. Al suggested requesting a joint public hearing on the ordinance at the next available City Councilman meeting. Tim Mercer made it an official motion and it was second by Member Peter Thompson, and the motion carried unanimously.

Member Al Roethlisberger then made a motion to add to new business on the agenda a discussion for approving the Historic Landmark application. The motion was seconded by Tim Mercer and the motion carried unanimously.

Review of Application for Certificate of Appropriateness COA #08-77

After it was determined that there was not a conflict of interest, Chairperson Matthew Sakurada opened the public hearing.

David Montgomery, Staff, summarized the COA#08-07 staff report. He found that height, setback and placement, materials, and general form were factors in this case.

Applicant Mr. James Floyd came forward and presented his case, and answered questions from the board. Mr. Floyd's intent was to add approximately 96 sq. ft to the existing deck. The materials are to match the existing deck materials and the deck height will match the existing height. Mr. Floyd also noted that the bottom would be enclosed by wood lattice.

The Public hearing portion was closed by Matthew Sakurada, Chairperson.

Finding of Fact:

Member, Al Roethlisberger moved that the Historic Preservation Commission find as fact that the proposed project COA#08-77 at 519 Summit Dr. if constructed according to the plans reviewed, is congruous with the character of the district, and guidelines for the reason that the height, setback and placement, materials, and general form and proportions, are generally in harmony with the criteria design guidelines, the special character of the neighboring properties, and the historic district as a whole. Peter Thompson, member seconded the motion, and it passed unanimously.

DECISION:

Based on the preceding finding of fact, Member, Al Roethlisberger moved that the Historic Preservation Commission grant a Certificate of Appropriateness as shown in the application COA#08-77 to James Floyd at 519 Summit Dr. with the condition that any necessary building permits for the deck addition be attained from the City of Sanford/Lee County Building Inspections Department. Member Peter Thompson seconded, and the motion passed unanimously.

Chairman Matt Sakurada noted that the COA #08-77 has been approved and in a few days you will receive your Certificate of Appropriateness.

Review of Application for Certificate of Appropriateness COA -08-78

After it was determined that there was not a conflict of interest, Chairperson Matthew Sakurada opened the public hearing.

David Montgomery, Staff, summarized the COA-08-78- staff report. He found that height, setback and placement, materials, architectural detailing, general form and appurtenant features and fixtures were factors in this case. It was noted that since this was staff's project, no comments or recommendations would be forthcoming due to a conflict of interest.

Mrs. April Montgomery came forward and presented her case to the board members. Last summer a deck application was submitted to the Commission and was approved; however, there was a change in plans. The plan now is to put in a deck that is roughly 12 x 16. She commented because of the size of the house, they will be using 6x6 ft. posts to get more in scale with a house. They were also requesting a pergola behind the sun porch addition. The pergola will be constructed with pressure treated pine or cedar. The diagram shows a patio, because eventually there will be a patio underneath, but they are not requesting approval of that at this time.

Chairman Matt Sakurada, asked if anyone else wanted to speak for or against the application.

The Public hearing portion was closed by Matthew Sakurada, Chairperson.

Finding of Fact:

Member, Peter Thompson moved that the Historic Preservation Commission find as fact that the proposed project COA#08-78 at 119 N Gulf Street if constructed according to the plans reviewed, is congruous with the character of the district, and guidelines for the reason that the height, setback and placement, materials, architectural detailing, general form and appurtenant features and fixtures, are generally in harmony with the criteria design guidelines, the special character of the neighboring properties, and the historic district as a whole. Member, Tim Mercer seconded the motion, and it passed unanimously.

DECISION:

Based on the preceding finding of fact, Member Peter Thompson moved that the Historic Preservation Commission grant a Certificate of Appropriateness as shown in the application

COA#08-78 to April and David Montgomery at 119 N Gulf Street with the condition that any necessary building permits for the deck addition and pergola be attained from the City of Sanford/Lee County Building Inspections Department. Member Tim Mercer seconded, and the motion passed unanimously.

Chairman Matt Sakurada noted that the COA #08-78 had been approved and in a few days you will get your Certificate of Appropriateness.

Review of Application for Certificate of Appropriateness COA#08-76

A motion was made by Tim Mercer, and seconded by Peter Thompson to recuse Al Roethlisberger, from his case due to a conflict of interest. After it was determined that there was not another conflict of interest, Chairman Matthew Sakurada opened the public hearing.

David Montgomery, Staff, summarized the COA#08-76 staff report. He found that height, setback and placement, materials, and appurtenant features and fixtures were factors in this case.

Mr. Al Roethlisberger came forward and presented his case with drawings and photographs. Al had concerns with the property behind and that it had been troublesome for quite some time, so at this point he wished to install a fence. Mr. Roethlisberger tried to address staff's concerns about the proposed metal posts stating that he wanted posts that would not rot and because the fence would be tight against the property line, the posts placed on the outside of the fence would actually not be seen from the road, hidden by the house behind him. Chairman Sakurada expressed concerns about the metal posts and that not only was against the intent of the guidelines, but that metal fencing does not look good. He also did not recall ever approving new metal fencing in the past.

Chairman Matt Sakurada closed the public hearing.

Tim Mercer noted that metal fencing had been around for a long time. Member Lora Wright asked about the possibility of using wrought iron, but that the costs may be impractical. Mr. Roethlisberger wanted to address the Commission again.

Chairman Matthew Sakurada reopened the public hearing.

Mr. Roethlisberger was concerned by the anguish of the board on the issue; he said it is OK to say no, that his feelings would not be hurt by their decision. Roberta Kraitsik spoke up and said she did not have a problem with the galvanized posts; in fact, the roots of the trees around the fence may be better served with smaller metal posts than large wood posts.

Chairman Matt Sakurada closed the public hearing.

Member Mark West suggested that the applicant could box in the metal posts with wood so that it appeared to be wood posts. Member Tim Mercer agreed that this may be a suitable alternative.

Chairman Matthew Sakurada reopened the public hearing.

Chairman Matthew Sakurada asked Mr. Roethlisberger if he would be willing to amend his application so that if he chose to use metal posts he would be required to box them in the wood so that the metal posts could not be seen. Mr. Roethlisberger agreed to amend his application to reflect that.

The Public hearing portion was closed by Matthew Sakurada, Chairman.

Finding of Fact:

Member, Mark West moved that the Historic Preservation Commission find as fact that the proposed project COA#08-76 at 318 Summit Drive if constructed according to the plans reviewed and amended if the applicant chooses to use metal posts he would be required to box them in the wood so that the metal posts cannot be seen, is congruous with the character of the district, and guidelines for the reason that the height, setback and placement, materials, and appurtenant features and fixtures, are generally in harmony with the criteria design guidelines, the special character of the neighboring properties, and the historic district as a whole. Member, Peter Thompson seconded the motion, and it passed unanimously.

DECISION:

Based on the preceding finding of fact, Member Lora Wright moved that the Historic Preservation Commission grant a Certificate of Appropriateness as shown in the application COA#08-76 and as amended to Al & Denise Roethlisberger at 318 Summit Drive with the condition that if the applicant chooses to use metal support posts for the fence that they be required to box them in wood so that the metal posts cannot be seen. Member Peter Thompson seconded, and the motion passed unanimously.

Chairman Matt Sakurada noted that the COA #08-76 had been approved and in a few days you will get your Certificate of Appropriateness.

Chairman Matt Sakurada requested due to the long nature of the meeting to move up the Public Comment Period before Old Business. Member Peter Thompson moved to move up the Public Comment Period before Old Business; the motion was seconded by Member Lora Wright and the motion carried unanimously. Mayor Cornelia Olive was sworn in.

PUBLIC COMMENT :

Mayor Olive expressed her concern about some of the conditions of the houses on Hawkins Avenue. While she recognized that some individuals had made some huge efforts, particularly around the library, she said that some houses were in poor condition. She says that there are some noteworthy houses further north, but that the National Register District did not stretch that far. Member Tim Mercer mentioned that he and former member Laura Younger discussed revisiting local district designation for Hawkins Avenue at their National Night Out. It was suggested that getting more people involved from the Hawkins Avenue and Jonesboro area would be beneficial to the historic preservation program. Staff David Montgomery noted that the white house next to Ken' Laughinghouse's house was going to be sold at the courthouse steps in December.

Chairman Matt Sakurada closed the public comment period and requested a recess for a bathroom break.

OLD BUSINESS:

Ad Hoc Committees Updates:

Guidelines Committee: David Montgomery will continue to follow up with the progress of the guidelines committee. Councilman Taylor requested that something be available at the next HPC meeting.

Marketing / Committee:

Member Al Roethlisberger shared with the Commission the initial design of the entry signs to the historic districts. A budget has been allocated, but delivery of the signs should be a top priority by the end of the fiscal year. Nevertheless, he wants to reach out to the community in several ways to get feedback. He

noted that the initial design was based off wood pillars with brick bases that could be found on Third and Charlotte Avenue and a sample sign that the Town of Apex uses. A fixed plaque could then be attached to the brick base. A picture was included in the packet for board members. Chairman Matt Sakurada asked about the scale of the sign. Another concern was the brackets holding the signs might look too contemporary. The direction they are proposing is going for the middle picture of the design that was passed around to members. Staff David Montgomery suggested installing signs in the three residential districts first with the budget of \$20,000.00. Member Al Roethlisberger said it may more suitable to just have a plaque in Depot Park since there were so many entryways into Downtown. Chairman Matt Sakurada had a concern about the costs, but Member Peter Thompson said that he thought that brick and labor could be donated. Member Al Roethlisberger wanted feedback particularly on the sign – that it may be too generic. He asked for ideas from board members. Member Lora Wright wanted to keep it simple and clean. Councilman Charles Taylor said that font size will be important. Chairman Matt Sakurada asked if you had any advice or ideas to pass them on to member Al Roethlisberger. A newsletter is scheduled to go out in January per David. Member Peter Thompson asked that the HPC meeting schedule be placed in the newsletter.

Safety and Security Committees:

Chairman Matt Sakurada shared that he was looking for a new leader for the Neighborhood Watch Program. Councilman Charles Taylor asked what direction they were looking at for cleaning up Green Street. Chairman Matt Sakurada noted that he is looking for private investors to help improve the houses between Gulf and Horner. It was mentioned that the City of Greensboro was doing a similar program to bring neighborhoods back to life. Member Lora Wright brought it to Councilman Charles Taylor's attention of possibly bringing the Department of Social Services into the homes which are above occupancy. One house in particular on Green Street was brought to everyone's attention has having a large number of people living in it. Chairman Matt Sakurada hopes to find people that want to invest. Staff David Montgomery commented that once these homes are renovated, that if they could get a police officer to live in the area, at a reduced rental rate it might be very helpful. Mayor Cornelia Olive commented that we could contact the Housing Authority to help with upgrades. April Montgomery is helping with the ideas and funding, and Kurt Bradley name was mentioned by Councilman Charles Taylor as a possible investor. Chairman Matt Sakurada said the discussion will continue at the retreat.

STAFF UPDATE:

Staff updated the Commission on the status of 305 Cross St. Both he and Code Enforcement Carl Anglin had spoken to the owner. She is having a real hardship at this time and her work is down to four days a week. The owner has resided there for over 30 years. The owner has been encouraged to paint the front side of the house facing the street first, and give an outline of her plans by January. She would be given until April, 2008 to show improvements. Mayor Olive commented that this is the type of person who needs help, and she wanted to know what colors, etc. she would need.

NEW BUSINESS:

Councilman Charles Taylor noted that the brick house on the corner of Chisholm and Steele across from the Episcopal Church was fighting a severe traffic issue - there have been nine accidents recently. He said he was working on getting a stop sign possibly placed there. Staff noted that David Nestor, the owner of the house, was putting in for a historic tax credit; this could be a tremendous asset since he was a realtor and may be able to have the realty community be a real advocate for historic preservation if this worked out in his favor.

Staff, David Montgomery, shared with the members that he had received a resignation letter from Katie Zyla due to her deployment to Iraq. A motion to accept her resignation was made by Member Al Roethlisberger, and seconded by Member Lora Wright and the motion carried unanimously. Any interested parties are to contact the City Clerk Bonnie White for an application. There will be a time

frame of 60 to 90 days to fill this position. The next monthly scheduled HP meeting is December 22, 2008 at 7:00 in the West End Conference Room.

Chairman Matt Sakurada then asked the Commission what were there wishes regarding finalizing the Local Historic Landmark Designation application. Chairman Matt Sakurada preferred for a committee to look at it. Councilman Charles Taylor wanted to go ahead and get it straight. Member Al Roethlisberger said that he preferred to resolve any issues tonight; however, if something came up at a later date they could always amend it. Member Lora Wright noted that when she asked Mrs. April Montgomery's opinion of the application earlier in the meeting, Mrs. Montgomery stated that she thought the application was adequate. Staff noted that there seemed to be two outstanding issues, 1) the fee structure, and 2) the original requirement that a consultant would be necessary to draft the application. David noted that the second issue had been somewhat resolved when the Commission changed the language to "it is advisable that you obtain the services of professional consultant since the research for the application can be quite extensive." The first issue seemed more perplexing as there did not seem to be a consensus among the HPC or City Council. Member Al Roethlisberger commented that the original intent of half the cost of yearly taxes was to gate the number of applicants and offset some of the lost revenue for at least a year. It was then noted that Raleigh charged \$250.00 to primarily cover the costs of the public hearing notices. Chairman Matt Sakurada asked for a consensus on the fee. It was noted that the fee should be \$250.00, non-refundable, but that the City Council could waive it at their digression. He also noted that the fee would have to be approved by City Council before it could be assessed. Member Al Roethlisberger then made a motion to approve the application with the changes noted above: 1) a non-refundable \$250.00 application fee that the City Council could waive at their digression, and 2) that is only advisable that applicants obtain the services of professional consultant since the research for the application can be quite extensive. The motion was seconded by Member Lora Wright and the motion carried unanimously. Staff David Montgomery said he would talk to Mrs. Rumely to see if the landmark status was approved for the W.B. Wicker School, whether Brick Capital would be willing to pay the \$250.00 fee.

David shared with the board that he will no longer be the staff person for the Historic Commission. Liz Whitmore, a Planner II with the city will take on this position effective immediately; Liz has a Landscape Architect background and owns a historic home in Southern Pines. David will assist her for several months but by February or March she will be taking over the duties in their entirety. The HPC Retreat date will be set for January 12. Chairman Matt Sakurada asked that they E-mail David any items they would like to discuss at the retreat. Member Lora Wright, asked that at the retreat they be kept on task. Councilman Charles Taylor also wanted to know if there could be a facilitator at the retreat, and David answered he would check that out.

ADJOURNMENT:

With no further business to come before the Commission, Chair Sakurada entertained a motion to adjourn. Commission Member Al Roethlisberger moved, and seconded by Member Tim Mercer and the motion passed unanimously.

Adopted this _____ day of _____

BY: _____

Matthew Sakurada
Chairperson

ATTEST:

David Montgomery, Planner