

MINUTES

Wake County Historic Preservation Commission
Tuesday, December 12, 2017 – 3:30 PM Room 2800 – Wake County Justice Center
301 S. McDowell Street, Raleigh, North Carolina

Members Present (10): Mr. Ed Morris (Chair), Mr. Jeff Hastings (Vice-Chair), Ms. Stephanie Ashworth, Mr. Dan Turner, Ms. Carrie Ehrfurth, Mr. Ray Hinnant, Mr. Wes Tripp, Mr. Charles Blunt, Ms. Camille Morrissey, Ms. Michelle Muir

Members Absent (2): Mr. Jack Harman, Mr. Marshall Harvey

Staff (2): Mr. Gary Roth and Mr. Jeremy Bradham, Capital Area Preservation, Inc. (CAP)

1. Call to Order / Roll Call:

Mr. Morris called the meeting to order at 3:30 pm.

2. Approval of December 12, 2017 Agenda

Hearing no objection, the agenda was approved as submitted.

3. Approval of November 14, 2017 Retreat and Meeting Minutes

Hearing no objection, the minutes were approved as submitted.

4. Public Hearing to Consider CA-07-17

Applicant: Town of Morrisville
Landmark: Morrisville Christian Church
Location: 222 Church Street, Morrisville
Jurisdiction: Town of Morrisville

The applicant is requesting changes to the parking area in the front of the landmark property.

Mr. Morris began by summarizing the public hearing procedures.

<http://www.wakegov.com/commissioners/Pages/meetingprocedures.aspx>

Mr. Morris swore in Mr. Roth, Mr. Bradham, Mr. Kent Jackson, Mr. Brad West, Mr. John Reynolds, and Ms. Alyssa Reynolds to speak on the application. Mr. Bradham presented a PowerPoint summarizing the application. Following the presentation, staff recommended approval of the application. Mr. Morris asked if there were any questions for staff.

QUERY: Ms. Ehrfurth asked if a tree, visible in the aerial photos, but not shown in the drawing of the proposed plan would remain. Mr. Bradham stated that he believes the tree will remain; it is just covered by the drawing overlay.

QUERY: Ms. Muir asked about plantings not shown on the site plan. Mr. Bradham stated that the application did not include any proposed plantings. The representative from the Town of Morrisville will have to speak about the plantings.

Mr. Morris asked if there were any comments by the applicant.

Mr. Jackson, Engineering Director for the Town of Morrisville, thanked the commission for hearing the application. To the specific tree in question, the town does not plan to remove any vegetation within the landmark boundary. Without the boundary survey in front of him, it is difficult to determine if the tree is on this property or the neighboring property. If the commission needs to condition this, they can do so. The town's design and construction project extends beyond the landmark boundary onto two adjacent parcels also owned by the town, and the scope and mission is to create 35 to 40 additional surface parking spaces for the public. The town also desires to increase the green space and pedestrian network on the landmark property and worked with the designer to accomplish that. The town worked within the guidelines of the town's UDO for this project, and it will be pursuing approvals through the town process as well. Anticipated construction is projected late spring or early summer of 2018.

Mr. Morris asked if there was anyone else to speak in favor of the application. There was none.

Mr. Morris asked if there was anyone to speak against the application.

Ms. Alyssa Reynolds stated that they live in the neighboring property at 218 Church Street and are opposing the application. The proposed changes to the parking area, specifically removing pavement and planting grass, would block their ingress and egress driveway into their property. The land for the church was originally part of the land associated with their house, known as the Weston-Edwards House. The land was donated by the family to the church for construction of the Morrisville Christian Church around 1872. There was an established easement of sorts between the church and the owners of the house at 218 Church Street over the years. The driveway, which was originally semi-circular, had an entrance/exit into the Morrisville Christian Church parking lot, and the proposed changes would cut off that access.

Ms. Reynolds used the following Wake County Design Guidelines to state her case:

2.4.2 - Maintain and protect historic walkways, driveways, and parking areas through appropriate methods.

Ms. Reynolds claimed that the right-of-way easement is historic. Furthermore, according to the introduction to the section in the Wake County Design Guidelines, it states "Where appropriate, selecting permeable surfaces for new parking areas instead of asphalt or concrete is a more sustainable treatment that will minimize water runoff issues and lessen their environmental impact." Ms. Reynolds stated that the new parking area should be gravel, as it was historically.

2.4.5 - "If a walkway or driveway is completely missing, replace it with a new feature based on accurate documentation of the original design or a new design compatible in location, configuration, dimension, scale, materials, and color with the historic building site, streets, and district."

Ms. Reynolds stated that the original church had a sidewalk that ran in front of the church and toward Church Street. She passed around a historic image of the church and modern aerials. She stated that the proposed design does not fit within the guidelines.

QUERY: Ms. Muir asked if the Reynolds have access to their property aside from the access point connected to Morrisville Christian Church. Ms. Reynolds stated that they have been using the first parking space in the church parking lot, but there is an additional second driveway on the south side of the house that they also use. They desire to expand their house into that other driveway, which was added in recent years.

QUERY: Ms. Ehrfurth asked if there is any specific easement in writing that confirms this use of the church parking lot. Ms. Reynolds stated that the 2012 housing document states that their property has a shared driveway with the church, but there is no official or legal recorded document. Ms. Reynolds stated that consideration for the drive has been grandfathered in over the years.

QUERY: Ms. Muir asked if the driveway is within the right-of-way. Ms. Reynolds stated that the driveway is in front of the white picket fence currently on the property. Ms. Muir stated that perhaps her question was a bit more technical. Ms. Reynolds asserted that the driveway is gravel beneath the grass, which matched the gravel driveway in the church parking lot many years ago.

N.B. Mr. Reynolds clarified the tree question posed at the beginning of the discussion, stating that the tree is, in fact, on their property and not within the landmark boundary.

Mr. Morris asked if the applicant would like to offer a rebuttal.

Mr. Jackson stated that the town does not refute any information that the Reynolds have provided and has met with them on this issue. The town attorney turned up nothing in a real estate search concerning any easements and access rights. It is quite possible that, at some point in history, someone from the town gave verbal permission to have accessibility between the church parking lot and the house next door. It is quite possible that the absence of a parking stop is the town's formal recognition of that agreement. Going forward, the town is willing to work with the Reynolds to remedy this situation, but that is between the two parties and doesn't concern this commission.

QUERY: Ms. Muir asked for clarification about exploring the locations of driveways on both the landmark property and the neighboring property. She asked if the street frontage would prohibit another driveway exit on their property. Mr. Jackson stated that it would be a DOT question, as it is a DOT road.

QUERY: Mr. Blunt asked about the town council's position on this issue. Mr. Jackson stated that the proposed plan has not yet been presented to the Town Council. Mr. Blunt asked for clarification on the rezoning of the lot, making sure that the rezoning involved the other town-owned parcels surrounding the landmark and not the landmark property itself. Mr. Blunt further asked if there are any other construction projects planned in the future on this property. Mr. Jackson stated that there is nothing planned except for a DOT sidewalk project in the next three to five years which will extend sidewalk on that side of Church Street.

Mr. Morris asked if there were any comments or questions. Hearing none, Mr. Morris closed the public hearing and opened the floor for discussion among the WCHPC. He reminded the commission that they should only make a decision based on the Wake

County Design Guidelines. Mr. Roth stated that ultimate approval of the project lies with the Morrisville Town Council, and it is important that any decision today is based solely on the design guidelines. Furthermore, Mr. Roth noted that the three options are to approve, approve with conditions, or to deny the application, to which Mr. Morris added a fourth, defer.

With no further remarks, Ms. Muir offered the following motion:

"I move that the WCHPC find as a fact that the revisions to the parking area of the Morrisville Christian Church is in accordance with the following *Wake County Guidelines for Setting & Site Features*:

2.4.1. Retain and preserve walkways, driveways, and parking areas that are significant in defining the overall historic character of a landmark building, structure, or site, including their width, configuration, scale, materials, curbing, and related plantings in appropriate ways.

2.4.6. Introduce new walkways, driveways, or parking areas, if necessary, which are compatible with the overall historic character of the landmark and site. Consider location, scale, materials, and configuration when determining compatibility. Retain the general site topography and any significant landscape or site features. It is not appropriate to diminish or substantially alter the overall historic character of the landmark site through the introduction of new walkways, driveways, or parking areas or through the introduction of inappropriate materials.

2.4.6. Locate new parking areas unobtrusively in locations that do not diminish or intrude upon character-defining elevations of the landmark or important site features. Incorporate existing mature vegetation, if possible, and introduce additional perimeter landscaping or screening to lessen the impact of new parking areas. Subdivide large parking areas with planting strips. It is not appropriate to radically reduce the overall ratio of green space to paved area on a landmark site.

FINDINGS OF FACT:

- 1) The current parking area is not historic and therefore not significant to the character of the landmark**
- 2) The new five and six-foot pedestrian walkways will match existing walkways within the landmark boundary**
- 3) The ratio of green space to pavement is being increased**
- 4) The three new parking spaces do not diminish or intrude upon character-defining elevations of the landmark."**

Mr. Turner seconded. Mr. Morris asked if there was any discussion concerning this motion. In discussion, Ms. Muir stated that she wishes there could be something done to tie the historic nature of the egress off the landmark boundary, but it is not significantly documented and not enough to influence approval of the COA application before this commission. Mr. Turner reiterated that this is between the town and the Reynolds and

therefore cannot influence this commission's decision concerning the COA. **With no further discussion, the motion passed unanimously.**

Ms. Muir offered the following motion: "Based on the preceding findings of fact, I move that the Commission grant a Certificate of Appropriateness for the revisions to the parking area of the Morrisville Christian Church." Mr. Hinnant seconded. With no further discussion, the motion passed unanimously.

5. Public Hearing to Consider the Upchurch-Williams House, Apex as an Apex Historic Landmark

- a. Order of Hearing
- b. Presentation by Staff: Mr. Bradham presented a PowerPoint reviewing the architectural and historical significance of the Upchurch-Williams House
- c. Comments by Department of Cultural Resources are on file with these minutes
- d. Comments by Interested Parties: None

WCHPC Discussion/Action: Ms. Ashworth recused herself because she is Secretary of CAP, the current owner of the property. **Upon a motion by Mr. Tripp, seconded by Mr. Turner, the Wake County Historic Preservation Commission voted UNANIMOUSLY, with Ms. Ashworth not voting, to recommend designation of the Upchurch-Williams House, Apex, as an Apex County Historic Landmark to the Apex Town Council.**

6. Committee Reports

- a. Outreach Committee: None.
- b. Designation Committee: Mr. Turner stated that Mr. Roth will be meeting with the Zebulon Board of Commissioners on January 8 to further pursue the landmark designation of the Wakelon School in Zebulon. The meeting with the town's Board of Commissioners has been pushed back from December to January. The committee is exploring NR properties and other properties of note in Zebulon to consider designation as historic landmarks. Staff will be in contact with property owners if the landmarking of the Wakelon School is postponed. The landmark report for the Percy J. Olive House in Apex has begun and should be brought before this commission in the coming months.

7. Staff Report

- a. Zebulon BOC, January 8, 2018: Mr. Roth stated that the meeting that was planned with the Zebulon Board of Commissioners at their December 4 meeting has been pushed back to January 8. Before the next commission meeting, the committee will know if the town plans to landmark the Wakelon School, postpone this action until further notice, or not landmark the building at all.
- b. Landmark Report Update: The landmark report for the Percy J. Olive House in Apex is currently underway and should be completed in the next few months.
- c. Zebulon Survey Update: Wake County and SHPO have to have a signed contract, and SHPO is waiting on the county to sign the contracts before preparing an RFP for consultants on the next phase of the Wake County Survey Update.
- d. Annual CLG Report: Staff is currently working on the CLG report that will be submitted to SHPO next week. Mr. Roth encouraged commission members to keep an eye out for training opportunities, as two commission members and one staff are required to attend training to maintain CLG status.

N.B. Mr. Morris stated that Ms. Michelle Michael, preservation planner for the Town of Wake Forest, is planning a training opportunity. This will provide a chance to attend CLG training locally and have some input on potential training topics.

e. Cemetery Statues Follow-Up: Mr. Roth reminded the commission about Ms. Ellen Turco's talk at the annual retreat in November concerning African-American cemeteries. A lot of issues concerning development around cemeteries were discussed. Mr. Keith Lankford with Wake County Planning manages the grave removal and reinternment process for the county and will be at the next commission meeting in January to discuss the applicable State statutes and what these statutes authorize.

N.B. Mr. Morris noted that the Friendship Chapel Baptist Church Cemetery, one of the two discussed by Ms. Turco last month, was recently designated as a Wake Forest historic landmark.

f. WCHPC Appointments/Reappointments: The WCBOC will be voting on appointments/reappointments to the WCHPC on January 2, 2018. There are a total of six up for reappointment, with three commission members desiring to stay on the commission and three commission members not seeking reappointment. Mr. Hinnant, Mr. Hastings, and Ms. Morrissey should make sure that they contact Ms. Yvonne Gilyard in the WCBOC office and express their desire to remain on the WCHPC.

8. Old Business: The WCHPC Strategic Plan 2017-2027 was sent out last week with the updated graphics. It serves as a useful tool and handbook for preservation across Wake County.

N.B. Mr. Hinnant noted that Wendell should be added to the narrative at the top of Page 7.

Upon a motion by Mr. Turner, seconded by Mr. Hinnant, the Wake County Historic Preservation Commission voted UNANIMOUSLY to approve the WCHPC Strategic Plan 2017-2027.

9. New Business: Ms. Muir and Mr. Trip both stated that it has been a pleasure serving on this commission and they regret not being able to return due to their schedules. Mr. Turner thanked them for their invaluable service to the commission.

10. Other Business: Ms. Ashworth stated that she has been appointed to the General Commission on Archives and History of the North Carolina Conference of the United Methodist Church and will be attending the Southeastern Jurisdictional Conference in Williamsburg, VA, July, 2018.

11. Chair's Report: Mr. Morris stated that a small building, known as the Swet Cottage, in downtown Wake Forest near the museum is owned by the Wake Forest Baptist Church and was recently cited by Ms. Michelle Michael for demolition by neglect. The building, overgrown and neglected for many years, is believed to have been a slave cabin associated with Dr. Calvin Jones and dates to the early nineteenth century. Wake Forest University has serious interest in the building and wants to move it to the museum and have it restored. Mr. Morris thanked everyone for a successful meeting and wished the commission members a Merry Christmas.

12. Adjourned: Hearing no objection, the meeting was adjourned at 4:44 pm.

Respectfully Submitted,

Jeremy Bradham
Secretary