

Historic District Commission

March 28, 2019

Minutes

Chairman William Blackwelder called the meeting of the Historic District Commission to order at 6:00 p.m. on Thursday, March 28, 2019 at City Hall in the Council Chamber.

Present: Commissioners Clark Simon, Andi Eddlemon, William Blackwelder (Chair), Ed Starr, Dick Ruhlman, Jerry Tucker and Carol Hauer

Absent: None

Staff present: Charles Graham, Assistant City Attorney; Kim Wallis, Planner; Chrystal Howard, Secretary; Justin Gaff, Housing Code Enforcement Administrator/Chief Code Enforcement Officer; and Jana McMakin, Senior Planner

ITEM 1a. Roll Call / Sound Check

Chairman Blackwelder opened the meeting and declared a quorum.

ITEM 1b. Adoption of the Agenda

Commissioner Tucker made the motion to adopt the March 28, 2019 Agenda. Commissioner Starr seconded the motion and the motion unanimously passed (7-0).

ITEM 1c. Approval of Minutes

Chairman Blackwelder made the motion to approve the February 28, 2019 minutes. Commissioner Eddlemon seconded the motion and the motion unanimously passed (7-0).

Chairman Blackwelder stated because of the quasi-judicial format of the hearings, persons wishing to speak and offer evidence are required by North Carolina law to be sworn in or affirmed, and asked all speakers to come forward to be sworn in or affirmed. Speakers were sworn in by Ms. Chrystal Howard.

ITEM 2. Public Hearing – Certificate of Appropriateness (File # 9186) Continued

- City of Gastonia
- 514 S. South Street
- Demolish structure based on findings as they apply to the minimum housing code

Chairman Blackwelder opened the public hearing recognizing Ms. Kim Wallis, Planner for the purpose of staff presentation.

Commissioner Tucker addressed Chairman Blackwelder and requested recusal from this item. An affiliate company of the entity that holds a lien on the subject property employs him, and that may have a perceived conflict of interest. Chairman Blackwelder recused Commissioner Tucker from the meeting and he will return to the dais for the next matter.

Ms. Wallis stated the applicant's name, subject location, and the Certificate of Appropriateness (COA) request. This request has been continued from the February 28, 2019 Historic District Commission meeting. At this meeting, the Historic District Commission requested that the applicant present a decision on renovating or selling the property, a plan on addressing abatement issues, and an estimated timeframe for the interior and exterior work for further review. Ms. Wallis acknowledged Mr. Lester Shockley as present to address the commission.

Chairman Blackwelder recognized Mr. Lester Shockley, 514 S. South Street of Gastonia, NC. Mr. Shockley stated it is his intention to renovate the house and bring it up to code in all areas, exterior and interior. Mr. Shockley summarized the EnviroSafe Environmental Services' asbestos assessment and stated this work was complete on Tuesday, March 26, 2019. He briefed the commission on the CertaPro Painters quote regarding the removal of lead paint, as well as the estimate from A+ Lawn Care & Landscaping, Inc. to grade the backyard for parking.

Commissioner Starr inquired about the asbestos abatement areas addressed. Mr. Shockley replied that the entire house was assessed. The downstairs' furnace was replaced probably in the 1990s and the upstairs unit was considered newer. One run from the furnace to the dining room had asbestos tape on the joints and EnviroSafe Environmental Services removed the entire run.

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Chairman Blackwelder inquired about the asbestos certificate and Mr. Shockley replied that it was on file with the company. Mr. Shockley distributed pictures of the suggested finished appearance of the home. Brief discussed occurred on the brick foundation and brick veneer.

Commissioner Starr asked if the landscaping quote was addressing the swimming pool. Mr. Shockley replied that it was not addressed in the quote and that he needs to have a follow-up conversation.

Commissioner Starr asked if he had a timeframe for the completion of the work described and Mr. Shockley replied that he asked the contractor to complete the outside work first before beginning interior work. He explained that the interior and exterior debris will be removed. Mr. Shockley commented that after the removal of asbestos and lead paint, the exterior and interior could be completed as early as eight to nine months. Chairman Blackwelder was interested in a firm timeline.

Commissioner Starr asked if the security of the property and welfare of the neighbors were addressed with the contractor. Mr. Shockley replied that all the windows need replacing before painting but after the priming. The front door will be replaced along with the windows. The backside door was not discussed with the contractor.

Clarification on items to be painted occurred as explained in the quote. The quote provided was for the removal and primer of the exterior that can occur prior to the installation of the windows.

Chairman Blackwelder received guidance from Attorney Graham on the procedure of a continued item.

Brief clarification on suggested motions occurred amongst the commissioners and Attorney Graham.

Commissioner Ruhlman stated he was excited to see progress and Commissioner Starr agreed with him. Because of the applicant's history and the concern for the neighbors, Commission Starr suggested delaying six months and included meeting interval checkmarks to make sure the work is moving forward.

Brief discussion ensued on the judgment order, timeframe for rough end inspections, suggested benchmarks, and code enforcement process.

Commissioner Hauer was concerned that six months may not provide enough time since everything is contingent on contractors, as well as the public hearing process timeframe. She suggested nine months. Commissioner Eddlemon commented on the progress within the past thirty days illustrating a commitment and in six months major movement on the exterior should occur. She thought this timeframe was fair to the neighbors.

Commissioner Starr explained that if delayed six months with certain benchmarks, the commission does not have the authority to extend further. After that timeframe, it would be strictly code enforcement's decision.

Commissioner Hauer asked if opportunity of someone else purchasing the property would be eliminated and Attorney Graham replied that the applicant owns the property and explained his options including the option to sell. The code enforcement order remains.

Commissioner Ruhlman stated the benchmarks would be set by code enforcement, so the commission does not need to determine the details.

Brief discussion continued on suggested motions and how it would relate with code enforcement.

Commissioner Starr commented that he did not want to see another structure be demolished and he would like to see this saved to everyone's satisfaction.

Commissioner Simon agreed with Commissioner Hauer that six months was not realistic and suggested nine months as the appropriate amount of time for the rough end work to be complete.

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Commissioner Hauer made the motion to delay for nine months and Commissioner Simon seconded the motion. The motion was unanimously approved (7-0).

ITEM 3. Public Hearing – Certificate of Appropriateness (File # 9200)

- Brent Ratchford
- 407 S. York Street
- Installation of new sign in front yard

Chairman Blackwelder opened the public hearing recognizing Ms. Kim Wallis, Planner for the purpose of staff presentation.

Ms. Wallis stated the applicant's name, subject location, and the Certificate of Appropriateness (COA) request. She provided the property description and findings as presented in the agenda. Ms. Wallis displayed the property location map and front view photo of the house. She continued with stating key elements of the design. Ms. Wallis displayed a photo identifying the location of the sign, as well as, a design of the sign. She finished her presentation with excerpts from the Design Guidelines as presented in the agenda.

Commissioner Eddlemon asked if the sign met the requirement for size limitations and Ms. Wallis answered that it does meet the requirement and is under 20 square feet.

Commissioner Starr asked if the sign was two sided and Ms. Wallis referred this question to the applicant.

Mr. Brent Ratchford came forward and was sworn in by Ms. Howard.

Chairman Blackwelder recognized Mr. Brent Ratchford, 407 W. York Street of Gastonia, NC. Mr. Ratchford answered that the sign will be two sided and built perpendicular to the house.

Brief discussion ensued on recently approved Historic District Subcommittee items related to the house.

Chairman Blackwelder inquired about the tree in the front yard and Mr. Ratchford replied that in a prior COA both trees were approved to be removed. At this time, only one tree was removed.

Mr. Ratchford commented that if this request is approved, installation of sign will occur within days.

Chairman Blackwelder made a motion to approve the request as presented and Commissioner Eddlemon seconded the motion. The motion was unanimously approved (7-0).

ITEM 4. Other Business

HDC Recommendation on Conditional Use Permit for 1200 S. York Road for Veterinary Clinic:

Ms. Wallis stated the subject property is located in the local Brookwood Historic District, built around 1900, zoned commercial, and is surrounded by other commercial and residential uses. The structure is considered Contributing to the district. On March 22, 2019, the Historic District subcommittee approved the applicant's request for a Certificate of Appropriateness for the following:

- Install decorative glass block to replace the wood panel sheet on the back of the building and to replace paneling currently adjacent to the back door,
- Replace the store front windows in the same style (Pella vinyl, block frame with mull groove, no grille, low-e energy double pane glass),
- Add 2 additional windows the same style as the current side window along each long face of the building in the existing openings (Pella vinyl, block frame with mull groove, no grille),
- Install black gooseneck exterior lighting on the front, side and back of the building to improve safety. Three in front and three in back and five on road side,
- Install 4 ¼ foot brick and iron fence enclosing the small grass lot in the back of the building,
- Install 4' tall double iron gate.

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Ms. Wallis continued that the applicant, Kristen Levine, submitted her Conditional Use Permit (CUP) materials for the Planning Commission in order to open a veterinary clinic at this location. The Historic District Commission should review this information and include a recommendation on the CUP. Staff will forward the recommendation to the Gastonia Planning Commission for their consideration.

Commissioner Tucker asked if there will be overnight boarding of animals and Ms. Wallis referred the commissioners to the proposed condition number one in their packet.

Chairman Blackwelder asked about fencing in the yard and Ms. Wallis replied that the subcommittee approved a fence enclosure in the back of the building.

Commissioner Hauer inquired about a drawing of the future appearance of the building and Ms. Wallis did not have the subcommittee documents available.

Ms. Jana McMakin, Senior Planner stated there would not be overnight boarding.

Commissioner Tucker was concerned about the business being on a busy street and asked if the rear yard would be the drop off point. Ms. Levine replied that this is not her initial plan and her hope is to have interior double doors installed resulting in a double entrance.

Commissioner Simon stated the subcommittee discussed the option of extending some form of fence on two panels out from the building and parallel with the road as a secondary buffer.

Commissioner Tucker commented that a veterinary clinic would be a welcomed addition to the neighborhood.

Ms. Wallis reiterated staff would forward the recommendation to the Gastonia Planning Commission for their consideration.

Ms. McMakin commented that if the commission moves forward with a favorable recommendation, staff will include conditions to go along with the recommendation. On the last page of the packet, staff prepared five proposed zoning conditions. She read the proposed conditions and briefed the commission on a shared parking agreement between the applicant and the property owner at 1202 S. York Road. She stated this item will be presented as a public hearing item at the April 4, 2019 Gastonia Planning Commission meeting. Notification of the public hearing was mailed to adjacent properties and all speakers will need to be sworn in at this meeting.

Commissioner Tucker made a recommendation that the plan and conditions presented be approved and Chairman Blackwelder seconded the motion. The motion was unanimously approved (7-0).

Subcommittee Meeting Tonight, if Needed:

Ms. Wallis stated that a subcommittee meeting was needed. Commissioners Simon, Eddlemon, and Blackwelder will participate.

ITEM 5. Adjournment

There being no other business, Chairman Blackwelder adjourned the meeting at 7:08 p.m.

Respectfully submitted:

Chrystal Howard, Secretary

William Blackwelder, Chairman