



Meeting Minutes for February 8, 2022

The Burlington Historic Preservation Commission met virtually via ZOOM on Tuesday, February 8, 2022, at 7:00 PM. All staff and applicants presenting at this meeting were sworn to tell the truth to the best of their ability. The meeting may be viewed online via YouTube's Playlist, "Historic Preservation Commission Meetings:"

https://www.youtube.com/playlist?list=PLX2Do5DiQXize1mDyBLhHd_eJ4ov89fPU

Members Present:

James Euliss, Chair
Brian Pennington, Vice Chair
Russ Vandermass-Peeler
Josh Adkins
Wendy Geiss
Lori Bryan
Kristina Meinking

Members Absent:

None

Guest Presenters:

Richard Grubb & Associates, Ellen Turnco

Staff Present:

Jamie Lawson, Principal Planner
Conrad Olmedo, Planning Manager
Beverly Smith, Senior Administrative Assistant

I. Call Meeting to Order

Mr. Euliss, Chair, called the meeting to order at 7:03 PM and confirmed all members were present.

II. Approval of Previous Minutes – January 11, 2022, Historic Preservation Commission

Mr. Adkins, Member, made a motion to approve the minutes from the January 11, 2022, Historic Preservation Commission Meeting.

Ms. Geiss, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Geiss, Pennington, Vandermass-Peeler, Adkins, Bryan, Meinking)

Mr. Euliss, Chair, called for approval of the January 28, 2022, Historic Preservation Commission Subcommittee Special Meeting.

Ms. Bryan, Member, made a motion to approve the minutes.

Mr. Adkins, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Geiss, Pennington, Vandermass-Peeler, Adkins, Bryan, Meinking)

III. Applications for Major Certificates of Appropriateness

ITEM 1: HD-22-01 A request by Rachel Blunk for a 12'x18' rear screened porch at 2416 Glencoe Street, PID 140612. The property is located in the Medium Density Residential (MDR) and in the Local Historic Overlay (LHO) District.

Mr. Euliss, Chair, called for Conflicts of Interest and none were received.

Ms. Lawson, Principal Planner, was sworn to tell the truth to best of her ability, and provided a staff report of this item to the Commission and stated that staff recommends approval of the request.

Ms. Blunk, applicant, was sworn to tell the truth to the best of her ability. She described the project plans of a 12' x 18' screened in porch at the rear of the side-gable addition of the house. She reported the porch will be wood frame and painted to match the existing structure, with no changes to the windows, a hipped roof, and an unpainted galvalume metal roof. She reviewed the site plan of the proposed project plans. She reported Preservation North Carolina has approved this request.

Mr. Euliss, Chair, called for public comments.

Public Comments:

Ms. Lawson, Principal Planner, reported no written or emailed public comments have been received. She called for comments from those in attendance and none were given.

Ms. Yvonne Whitley, Public Comment with no address provided, inquired if a new application would be required should the applicant have plans for future additions to the porch.

Ms. Blunk, Applicant, responded at this time there are no plans to add to the proposed project, however, if a future plan is decided, a new application would be submitted.

There were no questions of the Commission.

Findings of Fact:

Mr. Euliss, Chair, read the following Findings of Fact into the record:

- B5-1. The location of a terrace or patio should complement the character of the site and the historic structure.
- B5-2. A terrace or patio should be designed so that it can be built or removed without damage to the historic structure or adjoining properties.

- B5-3. Appropriate paving materials are stone, brick, or tile. The choice of materials should complement the adjoining historic structure.
- B5-4. Historic landscape features such as major trees should be retained and protected when a terrace or patio is constructed.
- B5-5. The removal of historic building materials to allow for the construction of a terrace or patio is not allowed in most cases.
- C1-3. Architectural components and details that are not appropriate to the historic character of the structure should not be added. The owner should never try to make a building look older than it is by using details belonging to a previous period.
- C8-3. The pattern, arrangements, and dimensions of doors and windows on the principal elevations should be retained, unless restoring the appearance of the structure to its original design. On other facades, where not easily visible from the street, new openings should be proportionately the same as existing openings with matching elements. Window and door openings should not be enlarged or reduced to fit stock windows or doors.
- C9-2. Storm windows and doors should blend with the building rather than appear to be tacked on. The shape and general appearance should match the existing window or door as closely as possible. Storm doors should have full view glass with no meeting rails or muntins. Storm windows should have a meeting rail which aligns with the meeting rail of the window to which it is applied.
- C9-3. Raw metal storm window and door frames are not appropriate. The frames should be painted wood or painted or baked enamel finish aluminum.
- C9-4. When possible, interior storm windows are encouraged.
- C11-1. If built as part of the original structure, a porch and all of its features (decks, steps, handrails, balustrades, columns, brackets, spandrels, roofs) should remain in their original state. Porches and steps should not be stripped of any original material or architectural features. If a porch is a later addition, but has become an important part of the building, then the porch and all of its features should be retained.
- C11-2. New materials used to repair porches should match the design and dimensions of the original materials as closely as possible.
- C11-5. No porch should be enclosed if the historic character of the structure would be destroyed; for example, front porches should not be enclosed to create interior spaces. Whenever possible, existing infill should be removed to restore the original appearance.
- C11-8. Porches may be screened if the framing is recessed and the screening is placed behind columns or balustrades. Screening should be designed so that it can be removed without damage to the historic structure.
- C12-1. The placement of color should be appropriate to the architectural style of the structure.

Mr. Euliss, Chair, asked if there was any discussion or changes to the Findings of Fact. None were received.

Mr. Pennington, Vice-Chair, made a motion to approve the Findings of Fact.

Ms. Meinking, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Motion:

Ms. Geiss, Member, made a motion to approve the application.

Mr. Vandermass-Peeler, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Geiss, Pennington, Vandermass-Peeler, Adkins, Bryan, Meinking)

IV. New Business

a: Update for the District Design Standards

Ms. Lawson, Principal Planner, reported a consultant has been selected to prepare an update to the Local Historic District Design Standards, contract is under review, and standards are expected to be completed in mid-2022.

Ms. Meinking, Member, inquired about the chosen consultant.

Ms. Lawson, Principal Planner, responded Walker Team was selected.

V. Other Business

a: Local Historic District Amendment

Ms. Lawson, Principal Planner, reported the city received a request to amend the Local Historic District (LHO) boundaries, and removal of the following four properties: 1004, 1010, 1016 and 1022 West Davis Street.

Ms. Lawson, Principal Planner, stated this request is a legislative matter to which the Historic Preservation Commission will provide a recommendation, which will move forward to the Planning & Zoning Commission, and ultimately to the City Council. She reported in accordance with the Unified Development Ordinance, Section 3.19.E, an investigation and report was prepared by Richard Grubb & Associates describing the significance of the buildings, structures, features, sites and surroundings, as well as a description of the LHO boundaries will be given by Ms. Ellen Turnco.

Ms. Lawson, Principal Planner, informed the Commission this report was forwarded from the Historic Preservation Commission to the North Carolina Department of Cultural Resources for

their review and 30-day recommendation in accordance with the Unified Development Ordinance, Section 3.19.E.2.c. She stated property owners within 300 feet of the subject properties have been notified. She reported at the January 11, 2022, Historic Preservation Meeting, the members appointed a subcommittee to prepare a draft cover letter/addendum to the consultant's report which has been included to in your packet. She noted this draft will be presented by the subcommittee for adoption during this meeting.

Ms. Lawson, Principal Planner, reported the city has received 81 written comments at this time which have been forwarded to the HPC, applicants, and all written comments will be included in the records. She reiterated this request is a legislative matter to which the Historic Preservation Commission will provide a recommendation, which will move forward to the Planning & Zoning Commission, and ultimately to the City Council will decide.

Ms. Ellen Turnco, Consultant of Richard Grubb & Associates, presented the investigation and report describing the purpose of the report, significance of the buildings, structures, features, sites, and surroundings, as well as a description of the Local Historic District boundaries. She provided a brief history of the properties excluded in the LHO boundaries around the edges and the time they were removed. She shared images of the location of the properties requesting to be removed and summarized the National Registry of Historic Places (NHRP) determination criteria.

Ms. Turnco, Consultant, weighed in on the questions presented to Richard Grubb & Associates from the City and highlighted the following:

How would the removal of the properties affect and impact the neighborhood/district?

- Removal of these specific properties would erode the district's historical identity as the home of Burlington's most prominent industrialists (NRP Criteria A and B). Removal of the properties would be less impactful on NRHP Criterion C.
- The subject properties are both contiguous to one another and located on a city block situated at the edge of the district. Unlike the removal of individual parcels from the middle of an overlay district, removal of these edge parcels would not leave "holes" at the district's center.

What precedents would removal of these properties create for future request for removal from the district?

- Removing the subject four properties from the LHO district may be a catalyst for future requests for removal.

What could occur on the subject properties if they are removed from the district, such as demolition and new development?

- LHO zoning is the best means for managing change within historic areas identified by the community as essential to its character. Such zoning maintains continuity in a property's protection through changes in property ownership and tenancy. While the applicant's care and maintenance of the subject properties has been stellar, there is no guarantee

that future owners of tenants will not substantially remodel or demolish the properties should they be removed from the LHO district.

What the financial/other impact could be on the subject properties if they are no removed from the district?

- The maintenance and repair of historic buildings can be more expensive than new construction. The costs of repairing or replacing products such as slate roofs or true divided light windows can add up. The costs of historic materials are illustrated in homeowner insurance policies because insurance companies total up the cost of replacing historic structures instead of simply replacing a recently constructed structure. The costs of maintaining a historic property can be compounded by the cost of hiring specialists along with the hidden costs of the COA process.

How does the Comprehensive Plan address the removal of the subject properties?

- Recommendation 1: Encourage the preservation and continued use of the historic buildings, districts, landmarks, and landscapes through local protection.
- Recommendation 2: Support the historic rehabilitation efforts of private property owners.

In conclusion, Ms. Turnco summarized the following recommendations:

- Continued education for the HPC, City staff, and property owners
- Streamline City processes and improve the Design Standards
- Promote economic incentives for property owners (local grants, individual landmark designation, rehab tax credits, easements, and other creative ideas)
- The district should remain as is, and that the request be denied.

The full report can be found within the February 8, 2022 Meeting Agenda Packet on the City of Burlington website at the following link: <https://www.burlingtonnc.gov/2178/Historic-Preservation-Meeting-Agendas>.

Mr. Euliss, Chair, called for any questions from Commission members for the consultant.

Mr. Pennington, Vice-Chair, inquired how the removal of these properties will affect the district in terms of variety, density, and architectural styles and asked for clarification on 1022 West Davis Street, to that point.

Ms. Turnco, Consultant, responded the historic district would be eroded with the removal of these properties, association with the Gant family is lost, but with 150 more properties, this area can continue to be a cohesive historic district.

Ms. Lawson, Principal Planner, recommended taking comments or questions for the consultant from the applicants.

Mr. Euliss, Chair, concurred.

Ms. Emily Robinson and Mr. Patrick Robinson, Applicants for 1004 West Davis Street, expressed appreciation for the work on the report, how it adequately summarizing concerns shared, and objective and interesting with the history provided with the formation of the National Registry. She inquired about the removal of 508 West Davis Street at the owner's request in 1998 and asked if a cascading event of other requests of removal following that request was made and approved by City Council.

Ms. Turnco, Consultant, responded there did not appear to be additional requests until now.

Ms. Robinson, Applicant, commented on concerns amongst the community about the negative impact on property values if their application for the LHO amendment is approved. She stated they have read letters from neighbors and members of the public that express concern about that and inquired if the research in this report points to that happening.

Ms. Turnco, Consultant, responded there are some sources cited in the report about how local and national registry designation can elevate property values over time but don't have anything specifically in the report about how removal of the properties would decrease the property values.

Ms. Robinson, Applicant, commented on the report citing the benefits in terms of property values remaining within the district and stated that seemed to be implied to the applicants and that it should be considered that leaving it within the district boundaries could possibly elevate their property values.

Ms. Turnco, Consultant, responded the report says the historic district, as a whole, supports stable property values.

Mr. Allen Gant, Applicant for 1022 West Davis Street, stated he had no questions for the consultant at this time.

Ms. Lawson, Principal Planner, called for questions or comments from the public in attendance for the consultant.

Public Comments for Consultant:

Ms. Molly Whitlatch, Public Comment for 912 West Davis Street, Burlington, inquired about the removal of the church located at 508 West Davis Street and if that request for removal was without cause, could others be removed without any cause or reasoning setting a precedence.

Ms. Turnco, Consultant, responded the removal of the church property was a request of the property owner and the records researched didn't reflect the reasoning.

Ms. Whitlatch, Public Comment, inquired if other properties request to be removed without cause with the precedence set, would additional properties being removed weaken the districts value.

Ms. Turnco, Consultant, addressed the issues of spot zoning and explained how the benefits of the district would be altered if that were the case.

Ms. Whitlatch, Public Comment, inquired about the comments on the potential impact if these properties were removed and manor of which that block could be developed once no longer in the historic district.

Ms. Turnco, Consultant, responded those properties could be developed based on underlying zoning requirements at that time.

Ms. Helen Walton, Public Comment with no address given, asked to address the removal of the Presbyterian Church. She stated she was the Chair of the Commission at that time and informed the Commission that the Presbyterian Church requested removal based on the logic that they were not fifty years old at the time and the national registry guidelines stated properties within the district should be fifty years or older. She explained the Catholic church across the street was not in the district either and because the building was newer, it was approved locally and by the state.

Mr. Ian Baltutis, Public Comment for 702 W. Davis Street, Burlington, inquired about national trends of historic districts and inquired if they were shrinking or communities desiring to protect and preserve historic properties.

Mr. Turnco, Consultant, responded there is a lot of interest across the state of having local historic districts, currently over one hundred in the state of North Carolina, and many municipalities with a concentration of historic buildings, if identified as importance to that community, is something that is pursued.

There were no further questions for the consultant.

Mr. Euliss, Chair, called for comments or statements from the applicants to address the Commission or public.

Public Comments by the Applicants:

Mr. Robinson, Applicant, spoke on the outpouring of letters from community members expressing concerns about the removal of these properties and shared their interest in preservation, the hard work, efforts, and projects accomplished to enhance and preserve their home. He shared background on the negative experiences they have had in 2017 and 2021 with the Certificate of Appropriateness process, issues holding them up on roof repairs related to the Historic District design standards, requirements for a major COA that requires approval by the Historic Preservation Commission and noted the importance of these experiences for their application. He commented on the City's approval process, increased costs of goods to complete

their project, weather related issues causing continued damages, and time involved to repair the roof and meet the requirements of these processes.

Ms. Robinson, Applicant, commented on their application for a LHO amendment, explained their property will remain in the national registry boundaries and they will continue to maintain their home for historical significance. She commented on property value concerns, district boundaries, design standards, COA processes and efforts of the work on homes in the historic community.

Mr. Gant, Applicant, expressed appreciation to the Historic Preservation Commission and the City of Burlington staff. He commented on the bureaucracy, rules, standards, and adoption of new technologies, constitutional rights of property owners to do what their next-door neighbors can do. He addressed the time and approvals process to date and design standards used in Burlington, last updated in 1995, with a contract in progress for an update to those standards.

Mr. Gant, Applicant, spoke about changes that have taken place since then, 3D printing, synthetic materials used around the nation, and other enhancements not allowed in the current design standards. He expressed appreciation of Ms. Turnco's assessment of the historic district. He shared history of the properties owned by himself and family, the percentage of vacancies in the district, and explained the boundaries surrounding his properties. He addressed COA processes as it relates to his properties, the importance of discussion under the current standards, and use of common-sense approach. He addressed design standards, variances, time and costs associated with being in the district. He commented on the increased expense of projects and delays to projects at 1022 West Davis Street to use original product because of the costs involved. He addressed the precedence set by the removal of the Presbyterian Church. He commented on properties that deteriorated in the district, those vacant and demolished, and the value of the properties that are continually maintained by members of this community.

Mr. Euliss, Chair, asked Mr. Gant to conclude the comments to allow time for additional public comments.

Mr. Gant, Applicant, concluded comments, requested a commonsense approach, update to design standards, expressed similar concern over negative experiences in the City's process like the Robinson's, and indicated his full written comments could be provided to Jamie Lawson.

Ms. Robinson, Applicant, commented since their application was submitted in June of 2021 they have come before the Commission five times, attended every meeting and work session to respond to questions of the Commission and have yet to receive any. She encouraged dialogue with the Commission and invited questions from the Commission.

Mr. Euliss, Chair, addressed the dialogue and explained there is a difference in keeping that to the point and facts, and reiterated the intention is for everyone to be able to speak and comment.

Mr. Pennington, Vice-Chair, noted the importance of the public in attendance being allowed to speak and endorsed moving along.

Ms. Robinson, Applicant, asked the Commission what gives rise to the concern that if their applications were approved that they will have a slew of other applications submitted.

Mr. Pennington, Vice-Chair, responded this will be a precedent setting act. He stated the Presbyterian church has been cited as a structure with an entirely different character as Ms. Helen Walton pointed out which is why they are being very careful about the precedents being set here. and era details provided tonight by Mr. Robinson are not part of the application.

Ms. Robinson, Applicant, stated the Presbyterian church was significant based on Ms. Turnco's report in setting the boundaries. She addressed the draft started by the Commission and inquired about the use of the word "deleterious" and stated that's the last thing they would want to do their neighbors and other homeowners in the area. She asked the Commission what about their application would harm their neighbors.

Mr. Pennington, Vice-Chair, reiterated the precedence issue, concerns about doing so within the neighborhood, and the potential for other cascading affects that would result from this.

Mr. Euliss, Chair, addressed concerns related to future projects at these properties and potential issues with what would be allowed if these properties were removed.

Mr. Pennington, Vice-Chair, stated the Robinson's have been exemplary property owners but won't own this property in perpetuity which is also a concern.

Mr. Vandermass-Peeler commented the decision for the use of that word was based off reading the recommendations of the report that was made and the review of that by the state.

Ms. Robinson, Applicant, inquired after hearing Ms. Turnco's report, does the comfort level change based on the statement that it might erode a portion of the district there would still be a cohesive district without these properties.

Mr. Vandermass-Peeler, Member, responded the recommendation of that report was the request be denied.

Ms. Turnco, Consultant, concurred that is the recommendation to the Commission.

Ms. Robinson, Applicant, asked the Commission if they intend to advocate for the expansion of the NRHP boundary lines as is recommended by the consultant hired for the recent architectural survey conducted in 2021.

Mr. Pennington, Vice-Chair, responded it would be premature to say whether the Commission would or wouldn't, but would anticipate the Commission would concur with such recommendation. He noted the report has not been deliberated to determine so.

Ms. Robinson, Applicant, asked for clarification on the procedures that set the stage for the expansion of the local historic district related to NRHP designation and assignment of a historic district overlay over those boundary lines.

Ms. Lawson, Principal Planner, responded it appears that occurred in the 1980's determination and stated if an alteration is made to the local historic district, it would follow the same process with an investigation report, recommendation by the HPC, Planning and Zoning Commission recommendation, then City Council consideration for approval.

Ms. Robinson, Applicant, commented in regard to the state's response to this report directing the commission to review cause for the applications and inquired what would meet the criteria to establish cause since the draft response from the Commission indicates there is no cause.

Mr. Pennington, Vice-Chair, responded the details provided by Patrick Robinson during tonight's meeting were not part of the application.

Ms. Robinson, Applicant, responded the details weren't included in the application but were shared with Ms. Turnco.

Mr. Euliss, Chair, called for public comments.

Public Comments for the Commission:

**All 81 written comments received were provided to the Historic Preservation Commission and the applicants.*

Ms. Yvonne Whitley, Public Comment for 607 W. Davis Street, Burlington, addressed the properties involved in the request and spoke to the desire to keep them in the district as well represented properties, the COA process, and the importance of communication and participation to make an impact on a positive process.

Ms. Lawson, Principal Planner, asked for a raise of hands of those in attendance that would like to make public comments to assess if a time limit needs to be established.

Motion to Set a Time Limit on Comments:

Mr. Euliss, Chair, called for approval of a time limit on comments to three minutes and allow for written comments to be provided to City staff if additional time is needed.

Mr. Pennington, Vice-Chair, made a motion to set a limit of three minutes to comments.

Ms. Bryan, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Public Comments Continued:

Mr. Jim Clark, Public Comment with no address provided, Burlington, spoke proudly of the applicants' properties, encouraged listening to bringing up standards, allowable materials, and expedite the processes.

Ms. Sue Lazara, Public Comment for 727 West Davis Street, Burlington, spoke in admiration of the applicants' properties, the importance of renovation and preservation of properties, and fully concurs with the consultant's report and report from the state as they relate to the property values of surrounding properties in the district. She spoke on the standards, boundaries that create the overlay, and ways to resolve time sensitive issues for repairs.

Ms. Michele Kobrick, Public Comment for 715 West Front Street, Burlington, spoke on the applicant's comments about awareness of materials and technologies for improvements and encouraged them to bring that to the Commission's attention to help change the process and encouraged investment of City personnel to help with historic planning.

Mr. Ian Baltutis, Public Comment for 702 West Davis Street, Burlington, spoke on the sense of community from the homeowners in the historic community, expressed appreciation in the discussion, the update to the guidelines, and finds as a homeowner and general contractor that Burlington has a nice balance between maintain the historic preservation but also the streamlined flow which was not too burdensome or complicated. He shared his process with getting a COA for a leaking roof and expressed appreciation for the support, advice on selection of good materials, and helping move his home closer to its historic heritage. He urged enlargement of the district, access to tax credits, new grants, and the shared knowledge and support to continue the historic preservation process.

Ms. Faith Grant, Public Comment for 911 West Davis Street, Burlington, spoke on the noticeable improvements to the homes in the district since they arrived in 2016. She commented on the governmental processes and awareness of those processes when they purchased their home. She spoke on the legal precedence of properties leaving the district and hopeful this discussion will lead to applicants help fixing the challenges instead of leaving the district.

Ms. Christy Benson, Public Comment for 622 West Davis Street, Burlington, spoke on common ground to update design standards, expedited way to do major processes, and spoke in opposition of a recommendation of removal of these properties from the historic designation. She commented on compliance with the City's Comprehensive Plan and indicated that the Comprehensive Plan is designed to guide the future of our neighborhoods and historic districts. The included the following comments in the chat during the meeting since she was out of time:

Historic district zoning can help to improve property values by stabilizing and enhancing the neighborhood's character, and it benefits property owners by protecting them from inappropriate changes by other owners that might destroy the special qualities of the neighborhood.

By not locally listing these historic assets, the City loses an opportunity to guide redevelopment and rehabilitation with design regulations."

AND: GOAL #2 of the entire CP states that a key goal and purpose of the CP is to:

“Encourage the preservation and continued use of historic buildings, districts, landmarks, and landscapes.”

Ms. Molly Whitlatch, Public Comment for 912 West Davis Street, Burlington, commented on the threat of piecemeal dismantling of the district, the legal precedent, and guidelines as it relates to historic integrity. She provided a brief history of the beginning phase for establishing updated design standards when she was on the Commission, the flexibility in the current guidelines that can be explored that allow modern replacement materials that have been approved for some of these projects. She asked the Commission to recommend that these applications not be approved.

Ms. Sarah Vincent, Public Comment for 706 West Davis Street, Burlington, spoke on experiences that led them to purchasing a home in a district that has guidelines and expressed appreciation for looking at the current guidelines to help make this district even better after having done so.

Ms. Liz Wells, Public Comment for 800 Block, Burlington, inserted the following comments into the chat: Rather than seceding from the Historic District, why not use your considerable influence to work with the commission to make sensible changes to the “rules” as well as expedite answers to requests made by homeowners.

There were no further public comments.

Mr. Gant, Applicant, addressed many of the comments received, expressed appreciation for the candor, he encouraged a commonsense approach, and is hopeful for a better community.

Ms. Robinson, Applicant, addressed comments received, expressed appreciation for the dialogue, the need for updated standards, and concerns of the applicants for what happens next to keep standards updated with modern times.

Mr. Euliss, Chair, called for the subcommittee report from Mr. Pennington, Vice-Chair.

Mr. Pennington, Vice-Chair, reported that on January 28, 2022, the subcommittee meeting of the Historic Preservation Commission which included the following Commission members met: Vice-Chair Mr. Pennington, Mr. Vandermass-Peeler, and Ms. Meinking. He presented a draft letter that would frame the report that the HPC would submit to the Planning and Zoning Commission, which is the next City body to consider this request. He reported the consensus of the subcommittee was to recommend rejection of these applications. He noted the draft letter has been included in the agenda packet for discussion with the HPC. He moved to consider this letter as the basis for conversation with the HPC to begin to finalize a response to the city.

With no further discussion, the motion was approved unanimously, (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Mr. Pennington, Vice-Chair, called for any editorial revisions, additions, or deletions from the letter.

Mr. Pennington, Vice-Chair, suggested the following edits:

- *To itemize what was included in this report as follows:
Included in this report please find the following materials:*
 1. *The letter recommending rejection of the proposals from the HPC*
 2. *The original property removal applications from property owners in the 1000 block of W Davis Street*
 3. *The Property Removal Study recommending rejection of these applications and a set of improvements to Historic Preservation processes in the city*
 4. *Responses from the state of North Carolina Historic Preservation Office recommending rejection of these applications*
 5. *Correspondence consisting of 81 pieces from residents of Burlington and other interested parties, at recommending rejection of these applications. This correspondence includes: (1) Letter from Preservation NC, (1) Letter from Preservation Burlington, (43) letters from residents within the LHD (West Davis/Fountain Place Historic District), (13) letters from residents within the LHD (Glencoe Historic District), (23) letters from Burlington residents outside the historic district*

Mr. Pennington, Vice-Chair, made a motion to approve the suggested edits.

Mr. Vandermass-Peeler, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Ms. Lawson, Principal Planner, inquired about letters received and asked how to address any letters received after this letter. She recommended any future letters be recognized but noted that they are not part of the letter provided by the HPC. She stated all letters or comments received would be forwarded to the Planning and Zoning Commission.

Ms. Meinking, Member, inquired if the minutes would be provided to the Planning and Zoning Commission.

Ms. Lawson, Principal Planner, responded depending on the timing of the Planning and Zoning Commission Meeting, the minutes would be in draft format until formally approved by the Historic Preservation Commission at their next meeting.

Mr. Pennington, Vice-Chair, included an item to add to the subcommittee's letter regarding the minutes as follows;

- *The draft (unapproved) minutes of the February 8, 2022, Historic Preservation Commission minutes*

Mr. Euliss, Chair, called for a motion to approve the amendments to the letter.

Ms. Geiss, Member, made a motion, seconded by Ms. Bryan, Member, to approve the amendments to the letter as written.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Mr. Pennington, Vice-Chair, shared another amendment as follows:

- *5. The HPC has received an overwhelming public response as it prepared to consider these applications for removal; to date this overwhelming volume of correspondence is unanimous in urging rejection of these applications, the preservation of the integrity of the West Davis/Fountain Place Historic District, and the protection of property values in the City of Burlington. We note that this correspondence indicates a very broad range of reasons – personal, legal, economic, ethical, and financial – that cannot be readily summarized in this report, and we urge the Planning and Zoning Commission and the City Council to review carefully this record of public opinion in this matter.*

Mr. Vandermass-Peeler, Member, made a motion to approve the amendment.

Ms. Bryan, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Mr. Euliss, Chair, called for motion to approve the finalized official letter that provides the HPC's recommendation on this item will be provided to the Planning and Zoning Commission and the City Council.

Ms. Geiss, Member, motioned to approve the finalized letter.

Ms. Bryan, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Mr. Pennington, Vice-Chair, addressed those in attendance, expressed appreciation to the members of the public, the applicants, and stated he will advocate for a deliberative process and inclusive with the design standards, concurs that HPC process has not allowed for a lot of deliberation, and there is broad consensus to push through such a process going forward.

Mr. Euliss, Chair, expressed appreciation to the applicants for their time and input.

Mr. Gant, Applicant, expressed appreciation for the deliberation, for the work involved in this long process. He stated he would not send written comments to Ms. Lawson since the HPC has

given decision and will plan to write directly to the Planning and Zoning Commission addressing his case.

Ms. Robinson, Applicant, inquired if that would be the recommendation to the applicants.

Ms. Lawson, Principal Planner, responded the packet to the HPC will include the applicant's initial application, including reasonings of seeking removal from the district. She noted applicants and members of the public can certainly provide further comments to the Planning and Zoning Commission as well as City Council.

Mr. Pennington, Vice-Chair, explained the minutes would include summaries of comments but next steps would be to address the Planning and Zoning Commission directly.

Ms. Lawson, Principal Planner, explained the process continues to be a legislative process, with notices provided for each of these meetings going forward and includes allowing comments to address those members. She shared the agenda packets for the Planning and Zoning Commission would be distributed to them on Friday, February 18, 2022, for their February 28, 2022, Planning and Zoning Commission meeting.

Mr. Vandermass-Peeler, Member, responded to Mr. Gant's comments and desire to pass those onto the Planning and Zoning Commission but welcomes the opportunity to read his full comments.

Ms. Lawson, Principal Planner, stated the items for these meetings are public record and will be available online in advance of these meetings.

b: Minor Certificates of Appropriateness Update

Ms. Lawson, Principal Planner, informed the Commission there were two minor COAs approved and issued and included in the meeting binder.

VI. Adjournment

Ms. Bryan, Member, made a motion to adjourn the meeting.

Ms. Geiss, Member, seconded the motion.

Approved unanimously by the following Members: (Euliss, Pennington, Geiss, Vandermass-Peeler, Adkins, Bryan, Meinking)

Meeting adjourned at 9:51 p.m.

END OF MEETING

Approved by HPC 3/8/22