



HISTORIC PRESERVATION COMMISSION

APPROVED MINUTES

January 10, 2023, 9:00 a.m.
Committee Room, 2nd Floor, City Hall
101 City Hall Plaza, Durham, NC

I. Call to Order

Chair Bouchard called the meeting to order at 9:06 a.m.

II. Roll Call

Members Present:

Matt Bouchard, Chair
Andrew Goolsby, Vice Chair
Faye Calhoun
Katie Hamilton
Alva Horton
April Johnson

Excused Members Absent:

Rakeem Chambers

Staff Present:

Grace Smith, Assistant Planning Director
Scott Whiteman, Planning Manager
Sarah Long, Planner
Terri Elliott, Clerk
Don O'Toole, City Attorney's Office
Aarin Miles, City Attorney's Office

III. Adjustments to the Agenda – None.

IV. Approval of Summary Minutes for December 6, 2022

MOTION: Approve the Minutes from December 6, 2022 (Goolsby, Calhoun 2nd).

ACTION: Motion carried, 5-0

V. Swearing-In of Witnesses

Chair Bouchard read the opening HPC statement and asked if there were any early dismissals required by Commission members or Commission members who might have a conflict of interest with the cases presented today. Vice Chair Goolsby asked to be recused from COA2200079 216 and 216 Rigsbee Street.

The Clerk to the Board administered the oath to all Citizens and staff who wished to speak at today's meeting.

VI. Certificates of Appropriateness

After the oath was given, Sarah Long asked that all staff reports and materials submitted at the meeting be made part of the permanent record with any additions, deletions, and or corrections that may be necessary. All Commission members concurred.

a. Case COA2200073 – 2513 Englewood Avenue – Demolition of Accessory Structure

Staff Report: Sarah Long presented the case.

Speakers: Alex Ashkenes spoke in support. No one spoke in opposition.

Discussion: Alex Ashkenes gave a brief overview of the proposed project of 2513 Englewood Avenue – Demolition of Accessory Structure.

Staff Recommendation: Staff recommended approval of application without a delay.

MOTION: Commissioner Goolsby made a motion that the Durham Historic Preservation Commission finds that, in the case COA2200073, 2513 Englewood Avenue – Demolition of Accessory Structure:

- The applicant is proposing to demolish a contributing accessory structure dating from circa 1930.
- The Commission has determined the structure to lack sufficient historical value or structural integrity to preserve it.
- The Commission has determined that the property owner has shown substantive evidence of facing extreme hardship.
- The Commission has determined that the property owner has shown substantive evidence of being permanently deprived of all beneficial use of or return from the property by virtue of a delay.
- The site will be stabilized with grass seed and straw following the demolition.

Therefore, in accordance with UDO requirements and NCGS 160D-949, the COA for the proposed demolition is approved without delay:
(Goolsby, Hamilton 2nd)

ACTION: Approved 5-0

b. Case COA2200074 – 814 Clarendon - Demolition

Staff Report: Sarah Long presented the case.

Speakers: Thomas Hennessey spoke in support. No one spoke in opposition.

Discussion: Thomas Hennessey gave a brief overview of the proposed project of 814 Clarendon – Demolition.

Staff Recommendation: Staff recommended approval of application with a 365 day delay.

MOTION: Chair Bouchard made a motion that the Durham Historic Preservation Commission finds that, in the case COA2200074, 814 Clarendon Street – Demolition:

- The applicant is proposing to demolish a contributing primary structure dating from 1930.
- The Commission has determined the structure to possess sufficient historical value or structural integrity to preserve it.
- The Commission has determined that the property owner has not shown substantive evidence of facing extreme hardship.
- The Commission has determined that the property owner has not shown substantive evidence of being permanently deprived of all beneficial use of or return from the property by virtue of a delay.
- The site will be stabilized with grass seed and straw following the demolition if new construction does not commence within 60 days.

Therefore, in accordance with UDO requirements and NCGS 160D-949, the COA for the proposed demolition is approved with a 365 day delay:

(Bouchard, Hamilton 2nd)

ACTION: Approved 5-0

Commissioner Johnson arrived before the next case was heard.

c. Case COA2200079 – 216 and 218 Rigsbee Avenue – New Construction and Site Work

Staff Report: Scott Whiteman presented the case.

Speakers: LeAnn Brown, Ellen Weinstein and three others spoke in support. One person spoke in opposition.

Discussion: Ellen Weinstein gave a brief overview of the proposed project of 216 and 218 Rigsbee Avenue – New Construction and Site Work.

Staff Recommendation: Staff recommended approval of application.

MOTION: Commissioner Hamilton made a motion that the Durham Historic Preservation Commission finds that, in the case COA2200079, 216 and 218 Rigsbee Avenue – New Construction:

- The applicant is proposing the construction of an 11-story tower on what is to become a vacant lot.
- The building will be constructed with brick, stucco, metal panel, and aluminum.

Therefore, the conclusion of law is that the proposed addition and alterations are consistent with the historic character and qualities of the Historic District and are consistent with the Historic Properties Local Review Criteria, specifically those listed in the staff report, and the Durham Historic Preservation Commission approves the Certificate of Appropriateness for case COA2200079, 216 and 218 Rigsbee Avenue – SCOPE OF WORK, with the following conditions:

1. The improvements shall be substantially consistent with the plans and testimony presented to the Commission at this Commission hearing and attached to this COA;

2. The improvements may require additional approvals from other City or County departments or state or local agencies; the applicant is responsible for obtaining all required approvals relating to building construction, site work, and work in the right-of-way; and
3. A compliance inspection shall be performed immediately upon completion of the work approved herein.
4. Approval is conditioned upon the approval of site plans currently under review D2200361).

(Hamilton, Johnson 2nd)

ACTION: Approved 5-0 (Goolsby recused)

VII. Old Business

- a) Newsletter

VIII. New Business

- a) Minor COA updates
- b) Staff is reevaluating fees
- c) Open seats – two At-Large, and one Landscape Architect]
- d) Next meeting February 7, 2023

IX. Adjournment

The meeting adjourned at 11:45

Respectfully Submitted,

Terri Elliott, Clerk
Historic Preservation Commission