

CITY OF HENDERSONVILLE
Historic Preservation Commission
Minutes of Meeting of 21 June 2006

Commissioners Present: Staci Blatt, Steve Caraker (Chair), Dennis Dunlap, Jo Tyler, Richard Parsons, Eddie Watkins (arrived during agenda item #5)

Commissioners Absent: Button O’Cain, Scott Bolyard

Staff Present: Trent Hyatt, City Planner; Sam Fritschner, City Attorney; Sue Anderson, Planning Director

- I. **Call to order.** The Chair called the monthly meeting of the Hendersonville Historic Preservation Commission to order at 5:02 p.m.
- II. **Agenda.** *On motion of Commissioner Parsons, seconded by Commissioner Tyler, the Commission approved the agenda.*
- III. **Minutes.** Commissioner Blatt stated that the minutes listed her as absent for the April 19 meeting. Mr. Hyatt stated that she was correct and that it was Commissioner O’Cain that was absent instead of her. *On motion of the Chair, seconded by Commissioner Tyler, the minutes of April 19, 2006 were approved as amended.*
- IV. **Minutes.** *On motion of Commissioner Blatt, seconded by Commissioner Parsons, the minutes of May 17, 2006 were approved.*
- V. **Proposed amendments to the Historic Preservation Commission’s rules of procedure.** The Chair began by stating that Mr. Hyatt had received and given the Commissioners a letter from Ken Fitch concerning the proposed process of notifying affected property owners of Commission hearings for applications for certificates of appropriateness (COA). He stated that the letter should be taken into the record of this meeting. The Chair stated that he had a few other concerns with the proposed changes. One specific problem was the proposed amendment to change the membership guidelines in Article VI to allow City Council to determine the number of members instead of having nine. He mentioned the on-going problem of not having enough members and the potential problem of meeting without a quorum. Mr. Fritschner added that the number of members on the Commission is a decision that is left up to City Council since the Commission serves the Council. Therefore, the language in the proposed changes was not removed.

The Chair then brought up the letter received from Mr. Fitch. He stated that Mr. Fitch was requesting a notification time, for affected property owners of COA applications, of at least 14 days due to issues such as dealing with work schedules and slow mail delivery service. Mr. Hyatt stated that the proposed changes to the rules of procedure did not address the notification of affected property owners only the notification of Commissioners. He stated that Article 9-2 of the proposed rules of procedure just referred to Hendersonville City

Code, Chapter 28 which states that the Commission should take sufficient action to notify affected property owners. Mr. Hyatt explained that the current process of reviewing applications for certificates of appropriates would not allow for a 14 day notification period since the design review advisory committee meetings were only 14 days prior to the Commission meeting at which an application is heard. He stated that the only way to allow for a 14 day notification period would be to lengthen the time of the COA review process. Mr. Fritschner was asked what would be a sufficient amount of time for notification. He stated that 5-7 business days was enough time. Commissioner Dunlap stated that he did not want to hold up a property owner or builder any longer than they currently were. Commissioner Parsons stated that some kind of compromise was needed. Mr. Fitch stated that the mail was slow and affected property owners may not be able to attend with the current amount of time allowed for notification. The Commissioners present decided to remove the language of Article 9-2 of the rules of procedure that currently referred to Hendersonville City Code Chapter 28. They replaced the language with "at least seven business days prior to the application being heard by the Historic Preservation Commission." *The Chair moved to approve the change to the proposed rules of procedure, seconded by Commissioner Blatt, all were in favor of the motion.* Mr. Hyatt asked the Commissioners if they just approved the proposed change to Article 9-2 or the full document. Mr. Fritschner spoke up and said that, maybe without knowing it, the Commissioners just approved the complete document as amended. *Commissioner Parson officially stated that he moved the Commission endorse the revised rules of procedure as amended, seconded by Commissioner Blatt, all were in favor of the motion.*

VI. Discussion of Proposed Main Street Local Historic Overlay Zoning District and the proposed design guidelines that would apply to the district. The Chair began by stating that the Design Guidelines Committee had met numerous times over the last few months to work on this draft document. He stated that the committee used the City of Salisbury's commercial guidelines and tailored them to represent Hendersonville's historic Main Street district. Mr. Hyatt explained that in late 2004 the Commission contracted with Sybil Bowers to start the process of local designation of Historic Main Street. He explained that in July of last year the Commission held a public comment meeting to discuss the proposed local historic zoning overlay district with the affected property owners and the citizens of the community. During this meeting a proposal was made, by one member of the public, for the Commission to not move forward with local historic designation process until specific design guidelines were written for Main Street. At that time, the Commission agreed to development a committee to draft these guidelines that including members of the Historic Preservation Commission, developers, downtown property owners, and design professionals. Since that time, Mr. Hyatt stated, the committee has been formed and has drafted the document that is now being proposed. Mr. Hyatt explained that the proposed Historic Main Street zoning overlay district would need to be accepted by the Commission and recommended to the Planning Board. Thereafter, the Planning Board would recommend approval or disapproval to City Council who would make the final decision.

The Chair stated that he thought the document looked good. He also mentioned that the draft design guidelines did create some discrepancies with the Mayor's proposal to increase building heights downtown as the proposed guidelines retain the 64 foot height rule around the

courthouse. The Chair stated that he would ask City Council during their consideration of the document to remove sections they did not agree with instead of killing the district. The Chair stated that at next month's regular meeting the Commission would hold a public hearing on the matter and invite affected property owners to bring their questions and concerns. He stated that at that time, the Commission could vote on the proposed Main Street design guidelines and historic overlay zoning district before sending them on to the Planning Board and City Council. Commissioner Parsons stated that City Council would not vote on the design guidelines but only on zoning overlay district. He stated that the power to adopt design guidelines belonged to the Commission. The Chair commented that City Council would be making their decision though based on the design guidelines. Commissioner Parsons stated the proposed district map, designation report, and design guidelines would all be sent to the City Council to help them make their decision on the zoning overlay district. Commissioner Parsons stated that there should be two public hearing sessions at next month's meeting, one for the adoption of the design guidelines and one for the recommendation of the zoning overlay district. The other Commissioners agreed.

VII. Committee Reports

Design Review Advisory Committee: No report

Designation Committee: The Chair stated Main Street designation was previously discussed during this meeting.

Community Affairs Committee: No report.

District Improvements: The Chair stated that there were additional funds yet to be expended in Commissions budget for the fiscal year which ends on June 30. He stated that he would like to see if the Commission could place a couple of historic markers within the Westside district. Commissioner Blatt asked about whether Lenox Park should receive a sign. The Chair stated that there was no one currently requesting a sign for that district. Commissioner Blatt asked about new membership for the Design Review Advisory Committee. Mr. Hyatt responded that he planned to place an ad requesting qualifications in the Times-News prior to the end of the fiscal year. Commissioner Dunlap recommended G. Lee to serve on the committee.

VIII. Commissioners Comments. Commissioner Parsons commented that the new stop signs in the districts were nice.

IX Staff Comments. Mr. Hyatt updated the Commission on the recent application with the State Historic Preservation Office (SHPO) to add an additional seven properties to the Main Street National Register District. He stated that part of the Commission's certified local government requirements require approval of the application by the Commission and sign-off by the Mayor. Mr. Hyatt explained that due to the Mayor being newly elected and unfamiliar with historic preservation, specifically the differences between local and national designation, that he felt uncomfortable signing the application at this time. Ms. Anderson mentioned that the Mayor wanted to settle downtown height issues first. Mr. Hyatt stated that he requested that the application be deferred until the October meeting of the SHPO's national register advisory council.

Mr. Hyatt also explained that the SHPO also denied the applications for the adding of seven

properties to the existing Hyman Heights National Register District and the creation of a new district Cold Springs Park. He stated that he spoke with Becca Johnson of the Asheville branch and that she said that the additional properties did meet the date of significance of 50 years but that the properties did not retain the architectural significance that exists within the Hyman Heights. Commissioner Blatt mentioned that Ms. Bowers was to evaluate that area. She did not understand why our application was denied when Ms. Bowers recommended that we move forward with it. The Chair stated that he was concerned with why the Commission spent money on the application and it was then denied. He mentioned that he wanted to talk with Ms. Bowers to try and understand why she decided to move forward with the application. Mr. Fitch stated that Becca Johnson told him that certain properties along Oakland Street and property on Schepper Street, that are part of the rezoning application for Walgreens, were not included in the application. Mr. Fitch stated that the proposed rezoning affects the Hyman Heights Historic District and asked if the Commission would speak in opposition to the rezoning. The Chair stated that he speak to the Planning Board and advise them to not rezone any properties within the historic district only.

Mr. Hyatt informed the Commission of the upcoming annual Preservation NC conference in Wilmington, NC, October 5-7. He stated that he planned to go and encouraged Commissioners to attend since the Commission needed continuing education credit hours to meet certified local government requirements.

X. Financial Report. *On motion of Commissioner Parsons, seconded by Commissioner Blatt, all were in favor of the motion to approve the financial report*

XI. Adjournment. *On motion of Commissioner Parsons, seconded by Commissioner Dunlap, the meeting was adjourned at 6:00pm.*

Ms. Anderson asked the Chair if there needed to be a motion to spend budget monies on the historic markers for the Westside. At 6:02 pm, the Chair reopened the meeting. ***Commissioner Tyler moved to spend budget monies on two new historic markers for the Westside National Register Historic District, seconded by Commissioner Parsons, all were in favor of the motion.***