

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of the Meeting of September 18, 2024

Commissioners Present: Cheryl Jones, (Chair), Jane Branigan, Ralph Hammond-Green, Jim Welter (Vice-Chair), David McKinley

Commissioners Absent: Jim Boyd, John Falvo

Staff Present: Sam Hayes, Planner II, Lew Holloway, Community Development Director

I **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:00 pm.

II **Public Comment:** No one had any public comment

III **Agenda.** Commissioner Hammond Green moved the Commission to amend the agenda to include the approval of the Findings of Fact. On motion of Commissioner Hammond- Green and seconded by Commissioner Branigan the revised agenda was approved.

IV **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Branigan the minutes of the meeting of August 21, 2024 were approved.

V **Findings of Fact.** On motion of Commissioner Branigan and seconded by Commissioner Hammond-Green the Findings of Fact File No. H24-50-COA were approved. Mr. Hayes gave an update on this application.

VI **New Business**

VI(A) **Certificate of Appropriateness** - Kate Montes, 112 2nd Avenue East (File No. H24-057-COA). Prior to the opening of the public hearing, Chair announced that there are three applications for COA's. Two applications in the Hyman Heights Historic District and one application in the Main Street Historic District. Any persons desiring to testify at any of the public hearings must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary to yours. A copy of the procedure and rules for a quasi-judicial hearing is provided on the back table next to the agenda. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of the hearing Therefore, we must ask that you refrain from speaking until recognized by the Chair and, when recognized, come forward to the podium and begin by stating your name and address. Anyone present who has knowledge of anything of value that has been given or promised in exchange for a position to be taken on these applications should disclose it now. Anyone wishing to speak during the public hearing should come forward and be sworn in. Chair swore in all potential witnesses. Those sworn in were Sam Hayes, Lew Holloway, Patsy Stewart, Lisa Duncan and Ricardo Montes and Isaiah Ornelas.

Chair opened the public hearing.

Sam Hayes, Planner II stated this is an application for the installation of the replacement of a store front on 2nd Avenue and for the installation of a window on King Street.

The applicant is Katie Montes. The PIN is 9568-78-3420. The property is .6 acres and is zoned C-1, Central Business District. The property is located in the Main Street Local Historic District.

An aerial image was shown marking where the window location and the storefront location are. This is included in the staff report and presentation.

A history of the subject property was given and is included in the staff report and presentation. The Sanborn map was shown and included in the staff report.

Mr. Hayes stated the applicant is requesting to install new storefront doors on the 2nd Avenue side of the building. The complete storefront would include two, 3'6" x 7' steel doors and side lights on either side of the doors and the glass will not be tinted. The door unit will fit into the existing opening therefore not requiring any change to the existing brick. They will be a similar design and color such as the doors on the 1st Avenue side. A photo was shown of the doors on 1st Avenue. The applicant is also proposing a window on the King Street side of the building. The window will be installed in an existing opening that currently has a temporary window in it. An operational garage door will be used for the installation and it will be constructed out of aluminum framing with the window inserts in each of the panels. A photo of a similar image was shown.

Photos of existing conditions of the property were shown and are included in the staff report and presentation. These doors are not original to the building. An image created by staff was shown of the 7' door. There will be no transom window installed above it. Staff is unsure what will be above it. The applicant is here and can speak to that.

The Design Standards that apply were included in the staff report and presentation.

Chair asked if there were any questions for staff.

Commissioner Hammond-Green stated he believed there was a COA for the King Street window during his tenure on the board and is that included in the record. Mr. Hayes stated he is not familiar with that. Commissioner Hammond-Green stated the plywood that is there now is recent. Mr. Hayes stated yes and staff has been aware of this and they have contacted the property owner who is different from this applicant a few times about this in particular.

Chair stated she knew we had approached them to stop because they did not have an application but she does not that they ever submitted one.

Chair asked if the garage door would fit into that space. It does not seem like it is going to fit. Mr. Hayes stated that would be a question for the applicant. Mr. Hayes stated in the specs he received from the applicant it did not give the specific measurements for that window.

Mr. Hayes explained that it would be two double doors with side lights going into that space. Instead of a single door it will be double doors.

Chair asked if what was being shown on the slide part of the application. Mr. Hayes stated the application included the specs without the rendering. The applicant did include photos of other doors but it did not include a rendering of what will be going in there.

The large opening to the right is not included in this application and they are not planning to change it.

Chair stated there are garage doors on this building on both the 1st and 2nd Avenue sides.

There were no further questions for staff.

Chair asked if the applicant or a representative would like to address the Commission.

Ricardo Montes, 112 2nd Avenue East stated the section in white shown on the building, that whole section is coming out and double doors will be going in that space. The garage door is custom made. It will be an infill and fit that spot. Chair asked if it would be window style garage door. Mr. Montes stated yes. They will both be black metal.

Chair clarified what the doors would look like and that they would be similar to what is on the 1st Avenue side. Mr. Montes stated that is correct. Chair asked if there would be a gap in the top of the door. Mr. Montes stated everything was custom made and the door will go all the way up.

The measurements of the door was discussed. The door is 7'8". The transom will be about a foot.

Chair stated since they had a discrepancy on the measurements she wanted confirmation that. She stated the proposal is that the door will go all the way flush with the transom and infill without gaps anywhere. Mr. Montes stated that is correct. They will not be cutting the brick.

Commissioner Hammond-Green stated the condition of the windows on the King Street need to be addressed. Chair stated that is not part of the application. Commissioner Hammond-Green asked if they could be part of the application so they did not have multiple applications. Mr. Hayes stated staff has reached out to the building owner after the City's event that took place there and they have replaced some of the window panes and that is maintenance so they do not need a COA for that. Staff is working with them.

Chair asked if anyone had any additional questions for the applicant. No one had any questions.

Chair asked if anyone would like to speak for or against the application. No one spoke.

Chair closed the public hearing.

The Commission discussed the application. The Commission was in favor of the application.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H24-057-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the

following reasons: Storefront: 1. The original storefront no longer exists and therefore the retention of commercial character of the building is achieved through contemporary design which is compatible with the scale, design, materials, color, and texture of the historic building. (Sec. 3.1.7) 2. No historic photo was located of the historic storefront was found to show original characteristics and architectural details of the building, however, the original opening was utilized and no damage to the exterior brick was made. (Sec. 3.1.8) 3. The original architectural features and details that are character-defining elements of downtown structures are preserved, including the brickwork. (Sec. 3.4.1) Window: 1. The original window is no longer present. (Sec. 3.4.2.1) 2. The new window is compatible with existing units in proportion, shape, positioning, location, size, materials, and details. (Sec. 3.4.2.10) Commissioner Branigan seconded the motion which passed unanimously.

V(B) **Certificate of Appropriateness.** Rogelio Chavez, 117 S. Main Street (H24-059-COA)

Chair opened the public hearing.

Mr. Hayes stated the application is for an after the fact storefront replacement. The address is 117 S. Main Street. The applicant is Rogelio Chavez and the PIN for the property is 9568-77-9163. The property is .08 acres and is zoned C-1, Central Business District. The property is located in the Main Street Historic District.

A Historic District Overlay map was shown and is included in the staff report and presentation.

An aerial view of the property was shown and is included in the staff report and presentation.

A history of the subject property was given and is included in the staff report and presentation.

The applicant has proposed to replace the existing storefront door with a new metal and glass door. The new door will utilize the existing opening. It will be made from aluminum with a dark iodized finish. The door unit will also include side lights and a transom window, which was shown in the drawing.

Photos of before and after were shown and are included in the staff report and presentation.

The Design Standards that apply were included in the staff report and presentation.

Chair asked if there were any questions for staff.

Chair asked when this was installed. Mr. Hayes stated a little over a month ago. They have not made any other changes.

Commissioner Hammond-Green asked if the applicant had discussed the window to the right. Mr. Hayes stated he believes the only thing they are planning to do with that is painting probably black or a similar color.

Chair asked if they had to cut into the brick. Mr. Hayes stated it does not appear that they had to touch any of the brick. Across the top is all the same.

Commissioner Hammond-Green asked about the hole in the right top corner. Mr. Hayes stated he believes that was some sort of light fixture. That is not included in this application, to fill that. He stated once staff discovered this, all the work stopped on the exterior of this project.

Commissioner Hammond-Green stated it looks like some damage was left from where the circular awning was removed. Mr. Hayes stated he has plans to work with the applicant, separate from this application to restore that if possible. He stated it could also be potentially just a glue. Chair stated maybe they can just clean it and get it off.

Discussion was made on how this happens on Main Street without anyone noticing. Mr. Hayes stated on this particular one he walked by during the installation. Lew Holloway, Community Development Director stated the Building Inspections Department was issuing building permits for interior upfits and not always sending them to the city. We are now working with them on having all interior work obtaining a zoning permit so that we are aware of any changes to any buildings. There are also situations where building permits do not get pulled so when we become aware of these things we start acting on them such as this case. Mr. Hayes stated in this case they had already removed the door and so they had to put something in. Staff allowed them to do the install and seal it so there was no further water damage.

There were no further questions for staff.

Chair asked if the applicant would like to address the Commission.

Isaiah Ornelas, 117 S. Main Street stated he is speaking on behalf of his partners. He apologized to the Commission for having prematurely changed the door without knowing the rules prior. He stated there was no brick damaged or moved for the replacement of the door. The outline you see is caulking and glue and they have talked amongst themselves to see how they can fix that before they put the sign up and have it look nice. He would like to paint the windows to match the door. The hole will be addressed as well. Chair asked if it was a lighting fixture hole. Mr. Ornelas stated he thinks it is.

Commissioner Welter asked if possible when constructing the sign not to block the decorative brick work. Mr. Ornelas stated they may be able to find a way to not cover the decorative brickwork. He stated if they do it would only cover this middle part, right above the door. He does not have any confirmation on where the sign will go just yet. Chair asked that he try not to drill into the decorative brick because that is one of the detail features.

Chair asked that the applicant talk with staff concerning resources for cleaning the brick so that it is not damaged. Mr. Ornelas stated he would.

Chair stated just to confirm there are no gaps and the door is flush. Mr. Ornelas stated there are no gaps.

Commissioner Welter asked if he was the building owner or tenant. Mr. Ornelas stated he was the tenant and would be the General Manager of this location. This will be a restaurant.

Chair asked if anyone had any additional questions for the applicant. No one had any questions.

Chair asked if anyone would like to speak for or against the application. No one spoke.
Chair closed the public hearing.

The Commission discussed the application. Discussion was made on tenants not knowing the regulations.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H24-059-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons: 1. The original storefront no longer exists and therefore the retention of commercial character of the building is achieved through contemporary design which is compatible with the scale, design, materials, color, and texture of the historic building. (Sec. 3.1.7) 2. No historic photo was located of the historic storefront was found to show original characteristics and architectural details of the building, however, the original opening was utilized and no damage to the exterior brick was made. (Sec. 3.1.8) 3. The original architectural features and details that are character-defining elements of downtown structures are preserved, including the brickwork. (Sec. 3.4.1.1) Commissioner McKinley seconded the motion which passed unanimously.

V(C) **Certificate of Appropriateness.** Patsy Stewart, 1420 Ridgecrest Drive (H24-064-COA).

Chair opened the public hearing.

Mr. Hayes stated the application is for the installation of a new driveway at 1420 Ridgecrest Drive. The property owner is Patsy Stewart and the PIN is 9569-62-1692. There is a vacant property owned by Ms. Stewart adjacent to this property and the PIN is 9569-62-1710. The property is 0.35 acres and is zoned R-6, High Density Residential. The Property is located in the Hyman Heights Local Historic District.

A Historic District Overlay map was shown and is included in the staff report and presentation.

An aerial view of the property was shown and is included in the staff report and presentation. Mr. Hayes stated Ms. Stewart owns the vacant adjacent parcel and part of the driveway will be on this parcel.

Staff met with the applicant last week and proposed some additional changes to the driveways. The proposed changes will reduce the amount of concrete as well as protect an existing tree on the property.

A description of the COA application was presented and included in the staff report and presentation.

The materials for the driveways will be concrete and the back/side drive will be crush and run gravel. The changes are a reduction of the front driveway width from 12' to 10' and a reduction on the right side drive from 18' to 14'.

Site photos were shown and are included in the staff report and presentation.

The Design Standards that apply were included in the staff report and presentation.

Chair asked if there were any questions for staff.

Commissioner Hammond-Green asked about the gap between the tree and the driveway. Mr. Hayes stated he did not measure it and the applicant can speak to that. Commissioner Hammond-Green stated if it is not very much and the tree will die anyhow.

Chair asked what was there before. What was the driveway? Mr. Hayes stated he doesn't have a good answer. It does appear there was a driveway there at some point on the right side.

Chair asked if what was being added is the half circle. Mr. Hayes stated yes.

Discussion was made on the distance between the driveway and the house. It was estimated to be 10 to 15 feet.

Commissioner Hammond-Green asked if that side drive was intended for vehicle use. Mr. Hayes stated yes.

Chair asked about the property line on the second lot. Mr. Hayes pointed the property line out on the map.

Commissioner Hammond-Green asked if the use of a permeable surface was considered. Mr. Hayes stated it was discussed and the applicant can speak to that.

There were no further questions for staff.

Chair asked if the applicant would like to address the Commission.

Patsy Stewart, 1420 Ridgecrest Drive stated there is not a lot of parking on their street. The neighbor across the street has no garage and is parking on the street. The neighbor to the right has a garage in the back behind the house. When she had the property surveyed it was discovered that the neighbor is actually parking on her property. She gave them a copy of the survey but they are parking two cars on her property.

Commissioner Hammond-Green stated he would encourage her, especially around that tree to use a permeable surface rather than straight concrete and that will enable that tree to continue to thrive. She could touch base with the Tree Board and see if they have any suggestions.

Ms. Stewart stated she would love to have a visit with the Tree Board and get their opinion on the older trees and the vines and what ground cover would work best. She doesn't want to kill the tree and she is willing to put down gravel.

Lisa Duncan, 44 Eastbury Drive, Apt. C stated the crush and run is probably two to three feet from the tree. When they met last week and moved the drive to the left it shifted it to at least six or seven feet from the tree. They did look at pavers and talked about gravel. They talked about a permeable concrete but that would increase the price by 40 to 50%. When they speak with the Tree Board maybe

they can advise on the distance they need to be from the tree. They might be fine after the suggested changes and new plan.

Chair stated that is a big consideration if it will already be six to seven feet off of the tree.

Commissioner Welter asked about their landscaping plans or if it will just be grass. Ms. Stewart discussed the moss and clay and how it holds water. She would like to plant grass.

Ms. Duncan stated they had an initial landscape plan but the cost was crazy. They would like to have a low maintenance yard but it does have big issues.

Chair asked about the drainage plan and adding concrete could make that worse. If there are drainage issues already what is being done to mitigate that? Ms. Duncan stated the front is fairly flat. The left side had issues from the last rain and they came in and moved some dirt around but it still shifts toward the house. The side driveway coming down will have a slight tilt to it to keep the water away from the house. There are two phases to the driveway. The narrow part will be crush and run gravel and she pointed out the area of concrete. She stated this area is required for her car charging station. Discussion was made on the charging location.

Ms. Stewart stated they want to have good drainage. She discussed an alley being behind the property but there were no houses. Commissioner Hamond-Green asked if they had thought about putting in a French drain. Ms. Stewart stated they are thinking about it.

Chair stated they had water damage before but they have a good slate to make it work. Ms. Stewart stated their goal is to make it last another 100 years.

The driveway was discussed and the finish of the concrete. Ms. Stewart stated she would look into having it an earthlike color. Commissioner Welter stated there are no other colored driveways in the Hyman Heights District.

There were no further questions for the applicant.

Chair asked if any would like to speak for or against the application. No one spoke.

Chair closed the public hearing.

The Commission discussed the motion.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H24-064-COA and located within the Hyman Heights Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons: 1.The driveway is completely missing from the subject property, and therefore, is being replaced with a new feature based on accurate documentation of the original design. (Sec. 2.4.4) 2.A new design is proposed that is compatible in location, configuration, dimension, scale, and materials with the historic building site, streetscape, and district. (Sec. 2.4.5) 3.The location of the new

driveway allows for the retention of the topography of the building site and significant site features, including mature trees. (Sec. 2.4.6). Commissioner Hammond-Green seconded the motion which passed unanimously.

VII **Old Business.**

VIII **Other Business.**

VIII(A) **Community Outreach Subcommittee Report.** Discussion was made on the Cultural Heritage Award.

Commissioner Welter moved the Commission to establish a Cultural Heritage Award in honor of Crystal Cauley. The Commission unanimously approved the motion.

VIII(B) **Designation Subcommittee Report.** Commissioner Welter gave an update on the Inn Tour. Mr. Hayes discussed a potential landmark at 910 Locust Street. The Lenox Spring Designation is moving forward with obtaining the easement.

VIII(C) **Staff Update.** Mr. Hayes gave an update of the staff approved COA's. Staff discussed violations and working with Code Enforcement on this.

IX **Adjournment.** The Chair adjourned the meeting at 6:50 p.m.

Chair