



AGENDA

Thursday, October 13, 2022: 4:00 PM

Historic District Commission

E.S. Douglass Community Center, 1185 W. Pennsylvania Ave

1. CALL TO ORDER

2. APPROVAL OF MINUTES

3. PUBLIC HEARINGS

a. HD-11-22 Certificate of Appropriateness - Major Work for Demolition of Existing Structure (cont'd from September 8, 2022)

275 S. Bennett Street

b. HD-15-22 Certificate of Appropriateness - Major Work for a Little Free Library

140 SW Broad Street right-of-way

4. UNFINISHED BUSINESS

5. NEW BUSINESS

6. PUBLIC COMMENTS

7. ADJOURNMENT

MINUTES

Town of Southern Pines Historic District Commission Regular Meeting September 8, 2022 at 4:00 PM

The Town of Southern Pines Historic District Commission held its regular meeting on Thursday, September 8, 2022, at 4:00 PM at the Douglass Community Center, 1185 W. Pennsylvania Avenue, Southern Pines, North Carolina.

Members present: Elizabeth Oettinger, Molly Goodman, Robert Anderson, Robert Brown and Lane West

Vice Chair Oettinger called the meeting to order at 4:06 PM.

ELECTION OF CHAIRPERSON:

Robert Anderson made a motion, which was seconded by Lane West, to elect Molly Goodman as Chairperson. The motion carried unanimously.

APPROVAL OF MINUTES:

Robert Anderson made a motion, which was seconded by Robert Brown, to approve the Minutes of the June 2022 meeting. The motion carried unanimously.

PUBLIC HEARING:

HD-11-22: Certificate of Appropriateness - Major Work for the demolition of two structures located at 275 S. Bennett Street (continued from June 9, 2022)

Robert Anderson made a motion, which was seconded by Elizabeth Oettinger, to resume the public hearing. The motion carried.

Pamela Graham stated that the property located at 155 W. Massachusetts Avenue and construction of the hotel had been withdrawn from the current application. The applicant indicated that a new application would be submitted at a later date. Ms. Graham stated that she has been in communication with the State Historic Preservation Office (SHPO) and that office has agreed to undertake the Certificate of Appropriateness application for demolition of the structures and provide an assessment within 30 days.

Ms. Graham asked the Commission to continue the hearing to the October 13, 2022 regular meeting and stated that the demolition request cannot be denied; it may only be delayed for a period not to exceed 365 days from the date of the meeting.

Ms. Oettinger asked if there are alternatives to demolition if those could be reused.

Ms. Graham responded yes, with the property owner's consent.

Chair Goodman asked if a representative from SHPO would be in attendance at the October meeting.

Ms. Graham responded that SHPO will provide a written assessment but she is hoping that they will visit the property to assess physical viability of the structures. SHPO will not weigh in on whether the house can be moved. They are aware that the structure is currently or has recently been occupied.

Ms. Graham stated that the Commission is bound by state statute to make a decision within 180 days of the date the application was filed. The period will end on November 4, 2022.

HISTORIC DISTRICT COMMISSION ACTION:

Robert Anderson made a motion, which was seconded by Elizabeth Oettinger, that the Commission invoke N.C.G.S. §160D-947(d) to request technical advice from the North Carolina Historic Preservation Office regarding amended Certificate of Appropriateness application HD-11-22 requesting demolition of two structures located at 275 S. Bennett Street, Southern Pines, North Carolina, and to authorize staff to communicate this request to the appropriate staff person at the North Carolina Historic Preservation Office. The motion carried.

Robert Anderson made a motion, which was seconded by Lane West, to continue the public hearing for amended Certificate of Appropriateness application HD-11-22 to the October 13, 2022 regularly scheduled meeting of the Southern Historic District Commission to allow time for the Commission to receive the requested guidance from the North Carolina Historic Preservation Office. The motion carried.

UNFINISHED BUSINESS:

No unfinished business was discussed.

NEW BUSINESS:

No new business was discussed.

PUBLIC COMMENT:

Ms. Poole of 600 W. Rhode Island Avenue stated that the garbage trucks have been frequently backing over the concrete curb.

Mr. Grieve recommended that Ms. Poole contact Cory Albers.

Robert Anderson made a motion, which was seconded by Elizabeth Oettinger, to adjourn the meeting. The motion carried.

The meeting adjourned at 4:30 PM.

Respectfully submitted:

Cindy Williams
Secretary to the Historic District Commission

DRAFT

Agenda Item

To: Historic District Commission

From: Pamela Graham, Principal Planner

Subject: HD-11-22 Certificate of Appropriateness: Major Works, Demolition of Two Structures Located at 275 S Bennett Street; Applicant, Southern Pines Ventures, LLC on behalf of Owner, CDA Golf Properties, Inc.; Gale Wallace and John Sandlin, Authorized Agents

Date: October 13, 2022

I. SUMMARY AND HISTORY OF APPLICATION REQUEST:

On May 9, 2022 an application for a Certificate of Appropriateness for Major Work was received by the Planning Office from John Sandlin and Gale Wallace of Southern Pines Ventures, LLC, on behalf of property owners Allen Jordan (CDA Golf Properties, Inc.) and Robert R. Dyer, Jr. The application was for the purpose of demolition of four structures located at 155 W. Massachusetts Avenue and 275 S. Bennett Street, and for the construction of a 92-room hotel at the same location, on three adjoining parcels. On June 9, 2022 the Southern Pines Historic District Commission (HDC) conducted a public hearing to consider the proposal. At authorized agent Gale Wallace's request, the hearing was continued until the September 8, 2022 meeting.

Since the date of the opening of the hearing, discussions between Ms. Wallace and staff have resulted in a request from Ms. Wallace that the application be modified to remove the 155 W. Massachusetts Avenue property from the application, as well as removal of the proposal for the new construction of a hotel. The current application is limited to the demolition of the structures located at the 275 S. Bennett Street address.

During their September 8, 2022 meeting, the HDC voted to invoke NCGS 160D-947 to make a request of the N.C. Historic Preservation Office (HPO) for technical assistance with the application. UDO §8.16.2(C) specifies that the Historic District Commission may request input from this agency on applications for a certificate of appropriateness. Furthermore, NCGS §160D-947 states that, as part of a local commission's review procedure, they "may view the premises and seek the advice of the Division of Archives and History or such other expert advice as it may deem necessary under the circumstances". The hearing was continued by the HDC until their next regular meeting on October 13, 2022, allowing for the HPO to review the request and provide a summary of their findings.

On October 4, 2022, Mr. Jeff Adolphsen, Senior Restoration Specialist with the HPO,

and Pamela Graham, the Town's Principal Planner, were allowed access to the primary structure on the site by the owner, Mr. Allen Jordan. Mr. Adolphsen conducted an inspection of the property and his findings are anticipated prior to the thirty day timeframe noted in the statute, which will conclude on October 9, 2022. Planning staff had not yet received the document as of the completion of the agenda packet for the October meeting on September 6th and will forward to the Commission under separate cover immediately following receipt. It should be noted that the guidance provided by the HPO is non-binding and should not be considered an official ruling on how the commission should decide the application.

II. PROJECT INFORMATION:

A. Physical Address, Parcel Information and Owner for Current Application:

275 South Bennett Street and adjoining vacant parcel
Southern Pines, NC 28387
PIN #858100189381 and 858100280256
Parcel ID #00031245 and 20070995

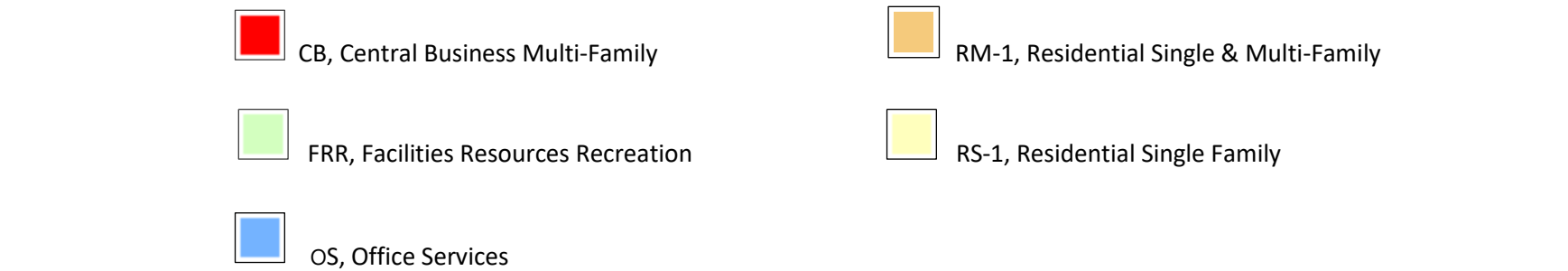
Owner: CDA Golf Properties, Inc.
275 S Bennett Street
Southern Pines, NC 28387

B. Applicant:

Southern Pines Ventures, LLC
107 Stokley Drive, Suite 100
Wilmington, NC 28403

C. Zoning of Property:

The subject property is zoned CB (Central Business) and located within the Historic District. *See Figures 1 and 2 on the following pages.*



[illegible]

III. STAFF REVIEW:

A. Application Submittal Date

- Application received May 9, 2022
- Application deemed complete May 10, 2022
- Notice of Public Hearing:
 - Posted On-site: May 20, 2022
 - Mailed: May 23, 2022
 - Internet: May 19, 2022
- Historic District Commission Hearing: June 9, 2022
- Application Amended: September 1, 2022
- Public Hearing Continuation: September 8, 2022
- Public Hearing Continuation: October 13, 2022

B. Application Materials

The applicant has submitted a complete application packet, since modified to limit the request to the demolition of the two structures located at 275 S. Bennett Street.

C. Staff Comments

The Historic District Commission is considering Certificate of Appropriateness – Major Works for the following amended scope of work.

- 1) Demolition of two existing structures located at 275 S. Bennett Street (PIN #858100189381 and Parcel ID #00031245). Data available from Southern Pines GIS describes the property as containing .86 acres and with an appraised value of \$589,520. This value includes land value of \$472,100 and building value of \$117,420. Moore County Tax records indicate the building contains 3,570 square feet and was constructed in 1920. However, the Town’s Historic Buildings Inventory produced in 1981 states a construction date of 1896. The second structure on the property is an accessory outbuilding.

D. Factors for Consideration Regarding Demolitions in the Historic District

Both the UDO and the Design Guidelines address requests for demolition of structures within the locally-designated historic district.

Section 2.28.5 of the UDO, closely following NC General Statutes, states:

“An application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of a building or structure within the Historic District may not be denied. However, the effective date of such a certificate may be delayed for a period of up to three hundred sixty-five (365) days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the Commission where it finds that the owner would suffer extreme hardship or be

permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the Commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building. If the Commission finds that the building has no particular Significance or value toward maintaining the character of the Historic District, it shall waive all or part of such period and authorize earlier demolition or removal.

In every case, the record of the Commission's action shall include the reasons for its action."

The Historic District Design Guidelines addresses requests for demolition within the district as follows:

"The Historic District Commission must approve a request for demolition or relocation of a historic building or structure. In considering a request for demolition or relocation of a building or structure, the Commission may not deny a Certificate of Appropriateness, but it can delay the issuance of a certificate for up to 365 days in order to negotiate with the property owner and any other parties to find a means of preserving the building on site.

However, the Commission can authorize, and not delay, demolition or relocation if:

- *The owner will suffer extreme hardship or be deprived permanently of all beneficial use of the property by virtue of the delay; or*
- *The Commission finds that the building or structure has no special significance or value to maintaining the character of the district."*

The primary structure located at 275 S. Bennett Street is currently occupied by business offices on the lower level and residential tenants on the upper floor.

The North Carolina State Historic Preservation Office (HPO) provides resources to local historic district commissions, including a *Handbook for Historic Preservation Commissions in North Carolina*, jointly published by the HPO and Preservation North Carolina. Guidance language in this publication with regard to the demolition of structures within a local district includes:

"Demolition Guidelines

The goal of demolition guidelines is to find a means to prevent the destruction of significant properties. These are key issues in evaluating proposals for demolition:

- *The effect of relocation on the property's integrity and special significance.*
- *The effect of a property's removal from a historic district on the district's special character.*

- *The effect of a property's relocation into a historic district on the district's special character.*"¹

The HPO Handbook further advises that determinations regarding a property's contribution to the special character of a district may be guided by the following elements, as well as any adopted guidelines:

- Properties with individual significance, such as those that would qualify as landmarks in their own right.
- Properties with no individual significance, but which nonetheless contribute significantly to the district's special character.
- Properties that contribute little to the district's special character.
- Properties that detract from the district's special character.

And lastly, the Handbook provides the following advice on decisions regarding demolitions:

"If the commission chooses to delay demolition, it is required by law to actively seek a means of preserving the property. A demolition delay that accomplishes nothing will alienate property owners, who view the delay as pointless. On the other hand, working out a preservation solution for the endangered property will reap public relations benefits for the commission."

"Delay of demolition or relocation is at the commission's discretion. However, state law specifies two circumstances in which the commission must waive or reduce the delay period:

- *The commission finds that the property owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from the property because of the delay.*
- *The commission finds that a building or site within a historic district has no special significance or value toward maintaining the character of the district.*

*The standard of "extreme hardship" applies only to the effect of a delay of demolition or relocation. The standard of "extreme hardship" should be interpreted according to the normal meaning of these words. It is not the same as the "practical difficulties or unnecessary hardship" standard used by boards of adjustment in applying zoning ordinances."*²

¹ Handbook for Historic Preservation Commissions in North Carolina; Preservation North Carolina and State Historic Preservation Office, North Carolina Department of Cultural Resources, Division of Archives and History; 1994. Page 39.

² Handbook for Historic Preservation Commissions in North Carolina; Preservation North Carolina and State Historic Preservation Office, North Carolina Department of Cultural Resources, Division of Archives and History; 1994. Page 70.

Southern Pines' Historic District Design Guidelines offers the following information to assist the commission in their decision-making with regard to the demolition of structures in the district.

“In evaluating an application for the relocation or demolition of a historic building or structure, the Historic District Commission considers the following information:

- *Historic significance of the individual building or the accessory structure;*
- *Contribution of the individual building to the overall historic district;*
- *Effect of relocation or demolition of the building on the historic district;*
- *Structural condition of the historic building.*

Applicant and Commission Questions for Relocation and Demolition

- *Does the building represent an important architectural style?*
- *Is the building of special historic or cultural significance?*
- *Does the building exhibit important character-defining features that are unique or not found elsewhere in the district?*
- *Will loss or moving of the building adversely affect the historic district or the streetscape?*
- *Is there a new development or use that will benefit the overall district while meeting the adopted design standards for development in the historic district?*
- *Have all efforts been exhausted to consider alternatives to relocation or demolition?*

Relocation and Demolition – Recommended Practices

- ✓ *Make every effort to preserve a building rather than relocate or demolish it;*
- ✓ *Evaluate multiple rehabilitation and use alternatives;*
- ✓ *Seek assistance from the Historic District Commission or other preservation interests to determine opportunities for alternative uses, funding, etc.*
- ✓ *Consider sale of the property to other interested investors;*
- ✓ *Document the building in photographs and plans for archival purposes;*
- ✓ *Salvage important architectural features or historic materials;*
- ✓ *Stabilize and restore the site of the building so that it does not detract from the historic district;*
- ✓ *Use a licensed building professional when moving a historic building;*
- ✓ *Identify a relocation site that is similar in physical characteristics and context to the original site and retain the original orientation of the building in the new location.*

Relocation and Demolition – Discouraged Practices

- x *Demolishing a historic building without considering options for preservation or sale;*
- x *Moving a stable historic building to another location;*

- x *Demolishing or moving a historic building without documenting the property.”*

E. Review Criteria in Detail

The primary criteria for consideration of a certificate of appropriateness are found in UDO §2.28.10. Much of the criteria do not apply to demolition proposals; however, they are listed below in their entirety and comments regarding compliance are provided where relevant, using the Recommended Practices in the *Historic District Design Guidelines* for interpretive guidance.

Section 2.28 Certificate of Appropriateness – Major Work.

2.28.10. Criteria

- (A) *In considering an application for a Certificate of Appropriateness, the Commission shall take into account the historical and/or architectural significance under consideration and the exterior form and appearance of any proposed additions or modifications to that structure that are visible from a public right-of-way. The Commission shall not consider interior arrangement or use.*

The most comprehensive available information on the property at 275 S. Bennett Street is provided in Southern Pines’ Historic Buildings Inventory, composed by Ann C. Alexander and published in 1981. Neither the Bennett Street nor the Massachusetts Avenue properties are included in the Town’s National Register for Historic Places District. For the Bennett Street property, the Buildings Inventory document states the following:

“Hayes House

275 S. Bennett Street

Built 1896

This large house was built for E.B. Hodgkins, superintendent of the J. Van Lindley Orchards. After changing ownership a few times, it was acquired in 1912 by active merchants Mr. and Mrs. Claude Hayes. Mr. Hayes owned a popular bookstore on Broad Street, while Mrs. Hayes established a women’s clothes shop, Mrs. Hayes Dress Shop; both became long-lived Southern Pines institutions. Hayes’ daughter inherited the house and donated it to the Sandhills Community College. Although the house retains its L-shape and its large lot setting, it has been moderately remodeled with the removal of the wrap-around porch, the alteration of the window sash and the addition of stucco surface. The house was recently sold at public auction, and plans call for the structure to be used as a restaurant.”

- (B) *The Commission shall consider the following factors when determining whether the application is or is not congruous with the historic aspects of the Historic District:*

- 1) *The height of the building in relation to the average height of the nearest adjacent and opposite buildings.*

Staff research indicates that the average height of the nearest adjacent and opposite buildings to the site, that are within the historic district, is +/- 37.5', based on estimated heights of 50' and 25' (see chart below). The primary structure at 275 S. Bennett Street measures +/- 25' in height.

- 2) *The setback and placement on the lot of the building in relation to the average setback and placement of the nearest adjacent and opposite buildings.*

The table below shows the approximate setbacks of the subject building as well as buildings located within the historic district that are adjacent and opposite to the proposed building. The setbacks may appear to be greater than they actually are, due to the 80' right-of-way of both Bennett and Massachusetts.

275 S. Bennett (subject building)	160 W NY Ave (adjacent east)*	155 W Mass (adjacent south)
Height = +/- 25'	+/- 50'	+/- 25'
Bennett setback = +/- 40'	+/- 23'	N/A
Mass. Setback = +/- 6.5'	N/A	+/- 16'

*Constructed in early 2020

- 3) *Exterior construction materials, including texture and pattern.*
The building features a wood frame construction with stucco exterior finish and board and batten accents on the front entryway and the front and side of the now enclosed porch.
- 4) *Architectural detailing, such as lintels, cornices, brick bond and foundation materials.*
Beyond the rooflines and fenestration, very few architectural details are present on the structure. Foundation materials are not readily visible.
- 5) *Roof shapes, forms and materials.*
The primary structure has been added onto over the years, and the front/side porch enclosed, leaving a multiple gable roof structure with the enclosed porch covered with a shed roof. More than one type of metal roofing is present. The portion that appears to be

original to the home exhibits tin tile shingles, with the exception of the front and side porch which has been enclosed. The porch and a building addition at the rear of the original portion are covered with standing seam metal.

- 6) *Proportion, shape, positioning and location, pattern and size of any elements of fenestration.*
Double hung nine over six wood windows are present on the original portion of the structure and the later addition's gable end, centered on the gable ends and nearly symmetrical across the second story front façade. The enclosed porch features a series of wood frame single pane windows across the side and front facades.
- 7) *General form and proportions of buildings and structures.*
The primary structure has retained the L-shape form with alterations as described in the 1981 Historic Buildings Inventory.
- 8) *Appurtenant fixtures and other features such as lighting.*
Staff has found nothing significant in this category with the exception of the landscape. The site features a number of large longleaf pines, many of which are within the right-of-way. The street-facing property lines are marked by a thick evergreen hedge, pruned to approximately waist-height, only broken by the driveways and steps/metal hand rails along the front sidewalk that extends to Bennett Street. A number of smaller trees, camellias, azaleas and other plantings are abundant on the site.
- 9) *Structural conditions and soundness.*
Please refer to Jeff Adolphsen's assessment on this item.
- 10) *Architectural scale.*
Per data located on the Moore County GIS site, the 3,570 square foot principal structure is located on a .86 acre lot. The property constitutes the northwestern corner and the majority of the Bennett Street frontage of the block where it is located and is more than twice the size of any other lot within the block. Few structures originally built as residences are present in the immediate vicinity; however, the scale of the structure is not dissimilar to the structure located at 230 S. Bennett Street (see image in attachments).
- 11) *Secretary of the Interior Guidelines.*
These standards are included at the end of this report, with staff-determined relevant items highlighted.

(C) *Prior to taking a vote on the application, the Commission shall make the following findings:*

- 1) *Work **is/is not** compatible and appropriate in preserving, retaining, repairing, or restoring the defining historic character of a property and the district. Specifically, the work **is/is not** considered compatible and appropriate in terms of material, design, dimensions, mass, scale, orientation, color and other applicable considerations;*
- 2) *Work **does/does not** damage or remove significant character defining features of the building and **will/will not** adversely affect its contribution to the larger historic district; and*
- 3) *Work **is/is not** consistent with the adopted design guidelines for the historic district.*
- 4) *The owner **will/will not** suffer extreme hardship or be deprived permanently of all beneficial use of the property by virtue of the delay.*
- 5) *The Commission finds that the building or structure **has/has no** special significance or value to maintaining the character of the district.”*

IV. HISTORIC DISTRICT COMMISSION ACTION:

To either approve or deny a *Certificate of Appropriateness – Major Work* application, the Historic District Commission must make findings of fact and conclusions to the applicable standards. The Historic District Commission shall first vote on whether the application is complete. The Historic District Commission shall then vote on whether the application complies with the Criteria for a Certificate of Appropriateness, including the Principles and Guidelines of the Historic District.

Staff recommends that the HDC take the following action at this time:

Using the following suggested motion format, the HDC may take a vote on the demolition request in the COA application. As NC General Statute 160D-949 prohibits a denial, the options available to the Commission are:

1. To vote for approval of the COA request with an immediate effective date,
or
2. To vote for approval of the COA request with an effective date no greater than 365 days from the date of the approval.

It should be noted that 160D-947 requires that applications for certificates of appropriateness must be reviewed and acted upon within 180 days from the date the application is filed; this timeline will expire on November 4, 2022, six days before the November HDC meeting. A vote will be necessary during this meeting or during a special called meeting that could be scheduled prior to the November 4th deadline, at the Commission's discretion.

Finding of Fact #1

1. **I move** that as a finding of fact the application is complete and that the facts submitted are relevant to the case because the request for Certificate of Appropriateness Major Work has met the specified submittal requirements as required in the Town of Southern Pines Unified Development Ordinance.
Staff has determined that the application is complete and meets the submittal requirements as required by the Town's UDO.

Finding of Fact #2 (please note that staff has provided two options for the motion format for this Finding, the first is recommended for use if the application is determined to be compliant with all criteria, and the second if it is determined to be noncompliant with any of the criteria). In either case, justification for the motion that is specific to the proposal being considered, will need to be added.

2. **(Option 1) I move** that as a finding of fact the application to demolish structures at 275 S. Bennett Street **complies with** Section 2.28.10 Criteria for a Certificate of Appropriateness – Major Work, Criteria (C) 1-3 in that:
 - a. Work **is compatible and appropriate** in preserving, retaining, repairing, or restoring the defining historic character of the property and the district. Specifically, the work is considered compatible and appropriate in terms of material, design, dimensions, mass, scale, orientation, color and other applicable considerations. This motion is supported by the following specifics in the proposal being considered:
 - i. _____;
 - ii. _____;
 - iii. _____.
 - b. Work **does not damage or remove** significant character defining features of the building **and will not** adversely affect its contribution to the larger historic district. This motion is supported by the following specifics in the proposal being considered:
 - i. _____;
 - ii. _____;
 - iii. _____.
 - c. Work **is consistent with** the adopted design guidelines for the historic district, including the following:
 - i. _____;
 - ii. _____.

- iii. _____.
- d. The building and/or site **have no** special significance or value toward maintaining the character of the district because of the following:
 - i. _____;
 - ii. _____;
 - iii. _____.
- e. The owner of the property **will** suffer extreme hardship or be permanently deprived of all beneficial use of or return from the property should the proposed demolition be delayed. This finding is based on the following information:
 - i. _____;
 - ii. _____;
 - iii. _____.

-OR-

(Option 2) I move that as a finding of fact the application to demolish structures at 275 S. Bennett Street **does not comply with** Section 2.28.10 Criteria for a Certificate of Appropriateness – Major Work, Criteria (C) 1-3 in that:

- a. Work **is not compatible and appropriate** in preserving, retaining, repairing, or restoring the defining historic character of the property and the district. Specifically, the work is not considered compatible in terms of material, design, dimensions, mass, scale, orientation, color and other applicable considerations. This motion is supported by the following specifics in the proposal being considered:
 - i. _____;
 - ii. _____;
 - iii. _____.
- b. Work **does damage or remove** significant character defining features of the building **and will** adversely affect its contribution to the larger historic district. This motion is supported by the following specifics in the proposal being considered:
 - i. _____;
 - ii. _____;
 - iii. _____.
- c. Work **is not consistent with** the adopted design guidelines for the historic district because of the following:
 - i. _____;
 - ii. _____;
 - iii. _____.

- f. The building and/or site **have** special significance or value toward maintaining the character of the district because of the following:
- i. _____;
 - ii. _____;
 - iii. _____.
- g. The owner of the property **will not** suffer extreme hardship or be permanently deprived of all beneficial use of or return from the property should the proposed demolition be delayed. This finding is based on the following information:
- i. _____;
 - ii. _____;
 - iii. _____.

Therefore, I move to:

- *(Based on Option 1 Findings)* Because the structures have been determined to have no particular significance or value toward maintaining the character of the Historic District, approve HD-11-22 with regard to the demolition of the structures at 275 S. Bennett Street with an immediate effective date;

-OR-

- *(Based on Option 2 Findings)* Because the structures have been determined to have particular significance or value toward maintaining the character of the Historic District, approve HD-11-22 with regard to the demolition of the structures at 275 S. Bennett Street with an effective date of _____ days from this date, during which time the Commission shall negotiate with the owner and with any other parties in an effort to find a means of preserving the building. *(your motion may include a delay of no more than 365 days)*

Enclosures: COA Major Work Application
 Applicant Request to Amend Application
 Images of Existing Structures
 Image of 230 S. Bennett Street
 NCGS 160D-949

U.S. Department of the Interior:

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



Certificate of Appropriateness Major Work

REQUIRED APPLICATION MATERIALS:

- ☒ Application fee in the amount of \$250.00.
- ☒ Completed Application for a Certificate of Appropriateness – Major Work signed by the applicant.
Please do not leave anything blank and make sure all of the information provided is correct.
- ☒ Appointment of Agent, if applicable, signed by the property owner(s) and the agent as evidence that the current property owner(s) approve(s) of the proposed work.
- ☒ Deed copy to provide proof of ownership and property boundaries.
- ☒ Project description: Please tell us what currently exists and what changes you are proposing. Please attach written descriptions, maps, illustrations/renderings, photographs, material samples, etc. as necessary.
- ☒ Written narrative: Please address compliance with all of the criteria listed in **UDO §2.28.10 Criteria for a Certificate of Appropriateness – Major Work**. The Historic District Commission will determine if the application meets the established criteria for approval. The list of criteria is attached.
- ☒ Electronic copy (PDF) of all application materials submitted to plan@southernpines.net.

PLEASE SUBMIT ONLY ONE (1) COMPLETE SET OF ALL MATERIALS.

REVIEW AND APPROVAL:

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed. It is the applicant's responsibility to demonstrate compliance with applicable criteria.
2. **Public hearing**: The applicant is expected to attend a public hearing before the Historic District Commission at its regular monthly meeting. Please refer to the **Application Processing Timeline** to determine the hearing date.
3. **Issuance of Certificate of Appropriateness**: If the request is approved by the Historic District Commission, a Certificate of Appropriateness - Major Work setting forth any conditions of approval will be issued to the applicant. All construction associated with the project and/or the operation of the development must comply with the Certificate of Appropriateness.

COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF SOUTHERN PINES
180 SW BROAD STREET
SOUTHERN PINES, NORTH CAROLINA 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net



Certificate of Appropriateness Major Work

Date Received: _____ Fee Paid: _____ Case No.: HD-____-____

Project Information:

Street Address: 275 S. Bennett St

PIN: 858100189381/858100280256

Parcel ID: 00031245/20070995

Site Size: +/- 1.11 acres total

Zoning: CB-Central Business

Applicant:

Name(s): Southern Pines Ventures, LLC

Email: jsandlin@clarendonnc.com

Phone: 910-256-2672

Mailing Address: 107 Stokley Dr. Suite 100 Wilmington, NC 28403

Authorized Agent, if different from Applicant:

Name(s): John Sandlin and Gale Wallace

Email: jsandlin@clarendonnc.com and gale@clarendonnc.com

Phone: 910-256-2672/910-297-3353 (Gale)

Mailing Address: 107 Stokley Dr. Suite 100 Wilmington, NC 28403

Legal Property Owner(s), if different from Applicant:

Name(s): CDA Golf Properties, Inc. (Allen Jordan)

Email: johnallenjordan@gmail.com

Phone: 910-693-1700

Mailing Address: 14 Devon Dr. Pinehurst, NC 28374

7-1-19



Certificate of Appropriateness Major Work

Date Received: _____ Fee Paid: _____ Case No.: HD-____-____

Project Information:

Street Address: 155 W. Massachusetts Ave PIN:

Parcel ID: 00033104 Site Size: .215 +/- acres total Zoning: CB-Central Business

Applicant:

Name(s): Southern Pines Ventures, LLC Email:

jsandlin@clarendonnc.com Phone: 910-256-2672

Mailing Address: 107 Stokley Dr. Suite 100 Wilmington, NC 28403

Authorized Agent, if different from Applicant:

Name(s): John Sandlin and Gale Wallace

Email: jsandlin@clarendonnc.com and gale@clarendonnc.com Phone: 910-256-2672/910-297-3353 (Gale)

Mailing Address: 107 Stokley Dr. Suite 100 Wilmington, NC 28403

Legal Property Owner(s), if different from Applicant:

Name(s): Robert R. Dyer Jr.

Email: Phone:

Mailing Address: 161 Michael Rd. Carthage, NC 28327

7-1-19

TO THE TOWN OF SOUTHERN PINES HISTORIC DISTRICT COMMISSION:

I submit this application for a Certificate of Appropriateness – Major Work to make the following change(s) which may alter the exterior appearance of property within the Town of Southern Pines Historic District:

See Attached Narrative

Date:

4/22/22


Applicant

Note: The attached Appointment of Agent form must be submitted if the Applicant is not the property owner.

From: [Gale Wallace](#)
To: [Pam Graham](#)
Subject: RE: Mark Caulfield
Date: Thursday, September 1, 2022 11:19:18 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Let this email serve as notice that this is how we wish to move forward.

Thank you.



Gale Wallace, CPM
VICE PRESIDENT

gale@clarendonnc.com
OFFICE: 910.256.2672
CELL: 910.297.3353

107 Stokley Dr. Suite 100
Wilmington, NC 28403

www.clarendonnc.com



From: Pam Graham <PGraham@southernpines.net>
Sent: Thursday, September 1, 2022 10:11 AM
To: Gale Wallace <gale@clarendonnc.com>
Subject: RE: Mark Caulfield

Gale, I guess I lied when I said I didn't need anything else for next week. I don't see a specific request to amend the current COA application to include only the demolition for the Bennett Street property. I see in your August 25th email that you say that you "believe we will want to separate our applications so we can get a ruling on September 8th on the demolition of the Bennett St. buildings and will deal with the new-build separately". I will need something more definitive than that, by email is fine, that confirms that this is how you wish to proceed.

I have until the end of the day today to complete my staff report for next week's meeting. Please shoot me a confirmation email as soon as your schedule allows.

Pamela Graham, AICP
Principal Planner
Planning Department
Town of Southern Pines
801 SE Service Road, Southern Pines, NC 28387
(910) 692-4003

From: Gale Wallace <gale@clarendonnc.com>
Sent: Wednesday, August 31, 2022 11:25 AM
To: Pam Graham <PGraham@southernpines.net>
Subject: Re: Mark Caulfield

Thanks....

Do you need anything from me for next week?

Gale Wallace
Vice President
Clarendon Properties, LLC

On Aug 31, 2022, at 8:11 AM, Pam Graham <PGraham@southernpines.net> wrote:

Good Morning Gale,

Attached is the sign in sheet from the June HDC meeting. I see Mr. Caulfield's name and address. This is the only information that I have on him.

Pamela Graham, AICP
Principal Planner
Planning Department
Town of Southern Pines
801 SE Service Road, Southern Pines, NC 28387
(910) 692-4003



Principal Structure at 275 S Bennett Street (taken from Massachusetts Ave.)



Principal Structure at 275 S Bennett Street (taken from Bennett St. looking west)



Principal Structure at 275 S Bennett Street (taken from Massachusetts Ave.)





Outbuilding at 275 S Bennett Street



© 2022 Google

Google Earth

230 S. Bennett Street

§ 160D-949. Delay in demolition of landmarks and buildings within historic district.

(a) An application for a certificate of appropriateness authorizing the relocation, demolition, or destruction of a designated landmark or a building, structure, or site within the district may not be denied, except as provided in subsection (c) of this section. However, the effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the preservation commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the preservation commission shall negotiate with the owner and with any other parties in an effort to find a means of preserving the building or site. If the preservation commission finds that a building or site within a district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.

If the preservation commission or planning board has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not been made by the governing board, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the preservation commission or planning board for a period of up to 180 days or until the governing board takes final action on the designation, whichever occurs first.

(b) The governing board may enact a regulation to prevent the demolition by neglect of any designated landmark or any building or structure within an established historic district. Such regulation shall provide appropriate safeguards to protect property owners from undue economic hardship.

(c) An application for a certificate of appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the preservation commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

Agenda Item

To: Historic District Commission

From: Pamela Graham, Principal Planner

Subject: HD-15-22 Certificate of Appropriateness: Major Works, “Little Free Library”; Sycamore Tree Located Adjacent to 140 SW Broad Street; Applicant, Suzanne Coleman on behalf of Welcome to Southern Pines; Owner, Town of Southern Pines.

Date: October 13, 2022

I. SUMMARY OF APPLICATION REQUEST:

Suzanne Coleman has submitted an application on behalf of Welcome to Southern Pines, Inc., requesting a Certificate of Appropriateness Major Work for the purpose of converting/repurposing a dying Sycamore tree located in the right-of-way near 140 SW Broad Street into a Little Free Library®. The project is located within the Town’s right-of-way and is considered to be Town property. The location is zoned CB (Central Business).

II. PROJECT INFORMATION:

A. Nearest Physical Address:

140 NW Broad Street
Southern Pines, NC 28387

B. Owner:

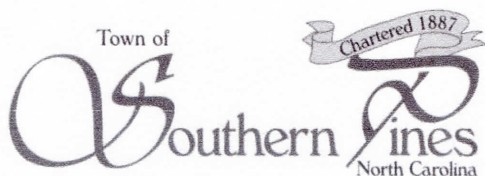
Town of Southern Pines

C. Applicant:

Suzanne Coleman
Welcome to Southern Pines, Inc.
PO Box 202
Southern Pines, NC 28388

D. Zoning of Property:

The subject property is zoned CB (Central Business) and located within the Historic District. *See Figure 1 on the following page.*



Certificate of Appropriateness Major Work

Date Received: _____ Fee Paid: _____ Case No.: HD-____-____

Project Information:

Street Address: R.O.W. 140 SW Broad St. SP NC 28387

PIN: _____

Parcel ID: _____

Site Size: _____

Zoning: CBD

Applicant:

Name(s): Welcome to Southern Pines Inc

Email: Juzanne@welcometosouthernpines.org Phone: 910.639.3982

Mailing Address: P.O. Box 202 SP NC 28388

Authorized Agent, if different from Applicant:

Name(s): JUZANNE Coleman

Email: JUZANNE@welcometosouthernpines.org Phone: 910-639-3982

Mailing Address: P.O. Box 202 SP NC 28388

Legal Property Owner(s), if different from Applicant:

Name(s): Town of Southern Pines - Reagan Parsons

Email: parsons@southernpines.net Phone: 910-692-7021

Mailing Address: 125 SE Broad ST SP NC 28387

TO THE TOWN OF SOUTHERN PINES HISTORIC DISTRICT COMMISSION:

I submit this application for a Certificate of Appropriateness – Major Work to make the following change(s) which may alter the exterior appearance of property within the Town of Southern Pines Historic District:

To convert/re-purpose a dying Sycamore tree located in the Right of way at 140 SW Broad St into a Little Free Library per the attached design and based on the attached Coverde Lane prototype using weather-resistant building materials and components consistent with the Historic District Design Guidelines.

Date:

9/01/2022



Applicant

Note: The attached Appointment of Agent form must be submitted if the Applicant is not the property owner.

PLANNING DEPARTMENT
TOWN OF SOUTHERN PINES

plan@southernpines.net (910) 692-4003 www.southernpines.net

From: [Suzanne Coleman](#)
To: [Pam Graham](#)
Subject: Re: Little Free Library project report
Date: Wednesday, October 5, 2022 10:20:11 AM

Good Morning Pam,

Sorry for the delay... see my answers below in bold.

Good Morning Suzanne,

I am finalizing my staff report for your project and think it would benefit by the following information being added, if you have it:

- Proposed material(s) for roof ? **3/4" plywood for the roof deck with 5/8" cedar siding / shakes**
- The proposed door is described as clear glass. Do you expect it to be framed in wood, or another material? **I anticipate using multi-paned windows as doors (2) which may be framed in wood or may be a synthetic material with polycarbonate (Lexan) in lieu of glass.**
- The sketch shows a narrow band near the top with the word "Library". Will the "Little Free Library" official marker be placed there, **YES we intend to register this LFL with the LFL nonprofit organization once it's completed.** somewhere else, or not at all?
- The sketch also shows door protection that appears to be a narrow shed dormer/awning. Do you expect this to be covered in the same material as the roof? **YES unless we find a metal (i.e., copper) short awning we prefer**

Other design details:

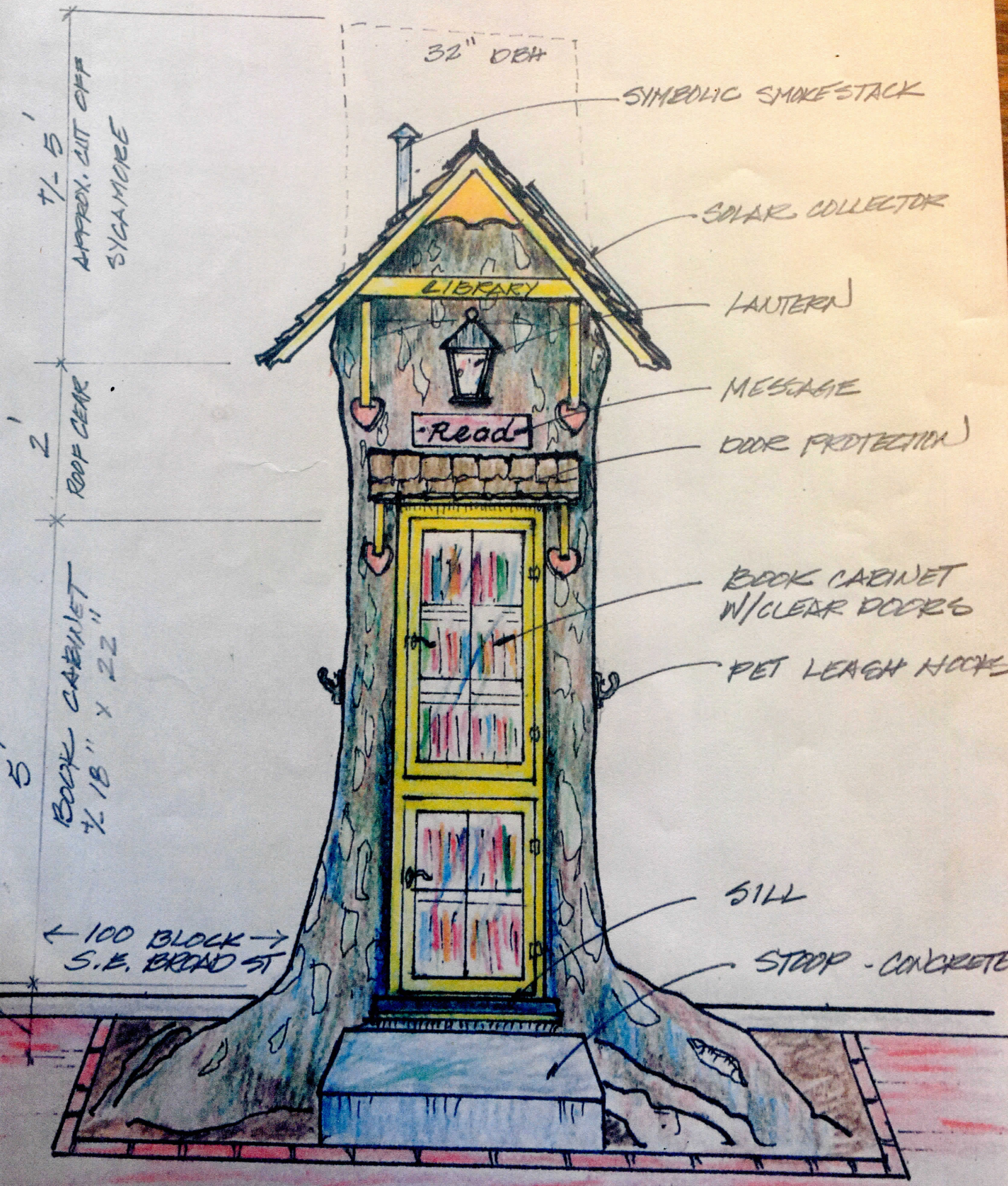
- **Door Hardware - Ornate iron / antique gate handles with magnetic catches and self-closing hinges. Any exterior hardware will be corrosion resistant.**
- **Metal Dog Leash Hooks - (2) on either side**
- **Interior lighting - solar panel mounted on roof**
- **Accessibility - We will work to ensure it's ADA accessible.**
- **Guide - I obtained the official Guide to Constructing LFLs from the LFL organization to ensure we benefit from their decades of experience, which covers best practices for everything from design to materials to lighting to building a cedar roof to registration, etc.**

<https://www.amazon.com/Little-Free-Libraries-Tiny-Sheds/dp/0760358125>

Hope this covers everything.

Suzanne

Pamela Graham, AICP
Principal Planner
Planning Department
Town of Southern Pines
801 SE Service Road, Southern Pines, NC 28387





LITTLE FREE LIBRARY.ORG®
TAKE A BOOK • SHARE A BOOK

**RE-PURPOSING SYCAMORE TREE TRUNK
LOCATED ON
140 SW BROAD STREET ROW**



Trunk dimensions: 12' H x 32" DBH x 8' Circumference

Two (2) large, healthy trunk sections were saved/stored at B&G Annex for potential use in constructing the Little Free Library.

DESIGN STANDARDS & GUIDELINES

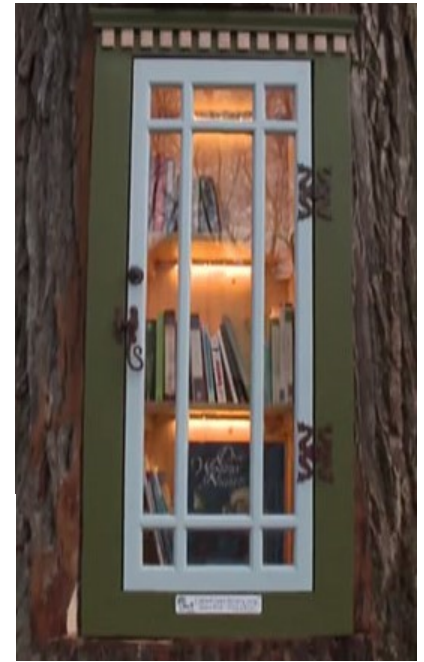
Regulations: TOSP UDO / HDC Guidelines / Little Free Library Installation Tips & FAQ (www.littlefreelibrary.org)

PRIORITY:

- ◆ *Protect sycamore trunk exterior / interior / roots from weather, pests, disease, damage*
- ◆ *Protect library case, shelving & books from weather & condensation*
- ◆ ROOF—generous overhang to protect library and readers
- ◆ LIGHTING— Exterior / Interior Lighting—Solar
- ◆ HARDWARE—Sturdy, yet whimsical
- ◆ GLASS DOOR— For maximum viewing
- ◆ SHELVING—Multiple, adjustable shelves for various reading ages
- ◆ ACCESSIBILITY— ADA compliant—low enough for young readers to reach
- ◆ DESIGN—Choice of Colors / Materials
- ◆ SIGNAGE—LFL Aluminum Registration Plate / LFL Philosophy
- ◆ STEWARD SELECTION—Person or organization to stock / maintain LFL



LITTLE FREE LIBRARY.ORG®
TAKE A BOOK • SHARE A BOOK



A Little Free Library in Coeur d'Alene Idaho designed by an artist, librarian & bookbinder, who wanted to repurpose the dying 110-year-old cottonwood tree in her front yard.

https://www.thepilot.com/news/sycamore-tree-stump-granted-clemency/article_7025913e-a406-11e9-818a-37d4d3ba7afd.html

FEATURED

Sycamore Tree Stump Granted Clemency

Laura Douglass, Staff Writer Jul 11, 2019



Suzanne Coleman
Ted Fitzgerald/The Pilot

The loss of a century-old sycamore tree in downtown Southern Pines was inevitable. The massive branches had deteriorated over time, damaged by bacterial leaf scorch, a condition common to sycamores in this area.

On Sunday at dawn, a professional tree removal service will remove everything down to the eight-foot mark.

The sycamore stump -- with its textured bark and rumpled roots -- will then be reborn to serve a new purpose, said Suzanne Coleman, who oversees the town's Welcome Center and is spearheading a grassroots initiative to convert the spot into a new Free Little Library branch.

Coleman was inspired by Sharalee Armitage Howard, an artist and librarian from Coeur d'Alene, Idaho, who turned a 110-year old cottonwood stump in her yard into a tiny library. The project involved carving bookshelves into the stump, then adding lighting, a small door and a shingled roof.

Earlier this week, she reached out to Southern Pines Town Manager Reagan Parsons and said he accepted her proposal.

"He has granted the sycamore clemency," she said, laughing. "But this is a really good alternative. It means there is less work for tree removal, the sidewalk won't have to be torn up, and the sycamore trunk will be repurposed into something unique."

"I so appreciate Reagan embracing this," she added.

The large tree had been scheduled for complete removal upon the recommendation of Jeff Grey, the town's arborist.



This tiny library created by Sharalee Armitage Howard, an Idaho artist, inspired Suzanne Coleman to save the 100-plus year old sycamore stump in downtown Southern Pines. Photo courtesy of Sharalee Armitage Howard.

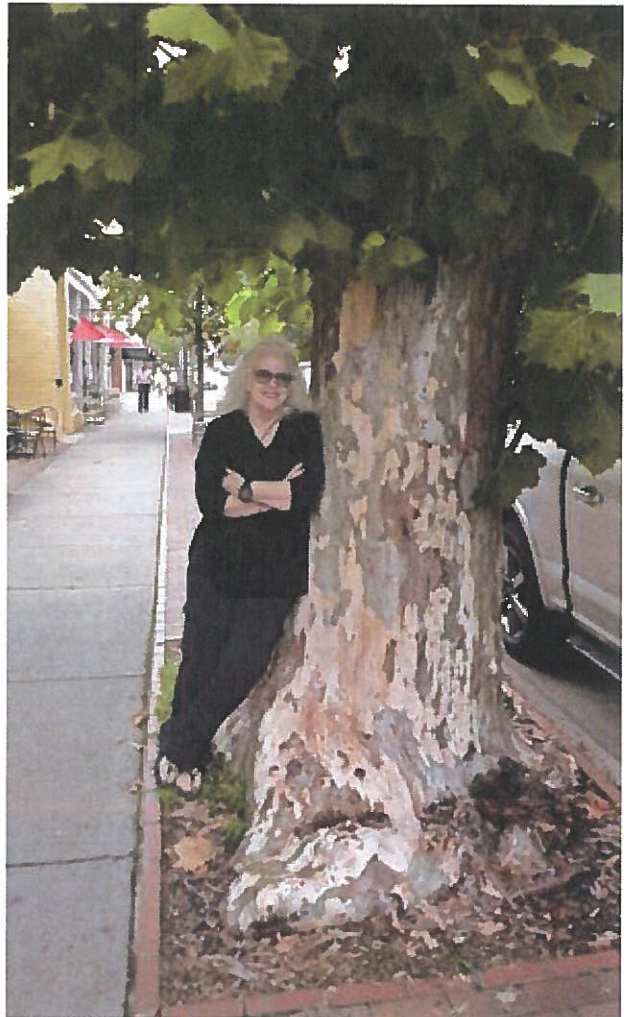
"Anytime we lose a tree as historic and significant as this old sycamore it's like losing an old friend or family member," said Grey. "Growing up here in Southern Pines I enjoyed the shade from this tree many times. But sadly trees die and we have to take them down and remove them. Especially when they pose a threat to us, vehicles, and buildings."

He estimated the tree had lost more than 75 percent of its canopy in recent years. What was left was mostly deadwood.

"This sycamore has lived a good long life. We did our best to help it to this point, but alas it must be removed," he said.

The professional tree service will begin removal of the tree at 6:30 a.m. on Sunday, July 14, using a crane. In the interest of safety, the town announced the 100 Block of SW Broad Street will be closed to all traffic, including vehicular and pedestrian until the completion of the project.

The "clemency" agreement also underscores the community's commitment to literacy, libraries and families, Coleman said.



Suzanne Coleman near the sycamore tree on Broad Street in Southern Pines. Ted Fitzgerald/The Pilot

"The location is ideal. It is right by the Broad Street Bakery and Betsy's Crepes, which both attract a lot of families."

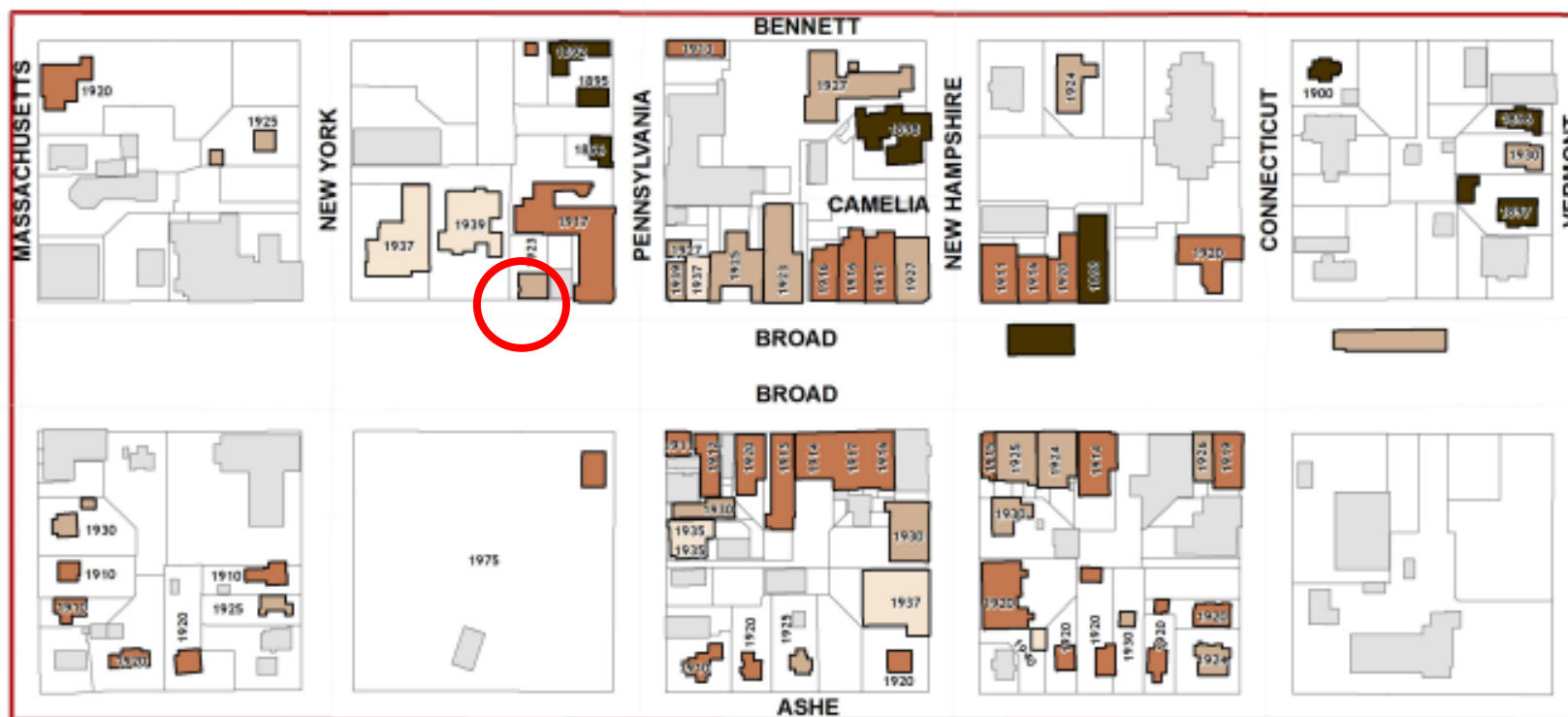
It is also directly across the street from Downtown Park where the Friends of Southern Pines Library have installed a Free Little Library, and around the block from the new Meat & Greek restaurant where a previous owner also installed a Free Little Library.

Coleman said she has reached out to several individuals and organizations in the area. The goal is to find a local artist or craftsman to design the project, and possibly a sponsoring business or organization.

She plans to submit a conceptual design for approval to the town's Appearance Commission at their meeting on July 23.

"There are so many opportunities here. I think this project could be really fun," she said. "We can turn something that is kind of sad -- a century-old tree that has to come down -- into something unique and new that will continue to serve the town."

Laura Douglass



III. STAFF REVIEW:

A. Application Submittal Date

- Application received September 1, 2022
- Notice of Public Hearing:
 - Posted On-site: September 21, 2022
 - Mailed: September 21, 2022
 - Internet: September 21, 2022
- Historic District Commission Hearing: October 13, 2022

B. Criteria for Review

The criteria for a Certificate of Appropriateness are found in UDO §2.28.10 and are included in this report, beginning on page 5. Staff comments follow, and written in consideration of the Historic District Design Guidelines, as best as they can be applied to this project. The Commission shall take the criteria into consideration for purposes of deliberation and adoption of findings of fact.

C. Application Materials

The applicant has submitted a complete application packet that includes a description of the project, images of the remaining portions of the tree, and example images of similar projects.

The application, project description, supporting images, and a July 2019 article in The Pilot on the project, are enclosed in its entirety with this document.



Existing Condition of Sycamore



Coeur d'Alene, Idaho Prototype

D. Staff Comments

The Historic District Commission is considering a Certificate of Appropriateness – Major Works for the purpose of converting/repurposing a dying Sycamore tree located in the right-of-way adjacent to 140 SW Broad Street into a “Little Free Library”. The applicant proposes to install the project per the design details submitted with the application, using weather-resistant building materials and components consistent with the Historic District Design Guidelines. A similar project installed in Coeur d’Alene, Idaho is serving as a model for the design.

The tree that has been selected for this project was taken down to a height of +/- 12’ in 2019 after determined to no longer be viable by the Town’s Certified Arborist, Mr. Jeff Grey. The tree had been damaged by bacterial leaf scorch, a condition that blocks water movement from the tree’s roots upward to the crown. The University of Maryland Extension states that reduced growth and dieback are common in severely infected plants. This was the case for this particular tree, and the decision was made to remove the crown to eliminate the possibility of large limbs causing damage to buildings or vehicles, or potentially falling on pedestrians on the adjacent sidewalk. The tree is located in a highly walkable portion of downtown on a block lined with restaurants and retail shops. The tree was estimated to be approximately 75 years old. The day before it was scheduled to be cut, a large limb dropped on a car parked beside it and totaled the vehicle.

Little Free Library’s website offers the following mission and vision: “Little Free Library is a nonprofit organization based in St. Paul, Minnesota. Our mission is to be a catalyst for building community, inspiring readers, and expanding book access for all through a global network of volunteer-led Little Free Libraries. Our vision is a Little Free Library in every community and a book for every reader. We believe all people are empowered when the opportunity to discover a personally relevant book to read is not limited by time, space, or privilege.” They provide an estimate of 150,000 Little Free Libraries in place in over 100 countries.

E. Review Criteria in Detail

As previously stated, the primary criteria for consideration of a Certificate of Appropriateness are found in UDO §2.28.10. What follows is a recitation of each criteria (*italicized*), followed by a comment on compliance using the Recommended Practices in the Historic District Design Guidelines for interpretive guidance.

Section 2.28 Certificate of Appropriateness – Major Work.

2.28.10. Criteria

- (A) *In considering an application for a Certificate of Appropriateness, the Commission shall take into account the historical and/or architectural significance under consideration and the exterior form and appearance of any proposed additions or modifications to that structure that are visible from a public right-of-way. The Commission shall not consider interior arrangement or use.*

The applicant describes the project as follows: “To convert/re-purpose a dying Sycamore tree located in the right-of-way at 140 SW Broad St into a Little Free Library per the attached design and based on the attached Couer de Leue prototype using weather-resistant building materials and components consistent with the Historic District Design Guidelines.”

The modifications will be entirely visible from the public right-of-way and include carving a cavity in the trunk sufficiently sized to accommodate shelving to hold books that can be borrowed by community members. The opening will face the sidewalk for convenient accessibility. Specifics are described in the narrative and include the following:

- A roof with generous overhang (material is described as ¾” plywood deck with 5/8” cedar siding/shakes)
- Exterior and interior solar lighting
- Sturdy yet whimsical hardware
- A glass door fashioned from multi-paned windows; framing may be wood or a synthetic material with polycarbonate (Lexan) in lieu of glass
- Shelving
- Signage in the form of an aluminum registration plate identifying the project as a Little Free Library (trademarked)
- A short awning/dormer over the door for protection from elements, described as being of the same cedar shake material as the roof or metal

(B) The Commission shall consider the following factors when determining whether the application is or is not congruous with the historic aspects of the Historic District:

- 1) The height of the building in relation to the average height of the nearest adjacent and opposite buildings.*
This factor is not applicable to the proposal under review.
- 2) The setback and placement on Lot of the building in relation to the average setback and placement of the nearest adjacent and opposite buildings.*
This factor is not applicable to the proposal under review.
- 3) Exterior construction materials, including texture and pattern.*
The applicant proposes to add a roof (materials not described) and a glass door.
- 4) Architectural detailing, such as lintels, cornices, brick bond and foundation materials.*

The sketch included with the application shows architectural detailing in the form of a symbolic smokestack, a small ornamental pediment in the front gable of the roof, a “Library” name sign near the top, a narrow shed dormer/awning over the door, and a “Read” sign over the awning. A solar collector is shown on one side of the roof.

5) *Roof shapes, forms and materials.*

The form of the roof is shown as a front-facing gable on the sketch included with the application. Material(s) of the proposed roof are not described but have the appearance of cedar shakes on the sketch. A small shed dormer/awning is also shown over the door, also indicating cedar shake materials.

6) *Proportion, shape, positioning and location, pattern and size of any elements of fenestration.*

The single proposed fenestration is the door which will open to the interior cabinet to be installed in the cavity of the tree. The door will face the sidewalk and is proposed to be glass. The size is not yet determined.

7) *General form and proportions of buildings and structures.*

This factor is not applicable to the proposal under review.

8) *Appurtenant fixtures and other features such as lighting.*

Both interior and exterior solar-powered lighting are listed in the proposal. No specific lighting fixture was included; however, the sketch provided with the application shows a lantern-style exterior fixture. A sign identifying the project as a trademarked Little Free Library is also proposed. The size and location of the sign is not described; however, the Idaho example provided by the applicant shows a sign near the bottom of the door.



9) *Structural conditions and soundness.*

The narrative describes the priorities for the project as follows:

- Protect sycamore trunk exterior/interior/roots from weather, pests, disease, damage
- Protect library case, shelving & books from weather & condensation

10) *Architectural scale.*

This factor is not specifically addressed in the application; however, the project will necessarily be scaled to the size of the remaining portion of the tree, and the ability to carve an opening in the trunk without sacrificing structural viability.

11) *Secretary of the Interior Guidelines.*

This is at the discretion of the Historic District Commission. Standards are provided on the final page of this report, with relevant items highlighted.

(C) *Prior to approving the application, the Commission shall make the following findings:*

- 1) *Work is compatible and appropriate in preserving, retaining, repairing, or restoring the defining historic character of a property and the district. Specifically, the work is considered compatible and appropriate in terms of material, design, dimensions, mass, scale, orientation, color and other applicable considerations;*
- 2) *Work does not damage or remove significant character defining features of the building and will not adversely affect its contribution to the larger historic district; and*
- 3) *Work is consistent with the adopted design guidelines for the historic district.*

IV. HISTORIC DISTRICT COMMISSION ACTION:

To either approve or deny a *Certificate of Appropriateness – Major Work* application, the Historic District Commission must make findings of fact and conclusions to the applicable standards. The Historic District Commission shall first vote on whether the application is complete. The Historic District Commission shall then vote on whether the application complies with the Criteria for a Certificate of Appropriateness, including the Principles and Guidelines of the Historic District. Staff has prepared Draft Findings of Fact for the Commission which can be found below. The Commission may discuss, amend and/or adopt these Findings of Fact.

Finding of Fact #1

1. **I move** that as a finding of fact the application is complete and that the facts submitted are relevant to the case because the request for Certificate of Appropriateness Major Work has met the specified submittal requirements as required in the Town of Southern Pines Unified Development Ordinance.

Staff has determined that the application is complete and meets the submittal requirements as required by the Town's UDO.

Finding of Fact #2 *(please note that staff has provided two options for the motion format for this Finding, the first is recommended for use if the application is determined to be compliant with all criteria, and the second if it is determined to be noncompliant with any of the criteria). In either case, justification for the motion that is specific to the proposal being considered, will need to be added.*

2. (Option 1) **I move** that as a finding of fact the application **complies** with Section 2.28.10 Criteria for a Certificate of Appropriateness – Major Work, Criteria (C) 1-3 in that:

1. *Work is compatible and appropriate in preserving, retaining, repairing, or restoring the defining historic character of a property and the district. Specifically, the work is considered compatible and appropriate in terms of material, design, dimensions, mass, scale, orientation, color and other applicable considerations. This motion is supported by the following specifics in the proposal being considered:*

- a. _____;
- b. _____;
- c. _____.

2. *Work does not damage or remove significant character defining features of the building and will not adversely affect its contribution to the larger historic district. This motion is supported by the following specifics in the proposal being considered:*

- a. _____;
- b. _____;
- c. _____.

3. *Work is consistent with the adopted design guidelines for the historic district, including the following:*

- a. _____;
- b. _____;
- c. _____.

- OR -

(Option 2) **I move** that as a finding of fact the application **does not comply** with Section 2.28.10 Criteria for a Certificate of Appropriateness – Major Work, Criteria (C) 1-3 in that:

1. *Work **is/is not** compatible and appropriate in preserving, retaining, repairing, or restoring the defining historic character of a property and the district. Specifically, the work is/is not considered compatible and appropriate in terms of material, design, dimensions, mass, scale, orientation, color and other applicable considerations. This motion is supported by the following specifics in the proposal being considered:*

- a. _____;
- b. _____;
- c. _____.

2. *Work **does/does not** damage or remove significant character defining features of the building and will not adversely affect its contribution to the larger historic district. This motion is supported by the following specifics in the proposal being considered:*

- a. _____;
- b. _____;
- c. _____.

3. *Work **is/is not** consistent with the adopted design guidelines for the historic district, because of the following:*

- a. _____;
- b. _____;
- c. _____.

Therefore, I move to:

- Approve HD-15-22

- OR -

- Approve HD-15-22 with the following conditions of approval:

- OR -

- Deny HD-15-22, based on the following:

Enclosures: COA Major Work Application including Project Description
Applicant's Description of Design Details
Applicant's Sketch
Little Free Library Organization information and example from Coeur d'Alene,
Idaho
July 11, 2019 Article from The Pilot

U.S. Department of the Interior:

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.