

Lauer, Martha

From: Tully, Tania
Sent: Friday, September 26, 2014 4:59 PM
To: Lauer, Martha
Subject: Fwd: Fw[2]: Submission to Raleigh Historic Development Commission Re Guidelines
Attachments: DesignGuidelinesPublicTalk.doc; ATT00001.htm

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Sent via mobile device.

Begin forwarded message:

From: Gail <gwiesner@nc.rr.com>
Date: September 26, 2014 at 4:19:57 PM EDT
To: "Tully, Tania" <Tania.Tully@raleighnc.gov>
Subject: Fw[2]: Submission to Raleigh Historic Development Commission Re Guidelines
Reply-To: Gail <gwiesner@nc.rr.com>

Hi, Tania,

Thank you for allowing input from residents who were unable to attend the guidelines talks. Some of my immediate neighbors were among that group. They have expressed a desire to add their names to the suggestions written up by David Wiesner, as attached.

They are:
J.E. Weeber, Ph. D. 530 N. East
Marie Scheuring 530 Elm
Carol Parker 526 Euclid
Tom Parker 526 Euclid

Thanks,
Gail Wiesner

I would like to thank Councilman Russ Stephenson and the Raleigh City Council for making public input part of this important process of updating the Design Guidelines used by the Raleigh Historic Development Commission. I plan to attend the public discussion groups, but wanted to submit all of my concerns and ideas because I am not sure that with the format of the proposed discussions, if I would be able to communicate all of this information.

I am a Raleigh resident, have lived in the Historic Oakwood District for over 18 years, have participated in many neighborhood preservation activities, and have attended many RHDC COA hearings. Historic preservation is very important to me and I believe we now have an opportunity to improve historic preservation for our city and the future.

The undersigned are Oakwood neighbors who support this position, but were unable to attend the meeting on 9/22.

I hope you find this information useful.

1. Do the Design Guidelines for the Raleigh Historic Districts adequately reflect the community's standards for historic preservation design review?

My view is that the Design Guidelines themselves inaccurately reflect State Statutes, go awry of my values for historic preservation and, I believe, the community's values of historic preservation.

Problems with Design Guidelines:

A. Issue of style – several places in enacting legislation “style” is mandated to be included in design review; for example – 160A-400.9 exterior features (mandated to be reviewed in the historic districts) –“shall include the architectural style, general design, and general arrangement of the exterior of a building or structure including the kind and texture of the building material, the size and scale of the building, and type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures.” Current design guidelines do not specify architectural style, and current Commissioners have even openly stated that style should not be considered. **The city can be helpful here in incorporating “style” back into the Design Guidelines, making them consistent with State Statutes. I also believe the city should include “style” into the Guidelines because that is what citizens most greatly feel contributes to “the character of the neighborhood.”**

B. “Guidelines” and “grayness” lead to less consistency in decisions and more opportunity for the public to be left with perceived unfairness.”

1. I am very much in favor in making the Guidelines **clearer, more specific, and more of a standard or criteria for decisions rather than interpretable guidelines**. Yes, I understand to do away with the latitude of judgment in interpreting guidelines loses some flexibility and may negatively affect unique circumstances. In the 18 years I have lived in a Raleigh historic district – the complaint of homeowners I have heard most often is that RHDC decisions are inconsistent, unpredictable, and based on Commissioners’ personal tastes. The purpose and intent of Historic Commissions is to aid in protecting historic properties and districts, and to have predictable and stable expectations so as to not create uncertainty which would affect property values. **The city can be helpful here in changing from guidelines to more definite and clear criteria or standards.**

2. **Clearer more specific language is needed regarding “incongruity”, “compatible”, “diversity”, “special character”, and in each historic District’s character essay**. Clarity in the decision process is needed. For example, in an historic district of over 700 houses, is one design element approved if only one house of the 700 has this same design element? Is the whole house to be considered? – example: one house in district has this type of window, one other house has this type of door, etc., etc. leading to approval of a house that has multiple features that are not very commonly found in the district. It would be helpful to more clearly differentiate guidelines/criteria into specific areas of “contributing historic structure”, “non-contributing historic structure”, “additions”, and “new construction”. **The city can be helpful here in directing the RHDC, with the involvement of community stakeholders (1)to work to more clearly define the above mentioned words, (2)to give more specifics in each district’s character essay, (3) define and give more specifics on the rational decision-making process in the COA process, and (4) structure and delineate better in the guidelines/standards each area (contributing historic structure, additions, etc) and the criteria and process used when determining approval.**
 - a. I know that the Secretary of the Interior’s Standards are mandated (State Statute) to be used in any Historic Commission in North Carolina. I believe these Standards are useful, are widely used, **but are being misused if they are used regarding new construction in a district**. The Sec. of the Interior’s Standards were designed for evaluation of a single dwelling, are primarily designed for income producing properties (commercial), and if

2. Should the committee structure of the Raleigh Historic Development Commission be revisited?

extrapolated to a review of a district; can be damaging. The Sec of the Interior has produced 47 Preservation Briefs – since 1990 (addressing roofs, wooden windows, historic abobe structures, lead paint, etc) – none address new construction. They are designed to be helpful for people applying for Tax Credits (again commercial buildings) or to restore an historic building. It is inappropriate or problematic in translating this to a newly constructed house in an historic district. **The city can be helpful here in directing the updated Design Guidelines/Standards to be clearer in specifying in what areas the Sec. of the Interior’s Standards should be utilized (historically contributing structures, non-contributing historical structure, commercial additions, but not with residential additions or new construction in a district).** Shouldn’t the Design Guidelines/Standards be structured in a way to differentiate commercial from residential?

My view is that the structure and the procedures of the RHDC can be improved to: (1) better ensure citizen protections and fairness, (2) better represent the citizens of Raleigh while also having needed “experts” as part of a diverse Commission, and (3) to have meetings where the public is better informed, more involved, and less likely to perceive the meetings/decisions as biased or arbitrary.

1. Better ensuring citizen protections and fairness/ Better represent the citizens of Raleigh: I would like to see a more diverse composition to the Commission. In the RHDC’s report to City Council in 2012, the RHDC stated they also value having a diverse Commission. Problems I see are: (1)The Commission does not have members from various Historic Districts (2)There are no limits to the number Commissioners of particular training/occupations and smaller committees which could then be overrepresented by one type of occupation (and therefore not diverse), (3)The COA committee is too small and less diverse (some Commissions in the State have the entire Commission participate in COA hearings), (4) since the RHDC does fundraising and accepts financial contributions, more transparency is needed regarding contributor especially if a contributor is applying for a COA, and (5)more stringent rules are needed regarding a Commissioner recussing himself/herself. **The city can help here by: (1) making a public statement that they value diversity in the make-up of it’s Commissions, (2) establish Commission membership as having representation from at least 50% of the number of Historic**

Districts in the city (more would be better, but it may be impractical or difficult to recruit so many), (3) establish a limit of no more than 3 Commissioners being of the same profession, (4) Mandate that the COA Committee be larger than it currently is (possibly 75% of entire Commission size)(again, the entire Commission hearing COAs would be better but maybe impractical), (5) publish and make available lists of financial donors (including grants) and certainly inform the public if a financial donor is the applicant of a COA, and (6) better specify when a Commissioner needs to recuse himself/herself and not leaving it up to the Commissioner.

2. Have better meetings: Clarity and better transparency (or elaboration by Commissioners) of (1)how is evidence determined to be a fact (two differing facts may be presented in the hearing, and then what seems arbitrarily, Commissioners state this should be a fact or that should be a fact – with no explanation; (2)how and when can an objection be made; (3) have the staff’s summary and recommendations discoverable and available to opponents and proponents prior to the hearing; and (4) generally have Commissioners use language, elaborate and explain what they are doing/deciding and why – not just read a sentence that sometimes is even hard for the Commissioner to clearly state that states we find this incongruent because x y z. Have Commissioners not use jargon, and explain in laymen’s terms their decisions and why they made their decisions, why they did not use certain evidence, etc.

3. *How can new residents be made aware that they live in a Raleigh Historic District and what that means for them?*

My belief is that knowledge of a property being in a Raleigh Historic District should be first disseminated to a potential owner during the process of deciding to purchase the property. Restrictions and protections for that property may influence a prospective property buyer. This information is not in the deed, not mandated to be disclosed like lead paint or protective covenants are, but should be mandated to be disclosed early in the sales process. Would this take a city ordinance, realtor standard of practice change, Wake County link to the RHDC Guidelines for properties within historic districts, or State statute? **The city can help here by: (1) having written materials available to realtors/potential property buyers, (2) determining the proper legal mandate procedure and putting it in place. (3) ensuring prior knowledge of COA requirements before buyers purchase property in a city historic district.**

Improving the level of knowledge/understanding for the new homeowner may include historic district organizations offering educational classes/seminars for new homeowners (possibly part of a welcome to the neighborhood orientation). The city should also offer similar “orientation” classes to new property owners to further

elaborate processes and restrictions.

The city can help here by:

(A) developing, and requiring the RHDC to conduct, “orientation classes” to new property owners in the historic districts, and

(B) encourage or mandate neighborhood organizations of historic districts to engage in similar orientation classes (or have neighborhood representation on the classes conducted by the RHDC).

(C) A document for each historic district should be recorded at the Wake County Register of Deeds that briefly explains the need to contact the RHDC for information about the COA procedure before any changes to a structure or property are made. This would prevent the all too common problem of people buying a property and finding out later that there are restrictions and requirement for approval of many changes.

Respectfully Submitted by:

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We submit our names in agreement with these suggestions:

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Marie Scheuring	530 Elm
Carol Parker	526 Euclid
Tom Parker	526 Euclid