

**DATE:** February 12<sup>th</sup>, 2020

**SUBJECT:**

<u>Certificate of Appropriateness Request:</u>	H-03-20
<u>Applicant:</u>	Philip Curley
<u>Location of subject property:</u>	24 Franklin Ave. NW
<u>Staff Report prepared by:</u>	Kristen Boyd-Sullivan, Sr. Planner

**BACKGROUND:**

- The subject property is the site of a “Contributing” structure and is located in the North Union Street Historic District (Exhibit A).
- Date of home construction: ca. 1920
- Two-story frame house with bungalow style details. Two-story hip-roofed wing projects forward of main, hip-roofed block; centrally placed, hip-roofed façade dormer. Bungalow style features include broad eaves with exposed rafters; shingle-clad second story; slightly tapered wood porch posts on brick bases and brick retaining wall; and enclosure of east side of porch with latticed sash windows for sunroom. An unusual spindle balustrade runs across the top of the porch retaining wall. Manager J. Fisher Co., Vice-president of Concord Merchants Associations.
- Applicant is seeking to remove and replace one (1) tree on the subject property (Exhibit B).

**DISCUSSION:**

Applicant is seeking to remove a 35’ tall Maple with a hazard rating of “6,” and replace it with a new tree of similar species in the same area on the subject property.

The City’s Arborist, Bill Leake, has visited the site and conducted a Tree Assessment (Exhibit C).

The subject tree is a 35 ft tall Maple with a hazard rating of “6.” Mr. Leake comments, *“Half of this tree has broken leaving an unbalanced crown that is exposed to new wind load stress. The remaining trunk has a vertical crack in the center that reduces the structural integrity of the first five feet of trunk. I recommend this tree be removed. This location would be appropriate for another similar sized tree.”*

Photographs of the subject tree have been submitted by the applicant, along with an aerial photograph depicting the location of the tree (Exhibit D).

If approved for removal, the applicant has agreed to work with the City Arborist to replace the tree with a new shade tree in the same vicinity in keeping with the street tree canopy.

**ATTACHMENTS**

Exhibit A: Historic Inventory Information  
Exhibit B: Application for Certificate of Appropriateness  
Exhibit C: Hazard Evaluation  
Exhibit D: Photographs/Aerial

## **HISTORIC HANDBOOK DESIGN RECOMMENDATIONS:**

### **Chapter 5 – Section 8: Landscaping and Trees**

*One of the most visible features of the Districts is the landscaping and the associated tree canopy. Activities which negatively impact any aspect of the landscape should be avoided, such as the removal of healthy trees and mature shrubs.*

*Tree health may be decided upon by the acquisition of a Tree Hazard Evaluation Report issued by the City Arborist or a report submitted by a certified arborist. Healthy trees are trees that have a hazard rating of 4 or lower. Removal of healthy trees over the size of 6 inches in diameter (measured 4 feet above ground) or pruning of healthy tree limbs over 6 inches in diameter requires Historic Preservation Commission review and approval...*

*All trees that are removed should be replaced with a tree of similar species in an appropriate location unless no suitable location exists on the subject site. Trees removed within street view must also have the stumps removed below ground level.*

#### **Design Guidelines**

*2. Trees which are removed shall be replaced by a species which, upon maturity, is similar in scale to the removed specimen. For example, canopy trees shall be replaced with canopy trees, and understory trees with understory trees.*

#### **RECOMMENDATION:**

1. The Historic Preservation Commission should consider the circumstances of this application for a Certificate of Appropriateness relative to the North and South Union Street Historic Districts Handbook and Guidelines and act accordingly.
2. If approved, applicant(s) should be informed of the following:
  - City staff and Commission will make periodic on-site visits to ensure the project is completed as approved.
  - Completed project will be photographed to update the historic properties survey.

United States Department of the Interior  
National Park Service

For NPS use only
received
date entered

# National Register of Historic Places Inventory—Nomination Form

Continuation sheet	Item number	Page
Inventory List - North Union Street Historic District, Concord	#7	44

71. House  
27 Marsh Avenue, N.W.  
ca. 1910  
F

One-story, frame, L-shaped cottage unfortunately altered by application of aluminum siding and replacement of original windows. House has unusual square section with pyramidal roof at center of facade. Wrap-around porch with square, molded posts replaced original at undetermined date; house retains early 20th century patterned tin roof shingles.

72. House  
21 Marsh Avenue, N.W.  
ca. 1910  
F

One-story, frame L-shaped cottage nearly identical to #71, and like it considerably altered. House retains wood siding, but porch has been considerably changed and now has ornamental iron posts. Windows on sides of house have also been changed from 1/1 to 6/6.

73. Julius Fisher House  
24 Franklin Avenue, N.W.  
ca. 1920  
C

Two-story frame house with bungalow style details. Two-story hip-roofed wing projects forward of main, hip-roofed block; centrally placed, hip-roofed facade dormer. Bungalow style features include broad eaves with exposed rafters; shingle-clad second story; slightly tapered wood porch posts on brick bases and brick retaining wall; and enclosure of east side of porch with latticed sash windows for sunroom. An unusual spindle balustrade runs across the top of the porch retaining wall.

Manager J. Fisher Co., Vice-president of Concord Merchants Associations.

74. House  
26 Franklin Avenue, N.W.  
ca. 1900  
C

EXHIBIT A

**AN INCOMPLETE APPLICATION WILL NOT BE PLACED ON THE AGENDA UNTIL ALL OF THE REQUIRED ATTACHMENTS AND/OR ITEMS LISTED ON PAGE 2 ARE SUBMITTED.**

**APPLICANT INFORMATION**

Name: PHILIP CURLEY  
Address: 24 FRANKLIN AVE NW  
City: CONCORD State: NC Zip Code: 28025 Telephone: 336 469 4118

**OWNER INFORMATION**

Name: ELEANOR STEEL & PHILIP CURLEY  
Address: 24 FRANKLIN AVE NW  
City: CONCORD State: NC Zip Code: 28025 Telephone: 919 360 9790

**SUBJECT PROPERTY**

Street Address: 24 FRANKLIN AVE NW P.I.N. # 5620796110000  
Area (acres or square feet): 0.35 acre Current Zoning: RM-1 Land Use: SFR

**Staff Use  
Only:**

Application Received by: \_\_\_\_\_ Date: \_\_\_\_\_, 20 \_\_\_\_\_  
Fee: \$20.00 Received by: \_\_\_\_\_ Date: \_\_\_\_\_, 20 \_\_\_\_\_

*The application fee is nonrefundable.*

**General Requirements**

The Unified Development Ordinance imposes the following rules, regulations and requirements on requests for Certificates of Appropriateness. The applicant must, with reference to the attached plans, demonstrate how the proposed use satisfies these requirements:

1. Project or Type of Work to be Done: TREE REPLACEMENT
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
  1. Remove damaged maple tree.
  2. grind stump.
  3. Replace with a similar sized species in the SE section of the front lawn. ~~The species will likely be~~ Native tree species will be preferred.

**Required Attachments/Submittals**

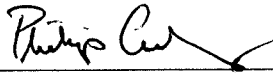
1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted if **16 folded copies** are submitted for distribution.
2. A photograph of the front of the house.
3. Photographs of site, project, or existing structures from a "before" perspective
4. Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective.
5. Samples of windows, doors, brick, siding, etc. must be submitted with application.
6. Detailed list of materials that will be used to complete the project.

\*\*\*Applications may be submitted electronically.\*\*\*

**Certification**

(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand that City staff and/or members of the Historic Preservation Commission may make routine visits to the site to insure that work being done is the same as the work that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

01/01/2020  
Date

  
Signature of Owner/Agent

# TREE RISK ASSESSMENT FORM

Site/Address: 24 Franklin Ave NW  
 Map/Location: \_\_\_\_\_  
 Owner: public: \_\_\_\_\_ private: X unknown: \_\_\_\_\_ other: \_\_\_\_\_  
 Date: 0/1/19 Inspector: Bill Leake  
 Date of last inspection: \_\_\_\_\_

RISK RATING:			
2	2	2	6
Failure Potential	+ Size of part	+ Target Rating	= Hazard Rating
_____ Immediate action needed			
_____ Needs further inspection			
_____ Dead tree			

## TREE CHARACTERISTICS

Tree #: 1 Species: Red Maple (Acer Rubrum)  
 DBH: 12" # of trunks: 1 Height: 35' Spread: 25'  
 Form:  generally symmetric  minor asymmetry  major asymmetry  stump sprout  stag-headed  
 Crown class:  dominant  co-dominant  intermediate  suppressed  
 Live crown ratio: 95 % Age class:  young  semi-mature  mature  over-mature/senescent  
 Pruning history:  crown cleaned  excessively thinned  topped  crown raised  pollarded  crown reduced  flush cuts  
 cabled/braced  none  multiple pruning events Approx. dates: \_\_\_\_\_  
 Special Value:  specimen  heritage/historic  wildlife  unusual  street tree  screen  shade  indigenous  protected by gov. agency

## TREE HEALTH

Foliage color:  normal  chlorotic  necrotic Epicormics:   
 Foliage density:  normal  sparse Leaf size:  normal  small Growth obstructions:  stakes  wire/ties  signs  cables  
 Annual shoot growth:  excellent  average  poor  none Twig Dieback:   curb/pavement  guards  
 Woundwood:  excellent  average  fair  poor  
 Vigor class:  excellent  average  fair  poor  
 Major pests/ diseases: None

## SITE CONDITIONS

Site Character:  residence  commercial  industrial  park  open space  natural  woodland/forest  
 Landscape type:  parkway  raised bed  container  mound  lawn  shrub border  wind break  
 Irrigation:  none  adequate  inadequate  excessive  trunk wetted  
 Recent site disturbance?  NO  construction  soil disturbance  grade change  herbicide treatment  
 % dripline paved: 15% Pavement lifted: NO  
 % dripline w/ fill soil: 0%  
 % dripline grade lowered: 0%  
 Soil problems:  drainage  shallow  compacted  droughty  saline  alkaline  acidic  small volume  disease center  history of fail  
 clay  expansive  slope \_\_\_\_\_ ° aspect: \_\_\_\_\_  
 Conflicts:  lights  signage  line-of-sight  view  overhead lines  underground utilities  traffic  adjacent veg.  \_\_\_\_\_  
 Exposure to wind:  single tree  below canopy  above canopy  recently exposed  windward, canopy edge  area prone to windthrow  
 Prevailing wind direction: SW Occurrence of snow/ice storms  never  seldom  regularly

## TARGET

Use Under Tree:  building  parking  traffic  pedestrian  recreation  landscape  hardscape  small features  utility lines  
 Can target be moved?  NO Can use be restricted?  NO  
 Occupancy:  occasional use  intermittent use  frequent use  constant use

# TREE DEFECTS

## ROOT DEFECTS:

Suspect root rot: NO Mushroom/conk/bracket present: NO ID:

Exposed roots:  severe  moderate  low Undermined:  severe  moderate  low

Root pruned: distance from trunk Root area affected: \_\_\_ Buttress wounded:  When: \_\_\_\_\_

Restricted root area:  severe  moderate  low Potential for root failure:  severe  moderate  low

LEAN: 3 deg. from vertical  natural  unnatural  self-corrected  Soil heaving:

Decay in plane of lean:  Roots broken:  Soil cracking:

Compounding factors: Lean severity:  severe  moderate  low

**Concern Areas:** Indicate presence of individual structural issues and rate their severity (S = severe, M = moderate, L = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks		S		
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling	L			
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/galls/burls				
Previous failure		S		

## HAZARD RATING

Tree part most likely to fail in the next six months: Branches

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe Size of part: 1 - <6" 2 - 6-18" 3 - 18-30' 4 - >30'

Target rating: 1 - occasional use 2 - intermittent use 3 - frequent use 4 - constant use

### Maintenance Recommendations

Failure Potential + Size of Part + Target Rating = Hazard Rating  
2 + 2 + 2 = 6

none  remove defective part  reduce end weight  crown clean  thin  raise canopy  crown reduce  restructure  cable/brace

Inspect further  root crown  decay  aerial  monitor

Remove tree  When replaced, a similar sized tree species would be appropriate in same location

When replaced, alternate tree replacement locations are available

Effect on adjacent trees:  none  evaluate

Notification:  owner  manager  governing agency Date: 7/15/19

## COMMENTS

Half of this tree has broken leaving an unbalanced crown that is exposed to new wind load stress. The remaining trunk has a vertical crack in the center that reduces the structural integrity of the first five feet of trunk. I recommend this tree be removed. This location would be appropriate for another similar sized tree.

Bill Leake

EXHIBIT C

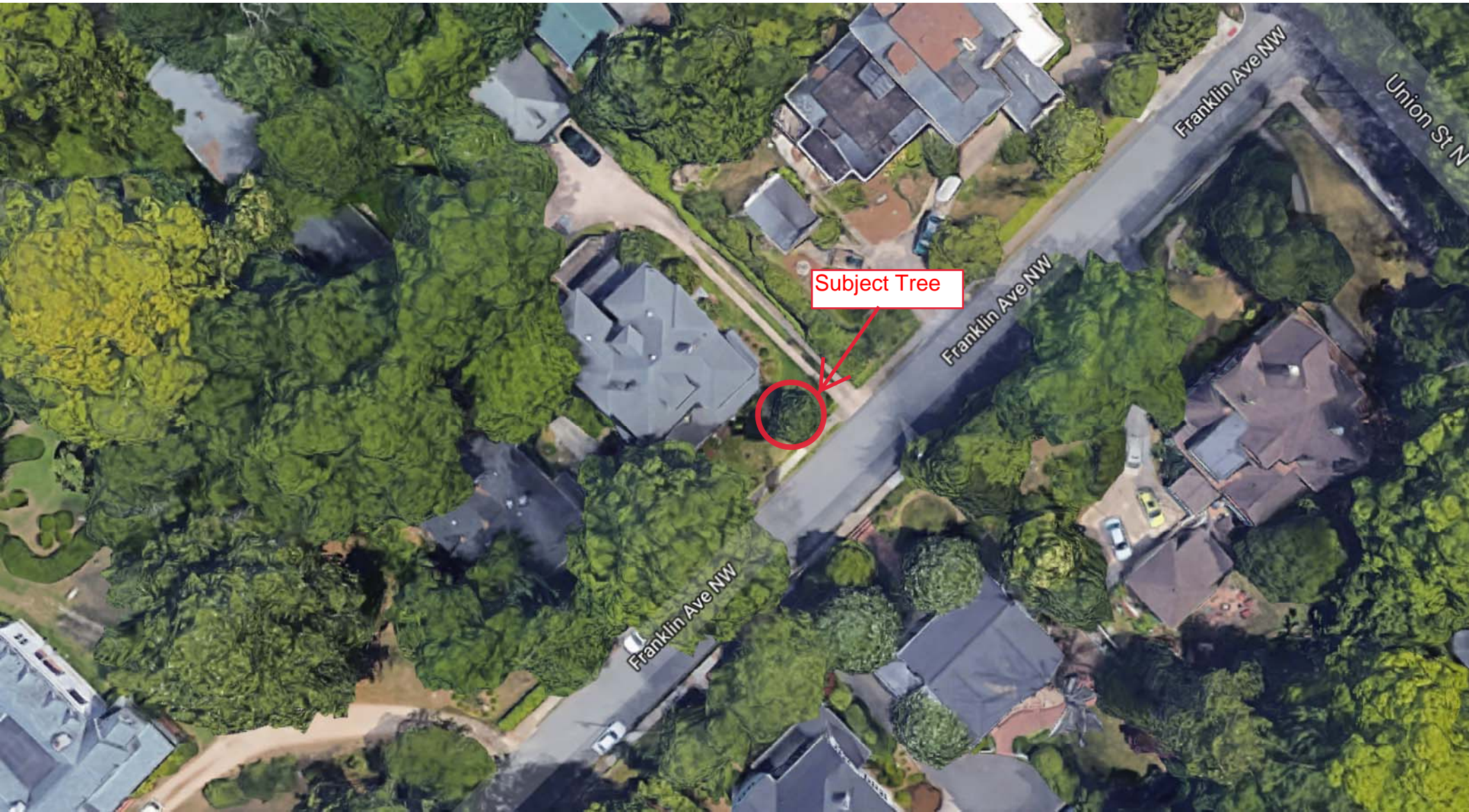


EXHIBIT D





35' tall Maple (prior to damage)



Exhibit D

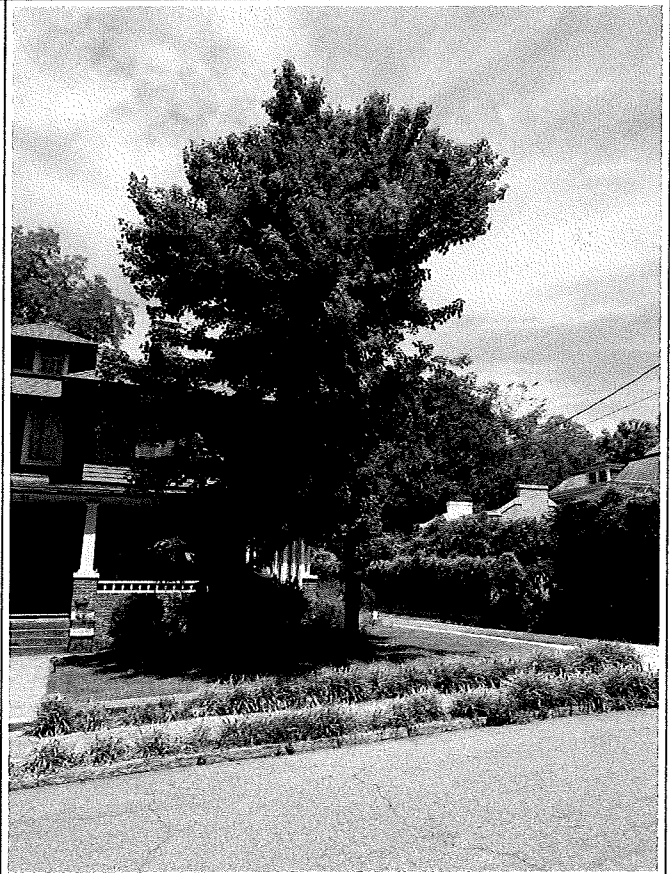
Google

Image capture: Apr 2017 © 2020 Google

24 FRANKLIN AVE NW



Photograph of the damaged maple tree on the SE section of the front lawn.



Photograph of 24 FRANKLIN street-front, the damaged maple tree. Looking at the SE section of the front lawn.

EXHIBIT D