

DATE: April 10, 2024

SUBJECT:

Certificate of Appropriateness Request: H-07-24
Applicants: Jim Potter, Old Towne Development Corp.
Location of Subject Property: 68 Cabarrus Ave. W
PINs: 5620-87-0595
Staff Report Prepared by: Autumn C. James, AICP - Planning & Development Manager

BACKGROUND

- The subject property at 68 Cabarrus Ave W is a vacant lot within the North Union Street Historic District. (Exhibit A)
- “Vacant Lot between 64 and 74-78 Cabarrus Avenue West. Vacant lot that was a former site of a home.” (Exhibit A)

DISCUSSION

On March 12, 2024, Jim Potter applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 requesting the removal of three (3) trees near the rear lot line. The request for the removal is due to the proximity of the trees to the detached garage to be constructed on the property (Exhibit B).

Bill Leake, City Arborist, filled out a Tree Risk Assessment Form for all three trees on March 13, 2024. At that time, he determined that all of the trees had a Hazard Rating of 3, and commented as follows:

Tree #1 – Pecan (*Carya illinoensis*): “This tree has no structural defects or disease concerns.” DBH 20.5” Height 55’ Spread 40’ (Exhibit E).

Tree #2 – Southern Sugar Maple (*Acer floridanum*): “This tree has no structural defects or disease concerns.” DBH 20.5” Height 55’ Spread 35’ (Exhibit F).

Tree #3 – Elm (*Ulmus americana*) “This tree has no structural defects or disease concerns.” DBH 8” Height 40’ Spread 15’ (Exhibit G).

The applicant will replant three (3) canopy trees in an appropriate location on the site.

ATTACHMENTS

Exhibit A: National Register of Historic Places Inventory

Exhibit B: Certificate of Appropriateness Application

Exhibit C: Site Plan showing Location of Trees

Exhibit D: Subject Property Map

Exhibit E: Tree #1 Tree Risk Assessment Form & Photos

Exhibit F: Tree #2 Tree Risk Assessment Form & Photos

Exhibit G: Tree #3 Tree Risk Assessment Form & Photos

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table: Trees

- *Removal of healthy trees or pruning of limbs over six inches in diameter in any location on the property requires Commission hearing and approval.*

- *Tree topping – removal of one-third of green surface of canopy or leaving stubs larger than three inches in diameter requires Commission hearing and approval.*

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 Form issued by the City Arborist or a report submitted by a certified arborist. Healthy trees are trees that have a hazard rating of four or lower. Removal of healthy trees over the size of six inches in diameter (measured four feet above ground) or pruning of healthy tree limbs over six 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 Standards: Landscaping and Trees

1. *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 & South Union Street Historic District 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**

**National Register of Historic Places
Inventory—Nomination Form**

For NPS use only
received
Date entered

Continuation sheet	Item number	Page
Inventory List - North Union Street Historic District, Concord	#7	65

long, sawn brackets with pendant-drops. The paired, segmental-arched windows of the first and second floors are trimmed with molded surrounds and bracketed hoods. Below second story cornice rests a stylish frieze that features crenelated moldings, pendant-drop brackets, and panels with garland inserts. The mansard roof, with segmental-arched dormers is topped with a paneled frieze and cornice that features the same garland inserts and pendant-drop brackets that are located above the first story.

Matthew O. Beatty (1828-1898) was a builder and contractor. He was originally from Westmoreland County, Pennsylvania and came to Concord in 1870. The house was built within the early years of his 1874 marriage to Sarah Emaline Benson Swink Beatty. Sarah Beatty owned the land and the home remained in her family until the 1970s. T. Laine Harling, a contractor, and his wife Alice Arey have undertaken the restoration of the home.

- 134. House
64 Cabarrus Avenue, West
1892 (SM)
C

A one-story, frame, shingled bungalow with porch. Gable front supported by shingled pillars rising from a retaining wall. Slanted facade with ell and another bay on eastern elevation.

- 135. Vacant Lot
Between 64 and 74-78 Cabarrus Avenue West.
VL

Vacant lot that was a former site of a home.

- 136. Commerical Building
74-78 Cabarrus Avenue
I

One-story, brick, commerical building with a large front. Parking lot and three stories that include H & R Block, a beauty salon, and a vinyl siding shop.

- 137. Thomas Ross House
90 Cabarrus Avenue, West
1916 (SM)
C

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: Jim Potter
Address: 8312 Caldwell RD
City: Harrisburg State: NC Zip Code: 28075 Telephone: 704-746-8473

OWNER INFORMATION

Name: Old Towne Development Corp
Address: 8312 Caldwell Rd
City: Harrisburg State: NC Zip Code: 28075 Telephone: 704-746-8473

SUBJECT PROPERTY

Street Address: 68 Cabarrus Ave W P.I.N. # 56208705950000
Area (acres or square feet): .155 Current Zoning: RM-2 Land Use: RESIDENTIAL

**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: Remove three trees from near rear lot line

2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
Three trees will be within 2 ft of approved detached garage to be built and will need to be removed

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. **Digital copies are preferred.**
2. Detailed written description of the project.
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 if applicable.
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.

Certification

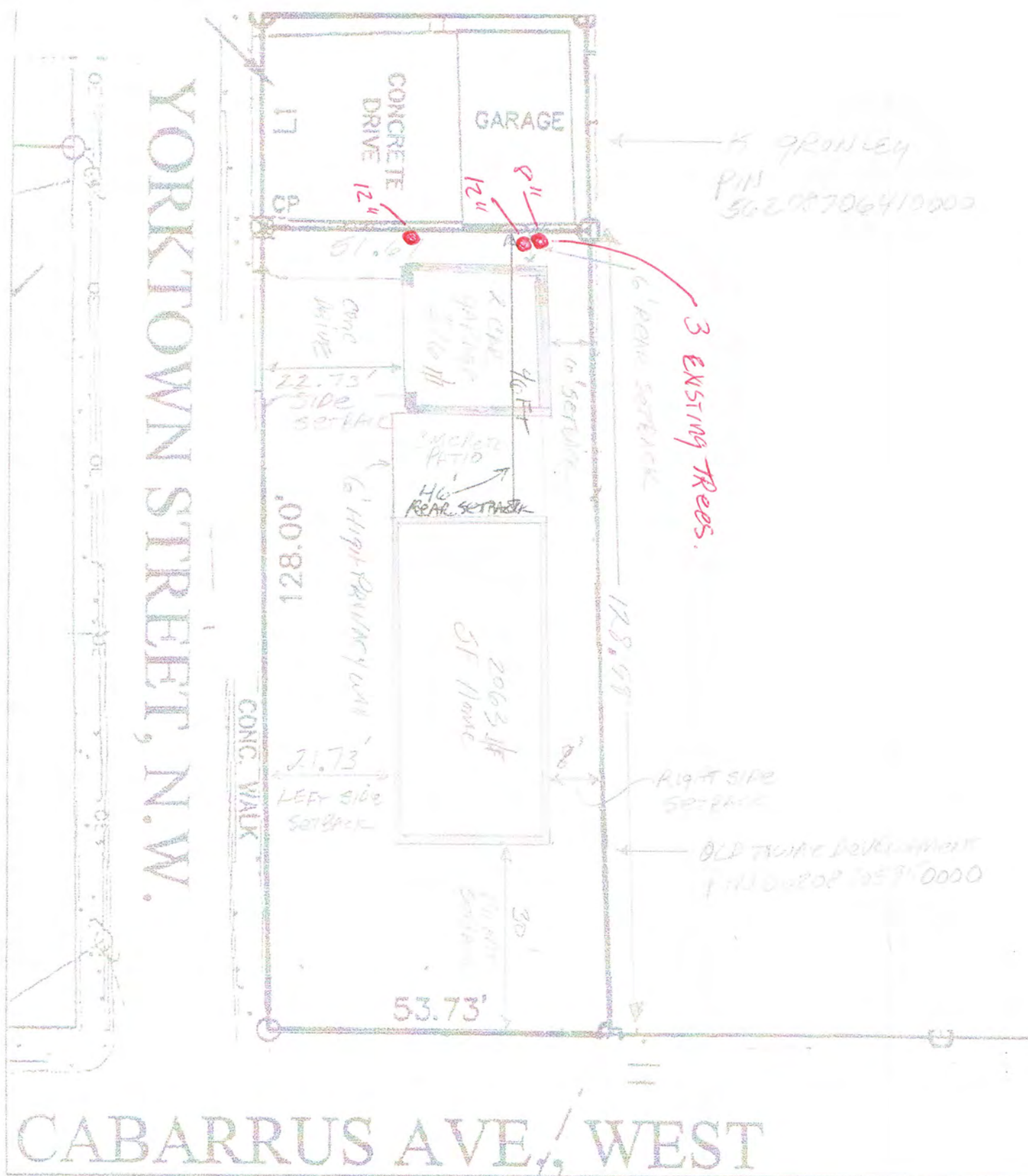
(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand 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.

3/12/2024

 Date

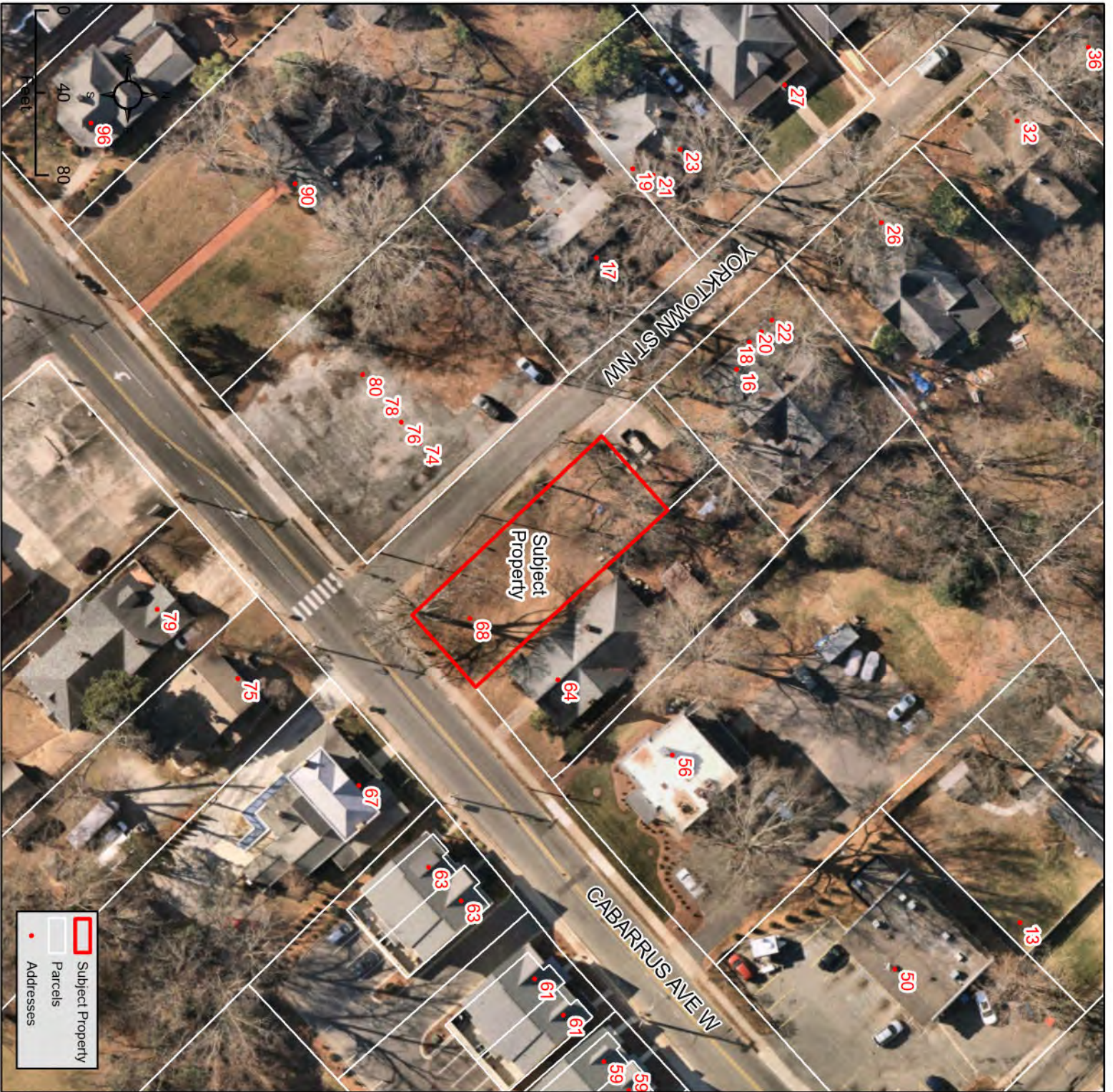


 Signature of Owner/Agent



68 CABARRUS AVE W.

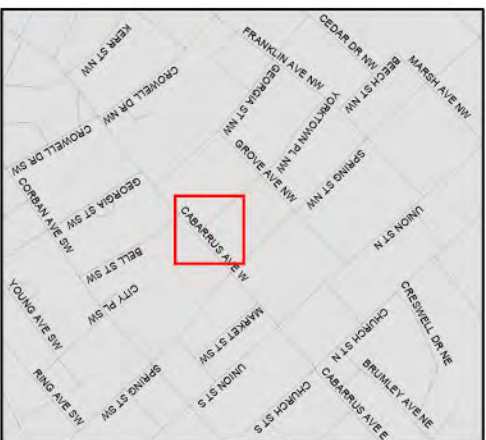
PROPOSED SINGLE FAMILY HOME
W/ 2 CAR DETACHED GARAGE



H-07-24

68 Cabarrus Ave W

PIN: 5620-87-0595



Source: City of Concord
Planning Department

Disclaimer

These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, it's employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.

TREE RISK ASSESSMENT FORM

Site/Address: 68 Cabarrus Ave W
Map/Location: Left rear of lot along Yorktown St
Owner: public: _____ private: unknown: _____ other: _____
Date: 03/13/24 Inspector: Bill Leake
Date of last inspection: 3/2023

RISK RATING:			
1	0	2	3
Failure Potential	+ Size of part	+ Target Rating	= Risk Rating
If approved for removal, the replacement tree species and location shall be listed on the certificate of appropriateness.			

TREE CHARACTERISTICS _____

Tree #: 1 Pecan (*Carya illinoensis*)
DBH: 20.5" # of trunks: 1 Height: 55' Spread: 40'
Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
Crown class: dominant co-dominant intermediate suppressed
Live crown ratio: 98% 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? YES construction soil disturbance grade change herbicide treatment
% dripline paved: 50% 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: 5 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				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				L
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

RISK 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: 0-0" - 3" 1-3"-6" 2-6"-18" 3-18"-30" 4->30"

Target rating: 0 - no target 1 - occasional use 2 - intermittent use 3 - frequent use 4 - constant use

Maintenance Recommendations

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 general location

When replaced, alternate tree replacement locations are available

Effect on adjacent trees: none evaluate

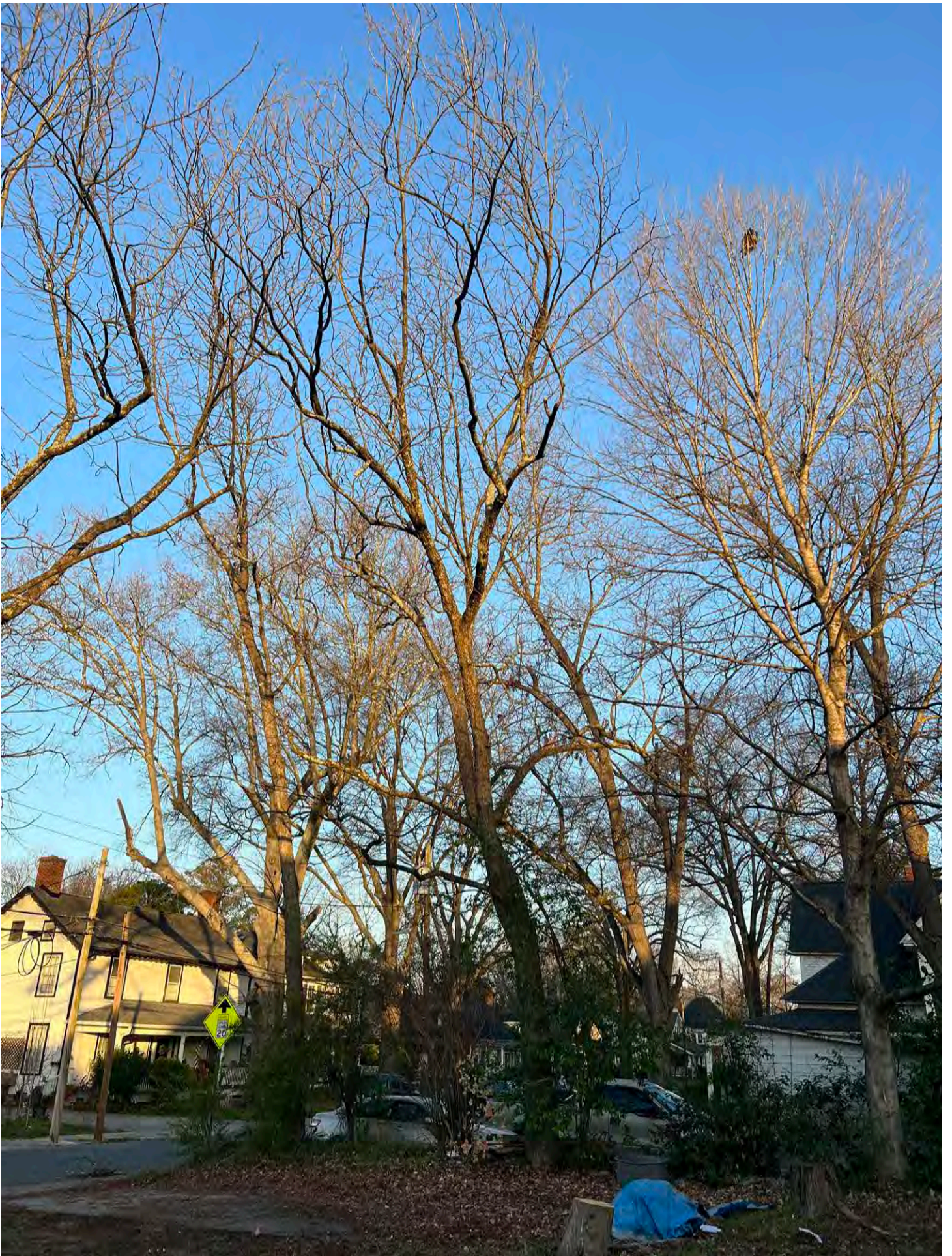
Notification: owner manager governing agency

Date: 03/13/24

COMMENTS

This tree has no structural defects or disease concerns.

Bill Leake



TREE RISK ASSESSMENT FORM

Site/Address: 68 Cabarrus Ave W
Map/Location: Center rear of lot along Yorktown St
Owner: public: _____ private: X unknown: _____ other: _____
Date: 03/13/24 Inspector: Bill Leake
Date of last inspection: 3/2023

RISK RATING:			
1	0	2	3
Failure Potential	+ Size of part	+ Target Rating	= Risk Rating
If approved for removal, the replacement tree species and location shall be listed on the certificate of appropriateness.			

TREE CHARACTERISTICS _____

Tree #: **2 Southern Sugar Maple (Acer floridanum)**
DBH: 20.5" # of trunks: 1 Height: 55' Spread: 35'
Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
Crown class: dominant co-dominant intermediate suppressed
Live crown ratio: 98% 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? YES construction soil disturbance grade change herbicide treatment
% dripline paved: 20% 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: 2 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				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				L
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

RISK 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: 0-0" - 3" 1-3"-6" 2-6"-18" 3-18"-30" 4->30"

Target rating: 0 - no target 1 - occasional use 2 - intermittent use 3 - frequent use 4 - constant use

Maintenance Recommendations

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 general location

When replaced, alternate tree replacement locations are available

Effect on adjacent trees: none evaluate

Notification: owner manager governing agency

Date: 03/13/24

COMMENTS

This tree has no structural defects or disease concerns.

Bill Leake



TREE RISK ASSESSMENT FORM

Site/Address: 68 Cabarrus Ave W

Map/Location: Right rear of lot along Yorktown St

Owner: public: _____ private: unknown: _____ other: _____

Date: 03/13/24 Inspector: Bill Leake

Date of last inspection: 3/2023

RISK RATING:

1 **0** **2** **3**
Failure + Size + Target = Risk
Potential of part Rating Rating

If approved for removal, the replacement tree species and location shall be listed on the certificate of appropriateness.

TREE CHARACTERISTICS

Tree #: 3 Elm (*Ulmus americana*)

DBH: 8" # of trunks: 1 Height: 40' Spread: 15'

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed

Crown class: dominant co-dominant intermediate suppressed

Live crown ratio: 98% 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

Annual shoot growth: excellent average poor none Twig Dieback:

Woundwood: excellent average fair poor

Vigor class: excellent average fair poor

Major pests/diseases: None

Growth obstructions:

stakes wire/ties signs cables

curb/pavement foundation

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? YES construction soil disturbance grade change herbicide treatment

% dripline paved: 0% 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

EXHIBIT G

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: 10 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				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
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				

RISK 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: 0-0" - 3" 1-3"-6" 2-6"-18" 3-18"-30" 4->30"

Target rating: 0 - no target 1 - occasional use 2 - intermittent use 3 - frequent use 4 - constant use

Maintenance Recommendations

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 general location

When replaced, alternate tree replacement locations are available

Effect on adjacent trees: none evaluate

Notification: owner manager governing agency

Date: 03/13/24

COMMENTS

This tree has no structural defects or disease concerns.

Bill Leake

