

**DATE:** March 11, 2020

**SUBJECT:**

<u>Certificate of Appropriateness Request:</u>	H-08-20
<u>Applicant:</u>	Mac Swaringen
<u>Location of subject property:</u>	246 Union St. N.
<u>Staff Report prepared by:</u>	Starla Rogers, Planning & Development Mgr.

**BACKGROUND:**

- The subject property, 246 North Union Street, North, is designated as a “contributing” structure in the North Union Street Historic District. (Exhibit A).
- “Two-story, frame, single-pile house with triple-A roofline. All three gables have sawn ornaments and cut-out ventilators. Wrap-around porch with turned posts, turned balusters, and decorative brackets carries across full façade and shelters south side of rear elevation. Façade bays have pairs of tall, narrow, 1/1 windows.” (Exhibit A).
- **Request includes:** Ex-post facto approval for tree removal. (Exhibit B).

**DISCUSSION:**

The City was made aware of a tree being removed at 246 Union Street, North., without staff level or HPC level review and approval. Exhibit B indicates the location of the subject tree, which was located directly on the property line between 246 and 250 Union Street, North. Upon visiting the site, the City Arborist conducted a review of the portion of tree that remains standing (Exhibit D – page 4) , and submitted a Tree Hazard Evaluation report (Exhibit D), based on information from: “Google Street view, knowledge of the history of this tree, and existing pieces of wood still on site. The assessment is an estimate of the condition of the tree before removal was started.” The Tree Hazard Evaluation form notes that the tree was an approximately 90ft tall Elm with a 70ft wide spread. Based on the evidence left for evaluation, the City Arborist rated the tree as a “4” on the hazard rating scale, requiring HPC review and approval. Trees that are removed shall also be replaced with a similar species in an appropriate location, in accordance with the Historic Handbook.

According to the applicant, the purpose for tree removal was due to falling limbs and deteriorated health. The applicant has communicated to Staff that they were unaware of the need for a COA. Additionally, the applicant would like to leave the tree partially removed, with the remaining trunk standing at 6ft in height. According to the applicant the remaining tree trunk would provide a visual break between properties and would be hidden behind the 6ft tall wooden privacy fence.

**ATTACHMENTS**

- Exhibit A: Historic Inventory Information
- Exhibit B: Aerial Maps
- Exhibit C: Application for Certificate of Appropriateness
- Exhibit D: Tree Hazard Evaluation Form and Photographs
- Exhibit E: 2006 Inventory Photographs
- Exhibit D: Photographs submitted by the applicant (forthcoming at the hearing)

**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

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	21

6. House  
246 North Union Street  
ca. 1906 (S)  
C

Two-story, frame, single-pile house with triple-A roofline. All three gables have sawn ornaments and cut-out ventilators. Wrap-around porch with turned posts, turned balusters, and decorative brackets carries across full facade and shelters south side of rear ell. Facade bays have pairs of tall, narrow, 1/1 windows.

7. House  
238 North Union Street  
1954-55 (10)  
F

Two-story, brick Colonial style house with five-bay facade and rounded, one-story, wrought-iron portico. Harmonious landscaping, including the retention of mature shade trees, keeps this house from being considered an intrusion.

- 7A. Johnson House  
rear of 238 North Union Street  
1906 (SB)  
C

Two-story, frame, Italianate house moved to the rear of this lot when #7 was erected in the mid-1950s. House retains much of its exterior trim, including original entrance with molded architrave, molded cornice with pendant drop brackets, and window surrounds. First floor facade bays flanking entrance removed as part of adaptation of first floor for use as garage. Porch with Tuscan columns dates from early twentieth century. Two rear ell wings demolished at the time house was moved.

8. W.A. Wilkinson House  
230 North Union Street  
ca. 1900 (SB)  
C

Well-detailed two-story, frame Queen Anne style residence with side gable roof and projecting, gable-front north (left) facade bay. Both the facade gable and the gable on the south side of the house have cut-away corners and are richly ornamented with alternating bands





Exhibit B





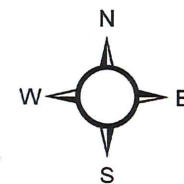
H-08-20

Mac Swaringen

removal of one  
(1) tree

246 Union St. N.

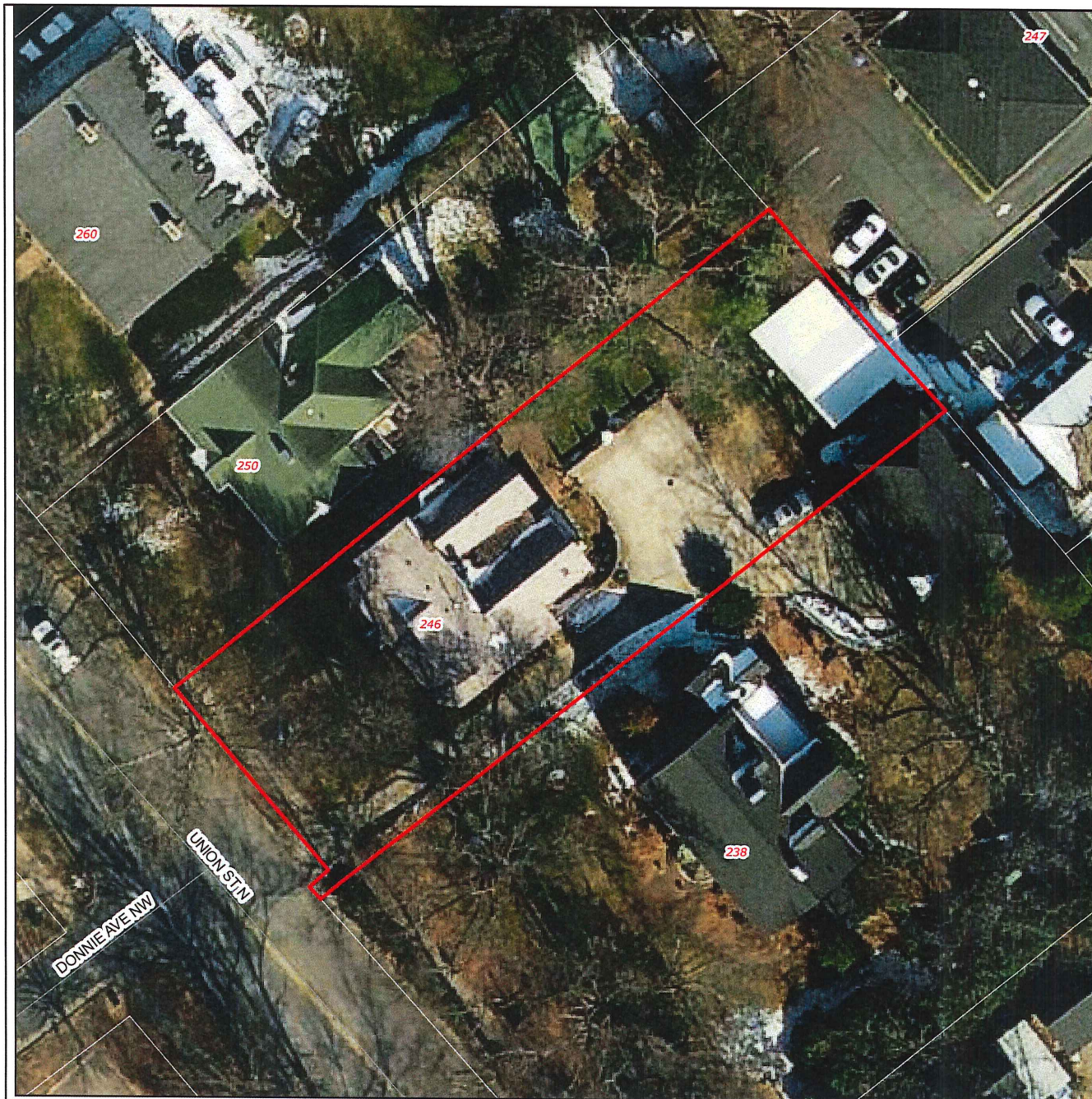
PIN 5621-60-9418



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, its 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.





**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: Mac Swaringen  
Address: 246 Union St. N.  
City: Concord State: NC Zip Code: 28025 Telephone: 704-918-7681

**OWNER INFORMATION**

Name: SAA  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

**SUBJECT PROPERTY**

Street Address: 246 Union St. N. P.I.N. # \_\_\_\_\_  
Area (acres or square feet): \_\_\_\_\_ Current Zoning: Historic Land Use: \_\_\_\_\_

**Staff Use  
Only:**

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

*The application fee is nonrefundable.*

Exhibit C



**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: Cut Down tree (EX-post facto)
  2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
- 
- 
- 
- 
- 
- 

**Required Attachments/Submittals**

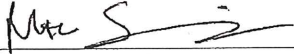
1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted if **16 folded copies** are submitted for distribution.
2. A photograph of the front of the house.
3. Photographs of site, project, or existing structures from 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.

2/17/20  
 Date

  
 Signature of Owner/Agent

# TREE RISK ASSESSMENT FORM

Site/Address: 246 Union St N

Map/Location: Rear yard along North property line

Owner: public: \_\_\_\_\_ private:  unknown: \_\_\_\_\_ other: \_\_\_\_\_

Date: 02/18/20 Inspector: Bill Leake

Date of last inspection:

RISK RATING:			
1	1	2	4
Failure Potential	Size of part	Target Rating	Hazard Rating
_____	_____	_____	_____
_____ Immediate action needed			
_____ Needs further inspection			
_____ Dead tree			

## TREE CHARACTERISTICS

Tree #: **1** Species: **Elm (Ulmus Americana)**

DBH: **50"** # of trunks: **2** Height: **90'** Spread: **70'**

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  stub 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: Decay in scaffold branches due to previous topping.

## 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: 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 D

P-1



# 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: 1 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		L	M	
Cavity		L	M	
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				L
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

## HAZARD RATING

Tree part most likely to fail in the next six months: Branches above previous topping cuts.

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

1    1    2    4

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: 2/18/20

## COMMENTS

This assessment is made using google street view, knowledge of the history of this tree and existing pieces of wood still on the site. The assessment is an estimate of the condition of the tree before removal was started.

Bill Leake

P.2



P. 3







B4





P.5





**FACADE 03/02/06**  
**246 Union Street, North**



**GARAGE 03/02/06**  
**246 Union Street, North**





**NORTH ELEVATION 03/02/06**  
**246 Union Street, North**



**NORTHWEST OBLIQUE 03/02/06**  
**246 Union Street, North**





**REAR 03/02/06**  
**246 Union Street, North**



**SOUTHEAST OBLIQUE 03/02/06**  
**246 Union Street, North**



