

Charlotte-Mecklenburg

HISTORIC LANDMARKS COMMISSION

March 12, 2012

Location: 2100 Randolph Road, Charlotte, N. C.

Time: 6:00 p.m. – 6:47 p.m.

Present:

Mr. Louis Asbury/County, HLC Chair

Mr. Frank Bragg/City

Mr. Joseph Elliott/City

Mr. David Erdman/Mayor

Mr. David Gieser/County

Ms. Paula Lester/County, HLC Treasurer, Projects Chair

Mr. Michael Rogers/City

Mr. John Shurley/County, Design Review Com. Chair

Ms. Jill Walker/Mayor, HLC Secretary, Survey Com. Chair

Dr. Lynn Weis/City, HLC Vice-Chair

Dr. Dan L. Morrill, HLC Consulting Director

Mr. Stewart Gray, HLC Preservation Planner

Ms. Mary Dominick, HLC Consultant

Ms. Mary Lynn Morrill, HLC Recording Consultant

Mr. Bryan Turner, HLC Projects Manager

Ms. Patricia Nystrom, HLC Attorney

Absent:

Mr. William T. Hobbs/County

Mr. Kenneth Pursley/County

Visitors:

Julie Smith, Historic Charlotte

John Howard, Historic Charlotte

Kurt Hogan, Highland Park Manufacturing Plant No. 3

Billy Agiere, Highland Park Manufacturing Plant No. 3

Elizabeth Rohan, UNCC Graduate Student

1. Consideration of Minutes

MR. GIESER PRESENTED A MOTION SECONDED BY MS. LESTER THAT THE MINUTES FOR FEBRUARY 13, 2012, BE APPROVED AS SUBMITTED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

MR. ROGERS PRESENTED A MOTION SECONDED BY MR. ERDMAN THAT THE EXECUTIVE SESSION MINUTES FOR FEBRUARY 13, 2012, BE APPROVED AS DISTRIBUTED. THE COMMISSION APPROVED THE MINUTES WITH MR. SHURLEY ABSTAINING FROM THE VOTE.

Dr. Weis entered the meeting at this point -- 6:06 p.m.

2. Chairman's Report: Mr. Asbury

Mr. Asbury welcomed everyone to the meeting.

Mr. Asbury reviewed the attendance sheet and instructed Commissioners to contact Staff if they have questions. Attendance reports started over January 1, 2012.

Mr. Asbury announced that the Nominating Committee will be composed of Mr. Ken Pursley (Chair), Mr. David Gieser and Mr. Bill Hobbs. A proposed slate of HLC officers for 2012 - 2013 will be presented at the May 14th HLC meeting. Mr. Pursley told Commissioners to contact Mr. Pursley if they have an interest in serving as an HLC officer or wish to continue in the office they currently have. Current HLC officers are Mr. Asbury (Chair), Dr. Weis (Vice-Chair), Ms. Walker (Secretary) and Ms. Lester (Treasurer.) Committee Chairs are appointed by the HLC Chair. HLC elections will be held at the June 13th meeting. Mr. Asbury reminded everyone that the HLC does not hold meetings in July of each year. He said that Mr. Hobbs's County term will expire in July and that he is not eligible for reappointment. Mr. Elliott (City), Mr. Gieser (County)

and Mr. Rogers (City) have terms that expire this July and are eligible for reappointments.

Mr. Asbury introduced Julie Smith and John Howard who were attending the meetings as representatives of Historic Charlotte. John Howard and Julie Smith are members of the Advocacy Committee of Historic Charlotte and stated their desire to see the Commission and Historic Charlotte work together to advance the cause of historic preservation in Charlotte-Mecklenburg.

3. Director's Report: Dr. Morrill

The following action items and information items constituted the Director's Report.

Action Items.

a. Funderburk-Plaxco House, 316 E. Matthews St., Matthews, N.C. The Survey and Research Report on the Funderburk-Plaxco House is complete and is on the Commission's website. The owner has requested that the Commission secure an appraisal for residential use which will be considered in Executive Session.

b. Executive Committee Approval for Expenditure of Funds. It is the policy of the Charlotte-Mecklenburg Historic Landmarks Commission (CMHLC) that expenditures be approved by a vote of the Board of the CMHLC at its monthly meeting. However, due to the nature of real estate ownership and the preservation of historic properties, unexpected circumstances arise that justify the immediate expenditures of funds prior to the next meeting of the CMHLC. Due to these concerns, the Board should, in the staff's opinion, adopt a procedure to cover such expenditures. Ms. Nystrom explained the legalities involved in the matter. The Commissioners considered and discussed all aspects.

MR. SHURLEY PRESENTED A MOTION SECONDED BY MR. ERDMAN TO ESTABLISH THE POLICY AND PROCEDURE SET FORTH BELOW FOR APPROVAL OF EXPENDITURES BY STAFF AND THE EXECUTIVE COMMITTEE OF THE CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Policy and Procedure for Approval of Expenditures by Staff and the Executive Committee of the Charlotte-Mecklenburg Historic Landmarks Commission

It is the policy of the Charlotte-Mecklenburg Historic Landmarks Commission ("CMHLC") that expenditures be approved by a vote of the Board of the Charlotte-Mecklenburg Historic Landmarks Commission at its regularly scheduled monthly meetings. However, due to the nature of real estate ownership and the preservation of historic properties, unexpected circumstances arise that justify the immediate expenditures of funds prior to the next meeting of CMHLC. Due to these concerns, the Board adopts the following procedure to allow the Executive Committee of the

Charlotte-Mecklenburg Historic Landmarks Commission (“CMHLC”), consisting of the Chairman, Vice-Chairman, Secretary, Treasurer and Chairman of the Projects Committee, to authorize expenditures from CMHLC’s funds. In addition, the Board of CMHLC also believes that it is prudent to allow staff to expend certain funds associated with real estate owned by CMHLC without its specific approval. Therefore, it has adopted the following policy:

1. EXPENDITURES APPROVED BY EXECUTIVE COMMITTEE:

The Executive Committee of the Charlotte-Mecklenburg Historic Landmarks Commission shall have the authority to authorize expenditures from the funds of CMHLC, without the approval of the Board of CMHLC, under the following conditions:

a. **Emergency Repairs.** The Executive Committee shall have the authority to expend funds for repairs to correct any conditions on real property owned by CMHLC that would likely, if not immediately corrected, result in (a) personal injury, (b) damage to property owned by any third party; or (c) substantial damage to property owned by CMHLC, which damage significantly exceeds the cost of the repair.

b. **Rental Properties Repairs.** The Executive Committee shall have the authority to expend funds for repairs required to fulfill its obligations under state law to provide fit and habitable dwellings to residential tenants or to fulfill its obligations under leases, provided such repairs are of the type that a tenant would reasonably expect to be immediately completed, such as repairs required to provide basic services, including electricity, water/sewer service, heating and air conditioning. This provision shall not be used to pay for routine maintenance or other repairs that could reasonably be handled by the CMHLC Board at a regularly scheduled meeting.

c. **Incidental Expenses.** In addition to the expenditures authorized in paragraphs 1 and 2 herein, the Executive Committee shall also have the right to approve incidental expenses associated with real estate owned by CMHLC up to the sum of \$10,000.00 per incident or occurrence.

In order to exercise its rights hereunder, the Executive Committee shall review any requests made by the staff of CMHLC, which review may be at a meeting or through information disseminated by email, telecopier transmittal or mail. An expenditure shall be authorized if a majority of the members of the Executive Committee votes for approval, which votes may be tallied via email or telecopier transmittal if a meeting is not held.

2. EXPENDITURES BY STAFF.

The Consulting Director and Assistant Consulting Director shall have the authority to approve expenditures associated with the real estate owned by CMHLC up to the sum of \$1,500.00 per incident or occurrence.

information items.

a. Dr. George E. Davis House, 301 Campus Street in Charlotte, N.C. Mr. Turner and Ms. Nystrom are coordinating the Commission's participation in this preservation project. Mr. Turner reported that the project is proceeding on schedule.

b. The House at 409 E. Park Ave. Staff will submit a bid to purchase the house. This should occur in April.

c. White Oak Plantation, 7729 Hood Road, Charlotte, N.C. Mr. Turner is coordinating plumbing repairs, replacement of the HVAC, and repairs to the porch columns. All have been approved by the Executive Committee of the Commission. Work should begin soon.

d. Grier-Rea House, 6701 Providence Road, Charlotte, N.C. The public hearing with City Council to consider the prospective rezoning of the Grier-Rea House will occur on March 19th. Staff will attend.

e. Thrift Depot of the Piedmont and Northern Railroad Company, 8030 Old Mt. Holly Road, Charlotte, N.C. The North Carolina Department of Transportation has approved \$200,000 of matching funds for \$800,000 of Federal money to relocate and restore the Thrift Depot. The Commission's sole involvement will be to administer design review for the issuance of Certificates of Appropriateness.

f. North Charlotte Mill Village House, 3315 North Alexander St., Charlotte, N.C. The owner of the house has become reconciled to the proposed adjacent apartment development and intends to continue to live in the house at its present location.

g. Torrence-Lytle School. A meeting of stakeholders did occur in Huntersville. Prospective buyers are looking at the property. Mr. Bragg confirmed that a prospective buyer is performing due diligence.

h. Younts General Store, 316 Main St., Pineville, N.C. Stewart Gray and Bryan Turner will be meeting with the architect to discuss outstanding issues. Repair work should commence in the upcoming weeks.

i. S.W. & C.S. Davis General Store, Bob Beatty Road, Charlotte, N.C. Electrical repair and repair of the stairway of the main store building should occur in the near future. All other code violations have been satisfied.

j. Biddleville Documentary. County Public Service and Information is making finishing touches to the documentary. Officials of Johnson C. Smith University have reviewed the documentary and are pleased with its content.

k. Fire Station No. 2. and the revised George E. Davis House. The HLC has approved amendments to the ordinances to include the land included in the Fire Station No. 2 historic landmark and to expand the amount of land included in the Dr. George E. Davis historic landmark. The resolutions to hold the public hearings will be presented to the Charlotte City Council on March 19, 2012. Staff will attend.

l. Grace A.M.E. Zion Church and the Mecklenburg Investment Company Building. There has been no additional information about the status of Grace A.M.E. Zion Church.

m. Budget Request. Staff anticipates that the County will be approaching the Commission about its budget request for FY 2012-2013. Staff anticipates that its operations budget will continue to come from the HLC's Revolving Fund.

n. Davidson Elementary School. The Davidson Town Board is scheduled to vote on March 13, 2012, on the designation of the Davidson Elementary School as a historic landmark.

o. Historic Charlotte. Historic Charlotte has hired a new Executive Director, Ms. Nicole McBeth.

p. Mint Hill. The Mint Hill Town Board continues to consider entering into an inter-local agreement that will empower the Commission to be the Historic Landmarks Commission for Mint Hill.

4. Design Review Committee Report: John Shurley
Mr. Shurley reported that the Design Review Committee met February 29, 2012. Minutes from the meeting can be found at www.cmhpf.org under Design Review.

A. Applications for Certificates of Appropriateness

1. Torrance Mill, 7828 Gilead Road, Huntersville

THE DESIGN REVIEW COMMITTEE PRESENTED A SECONDED MOTION TO RECOMMEND TO THE HISTORIC LANDMARKS COMMISSION THAT A CERTIFICATE OF APPROPRIATENESS FOR THE CONSTRUCTION OF AN UNDERGROUND NATURAL GAS PIPELINE ALONG A 40' WIDE EASEMENT RIGHT-OF-WAY, A PORTION OF WHICH CROSSES THE EASTERNMOST END OF THE DESIGNATED HISTORIC LANDMARK, NOT BE APPROVED FOR THE TORRANCE MILL, 7828 GILEAD ROAD, HUNTERSVILLE, N.C., UNTIL THE APPLICANT COMPLETES THE FOLLOWING ACTIONS: 1) THAT A RULING BE OBTAINED FROM THE STATE UTILITIES COMMISSION REGARDING ALLOWING

EXCEPTIONS FOR CLEARANCE REQUIREMENTS FOR EASEMENTS IMPACTING A LOCAL HISTORIC LANDMARK, 2) THAT A TREE SURVEY BE CONDUCTED IN THE EASEMENT TO DETERMINE THE EXISTENCE OF TREES GREATER THAN FIVE INCH CALIPERS IN DIAMETER, AND 3) THAT A SPECIFIC PLAN FOR HOW THE PROPOSED ACTION WILL AFFECT THE TRACE OR SLUICE OF THE TORRANCE MILL BE PRESENTED TO THE DESIGN REVIEW COMMITTEE.

The Applicant has not yet presented all the information required by the previous motion.

MR. SHURLEY PRESENTED A MOTION SECONDED BY MS. WALKER THAT THE MOTION BE TABLED UNTIL THE APRIL 9, 2012, MEETING OF THE HISTORIC LANDMARKS COMMISSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

2. Mecklenburg Mill, 3327 North Davidson Street, Charlotte, and the Johnston Mill, 3300 North Davidson Street, Charlotte

THE DESIGN REVIEW COMMITTEE PRESENTED A SECONDED MOTION TO RECOMMEND TO THE HISTORIC LANDMARKS COMMISSION THAT A CERTIFICATE OF APPROPRIATENESS FOR THE REMOVAL OF NON-ORIGINAL BUILDING ELEMENTS OF THE MECKLENBURG MILL, 3327 NORTH DAVIDSON ST., CHARLOTTE, N.C., AND THE JOHNSTON MILL, 3300 NORTH DAVIDSON STREET, CHARLOTTE, N.C., BE ISSUED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

3. Highland Park Manufacturing Company Mill No. 3, 2905 N. Davidson St., Charlotte

THE DESIGN REVIEW COMMITTEE PRESENTED A SECONDED MOTION TO RECOMMEND TO THE HISTORIC LANDMARKS COMMISSION THAT CERTIFICATE OF APPROPRIATENESS, 12-04, BE AMENDED TO INCLUDE THE PLACEMENT OF A WALK-IN COOLER AND THE ERECTION OF A FENCE AT THE REAR OF BUILDING NO. 6 OF THE HIGHLAND PARK MANUFACTURING COMPANY MILL NO. 3, 2905 N. DAVIDSON ST., CHARLOTTE, N.C., WITH THE STIPULATION THAT THE FENCE NOT TOUCH THE MASONRY WALL OF THE BUILDING. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

5. Projects Committee Report: Paula Lester

Ms. Lester announced that the Projects Committee did not meet.

6. Survey Committee Report: Jill Walker

Ms. Walker announced that the Survey Committee did not meet.

8. Treasurer's Report: Paula Lester

Ms. Lester distributed the HLC's Financial Report.

Mr. Rogers left the meeting at this point - 6:30 p.m.

9. Old Business.

There was no old business.

10. New Business.

MR. SHURLEY PRESENTED A MOTION SECONDED BY MS. LESTER THAT THE COMMISSION CONVENE IN EXECUTIVE SESSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

MR. SHURLEY PRESENTED A MOTION SECONDED BY DR. WEIS THAT THE COMMISSION RECONVENE IN REGULAR SESSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Note: In Executive Session the Commission voted to enter into a contract with Kelly Harris to secure a single-family residential appraisal for the Funderburk-Plaxco House, 316 E. Matthews St., Matthews, N.C.

The meeting adjourned at 6:47 p.m.