

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
June 11, 2018
Location: 2100 Randolph Road, Charlotte, N.C.
Time: 6:01 p.m. – 8:04 p.m.**

Draft Minutes

Present:

**Ms. Diane Althouse/County
Mr. Akadius Berry/County
Mr. Nathan Clark/County/HLC Treasurer (by telephone)
Mr. Thomas Egan/County/HLC Vice Chair
Mr. Joe Elliott/City/Design Review Committee Chair
Ms. Penny Higdon/County
Ms. Laura Hoover/County
Mr. Garrett Nelson/Mayor
Mr. Len Norman/City/HLC Chair
Mr. Jeffrey Parsons/Mayor/HLC Secretary/Survey Committee Chair
Mr. Jonathan Schulz/City
Mr. Sandy Carnegie, HLC Attorney (by telephone)
Dr. Dan L. Morrill, HLC Consulting Director
Mr. Stewart Gray, HLC Senior Preservation Planner
Ms. Elizabeth Stuart, HLC Administrative Assistant
Mr. Jay Rhodes, AFM, Mecklenburg County**

Absent:

**Mr. William Hughes/City
Mr. Peter Wasmer, Project Manager, Mecklenburg County**

Visitors:

**J'Tanya Adams, Excelsior Club and Streetcar 85
Anthony Brumsey
Beverly D. Cason
Phil Hayes, Hennigan Place
Mark Miller, Wadsworth House
Cindy Parsons
Ian Parsons
Gail Pyle
Victoria Pyle
Lisa Rudisill**

1. Consideration of Minutes

Ms. Higdon pointed out an error in the May 14, 2018 minutes under the Survey Committee Report. In Section 6e, the Survey Committee is misnamed the Projects Committee. Staff stated that it would incorporate this correction into the minutes.

MR. ELLIOTT PRESENTED A MOTION SECONDED BY MS. HIGDON THAT THE MINUTES FOR THE MAY 14, 2018, MEETING OF THE HISTORIC LANDMARKS COMMISSION BE APPROVED. THE COMMISSION APPROVED THE MOTION WITH MS. HOOVER ABSTAINING.

MR. PARSONS PRESENTED A MOTION SECONDED BY MR. EGAN THAT THE CLOSED MINUTES FOR THE MAY 14, 2018, MEETING OF THE HISTORIC LANDMARKS COMMISSION BE APPROVED. THE COMMISSION APPROVED THE MOTION WITH MS. HOOVER ABSTAINING.

2. Chair's Report – Len Norman

Mr. Norman welcomed the Commissioners and visitors. Mr. Norman also welcomed Mr. Berry to his first meeting of the HLC and asked Commissioners and Staff to introduce themselves. Mr. Norman asked the Commissioners to check their attendance and to make Ms. Stuart aware of any issues.

3. Director's Report – Dan Morrill

Dr. Morrill reported the following:

- a. *Dowd House and former Charlotte Fire Station No. 10.* The County has not yet determined how it will proceed with its plans to preserve the James C. Dowd House and Former Charlotte Fire Station Number Ten. There have been no significant developments since the HLC's April Meeting. Staff has requested a meeting with County officials to discuss the future possibilities for Former Charlotte Fire Station No. 10.**
- b. *The Jerry and Tena Wallace House.* Staff has received its appraisal of the property. The Due Diligence process will continue. The owners have agreed to an extension of the Due Diligence Period until October 26th. Stewart Gray reports that the designation of the property as a historic landmark is scheduled to occur on October 15th. Staff has provided the owners with the draft of a lease of the property for a yet-to-be-determined period after closing.**
- c. *Wadsworth House.* South State Bank has issued a formal request for bids to purchase the property. The bid documents state that the bank will consider factors other than the offered price. The Projects Committee discussed the status of the property and has not recommended that the HLC submit an offer at this time. South State Bank has notified potential buyers that the HLC can delay the demolition for up to 365 days. Staff will keep the HLC advised.**

d. *Wilmore School.* City Council voted on May 21st to designate the Wilmore School as a historic landmark. Thanks to the Survey Committee for its initiative in this area.

e. *Charles E. Barnhardt House.* The property is being actively marketed. Special thanks for the work of the Projects Management Committee. Len Norman and Dr. Morrill visited with Fred Caligiuri, the developer of the Cramer's Pond Neighborhood, and he has agreed that the HLC should submit a form requesting approval for the placement of an architectural shingle roof on the house. Staff is confident that approval can be obtained.

Dr. Morrill distributed an email from Eric Gamble, Realtor, recommending that the asking price for the Charles E. Barnhardt House be reduced and that the Executive Committee of the Historic Landmarks Commission be authorized to negotiate final settlement of any reasonable offer submitted by a prospective buyer of the Barnhardt House before the August 2018 meeting of the Historic Landmarks Commission. The Commission reached a consensus that a reduction of the asking price for the Barnhardt House is unwarranted at this time, but did accept the recommendation regarding the authority of the Executive Committee to negotiate final settlement of any reasonable offer submitted before the August 2018 meeting of the Historic Landmarks Commission.

MS. ALTHOUSE PRESENTED A MOTION SECONDED BY MS. HOOVER THAT THE EXECUTIVE COMMITTEE OF THE HISTORIC LANDMARKS COMMISSION BE AUTHORIZED TO NEGOTIATE FINAL SETTLEMENT OF ANY REASONABLE OFFER SUBMITTED BY A PROSPECTIVE BUYER OF THE CHARLES E. BARNHARDT HOUSE, 3217 MAYMOUNT PLACE, CHARLOTTE, N.C., BEFORE THE AUGUST 2018 MEETING OF THE HISTORIC LANDMARKS COMMISSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

f. *Torrence Lytle School.* Staff is endeavoring to establish contact with the previous prospective buyer to see if a mutually acceptable arrangement for the preservation of all or some portion of the property can be negotiated.

g. *Charlotte Streetcar 85.* Funds for the transport of Streetcar 85 to Charlotte have been encumbered. Staff reported that the lease agreement of Streetcar 85 to Lakewood Trolley has been finalized. Sandy Carnegie has drafted an agreement between the Historic Landmarks Commission and Savona II, LLC, giving the HLC unfettered access in case of a default by Lakewood Trolley to the building in which Streetcar 85 will be housed.

MR. EGAN PRESENTED A MOTION SECONDED BY MR. SCHULZ TO APPROVE THE AGREEMENT BETWEEN THE HISTORIC LANDMARKS COMMISSION AND SAVONA II, LLC, GIVING THE HLC UNFETTERED ACCESS IN CASE OF A DEFAULT BY LAKEWOOD TROLLEY TO THE BUILDING IN WHICH STREETCAR 85 WILL BE HOUSED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

h. *Ingleside.* Staff has been working to finalize arrangements for the purchase of Ingleside, 7225 Bud Henderson Road, Huntersville, N.C. The Projects Committee will have a recommendation to bring before the HLC later in this meeting. Staff has encumbered

money to perform maintenance of the property. The Old Huntersville Historical Society is also assisting with maintenance.

i. The owner of the McConnell House has filed a Certificate of Appropriateness to demolish the McConnell House, 4009 Beatties Ford Road, Charlotte, N.C. The Design Review Committee shall recommend that the demolition be delayed for 365 days, so that Staff can investigate preservation strategies.

j. *Mt. Carmel Baptist Church.* Mt. Carmel Baptist Church at 412 Campus Street, Charlotte, has been cited by the Charlotte Code Enforcement Agency for numerous building violations. Sometimes these violations can result in an order for the demolition of the building. The building is owned by JCSU.

k. *Excelsior Club.* The owner of the Excelsior Club, 921 Beatties Ford Road, has submitted a Certificate of Appropriateness application for the demolition of the Excelsior Club. The Design Review Committee shall recommend that the demolition be delayed for up to 365 days, so that preservation strategies can be investigated.

Visitors expressed their concern for the status of the Excelsior Club and stated that the Commission should make every effort to seek a preservation solution for the property. Dr. Morrill read an email from Dr. Justin Harlow, a member of the Charlotte City Council, urging the Commission to consider purchasing the property.

l. *Reconnaissance Survey of Mid-Century Modern Architecture in Charlotte.* The money to perform the Mid-Century Modern Architecture Survey has been encumbered.

Mr. Norman presented commemorative plaques to Mr. Miller and Mr. Elliott and expressed the Commission's gratitude for their service.

Dr. Morrill showed a video depicting the projects the Historic Landmarks Commission's Revolving Fund has performed since the establishment of the Revolving Fund in 1991.

4. Senior Preservation Planner's Report – Stewart Gray

Mr. Gray had no report.

5. Consideration of Adopting Revisions to the HLC Policy Manual

Mr. Norman reviewed revisions to the HLC Policy Manual.

MR. PARSONS PRESENTED A MOTION SECONDED BY MS. HIGDON THAT THE HISTORIC LANDMARKS COMMISSION APPROVE THE HLC POLICY MANUAL AS REVISED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

6. Design Review Committee Report – Joe Elliott

Mr. Elliott reported that the Design Review Committee met in May, but did not have a quorum.

a. COA Application for the William and Laura McConnell House, 4009 Beatties Ford Road, Charlotte, N.C.

Staff reported that the applicant proposes to demolish the house. State Enabling Legislation does not allow the Commission to deny a Certificate of Appropriateness for Demolition. It can only delay its effective date for up to 365 days from the date of issuance.

Mr. Elliott stated that the Design Review Committee reached a consensus that the Certificate of Appropriateness for Demolition of the McConnell House be delayed for 365 days from the date of issuance.

MR. ELLIOTT PRESENTED A MOTION SECONDED BY MR. NELSON THAT THE EFFECTIVE DATE OF THE CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE WILLIAM AND LAURA MCCONNELL HOUSE, 4009 BEATTIES FORD ROAD, CHARLOTTE, N.C., BE DELAYED 365 DAYS FROM THE DATE OF ISSUANCE. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

b. COA Application for the Demolition of the Excelsior Club, 921 Beatties Ford Road, Charlotte, N.C.

Staff reported that the applicant proposes to demolish the Excelsior Club. This was a major social center for African Americans during the era of racial segregation. The owner is willing to enter into an option to allow the Historic Landmarks Commission to purchase the property at considerably above the most recent appraised value. State Enabling Legislation does not empower the HLC to deny an application for a Certificate of Appropriateness for Demolition. It may only delay the effective date of the COA for up to 365 days from the date of issuance.

MR. ELLIOTT PRESENTED A MOTION SECONDED BY MR. NELSON THAT THE EFFECTIVE DATE OF THE CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE EXCELSIOR CLUB, 921 BEATTIES FORD ROAD, CHARLOTTE, N.C., BE DELAYED 365 DAYS FROM THE DATE OF ISSUANCE. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

7. Survey Committee Report – Jeff Parsons

Mr. Parsons reported that the Survey Committee met in May and had a quorum.

a. Hennigan Place, 3503 Tilley Morris Road, Charlotte, N.C.

Mr. Parsons explained that the property owner is requesting that a portion of the Hennigan Place have its historic landmark designation removed.

THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT RECOMMEND TO THE CHARLOTTE CITY COUNCIL THE REMOVAL OF THE HISTORIC LANDMARK DESIGNATION OF ALL PORTIONS EXCEPT LOT 1A, AS DEPICTED ON THE PRELIMINARY PLAT PLAN, OF THE HENNIGAN PLACE, 3503 TILLEY MORRIS ROAD, CHARLOTTE, N.C., SUBJECT TO THE FOLLOWING CONDITIONS: 1) THAT THE APPLICANT PLACE PRESERVATION COVENANTS ON THE ENTIRETY OF LOT 1A, WHICH INCLUDES THE HISTORIC HOUSE AND OUTBUILDINGS, GUARANTEEING THE PRESERVATION OF THE AFORESAID LOT AND IMPROVEMENTS IN PERPETUITY; 2) THAT SIGNIFICANT LANDSCAPE BUFFERS BE PLACED BETWEEN LOT 1A AND LOTS 2 AND 3, AND BETWEEN LOT 1A AND LOTS 1 AND 6 AS DEPICTED ON THE PRELIMINARY PLAT PLAN; 3) THAT DE-DESIGNATION NOT GO INTO EFFECT UNTIL DOCUMENTS ARE RECORDED, INCLUDING PRESERVATION COVENANTS ON LOT 1A; 4) THAT THE DRIVEWAY BE REDESIGNED TO MOVE THE WESTERN PORTION OF THE DRIVEWAY AWAY FROM THE NORTHWESTERN CORNER OF THE HISTORIC HOUSE AND MITIGATE THE DRIVEWAY'S VISUAL IMPACT ON LOT 1A, AS DEPICTED ON THE PRELIMINARY PLAT PLAN; 5) THAT LOT 1A NOT BE SUBJECT TO THE CONTROL OF THE HOA; AND 6) THAT CONDITIONS #2 AND #4 BE SUBJECT TO REVIEW AND APPROVAL BY THE DESIGN REVIEW CHAIR AND HLC STAFF. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

b. Huntersville Survey

Mr. Gray presented the Huntersville Survey completed by the consultant SVM. Mr. Gray also presented illustrations of the properties that have been surveyed.

MR. PARSONS PRESENTED A MOTION SECONDED BY MR. EGAN THAT THE HISTORIC LANDMARKS COMMISSION ACCEPT THE HUNTERSVILLE SURVEY AS THE OFFICIAL SURVEY OF THE HUNTERSVILLE HISTORIC BUILT ENVIRONMENT AND PRESENT THE SURVEY REPORT TO THE HUNTERSVILLE TOWN BOARD. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

c. Park Terrace Theater

Mr. Gray reported that Councilperson Egleston has reached out concerning the potential for designation of the Park Terrace Theater. HLC Staff has communicated with Edens, the owner of the property. The property owner is requesting that the HLC delay any consideration of the property until Edens can finalize arrangements with its new tenant,

AMC Movie Theaters. The Historic Landmarks Commission agreed with this plan of action.

d. Update on Post World War II Survey

Dr. Morrill reported that Susan Mayer will be the principal investigator for this survey and that the money to conduct the survey has been encumbered.

8. Treasurer's Report – Nathan Clark

Mr. Clark reviewed the May 2018 Treasurer's Report of the Historic Preservation Revolving Fund. Jay Rhodes of the Mecklenburg County Asset and Facility Management Department stated that he was reviewing the demolition cost for abatement of the Torrence Lytle School to address concerns that Mr. Clark had raised about this expenditure.

9. Projects Committee Report – Len Norman (Interim)

a. Update on Torrence Lytle School, 302 Holbrooks Road, Huntersville, N.C.

Dr. Morrill reported that he had discussed the status of the offer to purchase submitted by Brock Ventures. Stephen Brock of Brock Ventures stated that he could not move forward with the prospective purchase if Item 15 in the contract covenants remain, but that he would do so if it was removed. Sandy Carnegie, HLC Attorney, explained the powers the Commission would be relinquishing if Covenant 15 was removed from the contract. The Commission discussed this issue at length, and a majority believed that removing Item 15 in the contract covenants was warranted.

MR. EGAN PRESENTED A MOTION SECONDED BY MR. PARSONS THAT ITEM 15 IN THE CONTRACT TO PURCHASE FOR THE TORRENCE LYTLE SCHOOL, 302 HOLBROOKS ROAD, HUNTERSVILLE, N.C., BE REMOVED. THE COMMISSION APPROVED THE MOTION WITH MR. SCHULZ VOTING IN OPPOSITION.

b. Discussion of Status of Excelsior Club, 921 Beatties Ford Road, Charlotte, N.C., and Update on Ingleside, 7225 Bud Henderson Road, Huntersville, N.C.

MS. ALTHOUSE PRESENTED A MOTION SECONDED BY MR. EGAN THAT THE COMMISSION CONVENE IN CLOSED SESSION TO DISCUSS THE STATUS OF THE EXCELSIOR CLUB, 921 BEATTIES FORD ROAD, CHARLOTTE, N.C., AND INGLESIDE, 7225 BUD HENDERSON ROAD, HUNTERSVILLE, N.C. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

MR. CLARK PRESENTED A MOTION SECONDED BY MS. HOOVER THAT THE COMMISSION RECONVENE IN OPEN SESSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Note: In Closed Session, the Commission considered the prospective purchase of the Excelsior Club, 921 Beatties Ford Road, Charlotte, N.C., and Ingleside, 7225 Bud Henderson Road, Huntersville, N.C.

10. Nominating Committee Report/Election of Officers – Laura Hoover

Dr. Morrill explained that elections require a vote by written secret ballot unless the HLC approves a motion establishing a different procedure. Ms. Hoover, Chair of the Nominating Committee, stated that the slate of officers nominated is: Tom Egan - Chair; Jeff Parsons – Vice Chair; Penny Higdon – Secretary; Nathan Clark – Treasurer.

MS. ALTHOUSE PRESENTED A MOTION SECONDED BY MR. SCHULZ THAT THE HISTORIC LANDMARKS COMMISSION CLOSE NOMINATIONS AND ELECT THE SLATE OF NOMINATED OFFICERS (TOM EGAN – CHAIR; JEFF PARSONS – VICE CHAIR; PENNY HIGDON – SECRETARY; NATHAN CLARK – TREASURER) BY ACCLAMATION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

11. Old Business

There was no old business.

12. New Business

Mr. Parsons introduced his wife, Cindy Parsons, and son, Ian Parsons. Mr. Parsons mentioned that his son was working as an intern for the Historic Landmarks Commission this summer. Dr. Morrill stated that Ian is preparing essays on Charlotte architects for inclusion in a reference website maintained by North Carolina State University.

The meeting adjourned at 8:04 p.m.