

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
December 13, 2021
Virtual Meeting
6:00 p.m. – 7:00 p.m.**

Minutes

Present:

**Ms. Diane Althouse/County
Mr. Robert Barfield/County/HLC Secretary
Mr. Akadius Berry/County
Ms. Lesley Carroll/County
Mr. Brian Clarke/County/HLC Vice Chair/Survey Committee Chair
Mr. William Hughes/City/HLC Chair
Ms. Elizabeth Luke/County
Mr. Garrett Nelson/Mayor
Mr. Joshua Shope/City
Mr. Edwin Wilson/City/HLC Treasurer
Mr. Jack Thomson, HLC Executive Director
Mr. Stewart Gray, HLC Historic Resources Program Manager
Ms. Elizabeth Stuart, HLC Administrative Assistant
Mr. Tommy Warlick, HLC Consulting Preservation Planner**

Absent:

Mr. Jeffrey Parsons/Mayor/Projects Committee Chair

Note: This meeting was held virtually through the Webex video conferencing platform.

1. Consideration of Minutes

MS. LUKE PRESENTED A MOTION SECONDED BY MR. CLARKE THAT THE MINUTES FOR THE NOVEMBER 8, 2021, MEETING OF THE HISTORIC LANDMARKS COMMISSION BE APPROVED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

2. Chair's Report: William Hughes

Mr. Hughes provided the following year-end report: The Commission designated 10 properties and added nine properties to the Study List of Prospective Historic Landmarks; White Oak was refinanced and the final Outen Pottery payment was received; and Akadius Berry and Edwin Wilson were reappointed for second terms to the Commission while Lesley Carroll and Joshua Shope were appointed to their first terms.

3. Public Comment Period

Mr. Hughes explained that the public comment period serves to provide an opportunity for the Commission to receive public input. There were no comments from the public.

4. Financial Report: Jack Thomson

Mr. Thomson stated that all expected revenue has been received. Mr. Thomson reported that refinancing for the Rozzell House is proceeding. Mr. Thomson stated that approximately \$6000 in additional funds for electrical repairs will need to be spent at the Wallace House.

5. Quasi-Judicial Hearing for the Mayes House, 435 East Morehead Street, Charlotte

HEARING ON CERTIFICATE OF APPROPRIATENESS

Owner/Applicant: Morehead Street Properties LLC

Subject Property: Mayes House

Address: 435 East Morehead Street, Charlotte

PIN: 12513704

The Commissioners affirmed that they do not have any known conflicts of interest which would prevent their participation in this hearing, and that they have not engaged in any ex parte communication which would prevent their participation in this hearing.

The following persons were sworn in to give testimony at the hearing: Myrick Howard, David Maison, Jack Thomson, and Stewart Gray.

Staff presented the findings of fact.

Commissioners Comments

Mr. Shope asked whether the materials to be removed will be stored on site permanently. Mr. Gray stated that the materials should be stored appropriately and permanently on site in anticipation of a potential new use for these materials. Mr. Gray stated that language was included to ensure no important architectural material is stored improperly.

Mr. Shope asked about the purpose of the steel frame glass wall. Mr. Gray stated that a secondary staircase is in this location and the wall is proposed for fire separation. Mr. Barfield stated that a separation wall is required per building code and that the glass will keep the wall light and non-invasive.

Mr. Barfield asked about the intended use of the building. Mr. Gray stated staff's impression is that the building will be used for temporary residential purposes, such as an extended stay.

The Applicants' Comments

David Maison, project architect, stated that the intent of the glass separation wall was to provide the required separation in a light manner to not detract from the existing wood rail.

Myrick Howard, President of Preservation North Carolina (PNC), stated that PNC holds a preservation easement on the Mayes House and the adjacent parcel. Mr. Howard stated that PNC does not hold interior covenants on the property. Mr. Howard stated that PNC has been involved in the entire planning and reviewing process and the organization is pleased with the plans.

No one spoke in opposition to the project.

Mr. Hughes opened the floor for a motion to approve the findings of fact.

The Commissioners discussed a proposed motion.

Mr. Barfield presented a motion that the Historic Landmarks Commission approve the findings of fact as presented. Mr. Shope seconded the motion.

Once made, there was no more discussion of the motion.

Staff Report and Comments

Exhibits presented to and considered by the Commission:

Exhibit A – project description from the application

Select interior modification concentrated on maintaining existing character of home while providing adequate division for a new code compliant multi-family residential R-1 use. All existing exterior finishes to remain. Two new exterior windows are being proposed on the basement level; one in an infilled opening on the rear masonry stair which was once open, and a second adjacent to the existing basement access door located on the east side of the building, behind the existing covered side entry to the first floor level.

Exhibit B – map

Exhibit C - proposed scope, plans, and photographs

Based upon the information presented in the application, staff offers the following suggested findings of fact:

A. The proposed development of Unit 0.1 as shown in Exhibit C is not incongruous according to STANDARDS 2 and 9.

1* Development of Unit 0.1 does not destroy historic materials that characterize the property.

2* Re-opening of the existing bricked in window does not destroy features, finishes, or construction techniques that characterize the property. It is reversing a non-historic alteration. The new window is proposed to match existing windows.

3* The new 3x3 window and adjacent awning at the exterior entry door does not destroy historic materials that characterize the property and is compatible with the existing massing, size, scale, and architectural features. The window's square proportions

match the proportions of the square attic windows in the uppermost reaches of the gambrel-roofed façades. The foundation masonry is painted common brick and not character-defining in ornamentation or material.

B. The proposed development of Unit 1.1 as shown in Exhibit C is not incongruous according to STANDARDS 2, 9, and 10.

1* Note #12 of drawing A1.1/02 does not appear to be correctly placed. There is no freestanding sink at this location.

2* Development of Unit 1.1 does not destroy historic materials that characterize the property. The conversion of the window opening on the porch elevation into a doorway with two leaves preserves the stained-glass transom. The brick to be removed below is painted common brick. The interior wall proposed for demolition is not original.

3* No information is provided in Exhibit C whether the window removed from Unit 1.1 at demolition note #A will be retained and stored on site.

4* Proposed changes including the reconfigured walls and the removal of a window and brick could easily be reversed in the future. The new wall identified at note #04 is designed to match the distinctive hallway trim.

C. The proposed development of Unit 1.2 Studio as shown in Exhibit C is not incongruous according to STANDARDS 2, 9, and 10.

1* Development of Unit 1.2 does not destroy historic materials that characterize the property. The current windows and door that open onto the entrance foyer will remain and be visible from the foyer.

2* Proposal to construct a wall with light framing and gypsum wallboard to block the windows and door from Unit 1.2 could easily be reversed in the future.

D. The proposed development of Units 1.3 and 1.4 as shown in Exhibit C are not incongruous according to STANDARDS 2, 9, and 10.

1* Development of Units 1.3 and 1.4 does not destroy historic materials that characterize the property. Historic trim and fireplace surrounds are being retained. One existing historic door (note #E) is being relocated (note #G).

2* The toilet rooms are non-historic alterations with modern fixtures and finishes.

3* The decorative arch in unit 1.4 proposed to be altered is non-historic.

4* Changes to walls and doors shown in Exhibit C could easily be reversed in the future.

E. The proposed development of Unit 2.1 as shown in Exhibit C are not incongruous according to STANDARDS 2, 9, and 10.

1* Development of Unit 2.1 does not destroy historic materials that characterize the property. The walls to be demolished are not original or historic.

2* The proposal to construct a wall to block the door that adjoins Unit 2.2 could easily be reversed in the future.

F. The proposed development of Units 2.2, 2.3, and 2.4 as shown in Exhibit C are not incongruous according to STANDARDS 2, 9, and 10

1* Development of Units 2.2, 2.3, and 2.4 does not destroy historic materials that characterize the property. The sections of walls to be demolished are not character defining to the property.

2* The proposed changes to the bathrooms and closets could be reversed in the future.

Staff suggests that the Commission approve the application with the following conditions:

1. All work shall be in accordance with attached drawings and plans.
2. Staff shall review and approve manufacturer cut sheets or other descriptive material for all new exterior window units, interior lighting, and plumbing fixtures prior to permit issuance.
2. All permits, variances, or approvals as required by law must be obtained before work may commence.
3. All doors, windows, and interior trim proposed to be removed and/or saved shall be securely preserved on the property and appropriately labeled as to their original location with a metal tag, or some other permanent, durable label.
4. All historic bathroom fixtures proposed for removal shall be securely preserved on the property and appropriately labeled as to their original location with a metal tag, or some other permanent, durable label.
5. Staff shall review and approve steel-framed glass smoke separation wall for Unit 2.4 (note #6)

The motion was approved with all in attendance voting in favor.

Mr. Hughes opened the floor for a motion to approve the application for a COA.

Mr. Nelson presented a motion that the Historic Landmarks Commission approve the Certificate of Appropriateness application as presented for the Mayes House, 435 East Morehead Street, Charlotte, N.C. Mr. Barfield seconded the motion.

Once made, there was no more discussion of the motion.

The motion was approved with all in attendance voting in favor.

Ms. Althouse asked about the timeline of the renovation. Mr. Maison stated the plan is for 90 days to prepare construction documents and an approximately six to eight-month construction schedule.

Mr. Hughes thanked the applicants for their cooperation and wished them success on their project. Mr. Hughes stated that the quasi-judicial hearing was closed.

6. Proposed Additions to the Rules of Procedure

Mr. Hughes read the following: Before July 1, 1978, ordinances adopted in Mecklenburg County for the designation of local historic landmarks included in the designation both the interiors and exteriors of the buildings, unless the ordinance stated that the designation was for only the exterior of a building. After July 1, 1978, only the exterior of a building is included in the designation unless an ordinance explicitly states that the interior is included. The HLC should consider adopting a rule that unless explicitly stated otherwise, the interior of a building is included in the designation for all properties designated before July 1, 1978.

Mr. Gray stated that staff would like to have this addition included in the Rules of Procedure for clarity in anticipation of questions. Mr. Gray explained that if a house were designated as a landmark before July 1, 1978, staff would be able to advise that designation includes interior and exterior unless the ordinance states explicitly that the designation is only for the exterior.

Mr. Clarke asked about the significance of July 1, 1978, regarding this issue. Mr. Gray stated that Staff was uncertain of the significance of this date and perhaps it was a change in the general statute or a reaction from a property owner.

Ms. Althouse asked how many landmarks this affects, and Mr. Gray answered approximately 30 properties. Mr. Thomson stated that many of the properties designated before 1978 are already operating under the assumption that the interior and exterior are both designated.

Mr. Hughes read the following: The HLC should consider adopting a policy to allow for design review items where staff does not find conflict with the STANDARDS to be placed on a consent agenda.

Mr. Gray explained that consent agendas are common in local governments. Mr. Thomson stated that anyone can remove an item from a consent agenda so it can go to a full hearing.

Ed Yeager, Senior Deputy County Attorney, stated that Mecklenburg County's Board of County Commissioners uses consent agendas. Mr. Yeager explained the process and noted that items can be pulled from consent agendas to receive more information.

Mr. Barfield stated that this is similar to the design review process in that he and Mr. Gray coordinate on many simple projects while other projects require consideration by the full Commission.

Mr. Gray noted that staff would continue to notify neighboring property owners for items on consent agendas as is required for regular items.

Mr. Hughes read the following: If the HLC adopts a policy to allow for design review items to be placed on a consent agenda, any project approved for a Certificate of Appropriateness by a historic preservation commission for a local historic district can be placed on a consent agenda.

Mr. Hughes explained that this policy would allow the Historic Landmarks Commission to rely upon the Historic District Commission to review and approve projects for those landmarks that are also located in historic districts.

Mr. Hughes read the following: If the HLC adopts a policy to allow for design review items to be placed on a consent agenda, any project approved for state or federal tax credits by the State Historic Preservation Office can be placed on a consent agenda.

Mr. Hughes stated that projects must undergo a high level of due diligence to be approved for state or federal tax credits. Mr. Thomson stated that the Commission uses the same standards when reviewing Certificates of Appropriateness as the State Historic Preservation Office when approving state and federal tax credits.

MR. CLARKE PRESENTED A MOTION SECONDED BY MR. NELSON THAT THE HISTORIC LANDMARKS COMMISSION'S RULES OF PROCEDURE BE AMENDED TO INCLUDE THE PRESENTED ADDITIONS. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

7. Survey Committee Report: Brian Clarke

Mr. Clarke stated that the Survey Committee will meet on Wednesday, January 26.

8. Projects Committee Report: Jeff Parsons

Mr. Hughes stated that Mr. Parsons is not present at the meeting due to his traveling for work. Mr. Thomson stated that the Projects Committee will meet on Wednesday, January 19.

9. Staff Report: Jack Thomson and Stewart Gray

a. Website/Social Media Update

Mr. Gray explained that the Commission's website is slated to be integrated into Mecklenburg County's general website in early 2022. Mr. Gray stated that the current website would remain operational during the transition. Mr. Gray stated that staff is working to understand how this integration will affect meetings.

Mr. Clarke asked if the resources currently available to the public on the website will remain available after the transition. Mr. Gray stated that the resources should still be available on the new site.

Mr. Gray stated that the Commission's Facebook page has received good feedback and that the Public Information department is pleased with the page's progress. Ms. Stuart requested that the Commissioners inform staff of events held at designated landmarks that would be appropriate to share with the page's followers.

Mr. Gray showed a brief video of McAuley Road, produced by the Public Information department. Mr. Gray explained that the department was interested in showcasing this resource after seeing it featured on the Commission's Facebook page. Mr. Gray reminded the Commission that Frank Bragg was the catalyst for the preservation of this property, which also includes preservation easements.

10. Old Business

There was no old business.

11. New Business

Mr. Thomson and Mr. Hughes wished everyone safe and happy celebrations for the end of the year.

MR. WILSON PRESENTED A MOTION SECONDED BY MR. SHOPE THAT THE MEETING OF THE HISTORIC LANDMARKS COMMISSION ADJOURN. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

The meeting adjourned at 7:00 p.m.