

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
April 11, 2022
Virtual Meeting
6:01 p.m. – 8:03 p.m.**

Draft Minutes

Present

Mr. Robert Barfield/County/HLC Secretary
Mr. Akadius Berry/County
Mr. Brian Clarke/County/HLC Vice Chair/Survey Committee Chair
Ms. Nadine Ford/City
Mr. William Hughes/City/HLC Chair
Mr. Garrett Nelson/Mayor
Mr. Jeffrey Parsons/Mayor/Projects Committee Chair
Mr. Jack Thomson, HLC Executive Director
Mr. Stewart Gray, HLC Historic Resources Program Manager
Ms. Elizabeth Stuart, HLC Senior Administrative Assistant
Mr. Tommy Warlick, HLC Consulting Preservation Planner

Absent

Ms. Lesley Carroll/County
Ms. Elizabeth Luke/County
Mr. Joshua Shope/City
Mr. Edwin Wilson/City/HLC Treasurer

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

1. Consideration of Minutes

MR. BARFIELD PRESENTED A MOTION SECONDED BY MR. BERRY THAT THE MINUTES FOR THE MARCH 14, 2022, MEETING OF THE HISTORIC LANDMARKS COMMISSION BE APPROVED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

2. Chair's Report: William Hughes

Mr. Hughes thanked the Commissioners for their service.

3. Public Comment Period (Up to 3 Minutes Per Person)

Mr. Hughes explained that this period is an opportunity for the public to speak on items within the Commission's jurisdiction that are not on the agenda. There were no comments from the members of the public.

4. Financial Report: Jack Thomson

Mr. Thomson stated that the Commission continues to receive payments for Ingleside. Mr. Thomson stated that there are currently no other expenditures.

5. Quasi-Judicial Hearing for the Proposed Demolition of the Leeper and Wyatt Store, 1923 South Boulevard, Charlotte

HEARING ON CERTIFICATE OF APPROPRIATENESS

Owner/Applicant: Sue Scott
Subject Property: Leeper and Wyatt Store
Address: 1923 South Boulevard, Charlotte
PIN: 12105519

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: Stewart Gray and Jack Thomson.

Staff presented the findings of fact.

Staff Report and Comments Leeper-Wyatt Grocery Store Application for COA HLC178

Exhibits presented to and considered by the Commission:

Exhibit A – Project Description from the Application

Demolition of the Leeper-Wyatt Grocery Store building

Building sits in future right of way. Applicant is proposing a new high rise multi-family project on this parcel as well as parcels to the north and south and needs building to be removed. City has indicated that applicant cannot move ROW line without a rezoning and applicant is not inclined to go through a lengthy process with uncertainty of approval. Applicant is looking at alternatives to demolition such as relocating the building nearby off-site and/or repurposing the materials. As it relates to designing around building, CDOT has indicated they intend to widen South Blvd in the 2045 plan so Applicant does not see a viable solution to building remaining in current location given the City's plan to widen South Blvd.

Exhibit B – Owner's letter requesting a demolition COA

Exhibit C - Map

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

- A. The proposed demolition is incongruous to the STANDARDS.

- B. There is the potential to move the building to a new location.
- C. On January 10, 2022, the HLC approved a motion to defer its decision on the application for a Certificate of Appropriateness to demolish the Leeper and Wyatt Store, 1923 South Boulevard, Charlotte, until the following are submitted to the Commission for review: 1) a structural engineer's report and detailed relocation plan prepared by the applicant; and 2) comments from CDOT regarding the potential widening of South Boulevard and from the Dilworth Neighborhood Association and other interested groups regarding the potential demolition of the building.
- D. The applicant and HLC Staff have worked cooperatively to provide the HLC with the information requested in the January 10, 2022 motion, but requested information has not been submitted.
- E. Planning is underway for the potential move of the Leeper-Wyatt Grocery Store to a new location.
- F. The HLC cannot deny a COA for demolition for the Leeper-Wyatt Grocery Store, but it can delay the effective date of the COA for 365 days.
- G. The application for the demolition of the Leeper-Wyatt Grocery Store was filed December 8, 2021.
- H. The HLC must act on a COA application within 180 days of its filing. [NCGS 160D-9-47 (d)]
- I. April 11th is 124 days from when the COA application was filed, May 9th is 152 days from when the COA application was filed, and June 13th is 187 days from when the COA application was filed.
- J. If the HLC fails to issue a COA before June 7, 2022, for the demolition for the Leeper-Wyatt Grocery Store, the owners will be able to proceed without a COA.
- K. However unlikely, the HLC may not have a quorum at their May 9th, 2022, regular meeting.
- L. If plans for moving the Leeper-Wyatt Grocery Store are submitted, and a COA for the move is approved by the HLC while there is a delayed or active COA for its demolition, the COA for demolition becomes moot.

Staff Recommendation

Because a quorum is needed to approve a COA, Staff recommends that the HLC approve a COA for the demolition for the Leeper-Wyatt Grocery Store at their regular meeting on April 11th, with the effective date of the COA delayed for 365 days.

Commissioners' Comments

Mr. Berry asked for clarification regarding delaying the effective date of the COA for 365 days. Mr. Gray clarified that the delay would start today if approved by the Commission.

Mr. Parsons noted that staff has not reviewed plans for the relocation of the building and asked if staff anticipated receiving such plans. Mr. Gray stated that staff does believe that the applicant is working on relocation plans and that staff will see them but is unsure of the timeframe. Mr. Thomson stated that staff's understanding is that the applicant may apply for a new COA once plans for the potential relocation are approved.

Mr. Barfield asked for clarification regarding consequences if the Commission did not act on this COA tonight and it reached 180 days of inaction. Mr. Gray clarified that if the Commission did not act on the COA application within 180 days of its filing, the applicant would be free to demolish the building. Mr. Barfield noted that information requested from the Commission has not been provided. Mr. Gray stated that staff believes it is a responsible approach to proceed with approving the current COA with the anticipation that additional information will be submitted.

The Applicants' Comments

The applicant was not present at the meeting. There were no comments from the public in support or opposition of this application.

Mr. Parsons presented a motion that the Historic Landmarks Commission approve the proposed findings of fact as presented by HLC staff. 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.

Mr. Parsons presented a motion that the Historic Landmarks Commission approve a Certificate of Appropriateness for the demolition of the Leeper-Wyatt Grocery Store, 1923 South Boulevard, Charlotte, with the effective date of the COA delayed for 365 days. Mr. Nelson seconded the motion.

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

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

Mr. Thomson thanked the Commissioners for their patience through this process and stated that staff would keep the Commission informed of the potential relocation of the property.

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. Survey Committee Report: Brian Clarke

a. Blythe House, 121 Gilead Road, Huntersville

Mr. Clarke stated that the Survey Committee's meeting was action-oriented with two properties being recommended for historic landmark designation.

Mr. Gray stated that the Blythe House is a monumental early-20th century residence on Gilead Road, which is one of the major thoroughfares leading to Huntersville's historic core. Mr. Gray stated that the property is currently used for commercial office space. Mr. Gray noted that the house is architecturally significant and is locally significant as the childhood home of prominent author, William LeGette Blythe.

THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE BLYTHE HOUSE, 121 GILEAD ROAD, HUNTERSVILLE, N.C., FOR HISTORIC LANDMARK DESIGNATION INCLUDING THE FIRST AND SECOND LEVEL INTERIOR HALLWAYS AND STAIRCASE, THE EXTERIOR OF THE BUILDING, AND THE ASSOCIATED TAX PARCEL. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

b. Franks Third Ward Bungalow, 305 Dunbar Street, Charlotte

Mr. Gray read the property's statement of significance from the designation report and stated that this house has the most architectural integrity of the two surviving houses on Dunbar Street.

Mr. Clarke stated that the Committee discussed this house before as a remnant of Blandville. Mr. Clarke noted that the designation report clarifies that the residents consider the neighborhood to be a part of Third Ward and not Blandville. Mr. Gray stated that the neighborhood was relatively large and included Good Samaritan Hospital, the current site of Bank of America Stadium.

Mr. Berry mentioned the Committee's discussion of placing an informative plaque at the site and asked whether the Commission could require owners of historic landmarks to place such plaques on their properties. Mr. Gray stated that the owner of this property is interested in installing a plaque but that the Commission could erect a plaque in the right of way if the owner were not interested.

Mr. Berry asked how to ensure that properties preserved are adequately explained to pedestrians, particularly in a location that receives a lot of foot traffic. Mr. Thomson agreed that this is a good opportunity to recognize the property. Mr. Thomson stated that staff could investigate prioritizing roadside plaques that the Commission may be willing to self-fund or participate in a partnership with other organizations. Mr. Hughes stated that funds are available to facilitate these types of endeavors. Mr. Hughes requested that the Survey Committee further discuss installation of signage on historic properties.

THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE FRANKS THIRD WARD BUNGALOW, 305 DUNBAR STREET, CHARLOTTE, N.C., FOR HISTORIC LANDMARK DESIGNATION INCLUDING THE EXTERIOR OF THE BUILDING AND THE ASSOCIATED TAX PARCEL. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

MR. BERRY PRESENTED A MOTION SECONDED BY MR. PARSONS THAT THE HISTORIC LANDMARKS COMMISSION IMPLEMENT THE FOLLOWING: 1) COMMIT

TO THE CREATION AND INSTALLATION OF APPROPRIATE INTERPRETATIVE SIGNAGE AT HISTORIC LANDMARKS; AND 2) WORK WITH THE OWNER OF FRANKS THIRD WARD BUNGALOW, 305 DUNBAR STREET, CHARLOTTE, N.C., TO INSTALL HISTORIC SIGNAGE UPON THE SUCCESSFUL COMPLETION OF THE PROPERTY'S DESIGNATION PROCESS. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

c. Mr. Clarke stated that the Survey Committee added the following properties to the HLC's Study List of Prospective Historic Landmarks:

i. Charles Jones House, 2112 W. Trade Street, Charlotte

Mr. Clarke stated that Charles Jones was an important figure in the Civil Rights movement. Mr. Clarke noted that there are two houses associated with Charles Jones in Biddleville. Mr. Clarke stated that this property is Charles Jones' childhood home and is an incredibly important house particularly as this type of house is increasingly vanishing in the community.

ii. Shell Factory Cafeteria, 1923 Westinghouse Boulevard, Charlotte

Mr. Clarke stated that staff believes this is the last remaining remnant of an expansive WWII munitions factory that at one point covered over 2000 acres along Westinghouse Boulevard. Mr. Clarke stated that the property is currently used for restaurant space and the integrity still needs to be researched.

iii. Newbury-Walden House, 1401 Briar Creek Road, Charlotte

Mr. Clarke stated that this property is an early-1950s modernist house designed by Newbury. Mr. Clarke stated that the property is an LGBTQ historical site and needs further research.

iv. Roach House, 2823 Bellhaven Circle, Charlotte

Mr. Gray stated that this house is in a historic African American rural community. Mr. Gray stated that the residents were 20th century descendants of enslaved people who became landowners and formed a significant community. Mr. Gray stated that the Roach family was a prominent family of brickmasons. Mr. Gray noted that this is a highly endangered resource and that the family reached out for preservation opportunities.

v. Huntersville Hotel, 104 South Maxwell Avenue, Huntersville

Mr. Clarke stated that this property is a late-19th/early-20th century railroad hotel along the rail line in Huntersville. Mr. Clarke stated that this property represents a dwindling type of resource and noted that staff at the Town of Huntersville brought it to HLC staff's attention.

vi. 205 N. Myers Street, Charlotte (Potential Demolition)

Mr. Clarke stated that this property is an early-20th century duplex that is one of the only surviving residential structures in First Ward. Mr. Clarke stated that staff was contacted by a potential purchaser of the property inquiring about potential historic restrictions.

Mr. Clarke announced that Nadine Ford and Lesley Carroll were recently appointed to the Survey Committee.

7. HLC Staff Report

a. HLC Adventure Club

Mr. Thomson stated that the Adventure Club will visit Robinson Rock House Ruin on April 23. Mr. Thomson stated that the implementation of a new registration form will help staff collect contact information of those interested in the Commission's work.

b. HLC 50th Anniversary Commemoration

Mr. Thomson reminded the Commission that Mr. Warlick has created a document with ideas to commemorate the Commission's 50th anniversary. Mr. Thomson stated that the goal is to have Commissioners help with these ideas. Mr. Thomson asked for those interested to let staff know.

c. Nebel Knitting Mill Annex, 127 W. Worthington Avenue, Charlotte

Mr. Gray stated that the owners of the Nebel Knitting Mill Annex have withdrawn their COA for a tower addition and are now considering filing for a COA for demolition. Mr. Gray stated that staff and the owner have discussed whether there is a way to maintain designation on parts of the building to avoid filing for a COA for demolition. Mr. Gray stated that he wanted to facilitate the discussion and let Commissioners discuss with the owner how to proceed.

Mr. Barfield reiterated his position from the previous discussion and stated that the addition of a tower is appropriate from an architectural standpoint. Mr. Barfield stated that the modern tower was juxtaposed with the historic building and noted his belief that there is a solution that achieves the goals of the project and meets the responsibilities of the Commission.

Welch Liles stated that he explored options to reconfigure the building based upon the Commission's previous feedback but that logistical difficulties have arisen. Mr. Liles stated that it is cost prohibitive to preserve the building and construct the new tower.

Nicholas Ault with Little Diversified Architectural Consulting stated that his group is intent on preserving as much of the building as possible but is also concerned about the cost of the project. Mr. Ault stated that one consideration is to preserve the Worthington Avenue façade in its entirety while demolishing the other walls to allow for construction. Mr. Ault stated that he continues to look for preservation measures while being cognizant of the financial impacts.

Mr. Gray stated that if the applicant were to file for a demolition COA, the Commission could only delay it for up to 365 days and at that point the applicant could demolish as much as desired. Mr. Gray stated that the property would be de-designated if a COA for demolition were filed. Mr. Gray stated that the front façade could be preserved even if the property were de-designated. Mr. Gray stated that he is interested in discussing the preservation of both levels with the applicant.

Mr. Liles stated that there may be potential to save the Nebel alley wall but it may be more difficult and would involve working with a structural engineer. Mr. Liles stated that his group are committed to preserving the front Worthington Avenue façade and would like to work with the Commission on this as they continue to explore preserving the Nebel alley façade. Mr. Liles stated that they will explore salvaging brick and masonry and that the intent is for the new walls of the lower two levels to match what was previously there even if it is not original construction.

Mr. Parsons asked if Mr. Liles would consider a preservation easement on the original Nebel building. Mr. Liles stated he would be open to further discussions.

Mr. Gray stated that staff can engage Mr. Nelson, Mr. Barfield, and other Commissioners with expertise in architecture until a COA is submitted and then will be limited by the quasi-judicial process. Mr. Barfield and Mr. Nelson expressed interest in assisting staff.

8. Old Business

Mr. Hughes acknowledged Victoria Archibald, who was recently appointed to the Commission.

Mr. Parsons and Mr. Berry complimented Brian Clarke and the Survey Committee for their work.

Mr. Thomson stated that development at the Excelsior Club has stalled and there is a challenge identifying sufficient parking according to the developer.

Mr. Thomson stated that the Shotgun Houses have been relocated to their new site and foundations have been constructed. Mr. Thomson stated that the houses still need to be placed on the foundations and that the project is ongoing.

9. New Business

Mr. Thomson recommended that the Commission enter closed session to discuss a legal matter.

MR. BARFIELD PRESENTED A MOTION SECONDED BY MR. NELSON THAT THE HISTORIC LANDMARKS COMMISSION CONVENE IN CLOSED SESSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

MR. BERRY PRESENTED A MOTION SECONDED BY MR. NELSON THAT THE HISTORIC LANDMARKS COMMISSION RECONVENE IN OPEN SESSION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

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

The meeting adjourned at 8:03 p.m.