

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
November 8, 2021
Virtual Meeting
6:01 p.m. – 8:08 p.m.**

Draft Minutes

Present:

**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:

**Ms. Diane Althouse/County
Mr. Robert Barfield/County/HLC Secretary
Mr. Jeffrey Parsons/Mayor/Projects Committee Chair**

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

1. Consideration of Minutes

MR. WILSON PRESENTED A MOTION SECONDED BY MR. BERRY THAT THE MINUTES FOR THE OCTOBER 11, 2021, MEETING OF THE HISTORIC LANDMARKS COMMISSION BE APPROVED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

2. Chair's Report: William Hughes

Mr. Hughes announced that Leila Farsiani has resigned from the Commission due to work-related responsibilities. Mr. Hughes stated that Ms. Farsiani contributed greatly to the Survey Committee and would be missed.

3. Public Comment Period

Mr. Hughes explained that the public comment period serves to provide an opportunity for the Commission to receive public input.

Huntersville Mayor John Aneralla thanked the Commission for its support of Huntersville School #2. Mayor Aneralla briefly discussed that a portion of the land where the building is located may be used by the Town of Huntersville in the construction of workforce housing.

4. Financial Report: Jack Thomson

Mr. Thomson stated that all anticipated revenue has been received. Mr. Thomson reminded the Commission that the final payment for the Outen Pottery has been received and that White Oak has been refinanced. Mr. Thomson stated that he anticipates the refinancing of the Rozzell House to be complete soon. Mr. Thomson stated that there are unexpected expenses at the Wallace House due to electrical issues.

Note: Joshua Shope joined the meeting at 6:27 p.m.

5. Quasi-Judicial Hearing for the Dinkins House and Lodge, 2400 Summerlake Road, Charlotte

Mr. Hughes introduced Dan Becker, consultant for quasi-judicial matters. Mr. Becker provided guidance to the Commission and reiterated the importance of objectively considering the submitted evidence.

Mr. Hughes stated that the Commission has adopted the Secretary of the Interior's Standards for Rehabilitation for judging Certificate of Appropriateness applications.

HEARING ON CERTIFICATE OF APPROPRIATENESS

Owner/Applicant: Whitney and Vincent Smolczynski

Subject Property: Dinkins House and Lodge

Address: 2400 Summerlake Road, Charlotte

PIN: 21155302

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: Jack Thomson, Stewart Gray, Allen Brooks, and Vincent Smolczynski.

Staff presented the findings of fact.

Commissioners Comments

There were no comments from the Commissioners.

The Applicants' Comments

Allen Brooks, architect for the project, provided a brief history of the property.

Vincent Smolczynski, property owner, thanked the Commission for the opportunity to present the application.

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. Clarke presented a motion that the Historic Landmarks Commission approve the findings of fact as presented. Ms. Luke seconded the motion.

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

Findings of Fact

Exhibits presented to and considered by the Commission:

Exhibit A – project description from the application

The proposed project is to add needed components to the historic property to sustain a family: fourth bedroom, kitchen-sunroom, mud room-laundry and garage. Although the property is large, due to the configuration and orientation of the historic house, the expansion placement is limited, considering the NE front of the house is the most prominent and the SW rear is less visible.

- 1) the two attached exterior additions affect only the circa 1994 wings;
- 2) there are no changes to the circa 1790 main center house or circa 1760 lodge;
- 3) the small and minor interior plan changes are only for the circa 1994 wings.

Exhibit B – site plan

Exhibit C - perspective and photographs of subject property

Exhibit D - proposed plan

The Commission approves the following findings and conditions:

1. The application is to expand the house.
2. All work will be in accordance with attached drawings and plans.
3. All permits, variances, or approvals as required by law must be obtained before work may commence.
4. That the STANDARDS was used to evaluate this project:
 - A. The proposed addition of the bedroom to the ca. 1993 north wing as shown in Exhibit E is not incongruous according to STANDARDS #2, #3, #9 and #10.
 1. The bedroom addition does not alter or obscure significant features and spaces that characterize the property. Its proposed location on

the rear of the house, set back from the north side elevation, and its simple architecture featuring wood clapboards, limits its negative impact on the historic character of the property.

2. The bedroom addition does not create a significant false sense of historical development.
3. The bedroom addition does not destroy historic materials that characterize the property. The addition is subtly differentiated from the historic portion of the house and is compatible with the massing, size, scale, and architectural features of the historic house and modern additions.
4. The bedroom addition could easily be removed in the future without affecting the essential form and integrity of the historic property

B. The proposed addition of the sunroom, mudroom, and garage is not incongruous according to STANDARDS #2, #3, #9 and #10.

1. The sunroom, mudroom, and garage additions do not alter or obscure significant features and spaces that characterize the property. Its proposed location, set back from the front elevation of the 1994 south wing and wrapping around the side and rear elevations of the wing, limits its negative impact on the historic character of the property.
2. The sunroom, mudroom, and garage additions do not create a significant false sense of historical development. The designs of the additions, especially the largely glass sunroom and the two-bay garage are distinct from the architecture of the historic principal section of the house.
3. The sunroom, mudroom, and garage additions do not destroy historic materials that characterize the property. The additions are differentiated by their designs and materials from the historic portion of the house and are compatible with the massing, size, scale, and architectural features of the historic house and modern additions.
4. The sunroom, mudroom, and garage additions could easily be removed in the future without affecting the essential form and integrity of the historic property.

- C. The proposed change to the front entrance to the south wing is not incongruous according to STANDARDS #9.
1. The proposed change only affects the architecture of the 1994 south wing and does not affect the historic integrity of the property and its environment.
- D. The proposed change to the main rear entrance is not incongruous according to STANDARDS #9.
1. The proposed changes are located on the rear shed wing of the principal section of the house and the current entrance and the wall in which it is located are not original. The project does not affect the historic integrity of the property and its environment.

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. Clarke presented a motion that the Historic Landmarks Commission approve the Certificate of Appropriateness application for the Dinkins House and Lodge, 2400 Summerlake Road, Charlotte, N.C., as presented. Ms. Luke 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. Nelson commended Allen Brooks and Vincent Smolczynski for their thoughtful presentation.

Mr. Hughes thanked the applicants for their cooperation. Mr. Hughes stated that the quasi-judicial hearing was closed.

6. Survey Committee Report: Brian Clarke

a. Charlotte Quartermaster Depot, 300 Camp Road, Charlotte

Mr. Clarke stated that the Survey Committee met on October 20 to consider several items. Mr. Clarke reminded the Commission that the Ford Motor Company Assembly Plant was designated as a landmark in 2020 and noted that the owners are returning to the Commission to consider designating a larger portion of the site.

Mr. Gray reviewed the significance of the property and showed a map of the portion proposed for designation. Mr. Gray explained that staff requested the submittal of prospective drawings for two significant portions of the complex located at 201 Camp Road and 1801 N. Graham Street that have not yet been upfitted and that after reviewing the

drawings, staff believes the proposed upfit of these spaces is in line with the upfit in other spaces that are part of the proposed designation.

Mr. Clarke clarified that designation for the building at 701 Keswick Avenue would include only the exterior while the remaining proposed buildings would include interior and exterior designations.

Damon Hemmerdinger, Co-President of ATCO, thanked the Survey Committee for visiting Camp North End in person earlier in the year and noted his enthusiasm to continue working with the Commission.

THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE CHARLOTTE QUARTERMASTER DEPOT FOR HISTORIC LANDMARK DESIGNATION TO INCLUDE THE SITE AS PRESENTED ON THE BOUNDARY MAP IN THE DESIGNATION REPORT. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

b. Huntersville School #2/The Little School, 508 Dellwood Drive, Huntersville

Mr. Clarke reminded the Commission that it funded the designation report for this property. Mr. Clarke stated that the designation of the property has been a long process and that the property has been on the Commission's radar for a while.

Mr. Warlick stated that Samantha Smith of Gate City Preservation produced an in-depth designation report in coordination with community members of Pottstown. Mr. Warlick stated that this school is a pillar of the African American community in Pottstown and noted that there are only six remaining Rosenwald Schools in Mecklenburg County. Mr. Warlick stated that the school closed in 1958 and was subsequently turned into a community center that continues to shape the lives of the community members. Mr. Warlick showed original photos of the school from 1925 and described the reorientation of the building.

Varona Wynn stated that she found a deed from 1925 and asked whether this could be added to the designation report. Mr. Warlick stated that Ms. Wynn has provided this document to staff and it will be added to the report.

Mr. Gray stated that HLC staff received a statement from Huntersville staff regarding the possibility of using some of the land focused on the western edge of the property for future workforce housing. Mr. Gray stated that he has not seen any plans and that any such development would have to go through the design review process if the entire parcel were to be designated.

THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE HUNTERSVILLE SCHOOL #2/THE LITTLE SCHOOL, 508 DELLWOOD DRIVE, HUNTERSVILLE, N.C., FOR HISTORIC LANDMARK DESIGNATION TO INCLUDE THE EXTERIOR OF THE BUILDING AND THE ASSOCIATED TAX PARCEL AS PRESENTED IN THE

DESIGNATION REPORT. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

c. McDonald's Cafeteria, 2023 Beatties Ford Road, Charlotte

Mr. Clarke stated that this is a very important institution located in the Beatties Ford Road corridor.

Mr. Thomson presented the history of the property and noted the importance of Mr. McDonald. Mr. Thomson stated that although the property recently underwent a significant renovation, key elements remain. Mr. Thomson noted that the property owner reached out to HLC staff prior to this renovation to determine what impact it would have on the property's potential designation.

Mr. Thomson stated that due to the Survey Committee lacking a quorum for this motion at its meeting, that the Commission would need to make a motion to process the property for historic landmark designation.

MR. CLARKE PRESENTED A MOTION SECONDED BY MR. BERRY THAT THE HISTORIC LANDMARKS COMMISSION PROCESS THE MCDONALD'S CAFETERIA, 2023 BEATTIES FORD ROAD, CHARLOTTE, N.C., FOR HISTORIC LANDMARK DESIGNATION TO INCLUDE THE EXTERIOR OF THE BUILDING AND THE ASSOCIATED TAX PARCEL AS PRESENTED IN THE DESIGNATION REPORT. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Chris Dennis, property owner, thanked the Commission for their consideration. Mr. Dennis stated that the building is located in a changing area and that he is excited to honor its legacy.

d. The Committee voted to place the Matthews Chapel Church Building, 624 Matthews Chapel Road, Matthews, on the Study List of Prospective Historic Landmarks.

Mr. Clarke stated that Matthews Chapel Presbyterian Church was established right before the start of the Civil War and that its congregation grew after the war with the inclusion of then-newly emancipated people. Mr. Clarke stated that the property is located in the Crestdale community and is a good candidate for designation.

7. Projects Committee Report: Jeff Parsons

Mr. Hughes stated that Mr. Parsons is traveling internationally. Mr. Thomson stated that the Projects Committee has not met since the last Commission meeting.

8. Staff Report: Jack Thomson and Stewart Gray

a. Fire Station Number 4, 420 W. 5th Street, Charlotte

Mr. Thomson stated that the Commission holds a right of first refusal (ROFR) on the property, which recently went under contract to purchase. Mr. Thomson stated that the ROFR gives the Commission the opportunity to respond within 72 hours of notice and that as of the date of the Commission meeting, it has been over 72 hours. Mr. Thomson stated

that he discussed the challenges of being able to respond within this timeframe with former HLC director Dr. Dan Morrill and that Dr. Morrill noted that the 72 hours was to give the Commission notice that a change in ownership was occurring. Mr. Thomson stated that moving forward, the Commission will discuss how to potentially have more time to respond to deed restrictions.

b. Streetcar 85 Lease to Belmont Trolley Inc.

Mr. Thomson reminded the Commission that at its August meeting, the Projects Committee presented a seconded motion that the Commission begin lease negotiations for Streetcar 85 with Belmont Trolley. Mr. Thomson stated that comment on a draft lease agreement has been received from two Commissioners who also serve as attorneys, Jeff Parsons and Brian Clarke, as well as Ed Yeager, Senior Deputy County Attorney. Mr. Thomson laid out the details of the draft lease agreement and noted that further details still need to be resolved.

Mr. Thomson stated that Car #1 is owned by Charlotte Trolley and leased to Lakewood Trolley. Mr. Thomson noted that the Charlotte Trolley directors are open to negotiating a lease to Belmont Trolley to unify the cars.

Mr. Thomson stated that staff requests authority from the Commission to negotiate remaining details for the lease agreement and enable the HLC Chair to execute the final lease(s).

MR. CLARKE PRESENTED A MOTION SECONDED BY MR. BERRY THAT HISTORIC LANDMARKS COMMISSION STAFF BE AUTHORIZED TO NEGOTIATE THE REMAINING DETAILS OF THE STREETCAR 85 LEASE AGREEMENT WITH BELMONT TROLLEY, INC., TO INCLUDE THE FOLLOWING: REDUCE OR ELIMINATE HLC EXPENSES; ADD INDEMNIFICATION LANGUAGE; CHANGE BELMONT TROLLEY, INC., NOTICE TO TERMINATE FROM 30 DAYS TO 90 DAYS OR GREATER; AND ENABLE THE HLC CHAIR TO EXECUTE THE FINAL LEASE(S); AND WORK WITH CHARLOTTE TROLLEY, INC., TO ALIGN THE LEASE(S) OF THE CARS. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

c. Staff recommends the HLC adopt the following list of projects that can be approved by Staff. Projects that do not comport with the STANDARDS will be brought to the HLC for consideration.

Mr. Gray stated that the implementation of the quasi-judicial process has dramatically shifted the work of the Commission. Mr. Gray stated that staff has collaborated with Dan Becker to determine how best to bring the Commission into compliance. Mr. Gray noted that it was determined the best practice is to have a clearly identified list from which to adopt projects that can be approved through the minor work process. Mr. Gray stated that this list was created from piecing together the projects that can be approved administratively from preservation commissions in Raleigh, Asheville, Greensboro, and Wilmington. Mr. Gray stated that listed projects will not automatically be approved administratively and that staff will use the same discretion it has always used to determine

if a project meets the Secretary of the Interior's Standards. Mr. Gray stated that staff requests that the Commission approve adopting this list and incorporating it into the policy manual. Mr. Gray stated that the list is a living document and that Mr. Barfield would be providing feedback on an ongoing basis to ensure the list's viability.

MR. CLARKE PRESENTED A MOTION SECONDED BY MR. WILSON THAT THE HISTORIC LANDMARKS COMMISSION APPROVE THE LIST OF MINOR WORKS COA APPLICATIONS THAT CAN BE APPROVED BY STAFF. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

9. Old Business

There was no old business.

10. New Business

Mr. Wilson asked about the status of resuming in-person meetings. Mr. Thomson stated that he is monitoring the percent positivity rate of COVID infections and will use this to determine an appropriate date to return to in-person meetings.

Mr. Hughes asked which Rosenwald Schools remaining in Mecklenburg County are not designated as landmarks. Mr. Gray stated that Caldwell School on West Catawba Avenue is on the Commission's Study List but is not a designated landmark. Mr. Gray stated that the property is currently used for commercial purposes and that staff could reach out to the owners.

Mr. Gray noted the following public comments were posted in the Webex chat:

from Dora DuBose to everyone: 7:22 PM

Thank you for the opportunity to speak, I do not have mic connection, but for the sake of clarity with the proposed affordable housing by the mayor, and the historic preservation land plan/land swap . Rev. DuBose

from Dora DuBose to everyone: 7:25 PM

Thank you!

from Amber Kovacs to everyone: 7:25 PM

Thank you!

from Varona Wynn to everyone: 7:29 PM

We do not want housing on the 2.787 acres that have been designated as historic. That will destroy the part evidence of our history.

from Varona Wynn to everyone: 7:31 PM

That will destroy part of the evidence the school's history.

Mr. Gray reminded the visitors that the Commission recommended to designate the entire Huntersville School #2 parcel but that the Town of Huntersville can amend this recommended designation to include less land. Mr. Gray encouraged community members to make it clear to the town board what they would like to see happen with the property.

Mr. Hughes thanked the Commissioners for their patience as he continues learning his role as chairperson.

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

The meeting adjourned at 8:08 p.m.