

**Charlotte-Mecklenburg  
HISTORIC LANDMARKS COMMISSION  
January 10, 2022  
Virtual Meeting  
6:01 p.m. – 7:51 p.m.**

**Draft Minutes**

Present:

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  
Mr. Jeffrey Parsons/Mayor/Projects Committee Chair  
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  
Ms. Elizabeth Luke/County  
Mr. Garrett Nelson/Mayor

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

1. Consideration of Minutes

MR. CLARKE PRESENTED A MOTION SECONDED BY MR. BARFIELD THAT THE MINUTES FOR THE DECEMBER 13, 2021, MEETING OF THE HISTORIC LANDMARKS COMMISSION BE APPROVED. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

2. Chair's Report: William Hughes

Mr. Hughes wished everyone a happy new year. Mr. Hughes commended the Commission for its hard work preserving properties in Mecklenburg County. Mr. Hughes stated that the Commission would be reviewing an application for a demolition at tonight's meeting and explained that the Commission cannot deny a demolition application but can delay its effective date for up to 365 days. Mr. Hughes stated that the purpose of any delay is to find time for a preservation solution.

3. Adopt Changes to the Rules of Procedure

Mr. Thomson stated that the language for the proposed additions to the rules of procedure has not changed since being reviewed at the Commission's December meeting. Mr. Thomson stated that the purpose of the rules of procedure is to streamline the design review process through a thorough list of minor works projects which staff can approve administratively.

Mr. Thomson read the following proposed additions to the rules of procedure:

- i. Unless explicitly stated otherwise, the interior of a building is included in the designation for all properties designated before July 1, 1978.
- ii. If Staff determines that a COA application does not conflict with the STANDARDS, the COA application can be placed on a consent agenda for approval. HLC Commissioners and members of the public with standing in terms of the application may request that the application be pulled from the consent agenda and reviewed and decided with the regular quasi-judicial process.
- iii. Any project approved for a Certificate of Appropriateness by another historic preservation commission in Mecklenburg County for a local historic district shall be placed on the consent agenda.
- iv. Any project approved for state or federal historic tax credits by the State Historic Preservation Office shall be placed on the consent agenda.

MR. PARSONS PRESENTED A MOTION SECONDED BY MR. BERRY THAT THE HISTORIC LANDMARKS COMMISSION ADOPT THE PRESENTED ADDITIONS TO THE RULES OF PROCEDURE. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

#### 4. Consent Agenda

- a. New sidewalk and curb and gutter on a portion of Oak Lawn, 9499 and 9464 Stratton Farm Road, Huntersville

MR. CLARKE PRESENTED A MOTION SECONDED BY MR. BARFIELD THAT THE HISTORIC LANDMARKS COMMISSION APPROVE THE CONSENT AGENDA TO APPROVE THE PROPOSED PROJECT FOR OAK LAWN, 9499 AND 9464 STRATTON FARM ROAD, HUNTERSVILLE, N.C. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

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

There were no comments from the public.

#### 6. Financial Report: Jack Thomson

Mr. Thomson stated that anticipated revenue from the Rozzell House has been received. Mr. Thomson noted that no additional investments have been made at the Wallace House.

#### 7. Quasi-Judicial Hearings for the Following Properties

a. Proposed uplighting and site improvements of a water tower at the Charlotte Water Works/Vest Station, 2041 Patton Avenue, Charlotte

Mr. Gray stated that this item has been deferred until the HLC meeting on February 14 at the request of the owner. Mr. Hughes stated that the meeting would begin at 5:00 p.m. and be as brief as possible.

b. 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: Dan Melvin, Michael McNally, Greg Pappanastos, Stewart Gray, Jack Thomson, and Dan Morrill.

Staff presented the findings of fact.

#### Staff Report and Comments Leeper-Wyatt Grocery Store Demolition – 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.

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. Staff recommends the following:

1. The Commission would benefit from input from the Dilworth Community Association when determining the delay of the effective date of the COA.
2. The Commission would benefit from learning the details of the potential to move the building when determining the delay of the effective date of the COA.
3. The Commission should request that the building be fully documented with archival photography and 3D scanning.
4. All permits, variances, or approvals as required by law must be obtained before work may commence.
5. That the delay of the COA could be reduced with the submission of a plan to move the building.

#### Commissioners' Comments

Mr. Parsons asked about the current use of the building. Mr. Gray stated staff believes it is vacant.

#### The Applicants' Comments

Greg Pappanastos, president of Argos Real Estate Advisors, stated that he is attending the meeting on behalf of the property owners. Mr. Pappanastos confirmed that the building has been vacated due to the proposed redevelopment.

Michael McNally with Southern Land Company stated that his company is under contract to purchase this and adjacent parcels for the planned redevelopment. Mr. McNally stated that the company studied how the building could remain at its current location but was not able to find a viable solution. Mr. McNally stated that relocating the building may be possible and that he is determining the feasibility of relocation.

Dan Melvin, civil engineer with LandDesign, Inc., stated that the site is subject to a road widening that would extend beyond the façade of the building.

Mr. Wilson acknowledged the applicants for being intentional in finding a relocation solution. Mr. Wilson asked for clarification regarding the timeline of relocating the structure.

Mr. McNally stated it may be approximately two to three months to relocate and that a structural engineer will need to study the building to ensure it would survive being relocated.

Mr. Clarke asked why the applicants are seeking a Certificate of Appropriateness for the demolition of the building rather than determining the feasibility of relocating the building and then seeking a relocation application.

Mr. McNally stated that the group is determining a viable option for the future of the building while simultaneously working on the future redevelopment project. Mr. Pappanastos explained that requesting a demolition is not preferable but is necessary since the project's timeline will need to account for the possibility that the Commission delays the demolition for a full year.

Mr. Shope asked if the building could be incorporated into the design of the proposed garage. Mr. Melvin stated that CDOT directed them to not place the driveway near the intersection of South Boulevard and E. Tremont Avenue.

The Commissioners discussed the planned widening of South Boulevard and expressed concern regarding how it could affect other designated landmarks located in this area.

Mr. Hughes asked if anyone would like to speak in opposition to the project.

Dr. Dan Morrill urged the Commission to ask the owner for more complete information regarding the potential relocation of the building. Dr. Morrill stated that the building was constructed by D. A. Tompkins and is of the highest historic importance. Dr. Morrill noted the economic importance of Tompkins to the Charlotte region. Dr. Morrill stated that if properties had easements placed on them at the time of designation that the threat of demolition could be avoided.

Mr. Hughes asked what additional information the Commission needs to proceed with a decision on the demolition application. Mr. Clarke and Mr. Parsons agreed that more information regarding the potential of relocating the building, including a structural engineer's report and comments from the community, is critical to make an informed decision.

Mr. Gray explained that the Commission has 180 days from the date of submission, which was December 8, 2021, to act on a Certificate of Appropriateness application for a demolition. Mr. Gray stated that the Commission can delay a vote for up to 180 days from the date of application submittal. Mr. Gray stated that if there is no action within that time, the applicant can proceed with their proposal.

Mr. Thomson recommended that the Commission motion to defer to a later date and include a list of criteria that motivated the deferral for the applicant's information. Mr. Thomson noted that the Commission could approve the demolition application tonight with no delay or a delay of up to 365 days. Mr. Thomson stated that if the Commission were to receive an appropriate level of information, that it could shorten the delay.

Mr. Clarke presented a motion that the Historic Landmarks Commission 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. Mr. Parsons 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. Hughes thanked the applicants for their cooperation and wished them success on their project. Mr. Hughes stated that the quasi-judicial hearing was closed.

8. Survey Committee Report: Brian Clarke

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

9. Projects Committee Report: Jeff Parsons

Mr. Parsons stated that the Projects Committee will meet on January 19.

10. Staff Report: Jack Thomson and Stewart Gray

Mr. Thomson noted that Ms. Stuart will receive a service pin for five years of service at Mecklenburg County.

11. Old Business

Mr. Wilson stated that the Commission needs an education component to inform and interact with the public. Mr. Thomson noted that staff is working with Mr. Clarke to plan field trips which the public could attend.

12. New Business

There was no new business.

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

The meeting adjourned at 7:51 p.m.