

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 of 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.