

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
October 9, 2023
Hybrid Meeting
Charlotte-Mecklenburg Government Center, Room 266
6:01 p.m. – 8:42 p.m.**

Draft Minutes

Present

Dontressa Ashford/Mayor
Robert Barfield/County (remote)
Akadius Berry/County (remote)
Lesley Carroll/County/HLC Treasurer/Survey Committee Chair
Brian Clarke/County/HLC Chair
Nadine Ford/City/HLC Vice Chair
Victoria Grey/County/HLC Secretary
John Kincheloe/City
Emily Makas/Mayor
Edwin Wilson/City/Projects Committee Chair
Stewart Gray, HL Director
Elizabeth Stuart, HL Senior Administrative Support Assistant
Tommy Warlick, HL Consulting Preservation Planner

Absent

Andra Eaves/County
William Hughes/City

Note: This meeting was held virtually through the Microsoft Teams video conferencing platform and in-person at the Charlotte-Mecklenburg Government Center.

1. Adoption of the Consent Agenda

a. Approval of September HLC Minutes

b. Certificate of Appropriateness Application for the Quartermaster Depot, 200 Camp Road, Charlotte

Commissioner Carroll presented a motion seconded by Vice Chair Ford that the Historic Landmarks Commission approve the consent agenda as presented for the approval of the Historic Landmarks Commission's September 11 meeting minutes and the Certificate of Appropriateness application for the Quartermaster Depot, 200 Camp Road, Charlotte, N.C. The Commission unanimously approved the motion.

2. Chair's Report: Brian Clarke

Chair Clarke stated that the Projects Committee and Community Outreach Committee would meet in October.

Chair Clarke stated that today is Indigenous Peoples' Day and noted that the Government Center was built on land that was the land of the Catawba people.

3. Public Comment Period

Chair Clarke explained that the public comment period is for members of the public to speak on matters within the Commission's purview not related to quasi-judicial hearings.

Raquel Lynch commented that she is concerned about the demolition of the Midwood School as a resident of Plaza Midwood. She asked for the neighborhood to be considered when discussing this item. She stated her concerns regarding how the demolition would affect the neighborhood. She expressed her appreciation that neighbors were informed of the Commission's meeting.

4. Quasi-Judicial Hearings

a. Atherton Mill House, 2005 Cleveland Avenue, Charlotte

HEARING ON CERTIFICATE OF APPROPRIATENESS

Owner/Applicant: William A Lovelett
Subject Property: Atherton Mill House
Address: 2005 Cleveland Avenue, Charlotte
PIN: 12106711

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.

Staff presented the findings of fact.

Staff Report and Comments
Atherton Mill House
2005 Cleveland Ave, Charlotte
Application for COA HLC313

Exhibits presented to and considered by the Commission:

Exhibit A – Project description

Demolition

Exhibit B – Map

Exhibit C – Previous COA for Demolition

Exhibit D – Images

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

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

B. The HLC cannot deny a COA for demolition, but it can delay the effective date of the COA for 365 days.

C. The HLC must act on a COA application within 180 days of its filing. [NCGS 160D-9-47 (d)] and if the HLC fails to issue a COA before October 30, 2023 for the demolition for the Atherton Mill House, the owners will be able to proceed without a COA.

D. The HLC and the HDC are participating in ongoing discussions with the applicant to determine if there are acceptable alternatives to demolition.

Staff Recommendation

Staff recommends that the Commission vote to issue the COA for demolition but to delay the effective date of the COA for 365 days.

Commissioners' Questions for Staff

Chair Clarke stated that this is the last mill house associated with the Atherton Mill village. Director Gray stated that other mill houses may still be extant, but this is one of the original mill houses built directly from the DA Tompkins' guide to building the mill village.

Commissioners' Questions for Applicants

The applicant did not attend the hearing.

Public Comments

There were no comments from the public.

Commissioners' Comments

Chair Clarke reminded the Commission that it does not have the ability to deny this Certificate of Appropriateness and they must act at this meeting to be within 180 days of the filing of the application.

Commissioner Makas presented a motion that the Historic Landmarks Commission approve the proposed findings of fact as presented by Historic Landmarks staff. Commissioner Grey seconded the motion.

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

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

Commissioner Makas presented a motion that the Historic Landmarks Commission approve the application for a Certificate of Appropriateness (COA) for the demolition of the Atherton Mill House, 2005 Cleveland Avenue, Charlotte, N.C., with the effective date of the COA delayed for 365 days. Commissioner Carroll seconded the motion.

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

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

b. Midwood Elementary School, 1817 Central Avenue, Charlotte

HEARING ON CERTIFICATE OF APPROPRIATENESS

Owner/Applicant: 1817 Central Avenue LLC
Subject Property: Midwood Elementary School
Address: 1817 Central Avenue, Charlotte
PIN: 09507803

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: Josh Page, Stewart Gray, and Katherine Luckenbaugh.

Staff presented the findings of fact.

Staff Report and Comments
Midwood Elementary School
1817 Central Avenue, Charlotte, NC 28205
Application for COA HLC343

Exhibits presented to and considered by the Commission:

Exhibit A – Project description

Demolition

Exhibit B – Map

Exhibit C – Designation Report

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

- A.** The proposed demolition is incongruous to the HLC STANDARDS.
- B.** The HLC cannot deny a COA for demolition, but it can delay the effective date of the COA for 365 days.
- C.** The HLC must act on a COA application within 180 days of its filing. [NCGS 160D-9-47 (d)] and if the HLC fails to issue a COA before February 6, 2024 for the demolition for the Midwood Elementary School, the owners will be able to proceed without a COA.
- D.** The last regular meeting of the HLC before the 180 day period is over is January 8, 2024, and however unlikely the HLC may not have a quorum at their January 8, 2024 regular meeting.
- E.** HLC Staff has met with the owners of the property and they are willing to discuss options other than full demolition of the historic building.

Staff Recommendation

Staff recommends that the Commission vote to issue the COA no later than December 11, 2023. During that delay Staff can work with the applicant and other parties to develop a feasible plan to prevent the demolition of the Midwood Elementary School.

Commissioners' Questions for Staff

Commissioner Ashford asked if there were options to demolition. Gray explained that one approach could be similar to what occurred with the Mayes House, which had a COA for demolition but was preserved after Preservation North Carolina and an outside group were able to present the property owner an acceptable offer through syndicated tax credits. Gray stated that another option could be for the Commission to work with the owner on an infill development plan that did not necessitate a complete demolition.

Applicant Comments

Alli Davidson, attorney with Moore & VanAllen, introduced herself and Josh Page, owner of the property.

Josh Page stated that he represents Eastern Federal Corporation, an established real estate firm with properties throughout the southeast, many of them older buildings that required renovations. He stated that his company has held informal discussions with developers and has received feedback that a project is not financially feasible with the existing buildings remaining. He stated that this company believes the building is obsolete but remains open to preservation conversations that are financially feasible.

Commissioners' Questions for Applicants

Commissioner Wilson asked if the company intended to meet with neighbors to discuss the project. Page stated that public comments are not currently needed but may be at an appropriate time when there is a plan in place.

Chair Clarke asked if there is an intended use for this property. Page stated there is no current development plan. Chair Clarke asked about the condition of the building. Page stated there are no problems other than the orientation of the building on the property.

Commissioner Barfield asked how long the company has owned the building. Page stated since approximately 2021.

Commissioner Makas asked why the company bought the property if they had no development plan. Page stated that this property would be a piece of a larger development.

Vice Chair Ford asked about the other properties owned by the company and whether plans were in place for those properties prior to purchase. Page stated the company owns the adjacent shopping center and the 7th Street Shops at East 7th Street and Pecan Avenue. He stated that his company does not buy properties with the intent to demolish them.

Commissioner Ashford questioned why the building is not financially feasible to preserve. Page stated that he does not know what the building could be in its current state.

Chair Clarke noted that the examples given were retail properties and asked if this is the intent with this property. Page stated that most of his company's portfolio is retail but that this does not mean this property will be retail. Chair Clark asked if the applicant considered keeping the buildings on the site when they purchased the building. Page responded that they did not purchase the property with a mandate to not reuse the buildings.

Gray stated that staff could discuss alternative development approaches with Page and his company if they are interested. He stated that he and Commissioner Makas recently attended the Preservation North Carolina conference and noted that buildings like this in other cities are typically rehabilitated.

Davidson stated that the applicant would be happy to continue discussions with the HLC if the COA were delayed.

Chair Clarke asked Page if he was aware that the HLC will continue to have design review over the property even if the school was demolished. Page stated that he was not aware of this.

Public Comments

Katherine Luckenbaugh, neighboring property owner, explained that this building underwent an extensive renovation approximately 20 years ago and is an integral part of the neighborhood.

Commissioners' Comments

Commissioner Ashford questioned how the developers will incorporate neighbor feedback. Page stated developers involve neighbors through informative sessions and neighborhood events.

Commissioner Makas presented a motion that the Historic Landmarks Commission defer consideration of the Certificate of Appropriateness application for the Midwood Elementary School, 1817 Central Avenue, Charlotte, until December 11 to provide time to discuss preservation alternatives for the property. Commissioner Ashford seconded the motion.

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

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

5. Survey Committee Report: Lesley Carroll

a. Parkwood Avenue Associate Reformed Presbyterian Church, 1017 Parkwood Avenue, Charlotte

Gray explained that this property was in a dilapidated state when the Commission unsuccessfully tried to purchase it. He stated that the current owner renovated the property, and it has been converted into apartments. He noted the reorientation of the front stairs. He stated that the Commission reviewed the proposed plans although this was not a designated landmark and explained that the Commission found the changes appropriate.

Gray stated that the owners began renovating the building before seeking designation. When the building was brought to the Commission the primary concern for the HLC was the loss of two stained glass windows in the façade that had been removed and replaced by bricks. He stated that this was a fundamental change to the façade and noted that the Commission would not process the property for landmark designation with this change. He stated that the Survey Committee reviewed the updated designation report that showed windows returned to the front façade and recommended landmark designation to the full Commission.

Commissioner Barfield asked if this was the project that placed HVAC units in silos by the windows. Gray stated it was the same project and that these changes were addressed in the amended designation report. Commissioner Wilson stated these units are now covered by mesh screening.

Commissioners Wilson and Berry acknowledged the owners for actively working with the Commission and repurposing this building rather than demolishing it.

The Survey Committee presented a motion recommending that the Historic Landmarks Commission process the Parkwood Avenue Associate Reformed Presbyterian Church, 1017 Parkwood Avenue, Charlotte, N.C., for historic landmark designation including the exterior of the church and the property associated with tax parcel 08309309. The Commission unanimously approved the motion.

b. The Survey Committee added the following properties to the Study List of Prospective Historic Landmarks:

i. Caldwell Bradford Schoolhouse, 16401 Davidson-Concord Road, Davidson

Gray stated that this is a rare surviving rural schoolhouse and is the only one that staff is aware of that is associated with the Mecklenburg County Board of Education. He stated that this building helps tell the story of the development of education in the early-20th century.

Gray stated that staff is working with the property owner to share the cost of a designation report and has contacted a consultant to produce the report.

ii. Cathey Lumber Company, 501 Penman Street, Charlotte

Gray stated that this building is in the Gold District. He stated that the owners are committed to preserving this building and he anticipates a designation report to be produced soon.

iii. Holbrook House, 101 N. Maxwell Avenue, Huntersville

Gray stated that this house is near other landmarks in Huntersville and helps tell the story of early Huntersville, which was centered around the railroad. He stated that the Holbrook family was significant to Huntersville's history and noted that this is a very prominent house.

6. Torrence-Lytle School Community Meeting Update: Dontressa Ashford

Chair Clarke stated that staff recently held a meeting with the Pottstown community with Commissioner Ashford in attendance.

Gray shared a PowerPoint presentation that he and DCM Johnson shared with the Pottstown Community on September 30th.

Gray stated staff is trying to address community concerns about the Torrence-Lytle School building being in a state of disrepair. He explained that community engagement is the current focus over discussions with developers. He stated that a survey gauging community needs will be distributed and that staff may ask Commissioners to assist with this.

Commissioner Ashford stated that the community is passionate about seeing changes at this property and noted the community desire to see the buildings repaired. She recommended upkeep of the landscape as a simple, immediate fix.

Gray stated that Ezra and Associates is still interested in the property.

Gray explained that the roofs on the wings are failing. He stated that the estimate for repair years ago was \$600,000 and noted that the Commission did not have the funds to repair these roofs considering interested developers indicated that the wings would be demolished. Gray stated that staff recommitted to keeping the building secure and would keep the community better informed.

Commissioner Berry expressed concerns that Ezra and Associates will lose interest in the property and that the building will continue to deteriorate.

The Commissioners discussed how best to engage community needs. Wilson and Berry suggested that the HLC move ahead with arraigining a Community meeting with Ezra and Associates.

Gray stated that he will inform Deputy County Manager Leslie Johnson that community dialogue with staff and Commissioner Ashford as representative of the full Commission to determine what the community would support should happen while also facilitating a meeting with interested developers.

7. Financial Report: Stewart Gray

Gray stated that staff will bring revised guidelines for the revolving fund to the Commission soon. He stated that the plan is to increasingly use the revolving fund when additional staff members are hired and staff can handle the projects. Chair Clarke stated that written guidelines on using the revolving fund may be presented at the Commission's November meeting.

8. Historic Landmarks Staff Report

a. Leeper-Wyatt Grocery Store Update

Preservation Planner Warlick explained that the public hearing for the rezoning petition to allow the relocation of the Leeper-Wyatt Grocery Store was heard by Charlotte City Council on September 18. He stated that the Dilworth Community Association was concerned about parking. He noted that the solutions to this issue from the property owners were accepted by the community. He stated that he and Gray would attend the upcoming Historic District Commission meeting as it considers the building's proposed increased square footage. He stated that City Council will vote on this rezoning on October 16. Chair Clarke asked the Commissioners to contact their City Council representative in support of this rezoning.

b. Abernethy House Update

Warlick stated that the owners are interested in designating only a portion of the original property. He stated that Preservation North Carolina is interested in holding a preservation easement on the property and noted that the owners have agreed to not destroy the house.

c. HLC 50th Anniversary Celebration: November 2

Senior Administrative Support Assistant Stuart stated that the Commission's 50th anniversary celebration will be held on November 2 at Camp North End beginning at 5:30pm.

d. HLC Holiday Party: December 7

Stuart stated that the Commission's Holiday Party will be held December 7 at VBGB at the Music Factory, designated as the John B. Ross and Company Mill.

Gray stated that he and Commissioner Makas recently attended the Preservation North Carolina conference. Commissioner Makas recalled an interesting discussion explaining how preservation is the solution to the affordable housing crisis. Gray stated that the Commission needs to get this speaker in Mecklenburg County to speak next year.

9. Old Business

There was no old business.

10. New Business

There was no new business.

The meeting adjourned at 8:42 p.m.