

**Charlotte-Mecklenburg
HISTORIC LANDMARKS COMMISSION
March 11, 2024
Hybrid Meeting
Charlotte-Mecklenburg Government Center, Room 266
6:06 p.m. – 9:03 p.m.**

Draft Minutes

Present

Dontressa Ashford/Mayor
Robert Barfield/County (remote)
Lesley Carroll/County/HLC Treasurer/Survey Committee Chair
Brian Clarke/County/HLC Chair
Andra Eaves/County
Victoria Grey/County/HLC Secretary
John Kincheloe/City
Emily Makas/Mayor
Edwin Wilson/City/Projects Committee Chair
Stewart Gray, HL Director
John Howard, HL Historic Preservation Manager
Tommy Warlick, HL Historic Preservation Specialist
Elizabeth Stuart, HL Senior Administrative Support Assistant

Absent

Akadius Berry/County
Nadine Ford/City/HLC Vice Chair

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 February HLC Minutes

b. Certificate of Appropriateness Application for the Grinnell/General Fire Extinguisher Company, 1435 W. Morehead Street, Charlotte

Prior to the adoption of the consent agenda, Chair Clarke announced that Tommy Warlick was recently hired as the Historic Landmarks department's Historic Preservation Specialist. Chair Clarke also announced that Charlie Miller was appointed by Charlotte City Council to fill the Commission's vacancy.

Commissioner Carroll presented a motion seconded by Commissioner Eaves that the Historic Landmarks Commission approve the consent agenda as presented for the approval of the Historic Landmarks Commission's February 12 meeting minutes and the approval of a Certificate of Appropriateness application for the Grinnell/General Fire Extinguisher Company, 1435 W. Morehead Street, Charlotte, N.C. The Commission unanimously approved the motion.

2. Chair's Report: Brian Clarke

Chair Clarke stated that he did not have any additional items to report.

3. Public Comment Period

Chair Clarke stated that this period is for members of the public to speak on any matter within the Commission's purview that is not already on the meeting agenda. He stated that those interested in speaking on items within the quasi-judicial hearing section would have an opportunity to speak at that time.

4. Presentation from Shaun Carter, Mecklenburg County Chief Equity and Inclusion Officer

Shaun Carter, Mecklenburg County's Chief Equity and Inclusion Officer, presented on equity efforts within Mecklenburg County Government.

5. Quasi-Judicial Hearings

a. Pineville Commercial Block, 316 North Main Street, Pineville

Chair Clarke stated that the quasi-judicial hearing for the Pineville Commercial Block will be deferred to the April 8 meeting.

b. Thrift Mill, 8300 Moores Chapel Road, Charlotte

Owner/Applicant: 8300 Moores Chapel Road Industrial LLC

Subject Property: Thrift Mill

Address: 8300 Moores Chapel Road, Charlotte

PIN: 05501103

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 Collin Brown.

Staff presented the findings of fact.

Staff Report and Comments

Thrift Mill

8300 Moores Chapel Road, Charlotte

Application for COA HLC370

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 April 28, 2024 for the demolition for the Thrift Mill, 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 April 8, 2024, and however unlikely the HLC may not have a quorum at their April 8, 2024 regular meeting.

E. HLC Staff has met with the owners of the property, and there is the possibility of having further discussions about preserving all or parts of the Thrift Mill.

Staff Recommendation

Staff recommends that the Commission vote to issue the COA no later than March 11, 2024. During that delay Staff can work with the applicant to develop a feasible plan to prevent the complete demolition of the Thrift Mill.

Commissioners' Questions for Staff

There were no questions.

Applicant Comments

Collin Brown, attorney, stated that he does not have any comments.

Commissioners' Questions for Applicant

There were no questions.

Applicant Response

There were no additional comments.

Public Comments

There were no comments from the members of the public.

Commissioners' Comments

There were no additional comments.

Commissioner Wilson presented a motion that the Historic Landmarks Commission approve the proposed findings of fact as presented by Historic Landmarks staff. Commissioner Berry 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 Berry presented a motion that the Historic Landmarks Commission approve the application for a Certificate of Appropriateness (COA) for the demolition of the Thrift Mill, 8300 Moores Chapel Road, Charlotte, N.C., with the effective date of the COA delayed for 365 days and direct Historic Landmarks staff to work with the applicant on a preservation solution. Commissioner Makas seconded the motion.

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

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

Director Gray explained how delaying the effective dates of Certificates of Appropriateness (COA) for demolitions is crucial in historic preservation. He noted that approximately 50% of all COAs for demolitions that have been issued throughout his service have not been acted on.

Chair Clarke stated that the Thrift Mill is the last of the large textile mills in Charlotte that has not been adaptively reused. He stated that adaptively reusing former mills for a variety of new purposes has proven to be successful.

c. Gautier-Gilchrist House, 320 E. Park Avenue, Charlotte

Owner/Applicant: Sean Smith

Subject Property: Gautier-Gilchrist House

Address: 320 E. Park Avenue, Charlotte

PIN: 12307611

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: John Howard, Sean Smith, and Jeanna DeVaney Holmes.

Staff presented the findings of fact.

Staff Report and Comments

Gautier-Gilchrist House
320 East Park Avenue Charlotte
Application for COA HLC382

Exhibits presented to and considered by the Commission:

Exhibit A – Project description

1. Interior renovation on the first and second floor
2. Left side and rear addition, and chimney removal

Exhibit B – Map

Exhibit C - Project Plans

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

1. The HLC has acknowledged the need to alter or add to a historic property to meet continuing or new uses while retaining the property's historic character.
2. The Gautier-Gilchrist House was reviewed by the Charlotte Historic District Commission (HDC) for a side addition and subsequently approved. After Historic Landmarks staff review and discussion with the applicant and HDC the plans have been revised.
3. The proposed project meet HLC Standards 2 and 5, as the project will not result in the loss of materials that characterize the historic building, and that its distinctive historic features will be preserved.

4. The proposed project meet HLC Standard 6. Deteriorated historic features shall be repaired rather than replaced.
5. The proposed rehabilitation of the building meets HLC Standard 9 in that the proposed additions do not destroy any significant original materials, and the additions are well differentiated from the original.
6. The proposed rehabilitation of the building meets HLC Standard 10 in that the additions could be removed in the future without significantly damaging the historic building materials.

Staff Recommendation

Staff suggests that the Commission approve the application as presented.

Commissioners' Questions for Staff

Commissioner Makas asked if the interior is designated. Historic Preservation Manager Howard stated the interior and exterior are designated. Chair Clarke asked about the chimney removal. Howard stated that the prominent chimneys will be preserved.

Applicant Comments

Sean Smith, property owner, stated that the intent of the project is to restore this home to its original state.

Commissioners' Questions for Applicant

There were no questions.

Applicant Response

There were no additional comments.

Public Comments

There were no comments from the members of the public

Commissioners' Comments

There were no additional comments.

Commissioner Berry presented a motion that the Historic Landmarks Commission approve the proposed findings of fact as presented by Historic Landmarks staff. Commissioner Wilson 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 Kincheloe presented a motion that the Historic Landmarks Commission approve the application for a Certificate of Appropriateness for the Gautier-Gilchrist House, 320 East Park Avenue, Charlotte, N.C. 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.

Note: Commissioner Berry left the meeting at 7:18 p.m.

d. W.D. Beaty House, 2400 Park Lane, Charlotte

Owner/Applicant: Sarah and William Coble
Subject Property: W.D. Beaty House
Address: 2400 Park Lane, Charlotte
PIN: 05529406

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: Joel Canino, Helena Cathcart, John Howard, and Rick Manship.

Staff presented the findings of fact.

Staff Report and Comments

W.D. Beaty House
2400 Park Lane, Charlotte
Application for COA HLC395

Exhibits presented to and considered by the Commission:

Exhibit A – Project Description

1. New single family house at 2405 Kendrick Drive

Exhibit B – Map

Exhibit C – Project Plans

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

The HLC has acknowledged the need to alter or add to a historic property to meet continuing or new uses while retaining the property's historic character.

1. The proposed construction is on the subdivided parcel of the Beaty House property. The new house is a one story, single family ranch style house similar in character, setting and scale to adjacent original houses from the 1950s.
2. The proposed project meets the HLC Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
3. The proposed project meets the HLC Standard 2. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Staff Recommendation

Staff suggests that the Commission approve the application as presented.

Commissioners' Questions for Staff

Commissioner Wilson asked about the material on the exterior. Joel Canino answered wood and hardie board.

Applicant Comments

Joel Canino stated that this proposed house would be 1200 square feet.

Commissioners' Questions for Applicant

Chair Clarke asked about materials used and noted that the nonfunctional shutters could be inappropriate for an infill house built next to a historic property.

Joel Canino stated that the final finishes have not yet been determined.

Applicant Response

There were no additional comments.

Public Comments

Helena Barber Cathcart, neighboring property owner, stated that the neighbors were not informed about this proposal to build a house on this lot until recently. She requested additional information before the proposal is approved.

Chair Clarke asked Cathcart about her concerns. Cathcart answered that the land clearing occurred months ago and is close to her driveway. Chair Clarke explained that the Commission's purview is limited to whether the building of a house on this additional parcel is consistent with the designation of the Beaty House as a historic landmark or whether it would adversely affect this historic resource.

Chair Clarke noted Cathcart's mention of heritage trees. Howard indicated the location of the trees.

Chair Clarke stated that the neighbors should be able to review the plans and provide comments. Rick Manship stated that he would meet with Cathcart to further discuss the plans.

Chair Clarke presented a motion seconded by Commissioner Eaves that the Historic Landmarks Commission defer the consideration of the Certificate of Appropriateness application for the W.D. Beaty House, 2400 Park Lane, Charlotte, N.C. until the April 8 meeting. The Commission approved the motion with Commissioner Wilson voting in opposition.

Commissioner Makas asked for clarification regarding the deferment of this issue. Gray stated that there is an interested party who has had difficulty understanding the project and that the Commission needs to ensure that an interested next door neighbor is more fully aware of the plans.

6. Property Updates: Brian Clarke

a. Steele Creek Church, Steele Creek Church Road, Charlotte

Note: This item was discussed last in agenda item #6: Property Updates

Chair Clarke stated that this property is currently owned by the City of Charlotte through the Charlotte-Douglas International Airport. He explained that the airport is under contract to sell approximately 70 acres, including the church property and the Douglas House parcel, to Foundry for development of an industrial warehouse project.

Commissioner Ashford asked about plans for the church sanctuary. Chair Clarke stated that Foundry is in discussions with She Built This City to make the sanctuary their training facility.

Chair Clarke stated that Foundry has asked the Commission to recommend to Charlotte City Council that the designation ordinance for the Steele Creek Presbyterian Church be decreased

from its current acreage to 14.25 acres, which would include the sanctuary, the cemetery, the relocation of the Douglas House, and the front lawn.

Note: Commissioner Eaves left the meeting at 8:17 p.m.

Commissioner Wilson asked if an easement has been discussed with Foundry for the church and the Douglas House. Chair Clarke stated that Foundry's plan is to deed everything in the preservation area except the cemetery to the Commission. Chair Clarke noted that this plan could change after She Built This City occupies the church. Wilson stated his support of reducing the designated land to 14.25 acres if preservation easements were placed on the whole property.

Commissioner Makas stated that she has a colleague at UNC Charlotte who researches enslaved cemeteries. Chair Clarke stated that Grubb and Associates have performed ground penetrating radar surveys and have not found anything. Gray stated that work would stop if human remains were found.

Gray stated that staff is concerned that if this deal falls through that another deal may not happen for a long time. He stated that buildings can deteriorate quickly.

Chair Clarke stated that this is the only feasible way to save the Douglas House.

Gray stated that the Manse is not designated as a historic landmark. He explained that it is hard to keep historical context with several historic houses relocated together.

Commissioner Wilson asked if the North Carolina State Historic Preservation Office could help fund this project. Chair Clarke stated this is a possibility.

Commissioner Wilson presented a motion seconded by Commissioner Ashford that the Historic Landmarks Commission recommend to Charlotte City Council that the area associated with the historic landmark designation for Steele Creek Presbyterian Church, 7401 and 7407 Steele Creek Road, Charlotte, N.C., be reduced to 14.25 acres as shown on the presented site plan and that the registered ordinance for the John Douglas House, 7601 Christie Lane, Charlotte, N.C., be amended to remove the designation for the land. The Commission unanimously approved the motion.

Gray stated that staff will work with Chair Clarke to begin the process with City Council.

Dr. Dan Morrill asked about easements. Chair Clarke stated that Foundry will place an easement on the church. Dr. Morrill asked about enslaved people cemeteries. Chair Clarke stated that one is located nearby and noted that he has not yet been able to research further at the Charlotte Museum of History. Dr. Morrill asked about the design review of the industrial buildings. Chair Clarke stated that the Commission will not retain design review control over these buildings.

b. J.J. Akers House, 6501 Sardis Road, Charlotte

Note: This item was discussed first in agenda item #6: Property Updates

Chair Clarke reiterated that the Commission voted to process this property for landmark designation in January. He stated that he and staff have met with the property owners and attorneys to discuss the status of the property. He explained that Providence Day School was under contract to purchase the property and noted the substantial concern that the house would be demolished to construct an athletic complex. He stated that there is no longer a contract to sell to Providence Day School. He stated that the property owner is exploring other options with

interested parties. He explained that infill development will likely need to occur for economic reasons.

Chair Clarke stated that the property owners and their attorneys have asked the Commission to delay the presentation of the recommendation to Charlotte City Council to provide time to explore other interest in the property that would involve development on the land. He stated that the hope is that the Commission can negotiate a smaller designation that would include the house and some of the structures rather than the entire six acre lot.

Gray explained that staff would prefer to present City Council with a smaller parcel and the house for designation rather than designating the whole parcel and then later de-designating a portion of it.

Gray stated that there is a 180-day protection of demolition on this property since the Commission voted to process it for landmark designation. Historic Preservation Specialist Warlick explained that there is an item on City Council's calendar on March 25 to schedule a public hearing for April 22 while the Commission would hold a public hearing on April 8.

Chair Clarke stated that the owners and attorneys have represented that they do not intend to demolish the house. He stated that the house is technically off the market due to the listing expiration. He stated that the two interested parties that he is aware of both have experience in creating a new development while preserving a historic resource. He stated that he no longer feels there is an imminent threat of destruction.

Ed Hinson, attorney for the property owners, stated that since the Commission's January meeting, Providence Day School terminated their contract. He stated that the interested parties understand that they would likely be expected to preserve the house as any part of a presented development plan. He requested that the City Council presentation be delayed for an additional 90 days after the 180-day delay.

Commissioner Grey presented a motion seconded by Commissioner Carroll that the Historic Landmarks Commission pull the J.J. Akers House, 6501 Sardis Road, Charlotte, N.C., from Charlotte City Council's March 25 agenda and enter into an agreement with the property owners for a total of 270 days from the Commission's January 8 meeting that the property owners will take no action to endanger the structures on the Akers property while a mutually agreeable designation is prepared that will preserve and protect the house and a reasonable amount of the property and allow for development on the remainder of the parcel. The Commission unanimously approved the motion.

c. John Connelly and Nancy Blythe Abernethy House, 7040 Pleasant Grove Road, Charlotte

Note: This item was discussed second in agenda item #6: Property Updates

Chair Clarke stated that this property came to the Commission's attention due to the plan of the property owners to build a landfill on additional acreage behind the house. He explained that the Board of Adjustment (BOA) denied the property owners' ability to create the landfill, which the property owners appealed to the Superior Court, which overturned the BOA. He stated that there is now an order for the BOA to issue permits necessary for the landfill. He explained that the City has appealed the Superior Court order so this issue is on hold again as it goes through the appellate process. He stated that he will continue to monitor the issue.

Gray stated that the Commission has an agreement with the property owner to find an owner for the house. He stated that Preservation North Carolina is working on this and noted that it likely will not be settled until the landfill is constructed.

7. Community Outreach Committee Report: Victoria Grey

Commissioner Grey stated that the Commission had a table at the Charlotte Museum of History's African American Heritage Festival in February. She stated that the event was well-attended. She stated that the This is Meck 250th anniversary celebration is on April 20. Commissioners Wilson, Carroll, and Ashford indicated interest in attending.

8. Consideration of Additions to the Rules of Procedure

Chair Clarke proposed tabling this issue until the Commission's April 8 meeting. He stated that in advance of the meeting, document drafts will be posted with a public comment period on the proposed changes.

Commissioner Wilson presented a motion seconded by Commissioner Carroll that the draft of the additions to the Rules of Procedure as presented by Chair Clarke be provided to the County Attorney no later than close of business on March 14 with a request that the County Attorney return the draft to Historic Landmarks staff by March 28 and that the draft be distributed to the Commission with comments by April 1. The Commission unanimously approved the motion.

Gray stated that this timeline should be doable but asked the Commission for flexibility due to this being a big change and to ensure transparency.

9. Financial Report: Stewart Gray

Gray stated that the Finance department has been working on reconciling the revolving fund balance. He stated that the Assistant Finance Director reviewed the fund and reported that the balance is \$5.2 million.

10. Historic Landmarks Staff Report

11. Old Business

There is no old business.

12. New Business

Commissioner Wilson stated that McCrorey Heights and Oaklawn Park received funds from the National Park Service to help with the nomination process to be listed on the National Register of Historic Places. He also noted that he read Greg Jarrell's book "Our Trespasses: White Churches and the Taking of American Neighborhoods" and recommended that the rest of the Commission read it.

The meeting adjourned at 9:03 p.m.