

Ordinance Amendment – Steele Creek Presbyterian Church and Cemetery

Amendment to the Historic Landmark Designation Ordinance for the property known as the “Steele Creek Presbyterian Church and Cemetery” (listed under Tax Parcel Numbers 14121101A, 14121101B, 14121111, 14121129, and 14121130, as of April 8, 2024) originally adopted by the Mecklenburg County Board of Commissioners on April 15, 1991. The Ordinance would be Amended to De-Designate all of the land associated with the historic landmark with the exception of: the approximately 10.199-acre parcel containing the Steele Creek Presbyterian Church cemetery (currently listed under Tax Parcel Number 14121129 and owned by Steele Creek Presbyterian Church), including the structures, improvements, and features located therein; the approximately 0.50-acre parcel containing the Steele Creek Presbyterian Church sanctuary building (currently listed under Tax Parcel Number 14121130 and owned by the City of Charlotte), including the interior and exterior of the building; and an approximately 3.546-acre portion of the adjacent parcel currently listed under Tax Parcel Number 14121101A and owned by the City of Charlotte. The property is located at 7401 and 7407 Steele Creek Road in Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 26th day of August, 2024, on the question of amending an ordinance that designated as a historic landmark a property known as the Steele Creek Presbyterian

Church and Cemetery, with the purpose that said amendment would de-designate portions of the land associated with that historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 12th day of August, 2024, on the question of amending an ordinance that designated as a historic landmark a property known as the Steele Creek Presbyterian Church and Cemetery, with the purpose that said amendment would de-designate portions of the land associated with that historic landmark; and

WHEREAS, on April 15, 1991, the Mecklenburg County Board of Commissioners adopted an ordinance that designated a property known as the Steele Creek Presbyterian Church and Cemetery as a Historic Landmark based upon the property's special significance in terms of its history, architecture, and/or cultural importance, said ordinance recorded in Book 6516, Pages 609 through 613 of the Mecklenburg County Ordinances; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that there is significant risk that some or all of the Steele Creek Presbyterian Church and Cemetery historic landmark may be lost due to demolition, deterioration, or otherwise, and that de-designation of specified portions of the land associated with that historic landmark is an appropriate means to mitigate that risk; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that retaining the existing landmark designation for other specified portions of the land associated with the Steele Creek Presbyterian Church and Cemetery historic landmark is an appropriate means both to ensure the preservation of the historically and

architecturally significant circa 1889 Steele Creek Presbyterian Church sanctuary building and circa 1763 Steele Creek Presbyterian Church cemetery, and to protect from obstruction the public's historic access to and viewshed of the historic property by way of an appropriately expansive parcel of undeveloped adjacent land fronting Steele Creek Road; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that the following constituent parcels of the Steele Creek Presbyterian Church and Cemetery landmark property – comprising an area of approximately 14.245 acres and certain associated structures currently located upon those parcels, all collectively referenced herein as the “Surviving Landmark” and indicated by the shaded areas labeled “141-211-29,” “141-211-30,” and “Tract 1” on the survey plat attached hereto and incorporated herein by reference – are appropriate to retain the existing landmark designation: (1) the approximately 10.199-acre parcel containing the entirety of the circa 1763 Steele Creek Presbyterian Church cemetery (currently listed under Tax Parcel Number 14121129), including all structures, improvements, and features located therein; (2) the approximately 0.50-acre parcel containing the circa 1889 Steele Creek Presbyterian Church sanctuary building (currently listed under Tax Parcel Number 14121130), including the interior and exterior of that sanctuary building; and (3) an approximately 3.546-acre portion of the adjacent parcel currently listed under Tax Parcel Number 14121101A; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that, despite the partial removal of the historic landmark designation, the Surviving Landmark will retain special significance in terms of its history, architecture,

and/or cultural importance based in part on the information detailed in the “Steele Creek Presbyterian Church and Cemetery” survey and research report (August 28, 1990, as amended June 2024), all of which is incorporated herein by reference; and

WHEREAS, the land comprising the Surviving Landmark appropriately reflects and preserves the historic location and setting of the structures, improvements, and features located thereon, and therefore possesses its own special historical significance independent of said structures, improvements, and features; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Steele Creek Presbyterian Church and Cemetery, because consent for interior design review of the building has been given by the owner(s); and

WHEREAS, the portion of the Steele Creek Presbyterian Church and Cemetery property currently listed under Tax Parcel Number 14121129 is owned by Steele Creek Presbyterian Church; and

WHEREAS, the portion of the Steele Creek Presbyterian Church and Cemetery property currently listed under Tax Parcel Numbers 14121130 and 14121101A is owned by the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the members of the City Council of Charlotte, North Carolina:

1. That the April 15, 1991, ordinance designating the property known as the “Steele Creek Presbyterian Church and Cemetery” as a Historic Landmark be amended to de-designate all of the land and structures associated with that Historic Landmark (listed under Tax Parcel Numbers 14121101A, 14121101B, 14121111, 14121129, and

14121130, as of April 8, 2024), with the exception of the Surviving Landmark as defined hereinabove and as indicated on the survey plat attached hereto and incorporated herein by reference, pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The Surviving Landmark shall retain the existing historic landmark designation.

2. That said Surviving Landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said Surviving Landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, of the General Statutes of North Carolina as amended.

3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said Surviving Landmark that does not involve a change in design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the Surviving Landmark from making any use of such landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for*

Rehabilitating Historic Buildings, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

6. That the owner of the Surviving Landmark known as the Steele Creek Presbyterian Church and Cemetery be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 14th day of October, 2024, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Clerk to City Council

Approved as to form:

Senior Assistant City Attorney

Attachment: Survey Plat, Steele Creek Presbyterian Church Survey for Foundry Commercial Acquisitions, LLC, dated May 23, 2024, by Professional Property Surveyors Inc. of Cornelius, North Carolina.