

City of Charlotte

*Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202*



Zoning Agenda

Monday, October 15, 2018

Council Chambers

City Council Zoning Meeting

*Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II*

ACRONYMS

Zoning District Acronyms

- **B-1** – neighborhood business
- **B-2** – general business
- **B-1SCD** – business shopping center (old district)
- **BD** – distributive business
- **BP** – business park
- **CC** – commercial center
- **HW** – hazardous waste
- **I-1** – light industrial
- **I-2** – general industrial
- **INST** – institutional
- **MUDD** – mixed use development
- **MX-1** – mixed use
- **MX-2** – mixed use
- **MX-3** – mixed use
- **NS** – neighborhood services
- **O-1** – office district
- **O-2** – office district
- **O-3** – office district
- **R-3** – single-family residential – up to 3 dwelling units per acre (dua)
- **R-4** – single-family residential –up to 4 dua
- **R-5** – single-family residential –up to 5 dua
- **R-6** – single-family residential –up to 6 dua
- **R-8** – single-family residential – up to 8 dua
- **R-8MF** – multi-family residential – up to 8 dua
- **R-12MF** – multi-family residential– up to 12 dua
- **R-17MF** – multi-family residential– up to 17 dua
- **R-22MF** – multi-family residential– up to 22 dua
- **R-43MF** – multi-family residential– up to 43 dua
- **R-MH** – residential manufactured housing
- **RE-1** – research
- **RE-2** – research
- **RE-3** – research
- **TOD** – transit oriented development
- **TOD-E** – transit oriented development – employment
- **TOD-M** – transit oriented development–mixed use
- **TOD-R** – transit oriented development – residential
- **U-I** – urban industrial
- **UMUD** – uptown mixed use
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential – commercial

Zoning Overlay District Acronyms

- **AIR** – Airport Noise overlay
- **CR/LWW** – Catawba River/Lake Wylie watershed
- **CR/LWWCA** – Catawba River/Lake Wylie watershed – critical area
- **CR/LWWPA** – Catawba River/Lake Wylie watershed – protected area
- **HD-O** – historic district overlay
- **LNW** – Lake Norman watershed overlay
- **LNWCA** –Lake Norman watershed –overlay, critical area
- **LNWPA** –Lake Norman watershed – overlay, protected area
- **LLWW** – Lower Lake Wylie watershed overlay
- **LLWWCA** – Lower Lake Wylie watershed – overlay, critical area
- **LLWWPA** – Lower Lake Wylie watershed– overlay, protected area
- **LWPA** – Lake Wylie protected area
- **MILW** – Mountain Island Lake watershed overlay
- **MILWCA** – Mountain Island Lake watershed – overlay, critical area
- **MILWPA** – Mountain Island Lake watershed – overlay, protected area
- **MH** - manufactured home overlay
- **PED** – pedestrian overlay
- **TS** – transit supportive overlay

Miscellaneous Zoning Acronyms:

- **CD** – conditional
- **INNOV** – innovative standards
- **SPA** – site plan amendment
- **O** – optional provisions

Miscellaneous Other Acronyms:

- **CAG** – citizen advisory group
- **CDOT** – Charlotte Department of Transportation
- **FEMA** – Federal Emergency Management Agency
- **LED** – light emitting diode
- **NCDOT** – North Carolina Department of Transportation
- **PCCO** – Post Construction Control Ordinance



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 10/15/2018

Agenda #: 1. **File #:** 15-9306 **Type:** Dinner Briefing

5:00 P.M. DINNER MEETING, CH-14

1. Meeting Agenda

2. Dinner Meeting Agenda

1. Agenda Review - Tammie Keplinger

3. Follow-Up Report

HISTORIC LANDMARKS RESOLUTIONS**4. Reginald Armistice Hawkins House**

Update: Requesting deferral to November 19, 2018

A Public Hearing on the Question of adopting an ordinance for the property known as the "Reginald Armistice Hawkins House" (listed under Tax Parcel Number 07839808 including the interior and the exterior of the house, the land, and all landscape features associated with tax parcel) as an Historic Landmark.

Property Owner: Daniel and Kristin Tart

Location: 1703 Madison Avenue in Charlotte, North Carolina

5. Albert Wallace Log House

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Albert Wallace Log House" (listed under Tax Parcel Number 11102105 including the interior and the exterior of the house, outbuildings, and the land associated with tax parcel) as an Historic Landmark.

Property Owner: William and Dixie Kelly

Location: 9425 Robinson Church Road in Charlotte, North Carolina

Attachments:

Albert Wallace Log House Cover

Albert Wallace Ordinance

Albert Wallace Survey and Research Report

6. Antioch Missionary Baptist Church Cemetery

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Antioch Missionary Baptist Church Cemetery" (listed under Tax Parcel Number 15904104 including the land and all landscape features associated with tax parcel) as an Historic Landmark.

Property Owner: The Trustees of the Antioch Missionary Baptist Church

Location: 3712 Monroe Road in Charlotte, North Carolina

Attachments:

Antioch Missionary Baptist Church Cemetery Cover

Antioch Missionary Baptist Church Cemetery Ordinance

Antioch Missionary Baptist Church Cemetery Survey and Research Report

7. Hennigan Place

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Hennigan Place" (listed under Tax Parcel Numbers 23111438, 23111437, 23111403, and 23111402) as an Historic Landmark.

Property Owner: Snow Homeplace LLC

Location: 3603 Tilley Morris Road in Charlotte, North Carolina

Attachments:

Hennigan Place Cover

Hennigan Place Ordinance

Hennigan Place Survey and Research Report

DECISIONS**8. Rezoning Petition: 2017-195 by Boulevard Real Estate Advisors, LLC**

Update: Petitioner requesting deferral to November 19, 2018

Location: Approximately 19.78 acres located on both sides of Nations Crossing Road, south of East Woodlawn Road, east of I-77. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition to their October 30th, 2018 meeting.

Attachment:

Zoning Committee Recommendation

9. Rezoning Petition: 2018-003 by Boulevard Real Estate Advisors, LLC

Update: Petitioner requesting deferral to November 19, 2018

Location: Approximately 0.74 acres located on the north side of West Tremont Avenue, east of South Tryon Street. (Council District 3 - Mayfield)

Current Zoning: TOD-R(O) (transit oriented development - residential, optional)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition to their October 30th, 2018 meeting.

Attachment:

Zoning Committee Recommendation

10. Rezoning Petition: 2017-043 by Northlake Systems, LLC

Location: Approximately 7.12 acres located at the northwest intersection of Point O' Woods Drive and Northlake Center Parkway, south of Philadelphia Court. (Council District 2 - Harlow)

Current Zoning: R-3 (single family residential), R-17MF (multi-family residential) and CC (commercial center)

Proposed Zoning: MUDD-O (mixed use development, optional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

11. Rezoning Petition: 2017-205 by Pope & Land Enterprises, Inc.

Location: Approximately 23.38 acres located on the north side of West Tyvola Road, south of Yorkmont Road. (Council District 3 - Mayfield)

Current Zoning: MUDD-O (mixed use development district, optional)

Proposed Zoning: MUDD-O SPA (mixed use development, optional) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation
Final Staff Analysis
Site Plan

12. Rezoning Petition: 2018-012 by Harrison Tucker & John Perovich

Location: Approximately 0.16 acres located at the intersection of North Davidson Street and East 17th Street. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 4-3 to recommend **DENIAL** of this petition.

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

Attachments:

Zoning Committee Recommendation
Final Staff Analysis
Site Plan

13. Rezoning Petition: 2018-023 by Jason Idilbi

Location: Approximately 0.56 acres located on the south side of Spencer Street, east of East 36th Street, west of Herrin Avenue. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

Proposed Zoning: R-6 (single family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this conventional petition.

Attachments:

Zoning Committee Recommendation
Final Staff Analysis

14. Rezoning Petition: 2018-026 by Llewellyn Development, LLC

Location: Approximately 3.49 acres located on the east side of Park Road, north of Sharon Road. (Council District 6 - Bokhari)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

15. Rezoning Petition: 2018-049 by Revolve Residential

Location: Approximately 2.57 acres bounded by Charles Avenue, Whiting Avenue, Spencer Street, and Clemson Avenue, north of Matheson Avenue. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

Proposed Zoning: MUDD-O (mixed use development, optional)

Zoning Committee Recommendation:

The Zoning Committee voted 4-2 to recommend **DENIAL** of this petition.

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

16. Rezoning Petition: 2018-056 by Wallace Lane, LLC

Location: Approximately 9.3 acres located on the north side of Wallace Lane, east of Independence Boulevard. (Council District 5 - Newton)

Current Zoning: R-4 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

17. Rezoning Petition: 2018-059 by Boulevard Real Estate Advisors, LLC

Location: Approximately 1.01 acres located on the west side of South Mint Street, south of West Carson Boulevard, north of Palmer Street. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-M (transit oriented development - mixed use)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

18. Rezoning Petition: 2018-064 by Chick-Fil-A

Location: Approximately 2.03 acres located on the south side of West W.T. Harris Boulevard. (Council District 4 - Phipps)

Current Zoning: O-15 (office district)

Proposed Zoning: B-2(CD) (general business, conditional) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

19. Rezoning Petition: 2018-065 by Raley-Miller Properties

Location: Approximately 2.63 acres located on the north side of N. Tryon Street, east of Salem Church Road. (Council District 4 - Phipps)

Current Zoning: NS (neighborhood services)

Proposed Zoning: NS(SPA) (neighborhood services, site plan amendment) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

20. Rezoning Petition: 2018-066 by Anthony Moore

Location: Approximately 0.82 acres located on east side of Providence Road at the intersection of Westbury Road. (Council District 6 - Bokhari)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-4 (single family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this conventional petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

21. Rezoning Petition: 2018-068 by J.R. Atkinson

Location: Approximately 4.41 acres located at the intersection of North Graham Street and Interstate 82.
(Council District 4 - Phipps)

Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2 (light industrial)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this conventional petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

22. Rezoning Petition: 2018-070 by Florian & Oltita Balaj

Location: Approximately 0.21 acres located on the west side of Boyer Street, north of Wilkinson Boulevard. (Council District 3 - Mayfield)

Current Zoning: R-17(MF) AIR (multi-family residential, airport noise overlay)

Proposed Zoning: I-2 AIR (light industrial, airport noise overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

23. Rezoning Petition: 2018-071 by Dependable Development

Location: Approximately 9.54 acres located east of Interstate between Caldwell Road and Farmington Ridge Parkway. (Outside City Limits)

Current Zoning: R-5(CD) (single family residential, conditional) with five-year vested rights

Proposed Zoning: R-5(CD) SPA (single family residential, conditional, site plan amendment) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

24. Rezoning Petition: 2018-074 by Elissa Mullis

Location: Approximately 10.37 acres located on the west side of Hood Road south of Plaza Road Extension. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: INST(CD) (institutional, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

25. Rezoning Petition: 2018-077 by R2 Development

Location: Approximately 7.69 acres located on the west side of Steele Creek Road, south of Hamilton Road. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-1(CD) (urban residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

26. Rezoning Petition: 2018-078 by Monte Ritchey/Conformity Corp.

Location: Approximately 0.74 acres located at the end of Waco Street and Ellison Street, near South Kings Drive. (Council District 1 - Egleston)

Current Zoning: R-6 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

27. Rezoning Petition: 2018-079 by Three Pillars Capital, LLC

Location: Approximately 0.75 acres located on the North Brevard and East 21st Street. (Council District 1 - Egleston)

Current Zoning: I-2 (light industrial)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional) with three-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

HEARINGS**28. Rezoning Petition: 2017-186 by Drakeford Co.**

Update: Petitioner requesting deferral to December 17, 2018

Location: Approximately 0.87 acres located on the north side of West Kingston Avenue, west of South Tryon Street. (Council District 3 - Mayfield)

Current Zoning: R-22MF, HD (multi-family residential, historic district overlay)

Proposed Zoning: UR-2(CD), HD (urban residential, conditional, historic district overlay), with five-year vested rights

29. Rezoning Petition: 2018-058 by White Oak Management, Inc.

Update: Petitioner is requesting deferral to November 19, 2018

Location: Approximately 0.76 acres located on the east side of Craig Avenue, north of North Sharon Amity Road. (Council District 5 - Newton)

Current Zoning: R-17MF (multi-family residential)

Proposed Zoning: O-2(CD) (office, conditional)

30. Rezoning Petition: 2018-067 by NVR, Inc

Update: Petitioner is requesting deferral to November 19, 2018

Location: Approximately 16.9 acres located on the north side of Mallard Creek Road. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

31. Rezoning Petition: 2018-083 by Chick-fil-A

Update: Petitioner is requesting deferral to November 19, 2018

Location: Approximately 0.88 located on the south side of Woodlawn Road, east of Park Road. (Council District 6 - Bokhari)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: B-2(CD) (general business, conditional)

32. Rezoning Petition: 2018-011 by Harrison Tucker & John Perovich

Location: Approximately 0.17 acres located at the northeast corner of East 17th Street and North McDowell Street. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

33. Rezoning Petition: 2017-023 by LG Acquisitions, LLC

Location: Approximately 16.23 acres on the east side of Steele Creek Road and south of across from Shopton Road West and Dixie River Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)

Proposed Zoning: MUDD-O (mixed use development district, optional) and NS (neighborhood services), with five-year vested rights.

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, site and building design, and technical revisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

34. Rezoning Petition: 2018-081 by Profile Homes

Location: Approximately 4.35 located off South Tryon Street, south of Steele Creek Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential) and B-D(CD) (distributive business, conditional)

Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, and technical item.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

35. Rezoning Petition: 2018-094 by Hopper Communities

Location: Approximately 2.03 acres located on the east side of Elm Lane, south of Williams Pond Road.
(Council District 7 - Driggs)

Current Zoning: R-12MF(CD) (multi-family residential, conditional)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

36. Rezoning Petition: 2017-137 by Northlake Real Estate Investors, LLC

Location: Approximately 10.44 acres located on the west side of Reames Road, south of West W.T. Harris Boulevard. (Council District 2 - Harlow)

Current Zoning: R-3 (single family residential)

Proposed Zoning: B-2(CD) (distributive business, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment and site/building design.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

37. Rezoning Petition: 2017-168 by J.S. & Son's Construction Co., LLC

Location: Approximately 3.70 acres located on the south side of West Boulevard, east of Wilmore Drive.
(Council District 3 - Mayfield)

Current Zoning: R-5 HD-O (single family residential, historic district overlay) and R-22MF HD-O
(multi-family residential, historic district overlay)

Proposed Zoning: UR-2(CD) HD-O (urban residential, conditional, historic district overlay)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site design, transportation, environment, and technical issues.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

38. Rezoning Petition: 2017-206 by BWN Investments, LLC

Update: Petitioner is requesting deferral to November 19, 2018

Location: Approximately 3.35 acres located on the east side of East W.T. Harris Boulevard, at the intersection of Lawyers Road, north of Albemarle Road. (Council District 5 - Newton)

Current Zoning: R-17MF (multi-family residential)

Proposed Zoning: B-2(CD) (general business, conditional)

39. Rezoning Petition: 2018-054 by Blue Heel Development

Location: Approximately 9.2 acres located at the end of Price Lane, south of Yorkmont Road. (Council District 3 - Mayfield)

Current Zoning: R-4 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and design and technical items.

Attachments:

Pre-Hearing Staff Analysis
Site Plan

40. Rezoning Petition: 2018-080 by Collin Wolff

Location: Approximately 3.22 acres located on the west side of John Adams Road, north of West Mallard Creek Church Road. (Council District 4 - Phipps)

Current Zoning: O-1(CD) (office, conditional)

Proposed Zoning: O-1 (office)

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis
Previously Approved Site Plan

41. Rezoning Petition: 2018-082 by City of Charlotte

Location: Approximately 3.02 located off of Ken Hoffman Dr., east of North Tryon Street, south of W.T. Harris Blvd. (Council District 4 - Phipps)

Current Zoning: O-2 (office), MUDD-O (mixed use development, optional) and INST (institutional)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

42. Rezoning Petition: 2018-084 by Amicus Partners, PLLC

Location: Approximately 42.05 acres located at the southeast intersection of Plaza Road Extension and Hood Road. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-4 (single family residential)

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

43. Rezoning Petition: 2018-086 by Jacob Norris

Update: Staff is requesting deferral to November 19, 2018

Location: Approximately 0.30 located at the intersection of The Plaza and McClintock Road. (Council District 1 - Egleston)

Current Zoning: B-2 (general business)

Proposed Zoning: MUDD-O (mixed use development, optional)

44. Rezoning Petition: 2018-087 by Midwood-Overlook, LLC

Location: Approximately 0.22 acres located at the intersection of Central Avenue and Iris Drive. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, infrastructure and requested technical provisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

45. Rezoning Petition: 2018-089 by Andres Mera-Borja

Location: Approximately 0.23 located on East 15th Street between Davidson Street and North Alexander Street. (Council District 1 - Egleston)

Current Zoning: I-2 (general industrial)

Proposed Zoning: UR-C (urban residential - commercial)

Staff Recommendation:

Staff recommends approval of this conventional petition.

Attachment:

Pre-Hearing Staff Analysis

46. Rezoning Petition: 2018-090 by Fourstore, LLC

Location: Approximately 1.1 acres located on the west side of Providence Road, south of Interstate 485. (Council District 7 - Driggs)

Current Zoning: R-3 (single family residential)

Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design and transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

47. Rezoning Petition: 2018-091 by SCBP Developer

Location: Approximately 8.65 acres located on the east side of Steele Creek Road, north of South Tryon Street. (Council District 3 - Mayfield)

Current Zoning: O-1(CD) (office, conditional)

Proposed Zoning: O-1(CD) SPA (office, conditional, site plan amendment)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, and technical items.

Attachments:

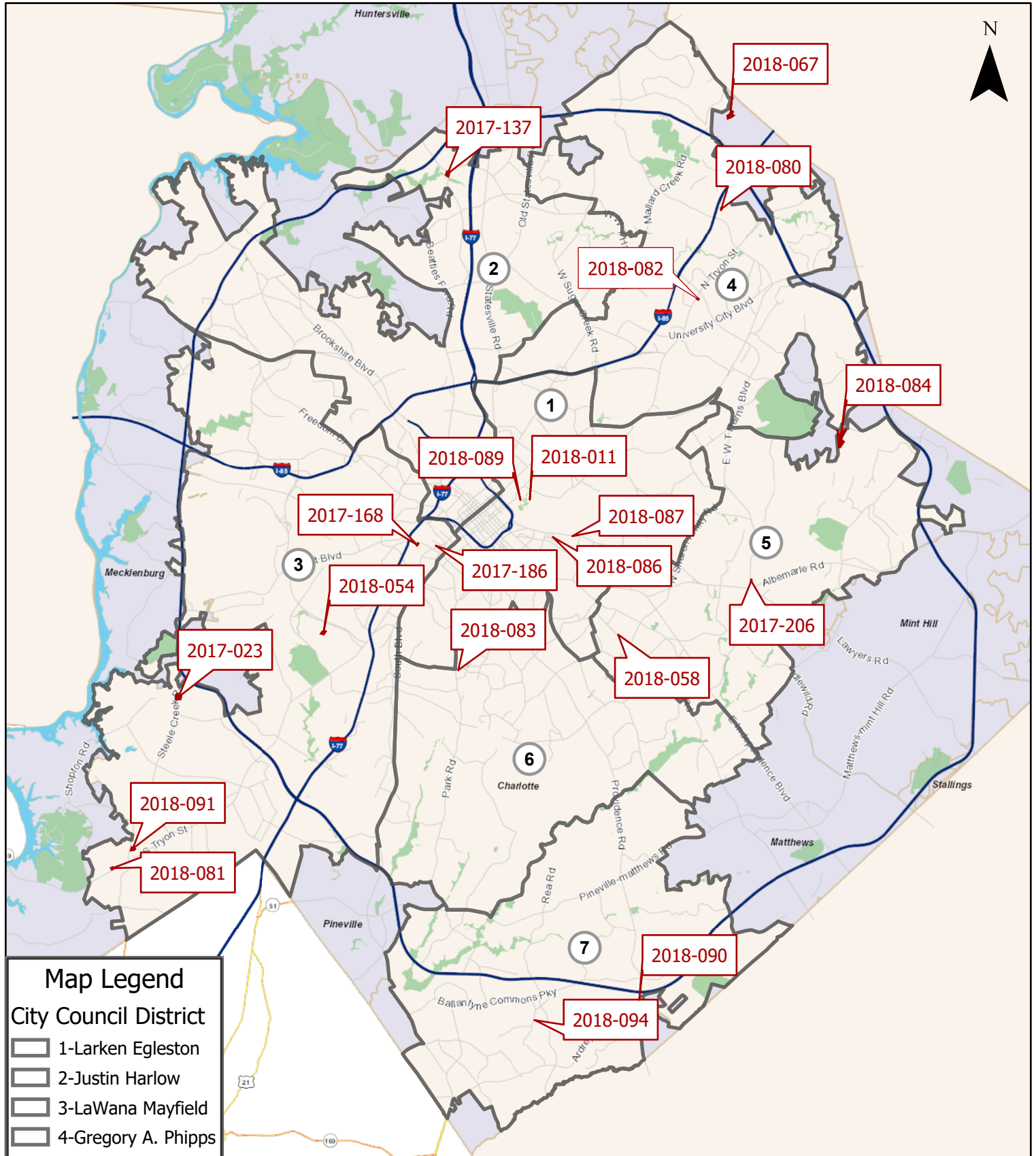
Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

October 2018 Rezonings

City of Charlotte, Mecklenburg County



Map Created 10/8/2018

0 1.75 3.5 7 Miles

- Map Legend**
- City Council District**
- 1-Larken Egleston
 - 2-Justin Harlow
 - 3-LaWana Mayfield
 - 4-Gregory A. Phipps
 - 5-Matt Newton
 - 6-Tariq Bokhari
 - 7-Edmund H. Driggs
 - October Rezonings



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 10/15/2018

Agenda #: 2. **File #:** 15-9307 **Type:** Dinner Briefing

Dinner Meeting Agenda

- 1. Agenda Review - Tammie Keplinger**

DINNER MEETING AGENDA

Monday, October 15, 2018

1. Agenda Review – Tammie Keplinger

| Item # | Petition # | Petitioner/Description | Update |
|----------|------------|---|--|
| Item #8 | 2017-195 | Boulevard Real Estate Advisors – Located on both sides of Nations Crossing Road, south of East Woodlawn Road, east of I-77 | Decision Deferral – 1 month to November 15, 2018 |
| Item #9 | 2018-003 | Boulevard Real Estate Advisors - Located on the north side of West Tremont Avenue, east of South Tryon Street. | Decision Deferral – 1 month to November 15, 2018 |
| Item #28 | 2017-186 | Drakeford Co. – Located on the north side of West Kingston Avenue, west of South Tryon Street. | Hearing Deferral – 2 month to December 17, 2018 |
| Item #29 | 2018-058 | White Oak Management, Inc. – Located on the east side of Craig Avenue, north of North Sharon Amity Road. | Hearing Deferral – 1 month to November 15, 2018 |
| Item #30 | 2018-067 | NVR, Inc. – Located on the north side of Mallard Creek Road. | Hearing Deferral – 1 month to November 15, 2018 |
| Item #31 | 2018-083 | Chick-fil-A – Located on the south side of Woodlawn Road, east of Park Road. | Hearing Deferral – 1 month to November 15, 2018 |
| Item #38 | 2017-206 | BWN Investments, LLC – Located on the east side of East W.T. Harris Boulevard, at the intersection of Lawyers Road, north of Albemarle Road. | Hearing Deferral – 1 month to November 15, 2018 |
| Item #43 | 2018-086 | Jacob Morris – Located at the intersection of The Plaza and McClintock Road. | Hearing Deferral – 1 month to November 15, 2018 |

| Item | Changes After the Zoning Committee Vote |
|----------|---|
| Item #14 | <p>Petition No. 2018-026 by Llewellyn Development, LLC (Council District 6 – Bokhari) for a change in zoning for approximately 3.49 acres located on the east side of Park Road, north of Sharon Road from R-3 to UR-2(CD).</p> <p>The following change was made after the Zoning Committee’s recommendation. Therefore, the City Council must determine if the change is substantial and if the petition should be referred back to the Zoning Committee for review.</p> <ol style="list-style-type: none"> 1. The follow request was addressed by the petitioner as noted: Revise the site plan and add a conditional note to show a minimum 16-foot planting strip. The wide planting strip will accommodate a future buffered bike lane to be installed by others. The minimum width of the planting strip should be 16 feet measured from the existing back-of-curb except as indicated and noted that topography imposes a restriction. <ol style="list-style-type: none"> a. Addressed by: <ol style="list-style-type: none"> i. Amending the streetscape and landscaping note to add that “Any sidewalk constructed outside of the Park Road right-of-way will be placed within a public sidewalk easement established for that purpose,” and ii. Amending the site plan to show the future back-of-curb along Park Road that will accomidate the future bike facility. 2. The following requests have been rescinded by staff: <ol style="list-style-type: none"> a. Add a note to the Transportation section of the development standards to specify the removal of the existing sidewalk with the installation of the new sidewalk. b. Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site’s first building certificate of occupancy is issued. The right-of-way should be set 22-feet from the existing back of curb. <p>Staff Recommendation: Staff believes that the changes are minor than the previous plan presented to the Zoning Committee and does not warrant additional review by the Zoning Committee.</p> |



City of Charlotte

Charlotte-Mecklenburg
Government Center
600 East 4th Street
Charlotte, NC 28202

Agenda Date: 10/15/2018

Agenda #: 3. **File #:** 15-9308 **Type:** Dinner Briefing

Follow Up Report



City Council Follow-Up Report From the September 24, 2018 and October 1, 2018 Zoning Meetings

General: How often do changes come to staff late or after a recommendation is made by the Zoning Committee? Is this an issue for staff? Do the current practices and policies around changed need to be reviewed and updated?

Staff Response: Staff typically receives changes to a few petitions each month after Zoning Committee. We have a process that accommodates these changes and do not recommend adjustments to our process at this time.

2018-049 **Revolve Residential – bounded by Charles Avenue, Whiting Avenue, Spencer Street, and Clemson Avenue, north of Matheson Avenue. (Council District 1 – Egleston)**

What specific uses are proposed on the site?

Staff Response:

AREA A: 16 detached dwelling units.

AREA B:

- 1) Reusing existing building to allow up to 16,000 square feet of uses limited to community recreation centers, athletic facilities, libraries, museums, cultural, recreation, galleries, artist studios, event/gathering/activity, and co-working/shared office. Commercial kitchens, EDEEs including breweries and taprooms, and retail uses are prohibited.
- 2) Co-working/shared office uses defined as office use with common reception, meeting, conference, break room, and other accessory areas to the office uses. Private and/or individual offices are permitted so long as they are no larger than 2,500 square feet and utilize the common areas listed above.
- 3) Event/Gathering/Activity limited to 5,000 square feet for meetings/retreats/conferences/exhibits/civic activities/weddings/reunions/and instructional yoga, art, wellness, and fitness classes. Outdoor music performances and amplified music is prohibited for private events.

AREA C: Allows up to four attached dwelling units not to exceed two stories in height, which will be deed restricted limiting initial sale and resale of units to HouseCharlotte eligible residents

What alternative side yard conditions would be acceptable?

Staff Response: The revised site plan contains design commitments to address the side unit condition along Whiting Avenue. Usable porches and stoops, a minimum of seven feet deep, will form a predominant feature of the building design along Whiting Avenue and Charles Avenue. Stoeps and entry level porches may be covered and enclosed with railings or other pedestrian level architectural features. All residences fronting Whiting Avenue and Charles Avenue will have a direct connection to the public street sidewalk. Entrances (doors) provided on residential units along Whiting Avenue will be a prominent architectural feature and will be substantially similar to the entrances fronting the open space.

What Capital Improvement Project improvements are planned near this site?

Staff Response: There are currently no neighborhood, transportation, storm water, sidewalk or water and sewer projects in the area near the subject property listed in the Community Investment Plan (CIP).

Provide the elevations for the four townhomes.

Staff Response: Per the petitioner, conceptual elevations are in progress, and the petitioner has offered to meet with Council Member Ajmera to share the elevations rather than include them in the formal submittal. As of the afternoon of October 11, 2018, Council Member Ajmera has not responded to that request. The petitioner hopes to connect with her prior to Monday, October 15, 2018.

What other building orientation options were considered that would fit with the neighborhood character?

Staff Response: An initial site plan for Petition #2018-49 was submitted with the application, and site plan revisions were submitted June 11, 2018, August 13, 2018, September 27, 2018, and October 10, 2018:

Area A: Each version reflected up to 16 units, with 12 units configured to front open space and accessed via private alleys, and four units fronting Charles Avenue.

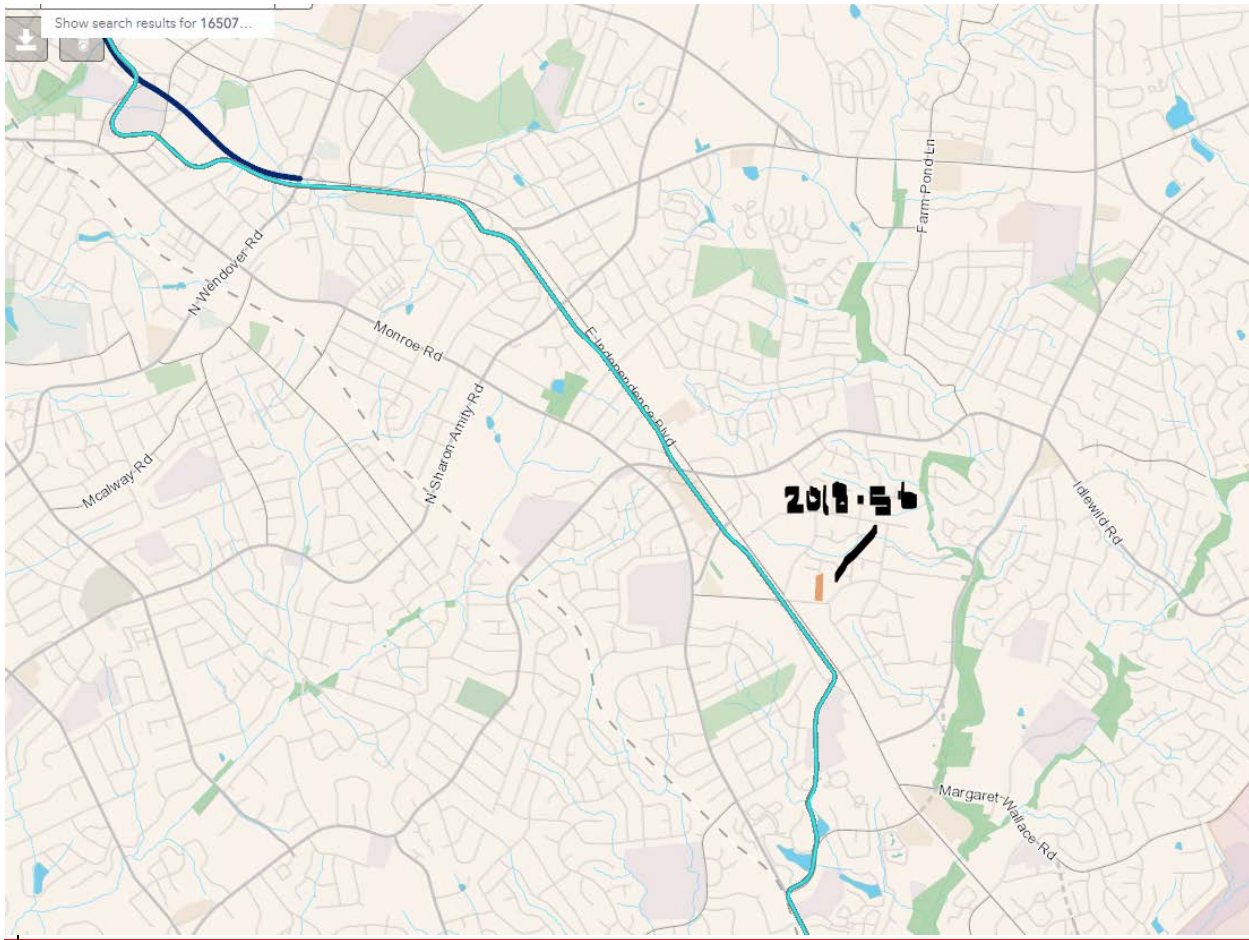
Area B: Each version reflected existing building to remain.

Area C: Each version allowed up to four attached dwelling units. The initial version did not reflect buildings. Subsequent versions showed the four units fronting Clemson Avenue, and included a rendered site plan.

2018-056 – Wallace Lane, LLC – located on the north side of Wallace Lane, east of Independence Boulevard. (Council District 5 – Newton)

What side of Independence Boulevard is the future Silver Line? How far is the Silver Line from the site?

Staff Response: The MTC approved the LYNX Silver Line Alignment on February 14, 2017, which is located on the south side of East Independence Boulevard (opposite side of East Independence Boulevard from the proposed rezoning) as reflected in the map below. The closest point of the site included in Petition measures approximately 651 feet and 0.123 miles from the proposed Silver Line located along E. Independence Boulevard



2018-074 – Elissa Mullis - located on the west side of Hood Road south of Plaza Road Extension. (Outside City Limits)

Provide information to Council about cases where a business has been operating out of compliance and a rezoning is submitted for the use that is not in compliance.

Staff Response: All businesses have the option to pursue a rezoning if they are out of zoning compliance and periodically staff has received these requests. Staff looks at each of these on a case by case basis, and makes a recommendation based on a number of factors, including compatibility with the surrounding area.

What does the term “reception” mean in the Zoning Ordinance? What type of events would be permitted?

Staff Response: The zoning ordinance does not define “reception.”

Section 9.502(3.1) of the zoning ordinance allows the following in the Institutional district: Conference centers, including facilities for corporate meetings, training, retreats, or other meetings.

The zoning ordinance does not define “conference centers.”

2018-003 – Boulevard Real Estate Advisors, LLC – located on the north side of West Tremont Avenue, east of South Tryon Street. (Council District 3 – Mayfield)

Is there any data available on the impact of older industrial buildings and legacy industrial uses being forced to move because of new development that complains about noise, odors, etc.?

Staff Response: Staff does not have any specific data. With the opening of the original Lynx Blue line and the extension, there have been numerous industrial properties rezoned to the TOD and TS Overlay districts to convert to transit oriented land uses.

What is the minimum side yards required for various zoning districts, when an office use is adjacent to an industrial use?

Staff Response: An office use proposed in a TOD district would require no minimum side yard adjacent to an industrial use. Except, if one is provided, it must be a minimum of five feet in width. The same is true of an office use proposed in the industrial districts (I-1 and I-2).

| Office Use in Zoning District | Minimum Side Yard adjacent to an Industrial Use |
|-------------------------------|---|
| MUDD, UMUD, PED, RE-3, and CC | None |
| I-1, I-2, TOD, and TS | None, except if provided, then a minimum of 5' |
| UR-C, B-1, B-2, and MX | None, except if provided, then a minimum of 8' |
| NS | None, except if provided, then a minimum of 10' |
| O-2 and O-3 | 5' |
| O-1, B-D, and U-I | 10' |
| B-P | 20' |
| RE-1 | 25' |
| RE-2 | 0' to 50' depending on lot size |

How is the Noise Ordinance enforced?

Staff Response: The Charlotte Mecklenburg Police Department is responsible for enforcing the Noise Ordinance. When a complaint is filed, an Officer(s) will respond and talk with the property owner. The responding Officer(s) will use a noise meter to determine if the site is in violation of the Noise Ordinance.



Agenda Date: 10/15/2018

Agenda #: 4. **File #:** 15-9309 **Type:** Historic Landmark

Reginald Armistice Hawkins House

Update: Requesting deferral to November 19, 2018

A Public Hearing on the Question of adopting an ordinance for the property known as the "Reginald Armistice Hawkins House" (listed under Tax Parcel Number 07839808 including the interior and the exterior of the house, the land, and all landscape features associated with tax parcel) as an Historic Landmark.

Property Owner: Daniel and Kristin Tart

Location: 1703 Madison Avenue in Charlotte, North Carolina



Agenda Date: 10/15/2018

Agenda #: 5. **File #:** 15-9310 **Type:** Historic Landmark

Albert Wallace Log House

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Albert Wallace Log House" (listed under Tax Parcel Number 11102105 including the interior and the exterior of the house, outbuildings, and the land associated with tax parcel) as an Historic Landmark.

Property Owner: William and Dixie Kelly

Location: 9425 Robinson Church Road in Charlotte, North Carolina

Attachments:

Albert Wallace Log House Cover

Albert Wallace Ordinance

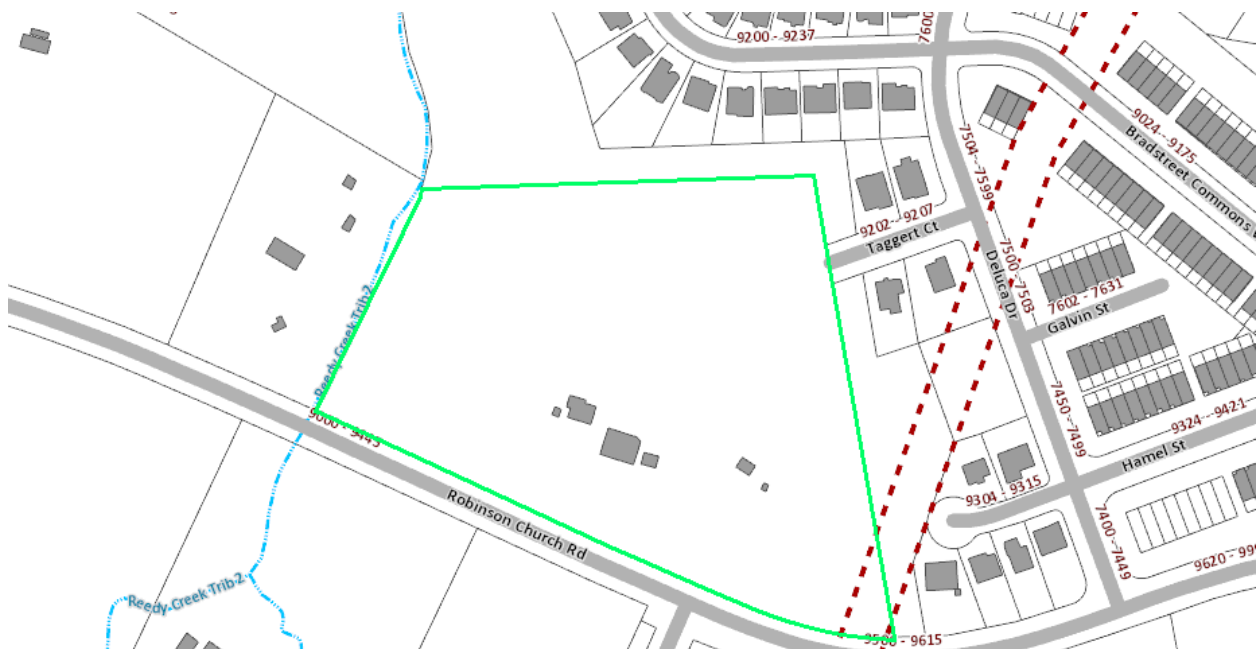
Albert Wallace Survey and Research Report

Albert Wallace Log House

9425 Robinson Church Road, Charlotte



The ca. 1825 Albert Wallace Log House is one of the few identified well-executed ante-bellum extant log houses in Mecklenburg County at its original location and which also exhibits the physical integrity required for historic landmark designation. There is sufficient circumstantial evidence to infer that enslaved people lived in the Wallace House before Emancipation. The Wallace House is important because of its place in the emergence of sharecropping as the principal agricultural labor system in rural Mecklenburg County in the post-bellum years. The Charlotte-Mecklenburg Historic Landmarks Commission is recommending that the Charlotte City Council designate the property as an historic landmark.



Ordinance – Albert Wallace Log House

Ordinance designating as an Historic Landmark a property known as the “Albert Wallace Log House” (listed under Tax Parcel Number 11102105 as of August 20, 2018, and including the interior and the exterior of the house, outbuildings, and the land associated with the tax parcel). The property is located at 9425 Robinson Church Road in Charlotte, North Carolina, and is owned by William and Dixie Kelly.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, 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 17th day of September 2018, on the question of designating a property known as the Albert Wallace Log House as an 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 10th day of September 2018, on the question of designating a property known as the Albert Wallace Log House as an historic landmark; and

WHEREAS, the ca. 1825 Albert Wallace Log House is one of the few identified well-executed ante-bellum extant log houses in Mecklenburg County at its original location and which also exhibits the physical integrity required for historic landmark designation; and

WHEREAS, there is sufficient circumstantial evidence to infer that enslaved people lived in the Wallace House before Emancipation; and

WHEREAS, the Wallace House is important because of its place in the emergence of sharecropping as the principal agricultural labor system in rural Mecklenburg County in the post-bellum years; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Albert Wallace Log House possesses special significance in terms of its history, and/or cultural importance; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the property known as the Albert Wallace Log House, because consent for interior design review has been given by the Owner; and

WHEREAS, the property known as the Albert Wallace Log House is owned by William and Dixie Kelly.

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

1. That the property known as the “Albert Wallace Log House” (listed under Tax Parcel Number 11102105 as of August 20, 2018, and including the interior and the exterior of the house, outbuildings, and the land associated with the tax parcel) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 9425 Robinson

Church Road, Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Albert Wallace Log House” (2018).

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including all original exterior and interior architectural features and the contours of landscaping.

3. That said designated historic 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 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 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said 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 historic landmark from making any use of the historic 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.

5. That a suitable sign may be posted indicating that said property has been designated as an historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the historic landmark known as the “Albert Wallace Log House” 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 an historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 20____, 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



**Survey and Research Report
on The Albert Wallace Log House**



Albert Wallace Log House After Initial Restoration c. 1950



Western Façade of The Albert Wallace Log House Before Restoration c. 1948



Albert Wallace Log House from Robinson Church Road c. 1948



Albert Wallace Log House with Additions April 2018

1. Name and Address of the Property. The property known as the Albert Wallace Log House is located at 9425 Robinson Church Road, Charlotte, N.C.

2. Name and Address of the Current Owner of the Property.

William Kelly
Dixie Kelly
9425 Robinson Church Road
Charlotte, North Carolina 28215

3. Representative Photographs of the Property. This report contains representative photographs of the property.

4. A Map Depicting the Location of the Property. This report contains a map depicting the location of the property. The UTM Coordinates of the Property are: 17S 528872.98E 3900010.35N



Albert Wallace Log House March 2018



Albert Wallace Log House March 2018



Albert Wallace Log House March 2018



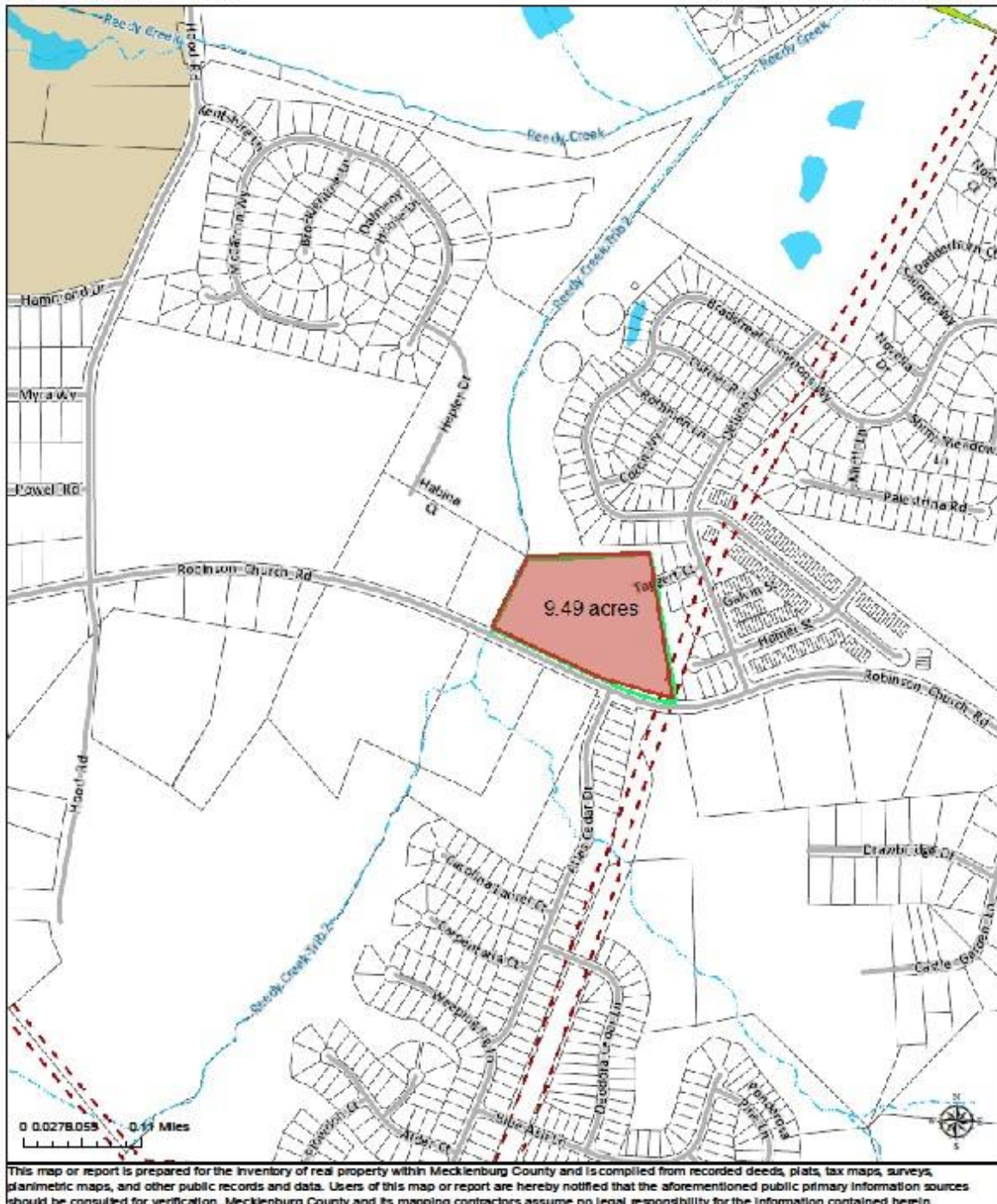
Albert Wallace Log House March 2018

Polaris 3G Map – Mecklenburg County, North Carolina

Wallace House

9.49 acres(413478.22 sq ft)

Date Printed: 4/15/2018 1:00:40 PM



5. A Brief Historic Sketch Of The Property. The report contains a brief historical sketch of the property prepared by Dr. Dan L. Morrill.

6. A Brief Physical Description Of The Property. The report contains a brief physical description of the property prepared by Mr. Stewart Gray.

7. Documentation Of Why And In What Ways The Property Meets The Criteria For Designation Set Forth In N.C.G.S. 160A-400.5.

a. Special Significance In Terms Of Its History, Architecture, And/Or Cultural Importance. The Charlotte-Mecklenburg Historic Landmarks Commission judges that the Albert Wallace Log House possesses special significance in terms of Charlotte-Mecklenburg. The Commission bases its judgment on the following considerations:

- 1) The Albert Wallace Log House is one of the few identified well-executed ante-bellum extant log houses in Mecklenburg County that is at its original location and which also exhibits the physical integrity required for historic landmark designation.
- 2) There is sufficient circumstantial evidence to infer that enslaved people lived in the Albert Wallace House before Emancipation.
- 3) The Albert Wallace Log House is important because of its place in the emergence of sharecropping as the principal agricultural labor system in rural Mecklenburg County in the post-bellum years.

b. Integrity of Design, Setting, Workmanship, Materials, Feeling, And/Or Association. The Charlotte-Mecklenburg Historic Landmarks Commission judges that the physical description included in this report demonstrates that the Albert Wallace Log House meets this criterion of special significance.

8. Ad Valorem Tax Appraisal. The Commission is aware that designation would allow the owner to apply for an automatic deferral of 50% of the Ad Valorem taxes on all or any portion of the property that becomes a designated "historic landmark." The current Ad Valorem tax value of the property is \$321,600. The property contains 10.39 acres and is zoned R3.

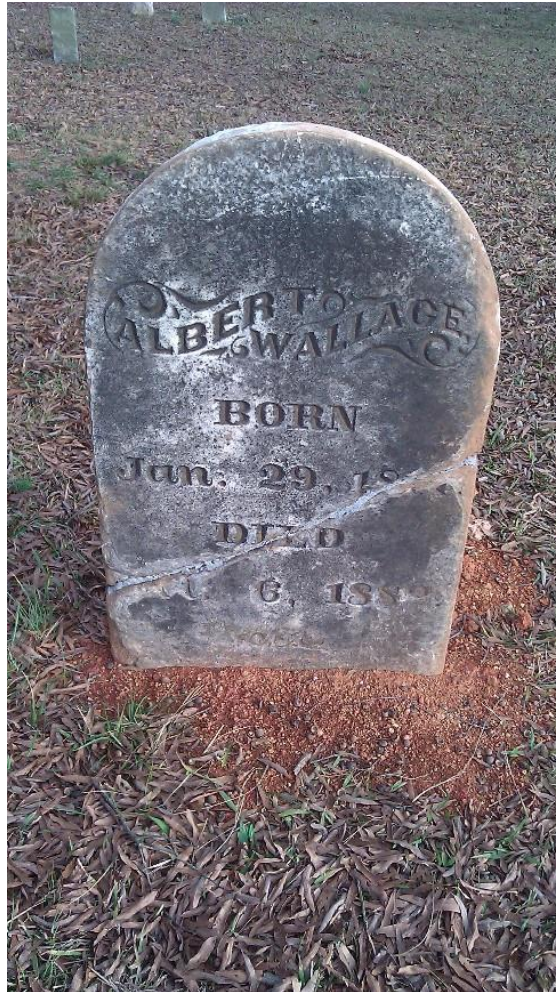
9. Portion of the Property Recommended for Designation.

The land and features associated with the tax parcel, with the boundary of the tax parcel serving as the boundary of the designated property.

Prepared by Dr. Dan L. Morrill and Mr. Stewart Gray
May 14, 2018

**Brief History Of The
Albert Wallace Log House**

**Dr. Dan L. Morrill
May 14, 2018**



Albert Wallace's Tombstone In Philadelphia Presbyterian Church Cemetery

The special historic significance of the Albert Wallace Log House rests upon three considerations. First, it is one of the few identified well-executed ante-bellum extant log houses in Mecklenburg County that is at its original location and which also exhibits the physical integrity required for historic landmark designation. Second, there is sufficient circumstantial evidence to infer that enslaved people lived in the Albert Wallace House before Emancipation. Third, the Albert Wallace House is important because of its place in the emergence of sharecropping as the principal agricultural labor system in rural Mecklenburg County in the post-bellum years.

Special Architectural Significance Of The Albert Wallace Log House As Example Of Early Log Construction

The first half of the eighteenth century witnessed a substantial influx of settlers into the Piedmont and mountain regions of North Carolina.¹ In 1730 there were probably no more than 30,000 whites and 6000 blacks in the state. By 1775, the non-native population exceeded 265,000. A major reason for this significant upsurge was the stable government and aggressive promotional programs instituted by the Royal Government, which had taken control of North Carolina from the Lord Proprietors in 1729.²

Although the number of settlers rose in the Coastal Plain, the greatest increase occurred in the backcountry, especially in the Piedmont. The King was generous in granting land to settlers who would populate the Carolina frontier, improve the land, and pay their taxes. Mostly Scots-Irish or Germans, these pioneers, who had migrated primarily from Pennsylvania, Maryland, and Delaware, established farms, erected mills, created settlements, and generally went about the business of securing their livelihood. Unlike settlers in many other regions of the colonies, however, the North Carolina pioneers did not have easy access to water navigation. The two principal rivers of the Piedmont, the Catawba-Wateree-Santee and the Yadkin-Pee Dee, have their origins at the eastern edge of the North Carolina mountains and descend entirely above the fall line within the Tar Heel State and then flow uninterruptedly through South Carolina to the Atlantic.³ The resulting inability to travel readily to markets and back meant that most settlers in the North Carolina backcountry eked out a bare existence as self-sufficient farmers or as agricultural laborers. Tradition holds that the first Scots-Irish pioneer to bring his family to Mecklenburg County was Thomas Spratt. A marker in the 1900 block of Randolph Road in Charlotte marks the spot where Spratt constructed his home.



Stafford Slave Log House



McIntyre Log House (Destroyed)

In keeping with their limited economic resources, many of the early white settlers in Mecklenburg County, like their counterparts throughout North Carolina, erected “unpretentious, practical, and conservative homes.” Log buildings were especially popular. At a time when labor was scarce and wood and clay were plentiful and when the “transportation of imported materials was difficult and expensive,” homeowners and artisans naturally turned to familiar forms and techniques of construction. Some early abodes were crude structures made of “unhewn logs and without windows.” Local examples of early log buildings in Mecklenburg County are the Stafford Slave Log House and the McIntyre Log House. Others, such as the one-story, gable-roofed Albert Wallace Log House, were “better-finished buildings.”⁴ Log houses were widespread in the North Carolina Piedmont in the eighteenth and nineteenth centuries. Most are gone, especially in highly urbanized places like Mecklenburg County. The Albert Wallace Log House has special significance because it is one of the few

significantly in-tact examples of this building type extant in Mecklenburg County that is at its original site.

Special Significance Of The Albert Wallace Log House As A Dwelling For Enslaved People

In the 1850s, Albert Wallace (1817-1882), a member of an influential Mecklenburg County family, owned and resided on an approximately 750-acre plantation on the “head waters of Reedy Creek.” It contained several structures, including a frame plantation house, “gin houses, saw mill, and farming houses generally.”⁵ Tradition holds that among the structures Albert Wallace constructed on his plantation was the house now at 9425 Robinson Church Road.⁶ Wallace “was a man of wealth,” reported the *Charlotte Observer*, “owning a great number of slaves and a large amount of real estate.”⁷ The Slave Schedules in the U.S. Census for 1860 reveal that Albert Wallace owned 19 slaves. Among them was a 27-year-old female.⁸ Her age corresponds with that listed in the 1880 U.S. Census for “Tena Wallace,” who definitely occupied the house after Emancipation.⁹

Dixie Wynn Kelly (1945-Present) and her husband, William Thomas Kelly, III (1945-Present), purchased the Wallace House property in 1982 and continue to live there. They have been told several anecdotal stories about Tena Wallace. Dixie Kelly recalls conversing with an elderly woman named “Granny Knotts” who told her how she and other children would see Tena when they walked by the house in the very early 1900s. Ruth Clisson, another resident of the neighborhood, said that she had heard that Tena enjoyed working in the yard, gathering plants and herbs. William Kelly said that he was told that farmers who drove their cattle to Allen, a stop on the railroad in eastern Mecklenburg County, would water their herds at a spring on the Wallace House property, known as “Tena’s Spring.” The property was also called “Tena’s Hill.” That Tena Wallace and her husband, Jerry Wallace, and their children resided in the house from at least 1880 until after 1910 is irrefutable. The U. S. Censuses from 1880 through 1910 have listings for them. The anecdotal evidence from “Granny Knotts” and Ruth Clisson also supports this claim.¹⁰

Ruth Glisson told Dixie Wynn that she had heard that the Wallace family had built the house before the Civil War and that Tena had lived there as a slave. After Emancipation, claimed Clisson, Tena was permitted to continue to reside in the house because she had been a favored bondswoman.¹¹ This writer has found no documentary evidence to support this claim that Tena was a favored servant. One can, however, reasonably infer from the evidence set forth in this report that Tena Wallace and her husband lived in the Albert Wallace Log House as slaves.

Matthew Albert Wallace (1855-1896), Albert Wallace’s son, sold this portion of his father’s former plantation in October 1879.¹² It passed through several hands until November 9, 1950, when Gladys Davenport and her husband moved here from Baltimore and purchased the property and expanded and restored the Albert Wallace Log House.¹³ William and Dixie Kelly purchased the property in December 1982, made additions, and continue to make the Albert Wallace Log House their home.¹⁴ The present owners are deeply committed to the preservation of the property and are working with the Charlotte-Mecklenburg Historic Landmarks Commission to assure that that objective is achieved.

Special Significance As An African American Dwelling In The Era Of Sharecropping In Mecklenburg County

Largely because of its substantial output of cotton, Mecklenburg County was among the highest ranked counties in North Carolina in terms of the number of sharecropped farms. There is, however, a dearth

of African American sharecropper farming sites that survive in Mecklenburg County. The Albert Wallace Log House is one of the very few extant dwellings in which Mecklenburg sharecroppers resided. Deprived of their chattel labor after losing the Civil War, Southern landowners used various devices to attract the workers they needed to plant and harvest cash crops such as tobacco and cotton in the post-bellum years. Some farmers signed contracts, usually yearly, to pay their former slaves or impoverished whites and former freedmen to toil in the fields.¹⁵ Efforts were also made to encourage immigration from Europe, albeit with little success. But the labor system that enjoyed the greatest success in the South was sharecropping. Under this arrangement, farmers would make housing, land, and supplies available to laborers in return for their obtaining a portion of the harvested crops.

African Americans regarded the pre-war plantation system of compelling blacks to work in groups or gangs under the control of authoritarian overseers as abhorrent. Their deepest desire was to become landowners and to have complete control over their own labor. Partly because of their limited supply of money and partly due to the opposition of the majority of Southern whites to African American land ownership, the great majority of Southern blacks had to settle for less. "The large plantations, previously run as single production units," explains historian Edward Royce, "were divided into small plots of land." Freedpeople moved out of the old slave housing and "took up residence in separate family cabins" located on the thirty to fifty acres of land they leased from the owner.¹⁶ Blacks had to feed and clothe themselves, but the landowner provided the farming provisions. Sharecroppers worked independently in the fields as families. As compensation, at the end of each season, the sharecroppers kept a portion of the crop, usually one-third to one-half, for their own benefit. For blacks sharecropping was a "standoff." "Freedpeople remained dependent on planters, because of the latter's virtual monopoly of land," writes Royce, "and planters remained dependent on their former slaves, because of the latter's virtual control of labor."¹⁷ This arrangement of interdependency notwithstanding, there was no doubt who held the upper hand. Historian Dwight B. Billings, Jr. asserts that the "plantation system was reorganized" after the Civil War "through sharecropping and tenant farming." "Social and economic reforms promised during Radical Reconstruction," he writes, "were aborted and the civil and political rights of freemen were limited, first by physical force and terror, and at the end of the century by law."¹⁸

Whites were sharecroppers too. In his book *Sharecroppers: the way we really were*, Roy G. Taylor describes the patterns of everyday life that he and his family experienced as white sharecroppers in eastern North Carolina. It was mostly a life of self-sufficiency. His family had "home-grown food, home-grown wood and homemade clothes." They had "homemade lye soap, home-canned vegetables, fruits, and preserves, home-grown peas and beans."¹⁹ Taylor also remembers the many challenges his mother faced. They were no doubt similar to those that Tena Wallace encountered in Mecklenburg County. "Looking backward," says Taylor, "I don't know how those old-fashioned mothers bore the brunt of all the things they were exposed to." They looked "wrinkled and haggard" in their flannel nightgowns and caps as they made their rounds in the middle of the night to see that all the children were safe. Their hands were coarse and rough from the many hours they spent in dishwater or in washtubs scrubbing the family's nasty clothes. "Our mamas nourished us from their own bodies," Taylor remembers, "and rocked the cradles that soothed us; cooked, washed, ironed, sewed, cleaned up for us."²⁰ James Agree and Walker Evans discuss the plight of black sharecropper women in Alabama. In their book *Let Us Now Praise Famous Men*, the authors describe a twenty-seven-year-old mother as "wrung and drained and

old, a scrawny, infinitely tired, delicate animal.”²¹ The women sharecroppers, they said, wore “dresses wet in front with the dishwashing” and “hands softened and seamed as if withered with water.”²²



African American Sharecropper Mother With Her Children

Mishaps were common on sharecropper farms, and professional medical help was almost always unavailable. Children seldom wore shoes during the summer. Farm implements, like pitch forks, plows, and rakes, were strewn throughout the farmyard. Rusty nails were seemingly everywhere, so cuts and bruises were almost inevitable. Usually, it fell to the mothers to administer medical aid. Home remedies included placing tree leaves on a cut, dousing it with kerosene, exposing the cut to smoke coming from rags soaked with turpentine, and putting raw meat on a cut to draw out foreign objects like splinters. “Irish potato poultices were also used on some sores,” says Roy Taylor. “They scraped the potato and put it directly on the sore and I think they sometimes wrapped a collard leaf around the wound on top of the potato and then put on the rag bandage.”²³ An especially troubling threat to good health was vitamin deficiency. Many sharecropper families, especially in the winter, ate mostly fatback, cornbread and molasses. This limited diet would give rise to maladies like pellagra, a disease caused by insufficient Vitamin B. Symptoms include confusion or mental delusion, diarrhea, nausea, inflamed mucous membranes, and scaly skin sores.



Mules And A Plow Break The Brittle Soil



Pickers With A Tow Sack For Gathering Cotton

In 1880, Tena Wallace and her husband, Jerry Wallace, and seven children, ranging in age from 19 to 6, were living in the house on Robinson Church Road. Tena was “Keeping House.” Three of her sons, including a ten-year-old, were listed as “Farm Laborers.”²⁴ The harvesting of the cotton crop lasted almost until Christmas. In March it was time to hitch mules to the plow and begin breaking up the brittle soil in preparation for planting. In summer, with a scorching sun seemingly always overhead, “mule hooves and plow blades and bare black feet . . . would march between the furrows, without rest, for nearly every hour of every day.”²⁵ Fall was the season for harvesting. Pickers would work from sunup to sundown, cramming cotton into tow sacks that had straps fashioned from fertilizer bags. The fully-laden sacks of cotton were emptied onto cloth sheets, which were bound up and taken to the “weigh horse,” a scale hanging from a wooden support; and the number of pounds of cotton were recorded. Next, the sheets filled with cotton were emptied into a two-horse wagon that traveled to the nearest gin. “Ginning began early,” remembers Roy Taylor, “and the chug, chug, chug of the gin’s motors could be heard for a mile or more and with each chug round puffs of smoke rose from the exhaust.”²⁶ A long, large suction pipe took the cotton into the gin; the seeds were removed; and ginned bales of cotton were deposited on the loading platform. The bales were sold and hauled by rail to cotton mills. This was the big payday of the year. Such was the pattern of life for the majority of Mecklenburg sharecroppers in the late nineteenth and early twentieth centuries, including Tena Wallace and her family who lived in the Albert Wallace Log House on Robinson Church Road.



Weigh Horse



Cotton Gin

¹ The population of North Carolina doubled between 1730 and 1750 and almost tripled between 1750 and 1770. See Harry Roy Merrins, Colonial North Carolina In The Eighteenth Century. A Study In Historical Geography.

² In 1663, King Charles II rewarded eight of his allies who had helped him reestablish the English Monarchy. He parceled out the land in the colony of Carolina, named for Charles II, to the Lord Proprietors of Carolina. Each Proprietor was essentially a landlord who was to attract settlers to his land. Governance by the Proprietors was disjointed and largely ineffectual. In 1729, the Monarchy purchased all of the unsettled land from the Lord Proprietors, with one exception, and established two Royal Colonies. North Carolina and South Carolina became separate colonies in 1712.

³ The fall line is that point where rivers enter the coastal plain and are thereafter devoid of shoals or rapids.

⁴ Catherine W. Bishir, Charlotte V. Brown, Carl R. Lounsbury, Ernest H. Wood III, *Architects and Builders in North Carolina. A History of the Practice of Building* (Chapel Hill and London: The University of North Carolina Press, 1990), pp. 52-54.

⁵ *Charlotte Democrat*, August 23, 1856, January 3, 1860. Mecklenburg County Deed Book 3, p. 706.

⁶ (Interview of Dixie Wynn Kelly and William Thomas Kelly, III by Dr. Dan L. Morrill, April 5, 2018) Hereinafter cited as *Kelly Interview*. Albert Wallace lived a troubled life, mostly of his own making. Wallace did experience calamities that were beyond his control. He was predeceased by his first two wives, including the mother of six of his nine children (see <https://www.findagrave.com/memorial/73821042/albert-wallace>). A fire destroyed the gin house and grist mill on his plantation in October 1858 (see *Western Democrat*, October 12, 1858). In September 1858, Wallace witnessed the death of a man riding a horse down the road in front of Wallace's home. A dog ran in front of the horse, causing the beast to throw the rider. It was a fatal fall (see *Western Democrat*, September 14, 1858). It was the abuse of alcohol that produced the greatest misfortunes in Albert Wallace's life. He squandered much of his wealth and had to sell large portions of his land (see *Western Democrat*, September 23, 1856; *Charlotte Democrat*, January 3, 1860; *Daily Carolina Times*, October 15, 1869). Albert Wallace's life came to a tragic end on October 7, 1882. Wallace spent the day in Charlotte attending political rallies and participating in one of his favorite activities, drinking liquor. In the afternoon he headed for home in his wagon. Going at a "furious rate of speed" as he neared home, Wallace lost control, and his wagon 'ran into a deep rut." Wallace was jolted out of his wagon and "struck the ground on his head, and the force of the fall broke his neck." Wallace lived for about two minutes (see *Charlotte Observer*, October 8, 1902).

⁷ *Charlotte Observer*, October 8, 1882.

⁸ 1860 U.S. Census Slave Schedule.

⁹ 1880 U.S. Census.

¹⁰ *Kelly Interview*.

¹¹ *Kelly Interview*.

¹² Mecklenburg County Deed Book 22, Page 138.

¹³ Mecklenburg County Deed Book 1434, Page 22.

¹⁴ Mecklenburg County Deed Book 4600, Page 970.

¹⁵ Douglas A. Blackmon, *Slavery By Another Name. The Re-Enslavement of Black Americans From The Civil War To World War II*, (New York: Anchor Books, nd.), 26.

¹⁶ Edward Royce, *The Origins of Southern Sharecropping*, (Philadelphia: Temple University Press, 1993), 181.

¹⁷ Royce, 183.

¹⁸ Dwight B. Billings, Jr., *Planters and the Making of the "New South."* Class, Politics, and Development in North Carolina, 1865-1900, (Chapel Hill and London: The University of North Carolina Press, 1979), 101.

¹⁹ Roy G. Taylor, *Sharecroppers: the way we were*, (Wilson, N.C.: J-Mark, 1984). 1.

²⁰ Taylor, 72-73.

²¹ James Agee and Walker Evans, *Let Us Now Praise Famous Men*, (Boston: Houghton Mifflin Company, 1939 & 1940), 71.

²² Agee and Walker, 70,

²³ Taylor, 83-84.

²⁴ 1880 U. S. Census.

²⁵ Blackmon, 37.

²⁶Taylor, 10.

Wallace Log House – Architectural Description



The one-and-one-half-story ca. 1850 Albert Wallace Log House faces south on an approximately 10-acre lot in the eastern portion of Mecklenburg County.



View of the house and land from the east.

The house is set back approximately 150' from Robinson Church Road, and is separated from the road by a grassy yard. To the east of the house is a fenced pasture that fronts the road. To the west of the house the land slopes down steeply to a large tributary of the Reedy Creek. The 10-acre lot is a multi-sided polygon, 950' at its widest

(east-west) and 650' deep (north-south). To the rear of the house the site is heavily wooded, with rolling topography that slopes down to the west.



It is very likely that the log house did not originally have siding. Photographs from 1948 show the log house in poor condition. The logs are exposed, with boards nailed over the joints between the logs.



A 1949 photograph shows a restored log house, with exposed chinking, and repaired or replaced windows. The log house features a door centered in the façade. Originally additional fenestration on the façade was limited to a single window to the west of the door. The west elevation features a centered, shouldered, brick chimney.



A 1950 photograph shows the front elevation covered with lap siding. A new window has been cut into the front elevation to the east of the door. The east elevation features exposed logs with a window centered on the wall. The gable is covered with vertical board-and-batten siding. Two small windows are set in the gable. The roof has a minimal overhang. The roof extends to the rear to cover a one-bay-deep, frame addition with a large double-hung window set in the east elevation of the addition.



A ca. 1956 photograph shows a block (CMU) wing being constructed on the west elevation. The principal section of the house features a small gabled porch supported by boxed posts. The west elevation is covered with siding. The façade features a replacement vertical-board door. The windows on the facade are flanked by simple decorative shutters.



The west elevation of the log section of the house is largely obscured by the ca. 1956 wing. The west elevation features a simple brick chimney, the upper portion of which has been re-built. Forward of the chimney, a single small sash window pierces the gable. The ca. 1956 block, side-gabled wing is covered with lap siding. The wing is set back from the facade, and is shorter than the principal section of the house. The wing is composed of two sections. The section adjacent to the log portion of the house features a projecting bay window. The westernmost section of the wing is set back slightly, with the gabled roof set lower. A brick chimney is centered on the wing's west elevation.



Fenestration on the east elevation has not been changed from the design shown in the photograph from 1950. The single-pane windows may date from the mid-20th-century renovation. Lap siding runs uninterrupted across the log and frame sections of the elevation. The siding on the front elevation and the east elevation runs nearly to the grade. The log section of the house appears to sit on a low concrete foundation.



A shed-roofed porch and a ca. 1956 gabled wing extend from the rear of the house. The rear wing rests on a brick foundation.



A two-part shed roof extends from the rear of the block wing, and covers a screened porch that is supported by wooden posts.



The interior of the log section of the Wallace Log House is composed of a single large room on the first story. The interior features original ceiling beams that span the log portion of the house. The beams run from front to rear. The flooring, ceiling, and vertical interior siding are all tongue-and-groove pine boards that may date from the 1950s. The original brick firebox in the principal section of the house has survived, although portions of the chimney have been replaced. The firebox surround and mantle appear to have been replaced.



Steps lead from the first-story room to a loft. The tongue-and-groove ceiling of the principal room is the flooring of the loft. Tongue-and-groove beveled boards cover the walls and ceilings, and may date from the 1950s. The interior of the one-bay-deep, frame addition attached to the rear of the log portion of the house does not appear to have retained any original features. The older addition, as well as the interiors of the block addition and the rear wing are finished with pine flooring, vertical tongue-and-groove interior siding, and tongue-and-groove board ceilings.

Several outbuildings are set to the rear of the house. All date from the last quarter of the 20th century except for a small one-bay-wide, front-gabled outbuilding, that may have served as a small barn. The building may date from 1900, and is covered with vertical boards, a metal roof, and features a board door.



Architectural Context

The Wallace Log House is one of the few surviving log houses in Mecklenburg County. Similar documented one-and-one-half-story Mecklenburg County log houses include the now demolished ca. 1770 John McIntyre Log House and the now demolished ca.1770 NC Route 271 McIntyre Log House.



John McIntyre Log House, ca. 1770 (demolished 1940s)



NC Route 271 McIntyre House, ca. 1770 (demolished 1941)

The oldest portion of the Hugh Torrance House and Store is a one-and-one-half-story log house. The log house was incorporated into a larger frame house in 1805 and now is the house's rear wing.



Other traditional surviving log houses feature a different house form. These include the two-story ca. 1785 Cooper Log House and the two-story 1881 Ephraim Alexander McAuley House.



Cooper Log House



Ephraim Alexander McAuley House



Agenda Date: 10/15/2018

Agenda #: 6.**File #:** 15-9311 **Type:** Historic Landmark

Antioch Missionary Baptist Church Cemetery

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Antioch Missionary Baptist Church Cemetery" (listed under Tax Parcel Number 15904104 including the land and all landscape features associated with tax parcel) as an Historic Landmark.

Property Owner: The Trustees of the Antioch Missionary Baptist Church

Location: 3712 Monroe Road in Charlotte, North Carolina

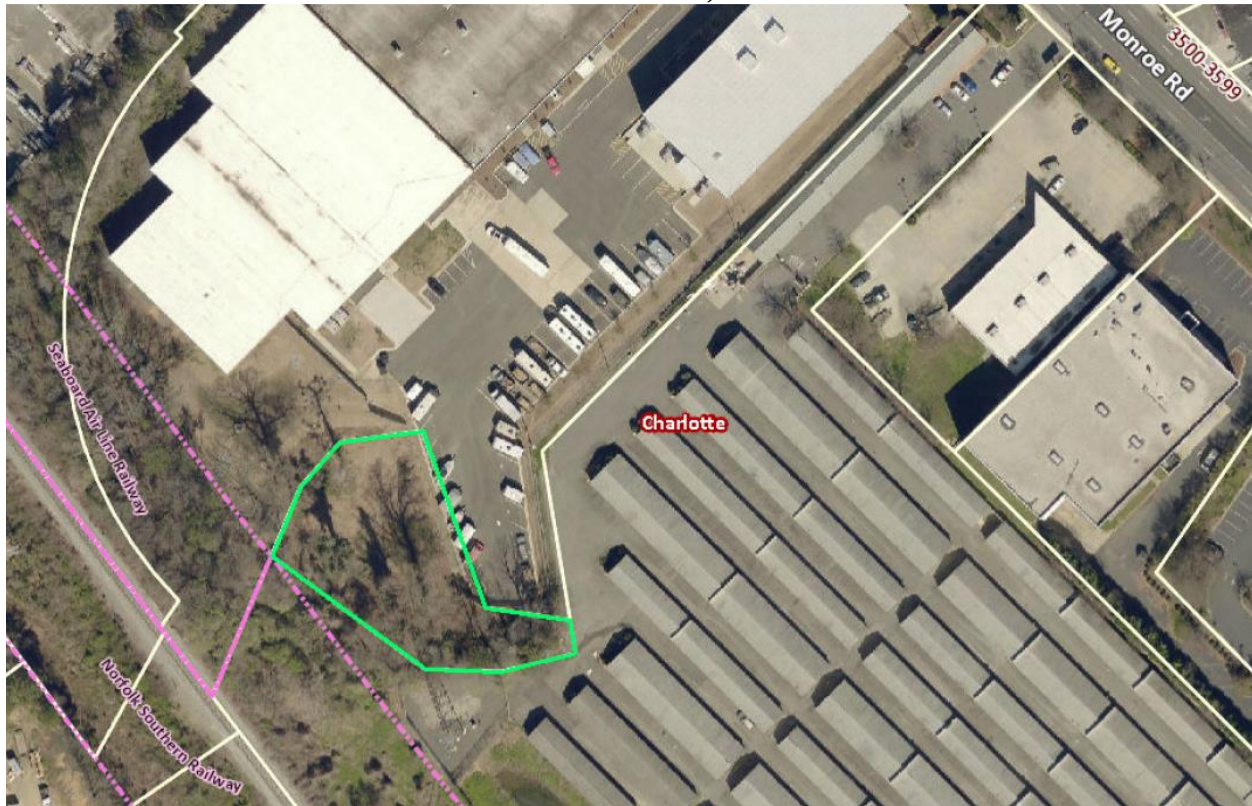
Attachments:

Antioch Missionary Baptist Church Cemetery Cover

Antioch Missionary Baptist Church Cemetery Ordinance

Antioch Missionary Baptist Church Cemetery Survey and Research Report

Antioch Missionary Baptist Church Cemetery 3712 Monroe Road, Charlotte



The Antioch Missionary Baptist Church Cemetery is the resting place of the founding generation of the church. That first generation included men and women who had been members of an enslaved community in Blackstock, South Carolina, and who had reassembled in Charlotte after Emancipation. The founders of Antioch Missionary Baptist Church were examples of first- and second-generation free African Americans who migrated within the South, settling in and just outside urban areas where blue-collar work made it possible for them to support their families and themselves. The property also contains important examples of funerary art. The Charlotte-Mecklenburg Historic Landmarks Commission is recommending that City Council vote to designate the Antioch Missionary Baptist Church Cemetery as an historic landmark.



Ordinance – Antioch Missionary Baptist Church Cemetery

Ordinance designating as an Historic Landmark a property known as the “Antioch Missionary Baptist Church Cemetery” (listed under Tax Parcel Number 15904104 as of August 20, 2018, including the land and all landscape features associated with tax parcel). The property is located at 3712 Monroe Road in Charlotte, North Carolina, and is owned by the Antioch Missionary Baptist Church.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, 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 17th day of September 2018, on the question of designating a property known as the Antioch Missionary Baptist Church Cemetery as an 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 10th day of September 2018, on the question of designating a property known as the Antioch Missionary Baptist Church Cemetery as an historic landmark; and

WHEREAS, the Antioch Missionary Baptist Church Cemetery is the resting place of the founding generation of the Antioch Missionary Baptist Church, and that first generation included men and women who had been members of an enslaved community in Blackstock, South Carolina, and who had reassembled in Charlotte after Emancipation; and

WHEREAS, the founders of Antioch Missionary Baptist Church were examples of first- and second-generation free African Americans who migrated within the South, settling in and just outside urban areas where blue-collar work made it possible for them to support their families and themselves; and

WHEREAS, the Antioch Missionary Baptist Church Cemetery contains important examples of funerary art; and

WHEREAS, Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Antioch Missionary Baptist Church Cemetery possesses special significance in terms of its history, and/or cultural importance; and

WHEREAS, the property known as the Antioch Missionary Baptist Church Cemetery is owned by the Antioch Missionary Baptist Church.

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

1. That the property known as the “Antioch Missionary Baptist Church Cemetery” (listed under Tax Parcel Number 15904104 as of August 20, 2018, including the land and all landscape features associated with tax parcel) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 3712 Monroe Road, Charlotte, Mecklenburg

County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Antioch Missionary Baptist Church Cemetery” (2018).

2. That said designated historic 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 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 160A, Article 19, and amendments thereto, and hereinafter adopted.

3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said 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 historic landmark from making any use of the historic 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.

4. That a suitable sign may be posted indicating that said property has been designated as an historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

5. That the owners of the historic landmark known as the “Antioch Missionary Baptist Church 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.

6. That which is designated as an historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 20____, 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

**Survey and Research Report
Antioch Missionary Baptist Church Cemetery
3712 Monroe Rd., Charlotte, NC 28205**

1. Name and location of the property

The Antioch Missionary Baptist Church Cemetery is located at 3712 Monroe Road, Charlotte NC, 28205. The cemetery is located in a fenced area behind the parking lot of Atlantic Climate Controlled Storage (3404 Monroe Rd.), which controls access, although Antioch Missionary Baptist Church Trustees are the property owners.

2. Name, address, and telephone number of the present owner of the property:

Antioch Missionary Baptist Church/Trustees
Antioch Missionary Baptist Church
232 Skyland Ave.
Charlotte, NC 28205
(704) 332-4991
email@antiochfamily.org

3. Representative photographs of the property:

Please refer to Appendix 2.

4. A map depicting the location of the property:

Please refer to Appendix 3.

5. Current Deed Book Reference to the property:

The most recent deed for the property is listed in Mecklenburg County Deed Book B, page 216. The Tax Parcel Number of the property is 15904104.

6. A brief historical sketch of the property:

Antioch Missionary Baptist Church Cemetery is the resting place of at least 74 Charlotteans, including the founding generation of a church that remains an important part of Charlotte's religious life 130 years after its founding. That first generation included men and women who had been members of an enslaved community in South Carolina, and who had reassembled in Charlotte after Emancipation, as well as other formerly enslaved people and their descendants.

The land that is now the location of the Antioch Missionary Baptist Church Cemetery was purchased on November 23, 1895, from the estate of Pat Hall.¹ About four years earlier, a group of African American residents of the Charlotte area began to meet for worship at the home of a charismatic young South Carolina native, Jim McVay (1869-1960), who lived in the Cherry community on the outskirts of Charlotte.² According to the Antioch Missionary Baptist Church's online history, "For a considerable time, the Church worshipped and held meetings under a brush arbor when the weather permitted. Later, the Church was granted permission to use a local schoolhouse for its meetings."³

Jim McVay was a member of a group of families joined by marriage who had come to the Charlotte area from in and around Blackstock, South Carolina, an area on the line between Chester and Fairfield Counties. Vital records show that the McVays and the Brice family both came from the Blackstock area, and the family of early member Patsy Strong McVay was from the same community, shown in the 1870 census as having several Brice families as neighbors.

Among this extended family were several people who had been born during slavery. While it is yet to be established on what plantations or in what households the oldest members of Antioch's founding generation had lived before the Civil War, the white Brice and Strong families were both large slaveholders in Fairfield and Chester Counties, and the African American families of the same last names do not appear in antebellum census records as free people, so it seems likely that a Brice and/or Strong plantation near Blackstock was where these families originated. Among the early congregation members known to be buried at Antioch, the oldest is Elijah McVay, Jim McVay's father, who was born around 1826.⁴ Several other members were born before Emancipation. Daniel Brice was born at Blackstock in 1836, and his daughter Bella Brice Boyd was born in 1858.⁵ Patsy Strong McVay was born in 1853; census records suggest that as a girl she probably knew her grandmother, Tabby Strong, who was born (according to the 1870 census) in 1775.⁶ Members of the extended Bogan family, who came from Morven in Anson County, and settled in the Old Monroe Road community known as the Crab Orchard, were also among the early Antioch congregants.⁷ Paul Fox was born in 1848 in North Carolina.⁸ Fox's familial relationship, if any, to the other

¹ <http://www.cmstory.org/content/antioch-baptist-church>, accessed January 12, 2018

² "He Saw City Born From 'Bush Arbor.'" Undated newspaper clipping, September 19, 1960, in Antioch Missionary Baptist Church's history album.

³ <https://www.antiochfamily.org/church-history>, accessed January 11, 2018

⁴ Death certificate for Elijah McVay, June 24, 1916, file number 60, certificate number 411, North Carolina State Board of Health; the death certificate records that McVay, who died on June 23, 1916, was 90 years old.

⁵ Death certificate for Bella Boyd (sic), file number 161, certificate number 43, January 25, 1915, North Carolina State Board of Health.

⁶ Death certificate for Patsy McVay, file number 488, register number 546, August 18, 1923, North Carolina State Board of Health; 1870 Census, Fairfield County, South Carolina.

⁷ Correspondence with Jimmie Kirkpatrick, February 2, 2018.

⁸ Death certificate for Paul Fox, file number 179, register number 794, December 8, 1922, North Carolina State Board of Health.

early members has not yet been established. (Some of these birth dates may be estimated, given the uncertainty that many formerly enslaved people had about their ages.)

In 1900, the Antioch congregation built their first dedicated church building, constructed on the site that is the subject of this application. Rev. S. W. Waddell became Antioch's first minister, and Jim McVay the first deacon (an office he would hold until his death sixty years later).⁹ The original building was destroyed by fire, and a second church was constructed on the site in 1922.¹⁰

Rev. Waddell was, like other members of the early Antioch congregation, born enslaved in South Carolina. In 1923, he spoke to a writer for the *Monroe Journal*, and shared memories of slavery and the Civil War.

Pastor of one church for thirty-six years is the enviable record of Rev. W. S. Waddell, well-known colored minister. Antioch Baptist Church, near Charlotte, is his charge and friends of the preacher, who is seventy years old, expect him to serve for many more years. Rev. Waddell has a vivid recollection of pre-war days. He remembers being sold at the Polly Medders sale, previous to the declaration of war between the states, to J. Jackson, of Chesterfield county [South Carolina]. His mother, sold at the same time, brought \$800 but he does not remember the price he fetched. When the war ended, the preacher says he was picked up by a Yankee regiment, told that he was free, and that they were going to take him north and give him an education. "I went along," said Rev. Waddell, "but after we passed through Anson county, and when I thought we were almost up north, I found that we had around 2500 miles to go. That was too great a distance for my childish mind to comprehend, so when night came I slipped away, hot-footing it back to my old mistress and master."¹¹

The second church building, constructed in 1922, had a pastor's study, choir room, indoor restrooms, office, and a basement, which included a dining and assembly area. Surviving photographs in the congregation's archive show a white wooden church building of a traditional African American architectural form, with towers flanking the front-facing gable end. Jimmie Lee Kirkpatrick (born 1948), a descendant of Jim McVay who grew up attending Antioch Missionary Baptist Church, remembers that the baptismal pool was underneath the floor; in order to open it, the preacher's seat would be moved aside, and the rug rolled back to expose a door in the floor. Kirkpatrick was baptized in this pool at the age of 12. (He remembers as well that the church was heated by woodstoves, and that new benches were installed around 1953 or '54.)¹²

⁹ Ibid.

¹⁰ Jimmie Lee Kirkpatrick, great-great-grandson of Jim McVay, whom he knew as a child, remembers hearing Jim McVay and his contemporaries discussing the fire. Telephone conversation, January 18, 2018.

¹¹ "Local and Personal," *Monroe (NC) Journal*, February 2, 1923, page 5.

¹² Telephone conversation, January 18, 2018.

In an article in the September 20, 1975, edition of the *Charlotte Observer*, two then-elder church members, Cornelia McVay (Deacon McVay's daughter-in-law) and Mrs. E. D. Davis, reminisced about what it was like to attend church at the Monroe Road location.

When Mrs. E. D. Davis was baptized 66 years ago, the immersion took place in the front yard of the Antioch Baptist Church, where a hand-dug pool was filled with water hauled from Briar Creek.

"On the Sunday I got baptized, somebody brought a water moccasin up in a barrel of water and it was swimming around in the pool when the 16 of us were baptized," recalled Mrs. Davis, 80. [...]

"I remember many a Sunday when we had to keep our coats on and huddle together because there was no coal for the stove and no money," said Cornelia McVay, 85...

The 1975 *Observer* article makes reference to the economic conditions of some church members' lives in the early years of Antioch.

Money was always scarce for all the black members of Antioch, most of whom were farmers or domestics like Mrs. McVay and Mrs. Davis.

"I remember making about \$6 a week working with the family I worked for for 58 years," said Mrs. McVay . . . "And I gave \$1 a week to the building fund."¹³

Indeed, the early members of Antioch Missionary Baptist Church were hard-working people with largely blue-collar jobs. According to their death certificates, many of the women who were buried in the cemetery worked as domestics, as indicated in the *Observer* article. These include Patsy McVay, and another woman of her generation, Tempy Holmes, who was born in Mecklenburg County in 1863.¹⁴ Several men and at least one woman worked as laborers. Siblings Lucy Alexander (1891-1942) and Steve Garfield Alexander (1887-1958) left Charlotte and worked in the tobacco industry in Winston-Salem, but when they died their bodies were brought back for burial at Antioch.¹⁵

Although some of the men and women buried in the churchyard lived very long lives, others' lives were tragically short. At least four babies are buried at Antioch, including

¹³ Milton Jordan, "Antioch III Finds Home." *Charlotte Observer*, Saturday, September 20, 1975, page 1B.

¹⁴ Death certificate for Patsy McVay, file number 488, register number 546, August 18, 1923, North Carolina State Board of Health; death certificate for Tempy Holmes, file number 70, register number 60-01, certificate number 25, September 4, 1943, North Carolina State Board of Health.

¹⁵ Death certificate for Lucy Alexander, file number 257, certificate number 59, June 30, 1942, North Carolina State Board of Health; Death certificate for Steve Garfield Alexander, file number 33111, certificate number 1547, January 6, 1959, North Carolina State Board of Health.

Grace Springs (August 31, 1951 – February 2, 1952), Alice Virginia Jordan (August 11, 1968 – August 21, 1968), and an unnamed baby of the Brown family (born and died November 14, 1952).¹⁶ At least two men died by homicide, according to their death certificates. J. L. Alexander, age 25, died when his throat was cut at Ellison and Cherry Streets on July 25, 1948; David Anderson, Jr., age 24, died from a .22 gunshot wound to the abdomen sustained in his home on the night of December 5, 1952.¹⁷ Several women buried at Antioch died in their twenties and thirties, all listed as having worked as domestics (in one case, specifically a cook) — Classie Lytle died at 35 of nephritis; Alberta Washington at 33 of tuberculosis; Birdie Mae Kirkpatrick at 32 of a cerebral hemorrhage; Annie Izzard at 29 of pneumonia; and Carrie Caldwell at only 25 of pneumonia.¹⁸

In October of 1958, a mother and four children died in a house fire, and all—Lucille McDaniel, age 40, 11-year-old Mabel McDaniel, James and Ann McDaniel, both eight, and seven-year old Sandra McDaniel—are buried at Antioch. A harrowing account of the tragedy appeared in the *Carolina Times*, an African American newspaper published in Durham. The fire broke out on a Sunday morning while the husband and father, John McDaniel, was “chopping kindling on a nearby hill to make a fire to warm water to go to church.” He returned home to find the house burning, with his wife and their four youngest children trapped inside. McDaniel broke a bedroom window and called to his wife, but she was apparently already unconscious, and though he tried to enter the house, he was unable to reach Lucille or the four children whose bodies were later found alongside her remains. Two older daughters survived—Greta, 20, and Johnnie Mae, 18, both of whom had run to neighbors for help—as well as the family’s baby, rescued by one of the grown daughters.¹⁹ Johnnie Mae McDaniel is still a member of Antioch Missionary Baptist Church.

The life stories, and death stories, of the men, women, and children buried at Antioch Missionary Baptist Church Cemetery form a portrait of a working-class 20th-century African American community in Charlotte. Hard work and poor health, and sometimes disaster, were part of their lives, yet together they built a church community that is now over a century old, and continues to thrive. Just as Cornelia McVay remembered saving up one of the six dollars that she made each week, and contributing it to the church’s

¹⁶ Death certificate for Alice Virginia Jordan, August 27, 1969, file number 28026, North Carolina State Board of Health; Death certificate for Grace Darnell Springs, file number 3381, certificate number 138, February 7, 1952, North Carolina State Board of Health;

<https://www.findagrave.com/memorial/63579776/baby-brown>, accessed January 12, 2018

¹⁷ Death certificate for J. L. Alexander, July 30, 1948, file number 15805, North Carolina State Board of Health; Death certificate for David Anderson, Jr., December 17, 1952, file number 30174, North Carolina State Board of Health.

¹⁸ Death certificate for Classie Lytle, file number 452, register number 593, September 7, 1923, North Carolina State Board of Health; Death certificate for Alberta Washington, file number 17445, certificate number 29, August 31, 1944, North Carolina State Board of Health; Death certificate for Birdie Mae Kirkpatrick, file number 200, certificate number illegible, May 8, 1941, North Carolina State Board of Health; Death certificate for Annie Izzard, file number 43, certificate number 1166, December 15, 1938, North Carolina State Board of Health; Death certificate for Carrie Caldwell, file number 32075, register number 1120, December 31, 1918, North Carolina State Board of Health.

¹⁹ *Carolina Times*, October 18, 1958, pp. 1 and 8.

building fund, the congregation worked again to raise funds for a new home when the 1922 church building was no longer adequate for the congregation's needs. In September of 1975, Antioch Missionary Baptist Church moved to their new home at 232 Skyland Avenue, which is its location today.

Over the course of the more than 40 years since, the Antioch Missionary Baptist Church cemetery fell into disuse. The old church is no longer standing. In recent years, Antioch's members have teamed up to restore the cemetery, cutting trees, clearing underbrush, and uncovering headstones. Unfortunately, although the cemetery is owned by the Trustees of Antioch Missionary Baptist Church, the storage company now located next to the cemetery controls access to it. In order to visit their ancestors' graves, church members must visit during the storage company's hours of operation, and request entrance through the electronic security gate.

To the wider community, the cemetery is essentially invisible, just as the life stories of the people buried there are so little known. Historic landmark status would help to bring deserved recognition to Antioch Missionary Baptist Church Cemetery, and educate the public about this important church community of early 20th-century Charlotte.

7. A brief physical description of the property:

Located at 3712 Monroe Road in Charlotte, the nearly-half-acre Antioch Missionary Baptist Church Cemetery is accessible only through the gated parking lot of Atlantic Climate Controlled Storage at 3404 Monroe Road. A retaining pond behind the storage building, next to the northwest side of the property, may pose a flooding risk to the cemetery. To the south and west the cemetery is bounded by a railroad track, which, according to McVay descendant Jimmie L. Kirkpatrick, was a route by which congregation members reached the church on foot before the 1975 relocation to Skyland Avenue.²⁰

While many graves are unmarked except by depressions in the ground, some headstones do remain. Of these, at least 16 are professionally made monuments in forms commercially available between the 1910s and 1970s, while the cemetery was in use. The most elaborate discovered thus far is that of Daniel Brice (1836-1924); his marker is a small flat-topped obelisk, with a geometric design of doves and palm or evergreen leaves at the top, above the inscription, and bordered near the base with the decorative device of a pot of ivy, the tendrils of which wrap around the stone. The majority of the extant markers are of vernacular forms. Perhaps most notable is that of Authar Gamble (born 1930, death date illegible), an upright slab-style headstone. The name and dates were hand-inscribed while the concrete was wet, and the carver also incised an image of an angel, apparently traced from a stencil or printed image. Also significant are two sandstone markers, apparently architectural scrap material, one skillfully hewn but

²⁰ Jimmie L. Kirkpatrick remembers walking the two or three miles from his family's home to Antioch Missionary Baptist Church, using the railroad tracks for access to the wooded area where the church stood. (Telephone conversation, January 12, 2018)

bearing neither text nor decoration, the other featuring only initials. (Please see Appendix 2 for photographs.) At least one funeral home marker remains, that of Richard Lee Perry (1957-1962), provided by Alexander Funeral Home. The majority of the exposed headstones, however, are unmarked fieldstones, molded slabs or fragments of concrete, cinderblocks, and other improvised markers.

8. Documentation of why and in what ways the property meets criteria for designation set forth in N.C.G.S. 160A-400.5:

a. Special significance in terms of its history, architecture, and /or cultural importance:

Antioch Missionary Baptist Church has been an important base for Charlotte's faith community for more than 130 years. This deeply rooted congregation still includes descendants of its founders, and in well over a century it has only had six pastors. (Rev. S. W. Waddell was succeeded by Rev. John B. Massey, Rev. G. W. Crosby, Rev. D. F. Moore, Rev. Preston Pendergrass, and the current pastor, Rev. Donnie R. Garriss.) Today it is home to thirty-eight ministries, and served by fourteen associate ministers, almost fifty deacons and deaconesses, fourteen trustees, and 650 working laity.²¹ For this reason alone—the prominence of the modern church—the Antioch Missionary Baptist Church Cemetery would be deserving of recognition.

However, its significance to the history of the wider Charlotte community, and that of the Carolinas, is equally compelling. While it is a well-known phenomenon of nineteenth-century Southern history that emancipated men and women migrated north in search of work and improved quality of life, that story is most often told in the context of Southerners moving to the Northern states. The founders of Antioch Missionary Baptist Church were examples of first- and second-generation free African Americans who migrated within their region—only sixty miles, in the case of the core community of founders from Blackstock, South Carolina—settling in and just outside urban areas where blue-collar work made it possible for them to support their families and themselves. That economic mobility also made possible the building of church homes, which continue to be a crucial part of Charlotte's spiritual and social life today.

b. Integrity of design, setting, workmanship, materials, feeling, and/or association:

Antioch Missionary Baptist Church Cemetery represents a highly significant, intact collection of twentieth-century African American funerary art. The commercial and vernacular forms of grave markers found in the cemetery reveal the complexity of early-twentieth-century African American memorial practices. Of particular note are the hand-incised design and inscription on the concrete grave marker of Authar Gamble, and the unmarked piece of worked architectural sandstone used as an anonymous marker. (Please see photographs in Appendix 2.) Comparing these markers, as well as the many unmarked fieldstones and pieces of building material, with the commercially

²¹ <https://www.antiochfamily.org/church-history>, accessed January 12, 2018

made gravestones at the site (such as that of Daniel Brice, also pictured in Appendix 2), these markers reflect the economic and educational diversity within a single faith community, the reverence in which ministers and community elders were held, and the creativity and resourcefulness with which vernacular gravestone makers set about to memorialize their loved ones.

Though some died more than a century ago, the men, women, and children buried at Antioch Missionary Baptist Church Cemetery are remembered by the present congregation. Led by Trustee and church historian Mary Bradley, church members have devoted many volunteer hours to clearing and restoring the cemetery. However, the industrial development along Monroe Boulevard threatens the integrity of the site by creating restrictions to access, and possibly the threat of flooding. Despite tremendous efforts of church members to restore their ancestors' resting place, further protection of the site is greatly needed.

9. Ad Valorem Tax Appraisal:

The total acreage of the tract of land on which the Antioch Baptist Church Cemetery is located is 0.4759. The total appraised value of the Tax Parcel is \$104,500. The property is zoned SF.

10. Portion of the Property Recommended for Designation:

The land and features associated with the tax parcel, with the boundary of the tax parcel serving as the boundary of the designated property.

11. Date of Preparation of this Report: January 12, 2018

Prepared by: Sarah Bryan

Appendix 1

Known burials at Antioch Missionary Baptist Church

Sources: Church records, www.findagrave.com, death certificates, and walking survey.

1. J. L. Alexander
2. John Alexander
3. Lucy Alexander
4. Mariah McVey Alexander
5. Steve Garfield Alexander
6. Walter Franklin Alexander
7. David Anderson, Jr.
8. Minnie Shannon Anderson
9. Robert Archie
10. Emma Bailey
11. P. H. Bailey
12. Arthur Columbus Barber
13. Edna Barber
14. Noah Barber
15. Reuben Barber
16. Minnie Bell
17. Willie Bell
18. C. A. Bogan
19. Belle Brice Boyd
20. Daniel Brice
21. Daniel Brice
22. Baby Brown
23. Claretha Butler
24. Carrie Biggers Caldwell
25. Lottie Caldwell
26. Baby girl Tressa Clifton
27. Mary Conner
28. George Cousar
29. Thomas Davis
30. Rev. John Eily
31. Narcissus Elliott
32. Eliza Hasty Foster
33. Paul Fox
34. Authar Gamble
35. Lula Gilmore
36. Tempy Massey Holmes
37. Annie White Izzard
38. B. J. Johnson
39. Charlie Johnson
40. Hattie Johnston

41. Alice Virginia Jordan
42. Berta (Birdie) Mae McVay Kirkpatrick
43. Truelove Hasty Leak
44. Perry Lightener
45. Ann McDaniel
46. James T. McDaniel
47. Lucille McDaniel
48. Mabel McDaniel
49. Sandra McDaniel
50. Elizabeth Delice McManus
51. Jim McVay, Sr.
52. Will McVay
53. Narcissus McVay
54. Patsy Strong McVay
55. John McVey
56. Robert Miller
57. Anna Bogan Monroe
58. Pastor J. D. Moore
59. Lillie Moore
60. Ethel Mills Parks
61. Huston Perry
62. Richard Lee Perry
63. Katie L. Redfern
64. Thomas Reid
65. Thomas Reid, Jr.
66. Mary Ann Shannon
67. Susie Simpson
68. Susie L. Singleton
69. Grace Darnell Springs
70. Alice Simmons Stitt
71. Silas Walker
72. LaChris Shanae Walls
73. Alberta Marion Washington
74. Lillie Willis

Appendix 2

A. Examples of extant tombstones (2017, photos by Sarah Bryan)



Authar Gamble grave marker



Uninscribed sandstone marker



Daniel Brice marker

B. Photographs church members and 1922 church building, from Antioch Missionary Baptist Church archive.



Antioch Missionary Baptist Church founder James McVay, with three of his children. Pictured from left to right, William McVay, Essie Belle McVay Stitt, James McVay, Sr., and Emma "Pet" McVay Stroud. Both William and James McVay are buried at Antioch Missionary Baptist Church Cemetery.



Antioch Missionary Baptist Church members, circa 1940s.

Back row, left to right: Connie William, Hubert Southerland, Mr. Booker, unknown, unknown, Mr. Bell.

Second row: Jim Grier, Thomas Reid, unknown, J. C. Singleton, Robert Baker, Leslie Singleton.

Front row: James McVay, Mammie Shannon, Lillie Moore, Pastor J. D. Moore. (The men pictured were members of the Deacon Board.)



Women of Antioch Missionary Baptist Church, circa 1950s

Back row, left to right: Stella Singleton, Jessie Southerland, Luther Mae Kilgo, Janie Cochrane, Connie Cook, Bessie Reid, Mary Ervin, Lorraine Harris, Ann Stradford, Jeanette Benton, Stella McGill, Mary Walls Louise Huey, Inez Hastens, Thelma Boulware.

Front row: Louise Cherry, Jerome Watson, Helen Singleton, Martha Eily, Parlie Baker, Essie Backer, Irma Kirkpatrick, Geraldine Baker, Jeanette Benton, Ada McIlwain, Mrs. Clifton, Elizabeth Grier, Beulah Baker.

(Jerome Watson, Luther Mae Kilgo, and Elizabeth Grier are now in their 90s and still members of Antioch Missionary Baptist Church.)



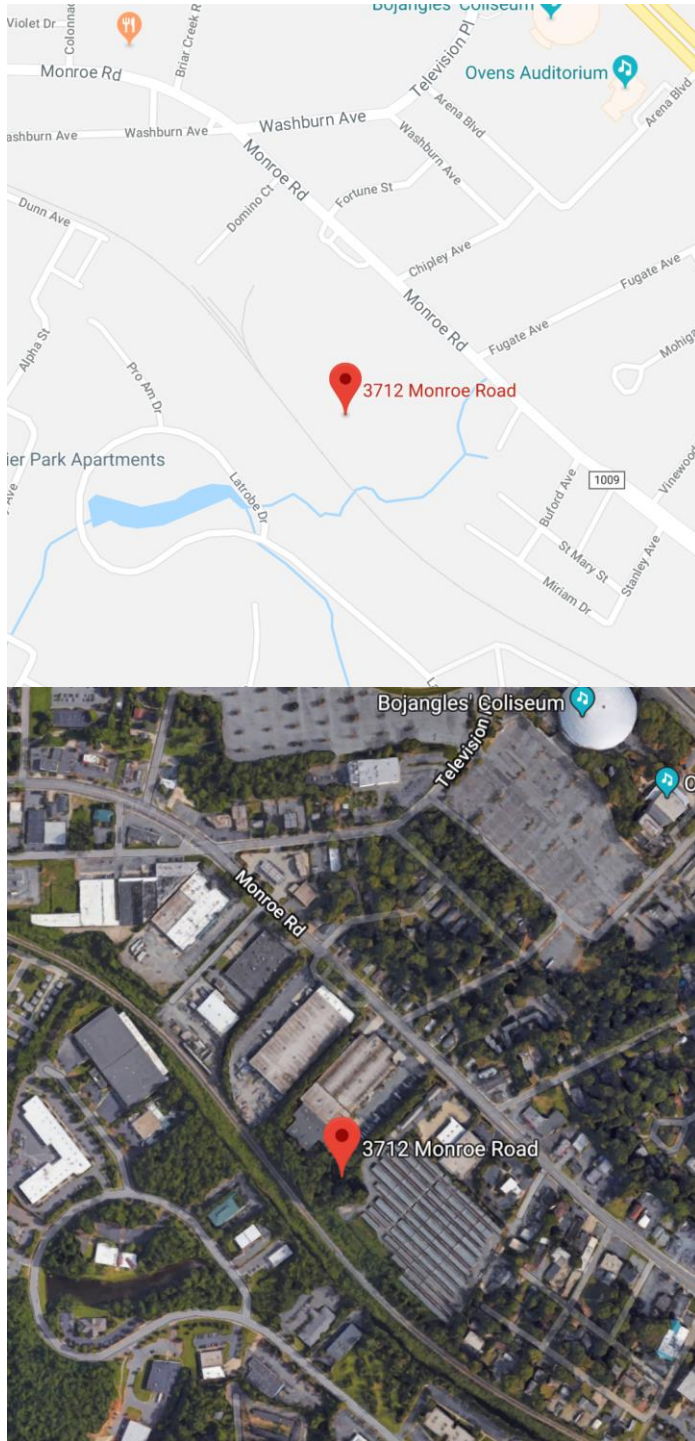
Pastor J. D. Moore and Mrs. Lillie Moore in white; two seated men unknown.



1922 church building at Monroe Road site

Appendix 3

Maps of property (via Google)





Agenda Date: 10/15/2018

Agenda #: 7. **File #:** 15-9312 **Type:** Historic Landmark

Hennigan Place

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Hennigan Place" (listed under Tax Parcel Numbers 23111438, 23111437, 23111403, and 23111402) as an Historic Landmark.

Property Owner: Snow Homeplace LLC

Location: 3603 Tilley Morris Road in Charlotte, North Carolina

Attachments:

Hennigan Place Cover

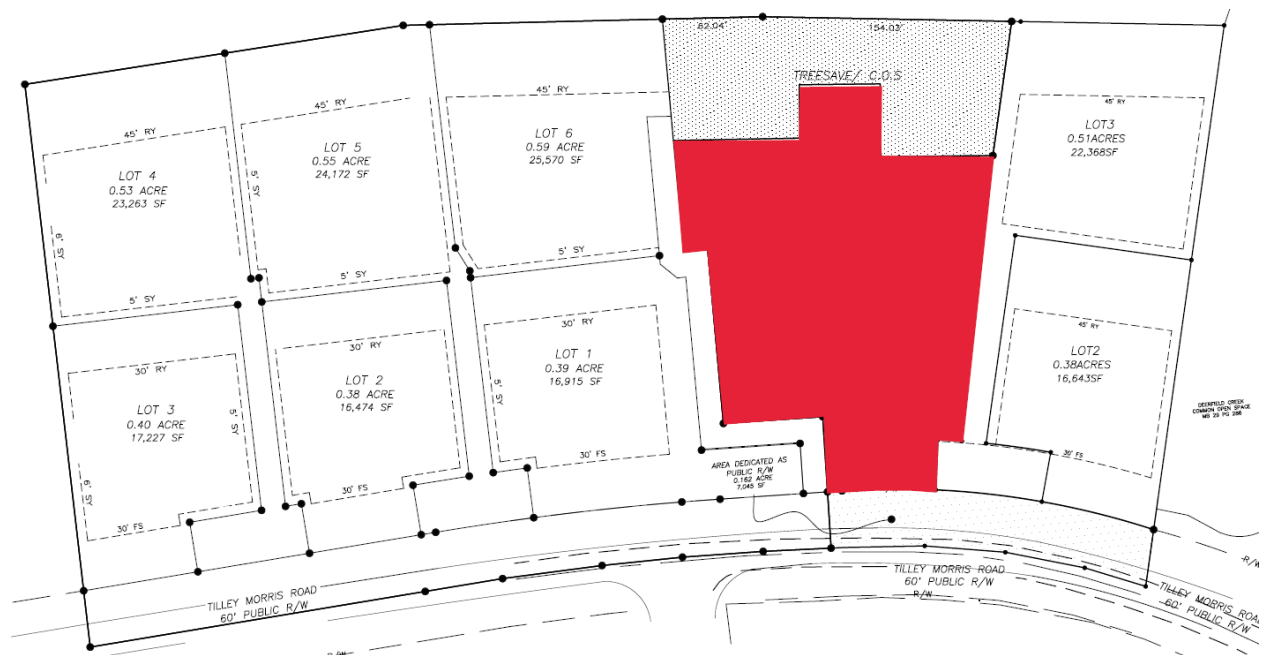
Hennigan Place Ordinance

Hennigan Place Survey and Research Report

Amending the Historic Landmark Designation Ordinances to De-Designate a Portion of the Property Associated with the Hennigan Place



Approximately 5.3 acres of land are included in the local historic landmark designations of the Hennigan Place. Through the Certificate of Appropriateness process, residential development has been approved for portions of the property. The Charlotte-Mecklenburg Historic Landmarks Commission is recommending that City Council amend the designation ordinances for the Hennigan Place to de-designate approximately 4.52 acres of the property where the development will occur. The historic house and .78 acres of land (shown in red) would retain historic landmark designation.



Ordinance Amendment – Hennigan Place and Hennigan Place Property

Amendment to the ordinance for the property known as the “Hennigan Place” originally adopted by the Charlotte City Council on April 8, 1980, and the ordinance for the property known as the “Hennigan Place Property” originally adopted by the Charlotte City Council on November 15, 2004. Currently the amount of designated land associated with the “Hennigan Place” and the “Hennigan Place Property” is approximately 5.3 acres as shown on the attached exhibit “A”. The Ordinances would be Amended to De-Designate all of land associated with the “Hennigan Place” and the “Hennigan Place Property” (listed under Tax Parcel Numbers 23111438, 23111437, 23111403, and 23111402 as of September 1, 2018) with the Exception of .78 acres of land shown on the attached exhibit “B”. The historic house and the .78 acres of land shown on the attached exhibit “B” would Retain historic landmark designation. The property is owned by Snow Homeplace LLC and Hennigan Place LLC. The property is located at 3615, 3609, 3603, 3545, 3541, 3537, 3533, 3529, and 3505 Tilley Morris Rd, within the City of Charlotte, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, 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 17th day of September 2018, on the question of de-designating portions of the land associated with the Hennigan Place and the Hennigan Place Property; 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 10th day of September 2018, on the question of de-designating portions of the land associated with the Hennigan Place and the Hennigan Place Property; and

WHEREAS, on April 8, 1980, the Mecklenburg County Board of Commissioners adopted an ordinance designating the property known as the “Hennigan Place” as a Historic Landmark; and

WHEREAS, the property known as the “Hennigan Place” was annexed by the City of Charlotte, and the City of Charlotte now has historic landmarks jurisdiction over the property pursuant to Part 3C of Article 19 of Chapter 160A of the General Statutes; and

WHEREAS, on November 15, 2004, the City Council of Charlotte adopted an ordinance designating the property known as the “Hennigan Place Property” as a Historic Landmark; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that to de-designate approximately 4.52 acres of land associated with “Hennigan Place” and the “Hennigan Place Property” is appropriate because portions of the property have been approved for new development under the Certificate of Appropriateness process.

WHEREAS, the property associated with tax parcel Tax Parcel Numbers 23111438, 23111437, 23111403, and 23111402 is located at 3615, 3609, 3603, 3545, 3541, 3537, 3533, 3529, and 3505 Tilley Morris Rd, within the City of Charlotte, North Carolina and is owned by Snow Homeplace LLC and Hennigan Place LLC.

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

1. That the ordinances for the “Hennigan Place” and the “Hennigan Place Property” be amended to de-designate all of the land associated with the Historic Landmarks knows as the “Hennigan Place” and the “Hennigan Place Property” (listed under Tax Parcel Numbers 23111438, 23111437, 23111403, and 23111402 as of September 1, 2018) with the exception of the .78 acres of land shown in exhibit “B”, pursuant to Chapter 160A, Article 19, as amended, of the General

Statutes of North Carolina. The historic house and the .78 acres of land shown on the attached exhibit “B” would retain historic landmark designation.

2. That the owners of the historic landmarks known as the “Hennigan Place” and the “Hennigan Place Property” be given notice of these amendments as required by applicable law and that copies of these amendments 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.

3. That which is designated as an historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 20____, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Clerk to City Council

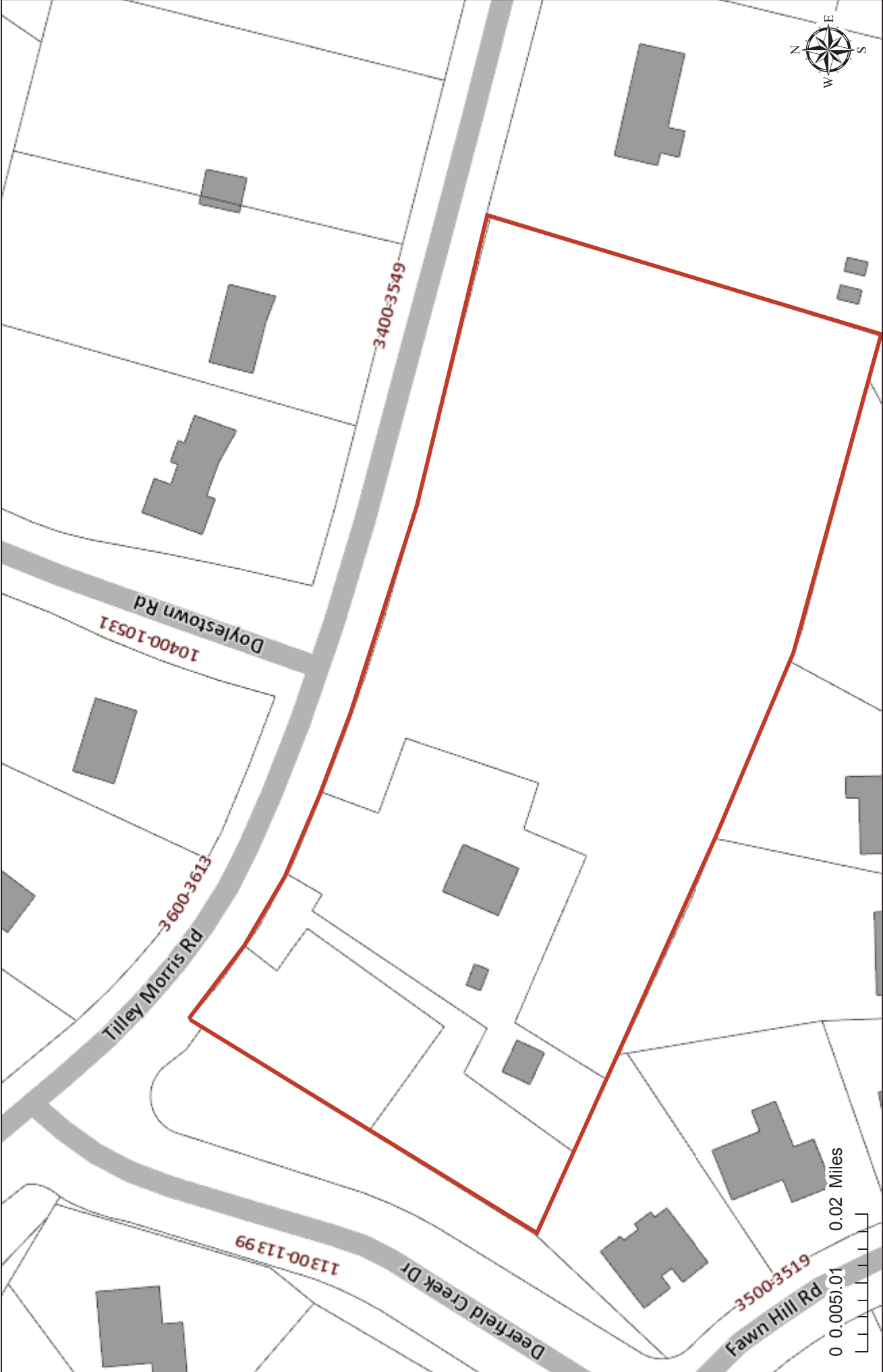
Approved as to form:

Senior Assistant City Attorney

Polaris 3G Map – Mecklenburg County, North Carolina

Hennigan Place and Hennigan Place Property Exhibit A

Date Printed: 9/4/2018 10:59:25 AM



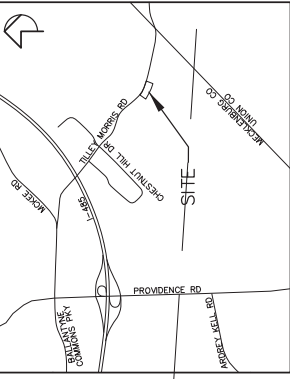
This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the abovementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

| CURV LARS | LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-----------|--------|-----------|-------------|-----------------|--------------|
| C1 | 67.06' | 509.25' | 75° 42' 43" | N 58° 11' 58" W | 67.01' |
| C2 | 23.76' | 1,799.73' | 0° 45' 23" | S 61° 23' 25" E | 23.76' |
| C3 | 14.73' | 542.93' | 1° 33' 16" | S 53° 44' 12" E | 14.73' |

| LINE | BEARING | DISTANCE |
|------|-----------------|----------|
| L1 | S 29° 10' 36" W | 46.52' |
| L2 | S 61° 05' 39" E | 15.06' |
| L3 | S 63° 05' 39" E | 15.06' |
| L4 | S 27° 39' 20" W | 69.06' |
| L5 | S 32° 15' 41" W | 73.01' |
| L6 | S 58° 13' 59" W | 78.18' |
| L7 | N 57° 44' 19" W | 69.21' |
| L8 | N 32° 15' 41" E | 45.00' |
| L9 | N 35° 29' 10" E | 81.00' |
| L10 | S 61° 00' 53" E | 66.60' |

NOTES

1. AREA CALCULATED BY COORDINATE COMPUTATION.
2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE MECKLENBURG COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
4. THIS MAP IS SUBJECT TO ANY AND ALL APPLICABLE DEED RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND RECORDS.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
6. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH.
8. NO NGCS MONUMENT FOUND WITHIN 2000 FEET.



VICINITY MAP
(Not to Scale)

EXHIBIT
B

DEERFIELD CREEK
DRIVE
75' PUBLIC R/W
per MB 29 PG 286

- LEGEND
- DEER FOUN
 - BS
 - R/W
 - SQUARE FEET
 - W
 - PG
 - FS
 - RY
 - SIDE YARD
 - IRON PIPE FOUND

HISTORIC EXHIBIT

AT PROPERTY KNOWN AS
#3503 TILLEY MORRIS ROAD
TAX # 231-114-03 DB 3620 PG 169
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
DATE: APRIL 4, 2018
FOR: PHIL HAYES

Job No.: 008-16-001
Drawn: CDF
Checked: CLK
Date: 4/4/2018



METROLINA
ENGINEERING &
SURVEYING
ASSOCIATES
4403N STUART ANDREW BLVD
P.O. BOX 334-125
CHARLOTTE, NC 28217
ME-PS-178-SC-2008

TILLEY MORRIS ROAD
60' PUBLIC R/W

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft



SITE NOTES:
BUILDING SETBACK REQUIREMENTS (MINIMUM) ZONED R-3
SIDE YARD: 5 FEET
REAR YARD: 45 FEET
MINIMUM LOT AREA: 12,000 SF

NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON
LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER F.E.M.A.
FLOOD INSURANCE RATE MAP: COMMUNITY PANEL
3710447500A, DATED: OCTOBER 16, 2008.

Addendum to the Survey and Research Report for Hennigan Place

The ca. 1845 house known as the Hennigan Place, 3503 Tilley Morris Road, was moved to its current location in South Charlotte from Pineville in 1973. The house was designated as a local historic landmark in 1980. In 2004, approximately 5 acres around the house were designated as a local historic landmark. In the mid-2000s the owners made the property available for purchase and marketed the property as a small singled-family home. The property did not sell as a single-family home, and the owners then marketed it to developers. The Charlotte-Mecklenburg Historic Landmarks Commission approved the attached site plan showing eight additional house sites on the property through it COA process.

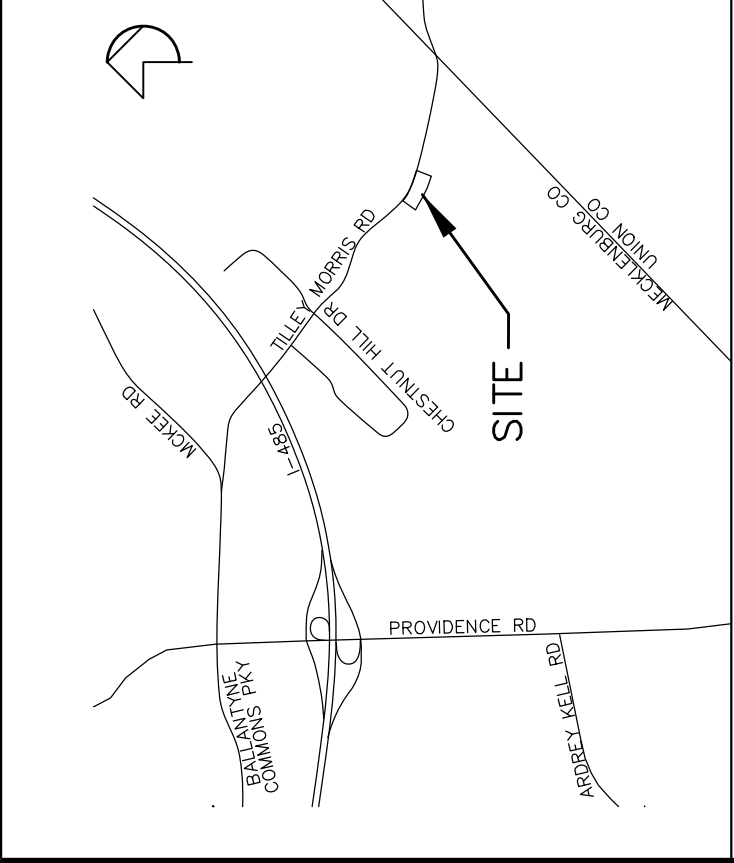
The current owner is requesting that the designation be removed from the property with the exception of the lot containing the historic house, shown as “Lot 1, .78 ACRES” on the attached site plan. The HLC voted to recommend that the designation be removed from the property with the exception of the lot containing the historic house on the condition that:

- 1) That the applicant place preservation covenants on the entirety of the lot containing the house.
- 2) That significant landscape buffers be placed between the lot containing the house and the proposed new house sites.
- 3) That the driveway be redesigned to move the western portion of the driveway away from the northern corner of the historic house.

Stewart Gray

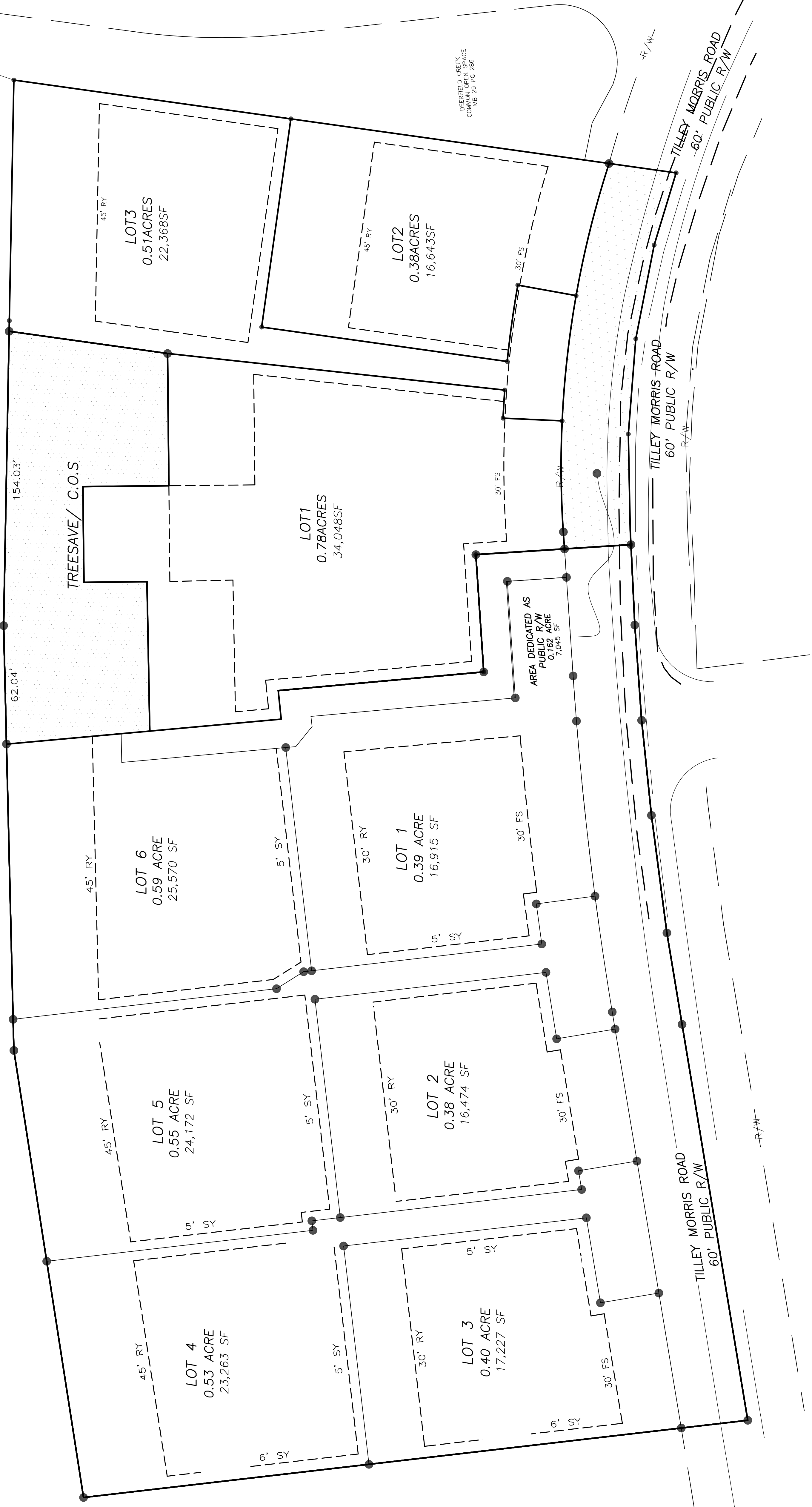
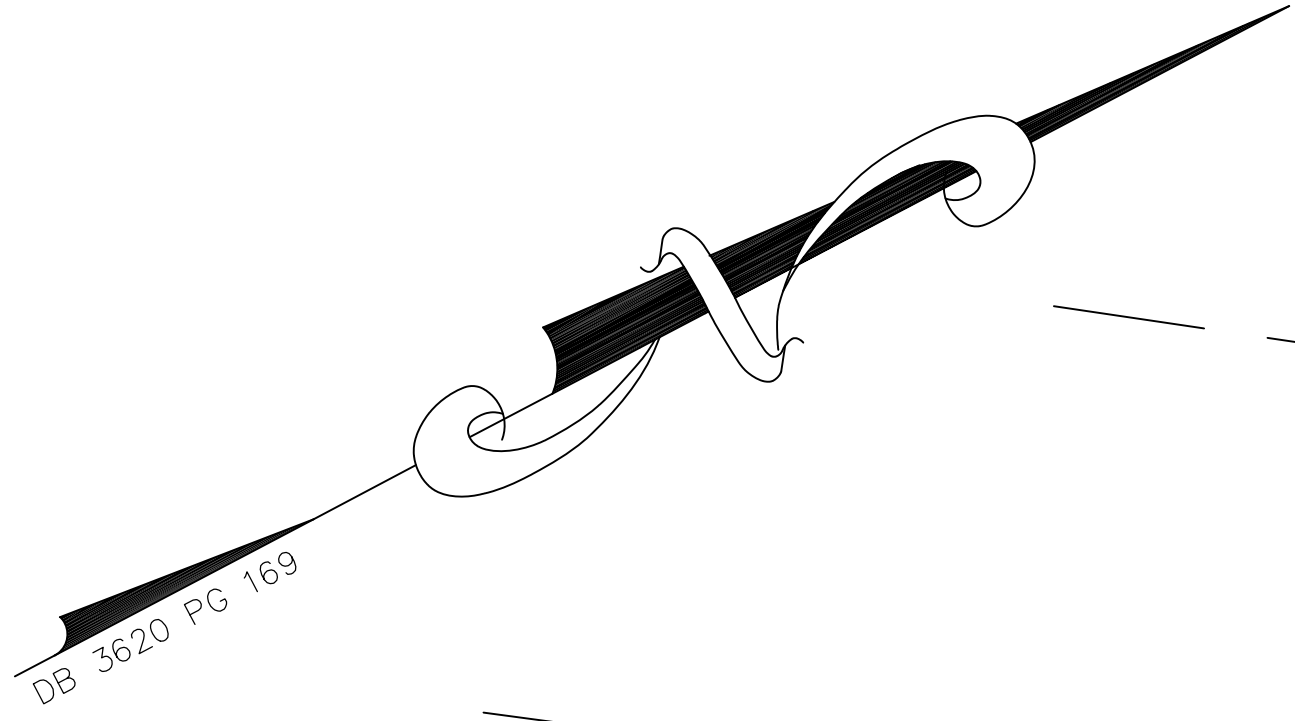
Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission

August 6, 2018



VICINITY MAP
(Not to Scale)

PRELIMINARY
NOT FOR SALES OR CONVEYANCES



LEGEND

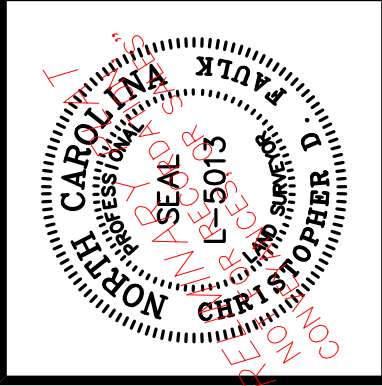
| | |
|-----|---------------|
| RF | REBAR FOUND |
| RS | REBAR SET |
| R/W | RIGHT-OF-WAY |
| SF | SQUARE FEET |
| MB | MAP BOOK |
| DB | DEED BOOK |
| PG | PAGE |
| FS | FRONT SETBACK |
| RY | REAR YARD |
| SY | SIDE YARD |

OVERALL SITE PLAN

HENNIGAN PLACE

Revisions

| | |
|------------|-----------|
| Job No. | 09-16-001 |
| Date | 4/13/12 |
| Proj. Mgr. | CDF |
| Drawn | TM |



Scale NTS

Sheet No. 1 of 1

HENNIGAN PLACE



This photograph is circa November 2006.

This report was written on November 7, 1979

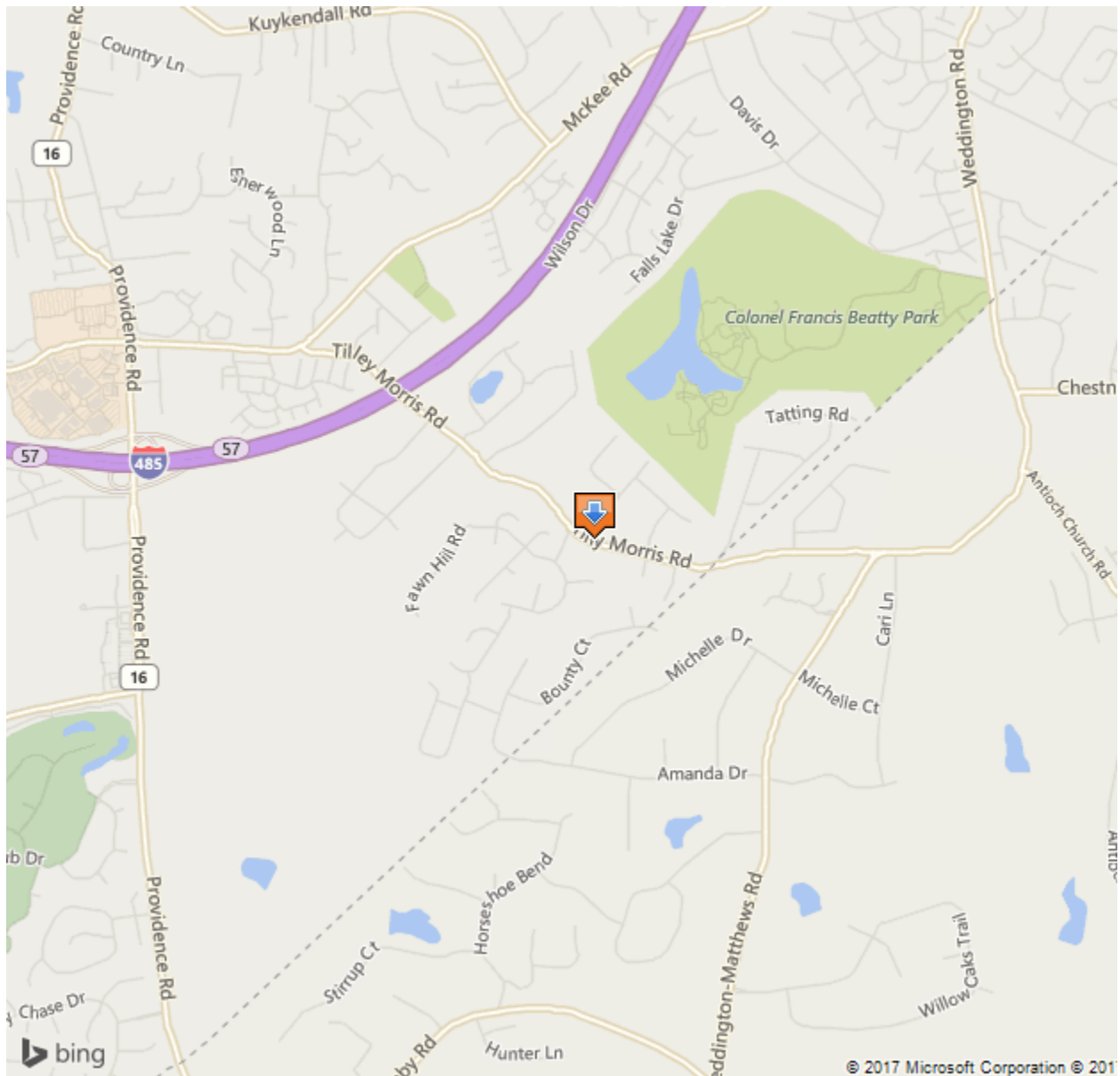
1. Name and location of the property: The property known as the Hennigan Place is located at 3503 Tilley Morris Road in the Providence Community or southwestern portion of Mecklenburg County, North Carolina.

2. Name, address, and telephone number of the present owner and occupant of the property:

The present owners of the property are:
Peter D. Snow & wife, Betty B. Snow
3503 Tilley Morris Rd.
Matthews, NC 28105

3. Representative photographs of the property: This report contains representative photographs of the property.

4. A map depicting the location of the property: This report contains a map which depicts the location of the property.



5. Current Deed Book Reference to the property: The current deeds to this property are recorded in Mecklenburg County Deed Book 3620, page 169 and in Mecklenburg County Deed Book 3714, page 944. The Tax Parcel Numbers of the property are 23111109 and 23111110.

6. A brief historical sketch of the property:

Local tradition holds that the Hennigan Place, originally located adjacent to the James K. Polk birthplace southeast of Pineville, NC, was erected c. 1845.¹ Its initial owner and occupant was James Hennigan (1811-1876), son of Samuel and Nancy Hennigan.² On January 6, 1834, Hennigan married Sarah A. Stewart.³ They had at least three children, two daughters and a son

(James E. Hennigan), before her death sometime in the mid-1840s.⁴ On January 5, 1848, Hennigan married Margaret H. Orr.⁵ This union produced at least four children, three sons and a daughter. The daughter, Margaret Eugenia Hennigan, died on October 13, 1851, when less than two months old, however.⁶ She is buried beside her parents in the cemetery at Sharon Presbyterian Church in Charlotte, NC.

Margaret H. Orr Hennigan died on March 27, 1860, at the age of forty-two.⁸ The next year witnessed the outbreak of the Civil War, the event which was to destroy the social structure of the antebellum South. James Hennigan owned no slaves and was, therefore, not directly affected by the emancipation process.⁹ However, his oldest son, James E. Hennigan, enlisted on May 5, 1862, as a private in Company F of the North Carolina 49th Regiment.¹⁰

James Hennigan died of heart disease in his home early in the evening of August 13, 1876.¹¹ The *Daily Charlotte Observer* was expansive in its praise of this man. "The late James Hennigan," the obituary notice declared, "was a man well known, and no one knew him but to respect him as a gentlemen of the old school."¹² The *Charlotte Democrat* singled Hennigan out as a "good and useful citizen."¹³ A prominent farmer in southern Mecklenburg County, Hennigan also participated actively in public affairs.¹⁴ He served as an official of the Court of Pleas and Quarter Sessions of Mecklenburg County, the major organ of county government before 1868.¹⁵ During his early life, the *Daily Charlotte Observer* reported, "he was entrusted with important offices, which he filled with dignity and to the satisfaction of his constituents."¹⁶ There is reason to believe that Hennigan was a leading local opponent of the accession of the South from the Union. Such a stance would have been consistent with his commitment to the Methodist Church.¹⁷ The descendants of James Hennigan occupied the home until March 12, 1914, when James L. Hennigan sold the property to Stephen L. Manson.¹⁸ The Mansons lost the property during the Great Depression of the 1930s.¹⁹ By the early 1970s, the Hennigan Place was vacant and in a dilapidated condition. It was then that Peter D. Snow (1937-) and Betty Shulenberger Snow (1936-), both natives of Charlotte, NC, purchased the house and began the process of restoration. In 1971, they moved the Hennigan Place from its original site to a location immediately across U.S. 521. In 1973, they moved the house again, this time to its present site on Tilley Morris Rd. Having recently completed the major portion of the restoration work, Mr. and Mrs. Snow and their daughter, Jean Marlen Snow (1962-), presently occupy the house as their residence.²⁰



This photograph is circa November 2006.



This photograph is circa November 2006.



This photograph is circa November 2006.

Notes

¹ Interview of Peter D. Snow and Betty S. Snow by Dr. Dan L. Morrill (October 25, 1979). Hereafter cited as Interview.

² Mecklenburg County Will Book G, page 210. A.F. Long, Mecklenburg Cemeteries Sharon, compiled by the Historical Records Survey of North Carolina, 1936 (a manuscript in the files of the Carolina Room of the Charlotte-Mecklenburg Public Library). Hereafter cited as Survey.

³ Original Marriage Bonds Of Mecklenburg County, p. 104.

⁴ United States Census of Mecklenburg County in 1840, p. 292. The name listed is Jacob Hennigan. However, it is reasonable to assume that this was "James Hennigan." United States Census of Mecklenburg County in 1860. Eastern Division, p. 56.

⁵ Original Marriage Bonds of Mecklenburg County, p. 104.

⁶ Gravestone in Cemetery of Sharon Presbyterian Church in Charlotte, NC.

⁷ Ibid. Sharon Presbyterian Church is located at 5201 Sharon Rd. in Charlotte, NC.

⁸ Survey.

⁹ United States Census of Mecklenburg County in 1860, Eastern Division, p. 56.

¹⁰ John W. Moore, Roster of North Carolina Troops (State Printers and Binders, Raleigh, 1882) vol. 3, p. 410.

¹¹ *Daily Charlotte Observer* (August 17, 1876), p. 4.

¹² Ibid.

¹³ *The Charlotte Democrat* (August 21, 1876), p. 1.

¹⁴ United States Census of Mecklenburg County in 1860. Eastern Division. n. 56.

¹⁵ Historic documents in the possession of Peter D. Snow.

¹⁶ *Daily Charlotte Observer* (August 17, 1876), p. 4.

¹⁷ Ibid. *The Charlotte Democrat* (August 21, 1876), p. 1.

¹⁸ Mecklenburg County Deed Book 322, page 424.

¹⁹ Mecklenburg County Deed Book 929, page 303.

²⁰ Interview.

7. A brief architectural description of why and in what ways the property meets the criteria set forth in N.C.G.S. 160A-399.4:

a. Special significance in terms of its history, architecture and/or cultural importance: The Commission judges that the property known as the Hennigan Place does possess special historic significance in terms of Charlotte-Mecklenburg. The Commission bases its judgment on the following considerations: 1) it is one of the few elements of the antebellum historic built environment which survives in the southern portion of Mecklenburg County, and 2) the house possesses architectural significance as one of the finer examples of a vernacular Greek Revival style farmhouse which survives in Mecklenburg County.

b. Integrity of design, setting, workmanship, materials, feeling and/or association: The Commission judges that the architectural description included herein demonstrates that the property known as the Hennigan Place meets this criterion. Worth noting in this regard is the fact that Mr. and Mrs. Snow have demonstrate the greatest care possible in restoring the structure, both in terms of the house itself and of its overall setting.

9. Ad Valorem Tax Appraisal: The Commission is aware that designation would allow the owner to apply annually for an automatic deferral of 50% of the Ad Valorem taxes on all or any

portion of the property which becomes historic property. The current tax appraisal on the 5.308 acres of land is \$15,900. The current tax appraisal on the improvements is \$30,280. The most recent tax bill on the property was \$362.99.

Bibliography

The Charlotte Democrat.

Daily Charlotte Observer.

Interview of Peter D. Snow and Betty S. Snow by Dr. Dan L. Morrill (October 25, 1979).

A.F. Long, Mecklenburg Cemeteries Sharon, compiled by the Historical Records Survey of North Carolina, 1936.

John W. Moore, *Roster of North Carolina Troops* (State Printers and Binders, Raleigh, 1882).

Original Marriage Bonds of Mecklenburg County.

Records of the Mecklenburg County Clerk of Superior Courts Office.

Records of the Mecklenburg County Register of Deeds Office.

Records of the Mecklenburg County Tax Office.

Sharon Presbyterian Church Cemetery.

United States Census of Mecklenburg County in 1840.

Date of Preparation of this report: November 7, 1979

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Architectural Description

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The Hennigan House was originally located on U.S. Hwy. 521, adjacent to the James K. Polk birthplace, southeast of Pineville, Mecklenburg County. In 1973, to prevent destruction by local firefighters who wished to use it for firefighting practice, the house was moved approximately ten miles to its present location at 3503 Tilley Morris Road on the outskirts of Charlotte. Originally the house had a rural setting on top of a hill. The current owners attempted to duplicate as closely as possible the rural nature of the original setting in their selection of the present location for the house. The house does, in fact, now sit at the end of a dirt lane, surrounded by fields and woodlands, and appears very much at home in this setting. At the time of its relocation, the house had been altered very little, but was simply run down. This fact has simplified the restoration process, which is now nearing completion. During the restoration of the house, much attention has been paid to the physical evidence present.

The Hennigan House is a two-story [frame](#) house, three bays wide and two bays deep, with one-story hip-roofed porch across the front and one-story hip-roofed shed rooms across the rear. Stylistically, the house reflects primarily [Greek Revival](#) influence with forms which are simple, yet bold. It appears to date from the mid-nineteenth century, possibly from the 1840s.

The main body of the house has a low-pitched [gable roof](#) with boxed and molded cornice. The house is covered with weatherboarding, except for the area under the front porch, which is sheathed in flush boarding. The corners of the house are accented by plain corner stiles. All [windows](#) are 9/9 sash with molded surrounds, except for the second story center window on the rear which, because of the rise in the roof over the rear shed rooms, is only 9/6. There are two exterior end brick chimneys, each with stone base, 7 to 1 [common bond](#) brickwork, single stepped shoulder and corbelled cap. The house is set on a stone pier foundation with each pier consisting of one large stone--an unusual feature.

The front porch is also somewhat unusual. Four plain wooden [Doric](#) columns support a full entablature and roof above. Echoing these columns are plain Doric pilasters on each corner where the porch joins the front wall of the house. An unusual feature is the placement of the four columns in relationship to the porch floor. Instead of being set on the porch floor itself, the columns are positioned in front of the floor with the two being unconnected. The columns extend downward to the level of the floor, but are actually positioned on cut stone or concrete bases set in front of the floor. This gives the porch floor a somewhat free-standing, or floating, appearance, but it rests on single stone piers, like those used to support the main body of the house, only smaller. Like the porch floor, the balustrade is not connected to the columns, although it does connect with the pilasters set against the front wall. The balustrade has plain square balusters and corner posts and a rounded handrail.

Two steps at the center of the porch lead to the front entrance. The double leaf front door is paneled and is headed by a seven-light transom. The door and transom are enframed by a pair of

slender Doric pilasters on either side. Between the two pilasters on each side are sidelights composed of twelve lights each with a recessed paneled square below. Above the entrance is an abbreviated entablature. The composition of the entrance way is accentuated by its placement against the flush boarding of the porch wall and ceiling. The rear door of the house is located in the center of the one-story section and is reached by six steps. It is a five panel wooden door with simple molded surround matching those of the windows.

On the interior, the Hennigan House exhibits a center hall plan with one-story shed rooms across the rear. On the first story there is a single room on either side of the center hall. The hallway itself is broad and houses the stairway to the second floor on the right side. The [stairway](#) rises from the front of the hall. With its plain square [balusters](#), rounded [handrail](#) and slender square [newel post](#), it repeats the form of the front porch balustrade. Adding decorative relief is the curvilinear applied molding along the side of the open string. The triangle formed by the diagonal open string panel, the baseboard and the vertical board toward the rear of the stairs is covered with flush boarding. At the rear of the center hall is a double leaf paneled door with seven-light transom, which is a simplified version of the front entrance. It leads to the rear shed rooms. The hall has plastered walls, although the ceiling, like the other ceilings in the house, is covered with flush boarding. The baseboards in the hall are painted gray.

An interesting feature is the reverse molding used for the door and window surrounds in the hallway and left front room. In the hall, the molding is convex in shape with plain corner blocks. In the room to the left of the hall, a reversed, concave molding with plain corner blocks is used. Here, as other rooms, the window surrounds extend to the baseboard, creating a simple apron under each window. The walls of the left room are plastered and the baseboards are a contrasting dark brown. The Greek Revival mantel with simple pilasters, plain frieze, beaded inside edging and concave molding under the mantel shelf is painted black.

The room to the right of the hall is covered with flush boarding. In this room the baseboards are black and the window surrounds are brown. The molding of the surrounds differs from that found in the room to the left of the hall. Here the molding employs beading, both near the outer edge and along the inner edge of the surround and also on the inner edge of the apron below. The mantel in this room, as in the other main room, is Greek Revival in style and is painted black. However, here it is slightly more elaborate than in the other room, in that it has paneled pilasters. One five-panel door in the right front room gives evidence that at least some of the doors were originally grained, though they were later painted over.

The shed rooms across the rear of the house have been divided into two rooms. The right two-thirds of this area forms the present-day kitchen. The left one-third forms a small bedroom. Both rooms are covered with flush boarding. On the second story, both the hall and the individual rooms are plastered. All of the walls upstairs are painted white. In the hall, the baseboards are gray, as they are in the downstairs hall. To the left of the hall is a large bedroom with black baseboards and black Greek Revival mantel which matches that in the room below. On the right side of the hall there were originally two rooms. The rear bedroom remains intact, but the front room has been subdivided into two bathroom/closet areas. The small rear bedroom has a green ceiling and window surrounds and black baseboards.

The colors used for the trim throughout the house, as described herein, constitute one of the more unusual features of the house. Their use in the restoration is based on physical evidence of the original paint colors. The only outbuilding at the present site is a small weatherboarded well house to the right of the main house. It is of totally new construction, but is compatible with the house and setting.



This photograph is circa 1980.