

## ROCK HILL BOARD OF HISTORIC REVIEW

City of Rock Hill, South Carolina

August 1, 2019

A regular public hearing of the Rock Hill Board of Historic Review was held Thursday, August 1, 2019, at 6:00 pm in City Council Chambers, City Hall, 155 Johnston Street, Rock Hill, York County, South Carolina.

**MEMBERS PRESENT** Phil Jerauld, Addie Mayfield Rutledge, William Drennan, and Martin Goode

**MEMBERS ABSENT** Ashley Barron, Michael James, and Jana Jeanette

**STAFF PRESENT** Janice Miller, Shana Marshburn, and Dennis Fields

### 3. **Approval of minutes from the June 6, 2019, regular meeting.**

Chair Jerauld called for a motion to approve the minutes from the June 6, 2019, meeting. Martin Goode made a motion to approve the minutes. Mr. Jerauld seconded and the motion carried unanimously 4-0 (Barron, James, and Jeanette absent).

### 4. **H-2019-04: Consider a Certificate of Appropriateness request from Lanford & Associates for a second floor addition on the property located at 113 Hampton Street, which is part of the Downtown Old Town Area Historic District.**

Staff member Janice Miller presented the staff report.

Terry Windell, 212 E. Main Street, approached the Board. Mr. Windell stated that he believed that Walk2Campus would be a good neighbor but questioned the amount of residents that would be present on daily basis, and if there were a plan for parking. He also asked about the amount of customers that would visit each day.

Laura Miner, 145 Whitmire Street, Brevard, NC, approached the Board. Ms. Miner began by stating that she was one of the three owners of 109 Hampton Street. Ms. Miner went on to explain that her mother had passed in 2016 and that she and her three sisters had since retained ownership of the property. She then began to read from a letter that she had written to the Board. Some of the main points of letter included that the addition would block their windows; the building had been in her family for years; the building used to house White Furniture Company; that she and her sisters were opposing the covering of the windows; that one-third of the ambient lighting would be blocked; and that replacing the natural light would become a financial burden.

Anthony Brown, 704 Loretto Lane, Fort Mill, approached the Board. Mr. Brown explained that he was acting as the broker for 109 Hampton Street, and expressed his thoughts on 113 Hampton Street being a great opportunity the City. He added that there are 12 windows on the west side of the 109 Hampton Street building, which as a result of the applicant's proposal, 31% of that lighting would be reduced. He acknowledged the staff report and the applicant's claim that the reduction is overcome due to their being other windows, but that the loss of the lighting from the windows would still a reduction overall. He concluded stating by that he would hate to see the City of Rock Hill increase one owner's property value while harming the value of another owner's property.

Kelly Varnadore, 1321 Alexander Rd., approached the Board. Ms. Varnadore began by stating that she had not spoken to Mr. Joe Lanford, property owner of 113 Hampton Street, as he did not attempt to contact her; but that he may have attempted to contact her now deceased mother. She added that she and her sisters did offer to sell a portion of the property to Mr. Lanford. She concluded by stating that if the City allowed the applicant's proposal it would be an architectural mistake similar to the City's decision to cover the Downtown Rock Hill mall, in which she also believed to be Mr. Lanford's idea.

Joe Lanford, 131 E. Main Street, approached the Board. Mr. Lanford began by stating that while he did understand the neighbors' concerns, he had contacted their mother; and therefore, assumed that she had made her daughters aware of his plans. He added that he had similar concerns regarding their building in that it had been vacant for some time and pointing out that the cost to remodel would be substantial. He then explained that the impeding of the windows would not pose great harm as remodeling their building would require that some of the walls be blank. He also pointed out that the walls were party walls and so he technically owned half of the walls and windows. He concluded by expressing that neither party had the right to tell the other what to do with their side of the wall, that he believed Walk2Campus to be a great addition to Downtown, and that there is a parking deck proposed on the other side of the street that would ease any parking concerns.

Mr. Jerauld asked Mr. Lanford why he had not tried to initiate any contact with the owners of the neighboring property after their mother had passed away in an attempt to make a compromise regarding the windows. Mr. Lanford replied by stating that the building code would dictate a lot of things, and that in the past, he had brought forth a potential buyer for the property but that nothing ever materialized. He added that he did not have a plan for his property until being approached by Walk2Campus, and so the proposal was put together in a short amount of time. He again stated that he would only be closing his half of the windows and that due to building and fire code, keeping the windows would be impossible.

Mrs. Rutledge asked whether he had reached out to the owners of the neighboring property. Mr. Lanford responded stated that though he had spoken to them regarding their building, he had not talked to them regarding the subject proposal but that he did have conversation with their mother. Brad Hastings, a representative from Walk2Campus interjected stating that he had attempted to reach out to the neighboring property owners via email but never received a response. One of the neighboring property owners made a comment from the audience stating that none of them had received any correspondence from Mr. Hastings. There was brief discussion amongst the owners of the neighboring property and Mr. Hastings regarding the exchange of email contacts and how the mix up occurred.

Mrs. Miller stated that the contact information that she gave to the applicants was given to her by the Economic and Urban Development Department, and that adequate notice was made to the contacts that were on file according to tax records. She added that she asked Mr. Hastings and Mr. Lanford whether they had spoken to the neighboring owners and at that time they informed her that they had reached out to them but was unable to get a response. Mrs. Miller concluded that she did finally get a response from one the neighboring property owners at which one of them asked for a copy of the staff report, which was then provided. She added that staffs' recommendation was based on whether the proposal met the historic guidelines.

Brad Hastings, 926 Oakland Ave., approached the Board and offered to provide answers to some of the questions that had arisen. He stated that the intent was for the building to become a corporate office with 12 to 18 employees as the company was beginning to outgrow its current location and that he believed the business would be a great addition to the Downtown. He noted that the only people that would be present at the location would be employees. He added that he was not sure why his emails to the neighboring property owners had not gone through, and that Walk2Campus would not have a viable project if they could not achieve having two stories.

Mrs. Rutledge stated that it would be beneficial if both parties got together before a decision is made by the Board in order to avoid the potential of a future contentious relationship.

Mr. Lanford approached the Board and stated the he believed the issue to be more building code related than being a matter for the Board decide because of the inability to leave the windows open and have a two-

story building. He made a reference to the same issue being present at the apartments located on Main Street in Downtown Rock Hill.

Mr. Jerauld restated Mrs. Rutledge's previous question of whether the applicant had attempted to reach out to the neighboring property owners in an effort to work together and meet a compromise. Mr. Lanford briefly acknowledged the small-time window that he and the applicant were trying to work against in order to be heard before the Board.

Mrs. Rutledge stated that she did not believe that the Board could make a fair decision without the two parties getting together to come up with a solution.

Mr. Jerauld stated that in the Board's opinion, not enough effort had been made.

Mr. Hastings spoke and pointed out to the Board that although his emails did not reach the neighboring property owners that there was also failure on their part to contact him.

Mrs. Rutledge specified that she was not placing blame on either party regarding any miscommunication but that from now on a compromise should try to be reached.

Mr. Lanford again spoke to his part ownership of the windows and that he had the right to close the windows and that this was the only way to build a second story.

Mrs. Rutledge stated that that particular reasoning would need to be explored.

Mr. Hastings asked whether it would be appropriate to open up the dialogue to what would be appropriate. Mr. Jerauld stated that he'd like for people to feel as if they've had the chance to express their point of view.

Leslie Miner, 2716 Blossom Street, approached the Board. Ms. Miner presented the Board with a floorplan of the building done by her father, speaking to the building's condition and its history, expressing that the building has potential.

Mr. Jerauld asked Ms. Miner if she could identify a possible compromise for both parties. Ms. Miner recommended a practice that she'd found on Wikipedia called light wells and went on to explain what they were.

Andrew Bryant, 505Design, 508 W. 5<sup>th</sup> Street, Charlotte, approached the Board and stated that he was the architect working on the proposed project. Mr. Bryant mentioned that he'd met previously with Mike Nugent, Building Code Official. He went on to explain the difficulty of changing the occupancy of the building from commercial to residential and that unlike in a residential occupancy, there was not a life safety aspect.

Mrs. Rutledge asked whether Mr. Bryant would be willing to put all of the information that he had provided in letter format and make it available to the Board and neighboring property owners because of the thoroughness involved in the concepts he'd explained.

Dennis Fields, Planner II, stated that it would be better that information regarding what could and could not be done come directly from Mike Nugent, the Building Code Official, as opposed to any third party providing a letter.

Mrs. Rutledge stated that she was fine with Mr. Fields' recommendation as long as it the Board could be provided something that they could look over and discuss.

Mr. Jerauld again asked for the applicant's help in reaching a compromise and that both parties would need to provide each other with info.

Mrs. Miller stated that she would provide the neighboring property owners' addresses to Mr. Hastings. MS. Varnadore stated that her contact information was listed on the building.

Anthony Brown approached the Board again and stated that he believed it to be more appropriate for the City to decide the appropriate codes to apply. He went on to explain his role in the process as the broker and that it was his job to seek out the best use for the property and identify a wider range of uses including residential. Mr. Brown asked Mrs. Miller to show the presentation slide that she had previously shown to the Board and audience, which contained a view of property looking from the window. He noted that what had been provided was not an accurate representation of the view and went on to brief discuss his observation.

Mr. Lanford approached the Board again and stated that he believed that it was coming across as if he had not made an attempt to contact the neighboring property owners. He explained that he did contact their mother and at one point referred a buyer to the property but that they ended up not purchasing the property. He added that he did not want to be next to a blighted, vacant building.

Leslie Minerd approached the Board again and stated that the building had only been vacant for three years. She commented on the vacancy of the building and suggested that she and her sisters have been trying to figure out what to do with the building. She acknowledged Mr. Lanford's statement regarding a potential buyer by stating she was sorry that the deal did not work out, and began to compare the subject proposal to that of an Old Mill that was restored in Columbia, South Carolina.

Mr. Jerauld called for anyone else wishing to speak on the matter.

Mr. Hastings approached the Board again and asked the Board what would happen if a compromise were not reached.

Mrs. Miller advised the Board that if they were to decide to vote and the motion for a vote failed or failed to get approval, it would then die and not be able to be brought back before the Board for a period of one year. She added that if the Board decided to table the decision that it would not be subjected to the one-year wait period.

Mr. Jerauld called for a motion. Mrs. Rutledge made a motion to table the decision in order to give each party time to exchange information and reach a compromise. She added that the refusal of any party to make itself available to the other would have an effect on their decision.

Martin Goode asked whether the delay in tabling the decision would affect Walk2Campus' interest in the property. Mr. Hastings stated that waiting another 30 days would not be a problem but that Mr. Lanford would need to extend their contract by 30 days.

Mrs. Miller asked Mr. Jerauld if there was a special way that he would like for both parties to get together. Mr. Jerauld stated that he would like for a representative such as a building official to be present. Mrs. Miller advised Mr. Jerauld that he would need to ask both parties whether the proposal was acceptable. Both parties indicated from the audience that they were willing to accept the proposal. Leslie Minerd asked whether the next meeting would be in exactly 30 days. Mrs. Miller replied stating that the meetings take place on the first Thursday of each month. Mrs. Minerd stated she and her sisters were going out of town to a wedding in the month of September.

Mrs. Miller went on to explain to the Board that they could postpone the meeting to a certain date, and explained that the placing of a legal ad for the meeting would be required because it would be considered a public hearing.

Mrs. Rutledge reminded the two parties that facts were more important than opinions. Mrs. Miller suggested that the Board vote on the issue and the logistics discussed after the meeting.

Mr. Jerauld stated that a vote had been made and that he had seconded. The motion carried unanimously 4-0 (Barron, James, and Jeanette absent).

**6. Other Business**

- a. The Board decided to table the voting of officers until all the members of the Board were present.
- b. Certificates of Appropriateness approved by staff. No comments received.
- c. Mrs. Miller briefly went over continuing education opportunities.

**7. Adjourn**

There being no further business Mr. Drennan made a motion to adjourn. Mr. Jerauld seconded the motion and the motion carried unanimously 4-0 (Barron, James, and Jeanette absent) and the meeting adjourned at 7:09 PM.