



Historic Preservation Minutes

June 6, 2019

Members Present

Larry Schaeffer, Acting Chair
Lee Ritter
Frank Cotter
Patty Cotter
Henry Seyller
Vanessa Campbell

Also Present

Bobby Compton, Town Board of Commissioners Liaison
Tim Brown, Staff Liaison
Heather Poston, Secretary

Members Absent

Andy Poore, Chair
Mark McNeely, Vice Chair

1. **Call to Order. Acting** Chair Larry Schaeffer noted that a quorum was present and called the meeting to order at 6:02 p.m.
2. **Approval of the Minutes.** Mr. Schaeffer asked if there were any changes or corrections to the Minutes from the meeting. No additions or corrections were suggested.

ACTION: Since no additions or corrections were noted, Mr. Schaeffer called for a motion to approve the Minutes of the April 4, 2018 meeting of the Historic Preservation Commission as presented. The motion was made by Ms. Campbell. The motion passed unanimously.

3. Public Hearing for Consideration of Certificate of Appropriateness Application for 216 North Main Street.

Mr. Schaeffer recognized staff liaison Mr. Brown to present the staff analysis for the Certificate of Appropriateness application, exhibits, relevant sections of the Design Guidelines, and suggested findings. Mr. Brown noted that the applicant, Aisle ,LLC, submitted the application following the installation of a steel frame barrier over the shopfront of 216 N. Main Street. Mr. Brown noted that the installation of the barrier in front of the existing noncontributing shopfront was in direct response to regional firearms burglaries where entry was gained by driving through a shopfront window. Mr. Brown provided a detailed description of the barrier based upon photographs and the application, noting that the accordion barrier was installed in the 1970's prior to the establishment of the 1980 Mooresville Historic District. Mr. Brown further noted that the existing shopfront is considered noncontributing since it was installed outside of the Railroad Era period of significance for the Commercial Core Historic District. Mr. Brown referenced applicable sections of the Design Guidelines as noted in the staff report, noting that covering of obscuring a traditional shopfront or introducing new materials or elements that cover or obscure the shopfront requires review by the Historic Preservation Commission. Mr. Brown concluded the staff presentation and suggested that the Historic Preservation Commission consider a finding that that the steel barrier obscured or covered the existing noncontributing shopfront element with a staff recommendation that the Certificate of Appropriateness be denied since the finding was not in the affirmative.

Commissioner Compton inquired as to when the barrier was installed, Mr. Brown did not know specifically when it was installed noting that staff became aware upon receiving notice that the installation was in progress for which a Notice of Violation of the Zoning Ordinance was



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subsequently issued. Mr. Brown noted that the submittal of the Certificate of Application stayed further code enforcement action until consideration by the Historic Preservation Commission. Mr. Schaeffer summarized the staff presentation noting that the shopfront was a noncontributing element of a contributing building and that the accordion barrier was installed prior to the establishment of the 1980 Mooresville Historic District and Commercial Core Historic District. Mr. Brown confirmed that the steel barrier was installed behind the existing accordion barrier and that the installation appears to not have damaged the contributing masonry façade. Mr. Schaeffer, hearing no further testimony or receiving no further questions of staff, asked if there was any additional testimony on behalf of the applicant. Mr. Robert Edmiston (Bob), the owner of Aisle LLC, was duly sworn in. Mr. Edmiston stated that he was not aware of the need to receive a Certificate of Appropriateness for the installation of the barrier. Mr. Edmiston confirmed that the installation was in direct response to a rash of pawn shop break-ins and firearms thefts in the region as a preventive and deterrence measure. Mr. Edmiston cited the recent break in at the Point Blank Range where twenty-four firearms were stolen. Commissioner Compton asked if one could see through the accordion gate and newly installed barrier. Mr. Edmiston confirmed that one could. Mr. Compton asked if Mr. Edmiston owned the building. Mr. Edmiston replied that he did not but had received approval of the installation from the owner. Mr. Edmiston responded to Mr. Compton's question that he has been at this location for over forty-two years. Mr. Schaeffer then duly swore in Jill Booth, an employee of Mr. Edmiston, who provided photographic exhibits showing how the barrier was installed. Ms. Booth noted that within two days following the break-in at Point Blank Range in Mooresville, Mr. Edmiston received correspondence from the federal Bureau of Alcohol, Tobacco, and Firearms urging the owner to take protective measures to secure the building. Ms. Booth testified that the photographic exhibits denote the visibility of the shopfront and the manner in which the barrier was installed and that it could be removed. Ms. Booth also testified that the barrier was installed to deter and prevent firearm theft. Mr. Steve Ellis, Chief Iredell County Deputy was then duly sworn in. Deputy Chief Ellis confirmed a law enforcement response time of five-eight minutes. Mr. Ellis also testified that the Iredell County Sheriff's Department urged Mr. Edmiston to secure the building to ensure adequate response time for local law enforcement agencies and to deter firearm theft. Mr. Edmiston testified that the barrier installation was deemed an appropriate deterrent and security measure. Mr. Schaeffer then duly swore in Iredell County Deputy Todd Carver, stated that there was a documented regional increase of firearm theft from firearm dealers, noting that the highest percentage of increase in the nation was in the Charlotte region. Detective Carver noted that the theft at Point Blank Range occurred on March 25th.

Mr. Schaeffer, hearing no further testimony or questions from the Historic Preservation Commission, closed the public hearing. Mr. Schaeffer called for discussion. Ms. Ritter noted the difficulty the application presented in prioritizing aesthetics and security. Ms. Ritter inquired regarding the security of the rear building entry. Ms. Ritter noted that the suggested findings were accurate. Mr. Compton disagreed noting the subjective nature in determining that the view of the shopfront was obscured. Mr. Compton noted that the barrier could be easily removed based upon the exhibits and testimony presented. Mr. Cotter noted the unique and atypical factors that drove the installation of the barrier and also inquired regarding the nature of the rear security. Mr. Edmiston noted that the rear entry doors were reinforced steel and secured on the interior by steel bars. Mr. Cotter inquired if steel bollards could have been used to secure the shopfront. Mr. Edmiston noted that the existing basement impeded the installation of bollards. Ms. Campbell stated that there did not appear to be any issues



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associated with the way the barrier was attached to the building. Ms. Campbell stated that the need to install the barrier was driven by the issue of public safety. Mr. Schaeffer stated that the barrier was not attached to or did not obscure any contributing architecture elements. Mr. Schaeffer concurred with the testimony that the existing shopfront was an existing noncontributing architectural element not associated with the period of significance for the building or the Commercial Core Historic District. Mr. Schaeffer further noted that the accordion gate element has been in place since the 1970's. Mr. Schaeffer then emphasized the unique need or special circumstances for such security measures. Mr. Schaeffer further noted that the Certificate of Appropriateness application process permits the exploration of other means of security in keeping with the Design Guidelines. Mr. Schaeffer noted that the intent of the applicant was not considered malicious. Mr. Schaeffer concluded that, in his professional opinion as an architect, this was a reasonable means to secure the building. Receiving no further discussion, Mr. Schaeffer called for a motion.

ACTION: Mr. Schaeffer made a motion to approve the issuance of a Certificate of Appropriateness for the scope of work proposed. The motion was seconded by Ms. Campbell. Ms. Ritter recommended consideration of an amendment to the motion that when the current use ceases, the accordion gate and steel frame barrier be removed. Ms. Cotter noted the special circumstances that warranted this security measure. Mr. Schaeffer asked the applicant if he would agree to the condition recommended by Ms. Ritter. Mr. Edmiston agreed to the condition to remove the gates and barrier when the current use ceases. The motion as amended was unanimously approved.

4. Old Business

Mr. Brown noted that the proposed National Register district boundary expansion and National Register local landmark designation of Reid Memorial Presbyterian Church was proceeding as scheduled. Mr. Brown also noted that the historic downtown wall sign restoration project was under way.

5. New Business

Mr. Brown asked that the Historic Preservation Commission consider deferring the election of officers until the July or August meeting. Mr. Brown noted that Mr. Cotter has agreed to chair the special rescheduled July 2nd meeting.

ACTION: Mr. Schaeffer made a motion to reschedule the election of officers. The motion as amended was unanimously approved.

6. Adjourn

Action: There being no further business, Mr. Schaeffer adjourned the meeting at 7:01pm.