



**North Carolina Department of Cultural Resources**  
**State Historic Preservation Office**

Ramona M. Bartos, Administrator

Office of Archives and History  
 Division of Historical Resources

Pat McCrory, Governor  
 Susan Kluttz, Secretary  
 Kevin Cherry, Deputy Secretary

July 8, 2015

Karla Rosenberg  
 Planner  
 City-County Planning Department  
 101 City Hall Plaza  
 Durham, NC 27701

RE: Boundary Change for the **Liggett & Myers West Village Complex, Durham, Durham County**

Dear Ms. Rosenberg:

Thank you for the report on the proposed removal of a portion of the Liggett & Myers West Village Complex, which is locally designated as a historic landmark. We have reviewed the report and I now offer the following comments:

Under North Carolina General Statute 160A-400.4, it is the responsibility of our office to review and comment on local landmark and historic district reports, whether for initial designation, an increase in boundaries to expand the designation area, or removal of properties in order to decrease the designation area. The proposal to decrease the boundary of the Liggett & Myers West Village Complex addresses a parking lot at the east end of the complex. We understand that the parking lot was included in the landmark designation because it is part of the parcel containing the Cooper Shop, a significant element of the landmark, despite the fact that landmark boundaries are not required to follow parcel lines, as exemplified by the current proposal to remove a portion of a parcel. While we acknowledge that the parking lot itself does not possess architectural significance, sometime after 1937 and prior to 1965 (i.e., within the historic period), the area contained resources associated with the extant buildings.

Inclusion of the parking lot within the landmark boundary requires the issuance of a certificate of appropriateness for any development that might occur there in order to ensure that it would not diminish the landmark's historic character; thus, removal of the parking lot from the landmark potentially reduces the landmark's protection. If inclusion of the parking lot in the landmark boundary was made in error and it is the policy of the Durham Historic Preservation Commission and the City-County Planning Department to not include parking lots at the edges of landmarks, we recommend that parking lots at the edge of other landmarks be reviewed for removal from their respective landmark designations.

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In the event that the owner of the parking lot has been taking advantage of the property tax deferral afforded local landmark owners and the owner's request for removal of the parking lot is approved, we note that the owner should be required to repay the past three years of prorated deferred taxes on the removed area, as specified in NCGS 105-278.

Thank you for giving us the opportunity to comment on the report. Our comments are advisory only and are not binding. Once the governing board has received a recommendation from the Durham Historic Preservation Commission and has proceeded in the same manner as would otherwise be required for an amendment to the zoning ordinance, the governing board may proceed with a decision regarding de-designation. Once the decision has been made, please return the completed form, enclosed.

This letter serves as our comments on the proposed boundary change to the Liggett & Myers West Village Complex. Please contact me at 919-807-6573 should you have any questions about our comments.

Sincerely,



Claudia R. Brown  
Supervisor, Survey and National Register Branch

CC: Commission Chair

Enclosure