

ORDINANCE NO. 3481-X

AN ORDINANCE DESIGNATING AS HISTORIC LANDMARK A PROPERTY KNOWN AS "OSCAR J. THIES AUTOMOBILE SALES AND SERVICE BUILDING" (LISTED UNDER TAX PARCEL NUMBERS 080-033-01 AND 080-033-02 AND INCLUDING THE EXTERIOR OF THE "OSCAR J. THIES AUTOMOBILE SALES AND SERVICE BUILDING" LOCATED WITHIN THE BOUNDARIES OF SAID TAX PARCEL). THE PARCEL OF LAND TO BE DESIGNATED IS LISTED UNDER TAX PARCEL NUMBERS 080-033-01 AND 080-033-02 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NORTH CAROLINA. THE PROPERTY, OWNED BY MOREHEAD PROPERTIES, INCORPORATED, IS LOCATED AT 500 NORTH TRYON STREET, CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, all of the prerequisites to 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 City Council of the City of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 21st day of December, 1992, on the question of designating a property known as the "Oscar J. Thies Automobile Sales and Service Building" (listed under tax parcel numbers 080-033-01 and 080-033-02) as historic landmark; and

WHEREAS, the property now occupied by the "Oscar J. Thies Automobile Sales and Service Building" has been in continual use since 1865 and was occupied by a dwelling until 1920; and

WHEREAS, Oscar J. Thies held a degree in mining engineering and spent 15 years in that field before opening his own Charlotte real estate company, the Carolina Realty Company; and

WHEREAS, Oscar J. Thies organized the Thies-Smith Realty Company in 1912 and the Thies Realty and Mortgage Company in 1936; and

WHEREAS, the Thies-Smith Realty Company built many homes in Dilworth, Myers Park and Elizabeth; and

ORDINANCE - Oscar J. Thies Automobile Sales and Service Building

WHEREAS, three generations of the Thies family have administered the Thies Realty and Mortgage Company; and

WHEREAS, the building known as "Oscar J. Thies Automobile Sales and Service Building", built in 1921, was designed by Louis Asbury; and

WHEREAS, the building known as "Oscar J. Thies Automobile Sales and Service Building" housed several automobile dealerships until 1930; and

WHEREAS, the building known as "Oscar J. Thies Automobile Sales and Service Building" is architecturally significant for the many exterior appointments, such as the terra cotta embedded in the pilasters and the decorative front roof of tile, intact and in very good condition; and

WHEREAS, the building known as "Oscar J. Thies Automobile Sales and Service Building" is architecturally significant to the streetscape as one of the last examples of the 1920's commercial style building remaining on North Tryon Street in Charlotte; and

WHEREAS, the original historic fabric of the exterior of the "Oscar J. Thies Automobile Sales and Service Building" is largely intact and visible; and

WHEREAS, the current Owner, Morehead Properties, Incorporated, has faithfully maintained the "Oscar J. Thies Automobile Sales and Service Building" and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property, known as the "Oscar J. Thies Automobile Sales and Service Building" (listed under tax parcel numbers 080-033-01 and 080-033-02), possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Oscar J. Thies Automobile Sales and Service Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Oscar J. Thies Automobile Sales and Service Building" is owned by Morehead Properties, Incorporated,

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

1. That the property known as the "Oscar J. Thies Automobile Sales and Service Building" (listed under tax parcel numbers 080-033-01 and 080-033-02 and including the exterior of the Oscar J. Thies Automobile Sales and Service Building) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 500 North Tryon Street, Charlotte, in Mecklenburg County, North Carolina. Exterior features are more completely described in the *Survey and Research Report of Oscar J. Thies Automobile Sales and Service Building* (24 July 1992).

2. That said designated property may be materially altered, restored, moved or demolished only following the 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. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3C, and amendments thereto.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change of 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 landmark owner from making any use of this landmark not prohibited by other statutes, ordinances, or regulations. Owner 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.

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

5. That the Owner and occupants of the landmark known as the "Oscar J. Thies Automobile Sales and Service Building" 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 historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 21st day of December 1992 by the City Council of the City of Charlotte, North Carolina.

CERTIFICATION

I, **Brenda R. Freeze**, City Clerk of the City of Charlotte, North Carolina DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 21st day of December , 1992, the reference having been made in Minute Book 100 and recorded in full in Ordinance Book 41, at Page(s) 242-245.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 23rd day of December 1992.

Brenda R. Freeze

Brenda R. Freeze, City Clerk

Approved as to form:

Assistant
David M. Smith

City Attorney

ORDINANCE NO. 3482-X

AN ORDINANCE DESIGNATING AS HISTORIC LANDMARK A PROPERTY KNOWN AS "JOHNSTON BUILDING" (LISTED UNDER TAX PARCEL NUMBER 073-016-13 AND INCLUDING THE EXTERIOR AND PORTIONS OF THE INTERIOR OF THE "JOHNSTON BUILDING" LOCATED WITHIN THE BOUNDARIES OF SAID TAX PARCEL). THE PARCEL OF LAND TO BE DESIGNATED IS LISTED UNDER TAX PARCEL NUMBER 073-016-13 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NORTH CAROLINA. THE PROPERTY, OWNED BY TWO HUNDRED TWELVE SOUTH TRYON STREET LTD. PARTNERSHIP, IS LOCATED AT 212 SOUTH TRYON STREET, CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, all of the prerequisites to 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 City Council of the City of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 21st day of December, 1992, on the question of designating a property known as the "Johnston Building" (listed under tax parcel Number 073-016-13) as historic landmark; and

WHEREAS, Charles Worth Johnston, born in 1861 in the Coddle Creek area of Cabarrus County, began his career as a textile industrialist in Charlotte in 1892; and

WHEREAS, Charles Worth Johnston was an officer in at least five different Companies by 1924, the year the "Johnston Building" was completed; and

WHEREAS, R. Horace Johnston, son of Charles Worth and Jennie Stough Johnston, entered into business with his father upon graduation from the University of North Carolina; and

WHEREAS, the vacant lot, which became the site of the Johnston Building was transferred to Anchor Mills in 1923 for \$100; and

WHEREAS, the "Johnston Building" was designed by William Lee Stoddart, an acclaimed architect practicing out of New York City; and

WHEREAS, the "Johnston Building" was the tallest skyscraper in Charlotte when it opened in 1924; and

ORDINANCE - Johnston Building

WHEREAS, the "Johnston Building" housed cotton brokers, insurance agents, attorneys, realty companies and numerous independent businessmen, including the E.C. Griffith Company, Architect C. C. Hook and the Honorable Cameron Morrison; and

WHEREAS, the "Johnston Building" is architecturally significant for the many exterior appointments, such as the limestone cladding, the bronze pilasters surrounding the recessed front doorway and the Renaissance-style entablature, intact and in very good condition; and

WHEREAS, the "Johnston Building" is architecturally significant to the streetscape as one of the first examples of the 1920's tall office buildings constructed on Tryon Street in Charlotte; and

WHEREAS, the "Johnston Building" is remarkable for its height at the time of its construction and for its excellent design and workmanship; and

WHEREAS, the original historic fabric of the exterior and portions of the interior of the "Johnston Building" is largely intact and visible; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over portions of the interior of the "Johnston Building" because consent for interior design review has been given by the Owner; and

WHEREAS, the current Owner, Two Hundred Twelve South Tryon Street Ltd. Partnership, has faithfully maintained the "Johnston Building" and has thereby made a substantial contribution to the cultural richness of Charlotte and Mecklenburg County; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property, known as the "Johnston Building" (listed under tax parcel Number 073-016-13), possesses a structure having integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "Johnston Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Johnston Building" is owned by Two Hundred Twelve South Tryon Street Ltd. Partnership,

ORDINANCE - Johnston Building

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

1. That the property known as the "Johnston Building" (listed under tax parcel Number 073-016-13 and including the exterior and portions of the interior of the Johnston Building) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 212 South Tryon Street, Charlotte, in Mecklenburg County, North Carolina. Interior and exterior features are more completely described in the *Survey and Research Report Johnston Building* (27 May 1991).

2. That said interior is more specifically defined as the historic and structural fabric of the Johnston Building to include the entire first floor with its arched coffered ceiling, the elevator lobbies of the seventeen floors, the marble staircase from the first floor to the basement, the marble staircase from the first floor to the second floor and the following items in these areas described below: the marble columns, the original floors, the woodwork and moldings, the original front door, the elevator doors, the original walls, the hardware and fixtures, the volume and shapes of the interior spaces provided by the tall office building plan and other interior features that are part of the original historic fabric of the building.

3. That said designated property may be materially altered, restored, moved or demolished only following the 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. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3C, and amendments thereto.

4. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change of 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

ORDINANCE - Johnston Building

prevent the landmark owner from making any use of this 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 historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said landmark.

6. That the Owner and occupants of the landmark known as the "Johnston Building" 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 historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

Adopted the 21st day of December 1992 by the City Council of the City of Charlotte, North Carolina.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 21st day of December 1992, the reference having been made in Minute Book 100 and recorded in full in Ordinance Book 41, at Page(s) 246-249.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this the 23rd day of December 1992.

Approved as to form:

David M. Smith

City Attorney

Brenda R. Freeze

Brenda R. Freeze, City Clerk

December 21, 1002
Ordinance Book 41, Page 250

CITY ZONE CHANGE

Petition No. 92-58
Charlotte-Mecklenburg
Planning Commission

ORDINANCE NO. 3483-Z

ZONING REGULATIONS

MAP AMENDMENT NO. _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-17MF to I-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of December, 19 92, the reference having been made in Minute Book 101, at page _____.

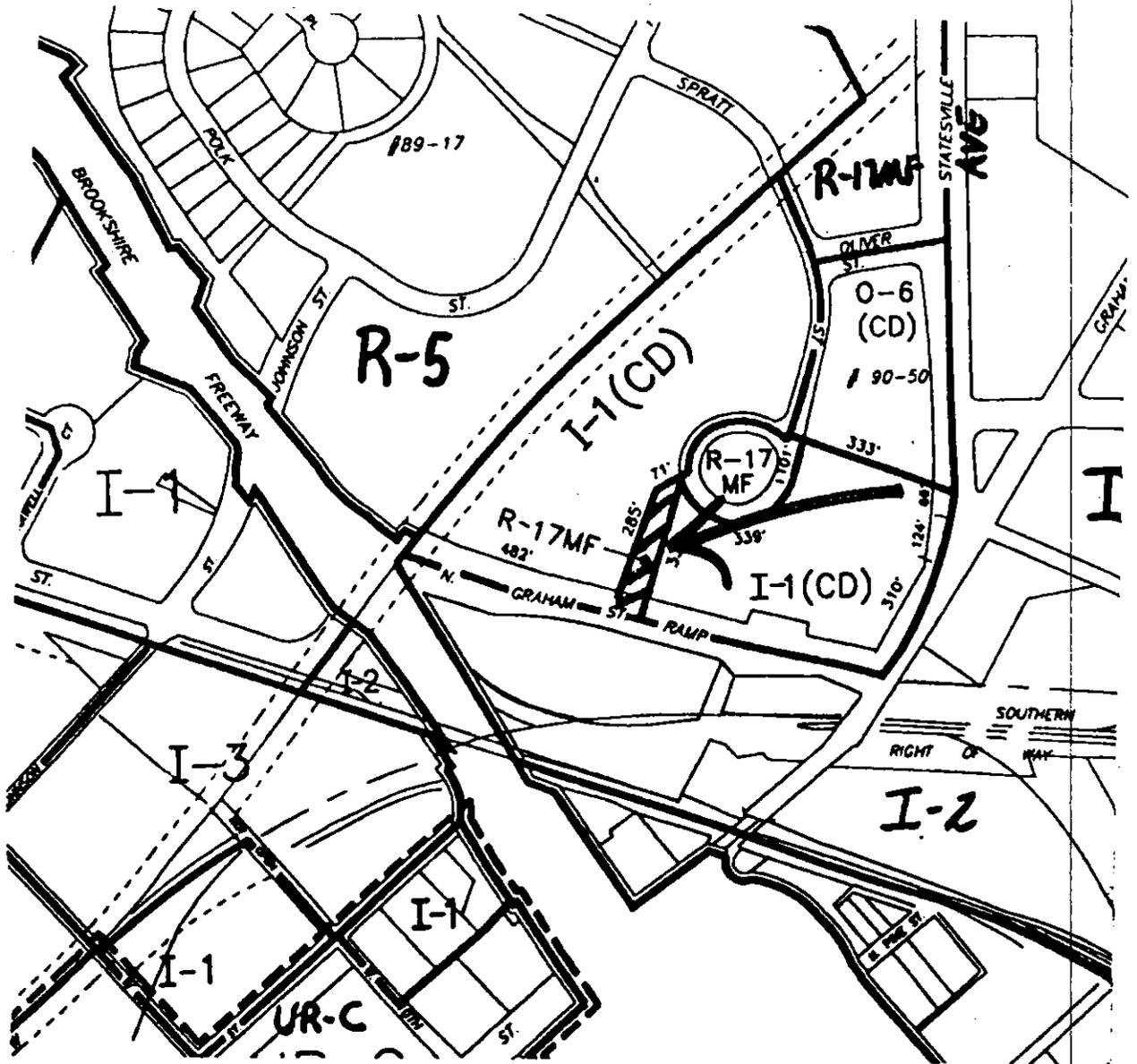
Brenda R. Freese
City Clerk

PETITION NO.: 92-58 HEARING DATE: November 16, 1992

ZONING CLASSIFICATION, EXISTING: R-17MF

ZONING CLASSIFICATION, REQUESTED: I-1

LOCATION: A 15,000 square foot parcel of land located off of the west side of Statesville Avenue extending from Spratt Street to the North Graham Street Ramp.



ZONING MAP NO(s): 88

SCALE 1" = 400'



PROPERTY PROPOSED FOR CHANGE

CITY CD

Petition No. 92-68
City of Charlotte Community
Development Department

ORDINANCE NO. 3484-7

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of approximately 1.7 acres located on the easterly side of China Grove road north of the proposed outer belt (formerly Silver Mount Church); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 6.201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 6.202 and 6.204, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Chapter 6: Part 1 and a public hearing was held on November 16, 1992; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and the requirements in Section 6.204.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1.104 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-4 to Institutional(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point in the westerly right-of-way line of Packard Street said point being the northeasterly corner of a tract of land described in Deed Book 2375, Page 305 of the Mecklenburg Public Registry and known as Tax Parcel No. 205-104-22; thence S.83-23-22W. 200.0 feet to the centerline of China Grove Church Road; thence in a southerly direction with said right-of-way with the arc of a circular curve having a radius of 660.0 feet an arc distance of 135.5 feet to the right-of-way line of the future outer belt; thence S.63-18-01E. 304.5 feet; thence N.60-10E. 18.8 feet; thence N.29-50W.

122.4 feet along the right-of-way of Packard Street; thence in a northerly direction along said right-of-way with the arc of a circular curve having a radius of 460.0 feet an arc distance of 186.44 feet to the BEGINNING and containing 1.12 acres.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Zanderhill Jr
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of December, 19 92, the reference having been made in Minute Book 101, and is recorded in full in Ordinance Book 41 at page 252-253.

Brenda R. Freeze
City Clerk

THIS SIDE NOT USED