

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2007 DEC 20 02:04 PM  
BK: 23190 PG: 699-705 FEE: \$0.00  
INSTRUMENT # 2007252697  
2007252697

ORDINANCE NO. 3777-Z

Ordinance – First National Bank Building

**Ordinance designating as a Historic Landmark a property known as the “First National Bank Building” (listed under Tax Parcel number 07301110 and including the exterior of the building, the lobby of the office building, the elevator lobbies on each of the floors, the boardroom, and the parcel of land listed under Tax Parcel Number 07301110 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 1, 2007). The property is owned by TSO Tryon Plaza LLC and is located at 110-112 South Tryon Street in 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 December, 2007, on the question of designating a property known as the First National Bank Building as a 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 December, 2007, on the question of designating a property known as the First National Bank Building as a historic landmark;

and

*Return to:*

Charlotte Mecklenburg  
Historic Landmarks Com.  
2100 Randolph Road  
Charlotte, NC 28207

Ordinance – First National Bank Building

WHEREAS, the First National Bank Building is the tallest and one of the most prominent pre-World War II buildings in Charlotte; and

WHEREAS, the First National Bank Building was largely the result of two men, industrialist Henry M. McAden, the president of the bank from 1907 until its closing in 1930, and Louis Asbury, arguably Charlotte's most prominent and important architect of the early 20<sup>th</sup> century; and

WHEREAS, the First National Bank Building is a product of a short but important phase of the built environment of Charlotte and North Carolina. From 1908 until the onset of the Great Depression, Charlotte led the Carolinas by embracing the building of high rises and skyscrapers; and

WHEREAS, the twenty-story First National Bank Building was once the tallest building in the Carolinas and remained the tallest building in Charlotte for forty years; and

WHEREAS, the First National Bank Building's association with the now defunct First National Bank of Charlotte is significant, as that institution opened immediately after the Civil War and contributed to the phenomenal economic success that the city experienced during the late nineteenth century; and

WHEREAS, the First National Bank Building now holds an important place on the Square in Charlotte, and its presence does much to convey the historic nature of the Square as the commercial center of the city; and

Ordinance – First National Bank Building

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

WHEREAS, the property known as the First National Bank Building is owned by TSO Tryon Plaza LLC.

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

1. That the property known as the “First National Bank Building” (listed under Tax Parcel number 07301110 and including the exterior of the building, the lobby of the office building, the elevator lobbies on each of the floors, the boardroom, and the parcel of land listed under Tax Parcel Number 07301110 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 1, 2007) is hereby designated as a 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 110-112 South Tryon Street in the City of Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the First National Bank Building” (2007).

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

Ordinance – First National Bank Building

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 Department of Cultural Resources. 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.

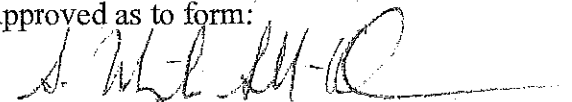
Ordinance – First National Bank Building

5. That a suitable sign may be posted indicating that said property has been designated as a 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 “First National Bank 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 a 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.

Approved as to form:

  
Assistant City Attorney



JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

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Book: RE 23190 Page: 699-705

Document No.: 2007252697

ORD 7 PGS

Recorder: LYVANH PHETSARATH



2007252697

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2007 DEC 20 02:04 PM  
BK:23190 PG:706-711 FEE:\$0.00

INSTRUMENT # 2007252698



2007252698

ORDINANCE NO. 3778-Z

Ordinance – Dr. Elmer H. Garinger High School

**Ordinance designating as a Historic Landmark a property known as the “Dr. Elmer H. Garinger High School” (listed under Tax Parcel number 093-042-51 and including the interiors and exteriors of the historic buildings including the gymnasium, cafeteria, original library, and classroom buildings 100, 200, and 300, and also including all original landscape features and the parcel of land listed under Tax Parcel Number 093-042-51 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 1, 2007). The property is owned by Mecklenburg County and is located at 1100 Eastway Drive in the City of Charlotte, North Carolina.**

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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 December, 2007; on the question of designating a property known as the Dr. Elmer H. Garinger High School as a 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 December, 2007, on the question of

*Return to:*

Charlotte-Mecklenburg  
Historic Landmarks Com.  
2100 Randolph Road  
Charlotte, NC 28207

Ordinance – Dr. Elmer H. Garinger High School

designating a property known as the Dr. Elmer H. Garinger High School as a historic landmark; and

WHEREAS, the Dr. Elmer H. Garinger High School was named for long-time Charlotte Public School Superintendent Elmer H. Garinger, who oversaw successful efforts to racially integrate the Charlotte schools voluntarily in 1957 and who played a pivotal part in the establishment of Charlotte College, which eventually evolved into the University of North Carolina at Charlotte; and

WHEREAS, the Dr. Elmer H. Garinger High School was designed by A. G. Odell, Jr., an architect of local and regional importance, and was the largest project Odell undertook for the Charlotte Public Schools; and

WHEREAS, the Dr. Elmer H. Garinger High School was a striking example of Modernism in Charlotte when it opened in 1959, and portions of the campus and some of the buildings still retain their distinctive original character; and

WHEREAS, the Dr. Elmer H. Garinger High School is an imposing local example of a type of high school that grew in part out of the educational philosophy of individuals such as James B. Conant, who advocated the establishment of large high schools as a principal means to improve American public education; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Dr. Elmer H. Garinger High School possesses special significance in terms of its history, architecture, and/or cultural importance; and



WHEREAS, the property known as the Dr. Elmer H. Garinger High School is owned by Mecklenburg County.

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

1. That the property known as the “Dr. Elmer H. Garinger High School” (listed under Tax Parcel number 093-042-51 and including the interiors and exteriors of the historic buildings including the original gymnasium, original cafeteria, original library, and classroom buildings 100, 200, and 300, and also including all original landscape features and the parcel of land listed under Tax Parcel Number 093-042-51 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 1, 2007) is hereby designated as a 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 1100 Eastway Drive in the City of Charlotte, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Dr. Elmer H. Garinger High School” (2007).

2. That said interiors and exteriors are more specifically defined as the historic and structural fabric, especially including all original architectural features and the original 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

Ordinance – Dr. Elmer H. Garinger High School

denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Department of Cultural Resources. 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 a 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 "Dr. Elmer H. Garinger High School" 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

December 17, 2007

Ordinance Book 55, Page 295

Ordinance – Dr. Elmer H. Garinger High School

Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor,  
as required by applicable law.

7. That which is designated as a 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.

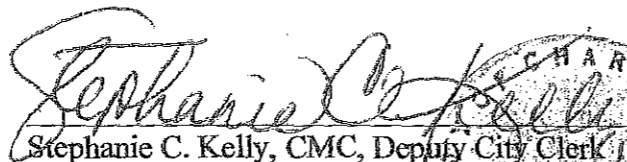
Approved as to form:


  
Assistant City Attorney

#### CERTIFICATION

I, Stephanie C. Kelly, Deputy 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 17<sup>th</sup> day of December, 2007, the reference having been made in Minute Book 126, and recorded in full in Ordinance Book 55, Pages (291-295).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20<sup>th</sup> day of December, 2007.

  
Stephanie C. Kelly, CMC, Deputy City Clerk





JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

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Book: RE 23190 Page: 706-711

Document No.: 2007252698

ORD 6 PGS

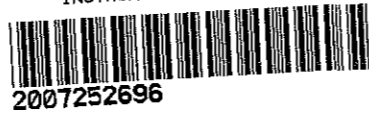
Recorder: LYVANH PHETSARATH



2007252698

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2007 DEC 20 02:04 PM  
BK: 23190 PG: 693-698 FEE: \$0.00

INSTRUMENT # 2007252696



ORDINANCE NO. 3779-Z

Ordinance – Charles H. and Bess Smith House

**Ordinance designating as a Historic Landmark a property known as the “Charles H. and Bess Smith House” (listed under Tax Parcel number 078-046-02 and including the exterior of the house and garage and the parcel of land listed under Tax Parcel Number 078-046-02 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 1, 2007). The property is owned by Malachi J. Greene and Vera M. Harrison and is located at 220 West Tenth Street in 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 December, 2007, on the question of designating a property known as the Charles H. and Bess Smith House as a 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 December, 2007, on the question of designating a property known as the Charles H. and Bess Smith House as a historic landmark; and

Return to:

Charlotte Mecklenburg  
Historic Landmarks Com.  
2100 Randolph Road  
Charlotte, NC 28207

Ordinance – Charles H. and Bess Smith House

WHEREAS, the Charles H. and Bess Smith House is one to two Spanish Colonial Revival style houses in Charlotte definitively attributable to Martin E. Boyer, Jr., an architect of local and regional importance in the early and mid-twentieth century; and

WHEREAS, the Charles H. and Bess Smith House is the only extant early twentieth century Spanish Colonial Revival style house in Charlotte's center city and participates in the introduction of a suburban design motif into Charlotte's urban housing stock; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Charles H. and Bess Smith House possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the Charles H. and Bess Smith House is owned by Malachi J. Greene and Vera M. Harrison.

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

1. That the property known as the "Charles H. and Bess Smith House" (listed under Tax Parcel number 078-046-02 and including the exterior of the house and garage and the parcel of land listed under Tax Parcel Number 078-046-02 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 1, 2007) is hereby designated as a 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 220 West Tenth Street in the City of Charlotte, Mecklenburg County, North

Ordinance – Charles H. and Bess Smith House

Carolina. Features of the property are more completely described in the “Survey and Research Report on the Charles H. and Bess Smith House” (2007).

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the original 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 Department of Cultural Resources. 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

Ordinance – Charles H. and Bess Smith House

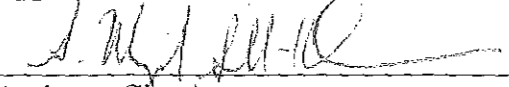
of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said property has been designated as a 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 "Charles H. and Bess Smith 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 a 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.

Approved as to form:


  
Assistant City Attorney

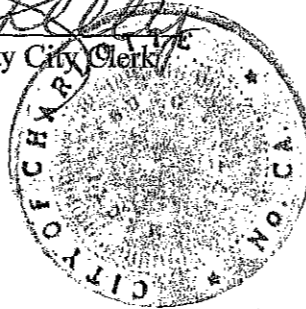


**CERTIFICATION**

I, Stephanie C. Kelly, Deputy 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 17<sup>th</sup> day of December, 2007, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Pages (296-300).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20<sup>th</sup> day of December, 2007.

  
Stephanie C. Kelly, CMC, Deputy City Clerk





JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

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Book: RE 23190 Page: 693-698  
Document No.: 2007252696  
ORD 6 PGS  
Recorder: LYVANH PHETSARATH



2007252696

Petition No.: 2007-052  
Petitioner: *The Ghazi Company*

APPROVED BY  
CITY COUNCIL  
2/27/2008

**ORDINANCE NO. 3780-Z**

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

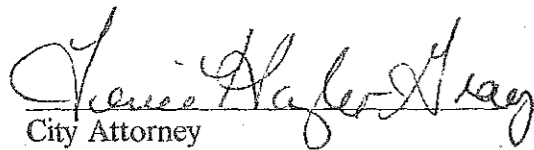
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-1(CD) to CC and BD(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

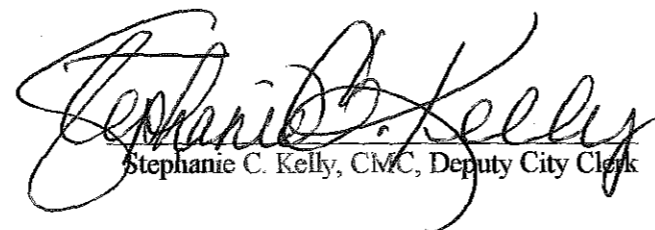
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy 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 17<sup>th</sup> day of December, 2007, the reference having been made in Minute Book 126, and recorded in full in Ordinance Book 55, Page(s) 301-302.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27<sup>th</sup> day of February, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

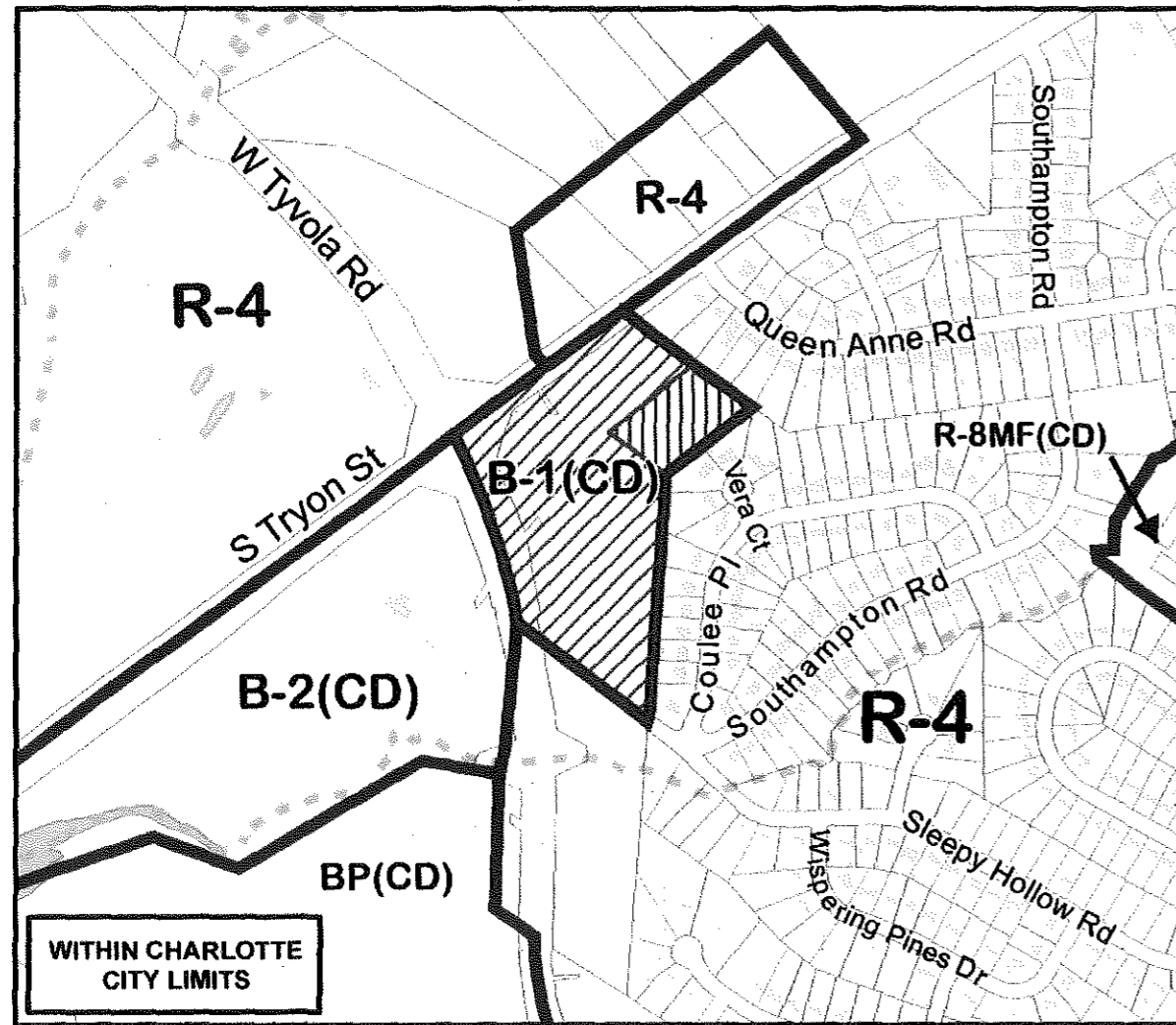
Petition #: **2007-052**

Petitioner: The Ghazi Company

Zoning Classification (Existing): B-1(CD)  
(Neighborhood Business, Conditional)

Zoning Classification (Requested): CC and BD(CC)  
(Commercial Center, Conditional and Distributive Business, Conditional)

Acreage & Location : Approximately 13.07 acres located on the northeast corner of S Tryon Street and W Tyvola Road.



0 150 300 600 900 1,200  
Feet

Zoning Map #(s) **127**

Map Produced by the  
Charlotte-Mecklenburg Planning Department  
05-29-2007

	Requested CC from B-1(CD)
	Requested BD(CD) from B-1(CD)
	Existing Building Footprints
	Existing Zoning Boundaries
	Charlotte City Limits
	FEMA flood plain
	Watershed
	Lakes and Ponds
	Creeks and Streams

APPROVED BY  
CITY COUNCIL  
DEC 17 2007

Petition No.: 2007-134  
Petitioner: *Charlotte Housing Authority*

**ORDINANCE NO. 3782-X**

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

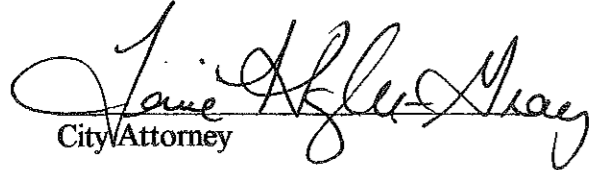
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from NS to O-2(CD).

Section 2. The development and use of the property hereby rezoned shall be governed by the predetermined ordinance requirements applicable to such district category, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to the regulations and to the Zoning Maps.

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

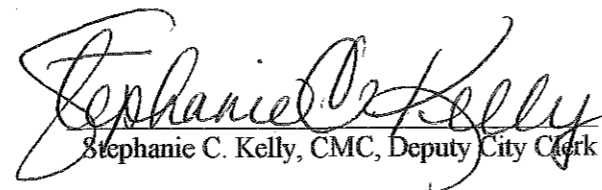
APPROVED AS TO FORM:

  
City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, Deputy 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 17<sup>th</sup> day of December, 2007, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 55, Page(s) 305-306.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20<sup>th</sup> day of March, 2008.

  
Stephanie C. Kelly, CMC, Deputy City Clerk

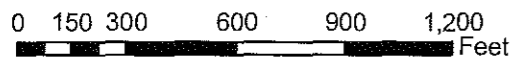
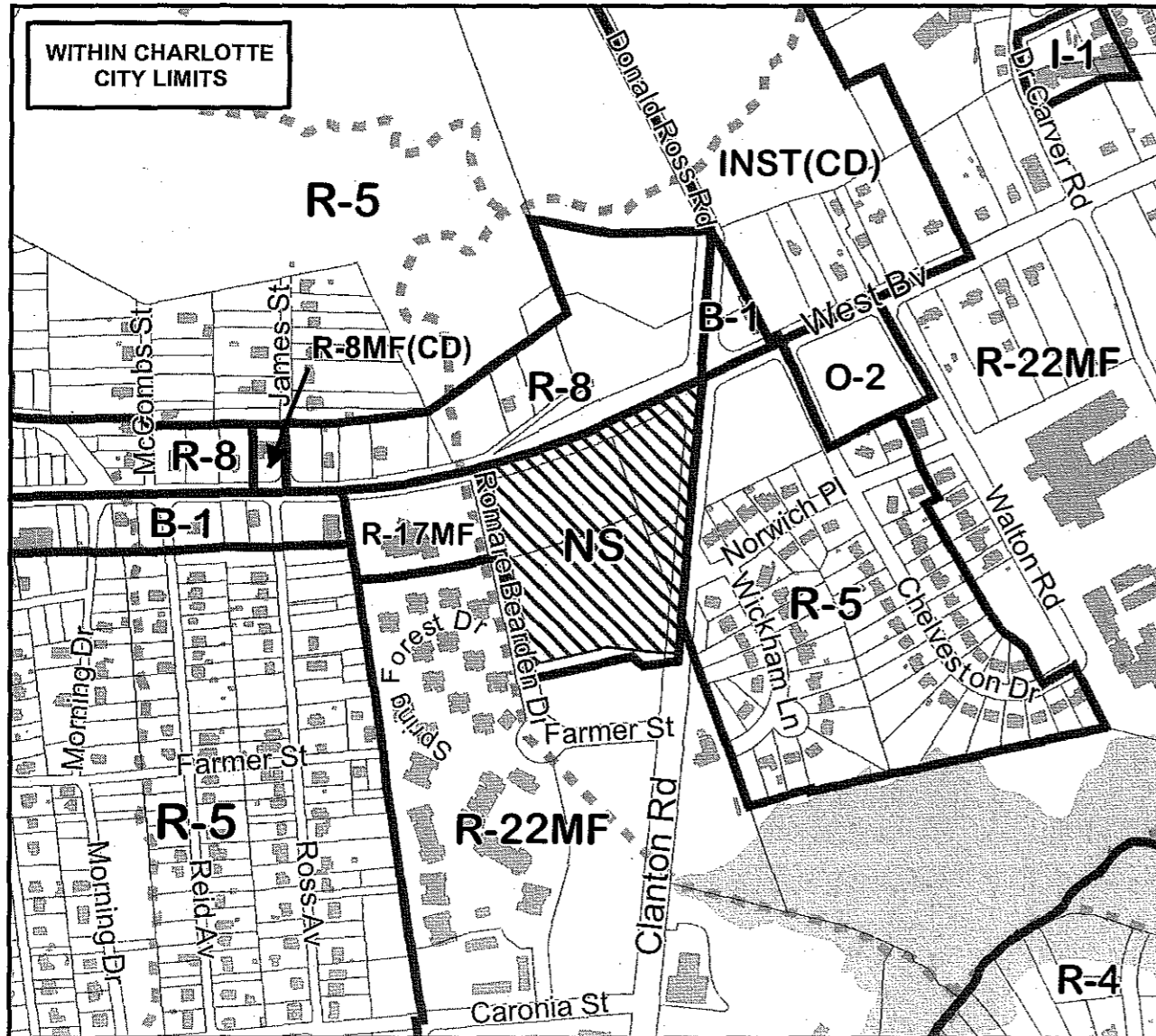
Petition #: **2007-134**

Petitioner: Charlotte Housing Authority

Zoning Classification (Existing): NS  
(Neighborhood Services)

Zoning Classification (Requested): O-2(CD)  
(Office, Conditional)

Acreeage & Location : Approximately 7.75 acres located on the southwest corner of West Boulevard and Clanton Road.



Zoning Map #(s) **103,110**

Map Produced by the  
Charlotte-Mecklenburg Planning Department  
09-20-2007

