

Ordinance designating as an Historic Landmark a property known as the “Biddleville Cemetery” (listed under Tax Parcel Number 06903561 as of September 1, 2016 and including the land and features associated with Tax Parcel Number 06903561). The property is located in the Five Points Neighborhood Park in Charlotte, North Carolina, and is owned by the Society of the Minute Men.

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 October, 2016, on the question of designating a property known as the Biddleville Cemetery as an 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 October, 2016, on the question of designating a property known as the Biddleville Cemetery as an historic landmark; and

WHEREAS, the Biddleville Cemetery served as a community cemetery for Biddleville, an African American residential district that arose in the late 1800s around the Biddle Institute, now Johnson C. Smith University; and

WHEREAS, the Biddleville Cemetery contains representative examples of funerary art found in African American cemeteries in Charlotte from the late 1800's until the mid-twentieth century; and

WHEREAS, the Biddleville Cemetery contains the graves of African Americans who served in the Spanish-American War, World War One, and World War Two. It is also the burial place of influential citizens of Biddleville; and

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

WHEREAS, the property known as the Biddleville Cemetery is owned by the Society of the Minute Men.

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

1. That the property known as the "Biddleville Cemetery" (listed under Tax Parcel Number 06903561 as of September 1, 2016 and including the land and features associated with Tax Parcel Number 06903561) is hereby designated as an 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 in the Five Points Neighborhood Park in Charlotte, North Carolina, Mecklenburg County, North Carolina. Features of the property are more completely described in the "Survey and Research Report on the Biddleville Cemetery" (2016).

2. 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 Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

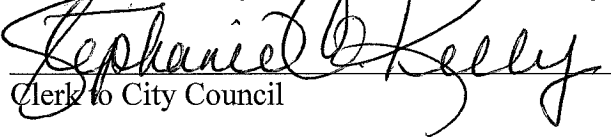
3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, 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.

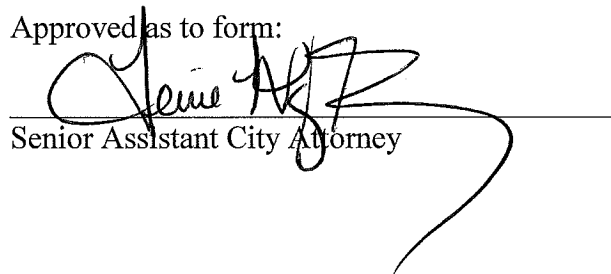
4. That a suitable sign may be posted indicating that said property has been designated as an historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

5. That the owners of the historic landmark known as the "Biddleville Cemetery" 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 an 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.

Adopted the 21st day of November, 2016, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.


Clerk to City Council

Approved as to form:

Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 November, the reference having been made in Minute Book 141, and recorded in full in Ordinance Book 60, Page(s)290-332.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 21st day of November, 2016.



Stephanie C. Kelly
Stephanie C. Kelly, MMC, NCCMC, City Clerk

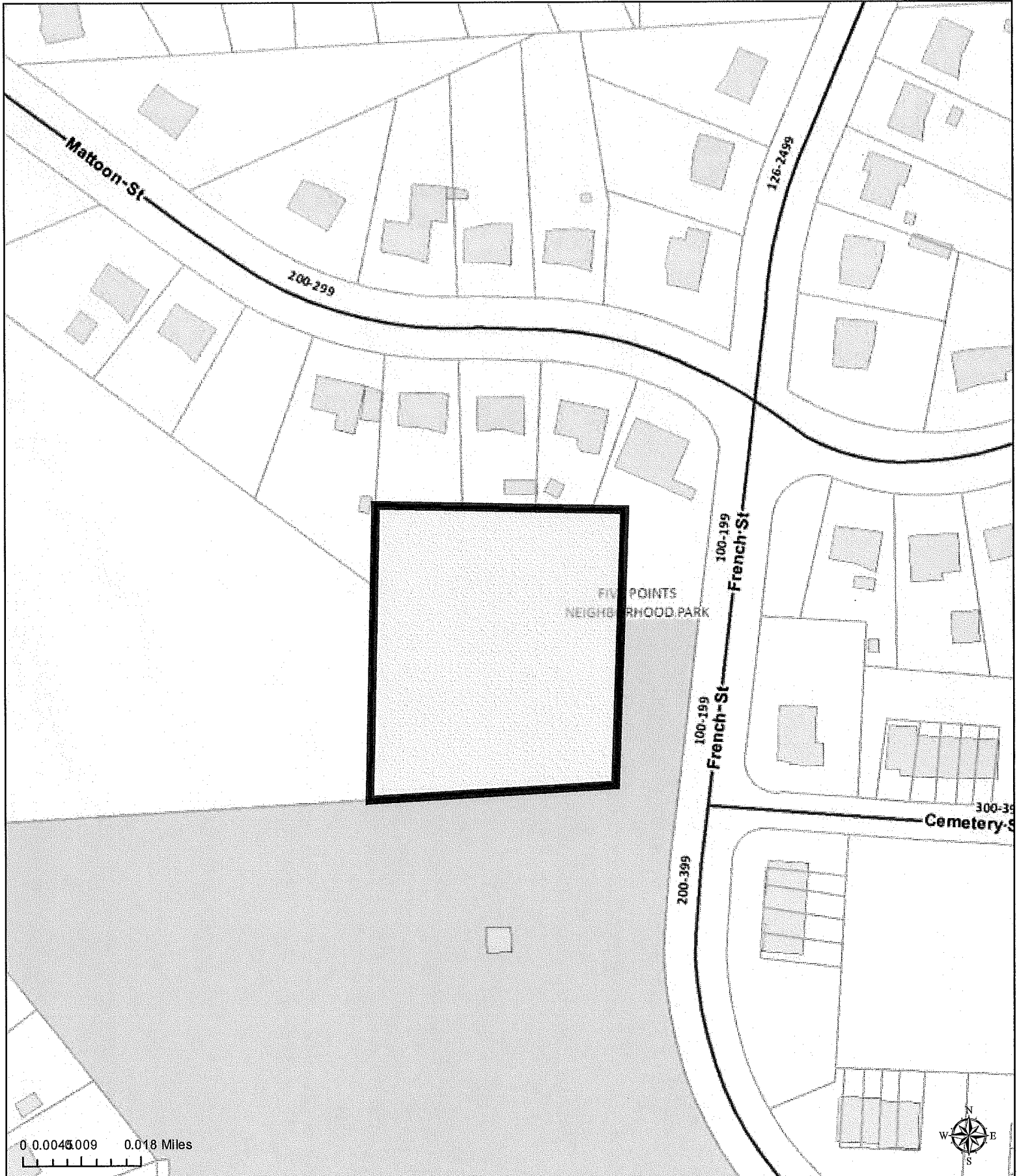
Polaris 3G Map – Mecklenburg County, North Carolina

November 21, 2016

Ordinance Book 60, Page 295

Ordinance Number: 8173-X

Date Printed: 10/5/2016 10:44:06 AM

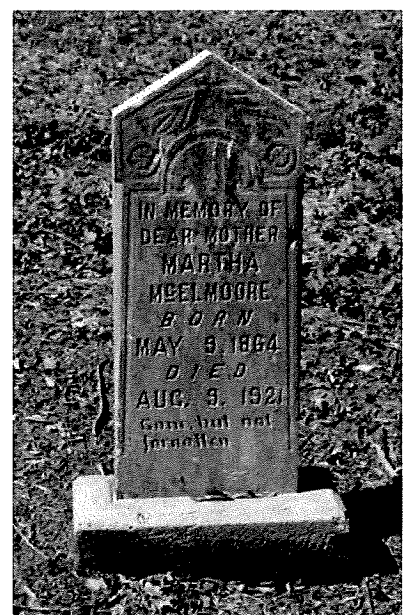
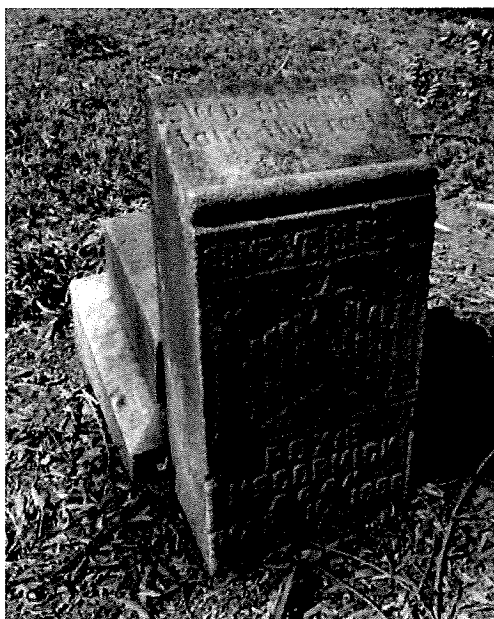


This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

Biddleville Cemetery
Located in Five Points Park, French Street



The Biddleville Cemetery served as a community cemetery for Biddleville, an African-American residential district that arose in the late 1800s near the Biddle Institute, now Johnson C. Smith University. The cemetery contains representative examples of funerary art from the late 1800's. The cemetery also contains the graves of influential citizens of Biddleville, and African Americans who served in the Spanish-American War, World War One, and World War Two.





**Survey and Research Report on the
Biddleville Cemetery**



1. **Name and location of property:** The property known as Biddleville Cemetery is located in Five Points Park near the intersection of French Street and Cemetery Street, Charlotte, NC 28216.
2. **Name, address, and telephone number of the current owners of the property:**

Society of the Minute Men	Mecklenburg County
600 East Fourth Street	600 East Fourth Street
Charlotte, NC 28202	Charlotte, NC 28202
3. **Representative photographs of the property:** This report contains representative photographs of the property.
4. **A map depicting the location of the property.** This report contains a map of the property.

5. **Current Tax Parcel Reference and Deed to the property:** The tax parcel number is 069-035-61. The most recent deed to this property is recorded in Mecklenburg County Deed Book 209, Page 138 on November 2, 1873. UTM coordinates are 512708.27 E and 3900626.69 N Zone 17.
6. **A brief historical sketch of the property:** This report contains a brief historical sketch of the property prepared by Susan V. Mayer.
7. **A brief architectural description of the property:** This report contains a brief architectural description prepared by Susan V. Mayer.
8. **Documentation of why and in what ways the property meets the criteria for designation set forth in N.C.G.S 160A-400.5.**
 - a. Special significance in terms of its history, architecture and/or cultural importance:
 - 1) The Biddleville Cemetery served as a community cemetery for Biddleville, an African American residential district that arose in the late 1800s because of the nearby location of Biddle Institute, now Johnson C. Smith University.
 - 2) The Biddleville Cemetery contains representative examples of funerary art found in African American cemeteries in Charlotte from the late 1800's until the mid-twentieth century.
 - 3) The Biddleville Cemetery contains the graves of African Americans who served in the Spanish-American War, World War One, and World War Two. It is also the burial place of influential citizens of Biddleville.
 - b. Integrity of design, setting, workmanship, materials, feeling and/or association: The physical description included in this report demonstrates that the Biddleville Cemetery meets this criterion.
9. **Ad Valorem Tax Appraisal:** \$44,400. This property is exempt from the payment of property taxes.
10. **Portion of the Property Recommended for Designation:** The entire Tax Parcel.

Historical Essay

As one of the original majority-black ring villages surrounding Charlotte following the emancipation of slaves in the 1860s, Biddleville is an important part of the history of African Americans in the city and Mecklenburg County. Founded in 1873, Biddleville Cemetery is one of the oldest non-slave African American cemeteries in Mecklenburg County not connected with a church. Many influential residents of Biddleville are buried within its grounds. By examining the history of the cemetery, further insight into the people who lived in Biddleville, their everyday lives, and the conditions of the community is uncovered.

Biddle Memorial Institute and Stephen Mattoon

Following the Civil War and Emancipation, freed African American slaves sought to establish their own communities and associated institutions free of majority white control. Churches typically served as the focal point of these communities. In Charlotte both black and white missionaries began organizing churches. The first, Clinton Chapel African Methodist Episcopal Zion Church on Rozelles Ferry Road, was founded in 1865. Presbyterian missionaries, including Rev. Samuel Carothers Alexander from Pittsburgh, aided local free African Americans in founding Seventh Street Presbyterian Church in 1866.¹

Presbyterian missionary work expanded beyond churches. On May 1, 1867, the first session of a theology school founded by the Committee on Freedman of the Presbyterian Church, USA began at a church on the corner of Fourth and Davidson streets in Charlotte. Headed by Rev. Alexander and his fellow northerner Rev. Willis L. Miller, the school served to train freed slaves to be ministers and teachers for Southern schools. Donations for the school were solicited through the church newspaper; and Mary D. Biddle, the widow of a Union officer who lived in Philadelphia, offered \$1,900 with the stipulation that the school be named after her late husband

Henry Johnston Biddle. Former Confederate Colonel William R. Myers offered eight acres of property northwest of the city for the school. In 1869 the Henry J. Biddle Memorial Institute opened on its new campus.²

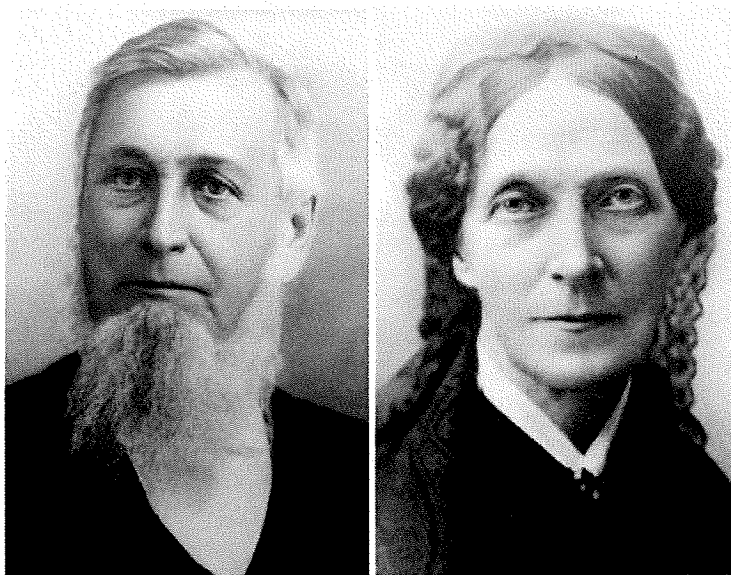


Figure 1 Rev. Stephen and Mary Lourie Mattoon.
Photos from Inez Moore Parker Archives and Research Center, Johnson C. Smith University.

Rev. Stephen Mattoon, a Presbyterian minister in New York who has served as a missionary in Siam (Thailand), was elected the first president of Biddle Institute in 1870. Rev. Mattoon was born near Champion, New York in 1816. He graduated from Union College in Schenectady, New York in 1842, then Princeton Theological Seminary in May 1846. While at Princeton, Rev. Mattoon served as a substitute preacher to local Presbyterian churches. It was during this time that he met his future wife, Mary Lourie, and they married on May 3, 1846. Two months later, the Mattoons left to serve as missionaries in Bangkok, where they would live until December 1865. Rev. Mattoon was an interpreter for the King of Siam and founded the first Presbyterian Church of Siam. He and his wife also adopted two Siamese children in addition to having two children of their own. Upon return to the United States, Rev. Mattoon served as pastor to a church in Ballston Spa, New York, before being called to Charlotte.³

Initially, the only residents near the school were the professors. On October 1, 1871, Rev. Mattoon and his wife Mary purchased 55 acres of farmland along Beatties Ford Road from W.F. Davidson for \$1000. Beginning in the 1870s, the Mattoons sold small lots to African Americans who wanted to live near the college. This area came to be called Biddletown, later Biddleville.⁴

Biddleville

Biddleville was one of several ring villages which grew around Charlotte in the years following the Civil War. Other nearby African American communities included Greenville and Irwinville to the north of Charlotte and Blandville to the southeast. Another village, Seversville, was located near Biddleville and was populated by white residents. Biddleville existed as an adjunct entity to Charlotte for many years. In 1878 the village attempted to incorporate under the name Biddletown, but this effort was unsuccessful. By the early 1880s, the name of the village had transitioned to Biddleville. In 1895, again Biddleville attempted to incorporate but failed; instead, the village was annexed into Charlotte.⁵

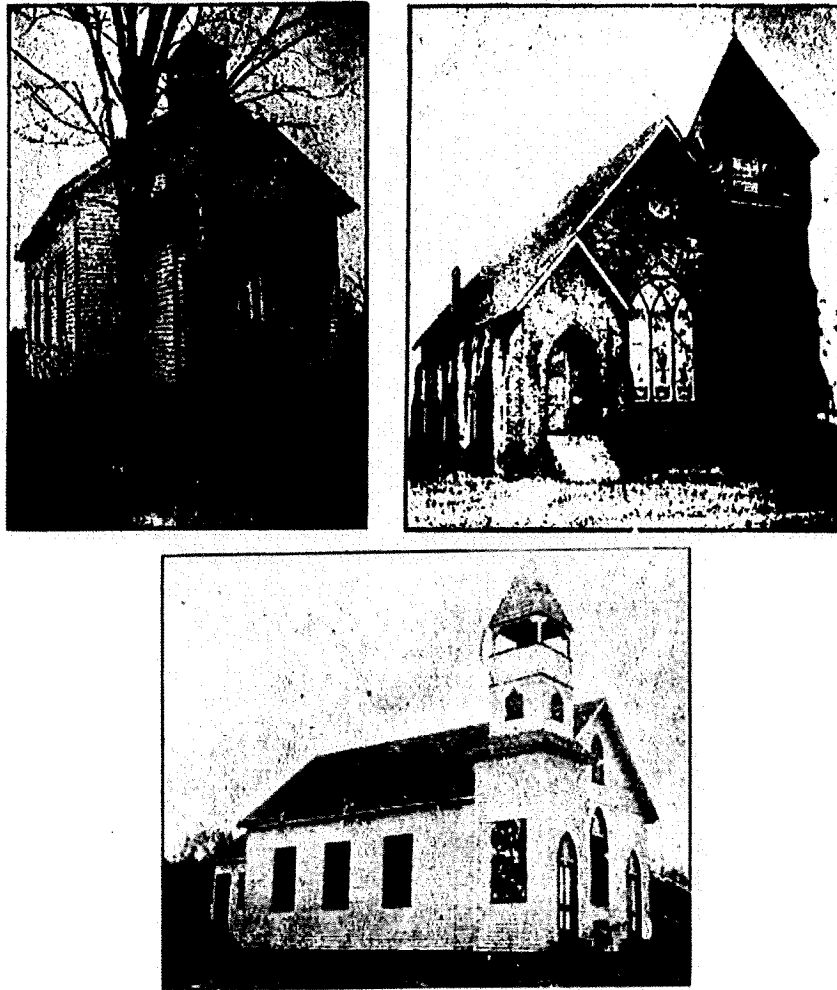


Figure 2 Churches present in Biddleville in 1915—(clockwise from top left) Biddleville Presbyterian Church, Gethsemane A.M.E. Zion Church, and Mt. Carmel Baptist Church. From G.W. Clinton, *Colored Charlotte* (Charlotte, NC, 1915).

Three civic institutions dominated life in both black and white southern villages: churches, schools, and civic organizations. Given Biddle University's (the institution changed its name from Biddle Institute in 1876) ties to the Presbyterian Church, it is not surprising that the first organized institutions in Biddleville were churches. The first of these was Emmanuel Presbyterian Church, founded in 1876. Students and Biddle faculty served as ministerial staff until 1882, when former Biddle president Rev. Stephen Mattoon became pastor for a three-year period. Biddleville Presbyterian Church first held services on October 17, 1880, on Mattoon Street, with Rev. Thomas Lawrence serving as pastor until 1883. Original trustees included

brothers Alexander Phifer (1848-1920), Henry Phifer (1846-1914), Amizi Phifer, and George Phifer (1865-1929). Other denominational churches formed in the community with Mt. Carmel Baptist Church in 1878 and Greater Gethsemane A.M.E. Zion Church in 1874.⁶

Because of the presence of Biddle Institute and the many churches in the community, Biddleville hosted many regional and state meetings of various religious bodies. The Catawba Presbytery, which included the African American Presbyterian churches in the region, regularly met in Biddleville. Other denominations also held meetings in the village. The Baptist Minister's Union held a four day meeting at Mt. Carmel Baptist Church in November 1890.⁷

With the growth of the village, elementary schooling became a need for the community. In March 1885, the Mattoons sold one half acre of land to School Community District No. 88, represented by Biddleville residents Thomas Walker and Alexander Phifer, to be used for a school. Until the establishment of an African American high school in Charlotte, male students would continue secondary education at Biddle University. Female students attended Scotia Seminary in Concord. Local Biddleville students included William R. Young (1881-1943), an 1899 graduate, George W. Pharr (1887-1933), and Claude J. Bradshaw (1878-1918). Biddle also sponsored a Summer School for teachers in which many local residents attended, including Mary French Henry (1884-1938).⁸

Residents of Biddleville also maintained membership in a number of fraternal and social organizations. Many of these institutions were established in Charlotte and surrounding communities following the Civil War. Paul Drayton Lodge #7, a Prince Hall Masonic chapter, was founded in 1872. Chapters of the Grand United Order of Odd Fellows were present by 1873. Local members included Armistead Brown (1818-1893). Three years later, chapters of Independent Order of Good Samaritans and Daughters of Samaria, which were open to both men

and women, were founded in Charlotte.⁹ In October 1884, the Supreme Grand Lodge of the Grand United Order of the National Laborers' Aid Protective Society held a meeting to elect officers in Biddleville. Among the officers elected were Biddleville residents Rev. Samuel Milius Pharr (1858-1936), Junius Nathan White (1862-1919), Rev. Warren Thomas (1830-1910), and George W. Phifer (1865-1929), all of whom are interred in Biddleville Cemetery.¹⁰

Biddleville also served as a meeting place for black political activity in the Charlotte area. A rally held on July 4, 1876 at Biddle Institute saw 8,000 African Americans gather to hear speeches against Democratic gubernatorial candidate Zebulon Vance. In late 1890, Mecklenburg County black Republicans met at the university to protest discrimination within the local party.¹¹

Life in Biddleville

In the early years of the village, Biddleville was populated primarily by professors and students at the university. When the Mattoons began selling lots to African Americans in the 1880s, farmers, laborers, and other tradesmen moved into the village. Biddleville attracted "families who wanted to raise their children in an intellectual atmosphere...around the University, with its cultural offerings."¹² Thomas Christopher Columbus Foster (1848-1936) is representative of the property buyers in Biddleville. Born a slave in Davie County, Foster attended Biddle Institute and was a teacher in Biddleville. Following his retirement from teaching, he purchases land near the village to farm. Foster was active in civic organizations and churches in Biddleville. He was a member and building trustee of the Star Hope Lodge #1790 of the Grand United Order of Odd Fellows. He served as a delegate representing Biddleville Presbyterian Church and the Presbytery of Catawba at Presbyterian Church national general assemblies in 1898, 1908, and 1910.¹³

As Charlotte grew and African Americans began to share in the streetcar-centric suburbanization, new residential developments became attractive to the middle class blacks. Charlotte Consolidated Construction Company, owner and developer of the city's streetcar system, began service of the line along West Trade Street to Seversville and Biddleville on April 25, 1903. Over the following decades, neighborhoods developed down Beatties Ford Road beyond Biddleville as the streetcar system continued to expand. Washington Heights was designed to be the Dilworth for middle-class African Americans in Charlotte, a streetcar suburb platted with modest bungalows. Douglassville was planned by C.H. Watson to be an adjacent black suburb at Beatties Ford Road and Oaklawn Avenue, but the development never grew to be as popular as its neighbor. During the 1920s Western Heights, an 1890s white suburban development on West Trade Street just south of the university, became a majority black neighborhood.¹⁴

Because of the presence of Biddle University, modern utilities and other amenities became available to the area. A post office opened in the village in 1892. Electricity was provided to the university in 1895, and the following year telephone poles and wires were extended to the village.¹⁵ Municipal water service was not available until later. The "From the Village" section of the December 1921 *Young Rooster* newsletter of Biddleville Presbyterian Church reports that "a committee of three is working on the proposition of getting water in the village."¹⁶ Plans for a hospital near Biddle University were made also in 1921, but unfortunately it did not come to fruition.¹⁷

Longtime resident Gene Pharr remembers much about growing up in Biddleville. Gene was born in Charlotte and lived in Biddleville until moving to Washington, DC at the age of fifteen in the mid-1940s. After a career in the military, including service in Korea, Gene moved

back home to Biddleville in 1970. The Pharr family has been in Biddleville since around 1880, when Alex Pharr came to Charlotte from Cabarrus County. Gene's father Bernard (1889-1949) was the first African American truck driver for the local Coca-Cola bottling company. As Gene recalls, Biddleville was a small close-knit community where "everybody knew each other," and you could eat at anyone's house.¹⁸

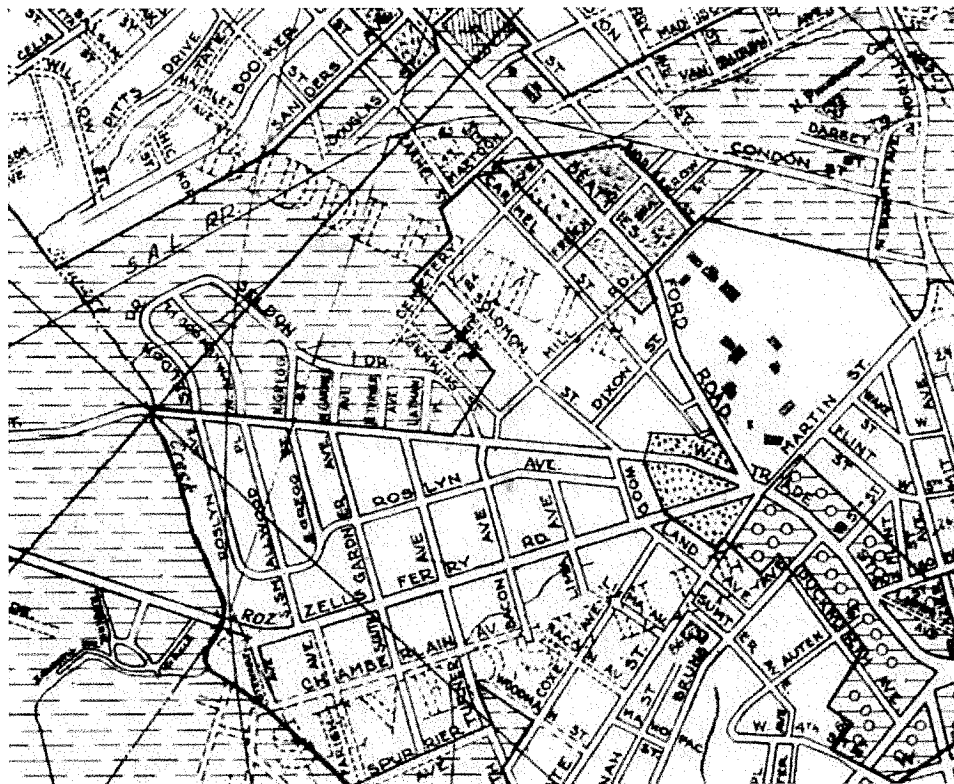


Figure 3 This 1949 map of Biddleville shows that many streets in the neighborhood, including portions of Solomon Street, Cemetery Avenue, and Jenkins Street, were unpaved.

While Biddleville was home to Biddle University, which was renamed Johnson C. Smith University in 1923, and a strong middle class that dominated the Beatties Ford Road corridor, the neighborhood did have its share of poverty. Rev. Howard W. Givens, pastor of Biddleville Presbyterian Church and later Memorial United Presbyterian Church for nearly 40 years, remembers the condition of Biddleville Presbyterian Church when he arrived:

Many of you who worship here now can hardly imagine your church with no toilet facilities, homemade benches, no church school facilities...Maybe you can't, but I can. I remember them for these conditions that existed when I came to Biddleville in 1940.¹⁹

Much can be learned about Biddleville through an examination of the people interred in Biddleville Cemetery. Many of the residents of Biddleville who were buried in the cemetery were originally from surrounding rural areas of North and South Carolina. During and following Reconstruction, many former slaves moved from their former plantations to towns and cities across the south. This rural-to-urban migration continued well into the twentieth century. South Carolina natives buried in Biddleville Cemetery include Sarah Fredrick Ellis (1900-1933), Peter McKee (1858-1933) of York County, and Martha Mills McElmoore (1864-1921).

Many infants and children are buried in the cemetery, most dying of diseases or conditions that today we consider easily preventable or curable. Common diseases and sicknesses included tuberculosis, typhoid fever, and pneumonia. Thirteen persons buried in the cemetery are known to have died of tuberculosis. Records of thirty persons show they died of pneumonia, with half being infants and children. Many death certificates are marked “no doctor,” indicating that medical care was less accessible in Biddleville and other African American areas of Charlotte.

Nutrition was also an issue. The “Three M” diet of meat, molasses, and meal, common among poor Southerners, was apparently a staple of Biddleville residents, many of whom suffered from pellagra, or niacin deficiency. During the early twentieth century, the epidemic of pellagra afflicted 250,000 and caused 7,000 deaths per year primarily in the South. Among the victims of pellagra buried in Biddleville Cemetery are Lula Grier Adams (1884-1917), Minnie Brown Bland (1868-1914), and Ellen Bogan Dixon (1862-1913).²⁰

Biddleville Cemetery

On November 22, 1873, the Mattoons sold approximately one acre of land at the north end of Biddleville to trustees Olmstead Brown, Toney Jordan, and Milas Thompson. The

property was, according to the deed, “in trust for the use and behoof as a cemetery lot of the Society of the ‘Minute Men.’”²¹ There are no further records of the “Minute Men,” which was most likely one of many black civic organizations founded during Reconstruction.

Biddleville Cemetery is not a slave cemetery. It was established following the Civil War, and all persons buried were free African Americans. Similar non-slave cemeteries in Mecklenburg County are Roseland Cemetery (ca. 1865), the burial ground of members of Roseville A.M.E Zion Church in Matthews; Ben Salem Cemetery (ca. 1869), which is connected with Ben Salem Presbyterian Church on Monroe Road; and Pinewood Cemetery, the African American municipal cemetery adjacent to Elmwood Cemetery in Charlotte. While Biddleville Cemetery was not officially affiliated with a church, members of community churches—Mt. Carmel Baptist Church, Biddleville Presbyterian Church, and Greater Gethsemane A.M.E. Zion Church—were typically buried there. Because of Biddleville’s location outside of the Charlotte city limits, the cemetery essentially served as the village cemetery. This perception is present on the 1942 death certificate for Hazel Martin lists the cemetery as “Biddleville Village.”²²



Figure 4 This photo of Biddleville Cemetery circa 1982 shows more natural settings of black cemeteries.

The burial location of most persons in Biddleville Cemetery is unknown. African American cemeteries differed from white cemeteries in design, use of markers, and landscaping.

While white Elmwood Cemetery was planned as a cemetery park with pleasant lawns and sweeping drives for Sunday afternoon walks, Biddleville Cemetery served solely as a burial ground for the residents of Biddleville. The scattered arrangement of plots in black cemetery is thus described:

African-American cemeteries are not landscaped as Euro-American cemeteries are. They have depressions or mounds and no attempt is made to make grass grow over the graves nor to create special vegetation. Trees are native, not specially planted, and are neither encouraged nor discouraged. Rather than the park-like setting with formal landscaping often found in Euro-American cemeteries, the African-American cemetery does not attempt to romanticize death nor create an artificial landscape.²³

The only path in the Biddleville Cemetery was a road for vehicular transport of coffins located near the present-day entrance to Five Points Park. A similar approach to African American cemetery landscape design may be seen in Pinewood Cemetery, which “is shaded by an abundance of mature hardwood trees” with “the family plots...laid out seemingly arbitrarily.”²⁴ Since there was no fence around Biddleville Cemetery, its boundary was a bit arbitrary as well. According to Gene Pharr, some graves are located outside the property line in the back yard of the house at the corner of French and Mattoon Streets.²⁵

Biddleville Cemetery was not officially tied to a church, though various death certificates refer to it as Gethsemane Church Cemetery (1931) or Biddleville-Emmanuel Church Cemetery (1965). Likewise, the Charlotte City Directory between 1925 and 1931 refer to the cemetery as Gethsemane Cemetery.²⁶ While the cemetery name may have fluctuated, one constant for many years was the presence of caretaker Carey Ethridge (1861-1941). Ethridge served as caretaker of Biddleville Cemetery starting in the 1910s until his death. Born a slave in Norfolk, Virginia, Ethridge moved to Biddleville in the 1870s. He bought an acre of land from Stephen Mattoon in May 1889 for \$30.00. Many members of the Ethridge family are buried in Biddleville Cemetery.

After Ethridge's death, however, there is no record of the cemetery having an official caretaker. In addition, after 1931 the cemetery was no longer mentioned in the city directories.²⁷

While burials in Biddleville Cemetery certainly occurred in the 1870s after the property had been established, the earliest known burial in Biddleville Cemetery occurred in 1886. John Springs was one of two men who died in an elevator accident at the Mecklenburg Iron Works in February.²⁸

Many notable residents of Biddleville are buried in the cemetery. Isreal Harris (1833-unknown) was an elder at Seventh Street Presbyterian Church. Several ministers are interred, including Rev. Boysie B. Moore (1888-1950), former pastor at St. Paul's Baptist Church in Brooklyn and Myers Memorial A.M.E. Zion Church in Cherry, and Rev. Samuel Milius Pharr (1858-1936), who pastored many A.M.E. Zion churches in the Catawba Presbytery. Pharr was also the original owner of the Pharr Building on Beatties Ford Road, later home of the Grand Theater. George W. Pharr owned Pharr Service Station and grocery at the corner of Beatties Ford Road and Celia Avenue in Washington Heights in the late 1920s.²⁹

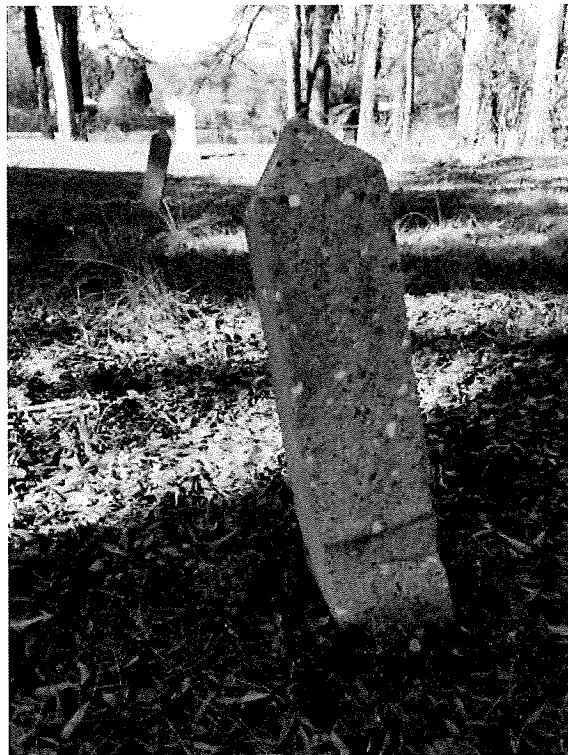


Figure 5 Unmarked peaked concrete posts serve as grave markers in Biddleville Cemetery.

Burial in Biddleville Cemetery was free, with the only cost to the men who dug the grave site. Gene Pharr worked with his father Bernard Pharr to dig graves in the late 1930s and early 1940s. They were paid \$5 per grave. Gene remembers the cemetery being filled with graves and markers, many of which did not have names on them. There were few large stone markers since many Biddleville residents could not afford them.³⁰

Because there was no cost to purchase a burial plot, increases in the number of burials in Biddleville Cemetery during periods of economic depression become quite understandable. The 1920s saw approximately 58 burials in the cemetery, and in the following decade that number increased to 96. Economic hardship frequently struck African American communities harder than white ones. During the 1930s, black unemployment in urban areas reached 50% across the country, double the rate of their white counterparts.³¹

As Charlotte grew and local cemeteries filled to capacity, additional cemeteries opened for the African American community. Cedar Grove Cemetery, located at the dead end of

Hildebrand Street in nearby Washington Heights, was established in the late 1910s as the black counterpart to nearby white Oaklawn Cemetery. York Memorial Park opened in 1941 and was located on the southeast side of town on York Road (today South Tryon Street). These cemeteries are typical of modern cemeteries with master plans that call for access roads convenient for hearses, plots laid out in straight rows, and requirements for grave markers.³²

By the 1940s, the number of annual burials in Biddleville Cemetery had sharply declined. York Memorial Park especially had a strong impact, with many Biddleville residents choosing to be buried in the newer, more modern cemetery despite having a spouse already buried in Biddleville. George Johnson, Jr. died in 1961 and was buried in Biddleville, but his wife Alice died the following year and was buried in York. Similarly, Maggie Pharr Gormley chose to be buried with her family in Biddleville in 1947, but her widower Thomas was interred in York in 1957. Burial did not cease in Biddleville Cemetery but continued on into the 1980s. The latest documented burial in the cemetery is of Hattie B. Harris Lowery, who died June 4, 1982. A concrete cross grave marker is still extant, though it is difficult to read.

Physical Description of Biddleville Cemetery



Figure 6 Biddleville Cemetery view from southeast corner looking northwest.

Biddleville Cemetery is located within Five Points Park in the Biddleville neighborhood of Charlotte. The cemetery may be accessed via the park entrance at the intersection of French Street and Cemetery Street. There is no fence around the cemetery. Grave markers, depressions, and other evidence of burials are visible around the west and north edges of the property as well as in the center of the grassy area. The topography slopes from the northeast corner down toward the southwest.



Figure 7 The grave marker for Sarah Young (1846-1936), wife of Robert Young, shows the deterioration of Biddleville Cemetery over the years. The left photo was taken in 1982, and the right photo taken in 2015.

There are nineteen readable grave markers in Biddleville Cemetery and many more illegible or blank markers. Almost all graves are oriented to the east and west, the only exception being that of Roosevelt Bradshaw (1906-1952). Numerous depressions scattered throughout the property indicate additional burial plots. The style and make of the existing grave markers range from professionally-produced marble markers from the late 1800s to modern granite makers to flat stamped concrete markers created in more recent years. Many of the grave markers are heavily damaged, with several knocked off their bases or broken in two. The effects of weather and pollution are evident, especially on the marble markers, as they have become discolored or the script has eroded and is illegible.

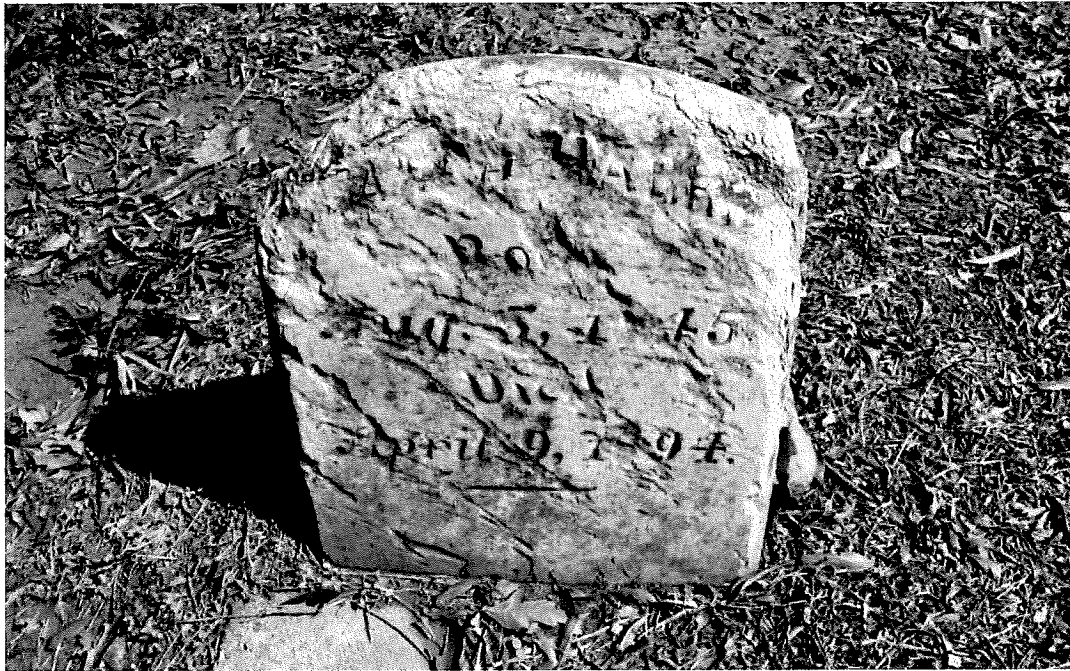


Figure 8 The oldest extant grave marker in Biddleville Cemetery dates to 1894.

The oldest existing marker in Biddleville Cemetery dates to 1894. The name on the marker is mostly illegible, though a best guess may be “Sarah Harris.” This is one of several simple marble markers from the late nineteenth and early twentieth centuries. These markers are characterized by simple chiseled script with name, date of birth, and date of death.



Figure 9 The grave markers of Jane Phifer (1842-1911) and Isreal Harris (1833-unknown) are examples of the simple marble style of late nineteenth and early twentieth century markers.



Figure 10 (top) Two of the more decorative marble grave markers that display symbology in Biddleville Cemetery. (bottom) The ornate marble grave marker of Cora Lee Foster (1877-1908), daughter of Thomas Christopher Columbus Foster and Nancy Ann Carothers Foster.

While most graves in Biddleville Cemetery are unmarked, many of the extant stones may be considered ornate with carved symbols and decorative shapes. The marble grave marker of Cora Lee Foster, with the hand symbol and rounded top, is one of the more decorative markers in Biddleville Cemetery. The hand pointing up is symbolic of the pathway to heaven. The grave

marker of Roxie McCormick (1856-unknown) features a star through open gates flanked by columns, symbolizing the entrance to heaven. The palm fronds on the grave marker of Martha McElmoore (1864-1921) signify victory over death.³³



Figure 11 Four military markers in Biddleville Cemetery.

Four military markers are extant in the cemetery. Government-issued grave markers for veterans officially commenced following the Civil War, though the first stone markers were issued in 1873. In February 1879, Congress authorized the provision of stone markers for the unmarked graves of veterans in private cemeteries. The oldest in the Biddleville Cemetery marks the grave of Charles Frank French (1874-1924), a veteran of the Spanish American War. These grave markers are shorter and thicker than the modern grave markers for veterans as compared to the markers for John Edmond Evans (1893-1930) and Dave Queary (1894-1953). Following World War I, new grave markers were approved for veterans of that war. Both Edmonds and Queary served in World War I, thus receiving the new markers. Grady Harrison, Jr. (1926-1966), a veteran of World War II, also has a military marker, though his is unusual in that the religious symbol is the Star of David, signifying he was Jewish.³⁴



Figure 12 The Harris family burial plot is one of five family plots identified in Biddleville Cemetery.

Five family plots remain identifiable in Biddleville Cemetery. While African American cemeteries tended to not have formal geometric layouts, family members were still buried near one another. The most prominent of these is the Harris family plot, which is located in the center of the cemetery. Two of the graves, perhaps those of Grady Harris, Sr. (1897-1970) and Cora Finley Harris (1900-1957), are raised and surrounded by a border of cinder blocks. Three other grave markers, for their children Grady Harrison, Jr. (1926-1966) and Hattie Harris Lowery (1923-1982) with the third being illegible, are located adjacent to the south.



Figure 13 The obelisk grave marker of Green Davidson (1857-1908) shows some of the most extensive damage among the grave markers in Biddleville Cemetery. The marker still stood in 1982, but today is scattered in pieces among ivy and heavy groundcover.

Biddleville Cemetery is an endangered Mecklenburg County landmark. Being a private cemetery with no oversight and relying solely upon volunteer upkeep, the cemetery has fallen into disrepair. Many markers are damaged or even lost. As the village cemetery of Biddleville, one of Charlotte's oldest ring villages, the cemetery spans the history of post-Emancipation black society in Mecklenburg County.



Figure 14 The grave marker of Hester Gaddy (1879-1915) in 1982, and what remains in 2015.

¹ Seventh Street Presbyterian Church, located at the corner of Seventh and College streets, merged with Brooklyn United Presbyterian Church of Second Ward in December 1967 to form First United Presbyterian Church. Janette Thomas Greenwood, *Bittersweet Legacy: The Black and White "Better Classes" in Charlotte, 1850-1910* (Chapel Hill, NC: University of North Carolina Press, 1994), 44.

² William H. Huffman, "Carnegie Library Building at Johnson C. Smith University," January 1983, Charlotte Mecklenburg Historic Landmarks Commission, <http://www.cmhpf.org/S&Rs%20Alphabetical%20Order/surveys&rcarnegie.htm>, accessed October 5, 2015.

³ Mary L. Mattoon, *Sketch of the Life of Rev. Stephen Mattoon, D.D.* (July 1928)..

⁴ Mecklenburg County Deed Book 209, Page 138.

⁵ Thomas W. Hanchett, "Biddleville-Five Points," Charlotte Mecklenburg Historic Landmarks Commission, <http://www.cmhpf.org/kids/neighborhoods/Biddleville.html>, accessed October 6, 2015; "Local Dots," *Daily Charlotte Observer*, September 3, 1878; "Started But Didn't Make It," *Charlotte Observer*, March 20, 1895; "The Police Census," *Charlotte Observer*, September 3, 1895.

⁶ *History of Memorial United Presbyterian Church, 1979.*; J.D. Martin, *Brief History of the Seventh Street Presbyterian Church, 1939, 19*; "History," Mt. Carmel Baptist Church, <http://www.mcbaptist.org/History.aspx>, accessed October 30, 2015.

⁷ "Colored Baptists," *Charlotte Observer*, November 19, 1890.

⁸ Mecklenburg County Deed Book 40, Page 466; *Catalogue and General Catalogue, Biddle University, Charlotte, N.C., 1901-1902*, (Charlotte, NC: Biddle University, 1901), 37; Greenwood, 242.

⁹ 1879 Charlotte City Directory, 127; Greenwood, 71.

¹⁰ "A Big Colored Organization," *Daily Charlotte Observer*, October 10, 1884.

¹¹ Greenwood, 71, 162-163.

¹² Hanchett, "Biddleville-Five Points."

¹³ Mecklenburg County Deed Book 55, Page 222; *Evening Review*, September 21, 1936; Annie L. Little to Johnson C. Smith University, November 20, 1963, Records of the Director of Public Relations Moses S. Belton, Inez Moore Parker Archives, Johnson C. Smith University, <http://cdm15170.contentdm.oclc.org/cdm/ref/collection/p16324coll2/id/1604>.

¹⁴ Hanchett, "Biddleville-Five Points;" Thomas W. Hanchett, "Washington Heights,"

<http://www.cmhpf.org/kids/neighborhoods/WashHts.html>, accessed December 12, 2015; *Colored Charlotte*, 6.

¹⁵ "Brief News Items," *Charlotte Observer*, February 9, 1892; "Dr. Sanders to Lecture—Biddle Lights," *Charlotte Observer*, July 31, 1895; "'Phone to Biddle," *Charlotte Observer*, June 5, 1896.

¹⁶ *Young Rooster* 6 (December 5, 1921), Biddleville Presbyterian Church.

¹⁷ "Local Negroes are Planning Hospital," *Charlotte News*, October 20, 1921.

¹⁸ Interview with Gene Pharr, October 30, 2015; 1880 U.S. Census.

¹⁹ *Memorial United Presbyterian Church Fescentivity: 1880-1980*, 3.

²⁰ Alfred Jay Bollet, "Politics and Pellagra: The Epidemic of Pellagra in the U.S. in the Early Twentieth Century," *Yale Journal of Biology and Medicine* 65 (1992), 211-221.

²¹ Mecklenburg County Deed Book 209, Page 138.

²² Bill Jeffers, "Survey and Research Report on Roseland Cemetery," Charlotte Mecklenburg Historic Landmarks Commission, <http://landmarkscommission.org/S&Rs%20Alphabetical%20Order/SurveyS&RRoseland.htm>, accessed October 6, 2015; Emily Ramsey, "Survey and Research Report on Elmwood/Pinewood Cemetery," Charlotte Mecklenburg Historic Landmarks Commission,

<http://www.cmhpf.org/S&Rs%20Alphabetical%20Order/Surveys&relmwood.htm>, accessed October 6, 2015; Interview with Gene Pharr, October 30, 2015.

²³ "African American Cemeteries," Family Search,

https://familysearch.org/learn/wiki/en/African_American_Cemeteries, accessed October 6, 2015.

²⁴ Ramsey, "Elmwood/Pinewood Cemetery."

²⁵ Interview with Gene Pharr, October 30, 2015.

²⁶ Death Certificate for Baby Henderson, March 2, 1931, File No. 60-2416-237, North Carolina State Board of Health; Death Certificate for Baxter Foster Neal, November 28, 1967, File No. 60-95-2387, North Carolina State Board of Health.

²⁷ Death Certificate for Carey Ethridge, January 8, 1942, File No. 60-95-2, North Carolina State Board of Health; 1917 Charlotte City Directory, 18; 1918 Charlotte City Directory, 20; 1920 Charlotte City Directory, 24; 1922 Charlotte City Directory, 27; Mecklenburg County Deed Book 66, Page 191.

²⁸ "The Elevator Accident," *Daily Charlotte Observer*, February 12, 1886.

²⁹ 1889 Charlotte City Directory, 36; Emily and Lara Ramsey, "Survey and Research Report on the Grand Theater," Charlotte-Mecklenburg Historic Landmarks Commission, February 12, 2000, <http://landmarkscommission.org/S&Rs%20Alphabetical%20Order/Surveys&rgrandtheater.htm>, accessed January 11, 2016; 1928 Charlotte City Directory, 650; 1930 Charlotte City Directory, 677.

³⁰ Interview with Gene Pharr, October 30, 2015.

³¹ Joe W. Trotter, "African Americans, Impact of the Great Depression on," *Encyclopedia of the Great Depression*, Robert S. McElvaine, ed., Vol. 1 (New York: Macmillan Reference USA, 2004), <http://ic.galegroup.com/ic/uhic/ReferenceDetailsPage/DocumentToolsPortletWindow?displayGroupName=Reference&jsid=7812016b5ea4d6684ea4837e2c6ef921&action=2&catId=&documentId=GALE|CX3404500017&u=sand55832&zid=b57acc008e359910d5c24de390bb447b>, accessed January 13, 2016.

³² Today, Cedar Grove is essentially an abandoned cemetery located adjacent to University Park Creative Arts School. Oaklawn later allowed black burials. "Cedar Grove," *Cemeteries of Mecklenburg County, Charlotte Mecklenburg Story*, <http://www.cmstory.org/content/cedar-grove>, accessed October 6, 2015; *Charlotte News*, October 26, 1921; "York Memorial Park," *Cemeteries of Mecklenburg County, Charlotte Mecklenburg Story*, <http://www.cmstory.org/content/york-memorial-park>, accessed October 6, 2015.

³³ "Tombstone Symbols and Their Meanings," United States Genealogy and History Network, <http://msgnh.org/usghn/symbols.html>, accessed December 19, 2015.

³⁴ "History of Government Furnished Headstones and Markers," National Cemetery Administration, U.S. Department of Veterans Affairs, <http://www.cem.va.gov/history/hmhlist.asp>, accessed December 21, 2016.

Appendix A
List of Known Burials in Biddleville Cemetery

This list of burials for Biddleville Cemetery has been compiled through field evaluation and review of death certificates and newspaper articles. Names with an asterisk (*) indicate an extant grave marker, while two asterisks (**) indicate there are photos of a marker that has been damaged, destroyed, or is no longer legible.

Name	Birth	Death
Infant Male Adams	About August 1918	September 29, 1918
Lula Grier Adams	About 1884	August 2, 1917
Amanda Dixon Alexander	About 1888	December 20, 1927
Ernest Alexander, Sr.	About 1884	September 10, 1925
Ernest Alexander, Jr.	May 14, 1914	July 16, 1916
Hattie M. Young Alexander	About 1874	December 17, 1919
Henry Alexander	December 24, 1880	June 3, 1951
John M. Alexander	About 1859	August 5, 1924
Junius A. Alexander	About 1875	July 19, 1936
Lula Johnson Alexander	May 3, 1871	January 23, 1933
Martha Alexander	About 1857	August 25, 1916
May Ethridge Alexander	About 1872	March 2, 1930
Robert Alexander	About 1910	April 3, 1921
Robert E. Alexander	About 1871	April 7, 1925
Rufus Alexander	June 1853	May 26, 1917
William L. Alexander, Jr.	November 3, 1924	January 30, 1926
Edward Atchinson	About December 1933	July 5, 1934
Henrietta Barber	About 1852	June 16, 1914
Infant Female Barber	May 28, 1931	May 28, 1931
Bula Mae Baskin	August 22, 1931	March 16, 1932
Infant Male Bennett	August 4, 1924	August 5, 1924
Lottie Wilson Black	June 16, 1868	May 26, 1945
Mary Lou Black	About 1907	September 25, 1918
Laura Bogan Blackmon	About 1905	August 27, 1928
Thaddeus Blakley	December 25, 1874	December 18, 1934
Henry B. Bland, Jr.	August 15, 1888	June 4, 1911
Minnie J. Brown Bland	January 1868	July 10, 1914
Celia Pharr Bradshaw	September 1880	August 16, 1910
Claudius Joseph "Claude" Bradshaw	June 22, 1878	November 4, 1918

Lena Bradshaw	About September 1922	May 19, 1923
Rosevelt Bradshaw*	September 18, 1906	March 27, 1952
Adam Brown	March 13, 1878	December 16, 1933
Armistead Brown	About 1818	March 1893
Julia Ann Brown	February 26, 1880	October 16, 1942
Walter Brown	January 27, 1899	September 22, 1926
Edward Elliot "Eddie" Byers	February 3, 1895	December 4, 1939
Joe Caldwell	unknown	August 25, 1889
Henrietta Carothers	About 1864	September 19, 1924
Jessie Chapple	About 1897	June 20, 1940
Rosevelt Chapple	March 25, 1913	February 3, 1942
Albert J. Clark	October 30, 1910	September 10, 1941
Allen Clark, Sr.	December 18, 1872	July 5, 1942
Celia "Sellie" Clark*	About 1835	February 8, 1910
Cora Lee Johnson Clark	About May 1881	May 27, 1935
Fannie Clark	About 1896	June 20, 1933
George Clark	October 25, 1885	January 17, 1936
Grant Clark*	About 1830	February 2, 1898
Cora Robinson Clyburn	About 1884	November 8, 1927
Floyd Clyburn	July 22, 1918	January 22, 1931
Ella Z. Alexander Davidson	October 3, 1881	January 17, 1963
Essie White Davidson	About 1895	July 15, 1919
Green Davidson*	About 1857	April 22, 1908
Infant Male Davidson	April 1, 1916	June 8, 1916
Mary Hollen Davis	About 1844	June 21, 1916
Napoleon Davis	About 1890	February 21, 1920
Ellen Bogan Dixon	About 1862	October 19, 1913
Dan Douglas	About 1883	July 23, 1934
Elvira Douglas	May 20, 1921	March 12, 1934
Jaunita Douglas	March 5, 1928	April 12, 1928
Henry Mashly Duren	November 25, 1903	December 29, 1932
Annette Dykes	June 16, 1935	February 25, 1936
Mildred Gormley Dykes	July 28, 1917	January 8, 1940
Annie Edwards	August 14, 1915	May 28, 1932
Jennie Edwards	About 1869	April 18, 1921
Jesse Edwards	About 1883	March 9, 1915
Mamie Edwards	November 12, 1918	January 26, 1919
Thomas Edwards	About 1866	January 21, 1918
Mildred Elder	July 11, 1917	November 17, 1917
Sarah Fredrick Ellis	About 1900	July 28, 1933
Bub Ethridge*	1900	1903

Carey Ethridge	About 1861	December 31, 1941
Henry Ethridge*	August 25, 1873	November 14, 1936
Infant Male Ethridge	October 26, 1925	October 26, 1925
Lawrence Ethridge*	1910	1964
Mamie Ethridge*	November 18, 1879	August 20, 1962
Robert Ethridge*	October 26, 1925	October 26, 1925
Serena "Rena" Mooney Ethridge	About 1847	June 17, 1929
Willie K. Ethridge* (listed as Mr. W.M. Ethridge on grave marker)	May 18, 1901	June 26, 1946
John Edmond Evans*	January 26, 1893	August 24, 1930
Martha Chambers Evins	About 1868	January 21, 1934
Cora Lee Foster*	August 15, 1877	March 27, 1908
Josephine Foster	About 1897	December 3, 1933
Nancy Ann Carothers Foster	September 21, 1851	December 26, 1949
Thomas Christopher Columbus Foster	About 1848	March 23, 1936
Ella A. Young Frazier	August 2, 1876	July 10, 1949
William Frazier	About 1873	March 1, 1934
Andrea Denise French	May 1, 1957	May 11, 1957
Elizabeth French	About 1846	February 23, 1926
Frances Wilhelmine French	About August 1933	July 22, 1934
Charles Frank French*	February 1874	June 24, 1924
Hallie French	March 11, 1887	April 5, 1940
Henry French	About 1845	October 15, 1909
Infant Male French	November 7, 1915	November 8, 1915
Emanuel Gabriel	About 1879	May 5, 1933
Hester Gaddy**	About 1879	November 24, 1915
Albert Glenn	October 7, 1915	February 19, 1916
Infant Female Glenn	October 7, 1915	November 27, 1915
Lottie Glover	March 5, 1880	January 23, 1933
Maggie Pharr Gormley	February 17, 1901	June 10, 1947
Purvis Herbert Gormley, Sr.	March 25, 1899	March 25, 1935
William Gormley	About 1868	January 4, 1938
Infant Male Graves	March 20, 1916	May 3, 1916
Burrell Green	About January 1924	May 19, 1924
Cora Grier	July 1877	April 18, 1917
Harry Grier	About August 1908	November 4, 1933
Ida Martin Grier	About 1892	September 12, 1934
Isaac Grier	About 1875	May 7, 1930
Mack Grier	About 1855	August 28, 1923

Russell Grier	About 1905	December 21, 1929
Susan Johnson Grier	About 1872	January 15, 1918
William "Willie" Hairston*	September 10, 1916	September 13, 1916
William Hardy	About 1887	April 25, 1919
Odessa Knox Harper	May 2, 1900	December 28, 1949
Cora Finley Harris	December 11, 1900	May 8, 1957
Grady Harris, Sr.	March 12, 1897	August 29, 1970
Isreal Harris*	May 10, 1833	May 10, ----
Sarah Harris* (guess at name on grave marker)	June 5, 1845	April 9, 1894
Ella Johnson Harrison	About 1908	April 15, 1935
Grady Harrison, Jr.* (born Grady Harris, Jr.)	April 8, 1926	April 25, 1966
John Harrison	About 1900	June 4, 1949
Henry Henderson	About 1884	June 23, 1915
Kay L. Henderson	August 10, 1923	May 11, 1924
Mark Henderson	About 1855	February 3, 1931
Mary French Henry	August 25, 1884	October 5, 1938
Elma Hill	January 9, 1932	July 12, 1932
Infant Male Holly	April 17, 1916	April 17, 1916
Arthur Horton	About 1900	April 12, 1935
Bessie Horton	May 20, 1913	October 24, 1913
Bessie Horton	About 1914	November 26, 1918
Bleeker Potts Horton	About 1902	December 30, 1936
Brother Horton	About 1916	May 18, 1930
Catherine Horton	About 1922	August 5, 1924
George W. Horton	About August 1935	October 19, 1935
Infant Female Horton	November 30, 1930	December 1, 1930
Infant Female Horton	November 11, 1932	November 11, 1932
Nancey Lila Horton	About 1920	November 10, 1937
Pauline Horton	About 1916	April 21, 1921
Samuel Horton	About October 1931	January 27, 1932
Infant Female Hull	December 9, 1928	December 9, 1928
Infant Male Hull	July 4, 1930	July 5, 1930
Joshua W. Hull*	About 1849	November 8, 1913
Mary A. Hull	February 1870	March 25, 1957
Gussie Frazier Jamison	About 1873	August 9, 1911
Ida Alexander Jamison	About 1870	February 20, 1930
Thomas Preston Jamison	August 24, 1880	October 12, 1961
Doris Vicia Jeter	June 19, 1934	March 13, 1937
Amanda Hunter Johnson	December 19, 1868	December 7, 1935

Charlie C. Johnson	About 1891	January 11, 1934
David Johnson	About 1849	August 8, 1921
George Johnson, Sr.	About 1855	March 4, 1930
George Johnson	October 9, 1901	June 25, 1961
Harris Johnson, Jr.	About 1869	October 10, 1921
Infant Female Johnson	October 25, 1917	November 7, 1917
Minnie Johnson	About 1859	December 4, 1925
Rosa Moore Johnson	About 1880	October 11, 1941
Russell Johnson	April 12, 1913	April 9, 1933
Charlott Johnston	About 1884	March 30, 1935
Hood Samuel Jordan	October 24, 1874	August 30, 1953
Wilbur R. Jordan	January 7, 1906	September 20, 1954
Mary Brown Kenny	About 1896	June 26, 1920
Addie Kirkpatrick	About 1901	May 10, 1915
Harriet B. Peoples Kirkpatrick	About 1852	December 7, 1929
Infant Daughter Kirkpatrick	February 2, 1939	February 3, 1939
John Kirkpatrick	February 1, 1881	March 20, 1910
Lee Kirkpatrick	About 1864	June 14, 1922
Nelson Kirkpatrick	About 1841	February 2, 1924
Odell Kirkpatrick	About 1883	December 15, 1913
William K. Knox	September 28, 1888	October 31, 1945
Mamie Potts Lee	About 1887	August 2, 1932
Hattie B. Harris (or Harrison) Lowery*	July 5, 1923	June 4, 1982
Hazel Martin	January 5, 1903	February 10, 1942
Infant Male McAlilly	October 11, 1923	October 11, 1923
Doris McArthur	About 1891	May 17, 1931
Amanda McDowell McClure	October 14, 1853	July 29, 1932
Charlie McCombs	December 1875	February 27, 1917
Edward Jessie McCorkle, Jr.	June 21, 1915	February 9, 1939
Roxanna "Roxie" Phifer McCormick*	March 11, 1856	(death date is unreadable)
Dorsey McDowell	About 1912	December 13, 1934
James McDowell	About 1892	September 6, 1931
Martha Mills McElmoore*	May 9, 1864	August 9, 1921
Maggie Irwin McKee	About 1863	July 6, 1919
Peter McKee, Jr.	About 1858	December 13, 1933
Bessie Springs Melton	About 1904	April 10, 1934
Pressley "Press" Miller	About 1880	July 18, 1929
Margrette Mims	About 1912	August 6, 1928
Thomas Montgomery	May 5, 1922	August 25, 1935

Tom Alexander Montgomery	About May 1924	June 22, 1925
Willie Mae Jamison Montgomery	October 11, 1902	October 11, 1930
Rev. Boysie B. Moore	October 2, 1888	January 28, 1950
Howard Moore	About 1912	August 26, 1914
Infant Male Morris	January 1, 1914	November 22, 1914
Allie Lowery Morrison	March 12, 1874	October 3, 1910
Edward D. Morrison	About 1871	January 12, 1937
Jack Morrison	About 1817	October 1, 1917
David Murdock	June 1, 1912	March 24, 1914
Jennie Ramseur Murdock	January 1, 1896	May 9, 1949
Wina Murdock	April 5, 1881	April 15, 1948
Baxter Foster Neal	October 7, 1906	November 22, 1967
Isaac Neal	About 1861	October 19, 1920
James Solomon Neal	About December 18, 1880	December 19, 1950
Marjorie D. Newkirk	May 11, 1898	March 14, 1916
Letitia Pharr Owens	About 1881	January 25, 1916
William Peoples	About 1873	October 19, 1916
Cornelia Potts Perry	About 1897	July 31, 1918
Bernard Pharr	September 19, 1889	January 14, 1949
Bertha Pharr Pharr	About 1897	June 19, 1933
Eddie Bernard Pharr	May 9, 1926	October 12, 1962
Ed Pharr	About 1868	June 8, 1933
Essie B. Pharr	About March 1919	August 10, 1919
Evelyn Pharr	February 2, 1914	March 12, 1916
George Edward Pharr	September 3, 1917	September 7, 1969
George W. Pharr	February 1887	May 25, 1933
Henry Pharr	February 28, 1930	November 3, 1933
Katie Johnson Pharr	About 1892	June 8, 1930
Lee Pharr	About 1865	March 25, 1930
Lottie Alexander Pharr	About 1871	June 5, 1930
Lottie Zelane Pharr	February 1, 1922	August 20, 1951
Maggie Alexander Pharr	About 1864	February 24, 1920
Modestine Pharr	About 1918	November 23, 1938
Paul Pharr	About 1881	July 2, 1931
Samuel Pharr	About 1920	May 29, 1930
Rev. Samuel Milius Pharr	December 1858	September 17, 1936
Alexander Phifer	About 1848	April 1, 1920
George Phifer	About 1865	January 22, 1929
Henry Phifer	About 1846	December 9, 1914
Jane Alexander Phifer*	About 1842	April 29, 1911

Joseph Phifer	October 25, 1883	September 4, 1933
Mellie Roberts Phifer	About 1865	July 27, 1917
Minnie Phifer	About 1887	April 16, 1921
Calvin Porter	June 1, 1910	January 17, 1968
Eliza Barnett Porter	About 1872	July 17, 1920
James Porter	July 17, 1889	March 22, 1911
Joseph Porter	About 1889	March 22, 1911
Sarah Kirkpatrick Porter	About 1887	March 22, 1942
William Porter	About 1892	May 18, 1915
George Potts	About 1857	August 12, 1930
Infant Male Potts	January 18, 1915	February 7, 1915
Louise Potts	About 1862	October 19, 1927
Ford Pyles	About 1878	September 16, 1924
Jenera Pyles	May 13, 1914	November 8, 1917
Dave Queary*	August 26, 1894	May 24, 1953
Eliza Spears Queary	November 18, 1887	July 14, 1954
Eugene Queary	About 1889	February 7, 1910
Henderson Queary	About 1870	March 17, 1919
Infant Male Queary	November 12, 1915	November 13, 1915
Pecolia Davis Queary	June 16, 1914	April 16, 1945
Adeline Reed	About 1866	May 5, 1918
David Reeder	July 28, 1891	January 11, 1943
Andy Reid	About 1887	October 4, 1921
Samuel Reid	July 4, 1866	October 24, 1939
Evelyn Potts Richardson	About 1908	November 20, 1935
James Roberts	About December 1919	May 31, 1921
Mildred Irene Roberts	January 20, 1932	June 18, 1933
Pearl Tate Robinson	About 1895	January 16, 1932
Florrie Rowland	October 19, 1908	December 10, 1914
Walter Rowland	About 1879	July 22, 1916
Roy Rushing	About 1901	October 15, 1913
George H. Shankle	About 1871	February 18, 1911
Malinda Shankle	About 1863	June 26, 1913
Annie Shaw	August 1, 1922	July 21, 1923
Ella Simmons	December 26, 1903	April 6, 1938
Isabella Ethridge Pharr	About 1864	November 6, 1924
Peoples Sloan		
Walter Smith	About 1867	October 13, 1917
Albert Springs	January 2, 1890	January 16, 1943
John Springs		February 1886
Annie Bradshaw Staten	About 1888	October 26, 1928

Elnoner Staten	About 1915	August 9, 1917
Infant Male Staten	About August 1913	December 30, 1913
Infant Male Staten	About December 1914	January 6, 1915
Irene Withers Wallace	February 1, 1911	August 27, 1947
Stevenson		
Hannie Thomas Stewart	July 7, 1864	April 4, 1931
Infant Male Stewart	February 10, 1921	June 12, 1921
Clara Fulton Stowe	About 1886	June 2, 1927
Eugene Stowe	About 1916	December 2, 1927
Harry Stowe	March 4, 1914	August 15, 1934
Jettie Stowe	April 12, 1923	January 10, 1932
Marie Stowe	About 1911	April 22, 1915
Infant Male Tate	August 9, 1912	August 9, 1912
Infant Male Teeter	August 6, 1916	April 27, 1917
Cicero Thomas	January 10, 1897	February 8, 1914
Frances Elizabeth McKee	October 11, 1890	November 1, 1942
Thomas		
Rev. Lincoln C. Thomas	May 16, 1878	September 7, 1942
Margaret Knox Thomas	July 28, 1846	April 21, 1932
Warren Thomas	About 1830	March 22, 1910
Crawford Beard Thompson	About October 1929	April 7, 1934
Annie Laura Brown Walker	December 16, 1935	January 13, 1936
Isaac Wallace	About 1891	November 15, 1955
Sallie Wallace	About 1861	March 5, 1926
Ellen Watts	About 1859	April 21, 1937
John Watts	About 1860	December 19, 1930
Infant Female Webb	July 8, 1933	July 31, 1933
Camille White	About 1842	May 15, 1925
Junius Nathan White	About 1862	July 7, 1919
Cora Sanders Williams	June 15, 1911	November 28, 1934
Eliza Williams	February 27, 1913	October 7, 1916
Hattie Kirkpatrick Williams	About 1890	May 15, 1929
Infant Male Williams	August 6, 1912	August 6, 1912
Thelma Williams	About April 1907	October 6, 1913
Willie Williams	September 19, 1913	July 16, 1916
Willie Lee Gaines Wilson	About 1897	March 6, 1916
Macey Queary Withers	About 1893	January 20, 1916
Ned Woods	May 31, 1885	December 16, 1951
Samuel Worlds	About 1880	May 13, 1935
Armisted Young	About 1846	January 30, 1934
Sarah Holland Young**	About 1846	May 6, 1936

William Robert Young	March 30, 1881	April 9, 1943
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Ordinance designating as an Historic Landmark a property known as the “Dilworth Airplane Bungalow” (listed under Tax Parcel Number 12110209 as of September 1, 2016 and including the interior and exterior of the house, and the land associated with Tax Parcel Number 12110209). The property is located at 2144 Park Road in Charlotte, North Carolina, and is owned by Paula Pridgen.

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 October, 2016, on the question of designating a property known as the Dilworth Airplane Bungalow as an 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 October, 2016, on the question of designating a property known as the Dilworth Airplane Bungalow as an historic landmark; and

WHEREAS, the Dilworth Airplane Bungalow, erected in 1925 for Walter Holmes Beardsley and his wife, Leila Nichols Beardsley is the only local example of the Airplane Bungalow style built during the Craftsman Period (1905 – 1930); and

WHEREAS, the Dilworth Airplane Bungalow is a rare subtype of the Craftsman style that is most common on the Pacific Coast and California in particular; and

WHEREAS, the Dilworth Airplane Bungalow is inspired by the elaborate “Ultimate Bungalows” designed by brothers Charles Sumner Greene and Henry Mather Greene who have been credited for creating the Craftsman movement; and

WHEREAS, both the English Arts and Crafts movement and Oriental wooden architecture is reflected in the Dilworth Airplane Bungalow; and

WHEREAS, the high degree of integrity of the Dilworth Airplane Bungalow, both on the interior and exterior, makes the bungalow an exceptional local example of a well-preserved Craftsman-style home; and

WHEREAS, the extensive stonework, which was used in construction of the exterior of the first floor of the Dilworth Airplane Bungalow, is rare in Dilworth where stonework is typically limited to secondary features such as chimneys and porch piers; and

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

WHEREAS, the property known as the Dilworth Airplane Bungalow is owned Paula Pridgen.

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

1. That the property known as the “Dilworth Airplane Bungalow” (listed under Tax Parcel Number 12110209 as of September 1, 2016 and including the interior and exterior of the house, and the land associated with Tax Parcel Number 12110209) is hereby designated as an 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 2144 Park Road, Charlotte, Mecklenburg County, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Dilworth Airplane Bungalow” (2016).

2. That said exterior and interior are more specifically defined as the historic and structural fabric, especially including all original exterior and interior architectural features and the 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 Division of Archives and History. 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 an 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 "Dilworth Airplane Bungalow" 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.

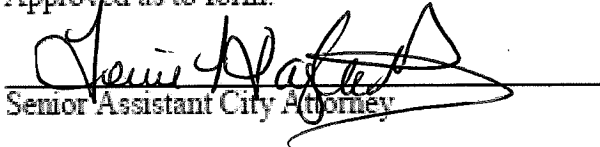
7. That which is designated as an historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 21st day of November, 2016, by the members of the City

Council of the City of Charlotte, Mecklenburg County, North Carolina.


Clerk to City Council

Approved as to form:

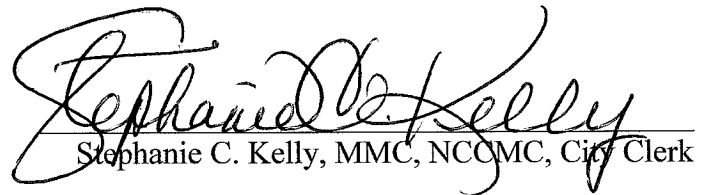

Senior Assistant City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 November, the reference having been made in Minute Book 141, and recorded in full in Ordinance Book 60, Page(s) 333-370.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 21st day of November, 2016.




Stephanie C. Kelly, MMC, NCOMC, City Clerk

Polaris 3G Map – Mecklenburg County, North Carolina

November 21, 2016
Ordinance Book 60, Page 338

Ordinance Number: 8174-X

Date Printed: 10/5/2016 9:10:14 AM



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

**Dilworth Airplane Bungalow
2144 Park Road**



The Airplane Bungalow style is a rare subtype of the Craftsman style that is most common on the Pacific Coast and California in particular, and the 1925 Dilworth Airplane Bungalow is the only example in Charlotte of the style. The Asian-influenced Airplane Bungalow is inspired by the elaborate “Ultimate Bungalows” designed by brothers Charles Sumner Greene and Henry Mather Greene who have been credited for creating the Craftsman movement. The Californian brothers’ interest in both the English Arts and Crafts movement and Oriental wooden architecture is reflected in the Dilworth Airplane Bungalow. The incredible integrity of the home, both on the interior and exterior, and the extensive use of stonework, makes the bungalow an exceptional local example of a well-preserved Craftsman-style home.



Dilworth Airplane Bungalow

1. **Name and location of the property:** The property known as the Dilworth Airplane Bungalow is located at 2144 Park Road, Charlotte, NC 28203 in the historic Dilworth neighborhood.
2. **Name and address of the present owner of the Property:**
Paula Pridgen
2144 Park Road
Charlotte, NC 28203
3. **Representative photographs of the property:** This report contains representative photographs of the Dilworth Airplane Bungalow.
4. **A map depicting the location of the property:**



5. **Current tax parcel reference and deed to the property:** The tax parcel number of the property is 12110209. The most recent deed to this property is recorded in Mecklenburg County Deed Book 30104, Page 559.
6. **A brief historical sketch of the property:** This report contains a brief historical sketch of the Dilworth Airplane Bungalow.
7. **A brief architectural description of the property:** This report contains a brief architectural description of the Dilworth Airplane Bungalow.
8. **Documentation of why and in what ways the property meets the criteria for designation set forth in N.C.G.S 160A-400.5:**

- a. **Special significance in terms of its history, architecture and/or cultural importance:**
The Commission judges that the property known as the Dilworth Airplane Bungalow does possess special significance for Charlotte and Mecklenburg County. The Commission based its judgment on the following consideration:
 - i. The Dilworth Airplane Bungalow, erected in 1925 for Walter Holmes Beardsley (1879 – 1936) and his wife, Leila Nichols Beardsley (1894 – 1984) is the only local example of the Airplane Bungalow style built during the Craftsman Period (1905 – 1930).
 - ii. The Airplane Bungalow style is a rare subtype of the Craftsman style that is most common on the Pacific Coast and California in particular.
 - iii. The Asian-influenced Airplane Bungalow is inspired by the elaborate “Ultimate Bungalows” designed by brothers Charles Sumner Greene and Henry Mather Greene who have been credited for creating the Craftsman movement. The Californian brothers’ interest in both the English Arts and Crafts movement and Oriental wooden architecture is reflected in the Dilworth Airplane Bungalow.
 - iv. The incredible integrity of the home, both on the interior and exterior, makes the bungalow an exceptional local example of a well-preserved Craftsman-style home.
 - v. The extensive use of stonework, which was used in construction of virtually the entire first floor of the 1.5 story home, is rare in the Dilworth community where stonework was common but limited to minor features such as chimneys and porches.
 - b. **Integrity of design, setting, workmanship, materials, feeling, and /or association:** The Commission contends that the physical and architectural descriptions included in this report demonstrate that the Dilworth Airplane Bungalow meets this criterion.
9. **Ad Valorem Tax Appraisal:** The Commission is aware that designation would allow the owner to apply for an automatic deferral of 50% of the Ad Valorem taxes on all or any portion of the property which becomes a designated "historic landmark." The current appraised value of the land and building is \$376,600.
 10. **Portion of property recommended for designation:** This report finds that the interior and exterior of the house and the land associated with the Dilworth Airplane Bungalow should be included in the landmark designation of the property.
 11. **Date of Preparation of the Report:** April 2016

Prepared by: Paula Pridgen

Introduction

The Dilworth Airplane Bungalow is of special architectural significance in Mecklenburg County. Constructed circa 1925, the home is unique in that it is the only example of the Airplane Bungalow style, a rare subtype of the Craftsman style, in Charlotte. The Airplane Bungalow is more common in California, the home of the architect brothers Charles Sumner Greene and Henry Mather Greene, who have been credited for creating the Craftsman movement. (1)

The high level of integrity, both in the interior and exterior, of the Dilworth Airplane Bungalow is rare to find today in homes that were built in Charlotte during the Craftsman period spanning the years from 1905 to 1930. (1) The extensive amount of existing historic materials and the virtually intact interior and exterior of the home contribute to the Airplane Bungalow's high degree of architectural integrity.

If one does not refer to the home at 2144 Park Road as the "Airplane Bungalow," then he may call it "The Stone House." Stone is widely used as a building material throughout the historic Dilworth neighborhood, but typically it is used on homes as an accent material. On the Airplane Bungalow, instead of limiting the cobblestone work to the porch columns and chimney the original owners chose to have the entire first story constructed of stone.

Credit for the high level of historic preservation of the Dilworth Airplane Bungalow may be due to the limited number of ownership changes to date. The Beardsley family constructed the home and held the property until the 1970s. Walter Holmes Beardsley, one of the prosperous gentlemen of Charlotte in the early 20th century, and his wife Leila Nichols Beardsley built the house shortly after they were married in 1924. The couple never had any children, and Walter Beardsley passed away in 1936.

Leila Beardsley owned the home until she sold it to John Martin, Jr. and his wife Miriam Martin on October 19, 1972. (2) John Martin, Jr. would own and operate the hardware store, Martin's Hardware, located beside the home at 2200 Park Road (present day Ed's Tavern). On May 24, 1993, John Martin was murdered at his hardware store for an insignificant amount of money. (3)



The Dilworth Airplane Bungalow

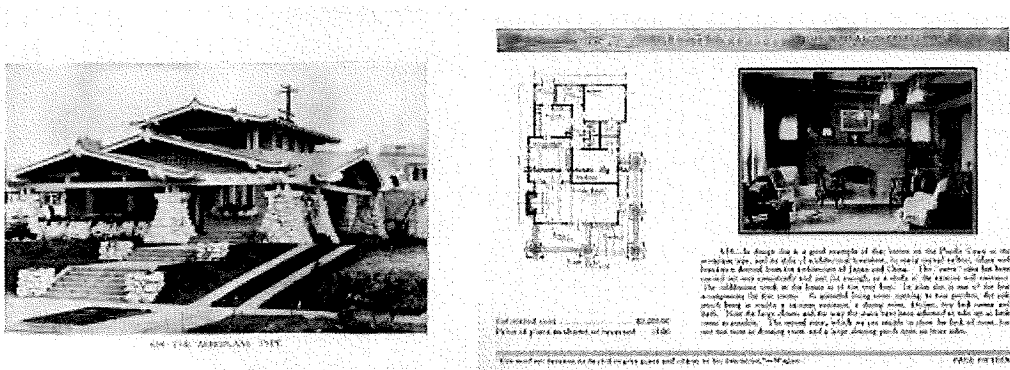
Constructed circa 1925, the 1.5-story single-family residence is a significant example of an Asian-inspired Airplane Bungalow, a subtype of the Craftsman style. The low-pitched roofs resemble the wings of an airplane while the pop-up second story, with its continuous banks of windows allowing sweeping panoramic views of the surroundings, is similar to that of a cockpit of an aircraft. The Airplane Bungalow was common in California during the 1910s and 1920s but was rarely built in other parts of the country.

The Airplane Bungalow is located on the corner of Park Road (originally Avondale Avenue) and Ideal Way in the Dilworth neighborhood, which was established in 1891 as Charlotte's first streetcar suburb. The house is located in southern portion of Dilworth, which is a relatively newer section of the historic neighborhood and was predominantly middle-class. (4) The lot where the home was constructed was purchased on June 16, 1924, from Southside Land Company, which was incorporated in 1921 and authorized to deal in real estate and contracting. (5)

The majority of homes built in the Craftsman style were inspired by two Californian brothers, Charles Sumner Greene and Henry Mather Greene, who began designing the first Craftsman homes in 1903. While their first houses were simple in design, later plans integrated high-style details that were

influenced by the English Arts and Crafts movement and Oriental wooden architecture. The fame surrounding these intricately-designed “ultimate bungalows” created demand throughout the country for similar craftsman bungalows, which were also called “California bungalows.” (1) During the 1920s, catalogs advertising house plans, a concept which began during the Victorian age, were extremely popular. (6) Bungalow designs made popular by Greene and Greene in California began spreading across the country as a result of these nationally-distributed house plans.

Building plans for the Dilworth Airplane Bungalow were advertised in *Craftsman Bungalows: A collection of the latest designs*, originally published by Yoho & Merritt of Seattle in 1920. The goal of the designs presented in the 1920s publication was to adapt the popular bungalows of California to the cooler climates of northern and eastern states by adding necessary conveniences such as basements with furnaces.



The Dilworth Airplane Bungalow is design number 634 – The Aeroplane Type. Advertisement for the \$20 plans that had an estimated cost of \$5500 to construct contained the following description:

634 – In design this is a good example of that known on the Pacific Coast as the aeroplane type, and its style of architectural treatment, its many curved rafters, ridges and brackets is derived from the architecture of Japan and China. The “curve” idea has been carried out very consistently and just far enough, as a study of the exterior will convince. The cobblestone work in this house is of the very best. In plan this is one of the best arrangements for five rooms. A splendid living room opening to two porches, the side porch being in reality a carriage entrance, a dining room, kitchen, two bed rooms and bath. Note the large closets and the way the stairs have been schemed to take up as little room as possible. The second story, which we are unable to show for lack of room, has one bed room or dressing room, and a large sleeping porch open on three sides. (7)

The Dilworth Airplane Bungalow has retained a significant level of architectural integrity both on the exterior and interior of the home, and has not been significantly expanded. This stands in stark contrast to many of Charlotte’s small bungalows which have been expanded into large, towering or sprawling houses.

On the exterior, the “curve” idea, undoubtedly inspired by some of the oriental-influenced work of Greene and Greene, can be seen in the Japanese-inspired curved rafters extending out from the covered porches. It is also reflected in elements as small as the stone planter underneath the living room window.



Japanese-Inspired Curved Rafters on Front Porch

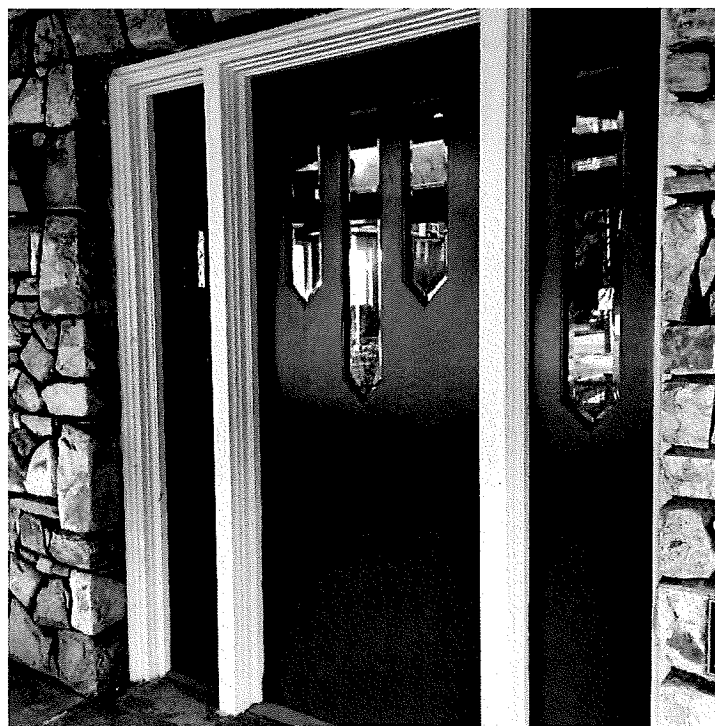


Front Porch Rafters



Curved Stone Planter on Terrace

Other notable elements on the exterior would include the Arts and Crafts-inspired wood and glass front door, sidelights, and living room picture window that all feature beveled glass. Additionally, the double-hung sash windows remain, many containing the original lead glass.



Original Front Door

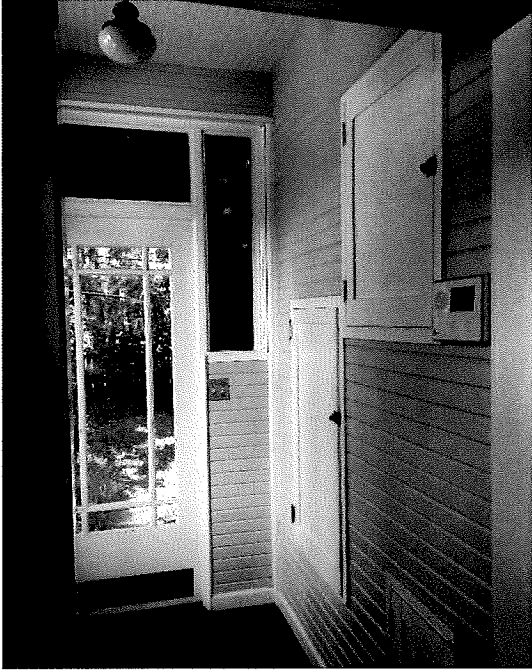
Perhaps the most significant exterior change to the home was the removal of the rafters above the terrace in the front, right corner of the home. Originally the rafters from the front and side porches extended to the front, far right stone column. Today, a gas lantern in the Craftsman-style sits on the stone column. Despite this change, the exterior of the home appears much the same today as it most likely did in 1925. Both the covered porches and all the massive, stone columns remain.

While there are other examples of Plan 634 in the United States, one would find it difficult to find an example that contains as an extensive amount of stonework as that used on the Dilworth Airplane Bungalow. Original plans show stonework only on the chimney and supporting columns, but the entire first floor exterior of the Dilworth Airplane Bungalow was constructed in stone. The extensive use of stonework alone makes the home unique in the Dilworth neighborhood. Many other bungalows have stone chimneys and stone detail on their porches, but no other house in Dilworth has stonework carried out as extensively as it was done on the Airplane Bungalow. Perhaps the lavish use of the stonework hints that the man who built this home was wealthier than the average bungalow owner.

In the interior of the house, the floor plan has remained unchanged except for the small addition of a bathroom on the back of the pop-up second floor. The 2003 addition, however, was done in the Arts and Crafts Style and blends well with the original interior. The back porch was also enclosed at an unknown date and the back door was moved to accommodate the interior expansion of the home.



Small Bathroom Addition



Enclosed Back Porch

The house still boasts many plaster walls and ceilings, quartersawn oak woodwork, light fixtures, and oak and pine flooring from its original construction. The picture rail remains intact throughout the home. The large stone fireplace is still in operation and a focal point of the living room. A room divider with built-in bookshelves separates the dining room from the living area.



Large, Stone Fireplace



Dining Room



Dining Room Fixture



Curved Staircase (View from Dining Room)



Fixture in Staircase



Room Divider with Bookcases (Living to Dining)



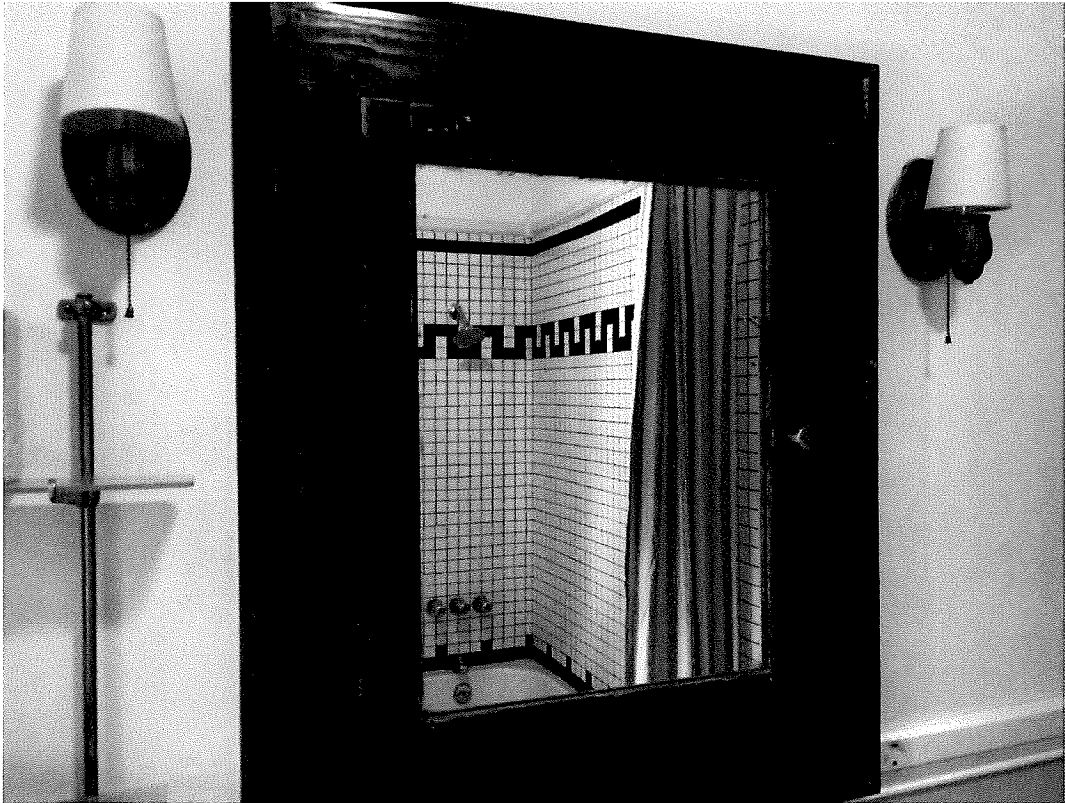
Room Divider (Dining to Living)



Large Living Room at Front of House



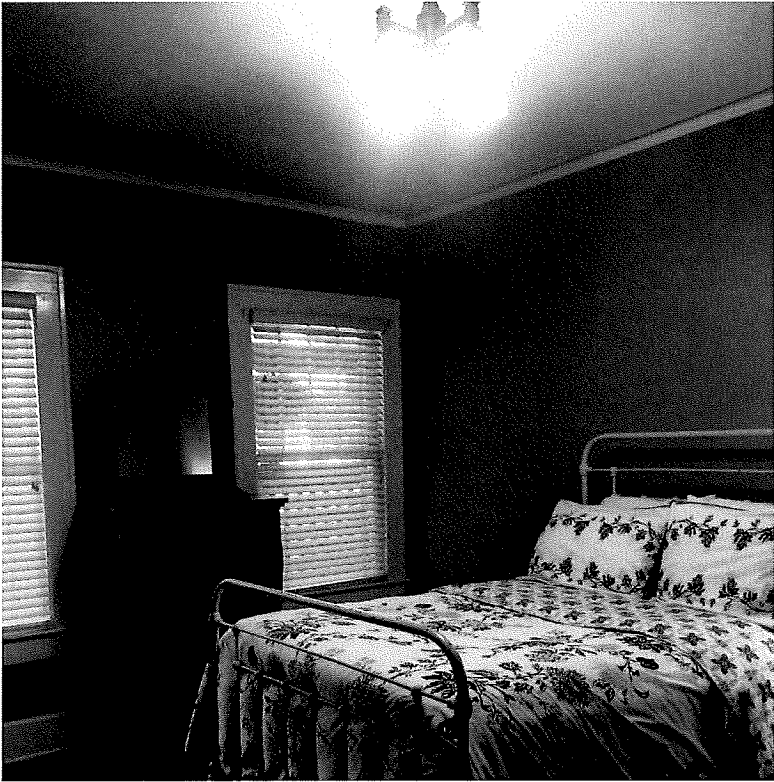
Picture Rail



Medicine Cabinet & Original Fixtures



Downstairs Tile & Tub



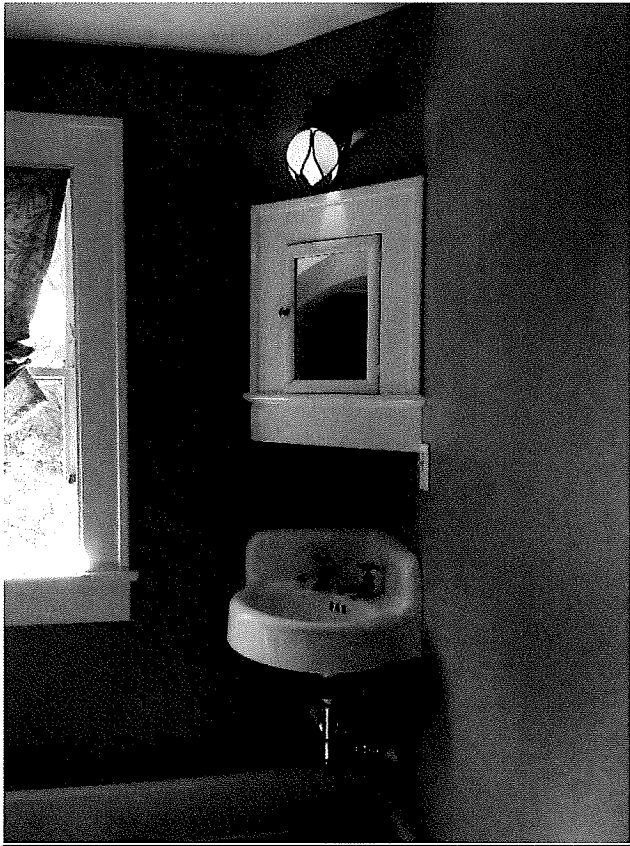
Downstairs Bedroom (Front)



Downstairs Bedroom (Back)



Upstairs Bedroom



Upstairs Corner Sink



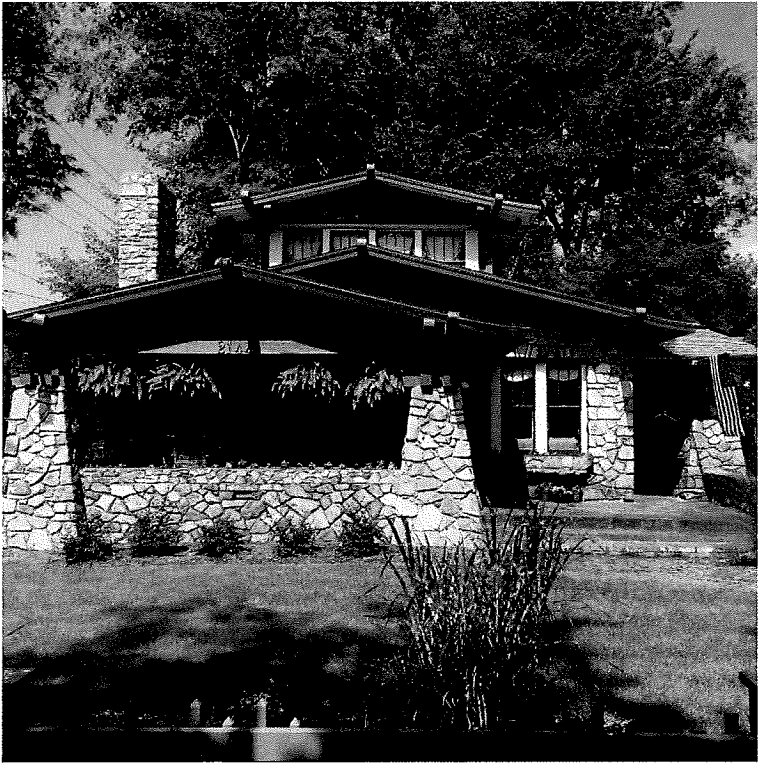
Sleeping Porch



Example of Original Hardware Throughout (Kitchen Pantry)



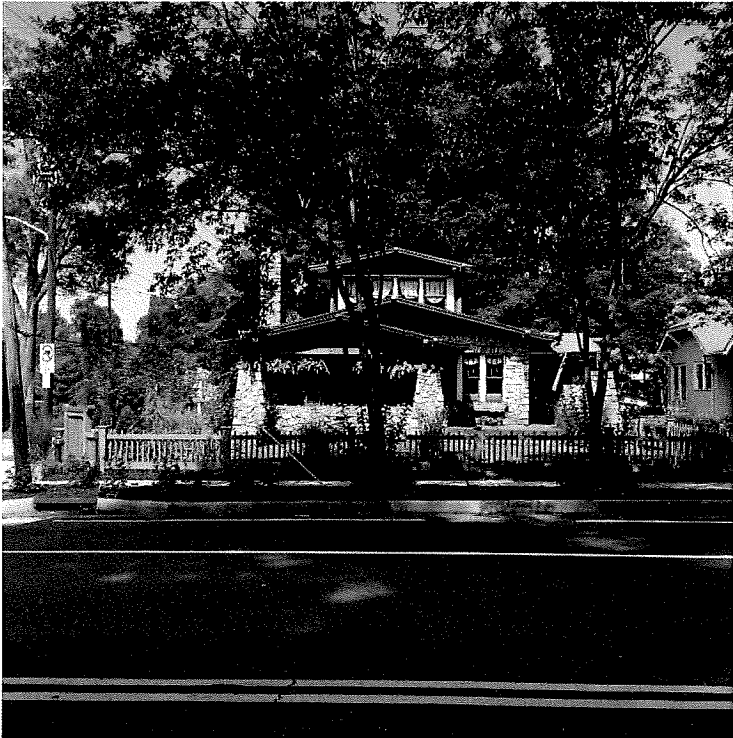
Front Exterior



Front Exterior



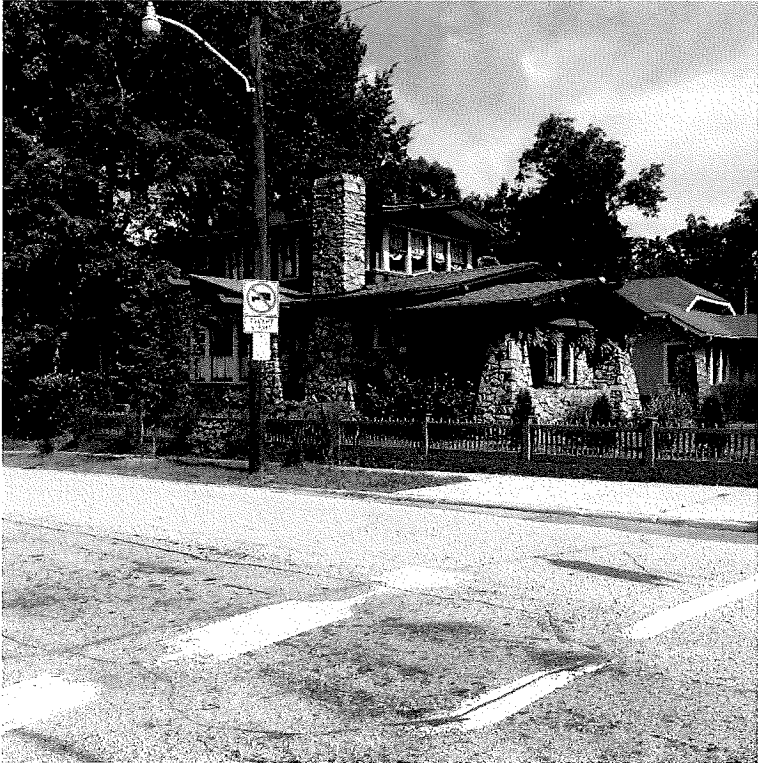
Front Exterior



Front Exterior



Side (Ideal Way - East)



Side (Ideal Way - East)



Back Corner (Ideal Way - East)



Back of House



Back Corner from Parking (West)



Panoramic Shot of Side (From Neighbors – West)



Side Porch (From Neighbors – West)



Side Porch



Side Porch Rafters



Front Porch

The Beardsleys

Walter Holmes Beardsley was born April 12, 1879 in Memphis, Tennessee as the only son from the marriage of the prominent Moss White Beardsley and Marcia Elbertina Beardsley. In 1907, Walter Beardsley and his brother-in-law, Mr. Fredrick H. Gans, operated Gans & Beardsley, a New York cotton firm located at 18 Wall Street. However, around September 1 of 1907, the two opened a branch in Charlotte at 31 East Fourth Street with the purpose of conducting a cotton brokerage business with the Carolina Mills. (8) Walter Beardsley moved to Charlotte in August of 1907 with the intent of managing the new location. Mr. and Mrs. Gans followed their brother a few weeks later. Shortly after, Mr. Beardsley's mother, Mrs. Marcia Beardsley, joined her daughter and son in Charlotte. The family lived at the residence of Mr. J. P. Caldwell located at 603 South Tryon until January of 1909, when Mr. and Mrs. Gans returned to New York. (9) Walter Beardsley and his mother would be Charlotte residents for the remainder of their lives.



Walter Beardsley's mother, Mrs. Marcia Beardsley, was a native of Mississippi and was born into a wealthy family. She was a prominent social figure in many states that she lived in but became well-known in Charlotte's social circles after the family's move. In August of 1910, she passed away. (10) She had not been well for a while. About a year before, Mrs. Beardsley had suffered a stroke while walking the streets of New York and had been confined to a wheelchair ever since. Despite her ill health, Mrs. Beardsley was known as "one of the most scholarly women in the city" of Charlotte and active in Charlotte's social scene. (11)

After his mother's death, Walter Beardsley continued to live in Charlotte. For many years, he remained engaged in the cotton business. When his sister and brother-in-law returned to New York in January of 1909, Gans & Beardsley was dissolved, but Walter Beardsley assumed all responsibility of the cotton firm and continued to run the office under the same name. (12) Walter Beardsley was well-known as a "cotton man" in Charlotte (13), but he was also involved in other business ventures. In February of 1909, DesChamps Merchandise Brokerage Business was purchased by Walter Beardsley and J. M. Boykin. It operated under the name Boykin & Co. at 31 East Fourth Street. (14) On July 1, 1910, Newburger Cotton Company of Memphis, one of the best-known and most reputable cotton houses in the South, opened a branch office in Charlotte. Walter Beardsley became assistant manager of the firm and reported to Mr. Lloyd C. Withers. (15) In May of 1911, The Marcia Yarn Mills of Lincoln County (perhaps a tribute to Walter Beardsley's mother, Marcia, who had passed away the year before) was chartered with \$125,000 authorized capital and \$500 paid into manufacture yarns. Walter Beardsley along with Brevard D. Miller and R. K. Blair were listed as stockholders. (16) The mill, consisting of 9,600 spindles, was listed for sale in October of 2011. (17) In September of 1912, the Marcia Yarn Mills changed names and became known as the Stirant Yarn Mills. (18)

In later years, Walter Beardsley was involved in the auto industry and was a road salesman for Pyramid Motor Company selling White Star extra quality oil. (19) In the fall of 1917, he was busy in South Carolina shooting in orders for the White Star oil and traveling to sell the quality motor oil to be used in Fords. (20) Beardsley reported that business was booming in every sector that he visited. (21) In 1920, Beardsley worked for the Carolina Distributing Company, distributors of Rainer trucks, and spent time traveling and overseeing the development of the company's dealer organization. (22) Around 1923 – 1924, Walter Beardsley was the President and Manager of Piedmont Specialty Company. (23) During the rest of the 20s, Walter Beardsley held secretary and treasurer positions with the Red Fez Club and Elks Lodge. (24) (25) After the stock market crash in 1929, Walter Beardsley began work as an inspector at Ford Motor Company for a few years. (26) Later he became a salesman with D&S Engineering Company. (27) When Walter Beardsley died from heart failure in 1936, "Salesman" was listed as his profession. However, the 1936 city directory shows him as clerk at WPA, presumably the Works Progress Administration, which was created in 1933 with the goal of getting unemployed Americans back to work during the Depression. (28) (29)

While Walter Beardsley, a prominent social figure early on in Charlotte, was not always listed amongst the stags at parties (30), he proved to be a bachelor for much of his life. Beardsley was very active in and beloved by the Charlotte Elks. He served as the Elks State President in 1915 (31) and was the exalted ruler of the Charlotte Elks for many years. (32) In 1913, Beardsley orchestrated the purchase of land on East Third Street known as the old Henderson place and owned by Mr. R. L. Vernon. (33) (34) The Elks built their first home here, opposite of the Mecklenburg County Courthouse. Perhaps in

appreciation of his hard work in securing the property, the Charlotte Elks gave Walter Beardsley an elegant gold watch on Christmas Day in 1913. (35)

Walter Beardsley's father, Moss White Beardsley, was a "man of learning and wide experience." He was an expert in constructive engineering, especially railroad construction. M. W. Beardsley was a native of Ohio but he spent a significant portion of his life in Southern states. In later years, he lived in Oakland, California. In September 1920, Walter Beardsley traveled to San Francisco with the Shriners, where he met his father, who had been living in the West for 27 years at that time. It is possible that Walter Beardsley was inspired to build a bungalow, or even an airplane bungalow by his travels to California. (36)

While Walter Beardsley was purchasing a mill in 1911, the father of Leila Nichols (also formerly known as Lelia Nichols and Lela Nichols), the woman who would become Walter Beardsley's wife, was working as a sawyer in a mill in Barnwell County, South Carolina. (37) Leila Nichols Beardsley, born March 12, 1894 in Earl, North Carolina as the daughter of Martin "Frank" and Hattie Bridges Nichols, came from a very different background than Walter Beardsley. Hattie Nichols passed away on April 8, 1909 in Grover, North Carolina. (38) She has been sick for a while. (39) At that time, Leila was just 15. In October of 1909, Frank Nichols moved his family of four girls (Mabel, 17; Leila, 15; Florence, 13; and Lucy, 4 as of 1910 census) to Robbins, South Carolina where he was engaged in sawmill work. (40) In May of 1912, Frank Nichols passed away. (41)

In 1924, Leila Nichols was living at 709 East Worthington in the Dilworth neighborhood with her youngest sister, Lucy Nichols, and older sister, Mabel and her husband, Thomas Spratt. At that time, Leila was a stenographer for the cotton merchants L C Withers & Co, which was owned by the same Lloyd C. Withers that Walter Beardsley had worked for back in 1910 at the Newburger Cotton Company of Memphis. (23)

On June 16, 1924, Leila Nichols purchased the land described as Lot 12 in Block 1, as shown on a map of the property of Southside Land Company, from Southside Land Company for \$2,250. On the deed for the lot that would be given the address of 2144 Avondale, Leila Nichols is listed as unmarried. (42) In fact, the Dilworth Airplane Bungalow, which was built on this lot, was never in Walter Beardsley's name.

The truth was that Leila Nichols was not an unmarried woman in June of 1924 as she may have claimed. Walter Beardsley and Leila Nichols were secretly married in Gaffney, South Carolina, a town with family ties for Leila, on April 12, 1924. It wasn't until July 16 of the same year that the marriage between Walter and Leila was announced by her sister and brother-in-law, Mrs. and Mr. Thomas E. Spratt. (43)

According to an interview with Allyson Cooksey, the grandniece of Leila Nichols Beardsley, the reason for the secret marriage was related to Lucy Nichols, the youngest sister of Leila. After the deaths of the both their mother and their father, the older Nichols sisters made a pact to remain unmarried until the youngest sister, Lucy, finished school. In April of 1924, Lucy was just shy of graduating. The announcement of the Beardsley marriage in June was made after Lucy's graduation. It is unclear why the young Beardsley couple could not wait a few more months, but the significance of the wedding date may have played a part. The day the couple got married was, after all, Walter Beardsley's birthday.

Fortunately, the young Lucy Nichols did not play as large a factor in the Beardsley couple's choice of house plans as she did in their wedding announcement. Evidently, Lucy thought the Airplane Bungalow,

an idea that Leila got from a picture taken out West, was a bad idea. She thought the Oriental-inspired Airplane Bungalow was inappropriate and would look out of place in the Dilworth streetcar subdivision. Relatives of the Nichols speculate that perhaps the extensive use of stonework was the Beardsleys' effort to make the home fit in more with the surrounding simpler bungalows of the neighborhood. (44)

The Dilworth Airplane Bungalow was constructed sometime after Leila Nichols purchased the lot in 1924. The 1926 Directory lists the couple living at 2144 Avondale. (45)

Even after her husband's death in 1936, Mrs. Leila Beardsley continued to live in the Airplane Bungalow many years. (46) She held various secretarial positions during her life but most notably she was the church secretary at Pritchard Memorial Baptist Church for 42 years.

The Beardsleys never had any children, but the Dilworth Airplane Bungalow did become home to a few of Mrs. Beardsley's relatives. Despite not being a fan of the house style, Lucy Nichols and Mrs. Mabel and Thomas Spratt, sister and brother-in-law of Mrs. Beardsley, lived in the home when the 1930s census data was collected. (47)

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9. —. January 19, 1909.
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11. **Charlotte News.** August 10, 1910.
12. **Charlotte Observer.** January 31, 1909.
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14. —. February 19, 1909.
15. —. June 30, 1910.
16. —. May 20, 1911.

17. *Lincoln County News*. October 31, 1911.
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19. —. September 23, 1917.
20. —. October 14, 1917.
21. —. October 7, 1917.
22. *Charlotte News*. March 28, 1920.
23. *Charlotte City Directory*. 1923 - 1924. p. 607.
24. *Charlotte City Directory*. 1925. p. 154.
25. *Charlotte City Directory*. 1929. p. 146.
26. *Charlotte City Directory*. 1930. p. 146.
27. *Charlotte City Directory*. 1933. p. 92.
28. *Charlotte City Directory*. 1936. p. 88.
29. FDR Creates the WPA. *History*. [Online] <http://www.history.com/this-day-in-history/fdr-creates-the-wpa>.
30. *Evening Chronicle*. November 11, 1909.
31. *Charlotte Observer*. June 26, 1915.
32. *Evening Chronicle*. March 31, 1914.
33. *Charlotte Observer*. December 29, 1919.
34. *Charlotte News*. December 15, 1913.
35. —. December 30, 1913.
36. *Charlotte Observer*. September 8, 1920.
37. U.S. Census of Agriculture. 1910.
38. *Gaffney Ledger*. April 13, 1909.
39. —. August 7, 1908.
40. —. October 22, 1909.
41. —. May 31, 1912.
42. Deed Book 549. June 16, 1924. p. 333.
43. *Gaffney Ledger*. July 17, 1924.
44. Interview with Allyson Cooksey, conducted by Paula Pridgen. April 23, 2016.

45. Charlotte City Directory. 1926. p. 142.

46. Charlotte City Directory. 1950. p. 82.

47. U.S. Census of Agriculture. 1930.

Ordinance designating as an Historic Landmark a property known as the “Midwood Elementary School” (listed under Tax Parcel Number 09507803 as of September 1, 2016 and including the exterior of the buildings, and the land associated with Tax Parcel Number 09507803). The property is located at 1817 Central Avenue, Charlotte, North Carolina, and is owned by the Charlotte Mecklenburg Board of Education.

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 October, 2016, on the question of designating a property known as the Midwood Elementary School as an 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 October, 2016, on the question of designating a property known as the Midwood Elementary School as an historic landmark; and

WHEREAS, the Midwood Elementary School was designed by the firm of Charlotte architect M.R. Marsh; and

WHEREAS, the Midwood Elementary School was the first school to serve the Central Avenue corridor; and

WHEREAS, the Midwood Elementary School is an important element of the Plaza Midwood neighborhood; and

WHEREAS, as one of several schools built in Charlotte in the 1930s, Midwood Elementary School is one of the last examples of education architecture in the Traditional Revival architectural style, with the classical rhythm, decorative brickwork, pitched roofs that were dropped in favor of the modern, flat-roofed school popularized following World War II; and

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

WHEREAS, the property known as the Midwood Elementary School is owned by the Charlotte Mecklenburg Board of Education.

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

1. That the property known as the "Midwood Elementary School" (listed under Tax Parcel Number 09507803 as of September 1, 2016 and including the exterior of the buildings, and the land associated with Tax Parcel Number 09507803) is hereby designated as an 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 1817 Central Avenue, Charlotte,

Mecklenburg County, North Carolina. Features of the property are more completely described in the "Survey and Research Report on the Midwood Elementary School" (2016).

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior and interior architectural features and the 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 Division of Archives and History. 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*

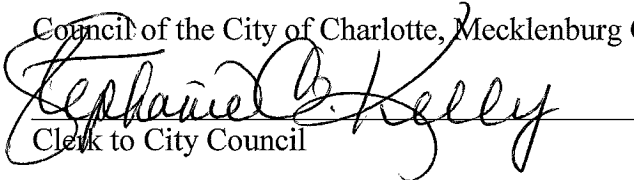
Guidelines for Rehabilitating Historic Buildings, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

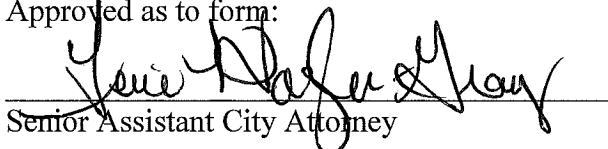
6. That the owners of the historic landmark known as the "Midwood Elementary School" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as an 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.

Adopted the 21st day of November, 2016, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.


Clerk to City Council

Approved as to form:


Senior Assistant City Attorney

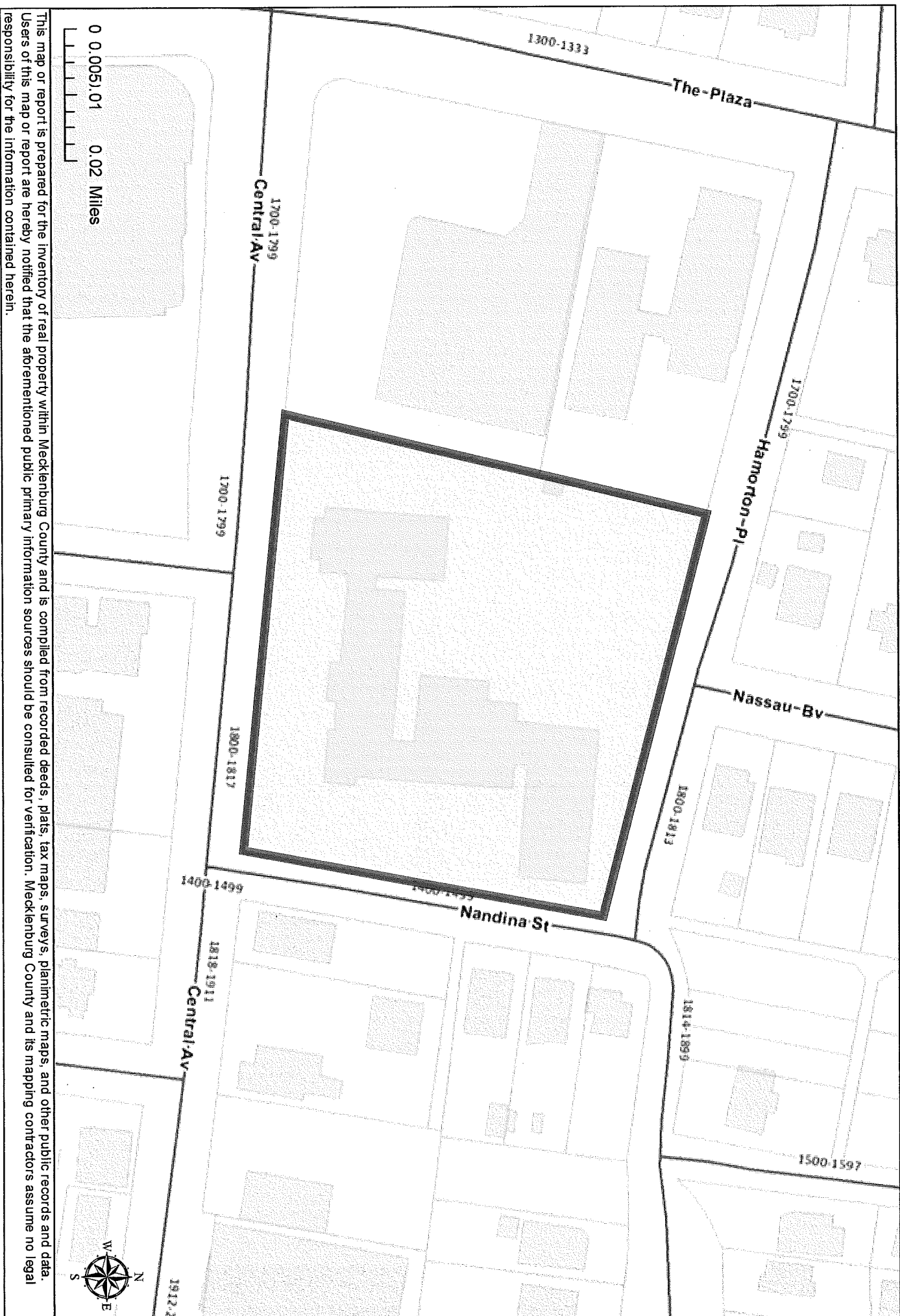
CERTIFICATION

I, Stephanie C. Kelly, 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 November, the reference having been made in Minute Book 141, and recorded in full in Ordinance Book 60, Page(s) 371-410.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 21st day of November, 2016.



Stephanie C. Kelly
Stephanie C. Kelly, MMC, NCCMC, City Clerk

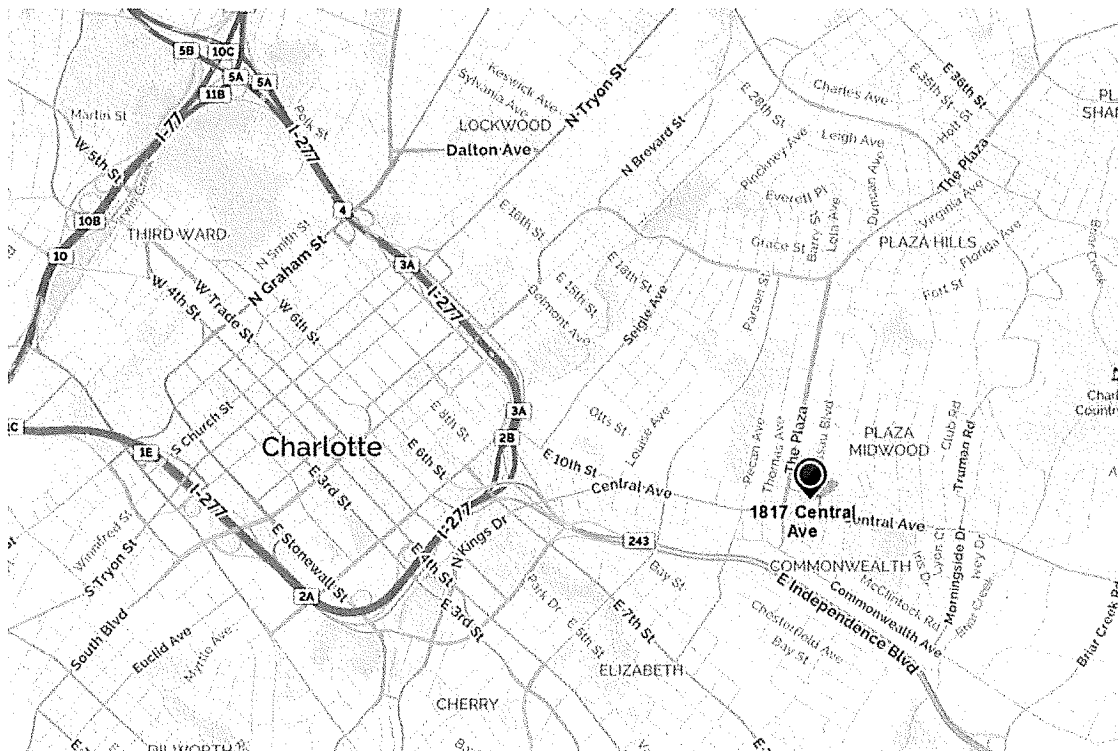


This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

Midwood Elementary School 1817 Central Avenue



Designed by Charlotte architect M.R. Marsh, Midwood Elementary was the first school to serve the Central Avenue corridor. The school is an important historic and cultural element of the Plaza Midwood neighborhood. In Charlotte, the 1935 Midwood Elementary School is one of the best surviving examples of education architecture in the Traditional Revival style.

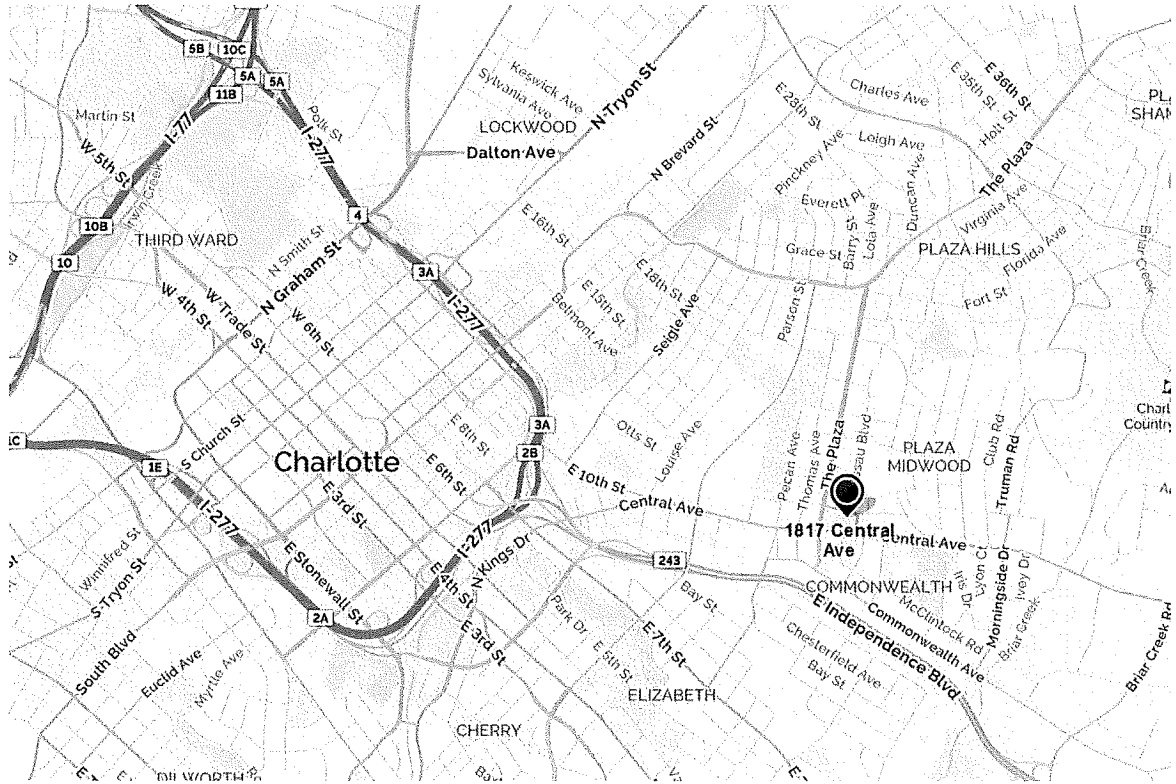


**Survey and Research Report
On Midwood Elementary School
(Originally Named Lawyers Road School)**



- 1. Name and location of the property:** The property known as Midwood Elementary School is located at 1817 Central Avenue in Charlotte, NC.
- 2. Name, address and telephone number of the present owner and occupant of the property:** The present owner of the property is:

Charlotte Mecklenburg Board of Education
701 East 2nd Street
Charlotte, NC 28202
Telephone: (704) 343-6011
- 3. Representative photographs of the property:** This report contains representative photographs of the exterior of the property.
- 4. A map depicting the location of the property:** This report contains a map that depicts the location of the property. The UTM (Universal Transverse Mercator) is 17 517357E 3892290N.



5. **Current Deed Book Reference to the property:** The tax parcel number is 09507803. The most recent deed to this property is recorded in Mecklenburg County Deed Book 866, Page 127, on June 28, 1934.
6. **A brief historical sketch of the property:** This report contains a historical sketch of the property prepared by Tracy A. Martin and Susan V. Mayer.
7. **A brief architectural description of the property:** This report contains an architectural description of the property prepared by Tracy A. Martin and Susan V. Mayer.
8. **Documentation of why and in what ways the property meets criteria for designation set forth in N.C.G.S. 160A-400.5.**
 - a. **Special significance in terms of its historical, pre-historical, architectural, or cultural importance:**

Designed by the firm of Charlotte architect M.R. Marsh, Midwood Elementary was the first school to serve the Central Avenue corridor. Midwood Elementary flourished along with the neighborhood until the 1980s, and is an important element of the Plaza Midwood neighborhood. As one of several schools built in Charlotte in the 1930s, Midwood Elementary School is one of the last examples of education architecture in the Traditional Revival architectural style, with the classical rhythm, decorative brickwork, pitched roofs that were dropped in favor of the modern, flat-roofed school popularized following World War II.

- b. Integrity of design, setting, workmanship, materials, feeling, and/or association:** The Commission contends that the architectural description included in this report demonstrates that the property meets this criterion.

9. Ad Valorem Tax Appraisal:

Written December 10, 2001 by Tracy A. Martin
Updated on November 3, 2009 by Mary Dominick
Updated on April 20, 2016 by Susan V. Mayer

Summary of Significance

First opening in 1935 and ceasing function as a school in 2011, Midwood Elementary School continues to serve as an important community institution in the Plaza Midwood neighborhood. Designed by the firm of Charlotte architect M.R. Marsh, Midwood Elementary was the first school to serve the Central Avenue corridor. The area known today as Plaza Midwood slowly grew from its inception as streetcar suburbs in the early 1900s to a popular post-World War II area conveniently located to downtown. Midwood Elementary flourished along with the neighborhood until the 1980s, when declining population and condition of Plaza Midwood and other former streetcar suburbs in Charlotte lead to the closure of the elementary school. Today, Midwood Elementary School has been reborn as a home of the Midwood International and Cultural Center, the Light Factory photography museum, and other non-profit institutions.

As one of several schools built in Charlotte in the 1930s, Midwood Elementary School is one of the last examples of education architecture in the Traditional Revival architectural style, with the classical rhythm, decorative brickwork, pitched roofs that were dropped in favor of the modern, flat-roofed school popularized following World War II. The multi-level classroom building, constructed in 1941 and added to in 1948, demonstrates the transition in architectural styles during this period.

Development of Plaza Midwood

The modern neighborhood known as Plaza Midwood is actually a conglomeration of various developments occurring primarily during the first thirty years of the twentieth century

with some later developments following World War II. These neighborhoods, located beyond the former Seaboard Air Line Railroad tracks crossing Central Avenue, include Oakhurst (1903), Logie Avenue (1909), Forest Circle (1909), Chatham Estates (1912), Club Acres (1920s), Midwood (1920s), Johnston Courts (1920s), Eastern Retreat (1947), and Masonic Drive (1951). Due to its indirect access to downtown Charlotte, the Seaboard Air Line Railway line and sporadic streetcar service, the Plaza Midwood area developed very slowly in comparison to Dilworth, Elizabeth, and streetcar suburbs.¹

Charlotte's first streetcar suburb, Dilworth, was developed in 1891 just south of downtown. Elizabeth, located to the east along Seventh Street, was founded the same year. Further development to this area of Charlotte occurred in 1899, when Piedmont Park was platted by George Stephens and F.C. Abbott along Lawyers Road. Stephens and Abbott would continue to be influential in the expansion of suburban Charlotte—Stephens developed Myers Park in 1911, while Abbott became a prominent realtor in the city. These three developments—Dilworth, Elizabeth, and Piedmont Park—were considered to be within the first tier of streetcar suburbs ringing the city.²

The first residential development in the second tier of streetcar suburbs was Oakhurst, located beyond the Seaboard Air Line Railway along Central Avenue. Benjamin D. Heath, president of Charlotte National Bank, purchased the former Chadwick farm property on Central Avenue out toward The Plaza for \$100 per acre. Starting in 1903, he sold lots for large homes along Central at Louise Street, designated an industrial district along the railroad tracks, and platted a blue-collar residential area that includes modern Plaza Midwood streets Clement, Pecan

¹ Thomas Hanchett, "Plaza Midwood," Charlotte Mecklenburg Historic Landmarks Commission, <http://landmarkscommission.org/educationneighhistplazamidwood.htm>, accessed March 28, 2016.

² Thomas Hanchett, "Why Central Avenue," *Charlotte Observer*, May 2000.

(then Chadwick), School, and Gordon and portions of Thomas, Kensington, Chestnut, and Hamorton (then Peachtree).³

Smaller developments Logie Avenue and Forest Circle were attempted further down Central Avenue in 1909, but little to no construction occurred. The following year, the Mecklenburg Country Club was established on a former farm on Briar Creek just north of Central Avenue. But little growth in the area occurred without extension of the streetcar lines. In comparison, other new developments in Charlotte prospered because of their access to streetcars, including Wesley Heights west of downtown in 1910, Myers Park to the south in 1912, and Wilmore west of Dilworth in 1914.⁴

³ Hanchett, Plaza Midwood.

⁴ Hanchett, Plaza Midwood.

CHATHAM ESTATES

THE most beautiful of these suburban developments is Chatham Estates.

Our ambition was to make it the most beautiful residential property in the entire South. We studied the plans and ideas that have been incorporated into the best restricted suburban properties elsewhere—dissected their experiences—threw away and forgot the bad—selected and adopted the good features and finally formulated a plan that has made Chatham Estates the ideal spot for a home.

¶ *First*, we laid out a street plan that takes full advantage of its natural beauty and at the same time serves all purposes of utility.

¶ *Second*, we built a boulevard through Chatham Estates one hundred feet wide, asphalt paved and bordered with cement sidewalks and concrete curbing. This beautiful street is a mile long.

¶ *Third*, we built a car line through the center of the subdivision, giving direct service to all parts of Charlotte for a five-cent fare.

¶ *Fourth*, we installed and equipped a modern lighting system.

¶ *Fifth*, we put in city water, a fine sewerage system and telephone service.

¶ *Sixth*, we put every pipe, conduit or wire underground and in the rear of all lots along the wide alleys. This was done so that when our Home-builders have beautified the front of their property, it will not be destroyed by digging for either extension or repair of the water, sewerage, lighting or other systems that are installed for the benefit of residents in Chatham Estates.

¶ More than \$100,000 was spent in improving and beautifying Chatham Estates.

¶ *You can't afford to take 4 per cent. on your money when others are receiving 20 per cent. Let us prove this to you.*

The Greatest, Surest, Safest Savings Bank
Charlotte Real Estate

THE IDEAL HOME SITE

A YEAR ago, very little of this was done, but we asked the people of Charlotte to buy in Chatham Estates on account of its ideal location and because of the fact that it would be an excellent investment. Also, we promised to do the development work already outlined. Because the people of Charlotte felt that this would be a good investment and on the strength of their confidence in us, nearly one-half of all the lots in Chatham Estates were sold and some of the most handsome and expensive homes in Charlotte have been built there within the year.

¶ Every promise that we made a year ago has been fulfilled, clear to the smallest detail. Besides this, we have carried out other ideas and plans for beautifying the property which were not part of our original plans or promises, but which have greatly enhanced both the beauty and value of Chatham Estates.

¶ No other section of Charlotte compares at all favorably with this property, when the character and the quality of its improvements are considered. We have spent more than twice as much money per lot in improvements than any other subdivision has spent. Also, no Home-builder can erect a house costing less than \$3,000. And these things when taken altogether, give real value to Chatham Estates and have helped create a well protected home Community.

¶ *A bargain today—offered to you—passed up—sold tomorrow—values double—and you tell your children what you might have made. Is this your story?*

¶ *Real Estate in Growing Charlotte is the Royal Road to Wealth.*

¶ *The Foundation Stone of all Great Fortunes—a Real Estate Investment.*

Somewhere Back of Every Success is a
Vision of a Home

Figure 1 Pages from a 1914 promotional brochure for Chatham Estates. VanLandingham Family Papers, J. Murrey Atkins Library Special Collections, University of North Carolina at Charlotte.

Chatham Estates, the first major development of what would eventually become Plaza Midwood, was the idea of Paul Chatham, son of the owner of Chatham Woolen Mills in Elkin and a transplant to Charlotte in 1907. Chatham hired landscape architect Leigh Colyer to plan the new suburb. Larger homes for the wealthy would be built along The Plaza with more modest homes along the secondary streets in the neighborhood. Key to Chatham's development was a streetcar line to run along Central Avenue and up The Plaza to the Charlotte Country Club.⁵ However, three major issues hindered the ability of Chatham Estates and its adjacent neighborhoods to rival Dilworth as Charlotte's premier streetcar suburb: the area's distance and

⁵ Hanchett, Plaza Midwood; Susan V. Mayer, "From Rails to Roads: Public Transportation in Charlotte, North Carolina, 1890-1960," thesis, University of North Carolina at Charlotte, 2013, 26.

accessibility to downtown Charlotte, the Seaboard Air Line Railway line, and a dependable streetcar system.

While the intersection of Central Avenue and The Plaza is only one-half mile farther in distance from downtown Charlotte than Dilworth, which enjoyed a direct connection with downtown via South Boulevard, access to Chatham Estates and other neighborhoods via streetcar was by an indirect route. Streetcars traveled down Elizabeth Avenue and turned left on Hawthorne Avenue to head to Chatham Estates. The location of the Central Avenue corridor made it an attractive choice for suburban expansion, but a second problem made development inconsistent.⁶

The heavily-trafficked Seaboard Air Line Railway, a major rail route carrying Charlotte and Gastonia textile products to the port at Wilmington and to Atlanta via a junction at Monroe crossed Central Avenue between Piedmont Park and Chatham Estates. Many manufacturers and other industrial businesses were located along the railroad tracks in this area, including Louise Cotton Mill, Charlotte Casket Company, Barnhardt Company, and Cole Manufacturing Company. Unlike streetcar lines to Dilworth and Elizabeth, the Chatham Estates line had no bridge over the railroad tracks, but instead had to wait for one of the upwards of thirty passenger trains and even more freight trains to pass before continuing down Central Avenue.⁷

⁶ Hanchett, Plaza Midwood.

⁷ Hanchett, Plaza Midwood.



Figure 2 The storage battery car type used on the Charlotte Rapid Transit Company line to Chatham Estates also ran in Concord. Storage battery street car, Concord, N. C., Library of Congress, <https://www.loc.gov/item/2013646432>.

Reliable streetcar service to Chatham Estates became a major problem for the continued growth of the area, primarily for two reasons. First, Chatham chose to utilize the storage battery car rather than the traditional streetcar powered by overhead power lines. This unreliable technology choice was remembered by Piedmont Park resident Jake Newell as the “poor old four-wheeled rattle trap from Chatham Estates.”⁸ Secondly, Chatham had raised the ire of Edward Dilworth Latta, developer of Dilworth and the city’s streetcar system. Latta saw Chatham’s Charlotte Rapid Transit Company (CRTC) as a threat to his monopoly on power generation and urban rail travel in the city, which at the time was being challenged by James Buchanan Duke and his Southern Public Utilities Company (SPUCO). Because of this perceived slight, Latta refused to allow Chatham’s streetcar to tie into the city system. Chatham Estates residents and domestic workers traveling from other parts of the city had to disembark from the

⁸ “Street-car Service,” *Charlotte Observer*, February 10, 1919.

SPUCO streetcar on Hawthorne to transfer to Chatham's CRTC line. In May 1913, tired of problems with the storage battery cars, CRTC contracted with SPUCO for streetcar service.⁹

As noted by historian Kenneth Jackson, the growth of streetcar suburbs needed to be balanced by the profitability of the streetcar. In 1918 CRTC defaulted, leaving Piedmont Park and Chatham Estates without streetcar service. Chatham's choice of the storage battery car had been unfortunate, but the lack of consistent growth of Oakhurst, Logie Avenue, and Forest Circle among other neighborhoods below the Seaboard railroad tracks had combined to doom the development of Central Avenue as a streetcar suburb to rival Dilworth. For two years, the Central Avenue corridor had no public transportation service, and residents had to rely upon the good faith of automobile owners to offer a ride. Some relief came in the form of a new transit service when the jitney, a forerunner of the taxi, emerged concurrently with World War I training camp Camp Greene on the west side of Charlotte. Jitneys provided service from the Hawthorne streetcar stop to Charlotte Country Club beginning in April 1919.¹⁰

As the automobile became more affordable to middle-class Charlotteans, residential development in the Chatham Estates area resumed in the 1920s. Previous developments Logie Avenue and Forest Circle began selling lots. Club Acres, located around the Charlotte Country Club, had also begun development around 1910, but the neighborhood did not truly take off until the following decade. To continue the trend, Midwood had been platted in 1914, but its growth stalled through the 1920s and was not fully developed until the 1950s. Other small developments during the period included Johnston Courts and Club Drive.¹¹

⁹ Mayer, 17, 26-28.

¹⁰ Mayer, 28-29.

¹¹ Hanchett, Plaza Midwood.

Commercial enterprises followed as residential development occurred in Plaza Midwood. A streetcar shopping strip grew along Central Avenue approaching its intersection with The Plaza. Led by Long's Grocery, which opened in 1916 at the corner of Central and Pecan avenues, the commercial corridor saw more growth through the 1930s. A grocery store operated by W.T. Harris (which grew into the major Southern grocery chain Harris Teeter) and a Pure Oil gas station both opened in 1936. Merchants named this stretch of Central Avenue Charlotte's "Miracle Mile" because the variety of businesses meant that residents could shop within their own neighborhood for basic necessities.¹²

Lawyers Road School/Midwood Elementary School

While Chatham Estates and adjacent neighborhoods were slow to grow in comparison to other Charlotte streetcar suburbs, the area had increased in population enough to warrant the establishment of an elementary school. Nearby residential developments such as Chantilly, platted in 1913 just off Central Avenue between Pecan Avenue and the Seaboard railroad tracks but also initially slow to grow, had swelled the population of the Central Avenue corridor. Children in the neighborhoods attended Elizabeth Elementary School, which had become overcrowded.

However, the United States was in the throes of the Great Depression, which had begun in October 1929. The Mecklenburg County Board of Education felt the financial pinch most acutely, with the yearly budget dropping 61% between the 1931-1932 and 1933-1934 school years. Due to this budget cut, salaries were slashed, staff was laid off, the twelfth grade was discontinued, and the school term was lessened to eight months for the first time since 1882.

¹² Hanchett, Plaza Midwood.

With the population of Charlotte having exploded from 46,338 in 1920 to 82,675 in 1930, new schools were desperately needed, but funding was obviously in short supply.¹³

In June 1933, Charlotte successfully petitioned the State School Commission to allow the creation of a school district for the city separate from that of Mecklenburg County under jurisdiction of the state commission. An attempt to raise revenue through property tax valuations at 20 cents per \$100.00 was unsuccessful in August 1933, and city schools continued to operate on limited budgets. But a second election in April 1935 saw voters approve a 25 cent per \$100.00 in property value tax to fund city schools. With this infusion of funding, teacher salaries were increased, the twelfth grade reinstated, and the school term was restored to nine months.¹⁴

Despite the budget crisis, the Charlotte city school system still needed more schools to serve its burgeoning population. In September 1933, the School Board took the necessary steps to get funds through the Public Works Administration for a building program. Schools approved for the building program were Lawyers Road, Eastover, and Glenwood (later Enderly Park Elementary School on Clay Street) elementary schools, a high school in Irwin Park¹⁵, and additions to Wilmore School and Charlotte Technical High School. The building program also projects at black schools, including the new Isabella Wyche School in Third Ward, a modern replacement for Alexander Street School in the Belmont neighborhood, and additions to Myers Street School in Brooklyn and Biddleville School. Cost of these new school buildings was estimated to be \$690,000.00, a high price necessary for the fire-resistant structures recommended by the Charlotte school superintendent. But the Mecklenburg County superintendent, who had

¹³ Harry Harding, *The Charlotte City Schools* (Charlotte, NC: Public Library of Charlotte Mecklenburg County, 1966), 119-120.

¹⁴ Harding, 122-124

¹⁵ Harry P. Harding High School opened in 1935 and was located on Irwin Avenue until a new campus was constructed on Alleghany Street in the 1960s. The school was converted into Irwin Avenue Elementary School.

been granted the power by the state school commission to make the budgetary decision, ordered a less-expensive building type to be used for all the schools at a cost of \$400,000.00.¹⁶

Among the approved new schools to be built was an eight-room elementary school on Central Avenue. Approximately 2.5 acres of land was purchased for \$2,700.00 from E.A. Cole, a founder and executive of the Cole Manufacturing Company located near Central and Pecan Avenues along the railroad tracks in Plaza Midwood. Cole resided in a large mansion at the northeast corner of Central Avenue and The Plaza, next door to the new school site.¹⁷

Charlotte architect Willard G. Rogers was commissioned to design the new Lawyers Road School at an estimated cost of \$31,508.46. A native of Cincinnati, Rogers had formerly been employed with engineer Stuart Cramer as well as a partner with C.C. Hook from 1905 to 1916. Notable Hook and Rogers projects in Charlotte included the Egyptian-revival Masonic Temple as well as Chatham Estates-area Cole Manufacturing Plant and VanLandingham house. Later, Rogers operated his own firm, designing the Davidson Graded School gymnasium among other projects across North Carolina.¹⁸

¹⁶ Harding, 124-125.

¹⁷ Mecklenburg County Deed Book 866, Page 127; Harding, 124.

¹⁸ Mecklenburg County Board of Education Minutes, Book 6, Page 12, November 14, 1933; Michelle Michael, "Hook and Rogers," North Carolina Architects and Builders, 2009, <http://ncarchitects.lib.ncsu.edu/people/P000269>, accessed April 5, 2016.

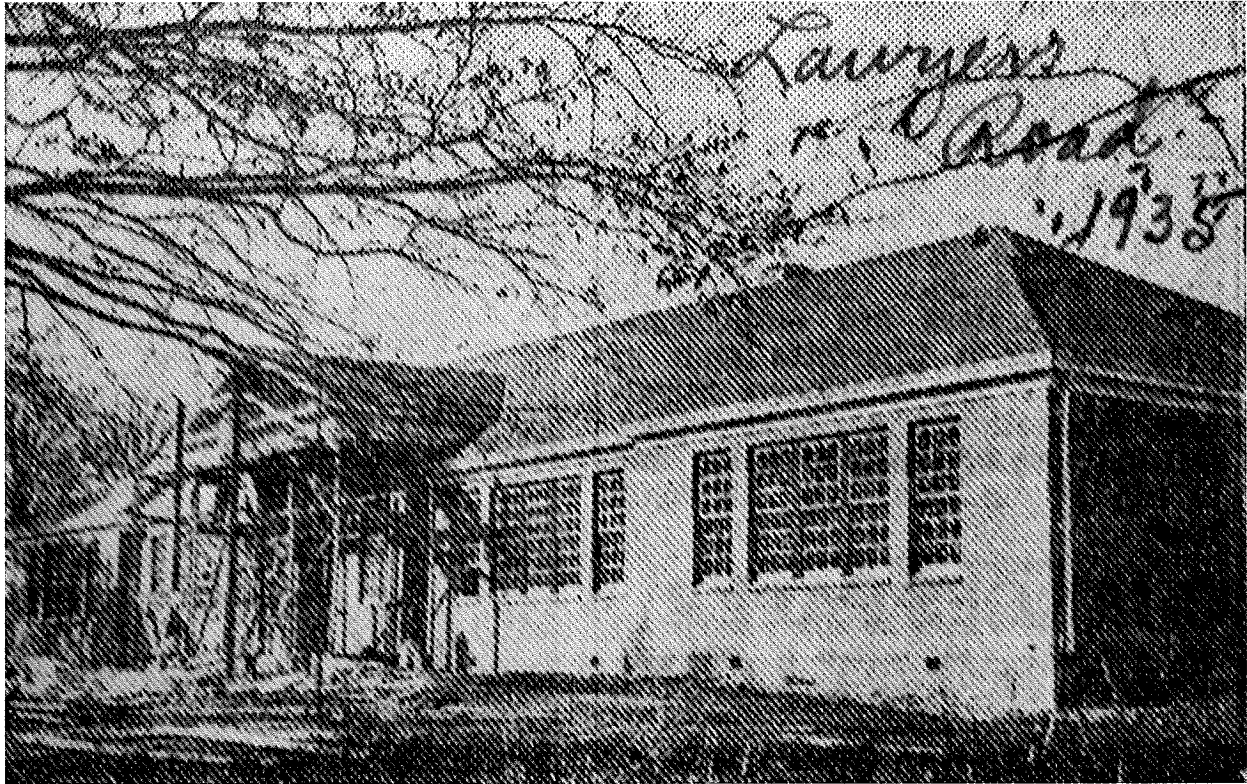


Figure 3 Lawyers Road School under construction in 1935.

From Midwood School Scrapbook, Robinson-Spangler Carolina Room, Public Library of Charlotte and Mecklenburg County.

At the same time Lawyers Road School was being designed, the firm of Charlotte architect M.R. Marsh (1901-1977) was at work on Eastover Elementary School. Born in Jacksonville, Florida in 1901, Marsh studied architecture through correspondence courses and through work with his brother's architecture firm. Marsh practiced in Charlotte his entire career except for a brief period during World War II, when he was stationed in New York and Washington with the War Production Board. Between 1922 and 1964, Marsh designed several well-known Charlotte buildings, several residences, and many institutional structures. The most visible surviving structure of his is the main office of Mutual Savings and Loan at 330 South Tryon Street, which was completed in 1962.¹⁹

¹⁹ "Oasis Temple Designer, Marion Marsh, Dies at 76," *Charlotte Observer*, September 5, 1977.

James A. Stenhouse (1910-1996), an architectural draftsman working for Marsh who had recently graduated from Georgia Tech University in Atlanta, was assigned Eastover as his first project out of college. Completed in two weeks' time, Eastover had six classrooms. The design was modified for Lawyers Road School to include two additional classrooms. Rogers remained the architect overseeing the Lawyers Road project, however. The reason for the use of modified Eastover plans for the school was most likely cost, since the estimate for the Marsh design was for about \$8,000 less than Rogers' design estimate.²⁰

Lawyers Road School opened in fall 1935. Eva H. Burch (1895-1988) was assigned as the first principal of Lawyers Road School. She had previously served the same position at Parks Hutchison School on Graham Street.²¹ [genealogy site says she was first female principal in NC]

Lawyers Road School was an instant success—eighty students had to be turned away because enrollment was full. The new school was already inadequate to serve the number of students in the area. In November 1936, the citizens of Charlotte authorized a bond of \$584,000.00 to be used in the school building program of 1937. Out of this funding, Lawyers Road School was allotted \$18,000.00 for an addition to the building and \$1,780.00 for extra equipment. A new classroom wing was constructed at the northeast corner of the original building.²²

²⁰ Mary Lynn Morrill, "Eastover Elementary School History," Charlotte Mecklenburg Historic Landmarks Commission, <http://landmarkscommission.org/Eastover%20Elementary%20School%20History.htm>; City of Charlotte Application for Building Permit No. 952, July 25, 1934.

²¹ "Idea of Reopening Midwood School Warms Hearts," *Charlotte Observer*, February 16, 1984; Harding, 128.

²² Harding, 132-133.

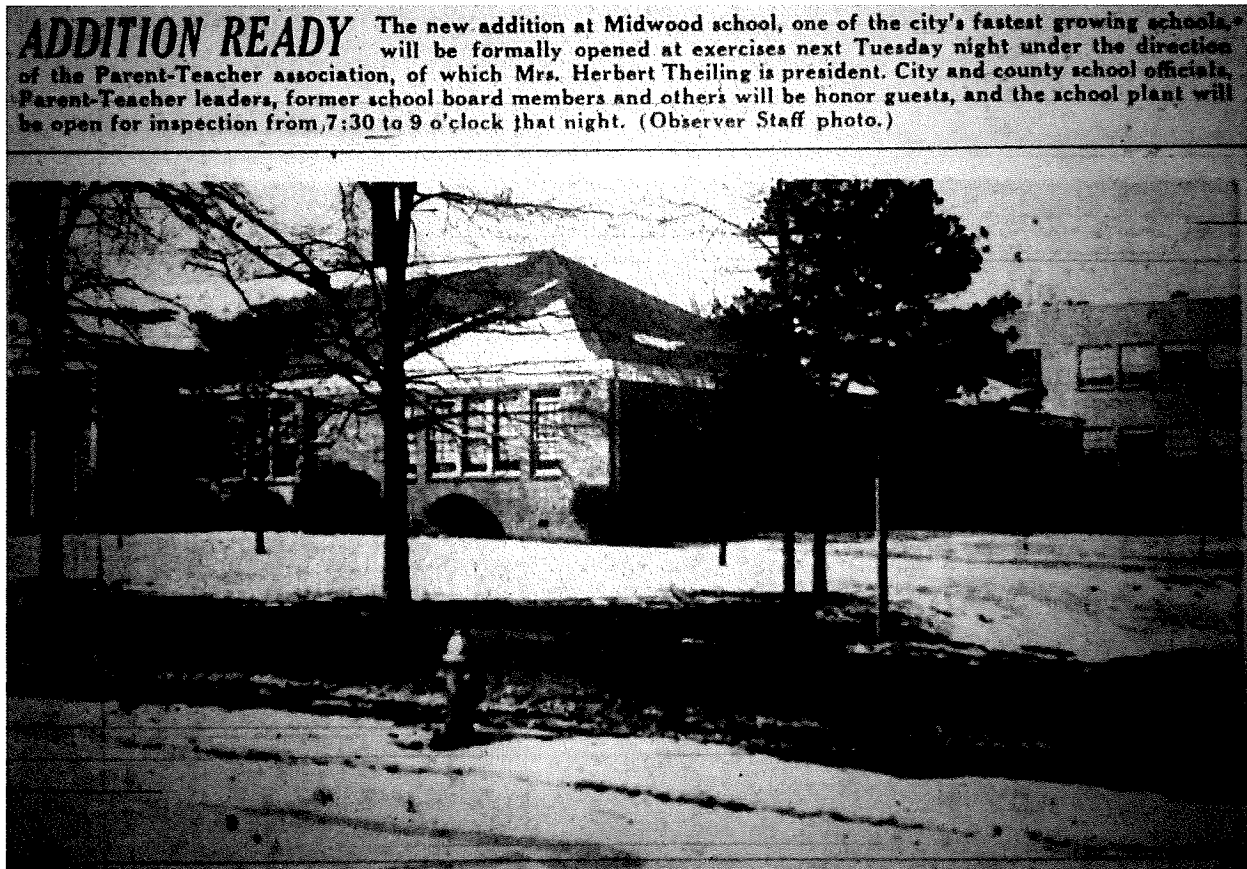


Figure 4 The new two-story addition to Midwood Elementary School is seen in the background of the photo. "Open House Planned for School Section," *Charlotte Observer*, February 26, 1942.

On August 1, 1941, a fire damaged classrooms in the north wing of Midwood Elementary School (the name Lawyer's Road School was dropped in the early 1940s). While an inconvenience, especially considering the new school year would begin a little over a month, the fire came at a somewhat opportune time. Midwood Elementary had more students than it had space, with the enrollment of 592 students in spring 1942 being double the number of students just five years before. The school building program of 1941 remedied this by repairing the classrooms that were damaged by the fire as well as adding a new auditorium to the west of the original building and a three-story classroom wing at the northeast corner of the property.²³

²³ Harding, 143; "Open House Planned for School Section," *Charlotte Observer*, February 26, 1942.

During the years following World War II, residential development across the United States rapidly expanded. Charlotte would double in population between 1940 and 1960, becoming a city of over 200,000 residents. The city faced a housing shortage in the late 1940s. Underdeveloped neighborhoods such as Midwood and nearby Chantilly began to fill up, and additional developments Eastern Retreat and Masonic Drive were platted and sold.²⁴

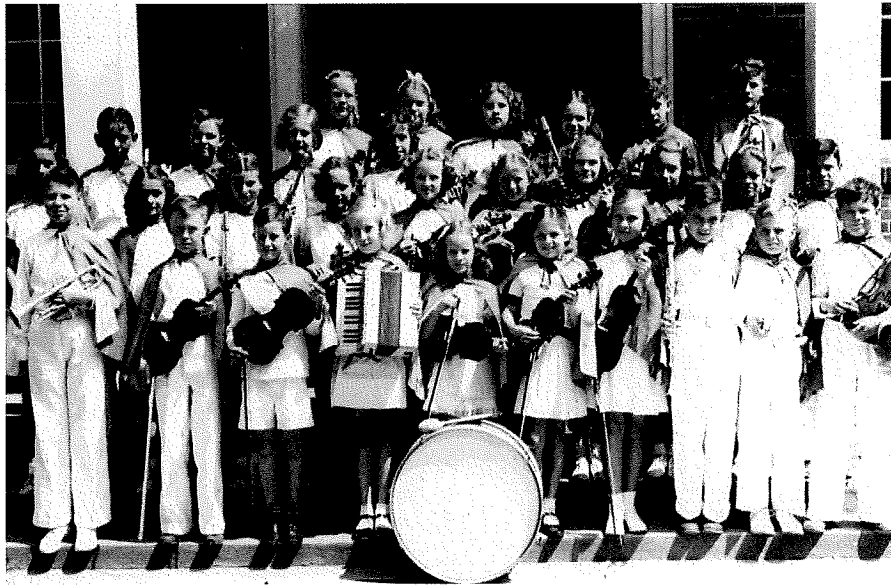


Figure 5 Midwood School Orchestra, 1938-1939 school year. From Midwood School Scrapbook, Robinson-Spangler Carolina Room, Public Library of Charlotte and Mecklenburg County.

Like many other elementary schools on the city limits, Midwood Elementary School was overcrowded. Many city and county schools were in need maintenance as well since building materials had been reserved for wartime efforts. Bonds for the funding of over \$10,000,000 in city and county improvements, of which nearly \$6,000,000 was earmarked for schools, were approved by voters on April 23, 1946. The building program of 1946-1949 looked to address these issues by building several new schools, including Chantilly Elementary School, Park Road Elementary School, Eastway Junior High School, and Myers Park High School. An expansion of Midwood designed by M.R. Marsh was completed in 1948. The addition, which expanded the

²⁴ Hanchett, Plaza Midwood.

two-story classroom wing added in 1941, included a new cafeteria, visual education room, and three classrooms as well as improvements in the heating system.²⁵

But despite this additional space, Midwood continued to be crowded. A year after the addition, every available room in the school was dedicated to class space. The school nurse's office was made into a classroom. Louise Andrews taught her 39 third grade students on the stage of the school auditorium. But the auditorium was also used by the school orchestra during first period since the music room was occupied by another class. Mrs. Andrews's class could not be conducted while the orchestra was practicing, so the students would spend time in the library and playground until their class space was once again available.²⁶

²⁵ "City, County School Needs are Urgent," *Charlotte News*, April 15, 1946; Harding, 148-149; "Work Started or Contracted on 13 Projects," *Charlotte Observer*, May 28, 1948.

²⁶ "Schooling Comes Hard in Crowded Classes," *Charlotte Observer*, September 15, 1949.

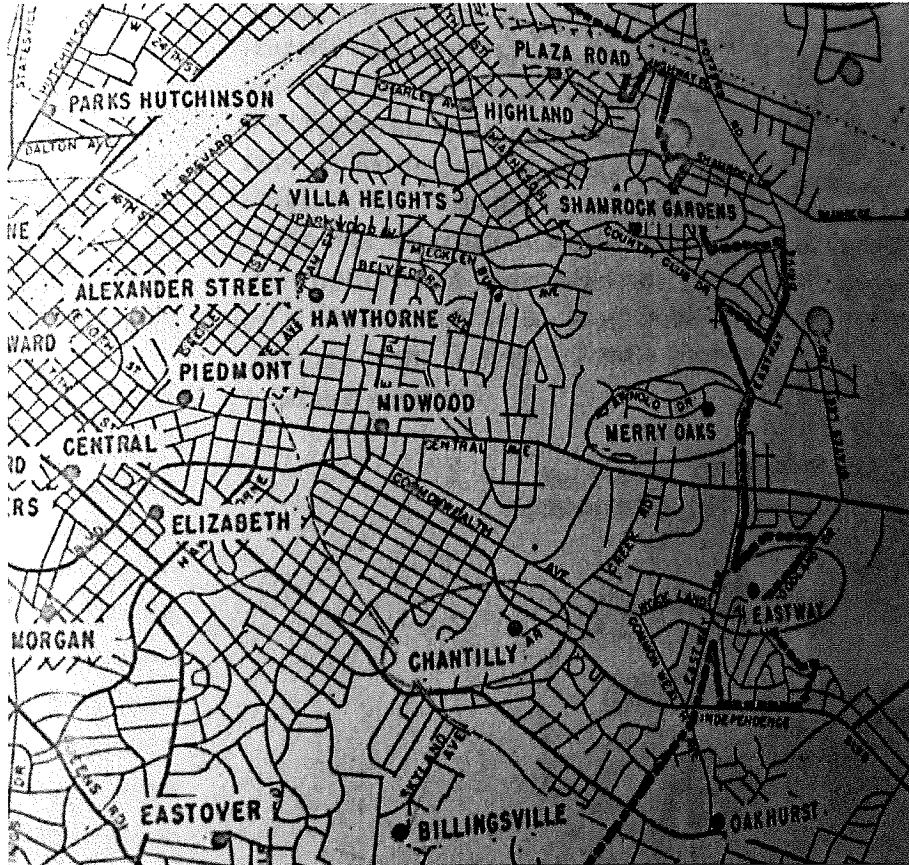


Figure 6 This 1956 map of shows the schools around Midwood Elementary. "The Individual School and the Community, Charlotte, N.C.," *Architectural Record* 120 (October 1956), 237.

The new schools designated in the building program of 1946-1949 began to open in the early 1950s. On February 10, 1950, Chantilly Elementary School opened on Briar Creek Road. The new school, also designed by M.R. Marsh, had been built to relieve overcrowding at Midwood and Elizabeth Elementary School. However, the new school opened to crowded conditions itself, and classes had to be held on other school campuses as well as nearby churches. A 10.3 acre tract between Eastway Drive and the Charlotte Country Club was purchased by the school board in 1952 for a new elementary school to relieve crowding at both Midwood Elementary and Plaza Road Elementary School, located north of Midwood near the North

Charlotte neighborhood. The new school, Merry Oaks Elementary School, would open in 1953.²⁷

Although Midwood Elementary School had no new building additions after 1948, updates would be made periodically. As part of a system-wide program to update wiring and lighting, Midwood had its outdated lighting (though only about 15 years old) replaced with new fluorescent fixtures in 1951-1952. Also, an expansion of the kitchen and cafeteria facilities was made in 1953.²⁸



Figure 7 Miss Marion Price and her kindergarten class at Midwood Elementary School, 1958. Midwood School Scrapbook, Robinson-Spangler Carolina Room, Public Library of Charlotte Mecklenburg County.

As residential development spread farther from downtown Charlotte in the 1960s and 1970s, Chatham Estates, Midwood, and other surrounding neighborhoods with their older homes became less desirable to homebuyers who desired newly built properties. In 1962 the city of Charlotte implemented a comprehensive zoning plan that targeted older neighborhoods, rezoning many areas from single-family homes to business and multi-family occupancies. As noted by Thomas Hanchett in his history of the area, “as original owners grew old and died, speculators

²⁷ “New Chantilly School Packed Opening Day,” *Charlotte Observer*, February 11, 1950; “City Purchases Tract for New School Plant,” *Charlotte Observer*, June 1, 1952.

²⁸ “Only Eight Schools Left in Relighting Program,” *Charlotte Observer*, March 9, 1951; “Permits Issued on 3 Schools,” *Charlotte Observer*, July 15, 1953.

bought up houses with the idea of running them down as rental property, then demolishing them to build new apartments and offices.”²⁹ It was during this time that the former E.A. Cole residence adjacent to Midwood Elementary at the corner of Central Avenue and The Plaza was razed in favor of a strip shopping center.

Both new residents to the area and older denizens sought to fight these changes. One method was to create a cohesive identity for the collection of neighborhoods that had grown over a fifty year period. A neighborhood group successfully fought against the proposed extension of Matheson Avenue through Club Acres. The group became permanent as the Plaza Midwood Neighborhood Association (PMNA), and the area was dubbed Plaza Midwood. PMNA organized activities and events such as the Miracle Mile Street Fair in October 1982 to feature the area’s commercial core and Plaza Midwood: A Neighborhood Heritage Celebration to highlight the history of the neighborhood.³⁰

However, the decline of the Plaza Midwood area had taken its toll. Midwood Elementary School closed in June 1983 due to declining enrollment. At its prime in the 1950s, the school had 1,000 students, but during the 1982-1983 school year Midwood only had 272 students. A short year later, school superintendent Jay Robinson proposed reopening Midwood Elementary to relieve overcrowding at nearby Eastover Elementary School, but the plan was abandoned.³¹

With its closure, Midwood Elementary School began to deteriorate. The plaster on the walls peeled and broke and vandals broke many of the windows. Charlotte Mecklenburg

²⁹ Hanchett, Plaza Midwood.

³⁰ Hanchett, Plaza Midwood; “Midwood Salutes Shops at Miracle Mile Street Fair,” *Charlotte News*, October 22, 1982; Plaza Midwood: A Neighborhood Heritage Celebration, brochure, Plaza-Midwood Neighborhood Association Records, J. Murray Atkins Library, University of North Carolina at Charlotte.

³¹ “Idea of Reopening Midwood School Warms Hearts,” *Charlotte Observer*, February 16, 1984.

Schools sought to utilize the building lest it fall too far into disrepair. The county department of social services used the former school as a site for distributing surplus food.³²

In February 1985, an elementary school in Plaza Midwood was reborn once again, albeit briefly. An arson fire caused considerable damage to Albemarle Elementary School, and 300 second and third graders needed a new school. The abandoned Midwood building was only five miles away and was the only viable option. Getting the old building ready was a massive undertaking. The school had been left in decay for several years. After an initial inspection of the building, work started almost immediately the following Saturday afternoon. Over seventy workers had until Monday night to have the building prepared for students on Tuesday morning at an estimated cost of \$10,000 in overtime pay to workers and \$6,000.00 for materials.³³

After Albemarle Elementary School had been repaired, the former Midwood Elementary became home to the Dolly Tate Teen-Age Parents Services School (TAPS), a program for teenage mothers in the Charlotte Mecklenburg school system. TAPS was established in 1971 to provide expecting female students a supportive learning environment and encourage them to remain enrolled following childbirth. Also, the under-utilized cafeteria at Midwood Elementary became the preparation site for a hot lunch program for seniors in eastern Mecklenburg County, Mint Hill, and Matthews in 1986.³⁴

In 1992 the campus became Midwood High School, an alternative school aimed at drop-out prevention. TAPS, which shared the campus, provided in-school daycare for students, and CMS implemented the Mastery Learning Program to provide flexible class schedules. Placement of the alternative school in the former Midwood site was unpopular with some

³² "Midwood School Restoration 'A Miracle,'" *Charlotte News*, February 19, 1985.

³³ *Ibid.*

³⁴ "Murphy Drops Plan to Close TAPS," *Charlotte Observer*, April 9, 1992; "Mint Hill Gets Hot Lunch Program," *Charlotte Observer*, December 28, 1986.

community residents, who complained that students parked on side streets, loitered at local businesses, and verbally harassed residents. The school closed in June 2011.³⁵

Once again, the former Midwood Elementary School was vacant. Charlotte Mecklenburg Schools decided to utilize the building as a school for students who needed an additional year to transition from middle to high school, termed the Grade 8.5 curriculum. In October 2006, the school board accepted a bid by Hendrick Construction Company to renovate 22 classrooms and make major improvements to plumbing, roofing, and other elements of the building at a cost of approximately \$2.3 million.³⁶

On January 27, 2013, the Midwood International and Cultural Center officially opened in the former Midwood Elementary School. The primary tenant was International House, a non-profit which encourages cultural diversity and immigrant acceptance into the Charlotte community founded in 1981. The following year, the Light Factory Contemporary Museum of Photography also relocated to the former school. Established in 1972, the Light Factory hosts traveling exhibits and offers photography classes.³⁷

The ability of Midwood Elementary School to evolve its function while keeping its historical integrity is reflective of its place in Plaza Midwood, a neighborhood which has demonstrated similar traits. The campus has retained a great deal of architectural integrity, with the only visible changes being upgrades to the mechanical systems as well as wheelchair ramps and other elements to bring the buildings up to Americans with Disabilities Act (ADA) standards.

³⁵ "Kids Voting," *Charlotte Observer*, September 27, 1992; "Relations Sour Between School's Evening Program, Its Neighbors," *Charlotte Observer*, February 2, 1993; "The Student She Knew It Was Hers to Achieve," *Charlotte Observer*, June 2, 1993; "CMS Shuffles Its Listing of Needy Schools," *Charlotte Observer*, February 20, 2011.

³⁶ "Contracts for Projects at 3 Schools Are Approved," *Charlotte Observer*, October 15, 2006; "Old Midwood School to be Used in New Role," *Charlotte Observer*, November 15, 2006.

³⁷ "International House Now in Plaza Midwood," *Charlotte Observer*, February 3, 2013; "Longtime Backers Lead Light Factory Revival," *Charlotte Observer*, March 11, 2014.

Architectural Description

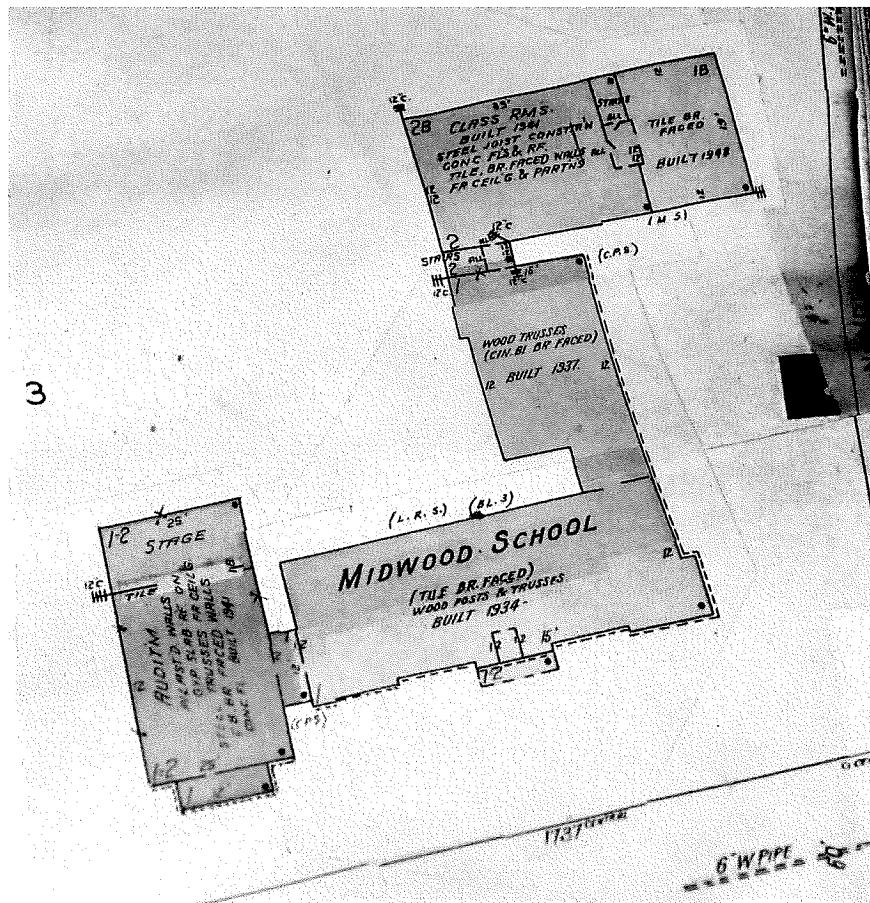


Figure 8 This 1951 Sanborn fire map of Midwood Elementary School shows the various additions made to the school throughout the years. An expansion of the cafeteria and kitchen was made to the circa 1937 addition in 1953; the expansion was placed on the west side of that structure. Sanborn Map Company, *Charlotte, North Carolina*, Scale 50 feet = 1 foot, Sanborn Fire Insurance Maps, 1951, 222.

Midwood Elementary School, designed by the firm of Charlotte architect M.R. Marsh, is an important example of the Traditional Revival architectural style that was used for many institutional buildings in Charlotte during the 1930s and 1940s. The school is located on Central Avenue in Plaza Midwood, a collection of streetcar suburbs developed in the early twentieth century. The area experienced a major decline in the 1970s and 1980s, but today Plaza Midwood is a vibrant, diverse area of Charlotte known for his historic homes and variety of businesses.

Midwood Elementary School is situated on a 2.54 acre parcel on Central Avenue. The site is bordered by Nandina Street on the east and Hamorton Place to the north. A strip shopping

center at the corner of Central Avenue and The Plaza and Green Memorial Baptist Church at The Plaza and Hamorton Place borders the property on the west. Parking lots are sited at the southeast and northwest corners of the property. The topography is generally level with a slight decline at the northeast corner.

Midwood Elementary School is made up of four distinct masses forming an exaggerated L shape. The circa 1935 original building faces Central Avenue, as does the circa 1941 auditorium located to the west. The circa 1937 one-story addition, along with the circa 1953 expansion of the cafeteria, is attached to the original building perpendicular to its northeast corner. Perpendicular to this wing of Midwood Elementary is a multi-level building—a three-level portion added circa 1941 and a two-level portion circa 1948.

The school is sheathed in red brick, which is laid with a combination of running bond, common bond, and Flemish bond brickwork. Quoins adorn the corners of the auditorium, later converted to a gymnasium, and the multi-level classroom addition. The roofs of the circa 1935 original building, circa 1937 addition, and 1941 auditorium/gymnasium are hipped with asphalt shingles. The circa 1941 and 1948 multi-level addition and the circa 1953 cafeteria expansion have flat ballasted roofs.

The original building and circa 1937 addition are constructed on a crawl space; the floor level is demarked by a row of soldier course brick on the exterior. The multi-level classroom addition features a basement and is built on a slab below grade. The auditorium/gymnasium is also built on a slab.

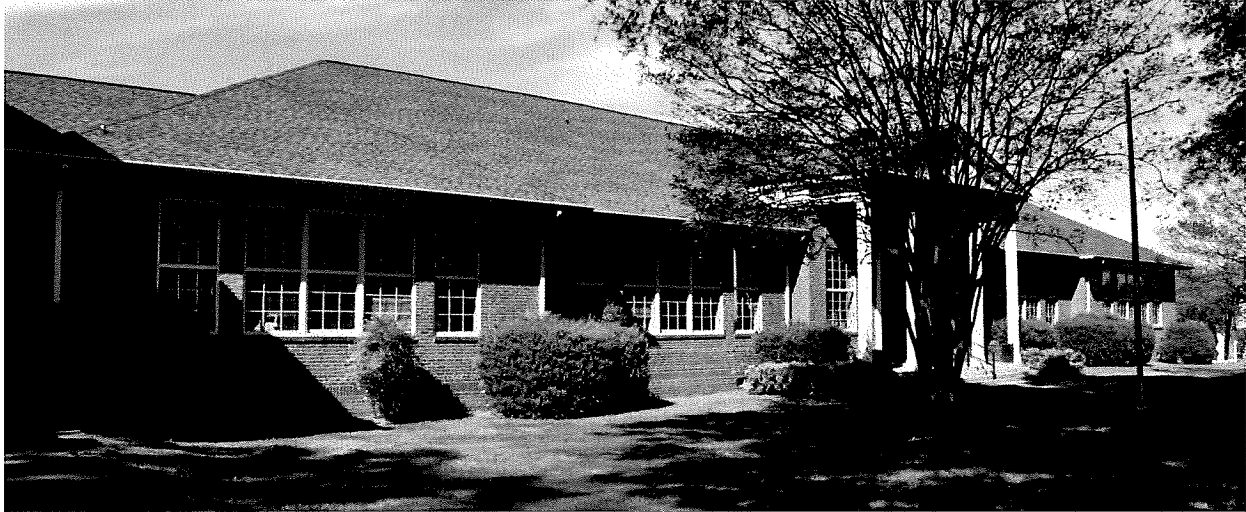


Figure 9 South elevation of the original building.

The south and east elevations of the circa 1935 hip-roofed original building are immediately visible from Central Avenue. The south elevation is five bays wide. The center bay, which served as the main entrance to the school, is a gabled portico with four columns and an octagonal window in the pediment. This bay has a pair of 12-over-12 sash windows on either side the inset entry with half-light double doors topped with a large transom. The center bay is flanked by a pair of identical bays. Each bay consists of five total 9-over-9 sash windows arranged in a single-triple-single configuration. The second and fourth bays are stepped back.

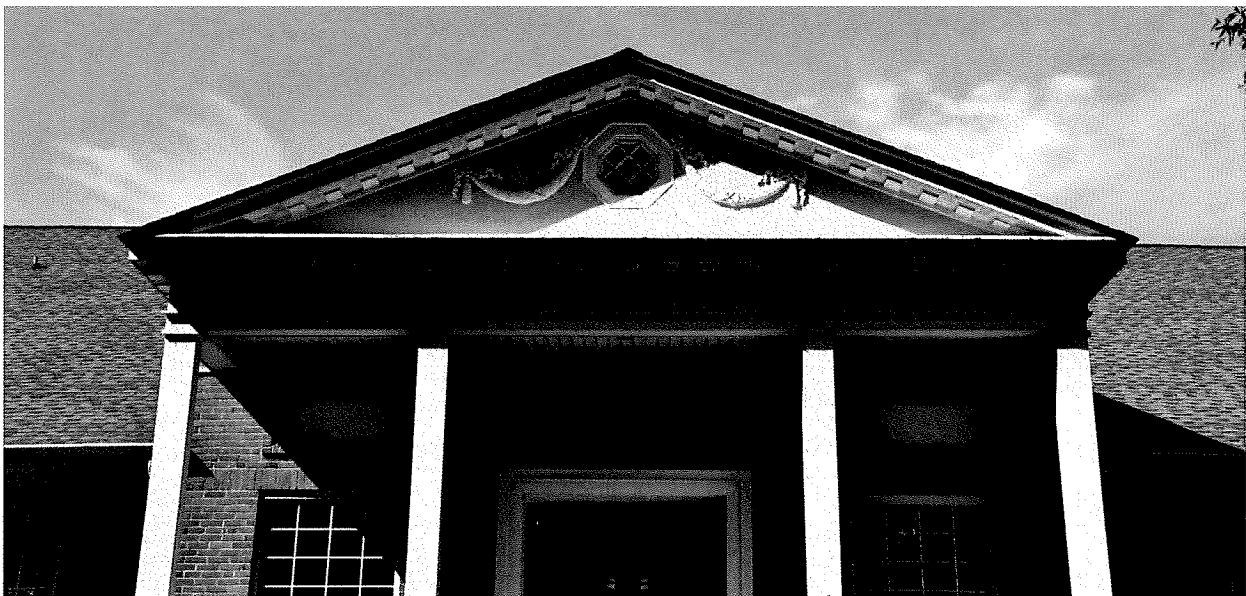


Figure 10 The pediment of the portico at the original building.

The pediment of the center bay is triangular with a stuccoed gable. Modillions adorn the cornices. The octagonal window in the pediment has a 9-panel window flanked by draped decorative architectural trim. These are the only decorative elements applied to the exterior of the building which typify the Traditional Revival architectural style and contrast the original building with the later additions, especially the multi-level classroom building.



Figure 11 East elevation of the original building and the circa 1937 addition.

The east elevation of the original building ties into the circa 1937 addition, which is also features a hip roof. This elevation of the original building is two bays wide with the first bay being a protruding blank wall, and the addition is three bays wide. The four bays, like the south elevation, feature 9-over-9 sash windows arranged in a single-triple-single configuration.

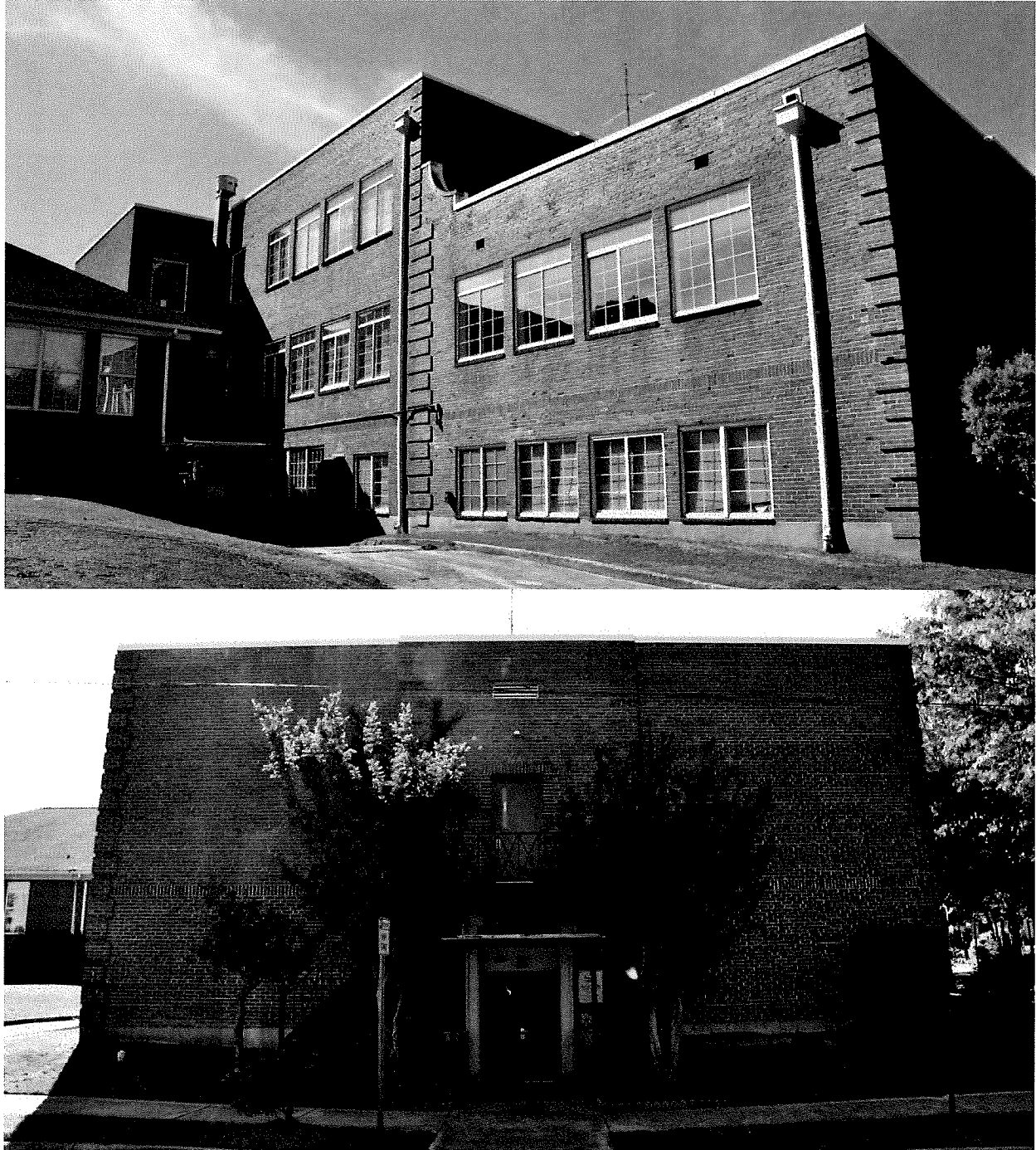


Figure 12 (top) South elevation and (bottom) east elevation of the multi-level classroom building.

Located off the north end of the circa 1937 addition extending toward the northeast corner of the property is a multi-level classroom building. The three-level portion was built in 1941, and a two-level addition was made in 1948. Delineation between the two portions of the building is clearly made with the retaining of the quoins from the circa 1941 building. Brick is

laid in running bond save for a single soldier course located at the floor level of the circa 1937 addition. Also, a cove parapet element rises between the two portions of the building, which calls to the traditional architectural style of the original building.

The multi-level classroom addition is three bays wide at the south and north elevations and one bay deep at the east and west elevations. All corners of this building incorporate quoins. The left bay of the south elevation consists of a blank wall which ties into the circa 1937 addition. The center bay features five windows, a single 12-panel casement window and four grouped 12-panel casement windows, on the top two levels, and four 12-panel casement windows and two 8-panel casement windows on the basement level. The right bay, which is only two levels, continues the four grouped 12-panel casement windows on the upper level and the four pairs of 8-panel casement windows on the basement level. The east elevation of this building has no windows with a center bump-out one course of brick deep consisting of a single steel door and concrete pan stairs at the upper level and steel double doors with a flat-roofed porch extending to the sidewalk at the basement level.

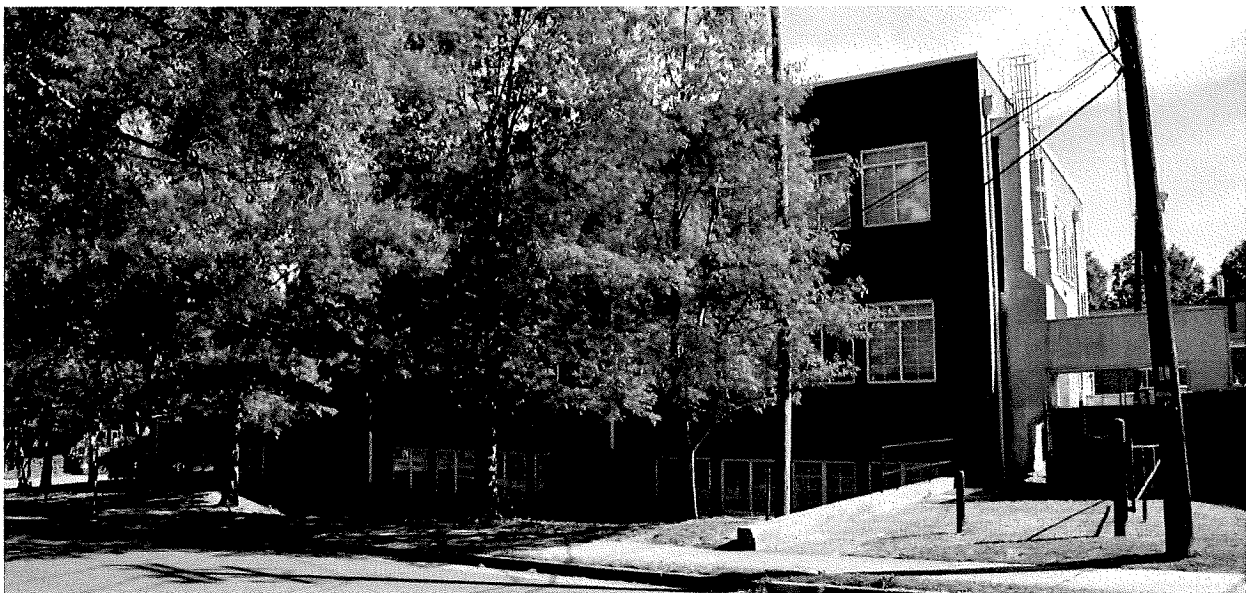


Figure 13 North elevation of the multi-level classroom building.

The north elevation of the multi-level classroom addition is four bays wide. The left bay consists of the circa 1948 two-story addition and has the same fenestration pattern as the south elevation, with four grouped 12-panel casement windows on the upper level and the four pairs of 8-panel casement windows on the basement level. The circa 1941 three-level portion of the multi-level classroom building has three bays, the first having steel double doors exiting between the middle and basement levels of the building. A 12-panel casement window is located midway between the middle and top levels of the building at a stair landing. The second and third bays both have four grouped 12-panel casement windows on each level.



Figure 14 West elevation of the multi-level classroom building and the cafeteria expansion.

The west elevation of the multi-level classroom addition is one bay wide. The two levels have four grouped 12-panel casement windows flanked on the left side by two riser ducts and the right side by a single steel door exiting at ground level with a 12-panel casement window above, which denotes a stairwell. Just to the south, the cafeteria expansion, located off the west side of

the circa 1937 addition, is two bays wide and two bays deep. The elevations are pierced with ventilation grills.



Figure 15 The north elevation of the original building.

View of the north elevation of the original building of Midwood Elementary School is partially blocked by the cafeteria extension. The elevation is three bays wide. The first bay at the right end of the elevation has steel double doors with an arched window above and a 12-over-12 sash window. The center bay has a single 9-over-9 sash window, three grouped 9-over-9 sash windows, and a single steel door which formerly had a transom extending to the same level of the sash window heads. A brick chimney separates the center bay from the left bay, which features three grouped 9-over-9 sash windows flanked on either side by a single 9-over-9 sash window.



Figure 16 The north (top) and west (top and bottom) elevations of the auditorium/gymnasium.

The auditorium/gymnasium is attached to the circa 1935 original building at its east elevation. The building has a gabled roof with cornice returns, and the corners are adorned with quoins. The gabled north elevation is one bay wide and has two large duct risers piercing the brick wall. In the center of the elevation, concrete stairs lead to a single steel door topped with a brick header lintel which enters into the building at floor level.

The west elevation, which is five bays wide, formerly had four arched windows at all but the bay nearest the north elevation (the first bay), but these have been bricked in. The brick

header arches remain over these spaces. The third and fifth bays have metal vent panels at the top. A brick firebreak extrudes out from the roof between the first and second bays, which has a pair of steel doors. Adjacent to the fourth bay is a single steel door exiting to a wheelchair ramp that extends toward the south elevation.



Figure 17 The south and east elevations of the auditorium/gymnasium. A cornerstone with the year of construction, 1941, is clearly visible.

The south elevation, also gabled, features an octagonal vent at the gable peak. A stepped out entry has 6-over-6 sash windows flanking steel double doors. An octagonal vent with flaking decorative trim is located in the gabled peak. The east elevation also has a formerly arched window now bricked in with a steel vent panel in its place. A connector bay with steel double doors is located between the auditorium/gymnasium and circa 1935 original building.

The interior of Midwood Elementary remains unchanged. There are a total of twenty-four classrooms. Many of the doors to the classrooms have retained the large eight-pane transoms.

Petition No.: 2015-037
Petitioner: Dominick Ristaino

ORDINANCE NO. 8176-Z

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

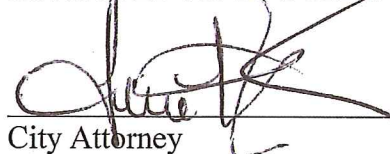
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 R-5 (HD) (Residential, Single Family, Historic District Overlay) to UR-C (CD) (HD) (Urban Residential, Commercial, Conditional, Historic District Overlay).

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, 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 November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 411-412.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.





Stephanie C. Kelly, City Clerk, MMC, NCCMC

Petition #: **2015-037** November 21, 2016, Ordinance Book 60, Page 412

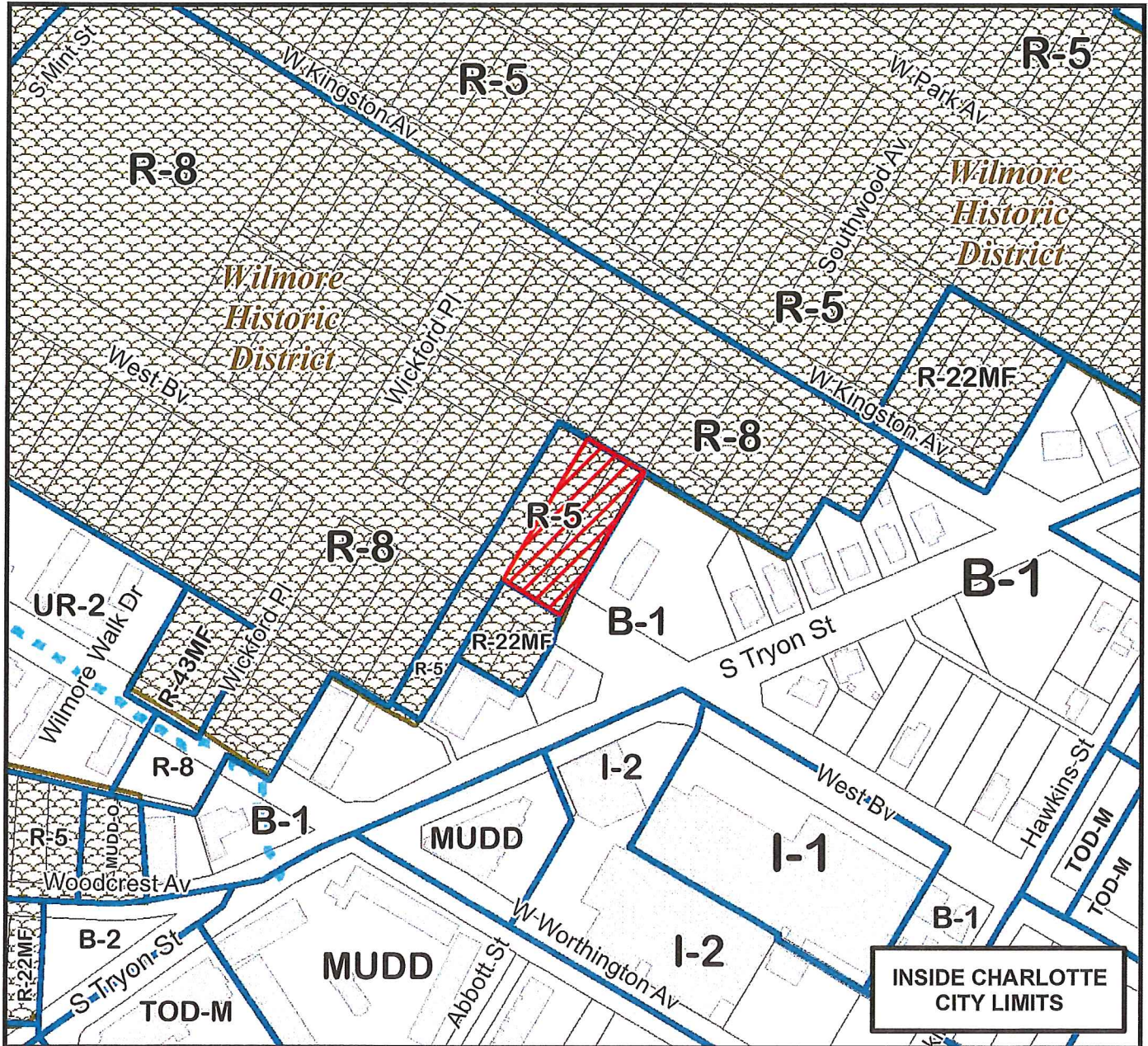
Petitioner: **Dominick Ristaino**

Ordinance No. 8176-Z

Zoning Classification (Existing): **R-5 (HD)**
(Residential, Single Family, Historic District Overlay)

Zoning Classification (Requested): **UR-C(CD) (HD)**
(Urban Residential, Commercial, Conditional, Historic District Overlay)

Acreage & Location: Approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place.



INSIDE CHARLOTTE CITY LIMITS

Map Produced by the Charlotte-Mecklenburg Planning Department, 9-30-2016.



Zoning Map #(s)

103

	Requested UR-C(CD)(HD) from R-5 (HD)		FEMA flood plain
	Existing Building Footprints		Watershed
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams
	Pedestrian Overlay		Historic District

Petition #: 2015-106
Petitioner: The Gold District of Charlotte, Inc.

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE**

ORDINANCE NO. 8177

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

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 10: OVERLAY DISTRICTS

1. PART 9: TRANSIT SUPPORTIVE OVERLAY DISTRICT

- a. Amend Part 9, "TS Overlay District" in its entirety by making the following changes:

PART 9: TS OVERLAY DISTRICT

Section 10.901 Purpose.

The Transit Supportive (TS) overlay district is established to 1) introduce transit supportive and pedestrian oriented development regulations and uses, 2) encourage properties to transition to more transit supportive development and uses up to one-half (1/2) mile walking distance from a transit station. The purpose of this overlay district is to create a set of additional standards designed to accommodate the continued existence and minor expansion of existing uses while transitioning to a more compact, high intensity, transit supportive mix of uses at a lesser intensity than traditional transit oriented development.

Section 10.902. Applicability.

The Transit Supportive (TS) overlay district shall be applied to select transit station areas with an approved station area plan, but shall not be applicable in the Mixed Use Development District (MUDD), Uptown Mixed Use District (UMUD), and the Transit Oriented Development Districts (TOD-R, TOD-E, TOD-M).

All properties zoned TOD-E, TOD-M and TOD-R on March 1, 2009 will not be subject to Ordinance # 4150-Z if site plans have been submitted for formal review by March 1, 2011.

Section 10.903. Conflicts.

If the regulations and standards of this district conflict with those of the underlying district, those of this district shall apply, with one exception. If the regulations and standards of this Transit

Supportive Overlay District conflict with those of an Historic Overlay District, then Historic Overlay District regulations and standards for exterior features as described in Section 10.204 shall take precedence over the Transit Supportive Overlay District regulations and standards.

Section 10.904. Rezoning to a Transit Supportive Overlay District (TS).

As per Section 6.103(1), any amendment for the reclassification of property to a TS zoning district may be initiated by the City Council, on its own motion, by any owner with a legal interest in the property, by anyone authorized in writing to act on the owner's behalf, or by any non-owner in accordance with the procedures set forth in Chapter 6. However, the property must be located within 1 mile of a rapid transit station that is included in a project for which the Federal Transit Administration (FTA) has issued a Record of Decision or be located within the boundaries of a Council adopted transit station area plan.

Section 10.905. Uses.

- (1) All uses permitted in the underlying Zoning District by right or under prescribed conditions are permitted with the exception that the following uses are not allowed in the TS overlay district:
 - (a) Automobile or truck washing facilities.
 - (aa) Automobile service stations
 - (b) Vehicle sales such as tractor-trucks and accompanying trailer units.
 - (c) Boat or ship sales, repairs, dry storage.
 - (d) Body shops, free-standing. (Body shops that are an accessory to automotive sales and service establishments are permitted as an accessory use).
 - (e) Building material sales and service
 - (f) Cemeteries.
 - (g) Cold storage plants.
 - (h) Contractor storage.
 - (i) Distributive businesses greater than ~~10,000~~ 20,000 square feet.
 - (j) Funeral homes, internment services, embalming, and crematories.
 - (k) Hazardous materials storage and treatment.
 - (l) Heavy Industrial uses permitted by right or under prescribed conditions including, but not limited to: abrasive and asbestos products; aircraft and parts; agricultural chemicals; alcoholic beverages, with the exception of breweries, asphalt paving and roofing materials; brick, tile, and clay

products; chemical manufacture, refining and processing; concrete, gypsum and plaster products; construction and related machinery; cut stone and stone products; electrical distribution equipment; electrical industrial apparatus; engines and turbines; fabricated metal products; farm and garden machinery; fats and oils processing; furniture and fixtures; glass and glassware; guided missiles, space vehicles, etc.; industrial machinery; leather tanning; manufactured housing; meat products, including slaughtering and dressing; motorcycles and parts; ordinance and accessories; paper and allied products; petroleum and coal products; plastic and rubber products; railroad equipment; refrigerator and service machinery; sugar refining, textile mill products; tires and inner tubes; wire products; and other similar uses.

- (m) Jails and prisons.
 - (n) Manufactured home sales and repair.
 - (o) Mining and extraction establishments.
 - (p) Outdoor storage, of any type, occupying more than 1 acre.
 - (q) Quarries.
 - (r) Retail equipment sales, service, rental and/or leasing.
 - (s) Tire recapping and retreading.
 - (t) Towing services.
 - (u) Truck and freight transportation services.
 - (v) Truck stops and/or terminals.
 - (w) Waste incinerators.
 - (x) Wholesale distribution of petroleum products, heating fuel, propane, alternative fuels, etc.
 - (y) Wholesale sales establishments greater than ~~10,000~~ 20,000 square feet.
- (2) The following use which is not permitted in some of the underlying districts, shall be permitted by right or under prescribed conditions:
- (a) Breweries, (only when the underlying zoning district is B-1, B-2, I-1, or I-2) and subject to the standards of this overlay district and to the prescribed conditions of Section 12.544.
 - (b) Residential uses, subject to the standards of this overlay district.

Section 10.906. Accessory Uses.

The following accessory uses are permitted:

- (1) Accessory uses and structures clearly incidental and related to the principal use or structure on the lot are allowed, with the following exception:

Drive-through service lanes are only permitted if allowed in the underlying zoning district. Drive-through windows shall only be located on the same site as the principal use, and shall be located to the rear of the principal use, to minimize visibility along public rights-of-way. Freestanding drive-through lanes are prohibited. Principal uses with drive-through service windows shall meet the following requirements:

- (a) For professional business and general office uses, no more than four (4) drive-through service lanes shall be permitted per individual use.
 - (b) For retail uses, no more than one (1) drive-through service window with no more than two (2) service lanes shall be permitted per individual use.
- (2) Outdoor dining associated with an Eating, Drinking and Entertainment Establishment (Type 1 or Type 2) is only permitted if allowed in the underlying zoning district. Outdoor dining associated with a Type 2 Eating, Drinking and Entertainment Establishment is subject to the regulations of Section 12.546.

Section 10.907. Development Standards

- (1) Minimum setback

- (a) The minimum building setbacks along public and private streets shall be determined as follows:
 1. New development across a local (public or private) street from, or abutting on the same side of a local street as, existing single family zoning (R-3, R-4, R-5, R-6, and R-8), shall have a minimum setback of (30) feet. This minimum setback shall apply only if the single family parcels front onto the same local street as the development parcel. This setback shall supersede the adopted streetscape plan.
 2. Minimum setbacks for all other parcels shall be determined by a City Council adopted streetscape plan. If there is not an adopted streetscape plan, or when a streetscape plan does not specify a setback, the minimum setback for all uses shall be

twenty-four (24) feet on major thoroughfares and sixteen (16) feet on all other streets. If on-street parking is provided, the minimum setback from back of curb may be reduced by the width of the on-street parking.

- (b) The minimum setback shall be measured from the back of all existing or future curb lines, whichever is greater. If the existing right-of-way is greater than the minimum setback from the back of existing or future curb lines, the right-of-way line shall become the minimum setback. If the existing curb line varies, the setback shall be measured from the widest section. Curb lines are to be determined jointly by the Charlotte Department of Transportation (CDOT) Director, or his designee, and the Planning Director, or his designee.
- (c) If new construction incorporates an existing structure located within the required setback, the CDOT Director or his designee, and the Planning Director or his designee, may allow the setback for the addition to be reduced to the established setback. In no event shall the setback of any portion of the new structure be less than ten (10) feet from the back of the curb line.
- (d) For the purposes of this section, the minimum setback applies to all street frontages, not just to the street toward which the structure is oriented.
- (e) All above ground, at ground, and below ground utility structures associated with underground electric, natural gas, telecommunications or cable television distribution lines, pipes, or conduits shall be located behind the minimum setback, except as allowed by any City right-of-way ordinances. This includes air vents, vaults, and backflow preventers.
- (f) No new doors shall be permitted to swing into the minimum setback, except for emergency exit doors.
- (g) One story screened or open air porches and stoops may encroach into the setback up to 8', but shall be behind the required sidewalk. Architectural features such as eaves, steps and cornices may encroach up to an additional 3' into the setback. Fences and walls may also be located in the setback, behind the required sidewalk, but shall not exceed 36 inches in height above grade. All fences and walls shall be constructed in a durable fashion of brick, stone, other finished masonry materials, wood posts and planks or metal or other materials specifically designed as fencing materials or any combination thereof.
- (h) No canopies or signs are permitted in the minimum setback, except as provided for in Section 10.908 (6) and Section 10.908 (7).
- (i) Driveways may cross the setback, but shall be as near as possible to perpendicular to the street, so as to minimize intrusion into area, and for pedestrian safety.

- (j) Balconies may project up to 2' in the minimum setback, subject to an approved sidewalk encroachment agreement with CDOT. Balconies shall have a minimum clearance of 10' from grade.
- (k) Sidewalk arcades may be located within the sidewalk portion of the minimum setback, at sidewalk level, subject to an approved sidewalk encroachment agreement with CDOT. Sidewalk arcades shall maintain a minimum 10' clear, unobstructed space between arcade supports, and a minimum overhead clearance of 10'. No arcade support shall be located closer than 14' from the back of the existing or future curb line, whichever is greater.

(2) Minimum side and rear yards

None required, except if a side or rear yard is provided, the minimum width shall be five (5) feet, with the following exceptions:

- (a) When a lot abuts an existing residential structure or a single family, multi-family, or urban residential zoning district, (excluding TS or TOD zoned property) then a minimum side yard of five (5) feet and/or a minimum rear yard of twenty (20) feet shall be required.
- (b) When a lot abuts a rapid transit corridor or a rapid transit corridor that is located within or adjacent to a freight rail corridor, a minimum rear yard setback shall be required, as specified in the approved station area plan. If a station area plan has not been adopted or does not specify a rear yard setback, then the minimum rear yard setback from the centerline of the rapid transit corridor shall be a minimum of 35 feet, or the width of the right-of-way, including the freight rail corridor, whichever is greater.

(3) Maximum height

- (a) The maximum building height shall be determined as follows:
 - 1. The base height for all TS districts shall be 40 feet.
 - 2. For new development across a local (public or private) street from existing single family zoning (R-3, R-4, R-5, R-6, and R-8), the 40' base height shall be measured at the minimum setback line. The height may increase one foot in height, over 40 feet, for every 10 feet in distance the portion of the building is from the required setback along that street.
 - 3. For new development abutting on the same side of a local (public or private) street as existing single family zoning (R-3, R-4, R-5, R-6, and R-8), the 40' base height shall be measured at the required yard. The height may increase one foot in height, over 40 feet, for every 10 feet in distance the portion of the building is from the required yard.

4. For all other parcels, the permitted maximum height shall be determined by the distance from the structure to the boundary line of the nearest single-family residential districts (R-3, R-4, R-5, R-6, and R-8). This distance shall be the shortest measurable distance between the building footprint edges and nearby single-family residential district boundaries. Height increases for portions of the building that are a further distance from single-family residential zoning districts, are allowed at a rate of one additional foot of height for every 10 feet of additional distance the portion of the building is from the edges of nearby single-family zoning districts.

5 The maximum height for the TS district shall be 60 feet, unless located within one mile of Interstate 277, where the maximum height shall be 80 feet.

(b) Height requirements for other permitted structures are set forth in Section 12.108.

(4) Minimum residential density

(a) Residential development, and the residential component of multi-use developments, shall have a minimum density of twelve (12) dwelling units per acre if an adopted station area plan exists and the site is within the ½ mile walk distance of the station. When a station area plan has not been adopted or a site is more than a ½ mile walk from the station, the minimum density shall be ten (10) dwelling units per acre. Densities shall be based on the residential portion of the site.

For large or phased projects, the residential density for each phase shall meet or exceed the minimum density requirements. If phases cannot meet this requirement, but the overall Master Plan meets or exceeds the minimum density requirements, approval may be granted by the Planning Director for phases that meet at least 80% of the minimum residential density requirements, or the applicant may choose to rezone to the optional TS-O zoning district, which allows variations in the TS standards. (See Section 10.912).

(b) The residential component of mixed-use developments shall meet the Floor Area Ratio (FAR) requirements of Section 10.907(5).

(5) Floor Area Ratio

(a) The total minimum floor area ratio of buildings on a development site shall not be less than .50 square feet of floor area to 1 square foot of the development site (.50 FAR) if an adopted transit station area plan exists and the site is within the ½ mile walk distance of the station. If a transit station area plan has not been adopted, or a site is more than a ½ mile walk

from the station development shall have a minimum FAR of .35. The FAR shall apply to the following uses:

1. All non-residential uses [except those excluded in Section 10.907(5)(e)]
 2. Non-residential uses of multi-use developments.
 3. Residential uses of mixed-use developments.
- (b) For large or phased projects, the minimum FAR for each phase shall meet or exceed the minimum FAR requirements. If phases cannot meet this requirement, but the overall Master Plan meets or exceeds the minimum FAR requirements, approval may be granted by the Planning Director for phases that meet at least 80% of the minimum FAR density requirements, or the applicant may choose to rezone to the optional TS-O zoning district, which allows variations in the TS standards. (See Section 10.912)
- (c) Plazas, arcades, courtyards, galleries, outdoor open air Eating, Drinking and Entertainment Establishments, rooftop gardens, and widened public sidewalks that enhance pedestrian spaces and amenities can be credited toward meeting the minimum required FAR. If the pedestrian spaces/amenities are available to the public then the square footage shall be credited at 100%; if private, then the square footage shall be credited at 50%. In no instance shall more than 20% of the pedestrian area be credited toward the required FAR.
- (d) An FAR credit shall be given for structured parking facilities that devote at least 75% of the linear street level frontage of the building to retail, office, civic, institutional, or residential uses. Similarly, an FAR credit shall be allowed for structured parking facilities that provide such uses above the street level, and/or on any other side of the building. See Section 10.907(6)(l) for credit amounts.
- (e) Certain principal uses are exempt from meeting the minimum FAR requirements:
1. Transit stations (bus or rail), parking facilities, and bus shelters.
 2. Private parking decks (principal use only) and surface parking facilities.
 3. Existing development and expansions of existing development.
 4. Freestanding group homes for up to 10 residents.
 5. Public and private recreation parks and playgrounds.
 6. Utility and related facilities.
 7. Electric and gas substations.

(6) Parking standards

- (a) New permitted uses within this zoning overlay district shall be required to meet the minimum/maximum number of off-street parking spaces as follows: All square footage is measured as “gross footage”.

USE	MINIMUM/MAXIMUM NUMBER OF PARKING SPACES
Residential	Minimum of 1 space per dwelling unit for properties on blocks with single family zoning, no parking minimum for all other properties and a maximum of 1-6 <u>2</u> parking spaces per dwelling unit. <u>Minimum .25 spaces per unit for Multi-Family Elderly or Disabled.</u>
Office	Maximum of one (1) parking space per 300 square feet of office space. Mixed use developments and multi use developments of residential and office uses may share parking spaces as per Section 12.203.
<u>Hotels and motels</u>	<u>Maximum of 1 space per room plus 1 space per 4 seats of meeting room capacity plus a maximum of 1 parking space per 250 square feet of Eating, Drinking and Entertainment Establishments.</u>
Eating, Drinking and Entertainment Establishments	For all sites within 800’ of single family zoning, minimum of one (1) parking space per 150 square feet of Eating, Drinking and Entertainment Establishments space. For all other sites, no minimum. Maximum of one (1) space per 75 square feet.
All Other Non-Residential Uses	The maximum number of parking spaces permitted is listed as the minimum amount required in the Table 12.202, per non-residential use. <u>Maximum of 1 space per 250 square feet.</u>

1. The required number of parking spaces for any building within the district, including mixed use buildings, shall be the sum total of the requirements for each use in the building calculated separately.
2. Parking maximums may be exceeded by up to a total of 30% of the maximum, under the following circumstances, if one or more of the following is provided:
 - a. If structured or underground parking is provided on site,

parking maximums may be exceeded by 25%

- b. If a shared parking agreement is executed, the parking maximum may be exceeded by 20%.
 - c. If all parking spaces are located behind the building and are not visible from the public right-of-way, parking maximums may be exceeded by 10%.
 - d. If driveways and access points are shared by at least two adjacent properties, parking maximums may be exceeded by 10%
 - e. If a provision is made for combining or interconnecting adjacent parking lots and pedestrian access points, parking maximums may be exceeded by 10%.
3. A 25% parking reduction in the minimum number of parking spaces required is allowed if the principal use is located within 800 feet of a parking facility available to the general public, or within 800 feet of public transit park-and-ride facilities with an approved joint use agreement. This section in combination with Section 12.202(2) allows for no more than a 25% parking reduction of the minimum requirements.
- (b) The provisions for parking standards shall conform to the general requirements of Chapter 12, Part 2, OFF STREET PARKING AND LOADING, except as provided for in this section.
 - (c) No surface parking or maneuvering space shall be permitted within any required or established setback, and no surface parking or maneuvering space is allowed between the permitted use and the required setback, except that:
 1. Driveways providing access to the parking area may be installed. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible to minimize intrusion into the landscaped area, and for pedestrian safety;
 2. Driveways providing access to structured parking facilities are permitted between the rail corridor setback and the building. However, the length of the driveway shall not exceed 50% of the length of the property line along the rail corridor.
 - (d) In the event that the City or State removes any on-street parking that was allowed to count toward the minimum requirement, the existing use shall not be required to make up the difference and shall not be made non-conforming with respect to parking.

On-street parking shall be provided for properties on blocks with single family zoning except where prohibited by CDOT or NCDOT. On-street parking may be used to meet minimum residential parking requirements but shall not be counted in calculating maximum parking spaces, if located on the same side(s) of the street and abutting the use.

- ~~(e)~~ ~~All recessed on-street parking shall comply with Charlotte's Urban Street Design Guidelines.~~
- (fe) The vehicular parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of Engineering and Property Management (for commercial and planned multi-family projects, change of use permits) or Neighborhood Development (for all other residential projects, and change of use permits).
- (gf) Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking and driveways that is that are located to the side of the primary structure shall not cover more than 35% of the total lot width.
- (hg) Shared parking shall be permitted and encouraged pursuant to the regulations of Section 12.203.
- (ih) Bicycle parking facilities shall be required as per Chapter 12, Part 2.
- (ji) All surface parking shall conform to the internal planting requirements for parking areas in the *Charlotte Tree Ordinance*.
- (kj) All parking areas for more than 10 motorized vehicles (except for parking areas for detached duplex, triplex or quadraplex dwellings on a single lot) shall provide screening which consists of either a 5-foot wide planting strip consisting of evergreen shrubbery according to the provisions of Section 12.303(2), or a 2 ½ -foot minimum to a 3 foot maximum masonry wall that shall be 40%-50% open and finished, or an alternative as approved by the Planning Director. However, a wall cannot be substituted for the planting strip along any public street or transitway unless supplemented by landscaping in a minimum 3-foot wide planting strip.

If a wall is provided, then the area devoted to the wall shall be wide enough to allow for its maintenance.

The 5' planting strip or the wall may be eliminated if abutting parking lots are combined or interconnected with motor vehicular and pedestrian access.

Shrubs and walls may be reduced in height to 30 inches when located within sight triangles as required by the Charlotte Department of Transportation

(CDOT). In no instance shall a chain link fence or a barbed wire fence be permitted.

(Hk) Any new or expanded structured parking facility shall meet the following requirements:

1. At least fifty (50%) of the linear street level frontage of the facility shall be devoted to retail, office, civic, institutional, or residential uses. If 75% or more of the linear street frontage is devoted to such uses, then the total square footage of the uses shall be credited at 200% toward the required FAR minimums.
2. If retail, office, civic, institutional, or residential uses are constructed on the side or rear of the building, or above the ground floor on the street frontage of the building, then the total square footage of these uses shall be credited at 200% toward the required FAR minimums.
3. Underground parking structures are permitted. Subsurface parking located in the minimum setback shall be permitted, with an 8' clearance from the top of the subsurface structure to the sidewalk, subject to an approved encroachment agreement with CDOT. No ventilation shall be allowed in the setback.
4. A minimum 9-foot clearance shall be maintained on the first level and any additional level that provides disabled parking spaces. A minimum 7-foot clearance shall be maintained throughout the remainder of the parking structure to ensure the safe movement of vans and emergency vehicles.
5. Structured parking decks and underground parking decks providing required parking for residential dwelling units, in the TS zoning district, shall meet the following requirements:
 - (a) Residential developments, including mixed-use or multi-use developments with a residential component, shall provide security for residents by controlling vehicular and pedestrian access to structured or underground parking areas designated for residential parking.
 - (b) Controlled gate locations are subject to the approval of CDOT.

(ml) Parking lots (temporary surface lots), over one (1) acre, shall meet the following requirements:

1. An operator of a temporary parking lot shall apply for a permit from Engineering and Property Management. A permit shall not be issued until the Planning Director, or his or her designee has been consulted and supports approval. The permit shall

authorize a temporary parking lot for a period of ten (10) years from the date the permit is issued.

2. Temporary, surface parking lots shall not be permitted when the lot adjoins a residentially used parcel of land, not zoned TS, TOD-R, TOD-E, TOD-M, unless the parking lot will be located on a major thoroughfare.
 3. The use shall not require the construction of a permanent building.
 4. Any signage, which identifies the use, shall be in accordance with Section 10.908 (7).
 5. Parking and maneuvering shall observe the minimum setbacks determined in each adopted station area plan for particular streets, and be located outside the site distance triangle. If an adopted station area plan does not specify a setback, or if there is not an adopted station area plan, the minimum setback shall be 20 feet.
 6. The operator is responsible for the removal of any vestiges upon cessation of the temporary parking lot, including signage.
- (am) Front-loaded garages, parking pads and driveways for individual residential units shall not be permitted along public or private streets, except for corner lots and lots at least fifty (50) feet in width. Driveways located along public or private streets shall not be allowed to cross the front setback to access individual residential garages. Corner lots may have driveway access to a public street from the side yard. Shared driveways and alleys accessing multiple (two or more) individual garages are permitted if the garages are to the rear of the structure. Front-loaded garages may be approved by the Planning Director if site shape, environmental and/or topographic challenges exist that present significant site constraints.

(7) Loading standards

- (a) Non-residential buildings and structures, excluding parking structures, subject to the provisions of this Part shall provide a minimum number of off-street service/delivery loading spaces. These spaces shall be designed and constructed so that all parking maneuvers can take place entirely within the property lines of the premises. These parking spaces shall not interfere with the normal movement of vehicles and pedestrians on the public rights-of-way, except as permitted by Section 20-29[14-25] of the City Code. These loading spaces shall be a minimum of 10 feet by 25 feet and be provided in accordance with the following:

Non-residential uses with gross floor area:

Less than 50,000 square feet:	None required
50,000 – 150,000 square feet:	One (1) space
Each additional 100,000 square feet:	One (1) space

Existing buildings are exempt from these loading standards.

- (b) No loading spaces shall be permitted within any required or established setback, nor between the permitted use and the required setback, except that driveways providing access to the loading area may be installed across these areas.
 - (c) Loading and service areas shall not be located across from single family or abutting single family on the same side of the street.
- (8) Screening standards.
- (a) All service entrances, utility structures associated with a building, and loading docks and/or spaces, and outdoor storage of materials, stock and equipment shall be screened from the abutting property and from view from a public or private street or from a transit-way. Such screening shall consist of a 5-foot wide planting strip, consisting of evergreen shrubbery sufficient to visually screen these uses, or an alternative as approved by the Planning Director. An optional wall or fence may be used in lieu of the 5-foot planting strip. Walls may be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT).
 1. Any fences or walls used for screening shall be constructed in a durable fashion of brick, stone, other finished masonry materials, wood posts and planks or metal or other materials specifically designed as fencing materials or any combination thereof as may be approved by the Zoning Administrator. The finished side of the fence shall face the abutting property. In no instance shall a fence or wall used for screening be located within a setback, nor shall a chain link or barbed wire fence be permitted.
 2. The composition of the screening material and its placement on the lot shall be left up to the discretion of the property owner, as long as the intent of this Ordinance is met. However, a wall cannot be substituted for the planting strip along any public street or transitway unless supplemented by landscaping in a minimum 3-foot wide planting strip.
 3. Shrubs used for screening shall be evergreen, at least 2 to 2 ½ feet tall with a minimum spread of 2 feet when planted and no further apart than 5 feet. Shrubs shall be adequately maintained so that an average height of 5 to 6 feet can be expected as normal growth within 4 years of planting. The average expected height may be reduced to 4 feet for

screening along public streets. Shrubs and trees shall be on the approved plant list in "Approved Plant Species" matrix in the Charlotte Land Development Standards Manual. Walls may be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT).

4. The minimum height for walls and fences abutting a residential district shall be 6' or whatever is sufficient to screen the use. The minimum height for screening shall be whatever shall be sufficient to visually separate the uses, but not less than 4'.
 - (b) Dumpsters, recycling containers, compactors, large above-ground utility structures and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a minimum 6-foot high solid and finished masonry wall, with a closeable gate that shall be 40% - 50% open for safety and security purposes. In no instance shall a chain link fence or a barbed wire fence be permitted. Dumpsters are not permitted in any required setback or yard space.
 - (c) Surface parking lots shall be screened in accordance with Section 10.907(6)(l).

(9) Buffer Standards

- (a) All uses, other than single family detached units, shall provide landscaping along all property lines abutting residentially zoned property (single-family, multi-family and urban residential zoning districts) located adjacent to the Transit Supportive overlay zoning district. This requirement also applies in situations where an alley with a right-of-way width of 25' or less, separates uses in the TS district from residential property in other zoning districts other than the TOD and TS districts. Landscaping shall be provided along all property lines abutting the alley. However, multi-family developments zoned TS are exempt from this landscaping requirement when they abut other multi-family uses or undeveloped multi-family zoning districts.
- (b) Such landscaping shall consist of a 10' wide planting strip. The planting strip shall consist of a combination of evergreen trees and evergreen shrubs. Plant materials shall be provided at a minimum of 6 trees and 20 shrubs per 100 linear feet in accordance with Section 12.302(9)(b), (c), (d) and (e). The 10' planting strip may be reduced to 8' and the shrubs need not be planted if a masonry wall with a height of between 6' to 8' in a side yard or between 8' to 10' in a rear yard is installed. No more than 25% of the wall surface shall be left open. Shrubs and walls may be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT). This landscaping area may be interrupted with a gate/pedestrian access way or a driveway to an adjacent alley.

In no instance shall a chain link or barbed wire fence be permitted.

(10) Outdoor lighting standards (freestanding) on private property.

- (a) All outdoor lighting fixtures for parking lots, and pedestrian activity areas shall be classified as full cut-off, cutoff or semi-cutoff. In addition, any building light fixtures used to illuminate parking and pedestrian areas, and service areas shall be classified as full cutoff, cutoff or semi-cutoff.
- (b) No outdoor lighting fixture or building light fixtures shall cause glare on public travel lanes or on adjacent residentially used or zoned property. All fixtures shall be screened in such a way that the light source shall not cast light directly on public travel lanes or on adjacent residentially used or zoned property.
- (c) The lighting of signs shall be in accordance with standards of Chapter 13.

(11) Connectivity and Circulation.

Transit oriented development uses shall be integrated with the surrounding community, easily accessible, and have a good internal circulation system for a variety of travel modes.

- (a) A pedestrian sidewalk system shall meet the following standards:
 - (1) Internal sidewalk connections are required between buildings and from buildings to all on site facilities (parking areas, bicycle facilities, urban open space, etc.) in addition to the sidewalk requirements of Section 10.908(8)(e). All internal sidewalks shall be hard-surfaced and at least 6' in width.
 - (2) External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system, and to adjacent multi-use trails, parks, and greenways. The connection shall be no longer than 120% of the straight-line distance from all buildings to the existing or proposed sidewalk, or no more than 20' longer than the straight-line distance, whichever is less. Sidewalks shall be hard-surfaced and at least six (6) feet in width. The sidewalk width can be reduced to 4' in width, if the internal sidewalk serves less than four (4) dwelling units.

The Planning Director shall have the authority to modify this requirement when unusual circumstances exist, such as topographical problems or compliance with ADA standards.
 - (3) The on-site pedestrian circulation system shall be lighted to a level where employees, residents, and customers can safely use the system at night. The lighting system shall be shielded with full cut off fixtures.

- (b) Bicycle parking and storage facilities shall be provided in accordance with Chapter 12, Part 2 of this Ordinance.

(12) Urban open spaces.

- (a) All new development on lots of greater than 20,000 square feet must provide urban open space. Such open space shall be either private open space and/or public open space.
- (b) Private open space is defined as an area that is:
1. Accessible and visible to residents, tenants, and/or users of the development.
 2. Improved with seating, plantings, and/or other amenities.
 3. Located on the ground floor or first level of the development, or on a roof or terrace level, in an interior courtyard area of the development, or a combination of these locations.
 4. Out of doors, or in the open air (may be under a roof or canopy).
- (c) Public urban open space is defined as an area that is:
1. Accessible and open to the public.
 2. Improved with seating, plantings, and/or other amenities.
 3. Visible and accessible from the street or public pedestrian areas.
 4. Located on the ground floor or no more than five feet above or five feet below ground level.
 5. Out of doors, or in the open air (may be under a roof or canopy).
- (d) All required open space shall be located behind the sidewalk and on private property.
- (e) Open space requirements are based on the type of use, the lot size, and the gross square footage of building floor area, in accordance with the following schedule:

Use	Private open space	Public open space
Residential use	1 sq. ft./100 sq. ft. gross floor area <i>or</i> 1 sq. ft./200 sq. ft. lot area, whichever is greater.	None required.
Non-residential use	None required.	1 sq. ft./ 100 sq. ft. gross floor area <i>or</i> 1 sq. ft./200 sq. ft. lot area, whichever is greater.

- (f) For developments on lots in excess of ten acres (435,600 square feet), at least fifty percent (50%) of the required open space must be centrally located on the site in a common area.
- (g) Floor Area Ratio credits are allowed for all new developments as per Section 9.1208(5)(c) when the pedestrian space is available for use by the public, including widened sidewalk areas.

Section 10.908. Urban design standards.

All buildings and uses developed in this overlay district shall meet the following minimum standards:

- (1) Street Walls.
 - (a) All retail and office buildings fronting directly on a public or private street or fronting on a public multi-use path along a transit line and identified in an area plan shall be designed so that the first floor façade of the building(s) along all streets and pathways includes clear glass windows and doors to increase pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street and/or pathway on at least 50% of the length of the first floor street level frontage.
 - (b) For all other uses, buildings shall be designed so that the first floor street facade along all streets includes the use of clear glass windows and doors arranged to that the uses are visible from and/or accessible to the street on at least 25% of the length of the first floor street frontage. When this approach is not feasible, a combination of design elements shall be used on the building facade to animate and enliven the streetscape. These design elements may include but are not limited to the following: ornamentation; molding; string courses; changes in material or color; architectural lighting; works of art; fountains and pools; street furniture; stoops, landscaping and garden areas; and display areas.
 - (c) The first floor facade of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian-scale interest and activity.
 - (d) Expanses of blank wall shall not exceed 20 continuous feet in length. A blank wall is a facade that does not add to the character of the streetscape and does not contain clear glass windows or doors or sufficient ornamentation, decoration or articulation.
 - (e) No reflective surfaces shall be permitted on street level exterior facades.
 - (f) Ventilation grates or emergency exit doors located on the first floor street facade(s) shall be decorative and part of the overall building design.

- (g) For buildings across from single family zoning or abutting single family zoning on the same side of the street, the roof line shall vary every 30 feet is required. This can be accomplished by vertical offsets in ridge lines, gables, exaggerated cornices, dormers, roof top patios, material changes and/or other architectural features such as trellises, portals or porches.
 - (h) For buildings across from single family zoning or abutting single family zoning on the same side of the street porches, if provided, shall be at least 6 feet in depth A porch is defined as a covered platform, usually having a separate roof, at an entrance to a building.
 - (i) For buildings across from single family zoning or abutting single family zoning on the same side of the street, entrances that face the street for ground floor units shall be provided. No more than four ground floor units shall be allowed to utilize the same entrance.
 - (j) For buildings across from single family zoning or abutting single family zoning on the same side of the street, façade variations shall be provided that visually separate individual units. This can be accomplished through measures such as window arrangement and size variation, unit entrance design, roof variation, material changes, and/or offset wall planes.
 - (k) The ground floor of parking structures that are across the street from single family zoning or that abut single family zoning on the same side of the street, shall be wrapped with active uses such as residential, office and retail uses.
 - (l) The first floor of any new building on a street identified as a retail street or site identified for ground floor retail by a Council adopted plan must have at least 50% of the linear street frontage developed to accommodate non-residential uses but may be occupied with residential uses.
- (2) Base of High Rise Buildings. (Buildings exceeding five (5) stories.)
- (a) The first three (3) floors above street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment. Such elements as cornices, corbelling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting and other sculpturing of the base as are appropriate shall be provided to add special interest to the base.
 - (b) In the design of the building facade, attention shall be paid to the appearance both during the day and at night. Material and color changes alone do not meet the requirements of this section and design elements, which are used to meet the requirements of this section, shall be visually continuous around the building. In the event that a building facade is not visible from a public street or right-of-way then the Planning Director has the option of waiving this requirement.

- (c) Special attention shall be given to the design of windows in the base. Band windows are prohibited. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are encouraged.

(3) Top of Buildings.

- (a) All rooftop mechanical equipment on buildings ~~over 60' in height~~ shall be screened from public view from below by integrating the equipment into the building and roof design to the maximum extent feasible, by the use of parapet walls or similar architectural treatments. ~~Buildings under 60' in height shall screen all rooftop mechanical equipment from public view from above or below (based on the type of mechanical equipment utilized) by integrating it into the building and roof design to the maximum extent feasible.~~

(4) Building Entrances and Orientation.

- (a) At least one or more operable pedestrian entrances shall be provided in each of the following circumstances:
 - (1) When a lot abuts a public or private street, at least one entrance shall be provided on each building façade fronting a street. Single family and townhouse units are only required to have an entrance on one building façade fronting a street.
 - (2) When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to public open space, multi-use trail, or greenway.
 - (3) When an adopted station area plan depicts a required sidewalk not specified in the subsections above, an entrance(s) shall be provided on the building façade closest to the required sidewalk. Distances shall be measured in a straight line from the closest point of the property line to the closest point of the right-of-way, public open space, transit station, or light rail transit station platform.
- (b) Such entrances shall be distinguishable from the rest of the building to provide a sense of entry and to add variety to the streetscape. No doors shall be permitted to swing into the minimum setback, except for emergency exit doors.
- (c) On corner lots, buildings may provide one main entrance oriented to the corner or facing either of the streets.
- (d) To provide a level of comfort and security for residents on the first floor of residential buildings on major thoroughfares, the first floor should be visually and physically separated from the sidewalk. Examples include increasing the

setback, installing additional landscaping, raising or lowering the first floor or other methods.

(5) Structured Parking Facilities.

Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity, and shall be designed so that motorized vehicles parked on all levels of the facility inside are screened from the street or transit way, or abutting residentially zoned and/or used property. Decorative elements such as grillwork or louvers shall be utilized to accomplish this objective.

Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All openings shall be decorative and shall be an integral part of the overall building design.

(6) Canopies.

Canopies, awnings, cornices, and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building up to one-half of the width of the setback area in front of the building, or 9' whichever is less, and may not be closer than 2' to the back of the curb line. In no instance shall such features extend over, or interfere with the growth or maintenance of any required tree plantings. Minimum overhead clearance shall be 8'. Ground supports for these features are not permitted in the minimum setback, sidewalk, or in the public right-of-way. If a canopy awning, cornice, or other appurtenance extends into the public right-of-way, an encroachment agreement from CDOT or the State shall be required.

(7) Signs, Banners, Flags and Pennants.

Where signs, banners, flags and pennants for identification or decoration are provided, they shall conform to the requirements of Chapter 13, except for the following:

- (a) Wall signs shall meet the specifications of Section 13.108a, with the exception that signs located on any building wall shall have a maximum sign surface area not to exceed 5% of building wall area to which the sign(s) is attached, up to a maximum of 100 total square feet. In lieu of a ground mounted or monument sign, the area of wall signs may be increased to a maximum size of 120 total square feet.
- (b) Signs are permitted to project up to 6' feet into the minimum setback as measured from the building. Under no circumstance shall a sign project more than 4' feet from the back of the curb line. A minimum overhead clearance of 8' from the sidewalk shall be maintained.

- (c) Marquee and message signs are permitted. Marquee signs shall meet the requirements of Section 13.108(a)(4).
- (d) Ground mounted or monument signs are allowed as follows:
 1. Signs shall not exceed 5 feet in height and 20 square feet in area.
 2. Signs shall be located behind the right-of-way and out of any sight distance triangle prescribed by the Charlotte Department of Transportation (CDOT).
 3. Signs shall be located behind the minimum setback.
- (e) No free-standing-pole signs shall be permitted.
- (f) No outdoor advertising signs shall be permitted.

(8) Streetscape Standards

- (a) A continuous perimeter-planting strip or amenity zone (excluding driveways) shall be required whenever property abuts a curb. The width of the planting strip or amenity zone shall be determined by the approved station plan. Because stations will have different characters and unique conditions, planting strips and amenity zones within each station area may vary. When a station area plan does not specify a planting strip width or amenity zone an 8' wide planting strip shall be constructed

If the adopted station area plan does not adequately define the curb line, then the curb line shall be determined by jointly by the Charlotte Department of Transportation (CDOT) Director, or his designee, and the Planning Director, or his designee.

- (b) Curb lines shall be located adjacent to the perimeter planting strip, unless specified otherwise in an adopted station area plan. If the right-of-way varies along the street frontage, the planting strip shall be aligned along the widest right-of-way section.
- (c) Trees shall be planted in the continuous perimeter planting strip, as per the standards found in the *Charlotte Tree Ordinance* and in the *Charlotte-Mecklenburg Land Development Standards Manual*. Tree pits or trees in grates, with irrigation and sub-drainage are optional, in lieu of a planting strip, as per the requirements of Section 21-14(c)(3)(a)(2) of the *Charlotte Tree Ordinance*. In instances where a 12' perimeter planting strip is required, the trees shall be centered no more than 4' from the edge of the sidewalk.

- (d) *Charlotte Tree Ordinance* regulations for tree protection and replacement shall be applicable within this overlay district.
- (e) Sidewalks shall be located and constructed as specified in an adopted station area plan. This may include sidewalks along transit corridor right-of-ways. If sidewalk widths are not specified, or if a station area plan has not been adopted, then the sidewalk shall be 8' in width. Typically, sidewalks along street right-of-ways should abut the perimeter planting strip, and be located on the side closest to the building to encourage pedestrian activity. Sidewalks shall meet the standards for concrete sidewalks in accordance with the Charlotte-Mecklenburg Land Development Standards Manual.

Sidewalk easements shall be required if the sidewalk is not located within the public right-of-way.

- (f) The Planning Director, with the affirmative recommendation of the City Arborist/Senior Urban Forester shall have the authority to modify the requirements of Section 10.908(8), including the modification of the planting strip, sidewalk location, and width in order to preserve existing buildings and trees and to provide flexibility for a hard surface next to the curb line, where appropriate for on-street parking (e.g. handicap parking areas, loading zones
- (g) An amenity zone is required in lieu of a planting strip along ground-floor, non-residential uses, unless on-street parking is not permitted by CDOT or NCDOT.
- (9) Valet parking service standards for new construction and site reconfigurations.

If provided, a valet parking service (including drop-off areas, servicing areas, and the parking areas) shall meet the following requirements:

- (a) The valet parking service can be located in the following areas:
1. For valet parking services that utilize the public right-of-way, the service may be located at the face of the existing curb of a street or thoroughfare as long as the existing curb line is not modified to provide an inset for the valet parking service or to reduce the width of the required sidewalk or planting strip.
 2. On private property the valet parking service area shall be located to the side or rear of the structure or building, but shall not be located between the building and the street.

- (b) The parking area for the valet parking service shall be incorporated into the parking lot or parking structure design, if provided.
- (c) The valet parking service and associated structures shall not disrupt the flow of pedestrian and vehicular traffic.
- (d) For valet parking services that are located on a public street or thoroughfare, or where the right-of-way is utilized by the service, a valet parking permit shall be obtained from the Charlotte Department of Transportation (CDOT). See the Charlotte Municipal Code, Article XII. "Valet Parking", Sections 19.321 through 19.325 for permit information and criteria.

Section 10.909. Exceptions.

All new development in this district shall be subject to the development and urban design standards of Sections 10.907 and 10.908 with the following exceptions:

- (1) Change of Use Non-Residential to Non-Residential With No Expansion
 - (a) All the requirements of Chapter 10, Part 9 shall apply with the exception of the development standards of Section 10.907(1), (2), (3), (4), (5), (7), (9), and (11) urban design standards of Section 10.908(1) through (4), and other standards as stated below.
 - (ab) If the change of use in an existing building does not require and does not add more than five (5) additional parking spaces based on the minimum/maximum number of parking spaces required in Section 10.907(6)(a), then the requirement to provide the additional parking spaces is waived. Parking in excess of the maximum may remain.
 - (bc) If more than five additional parking spaces are added, the new parking area shall meet the parking standards, internal planting requirements, and parking lot screening of Section 10.907(6)(b) through (l).
 - ~~(ed)~~ If sidewalks and a perimeter planting strip with trees are non-existent along street frontages, the streetscape requirements of Section 10.908(8) shall be required. standards shall be met, based on the Council adopted streetscape plan, or an approved alternative. The approved alternative will be based on an affirmative recommendation of the Planning Director, or designee, with confirmation from of the City Arborist or Senior Urban Forester and the CDOT director, for the streets in question.
 - ~~(d)~~ The sign, banner, flags and pennant requirements of Section 10.908(7) shall apply.
 - ~~(e)~~ The connectivity and circulation requirements of Section 10.907(11) shall apply.

- (2) Change from a Residential Use to a Non-Residential Use With No Expansion.
- (a) All the requirements of Chapter 10, Part 9 shall apply with the exception of the development standards of Section 10.907(1), (2), (3), (4), (5), and (7), urban design standards of Section 10.908(1) through (4), and other standards as stated below, and except as modified below.
 - (b) If the change of use in an existing building does not require and does not add more than five (5) additional parking spaces based on the minimum/maximum number of parking spaces required in Section 10.907(6)(a), then the requirement to provide the additional parking spaces is waived. Parking in excess of the maximum may remain.
 - (c) If more than five additional parking spaces are added, the new parking area shall meet the parking standards, internal planting requirements, and parking lot screening of Section 10.907(6)(b) through (l).
 - (bd) Any non-conforming parking located in the required setback shall be eliminated and replaced with landscaping, patios, and/or related amenities.
 - (e) If sidewalks and a perimeter planting strip with trees are non-existent along street frontages, the streetscape standards shall be met, based on the Council adopted streetscape plan, or an approved alternative. The approved alternative will be based on an affirmative recommendation of the Planning Director, or designee, with confirmation from the City Arborist or Senior Urban Forester and the CDOT director, for the streets in question.
- (3) Expansions of Existing Uses.
- (a) Building expansions (for both conforming and non-conforming uses) are permitted up to 10% (total) of the gross floor area in existence at the effective date the property was reclassified to TS. Expansions shall be subject to the following:
 - 1. The building expansion shall meet the minimum setback, yard and height requirements of Section 10.907(1), (2), and (3).
 - 2. The parking standards of Section 10.907(6)(a) shall be met. If there are parking spaces in excess of the maximum permitted, they may remain. The creation of new parking spaces in excess of the maximum is not permitted.
 - 3. No exterior improvements shall make the building non-conforming in any way, or add to its non-conformity.

(b) Building expansions (for both conforming and non-conforming uses) are permitted for between 10% to 20% (total) of the gross floor area in existence at the effective date of the reclassification of the property. Expansions shall be subject to the following:

1. The building expansion shall meet the minimum setback, yard, and height requirements of Section 10.907(1), (2), and (3).
2. The urban design standards of Section 10.908 (1) through (4) shall apply to the new facade.
3. The expansion shall be located between the existing building and the street, but shall not encroach into the required setback. If the expansion cannot be made without encroachment into the required setback, then the portion of the expansion that would encroach into the setback can be located elsewhere on the site.

A waiver of the location of the building expansion may be granted by the Planning Director if the expansion meets the intent of the TS district and the following conditions are both met:

- a. Any non-conforming parking located between the building and the setback shall be eliminated. Any such elimination shall not require additional parking even if the site is rendered non-conforming with regard to parking, and
 - b. There will be an addition of Eating, Drinking and Entertainment Establishments, patios, plazas, courtyards, open space, pedestrian seating areas, or other pedestrian oriented amenities on the site.
4. The streetscape requirements of Section 10.908(8) shall be met.
 5. The connectivity and circulation requirements of Section 10.907 (11) shall apply.
 6. The sign, banner, flags and pennant requirements of Section 10.908(7) shall apply for any new signs.

(c) Building expansions over 20%, are permitted for conforming uses only, and shall be subject to the development and urban design standards of Section 10.907 and 10.908.

(d) Nonconforming uses of land (such as outdoor storage areas or junk yards) shall not enlarge, intensify, increase, or extend the use to occupy any additional lot area than was occupied at the effective date the property was reclassified to TS. Nor shall the use be moved in whole, or in part, to any

other portion of the lot or parcel occupied by such use at the effective date the property was reclassified.

- (e) Conforming uses of land associated with outdoor sales or outdoor storage areas may expand onto abutting properties.

(4) Creation or expansion of outdoor seating

- (a) Additional parking spaces shall not be required unless such outdoor seating requires more than 5 additional spaces based on the TS minimum/maximum parking standards of Section 10.907(6)(a).
- (b) If additional parking area is provided, the new parking area shall meet the parking standards, internal planting requirements, and parking lot screening of Section 10.907(6)(b) through (l).
- (c) If outdoor seating is located within an existing right-of-way or public sidewalk, an encroachment agreement shall be approved by CDOT.

(5) Major facade improvements to existing buildings (including buildings with non-conforming uses).

New exterior improvements (beyond paint and general maintenance such as roof or window repair or replacement) whose value exceeds 25% of the current listed tax value of the entire property shall be allowed for both conforming and non-conforming uses, subject to the following:

- (a) The setback, yard and height requirements of Section 10.907(1) (2), and (3) shall be met.
- (b) The urban design standards of Section 10.908(1) through (4) shall apply to the new facade improvements.
- (c) The streetscape requirements of Section 10.908(8) shall be required if sidewalks and a perimeter planting strip with trees are non-existent along street frontages.
- (d) No exterior improvements shall make the building nonconforming, or more non-conforming in any manner.
- (e) Any existing, non-conforming parking shall be eliminated from the required setback. Such elimination shall not require any additional parking even if the site is rendered non-conforming, with respect to parking.
- (f) The connectivity and circulation requirements of Section 10.907(11) shall apply.

- (6) Additional parking for existing development
- (a) The additional parking spaces shall not exceed the maximum number of spaces permitted under Section 10.907(6)(a).
 - (b) The additional parking area shall meet the parking standards of Section 10.907(6)(b) through (l), plus structured parking facilities shall meet the urban design requirements of Section 10.908(5).
 - (c) The additional parking area shall meet the outdoor lighting standards of Section 10.907(10).
 - (d) If there is any non-conforming parking located in the required setback, it shall be eliminated and replaced with landscaping, patios, and/or related amenities. Any such elimination shall not require additional parking even if the site is rendered non-conforming with regard to parking.
 - (e) If an existing buffer or screening area is removed for more than five (5) additional parking spaces, then a perimeter planting strip, landscaping and sidewalk shall be provided, as per Section 10.908(8), if they are non-existent.

Section 10.910 Administrative Approval.

To offer some degree of flexibility the Planning Director has the authority to administratively alter any of the development and urban design standards by 5% in this overlay district. If administrative approval is for parking, or an item normally subject to approval by CDOT, the Planning Director, shall only grant this approval after a determination by the CDOT Director in conjunction with the Planning Director. On matters that do not involve quantitative measurements, the Planning Director may also make minor alterations he/she determines that such changes would be an innovative design approach to development and/or would be in keeping with the general intent of the TS zoning district.

Any approval shall meet the following criteria:

- (1) Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the TS zoning district; and
- (2) Provides urban open space, seating, fountains, accent landscaping, or other similar urban pedestrian amenities consistent with the intent of the TS zoning district or;
- (3) Difficulty implementing TS standards due to site constraints such as lot configuration, lot size, lot width, mature trees, topography, number of streets or other physical considerations.

Section 10.911. Board of Adjustment.

The Zoning Board of Adjustment shall have the following powers and duties to be carried out in accordance with these regulations:

- (1) The Board shall have jurisdiction to hear and decide appeals from, and to review any specific order, requirement, decision, interpretation, or determination made by the Zoning Administrator about the development and urban design standards of Section 10.907 and 10.908.
- (2) The Board of Adjustment shall have no jurisdiction to grant variances from the development and urban design standards of Sections 10.1012 and 10.1013.

A deviation from a development or urban design standard, however, can be obtained as a result of administrative approval pursuant to Section 10.910 or as a result of a City Council approved rezoning to TS-Optional.

Section 10.904. Rezoning to a Transit Supportive Overlay District (TS).

As per Section 6.103(1), any amendment for the reclassification of property to a TS zoning district may be initiated by the City Council, on its own motion, by any owner with a legal interest in the property, by anyone authorized in writing to act on the owner's behalf, or by any non-owner in accordance with the procedures set forth in Chapter 6. However, the property must be located within 1 mile of a rapid transit station that is included in a project for which the Federal Transit Administration (FTA) has issued a Record of Decision or be located within the boundaries of a Council adopted transit station area plan.

Section 10.912. Transit Supportive Overlay District (Optional)

- (1) Purpose. The Transit Supportive (TS) overlay district establishes minimum standards for development. However, circumstances may arise which those regulations do not address or did not foresee, or due to the specific requirements of the regulations and their application to a specific proposal create an undesirable or unintended outcome. Therefore, this section establishes an alternative process by which the City Council may evaluate and approve development, which does not meet the minimum standards of TS.
- (2) Application. Petitions for a zoning map amendment to establish a TS-O shall be submitted to the Charlotte-Mecklenburg Planning Department. In order to expedite the rezoning process, TS-O applications shall not count toward the maximum number of cases that the City hears each month.

A TS -O classification shall be considered only upon application of the owner of the subject property or his duly authorized agent. Applications shall be accompanied by a schematic plan, which includes pedestrian and bicycle circulation elements, and by any supporting text that becomes a part of the amending ordinance.

- 3) Approval. The establishment of the TS-O shall be in accordance with the

procedures of Chapter 6, Part 2: Conditional Zoning Districts. The City Council shall also consider the extent to which the basic standards of TS are proposed to be modified, the impacts of those modifications on existing and future development in the area, and the public purpose to be served by permitting the requested modifications. In no instance shall parking be permitted in the front setback.

- (4) Alterations. Changes to approved plans and conditions of development shall be treated the same as changes to the Zoning Map and shall be processed in accordance with the procedures of Section 10.904.

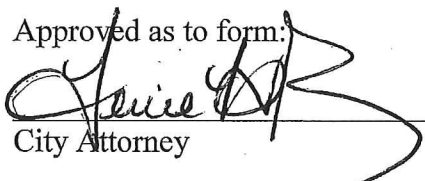
Section 10.913. Preliminary review.

Applicants planning any development or redevelopment in a TS area are required to meet with the Charlotte-Mecklenburg Planning staff, Engineering and Property Management Department, and Charlotte Department of Transportation at two points in the design process: (1) during the conceptual design process in order that the staff may offer input into urban design objectives and (2) during the design development stage to ensure that the plans meet the desired objectives and the minimum standards for the district.

Building permits shall not be issued until the Planning Department staff approves the proposal as in conformance with this ordinance.

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

Approved as to form:



City Attorney

I, Stephanie C. Kelly, 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 21stth day of November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 413-443.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.



Stephanie C. Kelly

(Stephanie C. Kelly, City Clerk, MMC, NCCMC)

Petition No.: 2016-056
Petitioner: Crescent Communities, LLC and Lincoln Harris

ORDINANCE NO. 8178-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 R-3(LLWPA), R-5(LLWPA), R-5(LLWCA), R-3(MH-O)(LLWPA), & I-1(LLWPA) (Single Family Residential, Lower Lake Wylie Protected Area; Single Family Residential, Lower Lake Wylie Critical Area; Single Family Residential, Manufactured Home Overlay, Lower Lake Wylie Protected Area; and Light Industrial, Lower Lake Wylie Protected Area) to MUDD-O(LLWPA),MUDD-O(LLWCA), MX-2 (INNOV)(LLWPA) &MX-2 (INNOV)(LLWCA) - All with 5-Year Vested Rights (Mixed Use Development District, Optional, Lower Lake Wylie Protected Area; Mixed Use Development District, Optional, Lower Lake Wylie Critical Area; Mixed Use, Innovative, Lower Lake Wylie Protected Area; and Mixed Use, Innovative, Lower Lake Wylie Critical Area; - All with Five Year Vested Rights).

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:

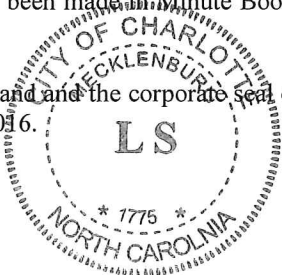


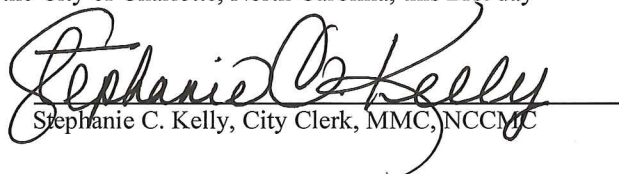
City Attorney

CERTIFICATION

I, Stephanie C. Kelly, 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 21stth day of November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 445-446.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.





Stephanie C. Kelly, City Clerk, MMC, NCCMC

Petition #: **2016-056**

November 21, 2016, Ordinance Book 60, Page 446

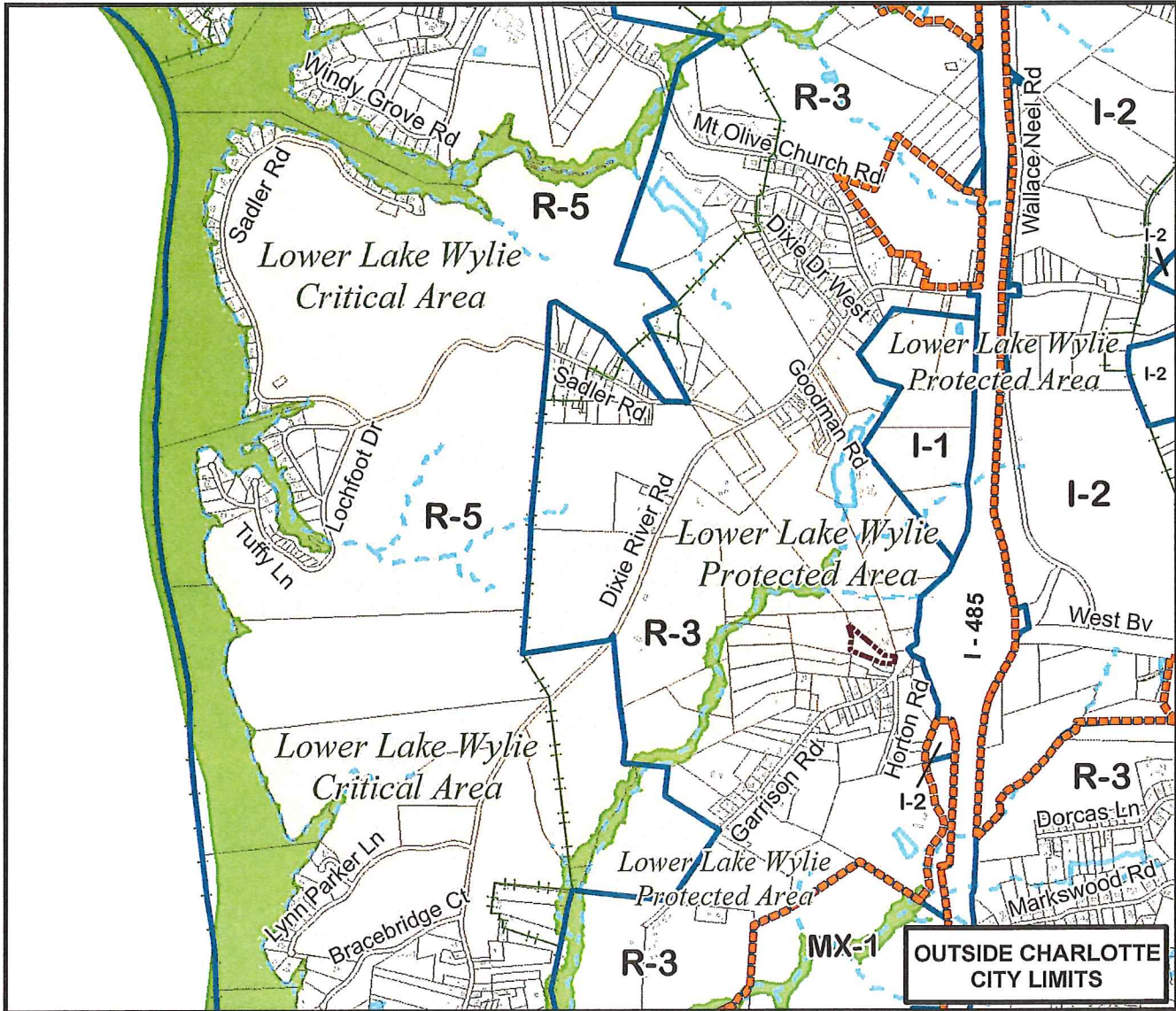
Petitioner: **Crescent Communities, LLC and Lincoln Harris** Ordinance No. 8178-Z

Zoning Classification (Existing): **R-3(LLWPA), R-5(LLWPA), R-5(LLWCA), R-3(MH-O)(LLWPA), & I-1(LLWPA)**
(Single Family Residential, Lower Lake Wylie Protected Area; Single Family Residential, Lower Lake Wylie Critical Area; Single Family Residential, Manufactured Home Overlay, Lower Lake Wylie Protected Area; and Light Industrial, Lower Lake Wylie Protected Area)

Zoning Classification (Requested): **MUDD-O(LLWPA), MUDD-O(LLWCA), MX-2 (INNOV)(LLWPA) & MX-2 (INNOV)(LLWCA) - All with 5-Year Vested Rights**

(Mixed Use Development District, Optional, Lower Lake Wylie Protected Area; Mixed Use Development District, Optional, Lower Lake Wylie Critical Area; Mixed Use, Innovative, Lower Lake Wylie Protected Area; and Mixed Use, Innovative, Lower Lake Wylie Critical Area; - All with Five Year Vested Rights)

Acreage & Location: Approximately 1,377.68 acres located west of Interstate 485 at West Boulevard generally surrounded by Interstate 485, Mt. Olive Church Road, the Catawba River, Bracebridge Court and Garrison Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 10-4-2016.
 0 750 1,500 3,000 4,500 6,000 Feet



Zoning Map #(s)

106, 107, 108, 128, & 129

	Area To Be Rezoned		FEMA flood plain
	Existing Building Footprints		Watershed
	Existing Zoning Boundaries		Lakes and Ponds
	Charlotte City Limits		Creeks and Streams
	Manufactured Home Overlay		Historic District
	Pedestrian Overlay		

Petition No.: 2016-087
Petitioner: Haven Campus Communities

ORDINANCE NO. 8179-Z

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

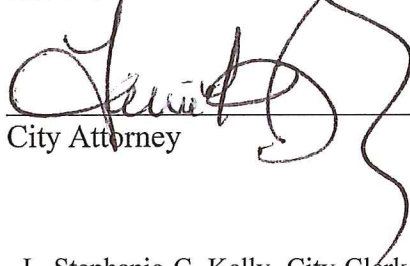
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 R-3, O-1(CD) & INST (Single Family, Residential; Office, Conditional; & Institutional) to MUDD-O 5-Year Vested Rights (Mixed Use Development District, Optional, Five Year Vested Rights).

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, 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 21stth day of November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 447-448.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Petition #: **2016-087** November 21, 2016, Ordinance Book 60, Page 448

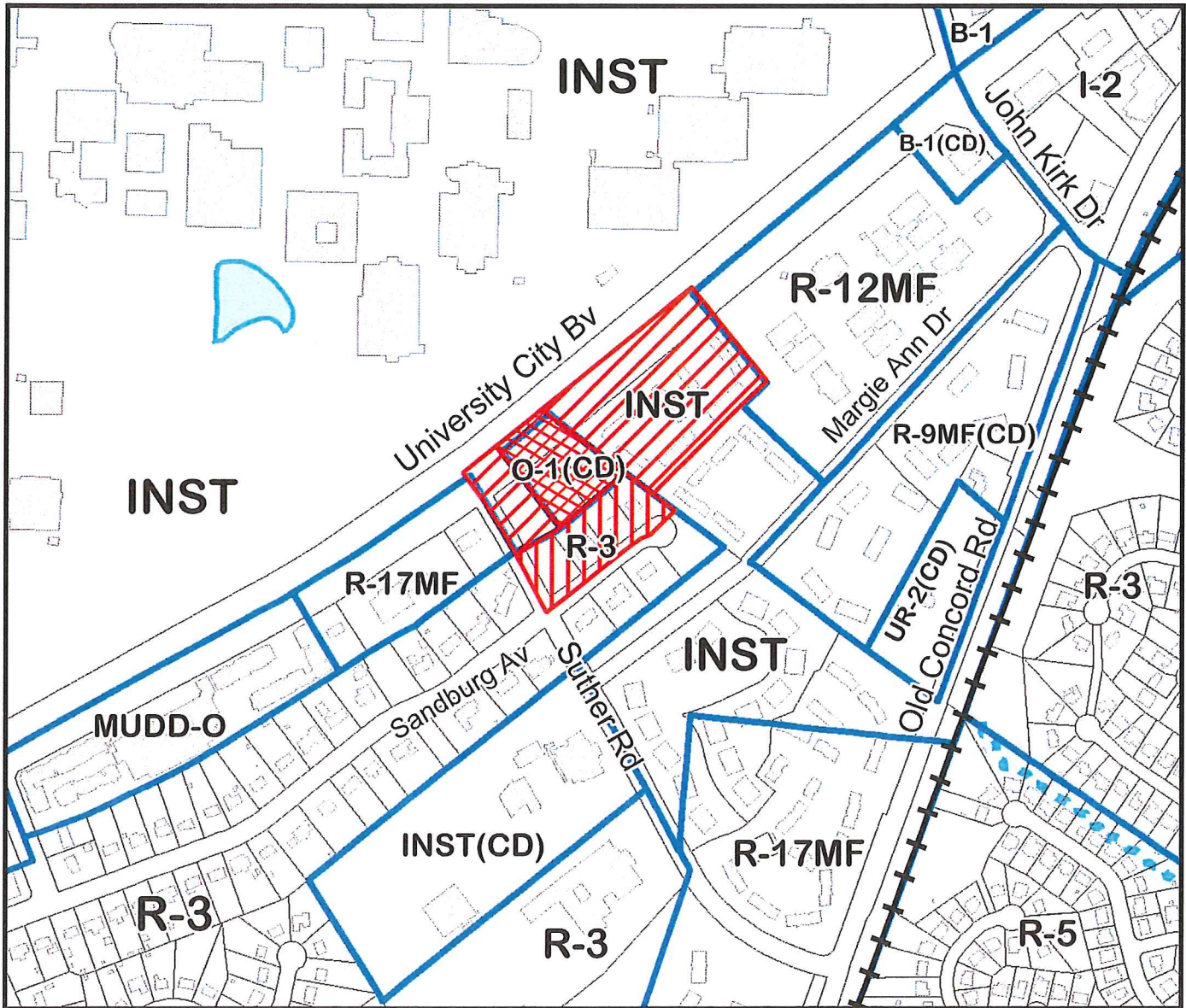
Petitioner: **Haven Campus Communities**

Ordinance No. 8179-Z

Zoning Classification (Existing): **R-3, O-1(CD) & INST**
(Single Family, Residential; Office, Conditional; & Institutional)

Zoning Classification (Requested): **MUDD-O 5-Year Vested Rights**
(Mixed Use Development District, Optional, Five Year Vested Rights)

Acreage & Location: Approximately 6.838 Acres located on the south side of University City Boulevard between Suther Road and John Kirk Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 9-30-2016.



Zoning Map #(s)

57

	Requested MUDD-O 5-Year Vested Rights from R-3
	Requested MUDD-O 5-Year Vested Rights from O-1(CD)
	Requested MUDD-O 5-Year Vested Rights from INST
	Existing Building Footprints
	Existing Zoning Boundaries
	Charlotte City Limits
	Pedestrian Overlay
	FEMA flood plain
	Watershed
	Lakes and Ponds
	Creeks and Streams
	Historic District

November 21, 2016
Ordinance Book 60, Page 449

Petition No.: 2016-110
Petitioner: Three Publicans, LLC

ORDINANCE NO. 8180-Z

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

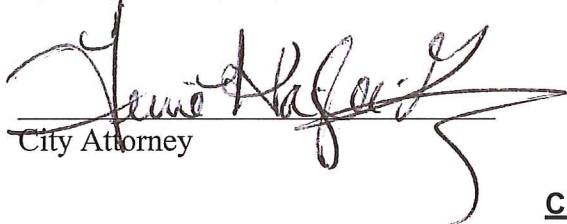
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

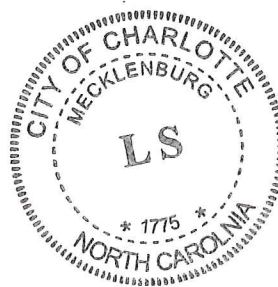
Section 1. That the Official Zoning Maps referenced in Section 1.104 of the City of Charlotte Zoning Ordinance are hereby amended by changing the zoning of the property described on the attached map from B-2 (Pedestrian Overlay) (General Business, Pedestrian Overlay) to MUDD-O (Pedestrian Overlay) (Mixed Use Development, Optional, Pedestrian Overlay).

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, 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 21stth day of November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 449-450.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

Petition #: **2016-110** November 21, 2016, Ordinance Book 60, Page 450

Petitioner: **Three Publicans, LLC**

Ordinance No. 8180-Z

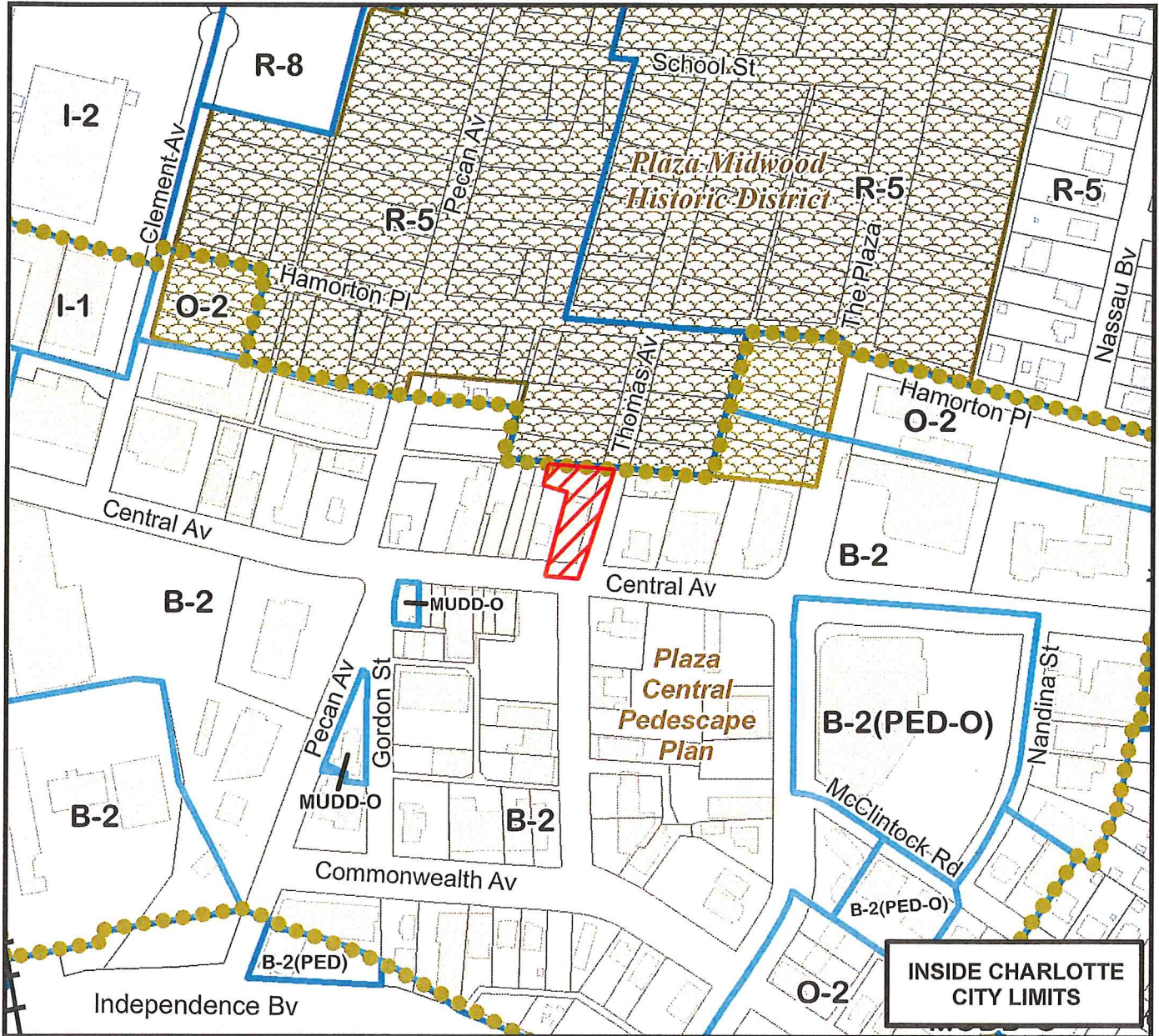
Zoning Classification (Existing): **B-2 (Pedestrian Overlay)**

(General Business, Pedestrian Overlay)

Zoning Classification (Requested): **MUDD-O (Pedestrian Overlay)**

(Mixed Use Development District, Optional, Pedestrian Overlay)

Acres & Location: Approximately 0.25 acres located on the northwest corner at the intersection of Central Avenue and Thomas Avenue.



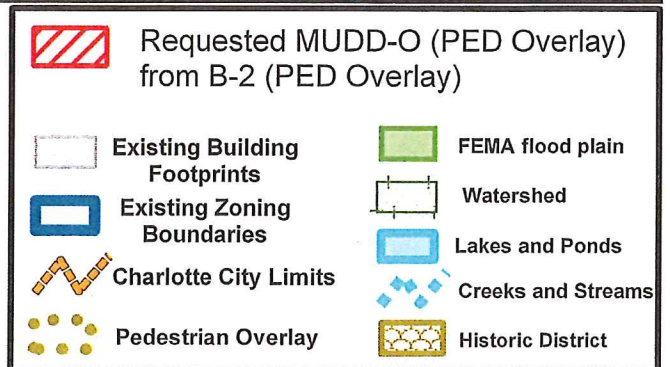
Map Produced by the Charlotte-Mecklenburg Planning Department, 7-6-2016.

0 75 150 300 450 600 Feet



Zoning Map #(s)

101



Petition No.: 2016-113
Petitioner: ZOM Development

ORDINANCE NO. 8181-Z

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

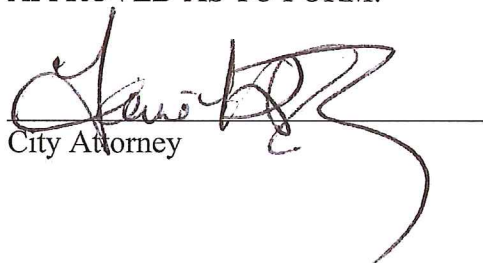
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 O-1 (Office) to MUDD-O (Mixed Use Development District, Optional).

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:

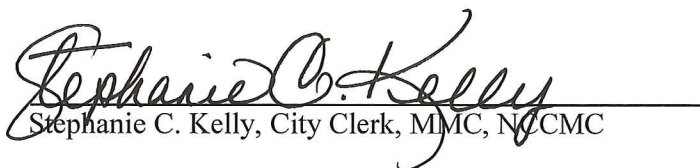

City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 451-452.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

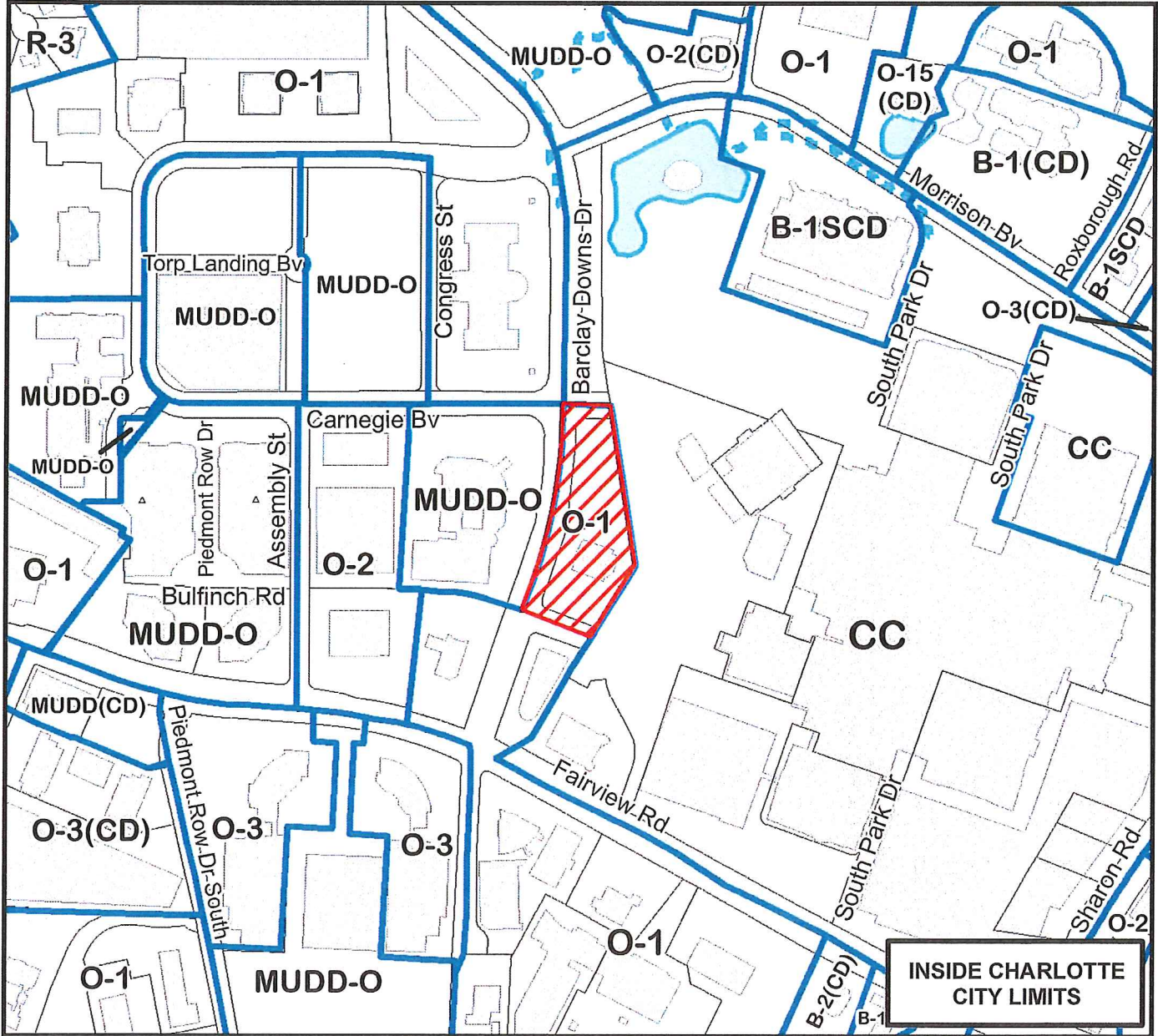
Petitioner: **ZOM Development**

Ordinance No. 8181-Z

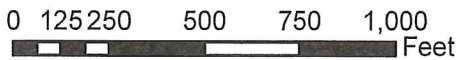
Zoning Classification (Existing): O-1
(Office)

Zoning Classification (Requested): MUDD-O
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 2.68 acres located on the east side of Barclay Downs Drive between Morrison Boulevard and Fairview Road.

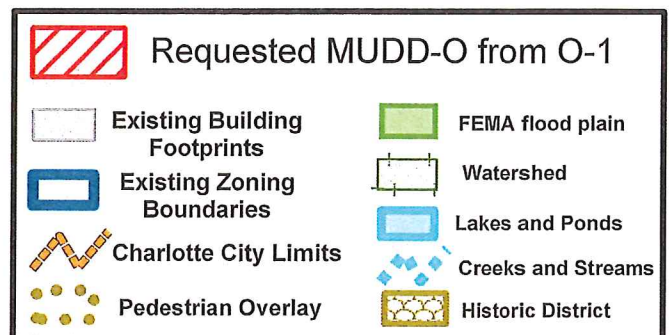


Map Produced by the Charlotte-Mecklenburg Planning Department, 7-6-2016.



Zoning Map #(s)

135



Petition No.: 2016-127
Petitioner: Steele Creek (1997), LLC

ORDINANCE NO. 8182-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 CC(LLWPA) & MUDD-O(LLWPA) (Commercial Center, Lower Lake Wylie Protected Area & Mixed Use Development District, Optional, Lower Lake Wylie Protected Area) to CC SPA(LLWPA) & MUDD-O SPA(LLWPA) (Commercial Center, Site Plan Amendment, Lower Lake Wylie Protected Area & Mixed Use Development District, Optional, Site Plan Amendment, Lower Lake Wylie Protected Area).

CC SPA LLWPA (commercial center, site plan amendment, Lower Lake Wylie Protected Area) and MUDD-O SPA LLWPA (mixed use development, optional, site plan amendment, Lower Lake Wylie Protected Area).

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, 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 November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 453-454.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.


Stephanie C. Kelly, City Clerk, MMC, NCCMC



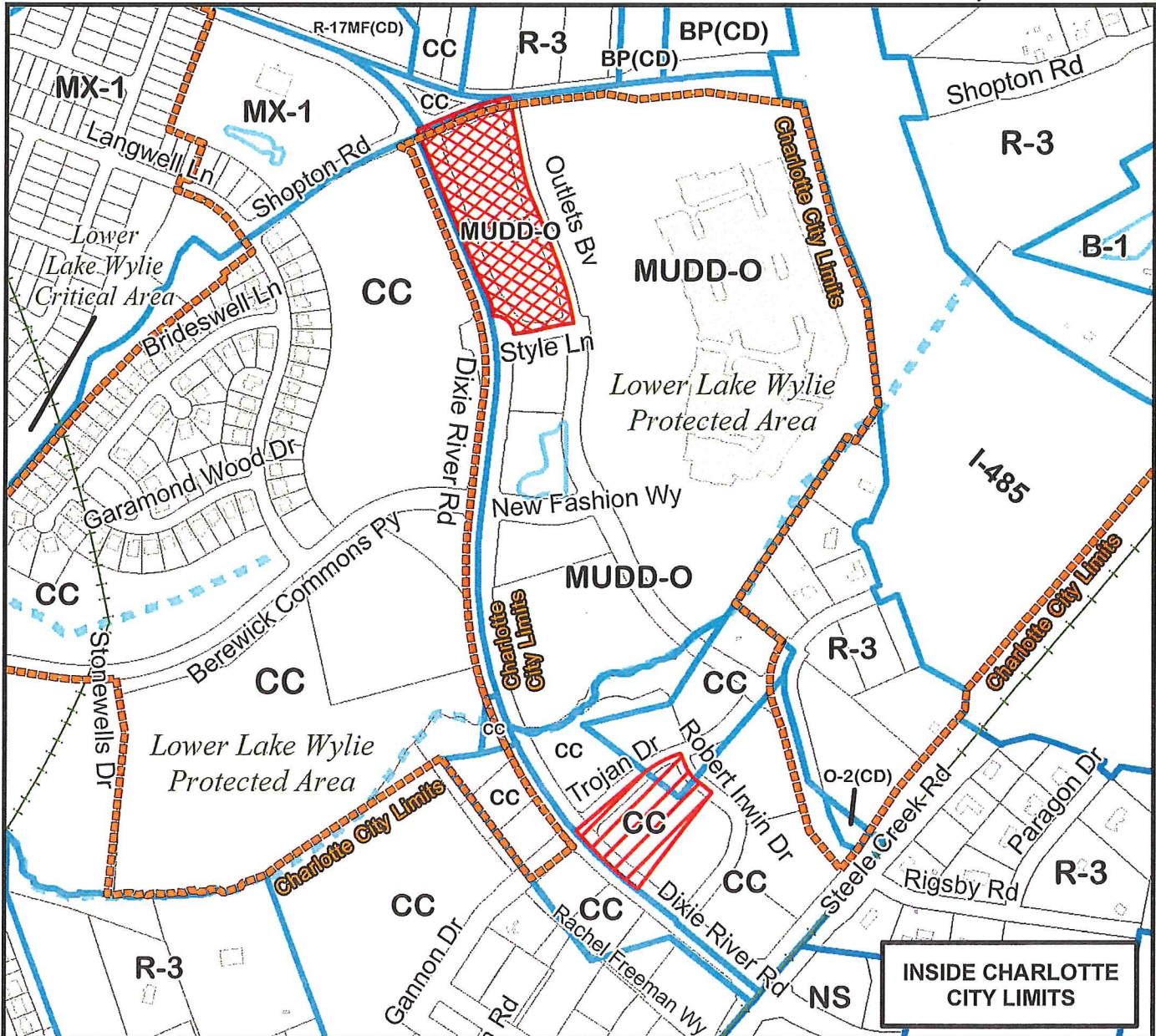
Petitioner: **Steele Creek (1997), LLC**

Ordinance No. 8182-Z

Zoning Classification (Existing): CC(LLWPA) & MUDD-O(LLWPA)
(Commercial Center, Lower Lake Wylie Protected Area & Mixed Use Development District, Optional, Lower Lake Wylie Protected Area)

Zoning Classification (Requested): CC SPA(LLWPA) & MUDD-O SPA(LLWPA)
(Commercial Center, Site Plan Amendment, Lower Lake Wylie Protected Area & Mixed Use Development District, Optional, Site Plan Amendment, Lower Lake Wylie Protected Area)

Acreage & Location: Approximately 6.02 acres located on the southeast corner at the intersection of Dixie River Road and Shopton Road and also located on the southeast corner at the intersection of Dixie River Road and Trojan Drive.



Map Produced by the Charlotte-Mecklenburg Planning Department, 8-19-2016.

0 187.5 375 750 1,125 1,500 Feet



Zoning Map #s

128, 132

- Requested MUDD-O SPA (LLWPA) from MUDD-O (LLWPA)
- Requested CC SPA (LLWPA) from CC (LLWPA)
- Existing Building Footprints
- Existing Zoning Boundaries
- Charlotte City Limits
- Pedestrian Overlay
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams
- Historic District

Petition No.: 2016-129
Petitioner: Greenway Residential Development

ORDINANCE NO. 8183-Z

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

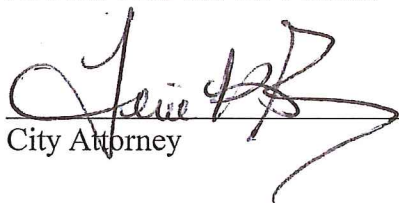
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

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 R-3 & UR-2(CD) (Single Family Residential & Urban Residential, Conditional) to UR-2(CD) & UR-2(CD) SPA (Urban Residential, Conditional & Urban Residential, Conditional, Site Plan Amendment).

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:



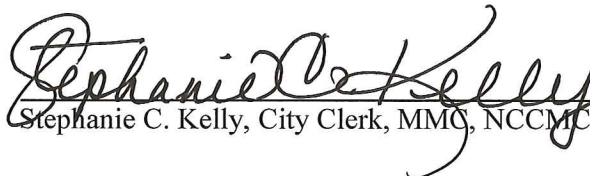
City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 November, 2016, the reference having been made in Minute Book 141 and recorded in full in Ordinance Book 60, Page(s) 455-456.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 21st day of November, 2016.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Petition #: **2016-129** November 21, 2016, Ordinance Book 60, Page 456

Petitioner: **Greenway Residential Development**

Ordinance No. 8183-Z

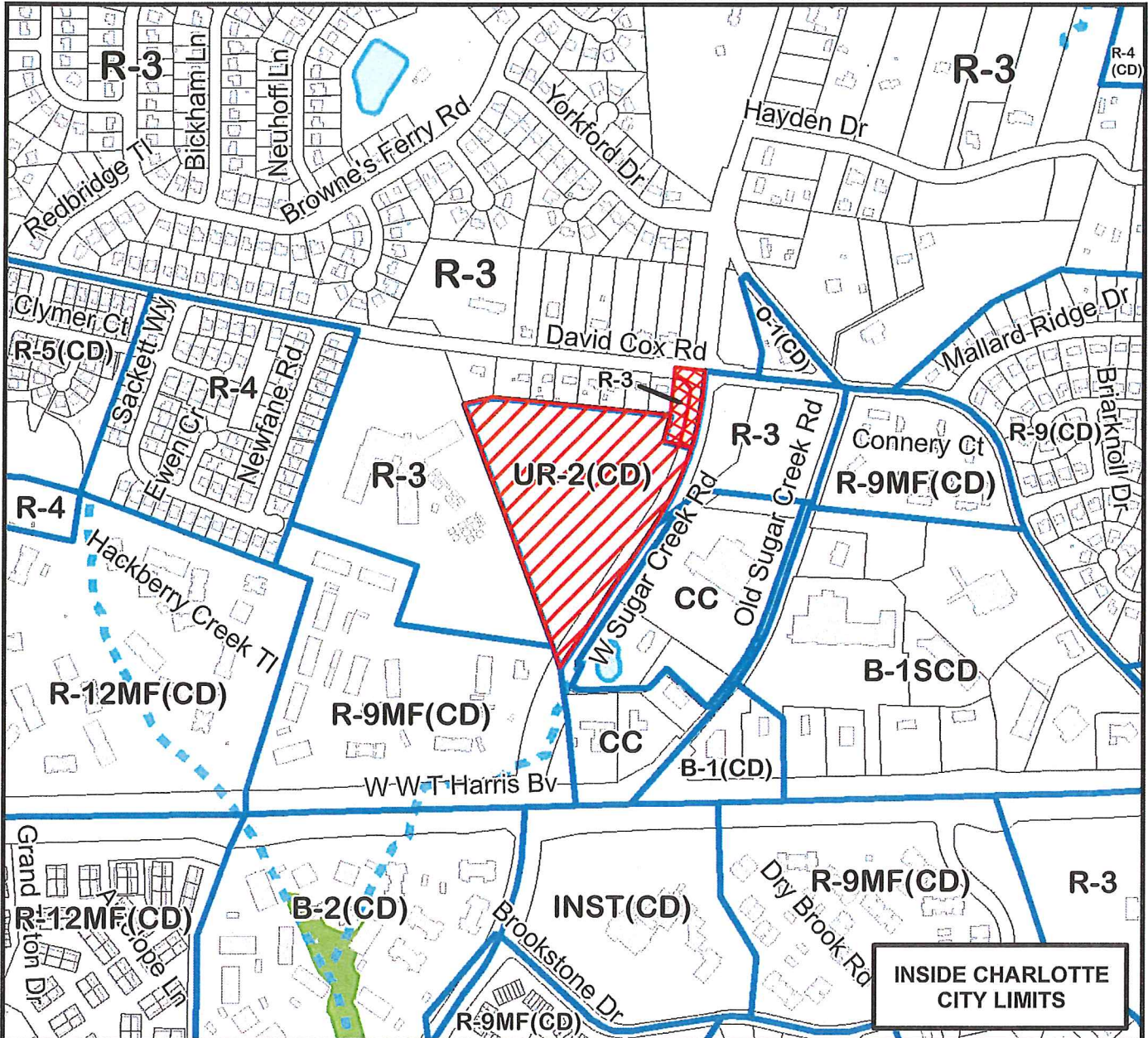
Zoning Classification (Existing): **R-3 & UR-2(CD)**

(Single Family Residential & Urban Residential, Conditional)

Zoning Classification (Requested): **UR-2(CD) & UR-2(CD) SPA**

(Urban Residential, Conditional & Urban Residential, Conditional, Site Plan Amendment)

Acreage & Location: Approximately 12.33 acres located on the east side of West Sugar Creek Road between West W.T. Harris Boulevard and David Cox Road.



Map Produced by the Charlotte-Mecklenburg Planning Department, 8-19-2016.

0 200 400 800 1,200 1,600 Feet



Zoning Map #

52

