

ORDINANCE NO. 1006-X

Ordinance designating as a Historic Landmark a property known as the "Atherton Cotton Mills" (listed under Tax Parcel Numbers 121-031-21 and 121-031-56 of December 23, 1997, and including the entire exterior of the Atherton Cotton Mills and the entire parcel of land listed under Tax Parcel Numbers 121-031-21 and 121-031-56 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of December 23, 1997). The property is owned by the Atherton Lofts Condominium Association, Inc. and is located at 2108 South Boulevard in the City of Charlotte, Mecklenburg County, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 16th day of March, 1998, on the question of designating a property known as the Atherton Cotton Mills as a historic landmark; and

WHEREAS, the Atherton Cotton Mills was one of only three spinning mills owned and operated by Daniel Augustus Tompkins (1851-1911), a New South industrialist of profound importance in the economic development of Charlotte and its environs; and

WHEREAS, the Atherton Cotton Mills documents the emergence of Charlotte as a major textile manufacturing center in the late nineteenth and early twentieth centuries; and

WHEREAS, the Atherton Cotton Mills was the first industrial plant in the industrial district of Dilworth, Charlotte's initial streetcar suburb; and

Return to Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Rd.
Charlotte, N.C. 28207

JUDITH A GIBSON REG OF DEEDS MECK NC
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J. White

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

WHEREAS, the property known as the Atherton Cotton Mills is owned by Atherton Lofts Condominium Association, Inc.

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

1. That the property known as the “Atherton Cotton Mills” (including the entire exterior of the Atherton Cotton Mills and the entire parcel of land listed under Tax Parcel Numbers 121-031-21 and 121-031-56 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of December 23, 1997) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 2108 South Boulevard in the City of Charlotte, Mecklenburg County, North Carolina. Exterior features are more completely described in the *Survey and Research Report on the Atherton Cotton Mills* (July 14, 1997).

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

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a

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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 this historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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

6. That the owners and occupants of the historic landmark known as the Atherton Cotton Mills be given notice of this ordinance as required by applicable law and that

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copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

Adopted the 16th day of March, 1998, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Clerk to City Council , Brenda R. Freeze, CMC

Approved as to form:

David M. Smith

City Attorney

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 16th day of March, 1998, the reference having been made in Minute Book 112, and recorded in full in Ordinance Book 48, Page(s) 449-452.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of March, 1998.

Brenda R. Freeze

Brenda R. Freeze, CMC, City Clerk

