

JUDITH A GIBSON REG OF DEEDS MECK NC
FILED FOR REGISTRATION 12/30/92 08:40

ORDINANCE NO. 3482-X

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3C, and amendments thereto.

4. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to

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

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

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

7. That which is designated as historic landmark shall be subject to Chapter 160A, Article 19, and any amendments to it and any amendments hereinafter adopted.

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


CERTIFICATION

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

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

Approved as to form:


City Attorney


Brenda R. Freeze, City Clerk





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Original

Charlotte-Mecklenburg Historic Landm

PERMISSION OF OWNERS
FOR
INTERIOR DESIGN REVIEW

Pursuant to North Carolina General Statute 160A-400.9(b) on historic landmarks, we, _____ and 212 South Tryon Limited Partnership, owners of record, do hereby request designation of interior spaces as such spaces have been deemed to have architectural, artistic, cultural, or historical significance. We understand that changes to designated portions of the property are subject to design review for compliance with *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. We give permission to the Charlotte-Mecklenburg Historic Landmarks Commission to exercise jurisdiction for design review over all interior designated portions of the following building or buildings known as:

Johnston Buildinglocated at 212 South Tryon Street, Charlotte, North Carolina.

212 South Tryon Limited Partnership
Signature: Ray Howard M. Duvall, III
(Owner) General Partner

Name (Print): _____

Date: October 15, 1992

Signature: _____
(Owner)

Name (Print): _____

Date: _____

Drawn By