

AN ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK THE PROPERTY KNOWN AS THE "NEBEL KNITTING MILL (FORMER)" TO INCLUDE THE FOLLOWING: BOTH THE INTERIOR AND EXTERIOR OF THE BUILDING AND THE PARCEL OF LAND UPON WHICH IT IS LOCATED, LISTED UNDER TAX PARCEL NUMBER 121-022-03. THE PROPERTY, OWNED BY OLD SPAGHETTI WAREHOUSE, INC., IS LOCATED AT 101 WEST WORTHINGTON AVENUE AT CAMDEN ROAD, 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 City Council of the City 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 20th day of May, 1991, on the question of designating a property known as the "Nebel Knitting Mill (former)" as a historic landmark; and

WHEREAS, the "Nebel Knitting Mill (former)" is the most intact hosiery mill yet identified in Charlotte; and

WHEREAS, the "Nebel Knitting Mill (former)" is architecturally significant as an intact and finely, yet subtly ornamented example of industrial architecture constructed in the late 1920's; and

WHEREAS, the "Nebel Knitting Mill (former)" building was designed by Richard C. Biberstein, noted Charlotte mill engineer and architect; and

WHEREAS, the "Nebel Knitting Mill (former)" is significant as a tangible reminder of the importance of the full fashioned silk hosiery industry to the diversification and, in some cases, the survival of the textile industry in North Carolina during the post-World War I slump in the industry and the effects of the Great Depression on textile production; and

WHEREAS, the "Nebel Knitting Mill (former)" building is important for its association with the Nebel Knitting Company and its founder, William Nebel, a pioneer in bringing the hosiery industry to the South, to North Carolina, and to Charlotte and Mecklenburg County in particular; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has jurisdiction over the interior because consent for interior review has been given by the owners; and

WHEREAS, the current owner, Old Spaghetti Warehouse, Inc., has faithfully maintained the "Nebel Knitting Mill (former)" 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 "Nebel Knitting Mill (former)" 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 "Nebel Knitting Mill (former)" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Nebel Knitting Mill (former)" is owned by Old Spaghetti Warehouse, Inc.,

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

1. That the property known as the "Nebel Knitting Mill (former)" (including the interior and exterior of the building and the parcel of land upon which it is located, listed under Tax Parcel Number 121-022-03 is hereby designated as 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 101 West Worthington Avenue at Camden Road in Charlotte, Mecklenburg County, N. C.

2. That said designated landmark 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, and amendments thereto, and hereinafter adopted.

3. That 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 of design, material, or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any

such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the landmark owners from making any use of this landmark not prohibited by other statutes, ordinances, or regulations.

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

5. That the owners and occupants of the landmark known as the "Nebel Knitting Mill (former)" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

Adopted the 20th day of May 1991 by the Members of City Council of the City of Charlotte, Mecklenburg County, North Carolina.

Brenda R. Freeze
Deputy Clerk to the City Council

Approved as to form:

David M. Smith
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of May, 1991, the reference having been made in Minute Book 98, and is recorded in full in Ordinance Book 40, at page(s) 106-108.

ORDINANCE NO. 3167
May 20, 1991
Ordinance Book 40, Page 109

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE ZONING ORDINANCE

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

1. Amend Section 3100 by adding a new Section 3143 as follows:

3143. Open Space Recreational Uses

3143.1 Open space recreational uses, such as but not limited to, hot air balloon rides, bungee jumping, parachute jumping (not including airplane take-off or landing), polo matches, activities involving various athletic and ball fields and similar outdoor recreation, shall be permitted in all zoning districts subject to the following requirements. Such uses shall not involve the use of motorized vehicles, such as dirt bikes, go carts, motorcycles, etc.

3143.2 The recreational use shall be temporary in nature. For purposes of this section temporary shall mean seasonal, certain hours of the day and/or week. It is intended that the use shall only operate at the site a minority of the time. In this regard the use shall not be allowed to operate more than 180 days per year. The operator of the use shall be required to maintain an account of the days and hours of operation and shall make such records available upon request.

3143.3 The use shall not involve or require the construction of a permanent building unless the building is permitted in the underlying zoning district.

3143.4 A minimum of five acres shall be required for the use, and, further, no portion of the use shall be allowed to be closer than fifty feet to any adjoining line.

3143.5 Ancillary support activities, such as the provision of food and beverages, parking and other concessions or vending operations shall be permitted on a temporary basis and only during the operation of the use.

3143.6 Any signage which identifies the use shall be in accordance with the standards of the underlying zoning district. Furthermore, an area to support a minimum of eight off-street parking spaces shall be provided.

3143.7 These provisions shall be effective for a period of three years from the date of adoption unless measures are taken otherwise to permanently adopt and regulate the uses in this section.

2. Amend Sections 3003, 3013, 3023, 3033, 3043, 3053, 0363, and 3073 Uses Under Prescribed Conditions by adding the following reference at the end of each individual section list:
"Open Space Recreational Uses. See Section 3143."

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of May, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40, at page 109.

Pat Sharkey
City Clerk

DATE May 20, 1991Petition No. 91-21
Alltel Mobile CommunicationsORDINANCE NO. 3168AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE ZONING ORDINANCE

May 20, 1991

Ordinance Book 40, Page 110

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

1. Amend Section 1605. Structures Permitted Above the Height Limit., adding a new Section 1605.5. to read as follows:

1605.5. Cellular telephone transmission facilities including, but not limited to towers, masts, antenna and related antenna support structures are permitted above (or below) the height limit in any district. Cellular telephone transmission facilities may be constructed up to a height of 40 feet in any zoning district, and need only to comply with the underlying zoning district's separation standards concerning setback, side and rear yards. Lots and buildings thereon must conform to the minimum area, height and yard requirements for the district in which they are located unless otherwise indicated by Section 1605.5.1. If the facility is above 40 feet in height and is located on a lot in or adjacent to a residential district, the facility must comply with Section 1605.4. The maximum required separation for cellular telephone transmission facilities from any adjoining property line in any zoning district shall be 200 feet. The facility plant and/or any related support building shall be allowed in accordance with the provisions of Section 3123.2.

1605.5.1. Cellular telephone transmission facilities are permitted above (or below) the height limit in any zoning district as an ancillary or secondary use on a site where another use (other than single family or duplex use) is already established as the principal use of the property, such as a school, church, multi-family residential complex, shopping center, office building, commercial or other similar use. In this case, the cellular facility shall not be required, regardless of the underlying zoning, to separately comply with the normal district standards dealing with lot area, height and yard requirements as well as frontage on a public street and subdivision regulations so long as the principal use complies with such requirements for the underlying district nor shall the facility be required to comply with the requirements of the Tree Ordinance. For lots in or adjoining a residential district, cellular facilities may be constructed over 40 feet in height provided that the minimum setback, side and rear yards adjoining the residentially zoned property are increased by one foot for each one foot of facility height in excess of 40 feet, up to a maximum required separation of 200 feet. Separation from adjoining non-residentially zoned property shall be controlled by the adjoining property's minimum separation standards concerning setback, side and rear yards, as appropriate. For example, if the cellular facility is located upon residentially zoned property and is 100 feet in height, and the adjoining property to the rear is zoned O-6, the rear yard separation

would be 40 feet. However, if the proposed transmission facility is located in a non-residential district and adjoins only non-residential districts, the facility may be constructed to any height subject to underlying minimum district requirements for separation from adjoining properties.

1605.5.2. Cellular telephone transmission facilities are permitted above the height limit on lots in research, institutional, office, business, and industrial districts which do not adjoin lots in any residential district. Lots must conform to the minimum area, and yard requirements for the district in which they are located unless otherwise indicated by Section 1605.5.1.

1605.5.3. Cellular telephone transmission facilities are permitted atop any building or structure (other than single family or duplex use) in any district so long as such facilities do not exceed 20 feet in height measured from the base of such facilities.

2. Amend Section 3123. by adding Cellular Telephone Transmission Facilities so as to read as follows:

3123. Electric and Gas Substations, Sewer Treatment Plants, Cellular Telephone Transmission Facilities, and Other Similar Utility Structures.

3. Amend Section 3123.2. by adding the following new sentence at the end of the first paragraph as follows:

Cellular telephone transmission facilities including, but not limited to, transmission structures, equipment shelters and related facilities may be established in accordance with the provisions of Section 1605.5. and by the standards listed below.

Section 2. That this resolution shall become effective upon adoption.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of May, 1991, the reference having been made in Minute Book 98, and recorded in full in Ordinance Book 40 at page 110-111

Pat Sharkey, City Clerk

APPROVED BY CITY COUNCIL
DATE 5/20/91

ORDINANCE NO. 3169-Z

CITY ZONE CHANGE

Petition No. 91-23
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by change from R-6MF & R-9MF to R-6 & R-9 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

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

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of May, 19 91, the reference having been made in Minute Book 98, at page _____.

Pat Sharkey
City Clerk

APPROVED BY CITY COUNCIL
DATE 5/20/91

ORDINANCE NO. 3170-Z

CITY ZONE CHANGE

Petition No. 91-25
Charlotte-Mecklenburg
Planning Commission

ZONING REGULATIONS

MAP AMENDMENT NO. _____

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

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by change from I-1 to B-2 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

SEE ATTACHED MAP

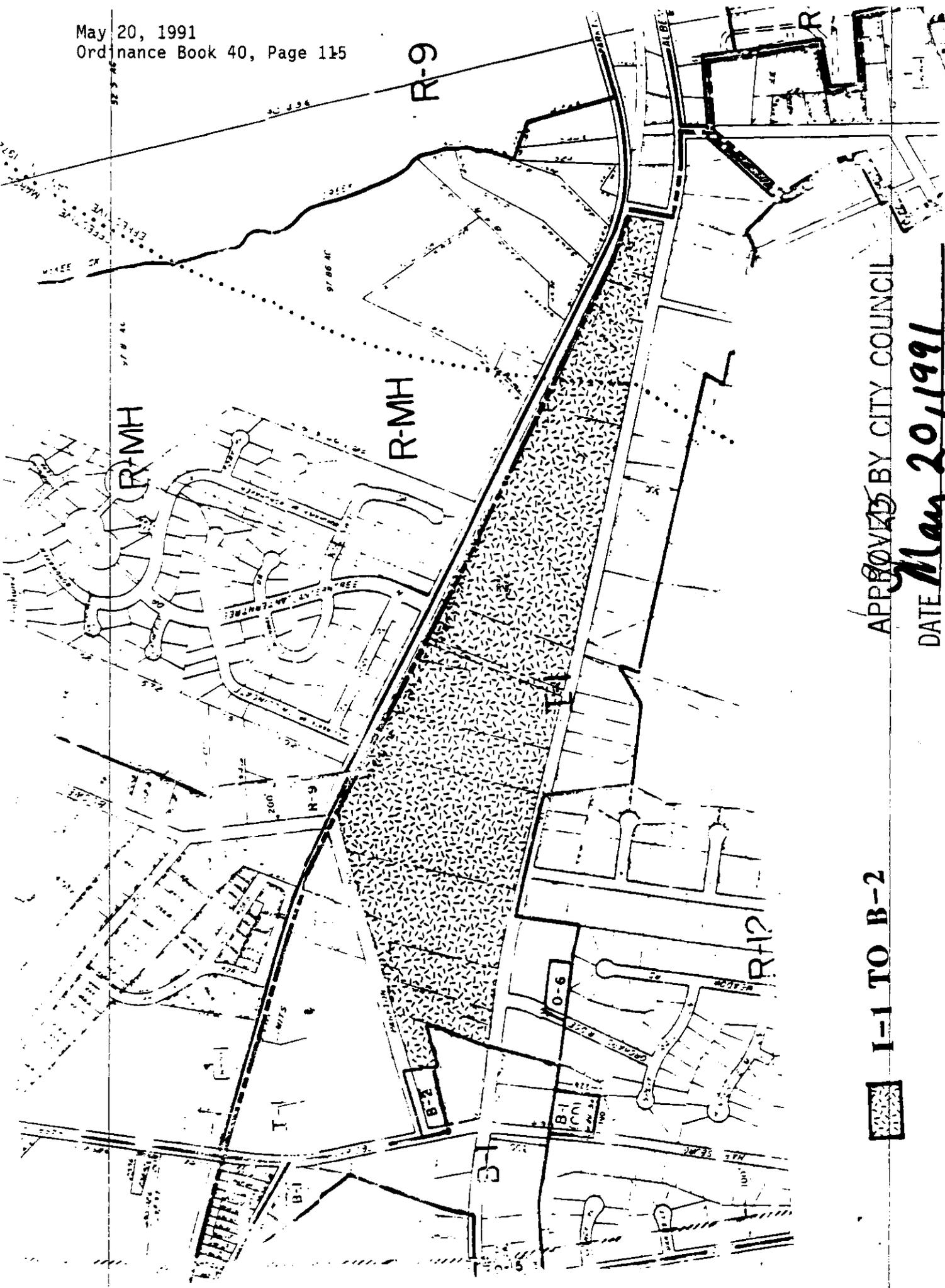
Section 2. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of May, 19 91, the reference having been made in Minute Book 98, at page _____.

Pat Sharkey
City Clerk



APPROVED BY CITY COUNCIL

DATE *May 20, 1991*

MAP I-1 TO B-2

