

Ordinance – Arthur Smith Studios

**Ordinance designating as an Historic Landmark a property known as the “Arthur Smith Studios” (listed under Tax Parcel Number 16302142 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of June 1, 2015, and including the exterior of the building and the land associated with Tax Parcel Number 16302142). The property is owned by Terraca Properties LLC, and is located at 5457 Monroe Road, Charlotte, North Carolina.**

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

WHEREAS, the members of the City Council of Charlotte, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 21st day of September, 2015, on the question of designating a property known as the Arthur Smith Studios 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 14th day of September, 2015, on the question of designating a property known as the Arthur Smith Studios as an historic landmark; and

WHEREAS, the Arthur Smith Studios is significant for its association with Arthur Smith, a noted musician, songwriter, and entertainer. Smith, who lived in Charlotte from 1943 until his death in 2014, was arguably Charlotte’s most successful, important, and influential musician; and

WHEREAS, the Arthur Smith Studios is significant for its association with many popular recording artists including Roy Orbison, Johnny Cash (a personal friend of Smith), Chet Atkins, Pat Boone, and James Brown, who in 1965 recorded his seminal hit “Papa’s Got a Brand New Bag” at the studio; and

WHEREAS, the Arthur Smith Studio is an important artifact of the post-World War II music business in Charlotte; and

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

WHEREAS, the property known as the Arthur Smith Studios is owned by Terraca Properties LLC.

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

1. That the property known as the “Arthur Smith Studios” (listed under Tax Parcel Number 16302142 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of June 1, 2015, and including the exterior of the building and the land associated with Tax Parcel Number 16302142) 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 5457 Monroe Road, Charlotte, North Carolina. Features of the

property are more completely described in the “Survey and Research Report on the Arthur Smith Studios” (2015).

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

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina 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 “Arthur Smith Studios” 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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.

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Clerk to City Council

Approved as to form:

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Senior Assistant City Attorney