

Ordinance – Franks House

Ordinance designating as a Historic Landmark a property known as the “Franks House” (listed under Tax Parcel Number 07306312 and including the exterior of the building and the land listed under Tax Parcel Number 07306312 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 1, 2022). The property is located at 305 Dunbar Street in Charlotte, North Carolina, and is owned by Rivafinoli Partners LLC.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, 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 10th day of October, 2022, on the question of designating a property known as the Franks House as a 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 12th day of September, 2022, on the question of designating a property known as the Franks House as a historic landmark; and

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WHEREAS, the Franks House (ca. 1917) – one of only two surviving residences on the sole block of Dunbar Street (then West Morehead Street) where the houses were primarily owner-occupied, not rentals – is a rare artifact of the Black community which once existed in Charlotte’s Third Ward; and

WHEREAS, following its purchase in 1949, the Franks House remained in the family of Arthur and Bessie Franks for over 60 years, thereby rendering the house a unique example of working-class Black homeownership in mid-20th-century Charlotte; and

WHEREAS, during that time, the Franks House survived the removal of Black neighborhoods from the city’s center core during urban renewal of the 1960s and 1970s, the isolation of Dunbar Street following the 1980s construction of the John Belk Freeway, and the ensuing demise of Third Ward’s Black community of Third Ward; and

WHEREAS, the resulting scarcity of historical assets representing Third Ward’s once-thriving Black community renders the Franks House historically relevant and distinctively qualified for landmark designation; and

WHEREAS, based on the additional information further detailed in the *Landmark Designation Report for the Franks House* (March 2022, updated July 2022), all of which is incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the Franks House possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the Franks House is owned by Rivafinoli Partners LLC.

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

1. That the property known as the “Franks House” (listed under Tax Parcel Number 07306312 and including the exterior of the building and the land listed under Tax Parcel Number 07306312 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of July 1, 2022) is hereby designated as a historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 305 Dunbar Street in Charlotte, North Carolina. Exterior features are more completely described in the *Landmark Designation Report for the Franks House* (March 2022, updated July 2022).

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

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 160D, Article 9, of the General Statutes of North Carolina as amended.

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 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 owner of the historic landmark known as the Franks House 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 a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 2022, 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