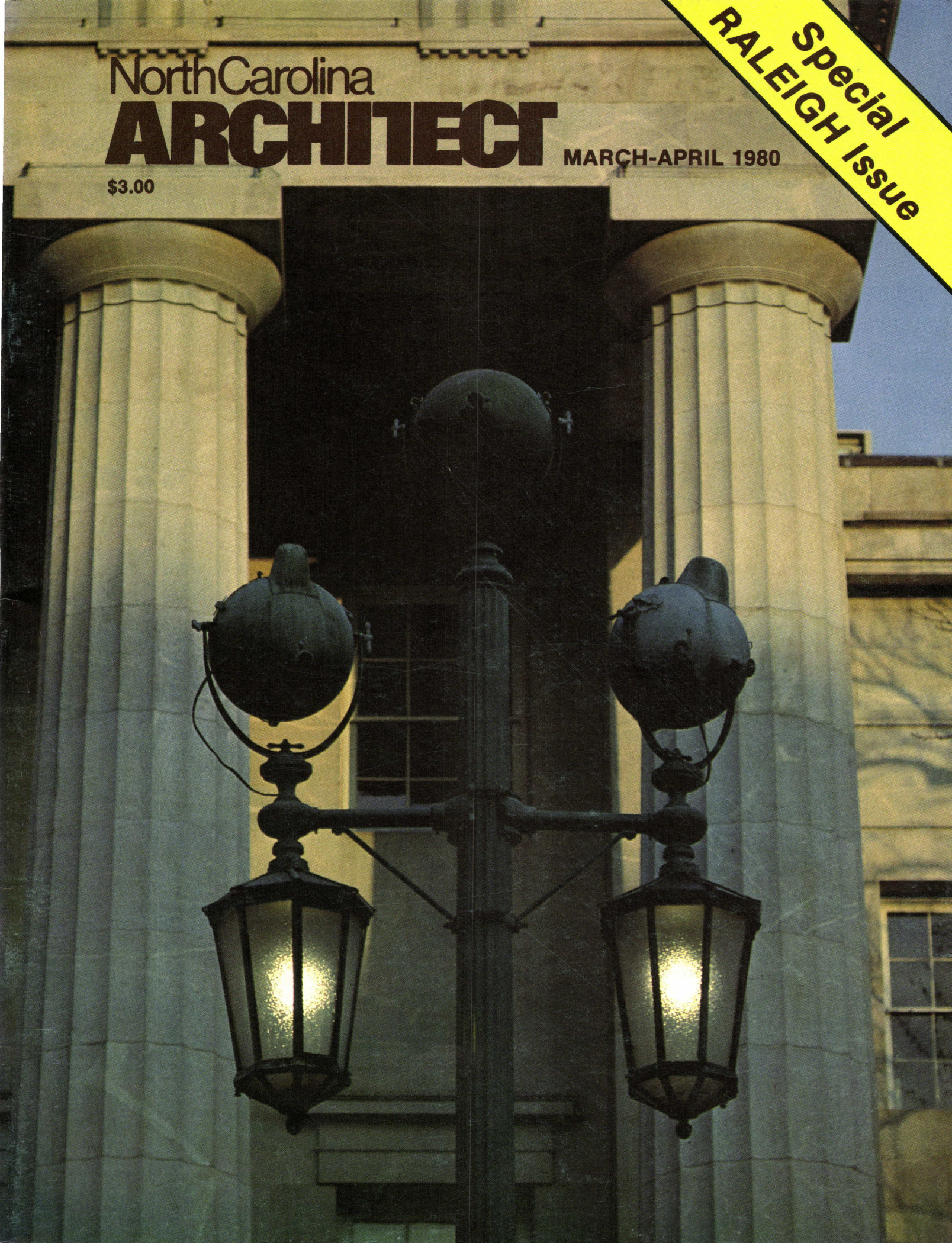


North Carolina **ARCHITECT**

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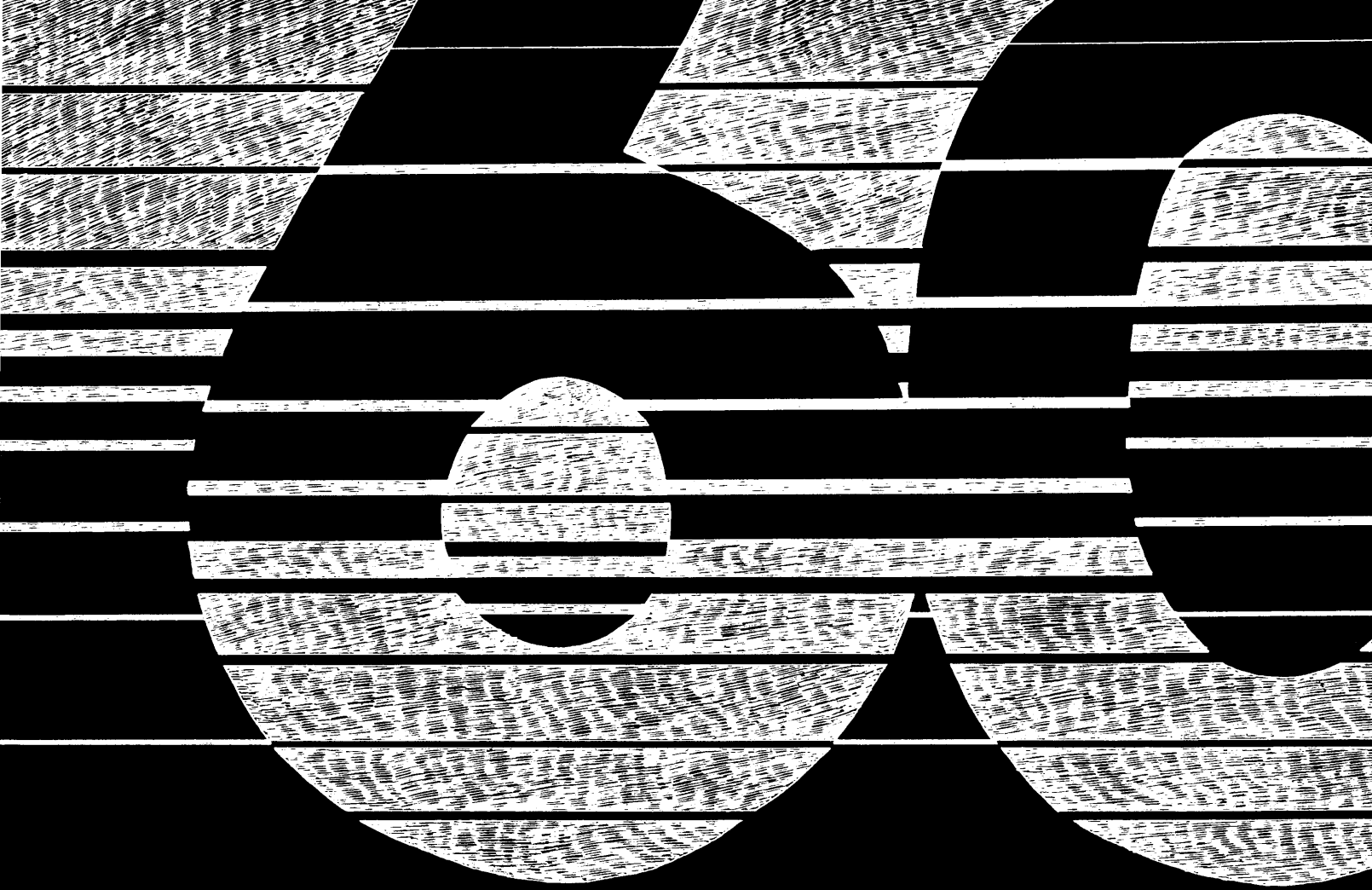
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Publisher's Note

The Problem: How to present to the architects of North Carolina a picture of the host city of the 1980 Convention of the North Carolina Chapter of the American Institute of Architects.

The Solution: Begin with an introduction by the forward-thinking young Mayor of Raleigh, G. Smedes York. Follow that with a look at the city's past through the eyes of citizens involved in Historic Preservation, and proceed from there to the city-scape created by the architects who now live and practice in Raleigh.

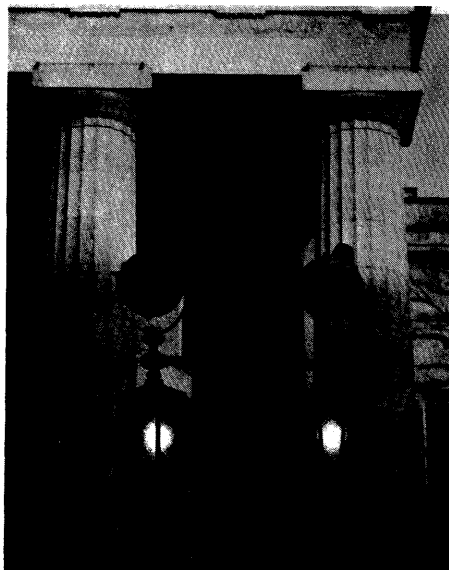
To be complete, take a glance at what's ahead—at the buildings now underway which will co-exist with the architecture of the past and present to shape the future of the Capital City of the State of North Carolina.

The Conclusion: The city is its architecture.

North Carolina **ARCHITECT**

Official magazine of the North Carolina Chapter
American Institute of Architects

Vol. 27 No. 2
March-April 1980



Cover photo: The State Capitol Building in downtown Raleigh, by Tom Norman.

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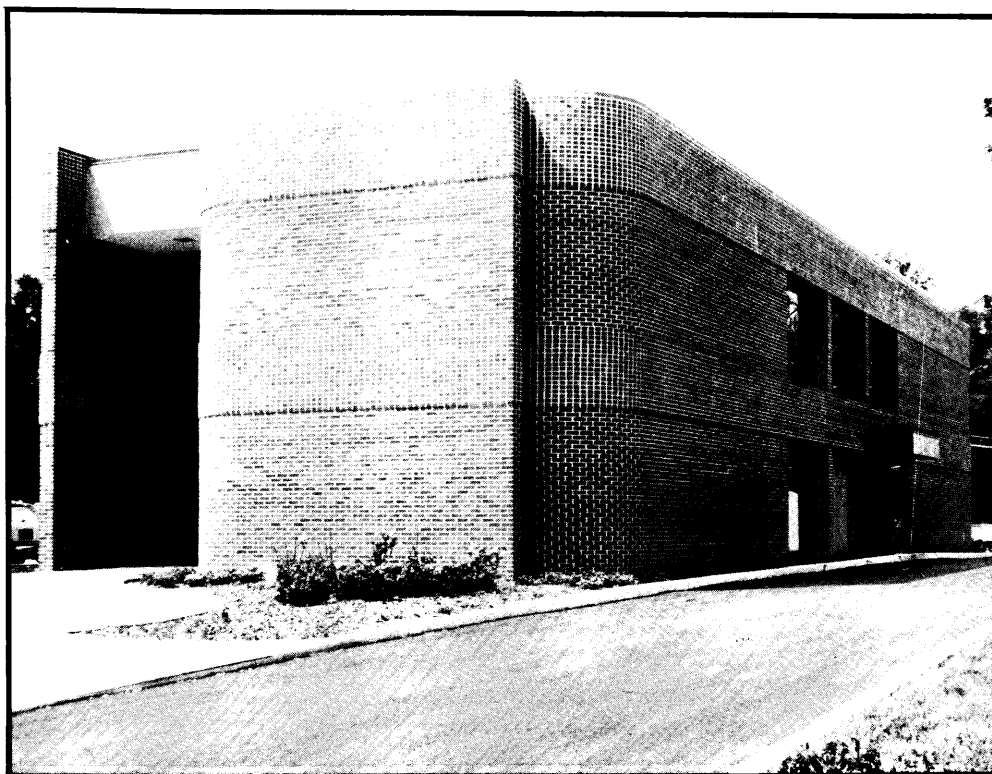


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Editorial

It is my pleasure as Mayor to welcome the North Carolina Chapter of the American Institute of Architects to Raleigh, our capital city, for this annual meeting.

As a third generation builder and as an engineer, I can understand many of the problems and challenges you face every day and I appreciate the work which is required for the completion of a successful design. I, too, respond to the excitement and enthusiasm with which you greet each new architectural concept or statement.

The designing, planning and building of any new structure is exciting—particularly in a city such as ours. Raleigh's citizens are proud of what has been built here in the past and have worked to encourage its conservation for future generations to enjoy.

In recent years, Raleigh approved one of the first historic district ordinances in North Carolina. As a result, the Victorian heritage of Oakwood, and the Capitol and Blount Street Historic Districts offer many reflections on our past life.

We also brought to our Planning Department the first preservation planner who has made many contributions, among them *An Architectural and Historical Inventory of Raleigh, North Carolina*, listing all existing buildings built before 1929. I hope that you will have the time to visit some of these restored areas while you are here.

Raleigh remains committed to the revitalization of our downtown urban core. We have completed three of the four blocks of the downtown mall and are working towards completion of the fourth and final block. Many of our businessmen, realizing the spaciousness of the older buildings along Fayetteville Street, are adapting them for modern office use. At the present time, restoration is under way on two buildings in the 100 block of the mall. We also have several businesses which have chosen to remain in the downtown area and have innovatively replaced old store fronts with new ones more compatible with the mall structure. Soon we will break ground for a new hotel and parking deck on the mall.

Our mall-scape offers many architectural contrasts from the Greek Revival Capitol at its head to the contemporary civic center complex at its foot. Buildings of all types, sizes and styles of architecture create an exciting and interesting review of history.

Raleigh has not only made great strides in preserving its historic buildings; we are just as committed to the preservation of our natural resources. With this in mind, the Appearance Commission and the Greenway Commission continuously seek ways to preserve our green open spaces for the future.

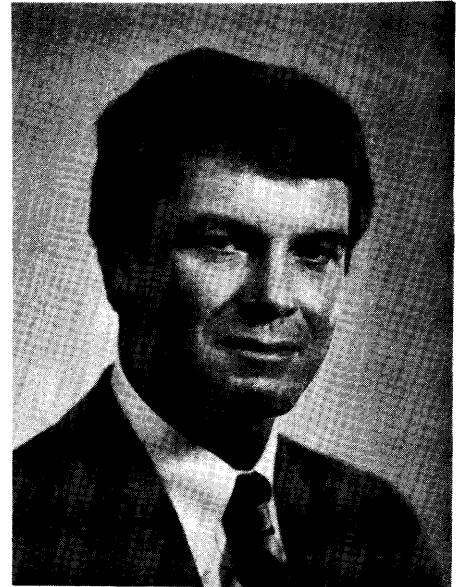
The Appearance Commission spent two years researching our sign ordinance which hopefully will do much to alleviate visual blight. The Greenway Commission has spent long hours planning a greenbelt to gird the city. This greenway area will provide a quiet place to stroll and enjoy nature or to ride a bicycle on a lazy Sunday afternoon.

Our Parks and Recreation Department has been responsible, along with the Raleigh garden clubs, for making Raleigh truly a "park with a city in it." I do not believe that there is anywhere in North Carolina more beautiful in spring when all the dogwoods, crepe myrtles, redbuds and azaleas are in bloom.

Raleigh has come a long way since it was a sleepy, post-war Southern community in the Forties. Since that time we have experienced phenomenal growth and with the past in mind, our first Comprehensive Land Use Plan was approved which will guide us well in the area of development for the future. At the present time we are working with the county governing body in order to approve a land use code which will bring city and county zoning more in line with each other.

Raleigh becomes more cosmopolitan every year. As one of the designated Sunbelt cities, we are proud to offer more and more attractions to people interested in moving into the area.

Our cultural opportunities are many. In conjunction with this meeting we are holding our first "ArtsPlosure" as a showcase for literary, visual and performing artists in the Triangle area.



Like so many people, I enjoy living, working and "playing" in Raleigh. I am proud to be a native who plans to spend the rest of his life in this beautiful, exciting, growing city.

Many of you attending this meeting are not strangers to our city. A great number of you attended North Carolina State University enrolled in its internationally recognized School of Design. North Carolina is fortunate that you have chosen to contribute your knowledge, expertise and talent here at home. Perhaps you will find the time to visit the NCSU campus while you are here. You might be interested in seeing what is being done on the campuses of the other five colleges and universities within our city limits as well. I think you will be pleased and amazed.

I am proud of the progress we continue to make in Raleigh and the contributions you make to the architectural future of North Carolina.

Raleigh and our state are projected to experience tremendous growth in the years to come. I know that it will be the type of progress we can be proud of due to the commitment of people like you and your professional association.

Enjoy this convention. I believe, when it is over, you will be as proud of Raleigh as we who live here have always been.

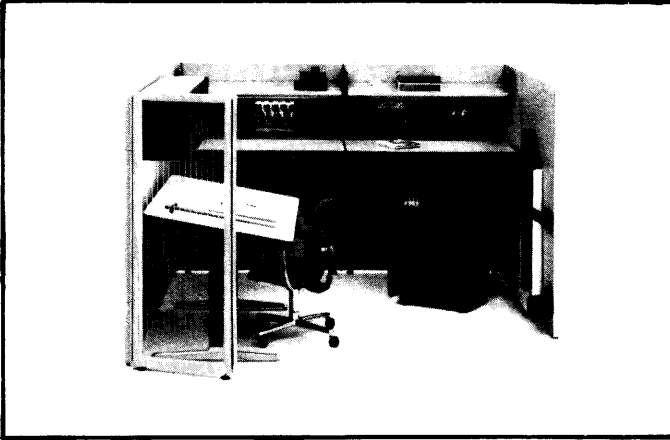
My best wishes to you for an exiting meeting.

Sincerely,

A handwritten signature in dark ink, reading "G. Smedes York".

G. Smedes York, Major
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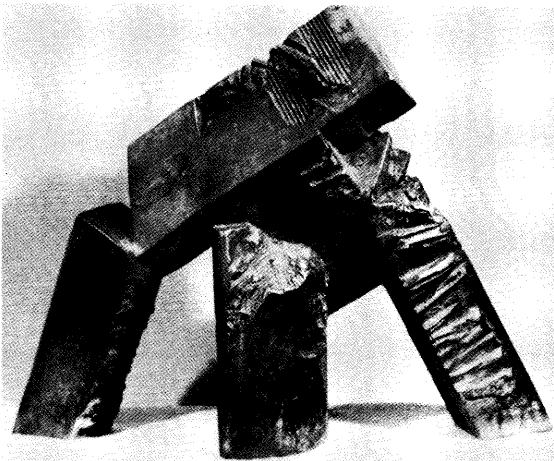
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'The Jewel Is Raleigh'

by Catherine W. Bishir,
N.C. Dept. of Cultural Resources

To Raleighites and visitors alike, it's obvious that things are changing in the Capital City, and changing fast. The population doubled between 1950 and 1970, and it's grown more than 25% since 1970. Suburbs stretch for miles, shopping centers spring up like mushrooms after a rain, and a growing market attracts new services, shops, restaurants and hotels.

Amid this growth has come a change in attitudes toward preservation—the very force that some people might envision as antithetical to change. Conversations with several Raleigh people concerned with preservation reveal that here, as in other cities, it is becoming more sophisticated and more varied, and encompasses many aspects of community activity and decision making. Raleigh realtor Sid Gullledge said, "Historic preservation is no longer just little old ladies in tennis shoes. Now when you say preservation it's the lawyers, the accountants, and the realtors—the sophisticated realtors." Linda Harris, city preservation planner, agreed: "When I first started in preservation in the early 1970s, it was a flowery idea. Now it's a way to live."

Sarah Williamson, who came to Raleigh in 1942 and became involved in preservation in the 1960s, remembers: "The real turning point, I think, came in the 1960s, when so much was going down. It was a two-way street really. The tearing down in the 1960s really spurred the preservation movement here."

She remembers the work of private citizens from the Raleigh Historic Sites Commission to push for preservation of the city's landmarks. "I credit Polly Deitrick (architect William Deitrick) as being sort of the father of preservation in Raleigh. He saved the Water Tower

and that was the first adaptive use. It's the AIA headquarters now, of course. And he was chairman of the Commission when Raleigh bought Mordecai Square. (In the 1960s when a thoroughfare plan threatened the Eighteenth and early Nineteenth Century Mordecai family plantation house, the city purchased it in 1967. Under the aegis of the Commission the city preserved the fully furnished house with its outbuildings.)

Sarah Williamson said the publication of "the Raleigh book" was a turning point. The work of a committee chaired by Ben F. Williams and written by Elizabeth Waugh, *North Carolina's Capital, Raleigh*, came out in 1967, sponsored by the Junior League and the Historic Sites Commission. "I always

felt it had a great deal to do with educating people in Raleigh that we did have something, and it was worth saving," she said.

At the same time, Sarah Williamson commented, "the book gave us for the first time something concrete to talk about, to show people the value of buildings they'd driven by a thousand times and never looked at. Before, no one looked at the value of these things."

Out of the growth of the 1960s and early 1970s came a growing commitment to preservation. "Time after time we went to the Capital Planning Commission," Williamson said, "to urge saving buildings as state government expanded from Edenton Street north to Peace. We urged them to save the Seaboard building, the Lewis-Smith house, and we encouraged the Executive Mansion Fine Arts Commission to save Blount Street (Raleigh's premier Victorian street) to save the residential area for the Executive Mansion."

Today, the large government mall sweeps up to the towering Archdale building from the Legislative building.

(Continued on next page)

Street car lines ran down the center of Fayetteville Street in the early 1900s, past the 1907 Masonic Temple building (left), where Brantley's Family Drug Store was located for several years. Today, the old building is undergoing "adaptive reuse" restoration to become an office building.



PHOTOS COURTESY OF N.C. ARCHIVES AND HISTORY

The Seaboard office building perches nearby to the west, moved out of the path of expansion.

A block to the east, Blount Street, once a prestigious residential street, maintains something of the domestic scale and Victorian flavor of its late Nineteenth Century heyday. In the mid-1970s, state government demolitions had decimated houses abandoned by the upper and upper middle class who had moved out years before, leaving the street's houses to slow decline. Parking lots created an irregular rhythm amid the once grand mansions. However, a Blount Street Plan, developed in coordination with the city, state, and private preservation interests, now defines a more positive future for Blount Street. Even the vivid paint colors—peach and brown, gold, russet, deep green, grey—reflect the original hues of these bold, towered, and bracketed Victorian dwellings. Now most of them house not Raleigh's elite families but state government offices.

There were other victories in the 1960s and 1970s: the Colonial Dames completed restoration of the Joel Lane House, home of the man whose plantation was sold to create the city of Raleigh; the Dodd-Hinsdale House, long a symbol of lonely Victorianism amid a sea of development along Hillsborough Street, was at last saved; a broad spectrum of the community rallied to preserve Estey Hall at Shaw University. Our superb Capitol was carefully restored.

Other landmarks survived because their owners hung on: the residents of downtown dwellings like Haywood Hall and the Richard B. Haywood House; the congregations of key

downtown churches; the Briggs family which runs the Fayetteville Street Mall hardware business. Said Jimmy Briggs, "We own our own property. We can't quit."

During this period, however, as efforts to rescue landmarks triumphed or crumbled, a broader movement was stirring. State Historic Preservation Officer Larry E. Tise observed, "When you deal with landmarks, there's a tendency to put them on pedestals, which requires public support. That's not going to happen any more. When you get the private sector involved, you have to think in terms of streets and districts and neighborhoods."

And in the 1970s, neighborhood conservation emerged as a major political force in Raleigh. "The people who went into Cameron Park, Boylan Heights, Oakwood, are not necessarily the same people as those who saved the landmarks," said Raleigh attorney and preservationist Tom Erwin.

Sarah Williamson recalls the rehabilitation of Oakwood, Raleigh's surviving late Nineteenth Century neighborhood that lies east of Blount Street: "That was purely citizens banding together, and neighborhood pride."

Erwin recalls the threat of the thoroughfare system which posed a north-south expressway through Oakwood. But, he said, "instead, a few people bought in there and were obstacles to the thoroughfare plan." The expressway was thwarted.

Realtor Gullledge recalls that "people went into Oakwood because they could buy cheap, they could walk to work, and they wouldn't have to worry about parking." Now, he continued, "they've

got Linda Harris down there at the city sort of protecting them, now they have an identity, and a nice neighborhood." Harris's duties as city preservation planner include administration of the local historic district ordinance and the design review board. She said of preservation in Raleigh: "To me the most exciting symbol of preservation's success is that there's a generation of 'home-grown' babies in Oakwood now. I think one of the main reasons for the changing attitudes toward preservation in Raleigh is that Oakwood is a success."

Erwin describes the achievements of the downtown neighborhoods in social terms. "We've achieved what an ecologist would call a climax forest," he said, "a mature, stable neighborhood with people ranging from age two to 92. It's not just young married people, a one-generation neighborhood. It is here to stay now—Cameron Park, Oakwood, Hayes Barton, all the neighborhoods; I think people now see them as continuing to the indefinite future as stable. Twenty years ago this was not the case, with the thoroughfare plan and threats at the periphery, and people buying assuming it would be re-zoned and they could make money from building commercial buildings or apartments. It's changed."

Beyond the urban core and the surrounding ring that witnessed swaths of demolition in the 1960s, Raleigh boasts a series of late Nineteenth and primarily early Twentieth Century neighborhoods. Spawned by the streetcar lines along Hillsborough Street and Glenwood Avenue, they survived relatively intact, despite the departure of many people to the suburbs.

Yet all is not easy. The Five Points neighborhood association sees the potential for adverse effects if the thoroughfare plan for "improving" Glenwood Avenue is put into effect. Jim Newlin, a member of the association, said, "If you're going to have a viable

The old Baptist University (Mansion Park Hotel) was razed in the mid-Twentieth Century as Raleigh grew rapidly. It stood near the Executive Mansion. Its site is now a parking lot.



city with a vibrant downtown, you don't create routes going *through* the city and destroying all in its path. You create access from one part *to* another, from outside to downtown, but not straight through."

Glenwood, a major north-south street, is lined with early Twentieth Century neighborhoods now witnessing renewal by private citizens. It is graced with a planted median where the streetcar track once ran. Neighborhood groups along the avenue seek continued retention of these amenities and fear the impact of widening and removal of the median. Newlin believes that "the city doesn't see yet that the inner city is going to be—in fact already is—the place to be. There are limits to the demands of the automobile. The thoroughfare policy maybe hasn't caught up with what people are realizing about the future."

Planner Harris sees the thoroughfare question as critical to preservation in Raleigh. "The main problem," she said, "is this automobile thing. How can we justify destroying a neighborhood where people have lived and paid city taxes for 40 or 50 years—and are still doing so— in order to speed up people rushing out to houses beyond the extraterritorial limits? I just don't know."

Even as the neighborhoods that ring downtown have witnessed renewal, the city government and downtown merchants have been working to revitalize the heart of the city. North from the Capitol extends the growing crowd of state government buildings. South from the Capitol runs the

Fayetteville Street Mall, the broad commercial avenue that has always been Raleigh's main street.

Raleigh's evening newspaper pointed out the efforts of Mayor Smedes York to "rethink downtown Raleigh," to bring in new housing, building upon the expenditure of millions of dollars on the creation of the mall, the construction of the Civic Center, the efforts to attract the Radisson hotel. The *Times* pointed with hope to the investment of private dollars as well, including the "just-begun renovation of the Alexander (Masonic Temple) building" on the mall.

Realtor Cora Rice sold this early Twentieth century "skyscraper" to a New York investment firm, working closely with the North Carolina state preservation office to assure qualification for tax incentives for its rehabilitation.

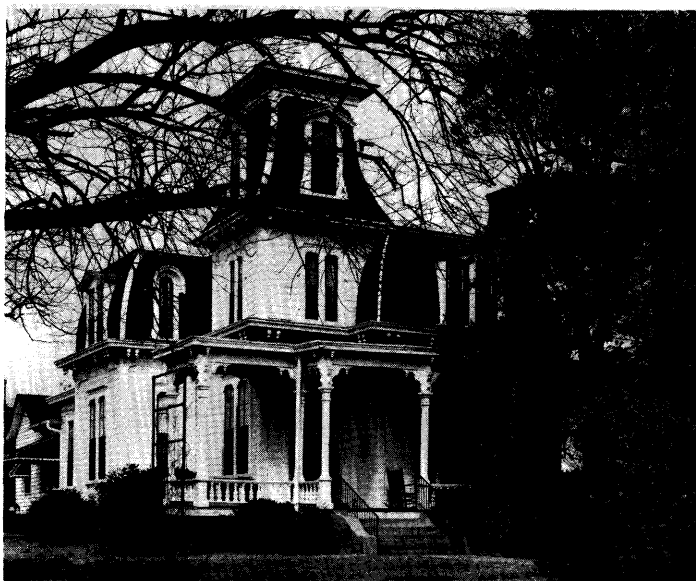
Realtor Sid Gullege commented, "The tax incentives for preservation, that's what made the difference. Those New York investors spent \$270,000 on that building, and they'll spend a million more. They understood those tax incentives. People here didn't understand them. It's just now getting here. It takes somebody like those people from New York to see the possibilities in the Alexander building. Only that tax shelter saved it. Otherwise, somebody would have come in there with a ball and hammer, and the bank would have taken a terrific loss."

The building, erected in 1907, was the first tall building of reinforced concrete in Raleigh, and was therefore eligible

for nomination to the National Register of Historic Places. National Register listing made its owners eligible for the preservation tax incentives of the Tax Reform Act of 1976. Rehabilitation costs, if certified as meeting certain standards, can be amortized over 60 months. Langdon Edmunds, who administers certification procedures in North Carolina, reports that these incentives have been used effectively in other North Carolina cities, especially Asheville, Wilmington, Durham, and Charlotte.

The city planning department has undertaken a study of "urban character" to determine what ordinances and policies affect urban character and to establish ways of enhancing rather than destroying that character. Larry Tise, state historic preservation officer, has proposed a National Buildings Conservation Act to provide new tools for downtown and neighborhood conservation, different from those policies attached strictly to historic buildings.

As Sarah Williamson reflected, "It's beginning to work in Raleigh. We're beginning to show that preservation pays off. The money is at the bottom line, as in so many things." And Sid Gullege predicted, "You won't recognize downtown Raleigh in five years... All of a sudden people who understand the sheer economics of preservation are getting into it. Things are happening downtown that haven't happened in a hundred years. You get up on the Archdale building and look down on Wake County, and the jewel is Raleigh." ■



This Second Empire style house is one of three built for Colonel Jonathan M. Heck, a wealthy landowner and businessman, who was active in the original development of Oakwood. Located on Jones Street, the house was built between 1872 and 1875 and is in excellent condition today. It is a bold example of the eclectic nature of domestic architecture of the late Nineteenth Century. It is thought to have been designed by architect G.S.H. Appleget who designed Heck's own residence on Blount Street.

ARCHITECTS'

The past is hardly behind us. The future moves so quickly that we never know if we're already in it. Happily some things can be nailed down as present.

The buildings presented on the following pages were built in our own lifetime and stand today serving people, businesses, students, congregations, the arts, government agencies, and the visual consciousnesses of all the citizens of Raleigh and North Carolina.

All were designed by Raleigh architects and submitted by them as representative of their contributions to the Raleigh area. The variety and the quality of the submittals reflect the nature of our diverse and vibrant capital city.

**G. MILTON SMALL
AND ASSOCIATES,
ARCHITECTS-ENGINEERS**

**American Association of Textile
Chemists and Colorists,
Research Triangle Park Headquarters**

This 18,000-square-foot building features a glass walled perimeter which affords views of the landscape for all occupants of the corridor and offices lining the corridor. Circulation is placed around the perimeter, insulating the interior glass from direct heat loss and gain. The entire exterior glass is shaded by trees.

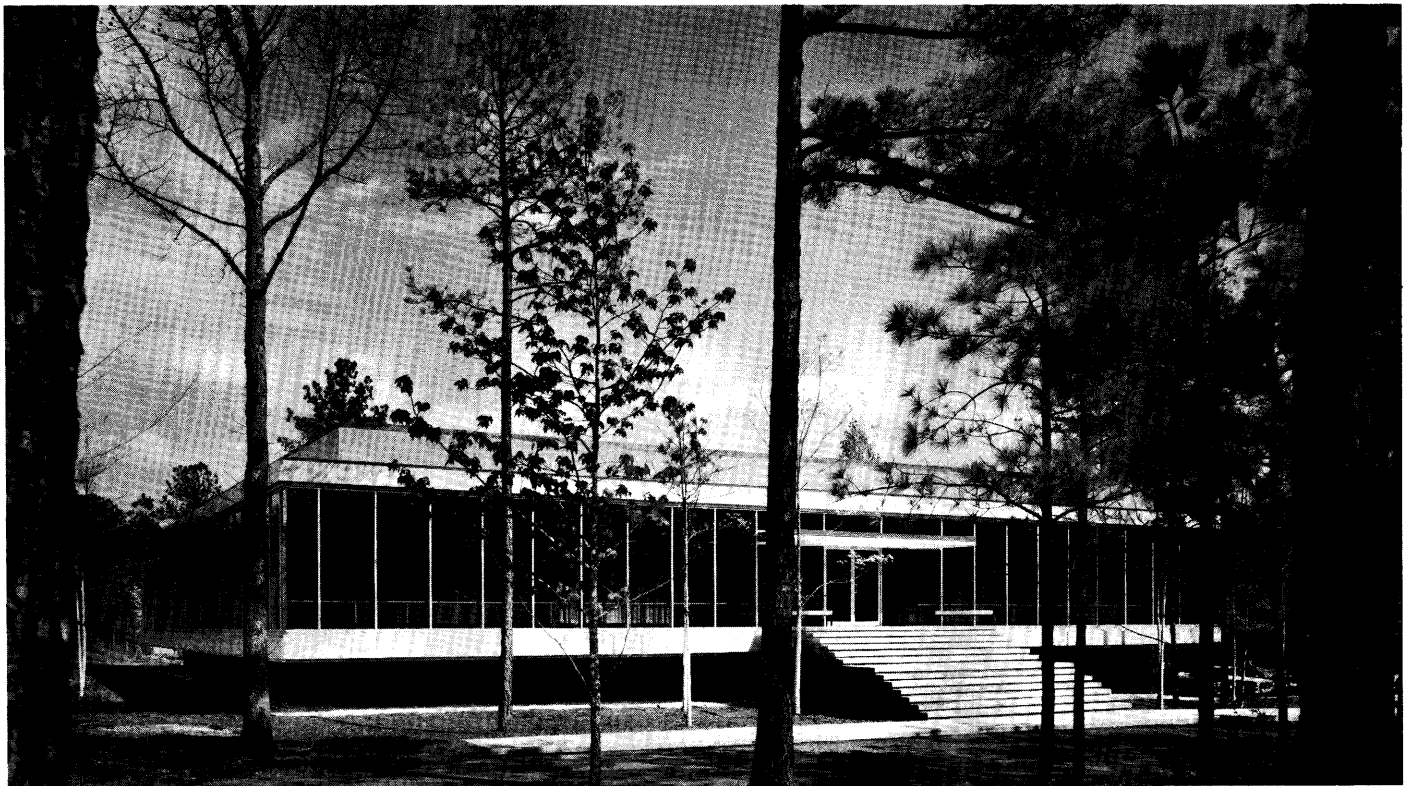


PHOTO BY JOSEPH W. MOLITAR

CHOICE

OWEN F. SMITH, ARCHITECT

North Carolina Farm Bureau building

The building serves as combination office space for the Farm Bureau Federation and its subsidiary, the Farm Bureau Mutual Insurance Company. Situated on the highest knoll of a 20-acre site, the 47,000-square-foot, three-story structure is pre-cast concrete construction.



PHOTO BY GORDON H. SCHENCK JR.

SHAWCROFT-TAYLOR, AIA

Anderson Plaza West— CTP&B Associates

A system evolved as a team effort to develop a method of building energy efficient buildings in a short construction time (4-5 months from ground breaking to tenant occupancy). The building features a hybrid system of interior steel frame and site-cast exterior panels and columns, plus air-to-air roof mounted heat pumps for heating and cooling.



PHOTO BY BRIAN SHAWCROFT



PHOTO BY JIM SINK, DAVID HALL ASSOCIATES

MTMA DESIGN GROUP, PA

Improvements to two high-rise residence halls, NCSU

The project involved designing safety improvements plus general appearance and function improvements. The pavilion-like canopies link the two buildings and offer pedestrians protection from objects thrown from the upper floors. Color was introduced to overcome the drab concrete finishes in public areas, including one 12-story "supergraphic" in an elevator tower. Landscaping, benches and lighting enhance the pedestrian zone.

JAMES C. BUIE ARCHITECT, INC.

Highwoods Racquetball Club

Since the building is located in an office park and was the first club of its kind in the Raleigh area, it was designed as an office building minus the second floor—to satisfy financial regulations on a single-purpose building. The 21,500-square-foot structure was also designed for a "country club" image, and includes a restaurant, hair stylist's shop, spa area and meeting room. The interior was softened by extensive use of large tropical plants and "supergraphics."



SMITH/SINNETT ARCHITECTS, PA

Landscape Architect: Bell Design Group

North Carolina Association of Educators Center and State Headquarters

The building and site were developed as a green space within the city. The concern for energy efficiency and acoustical privacy are blended into a natural setting by the seven-foot-thick building berms forming the exterior walls. These berms, combined with wide overhangs, limited use of glass, and a heavily insulated roof are expected to result in a marked reduction of energy consumption.

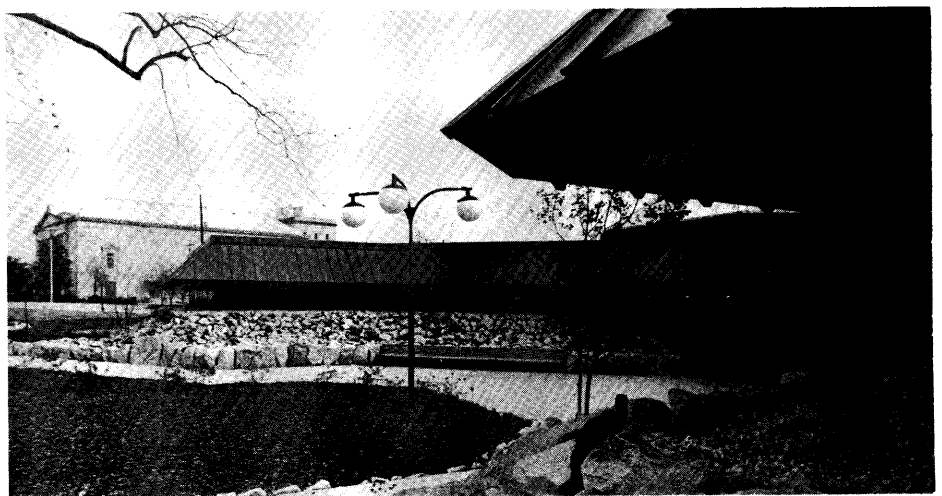
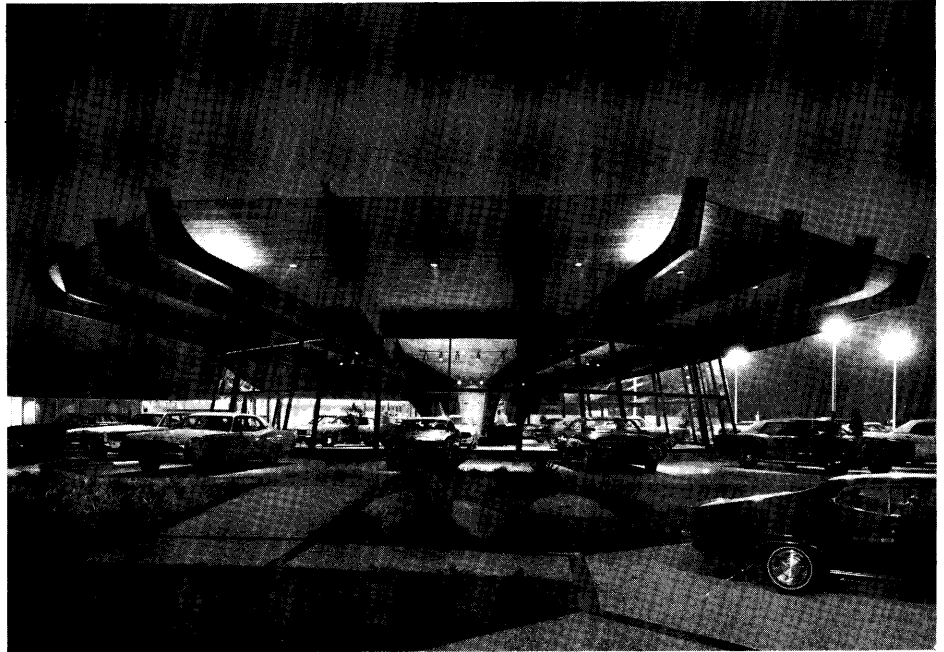


PHOTO BY CHRIS SEWARD

OLSEN ASSOCIATES, INC.

Wiygul Ford Automobile Showroom

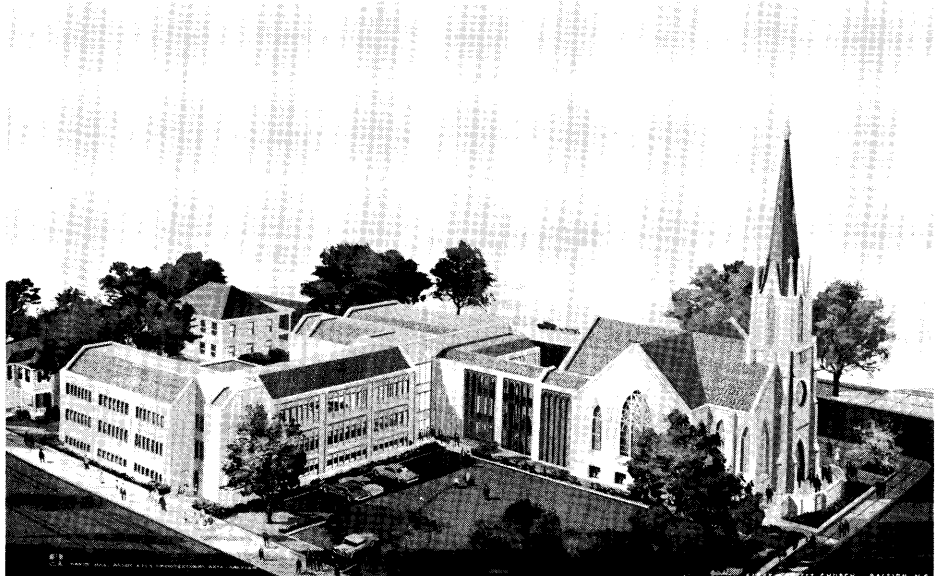
The unusual roof is supported by laminated wood members and features wood decking. The interior floors are brick. The exterior is formed by window wall systems of anodized aluminum frames with insulating glass. Adjustable display lighting was used for the interior with recessed lighting on the exterior.



HASKINS AND RICE, ARCHITECTS AND PLANNERS

First Baptist Church Education Building

The 1925 educational facilities of this Raleigh Historic Site were removed to be replaced by the new facility which combines the contemporary with Neo-Gothic to blend with the old sanctuary. A chapel garden separates the sanctuary from the new wing while an enclosed corridor connects the two areas. The sanctuary was also renewed by structural repair and new finishes, including replacing the slate roofing with standing seam copper to complement the copper dome of the State Capitol.



RENDERING BY DAVID HALL ASSOCIATES

BURNSTUDIO

Project designer: Norma D. Burns

Interior, Jill Flink Fine Art gallery/framing shop

The project involved converting an old pharmacy into gallery, picture-framing and art supplies sales spaces. The open plan concept enlivens the gallery space without detracting from its purpose. Steel-grey carpet applied to all display surfaces provides a minimal upkeep, non-distracting background for the art work. The entrance reflects the gallery's logo which was taken from an original print by the client.

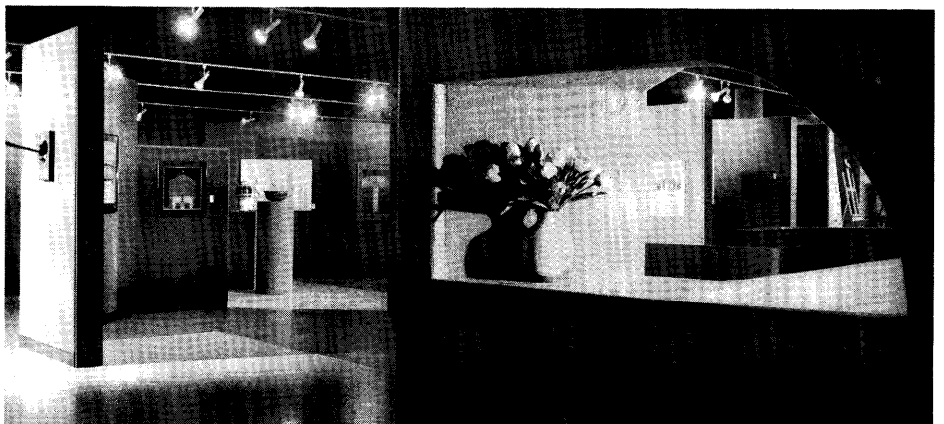


PHOTO BY BRIAN SHAWCROFT



PHOTO BY JIM SINK, DAVID HALL ASSOCIATES



PHOTO BY JOANN SIEBURG-BAKER

**DODGE AND ASSOCIATES,
ARCHITECTS AND PLANNERS**
(successors to Dodge and Beckwith,
project architects)

Landscape Architecture/Site Planning:
Lewis Clarke Associates

**The Fayetteville Street Mall,
Phases I, II and III**

Controlled open space is the key element of the three-block pedestrian mall of brick and granite pavers, punctuated by fountains, shelters, a mirrored clock, and interspersed with grass, trees and shrubbery. The fourth phase awaits completion of the Radisson Plaza Hotel.

**BARTHOLOMEW AND WAKEHAM,
ARCHITECTS**

**The North Carolina State Bar
Headquarters Building**

A 1937 department store was converted into office space for judicial-related services. The new facade includes a brick arch with reflective glass above. The brick, which also extends through the entrance and into the lobby, matches that of the Fayetteville Street Mall. Old and new were integrated into the interior design. Stair railings were salvaged from a demolished building of the same period and juxtaposed with ultra-contemporary features, such as a polished chrome ceiling. Existing wood floors were refinished where possible.

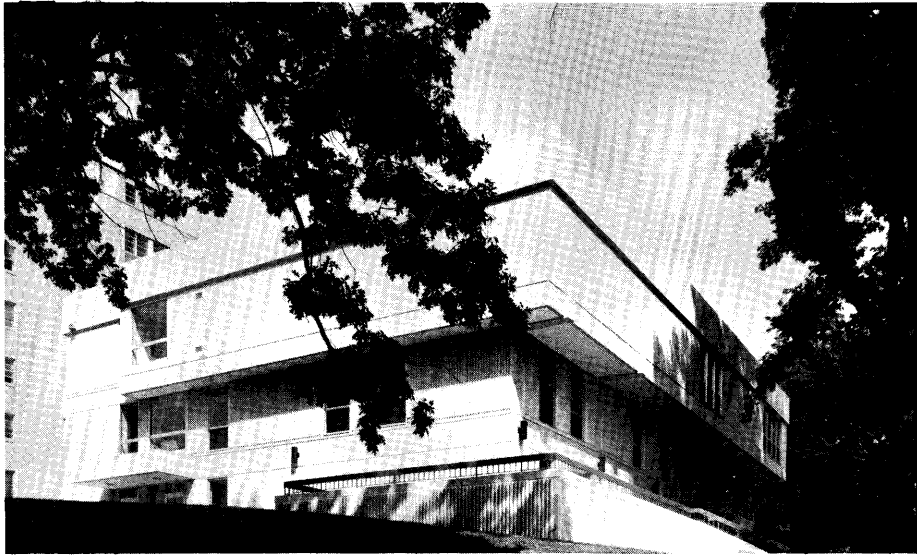


PHOTO BY JIM SINK, DAVID HALL ASSOCIATES

**F. CARTER WILLIAMS,
ARCHITECTS**

**Central Neuro-Medical Surgical Facility,
Dorothea Dix Hospital**

The 31,277-square-foot, three-story "T" shaped structure features two courts: one on the lower level for a new ambulance and service accessway, and another to shelter a new main entrance. The stem of the "T" houses functions supporting the Radiology Department, Intensive Care Unit and surgery facilities. The project also included renovation of 6,535 square feet of the existing building's ground floor to accommodate a new EEG room and central supply facilities.



RENDERING BY DAVID HALL ASSOCIATES

**HOLLOWAY-REEVES,
ARCHITECTS, PA**

**Ambulatory and Diagnostic Wing,
Wake County Medical Center**

The facility provides for full medical treatment for ambulatory patients. Surgical, radiological and pathological procedures can be performed without regular critical care admission to the medical center.



**McKIMMON/EDWARDS/HITCH,
ARCHITECTS**

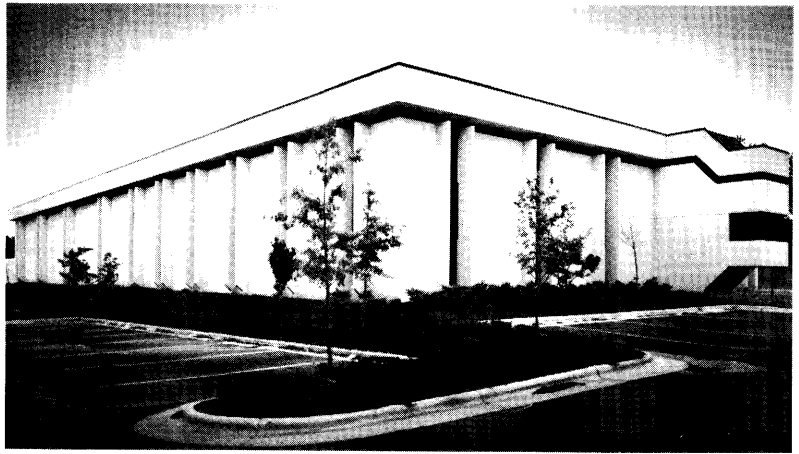
**Carolina Power and Light Company's
Shearon Harris Energy and
Environmental Center**

The 98,000-square-foot facility serves as training site and laboratory for Carolina Power and Light Co.'s system. The structure is divided into six segments which house specialized laboratories for research, analysis and testing, facilities for personnel training and management development, and a visitors' center.

ENVIROTEK, INC.

**Research and Development Facility,
Graftek/Division, Exxon Enterprises**

The 42,000-square-foot (gross area) facility features an L-shaped main structure (Phase I) and a division executive office building (Phase II). A covered walkway connects the two. Ample spaces were allowed for various laboratories, offices, and the designing and engineering staffs. Stairways project from exterior walls.



J. BRADFORD WIGGINS

The Wake County Workshop

The 18,000-square-foot workshop is a vocational and training facility for the mentally retarded. Although built in 1970, the building is energy efficient in that the wide overhangs block out summer sun but allow winter sun to enter for what is now considered passive solar heating purposes.



PHOTO BY J.B. WIGGINS

WILLIAM CLYDE MCGEE JR., ARCHITECT

**Parks and Recreation Building for
the City of Raleigh**

The 9,600-square-foot building features an open plan concept with all offices facing a central landscaped garden. The exterior finishes are stained redwood plywood and brick. The interior features blue stone and carpeted floors, vinyl covered wall board and glass walls with acoustical tile ceilings.



PHOTO BY L.A. LENTZ

**E.H. AND M.K. HUNTER,
ARCHITECTS**

**North Carolina State Fair
Crafts Pavilion**

The circular pavilion features 13,600 square feet exhibition space, with two main entrances facing each other across the center, and two exits also facing each other. The building area is 15,170 square feet gross and 14,430 square feet net, with an 830-square-foot porch area at one of the entrances.

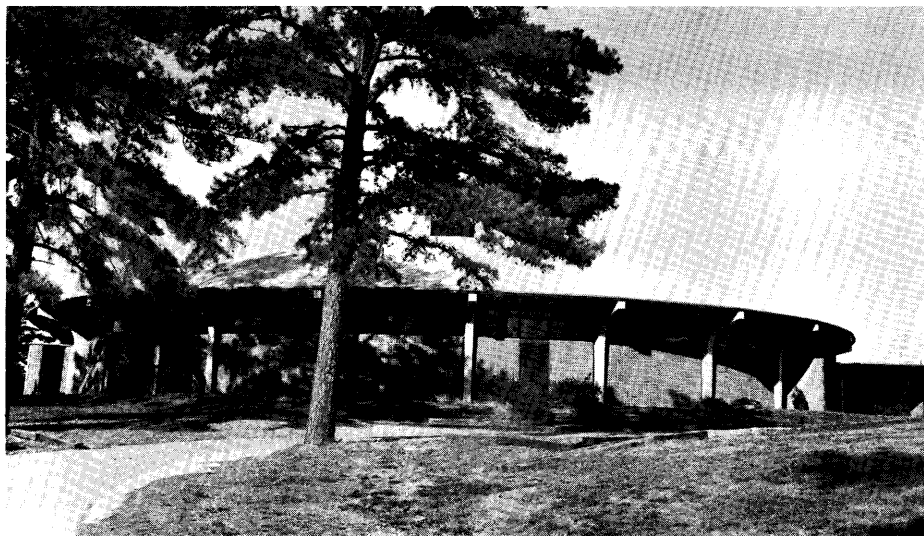


PHOTO BY CHRIS SEWARD

QUICK ASSOCIATES

**Office Building
(the "Annapolis Drive Building")**

At the core of this contemporary two-story structure is a 3,000-square-foot (including walkways) atrium which serves as lounge area and provides passive heating as well as aesthetic benefits. The 25,000-square-foot building contains clerestory space that rises up to multiple sky lights. Construction is tilt-up concrete.



PHOTO BY JIM SINK, DAVID HALL ASSOCIATES

MICHAEL LANDAU ARCHITECT

Temple Beth Or

The task was to provide for the three functions of a synagogue for the 175-family congregation: worship, education and community. The objective was to make the symbols of Judaism and its culture inseparable from the architecture, one of the major influences being the wooden synagogues of Eastern Europe. The "heart" of the interior is the ark taken from an old Detroit, Michigan synagogue. Windows were placed to allow natural light to shape the character of the interior spaces.

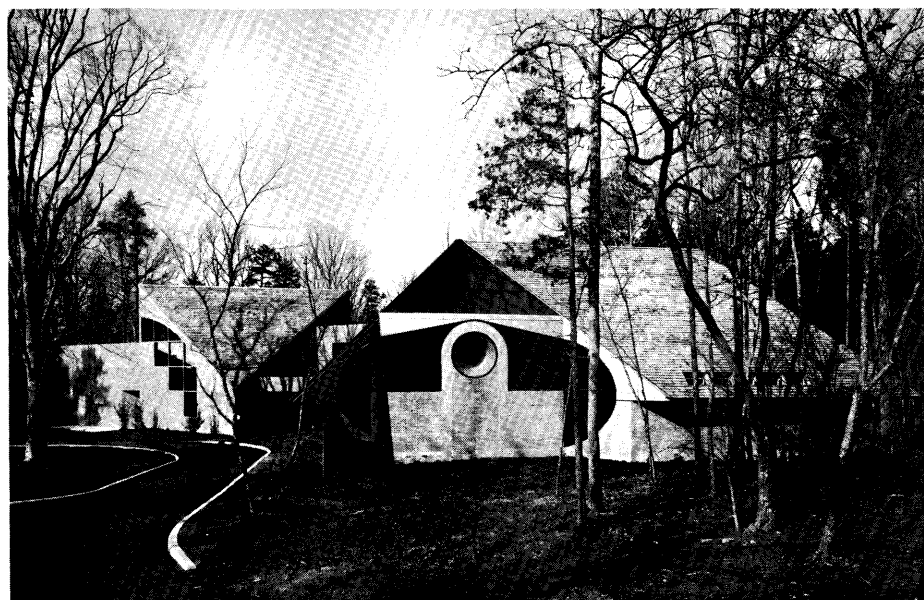
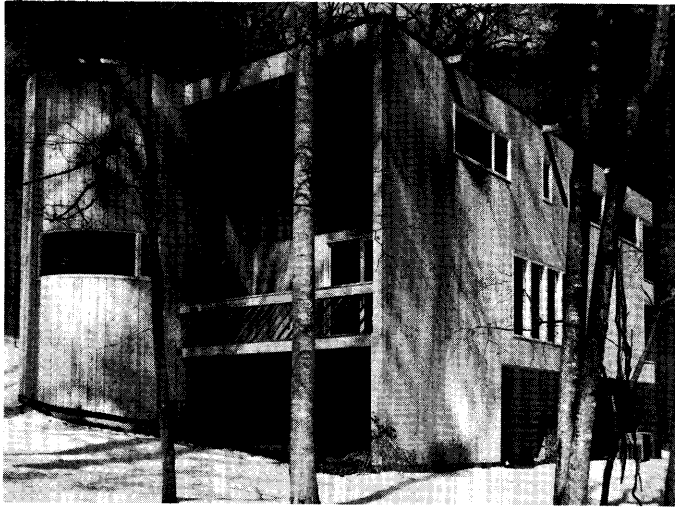


PHOTO BY JOANN SIEBURG-BAKER



ALPHA DESIGN GROUP, INC.

Private Residence

With energy conservation in mind, the structural design of the roof area allows for expansion of solar hot water collectors. The first floor spaces are divided by wall planes and changes in floor and ceiling levels. The second floor is broken into traditional sleeping quarters. The master plan opens into an adjacent study area which can double as a guest room. The exterior is stained vertical cedar boards. The total living area is 2,600 square feet.

ENERGETICS

Architect Bruce Johnson's Residence

In this project, the awkward site dictated the design. The basic plan is a box divided into three horizontal and vertical zones. Maximum-use spaces are located on the north side and a central mechanical and circulation core facilitates vertical movement of plumbing, heat, flues, vents, laundry and people. The main deck is a bridge over a stream, which makes the stream itself usable space and links the two sections of the lot. Numerous energy-efficiency measures were employed. The exterior is cedar siding.

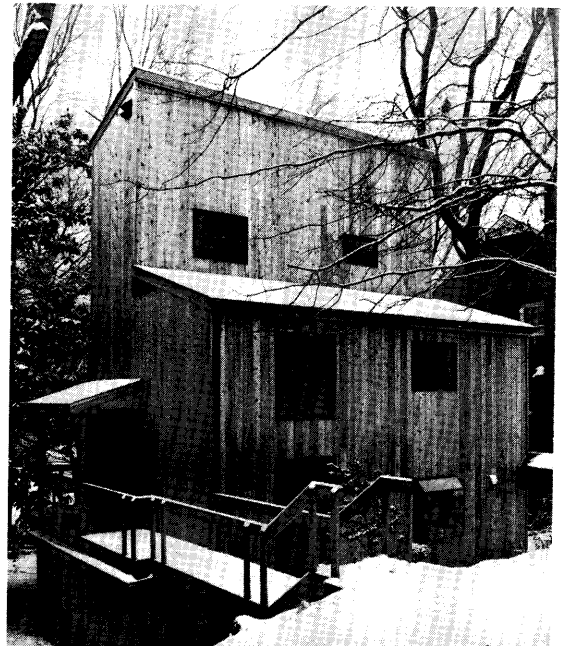


PHOTO BY MEG McLAURIN

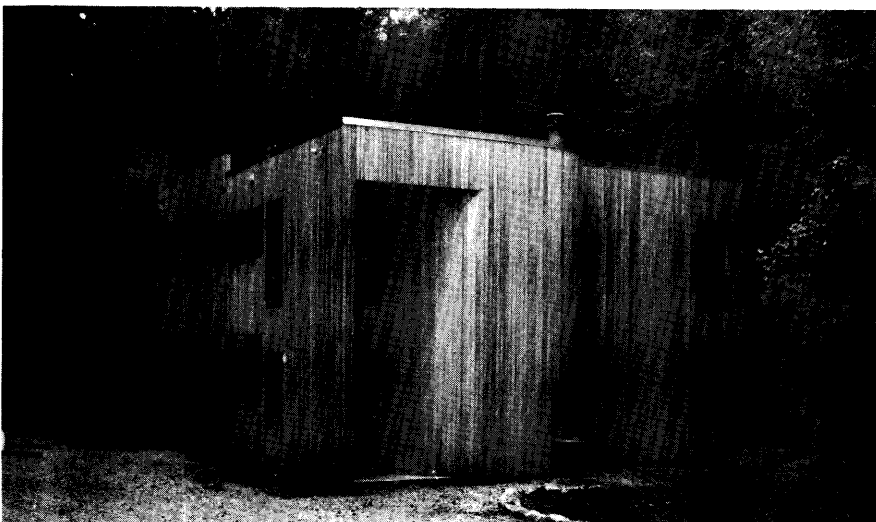


PHOTO BY JOANN SIEBURG-BAKER

WILLIAM R. HOPKINS, ARCHITECT

Brown-Mewborn House

On the entry level are kitchen, dining and guest facilities, while the upper floor houses the living room, master bedroom and study. A roof deck with exterior access only from the master bedroom deck allows privacy while eliminating the need for extensive grading on the steeply sloped site.

Inflation, ever soaring construction costs, the vagaries of climate, both meteorological and political, all conspire to thwart the construction of new buildings. In the face of these conditions, Raleigh's cityscape is growing and changing with architects, as in the past, stamping the land with their personal signatures.

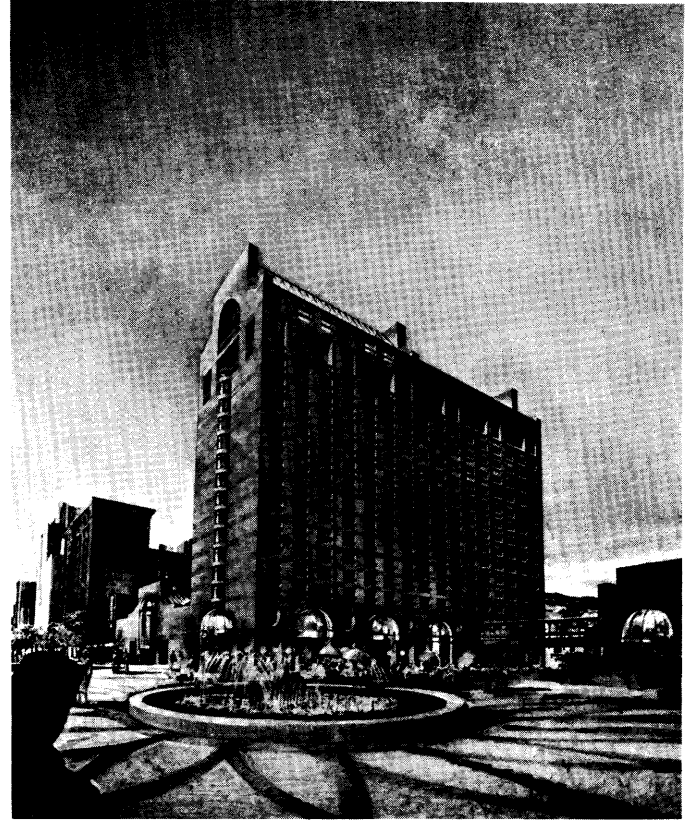
These works-in-progress are a sampling of what is coming to greet the eyes and activities of people in Raleigh.

THE RADISSON PLAZA HOTEL

**Haskins and Rice,
Raleigh, N.C. and
Gruzen and Partners,
New York, New York,
Associated Architects**

The 17-floor hotel in the Post-Modern idiom, will include heavy use of large arches and a large atrium lobby under an equally large sky light. The "pre-function" mezzanine for the ballroom will be situated over the atrium. The speciality restaurant will also join the atrium. Construction will be of reinforced concrete with an all-brick exterior. A bridge is planned to connect the hotel with the city's planned parking deck nearby. The 250,000-square-foot (total, including furnishings, land, etc.) will cost approximately \$18 million.

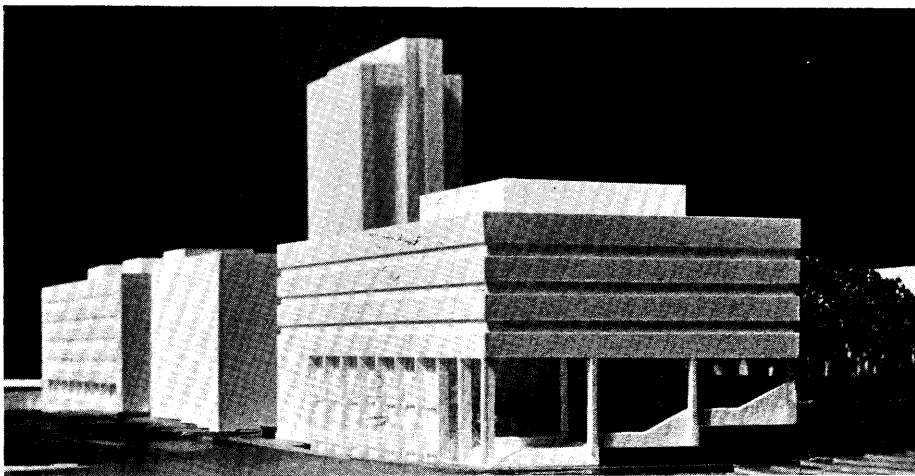
Works In Progress



NORTH CAROLINA STATE ADMINISTRATIVE OFFICE BUILDING NO. 3

**Ballard, McKim, and Sawyer,
Architects,
Wilmington, N.C.**

This 170,043-square-foot office building, located in the State Government Center Mall, will house 84 legislative offices, the lieutenant governor's permanent office, the Secretary of State and State Auditor Departments, and other supportive elements. Construction is of Mount Airy white granite hung on a structural steel frame and composite slab system. The six-floor building, with an \$8,500,000 budget, is designed on a five-foot module with an integrated ceiling system and cellular electrified floor deck to provide flexibility in partition arrangement. The project also includes multi-level pedestrian accessways.





SCHOOL OF VETERINARY MEDICINE, NORTH CAROLINA STATE UNIVERSITY

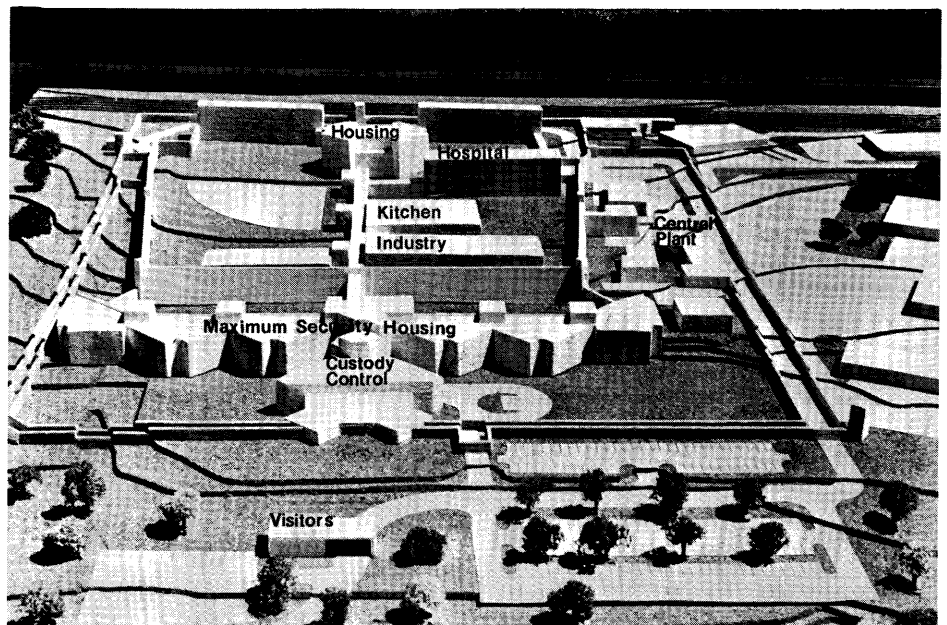
Ferebee Walters and Associates,
Charlotte, N.C.

The 35,000-square-foot school has a \$26 million budget and contains offices, classrooms, research laboratories, and a full veterinary teaching hospital. The design appears as a series of smaller connecting buildings, circular on one side, with two existing dairy barns. The design is intended to enhance the agrarian nature of the site. The school is being built in four phases, the third of which is presently being bid.

N.C. CENTRAL PRISON RENOVATION,

J.N. Pease Associates,
Charlotte, N.C.

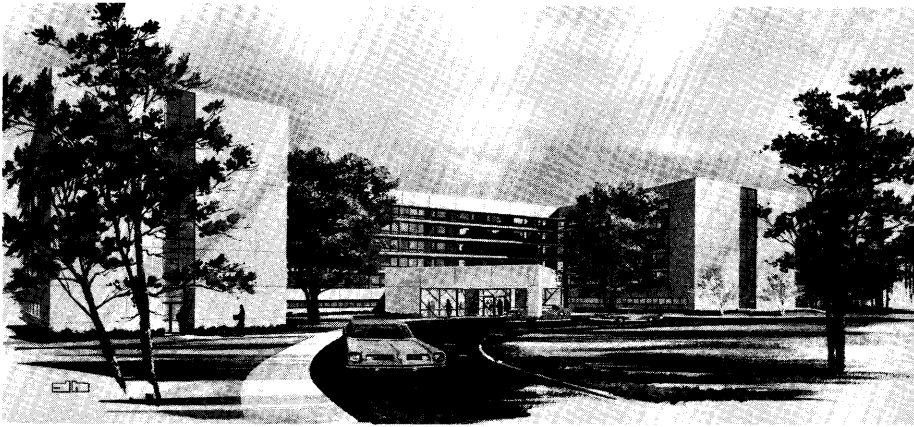
Approximately 326,310 square feet of new facilities are included in this project, covering such areas as 576 new single cell units, a 152-seat dining hall, a kitchen, bakery, laundry, gymnasium, chapel, library, visiting stations, gas chamber, exercise yards, parking spaces and more. Since evacuation is not practical, the work must be accomplished while the prison is occupied. To accomplish the work and still have the prison in operation, phasing of constructing is necessary. By July 1980 approximately 75 to 80 per cent of the work will be complete. Three existing buildings will remain while five will be demolished and replaced. The construction cost is \$25,681,454 (under contract) plus \$8,000,000 (to be awarded).



REX HOSPITAL

Peterson Associates,
Charlotte, N.C.

The project includes the relocation and total replacement of the existing Rex Hospital with a new facility on an approximately 58-acre site. The 425,200 gross square feet of new space will provide substantial enlargement for all major clinical and support services to accommodate more adequately the increased technology required for inpatients and the steadily growing demand for outpatient services. The project has two major components: the Patient Tower and the Ancillary Service Building. The hospital will utilize the latest concepts in energy recovery, including an underground storage system and the Energy Building which are designed for future utilization of solar energy. The major building materials are exposed concrete, stucco and insulating glass. Cost is \$61 per square foot.



RENDERING BY DAVID HALL ASSOCIATES

NORTH CAROLINA MUSEUM OF ART

Holloway-Reeves,
Raleigh, N.C. and
Edward Durell Stone and Associates,
New York, N.Y.

The rendering depicts the 160,000-square-foot first phase of construction which provides 70,000 square feet of exhibition space. Administrative, collection storage, shop, and other "back stage" facilities are adequate to support major expansion of exhibition galleries. Public access will be from the roadway indicated at the upper left of the rendering. The reflecting pool is located adjacent to the dining facility. Funding is provided by a \$10,750,000 State appropriation, supplemented by private sector funds of approximately \$5,000,000.



RENDERING BY DAVID HALL ASSOCIATES

The New Copyright Act And Ownership And Use Of Building Plans

by R. Mayne Albright, Attorney,
Hon. AIA

The enactment of the new Copyright Act of 1978, with its changes, its benefits and its limitations, suggests the need for a review of the current rights of ownership and use of building plans.

Protection against the unauthorized use of architectural¹ plans and specifications is of obvious importance to architects and their clients, but, as is often overlooked, of even greater importance to the public.

Mr. Blanding does not want to see his Dream House reproduced by his neighbors from the same plans for which he has dreamed, saved, and paid his architect to develop for his personal use and enjoyment. The reproduced private residence is not likely to cause personal injuries² no matter how much it has invaded Mr. Blanding's rights, but the potential danger to the public from similar unauthorized use or reuse of plans for buildings used by the public is a different and far more serious matter. If building plans professionally designed for specific owners, sites, and uses, were subject to unrestricted use or reuse by other builders, on other sites, or for other uses, then not only would the property rights of the project owners and their architect be invaded without legal recourse, but there would be a clear and present danger to the general public in matters of "life, health and property" which the State, under its police powers, endeavors to safeguard.³

Fortunately, such unrestricted use does not exist anywhere in the United States. Through the years, local, state and federal lawmakers have recognized the need for and have enacted statutes, ordinances, and building codes (a) for the recognition and regulation of the

building design professions; (b) for the requirements for professionally prepared plans and specifications for the construction of buildings involving the safety of the public; (c) for the requirement for licensed General Contractors for the construction of such buildings; and, in order to help make these laws effective, have provided legal protection against the use of such plans by persons not authorized to use or reuse them.⁴

The safeguards of "life, health and property" under the police powers of the state is the stated purpose and primary reason for such building laws, but is by no means their only objective or only contribution to the public. In tribute to some of those who have developed, enacted and interpreted design and construction laws, the late Edward Durell Stone has written: "Their interest in these matters has transcended architectural law and dry legalities... By aiding the architect, the builder and the owner, they are, in a large measure, contributing toward the enrichment of man's environment."⁵

The public need for such regulation, and the dangers to the public arising from violations or failures of enforcement of building laws, may be illustrated by the following few instances, among many in North Carolina in recent years, of the partial failure or collapse of public-use buildings: three small post offices built for government lease by out-of-state entrepreneurs from Postal Department sketches intended only for space needs and not for construction use;⁶ a supermarket constructed from plans prepared for one site but wrongfully

reused on a different site with different soil conditions; a resort motel wrongfully constructed from "pre-engineered" stock plans of a motel chain; a manufacturing plant wrongfully constructed from stock plans of an out-of-state steel fabricator without proper wind-resistance support.

In each of these instances, the violations were reported and investigated, with appropriate actions taken by regulatory boards, state agencies or in court cases *but, only after the building failure had occurred*. The obvious need is for preventive action in *advance*. The problem is not lack of legal requirements, but lack of enforcement, particularly in small municipalities and rural areas in which there are no local building inspectors or only part-time, untrained inspectors. With proper enforcement, no construction could begin until a Building Permit has been issued; and no permit would be issued except upon the submission and approval of complete plans and specifications prepared in accordance with all legal requirements and duly signed by the author.

The recent act of the North Carolina General Assembly requiring both appointment and basic training of building inspectors in every county and municipality by 1985 should be a great step forward.⁷ However, neither permit before nor inspections during construction will be sufficient safeguards if there are errors or omissions in structural designs or in specifications of structural materials, in neither of which areas are many local inspectors professionally trained. It is primarily for this reason that State statutes provide that, except for building classifications specifically exempt by statute, no building permit may be issued on plans which do not bear the applicable North Carolina professional seal of the author.

"The architect's seal is the symbol of his profession, the official certification of his professional qualifications, and his personal identification and warranty of his work."⁸

Against such background of the public justification and necessity for building laws and for legal protection against the unauthorized use of building plans, the more specific purpose of this article is to emphasize that all such protection to the public, as well as to the architect and his client may be lost even under the new Copyright Act, unless the

(Continued on next page)

prerequisites to such protection are duly and timely observed. Some of these prerequisites are set forth below.

I. Evidence of Authorship

The first essential in establishing the rights, as well as the responsibilities, of authorship is the identification of all building plans and specifications by affixing the name and address of the author. The law requires this not only of architects and engineers, whose professional seals are also required, but also of any persons preparing building plans, including plans for buildings which, because of size or use, are exempt from the requirement for design by appropriately licensed professionals.⁹

Authorship, however, must be distinguished from ownership since special rules of law determine the ownership of plans and specifications regardless of who has prepared and signed or sealed them.

II. Ownership and Use

"Who Owns the Plans?" The author of plans, before he releases them or permits their release, holds them as his personal property, and no person may, without authorization, take them or use them without becoming liable for their use.

The author, however, has no inherent or inalienable right to his plans, forever assuring his ownership and prohibiting their use by others. On the contrary, the author's rights, in order to be maintained, must be asserted and protected by positive action on his part.

Between the architect and his client for whose use the plans are prepared, both ownership and use are strictly matters of contract between them. If, without any contract, the architect delivers the plans to his client and the client accepts and pays for them, nothing else appearing, the architect's common law property rights of both ownership and use pass to the client.¹⁰ This fact emphasizes to both parties the necessity for putting their "understanding" in written contract form.

There are special circumstances, as with duplicate industrial plants or model houses, in which the architect and client properly may agree on conditions for the reuse or transfer of ownership of plans without violation of property rights or building laws or safety requirements. However, the most

generally used and time-tested contract provision concerning ownership and use is that set forth in Article VIII, 1977 edition, of AIA Document B141, the "Standard Form of Agreement Between Owner and Architect." This article stipulates that the architect's "Drawings and Specifications" are "instruments of service" which shall remain the property of the architect, and shall not be used on any other projects except by written agreement with the architect. This provision, in abbreviated form, also serves as public notice when written or stamped on the plans themselves. Both written contract and stipulation on the plans themselves are necessary since the stipulation provides notice, not only to the client or project owner, but also to any third parties who might otherwise have access to the plans or copies of the plans without notice of ownership and restricted use.

Regardless of contract provisions and stipulations on the plans, the common law copyright of ownership and use could be forfeited if the plans were "published" in such manner that they became a part of the public domain. This could be avoided only by copyrighting the plans under the pre-1978 Copyright Act, but such registration was not then readily available for building plans and rarely obtained.

III. The Old Copyright and the New

The old "common law copyright" was not a statutory provision, but merely the recognition under state judicial decisions that authorship entitled the author to certain rights of ownership and protection against infringement of his works. Although limited in its coverage as noted above, and difficult to enforce, it did, until January 1978, provide a measure of valuable protection.

The new, or revised, Copyright Act, effective January 1, 1978, makes the copyrighting of building plans not only easier, but now definitely necessary for the desired protection as it replaces and abolishes the former common law copyright.¹¹ This means that drawings and specifications which do not bear the copyright notice are immediately released to the public domain upon "publication"; and "publication" can be regarded as the mere issuance of copies of plans to bidders or earlier and even more limited distributions.¹²

Some characteristics of the new copyright law are:

It provides a single system which

permits copyrighting either before or after publication, instead of the former dual system of protecting works under common law copyright before publication. However, it does not restore protection for works already in the public domain because of prior publication without copyright notice.

It provides a basic copyright term of protection for the life of the author plus 50 years, but does not extend the term of copyright protection of pre-1978 copyrights except upon new registration.

It provides a method, unavailable under the old act, for corrections after registration of copyright submissions.

It provides a new classification system including a class VA for "pictorial, graphic, or sculptural works," including works of graphic and applied art, charts, technical drawings, designs and models. Thus, specific provision is now made for the copyrighting of building plans.

IV. How to Copyright

"Use of the copyright notice is the responsibility of the copyright owner, and does not require advance permission from the copyright office."¹³

The Copyright Notice, under the new Act, is as simple as writing or stamping the document with (1) the word "Copyright," or the symbol (c), or both; (2) the year of first publication; and (3) the name of the copyright owner. All three are required. The form generally used on architectural plans is "Copyright (c) 1980 William Jones AIA." The notice should be affixed to all copies in such manner and location as to give reasonable notice to the claim of copyright. Depending on the assembly or binding of the materials it may be advisable to place the notice on each page of drawings, specifications, and other documents.

The registration with the Copyright Office is not a requirement and not advisable for all documents which bear the copyright notice; but registration is a prerequisite to bringing suit for infringement. Delayed registration, depending upon the facts involved, may cause the forfeit of claims for statutory damages and attorney's fees provided in the Act, but does not prevent the copyright owner from seeking an injunction against unauthorized use or filing suit for damages.

If registration is desired, copies of the Act, application forms and directions for filing may be obtained without cost from the Information and Publications

Section, Copyright Office, Library of Congress, Washington, D.C. 20559. The basic fee for original registration is \$10. Search services, when requested, are \$10 per hour of staff time.¹⁴

V. Summary

The new Copyright Act now makes available greater and better protection than the common law copyright and the pre-1978 Copyright Act, both of which it abolishes and supercedes. It is not, however, self-starting or self-enforcing. Its protection must be invoked by use of the Copyright Notice. The Copyright Notice is an addition to, not a substitute for, the customary and essential protections of (1) the proper identification on the document; (2) the written contract specifying limitations on ownership and use; and (3) the stipulation of these limitations on the documents themselves. These three, plus the Copyright Notice, give the copyright owner the exclusive right to reproduce the plans, to distribute copies, to display or publish the plans without forfeiting his rights as copyright owner; and, if the copyright is registered, to bring suit to enjoin the use or to claim damages for infringement or both.

The copyright protection is limited, however, by the "fair-use" doctrine, which on a case-by-case basis, determines whether an unauthorized use of copyrighted plans is reasonable and not harmful to the copyright owner. Also, the protection against infringement on copyrighted plans is generally applicable only to the combination or relationship of the design elements rather than to any particular element, product or device included in the plans. Such protection may be available through the U.S. Patent and Trademark Office, either as a "utility patent" or a "design patent" in addition to the copyrighting of the entire plans which themselves generally are not patentable.¹⁵ ■

FOOTNOTES

1. As used herein, "architectural" usually applies also to professional engineering.
2. For this reason, North Carolina law has long exempted one or two-family residences from the requirements for design by licensed architects. By amendment in 1979, this exemption was extended to "A family residence, up to eight units attached with grade level exits, which is not part of or physically connected with any other building or residential units." Also exempted are institutional or commercial buildings not exceeding \$90,000 total value or 2500 square feet in gross floor area. N.C. General Statutes 83A-13(c) (1) (2) (3).

3. N.C. General Statutes 83A-12. The General Assembly in 1979, updated and extended the exemptions of this architectural practice act, but properly rejected proposals to permit unauthorized reuse of plans.
4. These laws do not prohibit or unreasonably restrict the *authorized* reuse or the transfer of ownership of plans under written agreement with the architect or copyright owners.
5. Forward to *Architectural and Engineering Law*, 2nd Edition. Tomson and Coplan, Reinhold Publishing Corp. 1967.
6. See *N.C. Architect* "Report on Shur-Lee Post Office Construction Investigation" Ap. 1966, p. 5.
7. N.C. General Statutes *G.S. 153-351* (counties); *G.S. 160A-411* (cities)
8. From an Order of the N.C. Board of Architecture in revoking an architect's license for permitting use of his seal on plans not prepared by him or under his personal supervision. See *N.C. Architect*. Jan. 16, 1966, p. 15; July 1967, pp. 19-20.
9. *G.S. 83A-10; 83A-13(e)*. N.C. Administrative Code, Title 21, Chapter 2, Sec. 0206.
10. See "Who Owns the Plans?" *N.C. Architect*, Aug. 1966 pp. 16-17. See also *Architectural and Engineering Law* op. cit. pp. 285-293.
11. "You need a Copyright in 78." *AIA MEMO* January 12, 1978.
12. Recent court decisions have reversed earlier cases in which a required filing of plans with public agencies was held to constitute "publication." *Architectural and Engineering Law* op. cit. pp. 285-293. See also *Winerman vs. Blueprint 100, Inc.*, Civil Court of New York City, 75 Misc. 2nd 665 (1973).
13. "Highlights of the New Copyright Law," Circular R99 and Announcements and Application forms. US Copyright Office, Library of Congress, Washington, D.C.
14. Circular R99 etc. *supra*
15. "Protection for Architects in Copyright, Patent Laws," Prince, Brinkman and Elderkin, *AIA Journal*/ February 1979 p. 74.

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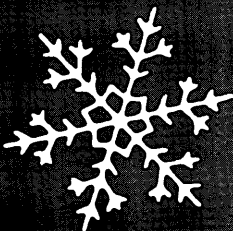
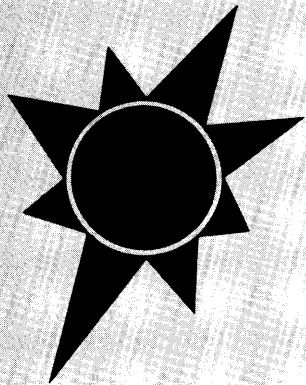
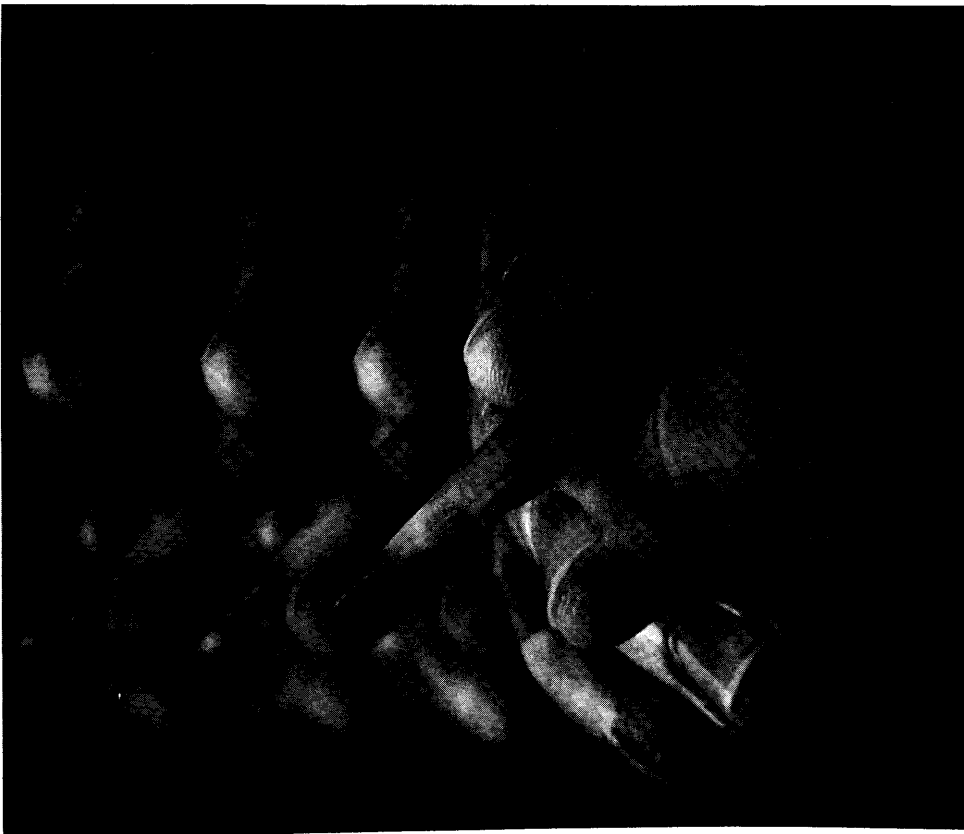
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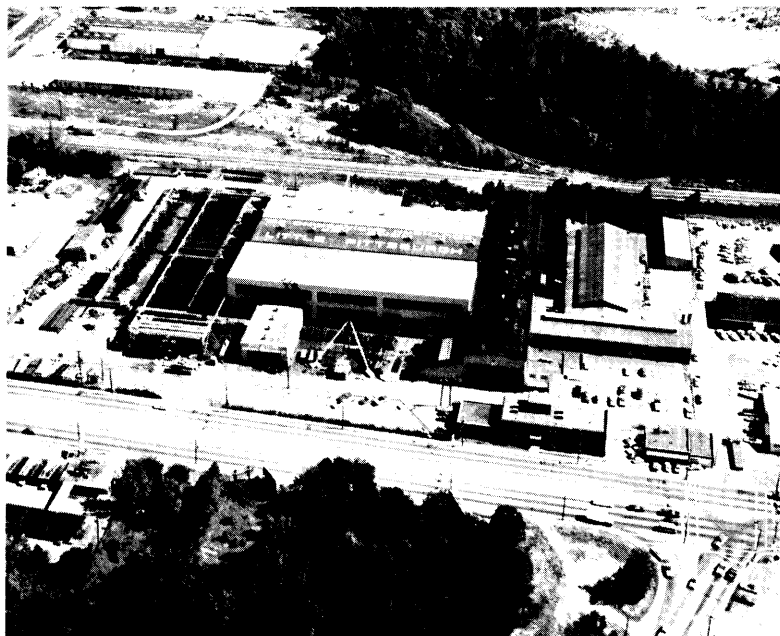
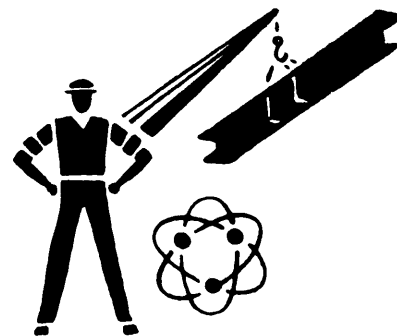
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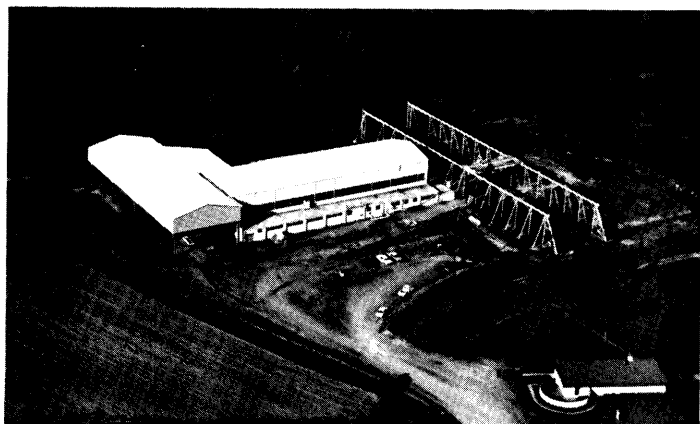
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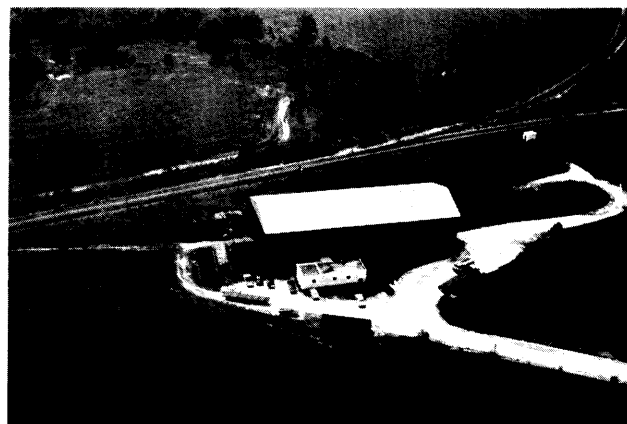
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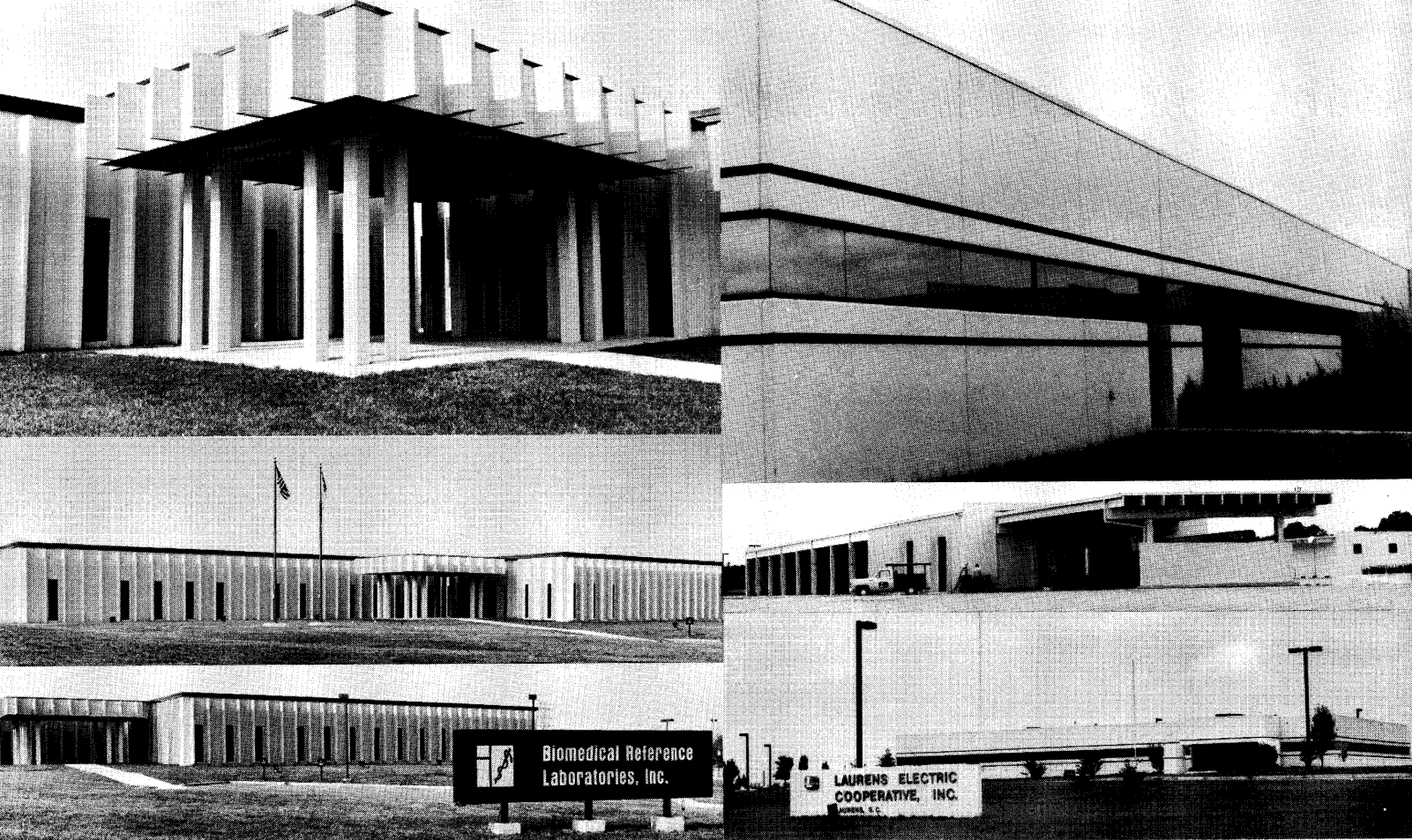
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General Manager

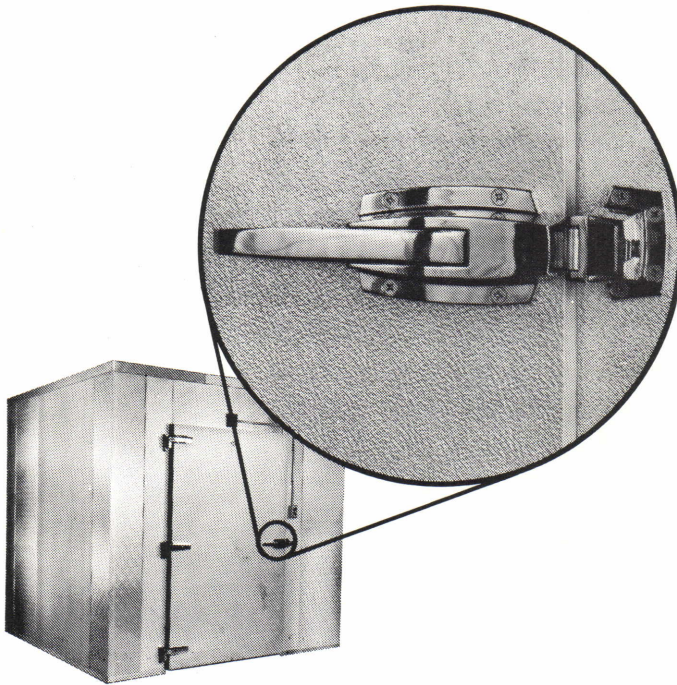
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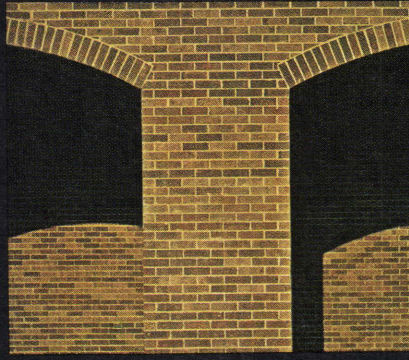
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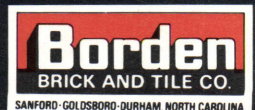
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