

January 19, 1970
 Minute Book 53 - Page 154
 University City Plan Zoning

A recessed meeting of the City Council was held on Monday, January 19, 1970 at 7:30 o'clock p.m. in the Parquet Room of the Student Union at the University of North Carolina at Charlotte with Mayor pro tem James B. Whittington presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and Joe D. Withrow present.

ABSENT: Mayor John M. Belk

Present for the Planning Commission were Chairman Toy, and Commissioners Blanton, Embry, Tate and Turner.

ABSENT: Commissioners Albea, Brewer, Sibley, Godley and Stone.

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INVOCATION.

The invocation was given by Reverend Clifford Honeycutt.

HEARING ON PETITION NO. 70-8 TO CHANGE THE ZONING FROM R-12MF AND B-2 TO INST OF PROPERTY GENERALLY BOUNDED ON THE NORTH BY THE NORTHERN PROPERTY LINE OF OTIS L. BURRIS, ON THE EAST BY THE CHARLOTTE PERIMETER LINE, ON THE SOUTH BY AN EXISTING I-2 DISTRICT AND ON THE WEST BY UNIVERSITY CITY BOULEVARD.

The scheduled hearing was held on the subject petition on which a protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring the affirmative vote of six (6) Councilmen in order to rezone the property.

The Planning Director stated this property is bounded by Highway 49 on the northwest side of the property line; it is in the vicinity of the extension of Marilyn Street on the northeast side; it is bounded by the Southern Railroad on the southeast side and an irregular line on the southwest border of the property within the petition is traversed by a small segment of Old Concord Road as it intersects with and enters into Highway 49. He stated a portion of the property is zoned R-12MF and is the portion of the property which lies between Highway 49 and Old Concord Road; the property lying between Old Concord Road and the Southern Railroad is zoned B-2.

Mr. McIntyre stated there are essentially three kinds of uses; there is a church located at the intersection of Old Concord Road and Highway 49 and then throughout the rest of area there are a number of single family homes and a few mobile homes.

Reverend Clifford Honeycutt, Pastor of the Church mentioned by Mr. McIntyre, stated they have been here 14 years and they have less than an acre of usable land and presented a map to Council showing their property and also the petitioner's property. He stated the Old 29 Highway will be closed behind the church; that it has been said this property would cause a traffic hazard; and he does not see how it could because Old 29 will be closed as the map indicates.

He stated this is a small country church with approximately 200 members and they have bought land on McClain Road to relocate and it consists of approximately 8 acres; that their property, if it is not zoned business, is worth about \$30 or \$35,000; if it is zoned business, it would bring maybe \$65,000 or \$70,000.

January 19, 1970
 Minute Book 53 - Page 155
 University City Plan Zoning

He stated they have had an offer of \$35,000 but they could not sell it for this amount. They feel the money which they could gain from the business zoning will help in the building of the new church which will cost about \$150,000. That at this time they do not have the land for the new church paid for; they owe more than \$20,000 on the land which was purchased in May of this year; this money is important to the church as it will help them in relocating and constructing a new building; that this location should be prime property for business at this intersection. He stated they could not get anything for this land if they sold it to build a house on; that he would ask Council to think about it and pray about it and ask Council to consider them when making their decision.

Reverend Honeycutt stated Mr. Burriss was not able to come to the meeting tonight and asked him to tell Council that he would like for his property to remain B-2.

Mr. Hugh Harris stated his property is between the Old Concord Road and the Southern Railroad and consists of 3.16 acres; he presented a map to Council showing his property. He stated the widest point of his property is only 200 feet and the 200 feet is counting half of the highway and 2/3 of the railroad; that he is a farmer and he only has an acre and a half to work; that he would like for this to remain B-2 as it is now zoned. That back in 1963, the tax people came out and revalued it and said it was nothing but business, that he should put a warehouse there instead of farming, and raised his taxes considerably. That since 1963, he has been paying a good bit of taxes on this property and he would like to see it stay like it is.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-9 TO CHANGE THE ZONING FROM R-12MF AND B-2 TO INST AND B-1 OF PROPERTY GENERALLY BOUNDED ON THE NORTH BY THE CHARLOTTE PERIMETER LINE AND EXISTING PROPERTY LINE TO THE NORTH OF MARILYN DRIVE, ON THE EAST BY UNIVERSITY CITY BOULEVARD, ON THE SOUTH AND WEST BY MARY ALEXANDER ROAD, MALLARD CREEK CHURCH ROAD AND U. S. HIGHWAY 29, EXCLUDING AN AREA AT THE NORTHEAST CORNER OF UNIVERSITY CITY BOULEVARD AND MALLARD CREEK CHURCH ROAD, WHICH IS ALREADY ZONED B-1.

The scheduled hearing was held on the subject petition on which two protest petitions have been filed and found sufficient to invoke the 3/4 Rule requiring the affirmative vote of six (6) Councilmen in order to rezone the property.

Mr. W. E. McIntyre, Planning Director, advised all the property included in this petition is zoned R-12MF; that Mallard Creek Church Road cuts across through the property and ends up about half way between the southerly border of the petition and the northerly border of the petition. He stated there are several uses in the area covered by this petition which are predominately single family homes scattered rather thinly along Mallard Creek Church Road; a portion of the property is used by the University for its outdoor theatre and parking; along the northeasterly portion there are a few apartments located on Marilyn Street.

Mr. Faison Barnes, Attorney, stated this is his third speech against the proposed institutional classification. He stated this could be a good classification with substantial changes. Eliminate the \$100 filing fee and make it clear the two year waiting period is not required; make the conditional uses permitted as a matter of right or spell out the conditions that must be satisfied so the property owner will know what they have; then it could be a good classification.

January 19, 1970
Minute Book 53 - Page 156
University City Plan Zoning

He stated the way it is now is entirely experimental and is without precedent anywhere on this kind of scale. He asked that Council consider it very carefully before making any decision on it.

Mr. Jack McNeary stated he has an interest in a narrow strip of land that is adjacent to Mary Alexander Road; that this strip of land is 200 feet wide and 1800 feet long. He stated he would like for this land to remain zoned R-12MF.

Mr. McNeary stated Mary Alexander Road and its 100 foot right of way of about 4 and 1/2 acres was given to the University by his family, thereby splitting the property leaving this narrow 9 acre strip completely isolated. That because it is narrow, because it is under a high tension line, because it has a view of the college water plant, because it is just a big gully, it is unsuitable for homesites permitted in institutional zoning. He stated it would be suitable for recreational area, parking space or open space required for multi-family housing. The Charlotte Zoning Ordinance tells people what they cannot do with their land; they tell them they cannot put a junk yard here, they tell them they cannot put a restaurant here, they cannot put a home here unless it has so much floor space. That now, under this new zoning classification, it is now trying to tell them what they can put there.

Mr. McNeary stated they have already been told that the filing fee is \$100; now a lawyer has stated that his fee would be about \$750.00; that they had an architect give them a proposal on a basic plan which would lend itself to the best interest of the college and the college community. This plan would not have been sufficient to satisfy all the requirements for conditional use, but nevertheless, for about 87 acres, the architect's fee was to be \$17,000, so they need about \$18,000 to petition the Planning Commission and there is no assurance that it will be accepted. That he would like to see the zoning remain on this 70-9 and also 70-4.

Mr. Robert Blackman, operator of the Log Cabin Fish Camp, stated this zoning has him in a kind of pickle; that the perimeter line splits beside the lake and beside the building which is in the county perimeter and he has already asked that that portion be zoned business. That the portion inside the perimeter is very close to his building possibly touching it; he is asking that from the perimeter line to the property line be zoned business to go along with the other in case of any further expansion as he would be dealing with both the city and the county.

Mr. Blackman pointed out on a map the boundaries of his property and stated the fish camp itself is located in the county which has not been zoned. That he understands he would not be able to expand or make improvements to his business if this were zoned as the petition requires. He stated he has been planning to extend the kitchen and under this new zoning he would be unable to do so.

Councilman Short asked if this is a non-conforming use now or a conforming use and Mr. McIntyre replied the portion of this property which is inside the perimeter would be a non-conforming use; the portion outside the perimeter is in an area not yet zoned. Mr. McIntyre stated if Mr. Blackman's fish camp ends up in a residential classification, he would not be able to extend to his business; if it ends up a business classification, he would be able to extend it.

Councilman Short asked what is the proposed zoning for this area outside the perimeter line and Mr. McIntyre replied it is proposed for residential but Mr. Blackman's property would be partially zoned Institutional and partially residential.

January 19, 1970
 Minute Book 53 - Page 157
 University City Plan Zoning

Mr. Blackman stated he also owns some road frontage property on Marilyn Avenue; there is a plot of about 1/2 acre which is not suited for anything except maybe a barber shop or beauty shop.

Mr. Larry Jordan pointed out his property on the map and stated he is protesting the petition. Mr. McIntyre stated Mr. Jordan's property is across the street from the Baptist Church which is located at the intersection of Highway 49 and Old Concord Road.

Mr. Jordan stated he would like for the zoning to stay the same as it is and he would also like to know if he could build on to his present home if the zoning was changed. Mr. McIntyre replied yes. Councilman Whittington asked the present zoning of Mr. Jordan's property and Mr. McIntyre replied R-12MF.

Reverend Clifford Honeycutt stated his church owns approximately two acres next to Mr. Jordan's property which is zoned R-12MF and they would appreciate it if this could be left zoned as is.

Councilman Short asked which is more restrictive, R-12MF or Institutional and Mr. McIntyre replied he did not think a rule had been made on this at this time.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-10 TO CHANGE THE ZONING FROM R-12MF TO R-9 OF PROPERTY GENERALLY BOUNDED ON THE NORTH BY THE CHARLOTTE PERIMETER LINE, ON THE EAST BY UNIVERSITY CITY BOULEVARD AND ON THE SOUTH AND WEST BY EXISTING PROPERTY LINES RUNNING IN A NORTH-WESTERLY DIRECTION AND TO THE NORTH OF MARILYN DRIVE.

The scheduled hearing was held on the subject petition.

The Planning Director stated this property is located at the north-easterly corner of the perimeter area having some frontage on Highway 29 and lying just to the north and east of Marilyn Drive; the property at the present time is all zoned R-12MF; there have been established some mobile homes and a few houses scattered rather thinly along the Highway 29 frontage.

Mayor pro tem Whittington asked what is being recommended for this area and Mr. McIntyre replied R-9 single family.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-11 FOR A CHANGE IN ZONING FROM B-2 TO B-1 OF PROPERTY GENERALLY BOUNDED ON THE NORTHWEST BY UNIVERSITY CITY BOULEVARD, ON THE EAST BY THE CHARLOTTE PERIMETER LINE, AND ON THE SOUTHWEST BY THE NORTHERN PROPERTY LINE OF OTIS L. BURRIS.

The scheduled hearing was held on the subject petition.

Mr. W. E. McIntyre, Planning Director, advised this is a fairly small area within the bounds of this petition lying between the railroad and Highway 49 which is zoned B-2; there is a restaurant, a few homes and a garage; this is the extent of the development within this area.

January 19, 1970
 Minute Book 53 - Page 158
 University City Plan Zoning

Four persons stood in favor of the petition, and two stood in opposition.

Mr. Adam Rowland stated he lives in the last house in the area, and has a business on one tract and a home on the other; that if this is rezoned, he cannot use this as business. That he has had his business and home here for twenty years; he stated he has a garage, body shop and junk yard; that he owns six acres and it is long and narrow and less than 200 feet wide; that he would like for the property to remain as it is presently zoned.

Councilman Tuttle stated Mr. Rowland's property is now zoned B-2 and he would like for it to remain under its present zoning; he asked if he can expand his operation under B-2? Mr. McIntyre replied he could not expand the junk yard operation.

Mr. W. T. Alexander stated Mr. Rowland is a good neighbor and they would like for him to remain in this business as he is a good mechanic and the area needs him.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-12 FOR A CHANGE IN ZONING FROM R-12MF TO R-12 OF PROPERTY BOUNDED GENERALLY BY SUTHER ROAD ON THE NORTH AND EAST, ON THE SOUTH BY THE SOUTHERN BOUNDARY OF THE COLLEGE DOWNS SUBDIVISION, AND ON THE WEST BY THE REAR LOTS OF THE COLLEGE DOWNS SUBDIVISION PARALLEL TO UNIVERSITY CITY BOULEVARD.

The scheduled hearing was held on the subject petition on which a protest petition has been filed and found sufficient to invoke the 3/4 Rule requiring the affirmative vote of six (6) Councilmen in order to rezone the property.

The Planning Director stated the property is zoned R-12MF and the proposal is to zone it R-12; there is a very substantial amount of vacant land in the area; a portion of the land is getting ready to be developed and pointed out the subdivision scheme for the area. He stated another portion of the property within the area is known as College Downs Subdivision.

Councilman Whittington stated a part of this petition was presented to Council back in 1968 or 1969 and at that time either by motion or recommendation he suggested to the Planning Commission and members of Council that those people who lived and bought houses in College Downs thinking it was single family should be considered and protected as they were even building multi-family units on 49 even then; that he suggested at that time a line be drawn along the little creek which would be to the rear of the property on Sandburg down to Suther Road and exclude that and leave that R-12. He asked if anything was ever done about this and Mr. McIntyre replied no official action has ever been taken on the petition.

Mr. Lloyd Danielson stated he would like to say that the Planning Commission has his wholehearted support in a thankless job. He stated he calls the whole area College Downs. He stated the petition signed by 114 property owners has been presented and this represents the vast majority of the people living in this area; that they could have gotten 120 or 130.

He stated the 114 people in the petition represent 68 lots in College Downs and the majority of the lots have houses on them and are laid out for single family residences.

January 19, 1970
 Minute Book 53 - Page 159
 University City Plan Zoning

He stated the names on this petition represent the most dollars, the most lots, and the most acreage in this area and it seems inconceivable to them that this property should not continue on a single family basis; he urged Council to support the single family rezoning.

Mr. McIntyre stated Petition No. 70-12 covers property with one line that divides the apartment property which is already developed on Highway 29 from the residential lots of College Downs single family development; then the property extends from that development across vacant acreage to Suther Road.

Councilman Whittington asked if there are deed restrictions on this property?

Mr. Danielson replied the original College Downs has deed restrictions; this goes to Joe Staffords residence on Sandburg and to Bonnie Cone's house and extends all the way to the northerly extreme and stops with the lot next to the apartments on Highway 29, and all the way in an easterly direction.

Dr. Witherspoon stated he would like to add his word of thanks to the Planning Commission as these men are experts who have spent a great number of hours wrestling with this problem; that this plan has been called unique., but it is not unique, it is only unique to our area; the great cities of the world where there are also great universities - Rome, Caracas, Mexico City, University of California - they all have university cities such as this; it is not nearly as unique as some people would have you believe.

That this has been called "experimental"; so was this country when it was borne; so was Charlotte College when Bonnie Cone took it over; so too was the University of North Carolina at Charlotte. That we pride ourselves on being experimental; we tell not only our faculty who come to join us or our students who come to study here but we also constantly remind ourselves that we want to be experimental and as creative as we can be.

He stated there is nothing wrong with being experimental; if it were, our country would not be here today; that there is nothing wrong with being unique, if it were, there would be none of the other great university cities which we can see all around the world. That he hopes Council will study very carefully before it changes any of the petitions which have been placed before it and any other plans which have been placed before it concerning University City.

Dr. Witherspoon stated as a plan devised by man, all of us can find things wrong with it; it cannot be pleasing to all of us in every one of its aspects. That we should be willing to try this kind of experiment; that he would like to see this plan tried and he believes it will succeed and he would like to see it given an opportunity to do so.

Mr. Faison Barnes, Attorney, stated if the University City Plan has had a cheering section it has been from the residents of College Downs, and as the Plan includes institutional zoning he presumes they support the mixing of single family units and apartments in the same area, which is what institutional will do, and he supposes their support is all the greater as the institutional zone ~~is~~ that is an interesting gap ~~in~~ institutional ~~zoning~~

January 19, 1970
 Minute Book 53 - Page 160
 University City Plan Zoning

Mr. Barnes stated he represents the Kirk family who own 70 acres of the land which lies to the rear of College Downs. He stated this is a one - two punch, and these same residents filed a petition in the fall of 1968 to rezone 182 acres of which they collectively owned 20 percent. He stated it is easy to talk about rezoning someone else's property. He stated the land they are talking about is zoned R-12MF. If they want their land zoned R-12 then it should be zoned R-12. He stated they filed a protest to the entire petition because they could not protest just a part of it. He stated the subject petition is an extension of the petition the residents filed privately in 1968.

Mayor pro tem Whittington asked Mr. Barnes if he would be opposed to the single family development in College Downs now zoned R-12MF if it were zoned single family? Mr. Barnes replied they would not, and they do not object to the rest of Construction Brick & Tiles land that they want to use as an extension of College Downs being rezoned R-12 if they want it zoned that way, but they protest the intrusion on the rights of the Kirk family.

Mr. Barnes stated before the College Downs petition was ever filed some of the residents of that area came to Mr. Harry Kirk and told him their feelings about the situation. He stated all this property including College Downs was zoned R-12MF in 1962 so that at the time every one of the landowners bought his land it was zoned R-12MF, and this was well known. It was only when the owners of the land came along to develop the front portion that any idea of opposition came along - when John Crosland went out and built twenty apartment units then all the opposition began to fester. He stated when these people came to Mr. Kirk, he offered to sell them at the same price they had paid for their lots/^{the lots} to the rear of them even though the price had gone up. Mr. Barnes stated they repeat that offer tonight if they want to buy the property to the rear of them it is for sale to them exclusively.

Mr. Barnes stated the Kirk family has not done anything on this property to hurt the people who live in College Downs, and there is not much evidence they intend to do it in the future.

He stated in 1969 the Planning Commission put out a booklet entitled "Planning Concepts for University Cities" in which they predicated in the next 15 years or so the University would have 9,000 living on the campus, 4,000 living in University City. On another page they predicated 15,000 students.

He stated the University now has dormitories that will house 500; the General Assembly in 1969 appropriated some more money for more dormitory space. He asked where is the living space going to come from on the campus for 9,000 students? That he predicated there will have to be off-campus housing for these 9,000 students, and what is the most logical kind of housing. He stated he is advised there are 46 apartments within walking distance of the school and 20 of them are in the John Crosland development across the street. He stated there are approximately 23 students of the university in the 46 apartment units; there are 67 houses in College Downs and approximately 4 or 5 students live there.

He stated the Kirk family owns another little tract that has been designated an apartment site over on the railroad. He stated that tract is subject to the right of way of two highways and the railroad and it comes to a very narrow point on its southerly edge which makes a large portion of ^{it} unusable for apartments. He stated he talked to the Highway Department about relocating the boundary of the property. He stated the property will shortly be sold and the owner is Stephen P. ...

January 19, 1970
 Minute Book 53 - Page 161
 University City Plan Zoning

Mr. Barnes stated the Planning Commission wrote a letter to the Mayor on January 21, 1969 recommending that all of the College Downs petition be approved because since it was originally zoned a substantial part of it has been developed with single family use, and adjoining vacant land should also be changed in order to provide the protection for single family usage and to insure control over the area since it is a part of the University City planned area.

Mr. Barnes stated the only purpose for which this can be done falls under the police powers of the State and must be for the general welfare, or morals or one or two other objectives set forth in the law; that none of the first three of the categories would be applicable in this situation. The only possible category it can fall under is General Welfare, and the Planning Commission has not said anything about the general welfare, it has said in order to protect the single family users. He asked if Council can exercise its police powers to protect people who did not protect themselves, and stated the Planning Commission has not given Council any reason to use it.

Mr. John W. Killian stated he is concerned about his property which is to be rezoned under this petition; that the ones who control the use of their land do not realize the sacrifice and impositions that have already been made by the property owners. (1) High tension electrical towers removed from outlying campus property to destroy more desirable lands owned by individuals; (2) the makeshift inefficient treatment plant built on a piecemeal basis by the taxpayers money; (3) the waste of taxpayers money to put down water systems that were obsolete before their beginning; (4) the rushing in of outsiders to purchase large tracts of land and are now to be favored with this zoning with a greater part of the benefits; (5) land values and taxes were escalated in that the experts were of the opinion that the land would be more valuable because of the university's location; now the landowners property taxes will no doubt not be rolled back, but they will continue to pay the higher taxes with the complete doubt of when, if ever, they may ever be able to sell their land.

Mr. Killian stated they have no idea how long this will be in the making; highways will have to be built to accommodate the apartments; the expense of running sewer and water mains will be a tremendous liability on the taxpayers; there will be an increase in private automobiles and traffic hazards.

He stated Council is an elected group and well respected; he asked that they not betray that trust which has been placed in them.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-13 FOR A CHANGE IN ZONING FROM R-12 TO R-12MF AND B-1 OF AN AREA APPROXIMATELY 1,900' x 1,200' AT THE NORTHWEST CORNER OF OLD CONCORD ROAD AND ROCKY RIVER ROAD, AND AN AREA APPROXIMATELY 1,700' x 600' AT THE SOUTHEAST CORNER OF THE SAME INTERSECTION.

The scheduled hearing was held on the subject petition.

Mr. W. E. McIntyre, Planning Director, advised this petition is outside the area of the university and in areas surrounding the university area. This is a small area located at the intersection of Rocky River Road and Old Concord Road; the Southern Railroad is along the easterly boundary of the petition, and the other boundaries of the petition are property lines. The zoning of the area is R-12 and it is proposed to change the zoning to R-12MF and B-1 to establish a neighborhood business area.

January 19, 1970
Minute Book 53 - Page 162
University City Plan Zoning

He stated the property is used partially for single family residential, with a grocery store on one piece of property and a U. S. Post Office adjoining the grocery store property; otherwise much of the property is vacant.

No one spoke in opposition to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-14 FOR A CHANGE IN ZONING FROM R-12 TO B-2 OF PROPERTY OWNED BY ROCK INVESTMENT COMPANY AND GENERALLY EAST OF U. S. HIGHWAY 29 AND N. C. HIGHWAY 49 AND NORTH OF SANDY AVENUE, BOUNDED GENERALLY ON THE SOUTH BY THE REAR LOT LINES OF LOTS FRONTING SANDY AVENUE, ON THE WEST BY THE EXISTING B-2 ZONING, AND ON THE EAST BY A LINE WHICH IS APPROXIMATELY 1,400 FEET EAST OF NORTH TRYON STREET.

The scheduled hearing was held on the subject petition.

The Planning Director stated this is a fairly small piece of property generally away from the campus; the property is zoned R-12 and it is proposed to rezone it to B-2. The land within the borders of the petition is totally vacant; immediately adjacent to the south is the Sandy Avenue residential subdivision; along Highway 29 frontage there are several businesses established in close proximity to the property in question.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-15 FOR A CHANGE IN ZONING FROM R-12 TO B-2 OF THE REMAINDER OF THE PARCEL OF LAND OWNED BY MILAS W. NEAL WHICH GENERALLY LIES SOUTHEAST OF THE EXISTING DUKE POWER SUBSTATION NEAR THE INTERSECTION OF U. S. HIGHWAY 29 AND N. C. HIGHWAY 49.

The scheduled hearing was held on the subject petition.

Mr. W. E. McIntyre, Planning Director, advised the property is very close to the intersection of Highway 49 and Highway 29 just 100 or so feet to the north of the intersection; the property is zoned R-12 and it is proposed to incorporate this into the adjacent and adjoining B-2 district established at the intersection of Highway 49 and Highway 29; the property is vacant and unused and is adjoined along Highway 29 by some residential structures; on the northerly side of the property some mobile homes have been established.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-16 FOR A CHANGE IN ZONING FROM R-12 TO O-6 OF PROPERTY GENERALLY LOCATED AT THE SOUTHWESTERN CORNER OF THE INTERSECTION OF HARRIS BOULEVARD AND U. S. HIGHWAY 29.

The scheduled hearing was held on the subject petition.

The Planning Director stated the property is a small section lying adjacent to the intersection of Highway 29 and Harris Boulevard on

January 19, 1970
 Minute Book 53 - Page 163
 University City Plan Zoning

the southwest corner; the property is zoned R-12 and it is proposed to change the zoning to O-6 which would create uniformity in the zoning of property in this immediate vicinity of Harris Boulevard along the west side of Highway 29.

No one spoke in opposition to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-17 FOR A CHANGE IN ZONING FROM R-12 TO RESEARCH OF PROPERTY FRONTING ON THE SOUTHERN PART OF HARRIS BOULEVARD NEAR THE INTERSECTION OF HARRIS BOULEVARD AND U. S. HIGHWAY 29.

The scheduled hearing was held on the subject petition.

Mr. W. E. McIntyre, Planning Director, advised this petition adjoins the previous petition immediately along the westerly boundary; it is a very small irregular shaped piece of property along the southerly side of Harris Boulevard that is completely unoccupied. It is proposed to change it from R-12 to Research District which is the zoning of the property generally throughout this area.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-18 FOR A CHANGE IN ZONING FROM R-12 TO RESEARCH OF PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HARRIS BOULEVARD AND INTERSTATE 85.

The scheduled hearing was held on the subject petition.

The Planning Director stated this is a very small area of property at the intersection of the I-85 and Harris Boulevard crossover. The property is vacant and this zoning change would serve to establish a uniform Research zoning over the area.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until a later date.

HEARING ON PETITION NO. 70-19 FOR A CHANGE IN ZONING FROM R-12 TO R-12MF OF PROPERTY GENERALLY LOCATED AT THE PROPOSED INTERSECTION OF HARRIS BOULEVARD AND MALLARD CREEK ROAD, LYING SOUTH OF PROPERTY OWNED BY J. DEARMAN AND INCLUDING A SMALL SECTION OF PROPERTY OWNED BY MRS. MARTHA DEARMON, SR.

The public hearing was held on the subject petition.

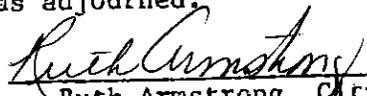
Mr. McIntyre, Planning Director, stated this is a small area; it is essentially vacant property with one residential structure located in it, and some single family residential structures in the near vicinity. The proposal is to establish a small multi-family residential district of R-12MF to achieve that purpose.

No one spoke in opposition to the proposed change in zoning.

Council decision was deferred until a later date.

ADJOURNMENT.

Upon motion of Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, the meeting was adjourned.


 Ruth Armstrong, City Clerk