

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, January 20, 1964, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

Sitting as a Joint Body with the City Council during the Hearings on Petitions for changes in Zoning Classifications were the following members of the Charlotte-Mecklenburg Planning Commission: Mr. Sibley, Chairman and Mr. Erwin, Mr. Jones, Mr. Lakey, Mr. Stone, Mr. Suddreth, Mr. Turner and Mr. Ward.

ABSENT: Mr. Hanks and Mr. Toy.

* * * * *

INVOCATION.

The invocation was given by Dr. J. W. Smith, Pastor of Seventh Street Presbyterian Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the Minutes of the last meeting on January 13, 1964, were approved with the following correction requested by Councilman Smith: on Page 473, item relative to acquisition of remaining property for right-of-way for Northwest Expressway, in second line of third paragraph the word "appraised" changed to "negotiated".

HEARING ON PETITION NO. 64-1 FOR CHANGE IN ZONING OF TRACT OF LAND AT NORTHWEST CORNER OF MONROE ROAD AND SARDIS ROAD NORTH.

The scheduled hearing was held on Petition No. 64-1 by Mr. J. R. Renfrow, for change in zoning from R-12 to B-1 of a tract of land 230' x 230' at the northwest corner of Monroe Road and Sardis Road north.

Mr. McIntyre, the Planning Director, advised this is vacant property, way beyond the city limits near the far edge of the perimeter line; it is partially developed but is mostly vacant, there are houses on Sardis North and a few on Old Monroe Road, established on large tracts of land. The property is zoned R-12 and is adjoined on three sides by R-12 zoning; immediately across Old Monroe Road the zoning is also R-12 and there is Industrial zoning in the vicinity on Old Monroe Road a short distance away.

Mr. John D. Shaw, Attorney representing the Petitioner, explained the ownership of the surrounding property, stating the land to the left is zoned Industrial where Delmar Studios have recently erected a large plant. Also, Mr. Renfrow's home lies within the Industrial area and his vacant land which he desires rezoned lies within the R-12 zone. That Mr. Renfrow anticipates the Delmar Studios will employ about 500 people, who must come in as there is not that much surplus labor in the area, and Mr. Renfrow would like his vacant property rezoned B-1 so that he can develop it and rent it, and develop it into stores, service stations, etc to serve these people.

There was no opposition expressed to the proposed rezoning. Council decision was deferred one week.

27112

HEARING ON PETITION NO. 64-2 FOR PERMISSION TO STORE PETROLEUM PRODUCTS ON A TRACT OF LAND ON THE SOUTH SIDE OF OLD MT. HOLLY ROAD, BEGINNING EAST OF THRIFT ROAD.

The public hearing was held on Petition No. 64-2 by Hess Oil & Chemical Corp. to Permit the Storage of Petroleum Products on a tract of land approximately 700' x 500' on the south side of Old Mt. Holly Road, beginning about 500' east of Thrift Road.

The Planning Director advised this petition covers property already partially used for Oil Tank Storage purposes, and is located practically in the center of the oil tank area near the intersection of Thrift Road and Old Mt. Holly Road. That the area is generally Industrial or Business, and the property in question is already zoned Industrially.

There were no objections expressed to the requested use of the property.

Council decision was deferred for one week.

HEARING ON PETITION NO. 64-3 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF LAMAR AVENUE, FROM INDEPENDENCE BOULEVARD TO CENTRAL AVENUE.

The scheduled hearing was held on Petition No. 64-3 by John V. Hanford, Jr., and others, for change in zoning from R-6MF to B-1 of property on both sides of Lamar Avenue, from Independence Boulevard to Central Avenue.

Mr. McIntyre, Planning Director, advised the Petition covers several lots on Lamar Avenue, between Independence Boulevard and Central Avenue, consisting of two half blocks; the property is residentially developed with single-family, duplex and multi-family structures; to the east there is an industrial development fronting on Sunnyside Avenue and on Central Avenue and adjacent to the Seaboard Railway tracks; adjoining the property on the Independence Boulevard side there is vacant land, single-family and multi-family structures; to the west there is additional residential type of uses; on the Central Avenue side the property is adjoined by industrial, commercial and office type developments.

Mr. Paul Ervin, Attorney representing the Petitioner, presented copies of a book that had been prepared regarding the property. He first called attention to the 3rd portion of the book showing a panoramic view of the area involved. He stated there are 20 property owners involved in the petition, all of whom are property owners on Lamar Avenue, between Independence Boulevard and Central Avenue. The 2nd portion of the book showed the property lying immediately to the rear of the property in question, which is the Cole Manufacturing Company Plant and other industries. The next picture was of Central Avenue, showing Lamar Avenue as it dead-ends into Central Avenue. The next picture was of Lamar Avenue looking north showing industrial property and much rental property; the next picture was looking north on Lamar Avenue, showing 5 of the 19 properties which are involved. The next pictures showed property at the intersection of Lamar Avenue and Independence Boulevard, which is zoned B-1 although residences are still standing on the property. The next picture was Lamar Avenue and Independence Boulevard looking south, the vacant property being zoned B-1, and directly across the Boulevard there were business establishments. The next picture showed Central Avenue with business establishments located right along Lamar Avenue; the next picture was looking north on Lamar Avenue and shows all of the improved properties which are involved in the Petition. He stated the entire area lying between Central Avenue and Independence Boulevard has become a problem area, with the rapid expansion of the inner-city of Charlotte; this property is becoming a sort of

no-man's land; the result is this is kind of a small island surrounded by industrial property on the railroad and business property on Lamar, and on Central Avenue and Independence Boulevard, and in this little isolated island there is still some residential property and there are some people, widows and others, who have homes in this area and cannot afford to build elsewhere. That in view of the fact that all of the property owners on Lamar Avenue join in the Petition, this is not spot zoning but a substantial area involved, an area that is enclosed on all sides by Industrial property, and this property is apt to become within the next few years rebel property unless something can be done to salvage it. Mr. Ervin stated one of the things the Council and Planning Director are concerned about is this - if they rezoned this property and declared it a business area, then it would be used for business purposes; and there is demand for this property for that purpose. That he knows of plans for business purposes, if the zoning is changed, and knowing there is no future for this property for residential purposes they feel it is in the interest of these property owners, that it be changed to business property. Mr. Ervin stated further that they feel if the property is zoned for business, it will make it possible for an orderly, wise plan of a business area. It is certainly preferable over rezoning it one at a time, but with the rezoning they feel there could be developed here, a nice, practical business section and we think it is in the interest of Charlotte to do so. A large number of the property owners involved in the petition were present and stood at the request of Mr. Ervin.

No opposition was registered to the proposed rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 64-4 FOR CHANGE IN ZONING OF LOT AT 4116 CUSHMAN STREET.

The public hearing was held on Petition No. 64-4 by Ernest C. Russell and Margaret L. Russell, for change in zoning from R-9 to B-1 of the lot at 4116 Cushman Street.

Mr. McIntyre, Planning Director, stated the Petition covers a single lot on Cushman Street, which runs west off Sugaw Creek Road, a short distance within the city limits. The property consists of a single-family residential structure. Generally speaking the area is developed residentially, however, there are some scattered vacant lots. That all neighboring property is zoned R-9 as is the property in question.

Mr. James Cole, Attorney representing the petitioners, stated there was an error in the first advertisement of this Hearing, which listed the property at 4112 but the City Attorney was of the opinion that as the second advertisement gave the correct address at 4116, it would be adequate compliance with the requirements, and they have no objections as to the small technicality.

He advised that his client, Mrs Russell, wanted to operate a small Beauty Shop in her home and she complied with all laws of the State, County and City but she did not comply with the zoning requirements because of her ignorance of the zoning laws. She mortgaged her home for around \$5,500.00, she invested \$2,500.00 in equipment which has been installed, she remodeled the little home, she bought extra fixtures, there are no signs relating to the Beauty Shop on the outside of the house, no advertising, no products to be sold, just a home occupation as it were. She received her State license, she bought her City license for \$5.00, she called numerous people here at City Hall, and was told each time everything was alright; it was just unfortunate there was no liaison between zoning and the issuance of the City License, some check somewhere that would have indicated that the zoning of her property did not permit the operation of the Beauty Shop before she was, in fact, ready

to open the shop. Her whole future is tied up in this endeavor, her parents are aged and ill, they need her help, only she and her daughter are to operate the Beauty Shop. She was totally ignorant of the zoning requirements.

He stated further that with the petition to the Planning Commission for this change in zoning to help her operate the Shop, he attached another petition signed by everyone of her neighbors, including Nance-Trotter, the developer across the street, in favor of the rezoning. Not one bit of opposition is out there. That her neighbors know that the Shop she wants to operate is not going to have an adverse affect on the area. That the petition requests a change to B-1, but if Council cannot give them B-1, he would hope very much that Council will allow him the privilege of amending the petition vocally to strike B-1 and ask for O-6 in lieu thereof.

Mr. Cole stated Mrs Russell will be economically ruined if the Council does not hear her plea for help and rezone her property so that she may operate the little Shop.

No opposition was expressed to the proposed rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 64-5 FOR CHANGE IN ZONING OF AREA OF LAND WEST OF BEATTIES FORD ROAD AND SOUTH OF UNIVERSITY PARK.

The scheduled hearing was held on Petition No. 64-5 by Investment Properties, Inc., for change in zoning from R-6 to R-6MF of an area of land west of Beatties Ford Road and south of University Park, including property on Montgomery Avenue, Moore Avenue, Estelle Street, Hildebrand Street and McDonald Street.

The Planning Director advised the Petition covers property located approximately one block west of Beatties Ford Road and is a large "L" shaped area, which wraps itself around two sides of the University Elementary School. The property consists of a paper subdivision - in other words the subdivision was laid out many years ago but has not been developed to any extent, although many lots and streets show within the bounds of the area, the lots have never been sold off to a large number of individuals for development purposes. Within the area are only a few, single-family homes. One piece of property is developed by a Club on Estelle Street which is the southern boundary of the property, called the Hi-Fi Country Club. To the east of the property is the rear line of residential lots that front on Taylor Street. On the northerly side the property is adjoined by the rear line of lots that are part of the University Park Subdivision, which fronts on LaSalle Street. On the westerly side, it extends out to a street that is identified as McDonald Street, which is not opened.

Mr. William Grist, Attorney for the Petitioner, stated a short history may help; that this entire subdivision was subdivided by Bittle Development Company in the middle 1920s and some of the lots were sold but since 1938 there has not been a lot sold out of the subdivision itself. A Dr. Lyon who was a Pharmacist moved to Wadesboro and he took the Biddle Development Company with him and since then no activity has taken place at all; that they have tried to buy individual lots and very recently Dr. Lyon indicated a desire to sell the whole tract. That we contacted Mr. Waters and Mr. Pittman who have been in it so long, and we were able to acquire the whole tract, that is the unsold lots in the subdivision, which amounted to 200 lots. At the present time part of the property has been sold to a church, who wanted to develop the property with a Baptist Church, and at the present time the

buildings marked in green on the map he displayed are being used and foundations are in for single family units. Of these that have been started, ten of these single-family dwellings units, 16 of them have been appraised and the deposits made on them.

It is in an area in the City that could certainly stand developing as Mr. McIntyre told you, none of the streets are in and not a street out there except Taylor Avenue and McDonald Avenue. These lots are going to be developed into single-family units. The proposal is, of course, that the zoning be changed to R-6MF. You might go out and look at this property. It is completed wooded, there are a few scattered houses. If you make it possible to develop this into a nice residential area, where we can build single-family units with the use of duplexes, which are connected together, there has been much of this type development in Charlotte and it has proved very satisfactory. This property consists of a little over 25½ acres and we expect to put in 50 foot streets, standard curbing. The situation is such we feel it is good for the City, of course, it is profit making, but we want to utilize the land to the best of our ability. If you will go out there and look you will see there are some tracks where cars have gone through, it is used excessively on Saturday night and beer cans are thrown out of cars etc, and undoubtedly it is an area that needs to be cleaned up. There is a great need for housing of this nature; Mr. Waters is in the business and he knows the need for housing in Charlotte; we are interested in private enterprise going in and developing this area in a way that local money can be used and we are interested in going in within the next six months as soon as the weather will permit and put in streets and start building. With the Expressway having to demolish some 600 units and then the Brooklyn Project, there is a great need for some building to be constructed to take care of these people. We do not say particularly that people who are displaced in Brooklyn or elsewhere would move into this area, but we would be providing houses for people who need them. If we have to go ahead and develop it under R-6 zoning we will have to run a private street through there and put the houses in and that would be the end of it but we can make a much better subdivision by having it resubdivided, putting in the proper streets, sewer, curb and gutter and have off-street parking and it would be a credit to the community. Speaking of University Park, the building will not go in that direction but back 250 feet, and this would be a buffer between the Subdivision and University Park, and we would put single families in there and redevelop it so that it would have to have 6,000 sq. ft. per lot. We are not asking that this portion be changed at all, it will remain R-6 as a buffer zone.

Mr. Martin Waters stated they believe in letting private enterprise do a job that needs to be done if private enterprise can handle the job, and the availability of land for development projects such as this for rental purposes are relatively limited because it is dependent upon a number of things - the land must be close in, have bus service, be near shopping centers etc. That they believe they would be upgrading this area. That Council knows, they have developed lots of property of this type. Mr. Waters submitted a photograph of the type development they propose to build in this project, and of the single-family units they will also erect in the project. He stated they are of brick-veneer, with plastered walls throughout, using gas heat and all modern facilities inside, and they think this is a type dwelling unit commensurate with almost any neighborhood and will be a fine place in which to live. Mr. Waters submitted another Chart showing a layout of the type they generally use, showing the street location, court etc. and advised that the units are attached by a roof-section or porch affair, so that it becomes a duplex; however, it retains certain features of a single-family unit they think is desirable, as it gives privacy, and individuality, each six units forming a court, the distance across the courts being 105-feet, which means a spacious layout with playground areas, clothes-drying area, and off-street parking.

211100

Mr. Waters stated further there is obviously the problem of the Brooklyn displaced persons, Phases 2 and 3 are coming up and he has a suspension they will move along considerably faster than Phase 1, which displaced 260 families; Phases 2 and 3, as he understands it are only 6-months apart, so there will be a large displacement there. Another displacement of persons will occur in the area at the rear of Sears-Roebuck Store on E. 6th, 7th, 8th, 9th, Myers, Davidson and Alexander Streets etcetera, and it is obvious that before three or four hundred public housing units can be built there, three or four hundred units must be demolished to blaze the ground for the reconstruction of public housing, so in the meantime these 300 odd families must find new living quarters, and the question is where will they go? He stated he can tell Council that the rental of the type units they intend to build is limited, and they intend to build a place for these people.

Mr. Waters stated there is the tremendous displacement of persons that will be caused by the implication of the Expressway System in 1964 and 65. He stated he has read in the press where several Councilmen were quoted as saying that 1964 would be the year of the Expressways; that he has studied these Expressways closely and he can say they go largely through the centers of blocks and the displacement will be terrific in these several miles of Expressways in Charlotte. This will accelerate itself probably in 1965, but certainly will start to be felt in 1964.

That a final need has been generated by the Council itself, by reason of the minimum housing code, which has strengthened and upgraded housing in Charlotte. That this morning he talked with persons in the Building Inspection Department regarding the enforcement of this code and Mr. Lackey said during 1963 there were 711 living units demolished, some of these were not occupied at the time, but he stated that 483 were habitable when demolished and of these 483 only 62 were in Brooklyn, so this leaves 431 living units from which families were displaced.

That the location of their project is ideal and they insist that private enterprise be allowed to use local builders, local finances and no government help to do this job for the city.

Mr. Robert L. Davis, Jr., President of the Colony Heights Community Organization, stated the property owners of Colony Heights and the affected areas of University Park and surrounding communities, make direct protest to the rezoning of the property adjoining and surrounding communities on the north, south, east and west from R-6 to R-6MF which permits rental duplexes. That their community is composed of honest, frugal, hardworking young people, who for the most part grew up in blighted areas and know the hazards that rental houses and apartments can create; that they have made an honest effort to better their living conditions only now to be threatened by the same conditions from which they escaped. That their objections are further based on their property values which will be affected; their children's physical and moral safety will be at stake; their spirit of citizenship and community development will be diminished; multiple family apartments are soon run down and people in them lack personal pride, which will conflict with the interests of the property owners in the community who are endeavoring to increase their property values. That they appeal to the City Council to help them help themselves by not granting the rezoning of the property in question. Mr. Davis stated the Sign erected by the City that the property was proposed for rezoning was so located beyond the last house on Hildebrand Street, in the wooded area, and it was not until Saturday morning that someone saw it and went closer to read it; therefore, they had only this short notice of the hearing today, and have present here 24 persons in protest, who are losing a day's work because of their concern about this.

Mr. Davis also filed a Petition, signed by 142 persons with the Colony Heights area, protesting this change, which he filed with the Mayor.

January 20, 1964
Minute Book 43 - Page 483

Mayor Brookshire asked Mr. Davis if the owners of the property requested rezoned were inclined to develop it as outlined, or to leave it as it is, which would he prefer? Mr. Davis stated they would prefer that it be left as it is - of course, they would prefer that the types of homes they now have in the community be built on the property.

Mr. W. C. Pruitt, 2128 Hildebrand Street, stated he has seen some of the houses that Mr. Waters rents, they are pathetic, there is no upkeep on the houses, and the houses should not be built to be rented to anyone. That he is buying property out there and trying to better himself and if these types of houses are to be built and rented, the people are not going to take care of them, and this will decrease his property. The whole Colony Heights organization is against this.

Mr. Robert P. Ingram, stated he grew up in Charlotte in Brooklyn on Stonewall Street, which is now Independence Boulevard, he attended Charlotte Schools and A & M College in Tallahassee, Florida, and is a retired Federal Employee and served in the U. S. Navy in World War I; that he knows what it means to live in a blighted area, he ran from the Brooklyn area and moved his wife and daughter to a place he thought they could remain until their last days in peace and harmony, and he lives at 1801 Taylor Street. That to allow multi-dwellings to be erected in a community which they had hoped to be a very fine neighborhood, is unthinkable. That if Mr. Waters or Mr. Pittman would move these people to his own community, then he would accept them in his. Your whole community can get a bad name simply from this type people being moved into it. That he begged and appealed to Council not to rezone this property.

He filed a Petition opposing the rezoning signed by 20 property owners on Taylor Street.

Mr. Merritt Collier, Minister and resident of 3013 DePaul Court, an area that would be affected by the proposed rezoning, stated if he is to stand before the people and encourage them to better their economic standards, to uphold the law, to further their education, to contribute to City Government, then he feels they must be encouraged by their City Fathers also in that they must know when they seek to improve themselves they will not be struck down and will know in bettering themselves they will help their City, and knowing that the Mayor and City Council, their leaders, will back them in their fight for improvement and not let them down.

Speaking to Mr. Collier, Mayor Brookshire said that unquestionably he lives in a very substantial community of good citizens, and it appears to him that the objections raised here today have been directed largely at keeping out others who are less fortunate or for one reason or another have not risen in the economic and social scale that he and others in the community have, he asked if Mr. Collier has any suggestions as to how he and his own people can minister to some of these other people that Mr. Waters would like to put into better housing than they are in now? Mr. Collier stated they do not object to better housing, this is a necessity, and their obligations are not to the people who might come into the homes but they know that in rental areas property values decrease, the pride that one has for bettering that property is not there, to speak to a child who lives in a rental home who crosses your property, he chases you and if you say anything back, to have a brick thrown through your window - this is the type thing we object to. We object to the problems that come with rental homes, not to the people, but it does set up the class system because these two groups clash as their desires are different from the other. He stated further there are areas in which we already have duplexes and it is these areas that we should increase in size and we should minister to these people but not move them into areas of home-ownership where there is obliged to be conflicts of interest.

Mr. J. C. Purcell, of C. D. Spangler Construction Company, stated they are the developers of 95% of University Park and Mr. Spangler, Jr. asked him to come here to lend support to the residents and their wishes; that they knew nothing about the petition for rezoning of this property until this morning.

Mr. Fred Alexander, resident of University Park, said he is mutually concerned with his neighbors over the possibility of this rezoning. That they are equally concerned over the overall development of Charlotte, certainly very much about the underprivileged side of our community, but they are also having to stand up for themselves or cut their own throats. They are like the American Indian, run, run, run, when we are pushed, pushed, pushed until there is no where else to be pushed, and Custer's Last Stand. So, he can only repeat what his neighbors have said, that in this instance those of them who have purchased homes in this vicinity stand to suffer from the drop in property values when they are surrounded with rentals. They know, they have seen the end result to property around having rental property constructed nearby, and it is unfortunate they cannot bring Council a picture of what it is. What is their alternative? They will be forced to seek elsewhere, they know there is protection against this type of encroachment, not to prevent the advancement of those who are less fortunate but to protect their own individual welfare. That they only ask Council not to stop making the improvements where private enterprise can assist, not to forego doing those things that local money can do, but also allow them to bring up their children in areas without fear of encroachment, and certainly they feel that in all of Charlotte there should be a place where their property values will not be destroyed and their community will be safe from encroachment. He stated further he agrees with Mr. Davis that he would much rather see the property in question stand as it is if no one feels they can develop the section with homes for sale of a type to conform with the surrounding area, rather than have it built up with rental property that will bring nothing of credit to their existing community.

In answer to Mr. Pruitt's charge that he has seen some of their property in disreputable condition, Mr. Waters said they manage a great deal of property for other owners and sometimes they don't let them keep it up as they would like and he challenged Mr. Pruitt's statement that any property over which they have complete control is as dilapidated as he says. Mr. Waters stated further there seems to have been made a question as to whether the property is going to be developed in accordance to their zoning request or left alone, and he would like to say that in no event is it going to be left alone. They are going to develop it for sure. He presented a Map showing the area in question cut up in lots of 40-ft. each and stated there is nothing in the world to keep them from going in there and building single family houses for rental; that Hilderbrand Street is a 40-ft. street and is dedicated and so is Montgomery Avenue and Moore Avenue and they are the streets involved. That the City will not take over and maintain a 40-foot street but it will have to as they will put in a private road and one can get a building permit to build a house on a 40-ft. street; that they do not have to build a 50-ft. street and they do not have to put in curb and gutter of the rectangular type which is very expensive, they can do without it; that the smallest house they can build has 28-ft. of frontage, that leaves 8 feet on one side and 6-ft. on the other and can get a building permit for it. Mr. Waters asked how much space there will be in there if a house is built on every 40-ft. lot as compared with the layout which he presented and which they think is much more spacious and desirable than what they can do without any rezoning. Contrary to what may be thought, they are trying to build something that is really nice; they recognize this is an extremely nice section of Charlotte and deserves something nice on this property and they think they can develop it nicely.

Mr. Davis asked Mr. Waters what his objections would be to building homes for sale on these lots? Mr. Waters replied their firm does not know how to do it,

January 20, 1964
Minute Book 43 - Page 485

they are in the wrong business and there is no question but what the number of displaced persons in Charlotte within the next two years is going to be fantastic and they would like to fill that need with local enterprise.

Mr. Alexander asked Mr. Waters if it is not a fact that the property values in University Park would be affected downward, if they wanted to sell, if these duplexes are built? Mr. Waters replied that University Park borders on the area on which they plan to build the single-family homes.

Mr. Ingram stated he heard Mr. Waters say they do not know how to build houses for sale. If so, since he does not know to build them for sale, how does he know how to build them for rent? He stated he begs the Council not to rezone the property requested by Mr. Waters.

Council decision was deferred one week.

HEARING ON PETITION NO. 64-6 FOR CHANGE IN ZONING OF TRACT OF LAND AT THE SOUTHEAST CORNER OF LINWOOD STREET AND BELLHAVEN BOULEVARD.

The public hearing was held on Petition No. 64-6 by Johnny C. Bigham for change in zoning from R-6MF to B-1 of a tract of land 152' x 200' at the southeast corner of Linwood Street and Bellhaven Boulevard.

Mr. McIntyre stated the property is adjacent to interesection of Interstate 85 and Bellhaven Boulevard, and is occupied by single-family residential structures. To the rear of the property towards Mt. Holly Road it is developed with single family residences. Across NC 16 the land was vacant until recently when a Service Station was constructed. Directly across Linwood Street the land is used for single family purposes.

Mr. Tom Ruff, Attorney representing the Petitioners, stated they have contracted to sell the property to an Oil Company; the Oil Company proposes to use the location for Filling Station purposes.

No objections were voiced to the proposed rezoning.

Council decision was deferred one week.

MEETING RECESSED FOR TEN MINUTES AT 4 P.M. AND RECONVENED AT 4:15 P.M.

Mayor Brookshire declared a 10 minutes recess at 4 o'clock p.m., and the meeting was reconvened at 4:15 p.m.

LEASE TO U.S. GOVERNMENT OF BUILDING AT DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Jordan, seconded by Councilman Bryant, and un-animously carried, the lease to the United States Government was authorized of a two-story structure on the east side of the field at Douglas Municipal Airport, containing 3,722 square feet of space, to be occupied for offices by the District Airport Engineer and the General Aviation District Office of the Federal Aviation Agency, effective March 15, 1964, renewable annually for a maximum term ending June 30, 1970, at a rental of \$13,027.00 (\$3.50 per sq. ft.) per year, as recommended by the City Manager and Airport Manager.

CONTRACTS FOR APPRAISAL OF SIXTEEN TRACTS OF LAND IN CONNECTION WITH NORTHWEST EXPRESSWAY.

Motion was made by Councilman Whittington, seconded by Councilman Dellinger,

and unanimously carried, authorizing the following contracts for the appraisal of land in connection with the Northwest Expressway:

- (a) Contract with Mr. Al Smith, for appraisal of 8 tracts of land on North Tryon Street, North College, Central Avenue, Beaumont Avenue, Louise Avenue and Park Terrace.
- (b) Contract with Mr. Leo H. Phelan, Jr., for appraisal of 8 tracts of land on Jackson Avenue, North Pine Street, West 10th Street and West 11th Street.

CONTRACT WITH STATE HIGHWAY COMMISSION FOR ENCROACHMENT UNDER NORTH-SOUTH EXPRESSWAY FOR INSTALLATION OF SANITARY SEWER LINES.

Councilman Bryant moved approval of a contract with the State Highway Commission for the encroachment under the North-South Expressway, between Irwin Creek and Woodlawn Road, by the installation of sanitary sewer lines for future use in this area. The motion was seconded by Councilman Whittington, and unanimously carried.

STREETS TAKEN OVER FOR CONTINUOUS CITY MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the following streets were taken over for continuous city maintenance:

STREET	FROM	TO
Whittingham Drive	180' SW of Craftsbury Dr.	Craftsbury Drive
Bridgeport Road	345' NE of Fairmarket PL.	Craftsbury Drive
Craftsbury Drive	350' SE of Beecher Drive	Whittingham Drive
Craftsbury Drive	Whittingham Drive	Bridgeport Road

EXTENSION OF SANITARY SEWERS IN 2500 BLOCK OF ELKWOOD CIRCLE AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, the extension of sanitary sewers in the 2500 block of Elkwood Circle, for a distance of 385 feet, to serve three houses and a church, at an estimated cost of \$1,065.00 to the City, was approved.

EXECUTION OF NECESSARY DOCUMENTS FOR THE RELOCATION OF PEA RIDGE ROAD (NC #3639) AND ACCEPTANCE AND MAINTENANCE OF SAME BY STATE HIGHWAY COMMISSION.

Councilman Albea moved that the Mayor and Clerk be authorized to execute the necessary documents to secure the approval of the Mecklenburg County Commissioners in connection with the relocation of the existing State maintained Pea Ridge Road (NC #3639), together with the acceptance of the State Highway Commission to accept and maintain the relocated road, which is made necessary in the construction of the McAlpine Waste Treatment Plant. The motion was seconded by Councilman Bryant, and unanimously carried.

CONTRACT AUTHORIZED WITH THE PITOMETER ASSOCIATES FOR THE FOURTH YEAR'S CONTINUATION OF THE WASTE WATER STUDY UNDER FIVE-YEAR AGREEMENT.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and

unanimously carried, contract was authorized with The Pitometer Associates for the fourth year's continuation of the Waste Water Study at \$8,000.00, under the City's 5-year Agreement for a complete waste water survey throughout the entire water distribution system, at a total cost of \$40,000.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED TO WOODROW FREEMAN AND GEORGE C. BURCH.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing the issuance of Special Officer Permits as follows:

- (a) Issuance of Permit to Woodrow Freeman, Route 1, for use on the premises of the Park and Recreation Commission.
- (b) Issuance of Permit to George C. Burch, Vine Street, Belmont, for use on the premises of Federal Reserve Bank.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON FEBRUARY 17TH ON PETITIONS FOR CHANGES IN ZONING CLASSIFICATIONS, ADOPTED.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, a Resolution Providing for Public Hearings on February 17th on Petitions Numbered 64-7 through 64-9 and the Publication of Notice thereof, was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 357.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, authorizing the transfer of the following cemetery lots:

- (a) Deed with Mr. Harry A. Smith, for Graves 1 and 2, Lot 121, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mrs Mary G. MacGillivray, for Lot 495, Section 6, Evergreen Cemetery, at \$240.00.

ACQUISITION OF RIGHTS-OF-WAY FOR HOSKINS SEWER TRUNK LINE AND SHAMROCK TERRACE SEWER LINE.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the following rights-of-way were authorized acquired:

- (a) Right-of-way 20 ft. wide by 83.47 ft. long in Rozzells Ferry Road, for Hoskins Road Trunk Line, from Walter E. Love and wife, Louise B. Love, at \$62.60.
- (b) Right-of-way 20 ft. wide by 82.9 ft. long in Norwood Drive, for Hoskins Road Trunk line, from Max Ray Stewart and wife, Cecilia M. Stewart, at \$41.46.
- (c) Right-of-way 20 ft. wide by 80.80 ft. long in Norwood Drive, for Hoskins Trunk Line, from Shelton Strickland and wife, Shirley Strickland, at \$40.40.

(continued)

- (d) Right-of-way 20 ft. wide by 131.04 ft. long in October Court, for Hoskins Road Trunk Line, from Perry S. Wade and wife, Nancy Wade, at \$65.52.
- (e) Right-of-way 10 ft. wide by 45.03 ft. long in Eastwood Drive, for Shamrock Terrace Sewer Line, from Clarence D. and Helen Rodgers, at \$45.00.

ROBIN ROAD AUTHORIZED SCRAPED AND GRAVELLED.

Councilman Dellinger stated he wants to talk about Robin Road again, that some work was done on it before but he had another call Friday that it is impassable again. He stated it seems to him where a street ties two streets together as this ties Westbury Road and Providence Road, and especially where it is so thickly populated that something could be done if nothing more than have it scraped and gravelled, that the City's own garbage trucks and other equipment use the street and contribute to its condition. He moved that the City Manager have the Engineering Department have Robin Road scraped and gravelled. The motion was seconded by Councilman Albea.

Councilman Whittington stated he voted to fix the street before because as Mr. Dellinger said, it runs from Sharon Amity Road over to Westbury, which is a circle off Providence Road, and he would be in favor of fixing it again.

The vote was taken on the motion and carried by the following recorded vote:

YEAS: Councilmen Dellinger, Albea, Jordan, Smith and Whittington.
NAYS: Councilmen Bryant and Thrower.

ALLEY RUNNING BETWEEN FIRST BLOCK OF EAST TRADE STREET AND EAST 4TH STREET AUTHORIZED REPAVED IF OWNED AND MAINTAINED BY THE CITY.

Councilman Smith stated that Mr. Myers of Myers Key Company asked him about the status of the Alley that runs from the first block of East Trade Street through the block to East 4th Street, and if the City does not maintain it? He stated he was under the impression that both this and the Alley running between the first block of West Trade and West 4th Streets were paved by the property owners. He asked that the City Manager have this checked and if it has been under city maintenance, to have it repaved. Councilman Albea stated that the City owns both of these two Alleys and they are maintained by the City.

CITY MANAGER REQUESTED TO ASK MR. BOB LASSITER IF HE HAS RESIGNED FROM AIRPORT ADVISORY COMMITTEE TO SEND RESIGNATION TO CITY COUNCIL.

Councilman Jordan stated he is sure all of us hated to see Mr. Bob Lassiter leave Charlotte and leave our Airport Advisory Committee; that he has been a personal friend of his for many, many years and he was always delighted to vote for him to be retained on this Committee. However, it seems that the Council is having difficulty getting his resignation and he is asking the City Manager to write Mr. Lassiter and give a report by next week if possible, and ask if he has resigned from the Committee and if so to please send the Council his letter of resignation, so they can act on it at once.

CITY MANAGER REQUESTED TO CHECK INTO PARKING ON MARSH ROAD AND CATHOLIC HIGH SCHOOL PARKING LOT BY RESIDENTS OF THE ADJACENT APARTMENT HOUSE AND GIVE COUNCIL REPORT AT NEXT MEETING.

Councilman Whittington stated he has a complaint from the people at Catholic

High School and St. Luke's Lutheran Church on Park Road at Marsh Road about parking conditions; that a new Apartment House has been built on Park Road between these two buildings and apparently there is not sufficient off-street parking for the tenants because they are parking in the driveway of the School and on the sides of Marsh Road in both the right and wrong directions and in such manner as to create a bad condition. There is no parking allowed on Marsh Road and it is the City's responsibility to see that it is enforced. He asked the City Manager to ask Mr. Hoose and the Police Department to check this out.

Councilman Jordan stated he took this up with Mr. Hoose some two months ago along with the Church people, and Mr. Hoose and the Engineering Department made them a proposition of paving the side of the street so the church could use it on Sunday so there would not be such a traffic jam, and he is sure that study has already been made.

Councilman Whittington asked the City Manager in that case to give Council a report at next week's meeting.

CITY MANAGER REQUESTED TO CHECK INTO REQUEST FOR IMPROVEMENTS ON CONNECTICUT AVENUE AND CARTER-ROAD AND REPORT TO COUNCIL NEXT WEEK.

CARDIFF AVENUE

Cardiff

Councilman Albea stated that the residents of Connecticut Avenue and Carter Road wish something done to improve their streets; that it has been brought up before and he would like the City Manager to check into it and give Council a report next week.

CORRECTED

1-27-64

M.B. 43

Page 491

CITY MANAGER REQUESTED TO HAVE SURVEY MADE WITH REGARD TO ERECTION OF TRAFFIC SIGNAL AT COLVILLE ROAD AND PROVIDENCE ROAD.

Councilman Albea requested the City Manager to have a survey made as to the feasibility of erecting a traffic signal at Colville Road and Providence Road, stating he has had a complaint about traffic conditions at this location.

DUKE POWER COMPANY GRANTED RIGHT-OF-WAY OVER MCALPINE CREEK TREATMENT PLANT PROPERTY FOR RELOCATION OF POWER LINE.

Upon motion of Councilman Bryant, seconded by Councilman Smith, and un-animously carried, Duke Power Company was granted a right-of-way over the McAlpine Creek Sewage Treatment Plant property for the relocation of their power line to serve residential property along US 521 and from which the Treatment Plant will be served.

REMINDER OF MEETINGS TO HEAR PRESENTATION OF ECONOMIC SURVEY REPORT AND OF JOINT SESSION WITH COUNTY COMMISSIONERS.

The City Manager reminded Council of the Conference on tomorrow, Tuesday, at 3:30 o'clock p.m., at the Public Library Auditorium for the presentation of the Economic Study, and also of the Meeting on Wednesday, the 22nd, at 4 p.m. here in the Council Chamber, jointly with the County Commissioners.

January 20, 1964
Minute Book 43 - Page 490

HERMAN HOOSE AUTHORIZED TO ATTEND INTERNATIONAL ROAD FEDERATION MEETING IN TOKYO IN APRIL AS THEIR GUEST.

The City Manager advised that he has an announcement which indirectly reflects credit on the City of Charlotte and more directly reflects credit on our Traffic Engineer. It is an invitation which has been extended to Mr. Hoose by the International Road Federation to journey to Tokyo at their expense in April to represent the thinking of the United States in presenting the latest traffic techniques to the assembled delegates from all over the world to the Federation's Regional Conference. Councilman Jordan moved that Mr. Hoose be permitted to attend, which was seconded by Councilman Whittington, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, the meeting was adjourned.



Lillian R. Hoffman, City Clerk