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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 Wednesday, July 10, 1957, at 11 o'clock a.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None

Hearings on proposed amendments to the Charlotte Zoning Ordinance and to the Building Zone Map were held jointly by the City Council and Charlotte Mecklenburg Planning Commission, with Chairman Wilkinson and Commissioners Craig, Hanks, Hook, Marsh, Martin, McClure, Schwartz, Sibley and Tey being present.

ABSENT: None

#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### MINUTES APPROVED.

Upon motion of Councilwoman Evans, seconded by Councilman Brown, and unanimously carried, the Minutes of the last meeting on June 26, 1957 were approved as submitted.

#### HEARING ON ORDINANCE NO. 395 AMENDING THE ZONING ORDINANCE BY ADDING A NEW ZONING CLASSIFICATION, TO BE KNOWN AS "OFFICE-INSTITUTION" ADOPTED.

The scheduled hearing was held on Ordinance No. 395 Amending the Zoning Ordinance by Adding a New Zoning Classification, to be known as "Office-Institution".

Mr. McIntyre, Planning Director, advised that this ordinance is an addition to the present Zoning Ordinance, to establish a new zoning classification entitled "Office Institution", and that it covers uses between a Residence-2 and Business I-A district, with special provisions for yard spaces, etc.

Mr. Uhlman Alexander, Attorney, representing residents of Morehead Street and adjoining streets, stated they objected to certain provisions of the ordinance as written; first, they are opposed to the requirement of only 20 feet for front yard space, in view of the fact that the deed restrictions on Morehead Street calls for 50 feet setback and this has always been required, and if the 20 feet restriction is adopted, then new buildings will be entirely out of line with the present buildings; too, the additional space will no doubt in the early future be required for street widening, as Morehead Street has become a thoroughfare. Secondly, they objected to the ordinance providing for the erection of buildings of more than 2 stores in height. Thirdly, they objected to the usage of the Office Institution district on Morehead Street to include Funeral Homes, Homes for the Aged, Rest Homes, Homes for Treating Alcoholics or Drug Addicts, and such like. He stated they feel that the types of buildings now permitted, such as Doctors Clinics and office buildings, are entirely acceptable. He urged that the setback restriction not be reduced less than 35 feet minimum. Mr. Don Cameron, Kenilworth Avenue resident, expressed strong opposition to the 20 foot setback in particular. Mrs. T. E. Snelling, Durwood Drive resident, also expressed opposition to the setback provision.

Mr. Robert Perry, Attorney representing Pilot Life Insurance Company, who desires to erect a building in the Office-Institution district, expressed strong approval of the establishment of such zone on Morehead Street, and stated he believes its uses will protect the property owners on the street from the erection of objectionable businesses which could be possible under an R-2 zone, such as apartment houses, and under a B-1 zone.

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Mr. Tom Ruff, Attorney, representing the Philco Corporation and Mr. Charles Truesdale, property owners on Morehead Street, stated he feels that Charlotte needs an Office-Institution zoning classification; however, he called attention to the fact that many of the lots have very little depth, and if the 35 foot setback is adopted as suggested, then it will reduce the off-street parking area at the rear of the buildings.

Mr. Frank Snepp, Attorney representing Mr. Herman Moore, owner of a lot on Morehead Street, stated he feels that an Office-Institution classification is badly needed, for areas for office buildings must be provided as the city grows; however, the matter of set-back lines is very vital, and he does not feel that a general set-back line rule can be fixed, and that thoughtful consideration should be given the matter. At the question of Councilwoman Evans as to what he thinks would be acceptable minimum setback requirement, Mr. Snepp stated he thinks the 20-foot provided for in the ordinance is not unreasonable and could be applied without difficulty to lots on Morehead Street.

Councilman Baxter asked if the Council cannot take definite action on the ordinance today in view of the fact that the establishment of an Office-Institution classification is the recommendation of the Planning Commission, instead of continuing it to a later date after another recommendation is made by the Commission? Chairman Wilkinson, of the Planning Commission, stated the Commissioners might like to consider it further; that they will retire and submit their recommendation today instead of later.

The Planning Commissioners retired at this time, and upon returning to the meeting later Chairman Wilkinson stated they unanimously recommend the adoption of the ordinance as written after deleting item 18 "funeral homes" of Section 2, subsection A "Uses Permitted". He also stated the Commission recommends the adoption of Ordinance #396, #397 and #398 as written, under which existing zoning classifications are changed to Office-Institution. Mr. Wilkinson advised further that they recommend that the requirements for front and side yards as set forth in Section 2, Subsection B, items 2 and 3, remain in the ordinance. He advised that they are in sympathy with the request of residents for a 35-ft. setback on Morehead Street, but do not feel it would be applicable on other streets, such as Caswell Road which will be considered today, on which a majority of the lots have only a 100 ft. depth. He stated further that the Commissioners feel it would be well for the deed restrictions to apply on Morehead Street, instead of applying a setback restriction other than the 20-ft. minimum.

The City Attorney advised that under the City's existing setback ordinance, lines may be established on various streets as the Council desires from time to time.

Councilman Foard moved the adoption of "Ordinance No. 395 Amending the Zoning Ordinance by adding the Office-Institution Classification", as recommended by the Planning Commission. The motion was seconded by Councilwoman Evans, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 162.

HEARING ON ORDINANCE NO. 396 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON EAST MOREHEAD STREET FROM DILWORTH ROAD BUSINESS DISTRICT TO KING'S DRIVE BUSINESS DISTRICT, FROM R-2 TO OFFICE INSTITUTION ADOPTED.

The public hearing was held on Ordinance No. 396 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing the property on East Morehead Street, from Dilworth Road business district to the King's Drive business district, from R-2 to Office-Institution.

Factual information as to the area having been given previously by the Planning Director in the discussion of the general Office-Institution classification in the preceding item of the Minutes, and the Council and Planning Commission having heard the petitioners and opponents, Councilman Brown moved the adoption of Ordinance No. 396, as recommended by the Planning Commission. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 165.

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HEARING ON ORDINANCE NO. 397 AS AMENDED, TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE, BY CHANGING THE PROPERTY WITHIN THE AREA ABOUT PRESBYTERIAN AND MERCY HOSPITALS, INCLUDING PROPERTY ON HAWTHORNE LANE, EAST FOURTH STREET, EAST FIFTH STREET AND CASWELL ROAD, FROM R-2 AND B-1 TO OFFICE-INSTITUTION, ADOPTED.

The hearing was held on Ordinance No. 397 as amended, to Amend the Building Zone Map of Charlotte, by changing the property within the area about Presbyterian and Mercy Hospitals, including the property on Hawthorne Lane, East Fourth Street, East Fifth Street and Caswell Road, from R-2 and B-1 to Office-Institution.

The Planning Director having already given factual information as to the area in the preceding discussion of the general ordinance to establish the Office-Institution classification, and there having been no objections expressed to the change in zoning under Ordinance No. 397, Councilman Baxter moved the adoption of Ordinance No. 397 as recommended by the Planning Commission. The motion was seconded by Councilman Albea, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 166.

HEARING ON ORDINANCE NO. 398 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE, BY CHANGING THE PROPERTY ON INDEPENDENCE BOULEVARD, FROM WATERMAN AVENUE TO BRIAR CREEK ROAD, FROM R-1 TO OFFICE-INSTITUTION, ADOPTED.

The scheduled hearing was held on Ordinance No. 398 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte, by changing the property on Independence Boulevard, from Waterman Avenue to Briar Creek Road, from R-1 to Office Institution.

Mr. McIntyre, Planning Director, explained the area and surrounding section and stated the reasons for the proposed change in zoning.

No objections to the change in zoning were expressed.

Councilman Albea moved the adoption of Ordinance No. 398 as recommended by the Planning Commission. The motion was seconded by Councilwoman Evans, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 168.

ORDINANCE NO. 400-X EXTENDING THE CORPORATE LIMITS OF CHARLOTTE BY ANNEXING 17.20 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP, ON PETITION OF D. E. ALLEN DEVELOPMENT COMPANY AND FOURTEEN OTHER PROPERTY OWNERS, ADOPTED.

The scheduled hearing was held in connection with the petition of D. E. Allen Development Company, William L. Hull, Robt. M. Williford, Marjorie B. Williford, Carol G. Ballard, Dorothy A. Ballard, Lester M. Mahaffey and Dorothy Sara Dedmond Mahaffey, that the corporate limits of Charlotte be extended by annexing 17.20 acres of property, located in Crab Orchard Township. No objections to the proposed annexation were expressed. Thereupon, Councilman Dellinger moved the adoption of Ordinance No. 400-X Extending the Corporate Limits by Annexing 17.20 acres in Crab Orchard Township. The motion was seconded by Councilman Wilkinson and unanimously carried. The ordinance is recorded in full in Ordinance Book 12 beginning at Page 169.

ORDINANCE NO. 362 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON EAST 36TH STREET FROM R-2 TO B I-A, ON PETITION OF T. A. RATCLIFF, JR. CONTINUED TO AUGUST 7TH.

Councilman Dellinger moved that a decision on Ordinance No. 362 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property on East 36th. Street from R-2 to B I-A, be continued until August 7th upon the request of the petitioners. The motion was seconded by Councilman Baxter, and carried, with the votes cast as follows:

YEAS: Council members Baxter, Brown, Dellinger, Foard and Wilkinson.

NAYS: Council members Albea and Evans.

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LICENSE AUTHORIZED ISSUED TO M. O. SMITH FOR OPERATION OF CAROLINA DETECTIVE AGENCY.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans and unanimously carried, the issuance of a license to Mr. M. O. Brown, for the operation of Carolina Detective Agency at 506 Independence Building was authorized.

EXTENSION OF SICK LEAVE TO PAT MUNGO AND RUSSELL ALEXANDER, WATER DEPARTMENT EMPLOYEES.

Councilman Brown moved that the sick leave granted Pat Mungo and Russell Alexander, Water Department employees, be extended through the month of August, as recommended by the City Manager. The motion was seconded by Councilman Dellinger, and unanimously carried.

SUPPLEMENTARY CONTRACT AUTHORIZED WITH ERVIN CONSTRUCTION COMPANY FOR INSTALLATION OF ADDITIONAL WATER MAINS AND HYDRANTS IN BEECHWOOD ACRES SUBDIVISION NO. 3.

Motion was made by Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, authorizing a supplementary contract with Ervin Construction Company, to contract dated February 11, 1953, covering the installation of 2,665 feet of additional water mains and 3 hydrants in Beechwood Acres Subdivision No. 3, at an estimated cost of \$6,764.00. All cost to be borne by the applicant, who will own the mains until the area is taken into the city.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, the construction of sanitary sewers was authorized as follows:

- (a) Construction of 3,357 ft. of sanitary sewer mains in Shamrock Hills, to serve residential property, at request of C. D. Spangler Construction Company, at an estimated cost of \$7,965.00. All costs to be borne by the city, with refund of applicant's deposit of the entire amount, as per terms of the contract.
- (b) Construction of 633-ft. of sanitary sewer mains in Statesville Avenue Terrace, to serve four family units, at request of J. L. Sides, Contractor, at an estimated cost of \$1,270.00. All cost to be borne by the City with refund of applicant's deposit of \$470.00, as per terms of the contract.

CONTRACT AWARDED KNOXVILLE FOUNDRY COMPANY FOR 200 VALVE BOXES.

Councilman Albea moved the award of contract to the low bidder, Knoxville Foundry Company, for 100 No. 1 and 100 No. 2 Valve Boxes complete with Covers, all to be coated, as specified, at a total net delivered price of \$1,180.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

The bids received on the Valve Boxes were as follows:

Knoxville Foundry Company	\$1,180.00
Hallman Foundry, Inc.	\$1,215.20
Dewey Bros, Inc.	\$1,422.63
Queen City Foundry Company	\$1,812.00
Opelika Foundry Company, Inc.	\$1,800.81

SPECIAL OFFICER PERMIT RENEWED TO MRS. STELLA PATTERSON ON THE PREMISES OF J. B. IVEY & COMPANY.

Motion was made by Councilman Dellinger, seconded by Councilwoman Evans, and unanimously carried, authorizing the renewal of Special Officer Permit to Mrs. Stella Patterson on the premises of J. B. Ivey & company.

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**LEASE OF AIRPORT BUILDING REPORTED.**

The City Manager reported that leases have been concluded for the following buildings at Douglas Municipal Airport:

BUILDING NO	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
270	Display Fixtures Co.	\$102.00	7-1-57 to 6-30-60
39	Display Fixtures Co.	\$143.00	7-1-57 to 6-30-60
40	Display Fixtures Co.	\$ 89.50	7-1-57 to 6-30-60

**TRANSFER OF CEMETERY LOTS.**

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Bessie S. Aurandt, for Grave #6, Lot 85, Section 3, Evergreen Cemetery, at \$40.00.
- (b) Deed with Mr. and Mrs. W. P. Gray, Jr. for Lot 140, Section 4-A Evergreen Cemetery, at \$126.00.
- (c) Deed with Lloyd L. Unsell and wife, for Lot 515, Section 8, Evergreen Cemetery, at \$238.00.
- (d) Deed with Mrs. Lula Mae Lawson, for Grave #4 and #5, Lot 85, Section 3, Evergreen Cemetery, at \$80.00.
- (e) Deed with Mrs. Elizabeth P. Sweezy, for Lot 229, Section 4-A, Evergreen Cemetery, at \$126.00.
- (f) Deed with Edwin W. Hamer and wife, for Lot 45, Section 2, Evergreen Cemetery, at \$320.00.
- (g) Deed with Boss T. Mitchell and wife, for Lots 350 and 353, Section 8, Evergreen Cemetery, at \$296.00.
- (h) Deed with S. A. Gray, for Lot 214, Section 4-A, Evergreen Cemetery, at \$126.00.

ONE THREE WEEKS VACATION PERIOD GRANTED EMPLOYEES WITH FIFTEEN YEARS OR MORE SERVICE AS OF JANUARY 1, 1957, WITH USUAL TWO WEEKS VACATION PERIOD RESUMED THEREAFTER.

Councilman Dellinger moved that if and when all employees with 15 years or more service, as of January 1, 1957, have had one vacation period of three weeks duration, then and on that date the resolution adopted by the Council on November 21, 1956, is hereby revoked and the regular vacation period previously adopted by the Council shall become operative. The motion was seconded by Councilman Albea, and unanimously carried.

**INSTALLATION OF WATER AND SEWER LINES IN SHERWOOD FOREST AND THOMASBORO AREAS, FROM CAPITAL OUTLAY FUNDS, AUTHORIZED AS FIRST SUCH INSTALLATION IF CITY LIMITS EXTENSION ELECTION CARRIES ON JULY 15TH.**

Councilman Baxter moved that the Council accept Sherwood Forest and Thomasboro areas in which to install water and sewer lines from capital outlay funds as first such installations if the City Limits Extension Election on July 15th carries. The motion was seconded by Councilman Wilkinson, and unanimously carried.

**RESOLUTION COMMENDING THE REVEREND DR. BILLY GRAHAM FOR HIS WORK IN THE FURTHERANCE OF THE CHRISTIAN RELIGION.**

Councilman Baxter introduced the following resolution, and moved its adoption, which motion was seconded by Councilman Dellinger, and unanimously carried:

WHEREAS, the citizens of Charlotte take great pride in our native sons and daughters who go out into the world and become leaders, thus bringing great credit not only to themselves but also to our city; and

WHEREAS, none has fulfilled this mission more outstandingly than native son Billy Graham, born and reared among our citizens, and who gave his life to Christ here in our city; and

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WHEREAS, the crusades for Christ conducted by this great and good man, both at home and abroad, have been the means of turning thousands of souls to the better way of life.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, in regular session convened on the 10th day of July, 1957, that we express to the Reverend Dr. Billy Graham our great pride in him as a Charlottean; that we commend him for his marvelous work in spreading the message of peace and goodwill; that we extend to him our best wishes for the continued success of his present crusade in New York, and convey to him our keen anticipation in his coming to Charlotte in 1958 in the furtherance of the Christian way of life.

**HEALTH CENTER AUTHORIZED ERECTED ON MEMORIAL HOSPITAL PROPERTY, TOGETHER WITH OPENING OF STREETS TO THE SITE FROM BURNSWICK AVENUE AND HILLSIDE AVENUE, AND TO BEAR EXPENSE OF OPENING A STREET FROM SCOTT AVENUE TO BRUNSWICK AVE. IN ACCORDANCE WITH HOSPITAL PLANS.**

Councilman Wilkinson, Chairman of the Health Center Site Committee, reported that the Committee unanimously recommends that the Health Center be erected on the Memorial Hospital property site, consisting of approximately eight acres, and that two streets be opened into the site, one being from Brunswick Avenue and one from Hillside Avenue, and that in addition to these two streets, the City to bear the expense, in an amount not to exceed \$50,000.00, for the opening of a street that fits into a master plan of Memorial Hospital Authority, said street to begin at Scott Avenue and continue into Brunswick Avenue. Therefore, he moved that the new Health Center be erected on Memorial Hospital property, as recommended by the Committee. Councilman Wilkinson stated further that the Committee would like to publicly express their appreciation to Mr. Ed. O'Herron and his Hospital Committee and Mr. Thomas, Hospital Administrator, for the fine cooperation they gave the Committee. The motion was seconded by Councilman Foard, and unanimously carried.

Mayor Smith expressed his sincere appreciation to the Council Committee for their promptness in recommending a site and working out all the details relating thereto.

**POLICEMEN REQUEST ADDITIONAL PAY FOR THE SIXTH DAY WORKED EACH WEEK AS BEING JUST AND FAIR WHEN ALL OTHER CITY EMPLOYEES WORK ONLY FIVE DAYS.**

Officer Sam Hill of the Charlotte Police Department was spokesman for members of the department, a large number of whom were present, requesting that they be allowed an additional day's pay for working six days per week, whereas other city employees work only five days. Officer Hill stated that all departments, other than the Police Department, were on December 17, 1949 put on a five-day work week with no reduction in salary, and they have since continued to work the extra day with no increase in salary. He requested that they be permitted to continue working the sixth day and be paid for it according to the Job Classification. He called attention to the dangers and demands in connection with the work of Policemen, and that they are required to spend many off duty hours in Court, working Parades, etc. with no extra pay.

Mayor Smith advised that the Council is now in the process of preparing the annual budget and the request will be considered at the next budget session.

**MOTOR TRANSPORT DEPARTMENT EMPLOYEES REQUEST SALARY INCREASE IF SALARY OF ANY OTHER EMPLOYEES IS INCREASED.**

Mr. George Philman was spokesman for the employees of the Motor Transport Department, and requested that they be given an increase in salary if the salary of any other city employees is increased.

Mr. W. O. Dover, Mr. Kelly Stevens and Mr. C. A. Stamey of the Department spoke to the request outlining their duties and hours of work, and stating their starting salary is \$208.00 with the next raise five years later. That their present take home pay is \$51.00 per week, which is not sufficient to meet their living cost.

Mayor Smith advised that their request would be taken under consideration at the next budget meeting.

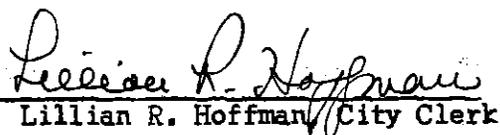
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SURVEY REQUESTED MADE TO ESTABLISH SETBACK LINES ON EAST MOREHEAD STREET FROM S. TRYON TO QUEENS ROAD.

Councilman Dellinger moved that the City Manager be requested to have a survey made to establish setback lines of 35 feet on each side of Morehead Street, from South Tryon Street to Queens Road. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the meeting was adjourned.

  
Lillian R. Hoffman, City Clerk