

July 21, 1969
Minute Book 52 - Page 141

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, July 21, 1969, at 2:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

Absent: None.

* * * * *

INVOCATION.

The invocation was given by Councilman Milton Short.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the minutes of the last Council Meeting, on July 7, 1969, were approved as submitted.

RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, APPROVING A REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR NEIGHBORHOOD DEVELOPMENT PROGRAM NO. N.C. A-3, PROJECT NO. N.C. A-3-(1).

Mr. Vernon L. Sawyer, Executive Director of Redevelopment Commission, stated this is a hearing on the fourth amendment to the Redevelopment Project No. 2 which comprises most of the Governmental Center. That there are two changes proposed in this plan. One is a text change in the Plan and the other is cost adjustment. The change in the text removes the parking requirement that is presently a blanket requirement on the entire Governmental Center area; this removes the requirement from that portion below Second Street, between Second Street and Independence Boulevard where the Second Ward High School is located, or the future Metropolitan High School.

Mr. Sawyer stated this amendment removes the requirement that they construct parking in a structure by January 1, 1974; this was a commitment that the Redevelopment Commission made at the public hearing at the time it was approved because at that time the location of the Educational Center was in doubt; that once that site was sold and nailed down, it was agreed this requirement would not operate against the school.

The other change is in the financing plan which increases the cost to catch up with the normal increase in construction to take care of the increased requirements and higher standards for the construction of McDowell Street. From the beginning this was just to be re-surfacing, the final decision was to widen it and improve it as it is being done at the present time. He stated there are other costs and increases which result from additional credits that the Redevelopment Commission has re-calculated in the light of more recent events, some credit flowing to the Governmental Center from the fact that the Post Office is going to be located just across the street and they are including this for technical reasons as part of the Governmental Center in order to give the City more credit. All in all, it does not increase the cost to the City beyond the amount of money that is presently in the proposed bond issue, which is \$1.8 million.

Mr. Sawyer stated he has furnished a list of the changes with an explanation to the Council.

No opposition was expressed to the proposed change in zoning.

Councilman Tuttle moved the adoption of subject resolution, which was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, beginning at Page 348.

July 21, 1969
Minute Book 52 - Page 142

HEARING ON AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN, REDEVELOPMENT SECTION NO. 4, BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N.C. R-43.

Mr. Vernon Sawyer, Executive Director of Redevelopment Commission, stated this project contains the area that has become known locally as "blue heaven"; that Council has been forwarded a list of the changes. That the first change is a change in the text, referring to the section where the Redevelopment Commission reserves the right to approve plans for development they are merely changing the wording there to up-date it and to clarify it. He stated to up-date it because in the architectural profession the words concept drawings means more than schematic drawings, design development plans clarifies preliminary plans and final construction plans substitutes for final architectural and engineering working drawings and specifications. That it is recommended by their architectural and planning consultant, Dean Harlowe McClure, Dean of the School of Architecture at Clemson University. On the basis of his recommendation and because they have encountered some difficulty in interpretation of the kinds of plans they receive at different stages, they recommend the changes.

He advised the other change is in the grade of the proposed streets; there was a minimum grade of .5 of 1% and a maximum grade of 5% but because the State Highway Commission has found it necessary to increase the grades of the off-ramp from the expressway to a maximum of 8%, they recommend that change, together with a minimum of .8 of 1% to meet highway department specifications.

Mr. Sawyer stated the other land use is illustrated on the four maps which are included with the plan and legally form a part of it. He pointed out the four maps and noted the uses to which the land would be devoted.

He stated these maps illustrate the boundary, the present land use, the future land use and the proposed development scheme, titled Preliminary Site Plan. The land uses that were already listed in the plan permit parks, commercial uses, office buildings and several other uses which have already been approved. In order to develop this plan to any other particular scheme, it was not necessary to change the land uses. The other change recommended is change in the budget and in order to accomplish the scheme which is illustrated on the preliminary site plan, a combination of commercial land and park land - the park land being dedicated for public use, all costs that are necessary to improve it to create a lake, to grade and landscape the area would be creditable towards the city's 1/3 share of the project cost. The present budget for this project is \$900,539.00; to accomplish this scheme, it would cost the city \$883,469.00, that is below the original budget and would give the city a "pooling credit", a credit which would go over to another project, of some \$145,340.00.

Mr. W. Crutcher Ross, a local architect, reviewed his involvement with the Blue Heaven Project. He stated some years ago, as Chairman of Charlotte Chamber of Commerce Beautification Committee, he worked very diligently to see that this area of approximately 40 acres was converted as a park for the people of Charlotte. That his committee and the Chamber Board felt this was a worthy project and a chance for a green finger parkland to extend into the future Downtown Charlotte development. He stated a resolution was passed unanimously by the Chamber Board backing this project for a total park for the people. It was found the Independence Expressway System would eat up approximately 22 acres of public development; this being so, there were two strong factions pushing for development of this area, one being all park and the other being all commercial; since he was involved with the Sugar Creek development with Alvin Groves and Associates, they were asked to see how the development of blue heaven could relate to the Sugar Creek Concept and to suggest a workable concept. That they developed a concept to try to develop a plan whereby they could accomplish two things. One, create a park atmosphere with open spaces and people places with aesthetic values and two, establish a plan which would be attractive to commercial developers that would help to defray cost of the land. If this design was approved by the Council and the Redevelopment Commission, they were directed to prepare a plan with this basic concept in mind, staying within a budget of approximately \$900,000.00. At the time, they were told

July 21, 1969
Minute Book 52 - Page 143

the Redevelopment Commission proposed to place the creek flowing through the property into a concrete culvert, at a cost of approximately \$500,000.00. Their approach then was to develop this park-like lake, dam, sidewalk paving, etc., staying within the \$500,000.00 limits. Their estimates for the lake area included: (a) Excavation and Site Grading; (b) Concrete Lining of the Lake; (c) Dam and Waterfall; (d) Pedestrian Bridges and Walks, and Plazas. Their estimated cost was approximately \$400,000.00; this being so, they felt if the Redevelopment Commission had already budgeted \$500,000 for this stream to be put into a concrete box, then we were \$100,000 under their budgeted estimate and they recommended the concept which is before Council today.

Mr. Ross pointed out the Independence Expressway as it comes through the property, taking up the land by the Post Office; there will be a ramp off Independence Expressway coming across the road and back down by the Post Office. That since Pearl Street Park is already located as a park, they would extend the finger of park land through the blue heaven area over to McDowell Street. He stated their concept at all times was a compromise to give the people of Charlotte as much park and open land as possible. They proposed to place the lake, and at the same time place a dam with approximately 20 feet of fall so there would be a dam and waterfall to take the water back down to the existing Sugar Creek.

Mr. Ross stated their concept was to take the whole area which was not commercial sites - No. 4, No. 1 and No. 2 - would be envisioned as parkland, with the lake being a part of the parkland; they felt to get interest in a park you have to have activity. They proposed small shop type arrangements within the concept and within the lake area; some kind of shop interest had to be introduced into this area so there was shopping around the lake. That to make the area accessible to the people, there should be parking. So they put parking off McDowell Street in such a manner to get it out of the main park area with only 3.5 minutes walking into the center of the whole project. They propose that each of the commercial developments have its parking at this point; and also at this point more parking would be for the public, so that the citizens could drive into the area and be able to shop in the area, to be able to mill through, and just give the whole area a lot of excitement.

Mr. Ross stated their first concern was for a total park in this area which started with his Committee in the Chamber of Commerce; the compromised solution presented was exactly that - the compromise for park, land and commercial development. The Commission has now proposed a solution based not on the original concept of a completely open park but based on the compromise that he has outlined - this compromise of a compromise disregards the original idea which was to provide a badly needed open park for the people of Charlotte. From what he can see the open spaces are not readily accessible for people who are not connected with the commercial development; elimination of public parking deprives the public of easy access. He stated if this plan by the Redevelopment Commission is our only alternative, then we need to restudy the whole area, and evaluate its use for more open spaces and also for people places.

Mrs. Marie Wonsey, President of League of Women Voters, stated the League urges the Mayor and Council, as leaders of Charlotte, to do anything possible to see that we have park areas downtown; that we are fortunate to have downtown acreage vacant and waiting to be developed into something vital, exciting and stimulating to the downtown economy - a place residents and visitors will want to visit. She stated we lost the Rose Garden to highways; we lost the proposed zoo and the stadium area off Irwin Creek and West Trade to highways. This area was designated as a Park in the Master Plan presented as part of the last bond issue. Now will we lose this area too and face the danger of the people losing faith in future plans presented to them? That State Legislator Art Jones said: 'We urge you to reject the idea that our citizens are slavishly materialistic and insensitive to the deeper realities of better living. Charlotte is adding hourly to its fundamental tax base. But if we are not to build a

July 21, 1969
Minute Book 52 - Page 144

tax-based Frankenstein that will eventually destroy us, then let us give balance to our lives by providing for soul food, for beauty, for culture, for delight of open space that can give us renewed faith in our destiny and in ourselves."

Mrs. Wonsey stated parks cost too much only for cities that think small. That parks are an investment, the very best investment Charlotte can make. They will pay unlimited dividends to us and to our children for years and years to come.

Mr. Hugh Casey, Attorney and former Assistant Solicitor of the Mecklenburg County Superior Court, stated his remarks will be aimed at two points - (1) the cost of having a park and (2) the cost of not having a park.

He stated some may say to dedicate the land to parks will cost a loss of tax base. But it is not acreage that determines tax revenue but the use of land; it is hard to imagine that subtracting 22 acres of vacant land from hundreds of acres of vacant land, which lie in the center area of the City of Charlotte, will have any effect on the tax base. If the land is not used for a park, will it be used commercially? Why do not the investors use the hundreds of vacant acres which surround this little 22 acre tract; if the area is suitable for a motel, why do not the investors buy and finish the eyesore of a motel which lies between the creek and King Drive, along the border of this 22 acre tract. Is it logical when there is literally hundreds of acres, all privately owned in the intercity of Charlotte, that suddenly 22 acres will be developed commercially? Is it not more logical that this 22 acres will remain vacant land, and if we are lucky, may have a motel one day; or is it more likely that it will be carved up into bits and pieces and perhaps used as another car sales lot?

Mr. Casey stated thousands of people use Freedom Park every day; and these people do not all come by cars; you can see scores and scores of children coming - some on foot, some on bicycles - coming from quite a distance if you judge by the ragged clothes many of them wear. That these children should be considered. Some will ask how much the park will be used? He asked of what use is a park and what are its possibilities in the years and generations to come? That he can counter with question of Old Ben Franklin - "Of what use is a new born baby?" Mr. Casey stated if this land is used only as a park, it will cost the City approximately \$2.0 million; if it is used as a park and water side development, it will cost the City about \$900,000 or \$1.0 million. These figures represent 1/3 of the actual cost; the other two-thirds being borne by the federal government. That these figures are all estimates but to use this principally as park will cost the city approximately \$1.0 to \$2.0 million.

Mr. Casey stated turn the coin over and examine the other side - what will it cost the City of Charlotte if there is not a park in the Blue Heaven area? What type of human environment will we choose in Charlotte? All of us in Charlotte want to live in a clean, safe and pleasant environmental neighborhood with a feeling of community and security; but is this the kind of city we are to have? Will our city be one where a handful of air conditioned buildings rise like dead slabs, surrounded by thousands of acres of squalored residential areas, become chief commercial districts, used car lots with the only green living plant life to be found in weed-choked vacant lots filled with refuse and all this sprinkled over with empty beer cans, broken bottles, and abandoned cars. In this city a maze of highways which crosscross and breakups what neighborhoods once existed so that the whine and roar of traffic deadens the air while a fog of pollution chokes the lungs. That this cannot be Charlotte, but Charlotte is already approaching this picture. What of those people who are trapped in the City by lack of education or by the lack of money with the misery of their existence being made more horrible by the knowledge there is a better life; and this life is kept ever out of reach. In this tale of the cities, society breaks down; social disorganization is the order of the day, and crime increases at a fantastic rate. Crime is increasing at

July 21, 1969
Minute Book 52 - Page 145

at four times the population growth. In Charlotte the areas with the high crime rate are to the west side, First Ward and beyond as the slums spread out ever further. Mr. Casey stated he speaks from being a prosecutor in Superior Court; and you can talk to any Detective and he can tell you the same. Last year according to the budget, \$4,294,990 was spent for the Police Department; according to Superior Court Judge Allen Quinn, in 1960 the expense of keeping one prisoner in jail was \$1400 a year, and the cost of crime in North Carolina was \$500 million.

Mr. Casey stated if Charlotte is allowed to become like Chicago or Los Angeles, we may likely have a riot - what does a riot cost. Just the question alone evokes a scene of hundreds of thousands in a frenzy of violence - killing, burning, looting; and all this is inflicted upon those who can least protect themselves; those who have been condemned to live in the city. He stated when the environment of the City becomes so inhuman that the city becomes abandoned with block after block of decaying buildings, what happens? The entire tax base of the city crumbles - not just a mere 22 acres but millions upon millions of dollars of once fine real estate rots away. This is the cost of not having a park. Does the park seem so expensive now; just a fraction of the cost of one year's operation of the Police Department.

Mr. Casey told of Sergeant Black, a policeman in Charlotte, who many years ago started a small park just big enough for a ball field in North Carolina and over a period of many years he met and coached the boys of one of the roughest sections in Charlotte. How many boys he kept from becoming criminals is not known; in our society we only calculate the losses and not the gains when it comes to crime. That he is sure Sergeant Black, with his little park did more to prevent crime than any heavy-handed judge, prosecutor or jail. That Sergeant Black saw a need and took the need to be his duty. Mr. Casey stated here the need of a park is clear. He asked if it is Council's duty to answer that need? He stated one little park will not change our society - no more than one Sergeant Black kept our society free from crime; but is not every Sergeant Black and every park we can get needed?

Mr. Casey concluded by saying that we spent almost \$5 million dollars to catch criminals in Charlotte last year and we spend more millions to house and feed them where we turn them into even worse criminals. He asked if a fraction of that amount cannot be spent for a park to prevent crime? That Council has the power to determine what kind of city Charlotte will become and this decision is theirs and will indicate the course which they wish to follow; the future lies within their hands. If the leaders are without vision, the people perish.

Mrs. Rufus Jones stated she is deeply interested in running a day care center on the street along side Earle Village; the credit for starting this belongs to the Welfare Department and Mr. Sawyer; they have 35 children and it is for them and their friends that she wants to make the plea for a downtown park. The parents of these children lived in Blue Heaven and Brooklyn and have migrated from force to the area of Earle Village - they need a downtown park; the houses have everything except good yards; they look out on little dark yellow clay yards. When they cannot stand the apartments another minute, they pick them all up and take them to Freedom Park; they need a park downtown. Mrs. Jones stated their older brothers and sisters bring the little children in the mornings and pick them up in the afternoons - that when school is out they stand around in little bunches in front of coca-cola places, in front of stores or go in droves hunting something, they don't know what. They need a park. She said they can furnish their children food, some safety, teach them how to get along with each other and how to get along with others, but they cannot give them a park.

July 21, 1969
Minute Book 52 - Page 146

Mrs. Irene Haire presented the following four points in favor of turning Blue Heaven into a park:

- (1) An excerpt from a speech of Governor Luther Hodges at a C & D Board Meeting in Charlotte some years ago: "Too often ugliness is a by-product of mushroom growth; don't let this happen to Charlotte." He stressed the importance of planning to make Charlotte one of the most beautiful cities in America as well as the largest in the Piedmont Crescent. She stated a Blue Heaven park could be a step in this direction.
- (2) Mr. R. W. Gamble, another important visitor to Charlotte some years ago, commented very highly on the beauty of Charlotte and its surrounding area; that he was particularly impressed with the wealth of beautiful trees and Charlotte's preservation of them; that of all the cities he had visited in the southeast none could overshadow Charlotte's beauty; from a business standpoint, that Charlotte's growth was responsible in a large degree for its amazing industrial and residential growth since location desirability from a living standpoint carries a lot of weight in selecting sites for expanding enterprises in both business and manufacturing.
- (3) Charlotte's lack of outward response to the Blue Heaven redevelopment project today has left the impression of disinterested public. She stated they have made a poll which proves this is a false impression; it also proves that Charlotteans almost 100% favor a blue heaven park. The poll, although brief, represents a cross section of Charlotte and they did not poll teenagers.
- (4) Tax-wise. This beautiful area converted into a downtown park could be a far greater long range asset than the limited number of small non-governmental businesses that this area would accommodate.

Mrs. Haire stated if Charlotte cannot afford to develop the area right now, then why not earmark it for development at a later date; there is not another available site in downtown Charlotte that comes close to blue heaven as a beautiful and desirable site for a public park.

Mrs. Mary Gillett stated you come away from Mexico City thinking what a beautiful city it is; and you think that because there are two parks beginning at the 400-year old City Hall and going up the beautiful street to the end of the city; that they do not worry about parking as they do not have cars, and they get to these parks by the thousands every Sunday and holidays; they come on public transportation and bring their families; students come, tourists come and old people come just to sit out their days - they enjoy the park. That Salt Lake City, Utah has the most beautiful trees she has ever seen, and it is because they care; they brought water down from the mountains and irrigated it and along the streets have a greater variety of hardwoods than any city in America has.

Mrs. Gillett stated Abbott Park which was given to Charlotte as a gift is suddenly gone and is going under concrete. That a year or so ago the papers had an article about our leaders going to San Antonio, Texas; that she was delighted as she thought there is a river no bigger than Sugar Creek, and think what we could do for Charlotte with that; but something happened, they got the two trips, but we did not get the park. That she thinks the City owes the people something for taking the roses and trees and turning them into highways. She stated they are also owed compensation for Earle Village - that drab, tree-less area that sticks out like a sore thumb right in the middle of Downtown. That she does not know why housing must always end a blight.

She stated the Council works hard; it gives a good government, an honest government and spends long hours, and it is appreciated, but she asked that one more thing be given - "give us a little space, a little beauty downtown."

July 21, 1969
Minute Book 52 - Page 147

Councilman Short stated for the record that the Council Members paid their own expenses to San Antonio.

Mr. Jack Pentes, Designer, stated last night and this morning the world and mankind, for a rare moment in history, were united, witnessing a single act. In the Sea of Tranquility on the surface of the moon, all mankind felt closer seeing our astronauts there. Mr. Pentes requested Council to set aside the plans that have been discussed today, and to appoint and fund adequately a special commission to explore the question of blue heaven and to include on that Commission, an architect, member of the Park and Recreation Commission, attorney, banker, member of the Redevelopment Commission, representative from the Chamber of Commerce, minister, doctor, teacher, writer, musician and an artist, and charge this group of citizens with studying this question and presenting to Council for its consideration, a plan, or alternate plan, for turning the entire blue heaven area into a park. He requested further that Council so move that this park be called "Tranquility Park", for tranquility is a state of being; it is to have a quieting effect; he requested further that the Mayor communicate with the President of the United States and request from him at the conclusion of the use of our scientist a portion of the moon surface to enshrine in the Park Tranquility to be located in the blue heaven area of our city.

Mr. Peter Gerns, Attorney, stated he does not think there should be a need to debate this subject of a park; that many people think Charlotte is a city without soul; he asked that this not be proven right; our standard of living is not a high standard of living; it depends on what you count - whether you count television sets, bath tubs or automobiles or whether you count the mode of living in the way of life. That we in Charlotte have not that much to be proud of. He mentioned Tivoli Park in Copenhagen, English Park in Munich, and the parks of Canton, Ohio and stated they were built by far-sighted men who knew that someday the citizens of those cities needed those few spaces of recreation, which we do not have in Charlotte. He stated Council has this burden to provide this city with this park regardless of cost, and he joins with Mr. Pentes in saying this matter should be re-submitted to a committee of Council's creation to be re-studied to where it can become a useful park.

Also speaking for the park was Mr. George Cole, a designer and Mr. Tommy Robinson, representative of the Inter-City Residents Committee.

Councilman Tuttle stated back in 1965 he discovered blue heaven; it was a shamble of run-down houses, old cans and filth; but with the filth there was potential beauty for there were trees, greenery, rolling land and a little stream winding its way through weeds, old tires, garbage and debris of every description; it was worthless looking land, and now four years later it is apparently still worthless, considering the lack of interest in it. Back in 1965 there were those who joined him in thinking it was extremely valuable land if put to its best use - a park, a place for people, a place of beauty, a preservation of open space too swiftly disappearing in the metropolitan area; it was argued by opponents to a park that promises had been made to place the land back on the tax books by turning it over to commercial development. Now years keep rolling by with little interest being shown by these developers. Further the picture has changed dramatically in the years since urban renewal came along; Charlotte is ready to burst at its seams and make the necessary concrete plans for the preservation of some open space before we wake up to asphalt and grime. In October, 1965, he proposed that some 44 acres of blue heaven area be converted to a park; blue heaven had dwindled to 22 acres, and now it is down to 18; its value has been put from many millions of dollars down to some three hundred odd thousand dollars - apparently it is not worth very much.

July 21, 1969
Minute Book 52 - Page 148

Councilman Tuttle stated on last January 27th, this Council approved a plan whereby we might have a little cake and eat it too. The plan was to allow nine acres to be converted into a park and the remaining land developed commercially. It was hoped that the park atmosphere would enhance the value of the commercial land to the extent that the increased value would partially, if not fully, offset the park project, and it was to be a real park. It included a parking area, lake, beautiful dam and waterfall; it contained walks, people-oriented shops and room for recreation. That was the compromise - from 44 acres down to nine. But this plan before Council today proposes four things. One, reduce the park again, this time to 7 acres. Two, eliminate all public parking. Three, cut out the beautiful dam and waterfall. Four, wind up with a parklike atmosphere with little value to anyone except the commercial developers. It will not be park for the people as was the intent of this Council when it adopted the present concept. The park would cost money, but not \$1,386,000 as reported in the Charlotte Observer on July 17; nor \$883,468 referred to the plan of the Redevelopment Commission, but \$864,073 for the former and \$361,542 for the latter. Someone keeps forgetting that based on the current valuations the city is going to have to pay approximately \$521,927 as its 1/3 share of the loss in this project. In other words take \$521,927 off park estimates - that is already gone, it is already spent. The Redevelopment's excavation estimates for the seven acres of park are \$55,000 higher than those furnished by our consulting engineer and given him by two different Charlotte construction firms; they are \$20,000 higher on bridges; they have included \$100,000 for water filtration system, said to be unnecessary by our engineer; and they have added \$30,000 for culverts not called for by our engineer. The total questionable difference is \$205,000 and entirely too much for either set of figures to be assumed correct at this time. That no one needs to tell him of the acuteness of the financial problems we face; and no one needs to tell him there are priorities to face; nor does anyone need to tell him that 20 years of no real action on the part of this city to provide substantial open land for the future is not too long.

Councilman Tuttle moved that the Mayor appoint a committee composed of an architect, and lawyer and of a character mentioned by Mr. Pentes and they be asked to work with the Redevelopment Commission and come back to Council in 60 days with a proposal for the use of all the blue heaven land - if in the meantime a private developer comes along with an offer that will give us some sort of cake and eat it too plan, then we can re-evaluate the whole situation. Councilman Alexander seconded the motion with the following amendment - "that this Committee be composed of representatives of the poor, both black and white." Councilman Tuttle accepted the amendment and the motion carried unanimously.

HEARING ON AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN, REDEVELOPMENT SECTION NO. 5, BROOKLYN URBAN RENEWAL AREA, PROJECT NO. N. C. R-60.

The public hearing was held on the subject amendment.

Mr. Vernon Sawyer, Executive Director of the Redevelopment Commission, stated this is a hearing on a project for which there is already an approved plan; this is an amendment to that plan. The plan consists of a text change and five maps which are illustrated on boards in the Council Chamber.

Mr. Sawyer stated a change in the text is recommended to update and make/understandable certain references in the plan that the Redevelopment Commission requires to be approved before deeding the land. They are changing the references, schematic drawings, preliminary plans and final

more

July 21, 1969
Minute Book 52- Page 149

architectural and engineering drawings and specifications to concept drawings, design development plans and final construction plans. They recommend that the financial plan be changed to reflect the increased use of the land for expressway right-of-way. By virtue of this increased use the return or the resale value of the land is higher because the Redevelopment Commission re-imbursed that cost for any land that goes into expressway rights-of-way. This results in a slight reduction in the net project cost to the city; therefore, the City's one-third share does reduce by some \$6,000.00. Mr. Sawyer stated they recommend that the changes be approved.

Mr. Sumner Draper, Architect, asked the Council to consider a portion of Section 5 for much needed public housing; that he is a member of the Housing Committee of the American Institute of Architects in North Carolina, and has taken some time to look into the housing situation here in Charlotte. He stated he has come to the conclusion that this portion of Section 5 is a good location for public housing. That the Independence Expressway borders Section 5 and in effect creates a barrier so that you have only McDowell Street as a good access to this property; there is a topography situation that would create an expensive site development cost in development for commercial property; there is a creek running parallel to Vance Street and the difference in elevation is somewhere between 12-15 feet. Mr. Draper proposed that public housing be considered in here which could accommodate approximately 60 units - much needed units.

Councilman Short suggested that Mr. Earle Gluck of the Housing Authority, and Mr. Oliver Rowe of the Master Plan on Low Income Housing, Mr. Ray King and Mr. Vernon Sawyer of the Redevelopment Commission consider the suggestion from Mr. Sumner Draper and stated it is commendable that a private citizen, an architect, comes to a public hearing and volunteers a suggestion like this to us, giving the topographical details which make it a fairly plausible suggestion.

Councilman Short moved that this matter be referred to the Redevelopment Commission, Housing Authority, and Mr. Oliver Rowe's Committee and ask them to advise Council in due course about the suggestion. The motion was seconded by Councilman Thrower.

Councilman Alexander stated he would like to second the motion by saying he is highly enthused over what has just been heard; it has been his contention for years to give consideration to Brooklyn 5 in this regard; that he is happy to know that a private citizen has been so concerned, who is knowledgeable in this field, and has taken his time to come before us and state there is a possibility that housing can be placed in this area. This is highly needed and can be an asset to all the loveliness of the park and if parks are not for people, who are they for? That people like this can benefit from parks and this will be offering an opportunity to break out of this bind we are in for locations for low cost housing property.

The vote was taken on the motion and carried unanimously.

HEARING ON REDEVELOPMENT PLAN FOR PROJECT NO. N. C. R-80, DOWNTOWN URBAN RENEWAL AREA.

The scheduled hearing was held on the Redevelopment Plan for Project N. C. R-80.

Mr. Vernon Sawyer, Executive Director of the Commission, stated this hearing is on the proposed redevelopment plan for Project N. C. R-80, referred to as the Downtown Urban Renewal Project. It is included in the Neighborhood Development plan and it has not been approved; it has been on display in the office of the City Manager for the past three

July 21, 1969
Minute Book 52 - Page 150

weeks, and has been on display in the Redevelopment Commission's office for a longer period of time, as the Redevelopment Commission has had its public hearing.

Mr. Sawyer stated the plan consists of a text and five maps which are illustrated in the Council Chamber today. The preliminary site plan is merely an illustrative plan and is not a final plan; you cannot illustrate all the uses permitted within the redevelopment plan, but illustrated on the site plan are certain selected ones that merely show the project can be developed and tied into another plan that is proposed for the adjacent area. The boundaries are Trade Street on the north, Brevard Street on the east, Fourth Street on the south and Tryon Street on the west. All of the urban renewal plans, objectives and types of renewal actions proposed are in accordance with the general concept and objective set forth in the master plan for downtown and in conformance with the long range plans for the City of Charlotte as a whole. The Planning Commission has reviewed the plan and approved it.

Mr. Sawyer stated some of the permitted uses within the project area and certain public uses are permitted - churches, police and fire stations, utilities, -public or private,- civic centers, auditoriums, meeting halls, exhibition halls, galleries, governmental offices, parking areas, parking structures, historical sites and monuments. Some of the uses under commercial uses are office buildings, retail stores and shops, motels and hotels, and other tourist housing facilities, multi-family dwellings, parking structures, recreational facilities, eating establishments, certain services including barber shops, terminals for bus or taxi services. Included are certain controls covering land use, land coverage and population density.

Mr. Sawyer stated it is the intention of this plan that the redevelopment of all areas to be cleared shall include a common space reserved for pedestrian traffic which will be in the form of a mall or extended plaza and shall be made to connect with the common space of each adjoining block. This is the basic concept of the plan and is intended to operate both vertically and horizontally. They propose that within the three block area - in the key block bounded by Tryon Street that 25 percent of the land area be reserved for this common space which will include a proposed historical restoration area - called Independence Park. It is intended that this common space between the adjoining blocks shall be connected by pedestrian bridges provided by and a cost to the project. The pedestrian bridges will cross the streets - College Street in particular and Fourth Street, which separates this project from the adjoining project.

He stated certain easements are reserved for utilities, nuisances are prevented, signs are controlled, off street parking is required, off street loading and unloading space is required, provision for air space above the public right of way, a landscaping requirement and total block design requirement which the Redevelopment Commission will review and approve; the concept drawings, design and development plans and final construction plans will be submitted and approved by the Redevelopment Commission prior to the conveyance to any redeveloper. They propose that these provisions be for a duration of 20 years. The only property excluded within the three blocks, or intended to be excluded from acquisition, is the Home Federal Savings and Loan Building on the corner of Fourth and Tryon, and property owned by the railroad that lies between the block bounded by Trade, Church, College, Brevard and Fourth Street.

Mr. Sawyer stated certain obligations will be imposed on the redevelopers when the land is sold. These include, but are not limited, to devoting the parcels owned by them to the uses specified in the plan, to diligently process the construction agreed upon in the disposition contract and to begin and complete these improvements within a reasonable time as determined by the contract to make no changes in the improvements after the completion of the construction that are not in conformity with the

July 21, 1969
Minute Book 52 - Page 151

plan; to not effect or execute any agreement, lease or conveyance or other instruments whereby any parcels in the area are restricted upon the basis of race, religion, color or national origin in the sale, lease or occupancy; not assign contract rights or to sell or otherwise transfer the land prior to the completion of the improvements without the approval of the Redevelopment Commission.

Underground utilities will be required with the cost to be borne by the redeveloper; there are no families or individuals living in the project area; therefore, there is no redevelopment plan for families or individuals. There is a redevelopment plan for the businesses to be displaced in the project area, and in accordance with that plan, they will give every possible assistance to the merchants, owners and tenants alike to be relocated in an appropriate, alternate location, and where possible give them every opportunity to return to the project area. However, this is a matter regulated by state law and is a matter over which they have little control.

Mr. Sawyer stated there are no proposed zoning changes as the zoning is appropriate as it exists; the proposed estimated cost will result in a gross project cost of \$5,676,010; the resale value of the land is estimated at \$1,920,000, leaving a net project cost of \$3,756,010, with that cost to be borne one third by the City and two thirds by the federal government. The City's one third share is \$1,252,003, and this is proposed to be almost entirely in cash as there are very few site improvement costs they can anticipate in the first year under the Neighborhood Development Program.

He stated there is a paragraph relative to changes in the plan. The plan can be modified at any time. It takes the approval after the sale of land of the property owners, and approval of the Governing body and the Redevelopment Commission.

Councilman Thrower asked how many of the proposed recommendations of the four items today will be held up if Council does not approve this? Mr. Sawyer replied this will be the third; that seven projects are included in the Neighborhood Development Program - the three Brooklyn projects and the Downtown Area, Greenville, First Ward and the Irwin Park project; that the three Brooklyn projects are inter-related and to his mind the Irwin Park, Greenville and First Ward are inter-related as they are in the Model Neighborhood; the Downtown area is separate and apart. So, in effect, we are talking about three separate categories.

Councilman Short stated the Neighborhood Development Program locks together various urban renewal projects; he asked if Council can pass the resolution authorizing the filing of a Neighborhood Development Program Application in view of the fact that Council has not made a disposition of Section 4 and Section 5? Mr. Sawyer replied yes; it just means they will have to go back and modify the application as they presently propose it to conform to what Council has approved, which will take some additional time.

Mr. Stan Kornfeld, Attorney representing certain interested parties in this project, stated he is present to ask Council not to approve the plan in its present form; that it works an unfair advantage on certain companies. If the City Council adopts the plan and tears down two or three blocks in the downtown area, asks 40-50 businesses to move out, you must be certain that it will be a success. In order to do this, he believes that certain changes must be made in the plan. He referred to one of the maps which shows a department store, and although it has been explained that this is not the way it has to be, there is a railroad that runs underneath where the department store is on the lower half of the plan. That attorneys have advised the Redevelopment Commission there is almost no chance the City of Charlotte could have the railroad moved; so there is a problem with the railroad running through the middle of the project; this project begins at a level with Tryon Street, and it stays at that elevation all the way to Brevard Street; this means at Brevard

July 21, 1969

Minute Book 52- Page 152

Street the pedestrian level of walking might be 30-40 feet high. That something has to be done with regard to the railroad. Possibly the railroad would agree that we could build something to enclose it because apparently we cannot have a beautiful downtown area and still have the ugly site of the railroad tracks crossing over Trade and Fourth Streets.

Mr. Kornfeld stated within this area are two portions which are excluded; they are in the plan, but the land is not to be acquired by the Redevelopment Commission. One is the Home Federal Savings and Loan Building; that he does not contend the building is not up-to-date - it is a beautiful building and it would meet the standards of this plan. However, the railroad not only has a right-of-way for its tracks in the project area, it has certain property which is used as parking; this property is on the north and south sides of the tracks; also, there is a coal distribution point of some sort right next to a parking area near the fish market, which is owned by either the Southern Railway or the Seaboard Airline Railroad. This property is being used by public utilities for private purposes; it would appear unfair to ask 40-50 businesses to move to re-vitalize the downtown area and at the same time not ask the railroad to take their property. This property was not acquired through eminent domain - this property was acquired through purchase and it is not being used for railroad purposes but for a parking lot for the citizens of the City of Charlotte. That it seems to him the railroad would have to give up its property also. That Mr. "X" who has his business on Trade Street either has to agree to sell his land to the Redevelopment Commission or the property will be taken through eminent domain. The railroad can sit tight; they do not have to agree to anything as under the plan their property is not to be acquired. So the property is now cleared all around the railroad's vacant land; the property goes up in value and by sitting tight, their property has gone up in value. He stated he cannot explain this to a property owner who has to give up his land; why could not the property owner sit tight also, and agree that he would rebuild his property just like the railroad will have to do. He stated he believes this unfair and that the railroad's property could be taken that was acquired by purchase - at least it should be attempted. After this is done, then he thinks the plan will be fair. If the Redevelopment Commission looks into this and then takes steps to include the railroad property not being used for railroad purposes in the project plan, then it will be a fair plan, and there will be a greater chance for success.

Mr. Tom Creasy, Attorney for the Redevelopment Commission, stated they are very much aware of the comments Mr. Kornfeld made; that he is sure the City Attorney is also aware that the Commission has been in touch with the Southern Railroad for a number of years; a great deal of research was done on the legal mechanics of an attempt to condemn the property of an agent having the right of eminent domain, and it was concluded that through the cooperation, with and from, the Southern Railroad that they would expedite the matter rather than having a test case which would have been involved if they attempted to condemn or to take property of an agent having the right of eminent domain through the courts; that it was his recommendation to the Redevelopment Commission that they attempt in any way possible to receive the cooperation of the Southern Railroad which is the agent having the right of eminent domain. That the courts bear him out in decisions on this, and they proceed in this fashion which they have been doing; they are very much aware of Mr. Kornfeld's reservations. They felt through cooperation that this would be the best procedure, and he believes the City Attorney's office is in agreement; that the Southern Railroad as well as the Redevelopment Commission are much aware of the problems involved here. You cannot deal with an agency having the right of eminent domain in this State as you can with private citizens.

Mr. Creasy stated he has talked with Mr. Kornfeld and has attempted to explain the situation as he has to a number of private owners in the area.

July 21, 1969
Minute Book 52 - Page 153

Mr. Elo Henderson asked if the approval of this plan will have any relationship to the approval of the filing of the NDP application? Mr. Sawyer replied the Downtown Project is included in the Neighborhood Development Program. Mr. Creasy stated if Council elects today to approve the filing of the NDP application, it does not mean that the changes as recommended by the Council will not have to be considered by the Redevelopment Commission.

Reverend Robert Shirley stated they are present today to urge Council to take a more studied look at the proposed plan of development of the Greenville area than is now recommended through the NDP program. It is their understanding that over \$14.0 million, for which Charlotte has already qualified, will be turned back to the federal government so that Charlotte can then participate in another program NDP. By giving up the money earmarked for Greenville and First Ward, Charlotte will be able to include the downtown renewal program. Another alleged reason for the switchover is that instead of having to find relocation housing for many scores of families, renewal areas can be developed block by block or small area by small area. Whatever the priority reasons for making the change, they wish to convey their serious concern. It would be tragic if under the NDP program, work forged ahead in the development of downtown Charlotte and no tangible projects were begun in Greenville and First Ward. For sometime, the citizens of these communities have been meeting and have been assured that major expenditures were earmarked by bond vote to help renew these areas. Continued delay and re-direction of the emphasis could not help but disappoint the people of these communities. That some may say that even though NDP funds may be diverted to the downtown area, work in Greenville and First Ward will be initiated through Model Cities fund. They submit that the Model Cities program is fine, but it is not operative yet. Renewal programs of the magnitude needed in Greenville and First Ward far transcend the budget presently available to the Model Cities to work in the area of housing and community development. In their opinion Model City funds, if they are proposed to be used in Greenville and First Ward are not a worthy substitute for what was promised Greenville and First Ward residents. The second and really major reason they are present today is because of other information - namely; that the first phase of work to commence in Greenville will be a small area in the southern part of the area bounding the railroad tracks and then proceed towards Oaklawn Avenue. He stated this is a good area to begin as it is void of any housing. That they would like to submit to Council an item that has been overlooked in the first phase projection. Although the program projects in its first phase the redevelopment of housing, it provides no program for the businesses of the area of which there are approximately 130. This is a significant omission.

Reverend Shirley stated in the Brooklyn Project, the entire area was totally demolished and located in the area were numerous small businesses. No programs whatsoever were included in any phase of the renewal enterprise to deal with the businessmen's property, other than a few hundred dollars for moving expenses. As a result many of the Brooklyn businessmen are not in business today; it was impossible for them to adjust in a new location, develop new clients and at the same time remain solvent. If the purpose of renewal programs is to help rather than to hinder social and economic upgrading such a travesty of errors should not be repeated in further renewal programs, and every effort should be made to prevent economic loss by small businessmen affected by progressive construction programs. They submit that now in the first phase of the Greenville Renewal program it is not too early to include a carefully planned program of assistance to the small businessmen of Greenville.

Reverend Shirley stated their dream is the establishment of a large shopping center somewhere near Oaklawn and Statesville Avenue where the businessmen of the area may relocate their businesses, or if not relocate, then share in the profits of such a center if they choose to invest their

July 21, 1969
Minute Book 52 - Page 154

monies in it. He stated right now they have the personnel in the black community to initiate such a project. They urge that in any first phase proposal for the development of housing in Greenville, there be included the acquisition of land to initiate a shopping center in Greenville, developed, owned and operated and managed jointly by the businessmen and residents of the area.

Reverend James Frieson, a Minister in the Greenville Community, stated he was on the committee that first asked for redevelopment in this community; it was said by the Planning Commission and others that they were the first community to really ask for urban renewal in their community; they are concerned about urban renewal and want progress for the entire city but they do not want at this time to be given a bill of goods by anyone; they have waited for a long time; the community is rapidly falling apart; people are moving into their areas and now they come up with the NDP program. He stated the people in the Greenville Community do not fully understand what the NDP program is all about. He asked Council to delay its approval until the program is fully explained to the residents of Greenville and First Ward and other areas; they need to support all action in the community, but they want to understand what they are supporting; they do not want \$14.0 million to be given back to the federal government and they not know what the state of the economy will be next year. He stated they want Greenville to be developed and they want it now and need it now; they want a place for their people to live in the Greenville area, and they are asking Council to delay the NDP program until the communities have a full understanding of what it is and how it will affect them.

Reverend Newberry, Minister of Brandon Presbyterian Church, stated he comes in opposition to the Neighborhood Development Program because several months ago the citizens of Greenville area were asked to propose to the Redevelopment Commission plans to upgrade their community that would bring about a better livelihood in the Greenville Area. He stated he is getting tired of having to chase rats and other things from the church property. That they have held meetings with Mr. Sawyer and his staff and they have been promised the things they have so long hoped and worked for; he urged Council not to consider the proposal at this time.

Mrs. Ruth Staton, member of the Model Cities Commission, stated she is concerned about the neighborhoods, the delay and the wait; that the people have been meeting for a long time and since they are having a meeting in the neighborhood tomorrow night she asked Council to delay any action until this is explained to the people.

Mr. Charles Black stated Redevelopment came into the First Ward Area, and in the Greenville area when he worked with Model Cities, and now they come up with another promise. Charlotte is the All-America City, and now it is becoming the all federal program. He stated they want to see Charlotte move forward and want to be a part of it; that poor people have been promised for the last 32 years of his life, and now they come up with the downtown area plans where they have to give back money to the federal government; they feel it is not fair and it is not fair to the First Ward area to come into their area with urban renewal and all the other federal programs and promise them and then tell them a few weeks later that the only thing they can do is to give the money back to the federal government to build downtown. He asked Council to consider its promise before we have to get out and help our Fire Department and Police Department put out fires that we did not start in the beginning; this is what Charlotte is leading up to; all over the state everybody is doing something but Charlotte.

Mr. Joe Faulkner, representative of First Ward, stated they are behind the delay of the NDP as they know they already have \$14.0 million for the Greenville and First Ward Area. Why not spend it and start work on it without changing rules and putting in something different? What they need

July 21, 1969
Minute Book 52 - Page 155

is for people to realize what these communities want without a lot of new ideas when they know that what they need to do now is to build the communities back and not leave it like Brooklyn.

Mr. Faulkner stated it was said the Mayor and two other gentlemen went to Atlanta to visit HUD; that as a member of First Ward he would like to know what was learned there? Mayor Belk replied they have not been yet, but they do plan to go for Model Cities.

Mr. Joseph Carter, Representative of First Ward Area, stated he would like to say whether or not they support this new program; but in First Ward it is almost impossible to do so because they do not know what it is all about; that they were also under the impression that the Mayor, Mr. Jones and others went to Atlanta to find out whether or not we could hold the \$14.0 million and also go the NDP route. This is one of the questions they have been asking without any answer. Also, they want to know whether or not if they go the NDP route the areas can be extended. Also, they want to know whether or not they could use the \$14.0 million and later on go the route of NDP. These are the questions they have asked in First Ward. There have been people out there to give them a little light on the NDP program but they do not fully understand it yet. Mr. Carter stated they also ask the delay of a decision now to give them a chance to understand the program and later maybe they can come back and tell Council whether or not they approve or disapprove the program.

Mr. Sawyer stated most of the comments we have just listened to come as a result of misunderstanding of what the Neighborhood Development Program really is. He stated this program grew out of the great frustration around the country over the high bound regulations of HUD that prevented early action in urban renewal project area. Under the conventional urban renewal programs, you go through the long planning process and at the end of that process get local approval and other approval of plans and you cannot turn a finger to execute the plans under the conventional approach. Under the NDP program one of the incentives offered the city is more flexibility in being able to do something while the planning is going on. Under this program you do not have to file an application and stand in line with the rest of the country and wait for months. If we go the conventional route on the First Ward it will probably be 18 months planning and getting approval for those plans before the first piece of property can be bought. Under the NDP while the planning is going ahead, they begin to buy property in those areas where they are fairly sure of what the land use is going to be and where they know that the plans are already rather definite as far as the Planning Commission and general plans are concerned. In essence, the Neighborhood Development Plan permits you to go ahead, but it converts you to a year-to-year funding basis rather than a guaranteed funding period for the life of a project. However, going the year-by-year funding route, they expect to get more money that will be given under the conventional route.

Mayor Belk stated it is obvious that a better job should be done in getting the information before the people as they do not understand what the problems are or what has been done; that time should be spent in getting the information to them. Mr. Sawyer replied he agrees; that they have been planning with the people in the Greenville area for months; they have had many meetings. That the Neighborhood Development Program is a new concept, and they have explained it in meetings out there; they have not held a meeting in First Ward as yet.

Councilman Alexander stated with what was heard today, it is clearly understood that Council should take some action that will relive some of the problems that exist, and that will relieve some of the confusion that exists regardless of how it came about. That all must admit with all the various programs we have attempted to initiate, there is room for confusion when you have explanation attempted from so many different

July 21, 1969
Minute Book 52 - Page 156

sources. That perhaps this is as good an opportunity as any to do what has been suggested today - that Council defer approval of this plan and ask that an immediate public meeting be set up for people in these areas to attend and have the proper sources there to explain all of our problems about these programs once and for all - there may be some who still do not understand but at least an opportunity has been presented where everyone concerned can attend, and the proper persons will be there to discuss all the various facets of these programs and explain them so there will not be misunderstanding from that point on.

Councilman Alexander moved that Council defer any further approval until it can have this public meeting so the people in these communities involved can attend and the proper sources be there to give explanation of all these programs as they stand now within the next two weeks. The motion was seconded by Councilman Withrow.

Mr. Sawyer stated the proposal today is a resolution authorizing the Redevelopment Commission to file an official application with HUD for approval of the Neighborhood Development Program that includes the listed projects; this is not a public hearing on the Neighborhood Development Program. One will have to be held at the time HUD approves the application and before a contract is executed; that this may be 30-60 days before HUD reaches that point. If in the meantime, they can accomplish the meeting and the explanation proposed, he asked if that would be satisfactory? Councilman Alexander replied he is addressing his proposal to the questions that have been raised this afternoon; that we stick a pin in it now and have this public meeting before doing anything. That he thinks it is better to do it in that fashion; that they need to be told the philosophy of the change in administration that brought this about. This cannot be done today and it is important that the people are satisfied and understand not from someone who comes from some facet of either of these programs to tell them - the more that is done the more confused the people are. That he thinks the heads of all these programs should be present at this meeting and do the explaining.

Councilman Alexander stated it is more important to have common understanding especially with the people who are involved than anything else; if Council approves anything today and finds it has not solved the problems of understanding as they exist today, Council has not accomplished anything, and cannot move forward.

Councilman Short stated if we delay filing the application, will we lose priority on federal funds in relation to other cities? Mr. Sawyer replied there is no question about it, we will; that is why they have been running as hard as they can with this program; other cities that get their applications in first, get a priority on the funds; it is a first come, first served basis. Councilman Short stated if the application is filed and we get priority, we still have complete latitude to set it aside or change it, do we not? Mr. Sawyer replied we have that opportunity at the time the contract is offered; it will be more awkward at that time, but you still have an opportunity as that is the reason for the public hearing.

Councilman Alexander asked if it is not true in a sense that we have no way of determining how fast we get the money as far as that case is concerned when we must bear in mind that we have to have a further hearing and we can reach the same point of confrontation where we are headed now which would delay everything. He asked if we are not in better shape if a temporary delay today assures an understandable agreement when we come up to the final hearing; that he thinks a two weeks delay today would be more important than a delay that could grow out of confrontation from lack of common understanding. That he is trying to resolve it before.

July 21, 1969
Minute Book 52 - Page 157

Councilman Whittington stated the next item on the agenda has to do with the filing of the application for NDP which includes the seven urban renewal areas; he asked if this means we are taking Project 4 out of this item? Mr. Sawyer replied no; it means they will change their proposal that is included in the NDP application for Project 4 from a plan approved today as proposed to one that will continue in planning, and be presented later as a proposed amendment; they add to the NDP application a planning period for Project No. 4 and in the case of Project 5, they would have to do that also because housing is not permitted under the present plan as a land use.

Councilman Thrower stated if Council would go ahead and approve all these items, and at a later public hearing it could come back and make any changes that would suit to answer these questions. If it is delayed today it simply places us at a lower priority down the ladder, and we stand a chance of losing some of the funds and some of the priorities. He asked if this is correct? Mr. Sawyer replied that is correct; if you really anticipate change other than the changes in Project 4 and Project 5, already made, and propose that major changes be made in First Ward and Greenville at the time of the public hearing, then it might save time by delaying the application now. It is a question of whether saving time now is more important than getting some priority on the money; that he does not know what priorities would be gained if the application is submitted earlier.

Councilman Thrower asked Mr. Sawyer if he can expedite this and get it done within the two weeks time? Mr. Sawyer replied they will certainly try.

Reverend Paul Leonard stated one of the resident's questions was on priorities. According to the present plan, Greenville and First Ward have been approved; that he hears the question asked, if under NDP they are still first in line, or does the downtown development become the first priority for the city. That one of the real questions is what is the priority under NDP. That they understand the program rather clearly but their concern is where they are on the list once NDP is approved. Councilman Alexander stated in Atlanta when the idea of NDP came up, he was present, and he raised the question of the movement of Greenville in any form or fashion under the change that would take place under a new proposal. They were assured Greenville would not be moved; that the records will show that he raised the same question and it was agreed that Greenville would not be moved from top priority in this program even if we went under NDP. If anyone has said it will be moved in any fashion other than that, then he has not heard it and it has been decided without his knowing it. That he knows that much stands as is; but he doubts there is full understanding about the general program.

Reverend Henderson stated Mr. Sawyer said himself that according to the NDP proposal you are guaranteed the funds that are used ahead of time. This means Greenville can get funds to go 10 blocks and next year, may not get anything; this is why Greenville will not have priority. That he does not see how we can stomach Greenville without doing the whole thing now; it should have been done 25 years ago.

Mr. Sawyer replied the Redevelopment Commission has gone on record on many occasions saying that Greenville has top priority and it has said this since 1966 when these applications for Dilworth, Greenville, First Ward and Downtown were first filed with HUD. They do not know why Dilworth was approved first. They can speculate that it was because it was the smallest project and required the smallest amount of funds; but it did approve Greenville the next year. HUD approved Dilworth in 1967, Greenville in 1968 and First Ward in 1969, and Downtown is still waiting as far as the approval of the application as submitted is concerned. He stated they have not changed their priorities for Greenville, but it is true that when you go to the Neighborhood

July 21, 1969
Minute Book 52 - Page 158

Development Program you go on an annual funding basis, and you relinquish the funds that you have reserved under the conventional program. This goes for First Ward, the remainder of Brooklyn, and for Downtown; to the extent that we get any funds at all to finance a Neighborhood Development Program after this first year. Whatever those funds are, Greenville will still have top priority.

Mr. Richard Milleghan stated it seems to him that perhaps the assessments would be based on what sort of plans are presented; that he imagines these people would like to know what plans are available for the Greenville area and the other areas that are concrete.

Mr. Sawyer stated the Redevelopment Commission, without approval from HUD, went ahead and prepared these plans for downtown; the Greenville approval came later and they have been planning that project with the people in the project area over the period of the last several months. The plans are very near completion, and they have scheduled a meeting to be held in the project area before the Greenville Neighborhood Council tomorrow night to look at a final preliminary site plan, if approved, they can move on to the Model Neighborhood Council for approval and if approved there, they can set a date for a public hearing on that plan.

The vote was taken on the motion and carried unanimously.

MEETING RECESSED AND RECONVENED.

called

Mayor Belk/ a ten-minute recess at 4:35 o'clock and reconvened the meeting at 4:45 o'clock p.m.

The Planning Commission came into the meeting at this time to sit with the City Council and jointly hear petitions for zoning changes, with Chairman Toy, and the following members present: Commissioners Albea, Embry, Sibley, Stone, Tate and Turner.

ABSENT: Commissioners Ashcraft, Brewer and Godley.

HEARING ON PETITION NO. 69-64 BY INDEPENDENCE PROPERTIES, INC., FOR A CHANGE IN ZONING FROM R-9 TO B-2 OF TWO LOTS ON THE NORTHWEST SIDE OF FUGATE AVENUE, BEGINNING 177 FEET FROM INDEPENDENCE BOULEVARD.

The public hearing was held on the subject petition on which a protest to invoke the 3/4 Rule was filed and found insufficient.

Mr. Fred Bryant, Assistant Planning Director, stated the request is to rezone two lots on Fugate Avenue; there is a single family residence on one lot and the other lot is vacant. Fugate is developed entirely with single family residential houses. The subject property is adjoined on the Independence side by a vacant lot with a service station at the corner and the New Downtowner Motel. On the out-of-town side is a service station at the corner and a number of restaurants along the Boulevard. He stated all the property on both sides of Independence Boulevard is zoned B-2, with the subject property as well as all the property along Fugate Avenue and other streets in the area being zoned for single family purposes.

Mr. Mark Bernstein, Attorney for the petitioner, stated they are the owners of land leased to the Downtowner Motor Inn and have recently acquired the land requested to be rezoned. That the motel at present does not have sufficient parking to insure that a congested condition will not exist in the area; the parking is sufficient to satisfy the various requirements. That with the 50-60 employees, additional parking space is needed. The motel has 154 rooms with food service seating of 170, with a banquet capacity of 500. At present there are only 240 parking spaces and the proposed changes would add 41 additional parking spaces.

July 21, 1969
Minute Book 52 - Page 159

Mr. Bernstein stated recently 51 percent of the residents of the area put their names on a release of the commercial restrictions which indicated there was approval in the neighborhood. That in view of the opposition his clients would be satisfied with O-6 zoning as the area will be used for parking only; also they are suggesting a 30 foot buffer zone to protect the people.

Mr. Tom Anderson of Community Planning Associates of Raleigh presented a plan of the parking area stating they wish to separate the guest parking and the employee parking with the guest on the right and the employees on the left coming off Independence Boulevard between the service station and the Registration Desk of the Motel. He stated they will terrace the facility on the hillside. There will be no curb cuts required on Fugate; they will hold a 30 foot buffer on the upper side. The red bank will be taken down, filling the back of the service station and stepping up on the terracing, taking up grade on each step with landscaping. He stated the curb cuts are already there and no additional curb cuts will be required, and there will be no additional means of dumping traffic on Independence Boulevard. He stated the area will be screened, it will be maintained and it will come before the proper city officials so that it meets all the requirements of the city.

Mr. C. G. Taylor stated he represents the people on Fugate Avenue; that it seems this was done before and a buffer was set and now there is a little more of the creeping paralysis. That all but one house is owner-occupied, and all are either retired or have children in school and this is their home. He stated they do object to the rezoning; and urged Council to reject the change.

Mrs. Robert Patterson stated she lives directly across from the property; that when the motel was placed there they knew they did not have enough parking space; the motel was put in on a postage stamp; before it is even in operation they want to enlarge. She asked Council to consider the property owners and deny the request.

Mr. Lanier Morris stated he lives in the block adjoining the block in which this takes place. They talk about beautifying it and for three years the residents have put up with the red bank, and during last winter anyone who walked to the Coliseum could not walk on the sidewalk because of the mud puddles; that it has been a great inconvenience, and he suggested that Council not go along with the request.

Mrs. McNair Woodle stated she lives about half way of the block and the way her house is situated they are actually boxed in with the Coliseum Motel as well as the Downtowner. They do not object to the Boulevard becoming business but their homes are in jeopardy when they come in and chop off lots one by one.

Council decision was deferred until the next Council Meeting.

HEARING ON PETITION NO. 69-68 BY G. B. HEATH, JR. ET AL FOR A CHANGE IN ZONING FROM R-12 TO R-15MF OF A TRACT OF LAND LOCATED BETWEEN BRIAR CREEK AND HANSON DRIVE, BEGINNING ABOUT 970 FEET SOUTHWEST OF PROVIDENCE ROAD.

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 councilmen in order to rezone the property.

July 21, 1969
Minute Book 52 - Page 160

The Assistant Planning Director advised the land is entirely vacant and is predominately low area along the creek. Along Hanson Drive on the intown side are single family homes that back up to the property; there are single family residences to the rear of the area along Providence Road and Hampton Avenue. He pointed out Temple Bethel and stated there is a Duke Power substation at the Creek on Providence Road. Across the creek are homes facing on Pinewood Circle with scattered single family residences in the area. The rear of the property is at the rear of property facing on Sharon Road.

Mr. Bryant stated this property was included in a request for rezoning about three years ago and there has been no changes in the topography of the area. He pointed out a multi-family structure located on a portion of Hanson Drive which is non-conforming use. He stated the zoning in the area is entirely single family including the subject property.

Mr. Parker Whedon, Attorney, stated he represents the petitioners, the Heath Family and they have owned the property a number of years. That the property is rather hard to get into. He passed around pictures which were made from the fringe prospects. Under the existing zoning this property is in a state of confiscation, a municipally enforced open area for the benefit of adjoining land owners. The existing zoning - R-12 - in combination with other factors produces an economic absurdity. The property is in the flood plains. He read letters from Mr. Lee Rae giving the mean sea level elevations between Sharon Road and Providence Road at several points and topographical and hydrological data under the subdivision ordinance. He stated they have submitted this property for consideration for sale to an established builder of single family residences who advises the cost for preliminary preparations would approximate \$200,000; they estimate the fill requirements to be 250,000 cubic yards of dirt; a rough layout shows a yield of 24-25 building sites; all improvements such as sewers, curb and gutters would have to be added to the cost; this would dictate that each building lot be priced at \$25,000; this is unreasonable and single family development can never be considered. He suggested that a higher and better use be pursued such as apartment use. Mr. Whedon stated his clients have only two choices - let it sit for the purposes it has been serving for 30 years, raising taxes for the city and providing a private wilderness area for the local residents, or they can petition for some rezoning to a higher and better possible use.

Mr. Alex Johnson, representing Davis and Davis Realty, stated this property has been offered for sale under every reasonable circumstance and this is the only thing that has any feasibility; it cannot be business and it cannot be used for single family.

Mr. John Golding, Attorney for the land owners and residents of the area, stated in addition to the protest petition which has been filed he had additional protest of people on Providence Road, Hampton Avenue, Scotland Avenue, Biltmore and the other side of Hanson Drive - that both petitions include an estimated 250 signatures. He filed the general protest petition with the City Clerk.

Mr. Golding stated the things that give this land its value is the time, effort, money and work that all the people who live around the area have put in to develop their existing homes. With the exception of the one nonconforming use which has been mentioned, this is a fully developed neighborhood of single family homes; it has a network of quiet, lightly traffic streets, ideal for residential usage and ideal for children and streets which can take care of the present traffic in safety. But streets that would be inadequate to the density of people that would be permitted under the proposed rezoning. That according to his figures there would be 130 families versus approximately 40 if left in its present rating.

July 21, 1969
Minute Book 52 - Page 161

He stated the rezoning of this property would create a foot in the door situation and in a few months or years the present vacant land running against Providence Road would be up for rezoning.

Mrs. Ruth Gaul stated she lives on Hanson Drive and they who live on this street ask Council to consider the traffic hazards involved; that Hanson Drive consists mostly of young couples just starting now, and there are approximately 25 children on Hanson Drive alone.

Mr. Whedon stated any development that will take place will have to be done in a lawful manner, and the water would be a problem but it would be a problem with single family developments.

Council decision was deferred until the next meeting.

HEARING ON PETITION NO. 69-73 BY JOHN CROSLAND COMPANY AND CHARLES R. MILLER FOR A CHANGE IN ZONING FROM R-12 TO R-20MF OF A TRACT OF LAND CONTAINING APPROXIMATELY 21 ACRES LOCATED ON THE WEST SIDE OF PARK ROAD, BEGINNING 120 FEET SOUTH OF STARBROOK DRIVE.

The public hearing was held on the subject petition on which a protest petition has been filed sufficient to invoke the 3/4 Rule requiring the affirmative vote of six councilmen in order to rezone the property.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located on the west side of Park Road, and consists of 21 acres with frontage on Park Road of about 930 feet, and is vacant property. Around it is developing residential areas. The Huntingtowne Farm Elementary School site almost adjoins the property at one point; there are single family homes on the north side of Starbrook Drive down to Park Road; he pointed out the Sharon Golf Course. On the east side of Park Road is Riverbend Drive which is developed with single family residence and there are residences down Park Road on large lots.

Mr. Bryant stated the subject property is zoned R-12 as is all the adjacent property around it. The request is for R-20MF which is a conditional multi-family district requiring a site plan approval.

Mr. Ben Horack, Attorney for the petitioner, stated the petition has been well protested and there is a petition filed with 516 names on it. That several weeks ago Mr. John Crosland, Jr. retained a room at the Sharon View Country Club having issued invitations to about 65 of the more nearby residents to hear an explanation of what Crosland plans to do - only seventeen people showed up.

Mr. Horack stated they propose to develop this acreage in a self contained area for the development of approximately 137 private single family attached residences which are in groups of 3-8 clusters at random throughout the tract. This will provide the benefit of private ownership and at the same time allow people who are weary of yard maintenance to be in a coordinated maintenance setup where the building exteriors, common green areas, parking facilities and small recreational areas will be owned by a homeowners association, and maintained for the common benefit of all the owners of the individual units. He presented renderings showing the elevation and architectural plans, stating they will be of different architecture, different construction and different roof lines. They will give special attention to the rears of the separately owned units and they hope they will be as compatible as the front elevation.

Mr. Horack stated they will sell from \$26-35 thousand and will include a rear patio, with interiors that will run pace with the conventional type single family subdivision homes. There is a recreational center with a club house and pool which will be controlled by the Home Owners Association. Some of the areas are designed to be wooded areas. He

July 21, 1969
Minute Book 52 - Page 162

stated these attached single family homes are similar to detached homes in that they can be individually deeded, owned, mortgaged, financed, taxed and can be bought and sold as any other privately owned home. He stated this will be built under the FHA and it sets up the corporate charter of the homeowners association and the bylaws of the association and a comprehensive set of rules and regulations governing the maintenance and operation and the payment of expenses of operating the homeowners association. They anticipate the purchasers will be somewhat middle-aged older people with incomes comparable to the other residents of the neighborhood; they will be non-transits.

Mr. Horack stated the terrain is rough; the low point is along a creek; test borings indicate an overdose of underground rock, and also an underground 18 foot cable - all of which are difficult to work around, particularly if you use the conventional detached single family plan, as this means every lot has to face on a dedicated street. He stated along the southerly line the woods basically will be retained; there will be fences and artificial plantings if necessary to supplement and create more of a buffer. Access is only into Park Road with no through traffic to the residential areas.

He stated Mr. Wallace Gibbs, M.I.A. appraiser, advises he does not think this will affect values as there will be no through streets; that he comments on the style and quality and that this project will be compatible to the area. That Mr. Gibbs observes that Lilly Mill Road will not be cut through as it would have to be if developed with conventional single family residences.

Mr. Horack concluded by saying there is a need for this type development, and this R-20MF has been on the books for three years and has not been used; that it takes a lot of effort and expense to prepare a R-20MF application. If this plan is approved and they want to deviate from it, it will have to be by Council approval.

Mr. John Crosland, Jr. spoke to the petition stating they are seeking permission to build 137 single family attached homes in a community that is self-contained and is highly compatible with the neighborhood. He stated these homes are similar in character to one and half story single family residences joined together by a common wall; they are similar in size to the homes built in the adjoining neighborhood; they range in size from 1408 square feet to 2208 square feet. If this petition is granted, they will show the community a well designed, attractive community of high density. He stated they are interested in what is best for the community, and at present they have 78 more lots in Huntington Farms and a few in Beverly Woods to be developed; of the 7 adjoining this property on the southwest side, three have been sold. By virtue of this fact they are by far the largest landowner in economic values.

Mr. Scott Blanton stated he is an adjoining property owner; he asked all those opposed to the rezoning to raise their hands and a large number of the audience did so. He passed out maps of the area and stated the Crosland Company owns the lots colored in yellow, and the protestants own the lots colored in green. This map is to try to show how the people around the project feel. That the people have made a point of briefing themselves on this; that Mr. Crosland has had a very potent sales force calling on these people and they have gotten the picture and know what the story is.

Mr. Blanton stated there are 516 signatures on the protest petition and it was signed under their own volition. That he is convinced he could have gotten several thousand signatures. That someone mentioned the age and number of dependents of the people who are going to buy these units; that unless they are shown something that definitely says that young people, college people, and people with toddlers cannot buy

July 21, 1969
Minute Book 52 - Page 163

that property, then he believes the best idea is to look at what they propose to build. They are building 137 units and out of that 15 are two bedrooms, 87 are three bedrooms, 35 are four bedrooms and this makes a total of 431 bedrooms, of which 401 are either 3 or 4 bedroom units. That he does not think this indicates older, retired people.

He stated many man hours have been spent on this protest, and a great many of these people gave up their vacation, or changed their vacation so they could participate in this. They are asking that this roof of protection be kept over their heads for those who have their homes in the area. These people desire a little plot of land for their own that they can keep and can develop and have neighbors of that same type.

Mr. Blanton stated back in 1966 there was a zoning petition No. 66-25; that it borders on this same property; it was up for rezoning for multi-unit family construction, and the Council did not rezone it. At that time, the present petitioner in the subject case was an opponent.

He stated all the property surrounding this lies on a plain overlooking this development; Riverbend Road is a beautiful single family road, and all residents will be at a height where they will overlook the roofs of this complex that is true all the way around. He stated this whole situation as shown outlined on the map was planned months in advance to keep them from invoking the 3/4 Rule; that he retained ownership all the way around; one property owner had bought the home and was moving in but Mr. Crosland suggested they take a month's free rent and not transfer title, but title was transferred and they were able to invoke the 3/4 Rule.

Mr. Blanton stated they give their problem to Council with absolute confidence.

Council decision was deferred until the next meeting.

HEARING ON PETITIONS NO. 69-65, 69-66 AND 69-67 BY EAST MECKLENBURG CORPORATION FOR CHANGES IN ZONING.

The public hearing was held on Petition No. 69-65 for a change in zoning from R-9 to B-2 of a 4.09 acre tract of land on the south side of Idlewild Road, beginning 669 feet east of centerline of Independence Boulevard; on Petition No. 69-66 for a change in zoning from R-9 to B-2 of a 1.93 acre tract of land located 445 feet south of Idlewild Road and 400 feet northeast of Independence Boulevard; and Petition No. 69-67 for a change in zoning from R-9 to R-9MF of a 23 acre tract of land fronting 1,058 feet on the south side of Idlewild Road, beginning 1,036 feet east of the centerline of Independence Boulevard.

Mr. Fred Bryant, Assistant Planning Director, stated these three petitions for rezoning are adjacent to each other and are located on Idlewild Road. The 4.09 acre tract is located on the south side of Idlewild Road and is entirely vacant; the 1.93 acre tract is a triangular shaped tract and is a request from R-9 to B-2, and is also vacant; the 23 acre tract is on the south side of Idlewild Road and is a request to change from R-9 to R-9MF. He stated all this property is vacant. There is a developing multi-family area on the north side of Idlewild and a cluster of business uses around the intersection of Idlewild Road. The basic uses in the area are single family along City View Drive, and other than that the area is predominately vacant.

Mr. Bryant stated the zoning along Independence Boulevard is B-2 back for a depth of 400 feet adjacent to the subject property; there is R-9MF zoning on the north side of Idlewild Road; other than that the area is zoned for single family.

July 21, 1969
Minute Book 52 - Page 164

Mr. Charles Knox, Attorney representing Mason Wallace, Jr., the owner of the corporate petition, stated the three petitions were filed as they were for different purposes; the 23 acres requested changed to R-9MF lie directly across the street from the multi-family apartment being built by Mr. Ed Griffin. One of the business requests adjoins the property of the service station in the corner; they have a client who is interested in this being developed; they have another client for the small triangular part which is adjacent to property already zoned B-2 on Independence. He stated Mr. Wallace owns most of the property around this area; that beyond the part requested rezoned the property is owned by Mr. Wallace and will remain as a buffer of R-9.

Councilman Whittington stated if this petition is granted for B-2 what would the depth be? Mr. Bryant replied it would be 693 feet; that back towards town it is 400 feet except for City Chevrolet and several other changes made for the motor company and that is approximately 700-800 feet depth.

No opposition was expressed to the proposed changes in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 69-69 BY FRED A. ELACKWELDER, ET AL, FOR A CHANGE IN ZONING FROM R-6MFH TO O-6 OF SEVEN LOTS 50' X 200' EACH ON THE SOUTH SIDE OF WEST BOULEVARD BEGINNING AT WICKFORD PLACE, AND EXTENDING TOWARD CLIFFWOOD PLACE.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated the subject property has 350 foot frontage on West Boulevard, between Wickford Place and Cliffwood Place; it is occupied by a number of single family residences with a fair amount of duplex development in the general vicinity; to the rear of the property is a multi-family facility on Worthington Avenue; toward South Tryon Street is considerable business development around the South Tryon and West Boulevard intersection. There is a rest home in the block between South Tryon Street and Wickford. Other than that the predominate land use is the Wilmore School.

Mr. Bryant stated the subject property and all the property in the block is R-6MFH as is all the property along West Boulevard out to Cliffwood with the exception of the school property which is zoned R-6MF.

Mr. Lewis Parham stated he represents the seven petitioners in the 400 block of West Boulevard for a change in zoning from R6MFH to O-6. That the structures as they presently exist on the property are neat, well kept and the grounds are well kept there is approximately 65,000 square feet in the tracts and it would permit the erection of approximately 60 apartment units.

Mr. Parham stated West Boulevard is heavily traveled; it is the direct route to the airport, and it is likely to increase as a result of I-77; it is very close to business and industrial areas at South Tryon Street. They feel when property becomes undesirable for its present usage one or two things will happen - either it will deteriorate in appearance and value or its use will change. If it changes according to the present zoning then the present structures would have to be used as rooming houses or would need to be demolished and apartment developments erected; they do not feel the property is suitable for an apartment development as the neighborhood is not highly desirable for apartment dwellings because of the heavy traffic, and is not convenient to any major shopping outlets; the current value of the properties is too high for apartment development each of these properties would have a current market value of approximately \$11,000 to \$12,000, and if it maintains the value it would mean the land

July 21, 1969
Minute Book 52 - Page 165

cost would be prohibitive for anything other than luxury type apartments; the current unavailability of mortgage funds and the high interest rates would most likely rule out any apartment development in this area except for a development under a governmental lease.

He stated its proximity to business and industrial use makes it desirable for office use; it is convenient to downtown and convenient to the Airport. He stated the present structures with a minimum amount of conversion could be used as offices for doctors, dentists, realtors and manufacturer's representatives. He stated there are four property owners between the subject properties and the property currently owned for office and these persons have no objections to this request; that he has a signed statement by the property owners saying they have no objections, which he filed with the City Clerk.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 69-70 BY WARREN P. COLEMAN FOR A CHANGE IN ZONING FROM R-9MF TO O-6 OF A 4.0 ACRE TRACT OF LAND FRONTING 312 FEET ON THE SOUTH SIDE OF CENTRAL AVENUE, BEGINNING 710 FEET EAST OF SHARON AMITY ROAD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the property is vacant; it is adjoined on the intown side by an existing facility of Southern Bell Telephone Company, and on the out-of-town side it is adjacent to a single family resident that is used partially for office purpose. To the rear of the property is a large tract of land being operated for the Coleman Nursery operations. He stated there is some business uses around the intersection of Sharon Amity and Central Avenue.

Mr. Bryant stated there is business zoning all around the intersection of Central and Sharon Amity extending down Central Avenue to the subject property; there is office zoning across on the north side of Central Avenue; other than that all the property along Central Avenue is zoned R-9MF.

Mr. Beverly Webb, Attorney with Moore and Van Allen; stated they represent Southern Bell Telephone & Telegraph Company, and Southern Bell has an option to purchase this property. He stated Southern Bell is presently occupying two lots in this vicinity; they own the first lot and they are leasing the second lot, and they plan to extend their present operation in this area of town. The two lots presently occupied are zoned as business and the proposed use on the new lot will be an office use.

Mr. Webb passed around pictures showing the area and explained each one. He stated the office will be used as telephone operators' center, and initially will have desk spaces for 60 girls who will have information booths; eventually there will be 120 employees.

Mr. Ralph Profitt with Southern Bell Telephone Company stated this is an effort to decentralize their operating areas; that they have already started this on Freedom Drive; they will move their toll operators to Freedom Drive and they will operate remotely; the one to be located on Central Avenue will be an information operating unit.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until the next meeting.

July 21, 1969
Minute Book 52 - Page 166

HEARING ON PETITION NO. 69-71 BY LEWIS S. KING FOR A CHANGE IN ZONING FROM R-6MF TO B-2 OF A PARCEL OF LAND AT THE NORTHEAST CORNER OF YORKMONT ROAD AND WILMONT ROAD.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated the property is a triangular shaped tract of land with frontage of 250 feet on Yorkmont Road and 200 feet on Wilmont Road; it is occupied by a single family structure. The adjoining property to the northeast is vacant; the property across Yorkmont Road is vacant. He pointed out the location of a storage and maintenance area for the State Highway Commission, and stated the Prison Camp is located on Wilmont Road. He stated all the property surrounding the subject property is publicly owned. That at the Taggart Creek intersection is a small industrial non-conforming concrete block manufacturing facility.

Mr. Bryant stated the subject property as well as all the property on the north side of Yorkmont Road is zoned for multi-family and the other property in the area is zoned for single family.

Mrs. Lewis King stated they own the property and are requesting the change to business as it is not a residential area; the airport prevents any homes from being built, and she does not think the city or state has any plans to develop their property with housing. She stated the land has been in the family since 1949; that it is a very heavily traveled road as they get all the airport traffic, Westinghouse traffic and other traffic.

Mrs. King stated they have no definite plans at the moment but within the next few years they hope to build and operate a restaurant on the property.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

HEARING ON PETITION NO. 69-72 BY JOHN PARKS TODD FOR A CHANGE IN ZONING FROM B-1 TO B-2 OF A 3.38 ACRE TRACT OF LAND AT THE NORTHEAST CORNER OF BEATTIES FORD ROAD AND SUNSET ROAD.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated this request is at the very edge of the Charlotte Perimeter Area with the property to the north being controlled by the County. On the corner is a service station-restaurant combination and behind it is an equipment storage area for a grading contractor; there is a mobile home park with 18 trailers on one corner of the intersection, a small grocery store on one corner and a service station and general merchandise store on the other corner; that three of the four corners are presently used for some type business. He stated the property on the east side is vacant and across the road the property is vacant; there are single family residents to the north of the property and single family residents down Sunset Road.

Mr. Bryant stated the zoning is basically B-1 around the intersection and then it is a combination of single family zoning and one area of multi-family zoning.

July 21, 1969
Minute Book 52 - Page 167

Mr. Tom Cannon representing the petitioner, stated the request is to allow them to lease a small portion of it to erect a self-service car wash; that it will be directly behind the existing service station.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred until its next meeting.

ORDINANCE NO. 284-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY ON THE NORTH SIDE OF FREW ROAD, FROM NEAR CRAIGHEAD ROAD TO A BRANCH OF SUGAR CREEK.

The scheduled hearing was held on Petition No. 69-74 by Charlotte-Mecklenburg Planning Commission for a change in zoning from I-1 to O-6 of property on the north side of Frew Road, from near Craighead Road to a branch of Sugar Creek.

The Assistant Planning Director advised recently there was some zoning change in this area and the reason for this request is to create a more logical pattern of zoning. The recent change was with the knowledge that it would leave a narrow strip of I-1 zoning sandwiched between the office zoning and the multi-family zoning adjacent. He stated it was felt that a more logical pattern would be created if the subject area was considered for the classification of O-6.

Mr. Bryant stated they have sent notices to all the property owners involved. At the time of the recent change the petitioners went out at their suggestion and secured signatures of over half the people saying they would not object to the property being changed to O-6.

No opposition was expressed to the proposed change in zoning.

Councilman Short moved the adoption of an ordinance to change the zoning from I-1 to O-6, as requested by the Planning Commission. The motion was seconded by Councilman Whittington and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at page 218.

ORDINANCE NO. 256-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY ON THE NORTH SIDE OF SHARON VIEW ROAD AT McMULLEN CREEK FROM R-15 TO R-20MF.

Petition No. 69-12 by Charles R. Collins for a change in zoning from R-15 to R-12MF of a 27.992 acre tract of land on the north side of Sharon View Road at McMullen Creek was presented for Council action.

Councilman Tuttle moved that the petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Jordan.

Councilman Thrower made a substitute motion to hear the petition for a higher grade of development. The motion was seconded by Councilman Whittington, and carried by the following vote:

YEAS: Councilmen Thrower, Whittington, Alexander, Jordan, Short and Withrow.

NAYS: Councilman Tuttle.

July 21, 1969
Minute Book 52 - Page 168

Mr. Sol Levine, Attorney for the protestants, advised they did not know until Friday this petition would be heard, and he discovered just a little while ago that it would be heard under the R-20MF classification: that he is not prepared and the hour is late. He stated there is a petition against it signed by 500 people and there was not enough time to bring them here.

Councilman Whittington stated you do not have to have another public hearing if you are going to a higher classification: and this is what will be presented now.

Mr. Levine stated apartments are still going in: that it is to be changed from a higher density to a lower density.

Councilman Short stated while this would not be a public hearing in the official sense, Council has already voted to go ahead and hear a suggestion for a move to a higher category: that he thinks it is appropriate to proceed as Council has voted, and those who wish to comment be allowed to comment, although it is not an official hearing.

Mr. Underhill, City Attorney, advised if this is in response to a question from a city councilman, it can be presented in response to the question: that he thinks it is right to go ahead and present this in response to the request of Councilman Thrower.

Mr. Levine stated in the agenda this matter is presented for a decision: and then there is this hearing to a higher classification: that he does not object to going ahead with it: if Council is going to listen to the petitioner he is sure they will listen to him. He just thinks it is a little bit unfair the way it is being done, in not giving the people a change of being heard on the higher classification.

Mr. Hyles Haynes, Attorney for the petitioner, stated the initial request was from R-15 to R-12MF. The matter was continued some numerous times, and several things were involved, but the main reason was that it was apparent the only possible way to try to put oil on the troubled waters was to try to go to the most restrictive apartment classification. In order to do that time had to be taken in order to get a plan of development, the artist renderings and to put several things together to properly inform this Council what would be involved for a R-20MF classification.

Mr. Haynes presented the plans for the property and explained them saying that under the R-20MF classification 219 units can be built on the property: the developer, Mr. Howard Nance, has done everything he can to try to make this as compatible as possible to the people. He stated there is a border of trees around the property: there has been a 200 foot buffer on the front side on Sharon View Road: by leaving it this way and as R-20MF there is more protection to the street as once it is dedicated as R-20 classification it can never be changed: this leaves a 200 foot buffer which will have to remain as a buffer and no houses can ever be built between these apartments and the street.

He stated in order to protect the people who are nearest and adjacent to the property, the property shown as a heavily wooded area is classified as R-15 and that property is not included in the petition. That Mr. Nance has an option to purchase the property, and if the property is rezoned under the R-20MF classification, he will leave this depth of some 250 feet or more of heavily wooded area as it is now as a buffer for these people: that this is located at the top of the hill and the people in the Irvin development back up to the property line.

July 21, 1969
Minute Book 52 - Page 169

He presented a drawing and stated it is a typical rendering of the buildings to be constructed on the property; that the rents will run in the approximate range of \$200-\$250 a month.

Mr. Levine stated he has objections to this procedure. That by calling him Friday he did not know all this time that Mr. Haynes and his group were told to present a rendering here and to bring this plan before Council and that the matter was under consideration under a new type of plan. That his entire procedure, program and plan was on a proceeding that was brought before the Council by him previously. That he did not know until just a few hours ago when he saw this that Mr. Haynes had been informed or was advised in some way, shape or form to bring this up to a higher density and then bring the plan here. Now they come to the meeting and this matter is on the agenda for a decision on the old plan; now there is a new hearing on a new plan. That he wishes to note his objections to the matter.

Mr. Levine stated it was March when he was before Council, and he did not know all this time why this matter should have taken so long to be heard, from March until now. He stated they have presented before Council, over 500 names of people who live adjacent, or near to that area; they are appearing before Council and stating that placing this development in this area would not be good for the area. He stated at the time he moved into the Cloisters his daughter started in Sharon School and they were told that the school would be torn down; she is now a Junior at the University of Michigan, and the school is still there; that the school will stay there for some time as it cannot be replaced as there is no money; the school is overcrowded; they have additional facilities on the outside of the school, and they have had to take over 200 students from the school to Beverly Woods and it is now overcrowded, and Sharon School is still overcrowded. He stated they have just recently gotten some improvements made to Sharon School.

He stated there are two main arteries, Sharon Road and Carmel Road to the rear, and in between these two arteries is a crooked widening road where there have been considerable number of accidents; this road was supposed to be fixed; but repairs have not been made. To place apartments in the area would be deplorable. The people in the area cannot even get out in the morning from the residential area to go to work.

Mr. Levine stated just across from the area is Mountainbrook. That Waters Construction Company purchased a tract of land of 25 acres and is building houses in there for \$40,000 on up. There are large tracts of land in there from this area down to Carmel Road, and if this property is changed then those will be changed and the entire area will become an apartment complex all to the detriment of the people who have purchased houses based upon the assumption that this area will be a residential area.

He stated there are 500 people living in the area who oppose this change, and there is one man who wishes to develop a portion of the area and place 219 apartments for gain and for himself. When this is done, the next area will be across the street which has 78 acres, and there will be no reason to say no to the man who comes before Council and it will go all the way down to Carmel Road and ruin the entire area. He stated this should not be done, and this area should remain residential.

July 21, 1969
Minute Book 52 - Page 170

Councilman Withrow asked Mr. Fred Bryant if the Planning Commission would change its recommendation if the petition at the beginning had been for R-20MF? Mr. Bryant replied he cannot answer specifically for the Planning Commission; that he does not know one of the factors they considered at the time of their previous recommendation was the factor as at that time there was not a sufficient plan proposed for the use of the property, and felt this was an additional factor that led to their recommendation for denial.

Mr. Bryant stated this plan has been submitted to the Planning staff, but not to the Commission as they have not met since the plans were presented to their office. The plan has been examined by the staff and assuming the property is going to be zoned R-20MF they feel this plan does meet the provisions of the ordinance for that district; that is not saying the Planning Commission endorses it.

Mr. Richard Milleghan stated the multiple units suggested in the Huntingtowne Farms area earlier in the meeting would further compound the burden of the school system, which is one of their primary objections to the multi-units development here. To refresh memories he read the petition and rebuttal of the previous hearing. He stated the request for R-20MF did not come up for some time after the hearing, about a month and half ago. He stated there is an insurmountable problem of schools; where are you going to put them; is it for money we are going to let this happen.

Councilman Whittington asked the status of the new Sharon School behind the Quail Hollow apartments? Mr. Milleghan replied it is built and is full before it opens, and to his knowledge there are no further plans for schools in that area.

Mr. Milleghan stated they have very poor representation today but it was very short notice and there are a lot of people who are very concerned about this; and so much concerned they would like to advise the voters as to what takes place, and the decision by Council.

Councilman Short stated he believes it is adequate to say that a very good voice has been given to the protestors in this matter. Due process in the terms of protest have occurred. That he first heard of this matter from the protestants and it was prior to Christmas, although the hearing was held on February 17, 1969; that he has heard from a variety of them every since. That in terms of the voice of the protestors he thinks it has been adequate to satisfy any kind of fairness in this situation. He stated in terms of what is legal, the fact is that Council could have zoned this property R-12MF today without putting it on the agenda at all; this is within the law because it is just simply necessary finally that Council have the matter deposited with it and be allowed to handle it.

Councilman Short stated Council has concerned itself at great length with the many, many complicated factors that have been involved in one of the most complicated zoning situations he thinks any of us have seen. They have considered at great length the fact this is land somewhat oriented to some bypass acreage in the sense that it is a big area and has not been developed in a very desirable and expensive part of town; that the land is oriented in considerable measure to a new street, which he believes is a part of the arterial system, or will be, which is running through this land and which needs it to be conditionally placed through this new bypassed acreage, which is essentially between Sharon Road and Carmel Road they have considered the existence of the new school, which is now completed; they have considered the desire of many residents to live in a type home, but with low density; they have given a great consideration to the buffer. He stated he believes every member of Council has considered the potential for crowding those who are already living in this area, for annoying them and the potential and possibilities of endangering them and depreciating the value of their land.

He stated in his opinion, and in his best judgment of what is best for this neighborhood and this community, irrespective of the comments about the voters and so forth, he believes this plan is the suitable one for the area and as fair as could be arranged. That he is particularly of this persuasion because of the nature of R-20MF. He is sure that most of the members, or those who were here at the time will recall this was a type of multi-family zoning where our objective was to make the density approximately the same as single family, or only a little bit more, but to simply allow the clustering of the homes, or living units. With 219 units here, this is 7 3/4 families per acre. If it were zoned for single family, and that is the R-6 single family, seven families approximately per acre would be living on this land, so the change in density in this particular type of zoning between allowable single family and this R-20 conditional multi-family is very little change at all; that he does not believe you could notice it in terms of the crowding or the density of the area.

Councilman Short moved that the property be zoned R-20MF conditional on the use of this plan. The motion was seconded by Councilman Whittington.

Councilman Whittington stated he does not know where this plan came from, but he does know that the hearings were held on the days stated, and he thinks it is fair to assume that anytime this Council and the Planning Commission are in a zoning hearing and a zoning petition situation that many times we have to consider the actual condemning or confiscating of people's property. He stated part of this property is in a flood plain and there is a sewer line running through there - that he has seen photographs of actual raw sewage outside the manholes - they know about the utility line that goes through, and about the proposed Colony Road extension. That just last week, the John Crosland Company and the Allen Tate Company gave to City Council, the County Commissioners, Planning Commission and others a plan they have of a similar project near Country Day or Foxcroft, and today Council has heard another petition as it relates to John Crosland Company at the corner of Starclair and Park Road. He stated his position in the matter at all times was that Council had to consider the petitioner and the objectors to the petition; that in his best judgment this is the best Council can do for the neighborhood; anything less would put much more apartments in this area. If Council did nothing, in his belief Council would be confiscating the Collins property to the left of Sharon View Road. He stated if you look at the property, everything from the zoning petition back to Sharon View Country Club is vacant, and from there back toward Sharon Road, it is mostly under one ownership, and across the road is Mountainbrook. He stated in his judgment after giving it months of careful consideration, days of careful consideration and made several visits to the property, his vote today to make this change will be the best plan for the property.

The vote was taken on the motion to change the zoning to R-20MF, and carried by the following vote:

- YEAS: Councilmen Short, Whittington, Alexander, Thrower and Withrow.
- NAYS: Councilmen Tuttle and Jordan.

The ordinance is recorded in full in Ordinance Book 16, at page 219.

July 21, 1969
Minute Book 52 - Page 172

RESOLUTION OF CHARLOTTE KIWANIS CLUB SUPPORTING POLICE CHIEF GOODMAN,
HIS STAFF AND THE POLICE OFFICERS OF THE CHARLOTTE POLICE DEPARTMENT.

Mr. Don Winecoff, President of the Charlotte Kiwanis Club presented the following resolution adopted by the club membership on July 10, 1969:

"WHEREAS, there have been various vicious and unsupported charges made against the personnel of the Charlotte Police Department and its executive officers, and

Whereas, Investigation of these charges has produced no positive evidence to support them, except for two instances which had been promptly handled, and

Whereas, The members of the Charlotte Kiwanis Club have complete confidence in Chief Goodman, his staff and the officers serving under them, and

Whereas, The members of the Charlotte Kiwanis Club along with other lawabiding citizens are becoming increasingly impatient with the unwarranted criticism, opposition and unfair attacks made against a group of loyal public servants who are doing a good job of protecting our lives and our property, this club desires to include the following resolution in the minutes:

RESOLVED, That the Charlotte Kiwanis Club supports Chief Goodman, his staff and the police officers of the Charlotte Police Department, and commends them on their program of education to further develop the abilities of all its members, and

RESOLVED FURTHER, That this resolution be transmitted to the Mayor and the City Council of the City of Charlotte, with the hope that they will concur with us in our stand.

PRESIDENT OF LEAGUE OF WOMEN VOTERS STATES COUNCIL SHOULD KNOW MORE ABOUT THE PARK AND RECREATION PLANS FOR PARKS.

Mrs. Marie Wonsey, President of the League of Women Voters, stated they have been observing the Park and Recreation Commission meetings for some time, and wonder if Council knows how the money is to be spent for parks; that there has been a great deal of misunderstanding and problems in the Park Commission where parks are to be located.

Mr. Veeder, City Manager, replied Mrs. Wonsey is evidently referring to the adoption of an ordinance transferring funds to the Park and Recreation Commission; that this has nothing to do with new facilities; it only relates to operation money to continue on until the tax money becomes available in September.

Mrs. Wonsey stated they feel Council should know more of the department's plans; that Mr. Seldon has been attending the Park meetings and seems to be well informed and she believes he could help in the understanding of inter-city groups and the powers that be in solving the problems.

MEETING RECESSED AND RECONVENED.

Mayor Belk called a recess at 7:50 o'clock p.m., and reconvened the meeting at 8:15 o'clock p.m.

July 21, 1969
Minute Book 52 - Page 173

RESOLUTION SETTING DATE OF PUBLIC HEARING ON MONDAY, AUGUST 18 ON PETITIONS NO. 69-75 THROUGH 69-85 FOR ZONING CHANGES.

Motion was made by Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution setting date of hearing on Monday, August 18.

The resolution is recorded in full in Resolutions Book 6, at Page 352.

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A GRANT TO ACQUIRE OPEN-SPACE LAND FOR PROJECT NO. N. C. OSC-32(G).

Councilman Tuttle moved adoption of the subject resolution authorizing the execution of a contract for a grant reservation in the amount of \$120,100 for assistance in the development of park land in Belmont Neighborhood along Sugar Creek and in the Fourth Ward section of the Model Neighborhood. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 353.

RESOLUTION DESIGNATING CITY TREASURER AS DULY AUTHORIZED AGENT OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE FOR PURPOSE OF SIGNING AND FILING OF APPLICATION FOR REVENUE ANTICIPATION NOTES FOR PARK AND RECREATION COMMISSION.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted designating Carl A. Raymond as the agent of the City Council for signing and filing of application for revenue anticipation notes in the amount of \$400,000 with the Local Government Commission.

The resolution is recorded in full in Resolutions Book 6, at Page 354.

ORDINANCE NO. 257-X AMENDING THE 1968-69 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND BALANCE TO THE PARK AND RECREATION COMMISSION.

Councilman Thrower moved adoption of the subject ordinance authorizing the transfer of \$166,000 from the unexpended balance of the general fund of the 1968-69 appropriations to the Park and Recreation Commission as an advance against tax revenue for the maintenance and upkeep of parks during the months of July and August. The motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at page 220.

ENGINEERING AGREEMENT WITH RALPH WHITEHEAD & ASSOCIATES FOR RIGHT OF WAY ON COLLEGE STREET, SECOND STREET, THIRD STREET, FOURTH STREET AND TRADE STREET, AUTHORIZED.

Motion was made by Councilman Thrower, seconded by Councilman Alexander and unanimously carried authorizing the subject engineering agreement for surveying, mapping, and preliminary engineering at a total lump sum of \$21,500.00

July 21, 1969
Minute Book 52 - Page 174

ORDINANCE ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the subject ordinances were adopted, as follows:

- (a) Ordinance No. 258-X ordering the removal of weeds and grass at southwest corner of S. Irwin & Waccamaw Street.
- (b) Ordinance No. 259-X ordering the removal of weeds and grass at southeast corner of S. Irwin & Waccamaw Street.
- (c) Ordinance No. 260-X ordering the removal of weeds and grass at southwest corner of Sycamore & Waccamaw Street.
- (d) Ordinance No. 261-X ordering the removal of weeds and grass at 1240 North Harrill Street.
- (e) Ordinance No. 262-X ordering the removal of weeds and grass adjacent to 2911 Hanson Drive.
- (f) Ordinance No. 263-X ordering the removal of weeds and grass adjacent to 3516 Beaux Street.
- (g) Ordinance No. 264-X ordering the removal of weeds and grass across from 319 South Cloudman Street.
- (h) Ordinance No. 265-X ordering the removal of weeds and grass adjacent to 2051 Garnette Place.
- (i) Ordinance No. 266-X ordering the removal of weeds and grass adjacent to 3020 Statesville Avenue.
- (j) Ordinance No. 267-X ordering the removal of weeds and grass at 6000 The Plaza.
- (k) Ordinance No. 268-X ordering the removal of weeds and grass adjacent to 209 West Boulevard.
- (l) Ordinance No. 269-X ordering the removal of weeds and grass at rear of 3515-47 Sloan Drive.
- (m) Ordinance No. 270-X ordering the removal of weeds and grass at rear of 3601-27 Sloan Drive.
- (n) Ordinance No. 271-X ordering the removal of weeds and grass adjacent to 515 Westbury Road.
- (o) Ordinance No. 272-X ordering the removal of weeds and grass adjacent to 610 Westbury Road.
- (p) Ordinance No. 273-X ordering the removal of weeds and grass adjacent to 205 Center Street.
- (q) Ordinance No. 274-X ordering the removal of weeds and grass adjacent to 624 Northway Drive.
- (r) Ordinance No. 275-X ordering the removal of weeds and grass at 2437-39 Marlowe Avenue.
- (s) Ordinance No. 276-X ordering the removal of weeds and grass between 2424 to 2444 Wilkinson Boulevard.
- (t) Ordinance No. 277-X ordering the removal of weeds and grass 301 West Park Avenue.
- (u) Ordinance No. 278-X ordering the removal of weeds and grass adjacent to 134 Perrin Place.
- (v) Ordinance No. 279-X ordering the removal of weeds and grass adjacent to 605 E. 35th Street.
- (w) Ordinance No. 280-X ordering the removal of weeds and grass adjacent to 1709 Russell Street.
- (x) Ordinance No. 281-X ordering the removal of weeds and grass adjacent to 2505 Rozzells Ferry Road.

These ordinance are recorded in full in Ordinance Book 16, beginning on Page 221.

July 21, 1969
Minute Book 52 - Page 175

CONTRACT WITH B. L. HELMS FOR INSTALLATION OF SANITARY SEWER MAIN TO SERVE ROBINSON CIRCLE.

Councilman Jordan moved approval of the subject contract for the installation of 290 feet of 8-inch sanitary sewer main to serve 3304, 3300 and 3238 Robinson Circle, at an estimated cost of \$1,920.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement. The motion was seconded by Councilman Tuttle, and carried unanimously.

APPROVAL OF CITY PRIVILEGE LICENSE APPLICATIONS FOR PRIVATE DETECTIVE, DEFERRED FOR MORE INFORMATION.

Councilman Short stated this item is to designate eleven (11) individuals as private detectives, and gives them the right to carry a concealed weapon; that two of these are corporations and he is somewhat dubious about giving a corporation the right to carry a concealed weapon.

Councilman Thrower asked if the question on the concealed weapon is a true question? Mr. Underhill, City Attorney, stated this is the approval of a privilege license and Council has to approve a license for each person employed in detective work; that this is only giving them the privilege to be in business, and it is not passing on their qualification to carry a fire-arm; this is only the approval of a license.

Councilman Alexander asked the difference between granting a permit to Melvin O. Smith, of the Carolina Detective Agency, and a permit to Security Forces, Inc.; he asked if a license is approved for Security Forces, Inc., if it includes all the guards working for that company?

Councilman Short stated he was assuming the reason Council has to grant this permission at all as contrasting with some other privilege license is because this involves the carrying of a concealed weapon.

Mr. Underhill stated the code states the license shall be issued subject to Council approval. Mr. Veeder, City Manager, stated whether Council does or does not approve these license has nothing to do with whether or not someone carries a concealed weapon.

Councilman Tuttle stated Melvin O. Smith has State License 11, and Security Forces, Inc., has State License 11, he asked if Council is going to approve applications for the two with the same license number?

Councilman Thrower stated some time back Council requested that all the applicants for privilege license for private detective be checked out by the police and this has been done, and there have been no problems since.

After further discussion, Councilman Tuttle moved that action be deferred until all these questions can be answered. The motion was seconded by Councilman Withrow and carried by the following vote:

YEAS: Councilmen Tuttle, Withrow, Alexander, Short and Thrower.
NAYS: Councilman Jordan and Whittington.

Councilman Tuttle asked the City Attorney to find out why Melvin O. Smith and Security Forces, Inc., have the same State License No. 11.

July 21, 1969
Minute Book 52 - Page 176

APPRAISAL CONTRACTS FOR AIRPORT EXPANSION PROJECT, APPROVED.

After discussion of the determination of setting fees, motion was made by Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, approving appraisal contracts for the Airport Expansion Project, as follows:

- (a) Contract with Henry E. Bryant for appraisal of five parcels of land at fees of \$250, \$200, \$200, \$150, and \$200.
- (b) Contract with Wallace D. Gibbs, Jr. for appraisal of five parcels of land, at fees of \$250, \$200, \$200, \$150, and \$200.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON MONDAY, AUGUST 18, ON PETITION OF GRIFFIN REALTY COMPANY AND ED GRIFFIN CONSTRUCTION COMPANY FOR ANNEXATION OF THREE TRACTS OF LAND LOCATED IN CRAB ORCHARD TOWNSHIP.

Motion was made by Councilman Thrower, seconded by Councilman Short, and unanimously carried, setting the date of public hearing on Monday, August 18, on petition for annexation of three tracts of land located in Crab Orchard Township.

The resolution is recorded in full in Resolutions Book 6, at Pages 355-356.

CHANGE ORDER NO. 2 IN CONTRACT WITH BLYTHE BROTHERS COMPANY FOR URBAN RENEWAL REDEVELOPMENT SECTION NO. 2, DEFERRED FOR TWO WEEKS.

Councilman Thrower asked if the House of Prayer will be demolished? Councilman Tuttle asked if the City did not know that the building could not be torn down? Councilman Tuttle stated almost \$10,000 is being spent on this when it was in the original contract to tear it down, and now they said it cannot be torn down because there is a lease.

After discussion, Councilman Whittington moved that action on the Change Order be deferred for two weeks and the Redevelopment Commission give Mr. Veeder an answer to the questions Council has raised today. The motion was seconded by Councilman Withrow, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 2,200 sq. ft. of easement at 2331 Sharon Road, from Odell S. Vestal and wife, Sara M., at \$730.00, for the Sugar Creek-Briar Creek Flood Control.
- (b) Acquisition of 2,300 square feet of easement at 2327 Sharon Road, from Mrs. Edith Werts (widow), at \$750.00, for the Sugar-Briar Creek Flood Control.
- (c) Negotiated Settlement with George A. Shealy and wife, in the amount of \$1,500.00 for 6,765 square feet of easement at 1801 Carlanda Circle, for the Sugar Creek-Briar Creek Flood Control.
- (d) Negotiated settlement with James D. McDuffie and wife, Maxine S., in the amount of \$950.00, for 3,700 square feet of easement at 3356 Westfield Drive, for the Sugar Creek-Briar Creek Flood Control.

July 21, 1969
Minute Book 52 - Page 177

- (e) Negotiated settlement with Cabell Howard Smith, Jr. and wife, Mabel C., in the amount of \$600.00, for 1,630 square feet of easement at 2323 Sharon Road for the Sugar Creek-Briar Creek Flood Control.
- (f) Acquisition of 3,373 square feet of easement at 5801 Beckett Court, from Alben Development Company, at \$1.00, for sanitary sewer to serve Stonehaven No. 10-A.
- (g) Acquisition of 1,926 square feet of easement at 1335 Lynbrook Drive, from Frank H. Dudley and wife, Marion H., at \$250.00, for sanitary sewer to serve Stonehaven No. 10-A.
- (h) Acquisition of 1,504.80 square feet of easement at 6543 Cove Creek Road, from Bobby G. Poteat and wife, Sandra H., at \$100.00, for sanitary sewer to serve Eastbrook Woods.
- (i) Acquisition of 103,500 square feet of easement at 2465 Mecklenburg Avenue, from Charlotte Country Club, Inc., at \$7,700.00, for the Upper Briar Creek Outfall.
- (j) Acquisition of 3,971 square feet of easement at 3726 Country Club Drive, from Gerald A. Rothschild and wife, Concetta, at \$320.00 for the Upper Briar Creek Outfall.
- (k) Acquisition of 1,882.25 square feet of easement at 3014 Arlie Street from David Henry White and wife, Helen R., at \$125.00, for the Upper Briar Creek Outfall.
- (l) Acquisition of 1,697.75 square feet of easement at 3204 Brixton Court, from James O. Wade and wife, Juanita H., at \$145.00, for the Upper Briar Creek Outfall.
- (m) Acquisition of 1,539 square feet of easement at 3038 Hillard Drive, from Gilbert S. Shaw and wife, Helen T., at \$112.00 for the Upper Briar Creek Outfall.
- (n) Acquisition of 255 square feet of easement at 3420 Shamrock Drive, from Methodist Home for the Aged, Inc., at \$17.00 for the Upper Briar Creek Outfall.
- (o) Acquisition of 14,460.60 square feet of easement at 1801 Providence Road, from James Benjamin Bostick and wife, Margaret V., at \$482.00, for the Briar Creek Outfall.
- (p) Negotiated settlement with Blumenthal Properties, Inc., in the total amount of \$27,550.00, for 4,880 square feet of property at 301-07 North Brevard Street and 311-13 East Sixth Street, for the Sixth Street Improvement Project.

RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE SUGAR AND BRIAR CREEK FLOOD CONTROL PROJECT AND THE UPPER BRIAR CREEK OUTFALL.

Councilman Short moved the adoption of a resolution authorizing condemnation proceedings for the acquisition of 30 feet from center line of creek, plus four foot easement from Charnoca Corporation, located in the 1900 block of Brandon Circle, Parcel 250B, for the Sugar and Briar Creek Flood Control Project. The motion was seconded by Councilman Whittington, and carried unanimously.

Motion was made by Councilman Alexander, seconded by Councilman Short, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of 41 feet from the center line of creek plus 20 foot temporary easement from Frederick A. Bruton and wife, Jean F., John F. Gilbert, Jr. and wife, Jean F., and Ralph B. Williams and wife, Marion F., located at 2350 Sharon Road for the Sugar and Briar Creek Flood Control Project.

July 21, 1969
Minute Book 52 - Page 178

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of 33 feet from center of creek, plus 20 foot easement from Sidney Astor, located in the 3000 block of Avon Terrace, Parcel 255, for the Sugar Creek and Briar Creek Flood Control Project.

Councilman Thrower moved adoption of a resolution authorizing condemnation proceedings for the acquisition of 30 feet from center line of creek, plus 4 foot easement, from Ernest Edward Wade, Sr., and wife, Ruby T., located at 2335 Sharon Road for the Sugar and Briar Creek Flood Control Project. The motion was seconded by Councilman Tuttle, and carried unanimously.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, adopting a resolution authorizing condemnation proceedings for the acquisition of 34 feet from center of creek, plus 4 foot easement, from George A. Field and wife, Eva J., located at 2816 Greenbriar Road, for the Sugar and Briar Creek Flood Control Project.

Motion was made by Councilman Withrow to adopt a resolution authorizing condemnation proceedings for the acquisition of 27 feet to 35 feet from center of creek, plus a 4 foot easement from Margaret E. Bryan, located at 2813 Greenbriar Road, for the Sugar and Briar Creek Flood Control Project. The motion was seconded by Councilman Tuttle, and carried unanimously.

Councilman Thrower moved the adoption of a resolution authorizing condemnation proceedings for the acquisition of 35 feet from center line of creek plus 20 foot temporary easement, from G. C. Thomas, Sr., (widower), located at 3605-09 Selwyn Avenue for the Sugar and Briar Creek Flood Control Project. The motion was seconded by Councilman Short, and carried unanimously.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, a resolution was adopted authorizing condemnation proceedings for the acquisition of 360 square feet of property at 1216 Morningside Drive, from L. A. Waggoner and wife, Eva T., for the Briar Creek Outfall.

The resolutions are recorded in full in Resolutions Book 6, beginning at Page 357.

PUBLIC HEARING SET FOR MONDAY, AUGUST 18, ON PROPOSED AMENDMENT TO CHAPTER 4, OF THE CITY CODE, DOUGLAS MUNICIPAL AIRPORT ZONING ORDINANCE.

Motion was made by Councilman Thrower, seconded by Councilman Short, and unanimously carried, setting the date of Monday, August 18, for a public hearing on the subject amendment to Chapter 4.

CLAIM BY NATIONAL CASH REGISTER COMPANY FOR LOSS OF CASH REGISTER, DENIED.

Councilman Short moved that the claim of National Cash Register Company, in the amount of \$1,040.19, for the loss of a cash register sold to Neal Cooke Men's Wear and Gifts be denied, as recommended by the City Attorney. The motion was seconded by Councilman Thrower, and carried unanimously.

CLAIM OF JOHN JAMES SEBEK FOR PROPERTY DAMAGES, DENIED.

Councilman Thrower moved that claim of Mr. John James Sebek, 5100 Auburndale Road, for alleged property damages caused by sewer problems be denied as recommended by the City Attorney. The motion was seconded by Councilman Jordan, and carried unanimously.

July 21, 1969
Minute Book 52 - Page 179

SECOND AMENDMENT TO PARTNERSHIP PLAN FOR WATER AND SEWER EXTENSIONS IN CHARLOTTE AND MECKLENBURG COUNTY ADOPTED.

Councilman Short moved that the second amendment to the Partnership Plan for water and sewer extensions be approved. The motion was seconded by Councilman Jordan, and carried unanimously.

The amendment is as follows:

"PROCEDURE FOR PROCESSING APPLICATIONS FOR FUTURE WATER AND SEWER EXTENSIONS"

SECTION 1.

A. The term "major extension," as hereinafter used, shall mean any extension of a water line 8 inches or larger in size, any extension of a sewer line 10 inches or larger in size, or a project involving extensions of any size when the estimated cost is \$75,000 or more.

B. All applications for "major extensions" to be located within the City of Charlotte shall be made to the Water Department of the City for water extensions and to the Engineering Department of the City for sewer extensions. All applications for "major extensions" of water and sewer lines to be located outside the corporate limits of the City of Charlotte shall be made to the Engineering Department of Mecklenburg County.

C. It shall be the responsibility of the appropriate department of either government receiving an application in any size extension to forward the same within five days to the Community Facilities Committee with copies also being forwarded to the City Manager and County Manager.

D. The Community Facilities Committee upon receipt of any application will give written notice thereof to the City Council and the Board of County Commissioners."

WATER LINE EXTENSIONS APPROVED.

Upon motion of Councilman Short, seconded by Councilman Tuttle, and unanimous! carried, approval was given for water line extensions as follows:

- (1) Hunter's Dairy Extension (from Westinghouse Line to Hunter's Dairy) to be financed 100% by county bond funds.
- (2) Carmel Road to Caribbean Corporation Extension - to be financed by county bond funds, subject to a final economic feasibility study and recommendations by the county's finance director.
- (3) Sharon Road West - to be financed on a partnership basis, 50% by the City and 50% by the County with the applicants to guarantee an annual revenue equal to 12% of the cost of the line.

The implementation of the Sharon Road West project is contingent upon City Properties' willingness to cancel their existing agreement with the City.

July 21, 1969
Minute Book 52 - Page 180

CONTRACT WITH CITY PROPERTIES, PARTNERSHIP, FOR THE INSTALLATION OF WATER MAINS AND FIRE HYDRANT IN PARK ROAD, SHARON ROAD AND SHARON ROAD WEST TO SERVE SHARON ROAD WEST TOWN HOUSE FACILITIES, AUTHORIZED.

Motion was made by Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, approving the subject contract for the installation of 9,500 feet of water main and one fire hydrant in Park Road, Sharon Road and Sharon Road West to serve the Sharon Road West Town House Facility, all outside the city limits, at an estimated cost of \$67,000.00. with the lines to be financed and owned 50% by the City and 50% by the County in accordance with the terms of the Partnership Plan and the applicant will guarantee an annual revenue equal to 12% of the total cost of the lines, payable on a pro-rated monthly basis of 1% per month.

SPECIAL OFFICER PERMITS APPROVED FOR PERIOD OF ONE YEAR.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, special officer permits were approved for a period of one year each, as follows:

- (a) Renewal of permit to Madison Allen for use on the premises of K-Mart, 2701 Freedom Drive.
- (b) Renewal of permit to Raymond Gheen for use on the premises of K-Mart, 2701 Freedom Drive.
- (c) Issuance of permit to Ellis Ray Black for use on the premises of Park and Recreation Commission.
- (d) Issuance of permit to Fred Robert Andrews for use on the premises of Park and Recreation Commission.
- (e) Issuance of permit to Mark Price Pryor for use on the premises of Park and Recreation Commission.
- (f) Issuance of permit to Omar Stevenson for use on the premises of Park and Recreation Commission.
- (g) Issuance of permit to Thomas Blain Wolfe for use on the premises of Park and Recreation Commission.

TRANSFER OF CEMETERY LOTS, AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with H. Emmett and Alice B. Sebrell for Lot No. 264, Section 3, Evergreen Cemetery, at \$504.00.
- (b) Deed with Mrs. J. Parks McConnell for Graves 2 and 3 in Lot 184 Section 2, Evergreen Cemetery, at \$160.00.
- (c) Deed with Mrs. Ruth L. Jones for Grave No. 6, in Lot No. 17, Section 2, Evergreen Cemetery, at \$80.00.
- (d) Deed with Mrs. Lola W. Vaccanni for Lot No. 263, Section 3, Evergreen Cemetery, at \$504.00.
- (e) Deed with Bobby M. Waldrop for Grave 3, in Lot No. 19, Section 2, Evergreen Cemetery, at \$80.00.
- (f) Deed with Mrs. Florence J. McGuinness for Grave 11, in Lot No. 19, Section 2, Evergreen Cemetery, at \$80.00.

July 21, 1969
Minute Book 52 - Page 181

REAPPOINTMENT OF C. P. STREET TO THE AIRPORT ADVISORY COMMITTEE.

Councilman Short moved that Mr. C. P. Street be re-appointed to the Airport Advisory Committee for a term of five years and that Council suspend the operation of its resolution for this one appointment. The motion was seconded by Councilman Tuttle.

Councilman Tuttle stated this man has had nine years of experience on this Committee and is a qualified contractor. Mr. Veeder, City Manager, stated Mr. Street has served on the Committee since sometime in the 40s; that he has observed having associated with this Committee in the last ten years, Mr. Street by virtue of his detailed knowledge of everything that has taken place at the airport over this period of time, coupled with his continuing complete interest in what happens at the airport, coupled with his recognized position as one of the leading builders in the nation, has made a tremendous contribution in the terms of planning and the decisions the airport committee has recommended to Council from time to time; that he has seen instances where Mr. Street has suggested approaches that literally have saved thousands of dollars, and from his observation Mr. Street has made a tremendous contribution to the Committee.

The vote was taken on the motion and carried unanimously.

CONTRACT AWARDED ORKIN EXTERMINATING COMPANY, INC., D/B/A ROLLINS SERVICES FOR JANITORIAL SERVICE FOR LAW ENFORCEMENT CENTER.

Councilman Jordan moved award of contract to the low bidder, Orkin Exterminating Company, Inc., d/b/a Rollins Services, in the amount of \$54,444.00 per year for janitorial services for the Law Enforcement Center. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Orkin Exterminating Co., Inc.	\$54,444.00
d/b/a Rollins Services	
Columbus Services International	54,900.00
Better Cleaning Service	56,995.00
Oxford Building Services	67,568.76

CONTRACT AWARDED GOODALL RUBBER COMPANY FOR RUBBER RAINWEAR.

Motion was made by Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, awarding contract to the low bidder, Goodall Rubber Company, in the amount of \$7,004.34 on a unit price basis, for rubber rainwear for Motor Transport, Water and Engineering Departments.

The following bids were received:

Goodall Rubber Company	\$ 7,004.34
Allied Safety Supply Co.	7,618.17
Southern Rubber Company	7,687.28
Supply Specialties, Inc.	8,653.01
Dillon Supply Company	9,900.31

July 21, 1969
Minute Book 52 - Page 182

CONTRACT AWARDED THOMAS STRUCTURE COMPANY FOR CONSTRUCTION OF 24 INCH DIAMETER DISTRIBUTION SYSTEM WATER MAINS.

Councilman Jordan moved award of contract to the low bidder, Thomas Structure Company, in the amount of \$164,985.00, on a unit price basis, for the construction of 24 inch diameter distribution system water mains. The motion was seconded by Councilman Short, and carried unanimously.

The following bids were received:

Thomas Structure Company	\$164,985.00
A. P. White & Assoc., Inc.	168,250.00
Blythe Brothers Co.	173,370.00
T. A. Sherrill Const. Co.	180,974.80
Crowder Const. Co., Inc.	181,632.00
Sanders Brothers, Inc.	192,863.00

CONTRACT AWARDED SANDERS BROTHERS, INC. FOR CONSTRUCTION OF DIAMETER DISTRIBUTION SYSTEM WATER MAINS.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Sanders Brothers, Inc., in the amount of \$57,095.00, on a unit price basis, for construction of 12- inch main and 8-inch diameter distribution system water main.

The following bids were received:

Sanders Brothers, Inc.	\$ 57,095.00
Thomas Structure Company	59,275.00
A. P. White & Associates	64,357.00
Crowder Construction Co.	69,875.00
T. A. Sherrill Company	76,065.00

CONTRACT AWARDED RODGERS BUILDERS FOR THE CONSTRUCTION OF THREE FOUNTAINS FOR URBAN BEAUTIFICATION PROJECT.

Councilman Whittington moved award of contract to the low bidder, Rodgers Builders, in the amount of \$63,466.00, on a unit price basis, for the construction of three fountains for the urban beautification project. The motion was seconded by Councilman Thrower.

Mr. W. H. Carstarphen, Administrative Assistant, advised a fountain would be located in front of Owens Auditorium, Old Settler's Cemetery and at the intersection of Morehead Street and Dilworth Road, in the traffic island.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Rodgers Builders	\$ 63,466.00
Myers & Chapman, Inc.	94,744.00

July 21, 1969
Minute Book 52 - Page 183

CONTRACT AWARDED COLEMAN NURSERIES FOR LANDSCAPING FOR URBAN BEAUTIFICATION PROJECT.

Motion was made by Councilman Whittington and seconded by Councilman Tuttle, to award contract to the low bidder, Coleman Nurseries, in the amount of \$21,936.59, on a unit price basis for landscaping for the Urban Beautification Project.

Mr. W. H. Carstarphen, Administrative Assistant, advised roughly 80% of this will be expended in the Old Settler's Cemetery, and the remainder will be around the physical structures of the fountains. The majority of this is sidewalks, benches, water fountains, retaining walls and landscaping preparations and the actual planning of landscaping in the Old Settler's Cemetery.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Coleman Nurseries	\$ 21,936.59
Baucom Nurseries	35,014.00

TURNKEY PROJECT N. C. 3-10 OF DWIGHT PHILLIPS REQUESTED BROUGHT BEFORE COUNCIL FOR REVIEW AND ACTION.

Councilman Withrow stated in connection with the turnkey housing project N. C. 3-10 of Dwight Phillips - No. 3 Project Roseland in Clanton Park, Mr. Veeder, City Manager has checked on this and given him a report. He stated this was brought up in March when the Committee from the West Side brought the matter of housing to Council, and Council cancelled all the projects except Dalton Village and the one near the Airport. He stated he does not believe this one was ever brought up - that Roseland 1 and 2 were brought up but No. 3 was never brought up for review. He stated at that time he understood that Mr. Dillehay was supposed to bring all these projects to City Council before they were approved, and this project has never been brought before Council. He stated it has been brought to his attention by Reverend Leake that this project will be approved in about a week.

Councilman Withrow asked if this project has been turned down by the Master Plan Committee, or if the plan has been before the Committee? Councilman Tuttle replied it has not been turned down by the Committee and he does not believe it has been before the Committee.

Councilman Withrow stated there is no coordination between the Housing Authority and the City Council; that if Council waits, this project will be approved by HUD in a week.

Councilman Whittington stated he does not recall this Project being in the motion at the time he made a motion to hold up everything with the exception of the Strawn Apartments and Dalton Village; that he knew nothing about this project until a recent zoning hearing and Mr. Cox mentioned it at that time.

Mr. Veeder, City Manager, stated on March 3, Council requested the Housing Authority to hold all plans until a Committee is formed and can investigate them. Councilman Withrow stated the day he was at the meeting, Mr. Dillehay was sitting beside him and Mayor Brookshire asked him to bring all turnkey projects to Council for approval before they were approved. Mr. Veeder stated on March 24, Council created a committee and specified that Projects N. C. 9, 11 and 12 - Dalton Village, Boulevard Homes and Bullard Street - be stopped pending Committee's study. That Project 10 was not included in that resolution. He stated his office prepared a report of the status of

July 21, 1969
Minute Book 52 - Page 184

all the projects and included information on all projects - that included No. 10. That on March 31, a motion was made by Council to request the Housing Authority to refer all housing projects with which it is, or will be, concerned to the City Council prior to making any commitments or entering into any agreement, and it was to be the responsibility of the City Council, after the information is furnished to determine if a public hearing is desirable before a particular project is approved. Councilman Short stated the reason Project 10 was not included in the motion of March 24 was it was listed in the material Council had but it was listed as being in a very early stage and it was stated the status was schematic drawings; that was so remote and intangible that it was not included; that he believes it was caught the following week on March 31 by the motion.

Councilman Withrow moved that Mr. Dillehay bring to Council at the next official meeting on Monday, July 28, for Council's review and action - Project 10, and that Mr. Oliver Rowe, Chairman of the Master Plan Committee on Low Income Housing, be asked to attend this meeting. The motion was seconded by Councilman Whittington.

Councilman Whittington asked that in the meantime Mr. Dillehay be asked to hold this in abeyance and that HUD not approve it until it has been presented to Council.

Councilman Alexander asked if this is jumping over the Committee that was appointed by not asking for their recommendation; he asked if this would not be the first step to get their recommendation.

The vote was taken on the motion and carried unanimously.

RESIGNATION OF HUGH G. ASHCRAFT FROM THE PLANNING COMMISSION ACCEPTED WITH REGRETS.

Mayor Belk presented a letter from Mr. Hugh G. Ashcraft asking that his resignation from the Planning Commission be accepted effective July 31, 1969.

Councilman Jordan moved that the resignation be accepted with regrets. The motion was seconded by Councilman Short, and carried unanimously.

NOMINATIONS TO THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Councilman Thrower placed in nomination the name of Mrs. John (Alice) Blanton to fill the unexpired term of Mr. Hugh G. Ashcraft on the Planning Commission.

Councilman Alexander stated the Planning Commission has much to do with the planning and inner city problems and many things are causing frustration at the moment; there have been recent zoning requests that have posed problems and this is a Commission where there should have been a representative from the Negro community, and at this stage he thinks Council should consider the naming of a Negro to the Commission, and he placed in nomination the name of Dr. Roy F. Wynn, owner of Dalebrook Professional Building on Beatties Ford Road.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, closing the nominations at this time.

July 21, 1969
Minute Book 52 - Page 185

PARK AND RECREATION COMMISSION REQUESTED TO BRING ANY AND ALL PLANS FOR LAND PURCHASE PURPOSE AND ANY AND ALL PLANS AND DESIGNS FOR THE DEVELOPMENT OF PARKS TO COUNCIL BEFORE SUCH PROGRAMS BECOME FINAL.

Councilman Alexander stated there have been discussions of problems growing out of parks and just as Council has attempted to develop some type of control on housing, he thinks Council should develop the same type of control regarding the Park and Recreation proposals; that now is the time to do it before the bond submission.

Councilman Alexander moved that the Park and Recreation Commission submit to City Council any and all plans for land purchase for parks or recreational purpose and any and all plans for the development of parks as to planning and design before such programs become final. The motion was seconded by Councilman Whittington.

Councilman Whittington stated it should be pointed out that the Park and Recreation came before Council with their requirements, and the money set up in the bond issue for October 10 is a part of the first two items in their request to Council, and in a sense they have done this, but he sees nothing wrong with requesting them to say again, in writing, that this is what it is going to be.

After discussion, the vote was taken on the motion and carried unanimously.

CITY MANAGER REQUESTED TO CHECK AND REPORT ON FLUSHING OF GRANDIN ROAD.

Councilman Alexander stated he has received a report on the flushing and sweeping of Grandin Road from Mr. Davis, the Department Superintendent. He stated it has been charged that Grandin Road is never swept or flushed, and Mr. Davis advises that all of Grandin Road is swept and flushed once weekly on a regular schedule on Tuesdays and this schedule has been in effect for 15 years or more.

Councilman Alexander stated the people who live over there still say that this is not so; they say it is not flushed and not swept; that not only does this come from the Negro residents who have moved into this section, but from some of the white property owners who still live there.

Councilman Alexander requested the City Manager to look into this to see if we can determine what is right and what is wrong, and to see that the streets are flushed, and if necessary re-group schedules where some streets are flushed twice a week, that some be cut down so some time can be spent in getting some of the street flushed that are never flushed.

REFERENDUM ON \$32,340,000 BOND PROJECTS SET FOR OCTOBER 10, 1969.

Councilman Short moved that a bond referendum be set on the \$32,340,000 bond projects as listed in material submitted today and that the City Manager and his staff be authorized and directed to carry out the procedures listed and do all other things necessary to implement and to hold this referendum on October 10, 1969. The motion was seconded by Councilman Whittington, and carried unanimously.

The individual projects are as follows:

1. Civic Center	\$3.9 million
2. Coliseum Improvements	1.5 million
3. Land acquisition and improvements	2.5 million
4. Facility Improvements	875,000
5. Renewal and Rehabilitation	3.82 million
6. Street Improvements & Traffic Controls	4.94 million
7. Sewer Improvements	6.89 million
8. Airport Improvements-Revenue Bonds	3.0 million
9. Water Improvements	4.92 million

July 21, 1969
Minute Book 52 - Page 186

ORDINANCE NO. 282-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP TO CHANGE THE ZONING OF PROPERTY ALONG THE SOUTH SIDE OF CAROLINA GOLF COURSE EXTENDING FROM WEST OF OLD STEELE CREEK ROAD TO DONALD ROSS ROAD.

Councilman Short stated he is supposed to bring up for discussion a matter concerning zoning of some land out on West Boulevard; this property includes the Carolina Golf Course and is Petition No. 69-34. He stated the Planning Commission's final recommendation was that the part which is now a real estate development - a residential development - be left single family and the rest be made R-6MF, and he is not sure that is the best resolution of it and he is throwing it out for discussion.

Councilman Whittington stated two weeks ago he asked Council to delay decision on this matter until Mr. Veeder, City Manager, could report back from three developers or real estate people who have no interest in this property; he stated Council has been given this report, and while the recommendation is for apartments, he thinks Council is back where they were on March 31st.

Councilman Short moved that the subject petition be zoned in its entirety for R-6. The motion was seconded by Councilman Whittington.

Councilman Whittington stated when he says in its entirety he is referring only to Petition 69-34. Councilman Short replied he mentioned Petition 69-34.

Councilman Short stated a study of maps indicate that for the preservation of good residential structures in the west side of town generally a case can be made that is somewhat dependent upon this land being used in this way; this is a large block of land under one ownership, or one corporation. If it represents a loss to these people in terms of their ability to sell it, it will be distributed over a great many people, and it will not be a great loss to anyone.

The vote was taken on the motion, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 245.

ORDINANCE NO. 283-X AMENDING ORDINANCE NO. 939-X, THE 1968-69 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE UNEXPENDED BALANCE OF THE GENERAL FUND.

Councilman Whittington moved adoption of the subject ordinance authorizing the transfer of \$6,000 of non-tax revenues of the unexpended balance of the General Fund to the Park and Recreation Commission to construct a foot bridge across Sugar Creek for the Huntingtowne Farms Park. The motion was seconded by Councilman Jordan, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 246.

ADJOURNMENT.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the meeting was adjourned until 10:00 o'clock p.m., Tuesday, July 22, for the purpose of a public hearing on salaries, wages and wage-related matters relating to the City of Charlotte Policy for Employer-Employee Relations.


Ruth Armstrong, City Clerk