

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, May 24, 1965, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short and Tuttle present.

ABSENT: Councilmen Thrower and Whittington.

The Charlotte-Mecklenburg Planning Commission met with the City Council for the purpose of hearing petitions for changes in the Zoning Ordinance and Map of the City of Charlotte. Present: Mr. Sibley, Chairman, Mr. Ervin, Mr. Gamble, Mr. Jones, and Mr. Stone.

ABSENT: Mr. Lakey, Mr. Olive, Mr. Toy and Mr. Turner.

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INVOCATION.

The invocation was given by Councilman Sandy R. Jordan.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and unanimously carried, the Minutes of the last meeting on May 17th were approved as submitted.

HEARING ON PETITION NO. 65-39 FOR CHANGE IN ZONING OF TRACT OF LAND ON THE WEST SIDE OF STATESVILLE ROAD, BEGINNING NORTH OF BURMITH AVENUE EXTENDING WESTWARD TO MILHAVEN LANE.

The public hearing was held on Petition No. 65-49 by W. G. Dellinger for change in zoning from R-9 to R-9MF of a 22.84 acre tract of land on the west side of Statesville Road, beginning 122.31 feet north of Burmith Avenue extending westward to Milhaven Lane, on which a protest petition has been filed and found sufficient to require the affirmative vote of six members of the Council to approve the change as requested.

The Planning Director advised the property is an acreage tract of land extending from Statesville Road and Milhaven Lane to the west; it is vacant land, across Statesville Road is Ranson Junior High School; directly across from the property are single families house; along the southerly boundary are the rear lots of the houses facing on Burmith Avenue. Across Milhaven Lane the land is vacant; in the near vicinity are the residences facing on Boulder Lane, and Statesville Road Elementary School is located in the vicinity. At present the zoning of the property is R-9, with all adjoining zoning being for single family residences and the zoning across Statesville Road being R-12.

Mr. Bill Harris representing the petitioner, Mr. Dellinger, stated they feel there is a real need for apartments in this area, and it will increase the income from a tax standpoint; that the land is not wide enough to develop with single family residences as a street would have to be cut down the middle of the property and it would mean too much cost for paving and gutter. They do not think the rezoning would create too much of a hazard from a traffic standpoint. He stated the land fronting on Statesville Road would not bring a good price for single family residences.

Councilman Short asked if Mr. Harris has any idea of the value of the six houses on the north side of Burmith Avenue, and he replied he is not in a position to say; Councilman Short then asked if he thought this project would curtail the value of these houses and Mr. Harris replied that he did not think it would have a great deal of effect but it would have some adverse effect.

Mr. Ralph Cox, member of the Executive Committee of Ranson Junior High School, stated they took a poll and the results were great opposition to the rezoning of the property in connection with the school and the property owners in the community. That the traffic is tremendous in the morning and it backs up two or three blocks, and the project planned just across from the school would not help the traffic, and they are greatly opposed to the rezoning and hope Council will rule in their favor.

Mr. Ralph Templeton presented a petition signed by 287 members of the community who are against the change in zoning. He stated out of the 294 persons contacted only seven would not sign the petition; that the erection of the apartments would create an atmosphere they would not want for their children; that they have considerable investments in their homes and feel the entire community should be taken into consideration as the rezoning would devalue the property surrounding the school. He stated the houses are valued between \$15,000 and \$17,000, some more and some less.

Councilman Short asked if these homes were built in reliance on the zoning, and Mr. Templeton replied he built his home and two of his neighbors built in reliance of the zoning of the property. Councilman Tuttle asked if the 287 people who signed the protest petition are home owners, and Mr. Templeton replied in the community across from the property in question.

Mrs Robert Beard, representing the Statesville Road School P.T.A., asked that the rezoning not be allowed in the interest of their school and of the property owners in the area.

Mrs Glenn Terrell stated she is a property owner on the north side. That their home is an old house but they bought it knowing the property was residential and they have an investment of \$21,000 to \$22,000 in their home, and object to the rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-41 FOR CHANGE IN ZONING OF THE REAR PORTION OF A LOT AT 2401 ROZZELLS FERRY ROAD.

The scheduled hearing was held on Petition No. 65-41 by Z. R. Little for change in zoning from R-6MF to B-2 of the rear portion of a lot at 2401 Rozzells Ferry Road.

Mr. McIntyre, Planning Director, stated the petition is for the rear portion of lots that front on Rozzells Ferry Road and Garnder Avenue; it is occupied by a house on the front and on the rear by a structure that has been used as a vending machine warehouse; there are houses going down Gardner Avenue; directly across Gardner are apartments; the lots along Rozzells Ferry Road are occupied by houses and duplexes. The zoning of the property at present is R-6MF with the zoning on the adjoining three sides R-6MF and immediately behind the property in question it is I-1.

Mr. Z. R. Little, petitioner, stated the property was zoned B-2 several years ago and he received a permit to erect this building. That he did not know

the zoning had been changed until recently. That he would like the zoning changed so that the building could be used for something similar to what it has been used for in the past.

No opposition was expressed to the proposed change in zoning. Council decision was deferred for one week.

HEARING ON PETITION NO. 65-42 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF LECLINE DRIVE, BEGINNING SOUTH OF PURSER DRIVE AND EXTENDING ALONG LECLINE DRIVE.

The public hearing was held on Petition No. 65-42 by Pearlie D. Goss for change in zoning from R-9 to R-9MF of property on both sides of Lecline Drive, beginning approximately 148 ft. south of Purser Drive and extending approximately 133 ft. along Lecline Drive.

The Planning Director advised this is the rear portion of lots fronting on Purser Drive; at present it is vacant; it is adjoined along the rear by multifamily dwellings which have been recently constructed. The front of the land is vacant and adjoined on the west side by Lecline Drive; to the east it adjoins the rear line of single family residences. The zoning at present is R-9 and it is adjoined on two sides by multifamily zoning, at the rear by multifamily, and single family zoning on the other two sides.

Mr. Bill Allan of Trotter & Allan explained the property from a map and stated the lots need to be made comparable. He called attention that the petition should read "one side of Lecline Drive", rather than "both sides". He stated there is a little creek running through the back of the lot which makes it almost unusable. That Trotter and Allan own the land on two sides and Mr. Goss owns the land on the front. That they do not know of any protest and this would not be spot zoning. The City Attorney asked Mr. Allan who owns the property across the street on Lecline Drive, and Mr. Allan replied that Trotter and Allan own it.

No objections were made to the proposed rezoning of the property.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-43 FOR CHANGE IN ZONING ON THE EAST SIDE OF STATESVILLE ROAD BEGINNING SOUTH OF RODNEY AVENUE.

The scheduled hearing was held on Petition No. 65-43 by Eugene Payseur for change in zoning from B-1 to B-2 of a lot 50 x 200 feet on the east side of Statesville Road, beginning 250 ft. south of Rodney Avenue.

Mr. McIntyre, Planning Director, explained the location of the property and stated the property includes a single vacant lot fronting on Statesville Avenue at the corner of Norris Avenue. The property is directly across from the Double Oaks Recreation Center; immediately to the north it is adjoined by single family residences and there is scattered business in the area of Statesville Avenue extending for about three blocks. Among the residential structures are a grocery store, a Howard Johnson Restaurant and service type establishments. Immediately behind the area is a vacant lot in a residential zone which extends down Norris Avenue. At present the property is zoned B-1 and this is a request for B-2.

Mr. Thomas H. Wyche, representing the petitioners, stated the property was bought in 1959 with the idea of using it for business purposes - a drive-in; and since that time the zoning was changed which prohibits the drive-in

portion of his investment. Mr. Wyche stated the area is already zoned for business and they only need permission to use it for the drive-in. That in the neighborhood now there are drive ins within a block and stores of all types, and they request that this be extended so they can use it for the purpose for which the purchaser intended. That there are protesters but there are only about 5 houses in the block and one or two are perhaps homeowners and the others are rental houses. Perhaps the majority of the 108 people who protested live far back of this property. That the request is that Mr. Payseur be permitted to use his property for the purpose it was purchased. That he had already made plans for the drive-in when he found the zoning had been changed.

Councilman Short asked why the zoning was changed, and Mr. McIntyre replied the zoning was changed on all property under the comprehensive revision in 1961.

Reverend L. D. Parker, Pastor of St. Lukes Baptist Church, stated they are opposed to the requested change because their church property is just 100 feet from the end of this property. That they feel they will have trouble with their children with the rezoning of the property for a drive-in and instead of the children being in Sunday School they will be at the drive-in and they don't want their children to be outside the church. That with all the other businesses in the area they feel they have enough.

Mrs Allen Pettis, 2716 Statesville Road, stated she lives three doors from this property and they would not be able to get out of their driveway anytime of the day or night. That she has a child and so does her neighbor next door and the church is right behind it, and she would prefer the zoning to stay just as it is.

Councilman Tuttle asked Mr. Wyche what type of drive-in is planned for the property; and Mr. Wyche replied that beer and anything else will be sold. Mr. Wyche stated further the church is on the opposite side of the street and it is already adjoined by business in the same block and they made no protest when the other business was built, and a man can still operate a business on the property as it is already zoned for business.

Councilman Tuttle called attention that Mr. Wyche stated the drive-in and church would be separated by a street and he sees no street there. Councilman Short asked if there is not more than one church in the area; and he was advised there are three churches close by - within two or three blocks.

Mrs Maddie Moore, 2708 Statesville Road, stated she greatly protests the rezoning because of the children, the church and their neighbors. That there is one drive-in already in the block above and they come down the street from there at midnight and wake them up; that you can't sleep and you can't go out doors after sundown as it is very dangerous out there; her grandson was robbed and beaten and all his paper money was stolen and he had to give up his paper route.

Mr. Eugene Payseur, the petitioner, stated it took him some 5 and a half years to pay for this property and he is just trying to make an honest living. That the nearest church is 250 to 300 feet away. That there are three churches in the community, one next to the shopping center and the other is on the next street about 250 feet down on the right hand side of the street. That as far as the beer is concerned, it will be off-premises beer; that he will serve chicken boxes and shrimp and furnish the beer. That most of the property out there is rental property and is already zoned B-1.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-44 FOR CHANGE IN ZONING OF A STRIP OF LAND ON THE WEST SIDE OF STATESVILLE ROAD EXTENDING FROM HUTCHINSON McDONALD ROAD TO CINDY LANE.

The scheduled hearing was held on Petition No. 65-44 by W. D. Cornwell and M. A. Lyons, for a change in zoning from R-9 to B-2 of a strip of land on the west side of Statesville Road 230 feet deep extending from Hutchinson McDonald Road to Cindy Lane.

The Planning Director stated this property fronts for a considerable length of Statesville Avenue, from Hutchinson-McDonald Road north to the westerly side of Statesville Avenue to Cindy Lane; the property is about 265 feet from Statesville Avenue; directly across from the property it is very sparsely developed with a few scattered houses on rural size tracts of land; diagonally across there is a residential structure and to the north are some business establishments; on the same side of Statesville Road going north there is residential zoning; coming south on Statesville there is a machine shop at the intersection of Statesville and Hutchinson-McDonald Road and a repair establishment behind a house across the street. The property at present is zoned R-9; across the street and behind the property the zoning is R-9 as well as to the north; immediately to the south it adjoins a business district.

No opposition was expressed to the proposed change.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-45 FOR CHANGE IN ZONING OF TRACT OF LAND LOCATED ON THE NORTHWEST SIDE OF THE FAIRVIEW ROAD-SHARON ROAD INTERSECTION.

The public hearing was held on Petition No. 65-45 by James J. Harris for a change in zoning from R-12, O-15, O-6 and B-1 to B-1 SCD of a tract of land approximately 100 acres in size located on the northwest side of the Fairview Road-Sharon Road intersection.

Mr. McIntyre, Planning Director, stated this tract of land is adjacent to the Sharon Road-Fairview Road intersection, and consists of approximately 100 acres of land which is open and undeveloped; immediately across the road from the property there is a neighborhood Shopping center; also involved is the Stephens Company and Eastern Airlines Buildings and west of the property across Barclay Downs Drive is the Celanese office building; to the north the land is open and undeveloped; directly across Sharon Road are scattered residences; on the easterly side the property is adjoined by single family houses and a veterinary establishment; at the intersection of Sharon and Sharon View Road is a gasoline station. The property at present is zoned R-12, O-6 and O-15 and is adjoined along the northerly side by R-12; directly across Sharon is R-12 and O-6 and some business zoning; directly across Fairview Road the property is adjoined by B-1 and O-15 zoning.

Mr. James J. Harris, the Petitioner, stated they are seeking to have the property rezoned for the purpose of selling the property to Ivey's and Belk's for a regional shopping center. That there are several technicalities involved and he has with him with Mr. Boyle, Mr. Delaney, a representative for Mr. Ivey, Sr., Mr. Ivey, Jr. and Mr. John Fielding of Iveys, and from Belk's there is Mr. George Dowdy and Mr. Joe Robinson.

Mr. Irvin Boyle, Attorney, stated the property which they seek rezoned will be adapted for what is known as a regional shopping center. He presented a picture of the physical survey of the premises and pointed out just what

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they are talking about and just who is involved. He pointed out Sharon Road and Fairview Road, and two portions of property not owned by the Harris Estate. He stated on the corner lot there is a filling station occupied by Gulf Oil Company, and the lot immediately above is used by a veterinarian which is a non-conforming use. He pointed out the C. E. Moore property, and stated that adjacent to that is some additional property owned by Mr & Mrs Harris; that the Harris property is in favor of the petition and the Moore property is also in favor of it. On the other side away from the road, is the property occupied by the Celanese Corporation and they have no objections to the rezoning. Across the road on the other side, starting at the corner is the Standard Oil station, next to that is an entrance to a shopping center, and then the Pure Oil Station. He stated he has not discussed this petition with any of those property owners, but starting with the J. P. Stephens Company, Eastern Airlines and the Blythe interest, which extends down some considerable distance beyond the property, they are all for the petition. He then presented an aerial photo made in March of this year, and pointed out the property which they are requesting rezoned, the two pieces of property of the Moore's and Gulf Oil Company, and the non-conforming use; the Celanese property; Eastern Airlines, J. P. Stephens and the Harris land.

Mr. Jack Delaney presented a population illustration and stated Mecklenburg has been split into four general areas - so called trading areas, SE, NE, SW and NW - based upon the population figures in the 1960 census and the interpretations made since that time by the Planning Board and Chamber of Commerce. He stated further the total number of people who will be served within a range from 1965 to 1970 is as high as 112,000; by 1980 they anticipate there will be a minimum of 133,000; that the overall population this year in the county is 315,000, and in 1980 it is estimated to be 499,000. That it is necessary in trying to evaluate the approach, population-wise, to make an attempt to split between the county and surrounding areas. That they have taken in the 10 surrounding areas most accessible to Charlotte and Mecklenburg and four in South Carolina; within each of the counties is a figure of population for 1960 and the estimated growth and the number of people they believe will be served by this regional shopping center. That the two figures can be combined and give a probable population served of 135,000 by 1970, as a range and 166,00 to 175,000 by 1980.

Mr. Delaney stated under the Wilbur-Smith Report we have an outline of roads that were recommended; some of them planned and some under construction. He called attention to an illustration which showed the roads in existence and the roads which are either planned, programmed or under construction. He stated that Fairview and Sharon Roads are oriented mostly north and south as is called for in the program of access ways through and to the larger expressways, so there will be these access ways by this site, and immediately south and north of the site as the planning and programming is completed. He pointed out the area within 5 to 10 minutes driving time to the site; the area in 5 minutes driving time and the area which is not two minutes driving time. He called attention to the 10 mile radius and stated it encompasses almost the entire part of southern Mecklenburg County which beyond any doubt is the most populous portion of the county and has 2/3 of the income of the county.

Mr. George Ivey, Jr., stated they propose to build approximately 750,000 sq. ft. of shopping center; it will be anchored on each of the three corners by 3 prime generators - Belks, Iveys and one other department store; that it will be an enclosed airconditioned, all-weather mall, hooking the three anchors from which will be located various other retail establishments ranging up and down the line. The parking will be around the entire perimeter of the shopping center building with egress and ingress as indicated on the plan. They proposed to build from a construction and appearance standpoint, the kind

of building that will be pleasing in this particular section of the city, as well as from a lasting standpoint. They also propose to have enough green area around it to enhance not only the shopping center itself but the entire surrounding area at the corner of Sharon and Fairview Road.

Mr. George Dowdy of Belks stated if this change is granted they will build something that the City will be proud of and not something that will be thrown up in a hurry, and it will be truly a regional shopping center. That when they finish the center will cost somewhere in the neighborhood of \$15,000,000 to \$16,000,000.

Mr. Boyle stated if this regional shopping center is erected, this is a project not by outside merchants but by local merchants in the City of Charlotte and he feels under these circumstances, and as indicated by the drawings, that what will be erected will be something the City will be proud of.

No objections were expressed to the proposed rezoning of the property.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-46 FOR A CHANGE IN ZONING OF A TRACT OF LAND AT THE NORTHWEST CORNER OF SLEEPY HALLOW ROAD AND THE NEW U. S. HIGHWAY 21 (NORTH-SOUTH EXPRESSWAY).

The scheduled hearing was held on Petition No. 65-46 by C. C. Thomas for a change in zoning from R-9MF to B-2 of a tract of land 465' x 387' at the northwest corner of Sleepy Hallow Road and the new U. S. Highway 21 (North-South Expressway). The Council was advised that a protest petition has been filed signed by approximately 41 property owners in the area most of whom live within one and two blocks of the property requested rezoned.

The Planning Director stated the property is partially vacant and partially occupied and is located on Sleepy Hallow Road, which may also be known as Tyvola Road since it will be an extension of Tyvola Road when the road is extended from Pineville Road over to the west tying into Nations Ford Road; that it also borders on U. S. 21 South; immediately to the rear of the lot the land is vacant, being the rear portion of lots fronting on Nations Ford Road which are occupied by single family dwellings. Between Nations Ford Road and the subject property is a kennel club located on the northerly side of Tyvola Road; directly across Sleepy Hallow Road is the rear portion of residential lots fronting on Skycrest Avenue. The property at the present time is zoned R-9MF; directly across Sleepy Hallow Road the zoning is R-9; and the zoning on the opposite side of the expressway is I-2.

Mr. Bill Scarborough, Attorney for the petitioner, stated this property as it is used now is a non-conforming use. That Sleepy Hallow Road is merely an access road to the former city dump or landfill which is immediately east of this property. That to the west and to the south across the highway is Industrial-2 zoning; immediately to the south and across Tyvola Road the zoning is R-9MF. Crossing the property and a portion which they seek rezoned is a line for the transmission of high voltage electricity by Duke Power Company, and this type of easement prevents any building or construction underneath it. They feel with the addition of Interstate-77, the expressway coming right down by this property and this particular corner, the B-2 zoning would be best suited; that it is his understanding that the opposite corners northeast and south are being planned for such zoning. They feel this will not harm the people up on Skycrest Avenue.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-47 FOR A CHANGE IN ZONING OF THREE LOTS AT THE SW CORNER OF WABASH AVENUE AND WILDWOOD AVENUE.

The public hearing was held on Petition No. 65-47 by E. Howard Counts for a change in zoning from R-6 to R-6MF of three lots at the southwest corner of Wabash Avenue and Wildwood Avenue.

Mr. McIntyre, Planning Director, explained the location of the property and the surrounding area, stating the property covered by this petition is in the Thomasboro section, a short distance off Hovis Road; Wildwood Street is a street that leads off Hovis Road and the subject property is one block down that road. The property is vacant at the present time and adjoined along its rear on the southerly side by single family developments; directly across Wildwood and across Wabash Avenue there is a single family development; diagonally across Wildwood Avenue there is an installation of mobile homes; at the corner of Williams Street there is a grocery store; at present the property is zoned R-6 and adjoined on three sides by single family zoning and a portion of the southerly and westerly side is multifamily zone.

Mr. Counts, the petitioner, stated the trailer park is across the street; the property in the immediate area is primarily rental; part to the rear is zoned R-6MF and is vacant. That they plan a project with off-street parking on the property with curb and gutter and he does not believe he has any opposition to the petition. That the property on the north side is rental and the property along by the trailer park is all rental with one home owner on the right hand side who is not opposed to the proposed rezoning.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-48 FOR A CHANGE IN ZONING OF TRACT OF LAND ON THE SE SIDE OF N.C. HIGHWAY 49 OPPOSITE CHARLOTTE COLLEGE BEGINNING AT MARK TWAIN ROAD AND EXTENDING ALONG N. C. 49 EASTWARD.

The scheduled hearing was held on Petition No. 65-48 by John Crosland Company for a change in zoning from R-12MF to R-9MF of a tract of land about 180 feet in depth on the southeast side of N. C. Highway 49 opposite Charlotte College beginning at Mark Twain Road and extending along N. C. 49 eastward about 1,017 feet, on which a protest petition was filed and is not sufficient to require the 3/4th vote of Council to approve the change in zoning.

The Planning Director stated the property lies directly across Highway 49 from the campus of Charlotte College; that it consists of land that has been laid out in lots but not developed. Immediately to the rear of the property in question there are lots that have been established and part of them have been built on with single family homes; immediately to the south along Highway 49 the land is subdivided but still vacant; to the north the land is subdivided and partially developed with single family homes. The zoning of the property at present is R-12MF and surrounded on all sides by R-12MF.

Mrs Glenn Liles stated as a resident of the area involved she would like to protest the change in zoning that would allow less desirable apartments to be built. That she feels any apartment building placed there should be as substantial as the homes in the area. She stated they have more than \$25,000 invested in their home, and she does not think any of the homes there are less than \$20,000.00. That fronting on Highway 49 there are two homes and one block behind these there are three homes.

Councilman Short asked if the College has been heard from and Mr. McIntyre replied they had a call from the college and they talked about it but nothing further.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-49 FOR A CHANGE IN ZONING OF TWO LOTS AT 704 AND 708 LOUISE AVENUE.

The public hearing was held on Petition No. 65-49 by Erskine Lee Harkey and the Mecklenburg County Association for the Blind, Inc., et al for a change in zoning from R-6MF to O-6 of two lots at 704 and 708 Louise Avenue.

Mr. McIntyre, Planning Director, stated there are two lots covered by this petition; one is already being used by the Association for the Blind and the other at present is being used for single family residential purposes. Immediately across the street from the property there is residential zoning; on the opposite side of the property going toward Central Avenue the development is generally commercial; immediately to the rear of the property there are the side lot lines of residences fronting on Sunnyside Avenue. The zoning of the property at present is R-6MF and is adjoined on two sides and the southerly side and to the rear by multifamily zoning. On the Central Avenue side it is adjoined by business structures. Directly across Louise Avenue a portion of the property is zoned for office and a portion for multifamily.

Mr. Ray Bradley, Attorney representing the Mecklenburg County Association for the Blind, stated they have occupied one of the lots in question since 1958. That it has housed the administrative offices for the Association which serves all the Blind for Mecklenburg County; they are supported by the United Community Services, together with all the Lions Clubs in Mecklenburg County. The Association now has contracted to purchase the adjoining lot and they plan to put a modern one-story building on the two lots. He introduced the new Executive Secretary for the Blind Association who assumed his duties only six months ago - Mr. Ralph McCoig.

Mr. McCoig stated they have what they feel is a very good plan to expand their facilities and bring together the services which they offer - namely, the Association offices, the Piedmont North Carolina Eye Clinic and the James L. Bell Memorial Library.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-50 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF INTERSTATE-85 BEGINNING AT STEWART CREEK AND EXTENDING EASTWARD TO MECKLENBURG COLLEGE PROPERTY AND NORTHWARD TO HOSKINS ROAD.

The public hearing was held on Petition No. 65-50 by C. D. Spangler Construction Company for a change in zoning from R-6 to R-6MF and B-2 of a tract of land on the north side of Interstate 85 beginning at Stewart Creek and extending eastward to Mecklenburg College property and northward to Hoskins Road.

The Planning Director advised the property under this petition lies between Interstate 85 and Hoskins Road and only a short distance to the west is Beattys Ford Road. At present it is vacant land and it is adjoined along its westerly side by Stewart Creek and immediately beyond the creek is Johnson Motor Lines and Sears Roebuck warehouse; on the easterly side it is adjoined

by Mecklenburg College; otherwise the adjoining property is vacant; directly across I-85 there is a residential development extending for a considerable distance from the west to Beattys Ford Road. At present the property is zoned R-6; it is adjoined along its westerly side by I-2 and by R-6MF zoning; across Hoskins Road is R-6; to the east is Mecklenburg College zoned for single family; directly across I-85 is single family zoning.

Mr. M. A. Lyons, representing the petitioner, stated its a matter of making a better use of the land as it is more suitable for multifamily and B-2 use.

No opposition was expressed to the rezoning of the property.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-51 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE SW SIDE OF GLENWOOD DRIVE SE OF I-85.

The scheduled hearing was held on Petition No. 65-51 by Odessa B. Hartsell for a change in zoning from O-6 to B-1 of a tract of land 33.39' x 322.38' on the southwest side of Glenwood Drive southeast of Interstate 85.

Mr. McIntyre, Planning Director, stated the property included in this petition is a piece of property that has recently been before Council and rezoned to another classification; it is a triangular piece of property at the intersection of I-85; it is adjoined on the town side by vacant land and single family residential zoning; directly across Glenwood Avenue the zoning is also single family and some vacant lots; at present the property is zoned O-6; it adjoins on the northwesterly side a Business-1 zoning district; directly across from the property in question the property was also the subject of a recent rezoning and the corner property there is also zoned for business purposes. That this property together with the O-6 property which adjoins was recently rezoned from residential use.

Mr. Beverly Webb, Attorney representing Humble Oil & Refining Company, stated they have an option on this property and the property was recently rezoned for business and Office-6. He called attention to the property as shown on a map he presented and stated when Humble Oil Company entered the picture after the rezoning it was determined that the controlled access from the Interstate highway extended further than had been assumed in the initial rezoning. That they intend to use the property for a drive in gasoline service station and a large portion of the property is correctly zoned for this purpose. However, they have one major problem, the controlled access comes to a point and the State Highway Commission says under their controlled access provisions you must leave an initial five feet, and this would leave them 10 feet of access way into the business property, and their petition is to extend the business zoning in a southerly direction leaving them 50 feet for access and 5 feet of that will be controlled by the Highway Commission. They further ask that the line be extended back in a straight line to a known property corner so they will not have to jut down into their property to determine where the actual zoning line is; that Humble's option includes the property which is O-6 and they would like to have that rezoned but after conference with the Planning Office they are going to wait on that. That they are asking now for access into their property and along the northerly property line they will develop with grass and shrubs.

Mr. Stegall of Humble Oil Company stated they expect to comply with every zoning rule and any other rule or regulation of the City as they are very proud of the City. That this petition would enable them to have ingress and egress in a safe manner. He stated he has a large picture of their station at Sugar Creek Road and North Tryon Street, which is a beauty spot, which he passed around for viewing.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-52 FOR A CHANGE IN ZONING OF A TRACT OF LAND NORTH OF SHAMROCK DRIVE, BEGINNING WEST OF EASTWAY DRIVE.

The scheduled hearing was held on Petition No. 65-52 by H. H. Baucom for a change in zoning from R-9 to R-9MF of a 4.03 acre tract of land north of Shamrock Drive, beginning 1,351 feet west of Eastway Drive, on which a protest petition has been filed and found sufficient to require the affirmative vote of six members of Council to approve the change as requested.

The Planning Director advised this property joins Garinger High School and is a short distance removed from Eastway Drive and a small portion of the property fronts on Shamrock Drive. That the frontage on Shamrock that adjoins this property is all single family residential structures with one exception; a portion of the property adjoins the rear line of property fronting on Eastway Drive and a very extensive portion joins the Garinger High School property. The zoning of the property at present is single family; it adjoins property on Eastway Drive which is zoned multifamily, otherwise all adjoining property is single family.

Mr. Sol Levine, Attorney representing the petitioner, discussed the property from a map, stating that the part in red are people who have agreed to allow the rezoning; the part in yellow are business properties, and the part in blue are apartments, and the part where the "XX'S" are duplex properties. That they plan to have the property rezoned to R-9 multifamily so they can put up approximately 24 apartments. That the property actually abuts the Garinger High School and they feel the property would have no use residentially as there is no way actually to come in there and plan a residential section; the only value it could have would be for multifamily or apartment house projects and their plan is to put on the property 24 apartments which would be of fine value and the rental will be \$100 a month. That they plan to put a buffer zone of 100 feet along one line and 30 feet buffer along the other, so the people would not feel they had actually destroyed their property; they are going to do the best they can to make it as appealing as possible. That this peice of property is vacant and would have no use whatsoever except for the multifamily type of project.

Councilman Short asked about a buffer zone for the school and Mr. Levine stated they had thought of that too, and their idea was that the children would just like to walk right to the school, but that would be the pleasure of the Council, and he doesn't believe his client would object to a buffer zone there also for the beautification of the property.

Mr. Levine presented a petition signed by 26 persons who state they have no objections to the change in zoning.

Mr. B. F. Wyant stated he is one of the adjoining property owners, and the houses in the immediate vicinity are in the \$15,000 to \$20,000 class. That most of them have spent considerable money improving their homes since they

have been there; and they feel that multifamily units, either duplexes or apartments, will be detrimental to their property. As they understand it, there is only one street into this property, and this will make just one more dead-end street off Shamrock Drive. The property joins Garinger High School and the creation of this 4 acre tract into an apartment area with 24 apartments means that you are putting a family on less than 20/100 of an acre of property which is very small, as their lots run nearly 15,000 sq. ft., so he feels they are creating a potential slum regardless of how the property may rent now. Too, he feels that consideration should be given to the fact that Garinger High School may someday expand and he thinks we should plan for that. That putting 24 or more families in this area is going to create a bottleneck with traffic into Shamrock Drive which, as shown by traffic surveys, is tremendously overloaded now and will become more so with the new expressway.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-53 FOR A CHANGE IN ZONING OF ALL PROPERTY IN THE HARDING PLACE-GREENWOOD CLIFF COMMUNITY NOT NOW ZONED O-6 BEING PROPERTY FRONTING ON HARDING PLACE, GREENWOOD CLIFF AND BERKLEY AVENUE.

The public hearing was held on Petition No. 65-53 by Harding Place-Greenwood Cliff Community Improvement Association for a change in zoning from R-6MF to O-6 of all property in the Harding Place-Greenwood Cliff Community not now zoned O-6 being property fronting on Harding Place, Greenwood Cliff and Berkley Avenue.

The Planning Director stated this is a neighborhood zoning change, proposing to change the zoning along two streets covering better than 8 blocks. The change would cover all that property on Greenwood Cliff and Harding Place not now zoned for office use. At present it is zoned principally for single family homes although there are apartments and duplexes in the area. The property at present is zoned for multifamily, adjoined on the intown side by business zoning, along its westerly boundary by business zoning and along Morehead Street by office zoning; and it is also adjoined by office zoning established on Greenwood Cliff.

Mr. Boyd Ross, speaking for the members of the Harding Place-Greenwood Cliff Community Improvements Association, stated they formed the association in the spring of 1963 to effect a healthy transition from residential to Office-Institutional zoning and they decided to do this as the need arises. Since that time they have seen the constant and steady encroachment of business into their community, so they of the Association decided the need has arisen. That this does not mean they are going to abandon the section as a residential area as they don't believe, and they hope, there will not be a great deal of change in the community immediately, and they intend to maintain their property and keep their places looking nice with the hope they can attract a very good class of good cooperate neighbors. They intend to prove that office and institutional buildings and homes can be compatible. Mr. Ross stated at the time they presented the petition there were 112 plots in the Greenwood Cliff-Harding Place Area, and at that time 32 of the plots had already been rezoned O-6 which left 80 plots represented by 77 property owners. They made a canvass of these property owners and did not find any dissenters and when the canvass was complete at the last check 5 people were out-of-town and they could not reach them.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-54 FOR A CHANGE IN ZONING OF A LOT ON THE WEST SIDE OF NORLAND ROAD BEGINNING SOUTH OF CENTRAL AVENUE.

The scheduled hearing was held on Petition No. 65-54 by Pal-Lor Company, Inc., for a change in zoning from R-9 to O-6 of a lot 100' x 235' on the west side of Norland Road beginning 469 feet south of Central Avenue.

Mr. McIntyre, Planning Director, explained the petition stating it covers a single lot which fronts on Norland Road. That Norland Road is the street which extends southerly to Central Avenue and towards Kilborne Drive. The property is adjoined on its Central Avenue side by office structures with business developments in the immediate vicinity. Immediately to the south there is a residential development which extends from Norland Drive to the school and the cemetery property. At present the zoning is R-9; it is adjoined on two sides by R-9; with the zoning across the street being partially R-9 and partially O-6; the property is adjoined on the Central Avenue side by O-6 which is adjacent to B-1 zoning which has been established in the vicinity of Central Avenue and Norland Drive.

Mr. Ray Bradley, Attorney for the petitioner, stated that the Pal-Lor Company is a manufacturer's representative for heating and air conditioning equipment firms; and they serve approximately 300 accounts through Virginia and North and South Carolina. At present the warehouse and office of the company is located on the southwest side of Norland Road approximately 150 feet from Central Avenue and has been in that location for approximately 11 years. That they would now like to move a portion of this, in the form of an office building, diagonally across the street from the lot in question which is covered by the petition towards Central Avenue. That immediately to the south on Norland Road towards Eastway Junior High School there are three residences and another street called Brotherton Street, which separates the property from the School. That Mr. Stack has talked to all the owners and occupants of the residences adjoining the property and they are in favor of this move.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-55 FOR A CHANGE IN ZONING AT 301 PETERSON DRIVE.

The public hearing was held on Petition No. 65-55 by L. Lew Beman, Jr. for a change in zoning from R-6MF to O-6 of a lot 76.7' x 211.65' at 301 Peterson Drive on which a protest petition has been filed and found sufficient to require the affirmative vote of six members of Council to approve the requested change.

Mr. McIntyre, Planning Director, stated the property is presently occupied by a real estate office and is located at the intersection of Peterson Drive and Heriot Drive and backs up to Yancey Street. Down Yancey from the property in question are various industrial establishments; along its westerly side it is adjoined by single family residential zones; directly across is single family development; diagonally across Heriot Road is property that is undeveloped. The zoning of the property at present is R-6MF; it is adjoined to the rear by I-2, across Heriot Avenue it is I-1 and directly across Peterson Drive and to the west is multifamily.

Mr. Ray Bradley, Attorney for the petitioner, stated this particular area is almost completely industrial with approximately one block occupied by residences, all of which are approximately 20 years old and the residence

which the owner hopes to be able to use as an office for a construction company - Eastway Builders - is approximately that age too. That the property is a corner lot and is completely surrounded by industrial property including warehouses and manufacturing establishments. That this is an area which is changing rapidly and is on out the Pineville Road area. That this particular construction company does a great deal of work and they hope to continue to use the residence as the office itself and do not plan to make any changes in the structure.

Councilman Short asked Mr. Bradley if he is saying that the lot is almost surrounded by business and industrial uses, and would he not agree that this would be the first interruption of a solid block of residences? Mr. Bradley stated it would be in this one block but everywhere else behind it, across the street and to the east it is completely industrial; there is heavy truck traffic all through the entire area. That it would be the first break in this particular block but it is a corner lot and an O-6 change would not be a radical change that would affect the neighborhood.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-56 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE SOUTH SIDE OF ARROWOOD ROAD EXTENDING FROM IRWIN CREEK TO THE NEW U.S. HIGHWAY 21 (NORTH-SOUTH EXPRESSWAY).

The scheduled hearing was held on Petition No. 65-56 by J. F. Lane for a change in zoning from R-9 to I-1 of a 1.89 acre tract of land on the south side of Arrowood Road extending from Irwin Creek to the new U. S. Highway 21 (North-South Expressway).

The Planning Director advised the property is a piece of vacant land on the southerly side of Arrowood Road a very short distance removed from 21 South Expressway; it is adjacent to a proposed interchange being the 21 South Expressway and Arrowood Road. That the property is also at the end of the perimeter zoning jurisdiction; that it is vacant land surrounded by vacant land with the exception of one lot which has a trailer on it. That the only land developed residentially is some distance removed from the property in question on Choyce Circle. The zoning of the property is R-9 and it is surrounded on all sides by residential zoning.

Mr. Freeman Daniel representing the petitioner, stated Mr. Lane owns approximately 32 acres lying between Irwin Creek, Arrowood Road and the new I-77; and it adjoins the Arrowood Industrial development. That he has an out-of-town client interested in the property for an industry. He presented a map showing the Arrowood Industrial development and also the plan for the North-South Expressway, and stated that only 1.89 acres is covered by zoning, the other is outside the perimeter jurisdiction. Mr. Daniel also presented a map showing the State Highway plans for the new service road through the Arrowood Industrial Center.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-57 FOR A CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF ARROWOOD ROAD EXTENDING FROM IRWIN CREEK TO THE NEW U.S. HIGHWAY 21 (NORTH-SOUTH EXPRESSWAY).

The public hearing was held on Petition No. 65-57 by G. F. Shrum for a change in zoning from R-9 to B-2 of a tract of land 580' x 231' on the north side of Arrowood Road, extending from Irwin Creek to the new U.S. Highway 21 (North-South Expressway).

Mr. McIntyre, Planning Director, stated this piece of land is directly across Arrowood Road from the previous petition and all the circumstances are the same.

Mr. Freeman Daniel representing Mr. Shrum stated they are requesting B-2 zoning rather than industrial and the property will be used for a service station or retail type business.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-58 FOR A CHANGE IN ZONING OF PROPERTY ON THE NW SIDE OF LOUISE AVENUE, FROM BELMONT AVENUE TO WITHIN APPROXIMATELY 100 FT. OF SEABOARD AIRLINE RAILROAD.

The public hearing was held on Petition No. 65-58 by Charlotte-Mecklenburg Planning Commission for a change in zoning from R-6MF to I-1 of property on the northwest side of Louise Avenue, from Belmont Avenue to within approximately 100 ft. of Seaboard Airline Railroad.

The Planning Director advised this petition was heard by Council last month and Jack's Cookie Corporation requested at that time Industrial 2 Zoning and the Planning Commission recommended Industrial-1 rather than the Industrial-2. The property in question is occupied by single family residences and is only a short distance removed from the Seaboard Railroad and is directly across from Eckerd's warehouse; immediately to the rear of the property are the rear lines of residential lots that front on Pegram Street. That the development of the area going out Louise Avenue away from the railroad is industrial and also single family residential. The zoning of the property at present is R-6MF, directly across Louise Avenue it is Industrial-2 zoning and also Industrial-2 zoning between the property and the railroad; otherwise the zoning on two sides is R-6MF.

Mr. Beverly Webb, Attorney for Jack's Corporation, stated they own the property adjacent to the railroad where their main bakery is located and they also own a small part of the industrial zoned property immediately adjacent to the railroad. That in 1960 Jack's purchased this tract for future expansion of their development and it was zoned Industrial at that time. Their main bakery is adjacent to the property and they have other facilities scattered throughout the city. At the time they purchased the property they proposed to join in one location their various activities throughout the city. In 1962 in the City wide rezoning the property was changed to R-6MF and at that time they owned it and planned to use it for an industrial use. That the property does have single family residences on it which are rented to Jack's employees. That a month ago they asked for I-2 to adjoin the adjacent I-2 area and go ahead and use it for the purpose which they had envisioned. That the Planning Commission would rather have it rezoned to I-1 rather than I-2 and to that extent it might be a buffer. That the property is immediately opposite Eckerd's and they intend to demolish the houses and the architects are already on the job, and they would like to go on with their program.

Councilman Jordan asked if there were any objections at the last hearing and Mr. McIntyre replied there were none.

No objections were expressed to the proposed change in zoning.

Council action was deferred for one week.

MAYOR BROOKSHIRE CALLS A TEN MINUTE RECESS.

Mayor Brookshire called a ten minute recess at 4:15 p.m.

MEETING RECONVENED.

Mayor Brookshire reconvened the meeting at 4:25 p.m.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION FOR LOCAL IMPROVEMENTS ON WESTBURY ROAD, FROM PROVIDENCE ROAD TO ROBIN ROAD, AND ON CLOVER ROAD FROM SHARON AMITY ROAD TO WESTBURY ROAD.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, a Resolution entitled: Resolution Fixing Date of Public Hearing on June 14th on Petition for Local Improvements on Westbury Road, from Providence Road to Robin Road, and on Clover Road from Sharon-Amity Road to Westbury Road, was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 31.

CHANGE ORDER NO. G-1 IN CONTRACT OF R.C. HICKS FOR GENERAL CONSTRUCTION OF CHRONIC CARE MODIFICATIONS TO CHARLOTTE COMMUNITY HOSPITAL, APPROVED.

Councilman Tuttle moved approval of Change Order No. G-1 to the contract of R. C. Hicks, for the general construction of the Chronic Care Modifications to Charlotte Community Hospital to install hand rails on each side of the Ground Floor Ramp to Building "E" in the amount of \$378.00. The motion was seconded by Councilman Jordan, and carried unanimously.

CONTRACT WITH D. A. STOUT FOR APPRAISAL OF ONE PARCEL OF LAND IN RIGHT-OF-WAY FOR THE NORTHWEST EXPRESSWAY, APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Alexander and unanimously carried, approving contract with D. A. Stout for the appraisal of one parcel of land on East Trade Street and Elizabeth Avenue in the Northwest Expressway right-of-way.

SANITARY SEWER CONSTRUCTION APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and un-animously carried, the construction of sanitary sewer mains at the following locations was approved:

- (a) Construction of 610 ft. of sewer main in East Independence Boulevard, inside the city limits, at the request of Franchise Service, Inc., at an estimated cost of \$2,755.00. All cost to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (b) Construction of 100 ft. of sewer main in Charmapeg Avenue, inside the city limits, on the request of R. D. Havnaer and J. A. Tompkins, at an estimated cost of \$485.00. All cost to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.

WATER MAIN INSTALLATION IN KILBORNE ACRES SUBDIVISION, AUTHORIZED.

Councilman Jordan moved approval of a contract with Ed Griffin Development Company for the installation of 4,230 ft. of water mains and four hydrants in Kilborne Acres Subdivision, inside the city limits, at an estimated cost of \$12,450.00, with the city to finance all costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost. The motion was seconded by Councilman Tuttle, and carried unanimously.

COPIES OF BUILDING PERMITS THAT HAVE BEEN MICROFILMED AUTHORIZED DESTROYED.

Councilman Albea moved that the recommendation of the Superintendent of the Building Inspection Department to destroy copies of building permits, dated January 1, 1911 through December 31, 1954, that have been microfilmed, and as authorized by the State Department of Archives and History be approved. The motion was seconded by Councilman Tuttle, and unanimously carried.

TRANSFER OF CEMETERY DEEDS AUTHORIZED.

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

- (a) Deed with Mrs Emma L. Head Owen, for Graves 3 and 4, Lot 154, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with Estate of W. C. Singletary, for Grave 3, Lot 102, Section 3, Evergreen Cemetery, at \$40.00.
- (c) Deed with Mrs Phyllis R. Watson, for Graves 9 and 10, Lot 139, Section 2, Evergreen Cemetery, at \$120.00.
- (d) Deed with G. E. Suddreth and wife Catherine, for Lots 160 and 161, in Section 8, Oaklawn Cemetery, transferred from R. B. Boulware and wife Martha, at \$3.00 for transfer deed.

ORDINANCE NO. 339 TO AMEND SECTION 19-77(a) OF THE CODE OF THE CITY OF CHARLOTTE TO PROVIDE FOR THE SEATING OF INVALID OR DISABLED PASSENGERS IN TAXICABS, ADOPTED.

Councilman Jordan moved the adoption of Ordinance No. 339 to amend Section 19-77(a) of the Code of the City of Charlotte to Provide for the Seating of Invalid or Disabled Passengers in Taxicabs. The motion was seconded by Councilman Alexander, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 164.

A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-97 TO MAKE AVAILABLE ADDITIONAL REVENUES FOR TRAFFIC CONTROL, SAFETY AND ENFORCEMENT PROGRAMS IN ANY CITY OF MORE THAN 200,000 POPULATION BY AUTHORIZING ANY SUCH CITY TO LEVY UNDER SAID STATUTE NOT MORE THAN TEN DOLLARS (\$10.00) PER YEAR UPON MOTOR VEHICLES RESIDENT THEREIN, LICENSED BY THE STATE OF NORTH CAROLINA.

Mayor Brookshire stated he thought official action should be taken on the two Bills as prepared by Mr. Morrissey relative to increasing the city auto tag fee from \$1.00 through \$10.00.

Councilman Short moved that the longer of the two versions presented by Mr. Morrissey be adopted by this Council for delivery to the State Delegation, i.e., A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-97 TO MAKE AVAILABLE ADDITIONAL REVENUES FOR TRAFFIC CONTROL, SAFETY AND ENFORCEMENT PROGRAMS IN ANY CITY OF MORE THAN 200,000 POPULATION BY AUTHORIZING ANY SUCH CITY TO LEVY UNDER SAID STATUTE NOT MORE THAN TEN DOLLARS (\$10.00) PER YEAR UPON MOTOR VEHICLES RESIDENT THEREIN, LICENSED BY THE STATE OF NORTH CAROLINA. The motion was seconded by Councilman Alexander and carried unanimously.

ONE YEAR EXTENSION OF SERVICE GRANTED CERTAIN EMPLOYEES AGE 65 AND OVER.

Councilman Albea moved that service extensions be granted as recommended by the Personnel Director, as follows; which motion was seconded by Councilman Jordan:

Extension of service through June 30, 1966:

W. Caldwell	Cemeteries Department
R. H. Covington	Police
C. J. Dixon	Police
F. H. Dellinger, Sr.	Motor Transport
E. Edwards	Motor Transport
Lillian R. Hoffman	City Clerk
J. A. House	Engineering
L. G. Justice	Engineering
G. B. Livingston, Sr.	Finance
H. G. Price	Engineering
W. W. Welch	Water
W. M. Yandle	Police

Retirement beginning July 1, 1965:

F. Miller	Engineering
O. G. Overcash	Police

The City Manager requested that Mr. O. G. Overcash be left as an open question for one week, which amendment was accepted by Councilmen Albea and Jordan.

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

ACQUISITION OF RIGHT OF WAY FOR SANITARY SEWER EASEMENTS AND NORTHWEST EXPRESSWAY AND CONDEMNATION OF ONE TRACT OF LAND FOR STREET WIDENING PROJECT.

Motion was made by Councilman Jordan, seconded by Councilman Albea, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of right of way 5' x 150' in Haines Street, from Lonnie Sanders and wife Polline, at \$75.00 as easement for the Lincoln Heights sanitary sewer.
- (b) Acquisition of right of way 5' x 150' in Madrid Street, from Mrs Adele L. Hendrix, widow, at \$75.00 as easement for the Lincoln Heights sanitary sewer.
- (c) Acquisition of right of way 5' x 150' at 309 Madrid Street, from Mrs Ella Mae Stout, at \$75.00, as easement for the Lincoln Heights Sanitary sewer.

(continued)

- (d) Acquisition of right of way 10' x 1,495.94' off N. Graham Street and Johnston Street, from Rufus M. Johnston, at \$1.00 as easement for Johnston Street sanitary sewer.
- (e) Acquisition of 4,608 sq. ft. of property at 421 N. Long Street, from James Sims Wearn and wife, Pauline Burch Wearn, at \$2,200.00, for Northwest Expressway right of way.
- (f) Acquisition of 9,372 sq. ft. of property at 600 Central Avenue, from J. B. and Sarah A. Rudisill, at \$18,750.00 for Northwest Expressway right of way.
- (g) Acquisition of 3,193 sq. ft. of property on North Johnson Street, from W. D. Flinton, at \$1,300.00 for Northwest Expressway right of way.
- (h) Acquisition of 41,450 sq. ft. of property on N. Johnson Street, from Hanover Distributing Company, at \$22,500.00, for Northwest Expressway right of way.
- (i) Condemnation of 211.12 sq. ft. of property on the S/W corner of Sharon Amity and Randolph Roads owned by The Pure Oil Company, at a purchase price of \$2,400.00, for Sharon-Amity Street widening project.

MAYOR AND CITY CLERK AUTHORIZED TO EXECUTE TWO DEEDS IN WHICH THE CITY JOINS WITH THE REDEVELOPMENT COMMISSION FOR THE PURPOSE OF QUITCLAIMING ITS INTEREST IN THE PROPERTY.

Mr. Morrissey, City Attorney, stated he has two deeds from property owners conveying property to the Redevelopment Commission in which the city is requested to join for the purpose of quitclaiming its interest in the property. That the property lies in Urban Renewal Area No. 2 on Myers Street and it is an old street right-of-way which was dedicated but to their knowledge never accepted. In order for the Redevelopment to take title the City is asked to join in the execution of the deeds by the Mayor and the Clerk in the quitclaim of any interest it might have. Councilman Albea moved that the Mayor and City Clerk be authorized to execute the deeds, which was seconded by Councilman Jordan, and carried unanimously.

ADJOURNMENT.

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

Ruth Armstrong

Ruth Armstrong, Deputy City Clerk