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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Tuesday, April 20, 1965, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Jordan, Smith, Thrower and Whittington present.

ABSENT: Councilman Dellinger.

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. Gamble, Mr. Jones, Mr. Olive, Mr. Stone, Mr. Suddreth and Mr. Toy.

ABSENT: Mr. Ervin, Mr. Lakey and Mr. Turner.

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INVOCATION.

The invocation was given by the Reverend E. E. Newberry, Pastor of South Tryon Street Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on April 12th were approved as submitted.

HEARING ON PETITION NO. 65-32 FOR CHANGE IN ZONING OF TWO LOTS AT THE SW CORNER OF WEST FOURTH STREET AND VICTORIA AVENUE.

The public hearing was held on Petition No. 65-32 by the Lincoln Company, Inc., for a change in zoning from R-6MF to B-1 of two lots at the southwest corner of West Fourth Street and Victoria Avenue.

The Planning Director advised the property consists of two pieces of vacant land and the property on all sides is residential and it is a short block away from West Trade Street where there is a business development. The zoning is multifamily and the property adjoining on all sides is multifamily.

Mr. Louis Carter, Attorney for the Petitioner, advised the petitioner proposes to put up a family type grocery store on the property, which will be operated by the four Munsford Brothers, who presently operate a similar store on West Hill Street. That the store will serve the area and is needed and will be a credit to the neighborhood.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-33 FOR CHANGE IN ZONING OF A LOT AT THE NW CORNER OF SEABOARD STREET AND HAMILTON STREET.

The public hearing was held on Petition No. 65-33 by H. W. Orr, Jr. for change in zoning from R-6MF to B-1 of a lot 95 ft. x 131 ft. at the northwest corner of Seaboard Street and Hamilton Street.

Mr. McIntyre, Planning Director, advised that the property is partially developed with business and partially vacant. Down Hamilton Street is developed residentially. The property fronts on Seaboard Street and directly across the street from the property in question there is a cemetery and across Hamilton Street from the property the land is used industrially. The property is zoned R-6MF and the adjoining property is similarly zoned with the exception of the industrial property.

Mr. Parks Helms, Attorney for the petitioner, stated that Mr. Orr operates a small grocery store adjacent to the lot in question, and he wants to erect an addition of 25 feet to the rear of the store. He stated across the street from Seaboard Street is the railroad tracks and across from that is a cemetery. He stated it will improve the neighborhood and Mr. Orr will be better able to serve his customers.

Councilman Whittington asked if the present store building is not a non-conforming usage and Mr. Helms replied that it is. Councilman Whittington then asked Mr. McIntyre if the petitioner's request could not be handled by the Zoning Board of Adjustment, and Mr. McIntyre replied that it could not.

No objections were expressed to the proposed change in zoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 65-34 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE WEST SIDE OF SHARON ROAD.

The scheduled hearing was held on Petition No. 65-34 by Mrs Bonnie Lucy Little for change in zoning from R-12 to R-12MF of a 19.73 acre tract of land on the west side of Sharon Road, beginning at a point opposite Sharon View Road and extending southward about 1,295 feet. A petition protesting the change in zoning was filed prior to the hearing, which is insufficient to require a 3/4th majority vote of the Council to approve the change.

The Planning Director advised the property is on the west side of Sharon Road, just south of the intersection with Sharon View Road. The property is vacant, with the exception of a one family structure and is bordered on one side by residential property fronting on Sharon Road; on another side by the rear lot lines of residential property in Laurelwood Subdivision, and along the southwesterly boundary are the rear lot lines of the residential property in Fairmeadows Subdivision, and across Sharon Road there is a Presbyterian Church. The property is presently zoned single family and the surrounding property on all sides is similarly zoned.

Mr. David McConnell, Attorney for the petitioner, stated that she is the widow of the Rev. Charles H. Little, who was pastor of Sharon Presbyterian Church. That the property consists of about 19.73 acres and is triangular in shape and its shape makes it difficult for one family residential purpose. That Mrs Little wishes to sell the property so that it may be used for the erection of a Presbyterian Home for the Aged. That the location is ideal because it is within walking distance of a Shopping Center, with many conveniences and interests and there is a sidewalk from the property in question to the Shopping Center. He stated at a session of Sharon Presbyterian Church on February 26, 1965 a resolution was passed memorializing the County Commissioners and City Council to authorize the appropriate rezoning of the property of Mrs C. H. Little to the end that it may be used by the Presbyterian Home for the Aged in Charlotte, and that the Planning Commission give an early and favorable action on this memorial. Mr. McConnell stated that Mrs Little

has made arrangements, if the zoning is changed, to sell the property to the Presbyterian Home for the Aged, at a price that is satisfactory, although she probably could get a better price but she feels that no interest to which she could sell the property would be more compatible with the desires of her late husband. She is presently drawing a pension from the Retirement Fund for Presbyterian Clergy and expects to reside in the Home, if it can be erected on this property. Mr. McConnell advised that there is a Presbyterian Home for the Aged in High Point, well constructed, well planned, and the one in Charlotte would be operated along the same lines. He stated the whole question of geriatrics has a telling impact today. That in the United States the number of people over 65 has jumped since 1900 from 3,000,000 to 18,000,000 and by 1985 it will be 25,000,000. Mr. McConnell advised that the Trustees of the Home expect to spend over a million dollars on the Home and ultimately two million; the structure will be well designed, and at the present time it is planned for three to four stories, and they may add another story. He stated he feels that the impact of this large group of our elderly citizens on the public can be dealt with in several ways; one way is a massive welfare roll, a massive institution for housing financed completely by the public; the other approach is one in which the church itself takes an interest and care of those in institutions of this type and gives an opportunity to the people under the spirit and guidance of the church and church influence to spend their latter years in the time for rest, in the proper environment.

Mr. J. B. Meacham stated that Mr. Henry J. Allison, who is President of the Presbyterian Home in Charlotte, is ill and asked him to be present in his stead. He stated they have spent some year and a half studying this matter and in the course of the study they found three factors which they need to consider in selecting a location; one is that it be near a church, the need for a nearby shopping center and third, and they think it is very important, is the grounds surrounding the building should be ample acreage for beautification. They find that the people who live in these Homes like to have adequate acreage for walks around the building. That it would be the intent of the Board of Directors of this home to erect a building with the surroundings that would be in keeping with the neighborhood. That they propose to start out with a building for approximately 100 people and at a later date to expand to a maximum of 200. Experience has taught that 200 is about the maximum you want for a home. That the height of the building will have to be determined when an architect is employed. But that the homes they have visited over the country run anywhere from 3 to 5 stories, and he thinks somewhere in that vicinity would be the height of the building. That they think it is a project that Mecklenburg County needs and they hope this site will be made available. That there are some tall structures in the area that would probably be as high as the planned building - one being the electrical transmission powers running through the general area which are equivalent to three or four stories.

Dr. John R. Cunningham stated this is a totally unselfish project. Those who are promoting it have no immediate or, so far as he knows, long range interest in it themselves. It is a humane project to help provide for an increasing number of elderly people who find themselves much more comfortable and much happier in a situation of this kind than they do if they are privately located. It is a dignified procedure. That he does not think any person living in the community need have any concern about the procedures, the light that characterizes an institution of this kind. It is on a sizable lot - that he is told that the total property holdings of the church on one side of the road and this lot on the other would be a part of approximately 40 acres. So that with the church feeling the close interest in it, it really is one piece of property in a sense owned by the Presbyterian Church. Homes of this kind are quite the equal to our better type of apartment structures

which are being placed in our cities. That he saw two of the Homes in Florida about 2 months ago - they would be very handsome apartment houses if they were intended for that purpose. The people who will occupy the Home are people of culture and refinement. There would be a limited number of automobiles there which will leave the ground and streets free from too much congestion for that reason. The proximity of this location to the shopping center is a very important matter. Elderly people are not there as patients in a hospital; they like to be free to come and go; and here is the post office, the library, a restaurant and stores; so they are not only close to the church but close to a community. The Presbyterian Church here is interested in this locally at the present time. The funds at hand and the funds which will be at hand, they are confident in the next few months will largely come from Charlotte. But in the end the Synod of the State of North Carolina has said if the local people of the community would provide this home at its beginning and turn it over to them at the end of three years out of debt, they will then be completely responsible from thereon for the conduct of the home. That he thinks this is reassuring to us here that it does not have any prospect of falling into the hands of two or three persons who would dictate or control it. Dr. Cunningham stated they are very hopeful that the Council will see their way clear to give them the right of way on this very fine and very humane undertaking.

Mr. James L. Cole, attorney, stated he lives in Fairmeadows on Sunnybrook Drive and he is here representing himself and he asked the residents present from Laurelwood and Fairmeadows to stand. He stated they have no objection to the fine motives which have been expressed by Dr. Cunningham, Mr. Meacham and Mr. McConnell; they do not question anyone's motives on the Home for the Aged. They think Mrs Little has attempted to do something which is laudatory and admirable, but there are far greater conflicts than can be resolved in sympathy for the motives of those who have petitioned for the change. One thing - all the homes are R-12 in Laurelwood as they are in Fairmeadows and he is quite sure all these homes could qualify for R-15. That the whole general area is a residential development, going on down Sharon Road for a couple of miles and Council was very concerned with the general problem about a year and half ago when Tom Lockhart came down and asked for a change in zoning to permit an Office Building to be erected on Sharon Road, and turned him down because it was a residential area. That there are no multifamily classifications in the area, and it would change the whole trend of this nice residential community; therefore it is nothing but spot zoning to change R-12 to R-12MF. Councilman Bryant called attention that there is some multi-family zoning up towards the Shopping Center, and Mr. Cole agreed that is correct, the apartment building would qualify for that. But that would be the only exception. He stated they know that these elderly people have the right to a nice home, supported by the Presbyterian Church, but he feels every area of interest where you are concerned with human values in conflict with property values, there should be some way for them to co-exist. He pointed out there are no medical facilities in the area, and stated he thinks that should be of paramount consideration rather than a shopping center, and it is five miles to a hospital. That they have come to oppose the change, they agree the purpose is good but more will be lost than gained by the rezoning.

He commented that it was hard to come down here and oppose this project, but they do not want it; they are not saying in so many words "put the Home somewhere else", but that is what it really adds up to. They do not want to start a trend in the neighborhood that is going to mean institutional growth; they do not want an Independence Boulevard out there, and they insist that it would be spot zoning.

Mr. Russell Lowe stated they come with mixed feelings and they are not against the establishment of such a Home, but they are against placing it in the heart of this residential area. The people out there are so concerned about it that he has a petition signed by more than 120 families, and he wishes to introduce it as a matter of evidence. He stated on Sharon Road there is Laurelwood, Fairmeadows and Beverly Woods Subdivisions, and on the other side is Sharon School and residential developments and in close proximity is Mountainbrook, and they are concerned that the whole complexion of the area would be changed if this property is rezoned and they think property values would be decreased. They say this because there must be extensive parking areas and service entrances which will border directly upon the backyards of many of their homes. Too, the Home will grow just as The Methodist Home has grown and will cover every foot of the 19 acre tract. That they know a petition was filed for the rezoning of property on Randolph Road as a site for this Home and the opposition there was very great, and this situation is identical to Randolph Road. Mr. Lowe stated the property in question is ideally situated for single-family residences. That the same hazards from traffic would apply to these elderly people as presently confront children attending Sharon Elementary School.

Mr. Raymond Twery stressed the uncertainty of the situation in that the mere rezoning of the property does not necessitate the building of this Home. That they realize the property is much better suited for the Home than the site on Randolph Road which was only 11 acres but the Board of Trustees decided the Randolph Road site was not suitable at all and he is wondering what would have happened had the property already been rezoned? And it is the same with this property, would they feel morally bound to use it for the Home or if they found water underground, would they move to another site and Mrs Little would then have some R-12MF land to sell and there is no idea what the land would be used for. He called attention that there are no architectural plans nor have they made a detail land survey to find what is there. But supposing they do build the Home, there is still further uncertainty - how tall will the building be, they could put it up five or six stories. He stated the building will be visible from his and other houses, while at the present time the only building now visible is the Blythe Bros building at Fairview and Park Road, and that is several blocks further away than the proposed Home. Where on the lot will they put the building? The obvious place on the 20 acre lot is toward the front close to the Church and Shopping Center, if they intend putting it there why do they ask for the rezoning of the entire 20 acres when 5 or 10 would accomodate them? How will they use the tree cover on the land which would be some shield for our homes?

Mr. King Maxwell stated they appreciate the position of the petitioner, but by the same token they must think of the welfare of their children. There are over 200 children in Sharon Elementary School and the added traffic in and out of the Home would increase the safety factor.

Mrs W. A. Lybrand, Hazelton Drive, stated they moved out to this area for the sunshine and fresh air for their two small children, and at this stage she is more interested in pediatrics than geriatrics. That this would complete closing them in by a Shopping Center, an Apartment, A Supply Building, Eastern Airlines Bldg. and the Telephone Company and Mr. Stephens building and the Home. She does not want a 5 year old Brooklyn to have to be redeveloped and this week she does not have enough money to move.

Mr. Roger Sherer stated he has lived in Charlotte all his life, and he would request that the petition be denied. He stated he would like to correct the statement that was made that there are sidewalks along Sharon Road; that his idea of a sidewalk is a paved area and this exists only for about 100 feet and the rest is a gravel path which is not conducive for elderly people to walk on.

Mr. David McConnell replying to the questions, stated the aspects of medical care will be met at an infirmary on the premises with registered nurses in attendance all the time and visiting physicians for minor illness, and ambulance service will be used to the hospitals when needed. That first aid services will be available for the Home and for the neighborhood.

On the question of the height of the building, high tension wires are running through the area and would be higher than the building.

That a 4-lane highway has already been staked out on Sharon Road and no doubt the reason no sidewalk arrangement has been made already is that the street widening will take place first. That he is sure the Presbyterian Trustees who are planning to spend a million dollars on the Home will have sufficient funds to arrange for an adequate sidewalk along the property to the Shopping Center.

That the question of using the property for a Home was raised, he would like to say that Mrs Little is making arrangements to reside at the home; in fact, that was part of the consideration for the property.

And he does not believe the Trustees of the Presbyterian Home intend to go into the real estate trading business - the whole transaction is for the purpose of building and operating the Presbyterian Home.

Mrs Maxine Twery expressed concern at having either an apartment building or an institution in their neighborhood and at the additional traffic hazards to her two children who will go to Sharon School next year, from traffic in and out of the Home. Mr. Meacham replied to her questions, explaining that the Home would have both rooms and apartments to fit the needs of the residents and travel to and from the Home would be nominal and should certainly not be excessive at the hours children would be going to and from Sharon School. He stated further the Home will accomodate 100 residents to start with and it will probably be increased to 200 and with that in mind they feel the 20 acres should be rezoned as it will be needed for landscaping and to provide grounds for use by the residents. That the Synod of North Carolina and the Board of Trustees intend definitely to use the property for a Presbyterian Home and in fact, they have on hand and pledged \$600,000 for this project.

Mrs Anne Maxwell stated she is a Presbyterian and does not object to the Home, but she does object to looking out her back windows onto a 6 story brick building. That the traffic on Sharon Road is terrific, it is becoming an Independence Boulevard, and she cannot understand why they would want to put a Home for the Aged on a thoroughfare such as this. Too, she is concerned, as are other mothers, about the additional traffic to and from the Home as it will affect their children going to and from school.

Mrs Casey Jones stated she has three children and her property adjoins the subject property, and she would like to know how many people will be employed at the Home and what size parking area will be required, and will it adjoin her property? Mr. McConnell stated there will be some 25 to 30 employees and the parking area will not be unsightly nor inconvenient and he firmly believes that both the grounds and the parking area will compare favorably with the yards of the residents in the area, and with much more area than is presently surrounding the homes of the residents. Mrs Jones stated further they cannot agree to anything until they see blueprints of the Home and plans for the grounds, and she asked Council to withhold approval of the Petition until this is done.

Mrs Thomas Snyder, resident of Laurelwood, concurred in the remarks of Mrs Jones that they should be permitted to see the plans for the Home and grounds before action is taken on the petition.

Mr. David McConnell commented that frugality has been historically one of the attributes of the Presbyterian Church and until a site is secured they would not want to spend the money on an architect, plans, surveys and such. That they definitely intend to go forward with the project, and in fact have executed an option on the property. It is an ideal location and Sharon Church feels the same way.

Mrs Sunshine Williams remarked that she is a native Charlottean and the main thing that bothers her is why have a Planning and Zoning Board if the Council is going to turn right around and change the zoning of property.

Mrs George Naster commented that she does not think it is fair to the old folks to put them in the middle of two subdivisions with about a 1,000 children, when old folks need peace and quiet. That the only place she is comfortable wearing shorts is in her backyard and she would not feel comfortable at all with these old folks around.

Mr. Cole expressed his appreciation to the Council for listening to the residents who are concerned with this question. He asked the City Attorney to define spot zoning for the benefit of the interested residents present, and asked if this would be spot zoning if it were changed? Mr. Morrissey replied that he thinks this would have to be determined by a Court rather than by the City Attorney.

Council decision was deferred for one week.

MAYOR DECLARES A TEN MINUTE RECESS.

Mayor Brookshire declared a ten minute recess at 3:20 p.m.

MEETING RECONVENED AND CALLED TO ORDER.

The meeting was reconvened at 3:30 p.m. and called to order by the Mayor.

HEARING ON PETITION NO. 65-35 FOR CHANGE IN ZONING OF PROPERTY ON THE NW SIDE OF LOUISE AVENUE.

The public hearing was held on Petition No. 65-35 by Jack's Cooks Corporation for a change in zoning from R-6MF to I-2 of property on the northwest side of Louise Avenue extending from Belmont Avenue to a point near the Seaboard Airline Railroad.

Mr. McIntyre, Planning Director, stated that the property consists of one city block and is partially used for residential purposes; across Louise Avenue the property is used for industrial purposes and the property immediately to the rear fronts on Pegram Street and adjoins the subject property. The property is zoned R-6MF; the property across the street is zoned I-2 and to the south it is zoned I-2, otherwise the adjoining property is zoned R-6MF.

Mr. Beverly Webb, Attorney for the petitioner, stated Jack's Cookie Company purchased the property in December, 1961 and it was then zoned Industrial. It was acquired for the expansion of their facilities. In 1962 it was rezoned R-6MF at the time of the overall city zoning. The Company wants to put their four facilities located in Charlotte at this one location, and the expanded facilities will include their headquarters, sales office and a warehouse.

No objections were expressed to the proposed rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 65-36 FOR CHANGE IN ZONING OF A TRACT OF LAND ON THE NORTH SIDE OF ALBEMARLE ROAD.

The public hearing was held on Petition No. 65-35 by Ervin Construction Company for change in zoning from R-12MF to B-2 and R-6MF of a tract of land on the north side of Albemarle Road, beginning at Campbell Creek and extending eastward 2,192.33 feet. A petition protesting the change in zoning was filed prior to the hearing, which is sufficient to require a 3/4th majority vote of the Council to approve the change.

The Planning Director advised that the property extends along Albemarle Road a short distance from the intersection of Albemarle Road and Central Avenue and immediately across Albemarle Road the property is both vacant and used residentially, and to the west across Campbell Creek the property is developed residentially, and a short distance away is a small business area. The property is zoned R-12MF; it is adjoined by R-6MF and on the town side it is zoned R-12MF and across the street R-9MF.

Mr. Ben Horack, Attorney for the petitioner, stated they want the front of the property for a Shopping Center and the rear for a buffer between the property and the residential area. He stated that Albemarle Road is 100 feet wide and carries about 9,000 cars a day, which is not far from what Independence Boulevard was a short time ago. The proposed Shopping Center site will be about 3 miles from the nearest Shopping Center, and under the Planning Commission standards a Center of this type should draw from 4,500 to 10,000 families, and it is documented that by 1970 the Center would draw from about 10,000 to 12,000 families, so the need is rapidly appearing and will become greater, because about 395 houses are being constructed in this area per year. They do not think this property is suitable for residential purposes because of the heavy truck traffic on Albemarle Road. That they propose to build the Center on this 22 acre tract in three stages, and it is their intention to put special emphasis on beautification, and it should be the first one where utility poles are put underground, and it will cost \$2,500,000. The apartment to the rear should add up to another \$1,000,000. They will donate an area around the property to the Park and Recreation Commission for a park. In the acreage there is the historic old Wallace House, which was built in 1780, and it is proposed to put it in the parkway, beautify it and make a substantial investment of \$10,000 towards its restoration with the concurrence of the D.A.R. who are anxious to preserve this Mecklenburg County landmark.

Mr. Horack stated from his examination of the Court House records he does not think that the protest petition meets the requirements of the 20% rule, and in spite of that fact in view of the objections of some of the residents, they suggest the abandonment from their petition of that portion of the property which lies 150 feet along the easterly side of the property, and being the portion which adjoins the property of the main objecting persons, whom he understands is the Theiling family. In other words, leave the zoning on this 150 foot strip exactly as it is.

Mr. Edward Theiling stated there are several reasons for their objections. This is the lowest classification that has ever been asked for the neighborhood, from R-12 to a R-6 and B-2. Also, there is 100 feet to the west presently zoned B-1 and 1,600 feet to the east zoned B-2 that has never been developed, and Mr. Ervin could use that if he wants to move out in this neighborhood. He stated that recently the School Board and Presbyterian Church have bought 10 acres with the intention of keeping it residential. He stated further that Albemarle Road is entirely too narrow to take care of more traffic, that he measured it on Sunday and it is 23 feet wide, and not 100 feet as Mr. Horack stated. That Mr. Horack stated Albemarle Road is a

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main artery into Charlotte, but he thinks that most traffic on it goes to Mint Hill and Wilgrove and places like that. That Mr. Horack stated the Old Rock House would be restored and he believes the Ordinance says that houses cannot be remodeled within 60 feet of the highway, and he does not see how the house could be remodeled.

Mr. Horack commented that the 100 feet naturally referred to the street right of way. That the reason for the B-2 request is that it is anticipated that incorporated in the Shopping Center there may be an operation that would require this classification, and as to the Old Rock House, he thinks the DAR will find a way for its restoration. He presented a letter from Mr. Joe Grier, who is the owner of the property across the road, in which he stated that he has no objections to the proposed Shopping Center and thinks the use of the property for this purpose is good, and stating further that his Mother was born in the old Wallace Rock House and they are both pleased at the thought of its restoration.

Mr. Horack asked the Council to accept his amendment to the petition to abandon the 150 feet at the easterly end.

Mr. Morrissey, City Attorney, stated this can be done by serving notice today which the petitioner could implement before the Council makes a decision at its next meeting by formalizing it in writing. Mr. Horack stated this would be done right away.

Mr. Theiling asked if that would stay R-12 and Mr. Horack replied it would and Mr. Theiling stated it is still objectionable.

Mr. Morrissey commented that with the withdrawal of the 150 feet from that side, the protest would then not be sufficient to require the 3/4 majority vote.

Mr. Theiling stated these two houses across the road then would take care of the 1/4th across from Griers and there are three houses and Griers, so there are half of the property owners who still signed the petition. Mr. Morrissey replied that has already been checked out and that would not be a sufficient protest to require a 3/4 majority vote.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-37 FOR CHANGE IN ZONING OF LAND ON THE WEST SIDE OF NATION'S FORD ROAD.

The public hearing was held on Petition No. 65-37 by Ervin Construction Company for change in zoning from R-9 to B-2 of land on the west side of Nations Ford Road, extending from a point 118.49 feet north of Glenrock Drive to a point 129.96 feet south of Echodale Drive. A petition protesting the change in zoning was filed prior to the hearing, which is not sufficient to require a 3/4th majority vote of Council to approve the change.

The Planning Director advised the property consists of property along Nations Ford Road and lies between Springfield Subdivision and Echodale Drive to the west of Nations Ford Road. It consists of vacant property and some new homes, and across the street there are residences.

Mr. Horack advised their proposal is to establish a neighborhood shopping center. The area in question comprises about 6.09 acres which is well within the recommendations of the Planning Commission for this type Shopping Center. That he understands the Commission suggests this type Center should

serve about 1500 families, and it is estimated this one will serve approximately 2,400 families. He stated the area is an integral part of Springfield Subdivision and is being planned and developed as such; in other words, both the subdivision and the Shopping Center is being developed by the Ervin interests. That the Shopping Center will be equidistance between the two belt roads extensions. He stated there is an immediate need for a Shopping Center in this area and they are able and ready to build a Center that will be a compliment to the area.

Mrs Margaret Nixon stated their home faces across the street from the proposed Center, and they are opposed to it for the same reason that any of the Council members would if their picture window would be opposite to a Center. They were under the impression that it was divided into three parts, therefore on their petition they only had the signature of the home owners whose homes were immediately facing the center section; there are no houses behind the shopping center, therefore they assumes these signatures were sufficient. She stated there is being constructed at the intersection of York Road and Yorkmont Road a very nice neighborhood Shopping Center which would be less than 2 miles from this area and will serve the area very well.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-38 FOR CHANGE IN ZONING OF LAND EAST OF MULBERRY ROAD.

The public hearing was held on Petition No. 65-38 by Ervin Construction Company for change in zoning from R-9 and R-9MF to O-6 and R-6MF of 51.105 acres of land east of Mulberry Road, beginning about 800 ft. north of I-85 and extending to within about 150 feet of Tuckaseegee Road.

The Planning Director stated that the property lies between Interstate-85 and Tuckaseegee Road and does not front on either road. The property is undeveloped and is adjoined on the westerly side by lots fronting on Mulberry Road and is also adjoined along the boundary by property zoned for residential purposes, and adjoins the side lot line of residential property fronting on Tuckaseegee Road. The property is zoned R-9MF and R-9, the request for rezoning would change the northerly portion from R-9 to R-6MF and the southerly portion from R-9MF to O-6.

Mr. Horack, attorney for the petitioner, stated the property on Interstate-85 is zoned Industrial and he happens to know it will be developed right away for industry; therefore, Ervin Construction Company asks in his petition to have a zoning complex which will have the net result of providing O-6 buffer from the multifamily area to the rear. That even the multifamily residences will be airconditioned so that they will be cushioned from the air noises.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 65-40 TO AMEND THE ZONING ORDINANCE, ARTICLE III, DIVISION I, SECTION 23-31, TO PERMIT LAUNDRIES AND DRY CLEANING ESTABLISHMENTS NOT TO EXCEED 10,000 SQUARE FEET OF GROSS FLOOR AREA, IN B-2 DISTRICTS.

The public hearing was held on Petition No. 65-40 by Charlotte-Mecklenburg Planning Commission to amend Chapter 23, Charlotte Zoning Ordinance, Article III, Division I, Section 23-31, Table of Permitted Uses, category (b) to

permit "Laundries and dry cleaning establishments not to exceed 10,000 sq. ft. of gross floor area" as a use to be permitted in the B-2 Districts.

No objections were expressed to the amendment to the zoning ordinance.

Councilman Smith moved the adoption of Ordinance No. 332 Amending Chapter 23, Zoning Ordinance, Article III, Division I, Section 23-31 to permit Laundries and Dry Cleaning Establishments not to exceed 10,000 square feet of gross floor area in B-2 Districts, which was seconded by Councilman Whittington, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 157.

PETITION NO. 65-31 BY PURE OIL COMPANY FOR CHANGE IN ZONING OF LAND ON THE WEST SIDE OF SHARON AMITY ROAD, DENIED.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, Petition No. 65-31 by Pure Oil Company for change in zoning from B-1 to B-2 of a tract of land 80 ft. x 125 ft. on the west side of Sharon-Amity Road, beginning 206 feet south of Monroe Road, was denied as recommended by the Planning Commission.

ACTION ON PETITION NO. 65-30 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF PENCE ROAD DEFERRED ONE WEEK.

Councilman Whittington moved that action on the petition of the Planning Commission for a change in zoning of property on both sides of Pence Road be postponed one week and the City Manager arrange for Mr. McIntyre or someone from the Planning Commission to go out with the Council members to this site. That the Sign on the property has been removed since the Hearing was held and one could not determine where the lines would be drawn between I-2 and I-1; therefore he thinks it would be wise for the Council to look at the property with someone from the Planning Commission who is familiar with it. The motion was seconded by Councilman Thrower, and unanimously carried.

Mr. Berry, Attorney for the opposition to the petition, stated that he would like to make some comments in view of the fact that the Planning Commission has made a revision in their petition. Council agreed to hear Mr Berry at this time.

Mr. Berry stated as he understands the revised proposal the Planning Commission has reduced the area line to the west of the present Durable Wood Preserving Plant from about 2200 feet along Pence Road to about 200 feet, and this of course has the effect of reducing the total amount of land which can be put to an industrial use; however, it does not in any way eliminate the objections which his clients had to the original proposal, for these reasons: first, one of the reasons and they think one of the best reasons why it should be approved is because the area which would be put to industrial use lying on the east of the present industrial user, Durable Woods, has not been affected. This is the area that is closest to the most recent residential development out there, the Orchard Park Development, and if rezoning is passed on this particular portion of the land, the effect will be to permit industrial use almost by the doorways and yards of these people who have invested substantial sums in their homes. This revised proposal does not in any way eliminate that objection. Further, they don't think it eliminates the objections arising from the fact that further industrial use will increase industrial traffic which will use the Pence Road entrance to this area. That industrial traffic will come down Albemarle

Highway and thru the Gunn Community and then turn left and come back into the area, which will go right thru the community and right by the Orchard Park Development and will constitute a hazard for children going to school and the people in the neighborhood. Third, there doesn't seem to be any logical basis for this revised proposal. The effect is to draw a line thru the property of Mr. Kirkpatrick and to zone one portion I-1 and the other portion residential, and this is over his opposition and against his wishes and not in accordance with his desires. They understand that the Commission is acting in what they suppose to be the best interest of the community by providing a buffer, but he does not see how it can possibly help a residential community by increasing the amount of industrial use. The industrial user was there and they don't see any reason why he should be increased; certainly not in the absence of some concrete, specific proposals, which would be of benefit to the community. Mr. Berry stated further they know that this proposal would make the residential use of the property across the street nonconforming. Again they think this is unsound policy to tell a man who owns his home that he can neither improve it or enlarge it because of a change in zoning classification which is contrary to his wishes and over his protest, and in the absence of any specific proposal for industrial use in this area.

Mr. Rose representing Forshaw Chemicals stated they represent a very small interest in this proposal for rezoning, but that it is an important one to the community of Gunn as well as to the City of Charlotte. That the petitioners have a right to petition against it but he thinks it is because not enough has been explained as to what it means to the community. When they understand what this will provide he is sure they will change their views and will be for it instead of against it. For instance, the small building they propose will be a beautiful steel structure, more beautiful than most of the dwellings out there and it will be well landscapped and will represent an improvement in that community. There will be many jobs provided the people in the area where lots of colored people are employed as well as white; so it represents a step forward there. This, he thinks, is a step in normal good planning and progress of any community. You just can't stop it, you are going to have a little more traffic but you will have better schools, better highways out of the whole proposition. That in all fairness to Charlotte and our community and the Gunn Community, this should be approved.

Mr. Berry stated they would like to see their plans and where the area is they plan to develop as this is the first he has heard about a proposed new building. Mr. Rose replied just across the railroad and Pence Road where they come together, no houses can be built there unless they want a railroad in their front or back yard, Across the street are two lots where they propose to put their building and it will be nearly adjacent, except for the separation of the highway and the railroad, of their present plant site which is on Durable Woods property. There will be two different kinds of establishments so they will end up with a considerably better looking building than they have to date. That this is in an area where you can't do anything else.

Mr. Rose stated the building would be an insulated steel structure, multi-color and rectangular to be used mainly for storage and some small dry manufacturing. It will be like a wholesale type where there will be some truck traffic but it would be clean and anything there would be dry, and mostly drums and bags of material. Mr. Berry stated that unfortunately the best looking homes in the community are the closest to the land which is being talked about. That he fails to see how this use can enhance or improve the community.

Mr. Forshaw stated they have not submitted their plans to an architect because he is not going to spend the money to make the plans unless they can get some zoning done. That they are about 5-months behind in what they want to do already, and the plans are for a 6,000 sq. ft. building to be built in accordance with regular industrial practice and to be an attractive building, one that will not detract from the neighborhood and will be set back from the road to give access there. That they hope to add to the neighborhood rather than detract from it.

Mr. Charlie Carson, representing the property owners to the east of the proposed zoning, stated they are in favor of the proposed zoning as their property is zoned R-15 and they do want a buffer zone of light industry between the I-2 zone and their residential property so they are in favor of this 400 ft. to be changed from R-15 to I-1. They definitely are in favor of the proposed zoning as they want the buffer between their residential section and the heavy industry which is I-2.

Mr. Berry stated he does not think the people he represents are short-sighted. They are interested in what will be best for their community. First of all, the people have not petitioned for a change to the land which they own. What is before the Council is the question of rezoning a much larger area which happens to include two very small lots which these companies own. Secondly, it seems to him were they serious about it, they would have made this petition and this proposal themselves. That again he asks Council to deny the petition in its present form.

RESOLUTION APPROVING THE SALE OF LAND TO YOUNG MOTOR COMPANY IN REDEVELOPMENT PROJECT NO. N.C. R-14, ADOPTED.

Upon motion of Councilman Smith, seconded by Councilman Jordan, and un-animously carried a resolution entitled: Resolution Approving the Sale of Land to Young Motor Company in Redevelopment Project No. N.C. R-14, was adopted. The resolution is recorded in full in Resolutions Book 5, at Page 21.

RESOLUTION APPROVING THE SALE OF LAND TO MOTOR PARTS COMPANY OF CAROLINA IN REDEVELOPMENT PROJECT NO. N.C. R-14, ADOPTED.

Councilman Jordan moved the approval of the following resolution: Resolution Approving the Sale of Land to Motor Parts Company of Carolina, in Redevelopment Project No. N. C. R-14. The motion was seconded by Councilman Whittington and carried unanimously. The resolution is recorded in full in Resolutions Book 5, at Page 22.

CONTRACTS AUTHORIZED FOR APPRAISAL OF RIGHT OF WAY FOR NORTHWEST EXPRESSWAY.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, the following contracts were authorized for the appraisal of rights of way for the Northwest Expressway:

- (a) Contract with C.W. Todd for appraisal of one parcel at College & 11th St.
- (b) Contract with L. H. Griffith for appraisal of one parcel at Morrow and E. 7th Street.
- (c) Contract with D. A. Stout for appraisal of one parcel at 9th and McDowell, one at College and 11th Street and one at 116-22 E. 12th Street.

CONTRACT AUTHORIZED WITH COMMERCIAL DEVELOPMENT COMPANY FOR INSTALLATION OF WATER MAINS IN BENARD STREET.

Councilman Smith moved approval of a contract with Commercial Development Company for the installation of 600 ft. of water mains in Benard Street, inside the city limits, at an estimated cost of \$2,750.00. All cost to be borne by the Applicant and the City will furnish all materials, labor and supervision necessary to install said main and will maintain and operate same and retain all revenue. If and when the main produces a revenue equal to 5% of the cost during any 12 months continuous period, the City will reimburse the Applicant the first cost of the project. The motion was seconded by Councilman Bryant, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the construction of sanitary sewer mains was authorized, as follows:

- (a) Construction of 620 ft. of sewer main in Richland Avenue, inside the city limits, at the request of John A. Thomasson, at an estimated cost of \$1,945.00. All costs to be borne by the applicant whose deposit of the full amount of the cost will be refunded as per terms of the contract.
- (b) Construction of 150 ft. of sewer main in Freedom Drive, inside the city limits, at the request of Dr. B. J. Butler, at an estimated cost of \$550.00. All costs to be borne by the Applicant, whose deposit of the full amount of the cost will be refunded as per terms of the contract.
- (c) Construction of 1,727 ft. of sewer main and trunk in Churchill Downs, inside the city limits, at the request of Marsh Broadway Construction Company, at an estimated cost of \$7,825.00. All costs to be borne by the Applicant, whose deposit of the full amount of the cost will be refunded as per terms of the contract.

ISSUANCE OF SPECIAL OFFICER PERMITS APPROVED.

Motion was made by Councilman Jordan, seconded by Councilman Thrower, and unanimously carried authorizing the issuance of Special Officer Permits to the following persons:

- (a) Frank W. Haas, for use on the premises of Elmwood, Evergreen, Pinewood, Fifth Street and Oaklawn Cemeteries.
- (b) Donald L. Carson, for use on the premises of K-Mart, 2700 North Independence Boulevard.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON MAY 24TH ON PETITIONS NUMBERED 65-39 AND 65-41 THROUGH 65-57 FOR ZONING CHANGES, ADOPTED.

A resolution entitled: Resolution Providing for Public Hearings on May 24th on Petitions Numbered 65-39 and 65-41 through 65-57 for Zoning Changes, was introduced, and upon motion of Councilman Whittington, seconded by Councilman Bryant, was unanimously carried. The resolution is recorded in full in Resolutions Book 5, at Page 23.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with James H. B. Caldwell and wife, Lillian for the west half of Lot 37-B, Graves 3 and 4, in Section D-Annex, Elmwood Cemetery, transferred by F. E. Reinhardt and wife, at \$3.00 for transfer deed.
- (b) Deed with F. E. Reinhardt and wife Ruby for the west half of Lot 37-B, Graves 1 and 2, in Section D-Annex, Elmwood Cemetery, at \$3.00 for new deed.
- (c) Deed with Mrs C. J. Sutton, for Lot 127, Section D, Elmwood Cemetery, transferred by L. E. Shealy, at \$3.00 for transfer deed.

CONTRACT AWARDED FARNAN BRASS WORKS COMPANY FOR BRASS GOODS.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Farnan Brass Works Company, for 12,975 pieces of Brass Goods, as specified, on a unit price basis, in the amount of \$18,525.42.

The following bids were received:

Farnan Brass Works Company	\$18,525.42
Shelby Supply Company	19,069.81
Grinnell Company, Inc.	19,183.44
Hajoca Corp.	19,460.93
Pump & Lighting Co., Inc.	19,527.85
Southern Meter & Supply Co.	20,650.71
Glauber Valve Sales Co.	22,094.00.

CONTRACT AWARDED GLOBE TICKET COMPANY, INC. FOR DATA PROCESSING CARDS.

Councilman Albea moved award of contract to the low tie bid of Globe Ticket Company, Inc. for data processing cards, as specified, on a unit price basis, in the amount of \$3,931.77. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Globe Ticket Co., Inc.	\$ 3,931.77
Business Supplies Corp. of America	3,931.77
Electronic Accounting Card Corp.	4,097.39
International Business Machines	4,339.33

CONTRACT AWARDED GRAYBAR ELECTRIC COMPANY FOR 36 ONE-WAY TRAFFIC SIGNALS.

Councilman Thrower moved the award of contract to the low bidder, Graybar Electric Company, for 36 One-way Traffic Signals, as specified, in the amount of \$1,787.26. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Graybar Electric Co., Inc.	\$ 1,787.26
Mill-Power Supply Company	2,098.73
General Electric Supply Co.	2,104.29
Westinghouse Electric Supply Co.	2,111.71

GRAVES AND TOY APPOINTED AS ARCHITECT FOR THE LAW ENFORCEMENT BUILDING.

Councilman Bryant moved that the architect for the Law Enforcement Center be selected and that it be done by Australian Ballot. The motion was seconded by Councilman Whittington.

Councilman Smith asked if Council happens to tie on this ballot would the Mayor be permitted to draw one of the names out of a hat? Councilman Albea stated he could not agree to this. Councilman Smith remarked that this would certainly put the Mayor on the spot.

Councilman Whittington commented for the record that Council proposed, and it was unanimous, that each man select whom he thought should be the architect for the job and they voted by written ballot and this is what they propose to do now in formal session.

Mr. Albert Pearson stated all Council meeting business is suppose to be out in the open and he is just wondering if this is legal. That no secret ballot is out in the open and he requested a ruling as to whether it is legal or not. He stated that he is not objecting but he thinks the people have a right to know how the Council votes.

Mr. Morrisey replied that Council has the authority to determine the manner in which its vote will be taken and counted and recorded.

The vote was taken on the motion and carried unanimously.

The ballots were then cast on the selection of an Architect and the results announced by the City Clerk were 3 votes for Graves and Toy and 3 votes for Charles Morrison Grier and Associates.

Whereupon, Mayor Brookshire remarked that he is sure everyone realizes fully that both of these architectural firms are qualified, and he would like to give the contract to both of them, but in view of the fact that Council has given Mr. Grier some work, from time to time, on fire stations, and to the best of his knowledge Council has never given Graves and Toy any business, he casts the tie breaking vote for Graves and Toy.

Thereupon, Councilman Smith moved that the selection of Graves and Toy be made unanimous, which was seconded by Councilman Bryant, and unanimously carried.

EMPLOYMENT OF A. V. BLANKENSHIP FOR MAPPING AND ESTABLISHING STREET AND PROPERTY LINES IN AREAS 2 AND 3 OF BROOKLYN REDEVELOPMENT.

Councilman Jordan moved the employment of Mr. A. V. Blankenship to do the mapping and establishing of street and property lines in the Brooklyn Redevelopment Area bounded by Trade Street, McDowell Street, Independence Boulevard and Davidson Street, for the sum of \$2,400.00. The motion was seconded by Councilman Thrower, and unanimously carried.

ACQUISITION OF RIGHTS OF WAY FOR NORTHWEST EXPRESSWAY, SHARON-AMITY ROAD AND EASEMENT FOR SANITARY SEWER.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and un-animously carried, the following property was authorized acquired as right of way for the Northwest Expressway and Sharon-Amity Road, and an Easement for Melbourne Court Sanitary Sewer:

- (a) 10,356 sq. ft. of property at the southeast corner of North Brevard and East 12th Street, from J. M. and Margaret Frost Reed, at a price of \$8,375.00, as right of way for the Northwest Expressway.
- (b) 563 sq. ft. of property at 530-32 Seigle Avenue, from Vera M. Stewart, at a price of \$7,000.00, for right of way for the Northwest Expressway.
- (c) 10,946 sq. ft. of property at the corner of North Long and E. 7th Street, from Russell M. Robinson II, William Robinson, Trustees, at a price of \$19,750.00, for right of way for the Northwest Expressway.
- (d) 7,663 sq. ft. of property at 1012-1014 East 8th Street, from Frank D. Johnston and wife, Iska, at a price of \$6,850.00, for right of way for the Northwest Expressway.
- (e) 135,200 sq. ft. of property at 1101 Sharon-Amity Road, from Dora A. Craig, at a price of \$13,000.00, for right of way for the Sharon-Amity Road Realignment Project.
- (f) 1,791 sq. ft. of property at 5921 Wedgwood Drive, from Ernest D. McSwain and wife Betty, at a price of \$71.64, as easement for the Melbourne Court sanitary sewer.

W. B. GAMMAGE ADDED TO LIST OF APPRAISERS.

Councilman Bryant moved that Mr. W. B. Gammage be added to the list of Appraisers. The motion was seconded by Councilman Whittington, and unanimously carried.

COUNCILMAN BRYANT EXPRESSES DISPLEASURE AT ACTION OF LEGISLATIVE DELEGATION GRANTING REQUEST OF CHAIRMAN OF MECKLENBURG COUNTY DEMOCRATIC PARTY TO CONDUCT A LONE SURVEY CONCERNING THE REVISED CHARTER OF CHARLOTTE.

Councilman Bryant stated that he understands our Legislative Delegation in Raleigh has accepted a recommendation by Mr. Charles Myers, Chairman of Mecklenburg County Democratic Party that he be permitted to conduct a lone survey concerning the Revised Charter of Charlotte, which the City Council passed on to them. He stated he thinks this is a highly irregular type of action and while he knows the Council has no jurisdiction in the matter he would like to object, as a Councilman, to the fact if Mr. Myers was interested to this extent he should have come to the Hearings conducted on the subject by the City Council and made himself heard. He stated further he thinks this is a direct reflection upon the work done by the City Council and while he does not go along with everything that came from the Council, it was a decision arrived at after considerable work and a considerable number of public hearings, and he would like to voice his displeasure at the action of the Legislative Delegation.

CITY MANAGER AND CITY ATTORNEY INSTRUCTED TO CONFER WITH SOLICITOR DOWNS TO END OF FILING A MOTION WITH THE COURT FOR INFORMATION PERTAINING TO THE CHARLOTTE POLICE DEPARTMENT INVESTIGATION.

Councilman Bryant stated he understands from the information given the City Council that Mr. Downs has recommended that a good portion of the action taken to the Court in the Charlotte Police Department Investigation be passed on to the Council, and he moved that the City Manager and City Attorney be instructed to confer with Solicitor Kenneth Downs to the end of preparing and filing an appropriate motion with the Court for information pertaining to the Charlotte Police Department Investigation. The motion was seconded by Councilman Whittington, and unanimously carried.

Councilman Smith commented that he is delighted that this is coming to a head, and that it is coming back to the rightful place where it should have been in the beginning, and he wants to see it cleared up, one way or another, with dispatch and this burden taken off the City.

COUNCILMAN BRYANT WARNS AGAINST USE OF URBAN REDEVELOPMENT IN THE REVITALIZATION PLANS FOR DOWNTOWN CHARLOTTE.

Councilman Bryant commented that it is hard to get use to the idea of a lame duck Councilman. That he would like to give a word of warning for those who might feel as he does regarding the matter of the plans now being prepared for the revitalization of the downtown area. That he has been for this program 100% and thinks it is a great thing; however, there is one pitfall that he would like the public to look out for and that is the possibility that once the plan is presented and the implementation has begun to take place, that we do not do this by means of urban redevelopment. That he thinks the people of Charlotte have accepted urban redevelopment because of the fact it was a matter of slum clearance, which of course he has opposed because he thought it could have been done in another way, but he feels if we use it to redevelop cities and go into blocks where there are existing businesses it would be a further encroachment on the matter of property rights, and he hopes in the future when this comes up that means will be found to do the job by private enterprise and without government federally subsidized urban redevelopment.

J. N. PEASE & COMPANY APPROVED AS CONSULTANTS FOR THE GOVERNMENTAL PLAZA AREA.

Councilman Whittington moved approval of J. N. Pease & Company as Consultants for the design of the entire Governmental Plaza Area, as recommended by the Planning Commission and the Committee appointed by the Council and County Commissioners. The motion was seconded by Councilman Albea, and unanimously carried.

Mayor Brookshire commented that this is, of course, subject to the County Commissioners taking similar action.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON SHARON-AMITY ROAD.

Councilman Whittington moved the award of contract to the low bidder, Crowder Construction Company, for street improvements on Sharon -Amity Road, from Providence Road to Tangle Drive, at a price of \$322,492.00, and the transfer of \$17,000 budgeted but not required for right of way on the Sugar Creek Road

Project, and the transfer of \$46,417.00 for uncommitted Power Bill Funds, to supplement the \$258,575.00 available for the project. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Crowder Construction Company	\$322,492.00
Blankenship Construction Company	329,340.00
Blythe Brothers Company	332,565.00
Rea Construction Company	343,965.50

SETTLEMENT OF CONDEMNATION CASES IN CONNECTION WITH THE KENILWORTH AVENUE PROJECT.

Councilman Smith moved that settlement of three condemnation cases in connection with the Kenilworth Avenue project be made as recommended by the City Attorney:

- (1) W. Mack Freeman - \$300.00
- (2) H. E. Kiser and wife - \$3,750.00
- (3) C. L. Kiser and wife - \$1,688.00

The motion was seconded by Councilman Whittington, and unanimously carried.

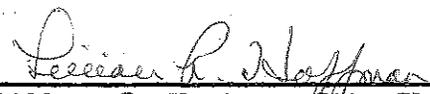
PHOTOGRAPH OF PROJECT BEING UNDERTAKEN BY ERVIN CONSTRUCTION COMPANY TO BEAUTIFY SECTION OF INDEPENDENCE BOULEVARD SHOWN TO COUNCIL.

Mr. Herbert Alley, representative of Ervin Construction Company, displayed a photograph of Independence Boulevard as it is today and a second photograph of the same area as it will look when the project being undertaken by Ervin Construction Company in conjunction with the Council's plans and desires to beautify Charlotte is completed.

Mayor Brookshire thanked Mr. Alley for showing Council the photographs.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk