

June 13, 1956
Minute Book 36 - Page 360

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Wednesday, June 13, 1956, at 10 o'clock a.m., jointly with the Charlotte-Mecklenburg Planning Commission, to consider petitions for zoning changes and other matters.

Mayor Van Every presided, and Council members Albea, Baxter, Brown, Dellinger, Evans, Smith and Wilkinson were present.

ABSENT: None.

Charlotte-Mecklenburg Planning Commissioners Craig, Hanks, Martin, McClure, Sibley and Wilkinson were present.

ABSENT: Commissioners Bell, Chairman, Conner, Marsh and Robinson.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, the Minutes of the last meeting on June 6th were approved as submitted.

HEARING ON ORDINANCE NO. 314 TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLOTTE SO AS TO PROVIDE FOR UNDERTAKING ESTABLISHMENTS IN AN R-2 DISTRICT ON PETITION OF MCEWEN FUNERAL HOME, HARRY & BRYANT CO., Z. A. HOVIS & SON, HANKINS-WHITTINGTON FUNERAL HOME AND DOUGLAS & SING FUNERAL HOME, DECISION DEFERRED ONE WEEK.

The scheduled hearing was held on Ordinance No. 314 to Amend the Zoning Ordinance of the City of Charlotte so as to provide for Undertaking Establishments in an R-2 District, on petition of McEwen Funeral Home, Harry and Bryant Company, Z. A. Hovis & Son, Hankins-Whittington Funeral Home and Douglas & Sing Funeral Home.

The Planning Director, Mr. W. E. McIntyre, stated that this did not involve any change in the Map but interpretation of Law and possible amendment. Mr. Ben S. Whiting, Attorney representing six Funeral Homes, stated that over 60% of all funerals were conducted from the Chapel of a Funeral Home, whereas in olden days most of them were conducted from the Church and that nothing was more sacred to the loved ones than these services. He called attention to Doctors having their offices and clinics in R-2 Zones and that they felt that Funeral Homes should be classified along with this type service and next to the Churches.

Mr. John D. Shaw, City Attorney, called the Council's attention to the possibility of amendment requirement if this change is approved and the provision for off-street parking. He explained the idea that the area for off-street parking might be based on the seating capacity of each Chapel. Mr. W. N. Hovis, of Z. A. Hovis and Son, stated that he felt quite sure that all of the Funeral Homes would have no objections to a provision being made requiring off-street parking. He stated that if Funeral Homes were required to locate in B-1 areas that they would all have to go out of business as they could not afford to pay the price for land for undertaking establishments and provide off-street parking.

No one appeared in opposition to this proposed change. Council decision was deferred for one week.

June 13, 1956
Minute Book 36 - Page 361

HEARING ON ORDINANCE NO. 325 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-2 TO B-1 THE PROPERTY ON NORTHERLY SIDE OF WILKINSON BOULEVARD NEAR INTERSECTION OF HIGHLAND STREET AND WILKINSON BOULEVARD, ON PETITION OF MARSH LAND COMPANY. DECISION DEFERRED ONE WEEK.

The hearing was held on Ordinance No. 325 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing from R-2 to B-1 the property located on the northerly side of Wilkinson Boulevard near the intersection of Highland Street and Wilkinson Boulevard, on petition of Marsh Land Company. The Planning Director, Mr. W. E. McIntyre, pointed out the area on Wilkinson Boulevard now zoned for Business and the proposed area in addition thereto requested back of the 300 foot frontage in order that a Super Market might be built.

Mr. Wallace S. Osborne, Attorney representing the Marsh Land Company, explained that super markets found that it was necessary to have $4\frac{1}{2}$ times the area of the building for off-street parking and that is the reason that they were petitioning the Council for zoning additional area as B-1 allowing the building to be located beyond the area as now zoned for B-1. He stated that Marsh Land Company had planned for the leasing of this property to Harris Super Market.

No one appeared in opposition to this change. Council Decision was deferred for one week.

HEARING ON ORDINANCE NO. 326 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-1 TO B-1 PROPERTY LOCATED AT NORTHERLY CORNER OF INDEPENDENCE BOULEVARD AND MORNINGSIDE DRIVE, ON PETITION OF DWIGHT L. PHILLIPS. DECISION DEFERRED ONE WEEK.

The scheduled hearing was held on Ordinance No. 326 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing from R-1 to B-1 the property located at the northerly corner of Independence Boulevard and Morningside Drive, on petition of Dwight L. Phillips. Mr. W. E. McIntyre, Planning Director, pointed out on the map the location of the proposed change and stated as this was an intersection of Independence Boulevard and Morningside Drive and as Business was located on two corners, it was mandatory that the other corner be zoned in same manner.

No one protested this change, however, a Mrs. Martin raised the question as to whether Morningside Drive extended to Shenandoah Avenue, stating that she thought it was only used for the benefit of one store. The Planning Director stated that it was a matter of record and was dedicated as a street and the City Manager, Mr. Yancey, stated, when questioned by the Council, that if it had not yet been taken over for maintenance by the City and it is in condition, the City would take it over when petitioned to do so.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 327 AMENDING THE ZONING ORDINANCE OF THE CHARLOTTE PERIMETER AREA BY CHANGING FROM RURAL TO B-1 THE PROPERTY LOCATED ON OLD MONROE ROAD ADJACENT TO McALPINE CREEK & THE SEABOARD AIRLINE RAILWAY ON PETITION OF WALTER W. HOOK AND ROSALIE H. GWATHNEY. DECISION DEFERRED ONE WEEK.

The scheduled hearing was held on Ordinance No. 327 Amending the Zoning Ordinance of the Charlotte Perimeter Area by changing from Rural to B-1 the property located on Old Monroe Road adjacent to McAlpine Creek and the Seaboard Airline Railway (old McAlpine Swimming Pool Property), on petition of Walter W. Hook and Rosalie H. Gwathney.

The Planning Director, Mr. McIntyre, pointed out the location of the property under consideration as it relates to the adjoining property and also pointed out the location of stores in the vicinity. He stated that this was property formerly used as McAlpine Swimming Pool, and was now zoned as Rural. Mr. Walter Hook, one of the petitioners, was present but as there was no opposition did not speak on the subject.

Council decision deferred one week.

June 13, 1956
Minute Book 36 - Page 362

ZONING HEARINGS COMPLETED AND MEETING RECESSED AT 10:30 O'CLOCK A. M.

Mayor Van Every stated that the Zoning Hearings have been completed and the meeting would recess at 10:30 o'clock a.m. at which time the Planning Commissioners would retire and render their recommendations on the petitions to the Council and the Council will render their decisions at the Council Meeting on next Wednesday.

MEETING RECONVENED AT 11:00 O'CLOCK A. M.

The meeting was reconvened at 11:00 o'clock a.m., the Planning Commission not being present.

RESOLUTION PROVIDING FOR FILING OF BUDGET ESTIMATE FOR THE FISCAL YEAR 1956-57 WITH THE CITY CLERK ADOPTED.

A resolution entitled: "Resolution Providing for Filing of Budget Estimate for the Fiscal Year 1956-57 with the City Clerk" was introduced and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Brown and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 433.

CONSTRUCTION OF SANITARY SEWER LINES AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Albea, and unanimously carried, authorizing the construction of sanitary sewer lines at the following locations:

- (a) Construction of 80-feet of sewer main in Hanson Street, to serve one family unit, at an estimated cost of \$190.00, at request of Marsh Realty Company. All costs to be borne by the City.
- (b) Construction of 140-feet of sewer main in Rachel Street, to serve one family unit and 1 vacant lot, at an estimated cost of \$200.00, at request of C. G. Cravenston. All costs to be borne by the City.
- (c) Construction of 12,981-feet of sewer main in Shamrock Hills, to serve 189 vacant lots, at an estimated cost of \$37,300.00, at request of C. D. Spangler Construction Company. All costs to be borne by the City and Applicant's required deposit of \$37,300.00 to be refunded as per terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES FOR 3300 TUCKASEEGEE ROAD AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the construction of one 30-ft. driveway entrance on Tuckaseege Road and one 35-ft. driveway entrance on McQuay Street for 3300 Tuckaseege Road was authorized.

CONTRACT AWARDED YOUNG MOTOR CO. FOR AUTOMOBILE FOR ENGINEERING DEPARTMENT.

Councilman Wilkinson moved award of contract to Young Motor Co. for 1 - 1956 Ford Mainline 2-door sedan, as specified, at a total net exchanged delivered price of \$1,076.73. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED DOC NEWTON, INC. FOR PORTABLE BASKETBALL BACKSTOPS FOR COLISEUM.

Motion was made by Councilman Baxter, seconded by Councilman Brown, and unanimously carried, awarding contract to Doc Newton, Inc. for 1- complete set of Morey Model Portable Arena Basketball Backstops, as specified, at a total net exchanged delivered price of \$1,200.00.

June 13, 1956
Minute Book 36 - Page 363

CONTRACT AWARDED COMMERCIAL NATIONAL BANK, RECEIVERS FOR HARDY & NEWSOM, INC. FOR MANHOLE RINGS AND COVERS FOR THE ENGINEERING DEPT.

Upon motion of Councilman Smith, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, Commercial National Bank, Receivers for Hardy & Newsom, Inc. for 175 manhole Rings and Covers, Machined, all as specified, on a unit price basis, representing a total price of \$4,112.50, subject to cash discount of \$82.25, or a net delivered price of \$4,030.25.

CONTRACT AWARDED RICHLAND SHALE PRODUCTS CO., D.B.A. COLUMBIA PIPE CO. FOR VITRIFIED CLAY PIPE FOR ENGINEERING DEPT.

Councilman Albea moved award of contract to the low bidder, Richland Shale Products Co., D. B. A. Columbia Pipe Co., for 30,000 Lin. Ft. of 8", #1 Vitrified Clay Pipe, 8", as specified on a unit price basis, representing a total price of \$14,400.00, subject to cash discount of \$720.00, or a net delivered price of \$13,680.00. The motion was seconded by Councilwoman Evans, and unanimously carried.

REPORT OF LEASE OF AIRPORT BUILDING NO. 50 TO PETER DEPAOLO ENGINEERING CO.

The City Manager reported that lease has been concluded on Airport Building No. 50, to Peter DePaolo Engineering Co., at a monthly rental of \$19.35, for a period of one year from June 1, 1956.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mrs. Ruby Jacobs, for Graves #3 & 4, Lot 108, Section 3, Evergreen Cemetery, at \$80.00.

ADDITIONAL PERSONNEL FOR HEALTH DEPARTMENT TO ADMINISTER POLIO VACCINE AUTHORIZED.

Councilman Smith moved that an appropriation be made for the employment of additional personnel to administer Polio Vaccine, not to exceed \$1,250.00 per month for 4 months being a total of \$5,000.00 and that one-half of this amount be paid by the County and the balance of \$2,500.00 by the City. The motion was seconded by Councilman Wilkinson and passed unanimously.

PARADE IN HONOR OF CHARLOTTE BASEBALL CLUB.

Mr. Lambert Schwartz petitioned the City Council for permission to parade from the baseball park on South and North Tryon Streets to 11th Street around 8:30 a.m. or 9:00 a.m., Friday and for motorcycle escort in honor of the Charlotte Baseball Club for winning 13 continuous games and as a matter of Civic pride and invited the Mayor, City Council and others to join in the Parade. Motion was made by Councilman Albea, seconded by Councilman Brown that the request be granted and passed unanimously.

APPOINTMENT OF WALTER D. TOY, JR. TO CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

Councilman Baxter moved the appointment of Mr. Walter D. Toy, Jr. to the Charlotte-Mecklenburg Planning Commission for a term of three years, to fill the vacancy created by the expiration of the term of Mr. Frank H. Conner, who had advised he was not available for reappointment due to the fact that he felt an Architect should be appointed in his place. Councilman Baxter also moved that the Council express their appreciation to Mr. Conner and compliment him on his fine work on the Commission. The motion was seconded by Councilman Dellinger and unanimously carried.

APPOINTMENT OF RUBE HATCHER AS ALTERNATE MEMBER #1 OF THE ZONING BOARD OF ADJUSTMENT.

Councilman Brown moved the appointment of Mr. Rube Hatcher as Alternate Member #1 of Zoning Board of Adjustment. The motion was seconded by Councilman Dellinger, and unanimously carried.

June 13, 1956
Minute Book 36 - Page 364

APPOINTMENT OF LOUIS ASBURY, JR. AS ALTERNATE MEMBER #2 OF THE ZONING BOARD OF ADJUSTMENT.

Councilman Albea moved the appointment of Mr. Louis Asbury, Jr., as Alternate Member #2 of the Zoning Board of Adjustment. The motion was seconded by Councilwoman Evans and unanimously carried.

REAPPOINTMENT OF GEORGE E. WILKINSON ON CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

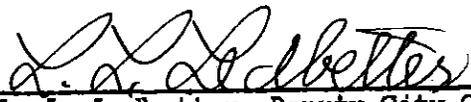
Upon motion of Councilwoman Evans, seconded by Councilman Brown, and unanimously carried, Mr. George E. Wilkinson was reappointed to the Charlotte-Mecklenburg Planning Commission for a term of 3 years from the expiration of his present term on June 30, 1956.

MR. A. G. BROWN APPEARED BEFORE COUNCIL TO INQUIRE ABOUT WATER SERVICE.

Mr. A. G. Brown appeared before the Council and stated that he had several tenants who had vacated because they had heard that city water was going to be cut off and one who notified him that he was going to vacate and asked the Mayor and City Manager if they were or were not going to cut off his service.

ADJOURNMENT.

Councilman Smith moved that the meeting be adjourned. The motion was seconded by Councilman Albea, and unanimously carried.


L. L. Ledbetter, Deputy City Clerk