

A Special Meeting of the City Council of the City of Charlotte, North Carolina, was held in Court Room No. 1, in the Mecklenburg County Courthouse, on Friday, October 6, 1961, at 7:30 p.m., due notice having been given each Councilman pursuant to the provisions of Section 26 of the Charter of the City of Charlotte, with Mayor Brookshire presiding and Councilmen Albea, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: Councilman Bryant.

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The proceedings of this, and subsequent hearings on the proposed new Zoning Ordinance, were tape recorded and transcribed as follows:

PURPOSE OF MEETING.

Mayor Brookshire: Ladies and Gentlemen, the purpose of this meeting is to hold a public hearing on the proposed ordinance to zone Charlotte and Perimeter Area, notice of which was published in the Charlotte News on September 22nd and 29th, as required by law. And, I might explain that all of the proceedings here this evening are being recorded, and will be transcribed. I shall now ask Mr. McIntyre if he will summarize the content of the proposed new Zoning Ordinance.

SUMMARIZATION OF CONTENT OF PROPOSED NEW ZONING ORDINANCE.

Mr. McIntyre, Planning Director: The ordinance on which you are conducting a public hearing tonight, Mr Mayor and Members of the Council, is an ordinance that will replace two existing zoning ordinances that are now in effect. The two existing zoning ordinances are the ordinances for the City of Charlotte, which was adopted many years ago and an ordinance known as the Perimeter Zoning Ordinance, which was adopted more recently. The area to be zoned by the proposed zoning ordinance covers the City of 60 sq. miles and a perimeter area, around the city, of approximately 115 sq. miles. This ordinance will zone approximately 60 sq. miles of territory outside the city that has not heretofore been zoned. The area outside the City is proposed to be zoned by virtue of enabling legislature granted by the State, which authorizes the City Council to zone territory beyond the city limits. The ordinance proposes to divide this entire area of some 180 sq. miles into zoning districts and to regulate the use of land in these districts and the use of buildings and structures by regulations provided for each separate district. The type of districts the ordinance proposes are - Residential, Office, Business and Industrial. In the Residential category, the ordinance proposes two basic types of districts - residential districts that are essentially to be devoted to single family type of home development; it also proposes another group of Residential districts that are allocated not only for single family developments but districts in which duplexes and multi-family developments may take place. The single family group of districts is comprised of four separate and distinct types of residential single family zoning districts, identified in the ordinance as R-6, R-9, R-12 and R-15. The difference between these districts is principally a matter of a difference in the density of the development that is allowed. In the R-6 district, the basic lot area required for a single family structure is 6,000 sq. feet; in the R-9, it is 9,000 sq. feet; in the R-12, 12,000 sq. feet; and in the R-15, 15000. The other group of districts that are proposed to be established by the ordinance for residential use are as I have indicated, the residential districts in which single family, duplex and multi-family developments may take place, together with related supporting

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uses such as schools, churches and that sort of things. The multi-family districts in the ordinance are identified as R-6MFH District, R-6MF, R-9MF, R-12MF and R-15MF. Here again the essential difference between these districts is a difference in the density of development that is permitted. The R-6MFH District is the highest density multi-family residential district, and in this district, the basic land area required for a family dwelling unit in an apartment structure is 1,000 sq. feet of land area. The allowable density tapers down to a more spacious kind of development in the R-15 multi-family district in which 3,500 sq. feet of land area per family dwelling unit is the basic requirement. All these residential districts that have so far been described have minimum yard and open space requirements, and in addition they have stipulations and regulations concerning the height of structures. The next group of Districts proposed by the ordinance are the Office-Districts - these districts are those in which it is intended that they will be used principally for Office uses and some types of institutional developments. There are two types of Office Districts proposed in the ordinance - one identified as O-6 and the other identified as O-15. Here again the difference between these districts is principally a matter of the allowable density in the district. In the O-6 District, the basic minimum lot area requirement is 6,000 sq. ft. In the O-15 District the minimum lot area requirement is 15,000 sq. ft. Here again in these Office Districts, there are regulations establishing dimensional characteristics of yard, open space and height of buildings. The next group of Districts are the Business districts as proposed in the ordinance. The ordinance proposes three types of business districts - identified as B-1, B-2 and B-3. All of these districts are available for a wide variety of business type developments. The ordinance contains a schedule of permitted uses for each one of these separate business districts. The Business-1 District is the most restricted as to the type of business uses permitted. The Business-2 District is a less restricted district and is regarded as a general purpose business zone. The Business-3 District is the central business district of the community, generally known as Downtown. Here again, in the Business districts the ordinance establishes a yard area and height regulation for the uses that will be allowed in those districts. In addition the Business Districts that I have already mentioned, there is a separate category of type of business district known as a Conditional Business district. These are identified as Business-1 shopping center districts and the Business-2 highway business districts. In the interests that are allowed in these districts they are the same as the Business-1 and Business-2 Districts that I have already described. The basic difference between these two business districts and those previously mentioned, is the fact that before business developments can proceed in these zones, specific plans would have to be submitted and approved by the City Council prior to developments that might take place in these two types of Business zones. The final group of districts proposed by the ordinance are the Industrial Districts. Here again, there are three types of industrial districts proposed - identified as I-1, I-2 and I-3. All of the industrial districts permit within their boundaries, uses of a wide variety of a wide variety of type of industrial activity. The ordinance here again, provides a specific schedule for the industrial uses that will be permitted in each industrial district. The Industrial District identified as I-1 is the most restricted industrial district. It is designed especially to provide areas for light manufacturing activities. The I-2 and the I-3 Zoning Districts are generally similar in the uses that are permitted, they are the generally proposed industrial districts of the community. The basic difference between the I-2 District and the I-3 is the I-3 District is comprised principally to the inner areas of the community adjacent to the central business district where density of development already established is fairly high - higher than the density of the development that has been established in more outlying industrial area. In addition to the basic district structure that has been described, there are other significant features of this ordinance that should be mentioned. One is the Off-street parking requirements that are proposed by the new ordinance. In this

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ordinance, all new uses of land in any district will have to have off-street parking in accordance with a schedule of parking space that's established in the ordinance, a schedule that relates to the required parking space in the various kinds of uses and activities that will be developed. These off-street parking regulations prevail throughout all districts with the exception of the B-3 District which is the central business district of the community as proposed. In addition, the ordinance proposes and establishes regulations for Signs in all of the proposed types of districts. The Signs are proposed to be regulated not only by district but by classification of types of signs. The zoning districts which this ordinance establishes are set forth on 63 maps that have been available for public inspection for a considerable length of time. As a matter of fact, they have been available for public inspection since April 6, 1961. On May 12th and again on May 19, 1961, the Planning Commission held public hearings on this proposed zoning ordinance as required by law. At these hearings, many people were heard, expressing various points of view, principally dissenting to written provisions of the ordinance or to proposed districting. In addition to the dissensions that were expressed at the public hearings held by the Planning Commission, many dissensions have been filed with the Planning Commission in writing or in person in the Planning Commission office. In the months since the Planning Commission held its public hearings on the ordinance, that is the months since May, it has considered all of the objections and dissensions that have been submitted to it since the public hearing, has given them careful consideration, and as a result of many of these dissensions and objections, the Commission has made many modifications to the ordinance as it was originally drafted. The City Council now has before it, in this public hearing, an ordinance that represents the best ordinance the Planning Commission felt it could develop as a result of the public hearings and the advice and talents that it has received in the months since the public hearings in May, I think the Commission would say, if it were here, that it considers to be regrettable that all objections could not be wiped away by changes in the Zoning Ordinance, but I believe also the Commission would say that it would be entirely impossible to devise a zoning ordinance that would provide effectively for the orderly growth and development of the community if all objections to the ordinance were entertained and were accommodated. This, Mr Mayor and Members of the Council, is a brief outline and description of the ordinance as you have it for a public hearing and a brief description of the action that has been taken on this Ordinance to date.

Mayor Brookshire: Thank you Mr McIntyre.

MAYOR ANNOUNCED THAT TONIGHT'S HEARING WILL BE CONTINUED UNTIL NEXT FRIDAY, OCTOBER 13TH AT 7:30 P.M. IN THIS SAME ROOM DUE TO TOO MANY REQUESTS TO BE HEARD TONIGHT.

Mayor Brookshire: Quite obviously, we will not be able this evening to hear all who have made petitions either in writing or who have come tonight without previously writing. Council has agreed to set the date and hour for a second hearing, which actually will be a continuation of this hearing, for next Friday night, October 13th at 7:30 o'clock. Let me explain that we are going to hear tonight as many of the requests as possible which were given to us in writing. There are 36 of these before us tonight, plus 5 others which were brought in after the Docket itself was written - a total of 41. For that reason, it doesn't seem at all likely that we shall be able to hear any of the others who had not written in. Now, those of you, who came in tonight and were given numbers may feel free to leave and come back next Friday night. Let me ask you, however, to be sure and notify a member of the staff as you go through those doors, giving the members of the staff your name, your number and the matter on which you want to be heard. Keep the number, and you will be heard in that order next Friday evening.

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GROUND RULES.

MAYOR BROOKSHIRE: I shall now take a few minutes to explain the ground rules - we will allow 5 minutes per speaker, and 10 minutes per subject in the event there is more than one who would like to be heard on a given subject. We have a little timing device here and I will explain that to you. It will be set for five minutes and at the end of three minutes which will allow you 2 minutes, this green light will appear. At the end of 4 minutes, which allows you 1 minute to finish the presentation, the amber light will appear, at the end of 5 minutes, the red light comes on, that is your signal. Let me make this further announcement however, if any of you feel that you have not had sufficient time in the 5 minutes allocated to you to make the presentation as fully as you might wish, please give the Clerk your name so that appropriate arrangements can be made at a later date for you to explain your petition further. We are now ready to start the hearings and we will follow it on a numerical order basis. I shall ask that you come to the front, that you give your name and describe your request. The Clerk will now call the Docket.

ITEM NO. 1 - MR PARKER WHEDON, ATTORNEY REPRESENTING MISS LEILA FINLAYSON AND OTHERS, PETITIONERS. THE PROPERTY IS LOCATED ON BOTH SIDES OF THE 1500 BLOCK OF INDEPENDENCE BLVD, BETWEEN THE PLAZA AND ST. JULIEN STREET. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS B-1, MAP NO. 7.

Mr Parker Whedon: Mr Mayor and Members of the Council, I, apparently, have the dubious honor of firing the first shot here tonight. I want you to know I don't consider it an honor but a duty to fire a shot at what generally appears to be an impressive piece of work, representing a lot of work, and labor embracing as it does a vast and complex area affecting many thousand pieces of property. That is the reason we are here this evening so that you as the elected legislative body of this city can decide what recommendations of your Advisory to accept and what to reject. The very vastness of this project makes it inevitable that there should be errors. And it is your judgment which can only finally determine these matters. Now, my clients own some property in the 1500 block of Independence Blvd, between The Plaza and Julien Street on both sides of Independence Blvd., and I have darkened it with a blue area here so that you can see the area that I am talking about. Up to this line, the recommended zoning is B-2; within the area, in which my clients own property, it is O-6. My clients are Mr & Mrs D.M. Little, Mrs A. H. Alexander, Mr & Mrs Nelson Lyles, Mr & Mrs Calvin C. Sloan, Mrs M. M. Cunningham, Mrs Guy E. Derby, Miss Blanch M. Litton, Hilery Realty Company, Leila J. Finlayson, Mrs H. A. Armstrong, Dr & Mrs John F. Oviatt, Mrs A. P. Cruse, Florence Sykes, Mr & Mrs C. T. Sifford, Assumption Church (Rev. L. T. Hilland) and Mrs J. N. Caldwell. I would like for this to be attached to the original petition if I may pass it. Now, some of my clients still live here on Independence Boulevard and put up with the inconvenience of the objections of living here. All of them would like to leave, the real estate people tell them, however, they cannot get a reasonable price for their property unless it is zoned for Business. Some of them, fortunately, have been able to move away, but haven't sold their property. They are still renting it to other people when they can get tenants for it, which they tell me at the most is 10 months out of the year. Property management people tell them, and they already know, nobody with children will live on Independence Boulevard, nor rent property there. In order to rent it to people, they are obliged to go the the extent of furnishing their property, and then renting it at the most, 10 months out of the year. Mr Alexander, who owns here at this corner has had property vacant for a period of 12 weeks. There's a lot here that's been vacant since August 1st. Miss Finlayson who moved away from Independence Blvd. bought a house, hoping that this rental

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would enable her to buy her new house, has had great difficulty keeping her property rented. These people use to live on what was known as Westmoreland Avenue. I don't know how many of you remember that. It was a quiet, shady little street. The closest thing to it now is Shenandoah Avenue about a block away from where Westmoreland use to be. Shade trees come out to the center of the street. Overnight that was transformed into something more nearly resembling the race track down here at Darlington, than it resembles Shenandoah Avenue. And yet, these people manage somehow to live and own their property there. They have been thrust overnight into the main stream of commercial traffic of this great city. And with all of its disadvantages, they are asking you now, not as a favor but as a matter of good zoning that they be permitted to enjoy some of the natural advantages of owning property here. Not all of them, just a few. Now you will notice that this appears to be an excluded area from a larger area that is recommended to be zoned B-2. The difference between O-6 which is recommended for my clients' property and the B-2 area adjoining it is vast, it would take you 5 or 10 minutes to read the usages that are permitted in B-2 that are not permitted in O-6. We think it would be perfectly proper for this Council to zone, complete this lack of uniformity, and zone this property on down to Julien Street B-2. Yet, that's not what my clients are asking. They are asking that it be zoned or placed in a classification with a much more limited variety of business uses. Namely, B-1, which would serve as a buffer or transitional between B-2 and O-6.

ITEM NO. 2 - MR J. CARLTON FLEMING, ATTORNEY, REPRESENTING CHANEY DEVELOPMENT CO. AND JACKSONVILLE HOUSING COMPANY, INC., PETITIONERS. THE LOCATION OF THE PROPERTY IS 270 ACRE TRACT SOUTH OF CLANTON ROAD, BETWEEN S. TRYON STREET AND IRWIN CREEK DISPOSAL PLANT PROPERTY. THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS I-2, MAP NO. 11.

Mr. J. Carlton Fleming: Mr Mayor and Members of the Council, under the ground rules as outlined, we would like to divide our time and I would like to make a few remarks and Mr Dwight Phillips would like to make a statement.

Gentlemen, this property, as this map will indicate, is located in an area which is bounded on the north by Clanton Road, on the east by York Road or Tryon Street, on the south by the Southern Railway Crossline, which is of course the Charlotte city limits, and on the west by property which belongs to the City of Charlotte on which is located the Irwin Creek Outfall Sewer Plant. We do not seek a change in zoning, in this particular tract which is approximately 270 acres. We ask only that the City Council retain the present Industrial zoning which has applied to this property quite a number of years. Now, one of the reasons for this request - well first of all, we take the position that Zoning is really an expression of public interest and the most beneficial and the most reasonable use of real estate. And I think there are at least three reasons why an industrial zoning gives application to this theory of zoning regulations. First of all, this is a rather large tract., 270 acres. It's one of the few remaining in the City of Charlotte within the city limits which could be devoted to this type of industrial development, an industrial park of railroad facilities. That sort of development would benefit the economic growth of this area. I would guess that Mr Ledbetter, if he were here tonight, would be very happy to see the dollars grow in the city's treasury that would be forthcoming on tax revenue that would result from an industrial development within the city limits of the City of Charlotte. In recent times, relatively speaking, a large industrial development has come outside the city limits, which is fine for our county tax structure, but is not so wonderful for our city tax structure. And here's an opportunity to have a ready-made group of industrial tax payers who would be in a position to contribute revenue to the City of Charlotte. Now, secondly, it has been proposed to rezone this tract, which has been industrial for some years, to residential. Now, I think if anyone in this room tonight set about to look for a residential lot on which to build their home, they would

not look for a lot which is either near a railroad or on it as this property here, and they would not look for a lot which is adjacent to the City's property on which is located a sewer plant. And this is the situation with this property. This property is not at all suitable for a residential development. To convert it from an Industrial use, which has been proposed for many, many months, to residential development in effect means that this property will lie dormant. Now true, there is residential development in this general area but if you notice the residential development is first of all largely away from the railroad with respect to this property. It is also away from the sewer plant. In respect to this property, there is development of a residential character adjacent to this property but almost all of that has taken place since this property was zoned industrial. And the developer who undertook that residential development well knew that this area had been set aside for industrial use and went into that zone with that in mind. I think that it is very important to know that there is a buffer here. There is residential property, or residentially zoned property, both currently and under the new ordinance, which is owned by the same corporation, which will separate this industrial tract from the rather dense residential development to the north of it. There is also the matter of a severe economic penalty. I would point out that in all the disadvantages from an economic viewpoint that any citizen sustains by this particular comprehensive zoning plan, this is the most severe. It's the most severe because it is a large tract, 270 acres and it is severe because there is a swing in the method of use from one end of the zoning scale to the other end, from Industrial use all the way to Residential, which is a tremendous economic penalty for a citizen to take. Gentlemen, I would conclude by saying that in preparing this comprehensive zoning plan, the Planning Commission has unquestionably gone into a lot of work and the public is certainly indebted to the Commission for the work that has been done, and I would certainly expect the Council to take into consideration the differences of opinions which existed within the Commission on this particular case. In the last vote which was held on this particular question whether this should be industrial or residential, the vote was 4 to 3, and I would submit to the Council that it has no clear mandate from the Planning Commission that this should be residential property, and certainly it is within the sound discretion of the Council to retain this property in the proper category for use so that it may be used to add to the industrial use of our community.

Mr Dwight Phillips: Mr Mayor, Members of the Council, Ladies and Gentlemen - Some years ago and what we might term feeling around Charlotte for a tract of land that was entirely suitable for industrial development, our company put this piece of property of 270 acres together and about 5 or 6 trades in purchase was made. The prime purpose of securing this location - No. 1 was the advantage of the railroad. No. 2 was being adjacent and close to a large sewerage treatment plant, which is conducive to industrial development. Certainly not for residential development. No. 3 was that this property was in the vicinity of the airport, which is rapidly becoming very valuable to industrial properties and developments. We spent considerable time, it probably took some 18 months to put this piece of property together. When this piece of property was incorporated into the City of Charlotte, I came before you, I think in this same courtroom some years ago. I pointed out these same factors and some of your present members of the Council were on the Council at that time. Now, one of the prime factors and reasons that we have not as yet done anything about this property, and I think it has been very much a fact, has been the location of N. C. Highway 21 South. Originally, on every map you will find in the tax office, you will find US #21 Highway located on this property, just about splitting down the middle of this 270 acre tract. The State had already selected this route of the highway and in addition had appropriated the money, and the highway would have been built today, if it hadn't been for the Canton Highway coming down from the north and the S.C. Highway Commission trying to pull the road over south. And that

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is the prime factor that our company has not yet developed this property. We are awaiting the establishment of that road. Gentlemen, the very minute the road is established, we promise you that there will be an immediate development. We have a lot of customers and big customers for this property. But we cannot do anything with the property as far as development of it because it is impossible for us to engineer the property without knowing the exact location of that highway. There are some indications - and a great deal of differences in opinion as to where the highway will be located. I'll not be the final judge of that. We know that deep consideration is being given that this highway will go where it was originally planned. And I will promise you that if you will leave this industrial category on this property, it will be a definite asset to the City of Charlotte.

ITEM NO. 3 - MR RICHARD WARDLOW, ATTORNEY, REPRESENTING DOROTHY K. SCHOENITH, NEAL PHARR AND OTHERS, PETITIONERS. THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF P & N RAILROAD, BETWEEN THRIFT ROAD AND TODDVILLE ROAD. PROPOSED ZONING IS R-6 AND THE REQUESTED ZONING IS I-2. MAP NO. 39.

Mr Richard Wardlow: Mr Mayor and Members of the Council. The property I am talking about consists of approximately 150 acres located right at the very end of the zoning boundary. I've got it sorta outlined in red here. This is the original development plan map put out by the Zoning and Planning Commission. This property lies on the south side of the Piedmont & Northern Railway track. The blue area you will note here indicates industrial zoning. Therefore, we have industrial zoning on both sides of the railroad track. That's the P & N industrial development until we get to the property I'm talking about and suddenly, on the north side of the railroad track it's zoned industrial but on the south side of the railroad track, it is proposed that it be zoned for residential purposes. Now what the difference in whether you are on the north side or the south side of an industrial railroad track escapes me. It didn't apply in this area until we got right here. So, we ask that we be given the same sort of zoning as given to the other land in the area. On the zoning map, it is No. 39, here is an aerial photograph of the area. You will notice here is P & N Railroad tract, the property is a triangle, is bounded on the west side by NC Highway 27, it is bounded on east side by Toddville Road and along this road, which is Highway 27, you will note there are houses located. But our property that we are talking about at its nearest point is located some 1,000 feet from the nearest house. Here are the boundaries - all the land lies along the railroad track. This is less than 2 miles from Interstate Highway 85, and that road is filled with heavy industrial truck traffic any hour of the day. Within the last two weeks P & N Railroad Company bought this land immediately adjoining what I am talking about for industrial development as a part of their very fine work they are doing in getting industry in. You will notice on this photograph, in this area which is proposed for industrial, there is not one industrial plant located at the present time. It adjoins what I am talking about. But when you come to the property that I ask Industrial zoning for, there is already industry along that railroad track, so what you are asking the people to do if you zone it residential, is to locate their residences looking into the south end of the railroad. The Duke Power Company Warehouse, which covers several acres, in which they keep all their equipment for the electric system, and Duke Transmission Line Department is right here on the railroad track. Come down here, this place is fixed with Oil Refineries and Bolt Plants. Atlantic Oil Company has 12 big oil storage tanks, Sinclair has 5, Gulf has more than 12, Pure Oil Coastal Oil, is a smaller operator, Esso - all those have night and day tank cars coming in, bringing thousands of gallons of gasoline petroleum products which they unload. Tank trucks come up and down this road because that's where the railroad is - that's where the industry is and that's where they've got to go. Now, I can see no compelling reason why people should be required to use that as residences and build their homes on a railroad track. There is no difference there between the north side and the south side of the railroad track. There is plenty of protection for the residences that are there.

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ITEM NO. 4 - MR RICHARD WARDLOW AND MR PARKER WHEDON, ATTORNEYS, REPRESENTING J. M. WALLACE, EDWARD GRIFFIN AND 10 OTHERS, PETITIONERS. THE PROPERTY IS LOCATED ON BOTH SIDES OF INDEPENDENCE BOULEVARD BETWEEN IDLEWILD ROAD ON THE WEST AND WALLACE LANE ON THE EAST. THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS B-2 WITHIN 400 FT. OF BOULEVARD AND THE TRIANGULAR TRACT OF 45 ACRES, LYING MORE THAN 400 FT. FROM THE BOULEVARD. MAPS NO. 23 & 25.

Mr Richard Wardlow: I do not know what the zoning sheet number is on the property we are talking about, but it is located on Independence Blvd beginning at Idlewild Road and running easterly to what is called Wallace Road. I have here a photostat of the zoning map. This is the Boulevard going out to Monroe. This is East Mecklenburg High School right here, that will orient you as to the location. Under the proposed zoning ordinance, the property on either side of Independence Boulevard is zoned B-2 for a 400 foot depth on either side of the Boulevard. We ask that it continue right down to Idlewild Road, what we are asking is that the same zoning be given from Idlewild Road down to the next logical point, which is Dion Avenue, and Wallace Road here. Then, here you will notice there is a triangle of land consisting of 45 acres approximately, and we ask that that be given an O-15 Zoning. It is probably the only tract of land in the area which is completely available for a very high class large office building development. Now, you will recall that in April of this year, by a vote of 6 to 1, this Council amended the Zoning Ordinance to give to this property precisely the same zoning that was given to the property right next door to it. There has been no change since that time in the location of the property and in the use of the property; there have been more businesses to grow up on it. I think that probably you will remember that East Mecklenburg High School is here, I do want to point out that 15 acres between this business zone which we are requesting and the high school has been dedicated and given to the Park & Recreation Commission for a public park, which certainly would give more of a protection and buffer zone than anything else has ever done to any zone that I know about in the city. Also, there are plans to give an additional 5 acres, making a 20 acre strip in there which would protect the residential developments that are growing up over there. It is proposed that this be zoned for multi-family residences and some of it for R-12 residences. I think you have read and have heard from people who live on the Boulevard just what sort of life you lead when you are on a thoroughfare that has heavy traffic with the speed limit of 60 miles per hour. That is not the place that we want to build our homes. I don't think any of ours are built there, and that is where business should be. It does not seem reasonable to me that while we are spending millions of dollars to get rid of the low cost and undesirable housing in one area, that we should plan a way for it to spring up in another area, and if we require, by zoning regulations, that houses be put out there, that is principally what we are preparing the way for. I ask you not to require that this property out there by East High School be made that kind of district. I ask that it be treated just like the other property next to it on the boulevard, and that it be zoned for Business-2 right on the Boulevard and that the triangular area be given O-15 which is a pretty high grade use.

Mr Parker Whedon: Mr Wardlow has stated our position very well and very adequately, which he has done on other occasions. Just one thing I would like to call your attention to. On section of the proposed new zoning Ordinance, Section 23-90, Subsection (c), which is on page 63 of this mimeographed ordinance, would provide, if enacted, a petition for an amendment, that is an amendment to the zoning ordinance, that has been denied shall not again be instituted sooner than 2 years from the date of denial unless the Planning Commission shall find there have been substantial changes in conditions or circumstances bearing on the application. Now, we think that's a good rule, not only for the future, it's a good rule now, has been a good rule all along. And if it's a good rule that a rejected application for an amendment shall

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not be brought up again for a period of 2 years, how much better a rule is it that a positive, solemn, considered ordinance of this Council shall remain in effect. Now this property, as Mr Wardlow has already mentioned in March or April of this year, less than 6 months ago, by a vote of 6 to 1 of this Council resulted for Business purposes, and after due advertisement, after airing of all views and the deliberation of this Council, we say it was a good ordinance then, six months ago and it's a good ordinance now. The conditions have not changed from what they were then in the direction of making the ordinance or that thinking less valid than it was then. On the contrary, such changes as have taken place, can fortify the zoning of this property for business. For since that time, it is my information, there have been four new businesses to spring up in the area immediately adjoining this area. One of our own clients, I believe, has opened his property to used car sales. We say it was a good ordinance then, it should be good zoning now.

ITEM NO. 6 - E. C. GRIFFITH, JR, REPRESENTING E. C. GRIFFITH COMPANY, PETITIONER. 80 ACRES OF PROPERTY FRONTING RANDOLPH ROAD, BOTH SIDES AT INTERSECTION OF ORANGE STREET AND ADJACENT TO BRIAR CREEK. PROPOSED ZONING IS O-6, R-6MF AND R-12 AND THE REQUESTED ZONING IS B-1, R-6MF AND R-6. MAP NO. 24.

E. C. Griffith, Jr: I represent E. C. Griffith Company and we are asking for a reclassification zoning of an 80 acre tract between Briar Creek and Randolph Road. As you know, Fourth Street extended thru part of Eastover Development, across Briar Creek and now becomes Randolph Road. The new zoning of approximately 80 acres in this area, it is next to Grier Town, is O-6, which under the old zoning is O-1. Right across the street is R-6MF and then on down about 2/3 rds of the way, its R-12. This street when established, I'm talking about Randolph Road, as an arterial highway which serves certain sections of the eastern part of the City beyond our property and by its installation has transformed the subject property from a fairly secluded area into one now subject to heavy traffic. Under the new traffic plan recently adopted by the City and approved by the State Highway Commission, the subject property will be further burdened by the establishment of a New Throughfare paralleling Briar Creek. That's shown by this purple line. That's in the 20 year Street Plan, I believe. In addition to this, Orange Street is projected to tie in with Independence Blvd. That's shown right here. Orange Street is a short street thru Grier Town, and eventually connects with Independence, across Old Monroe Road into Independence Blvd and into the Coliseum area. And a great many people who live out in this direction, go to the Coliseum thru this street, and you have to make about 3 or 4 turns. I understand that the Auditorium-Coliseum Committee has been studying about having that street opened up to Randolph Road, straightening it out, to help relieve some of the traffic on Independence Boulevard. Eastway Drive is scheduled to be projected thru the easterly portion of subject land, in fact, the northwesterly end of subject land is like a hub of a wheel from which roads radiate. We have owned this property for some 30 years, and it is a portion of Eastover Development. Of course, nobody that long ago could see how Charlotte was going to grow and the approximate amount of traffic that would be shuttled thru here. But, in effect, what happened, we have an 80 acre tract of land that originally was intended to be residential development. Well, due to the traffic on Randolph Road, the proposed Briar Creek Road, Eastway Drive, the opening of Orange Street, I don't believe that we could sell a lot in there for anyone to build a home on. Another thing, the subject property lies between two streams of residential use - the Eastover Subdivision, one of Charlotte's highest restricted developments lying to the west of Briar Creek, Grier Town in the Billingsley Section, lying east of Randolph Road. Eastover Park and the subject property is properly developed to provide a buffer zone. We request that the property lying between the Old Sardis-Randolph Road and Briar Creek and extending southerly from Orange Street a distance of 1,335 feet be zoned B-1 rather than

O-6 and R-6MF as they have it now. On the left side of Randolph as you cross the bridge, it's O-6, that's office use. Well, I don't think it would be desirable for Office use. Right across the street, we've got it R-6MF. That's been recommended by the Planning Commission.

Mayor Brookshire: Mr Griffith, I believe I will have to call time on that, if you have not finished and want to be heard ----

Mr Griffith: Mr Todd is my associate and since we get five more minutes, I'd like for him to tell the rest of it.

Mr C. W. Todd: I'm C. W. Todd. I don't know just exactly where we left off but this is a very small map and the 30 acres we are talking about lies on the east side of Briar Creek which is this line here, extends from here to here and what we were discussing from the angle of getting a B-1 zoning is this northerly section, crosslines here, leaving this middle section R-6MF and the southerly section R-2. We point out that there are no other shopping centers closer than 2 miles over here to the Cotswold section. Approximately a mile and half over here to the Providence Road area. These little sections here in red indicate the B-1 and B-2 zoning now existing. This more or less is the center and serves, we think, a very useful purpose. There are no houses in the immediate area, except low cost rental sections here in Grier Town. We believe that a shopping center properly developed which we would of course do because we have more interest in that section than any other one person would have or could have, would produce more revenue to the city and county from a tax standpoint than any other method you could use. In closing, I would just like to point out that if each of you gentlemen would put yourselves in our shoes, if you were the owner of that property, what would you do with it, what could you do with it. I believe that if you would go out and look at the location, the area and general surroundings that you would agree that the request we have made for this type of zoning is the highest and best use, and the most logical use of the property.

Mayor Brookshire asked what about using it for a baseball diamond?

Mr Todd: We're not even interfering with the Little Baseball Field, they are down on in the R-6MF. We have plenty of applications for use of the property. We have made no contacts because we didn't want to get the cart before the horse. We have here this large map which I won't burden you with, it shows the layout of the property, a study that has been made over the years, and we appreciate your consideration of the matter.

ITEM NO. 7. MR ALVIN A. LONDON, ATTORNEY, REPRESENTING MR HAROLD HALL, PETITIONER, THE PROPERTY IS IN THE 1600, 1700, 1800, 1900 and 2000 BLOCKS OF NORTH INDEPENDENCE BLVD, BETWEEN BASCOM ST AND MORNINGSIDE DRIVE. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS B-1. MAP NO. 7

Mr London: Mr Mayor and Members of the Council. Since our petition was handed in, I have had given me two additional petitions, which I will pass up to you, for blocks 1600 and 1700 of Independence Boulevard. Since, I think, the same facts apply to those particular lots I won't go over my time and request additional time, but ask your indulgence that I be permitted to put this before you. I am to talk about blocks 1600, 1700, 1800, 1900 and 2000 of Independence Boulevard. I think you gentlemen are right familiar with that property. It lies between The Plaza where it intersects two blocks down and goes all the way down where the shopping center is on Morningside, which is zoned B-1. The proposed zoning of that by the Commission is O-6. The requested zoning is B-1. Now, I think tonight's paper adequately expressed it, and I expect you have seen it, with regard to the traffic. We are all familiar with it. I would like to direct myself directly to the proposed ordinance and what it stands for. The proposed ordinance says it's

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to lessen congestion in the streets, to promote the general health and welfare, and with a view to preserving the existing environment and/or assuring the development of future environment and so on. Now, gentlemen, this property is not suitable and can't be sold for O-6. I don't think any of you would go out there and purchase it with the uses which are permitted in O-6 in our proposed zoning ordinance. There are set backs and you can't use them for parking. There are requirements on the property that so much parking space be allocated with regard to floor space and with regard to its use. There is permitted in O-6 cemeteries; there are permitted Auditoriums, and this is a 150 ft. strip of property. Now, only one thing can happen with this property along there and its happening and happening fast. You have only but to ride out there to see the for rent, for sale signs. That property is still in the hands of the original owners. People who have lived in Charlotte for a long length of time; who desire to get out and get off the Boulevard, but who have been unable to do so. Why? Because you can't use it for O-6 and there's no need for O-6 there, and it can't be sold for B-1 because it's not zoned B-1. Some years ago I talked to someone on the Zoning Commission and talked to other peoples, and as a matter of fact, presented a petition; and at that time it was agreed it should of necessity become B-1, but now since that time a theory came up that you need a buffer zone, so instead of changing it to B-1, it became a buffer zone of O-6. Now, if you will look at the ordinance, there is no need for a buffer zone in O-6 because the requirements of O-6 and B-1 with regard to parking area, off-street parking, and other things and also a dividing line between B-1 and residences (or change groups) are such that that is no longer a valid objection on your buffer strip. There, so far as I know, has not been one protest by the adjoining residences in back of or to the side with regard to the changing of B-1. Now, the only thing I can visualize in there Gentlemen, in O-6, a price that buffer isn't worth, would be some kind of run-down office. Now, I would like to put it this way, there are on these petitions a total of 77 property owners, some of them we couldn't get because they had moved away. I would like for you to do one thing when you consider this, is to go out there or when you are passing, you will look at the property and say under this ordinance what would I give for any one of those houses out there for O-6 and if I bought it what would I do with it. Now, I don't know that they can do anything with it under B-1, but they will have an opportunity to dispose of the property. I don't think that this Council wants, nor do I think that the Zoning Commission wants, to confiscate property of citizens of Mecklenburg County. I think they want it to be for the good and welfare, but by putting O-6 on it is practicing confiscation of it.

Councilman Whittington: Mr London, you are asking for a B-1 Zone from 1600 to 2000 blocks?

Mr. London: That's right.

(Mr London filed with the City Clerk, petitions signed by residents of the 1600, 1700, 1800 and 1900 blocks of Independence Boulevard requesting that the zoning be B-1.)

ITEM NO. 8. J. W. ALEXANDER, ATTORNEY, REPRESENTING P.J. VERNA, JR AND R. O. EVANS, PETITIONERS. PROPERTY LOCATED ON NORTHEAST SIDE OF SOUTHERN RAILWAY, EAST OF FRANCIS STREET AND SOUTH OF PRESSLEY ROAD, NEAR CITY LIMITS. THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS INDUSTRIAL. MAP NO. 11.

MR. P. J. Verna: Mr Mayor, Members of the Council. We represent, Mr Evans and myself here who own 10 acres of property - 500 ft. of frontage on the mainline of the Southern RR, less than 1600 ft. from York Road on Pressley Avenue. We adjoin the Phillips property which is Petition No. 2 and just a few hundred feet down on the Crossline RR lies the sewage treatment plant. Three years ago, five train loads of business men toured the City of Charlotte

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to look at the industrial sites. In touring to look at the industrial sites, we passed through blighted area after blighted area. And if you look at your own Planning Commission report, and the blighted areas, you will find the center of 50% of the blighted areas lie along the railroads. When we bought this property it was zoned as rural. We had planned to put a plant of our own in there. Since then developments of business in the city has caused us to change our plans. However, we have a contract to build a plant there if this property is zoned industrial. The plant requires a railroad siding. The plant, currently located inside the City of Charlotte, is being displaced by the west side crossing. If he does not build in this location, he will go outside the city and we will lose city tax revenue from this industrious plant. It is inconceivable that we are trying to place residential classification, R-9, on this property with 500 ft of frontage on the railroad, level grade. In our own book here on Principles of Industrial Development, every principal industrial development listed, picked this property, access to transportation routes for employees and goods, relatively level land. No grading would be necessary whatsoever to put the railroad siding in, power and other utilities. Room for expansion, there is no buildings, no houses, nothing on this property, nor on the adjoining property. In fact, you take some 2,000 acres in here, there isn't a building on it. There are less than 6 houses along the route to York Road, and all of those houses, are of not the highest quality. We have back here on the next page, Page 27 of this Report, Urban Renewal, and we speak on Urban Renewal that the Scope of the problem ranges from houses that are completely unfit for human habitation located in areas that have few, if any of the normal characteristics of a residential neighborhood.

Gentlemen, I ask you, is a railroad a normal characteristic for a residential neighborhood? Would you put your house on the railroad? Is 1500 feet from the main thoroughfare of York Road a characteristic of a normal residential neighborhood? I say to you, Gentlemen, analyze it. We're trying to correct Urban Renewal today, spending millions of dollars, which has been created by unintelligent planning of houses in a railroad area. Why are you trying to combat it, counter that by putting residences on the railroad now? It's inconceivable to me. When we bought this property, I couldn't imagine that this would ever be zoned residential. What are we trying to do any way - on one hand correct the bad situation and on the other hand, create a new one? Learn by history. Where did the atoms of industry develop. They developed along sidings by means of transportation - your railroads. Businesses need railroads. This is why we want this property zoned industrial. We have to be right down the line with another plant down there ourselves. Gentlemen, that's all I have to say. Consider it. I think we should not create something we are trying to correct today. I would like my partner, Mr Evans to speak. Thank you.

Mr. R. O. Evans: Mr Mayor and Gentlemen of the Council. At the second hearing this evening, you heard advanced the thinking, and intelligent discussion, of the reason why property in the adjacent area should not be zoned residential. I think those reasons were very capably presented by Carlton Fleming and Dwight Phillips. Since Carlton has left the room and can't charge me a fee for using his argument, I would like to submit all the reasons he advance as pertaining to this property. Now, I think a second argument advance this evening of the result of an area deteriorating can be seen when a thoroughfare is constructed thru a residential area. Independence Boulevard, I think, is something from which we can take a lesson. Now, this is the inverse situation. Here we have a thoroughfare, or two thoroughfares, one in the nature of a railroad, and the other in the nature of the new proposed highway, and we are now proposing to take residents to that. We had the opposite effect when Independence Boulevard was built thru a residential area; and now we are trying to create the inverse situation. I think that sometimes in life, we should analyze, and say, Be sure you are objective on any consideration that you make, and in one of the things I think the test of anything you do should be - does this harm anyone else?

And I can say if this area is zoned in an industrial capacity, that no harm will result to anyone else - there are no adjacent facilities that would be injured by this development. There would be no harm that would be done to anyone else. The city would benefit from the tax producing revenue that would result from that building. I have been sitting in the back of the room here, soul-searching, to see what is the best thing to do here. It isn't an urgent matter, it isn't a matter of life and death to me that this be done, but I think I must confess to you that there would be. I can't bring myself to offer this property to anyone who offers to build a house, and I would say since, therefore, it would have no use for its present intended zoning because I wouldn't care to offer it to anyone. And put it to this test, if my mother and father were to come to town, would I be proud to take them out and show them a piece of property on a rail siding near a sewer plant that we had sold to someone on which to build their home. The City of Charlotte is a beautiful city. Everyone that visits it is proud of the great residential areas that we have. And I feel if residences were built on this property, and if you had a visitor come to town, I don't believe you would be proud to take them out to this area and say that this is a part of our great city. Here is our sewer plant, here is our railroad track, here is our main highway and here is one of our residential developments. I think that if you analyze it in that respect you would see that it isn't the logical thing to do in keeping the spirit of what we hold and what we have in this fine city. I would submit to you that there have been a lot of man hours spent in this planning and it is distasteful on the part of anyone ever to take an exception to the planning that is done by someone else, but in all the areas there are bound to be disadvantages to some and I would submit to you that you consider carefully that if residences would be constructed here, the disadvantages that would result as opposed to the advantages that would be created if it were zoned industrial.

ITEM NO. 9. HUGH L. LOBDELL, ATTORNEY, REPRESENTING STANLEY L. HOKE, PETITIONER. THE PROPERTY FRONTS 362 FEET ON FAIRVIEW ROAD, NEAR SHARON ROAD. THE PROPOSED ZONING IS O-15 AND THE REQUESTED ZONING IS B-1. MAP NO. 31.

Hugh L. Lobdell: Ladies and Gentlemen. There has been no previous request for the change in which we are interested because our client, Mr Hoke did not own this property back in May when these matters were previously considered. The area we are interested in is out beyond the Celanese Plant and the new Eastern Airline Reservation Center, Fairview Road, near the junction with Sharon Road. This area here is presently zoned B-1 and a shopping center is under construction, the grading has been done. There's a filling station on the corner of Fairview and Sharon. On this corner an Esso Station, Gulf Station on the northerly corner and a Texaco Station directly across the road as Fairview ends. Our proposal to zone this B-1 would simply serve to square out this B-1 area of Crosland and Tate. We think we would to some extent supplement it. The plan is to put smaller retail establishments in this area, this is larger and can take care of somewhat larger establishments. It's our understanding that this present B-1 area is not considered quite as large as would be preferred. It would be a good idea to have a somewhat larger service area in that community. We, you, will see, will have no residences, we are not faced with the problem, ^{of} some of these gentlemen with residences near at hand. Eastern Airline's area on down to us is O-15, there's O-15 across the road. The nearest residence is here, which adjoins other business area. So what we seek is that this area here which is presently O-15 be made B-1 with the idea of putting retail establishments there.

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ITEM NO. 10. RAY W. BRADLEY, ATTORNEY, REPRESENTING DR A.J. COOK AND OTHERS, PETITIONERS. THE LOTS FRONT ON TUCKASEEGEE ROAD, BETWEEN PARK AVENUE AND DUKE POWER RIGHT OF WAY. THE PROPOSED ZONING IS R-6MF, THE REQUESTED ZONING IS B-1 OR O-6. MAP NO. 3.

Mr Ray Bradley: Mr Mayor and Members of the Council. I represent a group of residents in a very small area on Tuckaseege Road, between Parkway Dr and a little street called Coker Street. As you know, Tuckaseege Road runs into Thrift and off Thrift parallel to Thrift and back into Thrift at the end of Tuckaseege. This area covers 300 ft. on each side of Tuckaseege Road. The proposed zoning coverage proposes a B-1 zoning for an area of about 3 blocks. Beyond Coker Street on Tuckaseege Road and another B-1 area on Tuckaseege Road up to a point about 2 blocks from Coker Street. Now, Parkway, Coker Street is incidently a through street, is a thru street and services residential areas on both sides of the street and on the north side of Tuckaseege Road, Parkway goes back to the Duke Power Transmitter Center here which is proposed to be industrial, logically. Our contention is that there is not enough B-1 area to cover the proposed R-6MF area that is included. It covers, as you can see the map here, it is sheet no. 3 for those who can't see this one, covers an area which I will try to circle with my fingers here, which is a tremendous area. It is apparent that there's not enough B-1 area because the present area proposed to be changed to B-1 or continue as B-1 actually have business in them. Now the immediate situation that I have is a Doctor's clinic which is located at the corner of Parkway and Tuckaseege. The Doctor is a Dentist, Dr. A. J. Cook, who five and half years ago put his clinic in a residence or a building that was used for residential purposes at the time, on a lot, one lot from Parkway, down Tuckaseege going away from town. He has since bought the corner lot so that he would have a hundred foot frontage. All of these lots are 150 ft. deep. There are six lots, as I have said on either side of Tuckaseege, 50 x 150 ft. All of them except two lots are occupied by either duplexes or by this Doctor's Clinic. Now Dr. Cook had anticipated building a beautiful clinic building, at sometime in the future, and that's the reason he bought the additional lot so that he would have a 100 x 150 ft. area. Suddenly, he finds that he's in a hiatus here, under the present zoning he will not be able to build that clinic. Likewise, the other residences, and incidently the newest one is 11 years old and they range up to 30 years old, are in a position where there is going to have to be some change made. And going back to the old theory of buffer zone, we feel like the O-6 would be a proper buffer zone here. Now, our petition has been signed by all the residents, not all of the residents, all of the owners of the lots in this 300 ft. area except two. There are only two of these residences occupied by owners at the moment. The rest of them are rental units. We hope that you will see fit to give an additional area - either B-1 or the buffer zone of O-6 to take care of the situation for that small area.

Councilman Dellinger: Mr Bradley, does this property adjoin business property that he's in?

Mr Bradley: Yes it does, it adjoins B-1 under the proposed code on the west end going away from town.

Councilman Dellinger: What number is that? Do you know the zoning number?

Mr Bradley: No, I do not.

Councilman Smith: Mr Bradley, what about the people next to the Doctor's office? Are they petitioners?

Mr Bradley: The lot immediately adjoining the doctor's office is not a petitioner. There is a duplex there that is not occupied by the owner.

Councilman Dellinger: Do they object to this?

Mr Bradley: We do not know, they did not sign the petition.

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Councilman Dellinger: Mr Bradley, may I ask, was there a hearing held on this before the Commission?

Mr Bradley: No sir.

Councilman Whittington: Point out the Duke Power right of way.
Mr Bradley: The Duke Power right of way is at the west end of this area that I am talking about.

ITEM NO. 11. MR RICHARD F HELMS, 3322 CAMPBELL DRIVE, PETITIONER. THE PROPERTY IS LOCATED AT 8605 & 8607 ALBEMARLE ROAD. THE PROPOSED ZONING IS R-12 AND THE REQUESTED ZONING IS BUSINESS. MAP NO. 57.

Mr Joe Morton: Mr Mayor, Adversaries of the City Council, I represent Mr. Helms in this matter. We have now before the Supreme Court of the State of North Carolina this matter of zoning. It strikes deep when we have any question on zoning come before us. We are located at 8605 and 8607 Albemarle Road, approximately 8 or 10 miles from the City of Charlotte. That property is now used for Industrial purposes. It has been used for the past 15 or 20 years for Industrial purposes. There are other Industrial uses made up and down Albemarle Road for 1, 2 or 3 miles. We feel that through expansion, movement and growth, the City of Charlotte and Mecklenburg County will prosper more in the continued usage of this property for commercial purposes rather than for residential. At the present time, this property is fronting on a highway that is going to be paved by the N. C. Department of Highways, and 4150 automobiles pass this way each day. At the present time, and under this ordinance, this property is already located in violation. It is too close, but if we are allowed to change to Industrial then we can expand, move and grow. I don't know as to what the legal applications are or what the grandfather act is or anything about it. That is a thing that we would like to know at this time. Nothing much in protest of growth but rather as to what we can do with our present property. I think this has all come just a little bit late. It is like putting diapers on Steve Dellinger. A little bit late too long, but we are 25 to 40 years behind the times and why should we be penalized for our fault in going out and reaching out and securing property that we think would be an asset to the City and to the County and then being penalized by not being allowed to make full use of that property. Now this property is being used at this time for Industrial purposes. I made a statement and I may be wrong, but I advised my client to go ahead and to continue the use of this property for Industrial use. As I say, and I may be wrong, I don't know but I don't know why the City Council or anyone else could penalize us for our view point in looking ahead when they themselves did not. Therefore, we request that this property, 8605 and 8607 Albemarle Road, be continued as Industrial.

Councilman Smith: What is the frontage of that lot, Mr Morton?

Mr Morton: 280 feet along the Albemarle Highway.

Councilman Smith: Could you tell us what it is used for?

Mr Morton: Industrial. There is a bulk oil plant, a grocery store, a filling station, and there will be, if plans go through, a shopping center.

Councilman Thrower: Would you show us on the map just where this is?

Mr Morton: It is way out on the east, way out yonder.

Councilman Dellinger: Name one of the businesses nearby.

Mr Morton: Helms Brothers, Helms Oil Company and then there are one or two people on down the street that have a machine shop on the same side of the street.

Councilman Smith: How deep is it?

Mr Morton: 600 feet.

Councilman Whittington: It is out there at that Cow Palace or Steak House and all that? Is that what you are talking about?

Mr Morton: No, it is about 2 miles this side of the railroad tract that goes over Albemarle Road.

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MEETING RECESSED.

Mayor Brookshire: Let's take a 5 minute recess.

MEETING RECONVENED AND OUT OF TOWN PETITIONERS INVITED TO SPEAK FIRST.

On reconvening, Mayor Brookshire stated it does not appear we will get further tonight than Item 30, if that far. I understand that there might be some visitors from out of town who are here for this hearing. If so, I would like to ask you to identify yourselves and give me your numbers now and ask if some of our local people would be willing to give you a little time and let you be heard so that you can go home.

ITEM NO. 28. MR. O.B. WELCH, PETITIONER. THE PROPERTY IS $13\frac{1}{2}$ ACRE TRACT ON BOTH SIDES OF SOUTHERN RAILWAY NORTH OF GIBBON ROAD, FRONTING ON GIBBON ROAD, WEST OF NEVIN ROAD-GIBBON ROAD INTERSECTION. THE PROPOSED ZONING IS R-9 AND R-9MF, AND THE REQUESTED ZONING IS I-2. MAPS NO. 47 AND 48.

Mayor Brookshire: Yes Sir. Your name?

Mr Welch: I am O. C. Welch from Harmony and E. P. Welch from Winston Salem.

Mayor Brookshire: Are there any others from out of town? Are there any petitioners here who have lower numbers than 28 who have any objections to hearing these two gentlemen from out of the city? Do I hear any objections? Yes Sir?

Mr Carroll: I am H. O. Carroll and I have No. 14 and I would like to request that I may return next Friday in order to fix the case a little better in my mind.

Mayor Brookshire: All right, we will be glad to do that. Have the gentlemen at the door take note of your number, so we can have it on the docket for next Friday night. Let me say again, in the event some of you have come in since the announcement was made that we will not be able to go beyond Item 30 tonight and any of you who have numbers higher, feel free to go now and check with the gentlemen at the door and leave your number with him so that you may be heard next Friday. We will meet next Friday at 7:30 p.m. We will now hear the folks from out of town.

Mr O. C. Welch: I have a $13\frac{1}{2}$ acre tract on both sides of Southern Railway north of Gibbon Road, fronting on Gibbon Road, west of Nevin Road-Gibbon Road Intersection. The property I am interested in and that which my brother has requested a hearing on is really a joint proposition. It is adjacent property. It is a part of the Welch homestead that has been recently divided. It is located about a mile north of Derita - northwest of Derita on the Southern Railroad and is about a mile south or southeast of the old Statesville Highway and there is a local airport there at the intersection of the Gibbon Road and the Statesville Highway. It is down the Gibbon Road about a mile from the Statesville Highway. Now this property has been proposed for residential zoning. It has Industrial property along the highway and comes up here adjacent to the property that I am interested in; from that point and including the property that I am interested in, it has been sold for residential purposes. Now this property lies in here between the railroad and the Gibbon Road, a distance of something over 300 feet and it extends on across the road and shows on this map back adjacent to Hunter Acres. Now the zoning that we are requesting is that the Industrial Zoning be extended up here to include this property that lies between the Gibbon Road and the railroad. Also, we would request that a section of Industrial property on the other side of the railroad. The reason being the same as has been bought out here on several occasions before this, that this property, lying along the railroad

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is not desirable for residential purposes. As a matter of fact, there is already some industry located on beyond the property beyond the present Industrial zoning line. Now of course, we would have no objections to the portion of the property that lies back considerable distance from the railroad remaining for residential zoning, but we do request that property along the railroad be zoned for Industrial purposes.

Councilman Dellinger: How deep do you want it zoned Industrial?

Mr Welch: Of course on the west side of the railroad we request the section up to the highway. That is a distance of 300 feet. We would like it on the other side of the railroad a distance of about 200 yards or approximately 600 feet.

Councilman Whittington: Will you point out Hunter Acres?

Mr Welch: This is Hunter Acres right here. Well the back line of this property is adjacent to the Hunter Acres. Now I am not requesting that all of this back there adjoining Hunter Acres be made Industrial zoning, but I do request that this along the railroad be zoned.

Councilman Whittington: How far is it from the railroad to Hunter Acres?

Mr Welch: Well, let's see, I don't know the scale of this map, but I do know that the distance there is about 325 feet, so from the railroad to Hunter Acres would be 900,000 feet.

Councilman Whittington: Now how deep do you want this?

Mr Welch: About 600 feet.

Councilman Smith: There are three lots here on this map. What about this lot down in the point?

Mr Welch: No, that is not a part of the property.

Councilman Smith: About 600 feet? You want about 200 feet buffer?

Mr Welch: That's right.

Councilman Smith: Is there a road back through the property?

Mr Welch: No Sir.

Councilman Smith: It looks like a road here.

Mr Welch: This road over here is in Hunter Acres, it dead ends on this property here.

Councilman Dellinger: There is no access to your property at all?

Mr Welch: No Sir.

Councilman Smith: What is the name of the airport?

Mr Welch: Some of the Carpenters up at Huntersville operate a little airport up there.

Councilman Smith: At that black cross?

Mr Welch: At the black cross, year sir. It is a private airport. Now, I might state that the property owners around there are largely Welchs and I haven't heard any of the Welch's objecting to this request.

Mayor Brookshire: I would like to hear from your brother now on Item No. 29.

ITEM NO. 29. MR E. P. WELCH, PETITIONER. THE PROPERTY IS 15 ACRE TRACT ON BOTH SIDES OF THE SOUTHERN RAILWAY NORTH OF GIBBON ROAD, FRONTING ON GIBBON ROAD, WEST OF NEVIN ROAD-GIBBON ROAD INTERSECTION. THE PROPOSED ZONING IS R-9 AND R-9MF AND THE REQUESTED ZONING IS I-2. MAP NOS 47 ' 48.

Mr E. P. Welch: Gentlemen, there is not very much that I can add to what my brother has already given you. I would like to point out this one thing. The section right in here adjacent to this property, which is marked off in lots, was sold at auction 20 years or more ago to individuals and I happen to know some individuals not far from there that did buy some. There has

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been no dwellings built there as it is on the railroad. This property here, if you would examine it, you would find that it is well located for some type of business which desires railroad tracks and I don't believe anytime in the near future it will be desirable for residential, that close to the railroad.

Councilman Dellinger: Do you have any plans for this property?

Mr E. P. Welch: No, no present plans. We would like to ask your consideration in changing this.

Mayor Brookshire: Thank you and come back to see us.

Mr O. C. Welch: Gentlemen, I would like to make one more statement that the reason for not taking this up with the Commission is because we did not know about the zoning until day before yesterday. Thank you.

ITEM NO. 12. MR HARRY C. HEWSON, ATTORNEY, REPRESENTING NORFOLK-SOUTHERN RY. PETITIONER. THE PROPERTY IS LOCATED NORTH AND SOUTH OF NORFOLK-SOUTHERN RY., BOUNDED ON NORTH BY MILTON ROAD ON EAST BY NEWELL-HICKORY GROVE ROAD AND ON SOUTH BY HICKORY GROVE ROAD, IN VICINITY OF CHARLOTTE CITY LIMITS. THE PROPOSED ZONING IS I-1 AND THE REQUESTED ZONING IS I-2. MAPS NO. 21 & 54.

The petitioner was absent.

ITEM NO. 13. MR J. N. JOHNSON, REPRESENTING PETITIONERS IN 2300, 2400, 2500 & 2600 BLOCKS OF INDEPENDENCE BLVD (BETWEEN BRIAR CREEK & WASHBURN AVE.) THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS B-1. MAP NO. 22.

Mr J. N. Johnson: Ladies and Gentlemen of the Council, we have a rather large number of property owners who have elected me as a spokesman rather than impose on your time and trust that you will bear with us. Enough, probably has already been said this evening regarding the living conditions along Independence Blvd. We would merely touch on those points that they are well made. In particular, the property owners that we represent are much closer to our fine Coliseum and they have some additional difficulties, not only with the mob of traffic and speed in the area, but the fact that a good many of them particularly in this area, do not even have driveways and of course all of those from Briar Creek on to the Coliseum are quite often detained at their home by the congestion caused by the Coliseum and the programs put on there at certain times of the evening. Although we would hasten to point out that these people are civic minded and certainly feel that the Coliseum has been an asset to us all. Their request is well taken. We feel that the Planning Department has done a marvelous job, and it seems fair that this entire area be zoned O-6 which obviously they see certain needs or certain justification that this is not an adequate residential area. Caused by several factors, the Merchandizing Mart of course is in here on one end and the Coliseum on the other and business on both ends, represented by the shopping center and Coliseum and other activities in the area. They are closed in on two edges, you might say, by every active business. The situation further exists, of course, that the 2500 and 2600 blocks have been zoned for office use under the old Code O-I for a considerable period of time and no one has seen fit to locate an office in that area. The only possible exception, the only use that has been made was made when Phillips bought one individual house here that he used as a temporary office while the Mart was under construction. Of course, I am sure you recognize the importance of the lot on the corner of Briar Creek and Independence occupied by the Mart and that these individual property owners here are between, of course, the Mart and the Coliseu. We gathered the facts there to show the area as a residential area is certainly deteriorating,

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the highest percentage of all of the residences in these two blocks where there is only 50% of the owners who live there, and a very low percentage of only 29% in this area for a total utilization of only 39% of the property as residences, which of course points out the fact that this is not very satisfactory residential property. Of course, we are in the real estate business and we have endeavored to help these people sell their property for office purposes which is not practical due to the shallowness of the property caused by the fact the Boulevard was put through there. We feel the only way these people have a chance to recoup, so to speak, is by this property being changed to B-1, which would not detract from our fine Coliseum and it would let us attract business there and enable these people to dispose of their property and go on into a suitable residential area and we certainly trust that you will give this due consideration. Thank you.

ITEM NO. 15. MR HARVEY W. WHITE, 2014 RANDOLPH ROAD, PETITIONER. THE PROPERTY IS THE 2000 BLOCK RANDOLPH ROAD, BETWEEN COLONIAL AVENUE AND CHASE ST. THE PROPOSED ZONING IS R-6MF AND THE REQUESTED ZONING IS O-6. MAP NO. 7.

Mr Harvey W. White: Mr Mayor, Members of the Council. I am a resident of the area in which this petition is concerned. On the larger map I reside here in the center of the block where I have lived with my family for nearly 11 years. Now in this block, there are largely elderly residents. I am sorry to say that within the past six months I have lost two good friends and neighbors. Mr Burroughs has retired and lives on the opposite side of the street and next to him, Mr Hamer whom you remember as a chief partner in the paint business. He passed away a month or two ago. I bring this up to point out that most of the residents in this block in question are elderly, and I believe it has a bearing on the petition which I am trying to bring to you tonight. As of July 8, 1961, we submitted to the Planning Commission the petition that this second block on Randolph Road, formerly Crescent Ave should become O-I, if this first block is going to be as proposed. From what little I understand of these matters, I believe it would pass, that it was a premature petition. As I interpret that, it doesn't mean that there is something against it, but the timing of the petition is out of step, and to add to that gentlemen, I would like to read the following:

"We the undersigned property owners, in the 2000 block of Randolph Road, formerly Crescent Avenue, respectfully request that the O-I zoning classification proposed by the Planning Commission for the 1900 block of Randolph Road be extended to include the 2000 block of Randolph Road for the reasons set forth below.

Randolph Road is no longer the quiet residential street it once was but is now a heavily traveled main artery from Providence Road to Sharon Amity Road to the City. The character of the property and traffic conditions present zoning restrictions, etc., in the 2000 block of Randolph Road are identical to and the same as exist in the next block, the 1900 block of Randolph Road. Furthermore, the property is a portion of the same subdivision of Colonial Heights and is covered by the same deed restrictions. I would point out here, with regard to this map, that this is Colonial Heights in question. During the inevitable transition period, O-I use of the property is much to be preferred by the present owners and occupants of this property than multiple family use as proposed by the Planning Commission. Multiple family type dwellings in this block with its frequent turn over of tenants would have a tendency to down-grade the residential nature of the neighborhood and would in our opinion be far more detrimental, disturbing and undesirable than O-I. Cost of converting the old homes in this block into apartments for dwelling purposes from the standpoint of repairs, depreciation, tenant turnover, upkeep of the property, congestion, noise, etc. is a deterrent to residential tenant occupancy and far exceeds any appreciable returns for residential purposes. There exists at this time a great deal

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of need for location for Doctors Clinics and Offices, convenient to the hospital and the need for such facilities will no doubt increase as the city increases and expands. In our opinion this property is particularly suitable for Doctors Clinics and Offices because of its closeness to both Presbyterian and Mercy Hospitals. The present zoning classification R-2 on this property permits Doctors Clinics and offices. The proposed classification multiple family does not permit Doctors Clinics and offices. It is the considered opinion of the property owners that the proposed classification of this block will work an unnecessary hardship on the owners and we seriously object to the most strenuous zoning classification and respectfully request that the 2000 block of Randolph Road be zoned for O-I purposes to concur with the 1900 block of Randolph Road or that the proposed zoning be amended to permit Doctors Clinics and offices in a proposed multiple family zoning classification. The purpose of the petition is to call your attention to the fact that the petition has the approval and signature of a decided majority of 95% of the property owners in the block and as far as we know there is no opposition to the request on the part of any of the other property owners in the neighborhood. Now, one reason I cannot make the statement to you that it is 100% is because in this area here there is a four tenant apartment house and I did not know who owns that and I didn't want to go to all four of them to find out. We are concerned with a lady in this area who is out of town at the moment but so far as I know there is no objection on her part. In general I would like to go back to the introduction to the fact that I am spokesman for a group of elderly residents, some of whom have become widows in the last six months and I am sorry to say a similar development is facing from other directions. If that is true, then I do hope you will act favorably on this petition and I realize in bringing this to you that there might be certain inadequate areas that I have not covered and so tonight I would like to present several building owners here from this same block and I would like to ask them to rise at this time so I can present them to the members of the Council. Dr Thorpe, Dr. Stroup, Mr James Vogler, Dr Ralph Campbell and Mrs Thorpe. Will you please rise. Thank you very much. And would you gentlemen, if you have questions under 10 minutes you would like to direct to this group.

Councilman Dellinger: Mr White, may I ask if you have planned any Doctors Clinics or office buildings for that block?

Mr White: I personally have not and would like to project that question to anyone else who would like to have an answer on that.

Councilman Whittington: I want to ask Mr McIntyre a question. What is the first block of Randolph Road now?

Mr McIntyre: 1900 block is recommended as O-6.

Councilman Smith: I would like to ask a question just to be sure. Do you go down as far as Chase Street?

Mr White: Yes, that is right.

ITEM NO. 16. MR C. H. TOUCHBERRY, REPRESENTING ARTHUR C. GARRISON, PETITIONER. THE PROPERTY IS 3126 PARK ROAD (CR. MARSH ROAD). THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS R-6MPH. MAP NO. 10.

Mr Touchberry: Mayor, Members of the City Council, I am C. H. Touchberry, Realtor of Charlotte and I am representing Mr Arthur Garrison and his wife who own a small tract of land 2.76 acres at the corner of Park Road and Marsh Road. It is identified by being adjacent to the Catholic High School which was built in there several years ago. The main building of that high school was constructed exactly 5 1/2 feet from my client's property line. If any of you ever pass by there, you will notice the athletic field is in the front yard of the high school and it is almost in the front yard of my client. The property directly across the street facing on Park and Marsh

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Road was recently purchased by the Luthern Church and according to the sign in the yard, they have some building plans for the immediate future. Directly in the rear of this is an old stream bed or large gully that forms a natural barrier. A buffer zone between this and the two houses behind it. The only house directly in the rear is about a city block or block and a half away from it. On the opposite side of the street directly in rear of the Luthern Church property, there are three single family residences. This tract, because of the traffic on Park Road, a four lane highway, and because of the institutions, is unsuitable for single family residences. It is too big and too expensive to put a duplex which would be allowed under our zoning law. This is ideal for a high class deluxe apartment development. It is not far from the Park Road Shopping Center, it is near the several new office buildings, the new Esso office building, the new Allstate Office Building, under construction, the Celanese Building and the new Eastern Airlines office building under construction on Park Road and there are no other apartments in that entire area of town with the exception of duplexes. There is a definite need and if any of you doubt that statement, you can call any real estate agent in town and ask him how many calls he has per day for nice apartments in that area. If this property is rezoned, as we are requesting, I have a client who proposes to build 80 two-story garden type apartments equipped with swimming pool, facing Marsh Road and backing up to the Catholic High School. It will represent an investment of approximately \$800,000, but he cannot get this number of apartments in there under a lower classification. Under a lower classification, we would be able to get exactly half that number, or 40 apartments instead of 80. We don't think that it will hurt the neighborhood. We don't believe it will downgrade it. In fact, I think over a period of years it will enhance the property value in that area and I am sure that the Planning Commission and the City Council both don't want to get in a position of spot zoning. I have heard that any number of times, but I call your attention to the fact that this is already spot zoned, the fact that it is sandwiched in between two institutions. They are fine institutions, but still they are institutions and I would like for you to keep in mind and this is a survey if any of you would like to take a look at the property. Thank you for allowing us to be up here.

ITEM NO. 17. MR M. R. COLE, AND OTHERS, PETITIONERS. PROPERTY IN 5300 & 5400 BLOCKS OF DERITA ROAD (IN VICINITY OF PRINCESS ST.) THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS BUSINESS. MAP NO. 49.

Mr. M. R. Cole: Mayor, Members of the Council, I am representing myself and the other property owners in these blocks. On either side of these blocks, I believe there are only 8 houses, on one side is zoned Industry-2. The other side is business and of course the front of it is residential. We would love to have it zoned either Industry or Business. Speaking of spot zoning, there is one little spot that should be zoned Industry, just a two block area and all of the people who own property would prefer that it be business. We enter this petition with a map marking the area. Thank you for your kindness.

ITEM NO. 18. PARKER WHEDON, ATTORNEY, REPRESENTING L.J. SPIERS, PETITIONER. THE PROPERTY FRONTS 75 FT. ON WEST SIDE NORLAND ROAD BEGINNING AT POINT APPROXIMATELY 205 FT. NORTH OF INDEPENDENCE BLVD. THE PROPOSED ZONING IS R-6MF AND THE REQUESTED ZONING IS B-2. MAP NO. 22.

Mr Whedon: Mr Mayor, Members of the Council. I have a map to show you just where this in in Eastway Park and the area involved. My Client is Mr L. J. Spiers, who owns Lot 33, fronting on Norland Road 75 ft. and beginning at a distance of about 204 feet from Independence Blvd. Now that is shown

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on Map 22 and about in the center of the map between that light red and dark red. The proposed business zoning line coming from Charlotte in an easterly direction out Independence Blvd is at exactly 300 feet from the normal margin of Independence Blvd and strikes this property line north of Lot 33 by apparently some 30 feet. Then the proposed line dips down to the southerly line of Mr Spiers' property to exclude it from the business zoning and follows that southerly line and then comes back out again 250 feet and continues at a depth of 250 feet. Now what could the explanation be for that irrational movement of the recommended zoning line? We would think that a more natural course of the line for geometric and uniform reasons would be to merely drop here to this northern property line and continue across and then drop again, having a gradual break from 300 to 250 feet. Now this is a lot which is a fact about which there has been some confusion. The Planning Commission has advised me that they were originally under the impression that there was a duplex on Lot 33. Now when that fact came to light, he does not know whether it was before this line was formulated for the recommendation to you or whether it was after or what affect it would have had on that basis. But the fact that there was a mistake about it is shown upon their Map #22 and you can see right here that the land which was originally colored in pink indicating a duplex or multiple family use of some kind has been erased. Now we submit that that may be the reason for an oversight or error as they were under the impression that there was a duplex on this lot when actually it is vacant.

Councilman Smith: Is this included in the restriction of the subdivision on this particular lot?

Mr Whedon: I am unable to answer that question. Perhaps if you check with Mr Spiers who is in the real estate business and is familiar with restriction. I am sure he knows about the restrictions. There is a duplex here and Mr Spiers owns this property between Lot 33 and the Boulevard. There is business use here. The request for zoning on Lot 33 is only the northerly 29 feet. The lower approximately 50 feet of Lot 33 is currently zoned for business purposes. Mr Spiers is asking that the zoning line run along the northerly part of his lot to have the desired buffer. There is a duplex on Lot 32 and his is a vacant lot and we submit that that would be a proper zoning irrespective of any oversight or mistake that might have been made by the Commission.

Councilman Whittington: Does it split his property, dividing the lot?

Mr Whedon: Well, as it is it splits his property because he owns this right lot here and also this numbered lot. Does that answer the question? Thank you.

ITEM NO. 19. PARKER WHEDON, ATTORNEY, REPRESENTING EAST BOULEVARD CORPORATION & JACK ROBBINS, PETITIONERS. THE PROPERTY IS 407 FT. ON NORTHERLY SIDE EAST BOULEVARD BETWEEN KENILWORTH ROAD & DILWORTH ROAD. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS B-1. MAP NO. 9.

Mr Parker Whedon: This is simply one of your sectional maps blown up to make a clearer picture. This is Map 9, showing location of this property. My clients are the East Boulevard Corporation, president of which is Mr. Richard O'Hare, who has his business close by this property and Mr Jack P. Robbins. The property that we are concerned with here has been shaded in by me and is this large rectangular area of property fronting 470 feet on East Boulevard on the northerly side extending back an average depth of approximately 550 feet and about 150 feet of the corner of Kenilworth and as you will note adjoins the area proposed for B-1 zone for approximately three or four blocks along East Boulevard. Now this B-1 zoning we submit is a recognition of the use to which that area has largely been put and is continuing to be put with new businesses being established fairly regularly in

that area. Now this has been before the Council before on July 11, 1960, you gentlemen passed Ordinance No. 675, an ordinance amending Chapter 21 of the City Code Zoning Ordinance, by changing from Residence 2 to Business 1 the following described property and describing this property by Mason Brown. That was zoned as I recall by a vote of 5 to 2 of the City Council on July 11, 1960. Now, in reliance upon that order, passed by this City Council and in the reliance upon this, my client, Mr O'Hare of the East Boulevard Corporation advised me he has gone to the expense of several thousand dollars in engineering and architectural studies for property development of this property. The appeal of this property to the Council, as I recall, was advised the special appeal, based on which, it was zoned a year ago was not only its being contiguous to the already established business zone but the fact that it is a peculiarly suited by its size. Not only its frontage but especially its depth and we submit that the Council about a year ago correctly zoned it after due consideration and deliberation and that there has been no substantial change or conditions in that neighborhood which would cause it to be any more suitable for residence than it was then, for which it is totally unsuited. This includes the old Valetta Mansion property - that would identify it for you. Now this belongs to Mr Robbins. Certain changes that have been made would tend to fortify the zoning that it has already been given and we submit once again that this/^{was}good zoning a year ago and is even better zoning today.

Mayor Brookshire: Is there approximately three acres or more?

Mr Whedon: It is 400 feet by 500, just about.

Councilman Whittington: Then you actually do not come to Kenilworth and Dilworth Road, you really come to Charlotte Drive?

Mr Whedon: Well, here is Kenilworth and there is business use right up to us. We begin right in there next to those businesses at about 150 feet.

Councilman Thrower: That is between Charlotte Drive and Dilworth Road?

Mr Whedon: Dilworth Road is up here and is the next street.

Councilman Whittington: Back this way though, that is Charlotte Drive?

Mr Whedon: Charlotte Drive runs parallel with Kenilworth. The dark line to your left line.

Councilman Smith: When this came up before the Council, when it was zoned business, it would have to have off the street parking?

Mr Whedon: That is why it is the size it is so it would permit that kind of development for adequate off street parking which has been planned for. That is why money was spent for plans by Engineers and Architects. Any other questions? Thank you.

ITEM NO. 20. MR BRANDON SMITH, PETITIONER. 8.5 ACRES OF PROPERTY AT THE NE CORNER OF THE INTERSECTION OF RANDOLPH ROAD AND CRANBROOK LANE. THE PROPOSED ZONING IS R-6MF AND THE REQUESTED ZONING IS B-1. MAP NO. 7.

Mr Brandon Smith: I have additional maps if you fellows want to take them home with you. This property I hold an option on is owned by Lewis Vreeland and he had to be out of town and Mr Ledford is going to speak for him. All that I have to say is that we are adjacent to the E.C. Griffith property which has been before you already today. Now the nearest residence is about 3400 feet from this property on Randolph and about 1200 here and from the church about 1500 feet. My objection to Residence here is mainly that we have about 800 feet of creek bank. From the history of Charlotte, if you will look down on Sugar Creek and any residence there backed up to a creek bank ends up in a slum and we feel that low cost housing there just would not be the proper place for it, and if you will follow Sugar Creek down at every intersection - such as 7th, Elizabeth, 4th Streets, Independence and on down to the Park Road Shopping Center - all fit on to those creek banks, and it seems to be the satisfactory place to put it. We contend that

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this is not suitable for residences and should be B-1, here is Grier Town and this is a Nursing Home and this is a Nursing Home and this is vacant for some unknown purpose. I would like for Mr Ledford to speak to you at this time. Thank you.

Mr James Ledford: I am James Ledford, Attorney. Mr Vreeland is up in New Jersey for the week and has asked me to speak for him to the Council about this particular 8 acres. As Mr Smith said and Mr Griffith said, it borders this property here or is just across the street, which as Mr Griffith says he could not sell it to anybody for residential purposes. I have been in the Law Building next door to Mr Vreeland for about five years and have discussed this particular property very much with him. As a matter of fact, I myself, lived down in this vicinity here for about 2 years and in dealing with this property, Mr Vreeland has held it for more than 30 years and has not had any opportunity to make any use of the property and as of this time with a multi-family dwelling it would not be suitable, Mr Vreeland doesn't think, nor does Mr Smith. As a matter of fact, the option which Mr Smith referred to is not an option unless it is B-1 property simply because it would not be suitable for any dwelling. It would be marked, it is growing and it would take a tremendous investment to make this property usable for any purpose. Having discussed it with Mr Vreeland on many occasions and having lived in this vicinity I understand this particular property. It is way down low and would have to be built up. The elevation actually raised from 2 to 20 feet to be usable for any purpose. Mr Vreeland asked me to remind the Council that he has paid taxes on this property for more than 30 years and that residential use of property has moved out and skipped there and gone on simply because it was not and did not blend itself to residential purposes and he asks that the property be made into B-1 so that an investment could be made to elevate its level for some proper use.

ITEM NO. 21. KENT T. PATERSON AND OTHERS, PETITIONERS. THE PROPERTY IS THE EAST SIDE OF INDEPENDENCE BLVD 1/2 MILE SOUTH OF WALLACE LANE. THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS BUSINESS. MAP NO. 25.

Mr Paterson: Mr Mayor and Members of the Council. This is Map 25 of the Planning Commission. I speak for myself and three other property owners with a representation of approximately 95 acres. We are requesting that this property along Independence Blvd, approximately 1/2 mile south of Wallace Lane be zoned B-2, 400 feet each side as it is out here, to bring it right on up. I have lived here for 24 years and the highway has been there approximately eight years. Prior to that time Wallace Road was a paved and quiet secondary road, and ideal residential property. It is not now, it is noisy and unsuitable for residential property, I believe. Mr Mayor, I have checked from Amity Road for 1 1/2 miles by speedometer beyond McAlpine Creek and there has been one residence erected on that road since it was finished. That residence was built by the owner of that property and the property has been in that family for 100 years or more. No one has bought property and built a residence there. I would like to call your attention to the figures here. In one mile of 60 ft. lots which is your R-9 zoning, you can put 176 lots, 88 on each side of the road. Assuming them to be worth \$1500 each, you would have an investment of \$264,000. Assuming if you put 176 houses on them at \$12,000 each, that would be \$200,112,000, making a valuation of \$200,376 to tax. In that type of residence I believe there are something over an average of 2 children per family and that would be 352 children. Do you believe that from the age of the toddler through the roller skate age, through the bicycle riding age, that some of those children will not be seriously hurt or killed on that road. Now as to the B-2, the Amity Road to Idlwild, the asking price per front foot is approximately \$300. We come on down here about a mile further and let us assume that it has dropped to

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\$100 per front foot. 200 x 400 foot lots which is the depth here, you will put 26 lots on each side, at 200 ft., that's 5200 ft., 5280 ft. in a mile. Twice that would be 52 lots at \$20,000 per lot would be an investment of \$1,000,000. Let us put a \$75,000 building on each one of those lots and that I believe is extremely conservative because you will have equipment in those buildings and that amounts to \$300,900,000. The total is \$500,200,000. Now here a while back you may remember there was a comic character in the comic strips called Elmer. When Elmer was faced with the very difficult problem, he said let's give this some good thinking. Gentlemen, I know you have a difficult problem before you.

Councilman Smith: Will you point out how deep your property is there? I don't know whether we got it right or not.

Mr Paterson: This little block right in here is my home. The property line back of here is my wife's property and that joins Miss Florence Wallace, whose name is signed to this letter. This small lot here belongs to Mr & Mrs Henry Hagler. The large property behind it is Mrs Hagler's property, whose name is also signed.

Councilman Smith: Now what depth do you want here?

Mr Paterson: We are asking for 400 ft. of the right of way line on each side to be zoned B-2.

Councilman Whittington: Does this go back all the way to Idlewild Road and come on down?

Mr Paterson: Yes Sir, I gave that for location purposes.

Councilman Whittington: Mr Paterson, would you come around here and draw that on my map.

Mr Paterson: Yes Sir.

ITEM NO. 22. MR F. A. MCCLENEGHAN, REPRESENTING MR & MRS L.G. BLACK, PETITIONERS. THE PROPERTY IS 41 ACRES ON SOUTH SIDE OF NEWELL-HICKORY GROVE ROAD AND MILTON ROAD. THE PROPOSED ZONING IS 400 FT. AS R-9MF, REMAINDER I-1 AND THE REQUESTED ZONING IS R-9MF. MAP NO. 54.

The petitioner was absent.

ITEM NO. 23. ERNEST L. DELANEY, JR. REPRESENTING MRS CELIA D. GOTTLIEB, PETITIONER. THE PROPERTY IS (1) TO THE REAR OF LOT 2 OF BLOCK 1 OF SHAWNEE SPRINGS PROPERTY, (2) LOT 9, TO THE REAR OF LOT 2, OF BLOCK 1 OF SHAWNEE SPRINGS PROPERTY AND (3) LOT E TO THE REAR OF LOT 9 OF COLONIAL VILLAGE. THE PROPOSED ZONING IS B-2, O-6 AND R-9MF AND THE REQUESTED ZONING IS B-2. MAP NO. 10.

Mr DeLaney: Mr Mayor, Gentlemen. This property is shown on Map 10. I have a little map here which I would like to put up, which is small and I don't know whether you can see it or not from where you sit. I had a client who spent \$100,000 to find out the zoning laws in Charlotte at the present time are very uncertain. We are asking the Supreme Court to tell us what they are. We have got the identical situation here. My client purchased this property which was zoned Industrial with the idea of building a warehouse. This is on South Boulevard. Actually there is no access to this lot from any street at all. The proposed zoning has changed from Industrial to O-6. However, this lot is completely cut off and there is no way to get to it.

Councilman Thrower: Will you give us an identification point?

Mr Delaney: I will try to. If you will look on #10 it is the fourth lot

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south of Parkwood Avenue on Pineville Road. Actually it seems to me that there is just a little area thrown in there for O-6, but I don't think the Planning Commission realized that this lot is land-locked and there is no access or road whatever. We have plans ready to build a warehouse and of course under the present zoning we thought we could go ahead and build it, but thought we had better wait and see what the Council does with it and see where it is. Actually this lot at present is zoned Residential but one street behind it is hardly more than just a dirt road. There are no buildings in here and we ask you to let us go ahead and build our warehouse. We originally asked for B-3 and the Planning Commission now tells me we can build the warehouse under a B-2 zoning. South Boulevard, as you know out there, is a busy thorough-fare and we think it is more ideally suited for the warehousing operation we plan than for the O-6 and the residential. We would request especially since it has no use whatsoever as O-1, since there is no way to get into it from any street, that lot 9 be rezoned to B-2 and we ask that Lot 8 be rezoned so we can connect up with it and we could use all of that for the proposed warehouse.

Councilman Smith: And your front lot has been zoned B-2, is that right?

Mr DeLaney: That is my understanding. This will be B-2. It presently has a warehouse on it.

Councilman Smith: So the other two lots, one is R-9MF AND one is O-6. You want those changed to B-2?

Mr. DeLaney: So we can build right through.

Councilman Smith: You couldn't build houses on those lots?

Mr DeLaney: No you could not since those lots are completely land-locked and there is no way to get to any street except by over one or the other two lots.

Councilman Thrower: Is this next to Woodlawn Furniture Company?

Mr DeLaney: Actually, the Charlotte Insulating Company now occupies the building in front of this lot. You know where that is.

ITEM NO. 24. ERNEST L. DELANEY, JR. REPRESENTING PROPERTY OWNERS ON INDEPENDENCE BLVD. E. PROPERTY ON INDEPENDENCE BLVD. EAST BETWEEN PARK TERRACE AND SAL RY. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS B-3. MAPS NO. 1E and 7.

Mr DeLaney: Gentlemen, this is the property you have heard a lot about and is shown on two maps, Map #1 and Map #7. This area starts approximately 2 blocks east of the Coliseum and goes to the Seaboard Airline Railroad. 14 years ago two of your gentlemen sitting there gave birth to the thing or helped give birth to it and it has been told to you and that it has changed from the quiet residential area to a metropolis. This particular area that we are talking about faces residences, all of which are approximately 40 years old. They have all reached the point where they are going down as residences and the land owners cannot, under the economic conditions existing, afford to spend money to keep them up. We are creating a new slum area. The area has been zoned O-1 about two years, if my memory serves me correctly and frankly gentlemen it just does not attract purchasers for office buildings. Now the traffic department gave me their latest figures on the traffic count going past the two intersections involved here, the intersection of Louise Avenue and intersection of Hawthorne Lane. The count within a 12 hour period is 24,165 cars go through the intersection of Independence Blvd and Louise Avenue. 24,165 in a 12 hour period. I understand from the Traffic Engineer that this is approximately 70% of the 24 hour period. The next busy intersection which is Hawthorne Lane - 23,469 cars go through that intersection in a 12 hour period. As a check point to see how they compare with other intersections, I asked the Traffic Engineer for the traffic

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count on Tryon and Independence Blvd. which is one of our busiest intersections of the city. In the same 12 hour period there were only 26,876 cars going through that intersection. So you see we have an area that is a heavily traveled area. Now under the proposed O-6 zoning, the only thing it can be used for is Office Building or Institutions. Under the requested B-1 zoning it could still be used for Offices, but in addition you could have on the first floor retail stores, florist shops, or restaurant. You could have a stationary store. It would be a little something that would appeal more to the residents. Under the B-1 zoning you are required to set back from the street 20 feet. You are required to have a back rear area of 20 feet and you are also required to have a fence on the back of your lot. Now Gentlemen, I know that the residences on the Boulevard should be preserved and if there was anyway we could do it, I would say yes. But what we are creating there is a new slum area and economics are economics. I ask you, gentlemen, to turn this property loose and let it be developed as the economic conditions dictate and to zone it B-1 so that it can develop and will be a credit to our city rather than a new slum area to be faced by future Urban Redevelopment programs.

Mayor Brookshire: Mr DeLaney, you are asking for B-1, not B-3. We had it listed here as B-3 request?

Mr DeLaney: I am sorry I did not have the correct zoning, this should be B-1.

Councilman Dellinger: All the way through on that is B-3?

Mr DeLaney: B-2 all the way through.

Councilman Smith: What street does that begin with?

Mr DeLaney: This is the Old Garden Terrace to the Seaboard Airline which is just above Lamar Avenue.

Councilman Albea: You say you can't get O-I, do you think you can get business there?

Mr DeLaney: Well, I don't necessarily think it will be business, Mr Albea, but if it came under the O-I you can't even build an office building and put a drug store in it. You can't sell Doctors on the idea of putting a clinic there and putting up a Doctors Office building there if they can't have a place to fill prescriptions for drugs or anything like that. The O-I is just too tricky. B-1 would enable it to develop.

ITEM NO. 25. MR THOMAS H. HASTINGS, RT. 11, PETITIONER. PROPERTY ONE MILE FROM US 85 BYPASS. THE PROPOSED ZONING IS R-9 AND THE REQUESTED ZONING IS B-1. MAP NO. 46.

Mr Hastings: Gentlemen, I am representing myself here on a piece of property one mile from 85 Bypass. It is on Map #46. It is approximately 240 feet from Millhaven Lane S. on 21. I have 1850 ft. deep and 285 ft. on the highway and I have a mobile home court in there and have 16 lots completed and it is zoned residential and I would like for you to reconsider and try to zone it Business-1 so I can go ahead and finish my mobile home court.

Mayor Brookshire: It is zoned what?

Mr Hastings: It is zoned residence now. R-9. On the corner next to me is a business and the other corner is a business and I understand the other corner has been zoned business, too.

Mayor Brookshire: You are asking that all of it be zoned B-1?

Mr Hastings: Yes Sir. I started this in '54.

Councilman Dellinger: Have you ever been to Council with this before?

Mr. Hastings: No Sir. I have talked with the Planning Board.

Councilman Thrower: Where are you on Map #46?

Mr Hastings: Millhaven Lane. Approximately 250 ft. South Millhave Lane. I would like to have you zone that B-1 so I can finish.

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ITEM NO. 26. MR M. LEE HEATH, PETITIONER. LOT AT CORNER SELWYN AVENUE AND BUCKNELL FRONTING 245 FT. ON SELWYN AVENUE AND RUNNING BACK TO A DEPTH OF 225 FEET. THE PROPOSED ZONING IS R-6MF AND THE REQUESTED ZONING IS R-6MFH OR R-6MF EFFICIENCY. MAP NO. 8.

NOTE: A portion of the tape could not be heard because of noises.

Mr M. Lee Heath: Gentlemen, I have property on Selwyn Avenue that I bought several years ago. I think it is suitable for efficiency apartments and the reason I took the liberty of having those maps blown up and marking them with red circles there is to indicate to you just about how many efficiency apartments have been allocated, you may say to Myers Park in general, and there they are- about 7 of them. The proposed zoning on that is O-I which will mean that several business places out there would also be eligible for apartments.

Councilman Jordan: What are those places marked in Red?

Mr Heath: Those are what they propose to call R-6MF Efficiency and they have lately indicated "H" on it which indicates as I understand "efficiency". I put those things in Red as I said so you would know just about what is proposed in the way of efficiencies. I have owned this property a long time, as I say, I bought it in 1941 or 1942 and I bought it specifically for an apartment. It has been restricted you might say and then when zoning came in 1947 they zoned it out so far as efficiency apartments were concerned. I have continued to hold the property up until now and I think it is right for this purpose.

Councilman Smith: Mr Heath, you want this H?

Mr Heath: Yes, and they haven't indicated that they wanted to give that H so I have taken the liberty as I say of showing you those Red marks where they have indicated they intend to spot between Myers Park and Presbyterian Hospital and they have a block of them allocated there you might say down at Colonial. The next spot is down about where Mr J. B. Ivey use to live; they picked out one little spot over there and there is a buffer between O-I if you will notice that on the map. Then they go down to Granville Road and pick another one out and then from there they go down below the Esso Service Station and A & P Store and go down as far as Cherokee Road, and there are some nice residences down there. I don't take issue with the fact that these might be nice spots for efficiencies. I understood they weren't going any further than that. I guess that is one reason they ruled me out. Now, lately, I think they have gone on out and and proposed one at the intersection of Park Road and Selwyn, which is considerably further, if you will notice on that map. Gentlemen, that is about all I have to say about this matter. I bought these apartments and I don't think they are adaptable for Garden type apartments, but for efficiency. Anyone familiar with the corner of Bucknell Avenue and Selwyn know that it is a heavily traveled street, close to the college, institutions and churches and is most adaptable for an efficiency apartment and without getting into personalities I have owned this land for this length of time and I think if anybody is entitled to build on this property for an apartment, I think it ought to be given its full usage and I think I should be entitled to it and I intend to build an apartment there and a nice one, if you will allow me to do it. As I have said it is Myers Park and that's what it is and that's what they have allocated to it. And I think further, someone made reference here tonight about spot zoning. I am not denying the fact that efficiency apartments is spot zoning. I think the Planning Commission would admit that themselves. It has been indicated to me that they wanted to go into shopping centers and put efficiency apartments close by the shopping center, but this policy hasn't been followed consistently throughout there. As I said there is J.B. Ivey's old home place down there and it is two blocks away from a shopping center. You go down as far as Cherokee Road on Providence Road, I mean that is getting pretty far away from a shopping center. Then when you get down to Park Road and Selwyn Avenue I think it is still getting far away. So it is a question gentlemen if you are going to go and allow efficiencies I wish you would include me and my property. Thank you.

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ITEM NO. 27. MR BASIL M. BOYD, REPRESENTING MR FRANK O. RATCLIFFE, PETITIONER. 80 ACRES ON WEST SIDE OF HIGHWAY #29, NORTH ADJOINING MALLARD CREEK. PROPOSED ZONING IS B-2 FOR DEPTH OF 400 FEET ONLY, REQUESTED ZONING B-2 FOR ENTIRE 80 ACRES. MAP. #50.

The petitioner was absent.

ITEM NO. 30. MR. WILLIAM E. POE, ATTORNEY, REPRESENTING MRS HAZEL M. LANEY, PETITIONER. THE PROPERTY IS LOCATED AT 1061 ARDSLEY ROAD. THE PROPOSED ZONING IS R-1 AND THE REQUESTED ZONING IS O-6. MAP NO. 8.

Mr. William Poe: I represent Mr & Mrs Edgar S. Laney who are here tonight. This property is located on the north side of Ardsley Road on your Map #8, at the intersection of Brunswick Avenue and Ardsley Road. It is the lot that fronts on Ardsley Road directly across the street from the intersection of Brunswick Avenue and Ardsley Road. I would say it is entitled to B-2 and I might include in this same argument the property owner directly across the street of Mr Arthur Andrews, whom I also represent, because I think the same reason applies to both of these cases. If we might do that to include Mr Arthur Andrews whose lot is located northwest of the corner of Brunswick Avenue and Ardsley Avenue. We would like to request that the zoning on those two lots be O-6 so that property might be used for Office use. It is my understanding that most of the property in the block in which Mr Andrews is located is to be zoned O-6. In fact there are only three lots in the entire block bounded by Brunswick and Kings Drive on the proposed map that are left as residential lots. I think you gentlemen know that the Miller Clinic is already located in that block. There is a new medical clinic going up immediately behind or adjacent to the Miller Clinic. It is my understanding there is a proposed clinic going up on the remaining vacant property in that block. In view of the fact that Kings Drive lots will be zoned O-6, it would leave approximately 225 ft. fronting on Ardsley at the intersection of Brunswick and Ardsley zoned residential. Mr Andrews and Mr & Mrs Laney who live immediately across the street contend that this is necessarily going to change this neighborhood substantially. Traffic conditions have already increased tremendously. There is to be a large apartment house located just a block away, bounded by Brunswick and Edgehill Road and Queens Road, some 84 apartments going into that area. This entire area between the Doctors Building and the Nalle Clinic at the other end of Kings Drive is to be zoned, as I understand it, for O-I use on both sides of Kings Drive. The property I am speaking of is just three or four lots removed from Kings Drive and is adjacent to, in one case, O-I property. There are also apartment houses on Ardsley Road already between Queens Road West and Kings Drive. It is my understanding that Queens Road in this area, just a block away, will also be zoned for multiple type use. We contend that it is logical to zone this property, these two lots and perhaps the intervening two lots or three lots between these and Kings Drive for O-I use. Now, I do not represent those property owners, but we do contend that these two lots in question should be so zoned O-6, and consideration should be given to zoning the other two or three.

Councilman Smith: May I ask is Mrs Laney's lot No. 12?

Mr Poe; That is correct.

Councilman Smith: What is the number on the other lot?

Mr Poe: Mr Andrews, is Lot #15 block J., just across the street

Councilman Smith: Northwest corner.

Mr Poe: That is correct.

Councilman Smith: What you are saying is that you want those that you referred to and the others taken on down to the lots facing on Kings Drive to be affected.

Mr Poe: Yes, that is correct. Thank you very much.

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ITEM NO. 31. DWIGHT L. CASEY AND H.J. HAAR, SUNNYSIDE AVENUE, BETWEEN INSURANCE LANE AND LOUISE AVENUE, PROPOSED ZONING IS R-6MF AND THE REQUESTED ZONING IS O-6. MAP NO. 1-E.

The petitioner was absent.

ITEM NO. 32. HOWARD B. ARBUCKLE, REPRESENTING WINCHESTER SURGICAL SUPPLY CO., PETITIONER. PROPERTY IS NORTHWEST CORNER S. TORRENCE STREET AND SHORTER AVENUE. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS B-1. MAP NO. 1-S.

The petitioner was absent.

ITEM NO. 33. E. L. WENSIL, PETITIONER. PROPERTY ON MT. HOLLY ROAD, HIGHWAY #27, 350 FT. TOWARDS CHARLOTTE. THE PROPOSED ZONING IS R-9MF AND THE REQUESTED ZONING IS INDUSTRIAL. MAP NO. 42.

I bought this property two years ago after having an accident and hurting my back and had to stay in the hospital for seven months. I went out of business and had a little money left and the insurance company gave me a little money so I put it in this property. This is not all of my property, my house faces that little gin. The four lots over here I have an option on is 700 x 100. But I don't care anything about that, its in R-9, let it stay R-9. But when I bought this property, I go out and build a trailer park, coming back in to here. I got a road coming through here and one coming right thru here. Now the Industrial zone, Mr Lee owns quite a bit of property over here of about 35 to 40 acres. The Industrial zone cuts across this property here from the Mt Holly Road and leaves him Industrial; come back to four industrial places and it comes through here on my property and stops right here. I have a trailer sitting just over the edge of this line which is industrial about three ft. The trailer reaches 60 ft. out here. In place of cutting across this side here I want to come back thru here and on to this line and come back up 33 ft. over here and go back to the Mt Holly Road which will only be 100. I never did understand why the line changes; that's the reason I ask for 350 ft. but you have already taken 280 feet of my property by cutting thru here. I'm asking that you'll start here wher the Industrial goes thru there and come back down and hit my line here and go back up into that Industrial at Mt. Holly there.

Mayor Brookshire: Did you appear before the Planning Commission?

Mr Wensil: Yes I did, twice. About two months ago he wrote me a letter and told me it would stay as planned and then I came back up here and checked up about your Board Meeting tonight. Now a lot of people talked tonight about money. They wanted something to make money on. They were the business men here in town. I worked for a business man. He put me on his payroll for 14 months, the insurance company got him and raised his insurance. For 14 months I toughed it out on my back. In place of going on his insurance I went back out there and quit him to try to run this trailer park to make a living because I cannot work on a man's payroll without raising his insurance and his kicking me off the job. Gentlemen, I am asking for this for a way to make a living and that is what I bought it for because I knew I had these bad back injuries.

Councilman Dellinger: You want to put a trailer park on it?

Mr Wensil: I have already got it on there, but I don't want to park one trailer because I don't want to work for this man. I could loan him the trailer park but I have the sewer and water in this section here and down through here. Now I intended to draw up these other lines but if you will give me this I could make a living on it, and I could lease these six acres

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for homes or whatever is in R-9. And this little bit here, there are four homes over there, three of them is wood and one is cement block, so this up here will be more than 200 feet and I plan to build houses over there. I am not trying to hurt anyone else. I am going to have a mobile home court which will be a home for the people. I will give them a 40 x 90 lot. I cut my streets so they would have a 40 x 90. There is room enough and I am going to run a nice park. I intend making a living off of it so therefore I am not going to make a slum park I am going to make a real mobile home park. Thank you very much.

ITEM NO. 34. MR B. IRVIN BOYLE, REPRESENTING INTERSTATE ADVERTISING COMPANY, AND JAMES COBB, REPRESENTING SCHLOSS POSTER ADVERTISING CO. RELATIVE TO OUT-DOOR ADVERTISING SIGNS. PAGE 53 OF ORDINANCE.

The petitioners were absent.

ITEM NO. 35. MR PAUL R ERVIN, ATTORNEY, REPRESENTING DR. W. H. STRAUGHN AND OTHERS, PETITIONERS. THE PROPERTY ON PARK ROAD, ACROSS FROM SHOPPING CENTER. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING WAS NOT STATED IN LETTER. MAP NO. 10.

The petitioners were absent.

ITEM NO. 36. MR H. T. THROWER AND OTHERS, PETITIONERS. THE PROPERTY IS TWO CORNER LOTS AT PARK ROAD AND CHARLOTTE DRIVE. THE PROPOSED ZONING IS O-6 AND THE REQUESTED ZONING IS R-6MF. MAP NO. 9.

The petitioners were absent.

ITEM NO. 37. MR DONALD A MCCLURE, PETITIONER. THE PROPERTY IS 3 ACRES ON NE SIDE OF HIGHWAY #16 WEST OF INTERSECTION OF HIGHWAY 16 AND MCCLURE CIRCLE. THE PROPOSED ZONING IS R-12 AND THE REQUESTED ZONING IS B-1. MAP NO. 44.

Mr Donald McClure: Mr Mayor and Members of the City Council. I am Donald McClure and I represent my firm, McClure Lumber Company, who is the owner of this property containing approximately 3 acres and located within the intersection of McClure Circle to the north and N.C. Highway 16 to the south. This is adjacent to the parcel which we plan to use for a neighborhood shopping center and containing probably four or five neighborhood type stores such as grocery store, beauty shop, barber shop and a variety store. I believe the proposed zoning is R-12 and we request B-1 and we have not developed this property. This is our old Lumber Company sight and was up until 1947 when we moved to our new site on Mt Holly Road and we have left this property vacant through the years. We have waited until now and actually it will be in the next several months before we are actually ready to go into a building program on it, but we just feel like we needed the residences to support such facilities and now we have just slightly over 200 homes in Coulwood Hills which adjoins this property to the south and to the east and McClure Circle having 72 homes to the north. I would estimate that there is approximately 30 other homes in the area so that we have something like 300 homes within 1 mile radius of the property.

Councilman Thrower: Mr McClure where is the B-1 area in relation to that.
Mr McClure: McClure Circle is a circle and comes out here at the intersection of Highway 16 approximately 1/2 mile to the west and that is a service station I believe. There has also just been completed a service station directly across the road from this property.

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Councilman Smith: How many acres did you say was in this property, three?
Mr McClure: Three, yes that is right. Right in the intersection itself you have the service station here and a country type store just about a half mile up here and the service station 1/2 mile directly west. Other than that they have no immediate shopping facilities for the residences of the community so that they have to travel some three miles.

Councilman Whittington: Is that just before you get to Highway #16?
Mr McClure: This is the old #16 right here and this is the intersection, except its lying to the east. This road here comes right on across. This divided strip is owned by the state and there will be nothing built there.

Councilman Thrower: The water plant is to the right of there? Or is the water plant back this way?
Mr McClure: Water Plant? Yes, it is back on New 16 about 3 miles I expect. There is one house located here that belongs to my aunt, she resides in that house and one house here which used to be our office building when we had the lumber company on that sight. That at present is being occupied as a residence and one at this corner here. That is about the only place we have for shopping facilities. We developed Coulwood Hills in 1953 and have been working in there and we will be developing in the area just over across 16 in this direction next which will have probably 250 homes. Mitchell Realty Company is back toward Charlotte about 1/2 mile. Thank you gentlemen.

ADJOURNMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, the meeting was adjourned until 7:30 P.M. on Friday, October 13, 1961, in Crimal Court Room No. 1, in the Mecklenburg County Courthouse.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk