

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, November 20, 1967, at 2:00 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on Petitions for changes in zoning classifications concurrently with the City Council, with the following members present: Chairman Toy, and Commissioners Albea, Godley, Sibley, Stone, Tate, Turner and Wilmer.

ABSENT: Commissioners Ashcraft and Gamble.

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INVOCATION.

The invocation was given by Reverend W. B. A. Culp, Minister of Belmont Park Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the Minutes of the last meeting on Monday, November 6th, were approved as submitted.

HEARING ON PETITION NO. 67-69 BY MARSH REALTY COMPANY, ET AL, FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF PROPERTY ON THE NORTH SIDE OF ASHWORTH ROAD (UNOPENED) FROM MCALWAY ROAD TO CROSLAND AVENUE (UNOPENED) EXTENDING ALONG MCALWAY ROAD TO NEAR BEAL STREET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, advised the area fronts about 750 feet on the south side of McAlway Road; it lies on the south side of McAlway Road just to the east of Beal Street and has a total depth of approximately 780 feet in a southerly direction. It occupies what would normally be the better part of two blocks. Ashworth Road is not opened and Ellsworth is opened for only a portion of the way to Ridgeway and the streets leading off Beal Street are not opened. At present it is an open area without any streets on the ground.

He stated the property has on it several single family residences facing McAlway; other than that, it is entirely vacant except for a house on the very edge of the property just off Beal Street. The surrounding development is a combination of single families and vacant property on the east side and on the south it is bounded by some vacant property and the heavily developed single family area along Ridgecrest and the lower part of Ashworth; on the west side, along Beal Street, there are several apartment developments; in addition, there are several single family residences along Beal. North of the property on McAlway is an area of very extensive apartment development.

The zoning in the area is a combination of single family and multi-family; the subject property is zoned R-9 as is all the property directly south of it

and most of the property to the east along Ellsworth and McAlway and the other streets; to the west along Beal Street the property is zoned R-6MF as is the property directly across McAlway on the north; as you go down Walker Road the property is all zoned R-9MF. The property is bounded on two sides by multi-family and on the other side almost by single family R-9.

Councilman Tuttle asked if there is any property adjoining making feasible a 3/4 Rule petition? Mr. Bryant replied there is adjoining property that could invoke the Rule but apparently they have not done so; most of the property that would be available to invoke the Rule is vacant property.

Mr. Bill Underwood, representing the petitioner, stated he mailed to each Councilman a brochure which will enable him to go a lot quicker in explaining what is involved. Directly across the street from the part of the subject property fronting on McAlway is McAlway Manor; on the southerly end is a small apartment building at the intersection of McAlway Road and Walker Road. He stated no developed single family residential area backs up directly on this property; there is a wooded area between the proposed rezoned property and the residential property of about 130 and 300 feet. You come down McAlway and have to go back in off McAlway off Ridgecrest and then turn right on Ellsworth Road and Ashworth Road, and both of these streets dead-end into the wooded area. Ellsworth Road would dead-end approximately 500 feet from the edge of the subject property; Ashworth Road would dead-end approximately 200 feet.

He stated as currently zoned for residential development, this particular property is a problem; it has been shown as part of a residential subdivision on a map recorded since 1924; provision has been made for opening the streets into this area and subdividing it and no subdivision has occurred on the property of any real consequence. The only real residential development that has occurred is on McAlway Road and this property extends 750 feet back in and will leave at least 200 feet of wooded area before it gets to Ashworth Road. There is a creek bed there off the dead-end of Ashworth Road and a little off the dead-end of Ellsworth Road which has made it unfeasible to develop for single family residential use. The residences on Ashworth and Ellsworth are all located between 740 and 760 feet above sea level and the subject property's average elevation would be 760 feet; in about a 200-foot area you have what is close to a ravine which makes it unfeasible to develop further down Ashworth or Ellsworth Roads.

Mr. Underwood stated if the property is rezoned, it will benefit a great many people; at present, it is unproductive; it is surrounded on three sides by existing apartments; in addition, there would be no place where their property would adjoin any presently developed single family residences. That Marsh intends to build a large and nice townhouse apartment development which would have initially 108 units; they would be a little larger than the present units there; they will be carpeted and air-conditioned.

He stated they have discussed this with several people in the neighborhood and certain restrictions have been entered into with reference to the size of apartments and screening. The apartments would have to be a minimum of 700 square feet for one bedroom, 900 for two and 1,100 for three bedrooms; they will rent for about \$150 to \$175. They would be compatible with the use that has grown up on McAlway Road. Everything that is feasible will be done to keep it separated from the residential section. That it is good planning to try to use a natural barrier when you can and this creek bed will provide the natural barrier between multi-family and residential zoning.

Councilman Stegall asked if the little houses facing McAlway will remain or will they be taken out? Mr. Underwood replied they will remain initially; they

anticipate that in the next five or ten years, they will be purchased and made a part of the apartment project.

Mr. Underwood stated that Mr. and Mrs. Barnett on Beal Street have joined in the petition.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-70 BY W. E. BROWNING FOR A CHANGE IN ZONING FROM B-1 TO B-2 OF A LOT 75' X 216' ON THE WEST SIDE OF SHARON AMITY ROAD, BEGINNING 200 FEET NORTH OF MONROE ROAD.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated he will go over the entire area as this is shown on the map to include this petition along with the next two. This is in the vicinity of Sharon Amity Road and its intersection with Monroe Road. There are considerable business uses around the intersection. On the out-of-town side across from the Cemetery is a service station, a volunteer fire department and the Arthur Smith Recording Studio and from there on is single family development out Monroe Road. From Monroe Road, along Sharon Amity towards Independence there are several business uses - a service station on the corner; then a building which includes a beauty shop and an insurance office; across is a hardware store, a dance studio and a barber shop and a contractor's office. As you go down Sharon Amity the subject property is located on the Independence Side of the Monroe Road intersection; it has on it a building constructed several years ago and is vacant and has never been occupied; immediately adjoining going down Sharon Amity is a single family residence and a duplex and at Lantana you pick up primarily single family development along Sharon Amity; and on the opposite side there is a duplex development, and a single family and a new apartment being built at the corner of Lantana and Sharon Amity. As you come down Monroe Road towards the City, there is a service station on the corner and a construction company's storage yard and then an all-parts house and single family houses on two lots. From Summey on in it becomes solidly single family on both sides of the streets until you reach the Oakhurst Baptist Church lot.

The intersection of Monroe Road and Sharon Amity Road is B-1 on three corners, the fourth corner is zoned R-9 which is the cemetery corner. As you come down Sharon Amity towards Independence Boulevard the subject lot is B-1, the adjoining lot is O-6 and from there on it is zoned R-9MF for a considerable distance. On Monroe Road the zoning is business down to the first lot to Summey Avenue and to Mandarin boulevard; from that point on it is multi-family for about half a block, and then single family from there on in. It is zoned multi-family on the north side all the way through the area.

Mr. William Shuford, Attorney for the Petitioner, presented a drawing showing the intersection and the immediately surrounding areas, and pointed out the location of the subject property. He stated it has on it a building about 40' x 80' which is at lease, subject to action of the Council, to Genuine Parts Company. He presented pictures and stated they are of some six offices that Genuine Parts has in the City. That the warehouse is located on Wilkinson Boulevard which serves all the other six locations throughout the city.

Mr. Shuford presented a picture of Piedmont Auto Exchange and pointed out its location and stated it is in a B-1 zone which is exactly the same zoning on the subject property and is exactly the same type business that is proposed to be operated by Genuine Parts Company. He stated it was felt by the people owning the lease there would be no problem about operating an automobile parts company in a B-1 zone because everybody else is doing it. Also in the area is Fleet Auto and Supply Company which is also an automobile parts company. He stated it has boiled down to what is meant by wholesale and what is meant by retail, neither of which are defined by the zoning code.

Councilman Whittington asked if he is saying all these automobile firms are non-conforming? Mr. Shuford replied he is not saying that as he does not know. Mr. Bryant replied the one on Monroe Road apparently went in with the statement to the zoning administration office that they were retail and carried on retail process only and that is B-1; that wholesale requires a B-2 zoning.

Mr. Shuford stated the Fleet Auto and Supply Company is located behind the office which has a beauty shop and some other type office; that it does not show on the map because he did not learn until this morning that it was located there. Councilman Whittington asked Mr. Bryant if that operation is non-conforming, and Mr. Bryant replied he is not familiar with that one as he did not know it was there.

Mr. Shuford stated he was wrong when he filed a notice on the petition that they would operate as a related storage and warehousing business. That he has talked with the people from Genuine Parts and visited several of their operations and they do not store and do not warehouse parts in their branch outlets; they only have on hand a few of each of the parts they sell; they have their central location on Wilkinson Boulevard which is their warehouse and from which they get parts almost every day. They have on hand no more and no greater stock of merchandise than any retail grocery store or shoe store. They stock no parts that will not fit on a 24-inch shelf.

In order to satisfy Genuine Parts as to the use they can make of the property as there seems to be so much question about what the word wholesale means and they would not go in there and be involved in a non-conforming use, they are requesting B-2. They have two prices and will sell to a garage cheaper than to someone who comes in and buys over the counter, and they have been told this makes them a wholesale operation because if they sell to a garage, they are not selling to an ultimate consumer and this seems to be the definition that everyone puts on wholesale.

Mr. Yokely, who is a zoning expert, says "The words retail and wholesale are commonly defined not with primary emphasis upon the difference between sales to an ultimate consumer and sales to one who intends to retail, but rather with reference to the difference between selling in small quantities and selling in large quantities or in bulk." Mr. Shuford stated he would say that this is not a wholesale operation and therefore should be allowed to operate in B-1; but if there is any doubt about it, what should be done? One answer and the quickest for his client is to ask for a change in zoning to B-2 and then there is no doubt. That Genuine Parts cannot go in and make a big investment in money and an investment in an area. That they would like to serve the Independence Boulevard area with all the big automobile dealerships. He stated they are trying to make the best use of this property in an already existing small structure.

Councilman Smith asked if they have been turned down by the Inspection Department? Mr. Shuford replied no but they were told by the Inspection Department if they were going to take out a wholesale license to operate

wholesale or retail then they could not do it; that Genuine Parts is trying to be honest and they want to be right in their operations.

Councilman Smith asked the City Attorney what constitutes wholesale operations of this type as far as zoning goes? Mr. Kiser replied he does not recall having looked into the question at all and would prefer to have an opportunity to study it before making any suggestions.

Councilman Short asked Mr. Shuford if he would mind if a determination of this matter was delayed a little by the Planning Commission until they can confer with the legal department? Mr. Shuford replied no, they would more than welcome it. He stated with business changing as it has, this is a situation where wholesale does not mean what it used to mean; there are a lot of small businesses that should be allowed to operate even though they might sell a little cheaper to one customer than they do to another.

Councilman Whittington asked what zoning Piedmont Auto Sales has, and Mr. Bryant replied B-1 and they were permitted in there apparently on their statement they were a retail operation.

Mr. Shuford asked if Council does delay this for a legal determination, if he would be allowed to come back depending on the outcome? Mayor Brookshire replied this is the public hearing and would suggest that he say anything which he wants to say because he will not have another opportunity.

Councilman Tuttle asked if a person asks for a building permit and states exactly the nature of Genuine Parts business and is granted a permit and then remodel the building to the specifications, then is he not there? When he declares the facts as they actually are and goes in the B-1? Mr. Kiser replied as he understood Mr. Shuford earlier, when someone made the statement to the Inspection Department that they were a wholesale operation the Inspection Department advised they would not issue the permit.

Mr. Shuford stated whatever is decided on the wholesale or retail question, a B-2 zoning of that area would be entirely in keeping with the area. Councilman Tuttle stated they may operate the business for five years and decide they want another and larger location and that leaves the zone B-2. Mr. Shuford replied there are much worse things in B-1 than the use they plan to make of the B-2.

He stated the only use they want to make of the property is for Genuine Parts for ten years with an option for another ten years.

Councilman Smith requested that the administration delve into this definition of wholesale and retail.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-71 BY W. I. BOSTIC, ET AL FOR A CHANGE IN ZONING FROM R-9MF TO O-6 OF PROPERTY ON BOTH SIDES OF LANTANA AVENUE, FROM SHARON AMITY ROAD TO MANDARIN BOULEVARD.

The public hearing was held on the subject petition on which a protest has been filed and found sufficient to invoke the 20% Rule requiring the affirmative vote of six councilmen in order to rezone the property.

Mr. Fred Bryant, Assistant Planning Director, stated this property practically adjoins the previous petition, separated by one lot. The subject property fronts about 438 feet on Sharon Amity Road and extends a full block on both sides of Lantana back to Mandarin Boulevard. It is predominately occupied by residential structures mostly single family with the exception of one non-conforming use which is located on Lantana and is a tile contractor. The zoning of the property is entirely R-9MF.

Mr. Joe Millsap, Attorney for the petitioners, stated the subject property is immediately above the property which is already zoned O-6. That he is interested in the use of this property as a display room; it is a speciality company and has nothing to do with wholesale business as far as trucking is concerned; the items are kept on hand and they will have a display room and it is shipped directly from the manufacturer to the purchaser. The proposed use will use the building as it presently sits. Councilman Short asked if there are any plans for the remainder of the property, and Mr. Millsap replied he does not know of any plans.

Councilman Whittington asked how far up Sharon Amity Road does the petition go; to the rear property? Mr. Millsap replied it does not go the full block.

Mr. Millsap stated his client has the contract to purchase the three lots. He stated this is a logical extension of the business and a logical cut off at this point; it is surrounded on one side by business type operations and then the logical cut off is at the dead end street that would cut off any further extension of the zoning in that direction.

Councilman Whittington asked how far up Sharon Amity Road the petition goes beyond Lantana; to the rear property lines? Mr. Millsap replied yes; the property line of his lots extends this way and then there are four lots. Councilman Whittington asked if the rear property lines of those houses back up to Amity Gardens East, and Mr. Millsap replied they back up to the rear of an apartment; there are apartments directly behind the property he is primarily interested in.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-72 BY EDWARD B. ROCK, ET AL, FOR A CHANGE IN ZONING FROM R-9 AND R-9MF TO O-6 OF PROPERTY ON THE SOUTH SIDE OF MONROE ROAD, FROM ROSS MOORE AVENUE TO SUMMEY AVENUE.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated this is the entire block on the south side of Monroe Road and extends from Summey Avenue which is the first street on the intown side of Sharon Amity - from that point all the way down a full very long block down to Ross Moore Avenue. The property is entirely used for single family purposes and extends all the way to the Oakhurst Baptist Church.

The zoning is partially R-9MF and R-9, and the zoning across the street is all R-9MF.

Mr. Ed Rock one of the petitioners, stated he lives on Monroe Road directly across the street from the subject property at 5105 Monroe Road, and owns the property at 5108 Monroe Road. That he has ten neighbors on both sides and it was at the suggestion of Mr. Bryant that they got together. That he talked to all the neighbors and found all of them were willing to join him in this petition for rezoning. All these families have been in this area since the houses were first built; they are residents of long standing. He stated he has only been there for two years. That they see their neighborhood and street changing; the street is being widened and they anticipate an increase of traffic flow on Monroe Road. Since they adjoin business zoning at Summey and Monroe Road, they thought it would be logical to request the office zoning. That there is extremely little office zoning along the entire length of Monroe Road. Mr. Rock stated none of them have any immediate plans to use the property for office purposes.

He stated he has a building on his property which was damaged by fire and he has taken out a permit to remodel it. That most of these are neighbors who are along in years and they anticipate selling their property and moving to nicer residential neighborhoods and allowing their property to be used for office and institutional purposes.

Councilman Short asked if he is attempting to rezone any land without the concurrence of the owners? Mr. Rock replied every owner from the corner of Ross Moore Avenue all the way to Summey have joined in the petition.

No opposition was expressed to the requested change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-73 BY JOHN CROSLAND COMPANY FOR A CHANGE IN ZONING FROM R-9 TO R-9MF OF PROPERTY ON BOTH SIDES OF BARRINGTON DRIVE, EXTENDING SOUTHEASTWARD FROM THE PLAZA, APPROXIMATELY 930 FEET.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated just over a year ago approximately the same request was heard. At that time the request included more area than is included in the present request on one side and did not include some area that is included in this one. The property is located at the intersection of Barrington Drive and The Plaza. The property includes both sides of Barrington, from The Plaza going down towards Devonshire School for better than 1,000 feet, and at that point it is adjoined by a new single family residentially subdivided area that was actually included in the previous request. The prior request extended on down and adjoined the school property. The small portion included in this request that was not included in the first one is a small plot of land.

As you go down Barrington there are several single family homes constructed and then the school is the only other construction on Barrington. Along the Plaza it is still predominately vacant with the exception of older single family homes along the Plaza from about where Fairmarket comes into the Plaza leading back towards the Bradshaw store sits. The Hampshire Hills area is all the adjoining single family area and is developed with single family uses.

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The subject property is zoned R-9 as is property further out the Plaza on both sides; directly across The Plaza from the property, the zoning is O-6 as is the property directly on the intown side on The Plaza. There is considerable B-1 zoning along The Plaza from Milton Road up to about Fairmarket. Other than that it is single family zoned all through the Hampshire Hills Area, with vacant property and the school property.

Councilman Tuttle asked the width of the power line that runs between the houses? Mr. Bryant replied it is 68 feet. Councilman Short asked the distance from the end of the petitioned area down to the school? Mr. Bryant replied it is about 900 to 1,000 feet.

Mr. Frank McCleneghan, Attorney for the Petitioner, stated part of this was before Council a year ago, and since that time some changes have been made in their plans. The property in the first petition was about twice as large; some property has been added which John Crosland Company has under option from Mr. Barefoot. The defined amount is less than 2/3 of the petition of more than a year ago. In addition plans have been carried out whereby the property between the petitioned and the school is now being developed with single family dwellings. There is a sidewalk that will run all the way from The Plaza. He stated there will be two entrances into the subdivision - one from The Plaza and the other from Barrington. That the Plaza entrance will be the one most used because of the direct route to the city.

He stated these apartments will compare with Olde Town on Sharon Road, and the rent will run from \$125 to \$160 per month depending on the number of rooms; it is anticipated they will be one, two and three bedrooms. He stated there will be a swimming pool and a recreational section; the property will be self-sufficient in that respect.

He stated this is perfect planning as you have the school, single family residences and then multi-family and then you go to O-6 and B-1. He stated residents of Charlotte present and future need apartments. That John Crosland would not build apartments out there unless there was the need and he thought it would be desirable in that neighborhood.

Councilman Short asked if this street is not definitely scheduled for part of the Belt Road? He asked if there is some change to be made in the street at that time? Mr. McCleneghan replied Barrington Drive on this side of The Plaza was built 28 feet wide- it has a 60 foot right of way; then across it is still a 60 foot right-of-way but is built to 44 feet, and it is definitely a part of the Belt Road that is to extend from North Tryon Street to Sharon Amity Road. That this would make it not as desirable for single family dwellings. Councilman Short stated he thinks the Planning Commission should satisfy itself there is no future interference in having to tear up curb and gutter and driveway entrances which John Crosland might plan to put there now.

Mr. Bill Ficklen stated he lives up the street from this property, and is representing a group of residents. He stated he has a petition which includes some 150 names which he filed with the City Clerk. That he could have gotten 1500 if he had kept going but he felt like Paul Revere because nobody knew about the rezoning. They were not aware of it, and the reason was the land was not posted adequately. One sign was placed in front of a construction shack that was hard to see and another on the side of the street, and one on the other side. Therefore he believes this is the reason there have been no other protests. He understands to make a formal protest, it has to be by the adjoining property owners. In this case there is no adjoining property owners other than Mr. Crosland himself the School Board, Episcopal Church and Piedmont Gas Company, with the exception of the residence of Mr. Barefoot which is under option already.

He stated they were under the impression that any petition turned down was suppose to be good for two years. That they have turned this petition around a little side-stepping the two year period, but they can see no change in it as it is still apartments. As someone pointed out there are only two entrances on this side of the street but there are six entrances on the other side.

Regardless of how this traffic gets down the street, it is going to get there with one driveway, two or three. That Mr. Crosland showed him some tentative plans with the proposed 23 units there, most of them 8 family, some 6 and one 4. This is some 150 units; that means at least 150 cars; can you imagine 150 automobiles combined with what is already there. With parents bringing the children to school and the main artery reaching this property being Plaza Road Extension, this would add to the problem and the Belt Road being proposed.

It was stated in the petition that the property was unsuitable for single family residences, that this is a matter of opinion as there are single family residences there already. Before he built out there he looked at a zoning map and felt it was a good place to build a home but nobody is going to want to build next to a 150 or 160 unit apartment. That he cannot see crowding that many units in there as there is plenty of land out there. If this is zoned multi-family, what are we going to put next to it? More apartments? Mr. Crosland assured him they were going to build single family units next door but other property owners will wonder why they cannot have special zoning too. This is a nice single family neighborhood and they would like to keep it that way with the exception of the places needed for shopping centers, office etc. They would like to bank on the zoning laws and depend on them to protect their neighborhood and investment.

Mr. Bill Noblitt stated he lives in Hampshire Hills, just a little over a block from the area in question. That the power line which runs through this area was mentioned in the other hearing as being a problem and one which Mr. Crosland stated was the reason he needed the apartments here; however, the same power line runs behind the property and between two pieces on Barrington, all of which has been developed for single family use and all of the houses have been sold at premium prices. A city department head bought one of the houses because he got about 40 extra feet of land at the rear where the property line runs. It was cited to those residents as an attraction and then cited here as a reason to be against single family housing.

Just a year ago this Council turned down the same proposal. Mr. Crosland has moved the property lines around a little but, it is basically the same; the only difference is there is now an option on the Berryhill property and Mr. Berryhill was the man who could sign a protest last year. The same argument exists today and therefore, the only thing that has been changed is the property line.

In the meantime, Mr. Crosland has built single family houses on Barrington Drive closer to the school. He stated he does not think any of them have been sold yet close enough that anybody could protest this change today. The mention was made of the driveways in comparison to the single family houses, with 150 cars all leaving a driveway between 7:30 and 8:30 in the morning going to work, it makes a lot worse situation than when you have one car leaving the houses up and down the street.

That his neighbors are opposed to this and the last time they had a protest petition but this time they do not. When he talked with them, they expressed opposition but threw up their hands and said well, they were supposed to have waited two years and here it is again, and what can we do.

This Council has been reminded very firmly in recent months when you rezone property, you do so for a use and not for a specific plan. You have rezoned certain property and then certain development took place which were not according to the plans which were shown to Council. In some cases, the land was even put up for sale after Council had rezoned it and an entirely different development took place. Plans have been shown here today which are said to meet the objection but there are no legal or moral bindings upon the Crosland Company to follow those plans; once you have rezoned it, he is free to do whatever he sees fit under apartment zoning. He does not have to stick to one driveway on Barrington and one on the Plaza, he can put them wherever he wants to. Also he did not mention any driveways on the tract on the north side of Barrington Drive which is to be rezoned and obviously to be developed but they have to have some way in and out of that tract.

If Council opposed apartment zoning on this property one year ago and nothing has changed, then you have to be opposed to it today. There is no reason to change your mind at this point. The Attorney has told them over and over again that in order to come back before two years, there must be some change in the neighborhood, some change in this area. There has been no change in this area. The only thing that has changed is Mr. Crosland has built and sold more single family houses. He has a very successful subdivision going out there; he is selling houses on the other side and has vast acres of land ready for development in what he hopes will be single family. The zoning law demands a two year wait and there have been no changes in that neighborhood. There is really no choice.

Mr. Noblitt stated he would like to point out that last week Council read about a certain property, an apartment, being offered to the Public Housing Authority as a Public Housing Unit. This was a relatively new apartment project, and yet it has deteriorated to the point that the owners want to get rid of it. This is the kind of apartment building we are getting in Charlotte today. Many of them, our building inspectors tell us, are built to the minimum standards and they are quick to tell us that those minimum standards are low and anybody who is interested in quality will far exceed those standards; in fact, about all those standards say are that the floors have got to be able to hold up 40 lbs. per square foot and that the roofs have got to be able to hold some snow.

That he is afraid this Council in future years is going to find itself faced with the situation wherein it has not only permitted but encouraged some slum buildings that are going to be deteriorated to that point.

In conclusion he stated he would like to call Council's attention to Item 12 on the agenda where Mr. Crosland will be speaking in protest to some apartments being proposed Sharon Road near some property he owns.

Mr. Kiser, City Attorney, stated Mr. Noblitt was partially right when he stated changes in the neighborhood is a reason for allowing a zoning petition to come back short of two years. The zoning petition which was here before included substantially more property than the subject petition.

It also did not include some property which is included now. The language of the ordinance to which is referred is "a petition for an amendment that has been denied". This petition has never been denied. The property included in this petition is different from the petition that was submitted less than two years ago. That a petition with different property lines is a different petition and can be brought back in less than two years time.

Mr. Claude Albea asked Mr. Kiser if he owned a piece of property which was turned down could he buy another piece of property or sell part of that and come back and ask if that had changed the neighborhood? It has not changed the neighborhood, it has changed the petition.

Mr. Kiser stated the ordinance includes as an additional reason for allowing the petition to be brought back in less than two years "there have been substantial changes in conditions or circumstances bearing on the application". The request for a zoning petition is similar to a request for a law of any kind or an amendment to a law of any kind. It is a legislative question. Anyone at anytime, short of limitations imposed by the legislative body itself, can come before the Council and request a change in the law or a new law. This is all, in effect, that they are doing and they are doing so within the limitations imposed by the legislative body in its ordinance.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-74 BY MALACHI L. GREENE FOR A CHANGE IN ZONING FROM R-1.OMF TO B-2 OF A LOT 47.6' X 195' AT 216 WEST TENTH STREET.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated the property is located on West Tenth Street between Church Street and Poplar Street and is one lot with frontage of 46.7' and a depth of about 194'; it is directly across the street from Edwin Towers Apartment Building. There is a residential structure located on one side of it with a vacant lot next and on the corner of Church there is an office building. On the other side of Tenth Street the property is utilized for apartment usage with the Poplar Apartments and there are some buildings in the process of being torned down on the corner of Poplar and Tenth and then some additional apartments.

The subject lot is in the corner of the meeting place for two different types of business districts. The property along Church Street as well as all the property going back towards North Tryon Street is zoned B-3. The property to the rear of the subject lot fronting Eleventh Street is zoned B-2. The subject property is zoned R-1.OMF which is the high density central area apartment zoning, and that zoning applies to all the property along Poplar, Pine, Tenth, Ninth and Eighth Streets.

Councilman Jordan asked if there are any plans for the property, and Mr. Bryant replied the petition stated it would be used for office use of the existing building.

Mr. Julius Chambers, Attorney for the petitioner, stated there are presently no plans complete for the building but the purpose for the request is to build an office building and there would be no change in the structure but some alteration in the present use and a paved parkway and parking lot in the rear.

Councilman Smith asked if he is planning on building a restaurant in there that he would need the business zoning, and Mr. Chambers replied

there will be no restaurant or anything other than the office use. Mr. Chambers stated they were advised they could have the office in an O-6 zoning; but the rear of the property is a B-2 zoning where they plan to have the parking area and they were trying to get one consistent zoning. Councilman Tuttle asked what the B-2 portion is being used for, and Mr. Chambers replied nothing at all; it is on the edge of the Expressway. He stated the property would not necessarily require a B-2 zoning but there would be some parking differences.

Councilman Whittington asked if they own the property behind the subject property on Eleventh Street? Mr. Chamber replied they have only the one lot involved and the parking would be at the rear of the house now and there is about 25 feet or more in the rear and they would use the exit on Tenth Street.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-75 BY DOROTHY PARKER ALLEN FOR A CHANGE IN ZONING FROM R-15 TO O-15 OF A 3.0 ACRE LOT AT 5814 PARK ROAD AT THE INTERSECTION OF PARK ROAD AND FAIRVIEW ROAD.

The public hearing was held on the subject petition on which a protest petition has been filed and found sufficient to invoke the 20% Rule requiring the affirmative vote of six Councilmen in order to rezone the property.

Mr. Fred Bryant, Assistant Planning Director, stated the property is located at the intersection of Park Road and Fairview Road; it is a fairly large lot with a total of about three acres in it; it has 340' frontage on Park Road and 245' frontage on the other side of Park Road; the lot is presently occupied by a single family residential structure; there are single family structures along Park Road all the way coming back in from the in-town side along Closeburn Road, all of this is developed with single family structures.

There is ^atemporary bank building directly across from part of the property; and across from the remainder of the property, there are two houses and on the corner is another house so there is a mixture of single family residential uses and the bank structure across Park Road from the property.

Nearby is the Blythe Building, the Celanese Building and then adjoining Blythe is Eastern Air Lines facilities; immediately to the rear of this property, there are several single family structures, some of them are new, having been built in the last few years. There is considerable vacant area. Zoning is O-15 on both sides of Fairview out to Park Road; then the area is zoned R-15 on one side and R-12 on the other side of Park Road so that the majority of the area is zoned for single family purposes with the exception of the property along Fairview which is zoned O-15.

Mr. Louis Parham, representing the petitioner, stated that he believed Mr. Bryant said all the residences were single family, but he is aware of a duplex being located out there and also he does not believe the bank building is a temporary structure but a permanent building.

He stated the property is at the corner of Park Road and Park Road. A change in the zoning would not amount to a spot zoning because on two sides there is already office zoning. It consists of three acres of land and the Allen's have owned it for more than 30 years and have a very nice residence there. Because of the change in the area with the Blythe Brothers Building across the street, Eastern Airlines, the bank building across the street and the Celanese Building up the street the entire area between this property and Sharon Road is nothing but office or business.

The traffic is very heavy; there is a stop light at the corner of Park Road and Park Road where it intersects Fairview. That he understands a protest has been filed and he has information that neither of the land owners of the contiguous portions have objected. At the time the bank property was rezoned he is not aware of any objections at that time. The property no longer lends itself to residential use as this is a corner piece of property, and it would appear to him that the proper cut off point for the office zoning would be in the middle of the block rather than at a very busy intersection. The Celanese Building has been in there for a number of years and it goes into the heart of Barclay Downs and there have been any number of residences erected in Barclay Downs adjacent and adjoining the Celanese property.

He stated the proposed use is for an office building; the plans have not been completed but it will be similar in style to the Blythe Brothers building and this piece of land is larger than any of the other pieces in the neighborhood. It would lend itself to the construction of a moderate size office building; the need in the area is great; all along Park Road there seems to be plans for office space. Park Road is one of the most heavily traveled streets in the city. If anything it is spotted with residences rather than residences.

Councilman Tuttle asked where the proposed entrance would be, and Mr. Parham replied there would probably be an entrance on both streets; it could be away from the corner of the property.

Mr. Myles Haynes together with his partner Mr. Baucom appeared on behalf of the petitioners in objection to the proposed zoning change and stated they have filed two forms of petitions - one is a petition to invoke the 3/4 Rule which was filed by the people who live opposite the property on Park Road and a general petition of protest containing 260 names of which 240 names of the residents live in the southwest quadrant of the intersection behind the property in question.

He stated there is no need for any additional office zoning in the area. Starting back at the Sharon Road-Fairview intersection is the Harris property which has yet to be developed and contains zoning to put up an office building. Along the north side back towards the west is the Celanese plant which goes over to the end and in front of the property in question; this is also zoned office institutional; opposite the intersection and coming back down the south side toward Sharon Road is a continuous line of office institutional after the initial business in the corner of Sharon Road. He presented a composite photograph of the homes in the area and stated they are very substantial homes and range from \$20,000 to \$60,000. He stated the people who live here bought the property in anticipation that these various buffer zones were going to be the same and would protect their property.

By virtue of previous Councils and the Park and Recreation Commission two other things have been done which have already encroached to some extent on the people who live in the area. Under the Smith 20-Year Thoroughfare Plan, Park Road where it makes its bend going south will be extended straight across to the west of the property in question and come back into Park Road; so they will be bounded on that side by a Thoroughfare. The second thing is that the Park & Recreation Commission with the approval of the Council dedicated the land along Sugar Creek landfall for a park. The economic effect upon these people remains to be seen, but he does not think that either of these are designed to enhance the property there.

He stated rumors have been running amuck as to what would be done with the property. This morning they saw in the paper they plan to build a three or four story office building with 16000 sq. feet per floor and with a four story building that will be 64,000 sq. foot. Under the zoning ordinance it will be necessary to have one parking space for each 300 sq. feet of building and they are making plans to put a building there that will accomodate 210 automobiles. The traffic is heavy out there and Park Road extension has to serve not only the business area but it must also serve all the residential development along either side of Park Road Extension.

Mr. Haynes stated they object to the rezoning on the grounds that no demonstration has been made for any need for additional office space in the area; there is adequate space dedicated on the Harris property; that this constitutes an unnecessary intrusion of business into a residential area; it will have an adverse effect on the residential property located in the southwest quadrant and across the street from it; it will cause unnecessary congestion of an already congested intersection. To allow rezoning on this corner and to allow business intrusion over into this residential area will do nothing but constitute a festering sore which will effect the entire area and will destroy all this residential property.

Mrs. W. M. Linberger stated she lives directly across from the Allen property and they did protest the rezoning of the property that the bank is now built on.

Mrs. Elmer Hilker stated they have only Park Road and Sharon Road to get their children in the area to the one high school, junior high school and elementary school, and this much traffic added would put their busses in a very bad situation; it would not be safe for their children.

Mr. Emery Lanier stated he resides a third of a mile from the subject property. He stated he is a relatively newcomer to Charlotte and spent several months looking for property to buy and he interpreted the Park Road area as a divided line between that and the Fairview business section. He looked upon this as an area where he could live for many years without an encroachment of industry or a business or office building.

Mrs. Porter Byrum stated she lives on Closeburn Road and the reason Charlotte is one of the most beautiful cities in the country is because people take pride in their homes.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-76 BY D. L. PHILLIPS INVESTMENT BUILDERS, INC. FOR A CHANGE IN ZONING FROM O-6 TO B-1 OF A TRACT OF LAND 250' X 237' AT THE SOUTHEASTERLY CORNER OF MORNINGSIDE DRIVE AND COMMONWEALTH AVENUE.

The scheduled hearing was held on the subject petition.

The Assistant Planning Director stated the property is at the intersection of Morningside Drive and Commonwealth Avenue. It has 237 feet of frontage on Commonwealth and 250 feet of frontage on Morningside. It is vacant property and the property across Commonwealth is vacant also; beginning at Morningside coming towards town on Commonwealth it is developed with single family; as you go out Commonwealth you go across the newly constructed bridge and get into some large apartment developments. The Morningside Apartments Development is along McClintock. At the intersection of Morningside and Independence there are a number of business uses.

Mr. Bryant stated the property along Independence is all zoned B-1; the subject property is O-6 as is the property directly across Commonwealth, and with those exceptions the area is all zoned R-6MF.

Councilman Short asked if this exact parcel was not before Council a short while back? Mr. Bryant replied it was and it is exactly two years.

Mr. Tom Cox, Engineer and Agent for D. L. Phillips Investment Builders, stated it has been just two years since this petition was brought in, and they think they have good reasons for bringing it back at this time. The basic reason for the request is to fulfill an established need. Within a half mile of this area there are 1499 apartments; this is the center of one of the largest concentrations of multi-family housing within the city. To their knowledge there has not been one single family residence built within the last fifteen years. Most of the houses are 25 years or more old. That the growth has turned Commonwealth Avenue into a thoroughfare which is evidenced by the new bridge.

Mr. Cox stated his company owns 50% of the apartments in the area and they are dealing day in and day out with the occupants. They complain that shopping facilities are not available within walking distance; some do not have automobiles; some do not even drive. The residents in the apartments have signed a petition favoring the change in the area, which he filed with the City Clerk.

He stated the property is on the tax books at a very low figure and has a low productive, as far as tax purposes is concerned. They plan a small neighborhood type grocery store to be well back from either street. The entire lot will be paved for parking with all off-street parking.

Councilman Jordan asked if there will be anything else built between Morningside and the creek? Mr. Cox replied their plans are for just one store plus the off-street parking.

No objections were expressed to the requested change in zoning.

Council decision was deferred for one week.

Mr. Tom Phillips stated his company owns considerable apartment projects and none of the projects are for sale for public housing. They were built with free enterprise money under the free enterprise system; that they have no intention of letting it deteriorate to where the Public Housing or any other authority might be interested in it. A prime example of

this is the Morningside Apartments with 336 apartments which have been built since 1950 and 1951 and this represents 17 years of usage and the recent FHA inspection gave them a very high grade.

HEARING ON PETITION NO. 67-77 BY TRUSTEES FOR CAMP GREENE CHURCH OF GOD FOR A CHANGE IN ZONING FROM R-6MF AND O-6 TO B-1 OF PROPERTY 150' X 328' AT THE NORTHEAST CORNER OF CAMP GREENE STREET AND AMBER DRIVE.

The public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located on Camp Greene Street about a block off Freedom Drive; it is presently occupied by the Church; it has a frontage of about 150 feet on Camp Greene and extends down Amber Drive for 328 feet. It is adjoined on all sides except one by residential usage; there are single family residential structures on Amber Drive across the street, on the side of and to the rear of the subject property and single family structures facing Elon Street.

That there is a duplex directly across Amber Drive at the intersection of Amber Drive and Camp Greene; immediately in front of the property is a shopping center and as you come down Camp Greene at the intersection of Freedom Drive, there are three service stations and a hardware store.

The zoning includes Industrial I-2 along both sides of Freedom Drive; the subject property is zoned O-6 on the front and then R-6MF on the rear portion as is all the remaining property in the area. Directly across from it is I-1 zoning where the shopping center is located and that extends all the way out to Freedom Drive.

Reverend Robert L. Morgan, Minister of the Church of God on Camp Greene Street, stated the changing face in his community makes the property virtually unsuitable for a church location. He presented a picture of the shopping area across the street, noting the public alleyway which he described as very unkept.

He stated he feels this location is much more feasible as a retail outlet than it is for a church; and this valuable piece of property would be much more productive to the community and the city as a business development. The approval of the petition would enable the church to develop much more immediately in a residential area; that this property would certainly add to the tax base and it is their intention to buy property which would be much less productive, tax-wise, by going out a little further into the residential area.

The topography of the land in the immediate area does not provide any natural boundaries to serve as a buffer; however, the public alley with its fences and hedges is about the nearest thing to a physiological buffer for the area. The garage in the picture has been used extensively by a plastering contractor for storage of material and equipment and immediately behind the church is a duplex rather than a single family residential dwelling as Mr. Bryant previously stated.

Next to that on the corner of Amber Drive and Alice Street is a home which is used as a Home for Mongoloid Children and then along Alice, which is immediately behind the church property with the exception of these two houses, there are no houses facing Alice Street. The fact that there are no houses facing Alice at least in those first couple of

blocks, would be a suitable buffer zone with the duplex and the home that is there.

On the south side of the property is the shopping center area and then a frame duplex across the street.

Reverend Morgan stated they did not have any plans for the property at this time but felt that the market was somewhat restricted by the O-6 zoning and they are adversely affected insofar as securing a proper value for the lot by the O-6 zoning; it is more suitable for B-1 than it would be for an office.

That if Council would approve this petition the property could be developed in a productive manner for business and it would certainly enable the church to develop a lot more quickly and they feel it is definitely more suited for B-1 zoning. He stated to his knowledge there were no protests against this petition; as a matter of fact, the neighbors were agreeable to the approval of this petition.

Councilman Short asked if the neighbors were agreeable to this to the extent that they would join in and zone some of their own land? As it is you have one lot on Camp Green I-1, one lot O-6, one lot of B-1 and then some lots of R-6MF - every lot changes the zoning; if it was made a little more uniform, it would be more logical. Reverend Morgan stated he talked with several neighbors who expressed an interest in getting their lots changed.

Mr. Bryant stated there are two properties zoned office on the front and as you proceed down Amber there are three additional properties that are opposite the church property; there are five separate lots that are involved if you tried to square up the line.

Reverend Morgan stated he would talk with these people if Council would like to postpone or delay the decision. Councilman Tuttle replied if would be necessary to pay an additional \$100.00 as Mr. Kiser can explain.

Mr. Kiser, City Attorney, stated another petition would have to be filed, another hearing would have to be held; that Council could delay a decision until such time as that petition is filed.

Councilman Whittington asked Reverend Morgan if the church is wanting to rezone this lot for business before it is sold in order to secure the land for the other church; that it would seem to him that it would be wise for Council to suggest to you to include not only your property but the property between you and Freedom Drive in a petition for B-1 or B-2 so that this would not be in the middle of the block but would consist of several parcels of land if the other people as your neighbors would join in and then the hearing be held and the opportunity to change would be more favorable than it is at present.

Councilman Smith asked Mr. Kiser if this petition can be amended? Mr. Kiser replied not since the Council adopted an ordinance which prohibited the amendment of petitions after the day before the date of the public hearing. Councilman Whittington stated he is suggesting that the Planning Staff get with Reverend Morgan and suggest how this can properly be presented involving all the people; then it is not a spot situation but involves a whole block.

Reverend Morgan asked Mr. Bryant if he would find any favor with the Planning Commission in such a move, and Mr. Bryant replied he cannot speak for the Planning Commission but his personal opinion is with another petition would be that there would still be some problems involved because what you are dealing with on the other side of the street, indicated before, is a block of several different properties and the basic intent, from the zoning and planning standpoint, should be to confine business uses relatively speaking to the Camp Greene area. If you zone five or six parcels of land in an area like this, you have no assurance that this side of the block is going to be developed as an intricate unit as the proposal would be for the other side and you might end up with several separated uses fronting on Amber Drive which would not be an ideal sort of situation.

Councilman Short stated he predicated his remarks if the neighbors would be cooperative and go along with this. Mr. Bryant stated they could be cooperative to the extent of going along with the rezoning but there would be no assurance that later it would be all combined into one development that basically would be related to the Camp Greene frontage. Councilman Short stated that could happen anywhere. Mr. Bryant replied this is true but the question here is whether you want to encourage business uses with their actual frontage on Amber Drive.

Reverend Morgan stated one of the neighbors seemed to be interested in presenting their own petition so it could be that Council might have several more petitions.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 67-78 BY WILLIAM A. MCGARITY FOR A CHANGE IN ZONING FROM R-12 TO R-9MF OF A 9.655 ACRE TRACT OF LAND ON THE NORTHWEST SIDE OF SHARON ROAD ABOUT 1,600 FEET SOUTH OF SHERBROOK DRIVE.

The scheduled hearing was held on the subject petition on which a protest petition has been filed and found sufficient to invoke the 20% Rule requiring the affirmative vote of six Councilmen in order to rezone the property.

The Assistant Planning Director stated the subject property consists of a rather long, narrow stretch of property that has about 256 feet of frontage on Sharon Road, extends back considerable depth, better than 1300'; has an acreage of about 9.655 acres in it; there are two houses located on the front of the property; the adjoining property is a combination of vacant and residentially developed property; there is one house off Sharon Road, and Sherbrook Drive is predominately developed with single family structures; the new portion of Beverly Woods is just beginning to have some houses under construction; next it has been subdivided for single family purposes but has not as yet been built; down on StoneyRidge Trail there are about 5 houses that have already been built; the property across the street is vacant.

The zoning is all single family; the property on one side of Sharon Road is zoned R-12 and on the other side is zoned R-15.

Mr. William A. McGarity, the petitioner, stated he has done everything to try to sell this property but has been unsuccessful; that he found out a protest petition has been filed against this petition. The people

had a meeting several nights ago and they were told that Dwight Phillips was going to get this property which was not true. That he had been trying to get in touch with Mr. Kuralt and finally got in touch with him Friday afternoon and he said anything was alright with him and he would check with the City and see what could be done with the property.

Mr. McGarity stated he purchased this property in 1946 and the tax on it was \$1.80. Today it is \$500 and he is forced to do something. He stated he called several people who had signed the petition.

He stated he talked to one person who signed the protest and told him he just wanted to put some nice apartments in there and asked if he would object if he changed to R-12 or R-15 and he replied he would object to apartments anywhere. He stated he would put in as many apartments as possible - under R-9 he could put in 164 units, under R-12 137 units and with R-15MF, he could put in about 117 units. They will be townhouse type apartments and will be similar to Olde Towne Apartments on Sharon Road. He stated he has lived and worked in Sharon for many years and has promoted everything that has come up in the community. That he is forced to do something with the property and he does not feel he can afford the taxes and these apartments would benefit Sharon, Mecklenburg County and the City of Charlotte a lot more than it would some small low rental houses that he will have to build.

That he has checked with the Engineering Department and was told that sewer was provided for when they came into the new Beverly Woods. That if it would satisfy everyone he would be willing to ask for R-12 or R-15 multi-family.

Mr. Eric Jonas stated he represents more than 20% of the property owners adjacent to the subject property and they object primarily on four grounds. That it would downgrade the present zoning classification for the whole area which is single family; it would constitute spot zoning; it would permit apartments to be constructed on the land and would increase the traffic, and would decrease the value of the single family residences which are planned for this entire area. That Mr. Wallace Kuralt signed the protest petition.

Mr. Edgar Gale stated he is a resident of Sherbrooke, and as an architect he cannot object to multi-family residences either as multi-family group or intermingled correctly in with the single family residences. However, he does not feel this request falls within this category. This area is already developed partially and already designed as a single family dwelling area; there has been no provisions made for proper screening or proper relations to multi-family units and he feels multi-family units within the area would be very detrimental. The area has already developed along the lines of R-12 and R-15 zoning and on past experience throughout the city, the change to R-9 zoning would be very much of a detriment, not only to the character but to the quality of the area.

Mr. Gerald McCumley, 4133 Sherbrooke Drive, stated there are two factors he is concerned about - the amount of traffic as Sharon Road is somewhat of a hazard anyhow early in the morning and late in the afternoon. With South High School and the people from South Carolina going to and from work, it is pretty hard to get out of Sherbrooke Drive at times. He stated there would probably be 200 or more cars

involved if the change were granted. Another concern they have is the school situation as the grammar schools, Huntington Farms and Sharon School, are overcrowded as it is.

Mr. Ralph Howie, 4035 Sherbrooke Drive, stated he also owns the property approximately 1,000 feet to the north and on the opposite side of Sharon Road which he is now developing and for which he already has residents living in a \$30,000-up neighborhood; that he has designed some 59 homes to be built and has been selling these homes under the assumption that it was and is a single family neighborhood. Therefore, he objects both as a resident of Sherbrooke and as a developer in very close proximity in an R-15 single family area to any downgrading or spot zoning to a lower classification or multi-classification zoning.

Council decision was deferred until the next Council meeting.

MAYOR BROOKSHIRE CALLED A TEN MINUTE RECESS AT 4:55 P.M. AND RECONVENED THE MEETING AT 5:05 P.M.

Mayor Brookshire called a ten minute recess at 4:55 P.M. and reconvened the meeting at 5:05 P.M.

RESOLUTION CLOSING AND ABANDONING PORTION OF EAST 27TH STREET BETWEEN NORTH DAVIDSON STREET AND NORTH BREVARD STREET.

The public hearing was held as continued from the Council Meeting of October 30th on petition of North Davidson Corporation and General Latex and Chemical Corporation for the closing and abandonment of a portion of East 27th Street lying between North Davidson Street and North Brevard Street.

Mr. LaFontaine Odom, Attorney for the petitioners, stated this was continued three weeks ago to allow one property owner to consider whether they would object or not. As of this morning he understood they would object, but neither he nor his attorney is present.

No objections were expressed to the petition to close the street.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted, and is recorded in full in Resolutions Book 5, beginning at Page 22.

HEARING ON PETITION OF HOWARD NANCE COMPANY FOR THE ANNEXATION OF 77.04 ACRES OF PROPERTY LOCATED IN CRAB ORCHARD TOWNSHIP, OFF REDMAN ROAD ADJACENT TO AMITY GARDENS AND IDLEWILD.

The public hearing was held on the subject petition.

Council was advised that the estimated cost to provide sanitary sewer service is \$86,000 and the area is so situated topographically that it will require three sewage lift stations to pump the sewage into the existing city systems; and the cost of installing water mains will be approximately \$40,000 and after the recent study and report to Council on the possibility of annexation of areas adjacent to the subject property that decision not to annex this area has resulted in the strengthening of reasons not to approve this request.

Councilman Smith requested the record to show that the Howard Nance Company has offered to pay for two lift stations. Councilman Whittington stated also the reasons for not annexing property on Independence Boulevard was never the question, the question was to continue the study to determine whether it should be annexed or not.

Mr. Lew Bledsoe, representing the Howard Nance Company, stated they have attempted to prepare an extensive study to show the Council why they believe this is a justified petition to annex this property. He stated this is not anything out of the ordinary, but is a petition for the annexation of 77.04 acres of property contiguous to the city limits and is being petitioned by the landowner itself.

He stated since 1963, there have been nineteen petitions which the city has approved. That Coventry Woods and the area they are asking to be annexed will be developed into 223 lots. That the policy of the city for acquiring property and the policies within the water and sewer have been formulated in this petition. The petition involving Robinson Woods involved almost an identical situation.

As to what this will cost the City and what kind of returns the city will receive; is it going to be a costly situation or is it going to be revenue for the city; is it going to help the city in its growth? Mr. Bledsoe stated they intend to follow the Water Department policy with regard to this property; they do not see any unusual expenditures. He stated the projection of water costs are to be \$20,000 for 1968 and \$20,000 in 1969; so they are not talking about a quick expenditure but an orderly development of the tract of land; that in accordance with the city's policy, they would guarantee the ten per cent revenue on the cost of the water installation until it maintained its ten per cent and the developer would pay the cost to see that it did.

With regard to the city sewage, they believe this property can serve the city without any undue cost except the installation of two lift stations. He stated they have forty lots that are presently within the city and are being developed; there are others that are in the city but not being developed but planned to be developed. The forty lots presently within the city are projected to be developed in 1967; 106 lots are projected for 1968 and 117 lots projected for 1969. This means that the full impact of this subdivision development as far as the city's facilities are concerned would not be until sometime in 1970 or thereabout.

Mr. Bledsoe stated when they say they agreed to bear the cost of the lift stations, the developer is balancing the cost and is paying an unusual expense. There are two lift stations and one lift station is already being planned to serve the 40 lots and the city is already under contract to serve them. If the one which is already under contract with the city is relocated, it will serve not only the 40 lots inside the city but also the 106 lots projected for 1968. As far as the cost on this lift station is concerned under the present sewer policy of the city the \$32,000 has been put up by the developer. In effect they believe that money will probably not be returned to the builder as there will not be a ten per cent return.

The projected McAlpine Creek Basin is projected to be developed in 1970 and 1971; that he does not know the progress but the city in its wisdom is planning to take care of this area and what it is projecting there will be some relief whenever this is put into effect.

He stated the builder is expecting to put into this property some five million dollars and on the basis of the present tax rate, this would be a

projection of somewhere between \$50,000 and \$65,000 additional revenue to the city. In considering whatever the extra cost might be of maintaining the two additional lift stations, that the revenue will be far, far more than the cost. He stated these lift stations are small stations that merely carry the sewage by pressure back into the city system, and this is a nominal expense.

Mr. Bledsoe stated they are planning to develop this over a three year period and the only kind of cost to the city - the developer will put up the money required to do this developing and get it back on its refund policy - will be \$20,000 in 1968 for the water system. The revenue will be guaranteed until it begins to return ten percent; the other \$20,000 will be required in 1969.

He stated this is not an unusual situation as lift stations are being used now. In the case of the S & T Development Company in Robinson Woods, they have to have a lift station to carry the sewage back into the city's system. At that time the Engineering Department said they would prefer the gravity flow and the gravity flow would be better by far but this is a situation where we cannot have the gravity flow with the existing situation without running into septic tanks and the private utility situations.

He stated if you took \$12,000 per lift station and talk about three lift stations and took the \$36,000 away from the \$86,000 that would leave \$50,000 that the city would not be reimbursed for; plus this would be returned when the money is put up by the builders in accordance with the present policy. Projected over a period of time the sewage would be returned by 1974 and the water by 1971. They are asking the City over a period of some three years to invest \$90,000 and they believe with the compensation, the cost and revenue to be derived from it, the city will not make an uneconomically feasible situation.

Councilman Smith asked if Howard Nance will pay for the lift station that is to be relocated and because of the ten per cent rule, he will not get that money back, and that will be an expense non returnable. Mr. Bledsoe replied yes. Councilman Smith asked if he figures the revenue will be sufficient on the other two lift stations to return the money to them? Mr. Bledsoe replied yes. Mr. Howard Nance replied they are not asking for the return of the lift station and are willing to pay for the lift stations. If the property is annexed the one station should be relocated so that it can serve all this property; as it is located, it can only serve a part of the property. That they figure the cost is about \$800.00 per lot for sewage.

Councilman Tuttle asked Mr. Bledsoe if he can name any large cases where a developer has asked to be annexed and they have been refused? Mr. Bledsoe replied no he cannot state that there is a single one; that in every case where the developer asked to be brought in, the Council has granted the request. Councilman Tuttle stated then the only difference between this case and the run-of-the-mill case is Howard Nance will pay for the lift station, and then we are talking about \$2,000 a year in operating these pumps. Councilman Smith stated some of these areas were already developed before they requested annexation.

Mr. Veeder, City Manager, stated essentially what Mr. Bledsoe has said is correct; there has not been an annexation by petition that has been turned down; the Robinson Woods Annexation which he alludes to as being similar to the subject petition on some points were similar but there is some difference. That Staff is not being inconsistent as it did not

recommend the Robinson Woods annexation. He asked Mr. Josh Birmingham of the Engineering Department if it was necessary to lift the sewage twice or once on the Robinson Woods, and Mr. Birmingham replied it was lifted twice because it was lifted from Robinson Woods into the McMullen Creek Area and lifted again. Councilman Short asked if there is any other situation than this one where there would be three liftings? Mr. Birmingham replied not to his knowledge as they do not lift it more than twice and Robinson Woods is the only place that he knows where they do that. Councilman Short asked if there is a difference in the size of the pumps and Mr. Birmingham replied the drainage area is so situation topographically that there are three drainage areas that divide the property that requires the three lift stations in order to serve the 77 acres.

Councilman Alexander asked how many of the other developers paid for the lift stations? Mr. Veeder replied there is only one other development that includes the lift stations that came in by annexation and that is Robinson Woods, and the developer paid for that one.

Mr. Birmingham pointed out on a map the area in question and the area that is presently inside the city and the dividing line between the Campbell and McAlpine Creek Areas and the Briar Creek which is inside the city. The annexed area is served by the Idlewild Utilities which is a private system on McAlpine Creek, and the subject property is adjacent. He stated the city has an existing sewage lift station purchased for the purpose of serving some 26 lots that were in existence at the time the area was annexed. The city has a contract with the Nance Company to move this station to serve that portion of the 22 acres that is in the existing city limits. If this area is annexed this station will have to be relocated plus an additional lead-to.

Councilman Whittington stated what he is saying is that all this area has to be pumped back into the Briar Creek drainage area because of the location of the ridge line. Mr. Birmingham stated this means the sewage will have to be pumped three times to accommodate this property. Sewage is collected in a holding tank and then pumped when it gets sufficient volume into the next tank and held in the next one until sufficient volume is accumulated and pumped again. He stated there are two bad aspects to pumping sewage this many times - there is an opportunity to get septic sewer which means the sewer is in such a state that it is hard to treat; the other is the bad odor that has been experienced from lift stations and they have received complaints from areas where there is sewer that stays in the wet-well so long that it gets septic.

Mr. Birmingham stated in the design of the present Briar Creek system, Campbell Creek was not considered in anticipating anything from that area. The City has an 8-inch line which was designed only for this area and the little portion annexed in 1960; they feel the city is obligated to serve that area since it was annexed; however, the area now draining to the existing 8-inch line is 250 acres which is the maximum area designed for an 8-inch line. As a matter of good practice, they could not recommend the pumping of an additional area into this because it would overload the system; it may not do it the first year, but it could very well be overloaded.

Councilman Tuttle asked if a larger line was included in the \$36,000 and Mr. Birmingham replied no that it is approximately some 4,000 feet down to Independence Boulevard and he would not know how to estimate something like that.

Mr. Birmingham asked what happens if the next area is annexed, do you build another station and pump it four times? There is a present system in the area, The Idlewild Treatment Facilities, which is in the natural drainage area. He stated they feel, if at all possible, the area should go that way. Mayor Brookshire asked if that means Howard Nance Company would have to do business with a private utility, and if so, has it been explored? Mr. Bledsoe replied it is economically non-feasible.

Mr. Veeder stated Mr. Bobo, Administrative Assistant, has had conversations with representatives of Ervin Construction Company who own the Idlewild Utilities operation and has more conversations scheduled with them. What may or may come out of these conversations would be pure speculation, but there is some basis for continuing some conversations to the mutual advantage of the three parties - Idlewild Utilities, Nance Construction and the City. He stated he could not agree with Mr. Bledsoe more when he made the observation that gravity flow is the best system. When you design any type of system that collects sewage you can only do so on the basis of the drainage basin served. Anytime something is done in addition to or added into that system over a ridge into the next drainage area, it automatically raises some potential problems that can be of some significance. This was designed for a 250 acre drainage area into an 8-inch line, and this is an additional 77 acres, and where do you go with the next person. That he was told today that Mr. Ervin might request the annexation of an additional 500 acres, so this poses pumping it again.

Councilman Smith asked if there is a provision in the contract between the City and Ervin where the city can use this system at a certain cost? Mr. Veeder replied this is not a part of that contract. The contract is basically towards the end of how the city goes about acquiring that system if, as and when it wants to acquire it. Councilman Smith asked if the city could contract for "x" dollars for Ervin to take this sewage and treat it, which would be cheaper; that this is going to face us from now on and it should be clarified. Mr. Veeder replied this is an alternative that has not been explored for any depth. Councilman Whittington asked if it would not be wise for the petitioners to not pursue this any further until such time as we can get a report back from Mr. Bobo on his conversation with the Idlewild Utilities people. This in a sense, is like the petitions that Council has had before, and it would be difficult for Council not to do for these people what it has done for others, except here we are going to pump it three times which is more than it has ever been pumped before. If something can be resolved between the petitioners and Idlewild Utilities and the City, then we are arriving at a solution that will be beneficial to the petitioners because until such time as the McAlpine Drainage Basin is completed in 1970 or later, everything we are doing there is going to have to be pumped back to Briar Creek or worked in with the Idlewild Utilities.

Mayor Brookshire stated he would think that Council's judgement might be to delay this long enough to see if there is not a better solution than has been proposed today that might be worked out.

Mr. Nance stated this is a routine annexation and in his opinion, we are talking about peanuts as compared with the overall situation. The only objection that can be drawn against this annexation is the fact of the lift stations; and this is a small part of the total picture. He understands the crux of the subject is two lift stations that can go in a manhole. The City already has nine and this is talking about two very small lift stations. That they have the city's figures on the cost of the maintenance of the stations. First of all, they are going to pay for these stations and this is peanuts again, \$1,000 a year, until this McAlpine Creek Outfall is completed. That he would not like to see the Council spend all its time

on what he feels is an insignificant part of the presentation. That there are some very definite benefits; they anticipate the City will receive about \$65,000 annually from property and personal property taxes; they are willing to invest \$5,000,000 in this area and essentially what the city's total investment would be by 1970 may be \$90,000. He stated they will put up the money for the sewer in accordance with the usual city's policies and will guarantee the water in accordance with the city's policies. During 1968, the City outlay will be \$30,000 and the heaviest part of the \$90,000 would be in 1970 and 1971.

As far as going into a private utility system, they have investigated this and have reached a decision that it is not feasible. First of all, they do not know the financial status of Idlewild; they do not know but what the ownership might change from time to time and cannot hang their reputation on building 200 or more houses and have this change ownership, or for some reason not operate. Second, the cost is prohibitive; they could do much better to put in septic tanks. He stated they would not like to be placed in an unfavorable competitive situation. Ervin Construction Company is the present owner of the Utility System and they are also building homes in this area. Water rates can be one thing here and can be another thing there. They feel this would place their property in jeopardy and put them in an unfavorable situation. For them to go into this private system is something that they would not do.

Mayor Brookshire stated the crux of the problem may be there is a 2400 foot 8-inch line there that may be considerably overloaded before this acreage is completely developed, which is over and above that which was anticipated to be handled in this 8-inch line, so we could be in trouble again. Mr. Nance stated he thinks this unscors what Mr. Brimingham has said - they have not proven nor do they have the facts that have been presented to them that it will be; they say it may be but they are in the area where they have not said it is overloaded or that it will be overloaded.

Councilman Short stated if Mr. Bledsoe, Mr. Nance and Mr. Alley have found that it is not feasible to go into the Idlewild Utilities Facilities in their own negotiations, he asked Mr. Veeder if he is suggesting that somehow Mr. Bobo can work it out better than they could, or could somehow make it feasible whereas it otherwise is not? Mr. Veeder replied this is a possibility; what the outcome might be he would not venture a guess; that the possibility exists and it should be explored.

Mr. William S. Michael, representing Ervin Construction Company, stated Idlewild Utilities is a certificated public utility that operates under direct control of the North Carolina Utilities Commission and the State Stream and Sanitation Commission. Its operations are further circumscribed by having all its facilities under several trustees for the benefit of the residents who are served which is controlled by the Federal Housing Administration, Veterans Administration and the Mecklenburg Health Department. If it does not service its customers properly, these facilities can be taken over by the Trustees and operated for their benefit. Its finances are under the control both of the Utilities Commission and the people who lend them money. If Idlewild Utilities were to go under, then you would see Ervin Industries and a number of other people banned from the face of Mecklenburg County. That he does not think that is a reality. With respect to servicing the property in question, some preliminary negotiations of a very tentative nature were made and were not followed through. No firm price has been established as they have quoted no firm price and have not been requested to quote a firm price. The crux of the problem in quoting a price is that their rates are established by the Utilities

Commission; they have a limited right which is limited by the growth of the City because when the properties are annexed, they vanish as a Utilities Company. As this point, they must retire their investment or find some other pocket from which to pay their creditors. Within the framework of the Utilities Commission's rules and regulations and what they deem are permissible, they will be pleased to work with Howard Nance Company. That they cannot agree more that lift stations are a last resort. The design of Idlewild Utilities meets the specifications of every governmental agency that has control over it. Mr. Michael stated he does not believe that all avenues have been explored, and they will be pleased to do whatever they can to further the growth of the city in a more reasonable plan. That it is of some importance to think of the certificated utility itself which comes into being to serve a need that cannot be met by the City at this time.

Councilman Short moved that the hearing be recessed until Monday, December 11th so that all parties will have further opportunities to say anything they want after the parties have been able to discuss further and examine further the ideas. The motion was seconded by Councilman Stegall.

Councilman Stegall asked Mr. Nance if this would seriously impair his project in any manner? Mr. Nance replied yes for the two reasons he has mentioned - the competitive situation and their uncertainty as to the ownership and continued ownership of this corporation.

Councilman Whittington stated no one on the Council is trying to do anything except help Howard Nance Company; that he thinks they will agree they have come with a different request because of the pumping stations involved and because the City's Engineers say that maybe this 8-inch line would not take care of this development between now and 1970; that Council is simply trying to resolve the differences and this is why they do not want to act on it today.

Mr. Bledsoe asked if the City will be involved in the negotiations to help resolve this and it will not be left up to the petitioner? Mr. Veeder replied that is right. Councilman Tuttle asked Mr. Nance if this is satisfactory with him and Mr. Nance replied it is.

Mr. Herman Alley, General Manager of Howard Nance Company, stated he thinks the presentation has been very well completed; that we are getting into an area that will involve a long negotiaton; that time is of the essence as far as they are concerned; they have now signed a sewage contract with the city, and deposed \$32,000 covering 40 lots which are inside the city. He stated it is his understanding that the city proposes to install a lift station or to take a lift station that currently exists and relocate it. If this is done, that eliminates any possibility of having the lift station relocated to where it would do the most good or serve the most lots. If anything is postponed today and the city proceeds with the installation of the lift station, then we have defeated one of our largest points; then it would require three lift stations. Today it only requires two. Mayor Brookshire asked if the city would relocate this before the matter is settled? Mr. Veeder replied bids are out on this which are due next week and the City has 30 days in which to award the bid.

The vote was taken on the motion and carried unanimously.

DECISION ON PETITION NO. 67-55 BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION TO CHANGE ZONING FROM R-12, B-2, I-1, AND I-2, TO R-12, RE AND I-1 PROPERTY ON BOTH SIDES OF NEW I-85, EXTENDING FROM MALLARD CREEK ROAD ON THE WEST TO HIGHWAY 29 ON THE EAST, AND FROM MALLARD CREEK ON THE NORTH TO MINERAL SPRINGS ROAD ON THE SOUTH, DEFERRED FOR ONE WEEK.

Councilman Whittington moved that the property beginning at the intersection of Highway 29 and 49 be rezoned to I-1 up to Clark Boulevard; that the residences and homes on Clark Boulevard be rezoned R-12, as recommended by the Planning Commission; the property facing North 29 from Clark Boulevard to the Rimmer property be rezoned Research and from the Rimmer property to the University of North Carolina at Charlotte's property be rezoned B-1 and all the remaining property left to be rezoned Research. The motion was seconded by Councilman Smith.

Councilman Short stated he has thought about this decision and he simply cannot agree with this proposal as to the land which would remain B-1; this is the land at the very north end and it is the land owned by Mr. Rimmer and Mr. Penninger. That any zoning that could be applied to this land would make these owners considerably better off with reference to land values than they had any reason to expect several years ago; this is because of the huge expenditures of public and private funds already spent or plan to be spent in the abutting and surrounding area.

That I-85 has been built just west of the land owned by the people who operate the motels at tremendous expense; a water line has been built from Eastway Drive up to 49 by the City and County and from 49 on up to just south of this land by Research Corporation; a belt road has been promised by the State to be a 4-lane, limited-access highway and this abuts the land on the north and an interchange has been promised where this belt road intersects Highway 85. The entire surroundings southwesterly of the area is to be research park at a projected expenditure of some 15 million dollars; the land to the north and east of this property abutting it is a University for which some \$30 million approximately has already been spent; about \$45 or \$50 million has been spent or promised in land abutting this particular property which has been left as B-1 under Mr. Whittington's motion. This money has been spent by the taxpayers, the state and federal governments and the city and county within the last two or three years and he feels fairness in this situation does not necessarily lie in leaving the motel operator unchanged because his situation is already changed in a way that is bound to profit him greatly with reference to the value of his land. Fairness lies in adopting a plan which will direct the ultimate future growth of this land toward a blending with all that is going on about him.

He stated this proposal picks out the land of two people who now have business zoning and leaves them with business zoning and takes it away from three other people who are also engaged in business activities out there; that this is discriminatory and there is no adequate excuse for such a procedure. There is a better plan and that is to zone for O-6 use all of the land of those five individuals which are now zoned for business - this would be Mr. Rimmer, Mr. Penninger, Mr. Deerstein, Mr. Coulter and the other person - those who are now zoned for business. If this were done, these owners would have a wide range of uses still open to them and a wide opportunity to sell. They would not feel that they are forced to sell only to the Research Park Corporation, the property would be available for all of the residential uses, for all apartment and multi-family uses, for all research zoning uses, and it would be available for all of the office zoning provisions. He stated he would like to point out that office category includes the operation of a motel "Section 23-32.2 - Office Zones: (b) Motels, motor courts, and hotels may be established in office districts,

subject to area, yard and height regulations of those districts and provided no part of the property so used is located within 100 feet of any residential district." He stated none of this property is within 100 feet of any residential district.

That even if motels were not allowed in an office district, they could continue this motel because they could simply continue as a non-conforming use; these people have a vested interest in what they have built up out there and any man has a vested interest in what he now owns. That he does not think anyone has a vested interest or monopoly on the future direction of the development. That any other attitude would be against public policy. This is what zoning is all about, it allows Council, as representatives of the people, to state the direction of change in progress after the present uses have run their course and this does not mean that the present uses are distributed in any way.

Councilman Short made a substitute motion to go along as suggested and moved by Councilman Whittington and Councilman Smith with the change that all of that land which is now zoned for business, some is B-1 and some is B-2, be rezoned as O-6. That he is under the impression from having conferred with the City Attorney, that this will require another hearing but it should be done this way. It happens that O-6 is the only zoning category that reconciles both motel use and research zoning, both of these are allowed with an O-6 use and all of these people can be put in that category and not be discriminating from one to another; that it seems to meet all of the requirements that everyone is seeking in this area. Councilman Stegall seconded the motion.

Councilman Tuttle asked if Mr. Rimmer can add additional rooms to his motel, as he has been doing, under O-6 zoning? Mr. McIntyre replied motels are allowed in office districts. Councilman Smith asked what the restrictions are and Mr. McIntyre replied he cannot recite the restrictions specifically. Councilman Tuttle stated this is what he needs to answer his question.

Councilman Stegall asked why we would have to have another hearing. Councilman Short stated Council is allowed to zone land to a higher or more restricted than that petitioned for but Council is not allowed to zone land for a less restricted category than that which is petitioned for and this would be less restricted than the research zoning which has been petitioned for. That this is a legalism which does not fit this situation too well but is a legalism which Council would have to abide by.

Mr. Kiser stated if the motion Mr. Whittington made contains a recommendation to zone a lesser classification than that which was requested in the petition, then it would also require another public hearing. Councilman Tuttle replied it is higher as it will be going from I-2 to I-1 and from B-2 to B-1. Mr. Kiser stated he believes that on some of the specific properties that were mentioned in his motion, the petition requested a higher classification than I-1.

Mr. McIntyre stated there are two types of office zoning O-15 and O-6. The O-6 restrictions are - minimum lot area, 6,000 square feet, minimum lot width, 50 feet, minimum side yard on one side - 8 feet on the other 6 feet; minimum set back is 20 feet, maximum height is 40 feet, and minimum rear yard would vary with type of zoning on adjacent property.

Councilman Smith asked if he is saying that Mr. Rimmer can continue to operate his motel and add to it and anything else under the O-6? Mr. McIntyre

replied within the dimensional stipulations just read. Councilman Smith stated it is obvious this is the solution to this but it is the first time it has come to his attention that it could be done; that Council has been discussing this for several weeks and someone on the professional staff should have told Council that they could put a motel in O-6 Districts.

Councilman Jordan asked if Mr. Rimmer's property is suitable to do what he wants with the setbacks? Councilman Smith asked about the man next door who has the service station? Councilman Tuttle stated he would not be able to expand.

Councilman Smith made a privileged motion to postpone decision for one week. The motion was seconded by Councilman Stegall, and carried by the following vote:

YEAS: Councilmen Smith, Stegall, Alexander and Jordan.

NAYS: Councilmen Whittington, Tuttle and Short.

Councilman Alexander stated he would like to resolve this today but whatever solution we can come up to where it is as equitable as possible to all property owners is what he is in favor of and he cannot see the wisdom in doing anything that gives one man favors that another is denied. Councilman Smith stated the reason for postponing it for a week is so the Attorney for Mr. Rimmer and others can review the O-6 and see if it is legally sufficient for what they want; that he thinks they should have the right to review.

ORDINANCE NO. 724-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION TO BE USED FOR THE DEMOLITION OF HOUSE LOCATED AT 2317-19 BLANTON STREET.

Councilman Stegall moved the adoption of the subject ordinance authorizing the transfer of \$275.00. The motion was seconded by Councilman Jordan and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 136.

ORDINANCE NO. 725-X ORDERING THE REMOVAL OF A VEHICLE LOCATED AT 3701 CRESTRIDGE AVENUE PURSUANT TO ARTICLE 13-1.2 OF THE CODE AND CHAPTER 160-200 (43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Alexander, seconded by Councilman Jordan, and unanimously carried adopting the subject ordinance ordering the removal of a 1955 Plymouth at 3701 Crestridge Avenue.

The ordinance is recorded in full in Ordinance Book 15, at Page 137.

RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON DECEMBER 18, 1967 ON PETITIONS NO. 67-82 THROUGH 67-95 FOR ZONING CHANGES.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 6, at Page 24.

DEED TRANSFERRING HEALTH DEPARTMENT PROPERTY TO COUNTY, DEFERRED UNTIL JOINT MEETING WITH COUNTY COMMISSIONERS.

Councilman Alexander moved approval of a deed transferring Health Department property to the County. The motion was seconded by Councilman Short.

Mr. Veeder, City Manager, advised this goes back for several years to a joint meeting between the Board of County Commissions and the Council when it was agreed that the County would take over the complete operations of the Health Department, and the City when it could, would convey the property to the County under terms acceptable to the City and County.

Mayor Brookshire stated this was developed with bond money. He asked at what cost and what would be the bonded indebtedness at this time? And if any efforts have been made to get the County to either compensate the City for its equity or to assume the debt service. Mr. Veeder replied bonds will be outstanding through 1983-84. This is approximately \$30,000 a year over a period of 15 or 16 years remaining. The total debt remaining in principle and interest is about \$490,000. It was originally \$500,000 in bonds issued for the construction of the building, of which some \$150,000 in principle and \$231,000 interest has been paid off through 1966-67.

Any conversation about the County assuming any obligations on the outstanding debt, has been met with the reaction that it was assumed by the County that this transfer was to be made and would be made at no consideration to the County. Representatives are under the impression that this was in fact the sense of the agreement that was entered into some time ago.

Councilman Whittington asked what action the County Commission took this morning on the consolidation of building inspection department? Mr. Veeder replied he attended the meeting and this subject was discussed at some length; the discussion principally was devoted to obtaining expressions from the representatives of the other municipalities in the County; a number of whom attended this morning's meeting; all of whom seem to be expressing primary interest in a consolidated operation if there should be one, and that it be operated by the County government. Their interest seemed to be pointing in this direction and the Board of County Commissioners seemed to be indicating an interest of making a decision or going into the business if not at the first of the year, then perhaps at the start of the next fiscal year. They would, through some device, hope to have services available to the unincorporated area or the area outside the perimeter area for these types of services. The way it was left this morning was that the Chairman was to get in touch with Mayor Brookshire to discuss the County's interest in the subject; clearly their primary interest is for the County to assume responsibility for all building inspection activities countywide.

Councilman Whittington moved that Council delay decision on transferring the Health Department property until we meet with the Board of County Commissioners. The motion was seconded by Councilman Short, and carried unanimously.

LEASE WITH NORTH CAROLINA NATIONAL BANK FOR SPACE IN AIRPORT TERMINAL AUTHORIZED.

Councilman Short moved approval of a five year lease with North Carolina National Bank for 406 square feet of space in Douglas Municipal Airport Terminal Building at a rental of \$500 per month, or \$6,000 a year. The motion was seconded by Councilman Jordan, and carried unanimously.

LEASE AUTHORIZED WITH CHARLOTTE BONDED CONSTRUCTION AND RENOVATION COMPANY, INC. FOR LAND AT AIRPORT.

Upon motion of Councilman Smith, seconded by Councilman Tuttle, and unanimously carried, a one year lease was authorized with Charlotte Bonded Construction and Renovation Company, Inc., for approximately 42,000 square feet of undeveloped land located east of the north-south runway and 300 feet south of Cannon Aircraft's new lower aircraft parking apron, at a rental of \$57.30 per month, or \$687.60 per year.

DUKE POWER COMPANY AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER LINES AT THE INTERSECTION OF TODDVILLE ROAD WITH PIEDMONT AND NORTHERN RAILROAD, OUTSIDE THE CITY LIMITS.

Motion was made by Councilman Smith approving the request of Duke Power Company to connect private sanitary sewer lines in a 66-acre tract of land at the intersection of Toddville Road with Piedmont & Northern Railroad, outside the city limits, to the City's Sanitary Sewerage System, with the contract to stipulate the lines will become the property of the city when annexed. The motion was seconded by Councilman Short, and carried unanimously.

CHANGE ORDER NO. 1 IN CONTRACT WITH CROWDER CONSTRUCTION COMPANY FOR SIXTH STREET IMPROVEMENTS AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Alexander, and unanimously carried, the subject change order was approved increasing the total contract price by \$789.00.

APPRAISAL CONTRACTS FOR EAST THIRTIETH STREET PROJECT AUTHORIZED.

Motion was made by Councilman Tuttle, seconded by Councilman Smith, and unanimously carried, authorizing appraisal contracts for the East Thirtieth Street Project, as follows:

- (a) Contract with B. Brevard Brookshire for appraisal of 13 parcels of land;
- (b) Contract with Lionel D. Bass, Sr. for appraisal of 11 parcels of land;
- (c) Contract with Leo H. Phelan, Jr. for appraisal of 13 parcels of land;
- (d) Contract with Alfred E. Smith for appraisal of 12 parcels of land.

WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENTS APPROVED.

Councilman Smith moved approval of the 1967 Review of Progress under the Workable Program for Community Improvements for the elimination of slums and blight in the city and the prevention of the reoccurrence of these conditions. The motion was seconded by Councilman Whittington, and carried unanimously.

CONTRACTS FOR INSTALLATION OF WATER MAINS, AUTHORIZED.

Upon motion of Councilman Short, seconded by Councilman Smith, and unanimously carried, the following contracts for water main installations were authorized:

- (a) Supplementary Contract to contract dated September 12, 1960, with Lance, Inc., for the installation of 2,110 feet of main, in Pineville Road, outside the city limits, at an estimated cost of \$18,000.00. The applicant will pay the entire cost and will own same until such time as the area is incorporated into the City, at which time the water main and appurtenances will become the property of the City without any further agreement in connection therewith; the City will operate and maintain the main for the revenue produced and the applicant will be permitted to charge reasonable tapping fees along the line as agreed upon by the Applicant and the City;
- (b) Contract with E and J Development, Inc., for the installation of 460 feet of water main and one fire hydrant to serve Graham Park Town House Project, inside the City, at an estimated cost of \$2,100.00. The City will finance all construction costs and the Applicant will guarantee an annual gross water revenue equal to 10% of the total construction cost.

APPOINTMENT OF THOMAS C. RICKENBAKER TO REDEVELOPMENT COMMISSION FOR UNEXPIRED TERM EXPIRING NOVEMBER 27, 1971.

Councilman Whittington moved the appointment of Mr. Thomas C. Rickenbaker to the Redevelopment Commission for an unexpired term expiring November 27, 1971. The motion was seconded by Councilman Stegall, and carried unanimously.

SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Stegall, and unanimously carried, approving the following special officer permits for use on the premises of the Charlotte Branch, Federal Reserve Bank of Richmond:

- (a) Issuance of permit to Charles Franklin Collins for one year;
- (b) Renewal of permit for one year to - Jack D. Austin, Ralph J. Beatty, Price D. Crutchfield, Jack F. Faw, Earl A. Frady, Paul E. Haefling, David S. Harllee, Frank W. Helderman, W. Y. Henderson, Robert H. Horne, Wade H. Linker, John H. Miller, George W. Morgan, Johnnie C. Mumford, J. Wesley Parks, Oliver W. Parks, John E. Pettit, James E. Porter, Joe L. Puckett, Jr., Milton P. Therrell, Odus H. Turner, James R. Wall, W. Paul Watson, and Paul T. Guin.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs. Lera S. Crain for Graves No. 4 and 5, in Lot No. 177, Section 2, Evergreen Cemetery, at \$120.00;
- (b) Deed with Mrs. Louise Moretz Casey and Mr. William Mallan Casey, for Graves No. 1 and 2, in Lot No. 185, Section 2, Evergreen Cemetery, at \$120.00;

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continued

- (c) Deed with George C. Lyons for Grave No. 3, in Lot No. 164, Section 2, Evergreen Cemetery, at \$60.00;
- (d) Deed with George M. Smith and wife, Agnes H. Smith for Graves No. 5, 6, 7 and 8, in Lot No. 39, Section 3, Evergreen Cemetery, transferred from Mrs. L. M. Horne, at \$3.00 for new deed;
- (e) Deed with Mrs. I. M. Horne, for Graves No. 1,2,3 and 4, in Lot No. 39, Section 3, Evergreen Cemetery, at \$3.00 for new deed;
- (f) Deed with Mrs. Carrie Christenbury for Lot No. 111, Section Y, Elmwood Cemetery, transferred from Mr. W. H. Wilson and wife, at \$3.00 for new deed.

ORDINANCE NO. 726-X ORDERING THE DEMOLITION AND REMOVAL OF THE PARTIALLY DEMOLISHED BUILDINGS LOCATED ON GREENWOOD CLIFF, AND THE CLEARANCE OF SAID PROPERTY, PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE AND SECTION 6.61, ARTICLE IV, CHAPTER 6 OF THE CHARTER OF THE CITY.

Councilman Jordan moved adoption of the subject ordinance, which was seconded by Councilman Whittington, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 138.

CONTRACT AWARDED CONCRETE SUPPLY COMPANY FOR READY-MIX CONCRETE.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and unanimous carried, contract was awarded the only bidder, Concrete Supply Company, in the amount of \$27,631.10 for 1,700 cubic yards of Ready-Mix Concrete on a unit price basis.

CONTRACT AWARDED RICHLAND SHALE PRODUCTS COMPANY, DOING BUSINESS AS COLUMBIA PIPE COMPANY, FOR VITRIFIED CLAY PIPE.

Councilman Jordan moved award of contract to the low bidder, Richland Shale Products Company, in the amount of \$44,061.31 for 50,000 lineal feet of vitrified clay pipe in various sizes 4", 6", 8", 10" and 15" on a unit price basis. The motion was seconded by Councilman Smith, and carried unanimously.

The following bids were received:

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| Richland Shale Products Co. d/b/a Columbia Pipe Co. | \$ 44,061.31 |
| Pomona Pipe Products, Division of Pomona Corporation | 45,549.69 |
| Georgia Vitrified Brick & Clay | 47,797.15 |
| Griffin Pipe Products Co. | 51,665.53 |

CONTRACT AWARDED U. S. RUBBER COMPANY FOR FIRE FIGHTER BUNKER BOOTS.

Motion was made by Councilman Smith awarding contract to U. S. Rubber Company, the third low bid, in the amount of \$1,664.80, on a unit price basis, for 48 pairs knee length and 63 pairs 3/4 hip Fire Fighter Boots. The motion was seconded by Councilman Whittington, and carried unanimously.

continued

The following bids were received:

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| Southern Rubber Company, Inc. | \$ 1,577.14 |
| Dixie Fire Safety Equip. Co. | 1,655.47 |
| U. S. Rubber Company | 1,664.80 |
| O. J. Richardson | 1,767.94 |
| Rubber Products Co. | 1,870.52 |
| Allied Safety Supply Co. | 1,926.03 |
| The Leslie Company | 1,991.86 |
| B. H. Moore | 2,055.74 |

CONTRACT AWARDED SEAGRAVE FIRE APPARATUS, INC. FOR TWO FIRE TRUCKS.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, contract was awarded the low Alternate bidder, Seagrave Fire Apparatus, Inc., in the amount of \$74,064.30 for two Fire Trucks.

The following bids were received:

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|--------------------------------------|-------------|
| <u>Base Bid (Gasoline Engine)</u> | |
| Dixie Fire & Safety Equip. Co., Inc. | \$75,608.70 |
| American LaFrance | 75,630.00 |
| Seagrave Fire Apparatus, Inc. | 77,588.70 |

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| <u>Alternate Bid (Diesel Engine)</u> | |
| Seagrave Fire Apparatus, Inc. | 74,064.30 |
| Dixie Fire & Safety Equip. Co., Inc. | 78,382.28 |
| American LaFrance | 78,860.00 |

CONTRACT AWARDED AMERICAN LAFRANCE FOR FIRE TRUCK.

Councilman Tuttle moved award of contract to the low bidder, American LaFrance, in the amount of \$76,495.00 for one fire truck. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were received:

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|--------------------------------------|-------------|
| <u>Base Bid (Gasoline Engine)</u> | |
| American LaFrance | \$76,495.00 |
| Dixie Fire & Safety Equip. Co., Inc. | 80,757.90 |

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|--------------------------------------|-----------|
| <u>Alternate Bid (Diesel Engine)</u> | |
| American LaFrance | 78,890.00 |
| Dixie Fire & Safety Equip. Co., Inc. | 82,329.54 |

CONTRACT AWARDED ALMOND GRADING COMPANY FOR DEMOLITION OF STRUCTURES.

Motion was made by Councilman Tuttle awarding contract to Almond Grading Company, the low bidder, in the amount of \$1,500.00, for demolition of all structures bounded by City right-of-way along Greenwood Cliff at west; City right-of-way along Kenilworth Avenue at north; N. C. N. B. parking lot curb and creek cover structure at east and apartment building (1331 Greenwood Cliff) at south. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

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|------------------------------------|-------------|
| Almond Grading Company | \$ 1,500.00 |
| Suggs Wrecking & Removal Co., Inc. | 4,200.00 |
| D. H. Griffin Wrecking Co. | 8,250.00 |

ORDINANCE NO. 727-X AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE GENERAL FUND CONTINGENCY APPROPRIATION TO BE USED FOR THE DEMOLITION OF STRUCTURES IN CITY'S RIGHT OF WAY ALONG GREENWOOD CLIFF AND ALONG KENILWORTH AVENUE.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted transferring \$1,500.00 from General Fund Contingency Appropriation.

The ordinance is recorded in full in Ordinance Book 15, at Page 139.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES INVITED TO HOLD THE 1968 CONVENTION IN CHARLOTTE.

Councilman Short moved that the North Carolina League of Municipalities be extended an invitation to hold the 1968 Convention in Charlotte. The motion was seconded by Councilman Smith, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the following property transactions were approved:

- (a) Approval of sale of 231.00' x 142.22' x 144.00' x 120.00' tract of land on West Boulevard on the west side of Taggart Creek, to the high bidder, Mr. Tom Mattox, in the amount of \$3,500.00;
- (b) Approval of advertisement for sale of tract of land 50' x 150' located at 516 East Tremont Avenue to be sold to the highest bidder;
- (c) Approval of advertisement for sale of tract of land 51' x 133' x 50' x 146' located at 1559 Merriman Avenue to be sold to the highest bidder;
- (d) Approval of advertisement for sale of tract of land 75' x 69' x 107' x 103' located at 200 Lima Avenue to be sold to the highest bidder;
- (e) Approval of advertisement for sale of tract of land 50' x 140' located at 2100 Roslyn Avenue to be sold to the highest bidder;
- (f) Approval of advertisement for sale of tract of land 80' x 151' x 64' x 180' located at the corner of Westfield Avenue, Manor Road, and Brandy Avenue to be sold to the highest bidder;
- (g) Approval of advertisement for sale of tract of land 165' x 80' x 180' located at 1418 Luther Street (corner of Main Street) to be sold to the highest bidder;
- (h) Approval of payment for damages for removal of Oak Tree located at 4200 The Plaza in the amount of \$350.00 to Dr. Gilbert Colina, in connection with Plaza Road Widening Project;
- (i) Acquisition of 1,395 sq. ft. of property from Heirs of Mrs. Mary M. Gover and Mrs. Coralie A. Bethea, at Fourth Street and Kings Drive, at \$3,700.00, in connection with the East Third Street Connector;
- (j) Acquisition of 2,581.29 sq. ft. of property from David D. Malpus and wife, Pauline E. Malphurs, at 213-15 and 217-19 South Victoria Avenue, at \$10,400.00, in connection with the West Fourth Street Extension Project;
- (k) Acquisition of 1,876 sq. ft. of property from Public Library of Charlotte and Mecklenburg County, at 111-15 East Sixth Street, at \$17,300.00, in connection with the Sixth Street Project;
- (l) Acquisition of 791 sq. ft. (plus 300 sq. ft. for easement) of property from Adam P. Wilson, at 508 North McDowell Street, at \$1,500.00, in connection with McDowell Street Widening Project;
- (m) Acquisition of 1,137.37 sq. ft. of property from Dalton Investment Company, at South Boulevard, next to southeast corner of Remount Road, at \$1,700.00, in connection with South Boulevard Intersections Project;

- (n) Acquisition of 2,084.29 sq. ft. of property from Pep Charlotte Corporation, at 2508 South Boulevard, at \$5,000.00, in connection with South Boulevard Intersections Project;
- (o) Acquisition of 207.27 sq. ft. of property from Robert B. and Charlotte D. Cochran, at 2511 South Boulevard, at \$300.00, in connection with South Boulevard Intersections Project;
- (p) Acquisition of Sanitary Sewer Easement Right of Way 15' wide x 964.97' from William Trotter Company, at Snow White Lane, Corwin Drive, Bilmark Avenue to and beyond Dobson Drive, at \$1.00, in connection with Fairfax Woods Sanitary Sewer Project;
- (q) Acquisition of Sanitary Sewer Easement 10' x 1,788.92' from Vintage Development Company, off Rama Road near Sharon Road, at \$1.00, in connection with sanitary sewer to serve Lincolnshire Subdivision;
- (r) Acquisition of Sanitary Sewer Easement Right of Way 15' wide x 23.03' from Joseph S. Moore and wife, Julia W. Moore, at 754 Bilmark Avenue, at \$23.00, in connection with Fairfax Woods Sanitary Sewer Project.

CITY MANAGER ADVISES MEETING IS SCHEDULED WITH MR. MARTIN OF SOUTHERN RAILWAY NEXT WEEK.

Councilman Stegall asked what has taken place between Mr. Martin of Southern Railroad? Mr. Veeder replied a meeting was scheduled for tomorrow at 11:00 o'clock but Mr. Martin called this morning and wanted to change the meeting until this afternoon, and since he was unable to change it, he is coming up next week.

CITY MANAGER TO INVESTIGATE TRUCKS SELLING MERCHANDISE ON STREETS FROM BACK OF TRUCKS.

Councilman Smith requested the City Manager to investigate whether or not the trucks selling box woods and shrubbery on the streets are paying any taxes in Charlotte.

HEARING ON AMENDMENT TO ZONING ORDINANCE REGARDING HIGH-DENSITY ZONING DISTRICTS SET FOR JANUARY 8, 1968.

Councilman Alexander moved that hearing be set for Monday, January 8 on amendments to zoning ordinance relating to the high-density zoning districts. The motion was seconded by Councilman Jordan, and carried unanimously.

LETTER OF PETITION FROM RESIDENTS OF OLINDA STREET AND RACHAEL STREET GIVEN TO CITY MANAGER FOR INVESTIGATION.

Councilman Alexander stated he has a letter of petition from citizens on Rachael Street and Olinda Street. That Olinda Street is regarding the paving of the remainder of the street, and the other is a request for street lights on Rachael Street. He requested the City Manager to investigate the need for the street lights to see if some relief can be given to the residents.

REQUEST THAT MATTER OF AN ATTORNEY FOR LEGISLATIVE DELEGATION BE INCLUDED ON AGENDA FOR JOINT MEETING WITH COUNTY COMMISSIONERS.

Councilman Short stated some comments have been made about a meeting with the County Commissioners, and he wanted to mention that a motion has been passed previously that Council would discuss with the County arrangements that we might be able to make about an attorney for our legislative delegation, and he wanted to make sure that this matter is not left off the agenda when the meeting is put together.

CITY MANAGER REQUESTED TO INVESTIGATE PETITION FROM OAKHURST DISTRICT REGARDING GRAVEL SIDEWALKS ON CHIPPENDALE AVENUE.

Councilman Tuttle presented to the City Manager a petition signed by 100 people involving Oakhurst School. He stated he was under the impression that the City had gravelled all the walks in the Oakhurst District, but the petition signed by 100 people is asking for assistance in eliminating a safety hazard in the 1300 block of Chippendale Avenue where approximately 100 children walk each day. At present the workers at the Atlantic Wool Combing Mill are parking parallel on the right-of-way and it is necessary for the children to walk in the street in order to reach the school. He requested the City Manager to look into the matter and report back to Council.

RESOLUTION EXPRESSING SYMPATHY UPON THE OCCASION OF THE DEATH OF MRS. INDIANA V. STEGALL.

Mayor Brookshire presented and read the following resolution which was unanimously adopted:

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that heartfelt sympathies of the Mayor and the members of the Council be hereby extended to Councilman James B. Stegall, Jr., upon the occasion of the death of his Grandmother, Mrs. Indiana V. Stegall.

AND BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting, and further that a copy be forwarded to Mr. and Mrs. James B. Stegall, Jr.

REPORT AND COMMENTS BY MAYOR BROOKSHIRE ON CHARLOTTE BEING CHOSEN FOR MODEL CITY PROGRAM.

Mayor Brookshire stated Charlotte has been chosen as one of the 63 out of 193 cities for model cities programs. He stated Charlotte has had a letter of congratulations from Mr. Edgar Baxter, Regional Administrator in Atlanta, who says he will be in touch very shortly. Enclosed in the letter were a number of things Charlotte will have to do some review on. That Mr. Baxter will be in touch to arrange a meeting with the regional agency team and the key representatives of the program in Charlotte for working out and negotiating further the amount of study money which apparently we were a little conservative in making the request on; it looks as though we can get considerably more if needed than the \$100,000 applied for; and also to give some thought in making some changes in the boundaries or other areas proposed by the application.

Mayor Brookshire thanked Mr. Veeder, Mr. Carstarphen and all other member of the Staff and others in the community and the some 20 odd agencies who helped prepare the proposal.

RESOLUTION AMENDING APPLICATION NO. WS-3-34-0009 FOR FEDERAL GRANT ASSISTANCE FOR WATER FACILITIES.

Mr. Veeder, City Manager, stated about 18 months ago the City submitted applications to HUD for money for water improvements; the applications were approved and the work has been completed. About ten days ago a representative of HUD from Atlanta called and asked if the City would be interested in reducing the amount of the request for the second application - the implication being it could be funded on a lesser amount. It was suggested that we consider reducing the application, which was originally made for \$967,000 to \$500,000. That Mr. Connerat has been following up on this suggestion with the Regional Office and it appears Council would be well advised to consider amending the application downward to \$500,000; Councilman Short stated this would allow us to continue some sewage activities in the eastern part of the City and in effect the reduction applies only to the University of North Carolina line.

Councilman Jordan moved approval of the resolution reducing the application downward from \$967,000 to \$500,000. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 25.

GROUND BREAKING FOR LAW ENFORCEMENT CENTER SET FOR WEDNESDAY, NOVEMBER 21 AT 9:00 O'CLOCK A.M.


Upon motion of Councilman Short, seconded by Councilman Stegall, and unanimously carried the ground breaking for the Law Enforcement Center was set for Wednesday, November 21, at 9:00 o'clock a.m.

REQUEST THAT HOUSING AND URBAN CONFERENCE BE INVITED TO MEET IN CHARLOTTE NEXT YEAR.

Councilman Alexander stated the Housing and Urban Conference will be held in Durham next week. That this conference has never been held in Charlotte, and he thinks it would be good for Charlotte if they were invited here as they have met every where except Charlotte. That he thinks it would be good to extend an invitation to them to meet in Charlotte next year especially since Charlotte will be one of the Model Cities.

ADJOURNMENT.

Upon motion of Councilman Short, seconded by Councilman Tuttle, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk