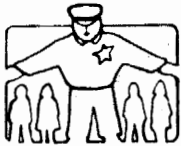


Center City

VOLUME I, NUMBER 30

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JULY 31, 1974



Downtown Security Needs

by
Sally Hunt

Two weeks ago, the Retail Merchants Association met with the Deputy Chief of Police George Hutchinson, Chief City Prosecutor Jim Umstead and former Police Director Frank Holloman to discuss the security problems facing the downtown merchants: shoplifting, vandalism, purse snatching and other petty thefts.

Mr. Holloman, Chairman of the Security Task Force, explained the citizen's concern for these problems and that the Task Force was designed to pursue some of the major causes of these problems. With this task in mind, the Retail Merchants Association was invited to express its observations and thoughts on the security dilemma.

The 40 merchants present, representing major department stores as well as singly owned restaurants and businesses, stated four primary areas of concern:

Insufficient police protection in the downtown shopping district, allowing shoplifters to walk freely in and out of stores.

Customers are refusing to shop downtown because of their fears of theft and harassment. Instead they spend their money in suburban shopping centers.

Merchants themselves say that it is difficult to stop and search a possible offender and get witnesses to testify as to what occurred.

The courts are too lenient: setting low bonds and light fines and jail sentences.

Chief Hutchinson responded to the first concern, stating that the newly instigated walking

patrols had since July 1 made over 88 daytime arrests, 96 nighttime and 14 felony arrests. These arrests, most of which have not gone to trial, carry City fines of up to \$50 and 30 days in jail. However, Hutchinson admitted that rarely did a defendant receive the maximum sentence.

Mr. Holloman addressed his comments to the customer's fears, showing a survey recently conducted by the Police Department that showed no significant difference in the number of crimes in the downtown shopping center when compared to suburban shopping centers of comparable size. Holloman further reported that the alley lighting plan, projected for completion in late December, has been speeded up and all downtown alleys will be lighted within the next 60 to 90 days.

Jim Umstead was asked about the procedures for making arrests and the problems of prosecution. He said a merchant or private citizen was legally within his rights to stop possible offenders, search his person and recover stolen goods, and question him for his name and address. Charges must be then filed in the City Prosecutor's Office, Room 113, Police Department.

A merchant may swear out a warrant for the arrest of the offender. The complaint must have two witnesses and the merchant must appear on the court date to testify as to the defendant's identification and the circumstances surrounding the incident.

(continued on the last page)

PLANNED UNIT DEVELOPMENT

The concept of zoning, which began in the early decades of this century as a way to separate uses and provide adequate light, air and space, prohibits innovation in development and promotes the wasteful use of land. In response to the need of some governmental control, zoning ordinances impose inflexible land uses. Open space and privacy are not specifically required by existing regulations. Present yard requirements cut up the individual lot into side, front and back yards wasting precious open space and failing to consider the real needs of the property owner.

Subdivision after subdivision is built with little regard for natural land forms. The landscape is simply divided into identical size lots and each home is crowded into a scene which seems void of the human element.

Each separate zoning district exists as a distinct unit, without regard for surrounding zones, creating radical breaks in types of land use wherever zones change. The neighborhood seems "unplanned" and develops as if by accident. "Planning" is aimed at standardization of lots and buildings rather than making use of existing natural features. The result is that trees and slopes are often leveled.

The most serious consequence of traditional development is "urban sprawl," scattered high-density land uses, requiring expensive new schools, fire protection, road improvements and extensive water and sewer system, and other city services, often at the expense of the central city.

To have Planned Unit Development in Mem-

phis, the City Charter must be amended. If referendum item number 2061 is approved by the voters August 1, the City Council may adopt procedures for reviewing PUDs. These procedures are now being studied.

In the summer of 1973, J. W. Brakebill, then Chairman of the Memphis and Shelby County Planning Commission, appointed a citizen committee to study PUD in other cities and to make recommendations for Memphis. This committee, made up of professionals in the fields of planning, engineering, real estate, banking and law, have submitted a proposal for regulating PUD. This proposal has been endorsed by the planning commission.

The proposal establishes Planned Unit Development as an alternative to present zoning. An applicant has the choice of requesting a traditional zoning change or of submitting a plan which may incorporate innovations not permitted by zoning regulations. This plan will be closely inspected by the Planning Commission and the City Council in a three-step process, including public hearings.

In contrast to existing regulations, PUD requires that planning be done before any changes in land use are permitted. Points specifically inspected as required by the proposed law are: land uses, density, privacy, vehicular and pedestrian access and circulation, utilities, open space and ownership.

*Second of a Two-Part Study
by*

Leroy Lane

Memphis and Shelby County Planning Commission

(continued from page 3)

freedom, the planners have neglected to provide for controls. There must be adequate statutory constraints on the developer which will prevent the irretrievable destruction of the physical and social environment. The ordinance sadly lacks these needed constraints on potential developmental plunder.

In their eager search for a flexible method, the planners have adopted an ordinance which appears susceptible to fatal constitutional attack. Under the ordinance a PUD may vary completely from zoning regulations on the area in which it is to be located. Since possible PUD areas are not designated in the comprehensive plan, and since site selection rests with the City Council &

the Quarterly Court on a project by project basis (without adequate statutory standards), the ordinance seems subject to arbitrary and unreasonable actions. Moreover, the ordinance may foster the unconstitutional exclusion of various classes or races.

The PUD concept is an excellent, progressive planning tool. However, the proposed ordinance does not offer the needed assurance that the social, physical and legal results will be both desirable and beneficial. Consequently, this ordinance should be rejected with the hope that the Planning Commission will pursue the search for a safe and sound ordinance.

*by
Don Donati*

IT PUD or PUDDLE?

On Thursday, the electorate will be forced to vote on a complex, highly technical ordinance without the beneficial fresh breath of public discourse. Many citizens will tragically ignore the PUD referendum because of the abject absence of public discussion. This article shall attempt to shed some light on the possible social and legal effects of a PUD passage.

The PUD concept reflects the desire of planners for flexibility in planning and variety in developmental design. In PUD, the planner envisions a method by which the rigidity of traditional zoning can be overcome. Indeed, this desire is laudable.

However, PUD primarily involves a change in method. It is method oriented, rather than being goal oriented. And we must not blindly acquiesce to the desire for a flexible method. The practical realities of PUD must be closely scrutinized. What will be its practical and legal effect on the City? What social values are being advanced when Planned Unit Development is encouraged?

The PUD potential will probably be dominated by developers who can amass the financial capacity in a period of tight money and high cost

with which to purchase large tracts of land for development. With the hope of a profitable investment return, the astute developer, recognizing the market realities, will cater to the affluent may speed urban flight. In an atmosphere of mass fear, a significant portion of home owners will be willing to purchase protection in a PUD which would offer and soon become an insulated, perhaps isolated, fortress of expensive homes. The proposed ordinance does not assure that PUD will not aggravate the ever-growing suburban flight.

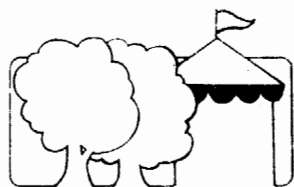
Along with increasing urban flight, PUD could disastrously reinforce racial segregation. Housing integration has traditionally occurred through the gradual infiltration into adjacent neighborhoods. The erection of a physically isolated PUD in a rural or suburban area will slow-- perhaps completely stop-- racial integration.

The PUD ordinance attempts to maximize the developer's freedom of choice by minimizing the legal constraints which have been attached to traditional zoning. Planners hope to give the developers the power with which to be creative and innovative. However, in endeavoring to allow

(continued at the bottom of page 2)

by

Carol Coletta



COURT SQUARE MARKET

City Council last week appropriated \$4000 for the construction of a Court Square Market. The first market, which will be a selective crafts show, will be August 23.

The colorful structure was designed by Beverly Cruthirds, graphics presentation coordinator for the City. It consists of a series of fifteen canopied booths that will provide space for thirty stalls. The lime, orange and yellow stalls will stretch the length of North Court Avenue which will be partially closed for the Friday fairs.

The idea for the market was conceived by Gerald Murley of the City, and a downtown task force was set up to help implement it. A market is planned each Friday in seasonable weather. In addition to several craft shows per season, antique, school art, garden and flower shows are projected as well as informational and international fairs. And with sleeves built into the Mid-America Mall pavement, the structure can be made available to retail merchants for such things as sidewalk sales and demonstrations.

Space is still available on August 23. Deadline for artists/craftsmen to submit slides of their work is August 15. Judges for the competition will be Agnes Stark, Doris Carter and Carolyn McCartney.

Chairwoman Gwen Awsumb in presenting the resolution to Council said, "This is an excellent opportunity to get broadly based participation in the revitalization of downtown as well as serving as an attraction to bring the community back to experience what is happening here."

But Councilman Robert James, a fine artist currently exhibiting at First National Bank, got the last word as he quickly inquired, "Where do I get an entry blank?"

DOWNTOWN ANNOUNCEMENTS :



security

(continued)

Catholic Community Services is sponsoring a program on Medicare, with Mrs. Winnifred E. Thomas from Nashville to present updated information on coverage and benefits.

Mrs. Thomas, Public Relations Director for the Equitable Life Insurance Society of the United States, will lead discussion and conduct a question and answer period for participants. Later, she will be available for personal problems about Medicare claims.

Hopefully, a number of senior citizens and other beneficiaries will attend this meeting.

The meeting will be held Tuesday, August 6th at 9:30 AM. The location will be the Josephine K. Lewis Center, 1188 North Parkway. Lunch will be served to people who book ahead.

Mr. Murray Ervin of the Youth Employment Service is again soliciting the help of Memphis employers to find jobs for young people, ages 12 to 18. Any prospective job opening would be acceptable, casual, temporary full-time or permanent part-time positions.

The Youth Employment Service provides the screening of employee-candidates, transportation to the job site and follow-up services to insure satisfactory completion of the work.

As Mr. Ervin put it, "There is no way for the employer to lose."

Youth Employment Service: 526-0581.

Center City

First Presbyterian Church
166 Poplar Avenue
Memphis, Tennessee 38103

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Mr. Umstead, along with Chief Hutchinson and Mr. Holloman, agreed that local law enforcement agencies were more than willing to do their part. However, they also agreed that the ultimate responsibility rested with the citizens who are willing to support officials during arrests and prosecution.

"This is a good beginning," Hutchinson told the merchants, "just give us more support and, I believe you will see the changes you are looking for."

CIVIC CENTER COMMUNITY CULINARY CLUB

Serving from 11:30 to 1:00

First Presbyterian Church, 166 Poplar Avenue

PRICE: \$1.25 per serving, including drink

MENU FOR AUGUST 1-9

THURSDAY, AUGUST 1

Corned Beef, scalloped cabbage, buttered potatoes, corn bread

FRIDAY, AUGUST 2

Beef stew, tossed salad, and corn bread

MONDAY, AUGUST 5

Chopped steak with onion gravy, whipped potatoes, green beans rolls

TUESDAY, AUGUST 6

Oven-baked chicken, rice and gravy, peas and carrots, rolls

WEDNESDAY, AUGUST 7

Spaghetti, cole slaw and French Bread

THURSDAY, AUGUST 8

Turkey & Dressing, English peas, cranberry sauce rolls

FRIDAY, AUGUST 9

Meat Loaf, potatoes au gratin, lima beans, rolls
