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Controlling Adult Oriented Businesses in Norfolk, Virginia, 1943–1998: A Descriptive Case Study

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CONTROLLING ADULT ORIENTED BUSINESSES IN NORFOLK, VIRGINIA,

1943-1998: A DESCRIPTIVE CASE STUDY

by

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A Dissertation Submitted to the Faculty of
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ABSTRACT

CONTROLLING ADULT ORIENTED BUSINESSES IN NORFOLK, VIRGINIA, 1943-1998: A DESCRIPTIVE CASE STUDY

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Old Dominion University, 2001
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The purpose of this case study is to analyze methods used in the city of Norfolk, Virginia to control adult oriented businesses (AOBs). Evidence is derived from several sources: interviews, analysis of government records, documents, historical photographs, and current observations.

The research examines approaches taken by the city to control AOBs in three locations: Main Street-Granby Street, the north end of Hampton Boulevard, and Little Creek Road-Shore Drive. Research questions addressed (1) how AOBs in Norfolk were controlled, (2) what or who instigated the process, (3) the Navy's role in the process, (4) role of Norfolk Redevelopment and Housing Authority, (5) role of city council, and (6) laws and ordinances that were passed or enforced to control these businesses.

Decisions and decision-makers were identified by analyzing archival records, newspaper articles, and documents. Perceptions of twenty-five interviewees supported and amplified the documentation. In the downtown area, redevelopment coupled with an aggressive program to attract businesses and shoppers led to the elimination of many AOBs. AOBs clustered at the north end of Hampton Boulevard were eliminated when the Navy purchased both property and leaseholds. A resulting southward migration of these businesses was met by Norfolk's adoption and enforcement of zoning ordinances. Neighborhood residents were active participants in this effort.

Control of AOBs in the third area continues. Civic leagues and residents are actively working to improve the area around the Little Creek-Shore Drive intersection. Efforts to control the proliferation of ABC licenses succeeded when Norfolk adopted its special exception adult-use permits ordinance.

The massage parlor phenomenon that spread throughout the city in the 1970s was controlled by the use of anti-prostitution ordinances and an ordinance banning cross-sex massages. Elected and appointed city officials were instrumental in eliminating these businesses.

This study uses municipal decision-making and public disorder theory as the theoretical basis. Norfolk has been successful in controlling AOBs. It has done so by enforcing existing laws, and by adopting and vigorously enforcing ordinances regulating adult uses.

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To Elisabeth, my very special daughter,
who thought it was cool that her mom went back to college.

Your support meant the world to me sweetheart.

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Carroll Walker, thank you for taking the pictures, and for recording the visual history.

You were a kind and charming neighbor.

Dad and Mom: Do you remember when you drove the wrong way down Norfolk's Main Street in 1955 – in the midst of the neon spectacle of taverns, shooting galleries, burlesque theater, sailors and their girls? The policeman stopped you and you apologized, saying that you'd just arrived in Norfolk from your last duty station in Guam. Well, it's all gone now and you'd never believe the way we look today!

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Chapter 1

Introduction

Cities throughout the United States have struggled for decades to control adult or sexually oriented businesses. These businesses, including massage parlors, bathhouses, adult book and video stores, adult movie theaters, dance clubs and bars with nude or semi-nude dancers, sell sexually explicit materials, entertainment, or services. The problem to be addressed in this paper is as follows: What approaches has the city of Norfolk, Virginia and its decision-makers used, during the period covered, to control adult oriented businesses? This paper will not address moral or religious objections to adult oriented businesses, nor will it take a position about the existence of these businesses in Norfolk. It will be a study of decision-making in a historical context using both qualitative and quantitative methodology.

To address this problem, answers to the following questions were required: How were the adult oriented businesses, including the burlesque theaters, massage and tattoo parlors, peep shows, adult book and video stores, and sex paraphernalia stores in Norfolk reduced or eliminated? What or who instigated this process? Was there an identifiable group of decision-makers that accomplished the “cleanup?” What was the Navy’s role in the process? What was the role of the Norfolk Redevelopment and Housing Authority? What role did city council members play? What laws and ordinances were passed or enforced to reduce or eliminate the adult oriented businesses in Norfolk?

Case study methodology was selected to study the processes and events that were instrumental to the control of adult oriented businesses in this old seaport town. Patton enumerates various types of cases, including those that involve studying an event, a person, a time period, or a community (Patton, 54). “Regardless of the unit of analysis, a qualitative case study seeks to describe that unit in depth and detail, in context, and holistically” (Patton, 54). During the development of a case study, the researcher gathers “comprehensive, systematic, and in-depth information” about the topic being studied (Patton, 384). Case analysis normally includes the following types of information: interview data, observational data, documentary data, impressions and statements of others about the case, and data over time (Patton, 385-386).

For this case study, data to investigate the research problem was identified as residing with the following sources or repositories: the residents of Norfolk, including property owners, business owners, developers, bankers, visionaries and others who voiced their concern about the city’s adult businesses; city government officials, both appointed and elected who were instrumental in enacting or enforcing ordinances to control or eliminate these businesses; the Federal officials who worked with residents and city officials during the time period studied; the records of Norfolk City Council and city departments that documented the operation, licensing, policing, or closure of these businesses; and the repository of secondary literature found in the *Virginian-Pilot* and *Ledger-Star* newspapers of the period.

Both municipal decision-making theory and public disorder theory are relevant to the research problem stated here. Decision-making theory, beginning with elite and

pluralist theory, and evolving into regime and growth machine theory, is useful in illuminating the associations, dynamics, and underlying motivations that lead to change in a municipal environment. Public disorder theory adds another dimension to this study.

Whether adult oriented businesses such as taverns attract disorderly conditions, as some have found (Skogan, Wolfgang, Frieden, Sennett) or lead to lower property values in surrounding neighborhoods (Wilson, Kelling, Skogan), studying the presence of clustered adult oriented businesses as found in Norfolk is relevant to public disorder theory.

In the late 1800s and early 1900s anti-vice and anti-smut societies railed against books such as James Joyce's *Ulysses* and D.H. Lawrence's *Lady Chatterley's Lover* (Thomas, 773; *Editorial Research Reports*, 219). In the 1890s, Norfolk was described as "America's wickedest city," and in 1943 as "Our Worst War Town," primarily due to the many tattoo parlors, bordellos, speakeasies, bars, peep shows, flophouses, gambling halls, social clubs, and burlesque theaters located within Norfolk and nearby Norfolk County (Parramore, 1994; Connolly, 1986; Norfolk Police 1993).

As World War II continued to intensify, the large number of Navy and support personnel transferred to the Hampton Roads bases and living in and around Norfolk grew. An observer of Norfolk in 1943 wrote that the city's population had almost doubled between 1940 and 1943, going from 144,332 residents to 275,000, "because of the feverish expansion of shipbuilding and of the armed forces" (Van Urk, 145). This growth led to a demand for entertainment of all sorts. Clusters of what are now called adult oriented businesses or adult uses were located on East Main Street, Sewell's Point Road, Hampton Boulevard, Cottage Toll Road (now Tidewater Drive), and Granby Street. Van

Urk describes the Gaiety Burlesque Theatre, on East Main Street, as being so popular that waiting lines formed each night and members of the Navy's Shore Patrol kept order before and after each show (Van Urk, 147).

During World War II, one more variation of an adult use appeared in the city. "Girlie camps" or "service man's stockades" were located just outside city limits. These camps took the form of small trailer parks or combination bar-dance hall-casino-brothel, with either trailers or second story bedrooms accommodating prostitutes (Van Urk, 148-149). At bars like "The Stars and Stripes Forever," the girlie camp offered one more service to the workmen who crowded into the Hampton Roads region during the war years (Davenport, 17). Van Urk noted that "Norfolk seems to have a progressive, honest city government, functioning as efficiently as it can under conditions where it cannot hire men for its police force nor doctors and nurses for its health department. The Navy has a seven-ocean war on its hands and thus cannot spare too much energy for such problems" (Van Urk, 151).¹

In the 1960s and 1970s, while Charlottesville, Virginia and Gulfport, Mississippi were banning the sale of *Playboy* from newsstands, other cities were proscribing sexually explicit movies, and "decency" committees were forming (*U.S. News*, July 30, 1973, 25). Bookstores that had previously offered sexually explicit books and magazines were closing. Formerly adult-only movie theaters were no longer showing X-rated movies, and topless or bottomless waitresses and dancers in bars and clubs began covering up.

¹ The problems enumerated included lack of housing, unsanitary conditions, prostitution, water rationing, and price gouging.

Associations such as the Citizens for Decent Literature², the Georgia Literature Commission, and Morality in Media became more active in their efforts to limit the availability of graphic sexual materials. A Nashville citizens group, called Christians Concerned for a Better Nashville, raised \$6,000 from members of four church congregations to campaign against the sale of sexually explicit materials and the existence of sexually oriented businesses in downtown Nashville (Bode, 49-50).

In California, the Los Angeles Police Department set up a special anti-pornography task force (*U.S. News*, 1972, 66). In New Orleans, adult theaters and bookstores either closed or stopped selling adult materials. Bookstores and theaters in Atlanta, Raleigh, Miami, and Phoenix were all targets of local prosecutors (*U.S. News*, 1973, 26). The County Solicitor in Fulton County, Georgia declared that both *Playboy* and *Penthouse* were in violation of community standards (*U.S. News*, July 30, 1973, 26). The Chief of Police in Huntsville, Alabama said, “We felt like they [adult theaters] were just a disgrace to the community.” It was during this same period of time that many metropolitan newspapers stopped carrying advertising for X-rated movies (*Editorial Research Reports*, 1973, 208). Another area of concern was voiced by Ken Bode, political scientist, author, and former moderator of the public television show “Washington Week in Review.” He noted in a 1978 article about adult oriented businesses that “sex businesses operate on the fringes of the law and often gravitate to

² Citizens for Decent Literature was headquartered in Los Angeles. A prominent member was Charles H Keating, Jr., also a member of the Commission on Obscenity and Pornography. Morality in Media was based in New York and led by the Reverend Morton A. Hill, also a member of the Commission on Obscenity and Pornography. The Georgia Literature Commission was headed by a Baptist minister, Dr. James P. Wesberry.

neighborhoods already experiencing serious decline” (Bode, 28).

In contrast, Dennis Sobin, publisher of the TAB Report (The Adult Business Report) predicted in 1979 that “sex shops” would soon open in neighborhoods everywhere, and that there would even be a demand for franchises (*Editorial Research Reports*, 1979, 778). According to several authors (Bode, Thomas, *U.S. News*, 1972, *U.S. News*, 1973) adult oriented businesses are both profitable and in demand. Even in 1999, an American Planning Association journal reports that adult entertainment is big business, and is continuing to grow. John Gilmore writes that *Adult Video News*, a trade newsletter, recently stated that “the cash value of adult video sales and rentals exceeds that of all other types of videos combined” (Gilmore, 16). The October 23, 2000 issue of *The New York Times* reported that “the business of selling sexual desire through images has become a \$10 billion annual industry in the United States” (Egan, p. A1).³

Although some types of adult oriented businesses cannot be totally banned, due to First Amendment protection, they can be regulated by liquor control laws, public performance laws, zoning ordinances, licensing regulations, and “time, place, and manner regulations.”⁴ Skogan reinforces that it may be difficult for localities to control or limit the presence of adult oriented businesses, saying “since many sex-oriented enterprises are in fact legitimate businesses, their opponents cannot rely on the police to control their operation. It takes organization and considerable political savvy to bring that about...”

³ Forester Research of Cambridge, Massachusetts and Securities and Exchange Commission filings are cited as the source of this figure.

⁴ Time, place, and manner laws refer to when, where, and how alcoholic beverages are served and consumed. Many, although not all adult oriented businesses make most of their profits from the sale of alcoholic beverages.

(Skogan, 35).

The United States Supreme Court has repeatedly addressed the legality of sexually explicit materials and the distinction between obscene material and sexually explicit material. The landmark case of *Miller v. California*, 413 U.S. 15 (1973), included a three-part test of obscenity⁵ and reaffirmed that material deemed obscene is not protected by the First Amendment.⁶ The Miller test actually refined two earlier obscenity tests set forth in *Memoirs v. Massachusetts*, 383 U.S. 413 (1966) and *Roth v. United States*, 354 U.S. 476 (1957). And the Miller test was itself clarified in *Pope v. Illinois*, 481 U.S. 497 (1987). In that case, the court held that parts (a) and (b) of Miller incorporated the concept of contemporary community standards. However, in the majority opinion (Justices White, Rehnquist, Powell, O'Connor, and Scalia), part (c) of the Miller test, "whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value" was to be judged by a reasonable person, not an ordinary member of a community" (*Pope v. Illinois*, 481 U.S. 500-501).

Statement of the Research Problem

What approach or combination of approaches did the city of Norfolk use to control adult oriented businesses?

In 1972, the city of Detroit revised its Anti-Skid Row Ordinance by adding

⁵ The Miller test is as follows: (a) whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

⁶ The First Amendment to the Constitution states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of

motion picture theaters and adult bookstores to a list of regulated uses previously included in the ordinance. The ordinance stated that any business identified by the ordinance, such as an adult book store, could not be located within 1,000 feet of any two other regulated uses, or within 500 feet of a residential area (Giokaris, 273; *Young v. American Mini Theatres, Inc.*, 427 U.S. 50).⁷ In 1976, the U.S. Supreme Court upheld the legality of this ordinance. Ten years later, a similar ordinance drawn up in the city of Renton, Washington was also challenged, reached the U.S. Supreme Court, and was upheld.⁸ This ordinance restricted adult theaters from locating within 1,000 feet of residential zones, single- or multiple-family dwellings, churches, parks, or schools.⁹ With these two rulings, the stage was set for cities to control the spread of adult oriented businesses not only with obscenity laws, but also by the use of zoning laws.

At approximately the same period of time, the city of Boston took a different approach. In 1974, Boston created an Adult Entertainment Zone, an area where adult businesses were clustered and could legally do business. Because ten of Boston's thirteen adult bookstores and other establishments such as nightclubs, adult movie theaters, and "variety stores," were located in one area of downtown Boston, this location became known as the "Combat Zone." Some of the stores in the zone first opened in the 1950s. The Boston model can be described as the cluster model¹⁰, while the city of Detroit

grievances."

⁷ Regulated uses include adult theaters, adult bookstores, cabarets, bars, taxi dance halls, and hotels.

⁸ *City of Renton v. Playtime Theatres, Inc.* 106 S. Ct. 926 (1986).

⁹ 106 S. Ct. 928.

¹⁰ Also known as the concentration model.

favored the dispersed¹¹ model (Commission *Technical Report*, 99-154).¹²

The recent effort in the city of New York to transform Times Square¹³ is another example of a successful attempt by residents, the business community, developers, law enforcement agencies, religious institutions, foundations, and corporations to close or relocate businesses whose customers, by law, must be at least eighteen years old.

Adult oriented businesses are regulated for many reasons:

- (1) their existence leads to public disorder and criminal activity in the proximity of the businesses;
- (2) neighborhood residents oppose the presence of these businesses in their neighborhoods;
- (3) there is little or no community or political support for these businesses;
- (4) the community finds these businesses inappropriate from a moral or religious standpoint;

Perhaps for these reasons or because advocates of Norfolk had a different vision of the future than that of “America’s wickedest city,” the city began to control adult businesses using a variety of strategies. This case study will explore the strategies chosen by Norfolk decision-makers to control adult oriented businesses in Norfolk.

¹¹ Also known as the dispersal model.

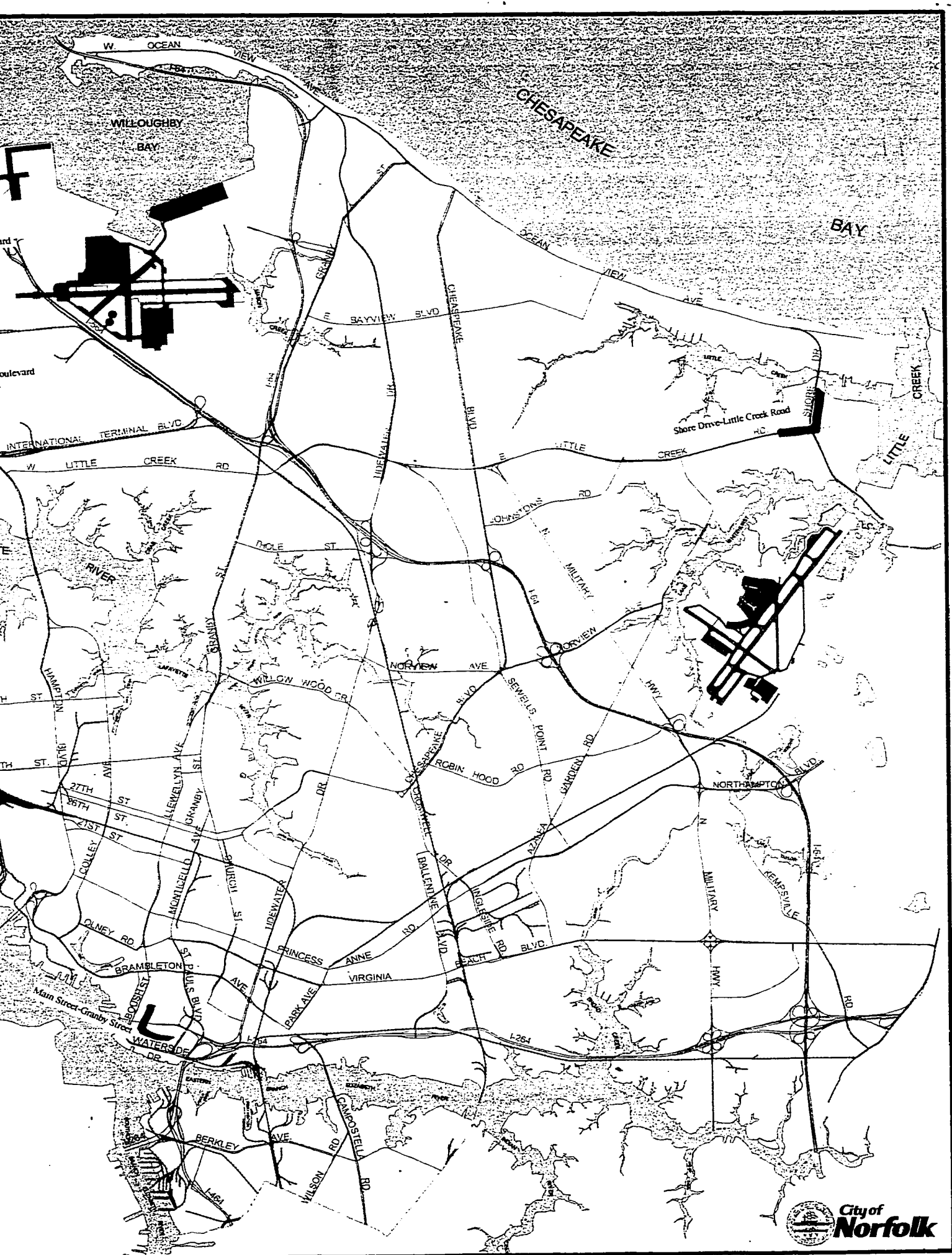
¹² William Toner describes the two models as the “divide and regulate” scheme, in Detroit, and the “concentrate and regulate” model, in Boston.

¹³ Three cases concerning the transformation of Times Square were brought before the New York Court of Appeals and decided on February 24, 1998. They are *Stringfellow’s of New York, Ltd. v. The City of New York*; *Amsterdam Video Inc., et al. v. The City of New York*, and *Rachel Hickerson, et al., v. The City of New York*, 98 NY Int. 0014. In each case, the appeal concerned the validity of New York City’s Amended Zoning Regulation governing the location of adult oriented businesses in the city of New York. The Appeals Court found that the challenged regulation did not violate the plaintiffs’ constitutional right of

Three areas of Norfolk, described as the Little Creek Road-Shore Drive area, the Main Street-Granby Street area, and the northern end of Hampton Boulevard will serve to focus this case study (See Figure 1). The types of adult oriented businesses that located,

FIGURE 1
MAP
CITY OF NORFOLK

free expression.



relocated, closed, or continued in operation in these three locations will be divided into four time periods beginning in 1943 and ending in 1998.

Theoretical Framework

Decision-making theory. March emphasizes that the key to understanding decisions in specific situations is “a great deal of concrete contextual knowledge -- details about the historical, social, political, and economic worlds surrounding the decision and about the individuals, organizations, and institutions involved” (March, vii). He continues by saying that in the first stage of decision-making, the conflict under consideration must be so defined as to lead to agreement about it by decision-makers. Once that agreement is reached, a process of administration, enforcement, or implementation will commence, based on the agreement (March, 109). He also suggests two “metaphors” of decision-making. The first views this process as a power struggle, while the second sees it as coalition building. March describes decision-making as either a rational process in which actions “stem from expectations of their consequences,” or rule following in which actions “stem from a matching of the demands of identities with a definition of the situation” (March, 207).

Lerner identifies four types of decision-making situations. In the first, the decision-maker is a leader, superior to other group members who are ranked together, but at a lower level. In the second, the leader of a hierarchical organization makes the

decisions. In the third, small groups make decisions somewhat autonomously. In the fourth, decisions are made collegially, in an unstructured setting (Lerner, 21-22). Bruno Leoni defines political decision-making in a historical context as “those decisions whose result is a modification of the previously existing power situation” (Leoni, 106). He notes that those who seek to understand decision-making should also remember that man is both a decision-making animal and a political animal (Leoni, 93). Decisions in the public sector result not only at the end of a process, but also at many steps in between the beginning and ending. Decisions may involve consensus among many or may be unilateral. He suggests that “minimum freedom and minimum rationality in the process of choice are usually implied in the idea of decision (Leoni, 96).

Others note that the analysis of public sector decision-making must take into account the many competing interests that are represented by public policies (Clarke, 189). Lindbloom describes decision-making as a series of small steps. In this view of the process, administrators first conceive of a few alternatives to current policy, compare these alternatives based on past experience, then select among them, knowing that at each step, goals will only be partially achieved, and alternatives will be reviewed again and again at later dates (Lindbloom, 156). In *Who Governs?*, Dahl, Polsby, and Wolfinger tried to identify the “how” and “who” questions of decision-making, and whether or not there was a fixed or fluid group of decision-makers in New Haven, Connecticut (Judge, 16-17).

Thomas identifies five types of decision-making approaches found in a public, political environment. These are (1) the autonomous managerial decision; (2) the

modified autonomous managerial decision; (3) the segmented public consultation; (4) the unitary public consultation; and (5) the public decision (Thomas, 39-40). DeSario and Langton write that when citizen input into decision-making is desired, surveys, citizen advisory boards or committees, focus groups, and public meetings are useful (DeSario and Langton, 30-31). Nigro and others confirm that “decision-making in the public sector may best be analyzed by a model which recognizes that many and often competing interests are represented in public policies” (Nigro, 189). Several competing theories about decision-making in the public sector are relevant to this paper.

Elite theory. One theory is that business and financial elites, including bankers and financiers, administrators of large profit-making companies, lawyers, industrialists, labor leaders, and civic leaders form a solid group of decision-makers who socialize together, live near each other, and dominate decision-making within a metropolitan area (Hunter, 1953; Dye, 1993). Hunter notes that the “men of power” in Regional City¹⁴ tend to be isolated by location from most of the residents of that city, and are also isolated from the problems that affect most people (Hunter, 1953, 21). All but two of the forty leaders that Hunter identified were college graduates. The names of leaders were identified through lists of civic, professional, and fraternal organizations, government personnel, business leaders, and ‘society’ and ‘wealth’ personnel suggested to Hunter (Hunter, 1953, 61). From these lists of more than 175 people, forty were selected by people that Hunter refers to as “judges.” Of these forty, twenty-seven were interviewed (Hunter, 1953, 61). Although Hunter’s decision-makers form a small group, he clearly

states that depending on the project or issue being contemplated at any one time “the personnel of the pyramid [of power] would change depending upon what needs to be done at a particular time. Ten men might ... decide to bring a new industry into the community. ... Some of the same decision men in another instance might be involved in starting a program for some local governmental change, but another group of men would be involved in carrying out the decisions reached” (Hunter, 1953, 66).

Dye notes that elite theory holds that public policy reflects the preferences of elites. Government officials, both elected and appointed, carry out policies that the elite has selected and defined (Dye, 26). He contends that elite theory represents the “interests and values of elites;” that elites view the rest of the populace as “largely passive, apathetic, and ill informed;” and finally that elites share fundamental norms and values (Dye, 26, 27).

Pluralist theory. Pluralist theory (Dahl, 1961; Polsby, 1980) counters by suggesting that in this type of decision-making, patterns of influence change based on issues. In a pluralistic environment, individuals and groups coalesce and dissolve as specific issues, such as redevelopment, emerge, are debated, and are resolved. Pluralist theorists view community decision-making as “fractured into congeries of hundreds of small special interest groups, with incompletely overlapping memberships, widely diffused power bases, and a multitude of techniques for exercising influence on decisions salient to them” (Polsby, 1980, 118). Polsby argues that a critical presupposition of pluralist theory is that *no presuppositions* can be made about community power, in any

14 Identified as Atlanta, Georgia.

community, prior to studying that community in detail (Polsby, 1980, 113). He recommends that a researcher who tries to understand how community decision-making proceeds must not only ask the question “who runs the community?” but must also discover what the outcomes were in a specific instance to determine who *prevailed* from one time to the next (Polsby, 1980, 113).

For it is easily demonstrated that coalitions *do* vary in their permanency, and to presume that the set of coalitions which exists in the community at any given time is a timelessly stable aspect of social structure is to introduce systematic inaccuracies into one’s description of social reality. (Polsby, 1980, 115-116).

Parenti, criticizing the pluralist point of view, points out that although there may be diverse interest groups within a society, there is no sense of how these groups relate to each other or to a larger whole. “Issues and cleavages are taken as givens rather than as symptoms of broader systemic conditions which themselves might be of concern to students of power.” He faults pluralists for studying power in cities as if the cities were self-contained entities, and not part of a much larger system (Parenti, 28-29).

By insisting that power can be seen only in situational terms, each situation being treated as something new and particular, as a separate case study, the pluralists are able to avoid the whole reality of institutional structure, both public and private. How can one see structured patterns of influence if one refuses to look for them and rules out their existence at the onset? Many pluralists also assume that the most significant political decisions are made publicly and that diverse interests ...influence these decisions either through the pressure of public opinion or through their elected representatives. It may sometimes be so, but it remains to be demonstrated as the case, not assumed the rule. (Parenti, 29).

Growth machine theory. Harvey Molotch describes city power as being dominated by “a small parochial *elite* whose members have business or professional

interests that are linked to local development and growth. These elites use public authority and private power as a means to stimulate economic development and thus enhance their own local business interests” (Molotch, 1988, 25). Although other forces may be operational, including changes in federal aid to cities, efforts of organized labor to change the prevailing balance of power, and local conditions arising from ethnic or racial social action groups, these elites still attempt to “seize the moment,” and influence both land use and local policies (Molotch, 1988, 40). Logan and Molotch suggest that neither the elite nor the pluralist theorists have correctly answered the question “who governs,” or “who decides” (Logan and Molotch, 1996, 291). They theorize that the central issue is a broad-based understanding among elite groups that growth is desirable, and for that reason “elites use their growth consensus to eliminate any alternative vision of the purpose of local government or the meaning of community” (Logan and Molotch, 1996, 292). Because cities are able to encourage growth through a variety of means, including favorable zoning laws, taxing strategies, infrastructure improvement, and the use of public-private partnerships, they can also enact laws that favor certain kinds of businesses. “Moral laws can be changed; for example...gambling can be promoted to build tourism” (Logan and Molotch, 1996, 297). Likewise, cities can enact laws that *discourage* certain types of businesses. In a city that is operating as a “growth machine,” influential or elite residents provide or withhold key support to elected officials, determine the issues that will be voted on by the public, and may also support the cultural institutions that are conducive to their own interests (Logan and Molotch, 1996, 300-303).

Part of the growth machine theory encompasses the role of local media, particularly the city newspaper. As Logan and Molotch point out, newspaper publishers are often “behind-the-scenes” decision-makers, playing critical roles in a city’s shadow government (Logan and Molotch, 1996, 307). The role played by Norfolk’s three city newspapers, the *Virginian Pilot*, the now defunct *Ledger-Star*, and the *Norfolk Journal and Guide* and their publishers may well have had an influence on the numbers, types, and locations of Norfolk’s adult oriented businesses. Evidence of the extent of this role will be discussed in Chapter 4 of this paper. Herson and Bolland point out that in most communities there is at least one dominant church. Its minister or ministers may be very vocal, and may hold views on both social and moral issues that are heeded by other community decision-makers (Herson, 210). The role that local religious leaders played in the control of adult oriented businesses in Norfolk will be briefly discussed in Chapter 4.

Regime Theory. Clarence Stone describes an urban regime as “the mediating agent between the goal of economic well-being and the particular development policies pursued” (Stone, 1987, 269). A regime also “represents an accommodation between the potentially conflicting principles of the popular control of government and the private ownership of business enterprises” (Stone, 1987, 269). An urban regime may vary in form. In some cities, such as in Dallas, the role played by large downtown businesses was key to the city’s development policy (Stone, 1987, 272). In other cities, a more populist regime, one that seeks to expand city services and protect neighborhood identities may comprise the prevailing regime (Stone, 1987, 272-273). In Kalamazoo, Michigan, the regime identified by Heywood Sanders is called a “caretaker” regime by

Stone (Sanders, 182; Stone, 1987, 273). Kalamazoo's development policy included building the first downtown pedestrian mall in the United States (Sanders, 184). At the time of the study, Kalamazoo had a city manager-city council form of government. Downtown business leaders joined together first to address issues of traffic circulation and parking in the downtown area, and then expanded to form a downtown planning committee. Sanders comments that Kalamazoo's mayor urged the group to hire a consultant who would be charged with developing a plan to revitalize the central business district (Sanders, 186). Although Kalamazoo did succeed in its efforts to revitalize the downtown area, it did so with private funds. Kalamazoo was not successful with public urban renewal projects. As Sanders explains: "The city's persistently conservative electorate apparently had little patience for or interest in a vigorous local government and federal aid (Sanders, 192).

Public Disorder Theory. Public disorder theorists contend that disorderly actions, such as public drunkenness, indications of on-street prostitution, loud voices and loud music played in otherwise quiet neighborhoods make people fearful. Furthermore, these fears lead residents to various solutions, including moving from the neighborhood, arming themselves, and withdrawing behind barred doors and windows (Kelling and Coles, 12-13). "Quality of life and disorder continue to be among the most urgent issues local politicians address, regardless of party affiliation" (Kelling and Coles, 14). In a 1990 study, Wesley Skogan of Northwestern University found that:

Several forms of physical disorder were closely related to these disorderly behaviors: *commercial sex shops*; vandalism consisting of graffiti and damage to public spaces such as schools, bus shelters,

street signs, and vending machines; accumulations of rubbish and refuse; and dilapidated and abandoned buildings (Skogan, 1990, 54-57).

A second key finding in Skogan's analysis was a direct link between disorder and crime. By studying data from Houston, Newark, Atlanta, Chicago, Philadelphia, and San Francisco, Skogan concluded that disorder was an important factor leading to neighborhood decline, abandonment of neighborhoods by residents, and declining real estate values (Kelling and Coles, 25). In addition, he suggests that "areas that tolerate (or cannot effectively counter) rowdy taverns, sex and drug-oriented paraphernalia shops, public drinking, prostitution, and similar disorders, will almost certainly be plagued by crime" (Skogan, 10).

Research Questions

Because the research problem to be addressed is "What approaches have been used by the city of Norfolk and its decision-makers to control adult businesses," the following questions will be studied:

- (1) How were the adult oriented businesses, including the burlesque theaters, massage and tattoo parlors, peep shows, adult book and video stores, and sex paraphernalia stores in Norfolk reduced or eliminated?
- (2) What or who instigated this process? Was there an identifiable group of decision-makers that accomplished the "cleanup?"
- (3) What was the Navy's role in the process?
- (4) What was the role of the Norfolk Redevelopment and Housing Authority?
- (5) What role did city council members play?

- (6) What laws and ordinances were passed or enforced to reduce or eliminate the adult oriented businesses in Norfolk?

Case Study Methodology

The case study method is the best research design to choose when studying “the details about how something happened and why it may have happened” (O’Sullivan and Rassel, 33). Strengths of this method are as follows: the researcher can correlate a variety of information sources, including documents, interviews, archival records, direct observation, photographs, and newspaper articles. O’Sullivan points out that different types of information can be obtained from the various data collection methods used by the case study researcher. Direct observations show the situation that exists today. Interviews give the researcher insight on the reasons for behavior, and lead the interviewer to other sources of information. Archival information verifies official decision-making. The combination of information sources helps the researcher synthesize a multi-dimensional examination of a complex topic.

One of the chief criticisms of the case study method is that the investigator “fails to develop a sufficiently operational set of measures and that ‘subjective’ judgments are used to collect the data” (Yin, 1994, 34). In a case that explores reasons for neighborhood change, Yin recommends that the researcher establish construct validity prior to data collection, by identifying the specific changes to be studied, based on the overall objectives of the research, and “demonstrate that the selected measures of these changes do indeed reflect the specific types of change that have been selected” (Yin, 1994, 34). In addition, he advises organizing data within time frames, and focusing an

equal amount of emphasis on each period of time studied. With those recommendations in mind, the specific types of changes that will be studied in this case are organized by time spans of mayoral office holders.

Eleven men have held the position of Norfolk mayor in the 55 years between 1943 to 1998. Mayors Wood, Reed, Cooke, and Darden served during and immediately following the Second World War. Mayor Duckworth served for 12 years, during and just after the period of time that Norfolk was named a National Municipal League All-American City, in 1960. Mayor Martin served the next twelve years, followed by Mayor Hill for slightly under two years. Mayor Thomas was the third of the long-term mayors, also remaining in office for twelve years. Mayors Leafe, Andrews, and Fraim completed the years spanning 1984-1998. It is clear that Mayors Martin, Duckworth, and Thomas, and the city managers who worked with them, were instrumental in guiding redevelopment during critical time periods in Norfolk's history. For these reasons the case study is organized by the following four groupings:

- (1) The numbers and types of adult oriented businesses that operated in Norfolk during and immediately following World War II, from 1943-1949, under Mayors Joseph D. Wood, James W. Reed and R.D. Cooke,¹⁵ and City Managers Charles B. Borland¹⁶, Henry H. George, III, and Charles A. Harrell.

15 Mayor Joseph D. Wood, 9/1/40-8/31/44; Mayor James W. Reed, 9/1/44-8/31/46; Mayor R.D. Cooke, 9/1/46-2/15/49; Mayor Pretlow Darden, 2/15/49-8/31-50; Mayor W.F. Duckworth, 9/1/50-8/31/62; Mayor Roy Butler Martin, Jr., 9/1/62-9/1/74; Mayor Irvine Hill, 9/3/74-7/6/76; Mayor Vincent J. Thomas, 7/7/76-7/3/84; Mayor Joseph A. Leafe, 7/4/84-7/1/92; Mayor Mason C. Andrews, 7/2/92-6/30/94; Mayor Paul Fraim, 7/1/94-current.

16 Charles Borland, 1938-1945; Henry H. George, III, 1/46-11/46; Charles A. Harrell, 11/46-12/51; Henry H. George, III, 1/52-9/52 and 9/52-7/55; Sherwood Reeder, 7/55-12/55; S.C. Morrisette, 12/55-2/56;

(2) The number and types of adult oriented businesses that operated in Norfolk from 1949-1962, under Mayors Pretlow Darden and W.F. Duckworth, and City Managers Charles A. Harrell, Henry H. George, III, Sherwood Reeder, S.C. Morrisette, and Thomas Maxwell.

(3) The number and types of adult oriented businesses that operated in Norfolk from 1962 -1976, under Mayors Roy B. Martin, Jr. and Irvine Hill, and City Managers Thomas Maxwell (1956-1970), G. Robert House, and Julian F. Hirst.

(4) The number and types of adult oriented businesses that operated in Norfolk from 1976-1998, under Mayors Vincent J. Thomas, Joseph A. Leafe, Mason Andrews, and Paul Fraim, and City Managers Julian F. Hirst and James B. Oliver, Jr.¹⁷

Triangulation. The change measure will be the numbers of adult oriented businesses¹⁸ that can be verified as operational through the use of document and archival records, interviews, and observation during these four time periods. Yin recommends that construct validity can be increased by using multiple sources of evidence, establishing a chain of evidence, and having the draft case study report reviewed by key informants (Yin, 1994, 34). He also recommends using multiple sources of evidence to develop

Thomas F. Maxwell, 2/56-1970; G. Robert House, 1971-6/75; Julian F. Hirst, 7/75-1986; James B. Oliver, 1987-1998.

17 An underlined name signifies that the researcher conducted an interview with that person.

18 Adult oriented businesses are defined for the purpose of this case study as: (1) massage parlors; (2) tattoo parlors; (3) burlesque theaters; (4) bars or clubs serving liquor and featuring performances by female dancers; (5) bars or clubs serving soft drinks and featuring lap dancing; (6) adults-only movie houses, offering movies regulated by law for viewing by adults only; (7) adult bookstores, offering books, magazines, and paraphernalia, regulated by law for sale to adults only; and (8) adult video stores, offering videos regulated by law for sale or rent to adults only.

converging lines of inquiry, following a process called triangulation of data sources, or data triangulation. The use of archival records, open-ended, focused, and structured interviews, documents, and observations in this case study comprise the multiple sources of evidence required by Yin.

Archival Records. These records exist in a variety of formats. The Office of the Clerk, City of Norfolk archives minutes of the meetings of the Norfolk City Council in both paper copy and on microfilm. These are available for review and photocopying. Likewise, meeting notes, inter-departmental correspondence, reports, and studies relating to Norfolk are held in microfilm by the Records Department of the City of Norfolk. The contents of these records have been reviewed and analyzed for discussions and decisions about adult oriented businesses in Norfolk, as well as indications of agreements made with area business owners concerning adult uses. Discussions by city council members about the existence of adult oriented businesses, their effects on city neighborhoods or on the city have also been located and are reviewed and linked to other relevant materials in Chapter 4. Yin confirms that records such as these strengthen the case because they are stable, can be collected unobtrusively, are exact and precise, and cover a long span of time, including many events in multiple settings (Yin, 1994, 80).

Interviews. A list of interviewees is given in Appendix B. Those listed include former and current Norfolk mayors and city council members, Norfolk police officers, attorneys, employees of the city of Norfolk, businessmen, naval officers, citizen activists, and a former U.S. Congressman. The people listed were active during part or all of the time covered by the case. In addition, many of them were in decision-making positions,

either as elected or appointed officials, or as behind-the-scenes power brokers. The law enforcement officials were involved with policing adult oriented businesses in the city. All should have insight into the reasons for controlling adult businesses, and the methods used.

Three types of interviews were used for this case. In the structured interviews, respondents were asked questions about the history of adult uses in one specific area of Norfolk. These same respondents were asked to recall certain factual information, such as the location of massage parlors, the method used by city officials to close the massage parlors, and the existence of other specific types of adult uses. Structured interviews allow the interviewer to ask descriptive, normative, and cause-and-effect questions. For example, the following descriptive question was asked: When you think back to Norfolk in the 1960s, could you describe what you remember about the businesses outside Gate 2 on Hampton Boulevard? The following normative question was asked: Were these businesses acceptable to residents of the neighborhood? One cause-and-effect question asked was: Do you remember what happened to these businesses that caused them to disappear? (GAO, 1991, 19). The structured interview consisted of approximately 18-24 questions. The interview questions listed in Appendix E were tailored to the respondent, so that no respondent was asked all of the questions. For example, those questions that directly related to the Little Creek Road-Shore Drive area of interest were not used in interviews with respondents who were more likely to have insight into the East Main Street area. These interviews lasted for approximately one hour.

The second type of interview was a shorter, focused interview. Yin suggests that

the focused interview last no more than one hour (Yin, 1994, 84). Respondents such as the Assistant Chief of Police, active duty police officers, and Norfolk City Attorneys were asked to respond to a specific pre-tested set of questions about adult oriented businesses. These questions are listed in Appendix F. Each person interviewed was asked precisely the same questions, in the same order.

The third type of interview was the long interview (Appendix D in its entirety). As described by McCracken, the long qualitative interview uses an open-ended questionnaire but is non-directive, unobtrusive, and may take place over a period of six to eight hours or more. McCracken notes that “without long interview periods, it is impossible to let the respondent tell his or her own story and explore key terms in substantial chunks of unconstrained testimony” (McCracken, 37). These interviews lasted approximately two hours.

The advantages of these interviews, done face-to-face, include allowing the use of probes, both oral and visual inquiry and response; exploration of complex subjects; acquisition of historical data; and maximization of response rate (GAO, 1991, 11-12).

Documents. The Norfolk Public Library holds clipping and pamphlet files. These are located in individual file folders in both the Sargeant Memorial Room and in a first floor annex. These files were reviewed and copies were made as applicable to the subject of the paper. There are also files in the Norfolk Public Library known as the City Manager’s Scrapbooks. The scrapbooks of the World War II era manager, Charles Borland, and the scrapbooks of Thomas Maxwell, who managed the city from 1956-1970, are both available at the library. Mr. Maxwell’s scrapbooks are made available to

the public on microfilm. Norfolk City Directories that list business addresses and names by street and on each street, in numerical order by street address, are held at the library from 1943 to current. The Old Dominion University Library archive holds the Lawrence Cox papers. Lawrence Cox headed the Norfolk Redevelopment and Housing Authority during the 1960s. *Shanks's Raw Materials on the History of Norfolk* is an index to the Norfolk and Portsmouth newspapers from 1931 – 1965. These indexes helped to identify several newspaper citations that were relevant to adult uses in the city. The library's historical section also contains vertical file materials, with information on businesses such as the Gaiety Theatre held in a "theater" file and information on Norfolk streets held in similar files. The *Virginian-Pilot* and *Ledger-Star* newspapers are all available on microfilm in the public library and at the Old Dominion University Library. The *Virginian Pilot* and *Ledger Star* papers are indexed, but these indexes are proprietary, held by the newspaper library. The librarians there graciously searched these indexes for the author. Yin cautions that documents are not necessarily accurate or bias-free. They are useful to "corroborate and augment evidence" identified in other sources. They may also lead to further inquiry when they contradict, rather than affirm other evidence (Yin, 1994, 81).

Observations. Photographs available in the Norfolk history collection of Norfolk Public Library, including those from the Carroll Walker collection, the Emmerson collection, and the Murdaugh collection, were contrasted with photographs of the same locations as they exist currently. Slides and photographs formerly maintained by the Norfolk Redevelopment and Housing Authority were donated to the Norfolk Public

Library, but were not available to the public at the time of this research. The three locations of interest are the East Main Street-Granby Street area, Hampton Boulevard, and the Little Creek Road-Shore Drive area. The adult oriented businesses in operation in these three areas as shown in the photographs covering the 1943-1998 period were identified and described as specifically as possible. Photographic evidence corroborates the information found in Norfolk City Directories. Yin notes that photographic evidence helps to strengthen case studies by conveying “important case characteristics to outside observers” (Yin, 1994, 87). Photographic evidence can help to document the conditions existing in the vicinity of the three locations both currently and in the past, and “add new dimensions for understanding either the context or the phenomenon being studied” (Yin, 1994, 87).

Analysis of Interviews. Using methodology described by Mostyn, Kvale, and others, 25 interviews were categorized, coded, synthesized, condensed, and linked to documentary and photographic evidence. Mostyn’s thirteen-step approach to analyzing interviews comprises “the Concept Book Approach” (Mostyn, 133). These steps begin with reviewing the research problem, selecting the sample, relating the problem to other similar research, developing and testing hypotheses, immersing oneself in the data, categorizing the data, allowing for a period of “incubation,” synthesizing the material, culling meaningful information, interpreting the research, writing the report, and concluding with reviewing and rewriting as necessary (Mostyn, 133-144).

Archival materials and documents were analyzed following Patton’s recommendations on coding notes (Patton, 381). Patton recommends using an interview

guide that structures information from interviews into topic groupings. “The interview guide actually constitutes a descriptive analytical framework for analysis.” (Patton, 376).

For example, a description of both the similarities and the variations found in answers to the same questions should be included in the analysis. Documents and archival records were coded by topic, by date, and whenever possible by personal name and by business name and location. Patton recommends that the researcher must construct an index just as she would for a filing system. “Look at what is there and give it a name, a label.” (Patton, 381). Shorthand codes were also used, such as “Z” for zoning decision, “S” for Shore Drive, “EM” for East Main Street, “M” for massage parlor, “GG” for go-go bar, or “A” for ABC use (See Exhibit G).

Decision Points and Clearances. Pressman and Wildavsky used a technique of describing sequential decisions in their case study of the implementation of a jobs for minorities program in Oakland, California¹⁹ (Pressman and Wildavsky, 353). They quantified the numbers and types of these decisions in “decision points” and “clearances.” They describe a decision point as the point at which an agreement “has to be registered for the program to continue.” A clearance occurs each time a separate participant is required to consent to an action (Pressman and Wildavsky, 1973, xvi). By using a similar technique in this case study, the type and number of decision points that led to the transformation, closure, or relocation of adult oriented businesses in any of the three Norfolk locations, and the clearances or agreements that were required by specific

¹⁹ Oakland was used to show how public funding could lead to minority hiring, through an employer incentive process.

participants were identified. It was anticipated that a careful analysis of the documentary and archival data listed below would result in an understanding of the primary agreements or decisions made by public or private Norfolk decision-makers regarding the type, legality, location, and density of adult oriented businesses allowed to operate in Norfolk. Pressman and Wildavsky set up a table of decision points, participants, and number of agreements, as illustrated below in Table 1 (Pressman and Wildavsky, 1973, 103).

Table 1

**Decision Points and Agreements Necessary for the Operation of
Adult Oriented Businesses in Norfolk, Virginia**

Decision	Participants	Agreements Involved
Decision to close massage parlors	?	?
Decision to restrict go-go bars to certain areas within the city	?	?
Decision to close adult theaters	?	?
Decision to close tattoo parlors	?	?
Decision to restrict adult magazine, book, and video stores to certain types of material	?	?
Decision to restrict adult magazine, book, and video stores to certain areas within the city	?	?
Decision to allow paraphernalia (sex toy) stores to operate within certain areas of the city	?	?
Other decisions regarding Adult Oriented Businesses	?	?

Category Matrices. Miles and Huberman (Yin, 1994, 103) suggest the use of a category matrix, placing evidence within the selected categories as one analytic technique that will help strengthen a case study. This technique was used as shown in Table 2 below. Although numbers in the table below are cumulative for the entire period of time from 1943-1998, specific matrices were developed for each of the time periods identified.

Table 2
Adult Businesses Operating in Three Norfolk Locations, 1943-1998

	Adult Bookstore	Bar	Burlesque Theater	Adult Movie or Mini-Movie Theater	Massage Parlors	Tattoo Parlors
Hampton Blvd.	2	33			5	
Little Creek-Shore Drive Area	1	8			3	
Main Street – Granby Street Area	8	70	1	2-3	3	10

Examination of Documents. ²⁰ Documentary data examined included the

following:

- (1) Records of Norfolk City Council meetings from 1945 to 1982;
- (2) Records of the City of Norfolk held in the Records Office;
- (3) Zoning board reports and documentation;
- (4) Norfolk City Planning Commission reports and records;
- (5) Norfolk city manager scrapbooks held in the Norfolk Public Library;
- (6) The photograph archives of the Norfolk Public Library;
- (7) Pamphlet and vertical files of the Norfolk Public Library;

²⁰ See also Appendix D.

- (8) Recommendations of outside consultants and agencies;
- (9) Newspaper articles from the Norfolk *Virginian-Pilot* and *Ledger-Star* newspapers;
- (10) Norfolk city directories.

Analysis of the Norfolk city directories, photographs held within the Norfolk Public Library's photograph archives, along with a direct observation inventory of businesses currently in operation within the three areas specified will be another method of determining the change in numbers of adult oriented businesses between 1943-1998.

Norfolk's population during the period covered in this paper is shown in Table 3.

Table 3
Norfolk Demographics, 1940-1999

Year	Population
1940	144,332
1950	213,513
1960	304,869
1970	307,951
1980	266,979
1990	261,250
1994 est.	242,600
1998 est.	226,900
1999 est.	225,875

Sources: Weldon Cooper Center for Public Service, Demographics and Workforce Section, University of Virginia; Historical Census Browser from the University of Virginia Geospatial and Statistical Data Center; Virginia Statistical Abstract, 1996-97; U.S Census Bureau.

Because this case study covers more than 50 years of Norfolk's history, evidence is presented in chronological order following the four time periods listed previously. Yin cautions that "disproportionate attention is usually given to the early events and insufficient attention to the later ones." (Yin, 1994, 139). For this reason the current period, 1976 to 1998, was researched and drafted first, followed by the earlier sequences in reverse chronological order.

Yin also suggests that case study design is strengthened by the analysis of rival views or theories (Yin, 1994, 149). For this reason, decision-making theory, pluralist theory, elite theory, growth machine theory, regime theory, and public disorder theory were used as competing theories in the analysis of Norfolk's transformation.

Limitations

To summarize, there are limitations to the case study method. There is no process of comparison involved, for example to another similar city. Case studies are the weakest form of research design, as they do not control for history, maturation, selection, or mortality, all extraneous variables that jeopardize internal validity, and thus invalidate any attempt to prove that certain variables caused the changes that occurred within Norfolk (Campbell and Stanley, 1963). O'Sullivan and Rassel point out that the techniques used in case studies, from interviewing techniques to content analysis to observation all require differing skills. Researchers are not normally practiced in all of the techniques needed to complete effective and "even" case studies (O'Sullivan, 33). External validity of the case study design is also threatened by the interaction of selection with the program or programs that were implemented during the period to be studied.

However, Yin describes William F. Whyte's *Street Corner Society* as a classic descriptive case study. Even though only one neighborhood was described, the work has had value in its generalizability to other neighborhoods and other time periods (Yin, 1994, 4). Likewise, Bailey has written that a key aspect of public administration is the "bond [that] exists between theory and practice" (Bailey, 49). Because of this bond, the case study that produces "generalizable, transferable, and replicable" results is of great value to both the practitioner and the theorist. She suggests that case studies can offer a "rich opportunity for theory building," depending on the question and situation being studied (Bailey, 52). The case study method is an appropriate methodology for a research project when the problem and situation being studied concerns "how" questions such as those posed in this proposal (Yin, 1994, 21).

Although this paper refers to several court decisions concerning zoning, obscenity, pornography, and massage parlors, the paper is not a review of legal decisions that pertain to the city of Norfolk. The decisions cited were referenced by interviewees, included in newspaper articles about the various types of businesses discussed, or cited in Norfolk City Council minutes or Norfolk Inter-Departmental correspondence.

Importance of the Study

The process of urban renewal is complex and multi-faceted. Students and teachers of urban studies, elected and unelected urban leaders and decision-makers, development officials, police officers, city attorneys, business leaders, and the general public should be able to understand and apply the lessons of the history of Norfolk development to current and future issues related to the establishment of adult oriented

businesses within the city. Having an understanding of the policies that worked well in the past and of those policies that did not can give contemporary policymakers insight into solutions for today's urban challenges, such as the businesses advertising themselves as lingerie stores, with in-store models.²¹ Skogan described three methods that communities use to deal with the disorder described by Kelling, Coles, Wilson, and others. The strategies he points to are community policing, community economic development, and community organizations. During the course of this case study, the presence of one or more of these strategies will be explored, both through document examination and in interviews.

New York City recently engaged in a massive effort to make the city more "civil." Squeegeemen²² were all but eliminated; aggressive subway panhandling regulated; subway graffiti artists discouraged; and Times Square transformed from an area where adult oriented businesses were the norm, to an area where they have become the exception (Kelling and Coles, 1996) A phenomenon known as " pornosprawl" has recently been described as the unanticipated movement by adult oriented businesses from central cities to smaller metropolitan or suburban areas, areas that are unprepared, in terms of zoning and indecency laws (licensing, anti-pornography ordinances) for such

21 *The Virginian-Pilot* reported on February 25, 1999, page B1, that Judge Everett A. Martin Jr. upheld the decision of the Norfolk zoning board in ruling that a proposed lingerie shop, featuring live models and private viewing and modeling cubicles, was an adult entertainment venue, not a conventional retail establishment. This ruling forces the owners of the proposed store to apply for a special adult entertainment permit, thus involving both the Planning Commission and City Council. The article notes that "Norfolk can maintain strict controls over where these kind of stores can operate--if anywhere."

22 Squeegeemen stood on the sides of the city's major streets and avenues, and when traffic stopped, jumped out to clean car windows. They demanded payment for their services, whether or not the driver had requested the window cleaning.

relocations (Perlman, 1997).

A regulatory specialist in Portland's Bureau of Licensing noted that "once you have a lingerie business next door to an adult video store and a nudie joint, it begins to erode the sense of community.... Property values drop, and the area becomes vulnerable to being turned over to the sex industry completely" (Perlman, 1997, 5). Determining the approach or approaches by which Norfolk succeeded in eliminating, limiting, or regulating the presence of these businesses may serve as a model for other communities that have not yet experienced "pornosprawl."

How are such businesses regulated in a manner not in violation of the First Amendment? Does this type of redevelopment or renewal effort require the combined and coordinated effort of many or is it something that a small number of individuals can set into motion? More fundamentally, who determines what types of conditions and what sorts of businesses a community will tolerate? What happened to the tattoo parlors, the massage parlors, and the adult movie theaters? Why did these businesses disappear and why have they never returned to Norfolk?

Chapter Summary and Subsequent Chapters

Chapter one introduces the topic of how cities have attempted to control adult oriented businesses. These businesses include adult book and video stores, bars with nude or semi-nude dancers, adult movie theaters, massage parlors, and lingerie stores. A brief overview of attempts by municipalities to control the sale of adult oriented materials is presented, followed by an explanation of the U.S. Supreme Court rulings that directly affected both producers of adult oriented materials and cities that attempted to control

adult oriented businesses. The research problem is defined, followed by a brief description of the paper's theoretical framework: municipal decision-making theory and public disorder theory. Six research questions are listed, each of which relate to the research problem: What approaches have been used by the city of Norfolk and its decision-makers to control adult businesses? Strengths and weaknesses of case study methodology are stated, followed by an explanation of data triangulation and the use of triangulation in this study. The sources of information are reviewed; these include interview data, observations, and documentary evidence.

The paper continues as follows. Chapter two reviews the literature of urban and municipal decision-making theory, public disorder theory, Supreme Court decisions on zoning and obscenity, and zoning ordinances in the city of Norfolk. Chapter three describes the research design, detailing the methodology used, including the analysis of interviews, documentary materials, and observations. This chapter contains detailed descriptions of the types and extent of archival and document records used by the researcher and includes category matrices and decision points and agreements tables.

Chapter four presents the findings of the interview analysis, document analysis, and observations for the three selected Norfolk locations. Chapter five summarizes the research by addressing each research question and suggests implications about the control of Norfolk's adult oriented businesses as seen through the theoretical framework of the case. Chapter five then analyzes the findings as viewed through the theoretical basis of decision-making theory and public disorder theory. This chapter concludes with a discussion of approaches used to control adult businesses as drawn from the research and

with recommendations for further research about controlling adult oriented businesses in an urban setting.

Chapter 2

Review of the Literature

1. Municipal Decision-making

The City Council – City Manager form of government, as found in Norfolk, Virginia, had its origins in a recommendation of the National Short Ballot Organization, with Woodrow Wilson at the helm (Banfield, 168). A typical council-manager city will have five, seven, or nine elected council members, and a professional manager, appointed by, and serving at the pleasure of the council. In addition, a mayor, sometimes elected by the council, sometimes by the electorate, performs ceremonial or official duties.

Banfield suggests five types of council-manager relationships: (1) a strong city manager government, often found in cities with little or no conflict, frequently cities with homogeneous populations; (2) a city where the population is heterogeneous, but the factions are of similar strength, and the city manager can play one group off the other or even ignore the groups; (3) a city with factions of equal strength and a city manager who is unwilling to commit to any faction; (4) a divided city with a city manager who has the backing of a stable majority or a faction with the most power; (5) a divided city without a stable majority or leading faction, and a city manager who must continuously work to create a majority for each issue that the city faces (Banfield, 177-180).

Within the context of the council-manager type of municipal government, a number of decision-making theories will be considered as applicable to this study. March

suggests that understanding a specific decision requires considerable “concrete contextual knowledge – details about the historical, social, political, and economic worlds surrounding the decision and about the individuals, organizations, and institutions involved” (March, vii). In a world of rational choices, a decision-maker chooses from among a variety of options. In many cases, the consequences of those options can only be estimated. (March, Simon, Morgan, and others) March describes multiple actor decision-making, in which each actor “is assumed to consider a decision” only from his or her perspective, and expects others to behave similarly (March, 108). In the process of political decision-making, or policy making, agreement, when reached, is usually the result of negotiation or bargaining. When there is agreement, a group is formed to work toward the group’s goals. March describes several decision-making processes, including rational decision-making [goals are set], rule-based decision-making [rules are established], culturally based decision-making [conflicting norms and practices are reconciled], and administrative decision-making [policy is agreed upon] (March, 109).

In a setting where multiple actors have numerous goals, some of which are related and supported, some of which are opposed and in conflict with others, coalitions may form (March, 140). March notes that “many familiar systems for collective decision-making ... are political in that they create mechanisms for decisions without agreement on either preferences or identities. The resulting decisions ... sometimes seem to reflect everyone’s second choice and no one’s first choice” (March, 140). In multiple actor settings, bargaining and coalition formation, alliances, and associations are common (March, 151).

Lerner points out that students of the decision-making process see decision-making as policy making. Because “policies are projected plans of action” directed toward a problem, a person or group that is making policy is also making decisions (Lerner, 30). Thinking of policy making in these terms, those who are outside of the formal governmental structure (city council – city manager – city departments) can be *decision-makers in the context of a municipality’s evolution and development.*

In *Leadership in a Small Town*, Wildavsky theorized that political systems in most American cities were pluralistic rather than elitist (Wildavsky, 7). Using the case history methodology used by Dahl, Polsby, and Wolfinger in their study of New Haven, Wildavsky and his colleagues chose to study leadership and decision-making in the city of Oberlin, Ohio. Using case histories²³ of issues important to Oberlin residents at the time (November 1957-June 1961), Wildavsky and his colleagues identified people who were involved with each of the issues, asked these people to identify others, conducted interviews with those identified, compiled a case history, and then compared the leaders in each of the cases. He concluded that “if the same person or group appears in ... almost all areas ... there is a ruling elite of some kind. If ... everyone in Oberlin seems to be equally influential in all of the cases, the conclusion is that citizens rule as a mass . Or, “if there are a small number of leaders in each issue area,” sometimes overlapping, sometimes not, a pluralist system exists (Wildavsky, 9). “The contemporary American city is likely to have a pluralist structure of power” (Wildavsky, 349).

23 The cases included Oberlin’s water supply system, electrical power, the housing code, low-cost housing, the city’s zoning ordinance, off-street parking in the central business district, and the United Appeal

In a key observation of decision-making in a small town, Wildavsky points out that leaders have the ability to “make” issues. “The task of the leader,” he says, “is to show the connection between the events he is concerned about and the lives and fortunes of at least some segments of the population. The general lack of public attention ... turns issue-making into one of the most valuable components of the art of leadership” (Wildavsky, 336).

William Hudnut, Mayor of Indianapolis, Indiana, described his efforts to revitalize that city in the late 1970s and throughout the next decade, in the following words: Although a government “can and should be run like a business,” the people of Indianapolis needed to feel a sense of ownership, needed to feel that they were helping to determine the city’s future. “The time had come to outgrow traditional decision-making patterns in which a small elite handed policy down from the top and everyone else acquiesced. It was clear that a few white males could no longer dominate the city with benevolent paternalism. The times required the active involvement of many players in government, business, labor unions, civic groups, neighborhood associations, volunteer and educational organizations ... to form the kind of working coalition that gets things done” (Hudnut, 19). Discussing the city’s pro-growth strategy, a former Indianapolis development director remarked: “We changed local government’s functions in this town because we became an active player in the economic development game and a partner with the business community (Hudnut, 82). Hudnut summarized the city’s focus in these terms: “We had an aggressive pro-growth strategy, unlike the antigrowth mentality of

campaign.

some cities” (Hudnut, 82).

Judd and Swanstrom describe city politics in the “Sunbelt”²⁴ in these terms: “Over the long run informal coalitions of white-collar professionals, business leaders, and growth-oriented city managers and bureaucrats formed business-dominated reform machines in cities all across the Sunbelt. Political reform and economic growth became the two reinforcing goals of the new regimes” (Judd, 1998, 277).

2. Elite Theory

The elite theory of urban politics holds that municipal decision-making is controlled by an elite group of municipal residents, including industrialists, financiers, labor leaders, philanthropists, business owners, bankers, and real estate developers who generally are not serving in an elective office, but who have close ties to the officials who have been elected, or appointed, to serve the municipality. Judge suggests that elitist theory can be both empirical or normative – empirical “in the sense that it explains the nature of policy decisions produced by urban governments as a function of the decision-making structure;” normative “if theorists advocate decision-making by an elite as the preferred mode of political decision-making” (Judge, 1997, 2). Harding writes that regardless of where we live, in a democracy or in an autocracy, “common senses tells us that control over crucial resources like property, money, the legitimate use of violence, political influence, and scientific knowledge is concentrated in the hands of a few” (Harding, 1997, 35).

²⁴ Virginia, West Virginia, Maryland, and Delaware are located just south of the Frostbelt and just north of the Sunbelt in a map adapted from Bernard and Rice, 1985, 7 (Judd, 1998, 263).

In a review of elite theory from Plato to C. Wright Mills and Trotsky, Harding calls attention to the political scientist's definition, where political elites are studied, to the sociologist's more inclusive definition, encompassing military, business, and political leaders (Harding, 1997, 37). When elite theory is applied to the study of a city, rather than an entire society, Harding suggests that "a methodological can of worms" opened (Harding, 1997, 38).

Floyd Hunter's *Community Power Structure: A Study of Decision Makers*, studied leadership and power in Atlanta, Georgia (called "Regional City" by Hunter) in the early 1950s. He refers to power as an abstract concept, "used to describe the acts of men going about the business of moving other men to act in relation to themselves or in relation to organic or inorganic things" (Hunter, 1953, 2-3). He proposes three hypotheses on power structure, as follows:

1. Power is exercised as a necessary function in social relationships.
2. The exercise of power is limited and directed by the formulation and extension of social policy within a framework of socially sanctioned authority.
3. In a given power unit (organization) a smaller number of individuals will be found formulating and extending policy than those exercising power.
 - Corollary 1: All policy makers are "men of power."
 - Corollary 2: All "men of power" are not, per se, policy makers. (Hunter, 1953, 7).

Working from a variety of organizational and governmental listings, Hunter asked "judges" to choose (vote for) the top forty municipal leaders. Of these forty, twenty-

seven were interviewed. In addition, a group of fourteen “under-structure”²⁵ professionals were interviewed, as were thirty-four “Negro community leaders” (Hunter, 1953, 61). Interviewees were asked questions such as “How many men would need to be involved in a major community project in Regional City ‘to put it over’?” (Hunter, 1953, 65). Hunter found that there was a small group that he called “men of independent decision,” and a larger group of “executors of policy” (one hundred or more). In addition, he notes the “the personnel of the pyramid [of power] would change depending upon what needs to be done at a particular time. Ten men might, for example, decide to bring a new industry into the community. Getting the industry physically established and operating might take ... a few more men or several hundred men, depending on the size of the project” (Hunter, 66). He felt that where one group of decision-makers might be working to establish a project, another group of these leaders would be focused on carrying out decisions reached by the other group. As the interviews proceeded, Hunter came to believe that among the forty, certain “top leaders” operated “on a very high level of decision in the community” (Hunter, 66). In Hunter’s group of forty, seven leaders were bankers, financiers, or insurance agents; eleven were chairmen or presidents of commercial firms; four worked for the city or county government; two were union leaders, five were civic leaders, five were industrialists; five were lawyers, and one was a dentist (Hunter, 6).

Commenting on their decision-making practices, Hunter notes that “policy-makers tend to operate as a closed group. To the policy-makers their activities are

²⁵ Hunter defines under-structure professionals as those in civic and social work.

thought to be open and aboveboard in relation to each other. Because of the structural hierarchy of command and decision, policy may appear to be determined in smoke-filled rooms and behind the scenes” (Hunter, 246). Referring to policy decision-making and power, Hunter states that some of Atlanta’s organizations “are designed to drain off any move in the direction of political action. The latter fact may be clearly seen by any individual who comes to know the inner workings of many organizations reputedly devoted to the discussion of civic and social issues but which are actually operated in the interests of the political and economic status quo” (Hunter, 258).

Hunter’s study of Atlanta was criticized for methodological weaknesses: The use of “reputational analysis;” the method of selecting the 40 community leaders; the lack of evidence linking leaders to specific situations and specific applications of power. As summarized by Polsby, “We cannot, on the evidence, conclude that the upper class ruled, that political and civic leaders were subordinate to them, that there was a power elite, that the interests of a single class were served by community policies, or that social conflicts sharply divided the classes” (Polsby, 1980, 55). As Harding states, Hunter’s study “triggered the ‘community power debate’ between elite and pluralist theorists that dominated studies of urban politics ... for the next 20 years” (Harding, 1997, 39).

Other studies of municipal elites have identified them, typically, as bankers, industrialists, and editors or publishers (Morlock, 7). A study of “Civic Elites in Eighty-eight Cities” found that the elite do not always dominate city politics. They may either promote or suppress controversy to obtain public support or reduce public opposition to their chosen projects (Morlock, 19). Edward Banfield and James Q. Wilson identified

groups of business elites in many U.S. cities. These people “met privately, agreed upon more or less comprehensive plans for the redevelopment of the central city, and presented the plans to the press, the politicians, and the public” (Banfield and Wilson, 1963, 267). They note also that until the end of the 19th century, Protestant elites ran most cities. This changed with the steady influx of immigrants, and the elites turned to service organizations, such as the Red Cross or the Community Chest to wield power (Banfield and Wilson, 1963, 38-39).

Paul Peterson credits Hunter, D.C. Miller, and others who studied community decision-making using the reputational method for adding to the understanding of community power. “Their most durable finding,” according to Peterson, “is the high frequency with which prominent members of the business community are nominated as desirable members of a community-wide committee by well-informed observers of local politics” (Peterson, 1981, 137). He agrees with Polsby and others that Hunter’s Atlanta study is flawed, and that his methodology was weak. However, he argues that although Hunter’s critics find his work valueless, “reputation in a social system cannot be constructed out of nothing; there must be something in an individual’s past that leads informed observers to concede him a political status of high rank” (Peterson, 1981, 137). Peterson also points out that many of the reputational studies concerned development politics, and that to identify businessmen as the power brokers in these cases is to be expected. “Many studies find that heads of banks, downtown retailing firms, newspapers, and home-owned industries are the most active participants in the politics of development” (Peterson, 1981, 141). Peterson suggests that the reputational studies have

added to understanding of municipal development – these studies have identified influential people who either have control over economic interests or influence over civic associations. In addition, these influential citizens seek to develop or reinforce the community’s economic interests, an objective that others in the community generally support (Peterson, 1981, 143).

3. Pluralist Theory

Robert Dahl, Nelson Polsby, Raymond Wolfinger and others rejected the theory of elite dominance in municipalities and instead proposed that special interest groups, many with overlapping memberships, coalescing around an issue for a finite period of time, forming and reforming as issues developed, were more typically urban decision-makers. David Judge identifies seven ‘principal tenets’ of urban pluralism, drawn from the writings of G. Jordan. They are as follows: (1) Power is fragmented and decentralized; (2) all groups have some resources; (3) dispersion of power is desirable; (4) political outcomes in different policy sectors reflect different processes, different actors, and different distributions of power within the sectors; (5) the exercise of political power goes beyond formal institutional structures of elections and representative institutions; (6) ‘the interaction of interests would supply a practical alternative to the “general will” as the source of legitimate authority’ (Jordan, 1990, 293); and (7) that the disaggregated nature of decision-making and the uncertainty of outcomes tends to bind participants to the bargaining process (Judge, 1995, 14).

Robert Dahl’s classic work: *Who Governs? Democracy and Power in an American City*, is a study of New Haven, Connecticut. *Who Governs* is one of three

related works about this city. Nelson Polsby wrote *Community Power and Political Theory* and Raymond Wolfinger wrote *The Politics of Progress*. Polsby's work re-examines and rejects elite theory and proposes pluralist theory in its stead. Wolfinger studies political leadership and the role of New Haven's mayor in municipal decision-making. Describing the government of the U.S. as a whole as a pluralist democracy, Dahl asks the question, in such a system, who rules? (Dahl, 1961, 86).

Dahl identifies New Haven's political stratum as a small group of citizens more involved in political activities than other citizens. This stratum is not a closed group, and has "subleaders, followings, and other constituents" who exert indirect influence on the leadership group (Dahl, 1961, 90, 102). Dahl also states that the overt policies of leaders, designed to maintain the loyalty of constituents, and the leaders' covert policies, designed to appeal to sub-leaders, will inevitably conflict over time (Dahl, 1961, 102).

Regarding decision-making and decision-makers in New Haven, Dahl poses six hypotheses:

- Only a small proportion of citizens will have much direct influence on decisions;
- Leaders will have subleaders assisting them;
- Overt or "public" relationships of influence between leaders and subleaders will be clothed in rituals and ceremonies of 'democratic control';
- Leaders will attempt to develop followings of loyal supporters in order to win elections;
- Leaders will try to insure a flow of rewards to all supporting elements of their

constituencies;

- Conflicts between overt and covert policies will generally be resolved in favor of overt commitments (Dahl, 1961, 102).

Dahl chose three issues to test the above hypotheses: political nominations, urban redevelopment, and public education in New Haven. Regarding political nominations, Dahl found that after analyzing mayoral nominees spanning a twenty year period, the candidates were selected by a small number of party leaders, many of whom were also on a “town committee,” consisting of leaders from each of the city’s thirty-three wards. The majority of voters were found to have almost no effect on the nominating process; registered Democrats and Republicans had slightly more influence; party subleaders, those who went into the neighborhoods and talked directly to the voters, were, after the leaders, the next most powerful group (Dahl, 1961, 106-107).

Regarding the issue of redevelopment, Dahl found that during the period studied – the mid- to late-1950s – a small number of leaders supported Mayor Richard Lee and his efforts to redevelop New Haven. “For a city of its size, New Haven ... had an urban redevelopment program unmatched in the country. By the end of 1958, New Haven had spent more federal funds per capita for planning its redevelopment projects than any of the country’s largest cities” (Dahl, 1961, 121). According to Dahl, of 57 redevelopment actions or decisions that took place between 1950-1958, half could be attributed to the mayor and the development administrator (Dahl, 1961, 124). Dahl attributes the successes of Lee and his coterie of associates to their ability to anticipate what voters, organized interests, and the political stratum would accept (Dahl, 1961, 140).

Regarding leadership in public education, Dahl found that these decision-makers were active primarily in education issues, and were not involved in the redevelopment efforts nor the political parties (Dahl, 1961, 141).

What Dahl called “the most striking characteristic of influence in New Haven” was its specialization: leaders or decision-makers in one sphere were not leaders or decision-makers in other spheres. He also noted as “more significant” that the leaders from the different sectors were from different social strata (Dahl, 1961, 169). In his summary chapters, he concludes that for the most part, citizens who participate in civic affairs do so only occasionally, and in special situations (Dahl, 1961, 300), whereas a small group of political professionals have a great amount of influence over municipal decision-making (Dahl, 1961, 305). “The distribution of resources and the ways in which they are or are not used in a pluralistic political system like New Haven’s constitute an important source of both political change and political stability” (Dahl, 1961, 310).

Judge notes that in his study of New Haven, Dahl has been accused of selecting too few decisions, the ‘wrong’ issues, or of ‘stacking’ the issues (Judge, 17). Critics charged that because of the issues he chose and the methodology he employed, a pluralistic process was the only logical outcome (Judge, 18). Although faulted for methodological weaknesses, Judge points out that the *Who Governs?* researchers used qualitative surveys, quantitative analysis, historical surveys, and multiple layers of interviews (Judge, 19). Murray, Trounstine, Christenson and others comment that as cities grow, they tend to become less elite-driven and more pluralistic (Judge, 23, 26).

In the preface to *Community Power & Political Theory*, Nelson Polsby’s tongue-

in-cheek descriptions of the five basic orientations²⁶ to the study of community power are as follows: (1) Methodological, including reputational methodists, pluralists, and ecumenists; (2) Empirical, including community power stratificationists, pluralists, and ecumenists; (3) Theoretical, including general stratificationists and pluralists; (4) Critical, including anti-reputationists; anti-stratificationists, anti-pluralists, and anti-anti-pluralists (who believe that anti-pluralist critiques of pluralism are wrong); (5)

Wissenssoziologische, who make up lists classifying students of community power (Polsby, 1980, xiii-xiv). Although poking fun at the proliferation of theories on this topic, he makes his point that “as a source of cumulative knowledge about the governance of local communities, the community power literature is disappointing” (Polsby, 1980, xviii). Polsby, along with Robert Dahl and Raymond Wolfinger, studied decision-making in New Haven in the late 1950s. He describes the political theory most influential in the field of community power research as “stratification theory,” where “social stratification in a community is the principal, if not the only, determinant of the pattern of power” (Polsby, 1980, 8). Within stratification theory are five postulates: that the upper class rules in local community life; that political and civic leaders are subordinate to the upper class; that a single ‘power elite’ rules in the community; that the upper-class power elite rules in its own interests; and that social conflict takes place between the upper and lower classes (Polsby, 1980, 8-10).

In *Community Power and Political Theory*, Polsby’s goal is to test these postulates, present alternative theory, and make conclusions about municipal decision-

²⁶ Polsby states that he composed this listing “only partly in fun” (Polsby, xiii).

making. It is no surprise that the alternative strategy he describes toward the end of the work is “the pluralist alternative.” He recommends that future studies of community power focus on issue-areas (such as redevelopment, education) and that researchers study the actual behavior of decision-makers, *not their reputations or their intentions* using whatever tools are feasible. This recommendation is a clear repudiation of Hunter’s reputational study of Atlanta (Polsby, 1980, 121).

Domhoff, in his evaluation of Dahl’s *Who Governs?* points out that civic organizations, community foundations, charitable organizations, service groups, and cultural centers are as essential to the success of municipal governments as is the business community, the local chamber of commerce, and the redevelopment sector. The failure to recognize these key elements of municipal control “is one of the major weaknesses in the paradigm of pluralistic social science” (Domhoff, 172).

4. Regime Theory

Clarence Stone, in *The Study of the Politics of Urban Development*, remarks that “the study of urban politics has undergone a fundamental shift, and there is no going back to pluralism” (Stone, 12). He defines urban development policy as the “practices fostered by public authority that contribute to the shaping of the local economy through control of land use and investments in physical structure” (Stone, 6). Stone further characterizes development politics as “the substance of policies, political arrangements, and connections between the two” (Stone, 16). He contrasts a “regime paradigm” with other models that explain developmental politics by focusing on economic development, and proposes instead that a city, being a complex entity, looks for common interests in “a

search that is mediated through the regime, or ‘prevailing coalition’” (Stone, 20).

Judge refers to Stone as most closely associated with urban regime theory (Judge, 27), but questions whether there are clear cut distinctions between regime theory and pluralist theory. In Stone’s study of Atlanta, the regime consists of two groups: the downtown business elite and African-American political leaders (Stoker, 63). Atlanta’s regime concentrated on development, and required significant government spending and risk taking (Stoker, 63). A study of Detroit found a weak regime unable to overcome numerous, and ultimately insurmountable obstacles (Stoker, 66).

Regimes can be entrepreneurial, or corporate, such as that in Dallas, where downtown businesses played a major role in the city’s development. A regime can be described as progressive, and as in Paris, composed of neighborhood groups where the focus is on neighborhood services. Another type of regime is identified in Kalamazoo, MI, where a coalition of small businesses and homeowners worked through public referenda (Stone, 272, 273). Stone calls this model the caretaker regime (Stone, 273). Regimes may use public authority to (1) further equality; (2) subsidize investments; (3) rely on free market transactions (Stone, 276). In addition, according to Stone, regimes may combine various aspects of the progressive, corporate, or caretaker models (Stone, 276).

Advocates of regime theory view public policies as the product of three forces: the composition of a municipality’s governing coalition; the relationships within that coalition; the resources of that coalition (Stoker, 66). Again, according to Stone, “a regime is a particular type of long-term stable relationship between governmental and

non-governmental partners (Stone, 1988, 82). There are some specific similarities to all regimes: (1) business control of investment activity; (2) major business and financial institutions are attractive allies; (3) those holding public offices will tend to align themselves with corporate interests; (4) opposing interests can be disregarded when there is a strong coalition of business and corporate interests; (5) developers can be wild cards (Stone, 287).

Stoker, in an article about Baltimore's continuing efforts to redevelop itself, discusses that city's "shadow government." "The distinct characteristic of the shadow government," he says, "is its synthesis of market and state. It is impossible to determine whether the 'quasi-public' organizations of the shadow government are public or private concerns" (Stoker, 252). He found it difficult to identify the shadow government except at specific points in time, when this "fluid" entity was focused on specific projects. "To describe the shadow government at any one time is only to capture a brief moment in its evolution. As a result, any description requires ... a list of the major organizational components ... and, second, an example of their interaction. While the participation of some actors is predictable, the form and the content ... vary from case to case" (Stoker, 253).

There are those who say that Norfolk has its own shadow government. In the most recent City Council election in Norfolk, there were accusations that members of Norfolk's "downtown elite – the small circle of powerful men who quietly exert influence behind-the-scenes" had selected a candidate that they would back in the upcoming City Council election, to be held in May, 2000 (Winn, 1). A political flyer distributed by the

eventual winner, Barclay Winn, stated that “the town’s most prominent business leaders have met quietly and informally to shape Norfolk. They are heavy hitters, kingmakers, who because of their influence and affluence were the ones, not elected officials, who really controlled the city”(Winn, 2). The flyer named several former mayors, a wealthy businessman, a member of the planning commission, three attorneys, and a real estate developer as being associated with this shadow government (Winn, 3).

5. Growth Machine Theory

Imbroscio describes the growth machine as an alliance between key municipal officials and business interests whose focus is on local economic growth (Imbroscio, xv). The policies that develop in a city where growth interests are primary include “a stream of selective benefits that can be manipulated by politicians to build internal political support (Stone, 1987, 11). The growth agenda is a seductive one, in part because it can be so lucrative to local businesses, local politicians, and local decision-makers (Imbroscio, 27, Elkin, 1987, 38). Judd points out that a major goal of the growth coalition is the development and promotion of “downtown.” The growth coalition was similar in most cities studied: local politicians, Central Business District merchants and real estate interests, metropolitan newspapers, large corporations, and the construction trades (Judd, 360).

Harding notes that the study of community decision-making theory and its focus on the individuals or groups who were municipal power brokers, was overcome by “neo-Marxist and neo-Weberian” theorists in the 1970s. In the late 1970s, and continuing well into the 1990s, scholars began again to focus on the “who” and the “how” of community

decision-making – who they were and how they operated (Harding, 41).

Regime theory, described above, and growth machine theory are two of the newest theories attempting to explain urban development. The growth machine theory was first proposed in the mid-1970s by Harvey Molotch, and further described in the late-1980s by John Logan and Molotch. They define the land and the buildings that make up a place, a city, for example, as a commodity. Fundamental to these commodities “are the social contexts through which they are used and exchanged. Any given piece of real estate has both a use value and an exchange value²⁷ (Logan and Molotch, 1987, 1-2). For example, the Wells Theater in downtown Norfolk, home to the Virginia Stage Company, has a use value – to showcase plays, and an exchange value – to produce money for its owners. Logan and Molotch explore the conflicts between use and exchange values in cities, and describe how these conflicts are managed (Logan and Molotch, 1987, 2). The city becomes what they call a “growth machine” as exchange values become the focus of those who seek to increase rent levels by intensifying land use (Logan and Molotch, 1987, 13). They also argue the existence of growth machines as far back as American frontier times (Logan and Molotch, 1987, 13). In any attempt to understand municipal power, researchers have sought to answer the question “Who governs” (Logan and Molotch, 1987, 50)? Logan and Molotch state that “one issue consistently generates consensus among local elite groups and separates them from people who use the city

27 They note that the derivation of use and exchange values is from Marx’s original formulation as clarified by David Harvey (1973) *Social Justice and the City*, Baltimore: Johns Hopkins University Press, and David Harvey (1980) “The Space-Economy of Capitalist Production: A Marxian Interpretation.” Paper presented at a conference on new perspectives on the urban political economy, American University, Washington, D.C., May 22-24.

principally as a place to live and work: the issue of growth. For those who count, the city is a growth machine, one that can increase aggregate rents and trap related wealth for those in the right position to benefit. The desire for growth creates consensus among a wide range of elite groups, no matter how split they might be on other issues” (Logan and Molotch, 1987, 50-51).

More significantly, they write that “elites use their growth consensus to eliminate any alternative vision of the purpose of local government or the meaning of community. The issues that reach public agendas (and are therefore available for pluralists’ investigations) do so precisely because they are matters on which elites have ... agreed to disagree”²⁸ (Molotch and Lester, 1974, 111; 1975, 236,255,258). Growth machine theory can therefore be viewed as facilitating and accommodating both elitist and pluralist theory. At this point it is important to note that fundamental characteristics of a city can be managed or changed in order to increase growth. For example, cities can “lower access costs of raw materials by creating shipping ports and airfields ... decrease corporate overhead costs through sympathetic policies on pollution abatement ... lower labor costs by pushing welfare recipients into low-paying jobs ...” (Logan and Molotch, 1987, 58). And, “*moral laws can be changed*, for example, drinking alcohol can be legalized ... gambling can be promoted to build tourism and convention business” (Logan and Molotch, 1987, 58, emphasis added).

Because the growth machine depends on city government, “local growth elites

²⁸ In their 1974 article, Molotch and Lester state: “For the citizen to read the newspaper as a catalog of the important happenings of the day ... is to accept as reality the political work by which events are constituted

play a major role in electing local politicians, ““monitoring their actions, and “scrutinizing administrative detail” (Logan and Molotch, 1987, 63). Even so, Logan and Molotch contend that the politics of growth are frequently ignored or undervalued by urban researchers. They offer one explanation for this lack of attention: the news media tends to focus on other issues, “the ‘symbolic’ politics of public morality and other ‘big issues’ including crimes against the elderly, school prayer or Internet child pornography” (Logan and Molotch, 1987, 63). “Hot button” issues like these keep the media focused and removed from reporting on issues offensive or counterproductive to the growth machine. “The resulting hubbubs often mislead the general public as well as the academic investigator about what the real stuff of community cleavage and political process might be” (Logan and Molotch, 1987, 64). As a group, say these authors, the growth machine proponents are neither culturally, racially, nor economically diverse – they tend to be reactionary, and favor politicians who are skilled both at business and politics (Logan and Molotch, 1987, 68). Noting that corporate officials appear to be removed from the activities of the growth machine, they suggest that “the local agenda is so pervasively shaped by their interests that they have no need to participate. Like good managers generally, they work through others, leaving their relative invisibility as a sign of their effectiveness” (Logan and Molotch, 1987, 84).

Growth machine theory can also be thought of as evolved elitist theory (Harding, 42). Mollenkopf, in *The Contested City*, describes the elements of growth coalitions in Boston and San Francisco, in 1959 as: “a mobilized business community, a growth-

by those who happen to currently hold power.”

oriented mayor willing to enlist that business support, the establishment of new and more powerful development agencies, the appointment of strong development administrators, and, after November 1960, a Democratic president and Congress that were willing to dramatically increase federal spending on urban renewal” (Mollenkopf, 162). Most typically, the growth machine is composed of developers, business men and women, real estate investors. As Harding explains, they are the ‘rentiers,’ those persons who are more interested in the exchange-values of real property than simple land or building owners. “‘Rentiers’ lie at the core of the urban development process. They constantly strive to maximize the value of their holdings, *by intensifying the uses they are put to or developing higher-value uses*, in order to increase the rents they can charge for using them” (Harding, 42, emphasis added). A ‘rentier’ actively pursues development capital, either by seeking to attract outside capital, by making the municipal business climate attractive to investors, or both (Harding, 42). “What unites them is a commitment to economic growth, based on the tangible benefits it will bring them. A growth machine tries to legitimize the gains of its members and disarm critics by espousing an ideology of ‘value-free development’ which claims economic growth is good for all” (Harding, 42).

Members of the growth machine profit from development. The growth machine may include, in addition to the developers and real estate interests mentioned above, construction firms or associations, financial firms or interests, professional businesses such as architecture and engineering firms, media interests, utilities, sports clubs and associations, local foundations, educational and cultural institutions. It will in all likelihood include the downtown development associations, the chambers of commerce,

and, as in Norfolk, those who are instrumental in festival organizing, such as Norfolk's Harborfest and Waterfront International Arts Festivals. In some localities, alliances may develop between labor unions and other members of the growth machine (Harding, 42).

In many communities, a growth machine mentality will be opposed by an anti-growth faction, particularly in areas where environmental interests are powerful, or where a municipality's exclusivity is important (Harding, 43). Harding argues that although the growth machine has its origins in elite theory, it is more focused on "the broad politics of development" and less on "local government politics of development" (Harding, 44).

Critics of Logan and Molotch fault them for assuming that capital investors are more flexible and less demanding than they actually are, noting that less and less land and property is locally owned and therefore is not always available; that large corporations want more than cheap land (skilled workforce, easy access to lines of communication and transportation, cultural institutions, a community of local services and resources, high quality educational institutions); that businesses and corporations are not necessarily drawn to cities, but may be more inclined to locate in suburban or rural communities (Harding, 44-45).

Barbara Ferman, studying "community based organizations" in Pittsburgh and Chicago, suggests that neither growth machine theory nor regime theory pay enough attention to what she calls the "arenas" of local government. She contends that understanding how the arenas function and overlap, and identifying a municipality's predominant arena – civic, business, electoral, or intergovernmental – is key to any analysis of city politics (Ferman, xi). Where Chicago's primary arena is electoral,

dominated by political elite, Pittsburgh's primary arena is civic, dominated by economic elites (Ferman, 44). She comments that Stone's classification of regimes (caretaker, redevelopment, middle-class progressive, lower-class opportunity expansion) don't allow for variation within types. She contends that by studying arenas of operation within the regime theory construct will lead to a more complete understanding of urban politics and urban power (Ferman, 136).

In a recent review of growth machine theory, Short discusses the concept of "urban boosterism." Simply put, an urban booster "talks up" the positive aspects of a city – as a good place to locate business. Short describes the two faces of boosterism. One is the presentation of a city "in a flattering light to attract investors, promote 'development,' and influence local politics. The second is the containment of negative information about the city or region (Short, 40). In a city where a growth machine is in place, boosters present the city as a great place to live, with potential employees ready and willing to work (or as Short states, "cheap and docile labor"), pro-business leaders, and other amenities, such as good schools and the right amount of cultural opportunities (Short, 41).

The containment theme, or perhaps the "less than full disclosure" theme, includes three parts: the problems of inner city blacks, the "disenfranchisement" of the general populace for the sake of the rentier interests, and finally a deliberate effort to limit alternatives to those favored by the boosters (Short, 41-42).

Short uses the term "reimagining" to describe the attempt by cities to "reinvent" themselves – to clean up, spruce up, cover up. Cities can reimage in a variety of ways.

As in Milwaukee, they can offer low utility rates and tax rates, promote public-private development, and initiate downtown festival events (Short, 47). Memphis emphasized its location in an extensive marketing campaign: “Memphis – America’s Distribution Center; The New Gateway to the World.” Other examples of city marketing themes include the following: Rochester, New York called itself The World’s Image Center; Lexington, Kentucky is “The Gateway That’s Not Far Away; and Norfolk, Virginia is the place “Where Business Is a Pleasure”²⁹ (Short, 49). The advantages of a city with a mixture of cultural selections on its menu cannot be forgotten. Shopping centers with “flagship” stores (such as Dillards at MacArthur Center in Norfolk); nightclubs, quality restaurants, waterfront marketplaces, convention centers and convention hotels, sports stadia (Norfolk’s Harbor Park, for example), professional sports franchises, harbor tours, museums, are all part of the “urban imagineers” toolbox (Short, 52-53). There is a down side to urban boosterism. “In the new representations [of cities] more is said about the city as a place for business ... attractive to the senior executives and the governing class of the business community, and much less is said about the city as a place of democratic participation ... a place of social justice ... a place where all citizens can lead dignified and creative lives” (Short, 53).

Boyle calls urban boosterism the “efforts made by local elites to refashion collective emotion and consciousness within cities in order to legitimate political projects that function primarily in their interests.” He dubs them “urban propaganda projects”

²⁹ “Norfolk: Life - Celebrated Daily” is the current descriptive phrase on Norfolk’s Internet home page: www.norfolk.va.us.

(Boyle, 55).

In an article originally published in 1997, Logan, Whaley, and Crowder call attention to the similarities of regime theory and growth machine theory. Referring to Elkin's three regime types: pluralist, federalist, and entrepreneurial (Elkin, 1987), Logan, along with Whaley and Crowder note that these types, and Stone's Atlanta regime, "are consistent with the growth machine concept, although the entrepreneurial regime clearly corresponds most strongly to Molotch's view. In all three types, a pro-growth coalition is dominant; what differentiates them is the influence accorded to other groups, including growth opponents" (Logan, 1999, 76).

Logan, Whaley, and Crowder argue that it is not uncommon for a "central tension" to develop between two disparate groups, the developers and landowners and their associates (news media, local utilities, universities, unions, etc.) on one side, and residential interests (civic leagues, neighborhood associations, environmental activists) on the other (Logan, 89). They suggest that further research must be done in several areas: (1) in municipalities where the growth coalition's efforts are contested, and either new coalitions or moderated policies result; (2) the effects of externalities on growth coalitions, including state and national politics, financial conditions nationally and locally, the availability of leaders; (3) the functioning of a growth machine when the differences between social and economic classes are taken into account; (4) other variations in the growth machine that result because the power of "pro-development interests ... is not absolute" (Logan, 90).

Lauria offers one explanation of the difference between regime theory and growth

machine theory in this way: “For urban regime theory, landed interests are not necessarily the locally dominant fraction of capital, let alone the dominant governing coalition actor” (Lauria, 125). He contends that Molotch’s 1976 article³⁰ on the growth machine was influential because it was elegant and well-written, even though its focus was on “landed interests.” Lauria describes the majority of theoretical writing on urban regimes as focused on economic development. This focus is due to five primary developments in U.S. cities: (1) inner city decline; (2) white flight from cities to suburbs, a weakened tax and retail base; (3) the growth and then decline of Federal redevelopment funds; (4) shifting goals of urban activists; (5) a shift in political and planning resources and support for privately funded development in addition to public funds (Lauria, 127-128).

Using New Orleans as an example, Lauria contends that a “corporate-directed governing coalition is a growth machine of a different stripe. It is not dominated by landed interests, but rather by large mobile capital, whose interests are not confined to the local arena. What [Lauria] is suggesting is that this may be the most viable composition of corporate regimes for the foreseeable future” (Lauria, 138). He cites the New Orleans Business Council as a predominant factor in city politics, one that has tried to “transform the New Orleans governing coalition into a vigorous corporate regime” (Lauria, 138).

Norfolk’s Downtown Norfolk Council, a private downtown development group, may have a similar goal. A recent article in the *Virginian-Pilot* quotes the Norfolk

³⁰ Molotch, H.L. The city as a growth machine: Toward a political economy of place. *American Journal of Sociology* 82: 309-30.

Council's executive director, Cathy Coleman, as follows: "Some people don't understand why we need so much public investment in downtown. But this is not a quick fix. It's taken almost 20 years, but the return ... we are finally starting to realize" (Dinsmore, 2000, D2). Dinsmore writes that although the city has accomplished much redevelopment by partnering with private developers on city-owned property, most of the large, city-owned properties have been developed. These comments, by former Norfolk Mayor and retired city councilman Dr. Mason Andrews, may be indicative of one member of Norfolk's cadre of visioners: "Now," Andrews says, "it's time for private investment to take over. The city, which has been in the driver's seat, must now take the passenger seat" (Dinsmore, 2000, D2).

Wood notes that a recent study of economic development organizations in four Ohio cities sought to identify the roles of various organizations and agencies in attracting new investments to Cincinnati, Cleveland, Columbus, and Dayton. The organizations found critical to attracting manufacturing firms were the local chambers of commerce, the local economic development departments, and investor-owned utilities. Chambers of commerce were found to be more important in attracting commercial activities (Wood, 167).

In a recent article, Molotch pays tribute to the contributions of C. Wright Mills and Floyd Hunter as early "ancestors" of growth machine theory. The early studies sought to identify the elite members of a community, in an attempt to identify national elite, or, as referred to above, to answer the question, "who rules" (Molotch, 1999, 248). Almost every city in the United States has a growth machine, and has had one for some

time (Molotch, 1999, 249). Local growth initiatives, says Molotch, must first be feasible – they must be realistically able to satisfy the goals set for them; they must be able to pay for themselves; they must provide good jobs; they must have an equalizing effect on wealth of various sectors of the community; and they must be “environmentally benign,” having no negative impact on the community (Molotch, 1999, 264).

6. Public Disorder Theory

Skogan describes disorder in two ways. Physical disorder encompasses the building with broken windows, damaged siding, peeling paint; the city street with broken streetlights; the vacant lot filled with trash. Social disorder refers to behavior – drinking or urinating in public, graffiti, public harassment or public disturbances. Physical disorder is ongoing disorder, whereas social disorder is episodic (Skogan, 4). Although municipalities have the power to control physical and social disorder in different ways (penalizing the property owner or landlord, replacing the streetlights, fining the graffiti artist, arresting the prostitute) the two types of disorder generate similar reactions from the community: fight or flight (Skogan, 4). “Order,” says Skogan, “is defined by norms about public behavior, and these norms are only a subset of the manners and morals of the community. They prescribe how people should behave in relation to their neighbors or while passing through a community” (Skogan, 4). Although some types of disorder are considered to be crimes (public nudity, for example), other types are not, or are often overlooked (littering on the sidewalk).

In his introduction to *Fixing Broken Windows*, James Q. Wilson writes that the trend in public policy is to maximize individual liberty and minimize the enforcement of

order (Kelling, xiv). This has been done, for example, by decriminalizing public drunkenness or by giving broader protection to those who solicit in public. With increased protection for those whose behavior is outside the norms of the community comes increasing uneasiness felt by those who view this behavior as annoying, frightening, or even threatening. But even though the public may complain, the local government, the police, may have very little power to act. As Wilson says, “for nearly every kind of unconventional person there seems to be an advocacy group. Better, the police tell themselves, to pull back, do nothing. As a result, the police often fail to do even the minimal things that the courts have allowed. The public gets more upset, and the issue affects the outcome of a council or mayoral race” (Kelling, xv).

People, says Wolfgang, are afraid of being victimized – assaulted, robbed, or raped on the streets. “The higher proportion of persons in the ages of highest crime rates³¹ converging in greater numbers on that street corner will increase the chances that a person living near that corner will become a victim” (Wolfgang, 292-293). Skogan states that “according to Wilson and Kelling, disorder undermines the processes by which communities ordinarily maintain social control” (Skogan, 10). Where disorder is tolerated by the community and is habitual, residents begin to either withdraw into their homes or apartments or flee the neighborhood. “Criminals are attracted to such areas because they offer opportunities for crime. *Areas that tolerate rowdy taverns, sex and drug-oriented paraphernalia shops, public drinking, prostitution, and similar disorders, will almost certainly be plagued by crime*” (Skogan, 10, emphasis added).

In *Disorder and Decline*, Skogan analyzed disorder and crime in 40 urban neighborhoods, and focused on the consequences that disorder and crime have on these communities (Skogan, 11). His research reviewed the community-centric methods of dealing with disorder: community policing and community empowerment (block watch, neighborhood patrols, escort services, etc.) (Skogan, 17). The communities he studied were in the cities of Newark, NJ, Houston, TX, Chicago, IL, Philadelphia, PA, San Francisco, CA, and Atlanta, GA. The data is limited to residential neighborhoods of inner cities. It does not cover downtowns or nightclub districts (Skogan, 19).

Regarding adult oriented businesses, Skogan points out that “today’s topless bars, film and video stalls, and live sex shows were yesterday’s burlesque parlors and taxi-dance halls; yesterday’s brothels now masquerade as massage parlors” (Skogan, 34). Even though many adult oriented businesses are legitimate businesses, neighborhood residents, particularly those living near the businesses, may try to force this category of business to close or relocate. As some residents of the Mission district in San Francisco were quoted as saying: “We talked to the bookstore and movie operators and told them we didn’t appreciate their operation here and the element they draw to the neighborhood. And we’ve done ... informational picketing.... And we’ve gone to the owners of the property and asked them to sign agreements not to rent to such businesses.... Our real concern is that it lowers the level of the quality of life [in our neighborhood]” (Skogan, 35).

Of the 40 neighborhoods studied, residents of sixteen were asked about various

31 Wolfgang refers to juveniles between the ages of 10 – 17 (Wolfgang, 287, 289-290).

types of adult oriented businesses (massage parlors, adult movie theaters, adult bookstores, topless bars) (Skogan, 35-36). Skogan notes that the problems of sexually oriented businesses and street prostitution were not among the most highly rated problems in the areas studied. They were also not related to other kinds of disorder, nor did they “bother the same set of people who had experienced concern” about other types of disorder (Skogan, 36). He notes that adult businesses tended to locate in areas where they could attract customers and survive protests, generally in neither the best nor the worst parts of town³² (Skogan, 61). These businesses tend to co-locate in areas where customers feel moderately safe, “in a money-making environment which depends upon excluding disorders that might drive away customers...” (Skogan, 62).

Discussing ways a municipality controls adult oriented businesses, Skogan focuses on zoning regulations, which are used to force distance between these businesses and residences, churches, schools, or alternatively, to locate them in industrial districts. “Perhaps the best-known areas which have been officially zoned for disorder are “The Block” in Baltimore and “The Combat Zone in Boston” (Skogan, 181). Another example of a similar concentration of adult businesses was in San Diego. Frieden and Sagalyn point out that rapid growth in post-World War II San Diego led first to growth beyond the city center, which then led to merchants and clientele abandoning the old downtown for the newer areas, resulting in an old central city location, called Horton Plaza, that was filled with skid-row single-room occupancy hotels (SROs), X-rated movie theaters,

³² In Norfolk, adult businesses are currently, if sparsely, located on Little Creek Road, on Hampton Boulevard near Old Dominion University, in the Wards Corner area, near the intersection of Granby Street

“sleazy bookstores,” and sailor bars (Frieden, 123). Citizen complaints about the area led to proposals for a fifteen-block renewal project in 1972, during the tenure of Mayor Pete Wilson (Frieden, 124).

Not everyone sees a lack of disorder, or a lack of diversity, as a positive aspect in a municipal setting. Richard Sennett speaks of the repression of deviants as the consequence of a community’s need for order, sameness, and a coherent sense of self (Sennett, 42). Commenting on a community’s self-preservation behavior, he remarks that “having so little tolerance for disorder in their own lives, and having shut themselves off so that they have little experience of disorder as well, the eruption of social tension becomes ... life-preserving. It is a terrible paradox that the escalation of discord into violence comes to be, in these communities, the means by which “law and order” should be maintained” (Sennett, 45).

He identifies “abundance” as one reason that communities have become more homogenous and less diverse. “Material abundance in a community provides the power for enforcing a myth of coherent community life” (Sennett, 47). This abundance makes it possible for a community to control its composition as well as its boundaries. “Unpleasant activities, like stores and entertainment can be hidden from home life...” (Sennett, 48). The result is a city filled with orderly, rather than disorderly, homogenous rather than heterogeneous, and colorless, rather than colorful neighborhoods.

Speculating on the disappearance of sexually oriented businesses in cities, including the loss of “all the great whorehouses,” as a trend brought about by an

and Little Creek Road, on Shore Drive near the Little Creek Amphibious Base, and in the Five Points area.

upwardly mobile society, he theorizes that working class men who might previously have gone to bars, brothels, or poolrooms, are now working in their yards or refurbishing their homes (Sennett, 77). The social outlet that these adult businesses provided is disappearing, being replaced by fast food chains.³³

“One can also interpret this decline of places of pleasure as a result of the “neighborhood” becoming much more definable and homogeneous in the modern city” (Sennett, 77). In a different type of community, similar to one envisioned by Jane Jacobs, diverse uses would co-exist, and even thrive, simultaneously. “Because the land use had not been rigidly zoned, all kinds of activities appropriate to cheap rents would be found – some light manufacturing, perhaps a brothel or two, many small stores, bars, and inexpensive family restaurants....It would be a vital place” (Sennett, 143).

Jane Jacobs’ classic *The Death and Life of Great American Cities*, was published nine years before Sennett’s *Uses of Disorder*. In her chapter on the uses of sidewalks, Jacobs states: “The first thing to understand is that the public peace – the sidewalk and street peace – of cities is not kept primarily by the police....It is kept primarily by an intricate, almost unconscious, network of voluntary controls and standards among the people themselves, and enforced by the people themselves. No amount of police can enforce civilization [can enforce order] where the normal, casual enforcement of it has broken down” (Jacobs, 31, 32).

Although she doesn’t use the word disorder, and doesn’t specifically identify

³³ In Norfolk, for example, one fast food outlet on Tidewater Drive is a gathering spot for retired policemen, who meet there, drink coffee, and exchange stories several times a week.

adult oriented businesses, she comments that in popular city sections, more affluent residents move in and displace the less affluent. However, those who are not as affluent, those who are less respectable, move into “already weakened” neighborhoods. “Overcrowding, deterioration, crime, and other forms of blight are surface symptoms of prior and deeper economic and functional failure of the district” (Jacobs, 98).

George Kelling and Catherine Coles, authors of *Fixing Broken Windows*, write convincingly that small instances of disrepair, such as broken windows in an empty home or business, can lead to disorder, in a neighborhood, in a business area, and even to crime if left unfixed. Citing Skogan’s work, Kelling and Coles note that a relationship between disorder and fear and causal linkage between disorder and serious crime was empirically verified (Kelling, 24). In what they describe as a community-based paradigm of crime prevention and control, the following components are key: (1) citizens, rather than police, must work to control disorder; (2) liberty interests (civil liberties) are no longer considered absolute; they should be considered in tandem with the need to maintain order in neighborhoods or in municipalities; (3) disorder and fear lead to destabilized neighborhoods; in a community-based prevention paradigm, all work proactively to prevent crime, restore and maintain order, and reduce fear (Kelling 240-241).

Recent articles by Harcourt and others challenge the broken windows theory, the causal link between disorder and serious crime (“the disorder-crime nexus”) and the empirical evidence advanced by Skogan (Harcourt, 3). Miller presents a case for both conflicting and inconclusive research on order maintenance, and suggests that uncertainty in criminological theory is not unusual (Miller, 5).

7. Obscenity, Zoning, and Sexually Oriented Business

In a landmark 1973 decision, Chief Justice Warren Burger delivered the opinion of the United States Supreme Court in the case of *Miller v. California*, 413 U.S. 15 (1973). The appellant, Marvin Miller, had been convicted of mailing unsolicited, sexually explicit material in violation of a California statute that contained an obscenity test defined by an earlier Supreme Court decision in *Memoirs v. Massachusetts*, 383 U.S. 413 (1966). The Court, in a five to four decision, held that obscene material is not protected by the First Amendment. *Miller* reaffirmed that “states have a legitimate interest in prohibiting dissemination or exhibition of obscene material when the mode of dissemination carries with it a significant danger of offending the sensibilities of unwilling recipients or of exposure to juveniles” (*Miller v. California*, 413 U.S. 19). The majority of the justices reasoned that they needed to further refine the obscenity tests described in the earlier *Memoirs* case, as well as in the 1957 case of *Roth v. United States*, 354 U.S. 476 (1957). The *Miller* test of obscenity was as follows: whether “the average person, applying contemporary community standards” would find that the work, taken as a whole, appeals to the prurient interest; whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value” (*Miller v. California*, 413 U.S. 25). Where *Memoirs* defined obscenity as “utterly without redeeming social value,” the *Miller* decision rejected that test.

Norfolk’s response to the *Miller* decision was reported in two local newspapers, *The Norfolk Virginian-Pilot* and *The Ledger-Star*. “The Supreme Court ruling this week

redefining the law relating to pornography has left the adult book and movie business here in a state of uncertainty” [sic] (“Most await smut,” 1973, B1). Joseph Campbell, Norfolk Commonwealth Attorney, was reluctant to comment “until I have an opportunity to read the ruling” (“Most await smut,” 1973, B1). The operator of a Brooke Street bookstore, in downtown Norfolk, was reported to have said: “it’s been business as usual.” The spokesman for the store, Carol Burgess, said “he believes the ruling has in effect tossed the question of morals back to the local politicians who’ll use it for a football at each election” (“Most await smut,” 1973, B1). Another bookstore operator told the *Pilot* “if they close us they are going to have to close massage parlors, movie houses and just about everything else” (“Most await smut,” 1973, B1).

In June, 1958, eight years before the Supreme Court’s decision in *Memoirs* and fifteen years before the *Miller* case, the Supreme Court of Appeals of Virginia decided the case of Arthur (Bootsie) Goldstein versus the Commonwealth of Virginia. This was also one year after the landmark case of *Roth v. United States*, 354 U.S. 476 (1957). Goldstein, who was the proprietor of Henderson’s Newscenter, located at 311 Granby Street in Norfolk, had been charged with violating the state statute prohibiting the sale and distribution of obscene material. Goldstein’s attorney, Louis B. Fine, argued that the section of the *Code of Virginia* under which his client had been arrested, § 18-113, violated the provisions of both the First and Fourteenth Amendments of the United States Constitution and the Due Process Clause of the Constitution of Virginia. The Virginia Court reasoned that they needed only to determine “the constitutionality of the statute with regard to the standard provided for judging obscenity” (*Goldstein v.*

Commonwealth, 104 S.E. 2d 67, 1958). The Virginia Appeals Court's justices ruled "We are of opinion that so much of Code, §18-113 as undertakes to provide a standard of judging obscenity dependent upon the undesirable effect the offensive material may have upon youth is unconstitutional and invalid. Since the conviction of the appellant was based upon such a standard, we are constrained to reverse the judgment appealed from" (*Goldstein v. Commonwealth*, 104 S.E. 2d 69, 1958). For 31 years, the City of Norfolk continued to wage war against Bootsie Goldstein, his newsstand, and the materials he sold from that location. Only when he was shot and killed by an unknown intruder, in June 1989, did the battles cease.

Zoning ordinances were first used in the United States in the early twentieth century to address issues of overcrowding and blight (Giokaris, 270). They have since been written to control the location of businesses, define where and how parking spaces are to be located, specify the use, size, and characteristics of signs, specify the height of buildings, and more. In 1976, the United States Supreme Court heard a case involving the constitutionality of two 1972 Detroit, Michigan zoning ordinances. These ordinances decreed that an adult movie theater could not locate within 1,000 feet of any other 'regulated use' nor could it locate within 500 feet of a residential area. A 'regulated use' establishment encompassed the following types of businesses: adult theaters and mini-theaters (a theater that contains less than 50 seats), adult book stores, cabarets, bars, taxi dance halls, pawnshops, pool or billiard halls, public lodging houses, secondhand stores, and shoeshine parlors.

(Website, <http://caselaw.findlaw.com/scripts/getcase.pl?navby=case&court=us&vol=427&page=50>)

The two ordinances in question amended an earlier “Anti-Skid Row Ordinance” passed by the city of Detroit. The court’s decision in the case, *Young v. American Mini Theatres, Inc.*, 427 U.S. 50 (1976), was pivotal in affording municipalities some degree of control over the location and density of adult oriented businesses. The Supreme Court held that Detroit’s ordinances did not violate the Due Process Clause of the Fourteenth Amendment, nor did the ordinances violate the First Amendment of the Constitution. The Court, in a five to four decision, ruled as follows: “We are not persuaded that the ordinances will have a significant deterrent effect on the exhibition of films protected by the First Amendment” (*Young v. American Mini Theatres, Inc.* 427 U.S. 60) and “the city’s interest in planning and regulating the use of property for commercial purposes is clearly adequate to support that kind of restriction applicable to all theaters within the city limits (427 U.S. 62,63).

The Court ruled that “we have no doubt that the municipality may control the location of theaters as well as the location of other commercial establishments, either by confining them to *certain specified commercial zones* or by requiring that they be *dispersed throughout the city*”³⁴ (427 U.S. 62). Had the Court judged that the primary purpose of Detroit’s zoning regulations was to suppress First Amendment rights, the ordinances would have been deemed unconstitutional. However, the Court said that “we are not persuaded that the Detroit zoning ordinances will have a significant deterrent

34 The Court majority also held that “we are also persuaded that the 1,000 foot restriction does not, in itself, create an impermissible restraint on protected communication. The city’s interest in planning and regulating the use of property for commercial uses is clearly adequate to support that kind of restriction applicable to all theaters within the city limits”(427 U.S. 62,63).

effect on the exhibition of films protected by the First Amendment” (427 U.S. 60). Even though adult films may be exhibited commercially only in licensed theaters, that is also true of all motion pictures (427 U.S. 62). That the place where films may be exhibited is regulated does not violate free expression, the city’s interest in planning and regulating the use of property for commercial purposes being clearly adequate to support the locational restriction (*Young v. American Mini Theatres, Inc.* 427 U.S. 62-63).

The majority opinion continued as follows: “The 1972 ordinances were amendments to an “Anti-Skid Row Ordinance” which had been adopted 10 years earlier. At that time, the Detroit Common Council made a finding that some uses of property are especially injurious to a neighborhood when they are concentrated in limited areas. *In the opinion of urban planners and real estate experts who supported the ordinances, the location of several such businesses in the same neighborhood tends to attract an undesirable quantity and quality of transients, adversely affects property values, causes an increase in crime, especially prostitution, and encourages residents and businesses to move elsewhere*” (*Young v. American Mini Theatres, Inc.* 427 U.S. 54, emphasis added).

Supreme Court Justice Lewis Powell, in a separately worded opinion, stated that: “The [Detroit] Council was motivated by its perception that the ‘regulated uses,’ when concentrated, worked a ‘deleterious effect upon the adjacent areas’ and could ‘contribute to the blighting or downgrading of the surrounding neighborhood.’. The purpose of preventing the deterioration of commercial neighborhoods was certainly within the concept of the public welfare that defines the limits of the police power” (427 U.S. 74, 75).

At the time of the *Young v. American Mini Theatres* ruling, Phillip R. Trapani was the Norfolk City Attorney. He is quoted in the *Ledger-Star* as saying: [this decision] “is the kind of tool we’ve been looking for” (Beebe, *Ledger-Star*, June 25, 1976, p. B1). “Up until now everyone thought the First Amendment would restrict control of this type of activity [restricting adult bookstores, movie theaters, topless bars]. We can now look at our zoning power, and in a broader sense, go back and look at our police power” (Beebe, *Ledger-Star*, June 25, 1976, p. B1). Michael Beebe, author of the article, stated that “Norfolk, with its nine adult bookstores and half-dozen adult movie houses, seems to be the only Tidewater city directly affected by the ruling” (Beebe, *Ledger-Star*, June 25, 1976, p. B1).

In 1986, the Supreme Court reaffirmed its 1976 decision in *Young* by holding, in the case of *City of Renton et al. v. Playtime Theatres, Inc., et al.* (475 U.S. 41), that: “In our view, the resolution of this case is largely dictated by our decision in *American Mini Theatres, Inc.* (475 U.S. 46, 2a). The Renton ordinance, like the one in *Young v. American Mini Theatres, Inc.* does not ban adult theaters altogether, but merely provides that such theaters may not be located within 1,000 feet of any residential zone, single- or multiple-family dwelling, church, park, or school. The ordinance is therefore properly analyzed as a form of time, place, and manner regulation” (Frug, 561-562). The majority opinion went on to state that “the Renton ordinance is aimed not at the content of the films shown at ‘adult motion picture theatres,’ but rather at the secondary effects of such theaters on the surrounding community” (Frug, 562). The Justices held that “we find that the Renton ordinance represents a valid governmental response to the ‘admittedly serious

problems' created by adult theaters" (Frug, 565).³⁵

Terrence S. Welch, in *Municipal Regulation of Sexually Oriented Businesses: Those Dirty SOB's*, writes that if a municipality attempts to regulate sexually explicit materials by suppressing First Amendment rights, the regulation will be thought of as content-based and in violation of the First Amendment. A municipal regulation based on "the amelioration of socially adverse secondary effects of speech-related activity" is considered content-neutral, and measured under a content-neutral time, place and manner standard, as the Supreme Court held in both the *City of Renton and Young v. American Mini Theatres, Inc.*. (Website: <http://www.bickerstaff.com/articles/muniregsob.htm>) McMillen, making the same point, comments that "where land use and First Amendment rights intersect, however, zoning restrictions become suspect if aimed at suppressing the content of protected free expression. They may only regulate the time, place, and manner of protected expression" (McMillen, 1998, 2).

As a result of the decisions in *Young v. American Mini Theatres, Inc.* and *Renton v. Playtime Theatres*, municipalities discovered legally defensible options open to them in their efforts to control adult oriented businesses. Dispersal zoning, as used in Detroit, requires that adult oriented businesses locate beyond a specified minimum distance, generally 250 to 2500 linear feet, from each other *and* from the nearest homes, churches, schools, or parks. McMillen notes that "the government purpose behind distancing

³⁵ A third zoning ordinance case, *Schad v. Borough of Mount Ephraim*, 452 U.S. 61 (1981) was heard by the U.S. Supreme Court in 1981. This case concerned an adult bookstore that also offered live nude dancers in coin-operated booths (452 U.S. 62). Because the New Jersey borough's ordinance was found to prohibit all live entertainment, and thus violate the First Amendment, the Supreme Court ruled against the Borough (452 U.S. 65).

requirements is to prevent the increased crime, diminished property values and urban blight that occurs when adult uses concentrate” (McMillen, 1998, 2).

Lawlor writes that “In *Renton*, the high court established that cities may restrict the location of adult businesses, if they show a substantial public interest in regulation, unrelated to the content of the sexually explicit message the establishment conveys, and the law allows an adequate number of “alternate channels” (locations: in this context) for expression” (Lawlor, 1998). Welch writes, “A city has the police power authority to zone its land in the manner considered best to serve the city’s particular interests” (Welch, 1998). This power was validated in *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926). Another case, *Village of Belle Terre v. Boraas*, 416 U.S. 1 (1974) affirmed that a municipality that can prove a valid governmental interest requiring the exercise of its police powers can exercise those powers (Welch, 1998). Welch emphasizes that “when fundamental constitutional rights are involved, the traditional judicial deference to zoning ordinances does not apply” (Welch, 1998).

Municipalities can regulate adult oriented businesses by the following means: (1) limiting the location to specific zoning districts; (2) limiting the hours of operation, limiting or restricting types of advertising; noise restrictions; clothing requirements for entertainers and servers; (3) licensing requirements and ownership restrictions; (4) moratoria on new adult uses or expansion of current uses; (5) amortization requirements for nonconforming sexually oriented businesses; and (6) agreements by municipalities within a geographic area to provide sites for sexually oriented businesses, sites that will serve customers in the entire region, but not necessarily be located within each

municipality within the region (Owens, 1998, p. 3). Many cities, including Norfolk, require adult oriented businesses to secure special exception permits. Municipalities can also place adult businesses under licensing requirements in combination with zoning ordinances (McMillen, 1998, 2).

Although the Detroit model validated by the *Young* decision dispersed adult businesses, there is another model that municipalities have used in their efforts to control these businesses. Called ‘concentration zoning,’ the effect is to limit adult uses to specific districts within a municipality. The City of Boston is known for this approach. In the early 1970’s, adult businesses in that city were required to locate in a seven-acre downtown district, called the “Combat Zone” (McMillen, 1998, 2). McMillen writes that “the city redeveloped the area, and has cited benefits such as closer control of the adult entertainment industry, lower enforcement costs, and the elimination of proliferation” (McMillen, 1998, 2). Giokaris pointed out in 1987 that the Boston model was not copied by many other cities. She writes that Camden, New Jersey, did set aside a special district where adult uses were permitted, and that Seattle permitted adult movie theaters in three specific business and commercial zones (Giokaris, 1987, 273). Another justification for the Boston model, states Giokaris, is that access by minors can be more easily monitored if the businesses are concentrated in a specific area (Giokaris, 1987, 273).

A 1974 *Wall Street Journal* article, describing Boston’s “Combat Zone” experiment, reported that city officials were troubled by the prostitution trade and other crime in the Zone. Two Combat Zone murders, of a Harvard student and a teenage prostitute, in 1973 and 1974 respectively, eventually led the city to reexamine

concentration zoning. In the same article, planning consultant William Toner commented that the end result of the Detroit model would be to “disperse [adult oriented businesses] completely out of town” (Gumpert, 1974, 12). John Sloan, director of the urban design section of the Boston Redevelopment Authority, suggested that politicians were unwilling to confront the problems generated by adult oriented businesses, and for this reason turned to city planners for workable, legal solutions (Gumpert, 1974, 12).

Giokaris notes that because of Boston’s unsuccessful use of concentration zoning, most municipalities prefer dispersal zoning (Giokaris, 272). “While achieving the goal of containment, the zoning ordinance created serious problems for the city of Boston, most notably an increase in crime. Problems with enforcement worsened. It was as if the official designation of an “adult entertainment district” gave those operating within the district a feeling of immunity from law enforcement...” (Giokaris, 273, quoting Marcus, 1978, 3).

In March 1976, Norfolk’s Vice Mayor Joseph A. Jordan Jr. suggested that the city create a special zoning district where massage parlors “and other dens of sin” could cluster and be easily regulated (Hunt, 1976, B5). And in September of the same year, Jordan proposed an “adult village” be allowed in one unspecified city location” (Beebe, 1976, September 22, A4). Councilman G. Conoly Phillips spoke against this suggestion, as did a *Virginian Pilot* editorial (Beebe, 1976, September 22, A4; “A sin district?” 1976). The editorial suggested that any type of concentration zoning would bring back the East Main Street-style red-light district of the 1930s and the early 1940s (“A sin district?” 1976).

Giokaris, in her review of the options available to cities to control adult businesses, cites Rohan when she suggests that beginning in the 1950s and 1960s downtowns were inundated by adult movie theaters, adult bookstores, massage parlors, mini-theaters, and similar adult uses (Giokaris, 267). She contrasts the city of New York in 1965, with nine adult uses, and eleven years later, in 1976, with 245 adult uses (Giokaris, 267).

Norfolk limits adult bookstores, adult mini-motion picture businesses, and adult movie sales and services to the C-2, Corridor Commercial District. The purpose statement of this district, as described in Norfolk's Zoning Ordinance, is as follows:

The C-2 Corridor Commercial District is intended to provide locations for commercial uses primarily along heavily traveled arterial streets. Commercial uses encouraged in this district share auto dependence characteristics. They are generally patronized on single purpose trips and emphasize large general merchandise establishments, sale of large or bulky items, commercial services, repair services, automobile related sales and repair, various types of convenience stores, restaurants, and other recreational and entertainment uses. The C-2 District is also suited to accommodate travel oriented uses such as hotels and motels and gas stations. Uses in the C-2 District as specified in the Table of Principal Uses for Commercial Districts found at section 6-5 (see Table 4) are permitted as of right or by special exception subject to the general provisions set forth in section 6-0 (Code of Ordinances, City of Norfolk, Virginia, Appendix A, Article II, Chapter 6, 6-2-1).

Table 4
Code of Ordinances City of Norfolk, Virginia
Table of Principal Uses for Commercial Districts

"Principal Uses by District Commercial Districts"

Legend				
P=Permitted Use	C-1	C-2	C-3	C-4
S=Special Exception Use				

Use:				
Retail Sales and Services				
Adult Bookstore		S		
Adult Mini-motion Picture		S		
Adult Movie Picture		S		
Auction Sales		P		
Automobile Repair		S	S	P
Automobile Sales and Service		S		S
Automobile and Truck Rental		P		P
Boat Sales and Service		P		P
Car Wash		S		
Eating and Drinking/Entertainment Establishment		S	S	
Eating Establishment		P	P	
Gas Station (sales only)	S	S	S	
Gas Station (sales and minor repair)		S	S	
Health and Fitness Facility	P	P	P	
Manufactured Home Sales and Service				P
Massage Parlor		S		
Pawnshop		P		
Retail Goods Establishments	P	P	P	
Retail Services Establishments	P	P	P	

Similar to zoning ordinances and land use regulations in many other cities, Norfolk's Zoning Ordinance, Appendix A of the City Code, states that "The purpose of this ordinance is to promote the health, safety, morals, comfort, prosperity and general

welfare of the public, to implement the General Plan of Norfolk, and carry out the purposes of Title 15.1, Chapter 11 of the Code of Virginia and other relevant statutes” (Code of Ordinances, Appendix A, Chapter 1, §1-2).

Norfolk’s Zoning Ordinance defines an Adult Mini-Motion Picture theater as “an enclosed building or outdoor facility with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to ‘specified sexual activities’ or ‘specified anatomical areas’ for observation by patrons therein” (Code of Ordinances, City of Norfolk, Virginia, Appendix A, Zoning Ordinance, 2-3, Definitions).

An adult motion picture theater is defined as “an enclosed building or outdoor facility with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to ‘specified sexual activities’ or ‘specified anatomical areas’ for observation by patrons therein” (Code of Ordinances, City of Norfolk, Virginia, Appendix A, Zoning Ordinance, 2-3, Definitions).

Adult uses are defined as “adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, massage parlors, eating and drinking establishment, and entertainment establishment (Code of Ordinances, City of Norfolk, Virginia, Appendix A, Zoning Ordinance, 2-3, Definitions).

Chapter Summary. This chapter first addresses the evolution of urban decision-making theory. It begins with a brief review of the council-manager form of government, and discusses leadership, politics, and decision-making in U.S. municipalities in general

terms. The chapter then describes the elite theory of urban decision-making, as described by Floyd Hunter and others. The chapter then reviews pluralist theory, as advanced by Dahl, Polsby, Wolfinger, Wildavsky, Pressman, and others. Regime theory and the concept of a “shadow government” is summarized next. This is followed by a review of growth machine theory, proposed by Logan, Molotch, Mollenkopf, Boyle, Crowder, Sennett and others. Public disorder theory, advanced by Kelling and Coles, Wilson, and Skogan, holds that some types of disorder lead to crime, and that neighborhoods trying to preserve order attempt to force adult oriented businesses to close or move. A recent study by Harcourt disputes some of Skogan’s findings and contends that disorder and crime are not necessarily related. The right of a municipality to control adult oriented businesses using zoning ordinances is reviewed. This section of Chapter 2 summarizes the key U.S. Supreme Court decisions that upheld the use of zoning as a means of controlling the number and location of these businesses. The differences between dispersal and concentration zoning are described and contrasted, followed by a description of Norfolk’s zoning ordinance and the definitions of various adult uses as found in Norfolk’s Code of Ordinances. Chapter 3 will describe the methodology used to research this historical case study.

Chapter 3

Methodology

This study will employ a combination of qualitative and quantitative methods to answer the research questions posed in Chapter One and listed again below. Using techniques outlined by Robert K. Yin in *Case Study Research*, this paper will investigate one aspect of the recent history of the city of Norfolk, Virginia: the city's attempts to control adult oriented businesses (AOBs) in three specific locations. Within the parameters of time and location, the paper will first describe the methods used in Norfolk, Virginia, to control adult oriented businesses; secondly, it will link these methods to the theoretical framework of municipal decision-making and public disorder theory.

It is first necessary to identify the adult oriented businesses (AOBs) operating in Norfolk from 1943 through 1998, using the following methods: Collection of documentary evidence, use of archival records, direct observations, and interviews. Documentary evidence is drawn primarily from Norfolk city directories, Norfolk newspapers, and the pamphlet, clipping, and photograph files of the Sargeant Memorial Room in the Norfolk Public Library. Archival records of the city of Norfolk are located both in the city's records department and in the Office of the City Council.

Direct observations were employed to document current land use in the three target areas: Main Street-Granby Street in the downtown area of Norfolk, the North end of Hampton Boulevard near the main gate of the Norfolk Naval Station, and the Shore Drive-Little Creek Road area of East Ocean View.

To gather evidence about Norfolk's decision-makers and decision-making relevant to the topic of AOBs, interviews were conducted with twenty-five respondents. Both structured and focused interview techniques were used, following the guidelines outlined by McCracken, Mostyn, Kvale, the United States General Accounting Office, and the Oral History Association's *Oral History Evaluation Guidelines*. Interviews were conducted using a pre-tested interview guide, consisting of descriptive, normative, and cause and effect questions.

Documentation concerning decision-makers was obtained from local newspapers, principally *The Norfolk Virginian-Pilot*, later *The Virginian-Pilot*, and its companion paper, *The Ledger-Star*. Additional documentation was obtained from the pamphlet and vertical files of the Sargeant Memorial Room, Norfolk Public Library, records of the Norfolk City Council, and city records.

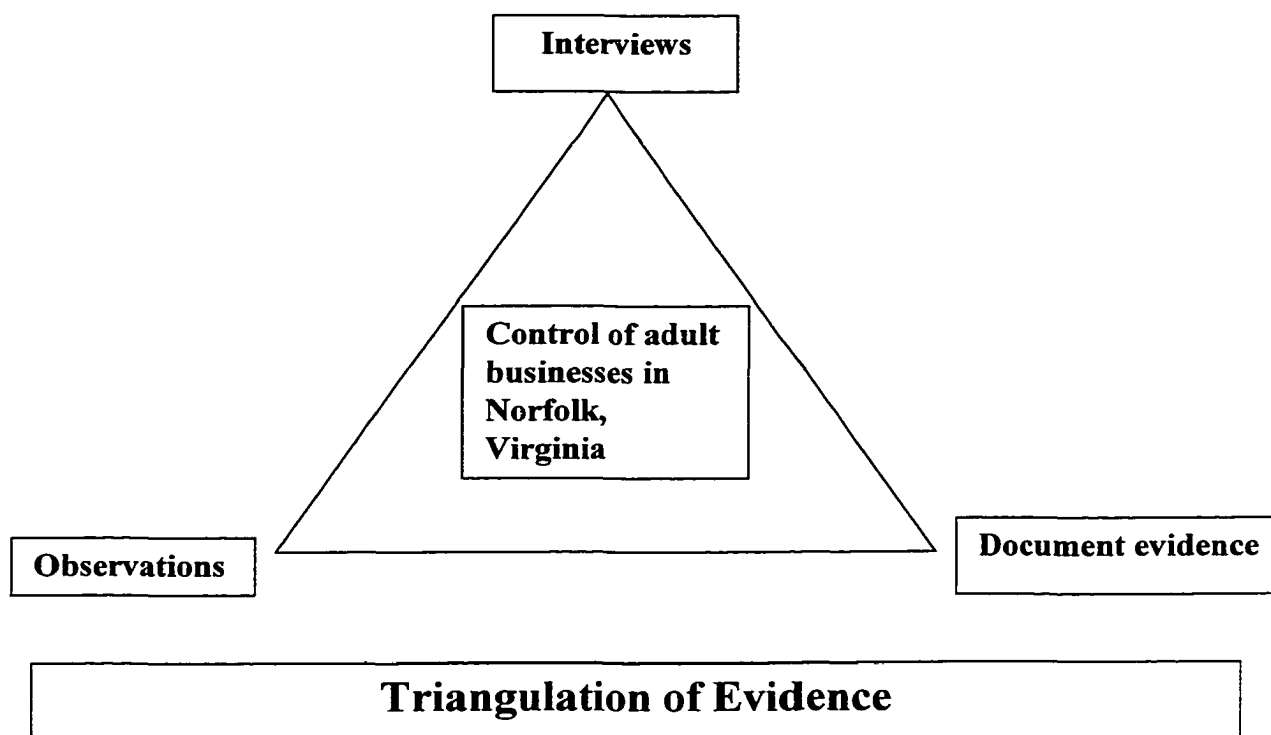
A technique suggested by A. Wildavsky and J.L. Pressman in *Implementation: How Great Expectations in Washington Are Dashed in Oakland*, employing the identification of decision points and clearances, has been used to clarify the decision-making time line and identify some of the key decision-makers. To further define the extent of adult oriented businesses that operated in Norfolk during the period of analysis, category matrices were developed, showing the types of AOBs and the numbers of each type that were in operation during each of four time periods: 1945-1949; 1950-1962; 1963-1976; 1977-1998.

Use of the interview technique, coupled with documentary evidence, archival records, and observations in the form of historical and current photographic evidence

results in a technique known as triangulation – where the research design is strengthened by combining several methodologies to study the research question. Yin recommends the use of multiple sources of evidence to strengthen the construct validity of a descriptive case study (Yin, 33). He cautions that the researcher must “select the specific types of changes that are to be studied (in relation to the original objectives of the study) and demonstrate that the selected measures of these changes do indeed reflect the specific types of change that have been selected (Yin, 1994, 34). He further recommends using multiple sources of evidence “in a manner encouraging convergent lines of inquiry, establishing a chain of evidence, and having the draft case study report reviewed by key informants (Yin, 1994, 34-35).

Yin emphasizes that “the case study inherently deals with a wide variety of evidence,” unlike other strategies, such as histories or surveys (Yin, 1994, 92). The use of multiple sources of evidence allows the researcher to develop what Yin refers to as “converging lines of inquiry” (Yin, 1994, 92).

Figure 2. Triangulation of Evidence



Denzin (1978) has identified four types of triangulation: (1) data triangulation; (2) investigator triangulation; (3) theory triangulation; and (4) methodological triangulation. Patton comments that although triangulation is a valid method, it is also a very expensive research method. “Combinations of interviewing, observation, and document analysis are expected in much social science fieldwork. Other studies may rely only on interviews or observations. Studies that use only one method are more vulnerable to errors linked to that particular method ... than studies that use multiple methods in which different types of data provide cross-data validity checks” (Patton, 187-188). This study will use data triangulation – “the use of a variety of data sources” – to answer the research questions posed below (Patton, 1990, 187). He also remarks that “using triangulation is recognition that the researcher needs to be open to more than one way of looking at things (Patton, 1990, 193). The triangulation of data sources “means comparing and cross-checking the consistency of information derived at different times and by different means within qualitative methods. It means comparing observational data with interview data and comparing what people say in public with what they say in private....It means validating information obtained through interviews by checking program documents and other written evidence that can corroborate what interview respondents report” (Patton, 1990, 467). Triangulation, he cautions, “seldom leads to a single, totally consistent picture” (Patton, 1990, 467).

RQ1: How were the adult oriented businesses, including the burlesque theaters, massage and tattoo parlors, peep shows, adult book and video stores, and sex paraphernalia stores in Norfolk reduced or eliminated?

RQ2: What or who instigated this process? Was there an identifiable group of decision-makers that accomplished the “cleanup?”

RQ3: What was the Navy's role in the process?

RQ4: What was the role of the Norfolk Redevelopment and Housing Authority?

RQ5: What role did city council members play?

RQ6: What laws and ordinances were passed or enforced to reduce or eliminate the adult oriented businesses in Norfolk?

1. Category Matrices

Using the city directories of Norfolk and Norfolk County, held in the Norfolk Public Library, adult businesses of the following types were located in the three interest areas: Adult bookstores, bars serving beer or other alcoholic beverages, burlesque theaters, adult movie or mini-movie theaters, massage parlors, and tattoo parlors.

Table 5. Adult Oriented Businesses in Selected Norfolk Locations, 1945-1949

	Adult Bookstore	Bar ³⁶	Burlesque Theater	Adult Movie or Mini-Movie Theater	Massage Parlors	Tattoo Parlors
Granby Street 100-200 Blocks		10				
Main Street 200-600 Blocks		19				7 ³⁷
Hampton Blvd. 8600-9800 Blocks		8				
Shore Drive ³⁸ 8100 Block						

Table 6. Adult Oriented Businesses in Selected Norfolk Locations, 1950-1962

	Adult Bookstore	Bar ³⁹	Burlesque Theater	Adult Movie or Mini-Movie Theater	Massage Parlors	Tattoo Parlors
Granby Street 100-200 Blocks	1	9	0		0	0 ⁴⁰
Main Street 200-600 Blocks	0	6 - 20	1		0	3
Hampton Blvd. 8600-9800 Blocks	1	5 - 9	0		0	0
Shore Drive ⁴¹ 8100 Block		1	0		0	0

36 Businesses are counted as bars if they have the word "tavern," "bar," "grill," "casino," or "club" as part of their name, as listed in the Norfolk city directory for the period.

37 Only 3 tattoo parlors are clearly identified as such in Norfolk city directories during this period. An article in the *Norfolk Virginian Pilot* indicates that in 1949 there were "a dozen tattoo needles buzzing in seven shops" (Reid, 1950, A1).

38 No data available for the 8000 Block of Shore Drive until 1961

39 Businesses are counted as bars if they have the word "tavern," "bar," "grill," "casino," or "club" as part of their name, as listed in the Norfolk city directory for the period.

40 Tattoo parlors were outlawed in Norfolk effective April 30, 1952.

41 No data available for the 8000 Block of Shore Drive until 1961

Table 7. Adult Oriented Businesses in Selected Norfolk Locations, 1963-1976⁴²

	Adult Bookstore	Bar⁴³	Burlesque Theater	Adult Movie or Mini-Movie Theater	Massage Parlors	Tattoo Parlors
Granby Street 100-200 Blocks	4 - 5	6	0	111	3 ⁴⁴	0
Main Street 200-600 Blocks	0	0	0 ⁴⁵	0	0	0
Hampton Blvd. 8600-9800 Blocks ⁴⁶	1	7 - 8	0	0	5 ⁴⁷	0
Shore Drive ⁴⁸ 8100 Block	1	2	0	0	3 ⁴⁹	0

42 During this period, the Norfolk city directory shows two adult bookstores on Brooke Avenue and two massage parlors on Boush Street. Both streets are in the downtown area. Norfolk Police Administration Headquarters is now located at Brooke Avenue. Older and retired Norfolk policemen remember adult mini-theaters and adult bookstores on Brooke Avenue during this period, in the area where a parking garage now stands.

43 See FN4 above. Some businesses, identified by the name "restaurant," or by names such as "Romeo and Juliet Restaurant" or "Sally's Restaurant" may have also been primarily bars but the documentary evidence is unclear on this point.

44 A Norfolk ordinance, passed in October 1972, banned opposite sex massages. Massages as part of medical treatment were not included in this ban. U.S. District Judge Robert Merhige issued an injunction blocking implementation of the ordinance, which was lifted in March 1976 (Massage parlor arrests, 1977, B3). In February, 1974, there were at least 37 massage parlors operating in Norfolk (Loomis, 1974, B1). By 1976, a newspaper article indicated the number was 19 massage parlors in Norfolk (Stein, 1976, A2).

45 The Gaiety Theater (burlesque) was gone by January, 1961

46 All of the businesses from 8612 through 9899 Hampton Boulevard, just outside Gate 2 of the Norfolk Naval Station, had been bulldozed by 1975.

47 At least two massage parlors operated outside Gate 2 of the Naval Station, as shown in photographs of the period. None can be identified in the Norfolk city directory. One newspaper article mentions five massage parlors operating in the area until 1974 (Kestner, 1974, B1)

48 No data available for the 8000 Block of Shore Drive until 1961

49 The Majestic, Universal, and Voluptuous parlors identified in newspaper article as being located near the Little Creek Amphibious Base. (Massage hearing, 1974, A14).

Table 8. Adult Oriented Businesses in Selected Norfolk Locations, 1977-1998

	Adult Bookstore	Bar ⁵⁰	Burlesque Theater	Adult Movie or Mini-Movie Theater	Massage Parlors ⁵¹	Tattoo Parlors
Granby Street 100-200 Blocks	2	6		1 ⁵²		
Main Street 200-600 Blocks						
Hampton Blvd. 8600-9800 Blocks		8				
Shore Drive ⁵³ 8100 Block	1	3-5 ⁵⁴				

2. Decision Points and Clearances

Wildavsky contends that decision-making that takes place pursuant to program implementation occurs as a series of “decision points” and “clearances.” When a program participant consents to an action, one more clearance has been obtained. When key actors involved with or having power over program implementation reach agreement, a “decision point” is reached (Pressman and Wildavsky, 1973, xvi). As described in Chapter 1 of this paper, a similar technique may be useful in analyzing the process of controlling adult businesses in Norfolk. The definition of decision points will be modified as follows: the action taken by an individual or group, within or external to

⁵⁰ Businesses are counted as bars if they have the word “tavern,” “bar,” “grill,” “casino,” or “club” as part of their name, as listed in the Norfolk city directory for the period.

⁵¹ By 1977, all but one of Norfolk’s massage parlors had been closed down.

⁵² The Roxy Theater, located at 205 Granby Street, was in operation until 1977 as a theatre. Photographic evidence dated August 1976 shows the Roxy’s marquee featuring “2 Big Hits X – Adult Entertainment.” In a photograph of the same theater, dated March, 1976, the marquee reads “Linda Lovelace in *Deep Throat* plus 2nd Hit.” Other theaters in Norfolk’s downtown district, as well as a theater on Little Creek Road and another on Hampton Boulevard featured X-rated movies during the same period of time.

⁵³ No data available for the 8000 Block of Shore Drive until 1961

⁵⁴ The remaining bars in this block of Shore Drive were go-go bars by the early 1980’s, and perhaps earlier, although conclusive documentation does not exist in the photographic or documentary history of

Norfolk city government that led to controlling adult businesses. The definition of a clearance remains the same as stated by Pressman and Wildavsky.

**Table 9. Decision Points and Agreements Used to Control Adult Oriented
Businesses
in Norfolk, Virginia, 1945-1998**

Decision	Participants	Agreements (Clearances)
Decision to close massage parlors, October 31, 1972. ⁵⁵	<ul style="list-style-type: none"> - September 1972. Chief of Police Claude J. Staylor urges City Manager to close massage parlors in Norfolk.⁵⁶ - Requested by the Norfolk Police Department early in 1972, referred to Asst. City Attorney Philip R. Trapani for action. - Requested by Police Chief Claude J. Staylor - Key officials involved: City Manager G. Robert House Jr., Mayor Roy B. Martin Jr. - Dr. Harry Wise, Director, Norfolk Health Dept., proposes ordinance setting health and hygiene standards for massage parlors (October, 1973) 	<ul style="list-style-type: none"> - Asst. City Attorney Philip R. Trapani agreed to study the adoption of an ordinance banning opposite sex massages in Norfolk. - October 1972. Norfolk City Council. Passed Ordinance on a vote of 5 to 1. - U.S. District Judge Robert R. Merhige Jr. signed a restraining order in December, 1972, forbidding enforcement of Norfolk's ordinance. This restraining order was lifted in March 1976. - February 1974. City launches major effort to close massage parlors, using ordinances prohibiting lewd and lascivious behavior and

Norfolk.

55 Letter from G. Robert House, Jr., City Manager, to Norfolk City Council, October 31, 1972.

56 Inter Department Correspondence Sheet, September 15, 1972, from Chief of Police to City Manager, Subject: Massage Parlors.

57 Norfolk City Council proceedings, June 8, 1976.

58 Letter from Julian F. Hirst, City Manager, to Norfolk City Council, July 19, 1977 and City of Norfolk, Inter Department Correspondence Sheet, December 23, 1976 from Philip A. Stedfast to City Manager.

	<p>- March 1976. Judge Robert R. Merhige, U.S. District Court Judge, lifts restrictions against enforcing Norfolk massage parlor ordinance.</p> <p>- June 1976. Mrs. A.H. Leibig protests sign on Hampton Boulevard advertising massages by an all-girl staff. City attorney agrees to investigate.⁵⁷</p> <p>- July 1977. Philip A. Stedfast, Executive Secretary, City Planning Commission, applied for an amendment to Norfolk's zoning ordinance. The amendment defined adult uses, required that these uses could operate by use permit only, and only within certain districts.⁵⁸ Norfolk Ordinance No. 28,759 required that</p>	<p>keeping and maintaining of a disorderly house.⁵⁹</p> <p>- March 1974. City Council amends Section 31-35 of the City Code, increasing the penalty for lewdness and lasciviousness. City Council amends City Code by adding Chapter 7.1, requiring a permit to operate a health parlor; minimum facilities requirements; sanitation requirements; health certificates for masseur or masseuse; prohibiting unlawful activities; providing penalties for violations. The owner of the American Health Spa and Massage Parlor on Tazewell Street in downtown Norfolk appears at City Council meeting to oppose certain sections of</p>
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59 In an Inter Department Correspondence Sheet, cover letter dated November 18, 1975, from Julian F. Hirst, City Manager, to Mayor I. Hill. on the subject of massage parlors. This correspondence includes the "History of City's Attempt to Remove Massage Parlors, compiled by Sam Barfield, Commissioner of the Revenue, and Douglas Fredericks, Assistant City Attorney.

60 Norfolk City Council proceedings, March 26, 1974, letter from G. Robert House, Jr., City Manager; Norfolk City Council proceedings, March 26, 1974, motion to amend Code of the City of Norfolk by adding chapter 7.1; Norfolk City Council proceedings, March 12, 1974. Statement of Mr. William O. Jordan.

61 Navy places 30 of Norfolk's 36 massage parlors off-limits to military personnel (Smith, 1974, p. B1, p. B5).

62 These sections of Norfolk's code were identified in an article in the *Ledger-Star* (Masseuse's enemy, 1974, A4).

63 A memorandum to City Attorney Philip R. Trapani from Assistant City Attorney Benjamin W. Bull, affirmed that the case of City of Norfolk v. Robert Flannery was upheld by the Supreme Court of Virginia, was appealed to the U.S. Supreme Court, where the decision was upheld. Mr. Flannery's attorney was Thomas W. Moss, Jr., a Norfolk delegate to the Virginia House of Delegates and former Speaker of the House of Delegates. Flannery owned the Businessman's Massage Parlor, located at 151 Granby Street.

64 Admiral Rumble is quoted as saying "I'd like to see them [massage parlors] deterred, during a Chamber of Commerce meeting (Navy Hits Massage Parlors, 1974, A3).

65 Ibid.

	<p>massage parlors could locate only in certain zoning districts defined as C-2, Limited Commercial, and could not be located with 1,000 feet of each other.</p>	<p>the ordinance.⁶⁰</p> <ul style="list-style-type: none"> - June 1974. Armed Forces Disciplinary Control Board places 30 massage parlors off limits in Norfolk.⁶¹ - Norfolk City Code, Section 31-56 (Soliciting); Section 31-54 (Prostitution); Section 31-35 (Lewdness and lasciviousness); Section 31-18 (Disorderly houses); Section 31-55 (Frequenting or residing in a house of ill fame) used to prosecute massage parlor employers and owners.⁶² -Ordinance proposed by Dr. Harry Wise adopted March 1974 by Norfolk City Council. Requires that massage parlors obtain a health permit to operate within the city. - September 1974. City of Norfolk v. Robert Flannery. Massage parlor owner Flannery sentenced to jail by city of Norfolk. Upheld by Supreme Court of Virginia and U.S. Supreme Court.⁶³ - Admiral Richard Rumble, Commandant, 5th Naval District, declares "...these things are a blight on our community."⁶⁴ - Chamber of Commerce President Harvey L. Lindsay Jr. agrees that the Chamber will "get to work on the massage parlors."⁶⁵
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		<p>- March 1976. Judge Merhige's restraining order preventing city from outlawing opposite sex massage parlors is lifted.</p> <p>- City Council passes "anti-nudity" ordinance, January 1977. Massage parlors disappear from Norfolk</p> <p>Only one parlor listed as still in business, located at Shore Drive and Pleasant Avenue, in July 1977.</p>
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Decision	Participants	Agreements (Clearances)
Decisions regarding "public dance halls" and go-go bars		- Jan. 1945. City Council denies application of dance hall owner to open a public dance hall at 701 Smith Street, due to objections of Chief of Police.
		- Apr. 1945. License tax for dance halls increased from \$50.00 to \$150.00 ⁶⁶
		- Nov. 1945. City Council approves application of dance hall owner to operate dance hall at 7726 Hampton Blvd. ⁶⁷
		- Oct. 1967. City Council approves applications of dance hall owners to operate dance halls at 9660 Shore Drive (Jolly Roger) and 9882 Hampton Blvd. ⁶⁸ Nov. 1967. City Council denies application of dance hall owner to operate a dance hall at 8155 Shore Drive, based on objections of the Director of Public Safety and Police Chief. ⁶⁹ Dec. 1967. City Council approves application of dance hall owner to operate dance hall at 123 Brooke Avenue (Congo Lounge) ⁷⁰
		- Jan. 1970. City Council

66 Norfolk City Council Proceedings, April 10, 1945, License tax ordinance; various amendments thereto.

67 Norfolk City Council Proceedings, November 27, 1945. Winsor House, Dance Hall.

68 Norfolk City Council Proceedings, October 3, 1967. Jack Kane, dance hall permit; Mortimer R. Eisen, dance hall permit.

69 Norfolk City Council Proceedings, November 28, 1967. Abraham Rines, dance hall permit, 8155 Shore Dr.

70 Norfolk City Council Proceedings, December 12, 1967. John B. Hauck, Public dance hall permit, 123 Brooke Avenue.

		amends City Code, adds section 31-84, making it unlawful to operate a go-go establishment without placing a “conspicuous” sign at the entrance to the business stating the nature of the business. ⁷¹
		- June, 1971. City Council approves application of dance hall owner to operate dance hall at 1009 East Ocean View Avenue. ⁷²
	- Oct. 1976. Mrs. Pauline Leibig requests that the city remove a “go-go girl” sign in the 8700 block of Hampton Blvd. ⁷³	- Jan. 1977. City amends zoning ordinance by adding new uses: adult book store, adult motion picture theater, adult mini motion picture theater, massage parlor, and establishment for the sale of beer, wine, or mixed beverages; requires special use permits for these uses; limits these uses to certain zoning districts only.
		- Dec. 1977. City Council denies application of the Galleon Club, 8156 Shore Drive. Denial based on recommendation of the Planning Commission as “not ... in the public interest and contrary to efforts of the City and the Ocean View Coordinating Committee to improve this

71 Norfolk City Council Proceedings, January 19, 1970. Councilman Hurst; Request for signs to be placed at entrances of establishments with go-go dancing, etc.

72 Norfolk City Council Proceedings, June 8, 1971. Joseph B. John T/A Ahabs Restaurant granted dance hall permit.

73 Norfolk City Council Proceedings, October 15, 1976. Pauline Leibig re: ABC bd. meeting.

74 Norfolk City Council Proceedings, December 6, 1977. Galleon Club, Inc., objectionable use permit,

		area.” ⁷⁴
		- Jan. 1978, City Council denies application of dance hall owner for permit to operate dance hall at 8155 Shore Drive. ⁷⁵

Decision	Participants	Agreements (Clearances)
Decision to close tattoo parlors		- 1945. License tax for tattoo parlors increases from \$25.00 to \$100.00. ⁷⁶
	- Norfolk City Council. On May 23, 1950, Council adopted an ordinance mandating that the Director of Public Health, Dr. John Huff, prepare health and safety regulations for tattoo parlors.	- The original motion before City Council was to ban tattoo parlors within Norfolk. Mayor Pretlow Darden cast the deciding vote <i>against</i> this motion. - Council adopts law requiring parental consent prior to tattooing minors, health and cleanliness provisions, ban on tattooing of religious or obscene designs. ²³
	- May 23, 1950. Albert Schugman, a tattoo parlor owner, called tattooing “unsanitary and undesirable.” ⁷⁷	
	- Naval authorities requested that Norfolk	

8156 Shore Dr.

⁷⁵ Norfolk City Council Proceedings, January 10, 1978. C.M. Goldstein t/a Liz’s Blue Diamond Inc. City Manager notes that Police Department objects to issuing another dance hall license in this area because of the many other similar businesses located nearby.

⁷⁶ Norfolk City Council Proceedings, April 10, 1945. License tax ordinance; various amendments thereto.

⁷⁷ The “dean” of Norfolk’s tattoo artists, “Cap’n” Dan Coleman, moves his operation to Portsmouth. Other “skin engravers” move their operations closer to local Army bases (Lone tattoo artist, 1950, 1)

	either close or more tightly regulate tattooing. ⁷⁸	
	- Reverend Father R.H. Rivard, a Catholic priest, asked Council to forbid tattooing. ⁷⁹	
	- November, 1951. ADM R.O. Davis, Commandant, 5 th Naval District, strongly recommends that “the tattooing of any person under the influence of ardent spirits” be prohibited. Norfolk’s city manager, C.A. Harrell, doubts that such a prohibition would be effective. ⁸⁰	
	- November, 1951. Motion by Councilman Abbott to prohibit tattooing within the city of Norfolk. ⁸¹	- November 20, 1951. City Council adopts Councilman Abbott’s proposal in a unanimous vote. ⁸²
	- January 8, 1952. Acting City Manager of Norfolk, H.H. George, 3d, submits a draft ordinance to City Council prohibiting tattooing and tattoo parlors within the city. ⁸³	- January 15, 1952. City Council adopts the draft ordinance unanimously. ⁸⁴
	- January, 1952. Mayor Fred Duckworth comments “they [tattoo artists] can move over to	- January, 1952. City Council passes law prohibiting tattooing in Norfolk after April 30,

78 Ibid.

79 Ibid.

80 Norfolk City Council proceedings, November 20, 1951. Letter to the City Manager dated November 20, 1951, from Admiral R.O. Davis.

81 Norfolk City Council proceedings, November 20, 1951.

82 Ibid.

83 Norfolk City Council proceedings, January 8, 1952.

84 Norfolk City Council proceedings, January 15, 1952.

85 Councilman George Abbott was quoted as saying “If you pass this ordinance, you’ll have the gratitude

	Portsmouth. ⁸⁵	1952.
	April 1952. Councilman Abbott expressed hope that surrounding cities would pass similar legislation, outlawing tattoo parlors. ⁸⁶	

Decision	Participants	Agreements (Clearances)
Decision to upgrade Hampton Boulevard	- February 13, 1952. Isabella Walker (Mrs. Carroll H. Walker), representing the Redwood Garden Club, and Helen R. Swan, representing the Edgewater Association, propose a cleanup of Hampton Blvd. ⁸⁷	
	- October 22, 1965. Dr. Mason Andrews writes to fellow members of the City Planning Commission, proposing the cleanup of Hampton Blvd outside the Main Gate (Gate 2) of the Norfolk Naval Station. ⁸⁸	- The Navy, Norfolk & Western Railway, Planning Commission, Fine Arts Committee, and the City Planning Department work to transform the property, then a "collection of clothiers, loan shops and honky-tonks." ⁸⁹
	- October, 1965. City and merchants agree to beautification project. First indication that beautification project may displace merchants to other areas of the city: Granby	- October, 1965. Norfolk & Western Railway agrees to a beautification project of the north end of Hampton Blvd., outside the Main Gate of the Naval Station. ⁹¹

of thousands of mothers ...I've been after this for many years" (City tattoo operators, 1952, p. 21).

86 Norfolk County's Board of Supervisors passed legislation outlawing tattoo parlors in 1952 as well.

Abbott had initiated the initial 1950 proposal to outlaw tattoo parlors (Norfolk's tattoo parlors, 1952, p. 6).

87 Norfolk City Council proceedings, February 17, 1953. Mrs. Walker is the widow of Carroll Walker, Norfolk's photographic historian. Mrs. Walker currently lives in the Ghent area of Norfolk.

88 Article in the *Virginian-Pilot* indicates this proposal was "one of the earliest [projects] taken up by the city's Fine Arts Committee" (Hill, 1965, p. 17).

89 The Norfolk & Western Railway owned the property, but leased it to a variety of businesses (Gaudy, messy road, 1965, p. 16).

	Street, Little Creek Road, and Wards Corner. ⁹⁰	
		- April, 1966. U.S. Navy and Norfolk & Western Railway conclude negotiations. Navy will acquire the Sewells Point Virginian Railway Terminal as soon as Congress appropriates funds. ⁹²
		- October, 1969. Navy proposes to purchase 509.5 acres of Norfolk & Western Railway property at Sewells Point sometime during 1970. The area outside the Naval Station's Main Gate, is part of the proposed purchase. ⁹³
	- August, 1973. Congressman G. William Whitehurst breaks ground for Navy construction in Sewells Point. He comments that "he is seeking a swift end to a nautical tradition: the "strip," a conglomeration of bars, go-go clubs, and uniform shops at the North end of Hampton Blvd.	- Congressman Whitehurst introduces an amendment to pending legislation authorizing the Navy to buy out the leases of property owners on the "strip." ⁹⁴
	-January 1975. Marc Gross and Ruby Sadler, who manage Lovey's on "the Strip," predict that many	- January 1974. Navy obtains funds to purchase leases, through Congressman Whitehurst's

90 Beautifying the gate, 1965, p. 4.

91 Ibid.

92 Article in *Virginian-Pilot* indicates that funding will be delayed due to the Vietnam War (Hill, 1966, p. 19).

93 Hill, 1969, p. B1.

94 Stevenson, 1973, p. B1.

	businesses will simply move to Ocean View. ⁹⁵	efforts. ⁹⁶ Navy purchases a 494.8-acre tract for \$17.4 million from the Norfolk & Western Railway. Navy plans to construct two piers, a passenger cargo air terminal, and extend a runway. ⁹⁷
	- January 1975. ADM E.W. Walton, Naval Facilities Engineering Command, hopes that "the Strip" will disappear by the summer, 1975. Congressman Whitehurst remarks that "this [cleanup] is a cosmetic move [to the Navy] as much as anything else." ⁹⁸	
	- April 1975. Mrs. A.H. Leibig, beautification chairman of the Glenwood Park Civic League, fears that "the strip" will move south on Hampton Blvd., to the Glenwood Park neighborhood. "If something is not done our neighborhood will become infested with the people who run those massage parlors and their clientele." ⁹⁹	- Councilman R.S. Hurst asks City Council to place a moratorium on use permits in the Glenwood Park area. - Mayor Irvine B. Hill initiates talks with Navy and neighborhood to discuss neighborhood concerns. ¹⁰⁰
	- May, 1975. ADM R. Rumble appointed as coordinator of Hampton	- June 1975. Dept. of City Planning presents report to Norfolk City Council

95 Lipper, 1975, B9.

96 Whitehurst, 1983, 64-65, 84, 104, 113.

97 Lipper, 1975, p. B1.

98 Lipper, 1975, p. B1.

99 Carpenter, 1975, B1.

100 Carpenter, 1975, p. B1.

	Boulevard's Norfolk-Navy beautification project. ¹⁰¹	exploring "the feasibility of alternative city actions to control "objectionable businesses" in the Hampton Boulevard corridor between the Beltline Railroad and Little Creek Road. Six alternatives presented. ¹⁰²
	- December 1975. Virginian Pilot reports that an adult bookstore and a massage parlor have moved south on Hampton Blvd., to the 8200 block.	- December 1975. Mayor Irvine B. Hill proposes that city buy or condemn the east side of the 8200 block of Hampton Blvd. Motion supported by six council members. Norfolk's real estate agent said the land might cost \$350,000. Councilman R.E. Summers, who voted against the proposal, "wondered if the council was going to begin buying" all city land occupied by adult bookstores and massage parlors. ¹⁰³
	- June 1976. Mayor Vincent J. Thomas, Councilman R.E. Summers, Councilman Claude J. Staylor, and Dr. Mason Andrews vote against proposal to purchase 8200 Block of Hampton Blvd. Three council members vote	- June 1976. City Council votes against purchasing East Side of the 8200 block of Hampton Blvd - called a "block of nuisances." ¹⁰⁵ - Some evidence that the city first tried to use zoning law to eliminate the offending businesses, but

101 Admiral named, 1975, p. A3.

102 The objectionable businesses were : massage parlors, adult book stores, and X-rated movie theaters. Three alternatives required rezoning. One alternative was to apply age limits on certain uses. One alternative was to require use permits for certain uses. One alternative was to create a "combat zone," to accommodate in one location all adult oriented businesses. Norfolk Dept. of City Planning. Hampton Boulevard Study, 1975.

103 Hunt, 1975, p. B1.

104 Beebe, Ledger-Star, B1.

	for the proposal. ¹⁰⁴	was unsuccessful in that effort. ¹⁰⁶
	<p>- September 1976. Norfolk City Attorney, Philip Trapani, states that the government bought the land around the main gate of the Naval Base to rid the area of the massage parlors, adult bookstores, and similar businesses.¹⁰⁷</p> <p>Mrs. May Stevens, Reverend William Clough, Mrs. Pauline Leibig, Reverend George Herter request that City Council prohibit further A.B.C. licenses on Hampton Blvd.¹⁰⁸</p>	
	<p>- October 1976. Mrs. Leibig continues efforts to clean-up the 8200 block of Hampton Blvd.</p>	<p>- October 1976. Newspaper reports that the massage parlor located near Glenwood Park was closed through the efforts of the city and the neighborhood. The city also closed the adult bookstore on the same block.¹⁰⁹</p>

105 Ibid.

106 Ibid.

107 Stein, 1976, p. A1.

108 Norfolk City Council proceedings, September 15, 1976, Hampton Blvd. prohibition of further ABC licenses.

109 Kirkpatrick, 1976, p. 1.

Decision	Participants	Agreements (Clearances)
Decision to prohibit X-rated movies in Norfolk		- 1964. U.S. Supreme Court ruled for an Ohio movie theater owner in the case of <i>Jacobellis v. Ohio</i> (378 U.S. 184). Justice Stewart said "...I know it (obscenity) when I see it and the motion picture involved in this case is not that." (378 U.S. 197).
		- 1966. U.S. Supreme Court ruled in the case of <i>Memoirs v. Massachusetts</i> (383 U.S. 413). To be found obscene, "the dominant theme of the material taken as a whole appeals to a prurient interest in sex; ... is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; ...and is utterly without redeeming social value" (383 U.S. 418).
	<p>- July 19, 1966. Norfolk, Va. Statement by Councilman Sam Barfield to City Council, complaining about the Towne Theater on Colonial Avenue. Councilman White asked if an ordinance could be passed prohibiting objectionable movies.¹¹⁰</p> <p>- In July, City Councilman Sam T. Barfield declares he</p>	<p>- 1966. U.S. Supreme Court, in <i>Ginzburg v. United States</i>, 383 U.S. 463, votes 5 to 4 to uphold the conviction of Ralph Ginzburg for sending obscene materials through the mails.¹¹³</p> <p>-Mayor Roy B. Martin responds to Barfield that the city's hands are tied, but that the concern will not be</p>

¹¹⁰ Norfolk City Council proceedings, July 19, 1966.

¹¹¹ Barfield may carry, 1966, p. 33.

	<p>will write President L.B. Johnson if he finds that the state cannot regulate adult movies. Governor Godwin supports Barfield's call for action, but is unsure what actions Virginia municipalities can take "in view of court decisions in recent years."¹¹¹</p> <p>- July, 1966. Barfield states that he will ask Governor Godwin to investigate how to protect the public "from a problem that has gotten out of hand."¹¹²</p>	<p>forgotten.¹¹⁴</p> <p>- Eight members of the Committee of Federated Chambers of Commerce, representing Norfolk, Portsmouth, Va. Beach, Chesapeake, and Suffolk plan to attack the sale and showing of "smutty paperbacks, magazines, and movies and standards of acceptance for newspaper advertisements."¹¹⁵</p> <p>- Commonwealth of Virginia Attorney General R. Y. Button rules that local law enforcement officials can prosecute exhibitors of obscene movies. This ruling comes as a result of the Supreme Court's 5-4 decision in the case of <i>Ginzberg v. U.S.</i></p> <p>- Norfolk Mayor Roy B. Martin and City Attorney L.H. Davis discuss taking legal action against the Towne Art Theater for showing adult movies.¹¹⁶</p> <p>- Norfolk Ministers Association considering the question of "objectionable movies."¹¹⁷</p>
	<p>- 1968. Sam Barfield, City Councilman, announces plans to "clean up the</p>	<p>- 1968. U.S. Supreme Court rules in the case of <i>Ginsberg v. New York</i> (390</p>

¹¹² Va. advisory wanted, 1966. p. 35.

¹¹³ Blackford, S.D., 1966, p. 35.

¹¹⁴ Ibid.

¹¹⁵ The Committee member from Norfolk, J. Hubbard Davis, announced "smut today – soot tomorrow," a coordinated attack on pornographic material by the five cities (McCrary, 1966, p. 19).

¹¹⁶ 'Secret' parley denied, 1966, p. 50.

¹¹⁷ Ministers may join film tiff, 1966, p. 21.

	garbage on some of the newsstands with the hope that something can be done later on motion pictures ... ¹¹⁸	U.S. 629). Court ruled that New York could restrict the rights of minors to see and read sexually explicit material.
		-1970. Norfolk's City Planning Commission recommends against a use permit for a new X-rated movie theater, to be located at 117 Brooke Avenue.
	- 1971. Sam Barfield, Norfolk City Councilman, testifies in a case against Arthur Goldstein, owner of Henderson's bookstore. Goldstein is charged with selling obscene books and a film. The Corporation Court hears testimony establishing Barfield as an expert witness on pornography.	- Nov. 1971. <i>The Ledger-Star</i> and the <i>Virginian-Pilot</i> announce a new policy regarding adult movies. Beginning on November 17, 1971, the newspapers will no longer use descriptive copy or carry illustrations in newspaper advertisements for adult movies.
		- 1973. <i>Miller v. California</i> , 413 U.S.15, decided by the U.S. Supreme Court. The court redefines an obscene work, using a new, three-part test.
	-1973. Commissioner of the Revenue Sam Barfield and Episcopal Minister Rev. Herbert H. Smith serve as prosecution witnesses, local "experts" on Norfolk community standards. ¹¹⁹	- 1973. Police seized <i>The Devil in Miss Jones</i> from a theater at Wards Corner. ¹²¹ - All X-rated theaters closed in downtown Norfolk. Only the Towne Art, the Garden, and the Showcase

¹¹⁸ Mr. Barfield noted that Section 31-59 of the City Code was too broad, and called for stronger local controls against pornography. He cites the case of *Ginsberg vs. State of New York* (Bonko, 1968, p. 17).

¹¹⁹ The *Virginian-Pilot* calls Barfield a leader in the attempt to rid Norfolk of "pornography on sale in adult bookstores and movie theaters (Team effort fights smut, 1973, p. B1).

¹²⁰ Samuel T. Barfield, Commissioner of the Revenue, told a reporter that state and city licenses were required to operate the coin-operated projectors (Loomis, 1973, p. B1).

¹²¹ According to a newspaper report, 8 theaters in Norfolk featured X-rated movies in August, 1973

	- Norfolk Police seize 41 films and three movie projectors from adult book stores on Brooke Avenue, Shore Drive, and Granby Street. ¹²⁰	theaters continue to show X-rated movies (X no longer marks). ¹²²
	- Dec. 1976. Former Chief of Police and current city councilman Claude Staylor states that he has only gone to see one movie since [the movie industry] started producing X-rated movies. ¹²³	- 1976. <i>Young v. American Mini Theatres, Inc.</i> (427 U.S. 59). Court rules in favor of Detroit. Dispersal zoning ordinances ruled constitutional. - June, 1976. Norfolk City Council denies a use permit to T.B. Cosgrove to operate a movie theater at 7720 Hampton Blvd. Mr. S. Sacks, Cosgrove's attorney, tells Council that to deny the request is to vote for censorship. ¹²⁴ - September 1976. City Council amends Chapter 31 of the City Code. Adds 16 new sections relating to obscenity and related offenses. ¹²⁵
	- 1977. Norfolk City Councilman G. Conoly Phillips proposes an ordinance to make it illegal to "sell, loan, exhibit, expose, or display" sexually related matter to anyone under 18 years of age. ¹²⁶	- 1977. City Planning Commission recommends amending the Zoning Ordinance of the City of Norfolk by adding the following new uses: Adult Book Store, Adult Motion Picture Theater, Adult Mini

(Loomis, 1973, p. B1).

¹²² Loomis, 1973, p. B1.

¹²³ Councilman Staylor said, "I decided not to patronize an industry that pandered to and contributed to moral depravity" (Kirkpatrick, 1976, 5).

¹²⁴ Norfolk City Council minutes, June 15, 1976.

¹²⁵ Norfolk City Council minutes, September 24, 1976.

¹²⁶ In an editorial in *The Virginian-Pilot*, reference is made to the 1973 *Miller v. California* case. Editors reflect that a ban on the sale of sexually explicit materials to minors is appropriate, but Mr. Phillips should

		Motion Picture Theater, Massage Parlor-Health Parlor, and businesses selling alcoholic beverages for on-premises drinking; this ordinance defines the uses, permits such uses only by use permit in certain zoning districts; prohibits such uses in other districts. ¹²⁷
	-1979. Downtown Norfolk's last movie theater to show X-rated movies, the Wells, closes in October. The Virginia State Company, a professional theater company, plans to renovate the Wells.	
	- 1982. Naro Theater, on Colley Avenue in Norfolk, pleads guilty to showing an obscene film, "Taxi zum Klo. Naro is owned by Thomas Vourlas and Tench R. Phillips III. Norfolk attorney Peter Decker represented them.	- 1982. Norfolk Circuit Court indicts the Naro's parent company for allegedly showing an obscene film.
		-1985. By December, 1985, the <i>Virginian-Pilot</i> and <i>Ledger-Star</i> no longer contain advertisements for X-rated movies. One of the last such movies advertised, in December 1984, is "All the Way In" at the Showcase on Little Creek Road, near the Little Creek Amphibious Base.

not try to impose his standards on other adults (Mr. Phillips tries again, 1977, p. A22).
127 Norfolk City Council minutes, February 1, 1977.

3. Interviews

“Interviews,” notes Patton, “are a limited source of data because participants ... can only report their perceptions of and perspectives on what has happened.” Those perspectives and perceptions are subject to many distortions: those of personal bias, politics, time and memory, anxiety, and lack of awareness. In addition, “interview data can be greatly affected by the emotional state of the interviewee at the time the interview takes place. Interview data are subject to recall error, reactivity of the interviewee to the interviewer, and self-serving responses (Patton, 1990, 244). For these reasons, interviews are used in conjunction with documentation and observations to strengthen the case study design.

In a focused or a structured interview, the respondent is interviewed for a short period of time, generally no more than an hour, using an interview guide or fixed set of questions. The interview may have several purposes: (1) to verify information gained through documentary evidence; (2) to seek to understand the “who, what, where, when, why, and how” dimensions of the problem being researched; (3) to obtain insight into other sources of information concerning the problem, either document sources, archival sources, or interview sources.

Yin states that “interviews are an essential source of case study evidence because most case studies are about human affairs. These human affairs should be reported and interpreted through the eyes of specific interviewees, and well-informed respondents can provide important insights into a situation (Yin, 1994, 85).

a. Oral History Association Guidelines. The Oral History Association (OHA) was founded in 1967. The association was founded to promote oral history as one way of preserving the historical record. The *Evaluation Guidelines* of OHA clearly present the responsibilities of the interviewer to the person interviewed, encourage interviews that are verifiable, usable, and complete, and discourage the misuse of oral history (Oral History Evaluation Guidelines, iv, 1). Although specific applications of guidelines may vary based on each individual oral history project, the association urges interviewers to conduct interviews “in the spirit of critical inquiry and social responsibility, and with a recognition of the interactive and subjective nature of the enterprise” (Oral History Evaluation Guidelines, 1). The taker of oral histories has these responsibilities to the interviewee:

- (1) To inform the interviewee of the purposes and procedures of the oral history as well as the aims and anticipated uses of the project to which they are contributing;
- (2) To inform the interviewee of their rights in the oral history process, such as the right of editing, prior use, and the expected disposition and dissemination of the interview;
- (3) To inform the interviewee that the interview will remain confidential until interviewees have given permission for their use;
- (4) To refrain from making promises to interviewees that they may not be able to fulfill, such as control over the future use of interviews;
- (5) To conduct the interview in accord with any prior agreements made with the

interviewee;

(6) To achieve a balance between the interviewer's objectives and the sensitivities of the interviewee;

(7) To guard against exploitation of the interviewee; to respect the right of the interviewee to refuse to discuss certain subjects; to restrict access to the interview; to choose anonymity (Oral History Evaluation Guidelines, 1-2).

The association believes that oral historians have certain responsibilities to both the public and to their profession. Among these responsibilities are the upholding of the highest standards of conduct; the responsibility of the interviewer to "prompt informative dialogue through challenging and perceptive inquiry," to record, review, and evaluate their interviews and transcriptions; to retain the integrity of the interviewee's voice, "neither misrepresenting the interviewee's words nor taking them out of context (Oral History Evaluation Guidelines, 2-3). In addition, the association guidelines cover tape and transcript processing, interview content and conduct guidelines, educator and student guidelines, and unaffiliated or independent researcher guidelines (Oral History Evaluation Guidelines, 7-12).

b. Structured Interview Guidelines (GAO). As one of the research branches of the Federal government, the General Accounting Office issues guidelines to auditors and evaluators on a variety of research methods. The Program Evaluation and Methodology Division of GAO issued its interview handbook, *Using Structured Interviewing Techniques*, in 1991. This handbook defines a structured interview, describes when it should be used, how to design a structured interview, the pretesting and expert review

process, training interviewers, selecting and contacting interviewees, conducting interviews, and interview data analysis.

The GAO recommends the use of interviews when essentially the same information is sought from many people for a single case-study evaluation (GAO, 1991, 9). The handbook emphasizes that “the use of structured interviewing to collect information is not an isolated process and cannot be thought of as a sequential task unrelated to or independent of other tasks” in the process of conducting research (GAO, 10). A structured interview is one that “uses a data collection instrument to gather data, either by telephone or face to face” (GAO, 1991, 11).¹²⁸ A structured, face-to-face interview is rated as having a “very great advantage” because it allows the use of probes, allows oral and visual inquiry and response, facilitates interchange with the interviewee, facilitates discussion of a complex subject; maximizes the rate of return after the interviewee is contacted, minimizes the need for follow-up, and facilitates recall of data by source (GAO, 1991, 12-13).

A face to face structured interview enables the interviewer to establish rapport with the interviewee, gives the interviewer a chance to watch and listen, and facilitates the use of more questions than in a telephone interview (GAO, 1991, 14). Three types of questions can be used to gather information:

- Descriptive Questions. What methods has the city of Norfolk used to control adult oriented businesses?

¹²⁸ The structured interview contrasts with an unstructured interview, in which the interviewees are asked unstructured, usually open-ended questions.

- Normative Questions. What types of adult oriented businesses are unwelcome in Norfolk?

- Cause and Effect Questions. Did civic leagues or community associations play a role in the closing of these businesses? What do you remember about the role of civic leagues or community associations? How about the role of churches or religious groups?

The GAO handbook recommends that the data collection instrument contain questions that (1) are relevant to the study; (2) are relatively easy to answer; (3) don't require the interviewee to consult records or other information sources; (4) don't cause the interviewee discomfort; (5) have an answer (GAO, 1991, 22-23). Questions that establish rapport between the interviewer and interviewee should be asked first, followed by questions with relatively easy answers designed to increase rapport. Questions may be skipped if the answer to a previous question did not elicit a specific response. For example, if the interviewee responded "no" to the question "Do you know what happened that led to these changes," the next question, "do you know how these changes occurred?", would be skipped.

General Accounting Office manuals stress that the interview guide should be expert-reviewed and pretested (GAO, 1993, 177; GAO,1991,55) The expert review helps the researcher to determine if the interview questions are relevant to the research topic and research questions, if they are likely to be understood by interviewees, and if the questions are adequate to answer the overall research question, are well constructed, and are logically constructed (GAO, 1991, 56). Both interview guides used in this study were

expert-reviewed by Dr. Wesley Skogan, Northwestern University, Dr. Leonard Ruchelman, Old Dominion University, and Dr. Gail Johnson, Old Dominion University. The interview guides were pretested with the first three interviewees. Some modifications to questions were made at each step. Dr. Johnson suggested that the researcher would already know the background of most of the interviewees, and that the opening questions in the long interview guide might be unnecessary.

c. Long Interview. McCracken describes the theory and methodology of the long qualitative interview. This type of interview is used to take the interviewer into “the mental world ... the life world of the individual” being interviewed; “it is a highly unusual speech event” (McCracken, 9, 12). He recommends the long interview as a viable tool in applied social science research to strengthen qualitative studies by using an open-ended questionnaire; to achieve ethnographic objectives without injecting the researcher into the lives or lifestyles of the interviewees; and to identify the cultural milieu of the interviewee rather than simply the affective state (McCracken, 7, 9). A long interview may last from two to six or even eight hours. (McCracken, 37).

In the long interview, the questionnaire, or interview guide, is essential because it frees the interviewer to pay complete attention to the interviewee’s remarks; it helps to ensure that the interviewer “preserves the conversational context of each interview” (McCracken, 24) by asking the same questions, in the same order, of each person interviewed. It routinizes the interview process so that the interviewer can use “carefully crafted” probes and prompts (McCracken, 24). One additional advantage of the long interview is that it gives the person being interviewed a social outlet, or as McCracken

characterizes the interviewer, “the perfect conversational partner” (McCracken, 28). This is the partner who listens, does not interrupt, and prompts the interviewee to continue the conversation, even though it is one-sided.

John Chirban describes the “interactive-relational” (I-R) approach to interviewing in his 1996 monograph, *Interviewing in Depth*. In this type of interview, the interviewer clearly identifies the goals and objectives of the interview to the subject, and seeks to establish rapport with the subject. The interviewer sets up the interview as a collaborative process and by doing so hopes to generate reciprocity, or disclosure, by the interviewee (Chirban, 38-39). Chirban enumerates certain “essential aspects” of the I-R interview: Self-awareness of the interviewer regarding his or her own character, beliefs, traits, and demeanor; authenticity, or the efforts made by the interviewer to be genuine, honest, and truthful with the subject of the interview; and finally, attunement, meaning the interviewer’s alertness and attentiveness to the interviewee (Chirban 39-42).

He comments that whereas McCracken advocates a benign, accepting, and agreeable interviewer, Chirban’s I-R approach will be more likely to lead to “engaging reciprocity” (Chirban, 40-41). The interviewer using an I-R style will have certain characteristics that lead to an “enhanced interviewee: interviewer relationship” (Chirban, 43). These characteristics include interviewer integrity, trust and openness between researcher and subject, empathy, insight, respect, and the interviewer’s honest pursuit of the truth.¹²⁹

¹²⁹ Chirban’s interviewer’s ten personal characteristics are: integrity, motivation, trust, openness, empathy, insight, nurturance, truth, respect, and faith (Chirban, 43-54).

Chirban's analysis of the I-R interview includes four stages, during which the relationship between interviewer and interviewee deepens:

Stage One: Initial contact. Interviewer explains goals, clarifies expectations, and sets stage.

Stage Two: First encounter. Interviewer and subject develop rapport, resulting in basic engagement and the surfacing of issues, feelings, and ideas.

Stage Three: The engagement. The interview deepens, the engagement is enhanced.

Stage Four: The new space, new relationship. Risk-taking grows, self-awareness, attunement, and reciprocity increase (Chirban, 56). The value of the I:R approach is that it affirms and validates the worth of each party and sets the stage for information gathering in a "genuine, forthright, and respectful" environment (Chirban, 127).

Michael Brenner describes a process known as intensive interviewing, a method used not to discover frequencies but rather to help identify 'why things happened' from multiple perspectives (Brenner, 150). He cautions that interviews "are the joint product of the questions as perceived by informants and the social situational circumstances within which the questions were put to them" (Brenner, 151). He re-emphasizes the value of a pre-tested interview guide, from which leading questions have been eliminated. He advocates the use of tape recording but suggests that the interviewer take some notes, if only for "place-keeping." When analyzing the interviews¹³⁰ the researcher can choose to (1) compare them against "verification data;" (2) scrutinize them for overt, observable undesirable influences in the interview situation; or (3) use a cognitive approach to assess

the interviewee's motivational state during the interview (Brenner, 155). Because each of the three options is of limited value, he advocates the proposal of Brown and Sime (1981, 161) to authenticate by other means. These means include authenticating by the use of "artefacts" or *cross-referencing to other sources of information* (Brenner, 155, emphasis added). Brenner also discusses reliability and validity concerns when using interview data: faulty memory on the part of the interviewee, unwillingness to reveal information, especially about "unpleasant or threatening events," and simple lack of knowledge about the event (Brenner, 156). Brenner recommends that interviews or accounts be compared to determine if descriptions of events are the same or very similar across accounts (Brenner, 156).

He also cautions that there are certain unobservable biasing factors in the interview-interviewer relationship, including age, sex, education, socioeconomic status, race, religion, as well as nonverbal cues given unintentionally by the interviewer during the interview (Brenner, 157). Finally, Brenner raises the possibility that "the content of questions [may] adversely affect the informant's motivation to answer truthfully ... to provide an accurate and complete account of an issue" (Brenner, 157).

Barbara Mostyn addresses content analysis of qualitative data. "Content analysis," she says, "is the 'diagnostic tool' of qualitative researchers, which they use when faced with a mass of open-ended material to make sense of. The overall purpose of the content analysis approach is to identify specific characteristics of communications systematically and objectively in order to convert the raw material into scientific data"

130 Brenner refers to interviews as "accounts" (Brenner, 154).

(Mostyn, 117). Citing Calder (1977), Mostyn writes that qualitative research “is typically characterised by a period of intense interaction between the researcher and the subjects in their own milieu ...” and does not lend itself to descriptive quantitative analysis (Mostyn, 121). Content analysis of qualitative data must, however, be objective (free from analyst bias); systematic (the analysis must be designed to secure data relevant to the problem); and have generality (the results must have sufficient general application; therefore, the sample must be representative of some relevant universe (Mostyn, 128).

She suggests using a technique originally developed by Ernest Dichter. Mostyn names this technique the “concept book” approach to qualitative analysis of open-ended material. The concept book approach consists of 13 steps, enumerated as follows (Mostyn, 133-144):

1. Briefing. Full understanding of the research problem.
2. Sampling. Is the sample representative? Should it be expanded?
3. Associating. Review similar studies for relevant hypotheses.
4. Concept or hypothesis development. Develop a list of testable concepts, ideas, or hypotheses.
5. Concept or hypothesis testing. Start with the general questions and move to the specific questions. Keep in touch with other interviewers to identify trends. Be aware of emerging concepts or hypotheses and add them to the list.
6. Immersion. The researcher must immerse herself in the data, either by listening to the interviews, or reading and rereading the notes. Note

impressions and ideas in the concept book

7. Categorizing. Label each idea, concept or hypothesis by making it into a category and assigning it a number or letter to use as a code. Code the raw data in the transcripts. Codes correspond to categories. Categories must be exhaustive, must reflect the purpose of the research, and must be mutually exclusive (Mostyn, 137).
8. Incubation. Reread the concept book, set the project aside for a few days.
9. Synthesis. Evaluate the coding. Identify emerging patterns. Identify relationships, if applicable. Identify dominant themes, if applicable.
10. Culling. Condense, excise, and reinterpret the data so that it can be clearly communicated.
11. Interpretation. Ask and try to answer the question: what is the meaning of this?
12. Write. Begin with the key concept and the proofs, then continue with subsidiary concepts and proofs.
13. Rethink. Review the research objectives, edit the report, interpret based on the evidence.

The methodology described by Mostyn and outlined above will be applied to the 25 interviews in this study. Categories selected refer back to the research questions, and include the following:

- Reduced numbers of AOBs; closure of AOBs; relocation of AOBs to other

areas. RQ 1.

- Identification of decision-makers involved in reduction or closure of AOBs. RQ2.
- Identification of individuals, groups, associations, or appointed Norfolk officials identified as involved with reduction or closure of AOBs. RQ2.
- Identification of Navy officials identified as involved with reduction or closure of AOBs. RQ3.
- Identification of state or Federal officials identified as involved with reduction or closure of AOBs. RQ3.
- Reference to Norfolk Redevelopment and Housing Authority (NRHA) regarding the authority's role in reducing or closing AOBs. RQ4.
- Identification of city council members and their role in the reduction or closure of AOBs. RQ5.
- Identification or discussion of U.S. Supreme Court rulings relevant to the operation of AOBs. RQ6.
- Identification or discussion of Norfolk ordinances relevant to the operation of AOBs. RQ6
- Identification or discussion of Norfolk zoning ordinances relevant to the operation of AOBs. RQ6.

Kvale, in *InterViews*, discusses particular challenges that arise when translating interviews, spoken words, to documentation, written language. Each form of language has its own set of rules, and he cautions that transcripts are “decontextualized

conversations, abstractions ... from the original landscape from which they are derived” (Kvale, 165). The question “Which transcription is the correct one?” – the verbatim transcription or the transcription that includes pauses, repetitions, and information about voice tones, cannot be answered because “there is no true, objective transformation from the oral to the written mode” (Kvale, 166).

Kvale notes that “the current emphasis on coding may lead to analyses of isolated variables abstracted from their context in live interpersonal interactions” (Kvale, 174). He continues to caution that interview coding or analysis, using computer software, although technically efficient, “could further a neglect of the contextual base of interview statements in the narratives of lived conversations” (Kvale, 174). When analyzing an interview for research purposes, the researcher may attempt to (1) categorize meaning; (2) condense meaning; (3) structure meaning through narratives; (4) interpret meaning; or (5) use ad hoc methods to generate meaning (Kvale, 187), depending on the purpose of the research and design of the study. He includes triangulation as a method of validating interview data (Kvale, 242).

In addition, because an interview is a unique research method, the researcher should “describe as precisely as possible the specific steps, procedures, and decisions taken in the specific study” (Kvale, 256). For this study, the subjects were selected as indicated in paragraph e. below. An interview packet was mailed to each interviewee. The packet contained a letter of introduction that explained the background and purpose of the interview request, and a stamped and self-addressed response postcard. When the interviewee agreed to the interview, he or she received a copy of one of the two interview

guides. The letter of introduction from the researcher to the interviewee is included here as Appendix A. Interviews were conducted in one of four places: the home of the interviewer (one interview); the office or home of the interviewee (18 interviews); a conference room at the interviewer's place of work (two interviews); a conference room in a Norfolk recreation center (one interview); a public restaurant (one interview); over the telephone (one interview).

Twenty-four interviews were taped using a tape recorder. The telephone interview was not taped; note taking was used. With the exception of the interview that took place via telephone, each interviewee was sent a transcript of the interview, with a stamped, self-addressed envelope enclosed. The interviewees were encouraged to review and correct the transcripts as needed. Each interviewee did so, and transcripts were corrected as necessary. The researcher listened to each interview tape a minimum of three times during the transcription process. No others had access to the interview tapes. All interviewees were guaranteed that their remarks would remain confidential, and that without their express permission, their names would not be linked with their interview responses. This promise of confidentiality was made both in the interview request letter (see Appendix A, Request for an Interview) and again at the beginning of each interview. Interviewees who are identified by name in this paper have given their express consent to be quoted.

d. Interview Guides. The interviews referenced in this paper were conducted using one of two interview guides (Appendixes E, F). The interview guides were constructed to elicit the following information on each of the three target areas being

studied:

- Recollections about adult oriented businesses in the area;
- Knowledge or recollections about why the businesses closed or moved from the area;
- Knowledge or understanding about any laws that affected the businesses;
- Knowledge or understanding about the effect of zoning on the businesses;
- Knowledge or recollections about community organizations that may have played a role relevant to the businesses;
- Knowledge or recollections about community residents or leaders, or city leaders who may have played a role relevant to the businesses;
- Knowledge or understanding about the role of the Navy, the Norfolk Redevelopment and Housing Authority, or the City Council with regard to the businesses;
- Knowledge or recollections about massage parlors in Norfolk;
- Knowledge or recollections about burlesque theaters in Norfolk;
- Knowledge or recollections about Norfolk's reputation;
- Knowledge or recollections about Norfolk decision-makers;
- Knowledge or understanding of the method or methods Norfolk has used to control adult oriented businesses.

e. Interviewees. Twenty-five people were interviewed. Potential interviewees were selected based on the following criteria:

- (1) Mayor, City Manager, or City Councilman in office during the period of time

studied;

- (2) Norfolk city attorneys in office during the period of time studied;
- (3) Norfolk police official in office during the period of time studied;
- (4) Other Norfolk official identified by the documentary evidence as knowledgeable about one or more of the research questions;
- (5) Naval officer identified by the documentary evidence or by another interviewee as knowledgeable about one or more of the research questions;
- (6) Norfolk resident identified by the documentary evidence, by another interviewee, or by a colleague's suggestion as knowledgeable about one of more of the research questions.

Interviewees for this study are characterized as follows:

Norfolk City Managers or Assistant City Managers: James B. Oliver, Julian Hirst, Neal Windley

Norfolk Mayors: Roy B. Martin, Vincent Thomas, Dr. Mason Andrews,

Norfolk City Council Members: Conoly Phillips, Randy Wright, Sam Barfield

Norfolk Assistant City Attorneys: Andre Foreman, Daniel Hagemeister

Norfolk City Planning Official: Paul Adams

Norfolk Police Officials: Assistant Chief of Police Shelton Darden, LT. Wayne Avery

Congressman and Old Dominion University Professor: Dr. G. William Whitehurst

Norfolk Attorneys: Peter Decker, Douglas Fredericks

Norfolk Citizen/Activists: Jim Janata, Connie Laws

Norfolk Businessmen: Kurt Rosenbach, Conoly Phillips¹³¹

Norfolk Redevelopment Official: David Rice

Naval Officers: Admirals Harry Train, Richard Rumble, Byron Tobin, and William Walton¹³²

4. Documentary Evidence

Archival Material. The record books of the Norfolk City Council, also called the Record Book of Council and the Office of the City Clerk Record Book, are located in the Council Offices at Norfolk City Hall. These records are available on microfilm. Key word indexes to the proceedings have also been filmed and are located on the reels. Indexes precede most council sessions. There are no printed indexes separate from the microfilm that can be used to access these proceedings. Each reel must be reviewed separately. The following record years were reviewed: 1945-1946; 1951-1953; 1965-1968; 1970-1978; 1982. Film covering the years 1954-1964, 1969, and 1979-1981 was not available.

The Records Office of the City of Norfolk is also located at Norfolk City Hall. These files, on microfilm, are accessed through indexes compiled by Records Management Department employees. The indexes are available in notebooks within the Department. A records management technician is available to retrieve the microfilm and assist researchers as needed. City records, including memoranda written by city officials,

¹³¹ Mr. Phillips is both a current member of Norfolk City Council and a successful Norfolk businessman, recently retired from the automobile business.

¹³² With the exception of Admiral Walton, all interviews were conducted face-to-face. The interview with Admiral Walton was conducted over the telephone because he lives in California.

Inter Department Correspondence Sheets, special studies and reports, and correspondence between city officials and from residents to city officials are located in the Records Office. All available indexes were reviewed, beginning in 1968 and continuing through 1979.

The library staff of the *Virginian-Pilot* newspaper kindly reviewed the library's privately held subject indexes to the newspaper for the following topics: Adult Use Ordinance; Barfield, Sam T.; Goldstein, Bootsie; Hampton Boulevard; Massage Parlors; Motion Picture Theaters; Obscenity, Obscenity Laws, Obscenity Standards, and Obscenity Trials; Pornography; Smith, Rev. Herbert H. Jr.; Sunset Strip; Taverns and Inns; Tattoos; and Trapani, Philip R. for the years 1947-1988. These indexes are not available to the public. The newspaper is indexed on the *Virginian-Pilot's* Internet Home Page, www.pilotonline.com, for the years 1990-current. The following topics were accessed by the researcher on the publicly available index:

- ABC
- Adult Book Stores
- Adult Uses
- Alcoholic Beverage Control
- Andrews, Mason
- Barfield, Sam
- Go-Go Bars
- Janata, Jim

- Leibig, Pauline
- Massage Parlors
- Moss, Thomas
- Obscenity
- Ocean View and East Ocean View
- Off-limits
- Phillips, Conoly
- Pornography
- Wright, Randy
- Zoning

Photographs. There are several collections of historical photographs located in the Sargeant Memorial Room of the Norfolk Public Library. The collections include the Carroll Walker Collection, the Murdaugh Collection, the S.H. Ringo Collection, and the Emmerson Collection. These photographs are arranged by subject and location, such as Granby Street, Hampton Boulevard, and the Monticello Hotel. Photographs can be photocopied on the library copier, and can also be professionally reproduced by a local photography studio. Library personnel arrange for the professional reproduction. Twenty-three photographs were professionally reproduced and six were selected for inclusion in this study. These photographs are included in Chapter 4. The photographs are of Granby Street, East Main Street, and Hampton Boulevard.

Documentary Material. The Sargeant Memorial Room of the Norfolk Public Library

houses a collection of city directories¹³³ for Norfolk and Norfolk County that includes the following years: 1945, 1946, 1947-48 (combined), 1951, 1952, 1953, 1954-1955 (combined), 1956-1998. The Old Dominion University Library holds city directories for 1943 and 1944. Businesses and other land uses located in the 8000 – 9000 blocks of Hampton Boulevard, the 8100 Block of Shore Drive, the 100 – 300 blocks of Granby Street, and the 200 – 600 blocks of Main Street were identified and tracked from 1943 through 1998 using Excel spread sheets. These exhibits, included as appendices to this study, identify many of the adult oriented businesses that existed in Norfolk during the period of study, and serve to reinforce city council records, city records, interview data, photographs, and other documentary records.

Vertical files (pamphlet files) in the Sargeant Memorial Room include many reports pertaining to Norfolk and Norfolk's development efforts, as well as biographical information in the form of newspaper clippings, Chamber of Commerce reports, magazine articles about the city, historical material about the Norfolk Redevelopment and Housing Authority, files containing material on individual city streets, and files on Norfolk organizations and associations.

The microfilmed scrapbooks of longtime Norfolk City Manager Thomas Maxwell, who held that office from 1956-1970, are also located in the Norfolk Public Library archives, and afforded an invaluable perspective on the actions of the city manager, city growth, and city development projects during that period of time.

The Lawrence M. Cox archives, held in Special Collections at the Old Dominion

¹³³ The city directories are called variously Hill's Norfolk and Chesapeake City Directory,

University library did not prove to be relevant to this study. Mr. Cox was the longtime head of the Norfolk Redevelopment and Housing Authority, from 1941-1969.

5. Observations. Photographs of Main Street, Giranby Street, the north end of Hampton Boulevard, and the Little Creek-Shore Drive area near the Little Creek Amphibious Base show land uses of these three areas as they exist currently. All current photographs were taken by the researcher using a 35-mm camera. A comparison of the current photographs with the land-use spreadsheets during the 45-year period covered by the case study helps to demonstrate the results of the city's efforts to control adult-oriented businesses. These photographs are included at the end of Chapter 4.

Chapter Summary. This chapter describes the methodology used in this historical case study of decision-making in Norfolk, Virginia. Using the data triangulation method, the case derives evidence from several sources: interviews, current observations, documentary and photographic evidence, and archival records to answer the following research questions. How were adult oriented businesses in Norfolk reduced or eliminated? What or who instigated this process? What was the Navy's role in the process? What was the role of the Norfolk Redevelopment and Housing Authority in this process? What was the role of City Council in this process? What laws and ordinances were passed or enforced to reduce or eliminate these businesses in Norfolk? Using a technique described by Aaron Wildavsky and Lawrence Pressman, the agreements and participants in decisions affecting adult oriented businesses in Norfolk were identified and charted, as determined from archival and documentary evidence. Twenty-five persons were interviewed. These interviewees represented both elected and appointed

city officials, Norfolk residents, Naval officers, a retired Congressman, and the executive director of the Norfolk Redevelopment and Housing Authority. Interviews were coded based on the concept book technique recommended by Barbara Mostyn. Documentary evidence was drawn from Norfolk City Council records, City of Norfolk records, documents, photograph, and clipping files in the Norfolk Public Library, and Norfolk city directories. Current photographic evidence from Granby Street, Main Street, Hampton Boulevard, and Shore Drive completes the documentation. Chapter 4 will present the research findings based on the analysis of the documentary and archival materials, the interviews, and current photographic observations.

Chapter 4

Adult Oriented Businesses in Three Norfolk Locations: Findings of the Interview Analysis, Document Analysis, and Observations

1. The Vision

William Hudnut, mayor of Indianapolis, Indiana, from 1976-1991, asked the question, if you lived in a city that had a decaying downtown, and you were mayor, what would you do? (Hudnut, 1995). This is his answer: “We began working at improving our city’s image. We hoped that through a proactive approach utilizing amateur sports to promote our city and a conscious public policy aimed at reversing downtown deterioration by generating new development, jobs, amenities, and housing, we could turn our city’s image around. We were not completely successful, but we made a start” (Hudnut, xxvi).

Norfolk’s vision, as adopted by the Norfolk City Council on July 1, 1966, is as follows:

- Norfolk is a national leader in the quality of life offered to all its citizens.
 - This is achieved through effective partnerships between city government and its constituents.
 - As a result, Norfolk is a physically attractive, socially supportive, and financially sound city.
 - Here, the sense of community is strong.
 - Neighborhoods are designed so that people of all ages can know their neighbors and travel the streets and sidewalks in safety.
 - The sense of community exists city-wide.
 - Norfolk is known nationally as a strategically located place where there are abundant and fulfilling employment, recreational, and educational opportunities.
- (City Council’s Vision)

The second largest city in Virginia, Norfolk has a population of approximately

226,900¹³⁴. It has 144 miles of beach, riverfront, and shoreline, and is 66 square miles in land area. It is home to the world's largest Navy base, and has the world's largest harbor (Norfolk at a Glance). In 1943, Norfolk was named "the worst war town." Between 1958 and 1965, "it modernized 147 acres downtown, replacing honky-tonks and tattoo parlors with towering office buildings, turning crowded streets into spacious boulevards, and consolidating city offices and courts in a brand new Civic Center complex" (Norfolk Quarterly, 2).

Representative of the newspaper headlines¹³⁵ dealing with the topics of adult oriented businesses, redevelopment, and blight, and indicative of some of the changes in Norfolk from 1944 to present are those headlines shown in Figure 3. They help to illustrate the city's transformation from war town to All-American City, to Model City, and then to "vibrant city in motion" (Glass, March 24, 1999). Parramore, Stewart, and Bogger describe a city that in 1943 was populated by thousands of young servicemen, patronizing the city's many taverns, peep shows, and shooting galleries (Parramore, 332). "Conveniently at the center of the pub district stood the Gaiety Theater, Norfolk's only burlesque house¹³⁶ and purveyor of such attractions as Rose La Rose, Anne Corio, or even Gypsy Rose Lee" (Parramore, 333). An interviewee for this paper commented that the Gaiety "was mostly good clean fun. With the World War II situation – we were just inundated with more people, more service personnel, more young males, single young

134 1998 estimate, University of Virginia Weldon Cooper Center for Public Service. July 1, 1999 provisional population estimate from the U.S. Census Bureau is 225,875.

135 These headlines were selected from more than 120 newspaper articles referenced in this paper. They represent contemporaneous events during the period studied. For additional newspaper references, refer to the Newspaper Articles and Newsletters section of the bibliography.

males” (Interviewee 40581). Thomas Parramore explains:

Norfolk thrashed about for solutions, finding few that the sinmongers could not circumvent. It was bad enough to struggle on unnoticed, but suddenly the whole country in 1942 peered over the back fence and smirked at the garbage. Collier’s magazine sent a reporter down for a piece on housing problems but his story in March dealt mostly with the title topic, “Norfolk Night,” with a full-color sketch of a beer joint packed with raucous sailors and “waitresses.” *American Mercury* came out in early 1943 with “Norfolk – Our Worst War Town.” J. Blan van Urk studied a series of cities but came away satisfied that Hampton Roads was far the worst (Parramore, 333).

The Navy tried to help, declaring a 1:00 a.m. to 5:00 a.m. curfew for its sailors, and establishing the shore patrol, equivalent to a military police force. “Important in containing vice was Norfolk’s effort, after some initial coolness and hesitation, to provide servicemen with wholesome recreation. By tradition, young ladies did not go out with sailors and it took wheedling to get them even to attend chaperoned dances and parties for servicemen” (Parramore, 344).

136 There are some indications of another burlesque theater, located in the Ocean View area of Norfolk.

Figure 3

Norfolk* Newspaper Headlines

- “Pictured as Pocked with Vice Houses, Norfolk County, in State Probe, Charged with Laxity in Keeping Law and Order” (March 2, 1944)
- “Navy’s Help Needed in War on Vice, Says Norfolk Police Chief” (April 12, 1944)
- “7-Point ‘Revitalization’ Plan Proposed for Downtown Area” (June 23, 1957)
- “Boosters Form Organization for Downtown” (September 22, 1957)
- “The Making of the New Norfolk” (July 23, 1961)
- “A New Norfolk Has Arisen Out of the Blight” (July 23, 1961)
- “Norfolk Rubs the Tarnish From Name” (July 26, 1964)
- “Combatting Norfolk’s Image Is Goal of Ad Campaign” (May 2, 1970)
- “Massage Parlor Girls Take Brunt of Punishment in Raids by Police” (March 5, 1974)
- “Suit Challenges Virginia Obscenity Law” (April 9, 1974)
- “Grip of Death Chokes the Strip¹³⁷ (January 19, 1975)
- “Norfolk Starts Attack on Porno” (September 2, 1976)
- “Norfolk Gains in Vice Fight” (September 23, 1976)
- “Norfolk City Laws Clean Up Smut” (*Roanoke Times*, September 24, 1976)
- “She Leads Hampton Blvd. Clean-up Crusade” (*Compass*, Oct. 22, 1976)

¹³⁷ Referring to the businesses located just beyond the Norfolk Naval Base’s Gate 2 on Hampton

- “Who Owns Downtown Norfolk? City Buys Up Downtown Out of Necessity and Hope” (July 2, 1995)
- “These City Spots Not in Tour Books” (April 15, 1996)
- “Planned Lingerie Shop Hits City Zoning Snag” (August 21, 1998)
- “Downtown Norfolk, March 1999: Bright Lights. Big City?” (March 14, 1999)
- “Cosmopolitan Makeover for a Tidewater Backwater” (*New York Times*, May 21, 1999)
- “Civil Liberties Under Fire” (December 28, 1999)
- “Tax Values Soar Downtown” (September 14, 2000)

*Unless otherwise indicated, these headlines are from *The Virginian-Pilot* or *The Ledger-Star* newspapers

2. Downtown

One writer referred to the Norfolk of the 1940s as “one giant honky-tonk” (Marshall, 1999). Another named it “our worst war town” (Van Urk, 144). The larger area of Hampton Roads¹³⁸ was described to Congress as the location with “probably the greatest concentration of Army, Navy, and industrial defense activities in the country” (D’Orso, 1991). All accounts agree that in the 1940s, sailors, soldiers, and defense

Boulevard.

¹³⁸ Hampton Roads is not the name of a specific city, but refers to the harbor known as Hampton Roads, and the surrounding cities: Norfolk, Portsmouth, Chesapeake, Virginia Beach, Newport News, and Hampton.

workers came to Norfolk by the thousands, overwhelming the city's ability to house, feed, and entertain them. One city manager recalled: "There are times when we have 10,000 to 15,000 soldiers and sailors on our streets", said Norfolk City Manager Thomas P. Thompson" (Stone, July 25, 1999). Neon signs lured customers into such enterprises as the Krazy Kat, the Gaiety Burlesque Theater, Coleman's Tattoo Parlor, the Stage Door Tavern, the Cozy Inn Hotel, the Roxy Tavern, Sportland, and the Royal Palm Tavern. Norfolk was, by all accounts, both bawdy and lively. "There were penny arcades, peep shows and tattoo parlors. And some boys found entertainment – and a loss of virtue – among a burgeoning industry as old as war" (Stone, July 25, 1999).

Several interviewees confirmed what Blan Van Urk described to the readers of *American Mercury*: "The Marines and sailors have landed, but the situation is *not* well in hand. Demand is far beyond supply in almost everything bearing upon life in a whirling, confused war town. Since the Government houses and supplies the sailors, they contribute chiefly to the entertainment, transportation and law enforcement problems, while the thousands of war workers contribute to the whole problem of civic welfare: housing, sanitation, disease control, and food and water supply" (Van Urk, 144).

Van Urk quantified the dimensions of Norfolk's problem: "Every night is Saturday night in Norfolk, because about twelve thousand sailors come to town every night" (Van Urk, 145). An interviewee added more details: [Downtown Norfolk was an area of] brick row houses that became houses of 'ill repute'.¹³⁹ The Gaiety was down

139 At that time, prostitution was confined to a downtown Norfolk district. A policeman described it to Van Urk: "We had about four hundred prostitutes in here. They kept up the property and paid taxes on it.

there, and other novelty stores that would appeal to sailors and merchant mariners....We were so totally unprepared for the onslaught of people. We didn't have housing. We had only a couple of restaurants. We got caught short. We didn't have enough food stores, and a dearth of entertainment. These guys [servicemen] didn't have any place to go" (Interviewee 80210).

Another interviewee recalled: "The Navy had to police itself, mainly because they got very little help...from the local authorities. It was a wide open city in lots of ways. East Main Street was a cesspool. After the war, the reputation of the city was such that the business people of the city recognized that they simply could not permit the city to return to what it had been before" (Interviewee 86013).

In December 1945, Norfolk city manager Colonel Charles Borland resigned. He had been in office since 1938. In 1946, three businessmen sought and won city council slots. They were Pretlow Darden, John Twohy II, and Richard D. Cooke. Cooke was an attorney, Darden was an automobile dealer, and Twohy was the owner of a sand and gravel company. One interviewee remembered: [They said] "we will give you [Norfolk] four years to set up a farsighted plan and get the city back on a business basis. They said this to the struggling city manager and to the civic leaders and the preceding city council" (Interviewee 80210). The ticket, according to another interviewee, was known as "the business man's ticket – progressive and professional" (Interviewee 86013). Other sources called it "The Peoples Ticket" (Tazewell, 1961). Cooke, Darden, and Twohy

They weren't allowed out of the district at night....In that way we kept things under control" (Van Urk, 144).

promised that they would serve only one term in office. At that time, Norfolk's council was composed of five members.¹⁴⁰ This new council brought in a new city manager, C.A. Harrell. Together, the council and the city manager began to focus on cleaning up the city's police department. William Tazewell wrote:

The cleanup of crime and corruption in its policing was the most spectacular step taken while the "Peoples Ticket" was in office. When they were elected bottle clubs, numbers running and prostitution were wide-open; police, working seven days a week for low pay, were open to temptation. The big blowup began Dec. 2, 1948, when Capt. C.J. Staylor led a handpicked raiding party to two Church Street numbers establishments while the chief of police and director of public safety were out of town. The raiders found a list of names of policemen who presumably were being "paid off" by the underworld. A blue-ribbon grand jury – including three Community Chest chairmen – was called in January 1949 to investigate crime and corruption in Norfolk. It said that the numbers racket and prostitution went on openly in Norfolk with the knowledge, "if not the actual connivance of the police" (Tazewell, 1961).

Norfolk Police Chief C.M. Lindsay retired following the jury's report, and a Marine Brigadier General, A. Leroy Sims, was appointed in his place. In 1950, Cooke, Darden, and Twohy stepped down, and in their place Norfolk voters elected the "Harmony Ticket" of W. Fred Duckworth, N.B. Etheridge, and Lawrence Page. Tazewell identified "the business core of the city" as the key force in the making of the new Norfolk. This business core included businessmen, bankers, civic leaders, and lawyers.

City directories of 1944 and 1945 show that there were at least 23 taverns, three tattoo parlors, and one burlesque theater from the 300 to the 600 block of Norfolk's Main Street, and nine taverns in the 100 block of Granby Street. These two streets formed the center of Norfolk's busy, bustling, entertainment district from the 1940s through the early

¹⁴⁰ In 1952, Norfolk City Council went from a five- to a seven-member body.

1960s. The combination of taverns, shooting galleries, arcades, peep shows, and call girls helped to form an image that servicemen and defense workers took with them and talked about when they left Norfolk.

An early newspaper article reported that the Navy's chief medical officer for the Fifth Naval District called Norfolk the "worst spot in the United States for venereal [sic] disease" (Twyford, Apr. 12, 1944). "In the backwash of the war, the city was choked with congestion downtown and cursed with some of the worst slums in the nation. Crime continued high and vice was unchecked. (In 1947 Norfolk had the highest VD rate in the nation, the American Hygiene Association reported.)" (Tazewell, Apr. 4, 1964).

Calling East Main Street "a sailor's sweetie," Norfolk writer and historian George Holbert Tucker vividly described the street that drew servicemen and war workers to its bars, tattoo artists, shooting galleries, and novelty stores:

The smell of stale beer and cheap perfume, the clickety-click of Wellington boots and high heels and the occasional thud of wood on bone, the laughs of the delighted and the shouts of the angered are not new to Norfolk's Main Street. In the lore of the United States Navy and Merchant Marine it shares honors with Boston's Scully Square, Brooklyn's Sands Street and Los Angeles' Pershing Square as an exhaust valve for the bursting pressure of nautical boisterousness. It is one of North America's oldest playgrounds for the sea-going element to which pitching a bender is an essential phase of the ritual of coming home after a long, tedious and womanless voyage to the ends of the earth...By day, it is a dreary stretch of shabby buildings, but with the coming of dusk the neon signs transform it into a glittering land of unreality. Should one stroll along its time-worn pavements on a rainy evening, he could not fail to admire its spectacular beauty. Eating places from one end to the other cater to the insatiable appetite peculiar to men of the Navy, from the humble hot dog to great pizza pies. Taverns with such nautical names as the Star, the Anchor, cater to throngs of men in uniform and dungarees and those civilians with a taste for the colorful by dispensing oceans of beer nightly. Juke boxes fill the evening air with the latest jive and hillbilly guitar twanging; while if one has a mind to have his epidermis embellished, all he has to do is walk into the internationally know Coleman's or one of the lesser-known

tattoo parlors. If one has a mind to feast his eyes on the female form, he has only to stroll up to the ticket cage of the Gaiety Burlesque, slap down his fee, and in short order find himself seated in one of the most cosmopolitan audiences in the country; perhaps beside an admiral, perhaps beside a seaman; certainly beside an enthusiastically appreciative patron. Other forms of amusement, such as Knocking the Cuties Out of Bed, which involves striking a target with balls and thereby releasing the spring that hold the bed in a horizontal position, are also popular. There is even a shop that advertises “Curios, Oddities & Unusuals,” where one can find such diverse objects as a bronze bust of Napoleon, African tribal masks, carved oriental ivories and piles of old clothing, elbow to elbow. In short, the East Main Street of today is the logical product of the centuries. It gives one the impression that great things have been done there and that wonderful lives have been lived within its crowded buildings. It is a rich, lusty, Hogarthian world; and Norfolk is more interesting through its existence. (Tucker, Aug. 27, 1950).

Several interviewees remembered the Main Street described above. “The Gaiety was a casualty of the cleanup of East Main Street. They did away with all of the old houses, the old brick buildings. It was an old upper-class residential neighborhood, with brick row houses, that became houses of ill repute. The Gaiety was down there, and other novelty stores that would appeal to sailors...glasses with names on them, key rings, that sort of thing” (Interviewee 80210). Another person recalled: “Main Street used to be the elite section of Norfolk. About the turn of the century, Main Street started downhill, and people began to move out. The joke was that when they tore down the Gaiety Theater, most of the [city] council stood outside crying” (Interviewee 03395). The interviewee recalled the cleanup of Main Street: “I think Colgate Darden pressured a lot of people. As you know he was governor, very proud of Norfolk.¹⁴¹ He used his influence quite a bit to push Norfolk. Redevelopment and Housing was put into effect and could do what a

¹⁴¹ Colgate W. Darden Jr. was the governor of Virginia from 1942-1946. He was also President of the University of Virginia and a three-term U.S. Congressman from Virginia. Colgate Darden’s brother, Pretlow Darden, was a member of the Cooke-Darden-Twohy city council team, and mayor of Norfolk from

city council could not do. They had the authority to condemn property, to tear it down. They had to have that in place before [Norfolk] could start tearing down this mess on Main Street” (Interviewee 03395).

Another interviewee recalled: ”And you had the Gaiety Theater...it was mostly good clean fun. With the World War II situation – when [Norfolk] was just inundated with more people, more service personnel, more young males, single young males, we just [spent] a lot of time policing....The entertainment there, while it was risqué, was not lewd and lascivious” (Interviewee 40581). A fourth person explained: “Another way that it [adult oriented business district] was concentrated back in the old days was that the sailors didn’t have cars. They would get onto the streetcar line at the end of Hampton Boulevard and the other end of the streetcar line was Granby – Main Street” (Interviewee 40581).

Not only were most of the taverns located on East Main Street – the street was also home to the city’s many tattoo parlors. Coleman’s Tattoo Parlor was located at 427 East Main Street. Its owner and chief tattoo artist, Cap’n Dan Coleman, was a well-known Norfolk businessman in the 1940s. According to one account, Norfolk, San Francisco, and Honolulu were three of the worlds most famous tattooing centers. Coleman refused to place tattoos on sailors’ insteps or fingers, explaining: “Medical officers have asked me not to. Some of the boys don’t feel like wearing their shoes or working with their hands for a day or so after they’re tattooed. And the doctors don’t like them coming to sick bay to beg off.’ Being incapacitated by tattooing is considered

February 15, 1949 until August 31, 1950.

misconduct by the Navy, at least theoretically” (Mason, Apr. 4, 1949).

In early 1950, Norfolk City Council debated a motion to ban tattooing from the city entirely. When Mayor Pretlow Darden voted against the motion, an ordinance was adopted that regulated the types of tattoos allowed, and restricted the tattooing of minors unless they had notarized proof of consent from their parents. Both “religious” and “obscene” tattoos were outlawed by the ordinance. (Freedom, May 29, 1950). By October of the same year, only one tattoo parlor of seven previously in operation, remained in business on East Main Street. Coleman and another colleague, H.S. Grimshaw, previously of Stuertz & Grimshaw, 421 East Main Street, had moved to Portsmouth. Others were reported to have relocated to Norfolk or Princess Anne County, and to Virginia Peninsula cities with Army bases. The Norfolk Virginian-Pilot reported:

Taking note of frequent soreness and occasional infections from tattooing among their personnel, Naval authorities had asked city health officials to forbid [or] at least to control, the practice. Dr. John Huff, the city health officer [sic] had suggested that the navy might apply its own authority by placing tattoo shops out of bounds or forbidding Navy men to become tattooed....The Navy’s concern puzzled Coleman and some of the older tattoo artists....But the Navy had changed, and chaplains as well as medical officers had become increasingly alarmed by the number of teen-age seamen coming aboard with green and yellow Mickey Mouses, undraped hula girls, firey-eyed eagles and heaven knows what else cut into their limbs and bodies and bandaged with washroom tissue” (Reid, Oct. 29, 1950).

The city took the final step against tattoo artists in 1952, passing an ordinance prohibiting tattooing within the city after April 30, 1952. Mayor Duckworth was reported to have told tattoo artists that they could move to Portsmouth (City tattoo, Jan 9, 1952). An editorial in the *Ledger-Star* the same year commented: “Tattooing presents medical

and morale problems in a port city as crowded with young Navy men as Norfolk....The Navy has been instrumental in getting laws passed in many of the 'base' cities that outlaw or strictly regulate tattooing. The Navy and Councilman Abbott¹⁴² have won the battle to make the practice illegal here" (Norfolk's tattoo, Apr. 2, 1952).

City council minutes recorded in November 1951 showed that Rear Admiral R.O. Davis, Commandant of the Fifth Naval District¹⁴³ requested that Council enact an ordinance restricting tattoo artists from tattooing anyone who appeared to be inebriated. Although council members agreed that the admiral's request was valid, they were advised by the city attorney that such a provision would be very hard for the police to enforce (Record Book of Council, Nov. 20, 1951). In January 1952, all five city council members voted in favor of the ordinance prohibiting the operation of tattoo parlors within Norfolk city limits (Record Book of Council, Jan. 8, 1952).

In the same year that the Cooke-Darden-Twohy ticket was elected to city council, the Virginia Redevelopment Law was passed. This law paved the way for the creation of the Norfolk Redevelopment and Housing Authority (NRHA)¹⁴⁴, and enabled public-private redevelopment partnerships in Virginia (Tazewell, Apr. 4, 1964).

"The architect of change and the most important instrument in the making of the new Norfolk, the authority was established [as] the Norfolk Housing Authority in 1940 and changed its name with the enactment of the '46 redevelopment statute" (Tazewell,

142 City Councilman George R. Abbott, who originated the 1950 ordinance against tattooing.

143 Norfolk's naval facilities fell within the purview of the 5th Naval District Commandant.

144 Several sources state that a crime conference held in 1937 revealed that Norfolk's slums were consuming far more than their share of city services, especially police and fire services, at a rate of more than five times that required by other sections of the city (People, 1979; Cox, 1961,3).

Apr. 4, 1964). The NRHA's Project Number One, as it is known, cleared 123.2 acres at a cost to the U.S. taxpayer of almost \$3,446,331 and a cost to Norfolk of \$3,059,904 (Shank's, p. 2468). Project Number One cleared a forty-seven block slum in the downtown area bounded by Lincoln Street, Broad Creek Road, Brambleton Avenue and Monticello Avenue (Parramore, 352). The second and third projects, also in the downtown area, cleared another 247 acres. (NRHA Statistical Summary, 1999).

Nothing in the new regime¹⁴⁵ equalled the drive of the Norfolk Redevelopment and Housing Authority....Under Chairman Charles L. Kaufman, a corporate lawyer with ties to financial institutions, the NRHA tackled Norfolk's basic social problems. Slums covered one-twentieth of the city, contained one-seventh of its population, and registered two-thirds of its rapes, and one-third or more of its fires, assaults, robberies, larcenies, homicides, and tuberculosis cases....Standing conspicuously near key business areas and flanking main thoroughfares, slums absorbed almost half the cost of city services but paid for barely a fourth. They choked the central downtown business district, constricting trade. The city council in 1948 used \$25,000 for a study of slum removal and NRHA hired planning consultant Charles K. Agle to make a block-by-block study of downtown and recommend action. (Parramore, 351)

Agle's report predicted that "downtown Norfolk, south of Brambleton and west of Church, potentially can serve as the top shopping, commercial, and financial center for a future population upwards of 2,000,000 people. Its area of influence can include most of Tidewater, Virginia, eastern North Carolina, the lower Peninsula and much of the Eastern Shore of Maryland. This service, and resultant prosperity, is contingent on (a) highways; (b) parking; (c) room for expansion; and (d) self respect and attractiveness in appearance" (Agle, 1956, i). Agle recommended that the city add extensive parking areas, expanded retail spaces adjacent to City Hall Avenue; expanded commercial, office, and financial

145 The reform regime of Cooke, Darden, Twohy and city manager Charles A. Harrell.

spaces along Main Street, a new civic center, a pedestrian park, a downtown bus terminal, sign regulations, off-street parking, and bus shelters (Agle, 1956, ii)

He cautioned that “the appearance of the Central Business and Financial District must be good. With respect to shopping, women spend 80 to 90% of our money. Attractiveness...can largely be dependent upon the zoning ordinance of the city with respect to signs. With no...fair play, an offensive neon jungle quickly appears in which everybody masks everybody else, and no one wins....In 1948 when this consultant first started working Norfolk, Granby Street was relatively clean and attractive. Now, alas, it is headed for Main Street” (Agle, 1956, 6).

Armed with the Agle report and the ability of the Housing Authority to purchase and clear blighted properties, Norfolk was ready to shed the title of America’s worst war town. Two of the areas the authority focused on were East Main Street and Granby Street. A statement by NRHA Executive Director Lawrence M. Cox gave the impression that Main Street would be redeveloped as an amusement area. Cox told a newspaper reporter the following:

The views of Main street shopkeepers and tavern owners ‘undoubtedly will play an important role’ in any plans for a new amusement area replacing the present Main street amusement strip....The neon-lighted, three-block stretch of Main street is to be razed eventually to make way for parking areas and new buildings. Cox pointed out that the authority is now studying the ‘appropriateness and feasibility’ of providing an amusement area within the downtown redevelopment project....Tavern keepers on Main street expressed the hope that the city would make arrangements for relocating Main street taverns and amusement centers as a unit. Lovey Sandler, president of the Main Street Busniessmen’s [sic] Asso., said the taverns and shops are an attraction only when they are together. He said sailors want a place where there are many taverns within easy walking distance. Sandler said there are now 37 taverns in a three-block strip of Main street (Main Street under study, July 24, 1958).

Tavern owners and managers were aware of the effects that redevelopment might have on their businesses. The manager of the New Paradise Grill, located at 501 East Main Street, was Bertha Lettres. “You have to have some outlet like this somewhere,” she told a reporter. Robert Meyer, manager of the Rex Tavern at 522 East Main Street, commented as follows: “If this goes [the tavern district], downtown Norfolk goes. This is a necessary evil” (Baldwin, Apr. 16, 1958). The reporter was more prescient: “A multi million-dollar redevelopment project may end forever the rowdy, light-hearted revelry between Church street and Bank street, but it may not end it in Norfolk” (Baldwin, Apr. 16, 1958).

By June 1960, the NRHA had begun the demolition of East Main Street. By that time, the East Main Street Businessmen’s Association had hired attorney Frederick T. Stant Jr. to plead the case of the taverns to City Council and the NRHA. *The Virginian-Pilot* reported that although Stant had attempted to negotiate with the NRHA for an alternate site location for 25 clients, he had not been successful. “He said that unless a relocation area is provided soon, economic necessity will force his 25 clients to scatter through the community relocating where they can....Appearing with Stant before City Council were Richard F. Welton III, president of Downtown Norfolk Assn., and Kopeland D. Ornoff, executive director of DNA. Welton said ‘our board has gone unanimously on record in favor of keeping the taverns in the downtown area.’ Ornoff said the Navy would like for its men to have a tavern area to go to, partly because the concentration makes it easier to maintain control” (Tavern men press, July 20, 1960).

Only weeks earlier, *Virginian-Pilot* writer Don Hill reported that the East Main Street Businessmen's Association had proposed a two story amusement-recreation center for downtown Norfolk, with 24 taverns on the first floor and a bowling alley and dance floor on the second story (Hill, July 1, 1960). At that time, a location on Brooke Avenue, just off Granby Street, was being considered for the new amusement center.

A year later, the last of the taverns was torn down. Lawrence Cox, the NRHA's Executive Director, described the new vision of East Main Street as one with high rise office buildings, a pedestrian mall, landscaping, and covered sidewalks (Stevens, Dec. 27, 1961). *Virginian-Pilot* staff writer William Stevens recalled Main Street's history: "Once it was sailors' territory almost exclusively. Vice was kept inside the area. At its peak, about 30 houses of prostitution¹⁴⁶ flourished there. The prostitutes were driven out of the section in the early war years, but the strip remained a bawdy row of dives, tattoo parlors and flophouses. Until well into World War II, it was the only place in Norfolk where sailors could find recreation. Largely because of this, they carried away a contempt for the city that lingers to this day (Stevens, Dec. 27, 1961, emphasis added).

By February, 1962, the plans for relocating the taverns to another area in downtown Norfolk were abandoned. The Virginia Alcoholic Beverage Control Board refused to grant an ABC license to Robert Meyer, owner of the Rex Tavern, when he proposed relocating the Rex on College Place in downtown Norfolk. The ABC Board's

¹⁴⁶ One interviewee recalled a story about the magnolia tree in Norfolk's city hall complex. Chief of Police Claude Staylor used to tell about the time that the magnolia tree backed up to one of Norfolk's many houses of ill repute. When police raided the house via the front door, "customers" would climb out of a window and down the tree (Interviewee 18292). See Figure 15.

hearing officer cited the following reasons in his recommendation: (1) Violations of peace and order would likely occur at the new location; (2) a nearby church would be affected by the tavern; (3) the tavern would have a negative impact on property values nearby; (4) neighborhood peace and tranquility would be threatened; and (5) there were sufficient ABC licenses in the area (Sunset strip tavern, Feb. 1, 1962).

The contrast between the East Main Street of the 1940s and 1950s and the street as it exists today is evidenced by Figures 5 – 7. A *New York Times* reporter summarized:

Most remember Norfolk as a corrupt Navy town with a seedy street called East Main, where the Ship Ahoy and the White Hat sold nothing stronger than schooners of suds...and not even the burlesque peregrinations [sic] of the Gaiety Theater's Rose LaRose could grind away the sharp insult of lawn signs that read, 'Sailors and Dogs Keep Off the Grass.' During World War II and for years after, when Norfolk and the other towns and cities that are around Hampton Roads were at their jam-packed worst, every oiler and ensign from Anchorage to Yokahama knew this 300-year-old seaport as '(expletive deleted) city.' They should see it today. Norfolk is still not Newport nor San Francisco East or the pearl of the Atlantic. But with its sister municipalities – Virginia Beach, Chesapeake, Portsmouth, Newport News and Hampton – it has taken part in recent years in a boom that has created a sprawling, increasingly sophisticated metropolitan area that now contains more than a million residents...and acts as the southern anchor of the east coast megalopolis. The boom can be credited to a number of factors – the desire of many Americans to settle near water, aggressive development of the area's numerous port facilities, imaginative injections of \$250 million in urban renewal grants and, perhaps most important of all, the realization that downtown Norfolk could be the hub for all this growth if only the city could shed its shoddy image" (Ayres, Aug. 10, 1974, emphasis added).

Thus by 1962 the East Main Street known for the Gaiety Theater, the taverns, and the neon had been razed. The cleanup of Granby Street had begun. Figure 4 gives an overview of dates relevant to Granby Street redevelopment.

Figure 4¹⁴⁷**Granby Street Development****(1957 – 1984)**

September 1957	Downtown Norfolk Association (DNA) formed by merchants, property owners, and investors
December 1959	DNA announces Granby Mall proposal
December 1963	James Rouse announces plans for \$25 million shopping mall downtown
December 1965	DNA agrees to support pedestrian mall
August 1967	DNA says funding goal for proposed mall not yet reached
September 1973	Ames & Brownley, a major Norfolk department store, announces closure
October 1973	City Council approves mall plan
July 1974	Mall contract awarded for \$2.9 million
April 1976	Pedestrian mall opens
July 1979	NRHA and Downtown Norfolk Development Corp. announce low-interest loans for business rehabilitation
September 1979	Mall revival plan announced
April 1980	Kurt Rosenbach, chairman of Rices Nachmans, a major Granby Street department store, declares confidence in mall concept
September 1980	Granby Mall wins award from International Downtown Executives Association for creative solutions to downtown problems
August 1981	Eight downtown stores announce they will close
December 1981	Shulman's, a downtown men's store, announces that it will close after 77 years of operation
June 1984	The mall is said to have hurt rather than helped Granby Street businesses

147 Chronology, Sept. 1, 1984

A *Virginian-Pilot* editorial writer, commenting on Agle's report, described Norfolk's efforts to upgrade the downtown area as a "home-grown movement to make Norfolk business sections better looking" (Clean up, Nov. 26, 1956). Referring to the mixture of downtown businesses, the editorial advises that "no business house in Norfolk wants to make its habitat a honky-tonk section. But each is somewhat helpless in a race for public notice¹⁴⁸ not restrained by municipal law or by voluntary policing of area business associations" (Clean up, Nov. 26, 1956).

Merchants and downtown area property owners, who had joined together as the Downtown Norfolk Association¹⁴⁹, decided to make the Granby Street area more conducive to shoppers and businesses by closing part of the street to traffic and creating a pedestrian mall.¹⁵⁰ The plan's designer was John B. McGaughy, of Lublin McGaughy & Associates. He argued that "the mall would make Norfolk the most attractive regional shopping center on the Eastern Seaboard, and thereby increase sales, tax revenues, and create new businesses and improve old ones" (Carter, Dec. 6, 1959). Norfolk was not the first U.S. city that chose to create a downtown mall in an effort to attract and retain businesses and shoppers. Kalamazoo, Michigan built a pedestrian mall in 1958. An artist's conception of the new mall showed familiar Norfolk stores such as "The Hub," a well-known men's store, "Barr's," a jewelry store, and generic signs for "shoes," "drugs," cameras," "restaurant," and "hotel." There were no references to taverns, bars, or other

148 A reference to the proliferation of neon signs downtown.

149 The Downtown Norfolk Association was formed in 1957 by a group of downtown property owners, merchants, bankers, realtors, and other representatives. Four initial "co-chairmen" were named: William P. Dickson Jr., Robert C. Goodman (a realtor), Getty Lebo, and R.F. Welton III (Sullivan, Sept. 22, 1957).

150 The mall would include that section of Granby Street from Charlotte Street to City Hall Avenue and

types of adult entertainment.

With the assistance of the NRHA, the solutions contained in Agle's report, and the mall plan, the expectation was that downtown blight would be cleared, and the old sailor-oriented seaport city would begin to change. The downtown project was expected to take at least five years from start to completion. A combination of assessments against downtown property owners, private donations, and monies from the city's general tax revenues would be the source of funds (Carter, Dec. 6, 1959).

Five years later, Paul D. Spreiregen, project head of the American Institute of Architects' Urban Design Program, called Granby Street "one of the ugliest things I ever saw in my life...I'm not saying to get rid of Granby Street. Every city should have a honky-tonk area but it's not the main thing people remember when they visit other cities. The trouble is that Granby Street is your main street and I'm afraid my impression of Norfolk will be Granby Street..." (Bancroft, Apr. 17, 1964). Spreiregen voiced these concerns at a Brookings Institution-sponsored Norfolk Urban Policy Conference held in Norfolk in April, 1964. Two downtown-area merchants, Richard F. Welton III, president of Smith & Welton department store, and Harry M. Mansbach, president of The Hub, disagreed with Spreiregen. Referring to a downtown redevelopment idea proposed by James Rouse, for an enclosed mall east of Monticello Avenue, the businessmen attested to Granby Street's viability: "Granby Street can be changed to tie it in with the proposed Rouse development by building covered walkways and making the new and old compliment each other," Welton said (Bancroft, Apr. 17, 1964). Spreiregen was not

from Monticello Avenue to Boush Street.

entirely negative however: “You can do fantastic things with your shoreline. You can use your waterways for open space control and to make the city really beautiful” (Bancroft, Apr. 17, 1964).

A *Pilot* editorial countered: “All right, so Granby Street should be improved and so could the main drag of nearly every other American city, including Broad Street in Richmond and Times Square in New York city” (Transfusion for Granby, Apr. 19, 1964).

Robert C. Goodman, vice president of Goodman-Segar-Hogan, Inc., a large, local real estate firm, agreed that Granby Street could be improved, with new sidewalks, sign control laws, and the addition of a roof to convert some portion of the street to an enclosed, climate-controlled mall (Bancroft, Apr. 20, 1964). Other ideas to improve the street included the following: Installation of permanent canopies over sidewalks to protect shoppers; improvement of sidewalks by adding colorful ceramic or terrazzo tiles; better street lights; elimination of the overhead, neon, signs; use of sidewalk kiosks for enterprises such as key makers; installation of benches; sidewalk cafes; use of planters and trees; erection of downtown site directories and historic markers (Bancroft, Apr. 20, 1964).

Hunter Hogan, past president of the Norfolk Chamber of Commerce and prominent Norfolk realtor called downtown Norfolk “completely worn out” in a speech before the Norfolk Mace Club in 1964. Expressing concern over the number of businesses that had already left the downtown area, and those that were left behind, Hunter said “we’ve got merchants on Granby Street I’m ashamed to have there – but we’ve got to have them to fill up the empty spaces” (Kestner, Mar. 10, 1964).

The effort to upgrade Granby Street, attract new businesses and new customers, and keep the ‘respectable’ old businesses was difficult, given the many taverns and other “honky-tonks” on the street. It was not until September 1981 that the last tavern closed. Bunny’s, originally called Bunny’s Trade Winds, located at 112 Granby Street, was a favorite spot for servicemen stationed in Norfolk. “The tavern’s closing marks a milestone for the Norfolk Redevelopment and Housing Authority in its two-year campaign to rehabilitate the downtown. The agency approved a \$300,000 loan this week for renovating the 80-year-old four-story building...into the local offices for Northwestern Mutual Life Insurance Company” (Wheeler, Sept. 30, 1981). Bunny’s owner, Robert Schellin, told the reporter “I gave it [Bunny’s] a lot of blood. Dealing with those sailors is no joke” (Wheeler, Sept. 30, 1981).

With the assistance of the housing authority, business interests obtained loans to renovate the Wells Theater¹⁵¹, the Monticello Arcade, offices for a steamship line, a sports club, and new restaurants (Wheeler, Sept. 30, 1981). “NRHA officials think the outlook for downtown development is good. More than \$20 million in industrial revenue bonds...have been approved for upgrading commercial property, and another \$25 million in privately financed improvements have been made or are in the works” (Wheeler, Sept. 30, 1981). Although the authority’s assistance with the Wells Theater purchase was controversial, the building itself, located just off Granby Street, was envisioned as a home

151 The Wells Theater, located on Tazewell Street, was built in 1913. Originally a legitimate theater, it showed X-rated movies in its later years, until it closed in 1979. Its last manager, Frankie Blue, was also the manager of the Gaiety [burlesque] Theater. The NRHA assisted the Virginia Stage Company to obtain the lease and renovate the historic building. The theater is now the home of the Virginia Stage Company. (Morton, Sept. 17, 1979; Morton, Oct. 2, 1979). One report indicated that the NRHA’s portion of the

for what could be a positive contribution to Norfolk's cultural mix. "It [purchase of the Wells by the Virginia Stage Company] will get rid of an X-rated theater in the middle of downtown Norfolk. There's a lot of talk about creating the right atmosphere for bringing people downtown after dark. Eliminating an X-rated theater is a plus – even if a 7-Eleven were put in its place" (Wood, Sept. 24, 1979).

By the early 1980s, Granby Street had not achieved the success that had been expected or anticipated. "NRHA Executive Director [David] Rice felt his organization had enjoyed major success in slum-removal, housing-building, and finding money for 'a framework for rebuilding the city.' Granby Street seemed to be its main failure; most agreed that Military Circle's enclosed shopping mall syphoned [sic] off much Granby business, as did Waterside and other shopping areas.¹⁵² Redevelopers in 1976 sought to arrest Granby's decline by closing it to traffic, creating a pedestrian mall; ten more years of decline led to its reopening" (Parramore, 413).

By mid-1995, and continuing to date, a Granby Street revival appeared to be occurring. A number of new restaurants and shops, art galleries, two boutique hotels¹⁵³, and a new downtown campus of Tidewater Community College brought back some of the early bustle and energy of wartime Granby Street. The photographic record shows some

theater's \$1 million price tag was \$315,000. (Wood, Sept. 24, 1979). See Figure 16.

¹⁵² Military Circle Mall is located near the intersection of Military Highway and Virginia Beach Boulevard; it had three initial anchor stores: Miller & Rhoads, J.C. Penney, and Smith & Welton. Currently, only J.C. Penney remains of the three original anchors. The Waterside "festival" Marketplace opened in June 1983, with a mixture of 122 stores, restaurants, kiosks, and fast food outlets. The Waterside developer was James W. Rouse. It is within 2 blocks of the Granby Street-Main Street downtown district, and located on the Elizabeth River. Visitors to Waterside have a scenic view of the downtown Norfolk and Portsmouth waterfront area.

¹⁵³ The old Thomas Nelson Hotel reopened in April 2000 as the Hawthorn Hotel & Suites. The James

of these changes (see Figures 8 – 11).

The city remains vigilant in its efforts to control adult oriented businesses downtown: “City officials moved...to shut down a Granby Street nightclub they say has been disruptive and damaging to downtown’s revived image. After reviewing a litany of complaints, ranging from fighting and gunshots to lewd dancing and large crowds loitering on the street after hours, the city’s Planning Commission voted unanimously to recommend revoking a special-use permit for Pizazz¹⁵⁴ Restaurant & Lounge” (Glass, Dec. 19, 1997, emphasis added). One interviewee commented that [Pizazz] “was the type of [business] that with the change that is occurring in downtown Norfolk, we did not want that type of activity down there...crowds would go up and down Granby Street, cruising, go to the Freemason Harbor area which is a residential area” (Interviewee 70361). At a Planning Commission hearing, one commissioner asked if the “operational patterns” at Pizazz were “a threat to the safety and welfare of an innocent visitor” in downtown Norfolk. Lieutenant F.W. Avery of the Norfolk Police Department responded affirmatively, citing the “assaults, cuttings and quite a few gunshots” coming from the vicinity of the club (Glass, Dec. 19, 1997).

The impetus to redevelop downtown Norfolk, and as a by-product of that redevelopment to control downtown-area adult oriented businesses, came from Norfolk City Council members and mayors, the constituents and interests represented by city

Madison Hotel is another small hotel located just north of the Hawthorn on Granby Street.
154 The club was located in the 200 block of Granby Street.

council members, the downtown business community¹⁵⁵, the Downtown Norfolk Association and the Downtown Norfolk Development Council, presidents of Norfolk-based banks such as the Seaboard Bank and the National Bank of Commerce, and two people who were labeled “visionaries” by several of those interviewed, Charles Kaufman and Lawrence Cox. Specific to tattoo parlors, available evidence shows that the Navy was very influential in closing and eliminating these businesses.

3. Hampton Boulevard

The business mix at the north end of Hampton Boulevard, directly outside the Main Gate (Gate 2) of the Naval Base, was of concern to city officials as early as 1965. An article in *The Virginian Pilot* that year featured a four-column wide photo with the caption: “The city would like to change this” (Hill, Oct. 27, 1965). Dr. Mason Andrews, who was at that time a member of the City Planning Commission, revealed in a letter to the Commission that the Fine Arts Committee and the Commission had been working with the Navy, landowners, lessors, and the Virginia Electric & Power Company to “change the cluttered, garish Hampton Boulevard approach to the Naval [sic] into a showcase for Norfolk” (Hill, Oct. 27, 1965). The Norfolk & Western Railway owned the land outside the Main Gate, on both the East and West side of Hampton Boulevard. Dr. Andrews’s letter stated frankly that a cleanup of Hampton Boulevard would require “a substantial commitment by the public and their officials.” He recommended the

155 Names mentioned by interviewees include: Richard Welton of Smith & Welton department store, Harry Price of Price’s, Kurt Rosenbach of Rices Nachmans, Barry Fine of Fine’s Men’s Shop, Oscar Warner of the Naivette Shop, Harry Mansbach of The Hub, Mayor Fred Duckworth, Roy Martin, and Vincent Thomas, City Council member and physician Mason Andrews, entrepreneur Henry Clay Hofheimer.

following actions: physical changes in the properties; plantings; natural shade; special lighting; addition of public space; and elimination of overhead power lines (Hill, Oct. 27, 1965).

An article in Norfolk's evening paper, *The Ledger-Star*, on the same date, made this observation: "The commission [Norfolk Planning Commission], Fine Arts Committee and City Planning Department staff have been carrying on talks with the Navy; the Norfolk & Western Railway, owner of the property where a collection of clothiers, loan shops and honky-tonks is located; the merchants themselves, and Virginia Electric & Power Company" (Gaudy, messy, Oct. 27, 1965).

One day later, an editorial in the *Virginian-Pilot* noted:

There are a number of reasons why the approach [to the Naval Station] ought to be the priority project. One is the honk tonk jumble there today. The entrance to the world's largest naval base should be a civic showplace. What is envisioned ... would be a comprehensive improvement program touching not only the businesses at the gate serving the sailor trade, but involving landscaping and planting, sign control and complementary lighting, the removal or relocation of overhead wires, and the beautification of public spaces. If it is fully followed through, the Naval Station entrance will become the 'after' in a comparative demonstration of what can be done which may move 'before' merchants elsewhere – Granby Street, Little Creek Road, Wards Corner – to similar ventures (Beautifying, Oct. 28, 1965).

Six months later, a *Virginian-Pilot* article revealed that the Navy and the Norfolk & Western Railway had agreed to terms whereby the Navy would purchase railroad-owned land south of the Naval Station to expand airplane runways and consolidate the destroyer and submarine piers with other piers at the base. Although it appears from this article that an agreement had been made, "the actual transfer of the land has been delayed indefinitely because the Navy lacks capital funds because of the Viet Nam War" (Hill,

Apr. 6, 1966).

One interviewee who was involved in the cleanup process said: “The area around the main gate was a horror to everyone. Visitors to the base had to go past the main gate and it was an embarrassment to everyone, the Navy and the city. There was no real way of stopping it. Outside of the Navy property, the Navy couldn’t take any official position or any legal position. The Navy could only make their disapproval known. When we were touring visitors we would always try to use another entrance to the base, to avoid the main gate” (Interviewee 82002).

According to Norfolk City Council records, the Navy announced its intention to purchase the property outside the Main Gate (Gate 2) of the Naval Base in early 1972. Council minutes dated April 4, 1972, read as follows: [Mr. Thomas H. Willcox, Jr., Attorney for Norfolk and Western Railroad Co.] “stated it is feared that if the Navy moves its main entrance south the present type of development outside the Naval Base gate might also move south, but Norfolk and Western is interested in the well-being of the City of Norfolk and would maintain strict regulations over the property. [He] stated if the Navy moves its main gate there will be commercial property available around it, but they have no plans to use it for taverns, etc.; that it would be possible, however, because commercial uses are included within manufacturing zones” (Record Book of Council, Apr. 4, 1972). However, a 1969 article in *The Virginian-Pilot* indicates that the Navy’s intentions to purchase additional property at the north end of Hampton Boulevard and adjacent to Admiral Taussig Boulevard, located south and east of the Naval Station’s airfields, occurred three years earlier.

The land [the Navy proposes to purchase] fronts on Hampton Roads between Norfolk Naval Station and the Destroyer-Submarine Piers and is the former coal terminal of the old Virginian Railway. It is considered one of the choicest pieces of unused deep waterfront land left on Hampton Roads. Sen. Harry F. Byrd Jr. succeeded this week in inserting \$12.7 million for the purchase in the Senate version of the fiscal year 1970 military construction bill. Expansion plans for the Navy's Sewells Point complex are contained in a master plan prepared by the Atlantic Fleet in 1967. It projects \$58 million worth of construction on the 509.5 acres to be acquired (Hill, Oct. 11, 1969).

It was not until 1973 that funding was ultimately authorized for this purchase.

Congressman G. William Whitehurst, Virginia's Second Congressional District

Representative to the United States Congress, assisted by Admirals R.G. Anderson, A.W. Walton Jr., and V.A. Lascara, broke ground in August 1973 to begin the long awaited expansion project. Congressman Whitehurst is reported as saying that he was "seeking a swift end to a nautical tradition: the 'strip,' a conglomeration of bars, go-go clubs, and uniform shops at the north end of Hampton Boulevard. The new construction site ... will house a cold storage warehouse ... part of 494.8 acres that the Navy has agreed to buy from Norfolk & Western Railway Co. A purchase agreement for the property was signed last September¹⁵⁶ but has not been consummated because of continuing title searches and other technicalities" (Stevenson, Aug. 7, 1973). Referencing the existing businesses, Congressman Whitehurst indicated that he had introduced legislation to authorize the Navy to purchase the leases and evict all the tenants simultaneously. He further remarked that "the Navy doesn't relish becoming a landlord for businesses on the strip, which include massage parlors and adult book stores" (Stevenson, Aug. 7, 1973).

In his published diary, Congressman G. William Whitehurst remembers

Wednesday, September 19, 1973, as a day during which he had an opportunity to designate Federal funds for the Hampton Boulevard land acquisition: “I made a pitch for the Navy to buy up the leaseholds of the clothiers and tavern owners who operated on the former railroad property outside the main gate of the Naval Station in Norfolk” (Whitehurst, 41). The following day, Congressman Whitehurst learned that the funding identified the previous day, \$1.8 million, would not be enough to purchase the leaseholds, and that the Navy needed an additional \$2 million (Whitehurst, 43). Less than two months later, on November 14, 1973, Congressman Whitehurst learned that the Military Construction Appropriations Subcommittee was planning to cut these funds from the budget, “denying the validity of the Navy request for the project, and further, ordering the Navy to present arguments justifying it the next time it is brought up,” which would not have been until the following appropriations cycle (Whitehurst, 64). Facing this setback, Congressman Whitehurst sought additional justification from the Navy:

I’ve got to see what I can roust up from Admiral Walton in Norfolk and get it out to the Members to try to reverse what is a severe setback to my pet project. I feel genuinely badly about the leaseholders, who have been hurt by the transfer of the N&W property to the Navy and the consequent fall in real estate values. Several will face bankruptcy if this thing falls through, and the Navy will find itself an unenthusiastic landlord to some taverns, go-go girls, and a couple of porno shops, as well as the clothing merchants and restaurant owners who operate the leaseholds (Whitehurst, 65, emphasis added).

By November 27, the Congressman had been able to secure project funding in the Senate’s version of the bill, and by November 28, learned that the Senate agreed to appropriate only \$700,000 to purchase the leaseholds (Whitehurst, 84). It was not until

July, 1974, that Whitehurst had the opportunity to secure additional funding for the project, again working with other members of Congress (Whitehurst, 103, 113).

On October 8, 1974, Mrs. Ethel Burchett, 321 Beechwood Avenue spoke before City Council:

[She] stated she has become aware of the fact that the shops at the entrance to the Naval Base on Hampton Boulevard are ordered out on the expiration of their lease and they are moving to other areas. She added her particular concern is the shops were not desirable there and are less desirable when they move adjacent to public schools and residential areas. She continued if people want the peep shows, massage parlors and adult book stores, they should be in an area where people have a choice. Her feeling is that Council must prevent these people from moving into areas where they are not wanted (Record Book of Council, Oct. 8, 1974).

In response, City Council member Claude Staylor¹⁵⁷ (formerly Norfolk Chief of Police) stated “Mrs. Burchett has a very important situation and he feels Council should keep a look out for this type of problem” (Record Book of Council, Oct. 8, 1974).

On November 12, 1974, the City Manager¹⁵⁸ reported to Council that “he had met with a representative group from the Glenwood Park area¹⁵⁹ concerning an adult book store which is going in their area. He stated they had presented petitions, which he has in his office. He advised he had set up a task force to study this problem and will let Council know the outcome of the study” (Record Book of Council, Nov. 12, 1974).

On December 17, 1974, Mrs. A.H. (Pauline) Leibig wrote a letter to Mr. Philip A. Stedfast, Norfolk’s Director of the Department of City Planning. Mrs. Leibig was

157 The same person referred to earlier as Capt. C.J. Staylor, who led a raid against numbers running enterprises in 1948. In a newspaper profile, Mr. Staylor called himself a “traditionalist.” “I haven’t gone to but one movie since they started the X-rated movies. I decided not to patronize an industry that pandered to and contributed to moral depravity” (Kirkpatrick, Dec. 3, 1976).

158 Mr. G.Robert House

159 Glenwood Park is the community located on the East side of Hampton Boulevard, behind the 8200

concerned about what she called “an imminent onslaught of undesirable businesses locating in the Glenwood Park area.” Referencing Mr. Stedfast’s letter of December 10, 1974, to the City Manager “relative to the subject, “Task Force – Adult Book Stores.” Mrs. Leibig asked Mr. Stedfast to “take the action, which is within your power, to prevent undesirable business interests from moving into or abutting the residential area of Glenwood Park. I will define or categorize ‘undesirable business interest’ as any business enterprise which is not open to the general public or which does not contribute to the best interests of the general public or the community which it infiltrates.” Mrs. Leibig wrote that “a simple restrictive clause could amend the zoning ordinance to prohibit the location of all businesses in or abutting a residential zone if that business is not open to the general public or if that business does not contribute to the best interests or general welfare of the community” (Leibig, Dec. 17, 1974).

She continued as follows:

You state that in your view the problem that control of pornography, if in fact it can be controlled, lies outside of the zoning ordinance. I feel, and so do the majority of the residents of this community, that the zoning ordinance is the first, most important, and perhaps the only, practical source to which we can look for solution and relief for it is well known that any business of any type can establish itself in any commercial/residential area if the zoning ordinance does not specifically prohibit it from doing so. I consider your point of view in this matter as an admission that the City cannot control pornography, massage parlors, or any other undesirable business. If this be so, we have come to a sad state of affairs when we must admit that unwanted business interests have more power to do as they please than the City of Norfolk has power to control them! (Leibig, Dec. 17, 1974)¹⁶⁰

block of that main Norfolk corridor.

160 Mrs. Leibig sent copies of her letter to the following: The Honorable G. William Whitehurst, Rear Admiral R.E. Rumble, Mrs. Harvey Lindsay, Mr. Sam Barfield, Mr. M. Lee Payne, and Mr. Donald L.

Mr. Stedfast, in his cover letter to the Assistant City Attorney, Douglas Fredericks, with copies to the City Manager, Chief of Police, and Director of Community Improvement, addresses Mrs. Leibig's letter and states: "The attached letter is self explanatory and is passed on to you and other members of the Task Force. I need your help in preparing a reply. Can you specifically shed light on the court decision cited in the fourth paragraph?¹⁶¹ Do the decisions offer some avenue of control which we should consider? (Stedfast, Dec. 27, 1974).

The "Task Force" referred to by Mrs. Leibig and Mr. Stedfast, as first referenced in City Council minutes dated November 12, 1974, was set up, possibly by Mr. Trapani¹⁶², to control or eliminate Norfolk's massage parlors and adult book stores. Members of the task force included at least two police officers, a member of the Commissioner of the Revenue's office, a member of Norfolk's Inspections Department, and a representative of the Fire Department. Then Assistant City Attorney Douglas Fredericks headed the Task Force. Mr. Fredericks stated that there were 54 massage parlors and eight or nine adult book stores in Norfolk at the time the Task Force was organized, and only two massage parlors and two or three adult book stores left by the end of 1976. The Task Force was given broad guidance from the Assistant City

Smith.

¹⁶¹ The fourth paragraph reads, in part "I realize that it is human nature to take the lesser of two difficult paths and defend that stand behind the decisions or indecisions of the United States Supreme Court or lower courts but I refer you to a recent decision by the Supreme Court which considered five cases of obscenity before it and upheld the five convictions, one of which was local Tidewater case." It is unclear which Supreme Court cases Mrs. Leibig is referencing.

¹⁶² Mr. Fredericks believes that Mr. Trapani might have organized this task force, but is not certain (Interview, Douglas Fredericks, Nov. 29, 2000)

Manager's Office, which in turn worked through the City Manager to implement the policy directed by Norfolk City Council.¹⁶³

City Council minutes dated January 14, 1975, record that a request for change of zoning, from Waterfront Industrial District, WF-1, to Limited Commercial District, C-2, was submitted to Council on behalf of a businessman seeking to "put in a series of retail establishments on the property to cater to the increasing amount of commercial which will be generated in this area of Hampton Boulevard" (8800 block) because of the Navy's purchase of the property immediately north of this block (Record Book of Council, Jan 14, 1975). The attorney for the applicant noted that the businesses outside the Naval Base Main Gate would be vacant by June, 1975, and that additional commercial businesses, such as restaurants, would be suitable for this block. Opponents, including Mrs. Pauline Leibig, expressed their concern that the businesses forced to close because of the Navy's land purchase would simply move south on Hampton Boulevard.

Council minutes state that [Mrs. Leibig] "is fighting for the neighborhood which is close by and once this is rezoned to C-2, every honky-tonk place that is going out of business will come to this location" (Record Book of Council, Jan. 14, 1975). "Mrs. Leibig stated Council should remember that the most important dignitaries who come to our City come from the Naval Base to the Staff College along this route and the City should try to keep it beautiful" (Record Book of Council, Jan. 14, 1975). City Council denied the application for change in zoning.

A *Virginian-Pilot* reporter described "the strip" and the Navy's efforts to improve

¹⁶³ Interview, Douglas Fredericks, Nov. 29, 2000.

the look of the Naval Base's Main Gate:

The place was crowded. It was pay day, and the bar owners on the strip near the Main Gate ... were primed to make up for some of the slow nights. On the runway, a go-go dancer, tassels revolving, gyrated to juke box music. The men below her watched with studied dispassion. "Where is the chicks at," one of the sailors at the booth was saying. "What can you do? Put yourself in the sailor's shoes. You're away from home" Aided by the efforts of Rep. G. William Whitehurst the Navy this year received federal funds with which to purchase the privately owned holdings now on base property. We're moving it just as fast as we can," said Adm. E.W. Walton of the Naval Facilities Engineering Command. He hopes that the complexities of lease-holds and subleases can be unraveled expeditiously and that the strip will disappear by summer. "We're interested in having as good an approach to the base as we can," he said. Added Whitehurst: "The Navy is doing this as a cosmetic move as much as anything else" (Lipper, Jan. 19, 1975).

Lipper compares the businesses outside Norfolk's base as similar to bases in Great Lakes, San Francisco, and San Diego. Several interviewees have also described the old "strip" as similar to the area outside military bases in Rhode Island, North Carolina, and elsewhere. "The strip outside the Main Gate sprouted during World War II, blossomed when East Main Street, in downtown Norfolk, was cleansed in the '50s, flourished in the '60s, and began to stagnate in recent years when increasing mobility and relaxed dress codes¹⁶⁴ enabled the enlisted man to move more easily in society" (Lipper, Jan. 19, 1975).

¹⁶⁴ One interviewee explained this statement as follows: "Up through the early '60s, sailors were not allowed to keep civilian clothes onboard ship. And they were discouraged from wearing civilian clothes anytime. This created the market which was called the locker clubs. The locker clubs were clubs where sailors could store their civilian clothes and change into civilian clothes on their way ashore, depending on how far they wanted to go. The existence of the locker clubs gave birth to another market niche, which was called 'naval tailors.' These naval tailors ... sold sailors tailor-made uniforms. These were the uniforms that were made to fit their figure, and complement their figure best. In many cases, they had embroidered dragons inside their cuffs. And other things like that. Generally 'tailor-mades' did not meet the Navy standards. They couldn't wear those on ship, but they could wear them on shore, if they wanted to wear their uniforms on shore" (Interviewee 81776).

Newspaper articles from 1975 describe some of the problems that a concentration of taverns, locker clubs, adult book stores, massage parlors, and “head shops,”¹⁶⁵ led to:

Natural light isn't kind to the strip. Flaws, decay, age are more visible. The day is cold, the vistas bleak, the look neo-American tacky. It is a minineighborhood in transition. A padlock on the entrance to what was the Playmate massage parlor. Remnants of the past linger. Across the façade of Lovey's bar it still reads Naval Grill, one of the earliest strip establishments. Night on the strip. The neon is switched on, the loudspeakers blare rock music onto the street, the sidewalks become more crowded. A Shore Patrol¹⁶⁶ wagon is parked outside Jack's American [tavern]. Avoid unlighted alleys and parking lots, you are instructed. It's pay day. Evil lurks. Peggy, blonde, a tassel specialist, is taking a break. She started dancing topless on the strip in 1970 and likes her clientele. Ruby Sadler, who manages Lovey's and will move ... to a new location 6 miles away on Little Creek Road agrees: “These kids are learning, they're learning to grow up. I've worked at all the clubs, and I'd rather contend with these kids than with the adults.” You wonder what will happen when the places close. “I'm like everybody else,” she says. “I feel the strip will go to Ocean View.” “Tonight's amateur night,” says a Shore Patrolman. “On pay night, you see guys out here you don't see any other time.” They are two of 37 who patrol the four-city area. Not long ago, 35 would be on the strip at one time. “I would venture to say that between now and 1 o'clock at least one sailor will come up and say, ‘I was robbed,’” says one of the patrolmen. “And what can I do?” (Lipper, Jan. 19, 1975).

In July, 1975, Council minutes show that a citizens committee, chaired by Admiral Richard Rumble, was appointed to monitor land use on Hampton Boulevard and to make recommendations for improvements (Record Book of Council, July 1, 1975).

The Virginian-Pilot reported Rumble's appointment in May, 1975. Admiral Rumble, then Commandant of the Fifth Naval District, was to coordinate both Norfolk's effort and

¹⁶⁵ These stores sold bongos, pipes, cigarette papers, and other paraphernalia and novelties.

¹⁶⁶ The Navy Shore Patrol policed activities of Navy personnel around Norfolk and other cities where military personnel were stationed. Norfolk police officers speak of the custom called a “CTO,” or courtesy turn over, of lawbreaking Navy personnel to the Navy Shore Patrol or “SPs.” It was common for members of the Shore Patrol to apprehend and return Navy personnel to the “brig,” their ships, or to their quarters

the Navy's plans to improve the look of this major thoroughfare. The newspaper reported that "during Wednesday's gathering, several residents of Glenwood Park again expressed fears that these businesses¹⁶⁷ will move south on Hampton and invade their neighborhood.

One woman said that the 8200 block of Hampton [Boulevard] 'scares me to death. She said that a further encroachment of certain types of businesses would force many residents out of the neighborhood.' 'We don't want that,' said Mayor Hill" (Admiral named, May 1, 1975).

Among the members of this Hampton Boulevard committee was Mrs. Pauline Leibig, resident of the Glenwood Park neighborhood. Minutes from the Council meeting of September 24, 1975 include these references to Mrs. Leibig's concerns:

... It is one of the most important streets in the City of Norfolk. The Naval Base is one of the largest bases in the world and the Navy is working very hard to upgrade its area of Hampton Boulevard. Mrs. Leibig presented Council with some pictures of establishments in the 8200 block of Hampton Boulevard and stated this is the only entrance and exit that the residents of this area have to their neighborhood: it is a disgrace to the City of Norfolk. President Hill [Norfolk Mayor Irvine Hill] stated that he intends to make a motion that the City of Norfolk immediately proceed to purchase, and, if necessary, to condemn the run-down area in the 8200 block of Hampton Boulevard for the purpose of constructing a tourist information center. He added this will serve as a starting point of the "clean-up" and "fix-up" of Hampton Boulevard. President Hill stated he is also very concerned over the Ocean View, Church Street, 21st Street, and 35th Street areas. He added the City must do something to protect the neighborhoods and take positive action. (Record Book of Council, Sept. 24, 1975).

One member of this Hampton Boulevard "cleanup committee" had these recollections: "It was friendly persuasion. Wherever [we] saw a sleazy or unkempt

rather than crowd Norfolk's jails.

¹⁶⁷ The article states "Navy plans for the property already have begun to force an exit of taverns, massage parlors, and adult bookstores from the well-known 'strip,' an area just outside Norfolk Naval Station's Gate

business [we] took pictures of it and confronted the person. [We] would say: Can't you do something about making this more attractive? The [person] who was running the business would say I'm leasing it, it's the owner's responsibility. And when [we'd] go to the owner they'd say no, it's the lessor who has to do it. So it was kind of a fruitless thing, but it did get a lot of attention on the strip" (Interviewee 40995)

The interviewees who worked with Pauline Leibig, as well as those to whom she went for help were unanimous in their high regard for her efforts. "She was like a 'bulldog with a bone.' She just wouldn't let up" (Interviewee 40995). "Mrs. Leibig made peach pies for [City] Council to get their attention. In the 1960s the Navy was louder than the community about the Main Gate area. Mrs. Leibig was very active and had a strong civic league (Interviewee 70469). "[Mrs. Leibig] was so persistent. She used to ply the City Council with the best chocolate chip cookies in the world. She was a very persistent lady. She would stay on our case about the needs of the Glenwood community. She was a bulldog when it came to getting the issues of her civic league" (Interviewee 48129).

Some of the businesses that had been operating from the 8600 to the 9800 blocks of Hampton Boulevard moved south, to the 8200 block of Hampton Boulevard, near the Glenwood Park neighborhood. By the fall of 1975, when an adult bookstore and a massage parlor had settled in, neighborhood residents complained to Norfolk City Council. In September, 1975, six of the seven members of Council voted to either purchase or to condemn the strip shopping center on the east side of Hampton Boulevard.

2 at the north end of Hampton Boulevard" (Admiral named, May 1, 1975).

The initial estimate to purchase the land was \$350,000. Mayor Irvine Hill, according to newspaper reports at the time, made the initial purchase/condemnation motion (Hunt, Dec. 19, 1975). Council Robert Summers voted against the motion, and voiced his concern that the action might signal the beginning of an effort by the city to purchase all city land that was occupied by adult bookstores or massage parlors (Hunt, Dec. 19, 1975).

City Attorney Philip Trapani advised the council that the motion to purchase the land would have to be first passed as a city ordinance (Hunt, Dec. 19, 1975). City Council minutes again reflect Mayor Hill's intention to propose a motion that the city purchase the property to construct a tourist information center.¹⁶⁸ Councilwoman Betty Howell "requested that the signs in the 8200 block of Hampton Boulevard be removed from the windows of the establishments, as they are a disgrace to the City of Norfolk, and suggested that Council and members of the staff take a tour of this area and let the establishments know the City's displeasure" (Record Book of Council, Sept. 24, 1975). Mrs. Leibig, in attendance at the meeting, expressed her "confidence in the Council" and said that "the residents [of the Glenwood Park neighborhood] are humble and are grateful, because if something is not done the neighborhood is gone" (Record Book of Council, Sept. 24, 1975). Mayor Hill ultimately proposed that the city purchase or condemn the block, and commented that he hoped the action would lead "to the protection of Norfolk's neighborhoods" (Record Book of Council, Sept. 24, 1975).¹⁶⁹

¹⁶⁸ As referenced previously in the September 24, 1975 council records.

¹⁶⁹ A letter from brothers Abraham and Sol Kaplan to Norfolk's Assistant Real Estate Agent makes it clear that the city did investigate purchasing the 8200 block of Hampton Boulevard. The Kaplans indicate that they cooperated with the city appraiser, but that since their elderly mother was living on the property at the time, they requested information about the city's decision as soon as possible "so that this matter does

Comments of Councilman, and former Chief of Police, Claude Staylor are recorded as follows: “there have been a number of people that have come before Council about similar situations where their neighborhoods were becoming blighted by certain types of establishments. He added Council was told by some of the city officials that it cannot control these things. He continued the people in these establishments thrive on filth, exploit sex, and they want to go into a residential neighborhood and tear down the morality. It is a sad commentary that the Council ... cannot protect neighborhoods from the types of environment that want to encroach on decent society” (Record Book of Council, Sept. 24, 1975).

Another Norfolk resident, Mrs. Penelope Holman, of 126 Beechwood Avenue, made the following comments: “[I] believe that all of the residents of Glenwood Park would agree that while [we] do not approve of this type of business, [we] realize that it has to be because of the type of people there are within our society; and Council should consider setting aside a specific area that a person could avoid if he so desired” (Record Book of Council, Sept. 24, 1975). This remark by a city resident is one of the earliest references to a “Combat Zone” or Boston-style concentrated zoning solution to the control of adult oriented businesses. Vice-Mayor Jordan responded that the Council had recently discussed “the matter of creating an adult village” (Record Book of Council, Sept. 24, 1975). Fifteen other members of the Glenwood Park Civic League were present at the meeting, and the comments of one resident, identified as Ms. Nannette L. Beavers, 404 Forrest Avenue, were recorded as follows:

not course [sic] her further concern” (Letter, Abraham Kaplan, Mar. 29, 1976).

She continued [that] “the residents of Glenwood Park are very concerned about their neighborhood and they have been down to Council many times in the hopes that the Council will help them and give them encouragement. She added she is very happy tonight with President [Mayor] Hill’s motion and they are encouraged that Council is really going to do something for the residents of Glenwood Park and not let them down” (Record Book of Council, Sept. 24, 1975). Councilman Andrews [Dr. Mason Andrews] voiced his concern that the Council might act on the motion without having an “orderly plan,” as well as sufficient information to make a considered decision. He requested that city officials present the Council with alternatives to the purchase option at the next meeting of City Council (Record Book of Council, Sept. 24, 1975).

In June, 1976, internal city correspondence from the City Manager, Julian Hirst, to the Director of City Planning, Philip A. Stedfast, identified several issues:

City Council has expressed its interest in having the Planning Commission review the issue faced by the City along Hampton Boulevard north from Little Creek Road. As you are aware, the incidence of a massage parlor and an adult book store operation next to a residential community have caused considerable expressed concern in the adjacent Glenwood Park neighborhood. As the City looks for solutions to this particular problem, it is evident that the problem can occur elsewhere in the City and that a general response, as opposed to ad hoc measures, may be a more desirable way to proceed.

The City Attorney advises his office is continuing to investigate the nature and type of *police power controls* available under Virginia statute to deal with this problem.

The City Council is interested in the response of the Planning Commission to this issue especially as it pertains to available *regulatory alternatives*, including (but not limited to) the possible *modification of the Zoning Ordinance* in some as yet undefined manner and whether such a step is feasible and would have the desired impacts. (City of Norfolk, Jan. 30, 1976, emphasis added).

City Council minutes of June 8, 1976 report the comments of Councilmen Thomas, Andrews, and Staylor. Councilman Thomas suggested that the city would have to find another way of “disposing of undesirable property;” Councilman Andrews remarked that it would be impractical to purchase the property, as well as precedent-setting; Councilman Staylor suggested that the zoning laws should be improved so that neighborhood blight could be better controlled (Record Book of Council, June 8, 1976). Two votes were taken. In both cases, Councilmen Andrews, Staylor, Summers, and Thomas voted against the motion to purchase the land. Councilmen Jordan and Hill, and Councilwoman Howell voted for the motion to purchase the land (Record Book of Council, June 8, 1976).¹⁷⁰

The Ledger-Star reported that the City Council meeting of June 8, 1976, was a turbulent one for new Councilman Vincent J. Thomas. Representatives of the Glenwood Park Civic League, including Mrs. Leibig, faulted council for overturning the proposal to purchase the 8200 block of Hampton Boulevard for \$280,000. Beebe reports that “the unusual plan for the city to buy the Hampton Boulevard block was devised last year, after it became clear the city could not rezone the massage parlors and book stores out of the neighborhood” (Beebe, June 9, 1976). One resident described the block as “like a sore on your nose. It hurts, it looks bad and you can’t get rid of it” (Beebe, June 9, 1976). The article also states that City Attorney Philip Trapani was working to close the massage parlors through the use of nuisance laws (Beebe, June 9, 1976).

¹⁷⁰ Norfolk has not been the only municipality to consider purchasing property to eliminate adult oriented businesses. The city of Brook Park, Ohio, considered purchasing four adult businesses as recently as 1999

Later that month City Council denied an application by Thomas Cosgrove for a permit to operate a movie theater at 7720 Hampton Boulevard. Walter B. Martin, a representative of the nearby Lochaven neighborhood, spoke against the application. Council minutes show that “residents of Lochaven are opposed to this application because of the type of movies that will be shown there; that it is their feeling these types of movies are not good for the neighborhood...” (Record Book of Council, June 29, 1976).

In July 1976, Mrs. Leibig again came before Council, protesting that the massage parlor in her neighborhood featured a sign advertising “an all girl staff.” President Pro tem [Betty] Howell assured Mrs. Leibig that the city would investigate the signage (Record Book of Council, July 6, 1976).

During that same council meeting, the City Attorney, responding to a request from Councilman Jordan about the advisability of changing Hampton Boulevard from C2 to C1¹⁷¹ zoning, stated that: “he [the City Attorney] is now in the process of working with the Planning Department and the Planning Commission on amendments to the Zoning Ordinance with regard to objectionable uses and will be looking at many areas of the City” (Record Book of Council, July 6, 1976).

In September, 1976, a group of residents, including Mrs. Leibig, appeared before Council to request that no more ABC [Alcoholic Beverage Control] licenses be granted to businesses on Hampton Boulevard (Record Book of Council, Sept. 15, 1976). On

(Bullard, Sept. 20, 1999).

¹⁷¹ C1 zones are limited commercial districts; C2 zones are corridor commercial districts.

September 24, 1976, a unanimous council voted to amend the City Code by adding 16 new sections relating to obscenity (Record Book of Council, Sept. 24, 1976).¹⁷² On October 5, 1976, Mrs. Leibig appeared before Council to protest the approval of an ABC license to a business on Hampton Boulevard. She also stated that residents of Glenwood Park planned to go to Richmond on October 27 to appeal the permit award. Councilman Andrews's response was recorded as follows:

Mrs. Leibig's point is well taken, and [he] moved that three Council members, Mr. Phillips, Mr. Jordan and Mr. Summers, be asked to serve on a committee to work with the City Manager, the City Attorney and other pertinent City departments to examine the situation on Hampton Boulevard, and make recommendations concerning what options may exist to control undesirable uses in this area; further, that Council ask the A.B.C. Board to defer any action on new license applications in this area until Council has had an opportunity to complete its study (Record Book of Council, Oct. 5, 1976).¹⁷³

An article in the *Compass*, a neighborhood supplement to both *The Ledger-Star* and *The Virginian-Pilot* calls attention to Mrs. Leibig, and her persistent efforts to "clean-up" Hampton Boulevard.

Mrs. Leibig, a middle-aged housewife who spends much of her time baking cookies and cakes, has in the past year embarked on a crusade to clean up that thoroughfare. "The most important dignitaries who come to Norfolk have to travel down Hampton Boulevard to the naval base. Well, that street's a dump," said Mrs. Leibig. For several years, she says, she had been concerned about the condition of Hampton Boulevard. But when 'The Strip' began to regenerate in her neighborhood, she and several neighbors mobilized what has proven to be an effective force – the Glenwood Park Civic League. In a year's efforts to combat the invasion, Mrs. Leibig and some other Glenwood Park residents have transformed themselves from housewives into activists. On just about any

172 These sections are numbered 31-84 through 31-99, and amend the sections of the Code of the City of Norfolk, 1958. This section of the Code has been renumbered and is now Chapter 28. See Appendix N.

173 During the Oct. 26, 1976 City Council meeting, Mrs. Leibig requested that the City Attorney accompany members of the Glenwood Park Civil League on their trip to the A.B.C. Board hearing in Richmond. Councilman Conoly Phillips said that he would attend the meeting and he believed that the City Attorney would also attend (Record Book of Council, Oct. 26, 1976).

Tuesday, Mrs. Leibig and comrade-in-arms Merle Cobb can be found at the Norfolk City Council meeting. With the cooperation of the city, the massage parlor on Hampton Boulevard near Glenwood Park was ordered to close before most others in Norfolk. The adult book store which was near it has been closed for two months now. The Glenwood Park Civic League's current project for cleanup of [the street] has to do with what Mrs. Leibig calls "honky-tonks," her word for taverns which cater mostly to servicemen. There are already a couple of "honky-tonks" in the Glenwood Park area and others are trying to move in. Glenwood Park's close proximity to the naval base makes it a prime area for drinking establishments. "Those places are a threat to the neighborhoods," Mrs. Leibig said. So ... Mrs. Leibig and the Glenwood Park Civic League are now spending a lot of time with the Alcoholic Beverage Control (ABC) Board. (Kirkpatrick, Oct. 22, 1976).

The article mentions other fears of the Glenwood Park residents: that if the neighborhood is unable to fight the presence of taverns, property values will decline, and neighbors will start to move out. "People around here are hanging in limbo about what Hampton Boulevard is going to be like in a few years. Some even say that they won't spend any money on their houses until they find out for sure," said Mrs. Cobb (Kirkpatrick, Oct. 22, 1976). It is worth noting that on May 10, 1977, City Council denied an ABC permit to an establishment called "Mary's Other Place," to be located in the 8200 block of Hampton Boulevard. Council minutes included a letter from Philip A. Stedfast, writing for the City Planning Commission, reminding Council that another similar request had been made for the 8600 block of Hampton Boulevard, in March, 1977. The Planning Commission recommended that the request be denied and it was ultimately withdrawn in April, 1977. Thomas Moss, attorney for the applicant, spoke in favor of an ABC license for Mary's Other Place, while Mrs. Pauline Leibig and Mr. James Maloney spoke in opposition to the application. All six council members in attendance voted to oppose this request for an ABC license (Record Book of Council,

May 10, 1977).

It is not clear who instigated the cleanup of “the strip.” Although Norfolk officials expressed their desire to improve the appearance of the north end of Hampton Boulevard outside the main gate as early as 1965, the information available at present does not lead to a definitive answer. One Norfolk resident who was involved with the cleanup responded as stated to the following questions. Question: “Do you know how the area outside Gate 2 was cleaned up? Response: “Yes, it was very ugly. Somehow we [the city] let the Navy buy it. This was an unattractive gateway to the city. The Planning Commission identified the problem and the city pursued it. As a whole, it was not an attractive part of the city. And unattractive parts of the city tend to generate behavior that you don’t want to encourage.” Question: “So it wasn’t really a Navy initiative – it was more of a city initiative?” Response: “That is my recollection” (Interviewee 18292). See current and historical photographs of Hampton Boulevard at Figures 12 – 13.

Another interviewee remembered differently: “The thing that took place on Hampton Boulevard was not because of us. A good strong-minded admiral wanted to do it” (Interviewee 79253).

4. Little Creek – Shore Drive

At the same time that the Navy was acquiring land at the north end of Hampton Boulevard and Congressman Whitehurst was seeking federal money to compensate the leaseholders, three distinct changes relevant to “the strip” were taking place. First, some

of the businesses moved further south along Hampton Boulevard, to the 8200 block¹⁷⁴, and possibly to the 3800 and 3900 blocks of that street. Second, Navy regulations regarding the storage and wearing of civilian clothing by junior enlisted men changed. Third, some of the businesses migrated to another area of Norfolk in direct proximity to a critical mass of potential customers – the Shore Drive-Little Creek area.

Admiral Elmo Zumwalt Jr., Chief of Naval Operations from July 1, 1970 to July 1, 1974, issued a series of operating policies or orders that were called “Z-grams.” Z-5 authorized a pilot program allowing first-class petty officers to keep their civilian clothes with them onboard ships, and wear them off the ship when in a non-duty status. The admiral’s instruction indicated that if the pilot program was successful, it might be extended to second and third class petty officers. Z-68 authorized all petty officers stationed on ships to keep their “civvies” onboard ships and to wear them off the ship while on leave (CNO 231350Z Dec 70 {NAVOP Z-68})¹⁷⁵. With the advent of this policy, the locker clubs lost much of their reason for existing. As one interviewee explained:

You have to bear in mind that up through the early ‘60s, sailors were not allowed to keep civilian clothes onboard ship. This created the market that was called the locker clubs. The existence of the locker clubs gave birth to another market niche,

174 The Victory Grill is currently located at 8612 Hampton Boulevard. It has been in the same location at least since 1946. Nick’s NOB is located at 8700 Hampton Boulevard, where it has been since 1938. The Valhalla, located at 3822 Hampton Boulevard, first appeared in the Norfolk City Directory in 1970. In 1968, a business identified as the Flamingo Restaurant and Lounge was located at that same address. One interviewee recalled Morganna, one of Valhalla’s best known exotic dancers (Interviewee 72570). Foxy Ladies is currently at this location.

175 Z-68 reads, in part, “IN VIEW OF THE ENTHUSIASTIC RESPONSE TO PILOT PROGRAM AUTHORIZING FIRST CLASS PETTY OFFICERS TO MAINTAIN CIVILIAN CLOTHES ABOARD SHIP FOR WEARING ASHORE ON LEAVE AND LIBERTY, PRIVILEGE IS HEREBY EXTENDED TO ALL PETTY OFFICERS ON ALL SHIPS” (CNO 231350Z Dec 70 {NAVOP Z-68}).

which was called ‘naval tailors.’ Well, the naval tailors didn’t survive the change to allow sailors to keep civilian clothes onboard ship. And the locker clubs didn’t survive. To the best of my knowledge, there were no locker clubs and no naval tailors in Ocean View. There were some naval tailors...on Granby Street. But they were not part of that exodus to Ocean View” (Interviewee 81776).

The majority of interviewees confirmed that adult oriented businesses in the East Ocean View area of Norfolk, specifically in the area around the Little Creek-Shore Drive intersection, moved from other areas of Norfolk during a redevelopment phase. When the downtown area, including Granby Street and East Main Street was redeveloped during the 1950s and 1960s, some of the taverns may have moved to East Ocean View. Similarly, when the strip on Hampton Boulevard was torn down, the go-go bars, massage parlors, and other businesses catering to young military personnel moved to East Ocean View.

There is some evidence that East Ocean View began its ascendance as a popular location for adult oriented businesses shortly after East Main Street was redeveloped. A 1960 article discussed a meeting called by Mrs. Pauline H. Keimling¹⁷⁶ to “fight the possible move of current Main street taverns to Ocean View” (View residents, Apr. 1, 1960). Another reference two years later indicates that the move across town had indeed begun. “Are the varied activities of the deceased East Main Street section – including beer and B-girls – springing to life on East Ocean View Avenue? Reon Hillegass told [City] Council Tuesday that 25 restaurants with ABC licenses already exist in the area between Little Creek Road and Chesapeake Boulevard. Hillegass, president of the East

176 Mrs. Keimling was the chairman of the Ocean View Triangle Committee as well as the civic chairman of the Willoughby Civic League and Garden Club (View residents, Apr. 1, 1960).

Ocean View-Little Creek Improvement Association, said that three other operators were waiting in the wings, two of them formerly tavern operators on East Main (Police chief asked, Feb. 7, 1962).

At the February 6, 1962 city council meeting, W. Fred Duckworth, mayor of Norfolk, asked the Chief of Police to find out from the State Alcoholic Beverage Control Board both the number of ABC licenses in the East Ocean View area, and the number of new licenses issued since 1956. When, at the same meeting, Councilman Sam Barfield requested that the city's health department closely monitor the ABC establishments, Councilman L.L. Layton responded as follows: "I am amazed that any member of the council would suggest that Norfolk use its police power to run any business out of business" (Police chief asked, Feb. 7, 1962).

The East Ocean View area of Norfolk is located adjacent to, and just west of, the Little Creek Amphibious Base¹⁷⁷, another of the large naval installations in Hampton Roads. As one interviewed described the area, "East Ocean View is two and a half blocks wide with water on both sides – how does that become a slum?" (Interviewee 50103)

Allgood wrote of East Ocean View that it was "the heir apparent to the seedy tradition of East Main Street and the Hampton Boulevard 'strip'" (Allgood, Sept. 16, 1976). "East Ocean View," he wrote, "includes pockets of blight that would readily qualify for the 'slum' label were they closer to downtown. Owner-occupancy in the section is down to about 15 per cent" (Allgood, Sept. 16, 1976). One interviewee agreed:

“You have to understand the demographics of East Ocean View – where something like 98% of the property is not owner occupied” (Interviewee 50103).

“There is no question that [there was] an increase in either new establishments or in new people taking over older establishments [when the Hampton Boulevard strip was torn down] (Interviewee 50103). One interviewee explained that East Ocean View attracted adult oriented businesses, in part because it was geographically isolated from downtown Norfolk: [Because] “that area is out of the way – the old idea that the Little Creek Amphibious Base has a lot of sailor boys, and they need this kind of thing for entertainment” (Interviewee 03395). “One councilman said that place [East Ocean View] is a stinkhole, let it stay that way. I said it was a stinkhole, that’s why I want to see you clean it up” (Interviewee 03395).

Another interviewee agreed. This person explained that the geographical distance from city center to Ocean View, and from Ocean View to city center resulted in both a lack of interest about downtown redevelopment activities by Ocean View residents, as well as a similar feeling about the beach community by those who lived elsewhere in the city.

Ocean View was another community. Almost a totally different community. I started thinking – we are now building Waterside¹⁷⁸ downtown...why are you spending money on Waterside [asked] the people out in Ocean View? And I said, these people out here don’t care a fiddler’s guitar about what we are doing downtown. They are interested because it’s a part of the city, but that’s about all. And I’ll tell you, the people downtown aren’t interested in what’s going on in Ocean View. They [the residents of Ocean View] just did not have an active,

177 The Navy’s Atlantic Fleet Amphibious Force is located at this base.

178 The Waterside Festival Marketplace, developed by James Rouse, and located on Norfolk’s Elizabeth River waterfront. Opened in June 1983.

vocal representation. When I came here there was formed an Ocean View Coordinating Committee, which was the first time that all the myriad of civic organizations in Ocean View got together and represented the common thought and common bond....Became as strong an influence over the sins of the world as anything has been (Interviewee 79253).

Another interviewee added to the consensus of opinion that the adult businesses left Hampton Boulevard and moved to East Ocean View, and stated that “some of the worst places are down in East Ocean View” (Interviewee 20582). A sixth interviewee speculated: “Some of them [the adult oriented businesses] moved to Princess Anne County, which became Virginia Beach, but I have the feeling that more went to Ocean View and in that area than any where else. The Amphib Base is right there – a profitable place to have that type of tavern. Navy personnel, a lot of young guys, single guys” (Interviewee 94332).

In 1976, one year after the Hampton Boulevard strip was demolished, this description of East Ocean View appeared in the Ledger-Star: “Recently, East Ocean View has achieved considerable local notoriety for an infestation of honky-tonks and sleazy sex-oriented establishments, an unfortunate identification for a beach that also can boast of some of Tidewater’s better restaurants. An unruly element frequenting the area demands extra attention from the police and discourages families from using the beach” (Allgood, Sept. 16, 1976).

The Reverend Herbert H. Smith Jr., minister of the Episcopal Church of the Advent, and at that time chairman of the Ocean View Coordinating Committee asked a rhetorical question:

“Have you ever been inside the ____?, he asked, referring to a nightspot. It’s like

being in the middle of ‘Baretta’ (a TV drama) to watch these characters drifting in and out, making contact, going outside, coming back in a few minutes... What would you do if someone relieved himself on the sidewalk in front of your house? I don’t know how many people have told me of sitting on their front porches and that happening” (Allgood, Sept. 16, 1976). In a companion report, Allgood reported that crimes against the person, including murder, rape, robbery, and felonious assault, had more than doubled in the East Ocean View Avenue-Shore Drive-East Little Creek road area from 1973 to 1975 (Allgood, ...and a surge, Sept. 16, 1976).

Others agreed that order in the neighborhood was being disturbed, by “drunks urinating in the bushes, throwing beer cans all over the place, noise” (Interviewee 50103). “We used to bring up the traffic statistics. On how if you look at the traffic statistics you say they peaked at about 1 o’clock in the morning. We had a large number of what we used to call telephone poles that jumped out into the middle of the street. At 1 o’clock in the morning. And hit a car” (Interviewee 50103).

The Ocean View Coordinating Committee (OVCC) was formed in 1975 (Liwag, Sept. 13, 1979). It linked 27 civic, business, fraternal, and church organizations, with a common purpose of improving the Ocean View area of Norfolk. One interviewee discussed the usefulness of an umbrella group of this sort:

The civic leagues were the driving force. And it was more than one civic league. The surrounding civic leagues understood that East Ocean View adversely affected the rest of the surrounding area. I think that there were neighbors who made the police and the ABC people aware of problems they were having with particular establishments. The communities kept on the city saying ‘you have to go in there, you have to set up safety checks, to put whatever pressure they could on seeing that the places adhere to the rules and regulations’ (Interviewee 50103).

One account describes the efforts of the OVCC to control adult businesses. “It informed the City Council of the area’s needs. It asked for regulations of taverns, bookstores and other adult land uses. The committee lobbied hard for Norfolk’s Adult Use ordinance which regulated location of such adult-use establishments and was instrumental in its enactment in 1977” (Liwag, Sept. 13, 1979).

Efforts to control the adult oriented businesses in East Ocean View actually began with the civic leagues on Little Creek Road. “These people had a problem with ABC establishments along Little Creek Road, and they are really the ones that were able to attack the ABC Commission and their rules and the decisions they made regarding proliferation” (Interviewee 50103). Members of civic leagues including North Camellia Acres, Camellia Gardens, Roosevelt Gardens and others made a practice of attending the ABC hearings, taking every opportunity to protest the proliferation of ABC licenses in East Ocean View. The interviewee explained: “Through their [civic league] efforts, they finally got the precedent set that proliferation was indeed a reason to deny ABC licenses. Once they got that set, the fix was in” (Interviewee 50103).

Another problem that occurred in East Ocean View was the transformation of what originally opened as a family-style restaurant into a go-go bar. For example, JB’s Gallery of Girls started out as a restaurant, as did an operation called the Captain’s Quarters. Because these establishments had already secured ABC licenses as restaurants, it was a simple move to transform into a more adult-oriented business. The interviewee explained: “Six months later when they weren’t making a million dollars they decided to

go to least common denominator....You pick a clientele, and we'll assume they were honest and well-intentioned when they started, operating a wonderful restaurant, but it didn't make the money...and the manner in which they changed kept lowering the standards to appeal to a wider and wider [customer base] – and the ultimate case is the go-go bar – the quasi strip joint” (Interviewee 50103). Another example cited was the restaurant known originally as Pete’s Diner. It evolved into Candy’s Go-Go Girls and was later torn down (Interviewee 54898).

As recently as 1997, the problem continued: “In Ocean View and other neighborhoods citywide, go-go bars and honky tonks grind in locations that began as quiet, family-style restaurants serving beer and wine (Glass, Apr. 26, 1997). The city Planning Department and the Planning Commission again modified the zoning ordinance to make it more difficult for this type of transformation to occur. The Planning Commission recommended that a restaurant could not change the essential nature of the business without obtaining a special exception permit. City Councilman Randy Wright commented as follows: “I’m very comfortable that the community has gotten the safeguards it was looking for” (Glass, Apr. 26, 1997). A public hearing about the changes was held in August of the same year, and on Tuesday, August 26, the new ordinance was adopted. “Among other things, the changes to the city zoning code will prevent a restaurant from adding exotic dancers to its menu without first going through a city review and obtaining a special-use permit” (Glass, Aug. 27, 1997). Residents’ complaints about noise, litter, and crime were also aired at the public hearing (Glass, Aug. 27, 1997).

Residents also complained to the city assessor about falling property values, due, they argued, to the increasing number of ABC licenses in East Ocean View. The interviewee described one response to residents' complaints: "It was their contention that it was the proximity to the Naval Base that did this [caused lower property values] not the ABC licenses. My standard comment was 'let's go to Chesapeake Beach¹⁷⁹ then.' Which is the same proximity" (Interviewee 50103).

Residents and civic league members protested new ABC licenses on a regular basis, although the force of the opposing side seemed formidable at times. Some state legislators were well known for representing clients at ABC hearings. Howard Copeland, a Norfolk lawyer, appeared before the ABC Board on behalf of the Little Creek – Ocean View civic leagues to protest the ABC licenses, and on occasion a city attorney, police officers, and representatives from the city's planning department would speak in opposition to licenses. "But it was very, very difficult to stop an ABC license. That's when Conoly Phillips¹⁸⁰ got involved. And decided that the city needed some way of controlling these licenses – that they couldn't just leave it to the ABC Commission. And in spite of the fact that he was told it was impossible, went to Richmond and got it" (Interviewee 50103). What Mr. Phillips "got" was an amendment to the Code of Virginia specifying that cities with a population between 260,000 and 264,000 could impose a special exception process on establishments serving alcohol.

In fact, Title 15.2 of the Code of Virginia now specifies the following:

¹⁷⁹ Another beach community located at a similar distance from the Little Creek Amphibious Base, but without the proliferation of ABC licenses.

A. A zoning ordinance may include, among other things, reasonable regulations and provisions as to any or all of the following matters: The governing body or the board of zoning appeals of any city with a population between 260,000 and 264,000 may impose a condition upon any special exception relating to retail alcoholic beverage control licensees which provides that such special exception will automatically expire upon a change of ownership of the property, a change in possession, a change in the operation or management of a facility or upon the passage of a specific period of time (Code of Virginia, Section 15.2-2286).

A recent newspaper article amplifies:

Locally, Norfolk is the mother of the regulations [regarding ABC licenses]. In the late '70s, citizens complained that their neighborhoods were being threatened by the proliferation of tavern strips. Modeling itself after a Detroit law that the U.S. Supreme Court upheld, in 1977 Norfolk passed a law regulating adult bookstores, massage parlors, adult theaters and establishments serving alcohol....Since then, the law has cleaned up East Little Creek Road and East Ocean View said Jim Janata, chairman of a 10-civic-league coalition in northeast Norfolk. Whereas once the neighborhoods felt helpless fighting bars at ABC hearings, Janata said, the new laws empowered residents. 'Anyplace you pile up after-hours ABC licenses it is not a nice neighborhood,' Janata said. 'Now we know what we're getting and you can't change it without going back through the process again' (Krauskopf, May 12, 1999, emphasis added).

Another report reveals that Norfolk was criticized for attempting to control ABC licenses with zoning ordinances. A 1982 State Senate bill sponsored by S.J. Stafford, State Senator from Pearisburg, would have overturned the city's authority to limit the density of ABC licenses. Stafford declared that Norfolk's ordinance was contrary to free enterprise and that the ABC Commission should control the issuance of ABC licenses (Alley, Feb. 27, 1982). The bill had already passed the Virginia House of Delegates and was being debated within the upper chamber. One member of a two-busload Norfolk delegation opposing the bill was City Councilman Robert E. Summers. He told the Senate Committee of Rehabilitation and Social Services:

180 City council member, from 1976-1980, 1986 – current.

‘You are our last line of defense against an effort which, if successful, could gut the essence of a city’s rightful jurisdiction over its affairs as delegated from the commonwealth.’ Summers said Norfolk historically has had to deal with high concentrations of adult-oriented establishments such as taverns, adult bookstores and massage parlors, often operating in strips next to residential areas. This, he said, has had a ‘blighting’ effect on some residential sections, particularly along Hampton Boulevard near the naval base and in East Ocean View. He said the city has had concentrations of honky tonks and houses of prostitution that have brought constant police attention, ‘public disorder, fights, drunkenness, profanity and property destruction’ (Alley, Feb. 27, 1982).

Norfolk’s ordinance remained intact, and Norfolk was able to exert some modicum of control over ABC licenses. The bill was defeated on the Senate floor in March 1982. Norfolk State Senator Stanley C. Walker argued that “Norfolk isn’t attempting to usurp the ABC Board’s authority but is seeking to protect the integrity of residential communities. The issue is local zoning laws. Norfolk has gone to great lengths to control blight” (Alley, Mar. 10, 1982).

”With this change in place, said one interviewee, “cities were given the opportunity to say it is a planning issue – not every place is appropriate from a land use issue for an ABC establishment” (Interviewee 50103). Another interviewee described how the city and the ABC Board cooperated to control the proliferation of ABC licenses: “The city helped negotiate an iterative process with the ABC Board. [Norfolk] began to put together quantitative examples – if you could show that an area was besieged or at risk – had a general disorder – trying to get more quantitative and less anecdotal. The city began to keep records and counted the numbers” (Interviewee 70469).

The demolition of the Silver Saddle tavern on Shore Drive in East Ocean View pleased residents and Mayor Joseph Leafe: “We like to preserve our history, but this is

one bit of history that we're all happy to see move on into the history books," said Mayor Leaf. The tavern's January 1986 closing marked "another step in East Ocean View's revitalization effort and struggle to rid itself of bars" (Knepler, Feb. 26, 1986). City planners worked with residents to reduce the clustering of ABC uses in East Ocean View during the mid-1980s (Knepler, Mar. 27, 1986). The department's *East Ocean View Rezoning Proposal* was prepared with the following principles in mind:

- Zoning to enhance development opportunities
- Zoning to achieve desired land use patterns
- Zoning to revitalize neighborhoods in East Ocean View
- Zoning to minimize the creation of nonconformities

Zoning, according to the proposal, "is a complex subject. It is an exercise of the 'police power' of the community which limits the uses of property....Its strength lies in setting out what may or may not be done with a piece of land and in establishing standards for development....New zoning provisions guide future actions; they are not retroactive and cannot force changes regarding past actions" (East Ocean View Rezoning Proposal, p. 1-2). The rezoning plan was adopted by the City Council in 1986.¹⁸¹

Concerns about high-density apartments, absentee landlords, and bars are three consistent themes in newspaper articles about the area. "Homeownership now may be as low as 7 percent...the community also is reputed to be one of Norfolk's most blighted and crime-ridden areas...related concerns include population density, appropriate use of

¹⁸¹ Late in 1999 the original plan was being reevaluated and updated. Councilman Randy Wright, Chairman of the Mayor's Ocean View Task Force sought a review of the plan, to ensure "cohesive and

the beachfront, traffic congestion and proliferation of alcoholic beverage licenses” (Knepler, Feb. 3, 1989). By 1991, members of the East Ocean View Civic League, the East Ocean View/Little Creek Improvement Association, the Camellia Gardens, Camellia Shores, North Camellia Acres, and Roosevelt Gardens civic leagues were all working together to oppose the transformation of one more restaurant to a bar. “‘East Ocean View and Little Creek Road has more than its share of bars,’ said James Janata, president of the East Ocean View Civic League. ‘We’ve been fighting bars in general for years and Zero’s¹⁸² since March. We deal with this on a fairly regular basis. There are restaurants and there are bars. When a restaurant wants to cross the line and keep bar hours, that’s when we come out with both feet’” (Cason, Aug. 8, 1991)

In 1991, the Chairman of the ABC Board, George Hampton, visited the East Ocean View area at the request of Norfolk City Councilman Randy Wright and State Senator Stanley Walker. Wright, who led a guided tour through the area, pointed out the many go-go bars, particularly those located near churches. Janata commented that the go-go bars “impede nearby waterfront development....’Who patronizes the bars?’ Hampton asked. The civic chorus was unanimous: ‘The amphib base’” (Knepler, Aug. 1, 1991).

Credit was given to Deputy City Attorney Daniel Hagemeister and the city’s Planning Commission for adding four “shall nots” to the conditions imposed on businesses applying for special exception permits. The conditions, referenced in Appendix L, require that businesses will not become neighborhood annoyances; will not

attractive” future development (Williams, Nov. 19, 1999).

¹⁸² Zero’s Mr. Submarine had applied to the ABC Board for a mixed beverages permit.

be operated in a loud, offensive, or obnoxious manner; will not permit disorderly or offensive behavior; and will not contribute to a decline in property values (Knepler, Aug. 20, 1992). “For example, planners have felt burned by restaurants that suddenly have changed from a family dining format into a bar featuring loud music. The shall-nots give the city some extra leverage in protecting neighborhood tranquility, said Assistant Planning Director Bill Miner” (Knepler, Aug. 20, 1992).

One interviewee, while acknowledging that the requirement for special exception permits for establishments serving alcohol helped stop the further deterioration of the East Ocean View communities also said: “[The city is] now trying to go there [East Ocean View] and make packages of good things happen. There are still prostitutes hanging around down there. Some of the worst places are down in East Ocean View. And ultimately [redevelopment] is a much better solution than this code stuff. Unless the economic environment gets so positive that private enterprise starts to turn these things – which is what we hope will happen. This is such good property” (Interviewee 20582). The interviewee added that when the turnaround begins, the adult oriented businesses “will be squeezed out” (Interviewee 20582). Another interviewee identified the Norfolk Redevelopment and Housing Authority as being “most instrumental” in the cleanup process, but emphasized: “the clear, single driving force is going to be the entrepreneurial effort to make a buck. And to [take advantage] of the ocean front. The best use and best dollar, revenue-producing faction” (Interviewee 14939).

An advisor to the Mayor’s East Ocean View Committee confirmed that the city did try to help the Ocean View area civic leagues in their efforts to stop the proliferation

of ABC uses. While acknowledging that liquor interests within the state were well represented by several state legislators, often “to the detriment of the constituents,” city government has worked with residents and progress has been made (Interviewee 14939). Referring to the Mayor’s East Ocean View Committee, this interviewee credited Councilman Randy Wright: “he set up probably one of the best examples of participatory government in the city....[He] has a nucleus of people who are representative of that entire area....The network is there, the organization is there” (Interviewee 14939). This person also recognized the work of civic league members: “It is a pain to be on a civic league. You really have to be interested in your community to do that kind of thing. It is a thankless job. The truth of it is, they are the only people out there actively trying to preserve their community” (Interviewee 14939).

Clearly, the numbers of adult oriented businesses, including go-go bars, massage parlors, and ABC establishments, has declined in the last 25 years. “A lot of those places have gone by the wayside. Places like Candy’s Go-Go Girls and Harborside. It was more heavily concentrated that it is today, because a lot of it has been torn down. It has already been demolished and they won’t be able to come back, because they have to go through a use permit process. JB’s Gallery of Girls was just demolished here recently¹⁸³” (Interviewee 54898).

One of Norfolk’s very few adult book stores is also located in this area of East Ocean View, in the 8000 block of Shore Drive. Shore Drive Books sells adult magazines

¹⁸³ JB’s was torn down because it was in the way of a bridge widening project of the Virginia Department of Transportation. It has since relocated across the street, after purchasing an existing bar.

and videos, as well as novelties and sex toys. A 1979 newspaper article described one of the stores near the Little Creek Amphibious Base. “The store has no catchy name. It’s called Adult Movies, Books. [It] gets most of its business from sailors. Before a ship goes out of [sic] the Mediterranean, men come in and stock up on books and movies. Not all the customers are seafaring. A few weeks ago, a 72-year-old woman, widowed for several years, came in and bought a vibrator, a clerk recalled” (Wallace, Sept. 13, 1979). A theater showing X-rated movies was also located in the Shore Drive-Little Creek area. The Showcase theater¹⁸⁴ showed X-rated movies through 1984. One interviewee recalled a period of time in the late 1960s when the same theater showed both “Deep Throat” and “The Devil in Miss Jones” (Interviewee 54898).

All interviewees predict that the East Ocean View improvement trend will continue. Several attribute the trend to the strength and activism of cooperating civic leagues: “The East Ocean View Civic League, in partnership with the Federation of Civic Leagues and the collaboration and coalition of civic leagues working together has changed dramatically what would be there today had it not been for those efforts” (Interviewee 54898). Calling the area “the last bastion of clustered adult uses in our city” this interviewee sees room for improvement in the area, but says: “The cleanup started in the late ‘70s when they went after the massage parlors.... We’re still cleaning up from it, but we’ve come a long way. At one time on East Little Creek Road there were twenty-some outlets of a go-go nature, and now it’s down to just Clancy’s and Lovely Ladies and

¹⁸⁴ Also known as the Showcase Art theater, this movie house featured “Tangerine” in 1981, “Nothing to Hide” in 1982, and “All the Way In,” in 1984.

Bob's Runway" (Interviewee 54898). See Figure 14 for a photograph of some of these businesses.

Another report called attention to the efforts of the City Attorney's office, and Assistant City Attorney Ben Bull. "The concentration of these establishments [adult oriented businesses] tends to cause a blighting effect, and has a psychological effect on people who are considering residential investment in the area. Bull said the work against pornography is tied into what Norfolk is trying to do to the downtown area as well as Ocean View" (Liwag, Sept. 13, 1979). The attorney explained that all Norfolk massage parlors and nude photography studios had been closed by 1979, that topless go-go dancing had been outlawed by means of an anti-public nudity ordinance¹⁸⁵ and that these efforts were "part of general effort to move the image of Norfolk away from the reputation of being a wide-open sailor town" (Liwag, Sept. 13, 1979).

A recent report heralds a new future for the East Ocean View community. The NRHA began looking for a developer to "transform a once-blighted, 90 acre stretch in East Ocean View into a community of townhouses, condos and single-family homes" (Williams, Nov. 26, 1999). Former mayor and councilman Dr. Mason Andrews quantified the extent of Norfolk's commitment to East Ocean View: "In the past six years, \$12 million of city money, a \$6 million bank loan and a \$10 million five-year bond have been committed to acquisition of 90 acres in East Ocean View for neighborhood

¹⁸⁵ The *Code of the City*, Chapter 28, Obscenity, Section 28-12, Commercial public nudity states: It shall be unlawful for any person to knowingly, voluntarily and intentionally appear in public, or in a public place, in a state of nudity in this city, or employ, encourage or procure another person to so appear, or aid or abet another person who so appears. As used in this section "public place" means any place which the public may enter, with or without an admission charge, a place open to public view or any other place open

renewal. Debt service for the bank loan and bonds are paid for by city funds. Four million dollars more in each of the next two years will be required to complete the plan” Andrews, Apr. 11, 2000). Norfolk Mayor Paul Fraim described new waterfront development in East Ocean View as “proof that Norfolk ‘can compete successfully for the premier residential addresses in the region’” (Glass, Mar. 24, 1999).

Credit for the incrementally successful, but still continuing effort to control adult oriented businesses in the East Ocean View area has been attributed to Councilmen Conoly Phillips and Randy Wright, resident property owners, activist citizens such as Jim Janata, the Reverend Herbert Smith and others, the NRHA, with its power to condemn blighted properties, and the combined efforts of numerous Ocean View area civic leagues.

5. Zoning and Special Exceptions

The Zoning Ordinance of the City of Norfolk defines special exception uses as follows: “Uses permitted in particular Zone Districts only after careful review of their location, design, configuration, and impacts to determine the desirability of their development on a given site and the applicability of specific conditions to mitigate potential impacts” (Code of Ordinances, Appendix A, Zoning Ordinance, Article 1, Chapter 2-3).

Among the special exception uses regulated by the Norfolk Code are six adult uses. The code details the special standards and regulations that apply to adult uses. Chapter 25-10.1 of Article V of Appendix A, Zoning Ordinance, describes these special

to the public.

standards as follows:

25-10.1 Adult uses.

(a) **Intent.** Within the city, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances or located in direct proximity to residential neighborhoods, thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing the concentration or location of these uses in a manner that would create such adverse effects. Uses subject to these controls are as follows:

- (1) Adult book store.
- (2) Adult motion picture theater.
- (3) Adult mini-motion picture theater.
- (4) Massage parlor.
- (5) Eating and drinking establishment.
- (6) Entertainment establishment

(b). **Location and extent.** Special exceptions in this class shall involve only property in Zoning Districts as specified in the Tables of Principal Uses set forth in Article II, provided that:

- (1) Except pursuant to section 25-10.1 (b)(4) below, no special exception shall authorize such use or structure less than 500 feet from any Residential District boundary.
- (2) Except pursuant to section 25-10.1 (b)(4) below, all off-street parking spaces serving such uses shall be located at least 300 feet from the nearest Residential District boundary.
- (3) Except pursuant to section 25-10.1 (b)(4) below, no more than two such uses shall be located within 1,000 feet of each other.
- (4) City council may waive the location provisions in section 25-10.1 (b)(1), (2), and (3) above under certain circumstances, if the following findings are made:
 - (aa) That the proposed use will not be contrary to the public interest or be injurious to nearby properties, and that the spirit and intent of this ordinance will be observed;
 - (bb) That the establishment of an additional adult use in the area will not conflict with any council adopted

objectives, plans or programs for the area;
(cc) That the establishment of an additional adult use will not be contrary or detrimental to any program of neighborhood conservation or renewal in adjacent residential areas; and
(dd) That all applicable regulations of the ordinance and special conditions attached to special exception will be observed (Code of Ordinances, Appendix A, Zoning Ordinance, Chapter 25)

These adult uses are permitted only in C-2, Corridor Commercial Districts.

Applicants for special exception permits file an application with the city planning commission. In the application, the business owner or applicant describes the proposed business, and includes such information as the address, legal description, zoning classification, present use of the property, and a scale drawing of the sizes and location of the property's existing and proposed (if any) buildings. After the planning commission receives the application, it will hold a public hearing, giving interested parties an opportunity to comment on the proposed application. The planning commission staff prepares a written recommendation for inclusion during this hearing.

After the public hearing, the planning commission staff makes a recommendation to city council, either to approve, approve with conditions, or deny the application. City council members consider several general guidelines prior to voting on a special exception. These guidelines include (1) whether the special exception complies with ordinance and district purposes; (2) whether it will substantially impair property value; (3) whether it will cause adverse impact on the character of the area or the public health, safety, or general welfare; (4) whether it will interfere with surrounding development; (5) whether there are adequate public facilities to support the use; (6) whether the use will

have a negative impact on traffic patterns; (7) whether significant historic, natural, or scenic features would be destroyed or lost; and (8) whether the use would cause environmental pollution (Code of Ordinances, Appendix A, Zoning Ordinance, Chapter 25).

Corridor commercial districts are found throughout the city, and include more than eight blocks on Hampton Boulevard, north of Sewells Point Elementary School and south of the Norfolk Naval Station; the area of Little Creek Road east of Camellia Road, continuing to the intersection with Shore Drive, and proceeding north on Shore Drive for several blocks. Much of downtown Norfolk, including the East Main Street and Granby Street area, is now zoned D-2 and D-3, Downtown Regional Center District, and Freemason/Granby Conservation and Mixed Use District, respectively.

Several interviewees commented on the special exception process, and the role of zoning vis à vis adult oriented businesses. “Norfolk started out in 1976 with an adult uses special exception ordinance. The five adult uses were establishments for the sale of alcoholic beverages for on-premises consumption, adult movie theaters, adult mini-movie theaters, adult bookstores, and massage parlors” (Interviewee 20830). Entertainment establishments include businesses with go-go dancers as well as establishments with dance floors for patrons. The interviewee added that lingerie studios, where patrons can view live models wearing lingerie, are also considered entertainment establishments by the city, and are thus required to file for special exception permits (Interviewee 20830). This interviewee confirmed that the special exception process is the primary process used by the city to control adult uses. However, “if you have a business or a use in place at the

time that a more restrictive zoning ordinance is passed you can keep it so long as you don't discontinue it for a continuous period of more than two years" (Interviewee 20830).

This interviewee stated that Norfolk's original 1976-special exception, adult use ordinance "was passed primarily because there were people in a section of the city known as Glenwood Park" (Interviewee 20830). This is the area on the east side of Hampton Boulevard, north of the Sewells Point Elementary School, and south of the main gate of the Norfolk Naval Station. "The perception was that the bars outside of Gate 2 were going to move south on Hampton Boulevard and were going to appear in the commercial strip that is the gateway to Glenwood Park. There was tremendous uproar. People wanted protection from those bars. People thought that the Gate 2 bars, go-go places...and all that went with them were going to be transplanted right outside their doorstep. And that was about the same time that the U.S. Supreme Court came out with their ruling in *Young v. American Mini Theatres*" (Interviewee 20830).

According to another interviewee, the actual process of filing for a special exception permit takes from 60 to 120 days to complete. The application is submitted to the Planning Commission, after the city planning department staff completes a written recommendation. The commission reviews the report, sets a public hearing date, and "gets input from the neighborhoods surrounding the property" (Interviewee 42082). The commission then prepares a recommendation for city council. "City Council holds another public hearing and votes on whether to adopt or decline the application. If they adopt the application, then the [special exception permit] is approved and [council] sets the parameters that they [the applicant] operate under" (Interviewee 42082).

Another interviewee added that the Supreme Court's decision in *Young v. American Mini Theatres* was "the landmark case allowing city governments to control adult activities. That was probably the best tool that a city government ever came up with to control such activities" (Interviewee 48129). A fourth interviewee commented that neighborhood residents were instrumental in denying ABC permits to applicants: "Through their [neighborhood] efforts they finally got the precedent set that proliferation was indeed a reason to deny ABC licenses. Once they got that set, the fix was in, and we were on our way" (Interviewee 50103).

6. Control of City-wide Adult Oriented Businesses

a. Massage Parlors.

Norfolk's ultimately successful attempt to control massage parlors began in December 1971¹⁸⁶ and, with one or two perturbations, ended in 1977. One interviewee recalls that in the heyday of this type of business, there were at least 55 massage parlors operating in Norfolk. Classified advertisements such as these were easily spotted in the local newspapers:

MASSAGE GIRL. \$175 guaranteed salary No experience necessary. Business Man's Massage and Health Spa. Call before 12 noon. MASSAGE GIRLS. High class studio seeks only intelligent attractive over 18, desiring stable employment.

¹⁸⁶This date was identified in a letter from Douglas Fredericks, Assistant City Attorney, to Sam Barfield, Commissioner of the Revenue, dated November 4, 1975. Fredericks identifies first the passage of Norfolk City Ordinance 31-10.1, prohibiting cross-sex massages, followed by Judge Merhige's ruling, prohibiting the city from enforcing the ordinance. Following this action, the city turned to the use of prostitution ordinances to control the massage parlors. After November, 1973, the city began to use ordinances prohibiting lewd and lascivious behavior, and the keeping and maintaining of a disorderly house, to close the massage parlors. After a reversal by the Virginia Supreme Court, concerning a conviction obtained under the lewd and lascivious behavior ordinance, the city was again forced to use prostitution ordinances to control massage parlors. The city requested that the Navy place massage parlors off limits, and the Navy did so in June, 1974 (Fredericks, Nov. 4, 1975).

High Income. We train. Olga Swedish Massage. Call 625-9731 for an appointment (Employment, Oct. 16, 1973).

In March 1972, Norfolk Chief of Police, Claude J. Staylor, wrote to the City Manager, G. Robert House, recommending that Norfolk adopt an ordinance regulating massage parlors. Staylor observed that: “these establishments have become a nuisance in the community, inasmuch as some of them are operating as a front for illicit moral activities, as attested to by the number of arrests made at such establishments in the past” (Staylor, Recommendation for Ordinance, Mar. 22, 1972). One week later, Mayor Roy B. Martin sent a note to the Mr. House asking him if “we have given any consideration to passing an ordinance [outlawing massage parlors where they have female operators] similar to those in Newport News and Hampton” (Martin, Massage Parlors, Mar. 29, 1972).

In June 1972, Norfolk City Attorney Philip R. Trapani wrote to Mr. House on the subject of regulating massage parlors. Trapani stated that the Police Department had originally requested assistance from the City Attorney’s office to regulate this type of adult business. Because the city of Falls Church, Virginia was at that time preparing to defend its massage parlor ordinance in the United States Supreme Court, Trapani recommended waiting for a decision by the high court. He did agree to prepare an ordinance similar to the Falls Church ordinance, if directed to do so by the City Manager or City Council (Trapani, Massage Parlors, June 15, 1972).

By September of the same year, Assistant City Attorney Anthony L. Montagna Jr. recommended, in a memorandum to the Assistant City Manager, against adopting an

ordinance prohibiting “artistic modeling studios” as requested by Police Chief Staylor. Montagna reasoned that there were already sufficient city ordinances in place to control prostitution or other “illicit sexual activity” (Montagna, *Artistic Modeling*, Sept. 21, 1972). Sergeant N. O’Neal sent a memorandum to the Norfolk Chief of Police on September 13, 1972, regarding complaints about massage parlors. At that time, there were eleven massage parlors operating in Norfolk, five more than in March of the same year. O’Neal reasoned that the number had increased because of “the passing of ordinances prohibiting massages by the opposite sex in the surrounding jurisdictions.”¹⁸⁷ O’Neal recommended that if Norfolk did not pass a similar ordinance, the city should at least require that the businesses meet minimum Health Department standards prior to license issuance. At that time, six massage parlors were located downtown, three were in the Ocean View area, one in the 9800 block of Hampton Boulevard outside Gate 2 of the Naval Base, and one located in the 6100 block of Sewells Point Road (O’Neal, *Massage*, Sept. 13, 1972).

With these facts in hand, Claude Staylor, Chief of Police wrote to the City Manager, suggesting that “the City Council should take a strong stand in protesting this condition and in providing suitable legislation to cope with it. In the final analysis ... if other localities can adopt effective ordinances that will chase the operators and prostitutes into this city, certainly this city can adopt similar legislation” (Staylor, *Massage*, Sept. 15, 1972). Chief Staylor’s memorandum included this paragraph:

¹⁸⁷ Hampton passed Ordinance number 342 on March 22, 1972; Newport News passed Ordinance number 1600 on March 27, 1972; Virginia Beach passed Ordinance number 397 on April 24, 1972; Portsmouth

“Thirty years ago, in 1942, this city closed open houses of prostitution and ceased regulating them through the Health Department. Should we permit the massage parlors to operate by sanction of the city, there is no doubt that this city will again obtain the reputation it had prior to 1942” (Staylor, *Massage*, Sept. 15, 1972).

Six weeks later, G. Robert House Jr., Norfolk City Manager, delivered to City Council a new ordinance, Section 31-10.1, making “it unlawful for a person to massage another person of the opposite sex in certain instances and providing a penalty for the violation thereof” (House, Oct. 31, 1972). Chief Staylor responded favorably to this ordinance, saying: “As far as I ... am concerned, and in the interest of the community, massage parlors should be out of business. They serve no worthwhile purpose and reflect on the character of the city. As you know, many people today refer to New York City as ‘Sin City,’ and also refer to Baltimore as ‘Sin City.’ The reason for this is that these cities have permitted honky-tonks to take over and are no longer attractive places to visit” (Staylor, *Massage Parlor*, Nov. 16, 1972, emphasis added).

On November 1, 1972, *The Virginian-Pilot* reported that the Norfolk City Council adopted, by a vote of five to one, an ordinance prohibiting cross-sex massages. When the manager of the Miss Masseur parlor, located in downtown Norfolk, announced that massage parlor operators on the Peninsula¹⁸⁸ were planning a lawsuit, Norfolk Mayor Roy B. Martin responded: “Are you threatening us now?” (*Massage parlor law*, Nov. 1,

passed Ordinance number 1972-44, Code 19-89 on August 8, 1972 (O’Neal, *Massage*, Sept. 13, 1972).
¹⁸⁸ Presumably the Hampton-Newport News area of Virginia, which is frequently referred to as the Peninsula.

1972).¹⁸⁹

On December 26, 1972, Judge Robert Merhige, United States District Court for the Eastern District of Virginia, Richmond Division, in civil action No. 595-72-R enjoined the City of Norfolk from enforcing its Ordinance No. 26,623, Section 31-10.1, Body Massage, until further order of that court. Interviewed shortly after the injunction took effect, Judge Merhige was quoted as saying there “‘appeared a likelihood’ that the ordinances [in Norfolk and in Falls Church, VA] violated both the equal protection clause of the U.S. Constitution and the sexual discrimination prohibitions of the Civil Rights Act” (Wilbur, Dec. 27, 1972).

In March 1974, the City Manager, G. Robert House Jr., proposed an ordinance to City Council designed to regulate health parlors. The ordinance required that these businesses must be licensed, specified minimum facilities required, sanitation requirements, health certificates for masseurs and masseuses, and also “no unlawful activities” (Record Book of Council, Mar. 12, 1974). Earlier that same month, a newspaper article quoted Police Chief Staylor, after three raids on Norfolk massage parlors: “He knows my policy of concentrating continually on commercialized vice,” Staylor said of the detective lieutenant [Nathan O’Neal, head of the Intelligence-Tactical Squad]. “And he has an open door to hit it whenever and wherever he can. That’s why we’ve been seeing more lottery and prostitution arrests” (Bayer, Mar. 5, 1974). The article continues, in part, as follows:

¹⁸⁹ Newspaper reports in April, 1972, indicated that massage parlor operators were charged with operating disorderly houses when arrested (Police mum, Apr. 4, 1972; Hubbard, Apr. 15, 1972).

Since 1972, when the rubdown business began to thrive here, city officials have looked on massage parlors as nasty places where sex in one form or another is peddled. Business license records in the office of Sam Barfield, commissioner of revenue, show that the number of Norfolk massage parlors has grown to more than 40 since 1972. Barfield, frequently a vocal commentator on morals in Norfolk, said there is nothing he can do in his official position to keep parlors from getting a business license. Chief Staylor said he has been concerned with the massage business since it began to flourish here and his men turned up evidence of prostitution. "They are giving the city a black eye and they're hurting the downtown section," he said of the parlors. Stronger laws are needed as well as regulations that would help "separate the pseudo-massage parlors from the legitimate health spas and therapeutic massage parlors," Staylor said. (Bayer, Mar. 5, 1974).

At the same council meeting, the owner of the Americana Health Spa and Massage Parlor, located on Tazewell Street in downtown Norfolk, spoke to oppose "certain sections of this ordinance"¹⁹⁰ (Record Book of Council, Mar. 12, 1974). The owner also stated that [he] "had been called a cheap racketeer in the newspaper, been refused to have his ad run in the newspaper, ridiculed, and the Police Department has tried to trap him on a number of occasions" (Record Book of Council, Mar. 12, 1974). Dr. Harry Wise, Director of the Norfolk Department of Public Health, stated before Council that "seven cases of venereal disease have been reported since January 1, 1974, of personnel from massage parlors." He continued by explaining that he treated these cases in his office, and did not know how many other cases had been treated by other physicians. (Record Book of Council, Mar. 12, 1974). The ordinance was approved by a unanimous vote of all seven members of council.

Two years later, Chief of Police A.J. Brown reported to the City Attorney, Philip

¹⁹⁰ Council minutes indicate that Mr. William O. Jordan, the owner, was opposed to the requirement that his employees had to be covered from neck to knees (Record Book of Council, Mar. 12, 1974).

R. Trapani, that since Judge Merhige's order, massage parlors in Norfolk had increased from five to thirty-seven (Brown, Nov. 18, 1974).¹⁹¹

In July, 1974, Commissioner of the Revenue Sam T. Barfield requested assistance from the City Attorney to amend the license ordinance by requiring proof of a health permit prior to license issuance (Barfield, July 10, 1974). That same month, Daniel Templeton, President of Templeton Construction, Inc., sent a letter to the City Manager requesting that the city "discontinue the massage parlor business" in East Ocean View. Mr. Templeton complained that the massage parlors were a blighting influence, that tenants in his firm's apartments complained about the parlors, and that tenants would relocate unless the city moved quickly. "Our firm alone will pay over \$60,000.00 in city taxes this year for properties that we own in the East Ocean View area. We do not wish to be forced out of business because the tenants find the area is undesirable....If something isn't done soon, we are headed for another East Main Street type of area which will destroy property values, and ruin one of the City's most valuable assets for family recreation and tourist attraction (Templeton, July 9, 1974).

In September 1974, Norfolk Circuit Court Judge Wm. Moultrie Guerry convicted Mr. Robert M. Flannery of operating a disorderly house. Although Flannery appealed to the Supreme Court of Virginia and to the U.S. Supreme Court, Judge Guerry's decision was upheld. Records indicated that Flannery's attorney was Thomas W. Moss, Jr. The decision reads, in part, as follows:

¹⁹¹ Another reference cites that by 1974, there were at least 35 massage parlors operating in the city (House, Oct. 22, 1974).

3. Disorderly House: Evidence that defendant owned and operated massage parlor which was reputed to be brothel and in which nude masseuses performed acts of masturbation and oral sodomy for male clientele, was sufficient to support conviction for keeping and maintaining a disorderly house” (216 VA 362, 1975. 218 South Eastern Reporter, 2d Series)

After this decision, the Virginia Supreme Court reversed an earlier conviction that had been obtained under the lewd and lascivious behavior ordinance. According to a memorandum from Assistant City Attorney Benjamin W. Bull to City Attorney Philip R. Trapani, “the City was forced back to the use of the prostitution and soliciting ordinances. We are still using these today with reasonably good success; however, this type of prosecution can only be commenced after the fact. During this time, the City has examined other methods, such as zoning or civil suits for abatement of a nuisance. While little action has been taken along these lines, they continue to be studied for possible future implementation” (Bull, Massage parlors, June 11, 1976).

In May, 1975, Sergeant C.J. Morgante, Vice and Narcotics Unit, made a recommendation to the Commanding Officer in the Vice and Narcotics Unit of the Police Department to close five massage parlors, on Granby Street, Shore Drive, North Military Highway, Sewells Point Road, and East Little Creek Road under the nuisance provision of the Virginia Code (Morgante, May 7, 1975).

From documents in Norfolk’s central files, it appears that the City Attorney’s Office, the Director of Community Improvement, the City Manager’s Office, and the Commissioner of the Revenue’s Office spent much of the fall and early winter, 1975, searching for a method to eliminate the city’s massage parlors (Fredericks, Mobile massage parlors, Sept. 26, 1975; Hirst, Massage parlors [sic], Nov. 18, 1975; Fredericks,

History of city's attempt, Nov. 4, 1975; Windley, Study of massage parlors, Nov. 18, 1975; Monola, Zoning restrictions – massage parlors, Dec. 11, 1975; Monola, Zoning restrictions – massage parlors, Dec. 22, 1975; Trapani, Letter, Dec. 23, 1975). Early in 1976, the City Attorney decided to recommend to City Council that the city enact an ordinance banning cross-sex massages that had been enacted earlier by the city of Cherry Hill, NJ. This ordinance had been upheld by the Supreme Court in the case of *Rubenstein v. Cherry Hill*¹⁹² (417 U.S. 963, 1974).

Documents from the latter months of 1975 indicate that the Navy had been pushing the city to close the massage parlors, as other Hampton Roads cities had already done. One such memorandum, from the City Manager to Benjamin Bull in the City Attorney's Office stated: "They [Admiral Rumble and his staff] have questioned us closely about why the City cannot legally restrict or prohibit them as several other nearby communities have done. The Navy, for their part, have indicated great difficulty in really implementing 'off limits' procedures. In effect, they say such efforts in the past have been virtually futile" (Hirst, Meetings between the Navy, Dec. 8, 1975).

In December 1975, Mayor Irvine Hill asked the City Attorney if Norfolk could emulate the techniques in use to close massage parlors by law enforcement officials in Los Angeles. Councilman Andrews responded by explaining that one technique used in Los Angeles was to threaten to disclose the identity of customers. The City Attorney responded to Mayor Hill that "police are now arresting customers of massage parlors caught in illegal acts ... and this has had a certain dampening effect, especially in areas

¹⁹² *Rubenstein v Cherry Hill Twp*, 417 US 963; 94 S Ct 3165; 41 L Ed 2d 1136 (1974).

where such arrests never took place before. He continued by saying, in reference to massage parlors and adult book stores, “there have been some recent court decisions indicating that there are ordinances which can pass constitutional muster and his staff is presently doing research to see if these ordinances are available” (Record Book of Council, Dec. 23, 1975)¹⁹³

In January, 1976, a letter from the Acting Director of Human Resources [James B. Oliver Jr., also Assistant to the City Manager] summarized a recent meeting with the Navy and stated that: “Phil Trapani pointed out past difficulties in enforcing the City’s massage parlor ordinance but indicated a strategy to repeal our current, contested ordinance and to adopt a new ordinance fashioned after a court-tested ordinance in Cherry Hill, NJ. Mr. Trapani also requested cooperation with the Armed Forces Disciplinary Committee and Admiral Rumble indicated that they would be happy to cooperate” (Oliver, Notes, Jan. 19, 1976). Another memorandum in January, 1976, written from James B. Oliver Jr. to the City Attorney, Philip Trapani, summarized a meeting with Captain Donald Krejarek, Chairman of the Armed Forces Disciplinary Committee. On the bottom of this memorandum is a hand-written note from Mr. Trapani to Douglas Fredericks: “Call this man [Krejarek] and cooperate” (Oliver, Captain Donald Krejarek, Jan. 22, 1976).

In his report to the city manager on the substance of a luncheon meeting with Navy officials on February 13, 1976, Mr. Oliver, who became Norfolk’s City Manager in

¹⁹³ It is likely that the City Attorney’s reference was to *Young v. American Mini Theatres*, 427 U.S. 50 (1976).

1987, wrote: “General discussion about massage parlor enforcement – Doctor Wise [Dr. Harry Wise, Director, Department of Public Health] expressed an opinion that he hoped the Navy will continue to put pressure on the city” (Oliver, Luncheon, Feb. 13, 1976).

On March 5, 1976, Judge Robert Merhige lifted the injunction that blocked the city’s enforcement of its massage parlor ordinance. At that time, the *Ledger-Star* reported 19 massage parlors operating in Norfolk, employing between 60-75 female masseuses (Stein, Mar. 6, 1976). In an interesting turn of events, a later newspaper article advised that ten of the city’s massage parlors had joined together to oppose the ordinance, and had hired former assistant city attorney Anthony L. Montagna Jr. to represent them (Beebe, Mar. 13, 1976). The same article reported that some of the massage parlor managers were contemplating changing their operations to photography studios or so-called “rap parlors,” where customers would be able to talk with “scantily-clad” women (Beebe, Mar. 13, 1976).

Norfolk City Council records show that on March 30, 1976, the City Manager, Julian F. Hirst, wrote to Council to inform them that the restriction had been lifted by Judge Merhige, and that under Section 31-10.1 of the City Code, Norfolk Police had begun enforcement action. On March 12, 1976, the Chief of Police called a press conference to explain the law’s provisions and the city’s enforcement strategy. From March 12 through March 15, police officers visited each of the active massage parlors, and distributed copies of the law at each business visited. Council minutes note that “10 of Norfolk’s 21 parlors have remained open as ‘Rap Parlors’ in which the customer is entitled to engage in conversation with a female companion who is scantily clad. The

prices are comparable to the prices originally paid for massages” (Record Book of Council, Mar. 30, 1976).

From March 1976 through January 1977 members of Norfolk’s Police Department arrested massage parlor owners, managers, masseuses, and customers on a regular basis. In April 1976, police arrested managers, employees, and customers of a rap parlor (Williams, Apr. 2, 1976).

With the U.S. Supreme Court’s decision in *Young v. American Mini Theatres* (427 U.S. 50, 1976), Norfolk found alternative legal methods for controlling massage parlors. In a memorandum from City Attorney Trapani to Philip Stedfast, Director of City Planning, the City Attorney commented:

Now that the U.S. Supreme Court has decided *Young v. American Mini Theatres*, our concerns relevant to the First and Fourteenth Amendments of the U.S. Constitution have been answered in favor of local police power regulation. This case coupled with other authorities offer a wide selection of corrective action available to a city. Assuming that Council desires a combination of controls and outright prohibition, this office has drafted several ordinances. The pure zoning responses, aside from other police power regulations, are few but do offer significant antiblighting, anticombat zone possibilities. (Trapani, Study, July 15, 1976)

Lois Nelson, Executive Director of the Downtown Norfolk Association, was pleased with the additional options available in “the vice fight,” as she called it. “Our downtown has been a victim for a long – long time” (Nelson, Sept. 27, 1976). On November 19, 1976, the City Planning Commission held a public hearing to consider amendments to the Zoning Ordinance of the City of Norfolk. These amendments added five new “uses” to the city’s ordinance, and provided that these uses would be allowed only by use permit, and only in certain zoning districts. The proposed amendments also

required that “any use having an on-premise license from the Virginia Alcoholic Beverage Control Commission shall be permissible only by use permits... (Stedfast, Application, Dec. 23, 1976). The new uses were as follows: Adult Book Store, Adult Motion Picture Theater, Adult Mini Motion Picture Theater, Massage Parlor-Health Parlor, and Establishment for the Sale of Beer, Wine and/or Mixed Beverages for On-Premises Consumption. The memorandum explained as follows:

[The proposed amendment] places five land uses in an “adult uses” category. These uses would be permitted in certain zone districts only if and after the City Council issued a use permit which would allow them to locate at their proposed location. Establishment of the “adult uses” category and the definition of certain land uses falling into that category would not condone or sanction activities that are already illegal. Police power ordinances prohibiting obscenity, commercial public nudity, and cross-sex body massage would still remain in effect (Stedfast, Application, Dec. 23, 1976).

On July 19, 1977, City Manager Julian Hirst presented City Council with the Planning Commission’s proposed amendments. At that time, there were approximately twelve ABC establishments employing go-go dancers operating in the city, along with seven adult book stores, and one massage parlor, the Galaxy, located at Shore Drive and Pleasant Avenue (Consolvo, Area check, July 18, 1977). This ordinance, No. 28,759 was incorporated into the Zoning Ordinance of the City of Norfolk, 1968, as amended, and remains substantially the same at the present time in the City Code of Norfolk, Appendix A, Zoning Ordinance, Article V, Amendments and Special Approvals, Chapter 25: Special Exceptions, 25-10, Special Standards and Regulations Pertaining to Certain Types of Special Exception Uses (See Appendix L of this paper).

Interviewees’ recollections of Norfolk’s attempt to control massage parlors vary.

One member of the city government recalls: “Massage parlors came as a surprise. At first [the city] thought they didn’t have any real regulatory powers and tried to deal with it from the vice point of view. They went into a few massage parlors one night. The city’s attitude was that they had worked for years to present Norfolk as a normal American city, not a bawdy seaport (Interviewee 70469). Another city employee recalled: “[These businesses] were going under the guise of massage parlors but were really businesses for sexual pleasures. The city adopted various measures for each of the massage [studios] to have certain things for the purposes of the masseur. They had to have first of all health permits from the Health Department for the individual masseur; restroom facilities for handwashing; clean towels; lighting had to be at a certain level” (Interviewee 48129).

Another knowledgeable interviewee summarized the city’s efforts as follows: “The girls who were doing massages would perform illegal acts on the undercover officers and they would arrest them. Downtown Norfolk started doing a big turnaround, and we just didn’t want any part of it in the city” (Interviewee 70361). A fourth interviewee remembered the transition from massage parlor to rap parlor to lingerie modeling studio: “The massage parlors disappeared or they would adapt. They’ll come up with another idea. First massage, then lingerie. They would ride the borderline of the law” (Interviewee 31405).

It appears from newspaper and city council accounts that the impetus to close the massage parlors came initially from the Police Department, perhaps from Police Chief Claude Staylor himself. One interviewee attested that “the City Council were very vocal advocates of control. The police were the second group. And the neighborhoods were

the third group that advocated control (Interviewee 31405). Another city official added: “As soon as they open, like massage parlors, we put in undercover officers. The girls who were doing massages would perform illegal acts on the undercover officers and they would arrest them. At the time, we just started closing them up, one by one” (Interviewee 70361).

b. “Dirty Bookstores”

On May 15, 1957, Norfolk merchant Arthur “Bootsie” Goldstein, proprietor of Henderson’s Newscenter, was arrested for selling and distributing obscene material.¹⁹⁴ Prosecuted under Section 18-113 of the Code of Virginia, 1950, as amended, Goldstein was represented by Norfolk attorney Louis B. Fine. The Corporation Court of the City of Norfolk found Goldstein guilty of “possessing, selling, and distributing pornographic literature of a “description manifestly tending to corrupt the morals of youth (*Arthur Goldstein v. Commonwealth of Virginia*, 1958). Goldstein appealed to the Supreme Court of Appeals of Virginia, which court decided the case on June 16, 1958. The conviction was reversed and dismissed “on the ground that so much of Section 18-113 as undertakes to provide a standard of judging obscenity dependent upon the undesirable effect the offensive material may have upon youth is unconstitutional and invalid” (*Arthur Goldstein v. Commonwealth of Virginia*, 1958).

Local newspaper reports indicate that Goldstein was arrested again in 1961, 1962, 1963, and 1964 and arrested and fined annually from 1968 through 1975, 1977 through

¹⁹⁴ The U.S. Supreme Court decided the case of *Roth v. United States*, 354 U.S. 476 (1957) this same year. This case defined obscenity as material that deals with sex in a manner appealing to prurient interest.

1980, 1983, and 1985-1987.¹⁹⁵

During a July 1966 City Council meeting, Councilman Sam Barfield informed fellow council members that he had received complaints about “the caliber and type of pictures being shown at the Towne Theater on Colonial Avenue....He asked the City Attorney if there is any control over the type movies that can be shown, and if there isn’t a point they cannot go beyond in this type of movie. President [Roy B.] Martin stated he does not believe there is anything the City can do; that all the Councilmen have received a number of complaints and the City Attorney has quite a file. He added ... their hands are tied” (Record Book of Council, July 19, 1966). Council minutes note that the City Attorney was present at this meeting, and agreed with the Mayor that nothing could be done at the time (Record Book of Council, July 19, 1966).¹⁹⁶

A letter from the Commissioner of the Revenue, W.R. Moore, dated June 1968, to a member of the City Attorney’s office suggests that there was continuing interest in stores selling sexually explicit materials. The letter indicates that the Commissioner’s office issued Village Books, Inc. a retail merchant’s license “and a license for 8 photo view machines” (Moore, June 14, 1968). Village Books was located in the 100 block of Brooke Avenue, just off Granby Street in downtown Norfolk. 1968 was the year that the

195 A 1978 editorial states that “over the years Mr. Goldstein has amassed three dozen convictions, the bulk of them for trafficking in pornography, and paid out \$16,000 in fines (Law and Bootsie, Apr. 6, 1978).

196 In 1966, the U.S. Supreme Court decided the cases of *Memoirs v. Massachusetts*, 383 U.S. 413 (1966) and *Ginzburg v. United States*, 383 U.S. 464 (1966). *Memoirs* concerned the John Cleland book *Memoirs of a Woman of Pleasure* (Fanny Hill). *Ginzburg* concerned the publisher of *Eros*, Ralph Ginzburg. Both cases were discussed in *The Virginian-Pilot* and the *Ledger-Dispatch* newspapers. See, for example, Gray, Oct. 1, 1966; Bill pushed, Dec. 10, 1966; Mackenzie, Mar. 22, 1966).

Supreme Court upheld a New York District Court's conviction against the Ginsbergs (*Ginsberg v. New York*, 390 U.S. 629).

A newspaper article reported that “pornography first surfaced” at Village Books in downtown Norfolk, “two and a half years ago” (Harper, Dec. 13, 1970). The store's manager, Howard Alexander, was interviewed on the same date. He described his customers as follows: “the bank vice president type ... some in work clothes, some in Hart, Shaffner & Marx suits. There is a great variety; not all our customers are kooks. Most are straight, coming in to see what is happening under the new liberalism. We have a number of husband-wife teams who come in shopping together” (The ‘straights’ also look, Dec. 13, 1970).

A letter from Norfolk City Manager Thomas F. Maxwell, dated July 2, 1968, to the City Attorney asking about “existing laws on sale of pornographic literature” sheds light on the complex problem facing municipalities regarding their ability to control the types of businesses mentioned above. The city sought a method to control stores such as Henderson's and Village Books, with their sexually explicit magazines and books and the Towne Theater, showing sexually explicit movies, and similar businesses.

Hand-written notes on Maxwell's letter, written by an unidentified person include the following comments: “Written to other cities that have enacted ordinances since Ginsberg patterned on that decision – a matter of extreme complexity – constitutional aspects – NIMLO¹⁹⁷ – ordinances from other cities – pending outcome of Henderson case

¹⁹⁷ The acronym NIMLO stands for the National Institute of Municipal Law Officers. The association is now called IMLA, the International Municipal Lawyers Association.

– 1300 items – large amount of each – draft of ordinance requiring precision with clairvoyance” (Maxwell, July 2, 1968, emphasis added).

Lawrence Lawless, an Assistant City Attorney, responded to the City Manager nine days later, and informed him that the City Attorney’s office had received copies of ordinances from other cities, as well as the most recent Supreme Court rulings. The letter continued as follows: “The subject matter is one of extreme complexity involving fundamental constitutional issues projected against a discernable judicial trend of expanding permissiveness. A local case of critical importance, *Commonwealth v. Arthur Goldstein*, is presently pending in Corporation Court and the outcome will indicate the attitude of our local courts” (Lawless, July 11, 1968). Between the date of that letter, and September 26, 1968, Lawless resigned his position, and Manager Maxwell again wrote to the City Attorney, seeking additional information. On October 3, 1968, the City Attorney, Leonard H. Davis, responded that Gordon B. Tayloe, Jr. had been assigned to research the problem (Davis, Oct. 3, 1968).

In early 1971, the manager of the Adult Bookstore, located in the 100 block of Granby Street, along with the owner of Henderson’s¹⁹⁸, in the 300 block of Granby Street, and salesmen in two different Village Books stores were convicted after being arrested and charged under section 18.1-228¹⁹⁹ of the Code of Virginia. This section of the Code made it unlawful to sell or possess with the intent to sell obscene items.

198 Arthur “Bootsie” Goldstein, owner of Henderson’s, was indicted more than 65 times during his long career as a Granby Street merchant. He operated stores at three locations downtown: 237, 311, and 420 Granby Street. A 1986 newspaper article reports more than 40 convictions and \$35,500 in fines for obscenity-related charges (Morrison, Oct. 10, 1986).

199 Section 18.2-374 of the current Code of Virginia makes it unlawful to produce, publish, sell, or

In early 1972, grand juries indicted Village Books, Inc. and Manny's Bargain Books on obscenity charges. Employees of Dominion Books, Sex-A-Rama, Manny's Bargain Books, Monarch Books, Old Dominion Books, Cartunes-Stereo Store Center, Royal Book Mart, and three Village Books stores were arrested for selling obscene items. These stores were located in three areas: downtown Norfolk, on Brooke Avenue, Tazewell Street, and Granby Street; near the Naval Base, in the 9800 block of Hampton Boulevard and the 2200 block of Taussig Boulevard; and in the East Ocean View area, on East Little Creek Road and in the 8100 block of Shore Drive (12 people, Jan. 4, 1972). Arrests of adult book store owners and sales personnel continued through 1988.

A 1973 memorandum from Assistant City Attorney Douglas Fredericks to City Attorney Philip Trapani referenced *Miller v. California* and advised that because of the *Miller* decision, Section 31-59 of the Norfolk City Code would require revision regarding the prohibition against "having obscene materials in the privacy of [one's] own home" (Fredericks, Nov. 16, 1973). Fredericks continued by describing the Supreme Court's "test for obscenity," as refined in *Miller*, and recommended that Norfolk's own test, found in Section 31-59 of the City Code, would have to be rewritten as well. He concluded by recommending that the City need not adopt its own obscenity ordinance, as the Virginia Code covers the subject of obscenity and is "completely comprehensive" (Fredericks, Nov. 16, 1973). In turn, City Attorney Trapani recommended to Mayor Martin that the "Code of Virginia, 1950, as amended, provides in Section 18.1-236.5, et

possess obscene items. Title 18.1 of the Code of Virginia was repealed on October 1, 1975.

seq., adequate protection [to the city]" (Trapani, Jan. 16, 1974).²⁰⁰

Mrs. A.H. (Pauline) Leibig also addressed the subject of the city's adult bookstores. In a letter to Philip A. Stedfast, Director of the Norfolk Department of City Planning, she wrote:

Your report²⁰¹ has clearly circumvented the basic issues which representatives of Glenwood Park and Lochaven presented to the City officials by concentrating your comments on the subject of Adult Book Stores and further taking refuge behind the time-worn ideas that pornography, obscenity, and Adult Book Stores are undefinable. I realize that it is human nature to take the lesser of two difficult paths and defend that stand behind the decisions or indecisions of the United States Supreme Court or lower courts but I refer you to a recent decision by the Supreme Court which considered five cases of obscenity before it and upheld the five convictions, one of which was local Tidewater case. The basic issue is not that of defining pornography or obscenity or Adult Book Stores. We simply ask that you take the action, which is within your power, to prevent undesirable business interests from moving into or abutting the residential area of Glenwood Park. I will define or categorize "undesirable business interest" as any business enterprise which is not open to the general public or which does not contribute to the best interests of the general public or the community which it infiltrates. It would follow then, that a simple restrictive clause could amend the zoning ordinance to prohibit the location of all businesses in or abutting a residential zone if that business is not open to the general public or if that business does not contribute to the best interests or general welfare of the community. You state that in your view the problem that control of pornography, if in fact it can be controlled, lies outside of the zoning ordinance. I feel, and so do the majority of the residents of this community, that the zoning ordinance is the first, most important, and perhaps the only, practical source to which we can look for solution and relief for it is well known that any business of any type can establish itself in any commercial/residential area if the zoning ordinance does not specifically prohibit it from doing so. I consider your point of view in this matter as an admission that the City cannot control pornography, massage parlors, or any other undesirable business. (Leibig, Dec. 27, 1974).

200 Trapani concludes by stating that if City Council wants an ordinance within the Norfolk Code on the subject of pornography, his office would prepare one (Trapani, Jan. 16, 1974).

201 An earlier report by Mr. Stedfast to the City Manager on the subject of adult book stores. This report was not found in Norfolk's central records department.

Mrs. Leibig sent copies of this letter, only part of which is referenced above, to the following persons: The Honorable G. William Whitehurst, U. S. Congressman representing Norfolk, Rear Admiral R.E. Rumble, Commandant of the Fifth Naval District, Mrs. Harvey Lindsay, wife of Harvey Lindsay, commercial real estate developer, Mr. Sam Barfield, former member of Norfolk City Council and Commissioner of the Revenue for Norfolk, Mr. M. Lee Payne, banker, and Mr. Donald L. Smith.

Contemporaries of Mrs. Leibig, interviewed for this study, commented on the Adult Bookstores Task Force. Question: Do you remember anything about this group? Do you remember any of the people [in the group]? Answer: “Yes, Lee Payne, Harvey Lindsay, and Sam Barfield. These guys were part of the Chamber of Commerce too – not Sam Barfield – he was in the city. And of course Bill Whitehurst.” Question: Do you remember how this committee came into being? Answer: “Phil Stedfast asked me to be on a citizen’s planning committee. They were going to look at a number of things and try to set the priorities for the city of Norfolk. I see that Mrs. Leibig was – she was a very nice lady. Mrs. Leibig was tenacious” (Interviewee 40995). Another interviewee remembered Mr. Goldstein: “Everybody loved Bootsie Goldstein, but he was one of the biggest pornographers that came down the track. The police raided and arrested him so many times. But you see this difficulty in enforcing. First thing you’d hear – what is pornography?” (Interviewee 03395).

In 1976, Mayor Irvine B. Hill received a letter from a Norfolk men’s club. Mr. J. Barry Matthews, President, wrote:

“The men of St. Pius X Men’s Club are seriously concerned about the lack of

adequate laws or ordinances for the control of 'adult' literature within our City. The enclosed printed matter is a small sampling of the trash being pandered in our neighborhood and we strongly object. This material was openly displayed ... at Budget Books, Inc., 2328 East Little Creek Road. This particular store is located at the heart of several residential areas and close to six schools....we urge you, in the strongest possible way, to define and press for rapid passage laws or ordinances which will prevent the public display and sale of such material" (Matthews, Jan. 7, 1976).

In September, 1976, the front page of the *Ledger-Star* reported the following, under the headline "Norfolk starts attack on 'porno'": "The city is mounting a full-scale attack, using every weapon in its legal arsenal, on what City Atty. Philip Trapani calls the 'blight' of commercialized sex in Norfolk. Targets will be massage parlors, lewd photo studios, sexually oriented bookstores and movie houses, 'rap' parlors, and topless go-go dancing spots" (Stein, Sept. 2, 1976). According to this report, the City Attorney, while acknowledging the hard work of both Assistant City Attorney Douglas Fredericks and Vice Squad Sergeant Carmen Morgante, gave full credit to the City Council:

They made clear to me that they want something done about this type of establishment. There have been consistent complaints about massage parlors and other 'objectionable uses' because they blight the communities in which they exist. Parts of Boush Street and the lower end of Granby Street and some areas in Ocean View are good examples. And, Trapani says, one of the reasons the government bought up land around the main gate of the Naval Base was its deterioration into a strip heavy with massage parlors, 'adult bookstores' and the like. (Stein, Sept. 2, 1976).

An interviewee agreed with Trapani's comment. Responding to the question "who has been the most influential regarding Norfolk's policy toward controlling adult oriented businesses, this person responded: "It was the City Council" (Interviewee 18103). At least one aspect of the motivation behind the drive to control adult uses is revealed by the following statement: "There are other ways to view the man [Arthur Goldstein]. As a

fighter for freedom. As a businessman trying to meet an existing demand. As a chronic lawbreaker. As a colorful character. Or as the proprietor of a shop that sticks out like a gangrenous foot on a shopping mall that \$17 million in private and government funds have tried to spruce up" (Morris, Nov. 23, 1980, emphasis added).

In 1977, ten years after *Ginsberg v. New York*, four years after *Miller v. California*, and one year after *Young v. American Mini Theatres*, city council members studied the adoption of an ordinance concerning the sale and display of adult materials. City Council minutes read as follows:

Pursuant to action of the Council on January 4, 1977, under the State law, Public Notice having been inserted in the local press by the City Clerk, Public Hearing was this day held, on the application of CITY PLANNING COMMISSION, by Philip A. Stedfast, Executive Secretary, to amend the "Zoning Ordinance of the City of Norfolk, 1968" as amended, so as to add new uses to be know as Adult Book Store, Adult Motion Picture Theater, Adult Mini Motion Picture Theater, Massage Parlor-Health Parlor, and Establishment for the sale of Beer, Wine and/or Mixed Beverages for On-Premises consumption; to define such uses and to provide regulations so as to permit such uses only by use permit in certain zoning districts; to prohibit such uses in other districts; to require that any use having an on-premise license from the Virginia Alcoholic Beverage Control Commission shall be permissible only by use permits and to provide for City Council to grant waivers under certain conditions....(Record Book of Council, Feb. 1, 1977).

In March, 1977, City Councilman Conoly Phillips and City Attorney Philip Trapani visited the managers of the Omni Hotel, the United Virginia Bank Building and the Norfolk International Airport in an attempt to persuade them to "remove certain pornographic material from their newsstands" (Record Book of Council, Mar. 15, 1977).

Although an editorial in the *Virginian-Pilot* called it an "extralegal city hall crusade" (Extralegal, Mar. 13, 1977), Councilman Phillips described his efforts as an attempt to upgrade the city's image (Hunt, Mar. 11, 1977). The efforts by the councilman

and the attorney to encourage various Norfolk businesses to voluntarily remove adult oriented materials from their shelves, characterized as “friendly persuasion” (Hunt, Mar. 11, 1977) by Phillips, were controversial (Extralegal, Mar. 13, 1977; Hunt, Mar. 11, 1977). Mayor Vincent Thomas said “I think what they have done comes under the heading of jawboning” (Hunt, Mar. 11, 1977). Trapani explained the campaign in this manner: “There just are certain types of activities that are in the best interest of the commercial revival of downtown” (Hunt, Mar. 11, 1977). The editorial writer countered by stating that: “‘community standards’ are for a jury to determine. The United States Supreme Court in 1973 ruled (*Miller v. California*) that obscene materials would have to be assessed in terms of them [community standards]. The term is tricky. But for City Councilman Phillips and City Attorney Trapani to present themselves as the ‘community’ is for them to be personally presumptive and officially audacious” (Extralegal, Mar. 13, 1977).²⁰²

Several months later, Norfolk City Council began to debate an ordinance, similar to one adopted earlier in Virginia Beach, that would make it illegal for businesses to sell or loan sexually explicit materials to juveniles, or to display them where anyone under 18 could see them. The *Pilot* reported that “City Councilman G. Conoly Phillips now is spearheading a drive to at least force it [pornography] under the counter. Phillips’s latest ... campaign seems destined to be more successful than earlier attempts by him and City Atty. Philip R. Trapani to persuade newsstand dealers to stop selling magazines that they

202 A reporter credits three men for Norfolk’s anti-obscenity ordinance: “It is the brainchild of City Councilman G. Conoly Phillips, City Atty. Philip R. Trapani, and Commissioner of the Revenue Sam T.

found objectionable (Hunt, Sept. 26, 1977).

Norfolk residents spoke both for and against these efforts, during council meetings in March, April, and October, 1977. Organizations such as the Tidewater Chapter of the Society of Professional Journalists and the American Civil Liberties Union opposed the ordinance (Record Book of Council, April 19, 1977; Sept. 21, 1977). Groups including the Norfolk Federation of Civic Leagues spoke in favor of the ordinance (Record Book of Council, Oct. 18, 1977). Other groups, such as Planned Parenthood, Family Service/Travelers Aid, and the Tidewater Rape Information Services, Inc., simply asked Council to give them time to study the proposed ordinance (Record Book of Council, Sept. 21, 1977).

In October, 1977, the City Code was amended by Ordinance 29,172. This ordinance added section 31-101 to the code, and made it “unlawful knowingly to sell, loan, exhibit, expose or display to juveniles certain materials representing, describing or depicting specified sexually related matter which is harmful to juveniles; defining ‘juvenile’, ‘sexually explicit nudity’, ‘sexual conduct’, ‘sexual excitement’, ‘sodomasochistic abuse’, ‘harmful to juveniles’ and ‘knowingly’” providing punishment for the violation thereof; and providing exceptions to the application thereof” (Record Book of Council, Oct. 18, 1977).

These two ordinances, one amending the city’s zoning ordinance, the other amending the city code, established a solid, court-tested legal basis for the city to control the location of adult oriented businesses, and the sale of sexually explicit materials to

Barfield” (Hardy, Apr. 18, 1979).

juveniles.²⁰³

One interviewee recalls the events:

The state had laws concerning these things [sexually explicit materials] that had been passed. But we saw that the state officials, the Commonwealth Attorney's Office, they were not enforcing the laws. The city had enabling legislation. We passed parallel laws with the state. What was a state violation became a city violation. That enabled the city to go after these adult uses. What triggered it was the fact that there was a lot of public outcry about dirty books, *Hustler*, even *Playboy*. We noticed that our airport had these books. Our city attorney, Phil Trapani, was concerned about this. We had the best attorneys in the nation coming in here to Norfolk to defend against these [Norfolk ordinances]. We went after the massage parlors, the bookstores. The X-rated movies and the topless go-go [bars]. When the Detroit ordinance came in (*Young v. American Mini Theatres*), it gave the cities the right, as I understand it, to control adult uses. We went for it. And the thing about it is – we were upheld in the courts. The city had the authority to do it. (Interviewee 18103).

By 1986, almost 40 years after Mr. Goldstein first started selling magazines in downtown Norfolk, and after being indicted more than 65 times, the City Attorney's office filed suit to close Goldstein's business permanently. The suit charged him with operating an adult bookstore, a type of business not allowed at Granby Mall, which was designated a special public-interest district (Morrison, Oct. 10, 1986). The *Virginian-Pilot* reported: "Trapani denied that he was under political pressure to get the bookstore, which features highbrow journals as well as earthier ones, out of Granby Mall, an area that city officials have been trying to upgrade and renovate in recent years. 'It's just normal code enforcement,' Trapani said" (Morrison, Oct. 10, 1986). An editorial written after Goldstein's murder²⁰⁴ in 1989 explained further: "The city's inability to control the

203 Chapter 28, Obscenity, Article 11, Sections 28-31 through 28-36, Offenses Relating to Juveniles, replaced the original Section 31-101 of the Norfolk City Code, 1958, as amended.

204 Goldstein was shot and killed in his Granby Street store in June, 1989.

sale of pornographic literature at his Granby Street business was one of the reasons the City Council adopted a stringent anti-pornography ordinance in 1977” (Bootsie, June 17, 1989).

c. Dance Halls and ABC Permits

The city’s efforts to control the location of dance halls is evident in City Council records in 1945 and earlier. One request made by Ulysses Gee for permission to operate a dance hall at 701 Smith Street was denied because the police department (at that time, the Police Division) recommended against it. Charles Borland, City Manger in 1945, denied Mr. Gee’s request because “this location has been the source of numerous complaints; that it has been a hang-out for juveniles, and the conditions that have existed there have, no doubt, contributed much toward their delinquency” (Record Book of Council, Jan 23, 1945).

A hearing was held on May 1, 1945, to determine the license cost for a public dance hall. The recommendation at that time was for a license tax of \$150.00. There were no objections to the proposal, and it was passed (Record Book of Council, Apr. 10, 1945). Permission to operate a dance hall at 7726 Hampton Boulevard was approved on December 1, 1945, after police, fire department, and building inspector investigations (Record Book of Council, Nov. 27, 1945).

More than twenty years later, the process continued, with the application of Mr. John B. Hauck to operate a public dance hall at 123 Brooke Avenue, in downtown Norfolk – the Congo Lounge. After investigations revealed that the area was correctly zoned, and that neighborhood residents did not object, the permit was approved (Record

Book of Council, Dec.12,1967). In October, 1967, Council approved the application of Jack Kane for a dance hall permit to be issued to the Jolly Roger, located at 9660 Shore Drive. At the same session, a permit was approved for Mortimer Eisen to operate a dance hall at the Beachcomber Restaurant, located at 9882 Hampton Boulevard (Record Book of Council, Oct. 3, 1967).

One week later, another permit was approved for a dance hall at 8131 Shore Drive, called the Cozy Inn (Record Book of Council, Oct. 10, 1967). A November, 1967 application by Abraham Rines, for the MCA Grill, 8155 Shore Drive, was denied because both the Director of Public Safety and the Police Chief recommended against the permit, “due to the police record of the applicant” (Record Book of Council, Nov. 28, 1967). Norfolk Mayor Roy B. Martin commented, during the city council session, that “in matters of this kind Council has had to rely very heavily on the recommendations of the Director of Public Safety and the Police Chief; that council feels establishments of this type are necessary in the community, but when it gets a recommendation like this, he does not see how it can do anything but go along with the recommendation” (Record Book of Council, Nov. 28, 1967).

In December of the same year, Joseph Feinhor, President of the Royal Palm Grill applied for a dance hall permit for the Gator²⁰⁵ Lounge, 8158 Shore Drive. After an investigation, this permit was approved. In 1970, the city code was amended on the request of Councilman Hurst. A new section 31-84 was added requiring that

²⁰⁵ The word “gator” is defined in Navy parlance as a sailor who serves on an amphibious ship. The “gator navy” is the amphibious navy. The Little Creek Amphibious Base is located within walking

“conspicuous” signs be displayed at any business with go-go dancers or topless waitresses (Record Book of Council, Jan. 19, 1970). The following year, City Council denied the application of Willie S. Stephen, who had applied for a dance hall permit at 9882 Hampton Boulevard. Norfolk police objected that this business, trading as the Celebrity Lounge, was known to cause problems both for the police and the Navy’s Shore Patrol (Record Book of Council, May 18, 1971). At the same time the city was denying dance hall requests on Hampton Boulevard, it was continuing to approve requests for the East Ocean View Area. Ahab’s Restaurant, 1009 East Ocean View Avenue, applied for and received a dance hall permit in June 1971.

On March 18, 1977, the City Planning Commission held a public hearing to consider the application by Mom’s Tiny House, Inc., 860-4 Hampton Boulevard, for a use permit to operate an establishment for on-premises sale and consumption of alcoholic beverages. The commission denied the application based on objections from nearby residents. The application was withdrawn from consideration on April 5, 1977 (Record Book of Council, May 10, 1977).

Also in 1977, Council denied a use permit to the Galleon Club, 8156 Shore Drive, for permission to sell beer, wine, or mixed beverages for on-premises consumption (Record Book of Council, Dec. 6, 1977). By 1978, Council had begun to deny dance hall permits in East Ocean View as well. A request for a public dance hall license for Liz’s Blue Diamond was denied “due to the numerous other businesses in the vicinity with dance hall permits and ABC licenses.” Council minutes also note that there was

distance of the old Gator Lounge.

neighborhood opposition to this application (Record Book of Council, Jan.10, 1978).

In 1978, an amendment to the Virginia Code appeared, initially at least, to prohibit local government regulation of combined restaurants and dance halls. Delegates Johnny Joannou of Portsmouth and Thomas Moss of Norfolk (Record Book of Council, May 9, 1978) introduced the legislation. Council minutes note that:

The track record of restaurant dancing facilities is related to frequency of fires, crowding, block of exists [sic], parking inadequacy, traffic problems, and vice activities and has a major impact on City services. Doing away with the permit process will result in the necessity of frequent and periodic inspection and potential litigation. The permit process that the City presently has gives us proper checks and balances on traffic and parking. No other State Code section deals with outside spinoff effects of restaurants licensed to serve food and beverages. As passed, the Bill provides that a restaurant having a dance floor with an area not exceeding 10% of the total floor area of the establishment, shall not come under code requirements for dance hall permits. We feel that Council should be made aware of the potential problems, potential for complaints and lack of enforcement tools as a result of the action taken by the General Assembly in this matter (Hirst, May 9, 1978, emphasis added).

In June, 1978, City Manager Julian Hirst recommended to Council that the city's dance hall ordinance be amended due to the "passage of House Bill 635 defining a public dance hall as one that must have an excess of ten percent of its floor area for dancing before it comes under local scrutiny." Council agreed, by a vote of five to zero, to amend the city's ordinance "so as to provide that a restaurant licensed under sections 4-98.1 and 4-98.2 of the Code of Virginia to serve food and beverages having a dance floor with an area not exceeding ten per centum of the total floor area of the establishment shall not be considered a public dance hall" (Record Book of Council, June 27, 1978). Currently, a public dance hall is defined by the Norfolk Code as:

...any place open to the general public where dancing is permitted, to which an

admission fee is charged, or for which compensation is in any manner received, either directly or indirectly, by cover charge or otherwise, or where refreshments or food or any form of merchandise is served for compensation before, during or after dancing; provided, however, that a restaurant licensed under sections 4-98.1 and 4-98.2 of the Code of Virginia to serve food and beverages, having a dance floor with an area not exceeding ten (10) percent of the total floor area of the establishment, shall not be considered a public dance hall.

In 1985, City Council amended Norfolk's dance hall ordinance, requiring a permit for any dance open to the general public, and allowing the city manager to revoke or refuse to issue the permit under certain circumstances, including the following:

The applicant has been convicted of a felony; has maintained a noisy, lewd, disorderly or unsanitary establishment; is a person to whom alcoholic beverages may not be sold under the provisions of title 4 of the Code of Virginia (Code of Ordinances, Chapter 5, Article II, Division 2, Section 5-43).

Dance halls, go-go bars, and other entertainment establishments with on-premise Alcoholic Beverage Control licenses are strictly regulated by the city. Norfolk, taking advantage of the Supreme Court decision in *Young v. American Mini Theatres* (427 U.S. 50) of 1976, passed the ordinance referred to above as No. 28,759. This ordinance regulated adult bookstores, massage parlors, adult theaters and mini-theaters, and establishments serving alcoholic beverages for on-premises consumption. A recent newspaper article reports the following:

In the late '70s, citizens complained that their neighborhoods were being threatened by the proliferation of tavern strips. The city's large navy population presented many opportunities for potential nuisances to open, said Norfolk Councilman G. Conoly Phillips. 'Navy officials did not appreciate the city of Norfolk's ability to permit bars, but we weren't able to limit them,' Phillips said. Norfolk was specifically concerned with those businesses near residential neighborhoods and those that were clustered together. 'The premise of our

ordinance is that concentration is a problem,' said Lenny Newcomb, Norfolk's zoning administrator. The changes – unprecedented in Virginia at the time, said state officials – were not without controversy. Restaurant owners objected to being placed in the so-called 'objectionable uses' category. Then, a Hampton Boulevard restaurant took Norfolk to court. The owners of Mom's Tiny House had received a state ABC license, but were denied a city adult-use permit. In 1981, the fight reached the state Supreme Court, which ruled in favor of Norfolk, saying that cities have the right to determine where restaurants are located. (Krauskopf, May 12, 1999, emphasis added).

Two interviewees commented on the passage of this ordinance as it related to ABC licenses. "Philosophically, you have to understand that the ABC (Alcoholic Beverage Control) people are in the business of selling alcohol, so you don't destroy your customer base if you don't have to. And also many of the legislators were making their livings defending ABC applicants before the ABC Board. It's no secret" (Interviewee 50103).

Describing the process that led to greater city control over ABC establishments, the interviewee continued by saying: "It was very, very difficult to stop an ABC license. I guess that's when Conoly Phillips got involved....And in spite of the fact that he was told it was impossible, went to Richmond and got it [local control]" (Interviewee 50103).

Another interviewee agreed: "When the Detroit ordinance came in, it gave the cities the right...to control adult uses....Up until that time, ABC licenses were given out by the State only. The State ABC Board. During those days, and it still is happening, state legislators represented the applicants" (Interviewee 18103). Members of Norfolk City Council went to the City Attorney's office for advice, and the city attorney agreed that with the *Young* decision, cities could more easily control the density of adult oriented businesses.

The ABC license application process begins when an applicant files with the local Alcoholic Beverage Control office. This office sends a copy of the application to the city attorney's office, which office transmits the application to the police department and to the city planning department. At that point, the following actions occur: the city attorney's office sends a questionnaire to the applicant, requesting additional operational information; the planning department sends a letter to each civic league in the area where the applicant plans to operate and asks for community feedback about the proposed use; the police department investigates both the applicant and the proposed ABC managers and forwards these to the city attorney's office. The police department also forwards information on "calls for service" at the applicant's location, if applicable. The planning department also notifies the applicant if a special exception permit is required, and advises the applicant about the special exception process.

The city attorney's office evaluates the police reports, and forwards a recommendation to the planning department. That department reviews the civic league comments, the city attorney's recommendation, and makes a recommendation to an assistant city manager approving or disapproving the application. If the recommendation is for approval, a letter of agreement goes from the assistant city manager's office to the ABC office. If the recommendation is for disapproval, the planning department prepares a letter for the city manager's signature, stating the objections. This letter goes forward to City Council, with a request for council's direction. After council provides the requested direction, all relevant city agencies, as well as the ABC office, are notified (ABC License Application Process).

Both the Virginia Administrative Code (VAC) and the Virginia Code (COV) regulate the sale of alcoholic beverages throughout the Commonwealth of Virginia. Title 4.1 of the Code of Virginia is the Alcoholic Beverage Control Act (ABC Act). Regulations of the Virginia Alcoholic Beverage Control Board are covered in Title 3 of the VAC. The ABC Act created the Virginia Department of Alcoholic Beverage Control as the commonwealth's administrative and enforcement body regulating the sale and use of alcohol. In turn, the Alcoholic Beverage Control Board oversees the administration of ABC laws (Virginia ABC Retail Licensee Guide).

Section 4.1-225 of the COV regulates the following categories of prohibited conduct: drugs, violence, gambling, sexual activity, and nudity. Regarding the latter two activities, licensees are forbidden to “allow any lewd, obscene, or indecent conduct, literature, pictures, films, slides, or videos on the premises (COV §4.1-225). The following acts are considered lewd and disorderly and are not allowed on the premises of an establishment with an ABC license:

- Any real or simulated sex acts by customers or employees
- Fondling or caressing one's own or another's breast, genitals, or buttock.
- Entertainers are allowed, but “total nudity” is not. No display of any portion of the genitals, public hair, anus, or breast below the areola is permitted. Furthermore:
 - (a) Customers are not allowed to touch entertainers who are not fully clothed;
 - (b) No disrobing or striptease acts are allowed in mixed beverage establishments.

(c) As long as entertainers are separated from the customers by a stage or platform, they are granted more freedom in terms of how much of their bodies can be displayed (Virginia ABC Retail Licensee Guide).

7. Code Enforcement and the Navy's Role

Several of the people interviewed for this paper commented that one of the methods Norfolk used to control adult oriented businesses was by vigorous, sustained code enforcement.

One described the contrast between Norfolk and some of its neighbors: "Enforcement has probably been stronger [here] than anywhere else....From Thomas Maxwell²⁰⁶...to the present city manager, Regina Williams. They've all enforced the law very strictly. And that's because it's what the people want" (Interviewee 72570).

When asked about Norfolk's policy on controlling adult oriented businesses, another respondent replied: "Norfolk is really big now on codes enforcement. That is the key to anything in the city of Norfolk as far as abatement" (Interviewee 70361). Several respondents remarked that Norfolk has applied an integrated approach to controlling adult oriented businesses, using a combination of health inspectors, fire inspectors, building inspectors, along with code enforcement (Interviewees 70361, 18103, 48129, 94332, 18292, 31405). For example, one interviewee replied that Norfolk used "law enforcement to health methods to zoning...a combination of all of those helped in the control of such businesses" (Interviewee 48129). Another described the city's multiple strategies as follows: "A vice squad that made frequent checks of the different

establishments to ensure compliance with the law. The health department inspectors made frequent checks. Aggressive enforcement of [cross-sex massage] ordinances helped keep [those businesses] under check” (Interviewee 31405).

This interviewee suggested that various city departments were proactive in their approach to the business community. “Also something we do in Norfolk that may be a little bit different. We go down and meet with the businesses and give them a copy of all of the regulations that govern that particular business, and let them know that we enforce them. We make them aware of what the codes are. We have a group of people, from police, fire, health department, planning that make visitations of the bars on a routine basis, to make sure they are in compliance with the codes” (Interviewee 31405).

Another interviewee described the difficulty in enforcing anti-obscenity laws, specifically in regard to adult video stores: “the videos are a little pernicious” (Interviewee 18292). Another interviewee credited the police department: “I think basically that the Police Department following up on whatever the ordinances of the city of Norfolk are” (Interviewee 94332).

In the mid-1970s, City Attorney Philip Trapani confirmed that vigorous code enforcement was city policy. A reporter, interviewing Trapani, noted that the city’s efforts to control adult oriented businesses were coordinated among several departments and agencies, including health and building inspection divisions. “Trapani makes clear that the laws will be enforced to the fullest degree” (Stein, Sept. 2, 1976).

The Navy also played a role in controlling adult oriented businesses, and to some

extent continues to do so. As early as 1944, the city's Chief of Police called on the Navy for assistance in helping to control vice activities. Police Chief John F. Woods, speaking at a meeting of the Norfolk Citizens Veneral [sic] Disease Committee, was quoted as saying, "we'll need some help from the Navy" (Twyford, Apr. 12, 1944). The police chief also complained that the Navy's shore patrol had "been ordered not to assist Norfolk police in undercover investigations of vice conditions here" (Twyford, Apr. 12, 1944).

The Navy established a Shore Patrol office in downtown Norfolk in the early 1940s. First headquartered on Court Street, it moved to an office just east of the Berkley Bridge in the mid-1960s. These military units, assigned to patrol various areas of Norfolk that military personnel frequented while off duty, assisted Norfolk police by monitoring the activities of military personnel, and helped keep order and discipline in areas such as the three in this study. Several interviewees commented on the Norfolk Police – Navy Shore Patrol connection.

"We had a very strong relationship with the Shore Patrol. They had at least 30 people or more in the Shore Patrol who worked very closely with the police. In the 1960s and 1970s, we had police and Shore Patrol patrolling together. We have a CTO – courtesy turn over...for lower level misdemeanors, we turned them over [to the Shore Patrol] and they would take [the violators] back to the base, and they would do a report and give it to the commanding officer" (Interviewee 31405). In addition, this interviewee remarked that "there are certain places that once we decide that a place has gotten a lot of complaints, we let the Navy know. This is a place where they probably wouldn't want

their sailors to frequent. And the Navy is good about placing them off limits”

(Interviewee 32405, emphasis added).

Another interviewee discussed the proactive nature of the Shore Patrol’s mission:

You have 5,000 people coming in on an aircraft carrier and all of a sudden they are down in our streets and what not and how do you treat them? So on the one hand it was on the part of those places that wanted help from the Navy in policing, and on the other hand it was the Navy recognizing we don’t want our guys to get in trouble....Bring them back sooner, rather than later, before they get into trouble. And be right there when the local police do their thing so that somehow interface is established early and we can deal with this situation. Because that ship is going to pull out of here in three days and we need that guy to go with us (Interviewee 41577).

The Armed Forces Disciplinary Control Board (AFDCB) is a formal organization established by federal law and described in Title 32 of the *Code of Federal Regulations*.

The AFDCB began identifying businesses that were out of bounds, or off-limits to military personnel in 1947. Prior to that time, each of the uniformed services had its own disciplinary board. Kestner noted that in 1965, no Norfolk business was placed off limits, and that in 1964, only one such business was identified. “This compares with a situation around 15 years ago when entire city blocks of Norfolk were declared off limits. As many as 34 taverns were off limits at one time, while some major hotels in the area came under the same ban” (Kestner, Jan. 21, 1966). As indicated in the section about massage parlors, above, the Navy used the power of the AFDCB in the mid 1970s to place many of these adult businesses off-limits.

The Navy continues to identify off-limits establishments in periodic messages to

Norfolk Naval personnel. One such message²⁰⁷, dated July 6, 2000, reads as follows: “As a result of recommendations by the Armed Forces Disciplinary [sic] Control Board, Southeastern Virginia and Northeastern North Carolina, the following establishments are ‘off limits’ to members of the armed forces: Admiralty Books, Inc. 8210 Hampton Blvd., Norfolk, Virginia 23505. Shore Drive Books, 8146 Shore Drive, Norfolk, Virginia” and three other businesses.

It continues by stating that “Commanding officers will inform personnel under their cognizance that they are prohibited from conducting business with, and entering the premises of the ‘off limits’ establishments” (ADMINISTRATIVE MESSAGE: O 291814Z JUN 00 ZYB PSN 435703122). The Armed Forces Disciplinary Control Board issues these notices on a regular basis.²⁰⁸

Norfolk officials worked with Navy officials on a regular basis at other levels as well. Several interviewees mentioned that the commander of the Norfolk Naval Base was regarded as Norfolk’s “Navy Mayor.” It was not uncommon for Norfolk’s mayor and city manager to meet with Navy officials on a regular basis, as often as monthly or quarterly. One interviewee described the relationship as follows: “On again, off again, depending on the admirals involved. Police and Fire Department and planning people kept up relationships. There were task forces. They put all of Ocean View under

²⁰⁷ The message was originally printed in all capital letters.

²⁰⁸ Title 32, Chapter V, Part 631 of the Code of Federal Regulations specifies the establishment of Armed Forces Disciplinary Control Boards. The mission of these boards is to “(1) Advise and make recommendations to commanders on matters concerning the elimination of crime or other conditions which may negatively affect the health, safety, morals, welfare, morale, or discipline of Armed Forces personnel; (2) Insure the establishment and maintenance of the highest degree of liaison and coordination between military commands and appropriate civil authorities” {32 CFR § 631.5 (2000)}

intensive analysis that went on for more than twelve years. The Navy ‘shadowed’ certain issues²⁰⁹. The Navy has tried to be a player” (Interviewee 70469).

Another interviewee disagreed:

I have no sense that in the early days the Navy was a participant in terms of regulating those businesses [adult oriented businesses] at all. I think the Navy at its own instance, and at the request of the city, may have made some places ‘off limits.’ But in terms of the Navy having an active role with council? Certainly there is always influence. Certainly the Navy has always been a partner. But in terms of cleaning up that particular problem, I think their input was probably minimal. Because keep in mind it was a recreational source for their men (Interviewee 14939).

Several interviewees described a viable, working relationship between the Naval Base Commander and civilian leadership. “We used to have a military-civilian liaison group identify civilians and identify military that would meet together once every couple of months and have lunch. It was [Henry Clay Hofheimer’s] energy that started it and kept it running” (Interviewee 81776).

Another knowledgeable official described the cooperation between the city and the Navy regarding a crime task force:

It wasn’t a daily interface, it was when issues came up where the Navy and the city needed to sit down and talk. We felt an obligation to the sailor. It was obvious the lone sailor walking down Little Creek Boulevard [sic] between the hours of three and five in the morning, the probability that he was going to get mugged was very high. And there were other places like that. So we started keeping a map, and every time there was an incident, we plugged a pin into that chart and we were able to define certain hot spots throughout the region really, where we could advise sailors ‘you don’t want to be here at this time.’ We brought that kind of thinking to the study on crime. And Mayor Andrews was very interested in the same subject. And trying to bring everyone together to deal with the issues (Interviewee 41577).

209 Such as community policing and code enforcement (Interviewee 70469).

According to one respondent, the relationship between the Navy and civilian law enforcement went beyond a Norfolk-Navy cooperative relationship. “Through the [Naval] Base Chief of Police, we would invite the state police, the city police, detectives, people who were all trying to improve the relationship in the community” (Interviewee 40995). The same interviewee described a communications network that the Navy participated in, whereby information on crime was exchanged among all local law enforcement communities. This person commented on an evolving relationship between the city and the Navy. “They loved to have the Navy here, but they really didn’t treat them very well. There was tremendous effort by various agencies, like the Navy League, and of course the city government itself, and lots of other [groups] that were trying to improve the relationships, and that is what I was working on. A good relationship with the city. We were partners” (Interviewee 40995).

Others were not as positive. One respondent felt that the only role played by the Navy regarding Norfolk’s adult oriented businesses was by providing the clientele for the businesses (Interviewee 54898). Another commented that although a number of civic groups had attempted to enlist the Navy’s help in controlling adult businesses, by declaring certain businesses off-limits, and by enforcing off-limits policy, Navy officials were not always responsive: “We weren’t very successful in implementing it [declaring businesses off-limits]. But that’s a difficult process apparently for them. We did approach them, but didn’t get very far” (Interviewee 50103).

An example of the Navy’s sometime standoffish approach to community policies is evident from an incident in the early 1960s. When the Main Street taverns were under

pressure to relocate, a realtor involved in finding a new downtown location asked the Commandant of the Fifth Naval District for support. Realtor Alan L. Hoffman asked Admiral W.O. Burch Jr. to endorse the so-called 'Sunset Strip' tavern plan in 1961. The admiral's response, according to a news article, was as follows: "This is a community problem and we will accept any decision the community leaders make" (Baldwin, Mar. 21, 1961). As indicated above, no accommodations were ever made in the downtown Norfolk area for a tavern district.

Chapter Summary. Norfolk decision-makers have used a variety of methods to control the proliferation of adult oriented businesses. In the downtown area, the process of blight control and redevelopment coupled with an aggressive and sustained program to attract merchants, shoppers, cultural venues, professional firms, banking, tourism, and business headquarters downtown led to the elimination of taverns, X-rated movie theaters, and, for the most part, adult book stores. The tattoo parlors were closed for health-related reasons.²¹⁰ The burlesque theater was part of a dying form of entertainment nationwide. Decision-makers included Norfolk mayors and city council members, the downtown Norfolk business and banking community, the executive director and chairman of the Norfolk Redevelopment and Housing Authority, and several members of the city government.

The north end of Hampton Boulevard was cleared after the Navy purchased much

²¹⁰ The subject of tattooing has come up in two recent newspaper articles. One, an editorial, recommends that the ordinances banning tattoo parlors in Chesapeake and Virginia Beach be revoked (Writing's on, 2001); the second, by an associate editor of the *Virginian Pilot*, notes that "detractors...equate [tattoo parlors] with porno houses and massage parlors" but suggests that it is time for Hampton Roads cities to reevaluate tattoo prohibitions (Chesley, 2001).

of the property on which adult oriented businesses were located. When some of the businesses started to move south on the boulevard, the city responded by adopting and enforcing zoning ordinances similar to those used successfully in Detroit and other cities, and by aggressively enforcing existing laws. Neighborhood residents and civic leagues were critical to the control of adult oriented businesses in this area of the city.

Control of adult oriented businesses in the East Ocean View area is an unfinished effort. As with the cleanup of Hampton Boulevard, civic leagues and residents have been vocal in their attempts to preserve and improve the area around the Little Creek-Shore Drive intersection. With the Chesapeake Bay and sandy beaches to the immediate north, this area of Norfolk is seen by many as having great potential. Many interviewees agreed that when adult businesses were closed in other parts of the city, they migrated to the East Ocean View area. Residents struggled for more than twenty years to control the proliferation of ABC licenses. They witnessed the transformation of family restaurants to go-go bars. With the adoption of the city's special exception adult-use permits ordinance, coupled with local control over ABC licenses, code enforcement, ordinances regulating cross-sex massage and public nudity, the number of adult oriented businesses located in this area of Norfolk has declined.

The massage parlor phenomenon that spread throughout the city in the 1970s was controlled by the use of anti-prostitution ordinances and nuisance laws when Judge Robert Merhige enjoined the city from enforcing its anti-cross sex massage parlor ordinance in 1972. When, in March 1976, the restriction was lifted, the city was able to

use that ordinance coupled with its special exception adult-use ordinance to virtually eliminate massage parlors by 1977. Norfolk police, city council members, the city attorney's office, and other elected and appointed officials within the city government were instrumental in controlling massage parlors. While the city was perhaps unprepared for the proliferation of massage parlors, it is now vigilant in enforcing the adult-use ordinances passed in the 1970s that regulate businesses such as "lingerie studios," nude modeling parlors, "rap parlors," and other, similar variations.



**Figure 5. Taverns on East Main Street (500-600 block)
The Dolphin, Port Hole, Sportland, Las Vegas, Gunsmoke Shooting Gallery,
Shamrock
April 1961
The Murdaugh Collection at Norfolk Public Library**



**Figure 6. Main Street Looking East toward Church Street
Gaiety Burlesque on the left, Phil's Studio-Tattooing on the right
June 1948
Emmerson Collection at Norfolk Public Library**



**Figure 7. Shops, 236 – 246 East Main Street
January 2001**



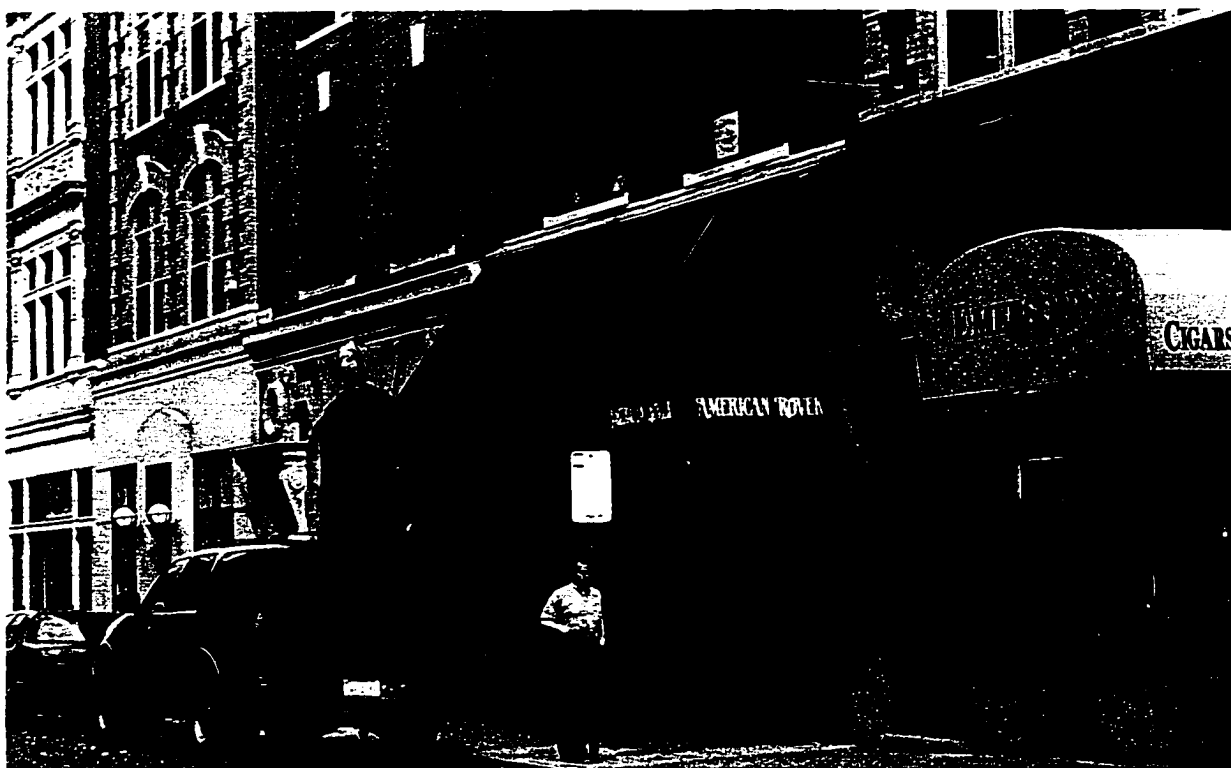
**Figure 8. Taverns on Granby Street (120 – 132 block)
Murray Jr., Neptune, Royal Palm
April 1961
The Murdaugh Collection at Norfolk Public Library**



**Figure 9. Baby Doll's Health Studio and Massage Parlor
117 Granby Street
September 1973
The Carroll Walker Collection at Norfolk Public Library**



**Figure 10. The Roxy Theater – Linda Lovelace in *Deep Throat*
205 Granby Street
March 1976
Carroll Walker Collection at Norfolk Public Library**



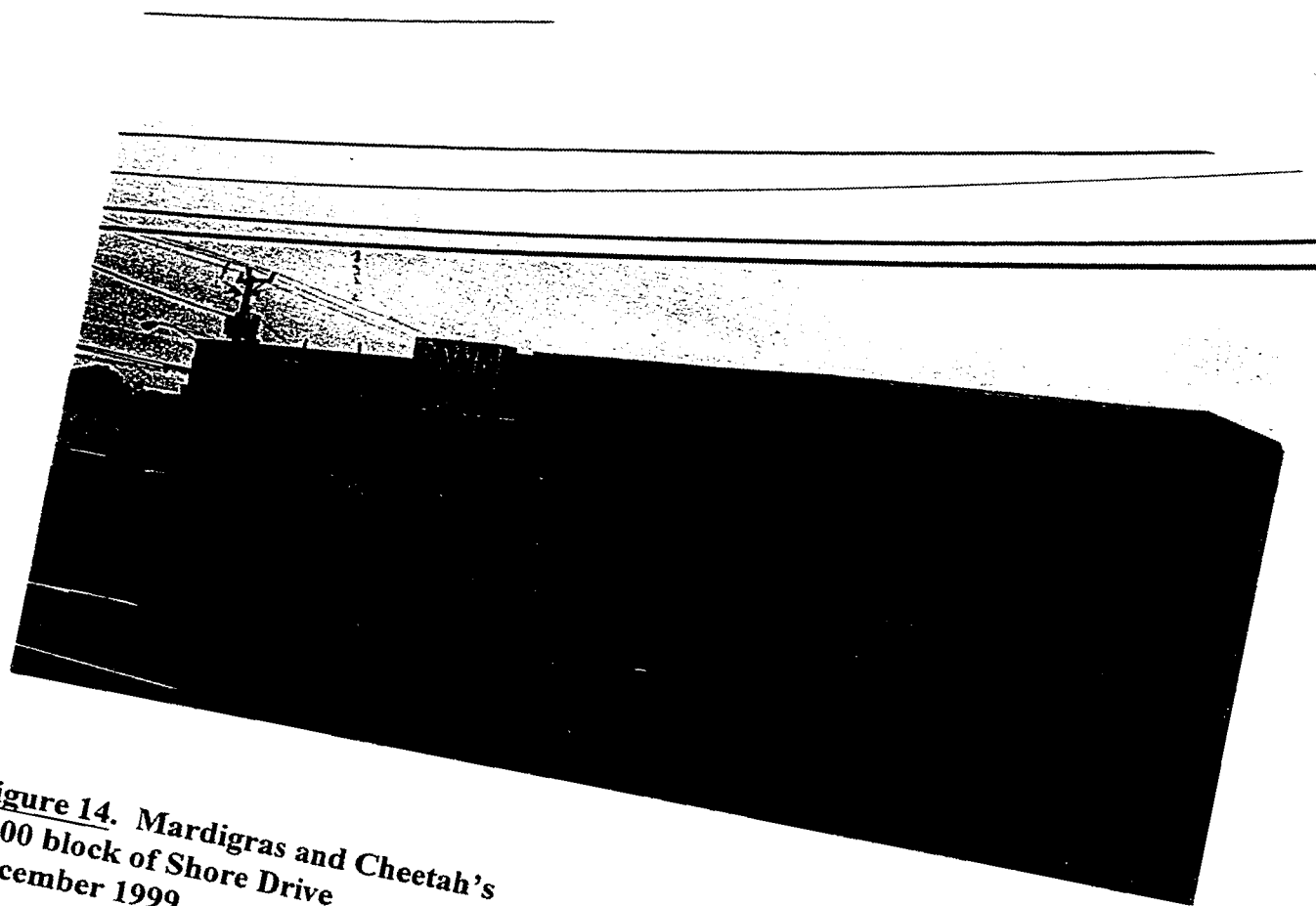
**Figure 11. Emerson's Cigars & Gifts, American Rover, Open Wide
116-124 Granby Street
December 1999**



Figure 12. The Strip on Hampton Boulevard
Massage Parlor (far left), Naval Grill, Buddy's Uniforms, Bell's Naval Tailors,
Massage Parlor (far right)
January 1974
The Carroll Walker Collection at Norfolk Public Library



**Figure 13. 8200 block of Hampton Boulevard
October 2000**



**Figure 14. Mardigras and Cheetah's
7900 block of Shore Drive
December 1999**

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Figure 15. Norfolk City Hall

The famous magnolia tree, described by Chief of Police Claude Staylor, as having backed up to one of Norfolk's houses of "ill repute." See footnote 11, Chapter 4. December 2000.

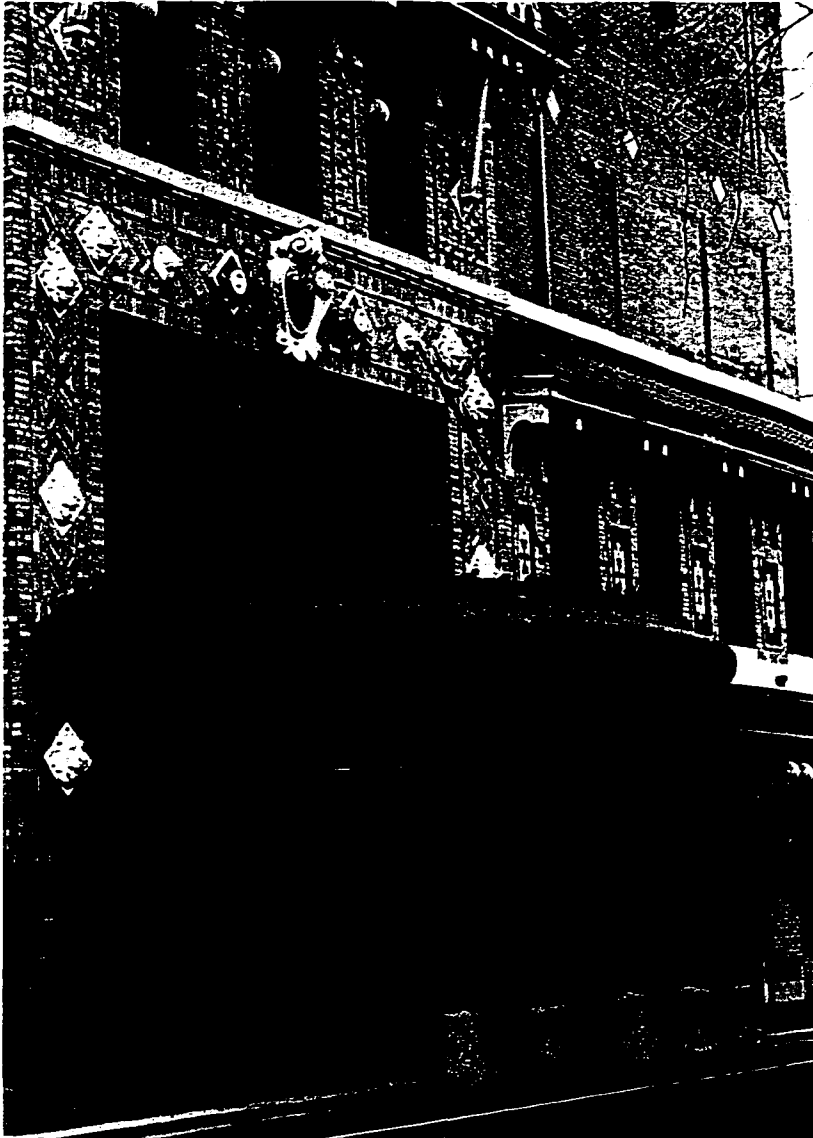


Figure 16. The Wells Theater

Home of the Virginia Stage Company since 1979, but an X-rated movie house in the mid- to late-1970s. 110 E. Tazewell Street, at the corner of Tazewell and Granby Street. December 1999

Chapter 5

Conclusions and Recommendations

This chapter will do the following: (1) summarize the case study findings; (2) link the findings to the theoretical foundation of the case; (3) discuss public policy lessons; and (4) suggest areas for future research.

Section one brings together the disparate characteristics of three separate locations. This section begins with a categorical grouping of decision-makers, continues with the delineation of the roles of the Navy, the Norfolk Redevelopment and Housing Authority, and the city council, and finally summarizes key city ordinances that facilitated control.

Findings that were described in Chapters 3 and 4 by location and then within location in a chronological context will be consolidated and highlighted here.

Section two, on decision-making theory, relates the Norfolk experience to specific examples in other communities and in the literature. Section three, on public disorder theory, links interviewees' comments with characteristics of public disorder.

Section four discusses recent unpredictable manifestations of adult oriented businesses and why municipalities are sometimes unprepared to regulate them. Section five then follows with a discussion of the Norfolk experience focused on public policy lessons learned. Because of Norfolk's long history in controlling these businesses, the city seems to be prepared for " pornosprawl." Norfolk was named an "All-American

City” in 1960 – is it even more of a model 40 years later?

Section six suggests a number of subjects for future research in the area of quantitative documentation, economic development, and decision-making in a ward system of city governance.

1. Findings within the Theoretical Framework

The research questions framing this study are as follows: (1) How were the adult oriented businesses, including the burlesque theaters, massage and tattoo parlors, peep shows, adult book and video stores, and sex paraphernalia stores in Norfolk reduced or eliminated? (2) What or who instigated this process? Was there an identifiable group of decision-makers that accomplished the “cleanup?” (3) What was the Navy's role in the process? (4) What was the role of the Norfolk Redevelopment and Housing Authority? (5) What role did city council members play? (6) What laws and ordinances were passed or enforced to reduce or eliminate the adult oriented businesses in Norfolk?

As previously stated, Norfolk city council and departmental records were reviewed, photographic evidence was gathered, secondary literature was identified and analyzed, and interviews were conducted with current and former city council members, past city managers, city attorneys, knowledgeable citizens, current and former members of city government, high ranking naval officers, and others who had direct knowledge of the period of time studied.

All interviewees were asked at least one of several direct questions about the role of the city council, the Norfolk Redevelopment and Housing Authority, the Navy, or Norfolk “decision-makers” in reducing or eliminating adult oriented businesses in

Norfolk. City government interviewees were asked about the laws or ordinances passed or enforced to reduce or eliminate adult oriented businesses.

Interviews were coded twice using the concept book approach described by Mostyn. Interview results were analyzed for relevance to theories of municipal decision-making²¹¹ and public disorder theory. Interview results were also analyzed for information relating to the six research questions listed above, and are summarized below.

Research Question 1. This “how” question concerned the factors involved in reducing or eliminating adult oriented businesses. Although the number of establishments decreased, many interviewees²¹² believed that adult oriented businesses migrated from East Main Street, Granby Street, and Hampton Boulevard to East Ocean View as a result of downtown redevelopment and the Naval Base expansion project. “The customer base was still there. We hadn’t done anything to slacken the interest in those kinds of places. So when they closed them down on Hampton Boulevard or downtown, they merely tried to relocate someplace where they could continue to do business and attract basically the same customer base. East Ocean View was inexpensive to relocate to. It was a logical place to come” (Interviewee 50103).

Comparisons of the declining numbers of adult oriented businesses in the three target areas of the city, as shown in Appendix O, clearly show either a dramatic decline, as in East Ocean View, or almost total elimination, as on Granby Street, East Main Street,

211 Elite theory, pluralist theory, growth machine theory, urban regime theory

212 Interviewees 9433, 20582, 14939, 81776, 18292, 72570, 40581, 50103.

and Hampton Boulevard. There is one adult bookstore-novelty store in operation on Shore Drive in the East Ocean View area, one similar store on Hampton Boulevard, and one store with a small, controlled section of adult materials on Granby Street.²¹³

Although go-go bars are scattered throughout the city, they exist because they were in operation prior to the adult-use, special exception permit ordinance. Redevelopment will continue to displace these businesses, as it has on Hampton Boulevard with the recent expansion of Old Dominion University.²¹⁴

Adult oriented businesses were eliminated by redevelopment in the downtown area, in combination with the inability of these businesses to find new spaces downtown. The Navy's purchase of almost 495 acres of land outside Gate 2 of the Norfolk Naval Base, land formerly owned by the Norfolk and Western Railway, led to the elimination of the strip of adult oriented businesses clustered at the north end of Hampton Boulevard. Of a group of businesses once numbering 16 or more, only two bars, Nick's and the Victory, remain.

With the Navy's purchase of the property complete, some of the adult businesses began to migrate south on Hampton Boulevard, especially to the 8200 block. Although only one such business, Admiralty Books, remains open today, it took the city almost two years, from 1975 to 1977, to stop the southward movement by massage parlors and bars. A vocal and persistent group of Glenwood Park residents kept pressure on city council to close the businesses that residents found both offensive and threatening.

²¹³ Other stores carrying similar materials exist in Norfolk, but they are not located in the three target areas.

Norfolk's last area of clustered adult oriented businesses is located in the area of the Shore Drive – Little Creek Road intersection. During recent years, several businesses have closed, but seven remained in operation in 1998, legally in business because they were in existence²¹⁵ prior to the adoption of the city's adult-use, special-exception zoning ordinance. Neighborhood civic associations and citizen activists, along with a key member of the city council were successful in persuading the state legislature to modify state law, thus gaining a measure of local control over the issuance of ABC licenses.

The NRHA, working with residents and city planning officials, has begun to acquire and redevelop property in East Ocean View, in particular a 90-acre sector called East Beach. A Virginia Department of Transportation bridge improvement project in the East Ocean View area led to the elimination of one go-go bar.

Further changes in this area bear watching, since East Ocean View is the area targeted as Norfolk's most recent and "most ambitious effort to create new housing opportunities" (Year 2000, Mar. 15, 2000).

Research Question 2. This question was designed to identify decision-makers who were involved in reducing or eliminating adult oriented businesses.

The visionaries. A number of Norfolkiens were named in interviews and other sources as being instrumental to the transformation of Norfolk. Those persons named by at least three sources were Charles Kaufman, attorney; NRHA Executive Director Lawrence Cox; developers James Rouse, Robert Stanton, Harvey Lindsay, and V.H.

214 The Body Shop, located in the 3900 block of Hampton Boulevard, closed in 2000.

215 This concept, also known as "grandfathering," applied to Cheetah's, Foxy Ladies, The Flight Deck

Nusbaum; downtown Norfolk business owners Harry Price and Richard Welton; Mayors Pretlow Darden, Fred W. Duckworth, Roy B. Martin, and Vincent Thomas; city council members Conoly Phillips and Mason Andrews.

One interviewee remarked on the moratorium that prevented Norfolk from annexing nearby land, and explained that Norfolk was forced to look to other, similar cities for renewal and development ideas.

We looked to cities that had the same problem – Philadelphia, Baltimore. They were involving the private sector. We organized what we called ‘The Greater Norfolk Corporation.’ Chairmen of the boards of all the banks, and presidents of the universities. Even Frank Batten²¹⁶ from the newspaper. And together with the city, they interviewed people, Jim Rouse included, and a team was formed with an urban economist, an urban designer, which this group put together. Together, they made plans for the waterfront. Jim Rouse kindly agreed to do the Waterside. Bob Stanton²¹⁷ turned around and built the World Trade Center. Norfolk Southern came into Norfolk. And Larry Cox²¹⁸ said ‘how about a medical school?’ I can remember talking about Granby Street – Jim Rouse said ‘get the environment as good as it can be. That raises everybody’” (Interviewee 18292).

The Police Department. Several others suggested that the police department was responsible for controlling Norfolk’s adult businesses. The department recommended changes in city codes, aggressively enforced existing ordinances, and made city council aware of the proliferation of massage parlors.²¹⁹ One interviewee²²⁰ mentioned that a committee to study pornography and adult entertainment in Norfolk was appointed by the

Lounge, and J.B.’s Gallery of Girls, all located on Shore Drive.

216 Chairman of the Board of Landmark Communications, publisher of *The Virginian-Pilot*.

217 Former Rector of the Board of Visitors, Old Dominion University, former Chairman of the Board, Goodman Segar Hogan, real estate development corporation; President, Stanton Partners, Inc., commercial real estate development.

218 Executive Director, Norfolk Redevelopment and Housing Authority.

219 Chief of Police Claude Staylor wrote to Council requesting action on controlling massage parlors in March 1972.

220 Interviewee 03395.

State Legislature. In fact, a 1964 newspaper article refers to a “blue-ribbon panel named to study sex crime,” chaired by Judge L.S. Richardson, co-chaired by Alan Hofheimer, president of the Norfolk-Portsmouth Bar Association, and including as members Chief of Police Harold Anderson and Harold Sugg, Vice-President and Assistant Publisher of the *Virginian-Pilot* and *Ledger-Star*, State Senator Robert F. Baldwin, Delegate Stanley C. Walker, Dr. Robert C. Faulconer, president of the Norfolk County Medical Society, and Winston Douglas, a former high school principal (Panel on sex, Dec. 12, 1964).

Another interviewee alluded to the concept of community policing as contributory to the control of adult businesses. “Our police department was doing this [working with the community] even before they started this concept of PACE [Police Assisted Community Enforcement]. I think Norfolk is one of the best cities that has really tried to work with the community – before the PACE concept even started” (Interviewee 70361).

Complementing this view was the coordinated approach to code enforcement mentioned by several interviewees. Adult oriented businesses, particularly the massage parlors and the establishments serving alcohol were subject to frequent inspections by police, health inspectors, building codes inspectors, and fire inspectors (Confirmed by Interviewees 14939, 31405, 70361, 40581, 70469). Police and inspectors watched for bartenders or waitresses who served alcoholic beverages to intoxicated customers, or in topless bars, “young ladies touching customers and serving food” (Interviewee 31405). Police and fire inspectors took notice if the number of customers inside an establishment exceeded the legal limit. In a business that maintained an adult materials section (books, videos, magazines), police checked to make sure that juveniles were not allowed to

browse the contents of these products.

Chief of Police. Two interviewees mentioned that Chief of Police and later Councilman Claude Staylor was very influential in attempting to close the adult businesses (Interviewees 94332, 70469). One described the raid on numbers running establishments that Staylor, as a young police officer, led while his chief was out of town, and said, “Staylor was very brave. A person of integrity. He was caught up with the notion that he had the higher moral ground” (Interviewee 70469). In one instance, Mr. Staylor’s zeal captured not only attention, but also some polite kidding. “Claude Staylor is offended by the naked sculpture titled ‘Man’ which stands in front of the Chrysler Museum. But he does not like being called ‘a prude.’ ‘I can get in a shower with 30 naked men and it doesn’t bother me, because we’re all the same. But if nudity is displayed in art with emphasis on the genitalia,’ which he alleges is the case with the statue, ‘then I have to object’” (Kirkpatrick, Dec. 3, 1976).

Business interests and the Chamber of Commerce. One respondent called Norfolk businesses “our greatest allies” in controlling adult oriented businesses. “What happened on Granby Street – business plunged as these adult entertainment places began coming in there. It is a deteriorating factor (Interviewee 03395). Several interviewees described the role of the Norfolk Chamber of Commerce, especially regarding the downtown area cleanup. “Members of the Chamber of Commerce had money invested in Norfolk, around Granby Street and Main Street...and wanted to stop [these businesses] from growing, like a serpent (Interviewee 03395). Focusing on the cleanup of downtown Norfolk, one interviewee called the decision-makers the “oligarchy” – city council and

the business interests downtown (Interviewee 50103). In Ocean View as well, this respondent described a decision-making group, consisting of the civic leagues, the property owners, and members of the business community (Interviewee 50103).

Another interviewee bluntly stated the following: “These things are really not compatible in any city that I know of that have a desirable retail or residential environment....[Granby Street] was just a mess. Cheap beer taverns. It was not a very savory influence in the whole downtown area and was incompatible. The Granby Street retail stores primarily catered to a female clientele. And people are not comfortable in that type of setting” (Interviewee 40221). Another interviewee added:

Merchants along Granby Street...squeezed that stuff [adult businesses] out themselves. They made it very clear that that kind of an enterprise was unwelcome. And I think for the most part, even community outrage, supported by legal authority, can sometimes make it just unpleasant enough that the people will leave and go someplace else. They are really not wanted there. People who have led this city in the last 40 years...indeed the whole trend since the Cooke-Darden-Twohy ticket – has been to improve the face of Norfolk and its image. Getting rid of these enterprises is of course part of that (Interviewee 86013).

Regarding the downtown cleanup, several respondents gave credit to various downtown Norfolk business associations, including the Downtown Norfolk Association and the Downtown Norfolk Development Corporation. “The city did a remarkable job to lift itself from a city that was about to sink into the Elizabeth River into what it has become now. That took a lot of courage on the part of a lot of people. It was the business community, in partnership with the city that had a great deal to do with this” (Interviewee 40221).

The City Attorney’s Office. Many sources credited City Attorney Philip Trapani

for eliminating adult oriented businesses within the city. One interviewee had high praise for Mr. Trapani: “And the city attorney who was most responsible [in the effort to control adult oriented businesses] was Phil Trapani. Phil was the most brilliant lawyer that I ever knew, either personally or historically. He was such a resource (Interviewee 72570). Another respondent agreed that Mr. Trapani had a vision of the city that did not include massage parlors and adult bookstores. “He was inordinately influential in terms of...implementing programs and actions to follow through or to bring to fruition the vision of the policy makers at that time” (Interviewee 14939). One interviewee said, “Phil Trapani probably personally provided the most important or substantive leadership. [He and] Conoly Phillips were the pioneers for the Commonwealth [of Virginia] to get the format that Norfolk used [to close massage parlors] (Interviewee 70469).

Norfolk citizens. Careful review of the primary and secondary literature, as well as interview analysis led to the identification of specific Norfolk residents who were instrumental in controlling adult oriented businesses in their neighborhoods. Mrs. Pauline Leibig, who led the fight against the massage parlors, bars, and adult bookstores in the 8200 block of Hampton Boulevard, was a frequent, vocal, and articulate spokeswoman for her civic league and neighborhood. Jim Janata and many fellow residents of East Ocean View are activist citizens dedicated to controlling the proliferation of ABC licenses in that area of the city. Mrs. Marie Julian, a realtor, was also mentioned as instrumental in fighting the proliferation of ABC licenses in the East Ocean View area.

One interviewee described the relationship between the city and civic leagues as a

two-way avenue of communication: “You could always count on them [the Glenwood Civic League] to support. In opposition to potential business owners. Those issues dealing with adult uses. And they were used in that way, as were other community groups” (Interviewee 48129).

Sam Barfield, former Commissioner of the Revenue and former member of Norfolk’s city council was closely linked, in newspaper articles, city council records, and by several interviewees, to Norfolk’s fight against adult books, magazines, and movies. One interviewee remembered that Mr. Barfield was called “Mr. Clean” in recognition of his anti-pornography stance (Interviewee 72570). Mr. Barfield was called on as an expert prosecution witness in several trials where business owners were charged with selling obscene material. One account described him as “a leader in the city in attempting to rid the community of what many consider pornography on sale at ‘adult book stores’ and viewed in theaters. As a city councilman in the mid-1960s, he introduced numerous ordinances, suggestions and lectures to the public on the subject” (Dorsey, May 26, 1973).

A team effort. Several interviewees responded that they could not honestly identify any one key decision-maker in the city’s efforts to control adult oriented businesses. Typical of this point of view were these remarks by two interviewees: “There is no one individual who did everything – it was a collective. A team. Together we grew, and together we fostered relationships with the ABC Commission. By building these partnerships – and always, when you know the people, things work better” (Interviewees 14939, 42082). Another respondent named three groups that jointly

worked to control adult businesses: the police, the city council, and the Norfolk Redevelopment and Housing Authority (Interviewee 94332).

Pressure to control adult uses sometimes came from disparate groups working together. “The city, NRHA, and the [members] of the Mayor’s East Ocean View Committee are actually bringing about the change for that area” (Interviewee 14939).

Civic leagues were critical to the control or even elimination of adult businesses in two²²¹ of the three selected areas. The Glenwood Park area civic league and many of the East Ocean View area civic leagues were key change agents in efforts to control the proliferation of adult uses within their geographic areas of interest. Commenting on the “thankless” role of the civic league officer, one interviewee noted: “It is a pain to be on a civic league. You really have to be interested in your community to do that kind of thing. The truth of it is, they are the only people out there actively trying to preserve their community. That are doing anything meaningful. That’s visible. They are visible and out there, and I think now government is more responsive to that” (Interviewee 14939). The Ocean View Coordinating Committee and its leaders were credited with assembling a critical mass of vocal citizens to represent that community, getting both media attention and city council attention in their efforts at “getting the city to realize the wasted potential”²²² of the entire Ocean View area.

The East Ocean View Civic League was also identified as being instrumental in reducing the number of adult uses in that area. The civic league’s partnership with the

221 East Ocean View and Hampton Boulevard.

222 A comment by Interviewee 50103.

larger Federation of Civic Leagues “and the collaboration and coalition of civic leagues working together has changed dramatically what would be there today had it not been for those efforts” (54898).

Another interviewee’s comments reinforce the concept of activist citizens: “The civic leagues were the driving force. And it was more than one civic league. The surrounding civic leagues understood that East Ocean View adversely affected the rest of the surrounding area” (Interviewee 50103). Civic league approval is now considered critical for businesses seeking special exception permits:

If someone comes [to city hall] and wants a special exception for anything, and they come into a public hearing of the Planning Commission, if there are five speakers against it, and they say something like ‘this person never came to the civic league, never came to the community, never asked us for input,’ the Planning Commission is going to say, ‘Mr. Jones, would you be interested in maybe a 30 or 60 day continuance of this matter to get with the civic league, meet with the community, see what their concerns are?’ This has happened so many times. The magic words are ‘you never came to the civic league.’ If there are ten opponents, it will probably be voted down. If a civic league votes against something, the Planning Commission will listen, the Council will listen” (Interviewee 20830, emphasis added).

Commissioner of the Revenue. The Commissioner of the Revenue’s Office was also credited as part of the city-wide team that included police, fire officials, health and building codes inspectors, by consistently enforcing city ordinances requiring that all businesses meet standards and hold valid business licenses. Both Sam Barfield, Commissioner of the Revenue from November 1969-December 1997, and Sharon McDonald, elected to that office in 1998, were praised for their efforts.

City Manager. Only a few interviewees commented on the role of the city manager regarding controlling adult uses. One said: “In a funny way, the city manager’s

office didn't play much of a role (Interviewee 70469).

Newspapers. Three interviewees mentioned the role of two local newspapers, the *Virginian-Pilot* and the *Ledger-Star*, in the control of adult oriented businesses. One said: "newspapers are important to solving problems in this area, and it should take a leadership kind of role. And it didn't do that, and has never done that" (Interviewee 41577). Another voiced a different opinion: "Newspaper...sets the public sentiment toward certain issues....If you go back and you look at some of the editorials in those days I think you'll see that's exactly what happened" (Interviewee 72570). Another agreed that "the newspaper was very involved in wanting to have it cleaned up" and mentioned the numerous newspaper articles on massage parlors and adult bookstores (Interviewee 03785).

Research Question 3. This question was designed to elicit information about the Navy's role in reducing or eliminating adult oriented businesses.

Respondents were divided in their opinions about the Navy's contributions to the control or elimination of adult oriented businesses in Norfolk. One respondent felt that the Navy tried to cooperate with the city's efforts to control public disorder, especially in the area surrounding bars or taverns. "The Navy is good about placing them off limits," said one interviewee, in the course of a discussion about downtown Norfolk nightclubs (Interviewee 31405). This person added that the city and the Navy's Criminal Investigative Service have a good working relationship, as did Norfolk Police and the Navy Shore Patrol force.

Other interviewees were frank in their opinions that the Navy's role in eliminating

adult businesses was minimal (Interviewee 14939, 50103, 70469). While the Navy made a concerted effort to protect its sailors, by expanding shore-based entertainment options²²³, some felt that the Navy's efforts were focused on improving the quality of life for its ship- and shore-based forces, rather than trying to make Norfolk a better place to live. An interviewee described the Norfolk-Navy relationship as follows: "on-again, off-again, depending on the admirals involved. It ebbed and flowed. Police and the fire department and planning people kept up relationships" (Interviewee 70469). Another respondent agreed, saying, "The only role that the Navy plays is that the enlisted members are the clientele. That's the role that the Navy plays" (Interviewee 54898).

Another interviewee voiced a similar opinion. When asked if Norfolk officials work with the Department of Defense or the Navy to control these businesses, this person said that interaction was occasional. "But if the Navy came to us and said there's a bar here that's overcrowded, frequented by drug pushers, prostitutes, they stay open too late, there are a lot of rowdy things going on, people are getting mugged in the parking lot, I'm sure that someone from the city would come in and conduct an inspection. They might send in the health department. They would send in the police. They may send in the fire marshal to look for overcrowding" (Interviewee 20830).

Five interviewees were more positive, citing periodic attempts to work with local Navy officials. Interviewees 79253, 94332, 70469, 40995, and 18103 all discussed a

223 One interviewee was candid about the lack of entertainment activities in Norfolk. "Starting in the late 70s we put a lot of effort into providing and to informing our young sailors about alternative activities. And with that came the rise of the MWR (Morale, Welfare, and Recreation) organizations and with that came the emphasis on alcohol program...and it was almost as if this train got rolling on a more wholesome environment for our sailors" (Interviewee 41577).

congenial relationship between Norfolk and the Navy, one that included a wide range of activity, from the participation by Navy officials on city-wide task forces, to a close, if informal relationship, and at several periods of time, regular meetings of key city and Navy officials. One described quarterly meetings with Navy and city employees, meetings that included members of the police and fire departments, along with planning officials and other agency representatives. “There were task forces. They put all of Ocean View under intensive analysis that [went on for twelve years]. The Navy ‘shadowed’ certain issues – we were just developing ideas about community policing, especially related to code enforcement. The Navy has tried to be a player” (Interviewee 70469).

Other respondents described direct relationships between the city and the Navy. After being asked by one Norfolk mayor to assist during one of several attempts to beautify Hampton Boulevard, the respondent said, “I went up and down the road with a photographer, and wherever I saw a sleazy or unkempt business I took pictures of it and confronted the person – the businessperson – after I had the pictures. Can’t you do something about making this more attractive?” (Interviewee 40995). Frequently rebuffed by lessor and business owner, the interviewee described this ‘cleanup campaign’ as “kind of a fruitless thing, but it did get attention on the [Hampton Boulevard] strip” (Interviewee 40995).

“The Navy commands and the city government have worked very closely in the past. Through zoning and health and police issues have been able to pretty much close down, control, or buy those areas outside the gate. In fact, the Navy bought everything

down to the railroad tracks basically, got rid of all that up there [outside the main gate].

And then put in legitimate theaters and facilities” (Interviewee 48129). This respondent also described an ongoing relationship between city administrators and Navy department heads. “We used to meet monthly with the admiral and his staff. We would make presentations on various issues affecting each other. It was very cooperative over the years....We would talk school issues...zoning issues...law enforcement issues...fire department issues. How we would cooperate. Through the years it evolved into a nice working relationship” (Interviewee 48129).

Retired U.S. Congressman G. William Whitehurst²²⁴ described the process by which the Navy purchased the Hampton Boulevard property:

When I was on the Armed Services Committee, in my second term, I was able to arrange for the Navy to purchase the property that belonged to the Norfolk and Western Railroad. It took some politicking on my part. The Navy ended up with that property. But it also ended up holding the leaseholds of the “go-go” places, the adult bookstores, and the naval uniform shops outside the Main Gate. And they should have been up to speed on this thing, and arranged to get hold of that property as well, and bought those leaseholds up. They should have bought those at the same time. So they came back to me and said “we don’t want to be the landlords for those people.” We don’t want them around – we want them out of here. So I cut another deal, which is even more bizarre, with another member of Congress, a Democrat controlling the Military Appropriations Subcommittee. And I was able to find the money to buy those people out and get them out. We did not want those kinds of enterprises outside our gate....What happened was, as you probably know, some of the same enterprises moved further up Hampton Boulevard. Into the Glenwood Park area, and those people were not happy either. (Interview with G. William Whitehurst, Sept. 17, 1999)

Some tactics used to clean up the entryway to the Naval Base were indirect. In the course of efforts to improve the primary approach to the Naval Base, the Navy

224 G. William Whitehurst, Ph.D., is the Kaufman Lecturer in Public Affairs at Old Dominion University.

worked with garden clubs and civic leagues in at least two of the residential areas on the east and west sides of Hampton Boulevard – the Lochaven and Glenwood Park neighborhoods.²²⁵ The Glenwood Park area is directly behind, or east of the 8200 block of Hampton Boulevard. The interviewee described a typical visit to a garden club: “We’d have tea and cookies, and I had all of these pictures on slides, and I began talking about it. The thrust of what I was doing was...talking to the wives of the people who could make things happen” (Interviewee 40995).

Clear attribution for the cleanup of the area around Gate 2 of the Naval Base to one decision-maker or decision-making body has not been possible. What is clear is that both the city and the Navy were dissatisfied with the aesthetics of the businesses outside the Hampton Boulevard gate. The City Planning Commission and its Fine Arts Committee, along with elements of the Navy, the Norfolk & Western Railway, and the City Planning Department all worked toward the same goal, to improve Norfolk’s main “gateway” to the naval base complex.

Typical of the comments about the profusion of massage parlors, taverns, locker clubs, and adult book stores outside the gate were remarks such as the following. “The Navy didn’t want visitors and families coming in to the base and see these businesses. They just thought it was inappropriate” (Interviewee 31405). In 1953 Isabella Walker, wife of Norfolk photojournalist Carroll Walker, wrote a letter to City Council on behalf of the Redwood Garden Club that stated: “This Boulevard we believe is one of the most

He was a member of the U.S. House of Representatives from 1969 – 1987.

²²⁵ The Boulevard Theater, which showed X-rated movies until at least December 1976, was located

important in the City because of the out of town traffic over the Newport News Ferry and the Naval Base. The Redwood Club thinks that the beautification of this Boulevard would enhance the beauty and would be a great asset to Norfolk” (Record Book of Council, Feb. 17, 1953).

Congressman Owen B. Pickett, U.S. Representative of Virginia’s Second Congressional District, was identified as crucial to the Navy’s efforts to add recreational alternatives near the Naval Base:

Owen Pickett helped, because we needed to get a piece of legislation. The fact of renting government property, of leasing government property, the payment for that property by law has to go into the national treasury and does nothing to benefit the local area because it just gets redistributed to some other program in some other place. So you have to think of innovative ways to keep some of the benefit in town. What Owen Pickett helped us to get was a piece of legislation that enabled this payment to remain here to benefit directly the sailors and the Morale, Welfare, and Recreation Fund. So it was innovative and it was really groundbreaking. (Interviewee 41577).

Asked to identify the decision-makers involved in the reduction or closure of adult uses, this respondent said, “I think the Navy commanders – the senior Navy commanders have a role. They don’t control the money, but they control a lot of people, and in a sense by controlling the people they do money, so their impact is acknowledged. In any given year, between 17% and 27% of the gross domestic product is tied to the Navy – which is tremendous – probably the biggest single separate chunk of that product” (Interviewee 41577).

In addition to the role of Federal government, the state has also assisted in reducing the number of adult uses in Norfolk. Because of the Virginia Department of

across Hampton Boulevard from Lochaven. A Blockbuster Video store currently operates in that location.

Transportation's bridge-building project on Shore Drive in East Ocean View, one go-go bar, JB's Gallery of Girls, was demolished.

Research Question 4. This question concerned the role of the Norfolk Redevelopment and Housing Authority (NRHA) specifically as related to adult businesses.

Most interviewees agreed that the NRHA was very instrumental in "changing the nature of the downtown, unwanted, businesses" (Interviewee 31405). In fact, the authority assisted the Navy in its purchase of land on Hampton Boulevard, and is currently very active in the East Ocean View renewal process. As one interviewee explained, in order to realize the vision of downtown Norfolk as a desirable location for business, "you've got to have better access, you've got to clear out the blight, you've got to make land, you've got to assemble land, you've got to make it available for private enterprise.... You've got to create an environment where people feel comfortable" (Interviewee 20582). A by-product of the authority's renewal and redevelopment program was the effect of renewal on clusters of adult businesses. One respondent, asked if there was a relationship between the redevelopment program and the elimination of adult businesses said: "Sure. Especially in targeted areas, where they were able to go in and do demolition. Especially outside the Naval Base" (Interviewee 48129).

In actuality, the authority had no real mandate to eliminate or reduce the numbers of adult oriented businesses. Its focus was on eliminating blight. However, one interviewee explained that NRHA's disposition documents included deed restrictions that could be used to specify land use. For example, a deed restriction might require that the

property be used as an office building for a certain number of years (Interviewee 20582).

Lawrence Cox, former NRHA Executive Director, was viewed as a “visionary” by two interviewees.²²⁶ Another respondent recalled the Norfolk of the mid-1940s and 1950s as “an alive kind of place. [After redevelopment] it was a bunch of buildings and nobody. Some of the worst things done in city design were done in the 50s and 60s” (Interviewee 20582). Commenting on the effects of Norfolk’s downtown redevelopment, one interviewee pointed out a sense of problem displacement rather than problem solving: “We had a big complaint from Ocean View that all you’ve done is move your crime around and dump it on [Ocean View]. That also was a complaint directed at the NRHA. “Moving people out there to where there is low-cost housing. Ultimately we might be able to drive out the bad. The property will get too expensive to support those kind of activities [adult uses] and then we’ll be able to put something else on it” (Interviewee 40581).

Another interviewee agreed. The city used NRHA “as a tool. They can always condemn for the public good by eminent domain. They can make green space where there is a building” (Interviewee 72570). In addition to the authority’s well-documented role in downtown redevelopment²²⁷, it has been very instrumental in bringing about change in East Ocean View. An interviewee explained that the housing authority assumed, in part, the function of a developer. When asked if the NRHA was instrumental

226 Mr. Cox, who will be 89 this year, did not respond to a request for an interview. He was the NRHA’s Executive Director from 1941-1969.

227 In particular, see *The Impact of Public Investment on Urban Revitalization: A Case Study on the Redevelopment of Downtown Norfolk, Virginia 1935-1985*, by Marvin W. Lee. Norfolk, VA: Old Dominion University, 1986.

in the development of East Ocean View, this respondent replied affirmatively:

Yes, I believe so. Primarily because it would have been difficult to find a private entity that would have purchased the properties that needed to be purchased, clean the land and make them available for public consumption at a reasonable rate. [The NRHA] is a stimulus, a necessary stimulus, to the development of Norfolk. Any city needs...a redevelopment and housing authority. By creating NRHA, you've created an entity...to handle what normally [developers would do]. Those guys are going to come in, but they are going to come in for a profit. This is not a negative. There is a distinction – between private entrepreneurial effort and what NRHA offers to urban cities with low tax bases, limited funds, but have a vision. It is a way to do more with less (Interviewee 14939).

Another interviewee confirmed that the authority's role to clear blighted properties in Ocean View has been critical: "In Ocean View they've drawn most of the plans and done most of the work" (Interviewee 70469). A similar comment from another respondent characterized the NRHA as more of a facilitator than an initiating body: "Redevelopment has assembled land" (Interviewee 18292). A third person said, "We have used them unilaterally in Ocean View to accomplish the goals and objectives that we set, which is to upgrade and revitalize Ocean View" (Interviewee 54898)

Research Question 5. What was the role of the city council in this process?

One interviewee, when questioned as to the identify of Norfolk's decision-makers, described the role of city council as a group, as well as the power of individual city council members and the interests that council members represented:

Everything starts and ends with city council. And how it's composed. The players count. People run things. People influence. We had people with a vision that it was time to change, time to get away from some of the establishments that didn't foster what they believed was the true image of Norfolk. And how do we make Norfolk a better place to live. And those visions, those visionaries if you will, those folk who were on council or had influence with council, that would make things happen...Norfolk was known not to have the dissent that many other communities seemed to have in their councils. It seemed to be a cohesive unit

that agreed on not only the vision but also on the road to travel to get there. (Interviewee 14939).

Others echoed these sentiments. While there may be many people who contribute information to the decision-making process, and even try to influence it, including civic leagues, neighbors, and churches in an area affected by adult businesses, or even what one respondent called “busybodies not in close proximity,” the City Council is the real decision-making body (Interviewee 20830). Another interviewee agreed that the city council was most influential in determining Norfolk’s policy regarding adult oriented businesses. “The city council are the policymakers of the city. They talk to a lot of influential people” (Interviewee 48129). This person, describing “the voices of the community,” said that “the Colgate Dardens of the world, Josh Darden²²⁸, Harvey Lindsay²²⁹, and other influential business people in the community played a large role in assisting the policymakers” (Interviewee 48129).

Another interviewee agreed that the city council was the key “decision-maker” when, in the mid-to-late 1970s, it mobilized the resources of the city to take action against massage parlors and the proliferation of other adult uses, particularly ABC licenses. “We’re still cleaning up from it, but we’ve come a long way,” said one member of council (Interviewee 54898).

Several interviewees emphasized that the Cooke-Darden-Twohy council of 1946 was critical to Norfolk’s twentieth-century transformation (Interviewees 40581, 80210,

²²⁸ Joshua Darden is president of Darden Properties Inc, vice-chairman of Virginia Forward, and chairman of the Hampton Roads Partnership’s Transportation Committee. He serves as chairman of the Distribution Committee of the Norfolk Foundation.

94332, 03395). One interviewee described the team's goal: "The Cooke, Darden and Twohy City Council²³⁰, that came in immediately following World War II – outstanding businessmen and civic leaders who said 'we will give you four years to set up a farsighted plan and get the city back on a business basis.' They said this to the struggling city manager and to the civic leaders...to the civic leaders particularly" (Interviewee 80210). When asked about the group's downtown orientation, this respondent said, "It was a derelict area, and it had to be cleaned up before new businesses could come here" (Interviewee 80210).

There was some concern that Norfolk not overly regulate business enterprises within the city, nor intrude into the private lives of its residents. One interviewee remarked: "There are things [in East Ocean View] that certainly don't look good. But it's hard to prevail. I guess we ought to have some legitimate interest in the government not getting too much power. There are some things we do now, some decisions that people make, I'd hate for them to run my life too much. But it's an art, and when it gets concentrated [adult oriented businesses] we need to work on it" (Interviewee 18292).

Several interviewees credited Norfolk mayors, particularly Mayors Martin and Thomas, for their outstanding leadership. Speaking about Mayor Roy Martin, one interviewee simply commented that he, along with two other city council members in office during the 1960s and early 1970s just "wanted the city to be decent" (Interviewee 28292). When asked who was most influential in developing Norfolk's policy towards

229 A real estate developer.

230 Also known as "The People's Ticket."

controlling adult oriented businesses, one respondent said: “ I would say the mayor. The mayor sets the direction on the type of wholesome businesses they want in Norfolk. It involves what is good for neighborhoods” (Interviewee 31405). This same respondent added that city council members were very vocal advocates of control. As stated in Section 3 of Chapter 4 above, Dr. Mason Andrews, former Norfolk Mayor and former member of council was very instrumental in the Hampton Boulevard cleanup process.²³¹

One interviewee described the north end of Hampton Boulevard as the closest thing to a red light district as could be found in Norfolk, with adult bookstores, peep shows, and similar adult-focused entertainment. “Council members at that time had a different vision for downtown Norfolk...and it’s that vision, that determination by Council, that they wanted to change the face of Norfolk” (Interviewee 14939).

Councilman Conoly Phillips is credited for getting local control over the proliferation of ABC licenses. “Conoly Phillips and Phil Trapani sought ways” [to limit the concentration of adult oriented businesses]. Conoly had a desire to make the city better” (Interviewee 18292). Mr. Phillips “was a city councilman at the time. I guess he heard enough and dealt with enough – they [council members] were citywide then, we didn’t have the ward system then. We were all his constituents....He [saw] that there was an inequity here – that communities were powerless to control their destiny, and that the city was powerless to control its destiny. Since these things tend to concentrate in

231 Mayor Paul Fraim praised Andrews in the “Year 2000 State of the City Address”: “For nearly three decades, Dr. Mason Andrews has committed his genius and tenacity to the betterment of this city – in many ways, his city. No single individual in modern times has had a greater impact on Norfolk’s well being” (Year 2000, 1).

groups. He went to Richmond, lobbied, and was successful” (Interviewee 50103). “He was instrumental in getting council to go after [local control of ABC licenses] during that point of time in our history” (Interviewee 54898).

It was not unusual, in so-called “Navy towns” on both the east and west coasts, to see one or more concentrated zones of adult oriented businesses. These establishments, such as taverns, tattoo parlors, adult book and novelty stores found a steady customer base in the young sailors and soldiers who were stationed nearby. At least one member of city government understood the city’s dilemma. “We had a very big problem, particularly in our downtown, with bars, with dirty bookstores, with massage parlors. We saw that our downtown was being flooded with this. Of course, being a Navy town...there was a tremendous market for this” (Interviewee 18103).

Councilman Randy Wright was named as a person who effectively organized residents in the East Ocean View to improve their neighborhoods. One interviewee remarked: “He [Wright] set up probably one of the best examples of participatory government in the city, for any councilperson. The guy has got a nucleus of people who are representative of that entire area...He might have done this for his own...purposes. But, the fact still remains, the network is there, the organization is there” (Interviewee 14939).

Research Question 6. This question concerned the laws or ordinances passed to control or eliminate adult oriented businesses.

The tattoo parlors were eliminated in 1952 as a result of a Norfolk ordinance. The Navy petitioned city council to ban tattooing, and after a two-year period marked by more

stringent health regulations, more vigilant code enforcement, and continued pressure from within city council, tattoo parlors were outlawed within the city. One interviewee remembers the early 1950s: “Norfolk had a tough tattoo requirement. We were very, very careful about the licenses for tattoo parlors. We made it subject to health department checking. An old, dirty needle could be dangerous. We put it under licensing and watched it closely (Interviewee 03395). Another interviewee called this “a great ordinance” (Interviewee 94332). Tattoo artists have recently approached city council members, seeking legal reentry into the city. One interviewee recalled: “Legitimate tattoo people have come to us. We had a national president of [a tattoo association approach city council]. We stood our ground” (Interviewee 18103).

It is clear that the passage of an ordinance requiring special exception permits for adult uses, outlined in Appendix L, and regulating adult movie theaters, adult mini-movie theaters, adult bookstores, massage parlors, eating and drinking establishments, and entertainment establishments was a critical turning point in the city’s efforts to leave the image of the “worst war town” far behind.

The city ordinance against topless dancing became another tool in Norfolk’s continuing efforts to change the city’s image. One interviewee listed four types of adult businesses, “the dirty bookstores, the X-rated movies, the massage parlors, and the topless go-go” and described the city’s course of action. “The city had enabling legislation. We passed parallel laws with the state. What was a state violation became a city violation. That enabled the city to go after these adult uses” (Interviewee 18103).

When the Supreme Court upheld Detroit’s zoning ordinances in the case of *Young*

v. American Mini Theatres, Inc. (427 U.S. 50, 1976), Norfolk followed Detroit's successful, court-tested legislation by writing an ordinance along the same lines. "I asked the city attorney, 'with this Detroit ordinance, can we control ABC licenses?' This was a whole new thought in the state of Virginia – a city controlling ABC licenses. The city attorney said yes, he thought we could, and we ought to go for it, we ought to try it.... We went for it. And the thing about it is – we were upheld in the courts. The city had the authority to do it" (Interviewee 18103).²³²

Another respondent was in complete agreement with the importance of the *Young* decision. "The Detroit case was the landmark case allowing city governments to control adult activities. There could only be so many within a certain distance and able to put various controls on them. That was probably the best tool that a city government ever came up with to control such activities" (Interviewee 48129).

When asked to identify the city's primary tool in controlling adult uses, one interviewee said that the city's success was the result of zoning. "Zoning. It falls under zoning. Zoning has been the primary tool that we've utilized to thin out the adult uses.... We have maximized the state law and the city ordinances that we have at our disposal – to the max" (Interviewee 54898).

In mid-1972, then Assistant to the City Manager Neal Windley requested that the City Attorney's office prepare an ordinance on the subject of nude modeling studios (Trapani, Oct. 18, 1973). The project was assigned to Assistant City Attorney Anthony

²³² In 1981, the Virginia Supreme Court ruled in favor of Norfolk's adult use ordinance. Cities were permitted to control the concentration of adult uses. (Krauskopf, May 12, 1999).

L. Montagna Jr., who prepared an eleven-page memorandum recommending against such an ordinance (Montagna, Sept. 8, 1972). Citing a similar ordinance that had been adopted by Hampton, Virginia in May 1972, Montagna argued that existing state and city laws were sufficient to control nude modeling studios. He explained that, given incomplete guidance from the U.S. Supreme Court, and lack of evidence of prostitution or other illicit sexual conduct occurring in the studios, “I do not believe that the City of Norfolk can pass an ordinance regulating modeling studios that would withstand a constitutional attack” (Montagna, Sept. 8, 1972). In October of the following year, then Assistant City Attorney Philip Trapani communicated with Mr. Windley, requesting guidance as to whether a nude modeling studio ordinance was desired. A handwritten “No” on the October memorandum seems to have ended the dialogue. In the same memorandum, Mr. Trapani advised that “the only establishment providing such a service has long since closed its doors” (Trapani, Oct. 18, 1973).

As described in Chapter 4, the city did pass an ordinance outlawing cross-sex massages in 1972 – the ordinance that was enjoined by Judge Robert Merhige in December of the same year. It was not until March 1976 that Judge Merhige’s injunction was lifted. With that ordinance, and with the passage of the special exception adult-use ordinance in 1977, crafted as a result of Detroit’s Supreme Court-tested zoning ordinances, Norfolk was well positioned to control the influx of adult oriented businesses.

2. Decision-making Theory.

The efforts to control adult oriented businesses in three different locations within Norfolk, Virginia varied in terms of instigators, means, and methods. The findings

described here support theories of municipal decision-making as summarized in Chapter 2 of this paper. The control of adult oriented businesses in Norfolk serves as a practical, if complex, example of many attributes described in municipal decision-making theory. Within that broad categorization, the individual theories can be viewed as a continuum beginning with elite and pluralist theory, and then evolving into growth machine and regime theory.

Norfolk as growth machine. A major goal of a growth coalition is the promotion of “downtown.” The composition of this type of group usually includes politicians, downtown merchants, local newspapers, large corporations, and the construction trades (Judd, 360). Norfolk’s growth coalition can first be identified in 1946, with the election of Cooke, Darden, and Twohy to city council. Though these three served only one term, they were followed, for 27 years, by city councilmen who were both business oriented and downtown oriented. Downtown merchants and businessmen, such as Richard Welton, Harry Price, Harry Mansbach, Harvey Lindsay Sr., S.L. Nusbaum, Kurt Rosenbach, Charles Kaufman, several bank presidents, the Chamber of Commerce, members of the Downtown Norfolk Association and the Downtown Norfolk Development Corporation, formed the core of Norfolk’s municipal power brokers.

One interviewee called Norfolk a change agent. Over an extended period of time, Norfolk decision-makers worked to change the city from a Navy town with a reputation for tattoo art, taverns, and tawdry entertainment to a city that a *New York Times* essayist recently called “a cultural center of note, with the Chrysler Museum of Art and Virginia Opera in the vanguard” (Apple, May 21, 1999).

Downtown Norfolk was the first and continuing focus of this group. The exchange values of downtown real estate depended on attracting business and people downtown. And the existence of taverns, adult bookstores, adult movie theaters, massage parlors, and other adult uses was not conducive to increasing those exchange values. In a relatively short period of time, from 1951 when Redevelopment Project number 1 began, until 1999, when MacArthur Mall opened, Norfolk's downtown was transformed. A newspaper article describes the change as follows: "Forty years of tearing down buildings, closing off streets, pouring in public money and pleading with private developers...suddenly seemed to be working. The downtown Norfolk we've all known disappeared, replaced by a truly vibrant urban environment" (Weintraub, Mar. 14, 1999).

The north end of Hampton Boulevard owes its transformation to quite different factors. First and foremost, the Navy was the primary beneficiary of the land acquisition. It is probable that clearance of "the strip" was a secondary effect of the land purchase. When the Navy purchased the land from the Norfolk & Western Railroad, the Navy was able to consolidate properties, expand Supply Center facilities, extend the Naval Air Station's runway, increase berthing facilities, and add both an air cargo and passenger terminal facility to the Naval Station.

However, the relocation of several "strip" businesses to locations further south on Hampton Boulevard does illustrate municipal decision-making. Body-Gendrot describes an effort by residents of the Maison Blanche neighborhood of Paris. When urban redevelopment and office tower construction threatened to dispossess residents, they reacted by demonstrating, then organizing a community association, petitioning, and

finally joining with other, similar neighborhood organizations. Although their efforts extended over a nine-year period, the residents were successful – the developer was stopped, and the neighborhood was revitalized along the lines requested by the citizens group (Body-Gendrot, 129-136). Stone and Saunders call the Maison Blanche coalition an example of an urban regime at the neighborhood level. This example of coalition building “was able to be effective because middle-class groups played a central role in drawing the coalition together and in pressing government officials to take favorable actions” (Boyd-Gendrot, 125).

Pauline Leibig and her Glenwood Park neighbors acted in a manner very similar to that described by Body-Gendrot. First, they realized that businesses formerly located well away from their neighborhood had begun to move south to the Glenwood Park area. Second, they shared a belief that these businesses would negatively impact the character of the area, in terms of property values, appearance, and potential criminal activity. Third, they identified a persistent and resourceful leader, Mrs. Leibig, who was willing to take the time and effort needed to convince city council that it had to act, and act quickly, to prevent these businesses from permanently relocating to the 8200 block of Hampton Boulevard. Her persistence led city council to seriously consider purchasing the entire block of businesses to prevent what at the time appeared to be the imminent relocation of the Gate 2 “strip” to Glenwood Park’s front door. Although that initiative was defeated, the city was able to quickly close a nearby massage parlor and rejected additional ABC permits for the area.

In East Ocean View, a coalition of civic leagues representing neighborhoods

adjacent to both Little Creek Road and Shore Drive joined together to convince the city council and the Alcoholic Beverage Control Board that the concentration of ABC licenses in the East Ocean View area was unacceptable to resident property owners. The proliferation of adult uses was detrimental to property values, appeared to have resulted in increased crime, traffic accidents, and other disruptive activity. Isolated from other parts of the city, and heir to some of the displaced adult businesses forced out of the Granby Street-East Main Street and north Hampton Boulevard areas, East Ocean View found itself plagued by taverns, go-go bars, and massage parlors.

With neither direct representation on city council, nor a sufficient mass of property owners in residence to build an effective coalition, adult oriented businesses relocated to the East Ocean View area from approximately 1972 until 1982, when Norfolk gained control over the issuance of ABC licenses. In addition, the earlier passage of Norfolk's adult-use ordinance, in 1977, effectively limited the continuing proliferation of adult uses. The election of businessman and Ocean View resident Randy Wright to city council in 1992 gave the area a voice "downtown." Chairman of the Mayor's Ocean View Task Force, Wright has been praised for organizing a large network of Ocean View residents who are dedicated to community renewal.

With the assistance of the Norfolk Redevelopment and Housing Authority, the Planning Department, civic leagues, indefatigable residents such as Jim Janata and others, and influential council members such as Conoly Phillips and Randy Wright, East Ocean View is well on the way to shedding the old "honky-tonk" image.

East Ocean View can be viewed as an example of both growth machine theory

and of regime theory. As described in Chapter 2 of this paper, the growth machine consists of real estate investors, developers, and those who are interested in maximizing the exchange value of property. Land that is currently being developed in East Ocean View, a 90-acre waterfront area, will certainly bring “tangible benefits” to development interests (Harding, 42). Newspaper headlines such as “Developers make pitches for how East Beach can reach its potential” (Williams, Nov. 26, 1999) and “E. Ocean View plan faces a likely update” (Williams, Nov. 19, 1999) are indicative of some growth machine characteristics, where developers, construction firms, financial interests, the media, and architecture and engineering firms form alliances to profit from development.

One respondent described the sort of partnership that Norfolk actively sought in these terms:

The city did a remarkable job to lift itself from a city that was about to sink into the Elizabeth River into what it has become now. That took a lot of courage on the part of a lot of people. And clearly city government, the banks, the retailers, and the Chamber [of Commerce] to a certain extent. It was the business community, in partnership with the city that had a great deal to do with this. [Norfolk] formed the Greater Norfolk Corporation and it was largely at the behest of the city that that was formed. It was a takeoff on Baltimore. They formed the Greater Baltimore Committee, which had a great deal to do with forming a partnership, private-public partnership for the redevelopment of downtown Baltimore....These public-private partnerships work. The Greater Norfolk Corporation has done a great deal here. When you have a marriage between the business community and the public arena you can make a lot of things happen (Interviewee 40221, emphasis added).

Logan and Molotch write that city governments can facilitate development growth by offering a variety of incentives to developers. As an example, Norfolk has done exactly this in the case of MacArthur Center, where Nordstrom, one of the two anchor stores, was promised a “large incentive package” by the city (Mangalindan, July 2,

1995).²³³ Similarly, Williams notes that during the Spring of 1999, Norfolk began to dredge Pretty Lake, in East Ocean View, and “about a month later, the City Council slashed the tax on recreational boats. And finally plans are on the table to develop an upscale East Beach residential community” (Williams, Nov. 19, 1999, emphasis added).

East Ocean View is now a focus of the forces of growth. As one respondent noted, “I think now when people recognize the potential [in East Ocean View] you have real estate agents and builders and developers and banks and the city as a whole recognizing the tremendous financial opportunities down here so they are all more or less on the bandwagon now” (Interviewee 50103).

Also in 1999, Mayor Paul Fraim spoke to the Hampton Roads Chamber of Commerce about Norfolk’s continuous focus on reinventing itself. He emphasized that the city’s growth depended on attracting more middle- and upper-income residents, and “cited several projects, including the ongoing bay front redevelopment in East Ocean View, as proof that Norfolk ‘can compete successfully for the premier residential addresses in the region’” (Glass, Mar. 24, 1999).

Certainly Norfolk’s public face, as seen on the city’s official homepage, (www.norfolk.va.us), supports the concept of the growth machine as “urban boosterism” (Short, 40). Phrases such as the following present the city in the best possible light:

- There is no escaping it and who would want to? The arts are all around you in Norfolk (www.norfolk.va.us)

²³³ The city and the NRHA have also made attractive offers to developers such as Collins Enterprises, which is currently building new townhouses in the downtown area (Dinsmore, Sept. 10, 2000).

- Norfolk's sparkling downtown waterfront is a place of parks, promenades, restaurants, shops and museums (www.norfolk.va.us)
- "Enjoy our city, visit our neighborhoods and talk to our people. I think you'll see why Norfolk is a great place to live, learn, work and play," states the welcome to Norfolk greeting of Mayor Fraim.

(www.norfolk.va.us/welcome.htm)

The mayor's state of the city speech addresses some of the reasons that Norfolk decision-makers placed so much emphasis on economic development:

Prevented from expanding our boundaries, encumbered by over 47% of our land off the tax rolls, hamstrung by an archaic state tax structure that keeps localities in a perpetual state of dependence, drained by out-migration to the suburbs, forced to compete with our sister cities because of outdated state policies that refuse to recognize that regional cooperation is the key to our future, Norfolk has overcome odds that at times seemed intentionally stacked against her. Through vision, through faith in the face of doubt and opposition, through an iron-willed determination to succeed, we have transformed a small, tough, seaport town into a cosmopolitan, sophisticated and diverse city" (Year 2000, 12).

Chapter 2 summarizes the "central tension" phenomenon discussed by Logan, Whaley, and Crowder (Logan, 89). The tension that resulted from the struggle between resident home- and land-owners in East Ocean View and the growth interests that favored additional ABC uses demonstrates a disconnect of this sort. Whereas business interests and the Commonwealth of Virginia benefited from the sale of alcoholic beverages, residents saw the increasing concentration of bars in East Ocean View as detrimental to the integrity of their neighborhoods. They believed that the presence of such establishments resulted in increased littering, traffic accidents, and anti-social behavior.

Evidence from multiple sources about the history of Norfolk's efforts to control or

eliminate adult oriented businesses supports both growth machine and regime theories. And if, as Molotch writes, growth machine theory is the modern day relative of an elitist ancestor, then that ancestor can also be found during the genesis of Norfolk's redevelopment, when three businessmen pledged, if elected to council, to return the city to a business basis, and when a small number of bankers, developers, business owners, attorneys, and real estate interests sought to transform the city from honky-tonk town to business-friendly, attractive city. One interviewee summarized the dynamics of decision-making in Norfolk as follows: "Multiple stakeholder teams plan what happens in Norfolk. The Greater Norfolk Corporation, the Mayor's development team, the Ocean View Task Force....The business community was the earliest participant in this effort" (Interviewee 70469).

Retired councilman and former Mayor Mason Andrews identified the reasoning behind the city's pro-growth stance in a recent editorial: "This 45 percent tax-exempt,²³⁴ less-affluent, walled-in central city has enormous challenges in its ongoing efforts to provide the best educational resources, neighborhood renewal, appropriate employee salaries, recreational facilities and public safety that it can possibly afford. It has had remarkable success in pursuing these priorities, in spite of its severely limited resources" (Andrews, Apr. 11, 2000).

3. Public Disorder Theory

There is somewhat less evidence that the manifestations of public disorder, from the milder, more benign forms, such as public drunkenness, loud noise, graffiti, urinating

in public, and public littering, to the more serious forms, including prostitution, muggings, robbery, threatening behavior in public, were considered serious problems in Norfolk.

One interviewee mentioned that increased crime was associated with adult oriented businesses. But this respondent stated that although residents of the East Ocean View area may have thought that the presence of adult businesses led to increased crime in their neighborhoods, they didn't really voice this concern. "I think that was more understood than ever articulated" (Interviewee 41577).

Another interviewee stated plainly that adult oriented businesses did have a deleterious impact on the community. "It's a public safety issue....The city began to put together quantitative examples – if you could show that an area was besieged or at risk – had a general disorder – trying to get more quantitative and less anecdotal. The city began to keep records and counted the numbers" (Interviewee 70469).

Another respondent's comments about the north end of Hampton Boulevard support the tenets of public disorder theory. "As a whole, it was not an attractive part of the city. And unattractive parts of the city tend to generate behavior that you don't want to encourage" (Interviewee 18292).

Several people commented about nightclubs, and public disorder associated with such establishments. For example, one respondent recalled, when asked to identify the types of adult businesses that were not welcome in Norfolk: "The nightclubs that stay open late at night, constantly problems, constantly calls for [law enforcement] services

234 Tax-exempt due to federally owned land, primarily the Norfolk Naval Station complex.

there, illegal activity” (Interviewee 70361). Two such clubs in downtown Norfolk were identified, one, called the Red Hot Pepper Club, was located on Monticello Avenue. The second, called Pizazz, was located on Granby Street near Tazewell Street. The respondent described the situation as follows: “Underage children, overcrowding. Once they quit selling liquor at 2 o’clock, they’d stay open until three or four o’clock in the morning. [People] could still dance, hang out on the street. Just a big problem. The crowds would go up and down Granby Street, three or four o’clock in the morning, cruising, going to the Freemason harbor area which is a residential area” (Interviewee 70361). Another commented on the secondary effects of adult establishments: “Some of the bars [downtown] weren’t go-go bars, but there were ladies hanging around the bars, enticing the men to buy drinks. Most of them probably engaged in prostitution, not on the premises, but somewhere else, in a nearby hotel. The prostitution problem was just rampant” (Interviewee 31405).

Another interviewee spoke about the blighting influences of adult uses in terms of their negative effect on property values. “I think universally, in the suburban areas, Little Creek Road, Roosevelt Shopping Center, along Shore Drive, out near the Naval Base, there was resistance to these [businesses] because of their undesirable influence on the neighborhood” (Interviewee 40221).

City Council repeatedly voted against dance hall permits for reasons relating to the maintenance of public order. One such denial, recorded in Council minutes, was based on police and Shore Patrol reports: “The Police Department objects due to the continued problems faced by that agency and the Shore Patrol in the general area, and in

particular this location.²³⁵ They also report that there are a number of businesses in the area who have retained an attorney to object to this permit being issued” (Record Book of Council, May 18, 1971). Likewise, City Council denied a special use permit to the Galleon Club²³⁶, on the recommendation of the Planning Commission. Council minutes state that “the Commission finds that approval of this use permit would not be in the public interest and would be contrary to efforts of the City and the Ocean View Coordinating Committee to improve this area, and further that granting the requested waivers would establish a precedent for a concentration of such uses not in keeping with the intent of the zoning ordinance” (Record Book of Council, Dec. 6, 1977).

One interviewee’s opinion about the type of public disorder that sometimes resulted from adult businesses was representative of the comments of several others. “We won’t stand for this denigration of our society to continue. We don’t want you. We don’t want prostitutes and dirty books and sleaziness. Where decent people can’t walk up and down the street. A person who walks out of a dirty bookstore has just been talking to prostitutes. And he walks out and sees decent ladies walking there, he treats them the same as he treats the others. Says the same comments” (Interviewee 72570).

4. The Unprepared Municipality

In a 1998 article, Ellen Perlman identified a phenomenon dubbed “ pornosprawl” (Perlman, 1). She described the transformation of a Johnston, Rhode Island business from Italian restaurant to topless bar. The city was unprepared, in terms of existing

235 Permit request for the Celebrity Lounge, 9882 Hampton Boulevard.
236 8156 Shore Drive.

ordinances, to regulate topless dancing and quickly passed an anti-public nudity law for establishments serving alcoholic beverages. At the time of the article's publication, the law was being challenged, and both the business, called Mario's Show Place, and the topless dancing continued. Johnston, a suburb near Providence, was not alone in experiencing pornosprawl. Perlman describes the municipality's dilemma:

It it's any consolation to Johnston – and it probably isn't – dozens, if not hundreds, of municipalities of all sizes are grappling with what to do about SOBs – sexually oriented businesses. Larger cities that have been home to X-rated businesses for years have been looking for ways to put a clamp on lewd entertainment and move it to the fringes, if not out of the city completely. Smaller municipalities that have never had the problem are trying to fix it so they never do. But like Johnston, they are finding it a difficult task (Perlman, 2).

Johnston and Norfolk have something in common. Norfolk has also experienced the transformation of a business from restaurant to go-go bar, specifically in the East Ocean View area of the city. One city resident witnessed the evolution firsthand, and described the process as gradual. "Someone would open up what they claimed to be a fine restaurant, have a pillar of the community²³⁷ get an ABC license, which was an unrestricted license, in other words went till two o'clock in the morning, and then soon thereafter change the operation from this wonderful restaurant to a go-go place, after-hours place (Interviewee 50103).

When massage parlors were brought under strict control by the city, and cross-sex massages banned, Norfolk saw another type of adult oriented business develop. Massage parlors might have closed, but rap parlors, nude photography studios, and lingerie

²³⁷ A probable reference to the fact that it was common for state senators to represent businesses seeking ABC licenses before the ABC Board.

modeling studios quickly appeared. The manager of one Norfolk massage parlor told a reporter that his former masseuses would entertain a customer in a private room by removing clothing. The more a customer paid, the more clothing would be removed. The customer and the woman could “rap” or discuss topics of interest to the customer. (Smith, Mar. 13, 1976). The city continued its practice of vigorously enforcing adult businesses by prosecuting rap parlors owners under existing ordinances regulating disorderly houses (Smith, Mar. 13, 1976).²³⁸

While some massage parlor owners fought to keep their establishments open by legal means, others reinvented themselves in imaginative ways. “One such establishment is a gaudy pink-and-purple-fronted building on Tazewell Street, which rates itself ‘XXX’ and advertises ‘love wrestling’ with beautiful women. It’s the newest wrinkle here to the massage parlor game” (Gup, July 25, 1976). Norfolk was able to eliminate businesses such as this one by enforcing existing laws banning prostitution, cross-sex massage, operating without a health permit, or maintaining a disorderly house.

In recent years, lingerie shops have come to Norfolk and the neighboring city of Virginia Beach. In practice, a lingerie shop customer would ask a model to dress in nightgowns or various types of undergarments, and the model would then “display” the lingerie in a private room located inside the store. Repercussions caused by one company’s efforts to open the Hot Spot Lingerie store were described in the *Virginian-*

²³⁸ *The Ledger-Star* reported that “at least five former massage parlors have reopened as rap parlors, photography studios or private clubs.” An early morning raid on the Relaxarama Health Club in downtown Norfolk led to the arrests of the club manager, two female employees, one customer, and one “health club member” (Williams, Apr. 2, 1976).

Pilot. Norfolk's Board of Zoning Appeals first ruled that the store would be more of an entertainment establishment than a clothing store, and mandated that the company would have to obtain an adult special-use permit. This company, identified as BE & JG Inc., planned to open on East Little Creek Road, near Clancy's go-go bar, and close to the East Ocean View area of Norfolk. The Reverend Ken Gerry, minister of the New Life Christian Center in East Ocean View, spoke to a reporter: "Just the idea of modeling lingerie privately in a back room opens a lot of opportunities for illicit behavior, and we don't want to see those doors opened in our city" (Glass, Aug. 21, 1998).

In February 1999, Judge Everett A. Martin Jr. agreed that Hot Spot Lingerie would be more adult entertainment than lingerie store, confirming the decision of the Board of Zoning Appeals, and requiring the company to obtain a special use permit prior to opening (Davis, Feb. 25, 1999). Referring to similar shops opening in Virginia Beach, Hansen and McGlone wrote that lingerie shops "were designed to meet the demands of male customers seeking adult entertainment in a town that strictly forbids nude dancing in public places" (Hansen, June 7, 1999).

Norfolk has been very successful in controlling lingerie shops, rap parlors, modeling studios, massage parlors, topless go-go bars, adult book and movie stores, X-rated movie theaters, and other forms of adult oriented entertainment. When asked about an "erotic lingerie" store, located on East Little Creek Road, one interviewee replied that it is very closely monitored (Interviewee 42082). Another respondent commented on the city's response to the continuing permutations of adult oriented businesses by saying, "we have refined our definitions. We took the time to make our legislation meaningful.

And...that is a direct response to policy makers who have set the parameters....And the mindset of our policy makers is not to ignore the obvious....We are not going to buy that fiction [of these stores having private booths for discreet modeling of lingerie]”

(Interviewee 14939).

5. Public Policy Lessons from the Norfolk Case

Norfolk’s policy makers had several things working in their favor during the period covered in this case study. A common vision of what the city could become was held jointly by key decision-makers, and the vision was passed on from one generation to the following. What the Cooke-Darden-Twohy council began in 1946 was continued by their successors. Norfolk mayors - Fred Duckworth, Roy Martin, Vincent Thomas, Irvine Hill, Joe Leafe, Mason Andrews, and Paul Fraim held to the vision, and with key community and business leaders literally began to chip away the blight from several sections of the city. Certainly they were watching what was going on in other cities – looking at ways to attract both commerce and residents downtown.

The fact was that Norfolk had a valuable, neglected asset. The city was surrounded by water. The Elizabeth River bordered the city’s downtown, and the Chesapeake Bay waters lapped its northern perimeter. Taking advantage of those assets translated first into making the downtown district an attractive place to walk, shop, and assemble. That this goal could that goal be achieved in a downtown plagued by taverns, X-rated movie theaters, and massage parlors was not seen as realistic.

The city had existing laws in place that it could enforce, such as those regulating prostitution, nudity, sexual conduct, and obscenity, among others. Vigorous and

sustained enforcement of these laws was therefore a key measure in transforming the downtown district. Even though it took Norfolk more than three years from adoption to implementation of an ordinance banning cross-sex massage parlors, in the interim it used enforceable ordinances that were in place to control and eventually close these establishments.

Norfolk also had the Navy to contend with, and rather than ignoring a Federal presence that could be simultaneously intrusive and sustaining, it embraced its sailors, its admirals, and all ranks and rates in-between. Norfolk became a proud Navy town. Norfolk officials and Norfolk residents worked assiduously with the Navy to improve upon past conditions that had developed within a very unprepared city during the Second World War. The Navy took steps to become a better neighbor, sending its Shore Patrol force to work along side Norfolk police officers, empowering the Armed Forces Disciplinary Control Board to declare certain businesses off-limits to military personnel, participating in the effort to improve the Hampton Boulevard – Main Gate corridor, and even decorating Navy ships at Christmas with elaborate light patterns and inviting the Hampton Roads community to see the ships at night.

The city's successful fight to gain some control over powerful state liquor interests is another public policy lesson learned. It must be remembered that Virginia is a state where "Dillon's Rule" restricts the authority of a local government, such as Norfolk, to actions specified in enabling state legislation. Thus when Norfolk attempted to control the numbers and locations of ABC licenses issued to local establishments, it had to turn to the state legislature to secure this authority. As described in Chapter 4, City

Councilman Conoly Phillips and other Norfolk residents lobbied the state's lawmakers to amend the Code of Virginia by specifying that cities with a population between 260,000 and 264,000 could impose a special exception process on establishments serving alcohol.

When the city adopted its 1977 special exception alcoholic beverage control ordinance, and successfully fought a threat to overturn the ordinance in 1982, it achieved local control over the proliferation of taverns, go-go bars, and other establishments serving alcoholic beverages. With this legislation, property owners, city government, and developers could begin to concentrate on transforming the waterfront and near-waterfront neighborhoods of East Ocean View.

The Norfolk example discussed in this case study is, at this point in time, a success story. Norfolk's policy makers and policy implementers sustained the effort to enforce existing laws, adopted new but court-tested legislation, took advantage of environmental assets, worked to cooperate with the Navy, and listened to the complaints of vocal and persistent residents. There are potential areas of concern. Variations of adult oriented businesses could attempt to locate within the city at any time. Objections to local ordinances regulating obscene material could easily occur. Neighboring cities are less restrictive than Norfolk in the areas of adult book and adult movie merchandise sales and rentals. State and federal courts continue to debate cases where litigants claim First Amendment protection for freedom of speech and expression.

However, Norfolk is a conservative city within a conservative commonwealth, and in an era of both political and sexual conservatism it does not appear that the city will relax its control on adult oriented businesses or retreat back to the days of "worst war

town” anytime soon.

6. Future Research

As mentioned in Chapter 2 above, Lauria argues that theoretical writing on urban regimes focuses primarily on economic development, and appears to be heavily influenced by five key urban characteristics. These characteristics are (1) inner city decline; (2) white flight from cities to suburbs, resulting in a weakened tax and retail base; (3) the growth and then decline of Federal redevelopment funds; (4) shifting goals of urban activists; and (5) a shift toward privately funded development or public-private partnerships. At least four of these characteristics are evident in the transformation of downtown Norfolk. Key businesses closed or relocated; Norfolk’s population decreased as residents moved to surrounding cities; Federal funding declined and public-private partnerships were sought. Although Lauria agrees that this economic focus is consistent and most likely accurate, he also argues that regime theory is limited because it fails to include “extralocal and supra-economic connections” and to relate these connections to local economic development (Lauria, 128). Continued research focused on an external economic environment, specifically Norfolk’s economic rivalry with neighboring cities Chesapeake, Virginia Beach, and Portsmouth, and the control of adult oriented businesses in those cities would be extremely useful in any regional or national study of adult oriented businesses.

Relevant questions might include the following: (1) What types of adult oriented businesses exist regionally? Does the presence of adult oriented businesses have an effect on municipal economic development? In areas where adult oriented businesses are

located, are they clustered or integrated throughout the municipality? What correlations can be made between the presence or absence of adult oriented businesses and the region's or sub region's economic viability and attractiveness?

The East Ocean View area is now in the midst of a significant redevelopment effort. City funds have been committed. Residents in many East Ocean View neighborhoods are organized and active, and have a voice on City Council in the person of Councilman Randy Wright. And, as Mayor Andrews explained, "In the past six years, \$12 million of city money, a \$6 million bank loan and a \$10 million five-year bond have been committed to acquisition of 90 acres in East Ocean View for neighborhood renewal. Debt service for the bank loan and bonds are paid for by city funds. Four million dollars more in each of the next two years will be required to complete the plan" (Andrews, Apr. 11, 2000). The East Ocean View area is the last locality in Norfolk where adult oriented businesses are clustered. Future research on the continuing existence, relocation, or closure of these businesses will complete the three-pronged focus begun in this paper.

Several interviewees mentioned that city governance was less cohesive now than during the many years of businessman-led city councils. Whereas once the Norfolk City Council was considered a unified entity, comments of a number of interviewees indicated some degree of uncertainty that this sense of unity would continue. Several respondents also discussed the disenfranchisement of "east side" Norfolk²³⁹ residents, tension between backers of the ward system, adopted in Norfolk in 1992, and the at-large election of city

²³⁹ The majority of city council members and city power brokers have, in past times, come from so-called "west side neighborhoods" such as Ghent, Lochaven, Meadowbrook, Larchmont, and Edgewater. East

council. The following statements are representative of respondents' remarks:

- “The city has been successful in looking at the city as a whole – but the ward system has changed that. At the turn of the century Norfolk had a ward system and that’s one reason that it was so corrupt” (Interviewee 70469).
- “Norfolk was known not to have the dissent that many other communities seemed to have in their councils. It seemed to be a cohesive unit that agreed on not only the vision but also on the road to travel to get there” (Interviewee 14939)
- “We now have the ward system. In the old days, when we had the at-large system...if a council member voted to allow something, and it made seven people mad, it probably wasn’t important. But if you are in a ward, and you have seven people mad at you, those seven people might be able to communicate nasty things about you to their friends and neighbors in that ward....A pocket of fanatics couldn’t really do anything to you [before]. But in the ward system, a pocket of fanatics is simply a lot more important” (Interviewee 20830)
- “It’s gone to hell in a handbasket as far as I’m concerned. They sort of fight for their own. That’s what the ward system is all about” (Interviewee 48129).
- “Nor, during that period [of downtown redevelopment] was there any attention paid to any of the neighborhoods. For the most part, the neighborhoods deteriorated. Other than the affluent neighborhoods. We have reversed that trend now. Slowly but surely the ward system is getting more attention. And the neighborhoods” (Interviewee 50103).

With these comments in mind, another area for future research is a long-term

side neighborhoods include Ocean View, Bayview, and Camellia Gardens.

study of ward politics in Norfolk. How will municipal decision-making change as the ward system becomes more established? If Norfolk residents vote to select the mayor by popular election, how will decision-making differ from that of the last fifty years?

Finally, with the exception of a few references to “houses of ill repute” in the early 1940s and in connection with the topic of massage parlors, this study does not cover prostitution. Because adult oriented businesses and prostitution are frequently linked in the literature, and because Norfolk is not immune to prostitutes, research into this area of sexually oriented business would be appropriate. Norfolk police have targeted escort services, lingerie clubs, as well as specific motels in recent efforts to control prostitution and so-called “prostitution rings.” Quantitative and qualitative data on prostitution and prostitution arrests in Norfolk would add another dimension to the study of municipal control of sexually oriented businesses.

This case study has used a qualitative approach to determine how the city of Norfolk controlled and even eliminated some types of adult oriented businesses over a fifty-five year period. Within that qualitative framework, the decision-making processes that were either in place, in the case of established municipal government agencies and elected government officials, or evolved, in the case of an organized and vocal citizenry, were also identified and examined.

Not included within the framework of this research was the quantitative evidence that might add another dimension to this study of municipal decision-making. Analysis of statistical evidence such as arrests for disturbing the peace, public drunkenness, disorderly conduct, soliciting, prostitution, burglary, rape, and other misdemeanors and

felonies that occurred in the areas where adult oriented businesses clustered would add to the literature of public disorder theory. Such data would enable researchers to begin to study the effect of adult uses on downtown and nightclub districts, two areas that were not studied in Skogan's original research of 40 neighborhoods. A comparative study of the control of adult oriented businesses in other cities with a strong military presence, such as Fort Bragg, North Carolina, Jacksonville, Florida, and San Diego, California, would add to the literature of both public disorder theory and urban decision-making.

Summary. The city of Norfolk, Virginia, has been successful in reducing or eliminating adult oriented businesses, beginning shortly after the end of World War II and continuing to the present day. It has done so by a variety of ordinances regulating adult uses, including local control of alcoholic beverage licenses, zoning ordinances, and vigorous enforcement of those ordinances. Norfolk decision-makers, primarily city council members, merchants, key members of various departments within city government – planners, the city attorney's office, the police department – along with bankers, developers, and citizen activists who were determined to maintain or improve the quality of life in their neighborhoods, have been able to identify a new vision for the city and work steadily toward transforming the old Navy town to a city where mermaids, not taverns, massage parlors, and go-go bars, dot the landscape.

Mayor Paul Fraim described the city's transformation in his "Year 2000 State of the City Address": "We are a city that has truly made its own way. For the last half-century we have been blessed with a level of community service and quality of leadership the envy of cities across the nation. And it is those citizen leaders – black and white, blue

collar and white collar – who have transformed a town in danger of being relegated to mediocrity into a thriving, vibrant and modern city” (Year 2000, 14). The transformation is evident in the photographic evidence that follows this chapter. In the 55 years from 1943 to 1998, Norfolk has emphatically shed its image as the country’s “worst war town.”

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APPENDICES

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Appendix A
Request for Interview

Date:

Name of Prospective Interviewee

Address

City, State, Zip

Dear (Prospective Interviewee)

As a Doctoral Candidate in the College of Business and Public Administration at Old Dominion University, I am presently working on my dissertation, *Controlling Adult Oriented Businesses in Norfolk, Virginia, 1943-1998: A Descriptive Case Study*. I plan to focus my research on three areas of Norfolk: the East Main Street-Granby Street locale, Hampton Boulevard near Gate 2 of the Naval Station, and the Shore Drive-Little Creek area, near the Little Creek Amphibious Base.

I am writing this letter with the hope of enlisting your assistance in this endeavor.

In order to complete my research successfully, I need to conduct interviews with Norfolk decisionmakers. Your name has been suggested to me as a person who might be able to help me with this research. The purpose of this interview will be to collect information concerning the approaches used by the city of Norfolk to reduce or eliminate adult oriented businesses. I have defined these businesses as massage parlors, burlesque theaters, adult movie theaters, adult book and video stores, and go-go bars. My research will not address moral or religious objections to adult oriented businesses nor will it take a position about the existence of these businesses in Norfolk. It will be a study of decision-making in a historical context.

With your permission, an audio tape would be made of the interview for my use as a personal reference when analyzing the data collected. In accordance with university policy, all responses would be kept confidential.

Your willingness to assist me in this research would be greatly appreciated. I look forward to speaking with you in the near future in order to schedule an interview.

Sincerely yours

Gail Nicula

Enclosure: Card and stamped, self-addressed envelope

Appendix B Interviews

Paul Adams – City Planner

Dr. Mason Andrews – Physician, City Council Member, Mayor

Wayne Avery – Police Lieutenant

Sam Barfield – City Council Member, Commissioner of the Revenue

Shelton Darden – Assistant Chief of Police

Peter Decker - Attorney

Andre Foreman – Assistant City Attorney

Douglas Fredericks, Attorney and former Associate City Attorney

Daniel Hagemeister – Assistant City Attorney

Julian Hirst – City Manager

Jim Janata – Citizen Activist

Connie Laws – Citizen Activist

Roy B. Martin – City Council Member, Mayor

James B. Oliver – City Manager

Conoly Phillips – Businessman, City Council Member

David Rice – Executive Director, Norfolk Redevelopment and Housing Authority

Kurt Rosenbach – Business Executive

Richard Rumble – Naval Officer

Vincent Thomas – City Council Member, Mayor

Byron Tobin – Naval Officer

Harry Train – Naval Officer, Norfolk advocate

William Walton – Naval Officer

Dr. G. William Whitehurst – Professor, Congressman

Neal Windley – Assistant City Manager

Randy Wright – City Council Member, Citizen Activist

Appendix C

Norfolk Mayors and City Managers: A Time Line

Mayor		City Manager
Wood	1943	Borland
Wood	1944	Borland
Reed	1945	Borland
Reed/Cooke	1946	George/Harrell
Cooke	1947	Harrell
Cooke	1948	Harrell
Cooke/Darden	1949	Harrell
Darden/Duckworth	1950	Harrell
Duckworth	1951	Harrell
Duckworth	1952	George
Duckworth	1953	George
Duckworth	1954	George
Duckworth	1955	George/Reeder/Morrisette
Duckworth	1956	Morrisette/Maxwell
Duckworth	1957	Maxwell
Duckworth	1958	Maxwell
Duckworth	1959	Maxwell
Duckworth	1960	Maxwell

Duckworth	1961	Maxwell
Duckworth/Martin	1962	Maxwell
Martin	1963	Maxwell
Martin	1964	Maxwell
Martin	1965	Maxwell
Martin	1966	Maxwell
Martin	1967	Maxwell
Martin	1968	Maxwell
Martin	1969	Maxwell
Martin	1970	Maxwell
Martin	1971	House
Martin	1972	House
Martin	1973	House
Martin/Hill	1974	House
Hill	1975	House/Hirst
Hill /Thomas	1976	Hirst
Thomas	1977	Hirst
Thomas	1978	Hirst
Thomas	1979	Hirst
Thomas	1980	Hirst
Thomas	1981	Hirst
Thomas	1982	Hirst

Thomas	1983	Hirst
Thomas/Leafe	1984	Hirst
Leafe	1985	Hirst
Leafe	1986	Hirst
Leafe	1987	Oliver
Leafe	1988	Oliver
Leafe	1989	Oliver
Leafe	1990	Oliver
Leafe	1991	Oliver
Leafe/Andrews	1992	Oliver
Andrews	1993	Oliver
Andrews /Frain	1994	Oliver
Frain	1995	Oliver
Frain	1996	Oliver
Frain	1997	Oliver
Frain	1998	Oliver

Appendix D

Documents and Archival Records

Primary Documents:

- Records of Norfolk City Council meetings from 1945 to 1982
- Records of the City of Norfolk held in the Records Office
- Zoning board reports and documentation
- Norfolk City Planning Commission reports and records
- The photograph archives of the Norfolk Public Library
- Recommendations of outside consultants and agencies

Secondary Documents:

- Norfolk city directories
- City Managers Scrapbooks
- Pamphlet and vertical files of the Norfolk Public Library
- Newspaper articles from the Norfolk *Virginian-Pilot* and *Ledger-Star* newspapers

Appendix E
Interview Guide, Structured

Part One. General Questions (all respondents)

1. Are you (Were you) an elected official of the city of Norfolk?
2. Are you (Were you) an appointed official of the city of Norfolk?
3. If you are (were) neither an elected official nor an appointed official, how would you describe your relationship to the city of Norfolk?
4. How would you describe your primary profession or occupation?
5. If retired, how would you describe your primary profession or occupation before retirement?
6. Have you been active in civic or community organizations? If so, which organizations?
7. My questions deal with several parts of the city: (1) Hampton Boulevard near the main gate (Gate 2) of the Naval Station; (2) Little Creek-Shore Drive area near the Amphibious Base; (3) East Main Street-Granby Street area in downtown Norfolk. Would you be willing to discuss one of these areas specifically? More than one area? All three areas?

Part II. Hampton Boulevard (selected respondents)

1. Do you remember the northern end of Hampton Boulevard, outside Gate 2 of the Naval Base during any part of the period from 1945 to 1998?
2. There were a number of businesses outside Gate 2 that are now called adult oriented businesses. Do you remember any of these businesses? What do you remember

about them?

3. Why do you think they disappeared or closed?
4. Are you aware of any laws or regulations that the city used to close these businesses?
5. That is, did the city pass a law? Was zoning involved? Other method used?
6. Did civic leagues or community associations play a role in the closing of these businesses? What do you remember about the role of civic leagues or community associations? How about the role of churches or religious groups?
7. Did the Norfolk Redevelopment and Housing Authority play a role? What do you remember about NRHA's role?
8. Did the City Council play a role? What do you remember about City Council's role?
9. Can you tell me what role the Navy played in the closing of these businesses?
10. Why do you think these businesses closed?
11. What do you think the motivation was to close these businesses?

Part III. Little Creek- Shore Drive Area (selected respondents)

1. Do you remember the Little Creek-Shore Drive area during any part of the period from 1945 to 1998?
2. What do you remember about the area?
3. There are a number of businesses in this area that are now called adult oriented businesses. Are you aware of any of these businesses? What do you remember about them?

4. Has this area and these businesses changed over the period (1945-1998)? How has it changed?
5. Do you know what happened that led to these changes?
6. Do you know how these changes occurred? (explanation necessary; see question 11)
7. Do you know why these changes occurred?
8. What has been the biggest change, as far as you are concerned?

The area in Norfolk near the intersection of Little Creek Road and Shore Drive has several businesses that are usually described as go-go bars.

9. Do you know why the go-go bars are concentrated in this area?
10. There is an adult magazine and video store in this area also. Do you know why it has been allowed to continue in business?
11. Can you tell me what role the Navy plays with regard to these businesses?
12. The businesses in the Shore Drive/Little Creek area are located close to residential areas. Do you know if area residents have mobilized against these businesses?
13. Are (Were) civic leagues or other neighborhood associations involved in mobilizing against these businesses?

(Continue to section on burlesque theaters)

IV. East Main Street-Granby Street (selected respondents)

From the 1940s to the 1960s, and even later, there were a number of businesses in the downtown Norfolk East Main Street-Granby Street area that are now called adult oriented businesses.

1. Do you remember the names of any of these businesses?

2. Do you remember the locations of any of these businesses?
3. Why do you think they closed?
4. What do you think the motivation was behind the closing of these businesses?
5. Do you remember any businesses that could be described as adult movie theaters or X-rated theaters in this area of Norfolk?
6. Do you know what might have happened to them?
7. Why were they closed?
8. Are you aware of the laws or regulations that the city used to close these theaters?
9. Are you aware of the position or response, if any, that the owners of these businesses took before the businesses closed?
10. Were there any attempts by these businesses to continue operating as adult theaters?
11. If so, do you remember the response of the city to these attempts?
12. What role did the city council play in closing these businesses?
13. What role did the Navy play in closing these businesses?
14. What role did other interest groups, such as investors, real estate developers or other business interests play in closing these businesses?

One store, called Henderson's Newsstand, was located at 311 Granby Street. A man named Arthur Goldstein operated it.

15. Do you remember anything having to do with this store?
16. Do you know why this store was the target of repeated police raids?
17. Do you know who might have wanted this store closed?

(Continue to sections on Massage Parlors and Burlesque Theaters)

V. Massage Parlors (all respondents)

1. Do you remember when Norfolk had massage parlors?
2. Do you remember where any of them were located?
3. Do you remember the role played by City Council members or other city officials in relation to these businesses?
4. Do you remember the reaction of Norfolk residents to these businesses?
5. Who was against this type of business?
6. Did these businesses have any defenders?
7. If so, do you know who they were?
8. Did the Navy have a role in closing these businesses?
9. Did the Norfolk Redevelopment and Housing Authority have a role in closing these businesses?
10. What role do you think real estate developers, investors, or other business interests had in closing these businesses?
11. Was zoning used to close these businesses?
12. Were new laws or ordinances passed to close them?
13. Were laws or ordinances already on the books enforced in order to close them?
14. Do you know why they disappeared?

VI. Burlesque Theaters (all respondents)

1. Do you remember when Norfolk had a burlesque theater?
2. Do you remember the name of this theater?

3. Do you know why it closed?
4. Do you remember another burlesque theater located in Norfolk?
5. Do you know where it was?
6. Do you know what might have happened to it?
7. Do you know why it closed?
8. Did the Navy have a role in closing the burlesque theaters?
9. Did the Norfolk Redevelopment and Housing Authority have a role in closing the burlesque theaters?
10. What role do you think real estate developers, investors, or other business interests had in closing the burlesque theaters?
11. What role did the city council play in closing the burlesque theaters?

VII. The Worst War Town – Norfolk’s Reputation (selected respondents)

In the 1940s, Norfolk was described as “the worst war town.” Less than 20 years later it was given an All American City award.

1. Why do you think it was called the worst war town?
2. What led to Norfolk becoming an All-American city?
3. In your opinion, what caused the closing of the massage parlors, the tattoo parlors, the burlesque theaters, and the adult movie theaters?
4. Was there a specific reason that these businesses closed?
5. Are you aware of any decision-makers in Norfolk that might have had something to do with the closing of these businesses?
6. Do you know who these decision-makers might have been?

7. What strategies or approaches has Norfolk used to control adult oriented businesses?
8. In your opinion, which of these approaches has proved most effective?
9. [Regarding respondent's answer to previous question] Can you explain why this approach (these approaches) proved most effective?
10. What future approaches would you recommend as most effective when Norfolk attempts to control adult oriented businesses?

Appendix F

Interview Guide – Focused

1. What methods has the city of Norfolk used to control adult oriented businesses?
2. In your opinion, what method or methods (laws, regulations, ordinances) are most effective in controlling these businesses?
3. Has this method (that the respondent described in question one above) been used in combination with any other methods?
4. Have you been directly or indirectly involved with closing any adult oriented businesses within the city of Norfolk?
5. If so, would you describe that involvement?
6. What types of adult oriented businesses are unwelcome in Norfolk?
7. What types of adult oriented businesses are allowed to operate within Norfolk?
8. Are there areas within the city that adult oriented businesses are allowed to cluster?
9. If so, why?
10. Where are these areas?
11. Does the city work with officials of the Department of Defense/the Navy to regulate the types of adult oriented businesses that are allowed to operate?
12. If not now, did they work with the Navy in the past to regulate the types of adult oriented businesses that were allowed to operate?
13. In your opinion, who has been most influential in determining Norfolk's policy regarding adult oriented businesses?
14. What role has the city council played in controlling adult oriented businesses?

15. Does the city work with civic leagues, churches, or other associations to regulate the types of adult oriented businesses that are allowed to operate?
16. If so, what organizations or associations are generally influential regarding allowing these businesses to operate within the city?
17. What organizations or associations are generally opposed to these businesses operating within the city?
18. The Little Creek Road-Shore Drive area of the city appears to have a high concentration of adult uses. Do you have any insight into why this might be so?
19. Are there plans to more strictly regulate adult uses in this area in the future?
20. Lingerie shops featuring private booths and female models have recently made the news. How does the city regulate this type of business?
21. Do you know when Norfolk made the decision to clean up the area of Hampton Boulevard outside the main gate – that is Gate 2?
22. Do you know who the decisionmakers involved were?
23. Do you know when Norfolk made the decision to clean up the East Main Street – Granby street area?
24. Do you know who the decisionmakers involved were?
25. What has been the role of the Norfolk Redevelopment and Housing Authority to control adult oriented businesses?
26. Can you identify or describe any business interests, real estate developers, or investors who were involved in the [decisionmaking process] control (reduction or elimination) or regulation of these adult oriented businesses.

27. Do you consider yourself one of these decisionmakers?

Appendix G Codes

Codes Used in Document Analysis

A	ABC Use
BK	Book store
C	City Council
EM	East Main Street
G	Granby Street
GG	Go-Go Bar
H	Hampton Boulevard
LC	Little Creek Road
M	Massage Parlor
N	Navy
OV	Ocean View
R	Norfolk Redevelopment and Housing Authority
S	Shore Drive
V	Video Store
Z	Zoning

Appendix H
Massage Parlors in the City of Norfolk
September 1972²⁴⁰

Anne Wood Health Studio
 811 Brandon Avenue

Executive Massage Salon
 709 Boush Street

Candid Massage
 9876 Hampton Boulevard

French Massage Salon
 7903 Shore Drive

Chongs Sauna and Oriental
 Massage Parlor
 6160 Sewells Point Road

International Massage Parlors
 125 Brooke Avenue

Continental Health Club
 209 West Ocean View Avenue

Miss Masseur Massage Parlor
 109 West York Street

Continental Massage Salon
 4214 East Little Creek Road

Triangle Health Club
 731 B Monticello Avenue

Downtown Relaxing Studio
 519 Boush Street

240 City of Norfolk. Inter Department Correspondence Sheet. Memorandum from Sergeant N.O'Neal to Chief of Police. Subject: Massage Parlors. September 13, 1972.

Appendix I

Massage Parlors in the City of Norfolk October 17, 1974²⁴¹

Americana Health Spa 117 W. Tazewell Street	Here It 'Tis 8148 Shore Drive
Businessman's Health Spa 507 Boush Street	Majestic Health Spa 8156 Shore Drive
Businessman's Massage 151 Granby Street	Midtown Relaxing Studio 735 Granby Street
Businessman's Health Spa 9882 Hampton Blvd.	Miss Masseuse 109 York Street
Businessman's Health Spa 1205 Norview Avenue	Peacock Massage 3104 East Ocean View Ave.
Chongs Sauna Oriental 6160 E. Sewells Point Rd.	Triangle Health Club 731-A Monticello Avenue
Continental Massage 4214 E. Little Creek Rd.	Universal Massage 3930 E. Ocean View Avenue
Downtowner Relaxing Studio 519 Boush Street	Venus I Corporation 3335 N. Military Highway
French Massage Salon 7903 Shore Drive	Zodian [Zodiac?] 418 N. Military Highway
Galaxy Massage Parlor 9569 Shore Drive	Zone One Massage 418 N. Military Highway

Massage parlors that did not meet sanitation standards and were out of business as of the date of the October memorandum: Baby Doll Health Studio at 117 Granby Street; Colonial Massage at 117 Brooke Avenue; International Massage at 125 Brooke Avenue; International Massage at 9886 Hampton Blvd; Miss Sensuous at 8150 Shore Drive;

²⁴¹ Memorandum from Mr. S.P. Yates, Director, Environmental Health to Mr. Neal Windley, Assistant to the City Manager. Subject: Status of Health Parlors. October 17, 1974.

Penthouse Massage at 9876-78 Hampton Blvd; Playmate Massage at 133 Granby Street;
Playmate Massage at 9877 Hampton Blvd; Voluptas at 9541 Shore Drive; and Zodiac
Massage at 2011 W. Taussig Blvd.

Appendix J
Go-Go Bars and Adult Book Stores Operating in Norfolk
July, 1977

Go-Go Bars:

Bunnies Trade Winds, 112 Granby Street
Lou's Steak House, 3615 N. Military Highway
Clancy's, 1220 E. Little Creek Road
Brad's Lounge, 1205 Norview Avenue
Green Wheel Inn, 800 Block East Little Creek Road
Inn Side Inn, Shore Drive and East Little Creek Road
Nick's, Greenbrier and Hampton Boulevard
Hy's Tavern, Randolph and City Hall Avenue
Congo Lounge, 100 Block Brooke Avenue
Black Knight Inn, Hampton [Blvd.] and West Little Creek Road
Lancer Inn, Hampton [Blvd.] and West Little Creek Road
RT's Lounge, Shore Drive and East Little Creek Road

Adult Book Stores:

Discount Books, 119 Brooke Avenue
Eros, 125 Brooke Avenue
International Books, Plume and Granby Street
Royal Book Store, 161 Granby Street
Admiralty Books, 8210 Hampton Boulevard
Adult Books, 8146 Shore Drive
Henderson's News Stand, 311 Granby Street

Appendix K
Go-Go Bars and Adult Book Stores Operating in Norfolk
1998

Go-Go Bars:

Body Shop, 3900 Block, Hampton Boulevard
 Cheetah's, 7915 Shore Drive
 Clancy's Go Go, 1220 East Little Creek Road
 Foxy Ladies, 8158 Shore Drive
 Foxy Ladies, 3822 Hampton Boulevard
 Flight Deck Lounge, 8154 Shore Drive*
 J.B.'s Gallery of Girls, 8155 Shore Drive
 Knickerbocker's, 975 East Little Creek Road **
 Lovely Ladies, 2325 East Little Creek Road
 Paddy's Pub, 8480 Chesapeake Boulevard **
 RC's II Showgirls, 7661 Granby Street (Wards Corner area)
 Taj Mahal, 1215 West Little Creek Road

Adult Book Stores or Book and Magazine Stores with Some Adult Material:

Admiralty Books, 8210 Hampton Boulevard (novelties, magazines, some videos)
 John Lynch Bookstore, 116-A E. Little Creek Rd. (magazines, books)
 Lynch's Books, 237 Granby Street (magazines, books)
 Shore Drive Books, 8146 Shore Drive (novelties, magazines, some videos)
 Suburban News Stand, 121 E. Little Creek Road (magazines)

*In 1998, this business was known as the Flight Deck Lounge. It later became J.B.'s Gallery of Girls, when the 8155 Shore Drive location of J.B.'s was torn down. There are four other J.B.'s Gallery of Girls locations, three in Virginia Beach and one location in Chesapeake

**Male dancers entertaining a female audience, once a week

Appendix L
Code of Ordinances, City of Norfolk, Virginia²⁴²
Appendix A, Zoning Ordinance
Article V. Amendments and Special Approvals.
Chapter 25: Special Exceptions

25-1. Purpose statement. Special exception uses are those uses having some potential impact or uniqueness which requires a careful review of their location, design, configuration and impacts to determine, against fixed standards, the desirability of permitting their establishment on any given site. They are uses which may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impacts giving consideration to the proposals of the applicant for ameliorating any adverse impacts through special site planning and development techniques.

25-2. Scope of authority. The city council may, in accordance with the procedures and standards set out in this chapter and other regulations applicable to the district in which the subject property is located, approve by ordinance uses listed as special exception uses in the Tables of Principal Uses for each category of Zoning District or districts under this ordinance. In addition the city council may permit expansion of or change of a nonconforming use by special exception in accordance with the provisions of sections 12-4, 12-5, and 12-6.

25-5.4 Staff report. A staff report evaluating the application and its impacts will be prepared by the department of city planning and codes administration. A copy of the staff report will be made available prior to the public hearing.

25-5.5 Notice of public hearing. Before making any recommendation of a proposed amendment, the planning commission will hold a public hearing with notice as set forth in section 15.1-431 of the Code of Virginia, as amended.

25-5.6 Planning commission action. The staff's written recommendation shall be considered at the commission's public hearing. Following the conclusion of the public hearing, the commission shall recommend to the city council in writing that the council either (1) approve the special exception, (2) approve the special exception subject to specific conditions, or (3) deny the special exception.

25-5.7 City council decision. Upon receipt of the recommendation of the planning commission, the city council shall either (1) approve the special exception, (2) approve the special exception subject to specific conditions, or (3) deny the special exception.

242 Code of Ordinances, City of Norfolk, Virginia, Codified through Ord. No. 39,972, adopted May 23, 2000.

25-7. General standards and considerations for special exception uses.

No application for a special exception shall be approved unless the city council, after review of the recommendation of the planning commission, shall determine that the proposed special exception use is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the special standards for specific uses. No application for a special exception shall be recommended or granted pursuant to this chapter unless the application is determined to be in compliance with the following:

25-7.1 Compliance with ordinance and district purposes.

25-7.2 No substantial impairment of property value.

25-7.3 No undue adverse impact. The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts.

25-7.4 No interference with surrounding development.

25-7.5 Adequate public facilities.

25-7.6 No traffic congestion.

25-7.7 No destruction of significant features.

25-7.8 No pollution of environment.

25-7.9 No negative cumulative effect.

25-7.10 Compliance with standards.

25-7.11 Payment of real estate taxes.

25-9.4 Upon change of ownership and/or management of the business, the previous owner/operator as well as the new owner/operator shall both notify the zoning administrator and the city clerk, in writing, of the change in ownership and/or management. Such notification shall include documentation that the new owner/operator has been advised of the conditions of the special exception.

25-9.5 The zoning administrator shall have the authority to inspect all properties for compliance with special exception conditions as often as necessary to assure continued compliance.

25-9.6 Where considered appropriate, the city council may require a bond or letter of credit (in an amount satisfactory to the city attorney) prior to the issuance of a special exception to insure compliance with all conditions.

25-9.7 In cases where the conditions of a special exception or this ordinance in general are not met and all administrative enforcement processes have been pursued without success, then the planning commission may initiate action to revoke a special exception. The planning commission shall act as a review body to consider the revocation of special exceptions. The planning commission upon reviewing a report of the violation prepared by the department of city planning and codes administration, and upon hearing from the permittee, shall make its recommendation to city council. The city council shall hold a hearing to decide

whether to revoke the special exception.

25-9.8 Any use allowed by special exception:

- (a) Shall not become an annoyance to the adjacent neighborhood(s).
- (b) Shall not be operated or maintained in a loud, obnoxious or offensive manner.
- (c) Shall not permit disorderly or offensive behavior of any sort by patrons, employees or visitors.
- (d) Shall not contribute to a decline in property values or have a propensity to depress property values.

25-10 Special standards and regulations pertaining to certain types of special exception uses. In addition to the general standards and considerations contained in section 25-9 which apply to all special exception uses, the following standards and regulations shall apply to the particular uses listed below:

25-10.1 *Adult uses.*

(a) *Intent. Within the city, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances or located in direct proximity to residential neighborhoods, thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing the concentration or location of these uses in a manner that would create such adverse effects. Uses subject to these controls are as follows:*

- (1) *Adult book store.*
- (2) *Adult motion picture theater.*
- (3) *Adult mini-motion picture theater.*
- (4) *Massage parlor.*
- (5) *Eating and drinking establishment.*
- (6) *Entertainment establishment.*

- (b) **Location and extent.** Special exceptions in this class shall involve only property in Zoning Districts as specified in the Tables of Principal Uses set forth in Article II, provided that (four provisions follow).
- (c) **Material to be submitted with application.** Application for a special exception in this class shall be accompanied by a site plan. Such plan shall indicate, among other things: the location, dimensions and size of buildings and the uses for which portions of the buildings are intended; location and layout of driveways and parking and loading areas, and methods for structural or vegetative screening of such parking and loading areas from view from first floor windows of residential properties in the adjacent Residential District; location, extent and character of landscaping; and location, dimensions and

character of proposed signs intended to be seen from off the premises and lighting of signs on premises and methods for protection of adjoining property in the Residential District from exposure to such signs and lighting.

Appendix M
Excerpt from: Virginia Department of Alcoholic Beverage Control
Bureau of Law Enforcement Operations
Retain Licensee Guide
A Summary of ABC Laws and Regulations²⁴³

Prohibited Conduct: Drugs, Violence, Gambling, Sexual Activity, and Nudity.

Sexual Activity and Nudity

- Do not allow any lewd, obscene, or indecent conduct, literature, pictures, films, slides, or videos on the premises [Code of Virginia (COV), § 4.1-225]
- The following acts are considered lewd and disorderly and not allowed on the premises. Be aware that standards are stricter for mixed beverage licensees than for wine and beer licensees. [Virginia Administrative Code, 3 VAC 5-50-140 and COV §4.1-325]
 - Any real or simulated sex acts by customers or employees.
 - Fondling or caressing one's own or another's breast, genitals, or buttock.
 - Entertainers are allowed, but "total nudity" is not. No display of any portion of the genitals, pubic hair, anus, or breast below the areola is permitted.

Furthermore:

- Customers are not allowed to touch entertainers who are not fully clothed.
- No disrobing or striptease acts are allowed in mixed beverage establishments.
- As long as entertainers are separated from the customers by a stage or platform, they are granted more freedom in terms of how much of their bodies can be displayed.

Restricted Hours: In localities where the sale of mixed beverages is allowed: [3 VAC 5-50-30.A]

- On-premise sale and consumption are not permitted between 2 a.m. and 6 a.m.
- Off-premise sales are not permitted between 12 a.m. and 6 a.m.

In all other localities: [3 VAC 5-50-30.A]

- On premise sale and consumption and off-premise sales are not permitted between 12 a.m. and 6 a.m., except that on New Year's Eve on-premise licensees are allowed an extra hour to serve and sell alcohol beverages.

Exceptions: [3 VAC 5-50-30.B]

- Club licensees have no restrictions on hours.
- Licensees who have had their hours restricted by the Board will obey those requirements
- Be aware that some localities may have stricter rules regarding allowable sales

²⁴³ Available at <http://www.abc.state.va.us/enforce/abcguid.htm>

hours. Be sure to check local ordinances regarding Sunday sales and other restrictions.

Employment Practices

- Do not employ anyone who has been convicted of a felony, any crime involving moral turpitude, or a drug related offense within the past five years. This does not apply to busboys, cooks, or other kitchen help. [COV §4.1-225]
- No mixed beverage licensee or employee should consume alcoholic beverages while on duty. Neither wine and beer licensees nor mixed beverage licensees should ever be intoxicated while on the premises. [COV §4.1-325 and §4.1-225]
- Each licensee must designate ABC managers who are responsible for overseeing all business conducted under the license while the establishment is open. At least one ABC manager must be on duty at all times, and his or her name must be clearly posted during their entire shift. ABC managers must be at least 21 years old. It is not necessary to have an ABC manager on duty if the licensee is on the premises. [3 VAC 5-50-40]
- All licensees must always have at least one ABC manager on duty who can satisfactorily speak and read the English language. {COV §4.1-222}
- Employees must be at least 18 years or older to sell or serve alcoholic beverages for “on-premise” consumption. [3 VAC 5-50-50]
- Bartenders must be at least 21 years or older. However, persons who are at least 18 years old may act as bartenders for establishments that only serve beer. [3 VAC 5-50-50]
- No licensee or employee may entice or encourage any customer to purchase any alcoholic beverage. This does “not” mean that you cannot advertise or let customers buy drinks for each other. [3 VAC 5-50-80]
- Employees may not receive compensation based directly on how much alcohol they sell. This does not prohibit compensation plans based on “total” sales volume, including alcohol sales, for retain wine and beer or beer only licensees. [3 VAC 5-50-210]

Appendix N
Code of Ordinances, City of Norfolk, Virginia
Codified through Ord. No. 39,972, adopted May 23, 2000
Chapter 28, Obscenity
[Amendments to the Code 1958, § 31-84 through § 31-99²⁴⁴]

Section 28-1. Violations of chapter generally. Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 1 misdemeanor (Code 1958, §§ 31-92, 31-101)

Section 28-2. "Obscene" defined. (Code 1958, § 31-84).

Section 28-3. Obscene items enumerated. (Code 1958, § 31-85).

Section 28-4. Production, publication, sale, possession, etc., of obscene items. (Code 1958, § 31-86).

Section 28-5. Obscene exhibitions and performances generally. (Code 1958, § 31-87).

Section 28-6. Advertising, obscene items, exhibitions or performances generally. (Code 1958, § 31-88).

Section 28-7. Obscene placards, posters, bills, etc. (Code 1958, § 31-89).

Section 28-8. Coercing acceptance of obscene articles or publications (Code 1958, § 31-90).

Section 28-9. Obscene photographs, slides and motion pictures. (Code 1958, § 31-93).

Section 28-10. Showing previews of certain motion pictures. (Code 1958, § 31-97).

Section 28-11. Indecent exposure generally. (Code 1958, § 31-98).

Section 28-12. Commercial public nudity. (Code 1958, § 31-59-1).

Section 28-14. Proceeding against obscene book. (Code 1958, § 31-95).

Section 28-15. Section 28-16 applicable to motion picture film. (Code 1958, § 31-96).

Section 28-16. Exceptions from article. (Code 1958, § 31-94).

244 Sections 31-91, 31-99 not cross referenced in the new Chapter 28.

Appendix O
Granby Street, Main Street, Hampton Boulevard, Shore Drive
(Spread Sheets)

	A	B	C	D	E	F	G	H
1	Appendix O: Granby Street, Main Street, Hampton Boulevard, Shore Drive							
2	GRANBY STREET	1945		1946	1947/1948		1949	1950
3	Address		Name of Business					
4	101-03	X	Southern Bank Bldg	X	X	X		X
5		111 X	Atlantic Hotel		X	X		X
6		112	Lynnhaven Oyster Bar and Grill	X	X	X		Bunny's Trade Winds
7		113	Wiggans' Sudden Serv Restr.	X	X	X		Angelo's Sudden Serv
8		114	Lynnhaven Hotel	X		Vacant		Vacant
9		114	Heilas Restr		X	Vacant		Vacant
10		116 X	Granby Tavern	X	X	X		X
11		117	Propella Club	X	X	X		Childs
12		122	Kane's Tavern		X	X		X
13		123	Mozart Music			X		X
14	123a	X	Granby Gift Shop	X	X	?	?	?
15		124	American Tavern	X	X	X		X
16		126	Granby Social Club			X		
17		128	Gondola Tavern	X	Service Men's Club	Vacant		Kyriakos Stilianov Restr.
18		130	Diamond Grill	X	X	X		X
19		131 X	Puntan Restr	X	X	X		X
20	132-34	X	Royal Palm Tavern	X	X	X		X
21		133						
22		135 X	USO	X		Petrie Photo Supply		X
23		136 X	Town Hotel	X	X	X		X
24		138	Roosevelt Tavern	X	X	X		X
25		140 X	Granby Navy Wear		X	Sherry's		X
26		X	Seaboard Railway, Old Bay					
27	141-47		Line, N&W Railway Co.	X	X	X		X
28		151						
29		152						
30		154						
31		161						
32		162						Old Heidelberg Tavern
33	200-04	X	The Hub	X	X	X		X
34		203 X	Royster Building	X	X	X		X
35		205 X	Roxy Theatre	X	X	X		X
36		211 X	Kroskin's Naval & Civilian Outfit.					X
37		211 1/2						
38		212 X	Monticello Hotel	X	X	X		X
39		237						
40		255						
41		267						
42		311						
43			*Listed also as Wiggons					
44	Note: In April 1275 the							
45	pedestrian mall opened							
46	on Granby Street		1945 Source: Norfolk Portsmouth Telephone Directory, Winter-Spring 1945-1946. The Chesapeake and Potomac Telephone Company of Virginia					

	I	J	K	L	M	N	O	P	Q	R
1										
2	1952	1953	1954-1955	1956	1957	1958	1959	1960	1961	1962
3										
4	X	X	X	X	X	X	X	X	X	
5	X	X	X	X	X	X	X	X	X	
6	X	X	X	X	X	X	Not listed	X	Bunny's	
7	X	Vacant	Tiffany Slush	Atlantic Shoe Shine	Gilbert Sales	X	Southern Bank of Norfolk	X	X	
8	Port Said	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	X	
9										
10	X	X	X	X	X	X	X	X	X	
11	X	X	Rosett's Restr	X	Rosett's no 2	X	X	Under Constr	Atlantic Fine Foods	
12	Wolff's	X	X	X	X	X	X	X	X	
13	X	X	X	X	X	X	X	X	X	
14	?	?	?	?	?	NL	NL	NL	NL	
15	X	X	X	X	X	Jack's Amer Tav	X	Murray Tav.	X	
16	Vacant	Vacant	Vacant	Vacant	Not listed	Not listed	Not listed	Not listed	NL	
17	X	X	N Volonte Restr	Vacant	X	Gus Antonio Restr	Hellas Restr.	Rose's Restr	X	
18	Pizza Tav.	X	X	X	X	X	X	Neptune Tav	X	
19	X	X	X	X	X	X	X	X	X	
20	X	X	X	X	X	X	X	X	X	
21										
22	X	Piedmont Av	X	X	X	Vacant	Sally's Restaurant	X	X	
23	Gale Hotel	X	X	X	X	X	X	X	X	N/A
24	X	X	X	X	X	X	X	X	X	
25	Sherry's Coney	X	X	X	Job Shop Cloth	X	X	X	X	
26										
27	X	X	X	X	X	X	X	X	Seaboard AL RR	
28	Victory Restr.								Rose's Novelty	
29	Rafelman's Naval Wear								Food Shop Restr	
30										
31										
32	X	X	X	X	X	X	X	X	X	
33	X	X	X	X	X	X	X	X	X	
34	X	X	X	X	X	X	X	X	X	
35	X	X	X	X	X	X	X	X	X	
36	X	X	X	X	X	X	Tyrrell Jewelers	X	X	
37										
38	X	X	X	X	X	X	X	X	X	
39										
40										
41										
42					Henderson's Newscenter	X	X	X		
43										
44										
45										
46										
47										
48										

	S	T	U	V	W	X	Y	Z	AA
1									
2	1963	1964	1965	1966	1967	1968	1969	1970	GRANBY STREET
3									Address
4	X	X	X	X	X	X	X	1st Va Bank of Toxewater	101-03
5	X	X	X	X	X	X	X	X	111
6	X	X	X	X	X	X	X	X	112
7	Discount Sales	Granby Gift Shop	X	Vacant	Vacant	Vacant	Vac	Spalding Elevator	113
8	X	X	Vacant	Vacant	NL	NL	NL	NL	114
9									114
10	X	X	X	X	X	X	X	X	116
11	Romeo & Janet Restr	X	X	X	X	X	X	Vacant	117
12	X	X	X	X	X	X	X	X	122
13	X	X	X	X	X	Vacant	NL	NL	123
14	Sansone's Jewelry	X	NL	NL	NL	NL			123a
15	X	X	X	X	X	X	X	X	124
16	NL	NL	NL	NL	NL	NL	NL	NL	128
17	Italian Restr.	X	X	Vacant	Vacant	Vacant	Troade Restr	X	128
18	X	X	X	X	X	X	X	X	130
19	X	X	X	X	X	X	X	X	131
20	X	X	X	X	X	X	X	X	132-34
21									133
22	X	X	X	X	NL	NL	NL	Vacant	135
23	X	X	X	X	X	Vacant	Vacant	Vacant	136
24	X	X	X	X	X	X	X	X	138
25	Valerian's Novel Fairies	X	X	X	X	X	X	X	140
26									
27	X	Vacant	Vacant	Vacant	Barnes's Pawn	X	X*	X*	141-47
28	X	X	X	X	X	X	X	X	151
29	X	Lighthouse Restr	Phis Lounge	Vacant	Granby Restr	X	X	X	152
30									154
31									161
32	X	X	X	X	X	X	X	X	162
33	X	X	X	X	X	X	X	X	200-04
34	X	X	X	X	X	X	X	X	203
35	X	X	X	X	X	X	X	X	205
36	X	NL	NL	Tyrral Jewellers	X	X	X	X	211
37								Book & Card Mart	211 1/2
38	X	NL	NL	NL	NL	NL	NL	NL	212
39									
40									
41									
42	X	X	X	X	X	X	X	X	311
43							*Barnes's listed at 141	*Barnes's listed at 141	
44							143 vacant	143 Mrs. Creeds Restr	
45							147 re Law Eloy	147 re Law Eloy	
46									

	AB	AC	AD	AE	AF	AG	AH
1							
2		1971	1972/73	1974	1975	1976	1977
3							1978
4	1st Va. Bank	X	X	X	X	Commercial Bldg Soc	Auslew Gallery
5	X	X	X	X	X	Vacant	Vacant
6	X	X	X	X	X	X	X
7	X	Vacant	Vacant	Vacant	Vacant	NL	NL
8	NL	NL	NL	NL	NL	NL	NL
9							
10	X	X	X	X	X	X	X
11	Vacant	NL	Baby Doctor's Health Studio	X	X	NL	NL
12	X	X	X	X	X	X	X
13	NL	NL	NL	NL	NL	NL	NL
14	NL	NL	NL	NL	NL	NL	NL
15	X	X	X	X	X	X	X
16	NL	NL	NL	NL	NL	NL	NL
17	NL	NL	NL	NL	NL	NL	NL
18	X	X	X	X	X	X	X
19	X	X	X	X	X	X	X
20	X	X	X	X	X	Wharf Inn	X
21			Playmate Message Parlor	Vacant	Inst Bookstore	X	X
22	Vacant	NL	NL	NL	NL	NL	NL
23	NL	NL	NL	NL	NL	NL	NL
24	X	X	X	X	X	X	X
25	Veterans Naval Tavern	Mr Bourque	X	Vacant	Mr Bourque	X	X
26							
27	Dart's Studio Mrs. Green's Rest. Law Blog	X	City Sewage Soc Bureau	X	X	X	X
28	Rose's	X	Business Men's Health Club	X	X	NL	NL
29	X	X	X	X	X	NL	NL
30	Vacant	Common Entrance	X	X	Men's World Bookstore	NL	NL
31	Royal Book Mart	X	X	X	X	X	X
32	X	X	X	X	X	X	NL
33	X	X	X	X	NL	NL	NL
34	X	X	X	X	X	X	X
35	X	X	X	X	X	X	Vacant
36	X	X	X	X	Vacant	Typewriter Sales & Svc	X
37	Book & Card mart	X	Vacant	Vacant	NL	Groom Room Barber	X
38							
39							
40							
41							
42							
43							
44							
45							
46							

	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR
1										
2	1979	GRANBY STREET	1980	1981	1982	1983	1984	1985	1986	1987/1988
3		Address								
4	X	101-03	X	X	X	X	X		Enlow Federal S&L	X
5	NL		111							
6	X		112	X		Vacant	Vacant	Office Bldg	Tradewinds Bldg	X
7	NL		113							
8	NL		114							
9			114							
10	X		116	X		X	X	NL	NL	NL
11	NL		117							
12	X		122	X		X	Vacant	Vacant	Vacant	NL
13	NL		123	NL	NL	NL	NL	NL	NL	NL
14	NL	123a								
15	X		124	X		X	X	X	Vacant	Vacant
16	NL		126							
17	NL		128							
18	X		130	X		X	X	X	Vacant	Vacant
19	X		131	Puntan	Vacant	The Menu	X	X	X	The Bench Restr.
20	X	132-34	X	X		Chas. Bay Gallery	X	X	X	Vacant
21	Vacant		133	Vacant	Vacant	Seedy Printing	X	X	X	X
22	NL		135							
23	NL		136							
24	Vacant		138							
25	X		140	Vacant	NL	Turpin's	Turpin's Flower Mkt	X	X	X
26										
27	X	141-47	X	X		Under Construction Law Bldg	Art America/Arms Construction Bldg	X	X	X
28	NL		151							
29	NL		152							
30	NL		154							
31	Vacant		161			Vacant		Metro Key & Lock	X	X
32	NL		162	NL	NL	NL	NL	NL	NL	NL
33	Federal Bldg	200-04	X	X		X	X	X	X	X
34	NL		203	NL	NL	NL	NL	NL	NL	NL
35	Vacant		205	Vacant	Vacant	Vacant	Vacant	GTE Sprint	X	X
36	X		211	X	X	X	X	X	X	Downowner Restr.
37	X		211 1/2	Henderson's Jewellers	X	X	X	X	X	X
38			212	NL	NL	NL	NL	NL	NL	NL
39			237			Vacant	Goldy's Bookstore	X	X	Standard Drug St.
40			255	John Lynch Bldg	X	X	X	X	X	X
41			267	John Lynch Bldg	X	X	X	X	Discount Bldg	X
42			311	Henderson's	X	X	Vacant	NL	NL	NL
43										
44										
45										
46										

	AS	AT	AU	AV	AW	AX	AY
1							
2	1989	1990	1991	1992	1993	1994	1995
3							
4	Sentry Federal SCL	X	X	Vacant	101-Vacant/103-Norfolk Stationery Co	X	
5							
6	X	X	X	X	X		X
7							
8							
9							
10	NL	Frank Thomas Men's Clothing	X	X	X		Emerson's Fine Tobacco
11							
12	NL	NL	NL	NL	NL	American Rover Club	X
13	NL	NL	NL	NL	NL	Harborfest	X
14							
15	Vacant	NL	NL	NL	NL	Vacant	Open Wide Restr.
16							
17							
18	Vacant	Vacant	NL	NL	NL	Coal Export Services	X
19	X	X	X	Brewster's Fine Dining	Island Grill		Vacant
20	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Zeitgeist Gallery
21	Vacant	Avanti Printing	Town Point Salon	X	X		NL
22							
23							
24							
25	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Calvin & Lloyd Art
26							
27	X	Art America/Richmond Camera	Art America/SOS Temp Svcs. E692s	Art Am/Minuteman Press/E692s	X		X
28			Littman's Pawn Shop	X	X		X
29							
30							
31	X	New York Bagels	x	x	x		x
32	NL	NL	NL	NL	NL		NL
33	X	X	X	X	X		X
34	NL	N	NL	NL	NL		NL
35	X	X	Vacant	Vacant	Vacant		Vacant
36	X	X	X	X	X		X
37	X	Superstar Jewelers	X	X	X		X
38	NL	NL	NL	NL	NL		NL
39	X	X	X	X	Vacant		Vacant
40	X	X	X	X	X		X
41	Book Outlet	X	X	X	Vacant		Vacant
42	NL	NL	NL	NL	NL		NL
43							
44							
45							
46							

	AZ	BA	BB
1			
2	1996	1997	1998
3			
4	X	X	
5			
6	X	X	
7			
8			
9			
10	X	X	
11			
12	Zarko, E.		
13	X	NL	
14			
15	X	NL	
16			
17			
18	X	X	
19	Vacant	Mr. A. Orlov's Irish Pub	
20	Fareed and Co.	Fareed/Zeitgeist	
21	Rodney's Hair Design	X	
22			
23			
24			
25	X	X	
26			
27	141-Vacant/143-Alman Pr /147-Boys	X	X
28	X		
29			
30			
31	Vacant	NL	
32	NL	NL	
33	X	X	X
34	NL	NL	NL
35	Vacant	NL	
36	X	X	
37	X	X	
38	NL	NL	
39	Lynch's Bks & Comics	X	
40	Vacant	NL	
41	Vacant	NL	
42	NL	NL	
43			
44			
45			
46			

	A	B	C	D	E	F	G	H	I	J
1	Appendix O: Granby Street, Main Street, Hampton Boulevard, Shore Drive									
2	Main Street	1945		1946	1947/1948	1949	1950	1951	1952	1953
3	Address		Name of Business							
4	202-08	X	Snug Harbor Restr	X	X	X	X	X	X	X
5			Selden Arcade							
6	212	X	Arcade Gift Shop	X	X	X		Leed's Men's Furn.	X	X
7	220	X	Victory Naval Store	X	X	X		Fant's Cloth	X	X
8	222							The Shooting Gallery	X	
9	229	X	Main Navy Wear	X	X	Sherry's Clothing	X	X	X	Sherry's Clo
10	239	X	Norfolk Federal S&L	X	X	X	X	X	X	X
11	243	X	Hollywood Dance Studios	X	X	X		Vacant	Vacant	Vacant
12	245	X	Servicemen's Shop					C&P Tel.	C&P Tel.	
13	254	X	Beverly Health Studio			X	X	NL	NL	NL
14	256	X	General Health Center					NL	NL	NL
15	300									
16	301	X	Southern Grill Restr	X	X	X		USS Savoy Tavern	X	X
17	303	X	Hotel Savoy	X	X			Howard Hotel	X	X
18	311	X	Norfolk Novelty Co.	X	X	X	X	X	X	X
19	312		Brown's Grill	X	X	X	X	X	X	X
20	314	X	Banks Jewellers/F. Jacobs Pawn	X	X	X	X	X	Main St. Loan/Jacobs	X
21	315		Krazy Kat Grill	X	X	X	X	X	X	X
22	317		Commercial Grill	X	X	X	X	NL	NL	NL
23	410							Arcade Amusements		
24	412							Berney's Pawn	X	
25	417		Star Tavern			X		X	X	
26	418-422	X	W.G. Swartz Co.	X	X	X	X	X	X	X
27	421		Stuertz & Grimshaw Tattooing*	X	X	X		Vacant	Naval Small Stores	X
28	427		Coleman, August B., Tattooing	X	X	X		Vacant	Vacant	
29	429		Stage Door Tavern			X	X	X	X	X
30	430		Cozy Inn Hotel	X		X	X	X	X	X
31	431	X	Dewey Hotel	X				Seven Seas Restr.	X	X
32			Millers Curio Shop/Eugene J.	X	X					
33	433		Millers Tattooing	X	X				Miller's Curio Shop	X
34	436		Roxy Tavern	X	X	X	X	X	X	X
35	438		Sam's Clothing	X	X	X	X	X	X	X
36	442	X	Littman's Pawnbrokers	X	X	X	X	X	X	X
37	444		Ballentine Gardens (tavern)	X	X	X		Sam's Tavern	X	X
38	446		The Bear Key	X	The Nest	X		White Hat Tav.	X	X
39	448-52		Royal Palm Garden & Restr.	X	X	X	X	X	X	X
40	500		Merry Land Casino	X	X	X	X	X	X	Vacant
41	501-03		New Paradise Grill	X	X	X	X	X	X	X
42	502		Harolds Tavern	X	X	X	X	X	X	X
43	504		Monterey Hotel	X	X	X		Vacant	New Howard Hotel	
44	505-07	X	Gaiety Theatre	X	?	X	X	X	X	X
45	506		Louis & Irvings Place	X	Vacant	X	X	X	Anchor Tavern	
46	509		NY Restr.	X	X	X	X	X	X	X
47	510		The Porthole restr/Dooe Hotel	X	X	X	X	X	X	X
48	512	X	Sportland	X	X	X	X	X	X	X
49	513-15		Playland Amusements	X	X	X		Vacant	Vacant	Vacant
50	518-20		Shamrock Garden (tavern)	X	X	X	X	X	X	?
51	519-21	X	Victoria Hotel	X	X	X	X	X	X	X
52	522		Rex Cafe/Rex Tavern	X	X	X	X	X	X	X
53	524		Globe Tavern			X	X	X	X	X
54			Coney Island Arcade, Coney							
55			Island Photo Studio, Berval							
56	526	X	Amusement Corp	X	X	X		Vacant	?	?
57	604		Ben's Grill (tavern)	X	X	X	X	X	Pete's Grill	X
58	608	X	American Garden (tavern)	X	X	X	X	X	X	Vacant
59	609	X	US Cafe	X	X	X	X	X	X	X
60	610		Michael Miller (tavern)	X	X	X	X	X	X	X
61	612		Kent Hotel	X	X	X		John Aquano	X	Vacant
62	614		Royal Grill	X	X	X	X	X	X	X
63	615-17	X	Bob's Loan	X	X	X	X	X	Vacant	Mikes Place
64										
65										
66			* In 1947, became Cleveland							
67			and Grimshaw							
68			**In 1945, this business							
69			located at 423 E. Main St.							

	K	L	M	N	O	P	Q	R	S
1									
2	1954-1955	1956	1957	1958	1959	1960	1961	1962	1963
3									
4	X	X	X	X	X	X		NA	X
5									
6	Leed's Mens Shop	X	Vacant	NL	NL	NL	NL	NA	NL
7	NL	NL	NL	NL	NL	NL	NL	NA	NL
8	NL	NL	NL	NL	NL	NL	NL	NA	NL
9	Roy's News Co.	X	X	?	?	?	Vacant	NA	Butler Blue Print
10	X	X	X	X	X	X	X	NA	X
11	Vacant	Vacant	NL	NL	NL	NL	NL	NA	NL
12	C&P Tel.	C&P Tel.	X	Standard Office	X	X	X	X	X
13	NL	NL	NL	NL	NL	NL	NL	NA	NL
14	NL	NL	NL	NL	NL	NL	NL	NA	NL
15									
16	X	X	X	X	X	X	NL	NA	NL
17	X	X	X	X	X	X	NL	NA	NL
18	Norfolk Novelty	Regno us Restr	X	X	X	X	NL	NA	NL
19	X	X	X	X	?	Vacant	NRHA Offices	NA	X
20	X	X	X	X	X	Vacant	NRHA Offices	NA	X
21	X	X	X	X	X	X	NL	NA	NL
22	NL	NL	NL	NL	NL	NL	N	NA	NL
23	Kilroy's Tavern	X					NL	NA	NL
24								NA	NL
25	Kilroy's Star Tavern	X	Kilroy's 1-10 Hall Tavern	X	X	X	X	NA	NL
26	X	X	X	X	X	X	X	NA	X
27	X	X	Vacant	NL	NL	NL	NL	NA	NL
28	Naval Small Stores	X	NL	NL	NL	NL	NL	NA	NL
29	Stage Door Tav.	X	X	X	X	Vacant	NL	NA	NL
30	X	X	X	X	X	Vacant	NL	NA	NL
31	X	X	X	X	X	X	NL	NA	NL
32									
33	X	X	X	X	X	X	NL	NA	NL
34	Palomino Tav.	X	X	X	X	X	X	Phi's Arena Tav.	NA
35	X	X	X	Moncello Portrait Studios	X	X	X	NA	NL
36	X	X	X	X	X	X	Vacant	NA	NL
37	X	Sam & Henry's Tav	X	X	X	X	X	NA	NL
38	X	X	X	X	X	X	X	NA	NL
39	Various Ocean Tavern/President Tavern/Vesuvio Italian Am Rest			Ocean Tavern	X	X	Ocean Tavern/Ship Aftov Tav. Vesuvio	NA	NL
40	Va. Tavern	X	X	X	X	X	X	NA	NL
41	X	X	X	X	X	X	Vacant	NA	NL
42	X	X	Smiling Inshman	X	X	X	Dolphin Tale	NA	NL
43			Vacant	Decks Showroom/504-05	X	Vacant	Vacant	Vacant	NL
44	X	X	X	X	X	X	NL	NA	NL
45				See 504	See 504	Vacant	NL	NA	NL
46	X	X	Tidewater Cafe	X	X	X	NL	NA	NL
47	X	X	?	X	X	X	X	NA	NL
48	X	X	X	X	X	X	X	NA	NL
49	Betty's Place	X	Betty's Place Shooting Gal	Betty's Place Shooting	X	Vacant	NL	NA	NL
50	Duffy's Tavern/Shorelock	X	X	X	X	X	X	NA	NL
51	X	X	X	X	X	Vacant	NL	NA	NL
52	X	X	X	X	X	X	Vacant	NA	NL
53	X	X	X	X	X	X	NL	NA	NL
54									NL
55									NL
56	?	?	?	?	?	?	NL	NA	NL
57	X	Artie's Grill	X	X	X	Deck Tav.	NL	NA	NL
58	Seahorse Tav.	X	X	Vacant	Seahorse	X	NL	NA	NL
59	X	X	X	X	X	X	Vacant	NA	NL
60	Lou's Tavern	X	X	X	X	X	NL	NA	NL
61	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	NL	NA	NL
62	X	X	Vacant	Chinese Restr.	Raft Tavern	X	NL	NA	NL
63	Dizzy Tavern	X	X	X	X	Heaven-Meats Tav	X	NA	NL
64									
65									
66									
67									
68									
69									

	T	U	V	W	X	Y	Z
1							
2	1964	1965	1966	1967	1968	1969	1970
3							
4	X	X	X	X	X	X	X
5							
6	NL	NL	NL	NL	NL	NL	NL
7	NL	NL	NL	NL	NL	NL	NL
8	NL	NL	NL	NL	NL	NL	NL
9	X	X	X	X	X	X	X
10	X	X	X	X	Vacant Office	X	X
11	NL	NL	NL	NL	NL	NL	
12	X	X	X	X	X	X	X
13	NL	NL	NL	NL	NL	NL	NL
14	NL	NL	NL	NL	NL	NL	NL
15					VNB Bldg	X	F&M Bank
16	NL	NL	NL	NL	NL	NL	NL
17	NL	NL	NL	NL	NL	NL	NL
18	NL	NL	NL	NL	NL	NL	NL
19	X	X	X	NL	NL	NL	NL
20	NL	NL	NL	NL	NL	NL	NL
21	NL	NL	NL	NL	NL	NL	NL
22	NL	NL	NL	NL	NL	NL	NL
23	NL	NL	NL	NL	NL	NL	NL
24	NL	NL	NL	NL	NL	NL	NL
25	NL	NL	NL	NL	NL	NL	NL
26	X	Vacant	Vacant	Vacant	NL	NL	NL
27	NL	NL	NL	NL	NL	NL	NL
28	NL	NL	NL	NL	NL	NL	NL
29	NL	NL	NL	NL	NL	NL	NL
30	NL	NL	NL	NL	NL	NL	NL
31	NL	NL	NL	NL	NL	NL	NL
32							
33	NL	NL	NL	NL	NL	NL	NL
34	NL	NL	NL	NL	NL	NL	NL
35	NL	NL	NL	NL	NL	NL	NL
36	NL	NL	NL	NL	NL	NL	NL
37	NL	NL	NL	NL	NL	NL	NL
38	NL	NL	NL	NL	NL	NL	NL
39	NL	NL	NL	NL	NL	NL	NL
40	NL	NL	NL	NL	NL	NL	NL
41	NL	NL	NL	NL	NL	NL	NL
42	NL	NL	NL	NL	NL	NL	NL
43	NL	NL	NL	NL	NL	NL	NL
44	NL	NL	NL	NL	NL	NL	NL
45	NL	NL	NL	NL	NL	NL	NL
46	NL	NL	NL	NL	NL	NL	NL
47	NL	NL	NL	NL	NL	NL	NL
48	NL	NL	NL	NL	NL	NL	NL
49	NL	NL	NL	NL	NL	NL	NL
50	NL	NL	NL	NL	NL	NL	NL
51	NL	NL	NL	NL	NL	NL	NL
52	NL	NL	NL	NL	NL	NL	NL
53	NL	NL	NL	NL	NL	NL	NL
54	NL	NL	NL	NL	NL	NL	NL
55	NL	NL	NL	NL	NL	NL	NL
56	NL	NL	NL	NL	NL	NL	NL
57	NL	NL	NL	NL	NL	NL	NL
58	NL	NL	NL	NL	NL	NL	NL
59	NL	NL	NL	NL	NL	NL	NL
60	NL	NL	NL	NL	NL	NL	NL
61	NL	NL	NL	NL	NL	NL	NL
62	NL	NL	NL	NL	NL	NL	NL
63	NL	NL	NL	NL	NL	NL	NL
64							
65							
66							
67							
68							
69							

	A	B	C	D	E	F	G	H	I
1	Appendix O: Granby Street, Main Street, Hampton Boulevard, Shore Drive								
2	Shore Drive		1961	1962	1963	1964	1965	1966	1967
3	8141	Trailer Park	X		X	X	X	X	X
4	8146	Not Listed	NL		NL	NL	NL	NL	NL
5	8148	Not Listed	NL		NL	NL	NL	NL	NL
6	8150	Not Listed	NL		NL	Under Constr		NL	Shore Drive Rec Center
7	8152	Not Listed	NL		NL	NL	NL	NL	NL
8	8154	Vacant	Vacant		X	X	X	X	X
9	8155	?	X		NL	NL	NL	NL	NL
10	8156	?	X		X	X	X	X	X
11	8158	Royal Palm	X		X	X	X	Gator Lounge	X
12	8180	Marina?	X		X	X	X	X	X
13									
14									
15									
16									
17									
18									
19									

	J	K	L	M	N	O	P	Q
1								
2	1968	1969	1970	1971	1972/73	1974	1975	1976
3	Trailer Park	X	X	X	X	X	X	X
4	NL	Computer Business Service	X	NL	Village Books	X	Boulevard Bks	X
5	NL	Real Estate	X	X	X	Vacant	Vacant	Shore Drive Auto Parts
6		Omega Import-Export	X	X	X	Shops's Message Parlor	NL	Far East Massage
7	NL	NL	NL	Vacant	Decorital, Inc.	Trail's Sales Vending	Vesuvius's Sub Shops	X
8	Vesuvio Restaurant	X	X	X	X	X	X	X
9	MCA Grill Restaurant	X	X	X	X	Vacant	Vacant	Blue Diamond Bar
10	Coinmach Industries Corp	X	X	X	X	NL	NL	Vacant
11	X	X	X	X	Pirate's Cove	X	Pirate's Cove East	X
12	Shore Drive Manna	X	X	X	X	X	X	X
13								
14								
15								
16								
17								
18								
19								

	R	S	T	U	V	W	X	Y	Z	AA
1										
2	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986
3	X	X	X	X	X		X	X	X	X
4	Shore Crme Bkgs	X	X	X	X		X	X	X	X
5	X	Vacant	Vacant	Vacant	Vacant		Vacant	Memoes Jewelry	X	X
6	Vacant	Vacant	Vacant	T-shirt plus	Vacant		Vacant	Vacant	Vacant	Vacant
7	Serge's Sub Shop	X	Sunshine Subs	X	X		X	Vacant	East Garden Restr	X
8	X	X	X	X	Flight Deck Lounge		Vacant*	X	X	X
9	X	X	David Brvan Country Rock Lounge	Brvan David's Restr	X		X	X	Vacant	Shopp's Restr
10	Galleon Club	X	X	X	X		X	X	Vacant	Vacant
11	X	X	X	X	X		X	X	X	X
12	X	X	X	X	X		X	Ches. Crab Co.	Taylor's Landing/Manna	See Raven Restr
13										
14										
15										
16										
17										
18										
19										

*This is likely a mistake

as the Flight Deck Lounge

is listed in the same location in subsequent years

	AB	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL
1											
2	1987/88	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
3	X	X		X	X	X	X	X	X	X	X
4	X	X		X	X	X	X	X	X	X	
5	X	Sounds Good		Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	NL	
6	Vacant	Sounds Good		Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	NL	
7	X	X		X	X	X	X	X	X	X	
8	X	X		X	X	X	X	X	X	X	
9	X	X		X	X	X	X	LES Gallery of Gens	X	X	
10	Galleon	X		X	Galleon Club	X	X	Vacant	Vacant	NL	
11	X	X		Blaster's	Foxy Ladies	X	X	X	Foxy Ladies Go-Go	X	
12	Taylor's Landing/Manna	X		X	Taylor's Landing Manna	X	X	X	X	Mann Istings	
13											
14											
15											
16											
17											
18											
19											

	A	B	C	D	E	F	G	H	I	J	K	L
1	Appendix O: Granby Street, Main Street, Hampton Boulevard, Shore Drive											
2	Hampton Boulevard	1945		1946	1947/1948	1949	1950	1951	1952	1953	1954-1955	1956
3	Address		Name of Business									
4		8612	Victory Grill	X	X			X	X	X	X	
5		8700	Nick's	X	X			X	X	X	X	
6		9879	Ship Ahoy Grill					X	X	X	X	
7		9880	Bell's Grill	X								
8		9883	Friendly Bar	X				Vacant		Esquire News	Esquire News	
9		9883	Pop's Place		X							
10		9884	Base Grill					X	X	X	X	X
11		9885	US Restaurant					X	X			
12		9887	Base Restaurant	X	X			X	X	X	X	Vacant
13		9888	Naval Small Stores			X			Naval Stores	X	X	X
14		9890 X	Kroskin Bros. Men's Clothing	X	Bell's Grill			X	X	X	X	X
15		9891	Jack D. Koch Jeweler					X	X	X	X	Roger's
16		9894										
17		9893 X	Naval Grill	X					Mom's Gift	X	Vacant	Vacant
18	9893-9897		Luhning/Luhnings Place Restr	X	X			X	X	Gateway Grill	X	X
19		9898	Naval Grill		X			X	X	X	X	X
20		9899 X	The Sea Ark (Men's furnishings)*	X	X	X		X	X	Kroskins	X	X
21		9900	Naval Station									
22												
23			*This address also listed as									
24			Kroskin's in 1949, 1951									

	M	N	O	P	Q	R	S	T	U	V	W	X	Y
1													
2	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969
3													
4				X		X	X	X	X	X	X	X	X
5				X		X	X	X	X	X	X	X	X
6				X		X	X	X	X	X	X	X	X
7				X		NL	X	NL	NL	NL	NL	NL	NL
8				X		X	X	X	X	X	X	X	X
9				X									
10	X	X	X	Harbor Constr.	A's Base Grill	NA	X	X	X	Harbor Lounge	X	X	X
11		Leo's Grill		X	X		X	X	X	X	X	X	X
12	Gob Shop	X	X	X	Big O		X	X	X	X	X	X	X
13	X	X	X	X	Earl's Naval Tailors		X	X	X	X	X	X	X
14	X	X	X	X	X		X	X	X	X	X	X	X
15	X	X	Bob & Jerry's Jewelers		Royal Jewelry		X	X	X	X	X	Crest Jewelers	X
16	Kroskops	X			Buddy's Clothing		X	X	X	X	X	X	X
17	Naval Grill	X	Lovey's Grill	Naval Grill	Lovey's		X	X	X	X	X	X	X
18	X	X	X	X	Gateway Grill		X	X	X	X	X	X	X
19					NL		NL	NL	NL	NL	NL	NL	NL
20	X	X	X	X	Kroskops		X	X	X	Anchor Naval Tailors	X	X	X
21													
22													
23													
24													

	Z	AA
1		
2		1970
3	Address	
4	8612	X
5	8700	X
6	8879	X
7	8880	NL
8	8883	X
9	8883	
10	8884	X
11	8885	X
12	8887	XX
13	8888	X
14	8890	X
15	8891	X
16	8894	X
17	8896	X
18	8893-8897	X
19	8898	NL
20	8899	X
21	8900	
22		
23		
24		

VITA

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