

April 18, 1977  
Minute Book 65 - Page 139

The City Council of the City of Charlotte, North Carolina, met in a Televised Session on Monday, April 18, 1977, at 7:30 o'clock p.m., in the Board of Education Meeting Room, with Mayor John M. Belk presiding, and Councilmembers Betty Chafin, Louis M. Davis, Harvey B. Gantt, Pat Locke, James B. Whittington, Neil C. Williams and Joe D. Withrow present.

ABSENT: None.

The Charlotte-Mecklenburg Planning Commission sat with the City Council, and as a separate body, held its public hearings on the zoning petitions. Present were Chairman Tate and Commissioners Broughton, Kirk, Marrash, Johnson and Jolly.

ABSENT: Commissioners Campbell, Ervin, Ross and Royal.

\* \* \* \* \*

#### INVOCATION.

The invocation was given by Reverend J. Wendell Ligon, Minister of Carmel Presbyterian Church.

#### APPROVAL OF MINUTES.

Upon motion of Councilwoman Locke, seconded by Councilman Whittington, and unanimously carried, the minutes of the meetings on Monday, March 29 and Monday, April 4, 1977, were approved, with the following correction in the minutes of April 4:

Page 134 - Top of page, re: Appointment to Park and Recreation Commission, change the references of five year term to "three" year term.

#### CONGRATULATIONS EXPRESSED TO MEMBERS OF BOARD OF EDUCATION UPON THEIR SELECTION OF A NEW SUPERINTENDENT.

Mayor Belk stated he would like to express to the members of the Board of Education his and Council's congratulations on their selection of a new Superintendent of Schools, Dr. Robinson.

#### RESOLUTIONS EXTENDING CONGRATULATIONS TO MR. KEITH BROOM, MR. BERNARD TAYLOR AND MR. LOU KEMP.

Mayor Belk stated Charlotte is the only city that has two National Champions of Boxing and we are proud of both of them and wish them luck at next month's AAU.

Councilman Williams stated two of Charlotte's young men did very well in the National Golden Gloves Competition and it would be appropriate for Council to recognize their accomplishments in the form of resolutions which have been prepared. He stated he would read the one recognizing Bernard Taylor and other members of Council will read the resolutions recognizing Keith Broom and Lou Kemp.

April 18, 1977  
Minute Book 65 - Page 140

Councilman Williams read as follows:

"RESOLUTION EXTENDING CONGRATULATIONS TO BERNARD TAYLOR

WHEREAS Bernard Taylor is a local boxer, who boxes under the sponsorship of the North Charlotte Boxing League, and

WHEREAS, at age 15, he was National Junior Olympic Champion, and

WHEREAS, in his class, Bernard is the defending Golden Glove Champion, having won the title in 1976 and 1977 and will be competing soon for the National Amateur Athletic Union Champion Title, and

WHEREAS, Bernard Taylor is a young, but experienced boxer with a dedicated goal toward a career in the ring and is looking forward to the 1980 Olympics in Moscow.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Charlotte, in regular session, duly assembled, that they hereby express on behalf of the City, its congratulations to Bernard Taylor and wish him success in his endeavors, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this meeting and a copy thereof be presented to Mr. Taylor.

Unanimously adopted this 18th day of April, 1977."

Councilman Williams moved adoption of this resolution, which was seconded by Councilman Whittington, and unanimously carried.

Councilman Gantt read the following:

"RESOLUTION EXTENDING CONGRATULATIONS TO KEITH BROOM

WHEREAS Keith Broom is a local amateur boxer who is presently boxing under the sponsorship of the Fraternal Order of Police and

WHEREAS his fine performance in the ring placed him in contention for the 1976 United States Olympics Team, and

WHEREAS, in his class, Keith was twice National Champion and once runner-up; he is defending the National Amateur Athletic Union Champion and 1977 Winner of the Golden Glove Title, and

WHEREAS Keith Broom is looking forward to an outstanding career in boxing and an opportunity to work with the youth of the community.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Charlotte, in regular session, duly assembled, that they hereby express on behalf of the City, its congratulations to Keith Broom and wish him success in his endeavors, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this meeting and a copy thereof be presented to Mr. Broom."

Councilman Gantt moved adoption of this resolution, which motion was seconded by Councilwoman Chafin, and unanimously carried.

April 18, 1977  
Minute Book 65 - Page 141

Councilman Whittington stated the next resolution is about a man he has known for many, many years and the contributions he has made to this community and other communities in this State for and on behalf of young people who wanted to gain better and greater heights in boxing; that it is a real pleasure that he presents this resolution to Council.

He read the following:

"RESOLUTION EXTENDING CONGRATULATIONS TO LOU KEMP

WHEREAS Lou Kemp has been associated with boxing most of his life and fought professionally for fifteen years, and

WHEREAS, he started working with youth in the old YMCA in Charlotte, instructing them in boxing, and

WHEREAS, Mr. Kemp has trained boxers for nearly 42 years and has the unique distinction of training as many as three generations from the same family, and

WHEREAS, his handling of boxers has brought him two National Champions, and at the age of 70, Lou Kemp is looking forward to more national boxing champions and continued involvement in the training of amateur boxers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Charlotte, in regular session, duly assembled, that they hereby express on behalf of the City, its congratulations to Lou Kemp and wish him success in his endeavors, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this meeting and a copy thereof be presented to Mr. Kemp."

Councilman Whittington moved adoption of this resolution, which motion was seconded by Councilman Williams and unanimously carried.

Mr. Keith Broom stated he has not been home for about four months now but has been boxing in Virginia so that is probably why no one has heard of him but it is good to be home and this resolution proves it.

Mr. Bernard Taylor stated he is happy and proud of North Carolina and especially Charlotte, North Carolina, and he is going to try to the best of his ability to make it to the Olympic Games this year.

Mayor Belk stated Charlotte is proud of both of them and wishes them luck in the AAU.

Mr. Lou Kemp stated he has been in Charlotte 42 years this coming August and 41 of those years he has been training boys, starting at the old YMCA down on South Tryon Street. That he has had a lot of good boys and right now he has these two boys who have just come back from Hawaii as winners and he is proud of them.

Each of the men were individually congratulated by Mayor Belk and members of Council.

MOTION TO ALLOW REVEREND DEWBERRY TO SPEAK TO COUNCIL AT THE END OF THE PUBLIC HEARING, APPROVED.

Councilman Gantt stated he recognizes Reverend Dewberry in the audience and since he was not present during the Citizens' Hearing, he would move that Reverend Dewberry be allowed the five minutes he would have been accorded in the Citizens' Hearing, after the public hearing. The motion was seconded by Councilwoman Locke, and unanimously carried.

April 18, 1977  
Minute Book 65 - Page 142

HEARING ON PETITION NO. 77-10 BY JAMES J. HARRIS AND ANGELIA M. HARRIS AND SHARON HOME LOAN COMPANY FOR A CHANGE IN ZONING FROM B-1 SHOPPING CENTER DISTRICT, 0-15 AND R-12MF TO B-1(CD) OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF MORRISON BOULEVARD AND ROXBOROUGH ROAD AND HEARING ON PETITION NO. 77-11 BY JAMES J. HARRIS AND ANGELIA M. HARRIS AND SHARON HOME LOAN COMPANY FOR A CHANGE IN ZONING FROM B-1 SHOPPING CENTER DISTRICT, 0-15 AND R-12MF TO 0-15(CD) OF AN ODD-SHAPED TRACT OF LAND FRONTING ON THE NORTH SIDE OF MORRISON BOULEVARD AND EXTENDING ABOUT 1,300 FEET, GENERALLY LOCATED BETWEEN BARCLAY DOWNS DRIVE AND ROXBOROUGH ROAD AND HEARING ON PETITION NO. 77-12 BY BISSELL AND ASSOCIATES AND JAMES J. HARRIS AND ANGELIA M. HARRIS FOR A CHANGE IN ZONING FROM B-1 SHOPPING CENTER DISTRICT TO 0-15 OF PROPERTY FRONTING ABOUT 400 FEET ON THE NORTH SIDE OF MORRISON BOULEVARD ABOUT 800 FEET NORTHWEST OF THE INTERSECTION OF MORRISON BOULEVARD AND ROXBOROUGH ROAD.

The public hearings were held on the subject petitions as scheduled.

Mr. Fred Bryant, Assistant Planning Director, stated these petitions will be presented at the same time in the interest of time and because they are continuous and will also allow the petitioner a consolidation of time in his presentation.

He referred to a map and pointed out the three separate petitions. One is an area generally north of Morrison Boulevard, beginning near the intersection of Sharon Road and extending westerly, paralleling the SouthPark Shopping Center and on to its termination point on Barclay Downs Drive. The property involved in all three of the petitions is north of Morrison Boulevard and west of Roxborough Road. Mr. Bryant pointed out the locations of Sharon Road, Colony Road and Barclay Downs Drive.

The first petition, Petition No. 77-10, represents a tract of land located at the intersection of Morrison Boulevard and Roxborough Road and presently is zoned a combination of B-1 SCD, which is a Business Shopping Center District, and 0-15, which is an office classification.

He stated the request in this petition is to rezone the entire parcel to B-1(CD) classification, which is a retail business classification, as indicated by B-1 and is secondly a conditional district requiring a plan as to the use of the property.

Mr. Bryant stated the second petition, Petition No. 77-11, is the major portion of the parcels involved which fronts on Roxborough Road. It has a considerable amount of interior property which does not front on any street or road at the present time and extends back to a branch that extends along the rear of property on Wickersham Road and comes all the way back up to Morrison Boulevard in two locations. This is a rather irregular-shaped parcel of property and is requested to be changed in zoning from predominately 0-15, with a small amount of R-12MF, multi-family, to 0-15(CD), referring to an office classification. That the new part would be adding the designation (CD), which again refers to conditional district and indicates the owner of the property is amenable to accepting a specific plan for use of the property in terms of the amount of use to which the property will be put.

The last petition, Petition No. 77-12, is identified as a small parcel of land along the northerly side of Morrison Boulevard. At the present time it is zoned B-1SCD and is proposed to be changed to 0-15, not the CD this time, but 0-15. He stated this leaves the center part of the parcel not to be considered for any change; this is the parcel of land on which the Equitable Life Assurance Building is now being built and is not proposed for any zoning change and would remain zoned 0-15, which it is at the present time.

Mr. Bryant stated the majority of the property is vacant land; all the property which is proposed for consideration of a change is vacant at the present time. It does form a boundary between an area on which an office is now being built which is not involved in either one of the three petitions.

April 18, 1977  
Minute Book 65 - Page 143

The other predominate land uses in the area include SouthPark Shopping Center, down Morrison Boulevard, Sharon Road, Fairview Road and Barclay Downs Drive. There are other commercial configurations in the area, a bank at the corner of Roxborough Road, a relatively new office building, another bank on Morrison Boulevard, then Decorator World, which is a retail establishment, and finally, a service station on the corner of Morrison Boulevard and Sharon Road.

There are three significant multi-family developments in the area; Colony Apartments, bounded by Colony, Sharon and Roxborough, the Trianon Condominiums and the high rise condominium facility, located off Colony Road. Other non-single family uses in the area include the Celanese Facility, to the west of Barclay Downs Drive, Barclay Downs Swim Club, and the remainder of the property along Barclay Downs Drive, as well as the other multitude of streets to the west and north of subject property, are all predominately developed for single family purposes at the present time. There is one additional tract of vacant land near the subject which is undeveloped and is located adjacent to Petition No. 77-11, but predominately there is a single family pattern both to the west and the north of subject property.

Mr. Bryant pointed out the zoning pattern in the vicinity and stated there is at the present time a pattern of B-1SCD zoning on the north side of Morrison Boulevard, extending from near Barclay Downs Drive all the way over to Sharon Road; there is a large mass of B-1SCD to accommodate SouthPark; there is a considerable amount of O-15 zoning to the north of the B-1SCD area which encompasses for the most part the properties which are the subject of the petitions, particularly Petition No. 77-11, which involves the predominate portion of the O-15 area. To the east of the property there is R-15MF zoning, along sides of Colony down to Sharon and to the north and to the west, there is a solid pattern of R-12 single family residential zoning.

Councilman Gantt asked if any of the roads have anything to do with the zoning pattern and if the roads came after the zoning pattern was set up, particularly with the R-12 and R-15? Mr. Bryant replied Barclay Downs came before the zoning pattern; Colony Road came after the establishment of R-12 in the area but before the establishment of some of the office zoning; Morrison Boulevard came after the establishment of B-1SCD; Barclay Downs Drive came before anything got there.

Mr. Bryant stated two of these requests involve the usage of the CD classifications and there is some involvement as to indications of the usage to which the properties will be put. First of all the B-1SCD, which is the proposal for a retail business area at the intersection of Morrison Boulevard and Roxborough Road, is to build a facility containing 98,000 square feet of space in the total complex, the building configuration would be somewhat unusual due to the design feature proposed for the site, but another of it is because of the unusual circumstances in the area. For example, there is a sewer line which runs through the property and it is necessary to build on that area, and has an open walkway-type of covering there and has no ground level structure through that section.

The uses which are identified on the plan are only a restaurant and something which is identified as antique, ladies wear, a supermarket type building. The remainder of the space would be a combination of various types of retail shops and small office use. The proposal is to bring a major entrance off Morrison Boulevard, a second major entrance off Roxborough and then the adjoining area would be developed with a roadway coming in off Roxborough that would be a third driveway entrance at this point. The most used driveways would be the ones on Morrison and the one on Roxborough. There is a configuration of parking or circulation on the remainder of the property but basically it is proposed to utilize that corner in that fashion with 98,000 square feet proposed in the mall structure.

April 18, 1977  
Minute Book 65 - Page 144

Councilman Williams asked why the B-1(CD), instead of the B-1SCD, is necessary for that type use? Mr. Bryant replied it is not necessary but one of the thoughts that was paramount in this decision was the fact that to go to the B-1SCD process was subjective to another of the quasi-judicial procedures and it was felt this would be a little bit cleaner from a procedural standpoint.

Councilman Williams asked if there is very much difference in the B-1SCD and the B-1(CD)? Mr. Bryant replied there is very little difference between the two; the uses are exactly the same and most of the requirements that apply to the CD process are copied from the B-1SCD section of the ordinance.

Mr. Bryant pointed out the area proposed to be changed from 0-15 to 0-15(CD) which is a proposal which indicates, from the petitioner's standpoint, the willingness to indicate in general, what is to occur in this area if zoning remains under an office category. First, it is proposed that a street be built in off Roxborough Road through the property to a certain point. In addition, it is proposed that a street be constructed from Morrison Boulevard coming up beside the Equitable property where the facility is being built, to intersect with that street. Second, it is proposed that there be a maximum of 735,000 square feet of office space built on this entire area in this petition. Third, it is proposed that a 100 foot non-usable area be established along the northerly boundary of the property, adjacent to the creek and adjacent to the rear of the lots fronting on Wickersham Road.

He stated it is also proposed that standard pedestrian walkways leading from nearby single family areas to the clustered shopping facilities be provided as office structures are sited within the 0-15(CD) area. Basically the 0-15(CD) proposal involves placing a lid of 735,000 sq. ft. of space on the property and at the same time, proposing to reserve the 100 ft. buffer area along the northerly portion of the property.

Mr. Bailey Patrick, Attorney for the petitioners, stated there are three petitions involved in this approximate 60 acres located on the north side of Morrison Boulevard. That the triangular-shaped tract which fronts on the north side of Morrison Boulevard consists of 10.868 acres and is zoned B-1SCD.

He stated on the hand-out submitted earlier that triangular-shaped property is outlined in red and the remaining portion of the property, consisting of approximately 49 acres to the rear, is currently zoned 0-15. In March of 1976, following a presentation of a site plan involving property along Morrison Boulevard, Council requested the Planning Commission to re-study the B-1SCD area, that triangular portion, following some objections and concerns expressed by residents in the Barclay Downs area. Subsequent to that hearing and in September of last year, the Staff of the Planning Commission published a report designated as the SouthPark Land Use Study. This SouthPark Land Use Study has not been fully evaluated by the Planning Commission, and consequently the Planning Commission has neither accepted nor rejected the recommendation. The recommendations were substantially disturbing to his clients to, in their view, justify devoting some time in our petition to this land study. Specifically the recommendations were twofold. First, with regard to the triangular-shaped property fronting on Morrison Boulevard, currently zoned B-1SCD, it was strongly suggested that this property no longer be permitted to be developed for commercial purposes; that it be limited to office use.

He stated more drastically on the entire 49 acres tract north of this B-1SCD area, the recommendation was that this property be down-zoned from an existing 0-15 to single family usage for the entire 49 acres. His clients are firmly convinced that these recommendations should and will be rejected both by the Planning Commission and the City Council for the following reasons - the recommendations constitute a complete reversal of the zoning classification which were ultimately established for this property in 1965, twelve years ago, only after a complete and exhaustive study of the entire SouthPark area.

April 18, 1977  
Minute Book 65 - Page 145

There was at that time complete and open interplay among the City Council, the Planning Commission, members of the Planning Commission staff, the neighbors in the area and the petitioner. The final zoning pattern selected not only represented, in their view and in the judgement of many, the finest planning concept available but also invoke the most appropriate and responsible zoning approaches to the use of land.

Mr. Patrick stated the only reason they oppose this study is because it completely disregards, in their view, a Comprehensive Land Use Plan which this Council has adopted; moreover its conclusions, particularly with regards to stormwater runoff and traffic impact, according to experts they have consulted, is based upon erroneous information. They have distributed, along with other handouts, reports from their experts regarding those items.

He stated the recommendation that the entire 49 acre tract that is currently zoned O-15, Tract 2 on the handout, be rezoned down from O-15 to a single family use, represents a classical judgement of over kill; the recommendation fails to recognize not only the interests of the property owner but the citizens of Charlotte and the physical welfare of City and County Government.

Mr. Patrick stated they should examine the interests of the concerned residents of Barclay Downs and he would be candid to say, they acknowledge as does everyone, that the residents along Barclay Downs Road have a problem. They do not run from that problem but the point they make is that the property which they are discussing, in their view and in the view of experts, will have little or no impact regardless of the type of development it takes. The point being that unfortunately, or fortunately, depending on the view, Barclay Downs Road is a neighborhood road having only two lanes and it is serving to couple the Fairview Road Extension along with the upcoming inner belt road and all of the other roads to the north there, the arterial roads, and it is a problem they recognize as a problem but they simply contend it is not generated by their clients.

He stated Mr. DeLaney, who has assisted and played a major role in the development of their proposed land plan, will comment on this more later.

Mr. Patrick stated he would like to make a few positive points which will be very beneficial to the residents in the Barclay Downs Section, the residents of the Trianon Apartments and all of the surrounding residential citizens. Basically, they are proposing an office park, a regional type office park for the majority of the property, 49 acres. The development of that particular type complex will pose little or no activity at night and there would be minimal amount of noise and lighting problems. There would be minimal requirements for public services as opposed to requirements should Council develop it as suggested for single family purposes; there would be no extra burden added on neighborhood schools.

They think the development of an attractive regional office park which they envision will insure the surrounding property owners a strong market in the future for their home, in that obviously, people working in this office park are going to seek homes in that area.

Should the Southpark Land Use Study be adopted and implemented, and thereby eliminate the possibilities for this property being developed for office

April 18, 1977  
Minute Book 65 - Page 146

and commercial use, the City and County Governments will experience a loss in tax revenues annually, according to their calculations, in the neighborhood of \$300,000. Should they be allowed to develop their property as proposed, the effects will be admirable. First, they would minimize the cost of providing municipal services for police and fire protection, garbage collection and street maintenance, which are recognized as being higher where you are dealing with single family residences.

Mr. Patrick stated as acknowledged by this very SouthPark Land Study, which he is addressing himself to, the SouthPark area already enjoys convenient access from numerous existing and soon-to-be completed arterial thoroughways. These arterial roads represent a substantial investment on the part of the citizens of Charlotte; the existing SouthPark Regional Shopping Center and its convenient access have created a natural environment for the location of regional office parks such as the one his client proposes.

Our Chamber of Commerce has acknowledged that SouthPark is unique in that it represents a major portion of this City's inventory of land available for prime office development. Indeed in concept and with what you have to operate and work with, SouthPark now is unique to the Carolinas, as experience has told the Chamber of Commerce who is going out and seeking quality people to associate and locate in Charlotte.

The City of Charlotte's Comprehensive Land Use Plan and its accompanying Report recognizes the potential that exists in the SouthPark area and he quoted a part from that report.

Mr. Patrick stated a sewer line runs completely through the property. This sewer line was designed and located in reliance and in anticipation of commercial and office development, not in anticipation of single family and it would raise havoc with that type of development. It is under the ground and for the past eleven years their clients have paid taxes on this property, based on values generated for office and commercial use. Last year the taxes on the 49 acres of office property alone totalled some \$38,600. Had that very same property been zoned single family during that eleven year period, or last year to make his example more accurate, their clients would have been assessed only \$4,500.

He stated one other point which is vitally important in this issue is that in 1965 there was concern from the Barclay Downs area and the leadership of that concern was primarily the same as that leadership here tonight. That his client, in order to allay these people and to assure them that there would not be encroachment upon them, agreed to remove a 12-acre tract, which is designed as Tract 4, which lies west of this property, so as to serve as a buffer between the Inverness Road residents and the O-15 zoning. That was done by his clients to recognize and show a concern for the people who lived on Inverness Road that they certainly did not intend to encroach upon them and made that commitment and that property has not been developed and is currently zoned R-12, single family.

He stated his clients have strived in the past for quality type development, always invoking the assistance of the best planning consultants available in the development of their property, their track record speaks for itself. He

April 18, 1977  
Minute Book 65 - Page 147

needs only to cite the Regional Headquarters for DuPont & J.P. Stevens in view of their reliance on existing zonings and the commitment they have already made for this property, he respectfully submits that neither the Planning Commission or Council should permit it to be changed and down zoned from O-15 to single family use at this late date unless a clear and convincing reason exists and they submit that that reason is not present.

He stated for the foregoing reasons, implementation of the SouthPark Land Use Study would result in an inequitable, arbitrary and unreasonable limitation on the use of this property. However, rather than simply coming up to Council and taking their time and taking no more than a negative approach and saying "it is no good and don't let it happen," they come forward and that is the purpose of their petition, to implement a general plan for the development of this property which they feel will take into account all the interests involved and will result in an equitable balancing of these interests. The petitions before Council are intended to implement this sort of plan. First, to eliminate the possibility of any strip commercial development along Morrison Boulevard. Second, to establish a suburban regional office park, which through careful planning, will reduce the environmental impact of the development. Third, to permit the development of a unique, innovative and attractive shopping center facility, clustered at the northwest corner of Morrison Boulevard and Roxborough Road.

Fourth, he would add that there is a technical change required because of the Equitable site, the B-1 SCD property existing in front of the Equitable site, they feel should be in keeping with the general plan, to eliminate strip zoning, commercial zoning and to accommodate the zoning to its intended long term use, namely office, they petition that little strip along Morrison Boulevard, be zoned from B-1SCD to O-15.

Mr. Patrick recognized and introduced Mr. John Raincamp, President of the firm of Raincamp, Sax, Wells and Associates, and a highly qualified, nationally recognized planner with a history of successful developments in many parts of the country.

Mr. Raincamp stated the two primary points that justified a down zoning to the R-12 was drainage and traffic. They reviewed the drainage and they are a part of the 415-acre watershed. The difference between the R-12 zoning and the O-15 on this particular tract would represent about a 4.3 percent difference in the amount of run-off volume on the site. They checked the 10 to 20 year storm drainage difference and found that to be true; they double checked to check the 100 year difference and found the same numbers so they would have no significant drainage problem they can see.

As to traffic, they reviewed the traffic and came to the conclusion with two exceptions, that no matter whether the site was O-15 or R-12, the levels of service would be in the A and B range because most of the roads that service the site are four lane roads and designed for the kinds of loads they would generate. The two exceptions are Barclay Downs Drive, which is an exception and a problem no matter what happens, and the intersection of Barclay Downs Road and Fairview which has no left turn pocket and is a problem as well.

Mr. Raincamp then presented slides of the proposed plans for the area and reviewed the tracts in several ways.

Following was a question and answer period between Council, Planning Commissioners and the representatives for the petitioners.

Mr. David Lord, 1701 Runnymede Lane, stated he is sure that Council is aware that there is considerable opposition to any commercial development, whether it be office or business, in this area. The primary concern revolves around increased traffic and congestion and general deterioration of the quality of life which accompanies excessive commercial development. There is a valid concern that development of this tract, as proposed, is totally incompatible with the objectives of the Comprehensive Plan; the plan calls for several regional shopping centers, whose express purpose is to serve the community surrounding it, in order to minimize the excessive traffic and congestion.

April 18, 1977  
Minute Book 65 - Page 148

The SouthPark Shopping Complex already boasts a growing radius of 60 miles. Dragging this amount of traffic through residential areas will only be compounded by expanding the complex further. The Planning Commission staff has prepared a draft of land use alternatives for the tracts in question; alternatives were found to be necessary in large part due to additional storm water runoffs, but primarily due to the inability of the existing already elaborate road facilities to adequately accommodate the additional traffic. The primary recommendations of the staff were - most of the land, 45 acres, should be zoned residential, the remaining land should be limited to office use and in any case, the following should be prohibited: businesses, such as grocery stores, financial institutions, fast food houses. The developer has ignored the findings of the study and has already erected an office where the Planning Commission staff recommended residential units; they are now requesting a neighborhood shopping center that is not needed or wanted and is also in direct opposition to the findings of the study.

Mr. Lord stated the now existence of the office building precludes the adoption of the staff's original recommendation. There are alternatives available to better address the concerns of the surrounding community than the proposal put forth by the petitioner. An alternative proposal will be put forth tonight that will better adhere to the recommendations of the Planning Commission staff and provides a profitable opportunity for the developer, makes better use of natural barriers for sight and sound screen and sets reasonable height restrictions to insure compatibility of the surrounding area.

He stated the developer has already said there are no other alternatives suitable for this land. That he will continue to say this until he is convinced that the City Council is going to restrict and define commercial development to insure the regional center concept remains valid and this is the time to start.

Mr. Charles Klapheke, 1701 Runnymede Lane, stated on two previous occasions the City Council has denied requests by the petitioner to build the same type of business facilities now requested. The reasoning for Council's decisions, were sound; they revolved around the negative impact of over-developing a regional center to the point that the center begins to degrade the regions that it was built to serve. Since SouthPark already boasts a drawing radius of 60 miles, it is obvious that developing this additional acreage as the petitioner has requested, can only compound the existing traffic problems, not only on Barclay Downs, but on Scofield, Roxborough and Colony Roads. To prevent a constant reoccurrence of these hearings, the residents sought a study from the Planning Commission to determine what are some alternative, reasonable uses for this land. They found that office and commercial development in this area, distributed as the petitioner has asked, would have serious detrimental effect on the surrounding neighborhood road network. As previously stated they specifically warn against traffic-generating businesses, such as fast food facilities, grocery stores and banks, therefore, the staff recommendation consisted of rezoning most of the land, 45 acres, to residential use and the remaining 15 acres to O-15. There was absolutely no recommendation for B-1 zoning. In fact, if Council denies all three petitions, the existing zoning can be used to restrict the use of the land for office use only.

The petitioner is fully aware of the staff study but nevertheless submitted a plan for a neighborhood shopping center that the neighborhood vehemently opposes. Furthermore, the petitioner has begun construction of an office building on land which was recommended to be zoned to residential. The justification so far has been that there is no suitable alternative for this land; that he submits there are alternatives and we just need to look harder.

Mr. Klapheke stated he has sketched out some alternative plans for the area. He pointed out on a sketch the area in question and noted the perimeter area. He stated the petitioner has selected a creek bed for his barrier between the residential and office; there is a ridge right through the property which is a much more logical barrier and provides a natural sight and sound barrier between residential and office or any kind of commercial

April 18, 1977  
Minute Book 65 - Page 149

development. With proper height restrictions and setbacks from the ridge toward Morrison Boulevard, the ridge can serve as a boundary between residential, R-12, and the O-15 development on Morrison. If that is used as the boundary, there will be no need to build Rexford Road down the ridge, the land saved could be used for an additional barrier between the homes and the office space. It would also preclude running that much traffic past the existing condominiums in the little triangle area there. Also, it would prevent the dumping of traffic from the complex onto Roxborough Road, which although it is wide, is still a residential street. It also dumps onto Colony Road, which is also wide, but it too has no commercial development, just homes there.

His proposed R-12 zoning can be easily developed from two existing stub streets on the community side. There would be no need at all for any opening to come onto Morrison or Roxborough so there would not be any cut through traffic through there. That the point is, there are more profitable and compatible alternatives than these petitions represent but we will not see them until everyone is convinced that City Council intends to restrict the infringement of these regional complexes upon established neighborhoods and is going to aggressively seek alternatives, recognizing the importance of environmental quality as well as economic development. Only this will insure the continued acceptance of the regional center concept. These petitions constitute a serious up zoning on behalf of the petitioner by removing all controls that now exist over the land. Therefore the Council must deny any petition for B-1 zoning and direct the Planning Commission to develop zoning recommendations that will return some of this land to residential use.

Mr. Klapheke stated the zoning on this land is 12 years old - that was before SouthPark, before the Trianon, the Colony complexes and even before Morrison Boulevard was built through it. Since then, we have learned that these regional centers must be limited in size to remain viable. Since this property is interior to any major arteries serving the SouthPark regional center and since we are striving to insure a reasonable size center, this perimeter land provides an ideal opportunity to cut back on commercial development.

Mr. Tom Hardin, 5459 Topping Place, stated he has previously written a letter to Council stating his opposition to the rezoning petitions. He then reviewed the contents of the letter. In his statement he stated as in his letter, he agrees with the petitioner's use of the piece of property in front of the present Equitable Building.

Mr. Patrick, in his rebuttal, stated the best thing is you have a regional office going out there for Equitable which is only two stories tall, and is located on nearly seven acres. That should set the pace for the development, and that is the way he would view it. Also there are a number of people in this area, residents, who are for the plan. The Trianon people, who own their apartments and are the closest to the property have reviewed this plan and are unanimously behind it.

Mr. Tate, Chairman of the Planning Commission advised that these petitions will be considered by the Commission at its May 9th meeting which will be held at 3:30 p. m., in the Conference Room of the Planning Commission Office.

Council decision was deferred pending a recommendation of the Planning Commission.

AGENDA SUSPENDED IN ORDER FOR REVEREND DEWBERRY TO PRESENT A PETITION TO COUNCIL.

Councilman Gantt moved that Council suspend the Agenda for a moment to allow Reverend Dewberry to make his presentation because he has a large number of his members present. The motion was seconded by Councilwoman Chafin. Councilman Davis stated the same privilege should be extended to other people who are on the agenda if they are present now. The vote was taken on the motion, and carried unanimously.

April 18, 1977  
Minute Book 65 - Page 150

REQUEST FOR TRAFFIC SIGNAL AT WEST BOULEVARD AND DR. CARVER ROAD TO BE INVESTIGATED BY CITY MANAGER.

Reverend Dewberry, 2670 Carver Road and Minister of Gethsemane Baptist Church, stated he would like to apologize for being late and would like to thank Council for allowing him the opportunity to present their proposal.

He stated he represents the community of a portion of West Boulevard, Dr. Carver Road, Kings Park and members of Gethsemane Baptist Church which has recently moved to 2670 Dr. Carver Road. That more than eight months ago he met with Council on two occasions and petitioned them to give them a traffic light in order to get out of this area or the option of opening up a road. He stated both of these proposals were turned down. That they have 1,101 signatures of citizens who live in that area. He stated Council cannot determine whether a traffic light is needed unless you go to that area because of the traffic in order to determine the need.

He stated sometimes it takes the members more than 45 minutes or an hour to get out of that street; more than 99 percent of the people who leave the area, make a left turn and it is almost impossible for anyone to get out when traffic is traveling 45 to 60 miles an hour past them.

He stated they would like to petition Council that they would not look at the figures of the Traffic Engineering Department but the concern of the people who live there. That the Engineer states you can only get a second light when 200 cars per hour pass through an intersection. In the last eight months, they have had a total of eight accidents, some running into the back of another car and no one is concerned about it. That he thought when Councilmembers are elected they would consider the safety of the people in the community.

Mrs. Dunlap, a member of Gethsemane Baptist Church, stated they need a traffic light at that intersection. That their young people are coming and going and parents cannot be with them at all times; that they are trying to build the city up by being in that area, and made a plea to Council that they see their need.

Ms. Willie Jo Dae stated she understands they have to have 200 cars coming out of that area in order to get a light, but there is no way that 200 cars can come out of that residential area onto West Boulevard from Dr. Carver Road in one hour in order for them to get a traffic light. But they do need a light or another street opened up that would run from Dr. Carver Road further out that would let them go back into Donald Ross Road or into Wilkinson Boulevard.

Mayor Belk asked Mr. Burkhalter if he had a report on that situation? Mr. Burkhalter replied he could bring one back at the next meeting.

Councilman Withrow stated they do have a tremendous problem there. There is only one way out. That he has some apartments near there and he knows what these people are talking about. The problem is early in the mornings when cars are coming down West Boulevard, coming into town and these people are trying to get out - it is impossible for them to turn left to get out.

Councilman Whittington requested that Mr. Burkhalter, in this report, give Council any suggestions that he or the Engineering Department might have to open another road into Donald Ross Road.

DISCUSSION OF STIFFER FINES FOR VIOLATION OF SCHOOL ZONE SPEED LIMITS REQUESTED PLACED ON NEXT AGENDA.

Councilman Davis summarized the remarks he made at the end of the informal session for some action on speeding violations in school zones. That Chief Goodman tells them in a letter to all Councilmembers through the City Manager that the average individual today is not a respecter of the traffic laws. He thinks this is a pretty sad state of affairs for our community. That Mr. Corbett, our Traffic Engineer, has told them the same thing when

April 18, 1977  
Minute Book 65 - Page 151

he stood before Council and said that it would not do any good to put "No Left Turn" signs or "Stop" signs - the traffic would ignore it.

He stated he thinks it is incumbent upon this Council to either take the school zone signs down and let the kids know what they are up against when they cross the street or else enforce the existing laws. That the Chief suggests two areas: (1) More enforcement which would require some more money; or (2) Stricter punishment. He does not think it should be a burden on the law abiding citizen to provide more money for more policemen; that they should explore the stricter punishment avenue. He asked Mr. Burkhalter to put on the agenda for next week a discussion of a proposal to our delegation to instigate an automatic 60-day suspension of a driver's license for anyone arrested and convicted of speeding in school zones.

MOTION TO ACCEPT TRAFFIC DIRECTORS REPORT ON SHERWOOD AVENUE AND QUEENS ROAD INTERSECTION WITH REQUEST THAT PLANNING AND TRAFFIC ENGINEERING COME BACK TO COUNCIL WITH RECOMMENDATIONS ON POLICY FOR ALLEVIATING TRAFFIC PROBLEMS IN NEIGHBORHOODS.

Mr. B. A. Corbett, Director of Traffic Engineering, reported on the results of the median barricade that was put in on Sherwood in January. He stated on January 28th, following receipt of a request which had come in in October 1975 from residents along Sherwood and Beverly Drive, they took action of placing barrels in the median opening on Queens Road and Sherwood. This was done in an effort to see what would happen about deterring traffic from using this part of Beverly Drive and Sherwood as a cut-through between Providence Road and East Boulevard on the west. They left that in for some 60 days and then they conducted tests to see what happened to the traffic.

Mr. Corbett pointed out on maps what has taken place on the cross streets in the neighborhood of Providence Road on the east, East Boulevard, Kings Drive and Queens Road West on the west. That at Chilton Place there are some 3500 vehicles a day which are cutting across from Sharon Road over to Queens Road in both directions. On Sharon Road itself there are some 5600 vehicles per day which are coming into Queens Road East to fan out over the various streets, most of them heading over to East Boulevard. That on the east leg of Sherwood Avenue, there were some 3200 vehicles a day. That totals approximately 12,000 vehicles a day which are attempting to move back and forth in this area. The major generators for the area are Queens College, Freedom Park and Memorial Hospital, but whether these vehicles are going to those destinations they do not know because they did not conduct an origin and destination study. It was purely vehicle counts in order to find out what was there before they installed the barricade and what happened after.

He stated when they put up those barricades, traffic naturally began to get over on the other streets. They met with members of the neighborhood association, Queens College, numerous people on the telephone. After the barrels were in place for some 60 days these are the things that happened:

	Vehicles Per Day	
	Before Closure	After Closure
East Sherwood	3,280	2,050
West Sherwood	2,700	1,560
Radcliffe	1,100	2,050
Oxford	1,000	1,600

He stated that as far as gains and losses it is about the same - all of the traffic is still within the corridor. When they closed Sherwood it had been their hope that much of the traffic might remain on Providence Road, go up to Queens Road and funnel out from there, but this apparently has not happened. There is perhaps some slight decrease, approximately 10 percent, in the total traffic moving through the neighborhood; but that is not necessarily so, because there could be an increase going through the corridor rather than a decrease, depending upon which streets you take.

April 18, 1977  
Minute Book 65 - Page 152

He stated as part of their work they also attempted to measure public reaction to this situation. He does not present this as a scientific survey - it is simply a result of the communications received in his office from people who live both along Sherwood and Beverly and people who live elsewhere. In doing their work they had to have a cut-off point of April 1st in order to make their report and charts and have them into the Manager's Office by April 8th for this meeting tonight. Initially they received contacts from people who represented some 52 of the 79 homes along Sherwood and Beverly Drive, saying they were in favor of the closing; 6 who said they were not in favor and 21 not responding; that last week they received a petition, which has not been checked out, but he has been told that it changes these figures drastically so that all of the people on these streets are now in favor of it.

On the other hand, of the 213 people who live outside the neighborhood who either called his office or wrote letters, 174 said they were opposed to what had been done and 39 said they were in favor. He stated again that they do not represent this as a scientific survey, but purely results of people who contacted his office. Since the April 1st cut-off date, they have had signatures from the Sherwood-Beverly area of 200 who said they were in favor of it; letters from other neighborhood associations who said they support the Sherwood people; and many other calls and letters from people who said they are opposed to what has been done.

Mr. Corbett stated that after looking at all this and seeing the difficulty that has been caused, they have decided to take action. He presented a movie film showing some of the problems which took place as a result of the median closing. It was taken at the first opening on Queens Road, north of the Sherwood opening, and showed that part of the traffic that formerly used Sherwood continued to do so and traveled along Queens Road up to the opening and then made U-turns. The vehicles not only had a tendency to stack up but they also would pull out and cross over the center line as they made the U-turn. He stated approximately 500 vehicles did this each day; that the same situation occurred at the opposite end, down at Selwyn Avenue, but only about 200 vehicles a day made the left turn at that point. Mr. Corbett stated this situation which was created by the closure concerns them very much.

He stated the basic problem is not just Sherwood alone, but a system of streets which connect Providence Road with East Boulevard. That Radcliffe provides probably the most direct route since it is one-way during the school morning hours, and they were informed by the Police Department that during the two months that this closure was in effect there was a considerable increase in people attempting to go the wrong way on Radcliffe and they issued numerous citations for that purpose.

Mr. Corbett stated he does not want to leave the impression that he is not interested in the problems on Sherwood, but after completing the study, their only alternative is to remove the barrels and that is their intention. They were placed there as an experiment to try to see if what they did would deter traffic from using the neighborhood streets. That the statistics which they have gathered indicate that this has not happened; the traffic has remained in the neighborhood; it has not left it. The reason it has not left the neighborhood is because there is not an adequate facility in the neighborhood to carry it. That question will probably have to be handled at a later time. He stated to the Council that it is the Traffic Engineering Department's intention to go ahead and right away remove the barrels from the present location at Queens and Sherwood.

Councilman Gantt asked Mr. Corbett to state again where he had expected that traffic might have gone when he put the barriers in? Mr. Corbett replied he had hoped it would stay, for the most part, on Providence Road which is the arterial coming into the City, working its way up to Morehead Street, but that is way out of its way; and these streets are also operating at very close to capacity. Councilman Gantt asked the average capacity of Radcliffe, Sherwood and Oxford - what should these streets be carrying? Mr. Corbett replied, as two-lane streets, 4,000 to 5,000 vehicles a day, but because of the nature of the street - the pavement is narrow - 3,000 a day is a high volume.

April 18, 1977  
Minute Book 65 - Page 153

Councilwoman Chafin asked if it were not for the U-turn problem would it be a serious problem that the traffic has distributed itself among the various neighborhood streets? That it seems to her the traffic on Sherwood has lessened, that some has gone to Radcliffe, some to Oxford. Are these streets now carrying beyond their capacity? Mr. Corbett replied they are not carrying beyond their capacity at the present point, but they have reached the point where that amount of traffic on that type of street is a hindrance and it ought to better be taken care of when you put it all together. All of this traffic should be looked at together, not just any one street. They should attempt to get it off of the neighborhood streets and on a thoroughfare, but if a thoroughfare is provided it has to go somewhere in the neighborhood. That the belt road which is being built roughly a mile and a half from this area will not serve this traffic because the belt road does not go in the direction of its destination.

Mr. Corbett stated the solution was the Thoroughfare Plan prepared some years ago but it was an unpopular solution. It called for the widening and improvement of Sharon Road and Radcliffe to a four-lane facility. They realize that both Radcliffe and Sharon Road are residential in character but the traffic is not going to go away.

Mr. Robert L. Lindsey, Jr., 2137 Sherwood Avenue, stated he lives about midway between Queens Road West and Queens Road and they have really enjoyed the diminution of the traffic; that he would argue that the extra traffic on the other roads is no more than what they might be expected to take under the circumstances; that there is no need for Sherwood to have to take all of the traffic. He stated the traffic is more equitably distributed; that as to the problem of people making the U-turn on Queens Road, he would respectfully submit that the solution to that is to take some steps to close that up. He stated that most of the objections they are going to hear are probably from other people in the neighborhood, the very people who should be most interested in preserving that neighborhood. That an objection from someone across town who is trying to get to work is one thing; but someone who might be inconvenienced in going to the grocery store this would be something they could very well take in stride for the benefit of the neighborhood. He stated that ten years ago this argument might have invited the widening of Sherwood, but that Council and all of us have matured some in our aesthetic approach to the City of Charlotte; that many traditional things have been torn down and not many things have survived, but anything that can be done to help preserve the older neighborhoods, to give us some touch with the past, would be very helpful to the city.

Mr. C. M. Gadsden, 2538 Portland Avenue, stated there has been a lot of discussion about saving the neighborhoods. He filed with the Clerk a petition signed by people who are interested in getting this barricade removed so that Sherwood can be used for the normal flow of traffic. He stated some of these people are not from the neighborhood, but there are some of them in the neighborhood who feel this closing has not done them a whole lot of good and they are concerned about access for emergency vehicles. That the Police and Fire Departments have voiced a concern about some of these closings that cause pockets in neighborhoods where they cannot be reached conveniently. That when you think of the possibility of the loss of life or property, a few minutes makes a lot of difference. They realize Mr. Corbett has done this as an experiment and they commend him for making a thorough survey and coming up with the results. He stated he would like to personally request a traffic light at Sherwood and Queens.

Mr. Walter Shapiro, 5228 Carmel Park Drive, spoke on behalf of Neighborhoods United, a group interested in traffic incursions into neighborhoods beyond the matter of Sherwood. That the Council has before it the balance of conflicting rights - the rights of motorists to use the public streets which cannot be denied; and the rights, on the other hand, of citizens in the neighborhoods to protect and preserve their neighborhoods from the invasion of the automobile.

He stated he has been troubled about the question of Sherwood in particular because he believes that many citizens have been provoked negatively by the Sherwood Avenue question perhaps arising more out of a sensing of favoritism or special treatment being given to a selected neighborhood rather than by

April 18, 1977  
Minute Book 65 - Page 154

opposition to the general principle of the protection of neighborhoods from the automobile itself. He suggested that the specific question of the Sherwood Avenue median closing be absorbed into a resolution of general policy by the Council in favor of discouraging by whatever reasonable and applicable techniques available to the Traffic Engineering Department so-called cut-through traffic into all neighborhoods, which is justifiably requested by the neighborhoods. That the Traffic Engineering Department be authorized to receive and evaluate such requests from neighborhoods and take such action as in the judgment of the Department is proper and necessary to effectively control cut-through traffic in the neighborhood.

Mr. Shapiro stated that since the deterioration of neighborhoods by the automobile is such a widespread problem, this is an excellent opportunity for the City Council to display its very often stated, and truly often displayed, devotion to neighborhood preservation.

Mr. Carroll McGaughey, 2311 Vernon Drive, asked that a simple rule book be written for the games that are being played; that a reasonably good basis for a rule book was written, paid for and accepted by the Charlotte City Council on March 19, 1960, called the Wilbur Smith and Associates' Charlotte Metropolitan Area Master Highway and Transportation Plan. He stated that of the present Councilmembers, only Councilman Whittington was a member at that time. That interestingly, he was also the only member of the present Council sitting in March 1973 - thirteen years later - when a key portion of that game plan was blocked by cancelling the projected widening of the final one-and-a-half miles of Sharon Road and the further widening of Radcliffe as envisioned by the master plan. After these two projects were completed there would be little inducement for motorists to use the Sherwood link which is now in contention.

Mr. McGaughey stated he is not suggesting that Councilman Whittington is either for or against the master plan, or the subsequent alterations; he is simply citing the fact that he is the only member of Council whose term of office spans the history of the controversy to emphasize the need for a publicly endorsed long-range set of rules by which we play the game if we are going to have continuity of fair play.

He asked "Is there any plan on the drawing boards to provide an improved link between Providence and East Boulevard?" It would certainly appear that the need for such a link has been clearly established by the use of Sherwood. He also asked "What sort of a traffic count, petitioning or influence is required from others who live on heavily traveled residential streets to cause barricades to be erected to reduce their traffic flow?"

Mr. McGaughey stated that shortly after he and eight other petitioners sent a letter, Mr. Corbett appeared on Channel 9's nightly newscast during which he twice remarked that the City actually has no policy covering such situations as the Sherwood Avenue business - no set of rules for the game that he is charged with refereeing. He asked that Council establish that set of rules tonight.

Ms. Ann Pleasants, 3500 Country Club Drive, stated she is a resident of Northeast Charlotte; that a while back they were told that the answer to their cut-through traffic would be a new corridor on Shamrock Drive. In their case the corridor is already there. They have Eastway Drive, The Plaza and Sugar Creek.

She stated that cars which are allowed to cut through neighborhoods will eventually, like cancer, destroy the area; the people sell their homes to move out of the city to quiet residential districts. The lines have been drawn in the middle of their street once more accommodating cut-through traffic and if the volume of traffic demands it, four lanes. When is it going to stop?

Ms. Pleasants stated she has been told that she is against progress because of her stand on neighborhood preservation, but that is not true. Everyone wants to have a part in the growth of our city, but is it necessary to

April 18, 1977  
Minute Book 65 - Page 155

destroy our homes in the process? There has to be a better way. If the members of Council would give this fair consideration, they will find that the biggest attraction for newcomers to our city is the established neighborhoods with their tree-lined streets and beautifully, well-kept yards which took years to acquire. We want growth and yet we are destroying our main attraction for newcomers. It seems to her that we have been defeating our purpose. They do not want Council to treat Sherwood Avenue alone; they want the decision to be for neighborhood preservation throughout the city.

She quoted from the Comprehensive Plan of 1995 which Council has already adopted: "As the volume of traffic increases, the total area of land in the vicinity of downtown Charlotte will be subjected to greater pressure from commuter traffic to the CBD. Traffic that does not travel to the CBD along these corridors will filter through even small residential streets into inner-city neighborhoods. Inner-city neighborhoods are valuable because they are a convenient and established urban environment. They provide opportunities for living close to employment and shortened work trips. They contain a significant portion of the County's low and moderate income housing which would be impossible to replace. Therefore, corridors servicing the downtown area should be specifically defined in order to provide services for the high volumes of through traffic going to the CBD from the outlying areas. Deliberate efforts should be made to encourage through traffic to move along these corridors and to discourage it from moving through inner-city neighborhoods."

Ms. Rhonda Innes, 2711 Dunlavin Way, stated what she has to say has the support and endorsement of many of the neighborhoods throughout the City and specifically the Westside Community Organization, the Jaycees and the Northwest Improvement Association. They are not asking that people give up their automobiles, but that the traffic be kept on thoroughfares. By definition neighborhood streets are for the purpose of carrying residents to the arteries or thoroughfares which are designed to accommodate heavy traffic. If these are inadequate, necessary improvements should come about when the need arises, and will come about when the directive is given.

She stated in most cases motorists are inconvenienced only by a few minutes. On the other hand, the homeowner is inconvenienced to the extent that he eventually has to move. In response to Councilman Williams' comments last Wednesday, there have been decisions made by this Council which did not reflect the majority of the people. Please remember too that inaction is a decision. That Councilman Williams agreed that the reasons for making the move to protect neighborhoods, designated living areas, are very strong. She urged that members of Council recommit themselves to bind their adoption of the 1995 Comprehensive Plan and to give Mr. Corbett authority to use his newly acquired technology and expertise to restore faith into the neighborhood.

Ms. Peggy Gathings, 329 Prince Charles Street, stated the majority of those present are people who are interested in preservation of their neighborhoods. She stated she appreciated Councilman Gantt's response to her when she came before Council last April on behalf of the building of the shopping center at North Tryon and Eastway Drive. Her neighborhood is located in the triangle there between Eastway Drive and North Tryon. She is in great sympathy with the people on Sherwood and the other neighborhoods. At the present the site for the shopping center, which she so badly regrets, is in the process of being graded. They do not need it, but they will use it. The most important thing is that her neighborhood is a throughway. People are coming off of North Tryon, coming down Curtiswood, cutting across at Eastway Drive, and if they put this shopping center there without giving them a stoplight on Eastway Drive, coming off of Curtiswood, she cannot promise she will bring 200 cars out there, but

April 18, 1977

Minute Book 65 - Page 156

she will get out there and stop traffic. She is sure they do have approximately 200 in her neighborhood who would be glad to take their two cars out there to show the Traffic Engineering Department that they have it. That it took three months to get a street light, she wonders how long it will take for a stoplight. She is sure they are expensive items and that there are numerous other people who want them, but that building a shopping center without putting in a stoplight is like putting the tail before the dog.

Ms. Gathings stated the first time she came to City Council as just a citizen, never having entered a Council room before in her life, but when she left she felt very great that the people on this Council that we put in office would sit and listen to someone who had just a little complaint and she appreciates all that Council does for the citizens of Charlotte and will take it in great stride if they will recognize their stoplight need.

Mrs. Hugh Ed White, 2544 Portland Avenue, stated most of what she wanted to say has already been covered - most of it by Mr. Corbett, she is in full agreement with everything he came up with.

She stated she grew up on Sherwood Avenue near this controversial Queens Road intersection when Charlotte had 80,000 people and there were street-car tracks down Queens Road. When she married she moved to Portland Avenue and her lot now backs into Sherwood Avenue on the other side of this intersection. She has been a citizen of both sides of Sherwood Avenue for a long time. She loves the neighborhood and cares about the future of it, but she also cares about what is best for the Myers Park neighborhood and our entire city.

When she was growing up there was traffic on Sherwood and there were some eighteen children in that first block; that their mothers had to teach them how to cross Sherwood Avenue to walk to Myers Park grammar school. They were never allowed to play in the street on Sherwood. People who have bought or built on Sherwood in years since could see that it is and always has been a busy street and her Portland Avenue neighbor who also grew up on Sherwood Avenue, says "Sherwood Avenue has always been a connecting link between the Dilworth section and the Myers Park area - it was never just a cut-through, it has always been an artery." The only difference is that today there are more people in Charlotte, more cars being driven, and proportionately now there is more traffic. This is true of many, many streets in many sections of our city. If Council allows this neighborhood thoroughfare of Sherwood Avenue to be closed because some of its citizens feel that the traffic patterns are ruining their neighborhood, do they not think that many other neighborhoods will make the same request? If this street is blocked off it may solve one problem, but it will create many more.

Mrs. White stated she agrees with Mr. Corbett about the smaller streets which not only are not designed to carry heavy traffic, but they are not even paved to carry it - they are being over-used since this barricade was installed. It seems to her that blocking Sherwood is merely shifting one street's problems to another. She also agrees with Mr. Gadsden that it is important to keep this intersection open in order for probably a hundred families in the area to be able to get to Memorial Hospital or Nalle Clinic as well as for the Fire Department to get to their section. She stated this intersection has been used for 60 or 70 years and she believes that the closing of this Sherwood intersection would create more problems than it would solve.

Mr. Claude Freeman, 2024 Beverly Drive, stated he is part of the group that generated the petition of 262 supporting this median closing; that they are ready to live with Mr. Corbett's report and could not argue that their problem would be solved by shifting the traffic to other people in the neighborhood, but they want Council to understand and appreciate that the real issue here is the quality of neighborhood life on the one hand and the convenience of cut-through traffic on the other.

April 18, 1977  
Minute Book 65 - Page 157

Mr. Freeman stated they are a small community - a microcosm of our city. They have young parents, young children, older people who live together and are concerned about each other and participate in community activities, but it is cut into by cut-through traffic. He would encourage Council not to make the same mistake that has been made in other metropolitan areas like Atlanta and Chicago and lose sight of the importance of these small communities within our larger community. Sooner or later we have to recognize and deal with the problem of cut-through traffic in the neighborhood. The issue is not whether we close Sherwood or open up the median, it is the preservation of neighborhoods from being cut through indiscriminately by commuter traffic. There are alternatives available. We can confine the commuter traffic to thoroughfares, we can encourage - even forcibly encourage - the use of public transportation by making streets less convenient to automobiles. There is a broad cross-section of Charlotte here tonight and a broad cross-section will speak tomorrow in the special bond election.

He encouraged Council not to act quickly on this matter. Give themselves time to take advantage of the resources available to them from the studies they have made in the past and from the staffs of their various organizations and formulate a broad policy for the preservation of the neighborhoods all over Charlotte from commuter traffic.

Mr. Charles Smith, 2627 Sherwood Avenue, stated he endorses everything that Mr. Freeman said and that he is in favor of reducing cut-through automobile traffic through the neighborhoods. It seems to him that the quality of life in our homes should have priority over the convenience of commuter automobile traffic, whether it is on Sherwood Avenue or any other threatened neighborhood.

He stated the closing of the Queens-Sherwood median would inconvenience the residents of Beverly and Sherwood the most of all, but they are willing to suffer that inconvenience to reduce automobile noise and pollution and the unsafe environment that this overflow of automobiles has created. He believes that the majority of the residents of these other neighborhoods feel the same way. He hopes that members of the Council will respond positively to the real issue here tonight - preserving and saving the neighborhoods from the automobile, and the arguments of inconvenience to motorists. Even if it means delaying a decision on his own street, he urged Council to take the time and consider this whole matter of homes and families and neighborhoods before automobiles' convenience.

Ms. Laura Freck, 2601 Country Club Lane, stated she represents the League of Women Voters of Charlotte-Mecklenburg and would like to say some things about their feelings about the policy involved. She stated that last week's air pollution advisory indicates that much worse is to come for Charlotte if automobile traffic continues to increase. That President Carter is tonight warning that the energy shortage is much worse than we thought. She stated the League of Women Voters is very concerned about the quality of life in Charlotte. Good living conditions include freedom from excessive noise and safe, attractive places to live, work and play. This means that residential neighborhoods must be preserved from deterioration brought on by excessive through traffic. Also, we must begin to get people out of cars and into public transportation. This seems almost impossible but if we do not do this, what do they think we face? Continuing to make it easy for automobiles to take short cuts through neighborhoods only insures that we will face a major crisis later on when the gasoline runs out and we have no new bus service. Some people have visions - she has nightmares - in which Charlotteans continue to sprawl out thinking that they will always have enough gas to drive ten or twenty miles to work, to shop or see a doctor. It is a nightmare in which thousands of people end up stranded in their suburban homes unable to get gasoline to get to those places.

She stated the Comprehensive Plan adopted by the Council calls for the preservation of existing neighborhoods by diverting through traffic off residential streets and onto thoroughfares. Closing residential streets may seem drastic but it may be the only effective way to preserve vital

April 18, 1977  
Minute Book 65 - Page 158

neighborhoods. The League of Women Voters in Charlotte-Mecklenburg, after careful study, supports the Comprehensive Plan. Therefore they urge Council to act to preserve residential neighborhoods by closing streets if necessary.

Mr. John Duncan, 232 Scofield Road, stated he represents a group of citizens on Scofield Road who are very much concerned about the traffic on their street, and he also represents certain interests in the Parkdale Section of Charlotte. They have become increasingly aware of the development of some of the thoroughfares in the SouthPark area and of the influx of traffic through their neighborhood from one thoroughfare to another. He is not here to speak about Scofield Road, or Barclay Downs which is adjacent to them, or Sherwood Avenue for that matter. He thinks it is quite clear that the issue is the preservation of neighborhoods, or the convenience of private motorists. What he would suggest is that the City Council give careful thought to a broad policy for the preservation of neighborhoods and come up with a series of guidelines that would be a guide for the future in the development of traffic in the city; therefore giving an overall look at the preservation of our neighborhoods in relation to this question.

Ms. Mary Ann Hammond, 1915 Ashland Avenue, stated she wants Council to know that the Executive Board of the Plaza-Midwood Association voted unanimously to support the closing of Sherwood, and she cannot believe that they represent a minority position on Charlotte because every person lives in a neighborhood somewhere which they chose for the quality of life available there. To have that special quality threatened is reason for deep concern. The threat she is speaking of is "King Car." It is the ruler of our Traffic Engineer, life style, energy consumption and pocketbook. Last year when the Independence Corridor study was presented, Council was challenged to give first priority to neighborhood preservation and to keep King Car in its proper place. That Council took courageous action to thwart the road's development allowing our homes, parks and churches to remain unspoiled. She urged Council to continue to lead us from the bondage of King Car because they know "this emperor wears no clothes."

Mr. Tom Ray, 412 Law Building, stated the conflict going on between neighborhoods on the one hand and the car and quality of life on the other hand could be described as the battle of the barrels; that it is a symbolic barrel that they are talking about; that it is a real barrel; that it is something Council is going to have to grapple with. He suggested that Council consider a couple of approaches.

The first is that Sherwood is not the only important thing involved here; it is not the most important thing; there are too many neighborhoods fighting against the automobile, the widening of roads. He would suggest that rather than taking a pro position on this street, and that closing, on this evening or another evening taking up another street, that Council consider tabling the Sherwood matter and request a study, not a long one, with recommendations for guidelines to present to Council from both the Planning Commission and the Traffic Engineering Department. That they look to the Planning Commission for impact zoning matters and he thinks they can look to the Planning Commission along with Traffic Engineering in a joint effort to give some suggestions on the impact of the automobile - with reference to Sherwood, with reference to Portland on Sunday morning in the absence of access to that street, to the Midwood Area. That this matter can use some guidelines; that it does not pin the Council down for the future to making various decisions, using those guidelines. That it would be helpful to have that kind of detailed study.

Mr. Ray stated "no man is an island" a poet said a long time ago, "he is part of the main." He suggests that Sherwood is not an island; we do not want Council to discriminate for it or against it; we do want them to put us within the whole. They would suggest that possibly these two approaches might be a step in that direction to keep Sherwood inside the whole and not to discriminate against it - treat them just like they would the Country Club area, the Midwood area or any other area.

April 18, 1977  
Minute Book 65 - Page 159

Mr. William Culp did not speak but the Mayor was advised that the Dilworth Community Association wished to go on record as favoring the closing of Sherwood Drive.

Ms. Lillian Chapman, 2125 Sharon Road, stated it is hard for her to be in opposition to the Sherwood barricade, as she lives in the neighborhood as do many of her friends. She stated these points have all been made but she feels they are so important - that when you move the traffic on one neighborhood street and put it on another neighborhood street you are not preserving the neighborhood - you are not doing anything except relocating the problem. In granting a barricade to Sherwood, are not they opening Pandora's box? What about Oxford Place, Hopedale, Barclay Downs, Chilton, Radcliffe? The countless and hundreds of streets that are going to ask for barricades. This city is going to be a maze of trying to get from one place to another place. She respects Mr. Corbett - he knows far more than she does - but she cannot help but believe with the southeastern section of the belt road already under construction that this is going to take some of the outlying traffic off of Sherwood Avenue and leave Sherwood for more local traffic which it can easily handle.

She stated she lives on Sharon Road, on that narrow little twisty part of it which is two lanes, lovely residential that gets 5,600 cars a day. It is just as residential as Sherwood, just like Radcliffe. They would hate to see this become a major artery; they would like to see the traffic restricted naturally where everybody shares it because they think it is a beautiful area and they hate to see a major artery running right through it. They would like to share it; they would like to keep Sherwood beautiful and Sharon Road beautiful too.

Mr. Allen Harris, 2609 Portland Avenue, stated he hopes Council will consider what will happen to the City in the future if they close all the streets that have too much traffic and that are unsafe for children.

Mr. Isaac Wagner, 2035 Sharon Road, stated he is concerned about the community too; he is concerned about all of these streets; but there are no fewer cars now than there were before. There are more cars going on Sharon Road and fewer on Sherwood. Also, when he goes up the street he uses the U-turn that was shown in the movie because that is the only way he can get to East Boulevard without going a long way around.

He stated that all of these cars that Mr. Corbett was talking about coming up Providence Road do not all come up Providence Road. He lives in the first block of Sharon Road and he goes across that way and there are hundreds of other cars from that same area going over to East Boulevard, so they don't all come up Providence Road by any means; just a portion of it comes that way. He has read that there are forty children on Sherwood, but they divert traffic and come up Radcliffe which has an elementary school on it with five, six or seven hundred children. So, he does not see where they have done anything but cause a hazard. It just upsets him to see those barrels out there. That it has not done anything but cause trouble. They talk about neighborhoods and cars. They all have cars; he has two and a truck; and he drives them wherever he wants to except he cannot get on Sherwood without going around. That people are going to go anyway they want to when they want to go somewhere; it is not a cut-through it is just a way to get there and that is the way people are going to keep going because they are going to go the shortest way to get where they are going.

April 18, 1977  
Minute Book 65 - Page 160

Mr. Hugh Casey, 2118 Norton Road, stated if Council adopts a policy of closing roads to help neighborhoods, they will not only help the neighborhoods but they will help all of the people of Charlotte. The reason he says that is that use of the automobile is like cigarette smoking - it is expensive and it is dangerous to your health. The cost of the automobile to Charlotte is rising at a tremendous rate; at the present time we spend over \$1.0 million a year for street lighting; road maintenance has gone up over 400 percent in ten years; the latest Wilbur Smith Alternate Thoroughfare Plans say that the City is to spend over a half billion for the construction of roads in the next twenty years, and according to his last estimate that means we will spend over \$1.0 billion - one third the total value of the city. It is dangerous to your health; the EPA Safe Standards for air pollution have already been exceeded at the South Tryon CPCC Stations, the air pollution alerts have already begun. The only way to fight it is to cut the use of the automobile and one of the ways to do it is to close streets in neighborhoods. They must make it more inconvenient to use the automobile and take any opportunity you have which presents itself.

Mr. James Johnson, 146 Brevard Court, stated he is not here to talk about a 44-foot road. That he lives in the Eastover Community which is adjacent to the Queens-Sherwood intersection. That he has found this particular experiment has been successful in affecting his driving patterns. He did get over to Queens Road and he even did not take Hopedale because he felt like he should participate in the experiment and get back on the artery. He is most pleased to see our Traffic Department trying certain experiments to discourage traffic in neighborhoods. However, Council may respond to this experiment in Sherwood, he hopes they will not leave this matter without encouraging the Staff to respond to neighborhoods by trying similar and perhaps even more comprehensive experiments in other areas where residential land values may be lowered by increased traffic on neighborhood streets.

He stated diagonal barricades which do not block streets but just keep people from using the streets as thoroughfares and other processes have proven successful in certain cases in other cities across the country. He hopes these efforts to preserve the neighborhoods will be continued with the encouragement of Council. He strongly supports Tom Ray's plan that Council give it a broader look and not just rest on the Sherwood situation.

Mr. David Griffin, 7101 Cove Creek Drive, stated he has lived in Charlotte all of his life; has lived in the northeast section for the past five years. He and many of his neighbors feel that neighborhood preservation is a key issue in Charlotte and that the curtailment of excess volume and speed in traffic in our neighborhoods is a key factor in the city. This is not just a question of maintaining a place to live which is quiet and pleasing to the eye, but moreover one of personal safety. In this respect, there is no factor that should be given more priority than that of safety.

He stated this past weekend a bicyclist was struck by an automobile in his neighborhood. He feels that the chances of having this type of accident are greatly increased by high speed and high volume traffic. He feels it would benefit the entire City of Charlotte by retaining the aesthetic and economic values and promoting the general safety within our neighborhoods by considering our neighborhoods themselves.

Mr. Faison Kuester, 2211 Beverly Drive, asked why are decisions so painful that we sometimes go to great lengths just to avoid making them? One reason is that decisions, large or small, always involve the risk of being wrong. Every decision involves judgement of goals and of values with risks. Our goal in this proposition is to discourage and therefore diminish through traffic. What is its values? The core of the problem is that Beverly and Sherwood are

April 18, 1977  
Minute Book 65 - Page 161

not physically arranged to serve heavy volume traffic. The essential issue, as he sees it, should be to divert traffic to main thoroughfares in order to preserve the tranquility and safety and beauty at the risk of inconveniencing people, including the residents of Beverly Drive and Sherwood Avenue. One can rationalize any problem, but in his view, it is obvious that if in Beverly Drive, Sherwood Avenue and other neighborhoods with similar problems throughway traffic is not discouraged, we will assure increased penetration and in a relatively short period of time we will see a sad, tragic deterioration of an area that was designed from the outset to have light traffic meander in a graceful fashion through a quiet and tranquil area. He requested that Council not only consider his neighborhood's request for a favor, but to consider other areas with the same overriding problem. He sincerely believes that if Council decides to help them preserve their neighborhood by discouraging heavy volume traffic, all of them as Councilmembers will be remembered as a Council that took a judgement that resulted in starting an era which climaxed in making for a graceful, safer, peaceful, courteous form of life.

Councilwoman Locke stated the overriding, prevailing theme tonight seems to be neighborhood preservation; that she thinks all of the Councilmembers are very much in favor of neighborhood preservation - she certainly is - she was one of the first to start a neighborhood association in the City of Charlotte - Greenwood Cliff/Harding Place. It seems also that the people here tonight talk about the "big monster" but she would like to ask the people in the audience how many came in a car? They say that we need to have people ride on the buses; that Council needs to make it inconvenient for them to ride in a car, but she would say that everyone in the room came to this meeting in a car and did not use the buses. How many went to work on a bus today - used our transit system? We hear pros and cons of this; that Council would love for people to use our transit system. She stated she walked to work today and it was a marvelous opportunity and she wishes other people would do it - not only use our transit system, but walk. We hear "the King Car" and "the monster" - that is the prevailing theme they have heard tonight. She asked the audience to think about how many of them came in cars and how many cars are in their driveways.

Councilman Withrow stated it is true that this Council has been concerned about neighborhood preservation; that is their trouble today. They were so concerned about neighborhood preservation that Council turned down a major thoroughfare that would probably have alleviated the problems we have today. That this City Council and other City Councils before are the problem; another problem is that the Judge has held up a lot of our roads and thoroughfares that should have been built through lawsuits. This is one other thing that they have tried to do to preserve neighborhoods. That trying to preserve neighborhoods before has made our problems worse today than if Council had stood up to what they should have and gone on with what the two studies that were made which said "this is the Master Thoroughfare Plan, let's go through with it." But, they tried to preserve neighborhoods and this is where we are today - right here!

Councilwoman Chafin stated she certainly agrees with many of the things that have been said by Mrs. Locke and Mr. Withrow, but she thinks it is obvious that we are not going to gain a great deal by trying to identify the enemy. That it is clear we are all the enemy; that we are all going to have to perhaps change, perhaps in some cases, drastically alter our lifestyles. It is not going to occur overnight. That it is obvious that the broad issue that we are dealing with here tonight is, in fact, neighborhood preservation. It is clear to her that the residents of Sherwood and Beverly recognize this; they are concerned about their total community.

April 18, 1977  
Minute Book 65 - Page 162

Councilwoman Chafin moved that Council accept Mr. Corbett's report as information and that they further request the Traffic Engineering Department and Planning Commission to conduct a study and recommend a policy to Council which will include guidelines and suggested tools that will hopefully enable them to preserve neighborhoods all over Charlotte from the encouragement of cut-through traffic. The motion was seconded for further discussion by Councilman Williams.

Councilman Williams stated as he grappled with this problem, the business about Newton's Third Law kept running through his mind. That everyone knows what this is - that for every action, there is opposite and equal reaction. In this case, the action is the barricading of the intersection of Sherwood and Queens Road and the reaction is that the traffic went elsewhere - on Radcliffe, Oxford Place and probably on Hopedale, which was not mentioned. He used Hopedale so he knows that at least one additional automobile went along Hopedale as a result of this closing.

He stated if the issue was simply the convenience for the motorists on the one hand versus the safety and welfare of the residents on Sherwood on the other hand, the decision would be pretty simple and pretty easy to make. You would opt for the safety and welfare of the residents along Sherwood. But, there is a third element in that little balancing equation and that is the people who live on Radcliffe, Oxford Place and Hopedale. You do not gain very much by dumping the problems from one street on to some other people's streets, as they have heard tonight.

He stated that John Wesley had the first premise that you should do no harm, and second, you should do all the good you can. By closing Sherwood, you do a little harm and a little good and that is the problem with a lot of things you have to grapple with - the harm is that you give some of this traffic to somebody else and the good is you help out this situation along Sherwood. That this Council is always trying to balance competing interests and competing equities and that is its purpose. He stated they always have to be mindful, though of the overall good as balanced against the individual hardship and you have to make judgemental decisions based on that. In this case, he is inclined to think after weighing not just the considerations of the commuter but primarily the considerations of the people who live on other streets in the vicinity who have gotten some of this traffic. After you weigh all that, it is his opinion that the Traffic Engineer has made the proper recommendation and that he thinks the first part of Councilwoman Chafin's motion should be adopted.

He stated probably it is going to be very difficult for local government to do anything very meaningful about the traffic problem. We can work at it and we can delete thoroughfares from the thoroughfare plan as they have done in the case of Mathieson Avenue, LaSalle Street, Starbrook Drive and Ashley Road since he has been a member of Council. Also the resolution about the Independence Corridor which was mentioned. Those are specific examples of where the Council has taken some action to say "no, we are not going to make it any easier for the automobile."

He stated it may be that the soundest approach is, as somebody said, inaction which is a decision in a way. Maybe they should just maintain the status quo instead of widening or building any new streets and let the traffic clog up naturally and discourage people from driving so that they will take the bus, instead of going in the opposite direction. At least, that is one way to attack the problem; that he thinks this Council has attacked the problem in that way. But more than that, he is becoming increasingly convinced that it is going to take economic constraints imposed at the national level on automobiles to discourage automobile use. He does not know what the President has said tonight, but he has an idea from all the trial balloons that have been released lately, that he is probably going to ask for some authority to tax gasoline much greater. If and when that comes, together with the high cost and the trauma of trying to build new roads and widen existing roads,

April 18, 1977  
Minute Book 65 - Page 163

he thinks the reaction is going to be that there will be fewer enticements to the automobile in the future. But if the President has done that tonight, there is going to be a whole new herd of oxen being gored because you are going to hear from the petroleum industry, from General Motors, from the United Auto Workers, and it is not a simple problem, but he is probably on the right track, if he does what he thinks he is going to do.

Councilman Williams stated he thinks the Council has been somewhat on the right track by slowing down the further widening and building of new roads, too. In this particular instance, he thinks they just about have to endorse what the Traffic Engineer has recommended.

Councilman Whittington stated he wants to respond to this situation because Mr. McGaughey mentioned his name as a member of Council-the only one-when Radcliffe was taken out of the Thoroughfare Plan. Those who lived in the area at that time know that it was taken out and he sees people in the audience from Sharon Road who approved that action then and approve it again tonight. This was done at that time because there were people just like them who did not want this two-lane street widened to four lanes and go by Myers Park Elementary School and by Queens College. There was an alternative to this suggestion of Radcliffe/Sharon Road and that was opening Bucknell Avenue where it dead-ends to connect back into Queens Road. Then, the people on Bucknell Avenue became violently opposed to what Council was proposing to do.

He stated he makes no apology for voting to take Radcliffe out of the Thoroughfare Plan. It has been pointed out here tonight by Mr. Williams and by Mr. Withrow where Council in the past has tried to be responsive to neighborhoods - Mathieson Avenue, being an example, Radcliffe, another one. Because of what they did on Radcliffe, we threw more traffic on Sherwood and Beverly. What he has to do tonight is, as he has done in the past, vote to leave Sherwood Avenue open and to do everything that he can to support the Traffic Engineer as he comes up with plans or efforts to alleviate traffic to some extent on this street or any other street. That we cannot afford to continue to close these streets. If we do there is no place we have to stop. A good example of that are the requests they have in front of them tonight to close similar streets just like Sherwood. If we all take some of the burden then those streets that we are switching traffic from one to the other will not be affected more than the other.

He stated he sympathizes with what these citizens have said; he has tried to understand it, but in good conscience and proper judgement, he has to vote to leave this street open, as he has consistently done when they had other streets under consideration and he will consistently do this in the future. This is not to say that he would not go along with the Traffic Engineer if he can come up with plans as he did on Country Club Drive to eliminate left turn traffic off of Eastway. But, the people did not want that. It was an effort that Mr. Corbett made to try to keep some of that traffic out of there. This is a problem not only for the residents of Sherwood, but for streets all over the city and Council needs to either develop a policy or take them one at a time and try and at least come up with a way to help with the problem as the problems arise. The reason we have these problems is because he, as a member of other Councils and this Council, has tried to be responsive to the citizens who did not want this when the best advise they had - Wilbur Smith and Associates, Bernie Corbett, Herman Hoose before him; Ponte, Travers, Wolfe gave Council these plans. The citizens came down to Council and said they opposed them and Council did not support these plans. Consequently, we are in the shape we are in today, plus the fact that all of us use the car as a luxury and Council is doing all it can to provide a better transportation system and they cannot even get the citizens to allow them the money to operate the system. There are a lot of problems and if we do not all get in

April 18, 1977  
Minute Book 65 - Page 164

the arena together and try to work on these problems, we are not going to get them solved because they are the citizens' problems as well as the Council's, as well as problems of an area on the west side of town, or the north side, or the south side.

Councilman Davis stated he has had so many letters and phone calls about the Sherwood closing, and he is sure other Councilmembers have also, that he would like to respond because he cannot reach all of them again personally.

He stated this is sort of a balancing act between the preservation of neighborhoods, which he believes every member of Council is committed to, against the citizens' rights to reasonable access to public roads. That to help them make the decision they have had an excellent presentation with comprehensible technical data from the Traffic Engineering Department and certainly a record amount of citizen input. That at least five speakers all pointed out Council's responsibility in this matter and that is not to decide on Sherwood, or Kingston, or Scofield, or Laurel, or whichever road might come up for closing, but their responsibility is to develop a policy that our Traffic Engineer can understand and implement and a policy that our citizens can understand so that they know what the situation is likely to be even when they consider buying a home. For that reason, he supports Councilwoman Chafin's motion. He stated this is the second closing since he has been on Council that they have had to rule on, and that in acting or not acting tonight, they are going to continue to set a little bit of policy by precedent. In the absence of any guidelines or policy which he has been working to get to, he has developed one of his own which he used in the Kingston closing and which he will apply in this case. That is that reasonable access to public streets must be maintained; that at least 75 percent of the residents most immediately affected have to agree to the action being taken and the last one is that reasonable alternative routes must be available to carry the existing traffic.

He does not think this Council can responsibly act to deliberately create traffic jams, or to bog down traffic. If this action does go against what the residents of Sherwood want, this does not mean that neighborhood preservation is dead for Sherwood or any other neighborhood; there are some other alternatives they can look at. In this case, so far they are all bad ones, but we can go back to our Thoroughfare Plan and see where this traffic should be. They might look at the east side portion of Sherwood - he thinks that is a separate deal of its own - but there are other things they might consider. He will certainly work with neighborhood groups to try to accomplish some of those.

Councilman Gantt stated he has no answers or inspirational thoughts to offer. He supports the motion for the study - it seems to be reasonable. He is only worried that they are only delaying a more difficult problem and that is how do you change values; that is something that happens over a long period of time. He is sympathetic to the people who want the street closed but he also sees that they have to look at the longer range policy. For that reason, he supports the motion.

At the request of Councilman Whittington, Ms. Chafin repeated the motion - "that we accept Mr. Corbett's report as information, which essentially says that reluctantly we go along with his recommendation and that we further request the Traffic Engineering Department and the Planning Commission to conduct a study and recommend a broader policy which will include guidelines and suggested tools to enable us to preserve neighborhoods all over Charlotte from the encroachment of cut-through traffic."

The vote was taken on the motion and carried unanimously.

April 18, 1977  
Minute Book 65 - Page 165

ORDINANCE NO. 483-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE BY AMENDING THE ZONING MAP TO CHANGE ZONING OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE PROPOSED INTERSECTION OF ALPHA STREET AND GOLDWYN AVENUE IN THE GRIER HEIGHTS TARGET AREA.

Councilwoman Locke moved adoption of the subject ordinance changing the zoning of property located at the northwest corner of the proposed intersection of Alpha Street and Goldwyn Avenue, in the Grier Heights Target Area, from R-6MF to B-1 as recommended by the Planning Commission. The motion was seconded by Councilman Davis, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 24, at Page 69.

PETITION NO. 76-74 BY FAIRVIEW ROAD PROPERTIES TO CHANGE ZONING OF PROPERTY NEAR THE INTERSECTION OF FAIRVIEW EXTENSION AND SHARON ROAD, DENIED.

Petition No. 76-74 by Fairview Road Properties for a change in zoning from O-6 and R-15 to B-1 property on the south side of Fairview Extension, about 200 feet east of the intersection of Fairview Extension and Sharon Road, and on the east side of Sharon Road, about 270 feet south of the intersection of Sharon Road and Fairview Extension was presented for Council's decision.

Mayor Belk stated he has a request from the petitioner that if Council is going to deny this petition to leave it so that it will not be denied for two years, and they are requesting the zoning be changed to O-6.

Councilman Withrow stated he was asked to have it sent back to the Planning Commission.

Councilman Whittington stated Mr. McKnight, the Attorney, is in the audience, and he has no objections to hearing from him. That he has talked to Mr. Bryant of the Planning Commission staff, and to the Chairman of the Planning Commission, and to one of the petitioners who originally submitted this petition. He stated he told them he was going to vote to deny this petition; that he intends to do that tonight, and will so move. If Council wants to bring it back for further consideration for O-6 later they can. But he thinks Council should deny this petition because it is for something else.

Councilman Whittington moved that the petition be denied as recommended by the Planning Commission. The motion was seconded by Councilwoman Locke.

Councilman Davis asked if Council votes to deny this petition can the petitioner come back with some less dense zoning? Mayor Belk replied it is dead for two years. Councilman Davis asked if he can request any rezoning at all? Mr. Bryant, Assistant Planning Director, replied there is a two year waiting period when a petition has one time been denied unless the Council at the recommendation of the Planning Commission finds there are circumstances which have changed, which in effect will allow the reconsideration of it. When the Planning Commission discussed this they did eventually discuss it on the basis of the possibility of office zoning in lieu of the business zoning. At that time the petitioners were approached, and indicated their first choice was business; they gave them a sketch of what could be put in there under office zoning, and it was something like a ten story building which generated tremendous additional traffic problems. The Planning Commission then approached them on the basis of considering the office (CD) approach in order to control the level of office development. The petitioners came back at that time, and did not indicate an interest in the CD approach.

Mr. Bryant stated the Planning Commission recommended it be denied with the knowledge and understanding that if a reasonable plan of development with controls was put forth, they felt that might be sufficient grounds for reconsideration. On that basis they recommended denial of the petition.

The vote was taken on the motion, and carried unanimously.

April 18, 1977  
Minute Book 65 - Page 166

RESOLUTION APPROVING THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION FOR THE FIVE POINTS TARGET AREA, ADOPTED.

Councilman Davis moved adoption of a resolution approving the Redevelopment Plan and the Feasibility of Relocation for the Five Points Target Area. Councilman Gantt seconded the motion stating he is doing so with his standard objections to the relocation.

Councilman Gantt stated it appears from the way it is set up, it gets phased and cannot happen unless the housing is there. Councilman Williams stated if Councilman Gantt is satisfied on that, then he will be satisfied. But he has the same reservations as he does. The only way to stop this kind of thing is to start saying no right now.

Councilwoman Locke stated it is going to be phased out, and she thinks they have worked out a good compromise. Councilman Gantt stated he does not think they will be able to do anything unless they are able to relocate those families.

Councilman Whittington asked where these people will be relocated? Will they start in this area to try to build new houses; or will they be relocated in areas of yet sites unknown, or locations unknown? Mr. Sawyer, Director of Community Development, replied their current plan is to make sites available for the homeowners to relocate right in the area, which is the desire of the majority. As far as building other housing as rental housing, Community Development has no means of doing that.

Councilman Whittington asked the City Manager if he is going to give Council any hope in what he discussed with Council, and he thinks Council concurred, two week ago, at the next meeting? Mr. Burkhalter replied there are a number of things Council has to decide, and that is how they are going to answer the lawsuit; that is something Council will have to talk about. That determines what steps will be taken next. To answer the other question, no one is moved if there is not a place to move them.

The vote was taken on the motion, and carried unanimously.

The resolution is recorded in full in Resolutions Book 12, beginning at Page 347.

MOTION, INCORPORATED SELECTED AS DEVELOPER OF BLOCK O, PARCEL NO. 1, IN FIRST WARD UBRAN RENEWAL PROJECT: AND COMMUNITY DEVELOPMENT DIRECTOR AUTHORIZED TO NEGOTIATE SALE OF PROPERTY TO MOTION, INC.

Councilman Gantt moved that Motion, Inc., a non-profit organization, be selected as developer of Block O, Parcel No. 1, in the First Ward Urban Renewal Project, and that the Director of Community Development be authorized to negotiate the sale of this property to Motion, Inc. The motion was seconded by Councilwoman Chafin.

Mr. Alford of Motion stated they want to put some new houses back in the First Ward Community; hopefully they will receive the raising of additional units in that area. This is a bid process they are submitting under Section 8, and at this point they do not know whether they will be selected. Nevertheless, they think the question should be raised, and this effort should be cleared out. They do plan to get involved in those areas.

Mayor Belk stated he hopes that Motion will be successful. He has a shade of doubt that this location will pass. Also the Housing Authority is looking at a location in Cherry which might end up bidding for the same thing. That he thinks Council should be aware of this. If Motion is successful, that will be fine; but he wonders if they will be able to get this particular location. Mr. Alford replied they are basically just providing another alternative; HUD will make the

April 18, 1977  
Minute Book 65 - Page 167

decision. Mayor Belk stated he understands that; he is just saying the Housing Authority is looking at another location, and really might be in competition with Mr. Alford. The Housing Authority might have a better location as Mr. Alford's location is right next to the Expressway. What is needed is housing. That he thinks the Housing Authority might have a better chance with their location in Cherry. It will be the federal government who will say where it will be. If we ask for two or three different locations, he does not see it will make any difference. The main point is if we can get it.

The vote was taken on the motion, and carried unanimously.

ORDINANCE NO. 484-X DESIGNATING A COURTYARD, BUILDING AND REAL PROPERTY KNOWN AS THE REYNOLDS-GOURMAJENKO HOUSE, LOCATED AT 715 PROVIDENCE ROAD IN THE CITY OF CHARLOTTE AS HISTORIC PROPERTY.

Motion was made by Councilman Gantt, and seconded by Councilwoman Locke to adopt the subject ordinance designating the Reynolds-Gourmajenko House at 715 Providence Road as historic property.

The vote was taken on the motion, and carried as follows:

YEAS: Councilmembers Gantt, Locke, Chafin, Davis, Williams and Withrow.

NAYS: Councilman Whittington.

The ordinance is recorded in full in Ordinance Book 24, at Page 70.

AMENDMENT TO FOURTH WARD LOAN AGREEMENT WITH NORTH CAROLINA NATIONAL BANK TO PERMIT LOANS TO BE MADE FOR PURCHASE OF TOWNHOUSE UNITS, AND TO PERMIT THE CONSTRUCTION OF A HOUSE ON A LOT IN THE FOURTH WARD URBAN REDEVELOPMENT AREA.

Motion was made by Councilwoman Locke, seconded by Councilwoman Chafin, and unanimously carried, approving the amendment to the Fourth Ward Loan Agreement between the City and North Carolina National Bank to permit loans to be made for purchase of townhouse units, and to permit the construction of a house on a lot in the Fourth Ward Area.

PROPOSAL TO NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION FOR AREA WIDE FIRE EDUCATION AND TRAINING PROGRAM AT CHARLOTTE FIRE ACADEMY, APPROVED.

Motion was made by Councilwoman Chafin, and seconded by Councilman Whittington to approve the proposal to the National Fire Prevention and Control Administration for area wide fire education and training program at Charlotte Fire Academy to be totally funded by NFPCA in the amount of \$79,843.

Councilman Davis stated he is going to vote for this on the assumption this will not be something that will cause a large professional staff to grow out there. Chief Lee replied the paramount reason for the option to subcontract is the NFPCA has approved this concept. From the beginning it has been planned that the staff would be used for the purpose of developing the program itself. Councilman Davis asked if the staff is going to be sized to serve the City of Charlotte? Chief Lee replied currently they provide basic training for their own people. The current class has six city candidates. It does not cost any more to train the six Charlotte firefighters than it does for the entire group. This is more the objective of this program to maximize the use of the facility.

Councilman Withrow asked if the \$79,843 hires other personnel? Chief Lee replied this is to conduct the program. Councilman Withrow asked what happens when this money runs out in a year? Chief Lee replied this is to accomplish one thing on a one time basis making an inventory of the training occurring in a given area as opposed to the needs of the area as it relates to the ability of the City to provide that service.

April 18, 1977  
Minute Book 64 - Page 168

The City Manager stated this is not a recurring expense. The contract was specifically changed to provide that it could be done by contractual services. This is not adding firemen.

The vote was taken on the motion, and carried unanimously.

REAPPOINTMENT OF JERRY TUTTLE TO THE AUDITORIUM-COLISEUM-CIVIC CENTER AUTHORITY FOR A THREE YEAR TERM.

Councilman Whittington moved the reappointment of Jerry Tuttle to the Auditorium-Coliseum-Civic Center Authority to succeed himself for a three year term. The motion was seconded by Councilman Withrow.

Councilman Davis stated this authority and the staff under Mr. Buck's direction has done a good job with a tough problem this Council has given them. Speaking of the Authority, and in particular Mr. Tuttle, who is the subject of this motion, he is going to vote against him because although Council does not have a written policy on how long people can serve in an appointive office, we are in the process of developing one. Councilwoman Locke replied Council does have a policy; that no one can serve more than two full consecutive terms. Councilman Davis stated this policy is unclear because the terms vary from two to three to six years. Serving two three year terms is all right with him, but he does not intend to vote for anyone to serve over six years.

Mr. Underhill, City Attorney, stated several years ago, Council made uniform essentially all terms of office for every board, agency and commission with the exception of those boards, agencies and commissions jointly appointed with the County. Council has asked their participation in this to formulate a joint policy, but at this time they have not taken any action. Also the General Assembly has ratified both Bills this Council requested to reduce the terms of office from five to three years for the Auditorium-Coliseum-Civic Center Authority and the Park and Recreation Commission.

The vote was taken on the motion, and carried as follows:

YEAS: Councilmembers Whittington, Withrow, Chafin, Gantt, Locke and Williams.  
NAYS: Councilman Davis.

RESOLUTION SETTING DATE AND TIME OF A PUBLIC HEARING TO CONSIDER THE DESIGNATION OF LYNWOOD AS AN HISTORIC PROPERTY.

Motion was made by Councilwoman Locke, seconded by Councilman Whittington, and carried unanimously, adopting a resolution setting Monday, May 2, 1977, at 3:00 p.m., as the date and time of a public hearing to consider the designation of Lynwood (Duke Mansion) as an historic property.

The resolution is recorded in full in Resolutions Book 12, at Page 350.

Councilman Davis stated Council has had several of these designations and there always seems to be some question about the property owner. He does not see anything in this material that indicates the property owner endorses this. He asked that this information be included with the material when it is presented.

ORDINANCE NO. 485-X TRANSFERRING FUNDS WITHIN THE UTILITIES CAPITAL PROJECTS FUND TO PROVIDE SUPPLEMENTAL APPROPRIATIONS FOR THE JASON-CARLOTTA SEWER COLLECTION SYSTEM AND FOR MINOR SANITARY SEWER EXTENSIONS.

Motion was made by Councilwoman Chafin, seconded by Councilman Williams, and unanimously carried, adopting the subject ordinance appropriating \$123,897 for minor sanitary sewer extensions within the City, and an additional \$17,940 for the Jason-Carlotta Wastewater Collection Project.

The ordinance is recorded in full in Ordinance Book 24, at Page 74.

April 18, 1977  
Minute Book 65 - Page 169

CONTRACT AWARDED ABERNETHY CONSTRUCTION FOR CONSTRUCTION OF SANITARY SEWER TRUNK TO SERVE JASON STREET, CARLOTTA STREET AND CONNELLY CIRCLE.

Motion was made by Councilwoman Locke, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder, Abernethy Construction in the amount of \$73,109, on a unit price basis for construction of sanitary sewer trunks to serve Jason Street, Carlotta Street and Connelly Circle.

The following bids were received:

Abernethy Construction	\$73,109.00
Sanders Brothers, Inc.	79,122.00
Rand Construction	80,709.66
Ben B. Propst	84,799.41
Rea Brothers, Inc.	86,587.00
RDR, Inc.	87,054.50
Blythe Industries	96,484.30

RESOLUTION TO AMEND THE RESOLUTION ADOPTED JULY 26, 1976, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CORA ANN CLARK (WIDOW) AND LEASEHOLD INTEREST, LOCATED OFF HARRIS HOUSTON ROAD IN THE COUNTY OF MECKLENBURG FOR MALLARD CREEK WASTEWATER TREATMENT PLANT SITE.

Motion was made by Councilwoman Locke, seconded by Councilwoman Chafin, and unanimously carried, adopting a resolution to amend the resolution adopted by City Council on July 26, 1976, authorizing condemnation proceedings for the acquisition of property belonging to Cora Ann Clark (widow), and leasehold interest, located off Harris Houston Road in the County of Mecklenburg for Mallard Creek Wastewater Treatment Plant site.

The resolution is recorded in full in Resolutions Book 12, at Page 352.

CONSENT AGENDA APPROVED.

Upon motion of Councilman Whittington, seconded by Councilwoman Locke, and unanimously carried, the items on the Consent Agenda were approved, as follows:

1. Ordinances ordering the removal of weeds, trash and junk.
  - (a) Ordinance No. 486-X ordering the removal of weeds, junk and trash at 2216-18 Jennings Street.
  - (b) Ordinance No. 487-X ordering the removal of trash and junk at 301 Peterson Avenue.
  - (c) Ordinance No. 488-X ordering the removal of weeds and trash at 530 Campus Street.
  - (d) Ordinance No. 489-X ordering the removal of trash and rubbish at 3337 Maywood Drive.
  - (e) Ordinance No. 490-X ordering the removal of trash and limbs on vacant lot across from 2305 Celia Avenue.
  - (f) Ordinance No. 491-X ordering the removal of trash and rubbish at 1809 Logie Avenue.
  - (g) Ordinance No. 492-X ordering the removal of trash and rubbish from vacant lot at 400 Cregler Street.

The ordinances are recorded in full in Ordinance Book 24, beginning at Page 75.

2. Resolution authorizing the refund of certain taxes, in the total amount of \$1,026.14, which were levied and collected through clerical error against 24 tax accounts.

The resolution is recorded in full in Resolutions Book 12, at Page 353.

April 18, 1977  
Minute Book 65 - Page 170

3. Resolution authorizing the Mayor and City Clerk to execute an encroachment agreement with Southern Railway Company for a crossing and improvements on Remount Road.

The resolution is recorded in full in Resolutions Book 12, at Page 355.

4. Contracts for sanitary sewer construction and water main installations.

- (a) Contract with Walnut Properties (John Crosland Company, Agent), for construction of 3,390 linear feet of 8-inch sanitary sewer main, at an estimated cost of \$50,850 to serve Walnut Creek V-A (Stoneybrook) outside the city, with the applicant to construct the entire system at his own proper cost and expense, all at no cost to the city.
- (b) Contract with Westminster Company for the construction of 2,910 linear feet of 8-inch sanitary sewer line to serve Stonehaven, Section 20, Phase D, outside the city, at an estimated cost of \$43,660, with the applicant to construct the entire system at his own proper cost and expense, all at no cost to the city.
- (c) Contract with Acme Plumbing and Supplies, Inc., for the construction of 646 linear feet of 8-inch sanitary sewer to serve Ironwood Street and Cushman Street to serve Sugar Creek Park, outside the city, at an estimated cost of \$9,290. The applicant has deposited 10% of the estimated construction cost with the remaining 90% to be deposited before construction by the city forces with refund to the applicant as per the agreement. No funds are required from the City.
- (d) Contract with Park South-Charlotte Associates Limited - a limited partnership, for the construction of 885 linear feet of 8-inch sanitary sewer main to serve Park South Apartments on Colony Road at Sharon Road, inside the city, at an estimated cost of \$13,270 with the applicant to construct the entire system at his own proper cost and expense, all at no cost to the city.
- (e) Contract with James C. Hansbrough for the construction of 561 linear feet of 8-inch sanitary sewer main to serve the 6600 block of Providence Road, outside the city, at an estimated cost of \$9,540. The applicant has deposited 10% of the construction cost and will deposit the remaining 90% before construction by city forces, with refund to the applicant as per the agreement. No funds are required from the city.
- (f) Contract with Arlen Realty, Inc., for the construction of 1,050 feet of 8-inch sanitary sewer main to serve North Park Mall (North Tryon at Eastway Drive) inside the city, at an estimated cost of \$28,600. The applicant has deposited 10% of the estimated construction cost, and will deposit the remaining 90% prior to the construction by city forces with refund as per the agreement. No funds are required from the city.
- (g) Contract with the United Federal Savings and Loan for the construction of 400 linear feet of 8-inch sanitary sewer main to serve 4518 Sharon Road, inside the city, at an estimated cost of \$10,740. The applicant has deposited 10% of the estimated cost and the remaining 90% will be deposited prior to construction by city forces, with refund as per the agreement. No funds are required from the city.
- (h) Contract with John Crosland Company for the construction of 2105 feet of water main and one fire hydrant to serve Candlewych Subdivision, Section 5, outside the city, at an estimated cost of \$15,850. The City will prepare the plans and specifications, and the applicant will finance the entire project with no funds required from the City.

April 18, 1977  
Minute Book 65 - Page 171

4. (i) Contract with Westminster Company for the construction of 2280 feet of water main and two fire hydrants to serve Eastwoods Subdivision, Section 3, outside the city, at an estimated cost of \$17,100. The City will prepare the plans and specifications, and the applicant will finance the entire project with no funds required from the city.
5. Settlement authorized.
  - (a) In the case of City versus Shive for Annexation Area 1(2) sanitary sewer trunks in the amount of \$2,400.
  - (b) In case of City versus Heirs of Hettie James in the amount of \$11,232.14 for Parcel 13, Trade-Fourth Connector Project.
6. Property transactions.
  - (a) Acquisition of 10' x 147' drainage easement, plus temporary construction easement, at 3628 Piney Grove Road, from Gary T. Long and wife, Kirby M. Long, at \$1.00 for Piney Grove Road Extension.
  - (b) Acquisition of 15' x 264.66' of easement, plus temporary construction easement, from Edward C. Griffin, at 4726 Dawnwood Drive, at \$265, for sanitary sewer to serve Carousel Drive, Idlewild North and Maple Knoll Drive.
  - (c) Acquisition of 15' x 270.56' of easement, plus construction easement, from Brookridge, a limited partnership, at \$275, for sanitary sewer to serve Carousel Drive, Idlewild Road North and Maple Knoll Drive.
  - (d) Acquisition of 30' x 727.74' of easement from J. W. Alexander, Jr., at northwest corner of I-77 and Westmoreland Road, at \$1,050, for McDowell Creek Outfall, Phase III.
  - (e) Acquisition of 4.20' x 11.50' x 12.20' of easement, from Town of Cornelius, N. C., at 20300 Floral Avenue, Cornelius, N.C. at \$1.00 for McDowell Creek Outfall, Phase III.
  - (f) Acquisition of 30' x 560.85' of easement, from Town of Cornelius, N.C., at 19211 Church Street, Cornelius, N.C., at \$1.00, for McDowell Creek Outfall, Phase III.
  - (g) Acquisition of five parcels in Grier Heights Community Development Target Area.
    - 1.) 21,000 sq. ft., at 2912 Dunn Street, from Jerome L. Levin, \$45,000.
    - 2.) 7,443 sq. ft., 300 block of Heflin Street, from Samuel L. Strause and Leonard Strause, \$4,500.
    - 3.) 250 square ft. at 317 Heflin Street, from Charles E. Adams, Jr. \$300.
    - 4.) 5,643 sq. ft., 108 Orange Street, from Arthur E. Grier, Jr., successor trustee, at \$3,500.
    - 5.) 150 sq. ft., at Billingsley Road, at Ellington Street, from Betty Patterson, Julia Lavelle and Ernestine Barber, at \$100.
  - (h) Acquisition of seven parcels in North Charlotte Community Development Target Area.
    - 1.) 5,035 sq. ft. at Trembeth Drive, from Emanueall L. Ross and Hazeline Glover, at \$1950.
    - 2.) 18,500 sq. ft. at Dinglewood Avenue, from Robert L. Lindsey, Jr. and Frank S. Schrimsher, at \$6,000.
    - 3.) 9,525 sq. ft. at Howie Circle, from Robert L. Lindsey, Jr. and Frank S. Schrimsher, at \$3,200.

April 18, 1977  
Minute Book 65 - Page 172

6. (h) 4.&
- 5.) 36,875 sq. ft. at Dinglewood Avenue, from Robert L. Lindsey, Jr., Gary Watts and Frank S. Schrimsher, at \$10,680.
  - 6.) 135,036 sq. ft., at Bearwood Avenue, from Presbyterian Home of Charlotte, Inc., at \$30,000.
  - 7.) 10,500 sq. ft., at Bearwood Avenue, from Curtis Leroy Ivey, at \$3,000.
- (i) Acquisition of three parcels in Third Ward Community Development Target Area.
- 1.) 4,000 sq. ft. at 253 Victoria Avenue, from Furr Realty Co., Inc., at \$7,200.
  - 2.) 6,714 sq. ft. at 920 Greenleaf Avenue, from A. R. Bridges, at \$9,550.
  - 3.) 6,600 sq. ft. at 904 Greenleaf Avenue, from Jeanetta Cohen, at \$7,500.
- (j) Acquisition of 5,500 sq. ft., at 229 Bassette Street, from Mr & Mrs Charles J. Fodel, at \$3,300 in the Southside Park Community Development Target Area.
- (k) Acquisition of 495 sq. ft., at 529 North Poplar Street, from Mrs Kent Blair Davidson, at \$1,500, for Fourth Ward Urban Renewal Area.

LUNCHEON TO BE HELD ON TUESDAY, APRIL 26 ON PRODUCTIVITY STUDY.

Mayor Belk stated there will be a luncheon on Tuesday, April 26, at 12:30 p.m. to hear Archie Davis who will speak on Productivity Studies. He stated he and Chairman Hair have gotten together to set this up. That Mr. Davis was Chairman of Governor Holshouser's Efficiency Committee, and he was on the Forsythe County Committee in Winston Salem. He will talk to them about his experiences.

MOTION TO HOLD EXECUTIVE SESSION ON MONDAY, APRIL 25, 1977 AT 12:30 P.M.

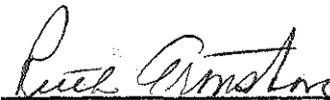
Councilwoman Locke moved that City Council hold an Executive Session on Monday, April 25, 1977, at 12:30 p.m., in the Second Floor Conference Room, City Hall, for the purpose of conferring with the City Attorney regarding the Kannon and Harris lawsuits, pursuant to G.S. 143-318.3. The motion was seconded by Councilman Whittington, and carried unanimously.

DISCUSSION OF FOREIGN TRADE ZONE TO BE PLACED ON LATER AGENDA.

Mr. Burkhalter, City Manager, stated Council had requested that the discussion of the Foreign Trade Zone be included on the agenda for tonight. That it is not included as he could not get together enough information to answer Council's questions. He hopes to have it on the next agenda.

ADJOURNMENT.

Upon motion of Councilman Whittington, seconded by Councilwoman Chafin, and unanimously carried, the meeting adjourned.

  
Ruth Armstrong, City Clerk