

May 24, 1976
Minute Book 63 - Page 307

The City Council of the City of Charlotte, North Carolina, met in regular session on Monday, May 24, 1976, at 2:30 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmembers Betty Chafin, Louis M. Davis, Harvey B. Gantt, Pat Locke, Neil C. Williams and Joe D. Withrow present.

ABSENT: Councilman James B. Whittington (at the beginning of the session.)

The Charlotte-Mecklenburg Planning Commission sat with the City Council and, as a separate body, held its public hearings on the zoning petitions, with Chairman Tate, Ervin, Royal, Ms. Boyce, Finley, Ms. Marrash and Ms. Jolly present.

ABSENT: Commissioners Campbell, Kirk and Ross.

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INVOCATION.

The invocation was given by Reverend Ernest Glass, Minister of Shamrock Drive Baptist Church.

APPROVAL OF MINUTES.

Upon motion of Councilman Withrow, seconded by Councilwoman Chafin, the minutes of the meeting on Monday, May 10, 1976, were approved as submitted.

COUNCIL NOTIFIED THAT COUNCILMAN WHITTINGTON WILL BE LATE.

Mayor Belk advised Councilmembers that Councilman Whittington will be late but will attend today's meeting.

HEARING ON PETITION NO. 76-47 BY ARTHUR ROCKEY FOR A CHANGE IN ZONING FROM R-9 TO O-6 OF PROPERTY FRONTING ABOUT 150 FEET ON THE SOUTH SIDE OF WOODLAWN ROAD AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WOODLAWN ROAD AND DREXMORE AVENUE.

The scheduled hearing was held on the subject petition for a change in zoning.

Mr. Bill McIntyre, Planning Director, presented maps to Council and stated this petition covers property adjacent to the intersection of Park Road and Woodlawn Road. He pointed out on the maps the location of Park Road Shopping Center and related structures and services.

He stated immediately across Park Road from the Shopping Center is a gas service station at the Woodlawn-Park Road intersection and then offices across Park Road. The subject petition is immediately behind the Park Road frontage, on the southwesterly side of the Park Road-Woodlawn Road intersection. At the present time, the property has two residences located on it. The frontage that adjoins it along Park Road, generally speaking, is used for office purposes, although there is one commercial use in that stretch from Woodlawn Road down Park Road, just short of Montford Drive.

Immediately to the west, along Woodlawn Road, from Drexmore Avenue, going west along the southerly side of Woodlawn, there are single family residences and across the street from those single family residences, there is an apartment development. Across Park Road from the property and adjacent office development, there is commercial development in the area.

Mr. McIntyre stated the zoning at the present time of the property is residential. The adjacent property, going out to the Park Road frontage, is zoned for office development. The adjacent property, on the southerly side of the subject property, is zoned single family. Across Woodlawn Road from the subject property is office zoning for a short distance from the Park Road-Woodlawn Road intersection and business zoning at the intersection. Diagonally across from the property, the zoning is R-6MFH.

May 24, 1976
Minute Book 63 - Page 308

Mr. Nelson Casstevens, Attorney, stated he represents the petitioners in this matter, Dr. and Mrs. Arthur Rockey, and they are present today. He presented a survey which had been made of the three lots, one fronting on Park Road and the other two being 1400 Woodlawn and 1410 Woodlawn Road. He stated Dr. Rockey owns all three of these lots. That he is a Podiatrist in Charlotte and maintains his office in the structure which is located at the intersection of Park Road and Woodlawn Road and the structure is zoned O-6 at the present time.

Mr. Casstevens presented some photographs showing the location of the property which he explained.

He stated the Traffic Engineer informed him that each day there are 22,000 vehicles either going east or west on Woodlawn, with 26,000 vehicles going north and south on Park Road. So within 100 feet of both of these lots there are about 48,000 vehicles that go through that intersection each day and it is one of the busiest intersections in the City of Charlotte.

Mr. Casstevens stated these pictures give some idea of the traffic congestion there. The next photograph was of the rear of the lots, showing the two houses that are being proposed for change. The corner lot is the present structure that Dr. Rockey is in; the next photographs are of the two structures. That the Castilian Apartments are located in a northwesterly direction from the front of these two lots and is zoned R-6MFH - high-rise. He presented two photographs of the apartments and another of the traffic congestion.

The next series of photographs were views of structures which are located on Park Road, south of the intersection of Woodlawn and Park Roads. That these homes were basically built for single family residence, however, the homes have been converted, in a very attractive fashion, into O-6 use.

He pointed out the two structures which are proposed for rezoning as a part of a residential subdivision called Madison Park and some houses along Park Road which have been changed to O-6 zoning. He stated at the time these structures were erected, they had a minimum setback line on Woodlawn of two lanes and now it is six lanes of 50 feet.

Mr. Casstevens referred to a surveyor's drawing which showed that at 1410 Woodlawn Road there is 29 feet from the commencement of the paving on Woodlawn Road to one of the bedrooms in that house. That Dr. and Mrs. Rockey have attempted to find someone who would be a suitable tenant under the present zoning. The house at the corner of Drexmore Avenue and Woodlawn has been vacant for about two and a half or three years and they cannot find anybody who would consider it attractive enough to move in.

He stated they have an individual at the 1410 Woodlawn Road address who is a concert pianist but he is moving in June. The tenant found it attractive to him because he could play the piano and not disturb the neighbors because the traffic is so loud.

Mr. Casstevens stated the houses are not in good repair because of the congestion, because of the B-1 zoning across the street, the R-6MFH zoning and the O-6 zoning nearby and because the City, or the people who build highways, whittle away the frontage of these dwellings and it is just not suitable for residential zoning. It is not suitable to invest money to prepare it to be used for residential zoning because the investment is just not going to reap the returns for that type of situation.

That he can foresee no lessening of the congestion as far as traffic is concerned. You can go out there at the lightest time for traffic on Woodlawn and each time the lights changes red, as you are proceeding in an easterly direction, traffic backs up at least to Drexmore Avenue and possibly even west of that. When the Airport Road Beltway is completed, probably there is going to be even more traffic fronting on these lots.

May 24, 1976
Minute Book 63 - Page 309

Mr. Casstevens stated if the Planning Commission and City Council act favorably on this petition, Dr. and Mrs. Rockey plan that these two structures will be developed into something similar to what we have along Park Road south of the intersection - to put them either into a nice professional use or some use similar to those along Park Road. That they are asking for this change because of the fact that it no longer is capable of being used in a decent fashion for residential purposes.

Mr. Bill Sullivan, 536 Woodlawn Road, stated he concurs with everything Mr. Casstevens has said about the traffic on Woodlawn Road because he lives there. He is present today to make a request for the other residents of Woodlawn Road and that is that Council bring up a plan to rezone all of Woodlawn Road between Park Road and South Boulevard to O-6 because none of it is fit to live on.

That some of the members were at a meeting at a church on Woodlawn Road not long ago but the people he is speaking for are not connected with that group and neither is he.

He stated the only thing he is asking for is relief for everybody that lives on Woodlawn Road, not just one corner or one little parcel, but everybody because all of these houses are close to the street. That 22,000 cars a day was mentioned as going one way - double that and you have 44,000, which is what they have on Woodlawn Road.

Mr. Sullivan stated they could bring another petition, but this has been done and the residents of the road have spent a lot of time, a lot of money, a lot of effort, trying to get relief, so he is asking Council to take the initiative and put this request into a recommendation that all of this be zoned O-6.

Mr. Lewis Meisenheimer, 4443 Halstead Drive, stated he lives just around the curve from Drexmore. That he is one of the early settlers of Madison Park and one of the original homeowners of that property zoned residential or single family.

He stated he was quite interested to find that a sign was posted on the property at 1400, but according to the map, it includes two lots, 1400 and 1410. That he is not a member of an organized group, he is just a responsible citizen of Charlotte and a homeowner and hopes that the facts and details brought out here will be better than a long petition because anybody can sign a petition.

Mr. Meisenheimer stated about two years ago many of the same people here today appeared before Council and expressed their objections to a proposed zoning change which at that time included all of Woodlawn from Park Road to South Boulevard. They all went through the same ordeal and at the time, Council deemed it wise to make no changes on Woodlawn but to keep it residential. Most of the people who still live in the residential section, north of Woodlawn, are in nice, single family homes. They have a few nice apartments out there and they do not object to those apartments - they are nice people and nice apartments.

He stated the people out there have nice homes and well-kept properties which they feel will be downgraded if any part of Woodlawn is converted to business. They recognize this property is very small - two lots - when compared to the rest of Woodlawn, but this change is only a small fire that will not and cannot be contained.

Mr. Meisenheimer stated if these two buildings are converted to business, there are approximately 146 other property owners on Woodlawn who will then appear before Council and request the same change. If Council, as a governing body, decided two years ago not to convert Woodlawn to business, then he would hope they still have the same opinion as then and leave Woodlawn residential.

May 24, 1976
Minute Book 63 - Page 310

He stated he does not know if members of Council have actually seen the property and he appreciates the pictures which the petitioner presented. That he would hope Council noticed the corner house is a nice looking house but the other house is rundown. Everybody who rides along Woodlawn wonders why in the world someone does not do something about that house because it is an eyesore. The other house at 1400 is nice residential property but the house at 1410 has not been maintained, the yard kept, nor painted. That he understands the two properties are owned by the same person.

Mr. Meisenheimer stated he feels sure the owner will explain that if the property is zoned business, he can profitably maintain the two pieces of property, but why convert a nice, residential house and neat lot to business? There is no shortage of office space in the Park Road area. There are a number of office space buildings in the immediate area. Two buildings at Abbey Place, one on each side of Abbey Place and Park Road; one the IBM building, one ten-story office building on Park Road at Seneca, one large office building formerly known as the Allstate Insurance Company.

That they have office space running out of their ears out there; at the present time a residential building at the corner of Montford and Park Road is zoned O-6. This building has had no permanent tenants in well over five years and it is already zoned O-6. Why go down Woodlawn to zone O-6 for tenants when you cannot get them on Park Road already?

He stated the previous two gentlemen spoke about traffic. That Woodlawn Road does carry a tremendous amount of traffic but when they get Tyvola Road opened and cut through and get this new belt road around Charlotte, some of this is going to be relieved and Tyvola is going to take a lot off Park Road.

Mr. Meisenheimer stated zoning it business is not going to relieve them of traffic, it will congest traffic. If someone is out there at 5:00 p.m., and he comes right by there everyday at 5:00 p.m. and again at 8:00 a.m., he knows the traffic is fierce. That he is looking forward to Tyvola being opened and some other through streets.

He stated with business zoning, you are only adding to the problem; you are not decreasing traffic one bit. That a number of houses located on Park Road, in the immediate Woodlawn area, from Drexel to Montford, have been rezoned O-6. Since limited parking facilities were available at the time, the front yards of the buildings were converted to parking spaces, some paved, some gravel and some, nothing done. They have gone by there and they know what he is talking about. Where are they going to get parking for these two lots? If Council will take a look at what has been done in the past, they will realize that the homeowners in the area do not want anything like that to happen at Woodlawn and Drexmore.

Mr. Meisenheimer stated a large number of news reports have been written concerning "Save Dilworth," "Save and Rebuild Fourth Ward." They have all heard that. Now our whole Planning Commission is laboring and slaving over that big development over at Fourth Ward. If they had saved it before it was run-down and the buildings had been maintained instead of that little shanty there at 1410, they would not have this eyesore sitting there on Woodlawn.

That he thinks they ought to "Save Woodlawn" before it runs down, not zone it to O-6 down the street. He stated every house from Park Road to South Boulevard is residential except for the apartments, a church and those grandfather clauses in there which were there before zoning took over. The only business is right down towards South Boulevard; they have business on Woodlawn, they do not need more business.

Mr. Meisenheimer stated if they save Park Road for business, they are already business, houses and front yards already turned over to business, why do they want to stretch it down Woodlawn Road?

May 24, 1976
Minute Book 63 - Page 311

He stated they would like to implore the Council and the Zoning Commission to look at the rest of this thing; what is the effect going to have if they reach in there and pull out two little lots and make them business? There are other people living right beside it and he talked with the gentleman there yesterday and he talked with the man across the street. That the first thing you know, Pandora's box will be opened up and you cannot close it.

Mr. Meisenheimer stated he would urge Council to take a look at the whole area and prayerfully consider whether they really want to make this O-6 because it is a growing pain once it starts. That they should keep business up on Park Road where it is zoned business; business is on South Boulevard, leave it over there and leave Woodlawn as it is - residential.

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

HEARING ON PETITION NO. 76-48 BY CHARLES SMITH FOR CONSIDERATION OF A CONDITIONAL FRATERNAL ORGANIZATION IN AN R-6MF DISTRICT, LOCATED ON THE NORTHWESTERLY SIDE OF PLAINWOOD DRIVE, ABOUT 200 FEET WESTERLY FROM THE INTERSECTION OF PLAINWOOD DRIVE AND BLACKWOOD AVENUE.

The public hearing was held on the subject petition for consideration of a conditional fraternal organization in an R-6MF district.

The Planning Director pointed out the location of the subject property on the map and stated this is not a petition for a zoning change but one for a conditional use within the existing zone, the proposed use being a fraternal organization.

He stated the general location of this property is Belhaven Boulevard, as you drive out the western side of the City. That Plainwood is a drive that runs from Belhaven two blocks to the north and to the east. Generally speaking, Plainwood is a street that is only partially developed at the present time. The subject property does have a house on it, a residential structure and there are two additional residential structures on the northwesterly side of Plainwood in the area. Directly behind the proposed location of the facility is vacant land which is fairly extensive. Across Belhaven from Plainwood, in the general vicinity of the property in question, there is commercial and light industrial use. Both are fairly small in terms of the areas they cover.

Opposite from the property in question, the land is vacant. At the corner of Plainwood and Tennessee, there is a junk yard and diagonally across Tennessee from that property, there is another junk yard. Along Tennessee there is residential development and the nearest street to the south of Plainwood is Dakota where there is residential development also.

The zoning of the property at the present time is R-6MF which extends along Plainwood Drive on both sides and extends to the rear of properties fronting on Dakota. Immediately behind the subject property there is I-1 zoning for some several hundred feet and beyond that, going in a northwesterly direction along Belhaven, there is I-2 zoning.

He stated a site development plan has been filed with the Planning Commission as required by the provisions of the zoning ordinance for conditional fraternal uses and perhaps the petitioner would like to comment on that.

Councilman Gantt asked if he said a site plan had been filed and Mr. McIntyre replied it had. Councilman Gantt indicated the Councilmembers did not have a copy and Mr. McIntyre stated the site plan conforms with the conventional requirements of the ordinance.

Mr. Richard McCoy, 100 Plainview Road, speaking through an interpreter, stated on behalf of the FAED Club for the Deaf in Charlotte, he as a member and spokesman, would present their proposal. He stated this is related to the zoning changes of Charles Smith's property.

May 24, 1976
Minute Book 63 - Page 312

That the FAED Club is a certified, non-profit organization, recorded in Book 29-C for charitable, religious and education and scientific purposes for the making of contributions to organizations that qualify and to provide housing and facilities wherever possible. The doors are open to all, regardless of race or color.

The organization has been in existence since 1969 with approximately 20 trustee members. Each member pays annual dues. Their goal is to provide housing and facilities for all of the handicapped, deaf people who need a place for their social life that can be shared with confidence and convenience; to provide leadership and encouragement among their fellow citizens.

He stated as much as they hate to admit it, they have not been successful in meeting their objectives. Primarily, there is not enough money and secondly, they lack communication. The need to keep deaf people together is very critical in this fast moving society, especially with things going as they are. Many of the deaf people would like nothing better than to be among others like themselves and with their friends. They, like the rest of the world, like to hold meetings, parties, banquets, movies and just plain old get-togethers.

These handicapped, deaf people who are involved are members of the FAED Club for the Deaf; the Carolina Athletic Association for the Deaf; the Charlotte Bowling Association for the Deaf; the North Carolina Association for the Deaf; the Women's Club, the Charlotte Fraternal Society of the Deaf, and many individuals, such as out of town guests. Their average attendance is around 35 members.

Over the years the FAED Club has repeatedly asked for help from various agencies, such as the City of Charlotte, the government and different grant foundations. Each time they received a "no" response. They believe the basic reason for this is that they are just not large enough to be accounted for. The Club cannot afford to keep on paying out high rent; if they did find such a place, it was usually run down and they could still not call it their own. So, one of their leading members of the FAED Club, Charles Smith, came up with the idea of letting the club rent his property.

He stated Mr. Smith and several of the club members have drawn up a lease that runs for the next 25 years; the cost to the club would be a rental fee that would run anywhere between \$100.00 down to \$1.00. That Council knows as well as they, that that rent fee per month would be hard to beat. Imagine ten years from now what it would be.

Nevertheless, some of the members felt that before they jumped into things, there were several precautions to make. One was that the property be zoned for their type of use; secondly, that they stay within the law. To show how desperate the Club is, they took almost all of their savings and proceeded in developing the property's facilities.

(COUNCILMAN WHITTINGTON CAME INTO THE MEETING AT THIS TIME AND WAS PRESENT FOR THE REMAINDER OF THE SESSION.)

Mr. McCoy stated that even though the members of the Club have been told repeatedly that the Planning Commissioners might reject their plan, many of them do not understand the circumstances. That Council can break it all down to communication and lack of understanding. When one of the members was able to obtain an improving permit, the rest of the members thought they were in the clear, so they proceeded, not knowing or understanding that the permit would not be any good for their original purpose.

He stated he appreciates the opportunity to appear before Council and hopes they will give careful consideration to their proposal because as of today, that is all they have.

Mayor Belk asked if they had a site plan and Mr. McCoy stated yes and passed around a site plan for Council and the Planning Commission.

May 24, 1976
Minute Book 63 - Page 313

No opposition was expressed to the petition.

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

HEARING ON PETITION NO. 76-49 BY HOUSTON GRADING AND WRECKING COMPANY, INC. FOR A CHANGE IN ZONING FROM O-6 TO I-1 OF PROPERTY FRONTING 130 FEET ON THE WESTERLY SIDE OF EAST 27TH STREET AND YADKIN AVENUE.

The public hearing was held on the subject petition.

Mr. Bill McIntyre, Planning Director, stated the subject property is vacant and lies between Yadkin Avenue and Pickney Avenue and 26th and 27th Street in the North Charlotte area. Immediately northwest, the property is adjoined by land already in an industrial use. That this is a vehicle and equipment service establishment.

He stated Bouligny & Company has much of the property across from Yadkin Avenue, some of it extending up to Davidson Avenue. The other properties in the vicinity that are related to or would be influenced by the development of the property which is the subject of this petition, include a house immediately to the southeast, along Pickney Avenue; there is extensive residential development extending along Pickney Avenue for a number of blocks to Drummond Street and to the northeast, there is vacant land. To the southwest there are vacant lots and one lot at the corner of Yadkin and 26th Street that is developed for single family residential purposes.

The residential development extends down 26th Street, down towards the central part of the city; it is property predominately single family, although there are a couple of duplexes in the area. The zoning of the property at the present time is O-6.

It is adjoined on its northerly side by I-1 zoning that extends up to Yadkin Avenue; it is adjoined on the northeasterly side by additional I-1 zoning that is across 27th Street and extending in a northeasterly direction. Directly across Yadkin Avenue from that particular block of property, there is more I-1 zoning extending to the northeast of 27th Street. The core of the Bouligny property is at the present time zoned for I-2.

Across 26th Street, coming towards town from that property, there is additional industrial zoning with the frontage along Yadkin Avenue developed or zoned for R-6MF usage. R-6MF uses generally prevail on the southeasterly side of Yadkin Avenue. From the industrial property at the corner of Yadkin and 27th Street, the residential zoning generally extends southeasterly toward the center of the City and extends across Pickney Avenue into Parson Street and the general residential neighborhood that exists in that area.

Councilman Gantt asked if the office classification was intended as a buffer or not; that it looked like spot zoning. Mr. McIntyre replied he does not have the specific history of this particular zoning in mind but it would appear that this is the case; that it is there to provide a buffer.

Mr. Joe Major, Attorney representing Houston Grading and Wrecking, stated Mr. Houston is present today in the audience and owns the property which is zoned I-1 adjacent to the property marked on the map. On that property he operates the Houston Grading and Wrecking and also has a body shop.

He stated if the property is rezoned, Mr. Houston desires to extend his body shop into the presently zoned O-6 area; that where East 27th Street runs into the property, it actually dead-ends. The street does not go through to Pickney Street where the residential neighborhood is and it is unpaved on East 27th Street adjacent to his I-1 property and the presently zoned O-6 property.

May 24, 1976
Minute Book 63 - Page 314

Mr. Major stated there is no sewer line or water on this property and the present O-6 zoning is not suitable for office; that he does not believe there is any general office space in that area at all - it is really all industrial property.

No opposition was expressed to the petition.

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

HEARING ON PETITION NO. 76-50 BY JOHN GARNETT FOR CONSIDERATION OF A CONDITIONAL FRATERNAL ORGANIZATION IN AN R-6MF DISTRICT, LOCATED ON THE WESTERLY SIDE OF FAIRMONT STREET, ABOUT 490 FEET SOUTH OF THE INTERSECTION OF FAIRMONT STREET AND RUSSELL AVENUE.

The scheduled hearing was held on the subject petition for consideration of a conditional fraternal organization in an R-6MF District.

The Planning Director stated the most readily identifiable street in this vicinity is Beatties Ford Road, extending in a northerly direction. Fairmont Street is the street that parallels Beatties Ford Road on the east.

That the subject property is one block on the westerly side of Fairmont Street. At the present time, the lot has a residential structure and is adjoined on the northerly side by vacant property; adjoined on the southerly side by another piece of property with a house on it, then a vacant lot and residential development extending a short distance down the street until there is a small warehouse occupying a portion of a piece of property that is also used for residential purposes.

He stated duplexes have been established on the property on Fairmont and along Grier Avenue, and multi-family development is in close proximity. Across Fairmont is single family development extending generally down to the next intersection. The property at the present time is in an R-6MF district. Both to the north and south of the property along Fairmont Street is zoned for multi-family development, as is the property generally across Fairmont extending over a broad area to the north, south and west of the subject property.

Immediately behind the rear of the subject lot, the property along Beatties Ford Road is zoned generally for office development and use.

Mr. McIntyre stated this request is for conditional approval of a fraternal organization and is not a request for a zoning change. The use proposed is allowable in this district on the basis of Council's favorable consideration giving additional approval.

Mr. Tom Ray, Attorney, stated he represents, along with Mrs. Escott, the Knights of Pythias and the Court of Calanthe, who are proposing to purchase the property and also represents the Garnetts, who own the property.

He stated the Garnetts do not presently live on the property, they live on Mayflower Street. No one lives on this property at the present time nor does anyone live in the house that is immediately to the left of it as you look at the property from Fairmont Street. That there are one or two vacant lots to the right of it.

Mr. Ray stated as you stand looking at the property, you are really looking towards Beatties Ford Road and Northwest Junior High is almost immediately in front of you, if you walk about a block straight through to Beatties Ford Road. Almost behind this property, on Beatties Ford Road, is a shoe shop. There are some parking facilities at the shoe shop.

May 24, 1976
Minute Book 63 - Page 315

That no formal arrangement has been made or proposed yet with regard to parking at that site. The Knights of Pythias and the Court of Calanthe are national organizations that are primarily service organizations, helping the poor and the sick, setting up and obtaining money for scholarships for poor persons at Oxford Orphanage. They also engage, to some limited extent, in fellowship, but primarily it is a service organization.

They are divided in this city and county in terms of cells, or groups; there probably would not be more than from 7 to 10 folks meeting at any one time in this particular structure if Council approves the special zoning.

He stated directly behind this piece of property there is an alley-way about 10 feet wide; the shoe shop would be immediately behind that. Down the street, in a southerly direction, would be a Muslim that goes all the way through to Beatties Ford Road and is presumably either on two or four lots. Next to that would be the cleaners who have been there for some time. There is at least one vacant lot; there is one occupied house, another unoccupied house and then the subject structure, which is unoccupied.

Mr. Ray stated the Court of Calanthe and the Knights of Pythias have engaged in discussions with the owner of two vacant lots about the possibility of purchasing them in the event Council allows the conditional zoning so they can have additional parking.

He stated on down the street are duplexes or apartments and across the street is additional multi-family property. That the area could be described as moderate income. There are some homes on Russell Street, about 500 feet away which are quite affluent. They have obtained a two-page petition, signed by residents who live in the immediate vicinity, approving the conditional use.

Mr. Ray stated there were some problems in the beginning, but he believes all of them have been solved. There was a little shed that violated one of the City's ordinances which was recently removed. That the Knights of Pythias-Court of Calanthe and the Garnetts agree to remove, if Council should request it, the front porch, although it would serve the neighborhood residential purposes better to leave the front porch there. The driveway is narrow, there is sufficient parking in the area.

He stated the purchase of the vacant lots would eliminate any further need for parking. That the driveway could be used so there does not look as there are any problems that have not been solved as far as he knows. There is no proposed grading, no building permit will be requested at this time. As far as he knows, approval is being granted by the City Engineer, as well as the City Traffic Department.

Mr. Ray stated the leaders of the Knights of Pythias, Thomas McIlwaine and others, are present today, along with the leader of the Court of Calanthe, Mrs. Maggie Caldwell.

Councilman Gantt asked if they have parking for approximately 40 cars and Mr. Ray replied that would be only in the event they secured the additional property or made the arrangements with the shoe shop. That they have told the City Engineer they only have four places available now.

No opposition was expressed to the petition.

Council decision was deferred for recommendation of the Planning Commission.

May 24, 1976
Minute Book 63 - Page 316

HEARING ON PETITION NO. 76-51 BY PHILIP R. ANOFF AND ASSOCIATES, INC.
FOR A CHANGE IN ZONING FROM O-6 AND R-6MF TO B-2 OF ABOUT 3.2 ACRES
LOCATED 200 FEET NORTH OF THE NORTHERN MARGIN OF MONROE ROAD ABOUT
300 FEET EAST OF THE INTERSECTION OF MONROE ROAD AND MCCAULEY ROAD.

The scheduled public hearing was held on the petition.

Mr. Bill McIntyre, Planning Director, stated this property is located behind Monroe Road frontage. The section of Monroe Road is adjacent to McAlway Road and also adjacent to Brookhurst, which is the extension of Eastway, crossing Independence Boulevard into Monroe Road.

He stated in this area of Monroe Road, there is a wide variety of commercial uses of different types, gasoline stations, lounges, restaurants, skating rink and various other commercial activities. That one of these commercial activities adjoins the specific piece of property and that is an office and storage building. Another piece of property adjoins it on its easterly side and is a church, St. John's United Methodist Church.

Mr. McIntyre stated the frontage property that is attached to the subject property is vacant as is the property itself. On its easterly side, the property is adjoined by the church and some vacant land and some apartment development extends from the boundary of this particular property out to Commonwealth Avenue.

On the northerly side and the westerly side, the subject property is generally adjoined by vacant land except for that portion already identified, the office and storage facility. The property at the present time is partially zoned O-6; the part that is zoned O-6 is towards the front of the property, the closest part towards Monroe Road.

He stated the part that is presently zoned R-9MF extends back in depth a fair distance, going basically along the apartment development and also adjoining some of the vacant land in the area. The balance is already zoned for business as is most of the property along Monroe Road in this vicinity on this side of the street. The church has a multi-family zoning classification and business zoning that extends from the church out an easterly direction along the northerly side of Monroe Road. On the southerly side of Monroe Road, the zoning is B-2 and adjacent to McAlway Road, there is industrial zoning with some industrial type enterprises in there.

That the R-9MF zoning is fairly comprehensive to the east and north of the subject property. There is some office zoning to the northwest of the property that is the subject of this petition.

Mr. Sol Levine, Attorney representing the petitioners, stated the property to be considered consists of approximately 3.2 acres fronting 300 feet on Monroe Road. That the change would allow it to be used for 72-1,000 sq. ft. condominiums which his client feels that he can build in that area.

He stated these condominiums could be used by manufacturers' representatives for warehouse space and for any and all types of small businesses that want to store things in this type of area. That his client is firmly resolved to do this, can do it, has sufficient backing and feels this would be a fine thing for this area.

May 24, 1976
Minute Book 63 - Page 317

That it will raise up the cosmetic viewpoint in this area as it is very bad all along in there. Secondly, it will provide a great deal of money on the tax base because the area will be changed from what it is now - from just vacant land zoned B-2 and a vacant piece of land behind it zoned office, which is not going to be used for office and then the R-9 portion which will be used for parking and for the 72 - 1,000 sq. ft. condominiums.

He stated this would be very advantageous for the city for people to have places like this; just like people have these manufacturers' representatives in the clothing industry, having all these trademarks, they cannot have it there. That it would be a good idea and he hopes Council will see fit to do it.

Ms. Jolly, of the Planning Commission, asked if there were a lot of trees along the line of the apartments, between the apartments and this property and how much of the buffer and how many of the trees would be removed? Mr. Levine replied they would be happy to create a buffer because the parking will be back there and they will be happy to create a buffer all around in that area, whatever the Planning Commission requests them to do on a site plan.

Councilman Davis asked the name of the apartments in that area and Mr. Levine replied Shadowlake.

Councilman Gantt asked if he mentioned 72 warehouses and Mr. Levine replied 72 small independent warehouse spaces where manufacturers' representatives can store things, or where anyone could rent the space, buy the space or use it for himself. That this would be a business condominium where you buy the area itself which is run by a Board of Governors, just like any other household condominium.

Councilman Davis asked where the zoning notification sign was located and Mr. McIntyre replied it was right in front of the B-2 area.

Councilman Davis asked how the owner of the vacant land behind the subject property would become aware of this rezoning and Mr. Levine replied he could become aware of it by having a sign placed on the frontage with some kind of indication that it was not the frontage property that was being considered, but it was property to the rear.

Councilman Davis asked if the Planning Commission makes any contact with the adjacent property owners and the reply was no.

No opposition was expressed to the proposed zoning change.

Council decision was deferred for recommendation of the Planning Commission.

May 24, 1976
Minute Book 63 - Page 318

HEARING ON PETITION NO. 76-52 BY WINCHESTER SURGICAL SUPPLY COMPANY FOR A CHANGE IN ZONING FROM R-6MF TO B-2 OF PROPERTY FRONTING 50 FEET ON THE NORTH-WESTERLY SIDE OF TORRENCE STREET, ABOUT 150 FEET SOUTHWESTERLY FROM THE INTERSECTION OF TORRENCE STREET AND EAST THIRD STREET.

The scheduled public hearing was held on the subject petition.

The Planning Director stated this property is one block on Torrence Street, a short distance removed from the intersection of Torrence and East Third Street. The adjacent property is developed by the petitioner and the purpose of the petition is to expand that facility into the subject property. The area consists of one lot; immediately south and west of the property in question on Torrence Street, the area is developed residentially, single-family development.

That directly across Torrence Street from the property is a mixture of vacant lots, single-family development and duplexes with one business establishment on the corner lot of Torrence and East Third Street which is an optical establishment. Diagonally across the Torrence-Third Street intersection there is additional commercial development in the form of a travel agency and a laboratory both of which have frontage on Torrence Street.

Across Torrence Street, in the other direction, there is a very sizeable paint store, on the corner of East Third and Torrence Streets and additional business establishments coming down to where East Third and Independence Boulevard intersect with each other.

The zoning of the property at the present time is R-6MF; it is adjoined to the south and east by residential zoning of that same type all along Torrence and extending to properties behind the Torrence Avenue frontage. The existing development on the East Third frontage is in a B-2 zoning district. Diagonally across Torrence and adjacent to East Third Street, the corner properties are designated as office zone and that office zoning extends for some distance from Torrence out along East Third Street.

He stated the business zoning generally prevails between Torrence Street and Independence Boulevard.

Mr. Watson Stewart, President of Winchester Surgical Supply Company, introduced the Vice President of the firm, Mr. Mack Brown and also his wife, Mrs. Stewart to members of Council. He stated most all businesses are guided in their policies by the dictates of their customers' needs, at least they feel they ought to be.

That all of their customers are principally hospitals and physicians, and health departments in the North and South Carolina area. Their company has been in business in Charlotte since 1919. The reason they need to use the property for the purpose they have petitioned it is that in the course of development of medical instrumentation and supplies, there are many, many things that have come to be used once and then thrown away. This has come about by the need to have sterile items which have no possibility of being contaminated by bacteria and so forth. The cost to the physician and the hospital has gotten so out of proportion to the need that instruments which heretofore were used and then re-cleaned, sterilized, prepared for additional use, are impractical because of the cost of cleaning and re-sterilization.

He stated in the development of the medical products and instrumentation, these items have come to be made in a disposable, one-time use, throw-away type package that guarantees sterility to the physician, the hospital and their patients. This, of course, has created for his company, as well as the physicians and hospitals, a storage problem.

May 24, 1976
Minute Book 63 - Page 319

Mr. Stewart demonstrated some of the disposable products which his company handles to show the size requirements that they are confronted with. He stated there are new things coming out like this almost every day in their industry, and Council can see the need for increasing their building size. They want to add to their building an addition of approximately 45' x 132' which will be some five to six feet on this lot which they have owned for almost 12 years and now they want to use it.

He stated this will not disturb what they have done for the past 12 years; it will only extend their building into their parking space, thus extending their parking space into this other lot. In the process, they plan to close the existing entrance to their parking lot and have a new entrance to the parking area so that they can have the space next to the building for handicapped people, elderly people, disabled people who they find, although they have a street level entrance which they thought would be adequate, it would be a real help to them to be able to have a place that some of these folks who have no mobile capacity, say from the waist down, and drive an automobile, to take a wheelchair out of their car and come into the building in a wheelchair. This will give them the ability to have an entrance for people who are in that condition, or elderly people, who in times of rain or cold weather, find it hard to get the 50 to 75 feet now required to reach the entrance. They could come directly into the building.

Mr. Stewart stated when the building was built in 1964, they realized they were going into a neighborhood, although it was being developed commercially at that time, but they have purposefully tried to develop their part of the property to keep a residential appearance and be a contribution to the community rather than to detract from it.

He presented color photographs of the building and the general area for Councilmembers and members of the Planning Commission.

Mr. Stewart stated they have talked with the people who live next door and across the street from this property and they have no objections, or have expressed none to them. They get along very well with their neighbors and hope to continue to do so.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for a recommendation from the Planning Commission.

HEARING ON PETITION NO. 76-53 BY DAVIS AND DAVIS REALTY COMPANY FOR A CHANGE IN ZONING FROM R-15MF TO O-15 (CD) OF PROPERTY FRONTING ABOUT 300 FEET ON THE EAST SIDE OF PROVIDENCE ROAD, LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF PROVIDENCE ROAD AND SARDIS ROAD.

The scheduled public hearing was held on the subject petition for a change in zoning.

Mr. McIntyre, Planning Director, stated this property is at the intersection of Sardis Road and Providence Road and relates to the proposed extension, Sardis-Carmel connection, across Providence so there will be continuity of road alignment at that intersection.

He stated the new section of Carmel Road Extension, or Sardis Road relocation, being for the most part one of the boundaries of the property, which is the subject of this petition.

The land is vacant at the present time and is adjoined on the northerly side, towards town, by one business development, a gasoline station down at the intersection of Sardis and Providence Roads, which has been there for a number of years. Across Providence from that there is a combination grocery store-gas station that has been in operation for some time and was recently legitimized with the zoning change that provided for the revamping and to some extent, the rebuilding of that facility there.

May 24, 1976
Minute Book 63 - Page 320

He stated across Providence Road, there are two large apartment complexes. Across from the apartment development that extends along Carmel Road at the Providence intersection, there is a large single-family home on a very large piece of property. Going down along the Carmel-Sardis Road relocation, the land adjacent to that is vacant and undeveloped, and directly south of that there is an extensive area of single-family homes.

In the opposite direction, across Sardis, coming towards town on Providence Road, the land is open and at some distance from the intersection, there are apartments under construction, across Sardis Road from those apartments now under construction, single-family development picks up again and extends along Sardis Road.

The zoning of the subject property at the present time is R-15MF and generally speaking, the property around the intersection and around the property is also zoned R-15MF with the exception of the small business sites already mentioned and with the exception of property on the southerly side of Carmel Road which is zoned single-family.

He stated going beyond the apartment zoning, or multi-family zoning, down Providence Road, that multi-family zoning ends at Mammouth Oaks Drive and from that point, the zoning in the area is single family.

Mr. McIntyre stated this is a request for parallel conditional zoning which involves a site development plan and there is a site development plan that has been submitted with a request for parallel conditional O-15 zoning. The plan generally consists of a proposed three-stage development; a bank in one location, closest to Providence; and over the longer term, office development proposed for another two buildings which would essentially have frontage on Sartis Road and frontage on both roads when the Carmel Road Extension connects into Sardis.

He pointed out on a map that when the new road facilities are put in this area, traffic will move in both directions on one element of Carmel Road Extension. It will move one way in the existing element of Carmel Road. There would be three driveway entrances on the existing Sardis section; there would be an entrance on the new Carmel Road Extension section; and two entrances proposed from Providence Road, actually one would be in-bound and one out-bound.

Councilman Gantt asked if there was any particular reason if you have a widened Carmel Road extension, why you could not re-dedicate that portion of the road that leads back to Providence back to the original property owners? That he is confused as to how that traffic is going to be one way coming out of there. Mr. McIntyre replied it was not in the State Plan to close that section and he has not had the benefit of any reasoning regarding the State coming to this conclusion, however, he can see one possibility. If they close this road, there would be a question of access to this property and perhaps compensation would have had to be paid, particularly to the property which was already developed.

Councilman Williams asked whose decision it is whether or not that will be closed and Mr. McIntyre replied basically it is a State Highway decision because they are building the road. He is sure the City authorities will have some input.

Mr. Burkhalter stated the State did plan to close that road until they found that serving this property was a tremendous problem so they decided they would eliminate all conflict by making it one-way, so they can leave the road open for access to this land one-way coming out, which means there would be no conflict in turning movements if you use the road. It did not cost anything to leave it open and make the one-way direction.

May 24, 1976
Minute Book 63 - Page 321

Mr. Eddie Knox, Attorney for the petitioner, stated other than the legal requirements about the access, there is across the street ingress and egress for the apartment complex and the traffic flow which will be coming one way on Sardis would certainly move easier into Providence at that point than it would if it went down to the intersection of Carmel and then had to make a right and go back through that second intersection.

He stated that this property is presently zoned R-15MF. The proposal which they are talking about is a parallel conditional office use type zoning. The ownership of this property is in the Alexander heirs and they are the people who contributed when the initial right-of-way for Sardis Road came through this family property.

That history indicates there has been petitions before Council and the Planning Commission before to change this zoning; that once it requested B-1 zoning for a filling station to go across the opposite side of the road from the Exxon Station; and subsequently, a B-1SCD zoning was proposed. The circumstances have substantially changed; the roadway is now open, you can see it from one end to the other; it is a very small piece of property, about 2.7 acres located in there and the extension of Carmel Road, where it runs from Providence into Sardis is less than probably a block and a half.

Mr. Knox stated the petitioners are not speculating in buying this piece of property and requesting it to be zoned for business and giving them the right to speculate with whomever - they are asking for conditional use planning and have hired an architect to propose what would be done. That initially their main proposal was to locate a bank very much like the bank out at Eastland Mall in a house-type construction, just immediately across the street from the Exxon Service Station. They do not have any plans to put the office building in there yet, however, the Planning Staff recommended to his clients that this section should be planned, circumstances being changed so that now it is almost roadblocked from the standpoint of multi-family development.

He stated as a result, plans have been submitted to Council, but their primary concern is the development along the Providence area for the house-like type construction of a bank. That there are not many reasons, from an aesthetic standpoint, that he knows that they would not want to do something in that area.

Mr. Knox presented some pictures to show the general area. He stated the proposed type of facility is a building they believe will blend into the area and certainly would not diminish from the aesthetic standpoint of what is already there. If anything, it might enhance it. So in terms of diminishing value from an aesthetic standpoint, they think it is a very valuable asset.

He stated the extension of Carmel Road was obviously designed to improve the flow of traffic. The neighborhood out there is going to benefit from being able to go through; the traffic situation has been, from time to time, heavy there in the mornings. A number of things have contributed to this; when they put the Country Day School out there, parents going out there contributed to the traffic a great deal.

Mr. Knox stated that once this roadway is opened, the traffic will move substantially better. That to leave this property in the existing zoning, multi-family, means two things - that if you have multi-family in there, the type of facilities you have to build would have to be so crowded that the density of people who would be there would greatly override the traffic problems as compared to what has been proposed in the conditional use planning; plus, you would have people moving in and out of there 24 hours a day, where they are talking about a banking facility with traffic from 8 to 5 or 6 o'clock in the afternoon.

May 24, 1976
Minute Book 63 - Page 322

He stated there is some merit in saying there is probably no mortgage company that would even loan money to the developer of a multi-family unit where you have streets running on every side of it. That he is not even certain the Environmental Pollution Act would permit that type, from a noise standpoint; certainly, the safety of children who might be living in there would be a consideration.

Mr. Harold Cooler, Architect, presented Council and the Planning Commission the plans which are proposed, explaining there were three phases of their construction. That Phase No. 1 is the bank and that is the main phase they are interested in. Phase No. 2 is a medical or dental building and Phase No. 3, the same thing. The second one is scheduled for completion in 1979, the other in 1980. They have provided ample parking, in excess of the requirement on parking.

He stated the buildings are envisioned as residential in appearance and they expect the two office buildings will follow the lead of the bank and their mode is the residential type building. This Plan has been through the Traffic Department and every ingress and egress they have shown is with their approval.

Councilman Williams asked about protection along the area in terms of growth, etc. and Mr. Cooler replied they planned to screen it on all frontages. They have a double frontage condition on Carmel Road Extension and Sardis Road, so that will be well-planted. They have no control on the corner, this being another property which is not part of this petition.

Mayor Belk asked if Providence Road is being widened in that area and Mr. Knox replied he did not believe it was required and Mr. Cooler agreed there are no plans to widen it that he is aware of.

Mr. Knox stated about two or three years ago, when this first came up, he talked with some people about it and he indicated then he thought it was not at a mature standpoint, that when the roadway was opened and traffic would flow, that some consideration and merit points should be made at that time. Effectively, what they have done is really taken these people's property, from a practical standpoint, by putting the roads around it and it is always nice for those of us who like to move in transportation to ride by and look at the property owners and say they do not want this in their section because it diminishes their house, the value of their house. But we have the same cry from those people about getting us into town, we cannot get there, it takes too long.

That he would like to ask whoever is in opposition to this, what they have done to the value of this roadway and the continuation of zoning multi-family, if they are disallowed the change to use this as office, what have they done to the value of this property? He stated they have effectively condemned it. They could have come in here and asked for the best financial use for the petitioners and that would have been business; they could put a filling station on that corner and they could get a lot more out of it than they will for an office or bank, and you would have had a substantially different situation. He stated from a density standpoint, from a traffic flow standpoint, from a meritorious standpoint, that they have asked for something that is practical, reasonable and fair for everyone involved.

Mr. Richard Shoher, 404 Whitestone Road, stated he has been a resident of Charlotte and Robinson Woods for the past ten years. That he represents the Southeastern Citizens' Action Association, which includes areas of Sardis Road, Robinson Woods, Elm Woods, Carmel Park Drive, Carmel Road and Foxcroft, and presented approximately 300 names on a petition, going on record as being in favor of the continuation of the present zoning of R-15MF.

May 24, 1976
Minute Book 63 - Page 323

Mr. Shober stated in looking at this issue, they have tried to analyze and understand the petition of the three parties involved - City Council, the developers, and the residents along the area bordering Sardis Road and Fairview Extension. That they all realize the great pressures that are brought to bear on City Council from opposing interests.

He stated about two weeks ago members of Council spoke to them at their meeting with great feeling and he believes from the heart. The view they had was that they would do their best to preserve the posture and residential character of their neighborhoods along this new road. They understand that position and are grateful for it. They feel, however, that there will be great pressures from the developers, the James J. Harris's, the Allan Tates, the John Croslands, the Davis's, as well as from others. There are other pressures.

That, for example, a few weeks ago in the newspaper our State Road Commissioner, Mr. Anderson, was criticized in Charlotte for possible conflict of interest. If this is true, then is it not a great waste of talent; has he not then lost his usefulness to us as a leader? They also learned suddenly that the Carmel Road extension jumped on the State Project list from Priority No. 12 to No. 2.

He stated they learned of a lost opportunity to eliminate the Sardis Road Extension, to take up some of that concrete jungle; what pressures caused this? They are told that Fairview Road Extension and Sardis Road will become five lanes without a median, without buffers, with a 50-mile an hour speed limit. That there will be several crossings, like Colony Road, creating major intersections.

Mr. Shober asked how could this happen to a once beautiful residential road, possessed of green space and stately trees, a road that traverses some of Charlotte's most beautiful residential areas; areas that banks, the Chamber of Commerce and other industry-seekers would be most proud to compare with any city in the nation?

That from the developer's point of view, they know that to beautify the road with a median means less access, more density development, with less profits on land sales. Therefore, can they blame them for their continued interest in rezoning; they think not, and that is not their thrust. It is our zoning policy that encourages such action, as any developer will tell you. The best reason for demanding rezoning is that the property cannot be sold for residential use. Each major new intersection creates a new problem unless the four corners are already residential in character. No one would build expensive, new residences because they know what is sure to come - the neon lights of the service stations, Hardees, MacDonalds, the offices and the masses of people following like bees to honey. Pragmatically then, as the land speculators know, and as everyone in this room should know, the policy is based on the domino theory - rezoning begins at a major intersection, perhaps for a service station, an office or a shopping center, and gradually radiates out along the perimeter. He stated once begun, like a chain of dominoes, it is almost impossible to stop. If we fail here, the pressures of the domino effect will be almost irrepressible along the total of Sardis and Fairview Road Extension.

Mr. Shober stated they ask Councilmembers to walk down this road with them and share their vision. This petition is the tip of the iceberg. They ask is there any reason why the zoning of the entire length of this road could not be established in advance as residential and multi-family? Would it not be good planning, would it not end land speculation? Would not the Council gain strength from the knowledge that advance planning gives developers and residents alike a chance to plan accordingly?

May 24, 1976
Minute Book 63 - Page 324

He stated this is a challenge. The decision is Council's, but they believe that an equitable plan of zoning for the entire road is far better than the domino approach. If such a Plan was done, it would do much to eliminate considerable pressures that are brought to bear on Council and would reduce the hundreds of hours of Council time, for neighborhoods, citizens and developers alike.

Mr. Shober stated again, their thrust is not against development, but for development with better design and better control. They ask that in rejecting this petition, Council seize the initiative to make this an outstanding thoroughfare with grassy medians, with proper speed control; initiative to protect their children who must traverse its five concrete lanes to attend the four grammar schools along its route - take the initiative to preserve the residential posture along its perimeter; take the initiative and do not let the speed planners dictate the design of this road to Council and to the citizens. For better or worse, Charlotte is ours, yours and mine; let no citizen say that we have abdicated our responsibility.

Councilwoman Locke asked how Mr. Harris and Mr. Tate fit into this zoning petition and Mr. Shober stated they do not fit in. Councilwoman Locke asked if he did not just make that statement and Mr. Shober replied she had a point.

Councilman Williams asked if he would agree that this road configuration pretty much eliminated any use of the property for multi-family and Mr. Shober replied that is a very good question; they do not understand why the original plan of that road was to take up that section of Sardis Road and why it was then suddenly changed and no one knows why. It is obvious that the best planning use of it would be to take up that concrete jungle, at least put some green space back in and give it back to those people who own the property.

Mr. Jim Patterson, 4817 Carmel Park Drive, stated in his capacity as Chairman of the Southeast Charlotte Action Association, he is concerned with the threats against the present environment of their neighborhood. He stated as he comes out of Carmel Park Drive, he is aware of the massive assault on their neighborhood; it is almost beyond belief of any normal yardstick of normal growth or normal progress.

That present zoning already granted will enable 1,300 more living units, for a total of 1,900 living units, and according to the Charlotte Chamber of Commerce, Mecklenburg County has grown 24% in the past ten years, and to this moment, the number of living units has grown 8,600%. This is a comparison from six living units to 1,900 at one intersection; and to this we can add the mass of projected autos moving from Point A to Point B, and add to that two office buildings and a bank which will add upwards of 1,500 to 2,000 more cars a day, add to that a five-lane highway through this section.

He stated rezoning of this location will congest and interfere with traffic flow and establish a pattern of requests for strip zoning that Council will hardly believe. That he does not think it is good for Charlotte; he knows it is not good for him as he has to get in and out of that area every morning, and he certainly does not feel like it helps the quality of their delightful residential life in this area of Charlotte.

Mr. Patterson stated he would like to bring to Council's attention that the portion of Sardis Road cut off by the Fairview Extension was to have been done away with, obliterated, according to the official Environmental Project Master Plan; however, they learned at the meeting on May 13th that that portion had been reinstated and will remain as Providence and Sardis. Also, they were told that the stoplight at the intersection would be done away with, but it is also to remain. That decision was reversed for some unknown reason they do not know and they respectfully ask Council to investigate why it was changed from the Master Plan. If you remove the concrete and the asphalt, you remove the need for commercial use.

May 24, 1976
Minute Book 63 - Page 325

He stated he has found no one who says that they want that kind of construction planned for that 2.7 acres; no one has been down through his neighborhood asking if they want an office building, a clinic, a dental office, or a bank there; no one has asked him. No one has approached their neighborhood and asked them if they wanted it, much less needed it; such facilities as are being requested for that tract of land.

Mr. Patterson asked what are we doing to our future when we allow that kind of assault upon environment conditions of our lives, upon our very life styles? They all know that there is not going to be any turning back here; there is no rolling up the asphalt, there is no folding down the apartments and going back quietly to the way things were. Many of them are trying to imagine what it will be like when they get up in the mornings and face that noise level differential between now and then. They are also trying to imagine the traffic snarl at the intersection of Carmel and the new Fairview Extension and the intersection where the Planning Department has advised them for the projected 50,000 car traffic impact several years from now when that new Fairview Extension to I-77, to Independence Boulevard passes through that corner.

He stated maybe we cannot stop progress, but to progress is to look ahead, to have foresight, to have vision; to make progress a forward motion and not a backward step - the congestion, frustration, the total denial of human and environmental rights. In regard to highest and best land use, they would not be here if this was the only consideration. This motive alone makes a mockery of the very principle of zoning. Zoning means highest and best land use considering the needs of others; the needs of our neighbors left behind; the needs of the public.

Mr. Patterson stated in the past few years, neighborhood after neighborhood has called upon Council - they have called Council to meetings, written to Council, telephoned Council, asked Council, begged Council, pleaded with Council - not to do to them what has been done to other areas of the City. People are crying for Council to help maintain the decency of their neighborhoods; people are asking Council to maintain the quality, not to make them into South Boulevards, Woodlawn Roads and Albemarle Roads.

He asked when are we all going to get in on the cries, the loud voices, and it is growing in strength, and it must be obvious to Council that more and more people are banding together, more and more are coming together to ask them when, when is Council going to hear this voice and, for the sake of us all, say stop, what are we doing to ourselves?

Mr. Knox, in rebuttal, stated Mr. Patterson has been trained in the business, but neither he nor Mr. Shober, nor anyone yet, has answered his question of what do you do with this piece of property? What can you do, what of their equity? Not one person. What they are talking about is all multi-family going down Fairview Road. No one yet has talked about what goes in there. Think about these people - they have been here since Sardis Road came.

Councilman Gantt asked the City Manager if he was ever able to find out why we could not close that road, Sardis Road, at the intersection of Providence Road? Councilman Whittington stated he does not question whether the road should be closed or not closed but he thinks if you are going to do this, you ought to notify the property owners that are affected - namely, the Exxon and the property behind it, and let them know what you are doing at the same time.

Councilman Gantt stated he was not suggesting that Council take any action. That Mr. Knox just asked the question and he thinks it deserves an answer; if we change the configuration of the property, we have a different situation.

May 24, 1976
Minute Book 63 - Page 326

Mr. Burl Burnham, 5643 Timberlane, requested permission to speak. Mayor Belk replied he had already called for any opposition before Mr. Knox gave his rebuttal and that closes the hearing unless Council votes to hear him.

Mayor Belk asked Councilmembers if they would like to allow Mr. Burnham to speak at this time and Council voted to hear him.

Mr. Burnham stated he is here as a property owner and did not know about the procedure until a few days ago; there was no announcement. He advised he had difficulty in feeling sorry for whoever it is that the attorney is speaking for. The people he feels sorry for are the ones that in driving down Sardis, down Randolph, seeing great chunks of their property cut off because of the need for more traffic.

He stated there has to be room for cars, obviously, but home after home, chunks of their land are cut away and it is very difficult to be sympathetic to this little piece of land. That he wonders about traffic on Providence going south that will turn in to this ingress into this property; how will they get in there?

Council decision was deferred for a recommendation from Planning Commission.

HEARING ON PETITION NO. 76-54 BY EXXON COMPANY, U.S.A. FOR CONSIDERATION OF AN AMENDMENT TO A B-1S.C.D. SITE PLAN LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NEWELL-HICKORY GROVE ROAD AND MILTON ROAD.

The scheduled public hearing was held on the subject petition for consideration of an amendment to a B-1S.C.D. Site Plan located at the northwest corner of the intersection of Newell-Hickory Grove Road and Milton Road.

Mr. McIntyre, Planning Director, stated the development plan for a B-1S.C.D. planned shopping center area was established many years ago in the early 60s. The property is at the intersection of Newell-Hickory Grove Road and Milton Road.

He stated the property is in the ownership of Exxon Corporation and we are not really confronted with whether to zone or not zone a piece of property, rather they are confronted with a change in plans for the property in question.

Mr. McIntyre stated he will spend a little time on the plan that has been presented by the Exxon Corporation to modify their original plan. They have something of an unusual procedure. Normally, a B-1S.C.D. Plan revision does not necessarily have to have a public hearing; it is optional with the Planning Commission that when they review a B-1S.C.D. Plan to either recommend that Council approve the plan, as modified, or suggest to the Council that they have a hearing on the plan if the Planning Commission feels that this would be the better approach to the matter.

He stated regardless of the Planning Commission's suggestion of having a Public Hearing, or not having a Public Hearing, when the matter comes before the Council, the Council itself can elect to have a hearing on the plan, or not; it is not mandatory under the Statutes. In this case, the Exxon Corporation decided itself to ask for a Public Hearing on this proposed plan in order to expedite the matter and not have it reviewed by the Planning Commission at some future time and then a decision be made as to whether the hearing should be held.

Mr. McIntyre stated the major points in the revision of this plan are as follows: In the original plan of the 60s, Milton Road, Newell-Hickory Grove Road involved extension of Dillard Road; that a new element in the picture has developed since the Exxon Corporation proposed its original plan for this area. The extension of Dillard Drive by the old plan would have run right across the proposed building, but, of course, no building is there since nothing has been done on the property since the original plan was

May 24, 1976
Minute Book 63 - Page 327

presented. Therefore, one of the things of substantial significance to the City in the proposed plan now is that the Exxon Corporation has modified the plan to provide for the extension of Dillard Drive into the Newell-Hickory Grove Road. They have modified the plan in other respects and he can go into this to whatever extent Council wishes.

He stated its fundamental significance to the City is that it provides for the extension of Dillard Drive through the B-1S.C.D. area as originally proposed for development by the Exxon Corporation.

Councilman Gantt asked if Exxon is planning to build a shopping center out there and Mr. McIntyre replied they do not have specific proposals, as he understands it, to develop shopping center facilities. They have a proposal to build a gasoline service station on the property and they also have a proposal for a fairly large sized grocery store. These elements of the plan are not elements that they indicate would be developed at an early date.

Mr. Dick Hauersperger, of the City Planning Staff, stated some Exxon representatives from Atlanta had been in and out of the office but for some reason they are not here this afternoon. That he thinks the intention is that a different corporation is listed in terms of the oil company there and they intend to build that facility first; that is their immediate concern and then with some kind of a fast, convenience-type grocery store.

Councilman Whittington stated he would like to suggest to Council and would hope someone from the Staff would go with them, that they go on a field trip out there and see this on the ground. That he would need more information before he would want to vote either way.

Mayor Belk stated there would be no objection if Mr. Burkhalter wanted to line it up and give them an opportunity to take them out there.

Councilman Whittington stated he would like to see the ground where these proposed buildings are to be located and Mayor Belk stated he ought to have an opportunity to go out there.

Councilman Withrow asked how many buildings were proposed originally and Mr. McIntyre replied five.

Mr. Burkhalter asked if they propose to dedicate the right-of-way and Mr. Hauersperger replied there has been no indication of donation of right-of-way; they have provided for the space for it and changed their building location and so forth.

Councilman Whittington stated this might be a good question to propose to them before the amendment is acted upon.

Mr. Hauersperger stated one thing they have done is to cut down on the number of entry ways. That there are no stakes or anything on the ground indicating where the buildings would be located. He stated it is a treed site so they are faced with the situation of a plan that could be built today as opposed to what they have for an alternative.

Mayor Belk advised there were no representatives present to speak to the petition.

No opposition was expressed to the proposed amendment.

Council decision was deferred for a recommendation from the Planning Commission.

May 24, 1976
Minute Book 63 - Page 328

REVISION IN AN APPROVED B-1S.C.D. SHOPPING CENTER PLAN ON DELTA ROAD NEAR LAWYERS ROAD TO ALLOW A ROLLER SKATING RINK TO BE BUILT IN LIEU OF AN OFFICE STRUCTURE, APPROVED.

Mr. McIntyre, Planning Director, stated the Planning Commission recommends approval of a revision in an approved B-1S.C.D. Shopping Center Plan on Delta Road near Lawyers Road to allow a roller skating rink to be built in lieu of an office structure. The two negative votes on the Planning Commission were really more related to process than substance. They felt it would have been better if the people in the vicinity had been advised of the modification in the plan. Other members of the Commission did not feel that was particularly important. The basic judgment of the Commission was to approve the plan.

Mr. McIntyre stated he has not heard any objections to the change in the plans.

After discussion, motion was made by Councilman Withrow, and seconded by Councilman Whittington to approve the revision in the plan as recommended by the Planning Commission. The vote was taken on the motion and carried unanimously.

SUMMER YOUTH PROGRAM APPLICATION UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 FOR SPECIAL APPROPRIATION FOR SUMMER WORK EXPERIENCE, AUTHORIZED.

Councilman Withrow asked if there has been any progress report on previous summer programs? How this affected the people who took the training? The outcome, and what jobs they went into?

Mr. Person, Manpower Director, replied they have monthly reports and quarterly reports on all who came under their training. The item on the agenda today does not specifically relate to that, but they will and can supply Council with these persons they have trained and those who have been placed on jobs.

This item today is the summer work program for youth. Sponsors have been changed for this year, and the Employment Security Commission has been asked to operate this program for us because there were so many ineligibles last year in the program; that the headlines experienced on the weekend relates to the question costs. This is not totally for 1975; it is also for the previous summer of 1974.

Mayor Belk asked if it would be in order to request the School Board to give a report on their action? Mr. Person replied the report that came to his desk today would indicate to him that we will have to ask some definitive questions as to why these sorts of things occurred. Some answers will be expected from the School.

Councilwoman Locke asked if they will be responsible for that money? Mr. Person replied he cannot say yes or no, except that we do have a contract with them to perform certain services. Councilwoman Locke stated she is asking about the School Board's responsibility? Mayor Belk stated the headlines in the paper did not state all the facts in the case; that he is trying to say for the benefit of the Council, if there is any doubt in their minds, that Mr. Underhill should make his statement on what he has done in relation to this and Manpower.

Mr. Burkhalter stated what they are referring to in the last bond sale following the laws of full disclosure we listed the full amount of this contract as a possible liability for the purpose of those people buying our bonds. Included was an opinion by the City Attorney.

May 24, 1976
Minute Book 63 - Page 329

Mayor Belk stated he thinks it would be appropriate for the City Attorney to state the line of authority from a legal viewpoint.

Mr. Underhill stated both programs of 1974 and 1975 were handled by the City as the prime sponsor with a written contract with the Charlotte-Mecklenburg Board of Education to operate the program on the City's behalf. Those contract documents have been reviewed by his office, and in his opinion, if there is found to be discrepancies in the operation of the program and funds are required to be repaid to the federal government, the City would have sufficient grounds, under the terms of the contract, to maintain an action against the School Board to recover any such funds.

Councilman Williams asked if there is any way this almost \$500,000 can be used as a reserve against contingent liability? Mr. Person replied it is his understanding it cannot be. Mr. Underhill replied that is his understanding also.

Councilman Gantt stated while we may know that we may not have a liability here that somehow we try to work this out with the City and federal government. That he would not like to see the School Board stuck with the \$950,000 to pay back. While it is not our liability, we are all in this together in one sense and he would hope there is a way to work this out.

Mr. Burkhalter stated Mr. Person has already reduced it considerably by trading in one program for another. That people not eligible in one phase of this program at the time it was brought to our attention were put into a program in which they were eligible which reduced this considerably. The only difficulty was as soon as that group was taken care of, the next week there were payrolls for several hundred more. That everyone worked to try to do this.

He stated they read in the paper yesterday, and he does not know where the news story came from, of a audit that was sent to the Mayor today in confidence. It is not a final audit; it is a preliminary audit, and it does not come under the Federal Full Disclosure Act. They asked that the audit not be released until it was reviewed. Therefore, they are giving us every opportunity to do what Council said. To go through it and talk to these people and see what can be done.

Mayor Belk stated he thinks it should be straightened out. Mr. Burkhalter stated it does have names of people involved to see if they are eligible. The biggest thing that came out was that the people who were eligible for this employment were not employed. And people who were not eligible were employed. If everyone who needed it had gotten a job, he does not think they would even be down here. But the fact is there were several hundred to apply who were eligible and could not get a job, and there were several hundred who were not eligible who got the job. This is the real key. In all defense of the School Board, he is sure they have reasons they can show why this was done. He has not seen it. But in all fairness, they have not seen this either. He is sure they will have some explanation. In conversations with the Department of Labor, he feels sure they will make every effort to help us in this situation.

Motion was made by Councilwoman Locke to approve the submission of a Summer Youth Program application under the Comprehensive Employment and Training Act (CETA) of 1973 in the amount of \$498,019, as a special appropriation for summer work experience programming. The motion was seconded by Councilman Williams.

Councilman Williams stated the City Manager intimated that the Federal Government would have no trouble collecting this from us; they would just withhold other things. He asked if the type thing they would withhold be what we are voting on in this item?

May 24, 1976
Minute Book 63 - Page 330

Mayor Belk replied that is a point they were insinuating might be contingent on this. That he thinks Mr. Person made that clear that he is under the impression, and he is under the same impression, that it would have no bearing on that particular one. They have on the others because they are going to get their share. Mr. Burkhalter stated the only way to get this money is to turn in a request for it for a certain purpose. This is different from the funds we get in lump sums in which we allocate the jobs and get some jobs. They give an advance on some of these. Mr. Person replied that is right. This is under Title III, the special appropriations that have been made for summer programs. This is the second year they have made grants under this particular legislation. It can only be used for that purpose - for employment of the economically disadvantaged youngsters during the summer.

Councilman Williams stated he would hate to see this come out of our General Funds or through General Revenue Sharing.

Councilman Whittington stated what Mr. Person is saying to Council today is that this nearly \$500,000 under CETA will be handled entirely by the Employment Security Commission on First Street? Mr. Person replied that is right, through contract from the City of Charlotte. Councilman Whittington asked if he is out of it once that takes place? Who is going to recruit the young people to work in these programs? Mr. Person replied he is not out of it. That the Employment Security Commission will have the responsibility for this in conjunction with his office. His office has the responsibility to monitor these programs for the City Council. Councilman Whittington asked how often he will come to Council and give a report on how many kids have been hired; what kind of work they are doing; and the things that Mr. Withrow talked about.

Mr. Person stated he will give a report as often as Council would like. Councilman Whittington stated he thinks Council should have at least a weekly report. Some of these programs he gets real concerned about. The reason he does, and he has talked to Mr. Person, to the City Manager, to Mr. Coffman, and to Personnel about this, everyone on this Council knows the kids out in the neighborhoods who will qualify for these jobs. The problem is that we do not get the kids hired when their names are submitted. This is wrong if this Council is the supervisory board over Manpower to see that some of these kids are reached. That he does not care what color they are; he just wants to make sure that nothing happens like happened last summer, and all this comes out in the newspapers.

Mr. Person stated under the present plans, and he plans to see they are carried out the way they are designed, the same thing will not happen. Many of the youngsters who have not been served previously will be. They will not be able to serve them all because of the limited resources, and the large number who fall into this category. He stated he is saying this now because they will get some complaints. Councilman Whittington stated we could serve a lot more if we were not paying them this amount of money per hour; which he thinks is a little ridiculous. That he has said that before and did not get anywhere. Mr. Person stated it is mandatory under this legislation to pay the \$2.30 an hour. Councilman Whittington stated the 40 or 50 pages explains that this is mandatory; but in the end you could put it all in one paragraph and get a lot more sense out of it.

Mayor Belk stated he would like to see if we can work out something on this Manpower with the County. That he thinks this has a bearing on the whole subject - not this particular one, but the whole subject of manpower. Mr. Person stated it is a problem even with this. Right now he is getting calls from County residents and he cannot serve them. Mayor Belk stated he thinks we should try to get the County to go along with us on it.

May 24, 1976

Minute Book 63 - Page 331

Councilman Whittington asked how long we have to wait before we approve it and Mr. Person replied actually time is of the essence. Most of the prime sponsors in the State have already submitted their proposals as they were keyed up to do it quicker than we. He wanted to follow the procedure and process; wanted Council's involvement. But, they need the approval, and if it is approved, he plans to hand-carry it tomorrow with the Mayor's signature on it.

Councilman Davis stated he would like to ask a question about the previous item where the City Attorney advises we may have some liability on it. He would like to know what additional controls, accounting procedures or audit procedures we have put in to make sure we do not get in this trouble again?

Mr. Burkhalter replied the biggest thing we have done is to change sponsors. We have people who deal with the eligibility requirements every day for this type of person. In all fairness he thinks that is the best thing we have done.

Councilman Davis stated if they make a mistake like the School Board then we would be in the same position as they are? Mr. Burkhalter replied the same position; the only thing he can say is that we have asked for and up to this point Council has granted what we asked for. One additional person has been asked for in this year's budget for monitoring purposes. This is the only additional personnel we have asked for. Councilman Whittington stated that is another ball game.

Councilwoman Locke asked Mr. Person if he can bring Council a report every other week? Mr. Person replied he can keep Council abreast of this every other week because they are paid every other week.

Councilman Davis stated this does not really get to the question because we would be dependent upon what they tell us.

Mayor Belk stated if it is the will of the City Manager, Mr. Person will send Council a report every other week. That this has not been done, and he thinks Council would like to have it.

Mr. Person stated as far as the monitoring is concerned and the fiscal accountability and that sort of thing, they have developed a package in conjunction with the Employment Security Commission whereby the youngster who is employed will have to sign his or her employment in each stage. That is part of the system and this is where the breakdown occurred last year because their names appeared on a print-out sheet on a certain number hours of employment, and no one could substantiate whether the person was employed or not. It is difficult to explain this, but he will be glad to supply Council a copy of their design for this year to assure fiscal accountability as far as payment of funds and expenditures.

Councilman Davis stated he is concerned with some contract with accountability of the funds as they go from City government to Manpower, or to whatever agency is involved. Mr. Burkhalter stated he believes his remarks have been misinterpreted. That the School Board is liable to us according to the legal opinion. There is no question in their minds about that. The question is can you collect it? In this case it will be Employment Security which in a way is a federal agency and he would not be nearly as concerned about them if they did this. That he thinks we would have no problems with this.

Councilman Davis asked if he thinks any change in our procedures is indicated? Mr. Burkhalter replied he does not think so.

The vote was taken on the motion and carried unanimously.

May 24, 1976
Minute Book 63 - Page 332

CONTRACT BETWEEN MANPOWER DEPARTMENT AND CHARLOTTE TRUCK DRIVER TRAINING SCHOOL TO TRAIN CD RESIDENTS, APPROVED.

Councilman Whittington moved approval of a contract between the Manpower Department and Charlotte Truck Driver Training School to train ten Community Development residents to drive heavy trucks at a total cost of \$13,500.00. The motion was seconded by Councilwoman Chafin and unanimously carried.

AMENDMENT TO CONTRACT WITH BOLT, BERANEK & NEWMAN, INC. FOR AIRPORT NOISE STUDY TO COVER ADDITIONAL WORK IN CONNECTION WITH THE AMENDMENT TO THE ORIGINAL ENVIRONMENTAL IMPACT STATEMENT ON THE AIRPORT PROJECT, APPROVED.

Motion was made by Councilwoman Locke and seconded by Councilman Whittington, to approve the request of the Airport Manager to increase the total amount of a contract with Bolt, Beranek & Newman, Inc. for an Airport Noise Study, from \$48,560 to \$79,713 to cover additional work in connection with the District Court ruling that the Airport and the Federal Aviation Administration prepare an amendment to the original environmental impact statement on the project.

Mr. Birmingham, Airport Manager, stated the original one through eleven tasks were approved administratively by them, and recommended to Council for approval. During the course of their meetings with the FAA and the attorneys, some ten or twelve meetings, additional tasks came up, which were not covered. This occurred on three or four different occasions. He stated he authorized this work because he felt it would be impractical in cost to halt this work two or three times to wait several weeks each time for Council approval. The FAA has assured them they will pay 75 percent, and they basically have concurrence in the FAA, themselves and the attorneys that it was absolutely necessary.

Mayor Belk stated he would like to congratulate him on this report because of the Court Order they are under. But the report is outstanding, and he thinks he should be complimented.

Councilman Gantt stated he thinks so too, but the only question is when a consultant continues to say you owe more money.

The vote was taken on the motion and carried unanimously.

CHANGE ORDER NO. 1 IN CONTRACT WITH DICKERSON, INC., APPROVED.

Motion was made by Councilman Whittington, seconded by Councilwoman Chafin, and unanimously carried, approving subject Change Order No. 1, in contract with Dickerson, Inc., increasing the contract amount by \$36,877.45, to compensate for unanticipated quantities in the solid rock excavation and stone stabilizer classifications, for construction of trunk sewers in Annexation Area I Project.

PUBLIC HEARING SET FOR MONDAY, JUNE 7, FOR PROPOSED 1976-77 BUDGET AND PLAN FOR EXPENDITURES OF GENERAL REVENUE SHARING FUNDS.

Councilman Withrow moved approval of a public hearing for Monday, June 7, 1976, at 3:00 o'clock p.m., for the proposed 1976-77 Budget and Plan for Expenditures of General Revenue Sharing Funds, which motion was seconded by Councilman Williams and carried unanimously.

May 24, 1976
Minute Book 63 - Page 333

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO TEMPLE CHAPEL BAPTIST CHURCH, LOCATED AT 214-16-18-20 LANCASTER STREET, IN THE CITY OF CHARLOTTE, FOR THE SOUTHSIDE PARK COMMUNITY DEVELOPMENT TARGET AREA.

Upon motion of Councilman Whittington, seconded by Councilwoman Chafin, and unanimously carried, subject resolution was adopted authorizing condemnation proceedings for the acquisition of property belonging to Temple Chapel Baptist Church, located at 214-16-18-20 Lancaster Street, in the City of Charlotte, for the Southside Park Community Development Target Area.

The resolution is recorded in full in Resolutions Book 11, at Page 435.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF EIGHT PARCELS OF PROPERTY IN THE GRIER HEIGHTS COMMUNITY DEVELOPMENT TARGET AREA.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, adopting subject resolution authorizing condemnation proceedings for the acquisition of the following eight parcels of property in the Grier Heights Community Development Target Area:

BLOCK & PARCEL	OWNER AND ADDRESS	FINAL OFFER
7-15	Willie J. Cuthbertson, 201 Skyland Avenue	\$17,000
7-16	Sarah McIlwain, 209 Skyland Avenue	15,000
10-14	Sarah McIlwain, 3133 Goldwyn Street	8,450
10-15	Willie J. Cuthbertson, 3137 Goldwyn & 209 Alpha St.	15,500
17-14	Willie J. Cuthbertson, 220 Alpha Street	5,500
17-16	Sarah McIlwain, 208 Alpha Street	5,750
17-17	Willie J. Cuthbertson, 3201 & 3205 Goldwyn St.	11,500
22-9	Mrs. W. F. Upshaw, 600 Billingsley Road	150

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF A TEMPORARY EASEMENT ON PROPERTY BELONGING TO F. L. HONEYCUTT AND WIFE, SALLY T. HONEYCUTT, LOCATED AT 7730 PARK ROAD, IN THE CITY OF CHARLOTTE, FOR THE ANNEXATION AREA I (1 & 12) SANITARY SEWER TRUNKS PROJECT.

Councilman Whittington moved adoption of subject resolution authorizing condemnation proceedings for the acquisition of a temporary easement on property belonging to F. L. Honeycutt and wife, Sally T. Honeycutt, located at 7730 Park Road, in the City of Charlotte, for the Annexation Area I (1 & 12) Sanitary Sewer Trunks Project. The motion was seconded by Councilman Withrow, and carried unanimously.

The resolution is recorded in full in Resolutions Book 11, at Page 438.

May 24, 1976
Minute Book 63 - Page 334

CONTRACT AWARDED PARNELL-MARTIN COMPANY FOR PIPE, NICKEL COPPER ALLOY STEEL TO BE USED BY THE UTILITY DEPARTMENT IN MAINTENANCE, REPAIRS AND NEW SERVICES IN THE WATER DISTRIBUTION SYSTEM.

Upon motion of Councilman Withrow, seconded by Councilman Williams, and unanimously carried, subject contract was awarded the low bidder, Parnell-Martin Company, in the amount of \$29,400.30, on a unit price basis, for pipe, nickel copper alloy steel, to be used by the Utility Department in maintenance, repairs and new services in the Water Distribution System.

Parnell-Martin Company	\$29,400.30
Crane Supply Company	30,123.44
McJunkin Corporation	30,141.90
L. B. Foster Company	30,272.85

CONTRACT AWARDED CAROLINA CONCRETE PIPE COMPANY FOR REINFORCED CONCRETE PIPE.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, awarding contract to the low bidder meeting specifications, Carolina Concrete Pipe Company, in the amount of \$30,227.62, for reinforced concrete pipe.

The following bids were received:

Carolina Concrete Pipe Company	30,227.62
Gray Concrete Pipe Co., Inc.	31,064.25

Bid received not meeting specifications:

SCS Products, Div. Belmont Heritage Corp.	29,569.50
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CONSENT AGENDA.

Upon motion of Councilman Withrow, seconded by Councilman Whittington, and unanimously carried, the following consent agenda items were approved:

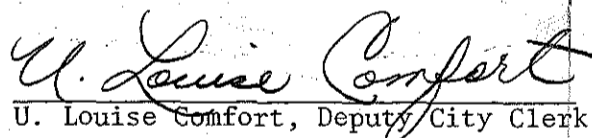
- (a) Renewal of a Special Officer Permit to Henry Elmore Gillard for a period of one year for use on the premises of Douglas Municipal Airport.
- (b) Contract with Mr. James G. Rea for construction of approximately 600 feet of 6" and 2" C. I. water main, and one fire hydrant, to serve Forest Hills Drive, outside the city, at an estimated cost of \$4,400.00. The applicant has requested the City to prepare the plans and specifications necessary for the construction and a deposit, in the amount of \$440.00, which represents 10%, has been advanced by the applicant. The applicant will finance the entire project with no funds required from the City, and the mains will be owned, maintained and operated by the City.
- (c) Approval of the following property transactions:
 - (1) Acquisition of 30' x 100.03' of easement at 621 Melmorrow Drive, (off Belhaven Boulevard), from Robert A. Alexander and wife, Ruth W. Alexander, at \$300.00, for Gum Branch Outfall Project.
 - (2) Acquisition of 25' x 186.63' of easement at 1223 Lakehill Drive, (off Highway 16), from Harry Spidel and wife, Ann M., at \$750.00, for Gum Branch Outfall Project.
 - (3) Acquisition of 30' x 983.22' of easement at 6620 Barcliff Drive, from Four Seasons Homeowners Association, Inc., at \$1,500.00, for Campbell Creek Outfall (Phase II) Project.
 - (4) Acquisition of 30' x 610.53' of easement at 6620 Barcliff Drive, (off Hickory Grove Road), from Four Seasons Homeowners Association, Inc., in the amount of \$1,000.00, for Campbell Creek Outfall (Phase II) Project.

May 24, 1976
Minute Book 63 - Page 335

- (5) Acquisition of 34.16' x 14.84' x 8.83' x 48.97' x 7.96' of easement plus a construction easement, at 808 West Fourth Street, from Donald Douglas Hoyle and wife, Shirley Turner Hoyle, for Trade-Fourth Connector Project, at \$1,000.00.
- (6) Acquisition of 19.15' x 21.65' x 131.97' x 8.52' x 150.33' of easement, plus a construction easement, at 3200 Amay James Avenue, from Esta May Funderburk (widow), at \$1,000.00, for the Lester Street Improvements at Amay James Center.
- (7) Acquisition of 165' x 297' x 204' x 300' of property, with a one-story frame residence, at Route 4, Box 513, Wallace Neal Road, from Wilda H. Mitchell (widow), at \$15,150.00, for the Douglas Municipal Airport Expansion Project.
- (8) Acquisition of Parcel No. 1, in Block 13, at 601 Remount Road, from Nellie Jamison, at \$5,100.00, for Southside Park Community Development Target Area.
- (9) Acquisition of Parcel No. 2, in Block 13, at 609 Remount Road, from F & J Corporation, at \$28,550.00, for Southside Park Community Development Target Area.
- (10) Acquisition of Parcel No. 1, in Block 14, at 441 & 501 Remount Road, from Lincoln Company, Inc., at \$31,000.00, for Southside Park Community Development Target Area.
- (11) Acquisition of Parcel No. 4, in Block 16, at 200 Lancaster Street, from House of God, Inc., at \$9,000.00, for Southside Park Community Development Target Area.
- (12) Acquisition of Parcels No. 23 and 26, in Block 16, at 223-25 Remount Road and 2621 South Tryon Street, from G. Howard Webb, at \$81,750.00, for Southside Park Community Development Target Area.

ADJOURNMENT.

There being no further business before the City Council, the meeting was adjourned.


U. Louise Comfort, Deputy City Clerk