

AGENDA

Meeting Type:	B
Date:	08-31-1982

City of Charlotte, City Clerk's Office

Charlotte

Public Service & Information Department
City Hall, 600 E Trade Street
Charlotte, North Carolina 28202
704/374 2395

Meetings in August '82

THE WEEK OF AUGUST 1 - AUGUST 7

- 3 Tuesday, 7 30 a.m. AD HOC COMMITTEE ON PLANNING/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
- Tuesday, 7.30 p.m. PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
- 4 Wednesday, 12 Noon COUNCIL/MANAGER LUNCHEON (Governmental Plaza) - Civic Center, VIP Room B

THE WEEK OF AUGUST 8 - AUGUST 14

- 9 Monday, 12 Noon PLANNING COMMISSION/Work Session - Cameron-Brown Building, First Floor Conference Room
- Monday, 12 Noon COUNCIL/MANAGER LUNCHEON (Proposed Mint Museum Bond Referendum) - City Hall Annex, Training Center
- Monday, 2 00 p.m. CITIZENS HEARING - City Hall, Council Chamber
- Monday, 3 00 p.m. CITY COUNCIL MEETING - City Hall, Council Chamber
- 10 Tuesday, 8 00 a.m. AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
- Tuesday, 9 00 a.m. HISTORIC DISTRICT COMMISSION - Edwin Towers, First Floor Conference Room
- Tuesday, 3 30 p.m. PLUMBING ADVISORY BOARD - City Hall Annex, Building Inspection Conference Room
- Wednesday, 9 00 a.m. CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber
(NOTE: This is a change in date from 7/28.)
- Wednesday, 4 00 p.m. CITY COUNCIL (Presentation of Dilworth Small Area Plan) - City Hall Annex, Training Center
- Wednesday, 4 00 p.m. IMPLEMENTATION COMMITTEE/PLANNING COMMISSION - Cameron-Brown Building, First Floor Conference Room
- 11 Wednesday, 4 00 p.m. POLICE COMMUNITY RELATIONS AWARD SUBCOMMITTEE/COMMUNITY RELATIONS COMMITTEE - Community Relations Conference Room, 623 E Trade Street
- Wednesday, 7 30 p.m. HISTORIC PROPERTIES COMMISSION - City Hall, Second Floor Conference Room

-Continued-

THE WEEK OF AUGUST 15 - AUGUST 21

16 Monday, 2 00 p.m. PLANNING COMMISSION(Work Session on Urban Development Center Ordinance) - Cameron-Brown Building, First Floor Conference Room

17 Monday, 6 00 p.m. CITY COUNCIL MEETING/Zoning Hearings - Education Center, Board Room

17 Tuesday, 12 Noon INSURANCE & RISK MANAGEMENT AGENCY - Cameron-Brown Building, Sixth Floor Conference Room, Finance Department

Tuesday, 2 00 p.m. HOUSING AUTHORITY - Administrative Offices, 1301 South Blvd

Tuesday, 3 00 p.m. COMMUNITY FACILITIES COMMITTEE - Utility Department Conference Room, 5100 Brookshire Boulevard

Tuesday, 7.30 p.m. CHARLOTTE TREE COMMISSION - Park Operations Conference Room, 701 Tuckaseegee Road

18 Wednesday, 8 30 a.m. CIVIL SERVICE BOARD - City Hall, Third Floor Conference Room

18 Wednesday, 10 00 a.m. CIVIL SERVICE BOARD/Hearing - City Hall, Council Chamber

19 Thursday, 8 30 a.m. CLEAN CITY COMMITTEE - Cameron-Brown Building, Fifth Floor Conference Room

Thursday, 3 00 p.m. ADVISORY ENERGY COMMISSION - City Hall, Third Floor Conference Room

THE WEEK OF AUGUST 22 - AUGUST 28

23 Monday, 7 30 p.m. SPECIALIZED TRANSPORTATION ADVISORY COMMITTEE - City Hall, Third Floor Conference Room

23 Monday, 7 30 p.m. PLANNING COMMISSION/Work Session on Urban Development Center Ordinance - Education Center, Board Meeting Room, Fourth Floor

24 Tuesday, 4 00 p.m. MUNICIPAL INFORMATION ADVISORY BOARD - Cameron-Brown Building, Third Floor Conference Room

25 Wednesday, 4 00 p.m. ELECTRICAL ADVISORY BOARD - City Hall Annex, Building Inspection Conference Room

Wednesday, 4 30 p.m. COMMUNITY RELATIONS COMMITTEE - Covenant Presbyterian Church, 1000 E. Morehead Street

AUGUST 29 - AUGUST 31

31 3 00 p.m. ZONING BOARD OF ADJUSTMENT - City Hall, Council Chamber

Charlotte

IN MEETING ON TUESDAY, AUGUST 31, 1982

5:00 PM - Special Council Meeting
Council Chamber
City Hall

ITEM NO.

POLICY AGENDA

1. RECOMMEND APPROVAL OF THE FOLLOWING ACTIONS IN CONNECTION WITH THE \$3,500,000 GENERAL OBLIGATION BOND REFERENDUM SET FOR NOVEMBER 2, 1982:
 - (a) Introduction of an order authorizing \$3,500,000 Museum Bonds by moving the approval of the order on first reading.
 - (b) Adoption of a motion designating Douglas E. Carter, Finance Director as the officer to make and file with the City Clerk the sworn statement of debt.
 - (c) Approval of an order on first reading authorizing \$3,500,000 Museum Bonds.
 - (d) Adoption of a motion fixing Monday, September 13, 1982 at 3:00 PM as the date and time of the public hearing on the bond order, and directing the City Clerk to publish the required notices.

council agenda

Mayor Eddie Knox

Mayor Pro Tem Harvey B Gantt

Dave Berryhill
Charlie S Dannelly
Laura Page Frech

Ron Leeper
Ralph Reiss McMillan
Pamella G Patterson
Edwin B Peacock Jr

George K Selden Jr
Herbert Spaugh, Jr
Minette Conrad Trosch

2. A. Decision on Petition No. 82-32 by City of Charlotte Engineering Department for a change in zoning from R-9 to I-2 (CD) for a 22.27 acre tract located on the southside of Yorkmont Road, approximately 95 feet west of the intersection of Yorkmont Road and Price Lane.

The Planning Commission recommends the petition be denied.

This petition requests that a tract of land be rezoned to I-2 (CD) in order to establish a regional farmer's market. City Council has deferred action on this decision on three occasions in order to continue its review of alternative locations.

If the rezoning is approved by City Council, Councilmember Berryhill has asked that the following resolution be considered.

- B. Consider adoption of a resolution authorizing conveyance of the 22.27 acre tract located on the southside of Yorkmont Road, approximately 95 feet west of the intersection of Yorkmont Road and Price Lane, to the State of North Carolina for development of a Regional Farmer's Market.

Attachment No 1

CITY OF CHARLOTTE

ENGINEERING DEPARTMENT INTER-OFFICE COMMUNICATION

DATE August 3, 1982

TO Mr. L. P. Bobo
Assistant City Manager

FROM C. D. Reading
City Engineer

SUBJECT Farmer's Market

This memorandum has been prepared to address questions raised by Council concerning limitations on State Funding of a market, whether State Funds can be used to construct a facility uptown, and how a State-run regional market may affect a possible future local market.

State Funding Limitations and Effect on Siting

The State Department of Agriculture is limited as to the type and size of the facility they can construct due to stipulations imposed in the October, 1981 Bill appropriating \$250,000 to the project (attached). These limitations have affected urban versus suburban siting of the project.

The Bill ratified by the General Assembly specifically states that funds are to be spent on a regional market in Charlotte to be operated by the Department and are contingent upon matching funding from non-State sources. The Bill was enacted due to the organized support of a steering committee made up of representatives of 11 counties, including Mecklenburg, which lobbied the Legislature for funding. The Department of Agriculture feels bound to construct a facility to serve that geographic region and, based on a market study, has established that a 14 acre site will be needed for buildings, parking, landscaping, etc. They do not feel the size could be reduced for an uptown site. Based on our review of the plan for the Yorkmont site and a tour of the Farmer's Market built by the State in Asheville, this acreage appears reasonable for proposed development.

The State is not opposed to locating the market uptown, however, the 14 acre site requirement may essentially eliminate the feasibility of finding an appropriate site in that area. Extensive uptown investigations were made, but problems of land assemblage and cost deemed that more suburban locations be studied.

The Regional Market

The regional market proposed in Charlotte would serve an 11 county region, including Mecklenburg. The primary purpose of the market will be to benefit the agricultural industry by providing a hub where produce can be sold. A mutual benefit will be gained by patrons of the market who will undoubtedly be local residents and food service businesses although businesses outside of the Charlotte area will come to buy produce in quantity if the wholesale portion of the market is begun in later years.

Initial funding of the project is by the 1981 Bill appropriating \$250,000 to the project and the matching non-State funded contributions, the source of which is yet to be determined. If a market site is given the State as the non-State funded contribution, funds on hand will be used to construct a parking area and building for retail sales. Administrative offices will be included in initial construction. No further contribution will be needed by the City. Over \$500,000 has been requested in the 83-85 State Bi-annual Budget now being considered by the legislature for further development. Over \$3.5 million has been invested in the Asheville market.

The responsibility for development, operation and maintenance will rest solely on the State. A site manager and maintenance staff will be assigned the facility. Approximately \$43,000 was appropriated for operating expenses in the current fiscal year as part of the Department of Agriculture's operating budget assuming a facility would be constructed and in operation for a portion of the year. The site manager will be in overall charge and will direct staff and enforce regulations to insure that the facility is well kept. Although the facility is expected to operate at a deficit initially, within several years revenues from space rental is expected to exceed costs. Any proceeds would go back into the State's General Fund,

Uptown Market

Due to the limitations on the geographic area the market is to serve and the acreage requirement for development, no sites were identified in the site selection process as being suitable for an uptown regional market.

The City now has legislation which allows it to participate in construction and operation of an uptown or other local market which could be run independently of the State's facility. If the facility is located in the uptown area, the City's market would not be influenced greatly by the regional market since its purpose, market area and scale are likely to be different.

As the regional market becomes fully developed and wholesale operations begin, food service businesses from throughout the area will buy at the site. The individual who desires to purchase produce from the retail portion of the facility, however, will more likely come from the general area of the City where the site is located. The scale of development will be large due to the availability of land on the 14 acre site.

An uptown market differs in that its purpose primarily is to promote interest and activity in the uptown area. Due to the economics of site acquisition, the market will have to be of limited size and may not be as large as the one currently in operation off Baxter Street. The market area will consist of many of the people who utilize the existing market near Baxter Street but if located nearer the central core, could attract walk-in traffic from uptown businesses as well. The majority of parking may occur off-site.

I will be happy to discuss this report with you at your convenience.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1981
RATIFIED BILL

OCT 13 1981
OCT 19 1981
SPECIAL PROJECTS

SPECIAL PROJECTS

CHAPTER 1129
HOUSE BILL 1241

AN ACT APPROPRIATING FUNDS TO THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE TO ESTABLISH A REGIONAL FARMERS MARKET AT CHARLOTTE.

The General Assembly of North Carolina enacts:

Section 1. There is hereby appropriated from the General Fund to the Department of Agriculture the sum of two hundred fifty thousand dollars (\$250,000) for fiscal year 1981-82 for the purpose of obtaining land and constructing thereon facilities to be operated by the Department as a regional farmers market at Charlotte.

Sec. 2. None of the funds appropriated by this act shall be made available unless matched with an equal amount of non-State funds. None of the funds appropriated by this act may be used for operating the facility.

Sec. 3. This act is effective upon ratification.
In the General Assembly read three times and ratified,
this the 10th day of October, 1981.

JAMES C. GREEN

James C. Green
President of the Senate

LISTON B. RAMSEY

Liston B. Ramsey
Speaker of the house of Representatives

August 9, 1982

MEMORANDUM

TO Mayor, City Council,
Wendell White

FROM Dave Berryhill

SUBJECT Farmers' Market

On July 30, 1982, Charles Elks of the N. C. Department of Agriculture and I visited the Dallas, Texas Farmer's Market.

The Dallas Market is a tremendously successful market. It sits on eight acres near Interstate 30 (good access). The City operates the market with a budget of \$840,000. For the past several years, it has operated in the black. The City is presently negotiating for an additional 3.5 acres.

One of the first things Gene Slayton (the Market Manager for 12 years) said to us was that if he could have his way, he would like to have 20-25 acres on the outskirts of Dallas. The reason he stated this was that they have expansion problems and parking problems. He stated that 99% of the customers are drive-in. They have 182 stalls and are now building an additional 48 stalls (see photos). They are proposing a \$2 million bond issue for an additional shed.

The Farmers' Market has existed since 1941. In 1975, the urban planning staff did a study to determine if they should move the market from downtown. The decision was to leave it notwithstanding the parking problems, expansion problems, and the limited space for vendors.

The U. S. Department of Agriculture did a survey in mid 1981 and determined a strong potential for local grower utilization of a farmers' market in Charlotte. Eight-hundred (800) individual growers were identified in an 11 county area. A 44% response showed that 84% of the growers sell their produce retail (at a farmers' market). 41% plan to sell more often on the market, and 50% plan to sell in larger quantities. Eighty-nine (89) percent said lack of available space prevented them from selling in the Charlotte vicinity. A need for 90 retail stalls was identified.

I am totally convinced that we should proceed with the rezoning of the Yorkmont Road site and that it should be the Charlotte Farmers' Market.

Farmers' Market Memo

Page Two

August 9, 1982

I believe that the potential benefits to Charlotte's citizens in terms of jobs, our economy, and the ability to buy fresh produce at a better price far outweigh any disadvantages that are put forth as arguments against the farmers' market.

In talking with Ralph Howey (developer of the property along Yorkmont), Paul Bobo, and hearing the concerns of the Utility Department, I am making a couple of recommendations for your consideration:

- 1) Have a 150' buffer along Yorkmont Road and a 100' buffer on the other three sides.
- 2) Stipulate in our deed that if the State of North Carolina ceases to use the property as a farmers' market, it will revert back to the City of Charlotte.

Some of the reasons I have heard put forth against the Yorkmont site are unfounded in my opinion:

- 1) The land is too valuable.
In reality, the City will never sell the land. It will sit vacant. This is an opportunity to benefit the citizens of Charlotte.
- 2) Yorkmont vs. Downtown.
I think that we all would like to see a Downtown Market. I do believe that a smaller market would be compatible. Charles Elks said so publicly in one of our meetings. I have asked Wendell to look for a smaller site of say 3 to 4 acres for a Downtown Market
- 3) Our Utility Department would like to keep 1,000' around our treatment plant as recommended by the EPA.
This land is across the Billy Graham Parkway. It can not, in my opinion, be used in connection with the plant.
- 4) Concern about the development along the Billy Graham Parkway.
With the access to I-77 and I-85, it seems to me that this would be a perfect site for the Charlotte Farmers' Market.

If any of you have any questions or comments, I would appreciate the opportunity to discuss this with you.

I am asking Wendell to put the rezoning on the agenda for August 16. I am also asking Henry to prepare the necessary resolutions to move forward with the Charlotte Farmers' Market.

cgm

Attachments

CHARLOTTE-MECKLENBURG
PLANNING COMMISSION

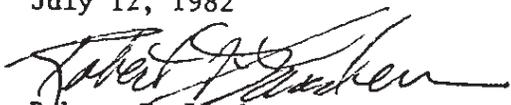
MAIL RECEIVED

JUL 12 1982

INTER-OFFICE COMMUNICATION

CPV

DATE. July 12, 1982

FROM: 
Robert T. Landers,
Assistant Planning Director

TO: Mr. L. P. Bobo,
Assistant City Manager

SUBJECT: Regional Farmers Market - CMPC Recommendation

On May 20, 1982 the Planning Commission voted unanimously to recommend that the rezoning petition for a regional farmers market on Yorkmont Road be denied (Commissioner Trotter abstained as he was not present at the hearing).

The following is a summary of the key factors in that recommendation.

Regional Farmers Market
Not Consistent With
Long Term Future
Land Use Pattern

- The long term future land use pattern for undeveloped property along Yorkmont Road near this site is not single-family residential as presently zoned.
- With the construction of the Billy Graham Parkway and its relationship to the airport, emphasis should be given to the appearance and physical environment of this area.
- Recently zoning approvals have been granted along Yorkmont Road in this area for quality hotel and office park developments.
- A regional wholesale/retail farmers' market at this location would generally tend to depress an otherwise potentially quality environment/market for office/light industrial parks.
- It is further believed that this location will tend to serve a wholesale market. Consumer/retail sales may be somewhat limited due to the location of this site.
- The site is remote from major urban population concentrations it is intended to serve, would require single purpose trips, and is not accessible via transit.

Limited Accessibility
for Consumers

- Comments and presentations made at public hearing on this matter indicated the general trend has been to locate farmers' market in urban areas, particularly downtown locations. A downtown farmers' market would be more desirable than the proposed location of this market.

Key City Property Should
Not Be Sold Piecemeal

- The States appraisal indicates that the 22.27 acre tract is worth approximately \$470,000. This is obviously much greater than the \$250,000 match required from non-State sources. The actual area to be used for the market itself is only 14 acres valued at \$295,400. The remaining land involved in rezoning is to be used as a buffer and was included at Planning Commission staff's suggestion to screen development from adjacent land.
- Finally, the proposed 22 acre tract should not be rezoned and sold in the proposed piecemeal fashion. This site is a portion of a very attractive 260+ acre tract along Yorkmont Road. To determine the best long range zoning and land use pattern for this area the City should prepare a land use concept plan together with a description of any potential intention to sell any land holdings in this area. This will give the citizens of Charlotte the greatest benefit based upon a defined public purpose.

MANDATORY REFERRAL REPORT NO. 82-10
CHARLOTTE-MECKLENBURG PLANNING COMMISSION

Engineering Department -- Real Estate Division
(Farmer's Market)

Project Proposal

The Real Estate Division of Engineering proposes the deeding to the State of a portion of city property (53-acres) for a local match to a \$250,000 grant in lieu of a cash payment. The \$250,000 grant and 53- acres of land would be used to establish a Regional Farmers Market to serve an eleven county area of producers and concentration of consumers in the Charlotte urban area.

Project Location/Description

The property is located on the southerly side of Yorkmont Road, approximately 905 feet west of the intersection of Yorkmont Road and Price Lane. The actual size of the market site will be less than the 53 acres indicated. The acreage will be adjusted to reflect an appraisal which is presently being prepared. The Regional Farmers Market would provide space for individuals to sell agricultural and related products on either the wholesale or retail level (see attached map).

Project Justification

The State has determined through their Department of Agriculture that Charlotte needs to have a Regional Farmers Market. Provision of land in lieu of funds enables the city to support this project with a minimum of actual funds. A state operated market would alleviate the need for a City run regional market.

Project Impacts

A change of zoning classification from R-9 to I-2(CD) Regional Farmers Market would be required in order to establish the market. Use of the property for a regional farmers market would not create any significant land use conflicts with adjoining properties -- vacant public land and I-1(CD). Based on information from the Charlotte Department of Transportation, the market is not expected to disrupt traffic flow on Yorkmont Road. Yorkmont Road will function as a local road when the Parkway is opened. The site provides good regional access for producers within the 11 county area, but is somewhat remote from major urban population concentrations it is intended to serve, would require single purpose trips, and is not accessible via transit.

Recommendation

This report was denied by the Planning Commission on 5/20/82 in conjunction with and for the same reasons the rezoning Petition No 82-32 was denied.

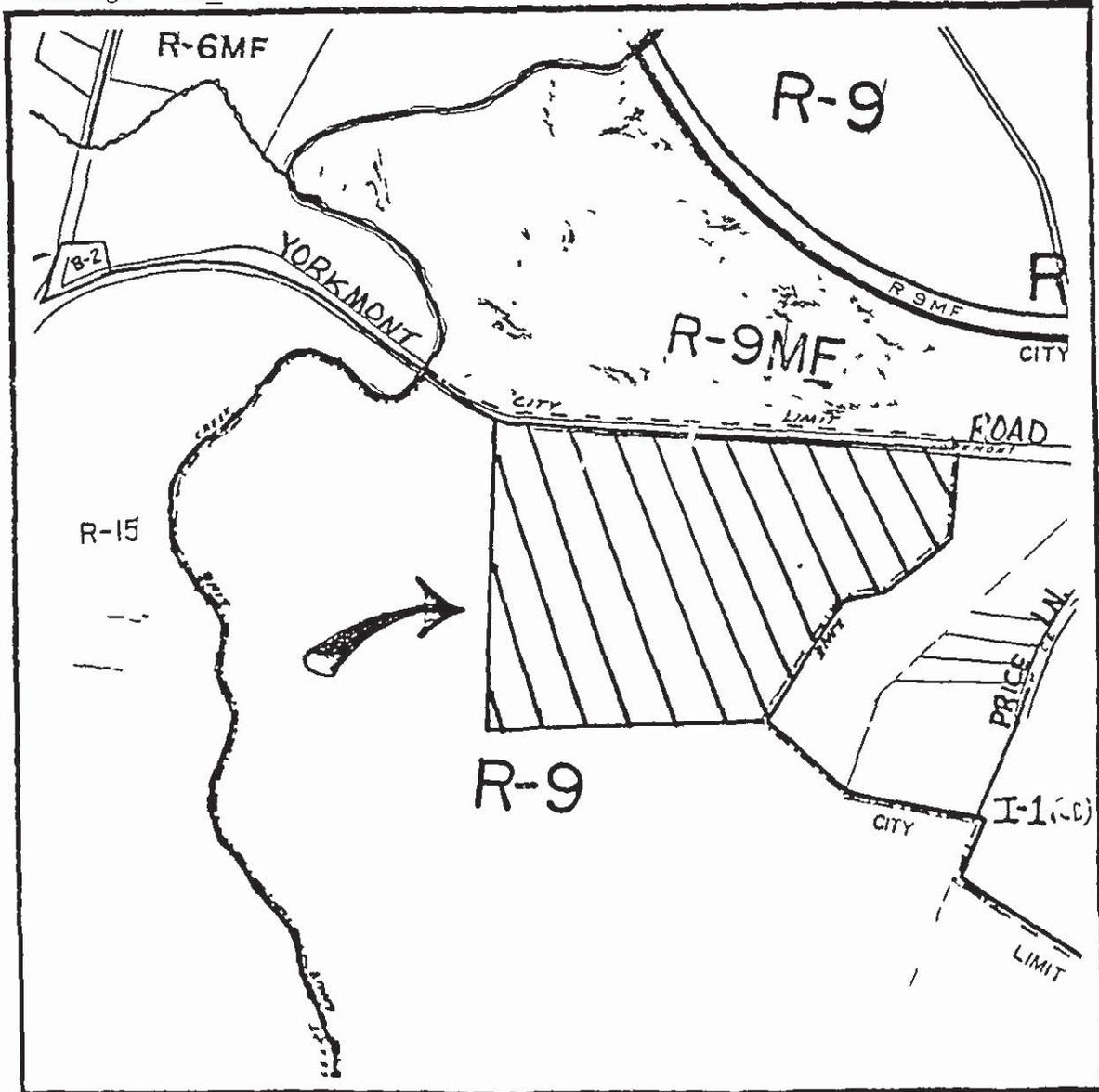
PETITIONER City of Charlotte - Engineering Department

PETITION NO. 82-32 HEARING DATE 5/17

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED I-2(CD)

LOCATION A 53+ acre tract located on the southerly side of Yorkmont Road,
approximately 905 feet west of the intersection of Yorkmont Road and Price
Lane

Acreage 53+



ZONING MAP NO. 36

SCALE 1" = 800'

PROPERTY PROPOSED FOR CHANGE



DATE May 20, 1982

PETITION NO. 82-32

PETITIONER(S) City of Charlotte - Engineering Department

REQUEST Change from R-9 to I-2(CD)

LOCATION A 23+ acre tract located on the southerly side of Yorkmont Road, approximately 905 feet west of the intersection of Yorkmont Road and Price Lane.

ACTION The Planning Commission recommends the petition be disapproved.

VOTE Yeas: Boyce, Culbertson, Cummings, Curry, Ervin, Evans, Jernigan, Lawing, McCoy

Nays: None

REASONS: (Commissioner Trotter abstained from voting as he was not present at the public hearing.)

This petition requests that a tract of land be rezoned to I-2(CD) in order to establish a regional farmers' market.

The following issues associated with this request can be identified:

1. Area Objectives. Would the approval of this request be consistent with existing or anticipated zoning and land use patterns?
2. Character/Appearance of Yorkmont Road/Billy Graham Parkway. What affect would the approval of this request for a farmers' market have on the desired appearance and character of Yorkmont Road and the Billy Graham Parkway?
3. Future Affect. If approved what affect would this change have on future land use and zoning decisions in this area?
4. Development Along Yorkmont Road. What future land use and zoning pattern is appropriate for Yorkmont Road?
5. Proposed Use/Location. Is the location for this proposed farmers' market an appropriate one?

In arriving at answers to the above issues, the following facts should be considered:

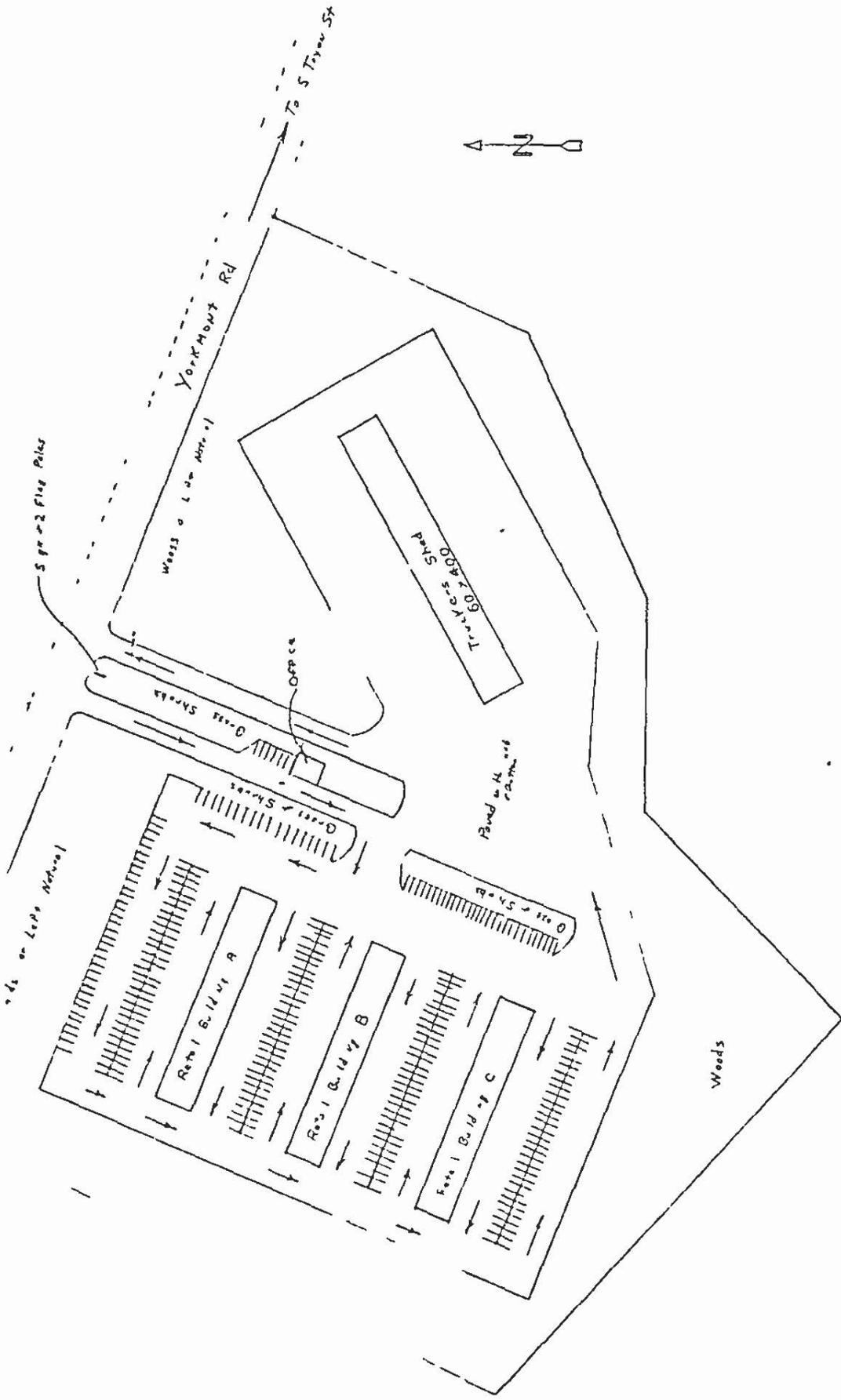
1. Existing Zoning. The site is presently zoned R-9. The R-9 classification surrounds the property on three sides, with R-9MF zoning to the north. The predominate zoning pattern in the area is residentially oriented. The exception to this is land farther to the east which is zoned I-1(CD).
2. Existing Land Use. The petitioned property is undeveloped except for a single family residence. Generally, property in the immediate vicinity is vacant. Much of the land is government owned. Farther north of site is the Irwin Creek Treatment Plant, while to the east along Price Lane are a few single family homes. To the west at the Yorkmont Road/Wilmont Road intersection is the Camp Green Prison facility.
3. Site Plan. The site plan submitted as a part of this petition requests approval to I-2(CD) to accommodate a regional farmers' market. The market would have both retail and wholesale sales. The market would be accessed from Yorkmont Road and will be screened on all sides by a 100 foot buffer. Also on the property will be an office building, which is shown to be a maximum of 6,000 square feet in size.
4. Billy Graham Parkway. The Billy Graham (Airport) Parkway is under construction and scheduled for completion in late 1982. The Parkway adjoins Yorkmont Road and is designed as a limited access roadway. This new road will serve motorists going to and from Charlotte/Douglas International Airport.

The following general findings can be arrived at:

1. Comprehensive Plan 1995. The Plan Map indicates residential development at a density of 0-6 dwelling units per acre in the vicinity of subject property.
2. Capital Improvement Program. This project would construct a 16 inch water main in Yorkmont Road from South Tryon Street to Wilmont Road to make an adequate supply of water available to the Steel Creek Area. At the present time, the project is unfinanced and has a low priority. Project has an estimated cost of \$630,000.

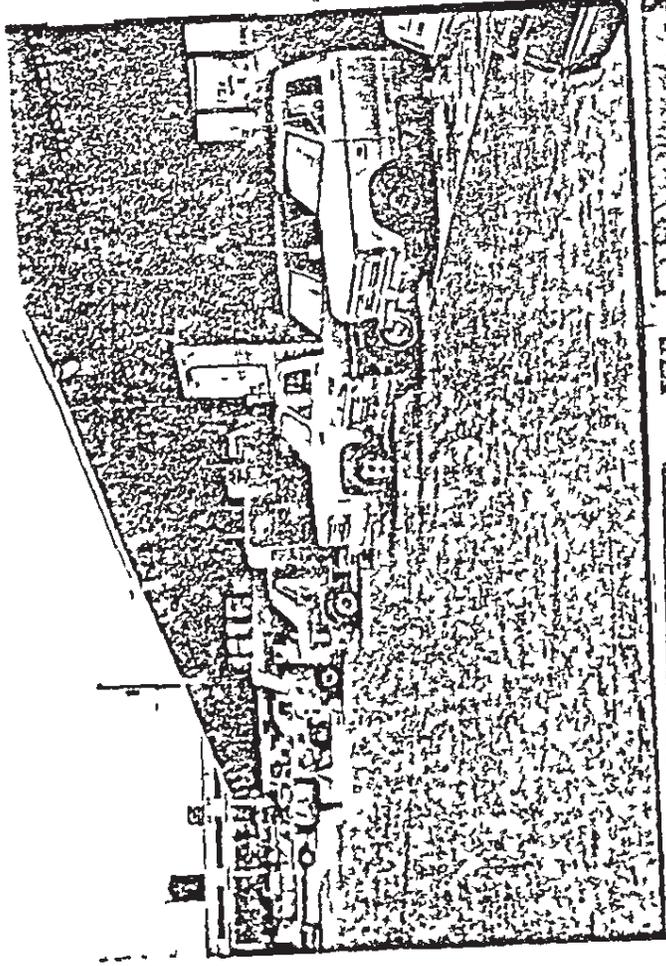
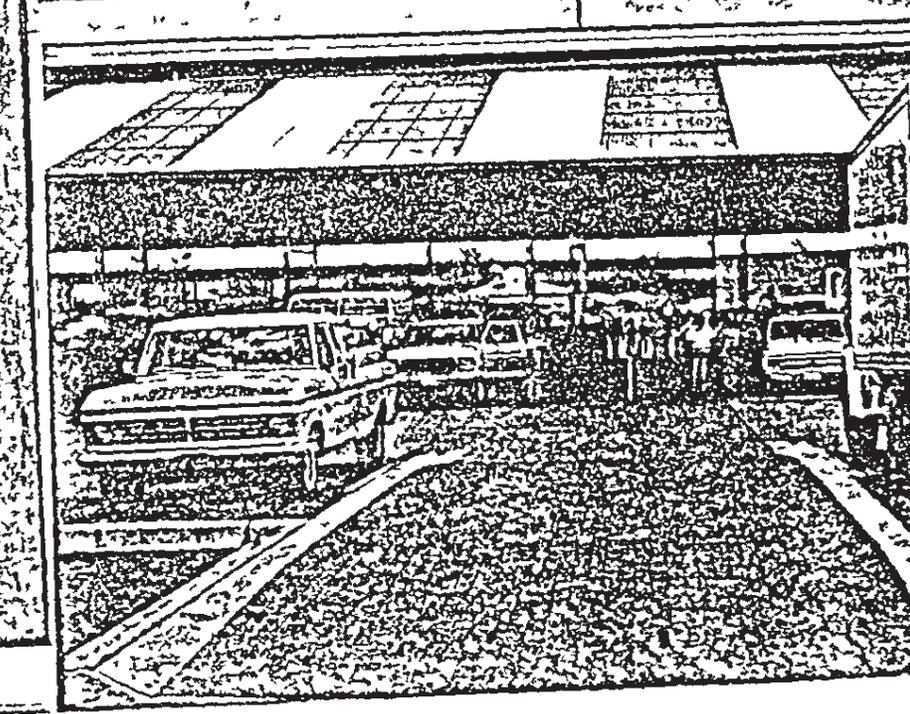
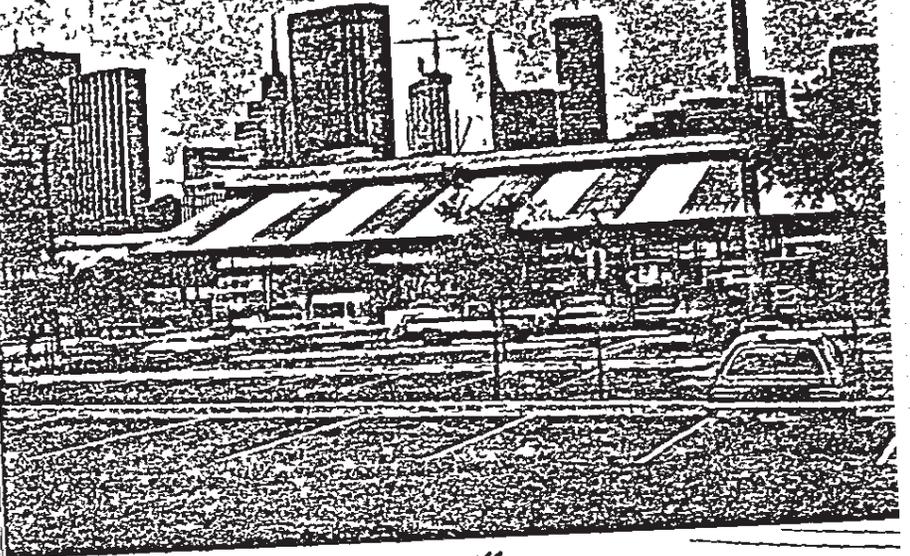
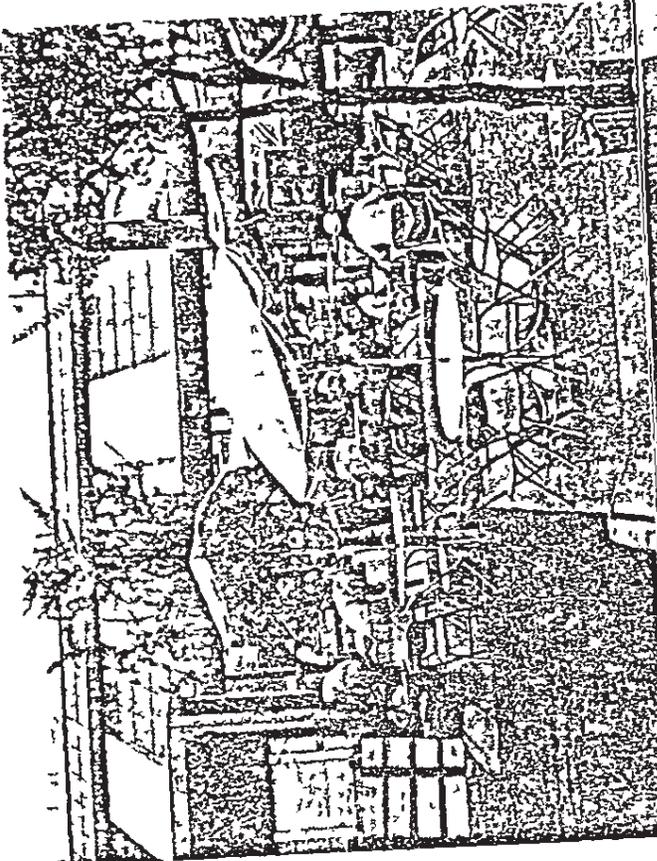
Based on the above issues, facts and general findings, the following detailed findings may also be identified:

1. The subject property is a 23 $\frac{1}{2}$ acre tract and is presently zoned R-9.
2. The subject property is a portion of an overall 260 $\frac{1}{2}$ acre tract owned by the City of Charlotte.



PRELIMINARY SITE PLAN

NORTH CAROLINA DEPARTMENT OF AGRICULTURE		ENGINEER NO SECTION		2948 NO NO	
DIVISION OF MARKETS		P. O. BOX 27647 RALEIGH N C 27611		1285	
CHARLOTTE FARMERS MARKET		CHARLOTTE, N C			
PLAN BY	CBE	SCALE	1" = 100'		
DATE	4 82	SHEET	1	OF 1	



A RESOLUTION OF THE CHARLOTTE CITY COUNCIL AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY ON YORKMONT ROAD TO THE STATE OF NORTH CAROLINA FOR USE BY THE STATE AS A REGIONAL FARMERS' MARKET.

WHEREAS, the 1981 General Assembly appropriated \$250,000 to the State Department of Agriculture for the purpose of obtaining land and constructing thereon facilities to be operated by the Department as a regional farmers' market in Charlotte, and

WHEREAS, this legislation also required a matching equal amount of non-state funds, and

WHEREAS, the State has agreed that a City owned parcel of property, approximately 22.27 acres in size is suitable for a regional farmers' market and has agreed to accept a conveyance of this parcel as in-kind match of non-state funds as called for in the 1981 legislation, and

WHEREAS, the City Council desires to convey this 22.27 acre parcel on Yorkmont Road to the State of North Carolina or one of its agencies for use as a regional farmers' market and for no other purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it does hereby authorize the conveyance of a 22.27 acre tract of land owned by the City of Charlotte to the State of North Carolina or one of its appropriate agencies for use as a regional farmers' market and for no other purpose, it being a condition of this conveyance that if the State should discontinue the use of the land in question as a regional farmers' market that the land shall revert or be reconveyed to the City of Charlotte.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, City Manager and City Attorney are hereby authorized and directed to take those steps necessary to carry out the provisions of this resolution including the execution of necessary documents without the necessity of further-action by the City Council.

Approved as to form.

Henry W. Clendenen Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the ___ day of _____, 1982, and the reference having been made in Minute Book _____, page _____, and recorded in full in Resolutions Book _____, page _____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the ___ day of _____, 1982.

City Clerk

CITY OF CHARLOTTE

CHARLOTTE MECKLENBURG UTILITY DEPARTMENT

INTER-OFFICE COMMUNICATION

DATE February 2, 1982

TO. Mr. Thomas W. Finnie
Assistant City Manager

J.F. Farrell
FROM. J. F. Farrell, Acting Director
Charlotte-Mecklenburg Utility Dept.

SUBJECT: Farmer's Market on Irwin Creek Plant Site

We have investigated your memo of January 21, 1982 requesting the possible use of a portion of the Irwin Creek Wastewater Treatment Plant property for the subject market. We have some serious objections to this project, as listed in the attached memo from our Chief of Operations, Henry Forrest.

If you have any questions, or require clarification, please call either Henry or me at 399-2221.

JFF.ck
Attachment

✓ cc. Mr. L. P. Bobo

CITY OF CHARLOTTE

CHARLOTTE MECKLENBURG UTILITY DEPARTMENT

INTER-OFFICE COMMUNICATION

DATE: February 1, 1982

Henry Forrest

TO: Mr. Jim Farrell
Acting Director of Utilities

FROM: Henry Forrest
Utility Operations Chief-Treatment

SUBJECT: Farmer's Market on the Irwin Creek Plant Site

The request by ACM Tom Finnie to consider the Irwin Creek Plant site for a State operated Farmer's Market has been reviewed, and the idea was not well received by the treatment staff. The proximity to the sludge holding tanks and the sludge drying beds make the site far from ideal for an open air market. The airport parkway has cut the usable land area at the Irwin Creek Plant site as direct access to property south of the parkway has been eliminated.

For your information all the sewage from the Irwin Creek basin west to the Catawba River and north to the Paw Creek-Long Creek basins must flow to the Irwin Creek Plant. Also the sewage plant siting criteria used by the State of North Carolina engineers states that treatment plant facilities must observe a 1,000 foot set back from established facilities. This little known state siting requirement would limit the best usage of the Irwin Creek Plant land area between the existing plant and the airport parkway. Future expansion on that land area will address the ultimate disposal of the sewage sludge from the plant. This will be either a composting operation or direct burial or a combination of both.

The treatment plant staff strongly recommends that no development be allowed on the Irwin Creek Plant property until planning for the ultimate treatment processes are finalized.

/vc

