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The City Council of the City of Charlotte, North Carolina met on Monday, March 17, 1975, at 8:00 o'clock p.m., in the Education Center, Board Meeting Room, with Mayor pro tem James B. Whittington presiding, and Councilmembers Harvey B. Gantt, Kenneth R. Harris, Pat Locke, Milton Short, Neil C. Williams and Joe D. Withrow present.

ABSENT: Mayor John M. Belk.

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 and Commissioners Boyce, Finley, Heard, Jolly, Kratt, Ross, Royal and Turner present.

ABSENT: Commissioner Ervin.

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INVOCATION.

The invocation was given by Councilman Harvey Gantt.

PROCLAMATION PRESENTED TO MEMBERS OF THE NORTH MECKLENBURG CHAPTER AND THE CHARLOTTE CHAPTER OF ORDER OF DEMOLAY DECLARING WEEK OF MARCH 16-23 AS INTERNATIONAL DEMOLAY WEEK.

Mayor pro tem Whittington recognized two chapters of the Order of the DeMolay, North Mecklenburg Chapter with Jimmy Carpenter, Master Counselor, and Charlotte Chapter with Robert McEwen, Master Counselor. He presented them with a proclamation declaring week of March 16-23 as International DeMolay Week.

Each member of the Orders came forward and was recognized by Mayor pro tem Whittington and the Councilmembers.

AWARDS PRESENTED IN RECOGNITION OF THE MAYOR'S COMMITTEE FOR THE HANDICAPPED.

Mayor pro tem Whittington stated there are some very special people in the audience tonight. That for the last three years he has served as Chairman of the Mayor's Committee on the Employment of the Handicapped. Serving as Vice Chairman is Ms. Shannon Andrews.

Ms. Andrews stated several members of the Committee are present tonight. They are Ms. Evelyn Stanton, Ms. Dorothy Fitzjohn, Mr. Joe DuMontier and Mr. Hoyt Galvin.

Mayor pro tem Whittington stated each year the Mayor's Committee on the Employment of the Handicapped receives nominations from the various organizations and people in this community for contributions the people and citizens have made in this endeavor.

Mayor pro tem Whittington then presented the following awards:

1. Dr. H. William Tracy, Outstanding Physician of the Year. Dr. Tracy is recognized for his work with and for the rehabilitation and the acceptance of the handicapped in the business community.

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2. Jack Callahan. Mr. Callahan has been a member of the Committee for years, and the Committee tonight recognizes him as the Handicapped Citizen of the Year for promotion of the recognition of the handicapped as being normal people who can and do succeed.
3. Pelton & Crane Company, Employer of the Year of over 200 employees. Receiving the award for the Company was a member of the Committee, Mr. Joe DuMontier.
4. Lundy Electronics, Employer of the Year, under 200 employees in Charlotte. Receiving the award for the Company was Mr. Dave Daily. They have taken an innovative approach by implementing work samples at Charlotte Rehabilitation Hospital.
5. Kemper Insurance Company, Employer of the Year, under 200 employees. Receiving the award was Ms. Peggy Matheny. This is for working unaccepted handicapped such as alcoholics and drug addicts, plus ex-offenders and people who have difficulty getting jobs.

Mayor pro tem Whittington stated Mrs. Fitzjohn and Mrs. Stanton are responsible for the people receiving the following awards:

- (1) Essay contest. Karen Elizabeth Howell, first place winner.
- (2) Essay contest. Debra Jean Ford, second place winner.
- (3) Graphic Arts Contest. Ellen Talbert, third place state-wide winner. She will be representing Charlotte in the Governor's contest in Raleigh later this year.

Mayor pro tem Whittington stated to the members of the Committee that the Mayor and City Council are grateful for what they do day in and day out for those less fortunate in this community. He stated he would like to thank Mayor Belk and members of the Council for helping this Committee with a lot of the programs they carry on.

RESOLUTION OF CENTRAL CHARLOTTE ASSOCIATION ENDORSING THE CITY BOND ISSUE OF APRIL 8 AND ENCOURAGING ITS MEMBERSHIP TO SUPPORT THE ENTIRE BOND PACKAGE.

Mayor pro tem Whittington stated this morning at 11:00 a.m., the Central Charlotte Association met and passed the following resolution endorsing the bond referendum of April 8:

WHEREAS, the voters of the City of Charlotte will go to the polls on April 8, 1975 to decide on \$59.5 million in public bonds.

AND, WHEREAS, the passage of these bonds is essential to the continued development of Charlotte from economic, transportation, and recreational points of view.

THEREFORE, BE IT RESOLVED, that the Board of Directors of the Central Charlotte Association, having studied the bond package and having received a presentation on the bond issue from the Chairman of the Bond Campaign and having found the various items are of vital necessity, does hereby endorse the City bond issue and encourages its membership to support the entire bond package.

S/ Maloy R. Rash, Jr.
President

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HEARING ON PETITION NO. 75-4 BY BERNICE FOSTER FOR A CHANGE IN ZONING FROM R-6MF TO B-1 OF A 2.00 ACRE TRACT OF LAND LOCATED ON THE WESTERLY SIDE OF BEACHMONT AVENUE ABOUT 500 FEET FROM THE INTERSECTION OF DR. CARVER ROAD AND BEACHMONT AVENUE.

The scheduled public hearing was held on the subject petition.

Mr. Fred Bryant, Assistant Planning Director, stated the subject property is located west of Remount Road; Dr. Carver Road is the primary entrance into the area and intersects West Boulevard and runs northerly in the direction of the Southern Railroad. Beachmont Avenue is the closest street to the property, and is west of the tract of land. The property has on it a single family residence; west of the property is primarily vacant land; there are some single family houses along Beachmont Avenue and then the Kings Park Apartments located along Kings Park Drive. To the south of the property is primarily vacant land; in the direction of Remount Road there is also vacant land; north of the subject tract, along Parker Drive is an area of light industrial use. The closest use of a non-residential nature is a small repair garage located south of Parker Drive and east of the subject tract. The area immediately around the subject property is primarily vacant.

He stated the zoning pattern is predominately residential. The area, including the subject property, as is most of the land surrounding it, is all zoned R-6MF; the only non-residential zoning is the property north of it where there is a sizeable amount of industrial zoning along the railroad. Along the railroad is a pattern of industrial zoning, and from that point on out to West Boulevard the pattern is predominately multi-family.

Councilman Withrow asked how they plan to get out from this property? Mr. Bryant replied the subject property does not actually contact with any presently open street; the only access he can find is via a driveway into Dr. Carver Road down to the property.

No one spoke for or against the petition.

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

Later in the meeting, Councilman Short asked Mr. Bryant if he knows anything about the plans for this property? Mr. Bryant replied the application stated they wanted to utilize the property for some unstated purpose. The owner is an absentee owner living in New York. They actually own more property in that area than they are requesting rezoned. Other than that there is no knowledge of the pending use.

Councilman Short asked if they would be able to get into the property to use it for B-1? Mr. Bryant replied not without laying out additional street patterns. They would not be able to get a building permit for use in there until the property has frontage on a street.

HEARING ON PETITION NO. 75-5 BY REGINA C. WRIGHT FOR A CHANGE IN ZONING FROM R-9 TO O-6 OF PROPERTY LOCATED AT 3731 NORTH SHARON AMITY ROAD.

The public hearing was held on the subject petition.

The assistant Planning Director advised this is a request to change a small parcel on the west side of Sharon Amity Road from R-9 to O-6; the property in question has 50 feet of frontage on Sharon Amity Road and a depth of approximately 250 feet. That it represents about 1/3 of a tract of land which is under a single ownership, with the other 2/3 being located south of the tract and already zoned for office purpose.

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The property is located north of Central Avenue and west of Sharon Amity Road. There is a single family residence on the property; south of that is another single family house; then there is a pattern of commercial property which extends down to Central Avenue. Across Sharon Amity begins a single family pattern of use which extends northerly for some distance; there is a small apartment project east of Sharon Amity Road; then the majority of the large commercial use in the new Eastland Mall which is under construction. To the rear of the property is the beginning of multi-family use.

Mr. Bryant stated the subject property is zoned R-9; adjoining on the south is a pattern of O-6, then begins a pattern of business zoning which extends down to Central Avenue; to the rear of the property is R-9MF zoning. The obvious pattern was to establish business zoning around the intersection of Central Avenue and Sharon Amity Road; then adjoining is the transitional area of office zoning which carries to the subject property, which does bisect property under one ownership. The intent now is to carry the office zoning a little further north, and include all the property that is under one ownership. There is office zoning to the south; and single family zoning to the north, and across Sharon Amity as well.

Mr. William T. Graves, Attorney for the petitioner, and for United Federal Savings & Loan, stated he would like to reiterate that the problem is the property has been considered a single tract for a number of years, and was inadvertently zoned 2/3 as O-6 and 1/3 as R-9. They would like to extend the office zoning to make full use of the property.

Mr. Graves stated United Federal Savings & Loan out of Rocky Mount, N. C. has received permission from the Federal Savings & Loan Administration to construct and operate a savings and loan institution in that location. He stated back in 1929 the property was originally platted in 50 foot lots fronting on the street; in 1953 a Mr. Vinson owned the property and he had it replatted so that three of the lots, including the subject lot, was grouped together in order to have 150 feet fronting on Sharon Amity. When the zoning map was drawn the old map was used, and it split this particular property 2/3 and 1/3. Mr. Bryant stated he is sure the zoning was done without the knowledge that it was a single parcel of land; the old plats did lay out the property in 50 foot lots, and the map being utilized at that time showed a series of 50 foot lots. The line was drawn at this particular tract because it seemed to be a good distance to allow the transition from office to residential.

Mr. Graves stated it would be possible to develop without the additional rezoning; but it would be an ineffective use of the property. There is an eight foot and six foot sideline restriction, and that would be 14 feet on a 100 foot frontage on Sharon Amity. It would be possible but very difficult to use the building which is standard for them to use. There would be a parking problem; that he understands you cannot park in an R-9 zone, or use it in any way.

No opposition was expressed to the proposed change in zoning.

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

HEARING ON PETITION NO. 75-7 BY URBAN REDEVELOPMENT DEPARTMENT OF THE CITY OF CHARLOTTE FOR A CHANGE IN ZONING FROM R-6MF, B-1 AND I-2 TO I-1 AND I-2 OF PROPERTY LOCATED IN THE GREENVILLE URBAN RENEWAL AREA AND BOUNDED BY THE NORTHWEST EXPRESSWAY, INTERSTATE HIGHWAY 77 AND THE SEABOARD RAILROAD.

The scheduled hearing was held on the subject petition.

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COMMENTS ON ARTICLE IN PAPER ABOUT GROUP HOMES BILL, AND COMMUNICATION SENT TO DELEGATION IN RALEIGH.

Councilman Harris stated he has received a number of calls from people thinking Council has taken a position on the group homes bill that Mr. Burkhalter, City Manager, communicated to the Legislature. Perhaps it was not clear to the Press who he was speaking for. Mr. Burkhalter replied it is his understanding that Council backs the League's program and the League's position in that any legislation which proposes to tell cities how to do their business is not in the interest of the City. It has been a routine thing ever since he has been here that the City has automatically opposed it and he assumed everyone understood that. The problem was that this time the routine thing turned out that there was a local Legislator who was the co-sponsor.

The City Attorney stated in the telegram he sent he thought it was made clear that the City Council had not taken any position on this.

COMMENTS ON ARTICLE IN PAPER ABOUT APARTMENT COMPLEX WATER BILL BEING ALLOWED TO AMOUNT TO \$6,000 AND NOT BEING COLLECTED.

Mayor pro tem Whittington stated he does not suppose he has read anything in the papers in the last month or two that he, as an individual councilman, has received anymore criticism than he has of the City allowing the water bill for the Versailles Apartments to amount to \$6,000 and not being collected. He does not know who is responsible for this, but he thinks it should be corrected and a thing of this sort should not happen again.

REQUEST THAT PS & I DEPARTMENT PUBLICIZE USE OF CITY OWNED PROPERTY FOR GARDEN SPOTS.

Mayor pro tem Whittington stated on Sunday there were pictures in the paper of people going to garden shops and feed stores and buying their plants for their gardens. He asked that Mr. Guerrant, Director of Public Service and Information, and others in the City publicize the city grounds again. This is available for those people who want to use it. Perhaps it could go out in the next water billing.

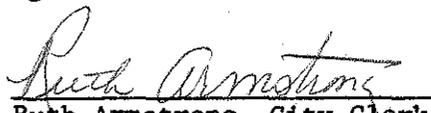
MAYOR PRO TEM TO SUPPORT SOUTHERN RAILROAD IN ITS REQUEST TO DISCONTINUE THE "PIEDMONT" FROM CHARLOTTE TO BIRMINGHAM AT ITS PUBLIC HEARING ON TUESDAY.

Mayor pro tem Whittington stated tomorrow morning at 9:30 a.m. there is a public hearing in the Library where Southern Railroad is asking the ICC to allow them to discontinue their train called the "Piedmont", from Charlotte to Birmingham and by doing this they will be better equipped to have their "Crescent" going north and south, from Charlotte to connect in Charlotte and also get to Washington, and connect up there with the express trains going to New York and into New England.

He stated it is his intention to go there tomorrow and support the Southern Railroad in this request.

ADJOURNMENT.

Upon motion of Councilman Short, seconded by Councilman Withrow, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk