CHARLOTTE

City Council
Follow-Up Report

May 20, 2011

May 2 – City Council Workshop

Safety and Code Issues on Lucky Penny Street and Eddleman Road/Thomasboro Neighborhood
Staff Resources: Walter Abernethy, Code Enforcement, 704-336-4213, wabernethy@charlottenc.gov
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During the workshop, Mr. T.S. Dillon expressed concerns about businesses located at Freedom Drive and I-85 that include The Charlotte Express Inn and adjacent properties. Mr. Dillon indicated that the street in question does not have lights, has a damaged fence, and includes a closed business.

There are (3) three properties involved in this issue: Charlotte Express Inn (1240 Lucky Penny Street), Lucky Penny Business Center (1250 Lucky Penny Street), and Lamplighter Inn (4425 Eddleman Road):

- **1240 Lucky Penny Street (Charlotte Express Inn)**
  Code Enforcement inspected the property via a public agency referral from CMPD on January 25, 2011. An order was issued requiring repairs to the roofing system as well as other property maintenance issues. The owner, Mr. Dillon, has been cooperative in making repairs and is approximately 90% complete with repairs. Code staff made a direct referral to the Neighborhood and Business Services Security Grant program to help support related community safety issues in and around the hotel property. Mr. Dillon has not yet applied for the security grant.

- **1250 Lucky Penny Street (Lucky Penny Business Center)**
  Code Enforcement inspected the property on August 20, 2010 as a result of a public agency referral from CMPD. The building is a vacant/abandoned Internet Sweepstakes business. The property owner has made repairs to the roofing system and interior water leaks. Major exterior property maintenance violations still exist and there has been no substantial progress for weeks. The compliance period expires on May 16, 2011. Overall, the property owner is less than 50% completed with repairs. The property at 1250 Lucky Penny is a repair order; failure to comply will result in civil penalties, and the City would ultimately take the property owner to environmental court.

- **<u>4425 Eddleman Road</u>**
  Code Enforcement inspected this property on February 20, 2011 as a result of a public agency referral from CMPD. The primary issues involve exterior property maintenance violations. The property owner is less than 50% completed with repairs.

Fence
The property owners of the Charlotte Express Inn and the Lamplighter Inn share an adjoining fence. The condition of the fence is a major component of the exterior code violations for each property. There is major disagreement between the two property owners as to who owns the fence and what actions are needed for repairs. Code Enforcement referred both parties to Community Relations Committee (CRC) to try and resolve this issue. To date, CRC, has not received a call from either party but will reach out to them directly to arrange the mediation.

Street Lights
Lucky Penny Street is a state-maintained road approximately 1,000 feet in length. Currently, the roadway has no street lights. The NCDOT does not install street lighting on local streets, and if street lighting is desired, the City will need to arrange for the installation. It appears from CMPD reporting (see the following CMPD submittal regarding street lighting in the Thomasboro neighborhood) that the number and type of calls for service would justify the City installing up to six street lights for safety reasons. If the City proceeds with installation, Duke Energy will provide a lighting plan, and will seek required NCDOT approval, which usually takes 9-12 months.

<u>Community Safety</u>
During the workshop, Ms. Nicole Scott, stated that children's safety is a concern given the lack of lighting on Eddleman Road. Council member Mitchell requested that CMPD's Freedom Division provide a report on safety patrols in that area.

The Police Department's Freedom Division maintains an active presence in the area around the Charlotte Express Inn. The most significant problems at that location have been drugs and prostitution which have been addressed through a variety of police initiatives including knock and talk activities and field interviews.

During the period from January 1, 2010 through May 2, 2011, there were 284 calls for service at the Charlotte Express Inn: 106 of the calls were officer initiated zone checks of the property. Other call categories include disturbances, suspicious vehicles and assaults. In that same time period, there were 31 police reports taken—the largest number were for drug related violations or simple assault. There were 15 arrests for offenses occurring on the property (8 of those arrests were drug related); there were 16 additional arrests of individuals located at the Charlotte Express Inn who had outstanding warrants for offenses committed in other locations.

Crime statistics for a quarter mile radius around the Charlotte Express Inn show 2011 decreases in a number of categories including armed robbery, residential burglary, and larceny from auto.
The Charlotte Express Inn and the adjacent Lamplighter Inn remain a focus area for CMPD. CMPD officers will continue to work with the owner of the Charlotte Express Inn to address crime and

quality of life issues on the property. City staff will ensure that Mr. Dillon and Ms. Scott also receive this information.

May 9 – City Council Business Meeting

Sidewalk Retrofit Policy Update
Staff Resource: Vivian Coleman, Transportation, 704-336-4275, vcoleman@charlottenc.gov

During the dinner briefing, Mayor Pro Tem Cannon voiced his concerns about communications between the City and property owners affected by various sidewalk projects. It is sometimes difficult for property owners/residents to envision what a completed sidewalk project will look like. Staff often uses photos of other installations and of the construction phase. Staff tries to accommodate owner requests whenever practicable, and some of those results are outlined below.

Irma Street NIP Project:
Staff Resource: Carl Jarrett, Transportation, 704-336-4123, cjarrett@charlottenc.gov

- Mrs. Mary Jones, property owner of 1711 and 1713 Irma, Street signed the real estate acquisition per plans illustrating a 6-foot planting strip and a 5-foot sidewalk.
- Staff has continually communicated with Mrs. Jones regarding the sidewalk in front of these two properties within the Lincoln Heights neighborhood. Staff worked with Mrs. Jones and agreed to build a retaining wall (her choice of color), while preserving a section of existing retaining wall that her late husband built.
- Staff will move the section of wall to a location of her choice, since the existing wall will be in the proposed curb. A shrub will be relocated to a neighbor's yard.
- Mrs. Jones observed that planting strips vary along properties on other streets. The Project Manager explained to Mrs. Jones how planting strip widths are determined. Staff reviewed all options to ensure the property owners were satisfied with the proposed sidewalk plans:

    - The carport at the corner of Irma and St. Paul streets has not been disturbed and will not be removed.
    - The Contractor installed pipe along St. Paul Street, which runs along the side of the home where the carport is located. City inspector, Cody Smith, communicated with Mrs. Voncilla E. Fulson, who lives at 1701 Irma Street, and Mrs. Jones this week.

- Typically, there will be small piles of dirt that contractors remove as they dig out for pipe installation. These are placed to the side in the easement in the silt fence area to be utilized as backfill material. This is a normal part of the construction process. The Contractor reported that all areas were cleaned up prior to the Easter holiday. No dirt is present and Mrs. Fulson has full access to her carport. There is currently some stone along the side of the road within the easement. The stone is not hampering vehicles from traveling freely along Irma and St. Paul streets. To staff's knowledge, no residents have expressed concerns regarding stone left within the easement along the roadway. Communication

procedures require that staff provide letters at the homes of every resident prior to the start of construction on that particular street. The resident letters include the name and number of the appropriate City inspector.

Orvis Street Sidewalk Project:

Staff Resource: Leon Howe, Transportation, 704-336-2151, lhowe@charlottenc.gov

- Staff has met three times with the neighborhood to discuss progress of the project: on March 24, 2009, February 7, 2011, and May 2, 2011.
- City staff met with Council member Mitchell on May 13, 2011 to discuss and review the project and determine the next steps. Staff provided an aerial photo, "before" photos, and an "after," photo-shopped image with the proposed sidewalk shown. Council member Mitchell expressed support for the sidewalk and planting strip and will be setting up a meeting with the residents the first week of June, which staff will attend.