

Regular Meeting
City Council
July 10, 1995

The regular meeting was called to order by Mayor Charles B. Black, Jr. at 7:30 P. M. Those present were Councilwoman Phyllis Harris, Mayor Pro-Tem Bob Jessen, Councilmen Michael Helms, R. L. Duke, and Jim Hope, as well as City Manager Phil Ponder, City Attorney Kemp Michael, Public Works Director Eddie Nichols, Zoning Administrator Danny Jackson, and a Police Department representative. Councilman Small was absent due to illness.

The invocation was led by Rev. Robert Arnold.

Councilman Helms **MOVED** to approve the minutes of June 19, 1995 as written; motion seconded by Councilwoman Harris, with all present in favor.

The regular meeting was recessed by Mayor Black and a public hearing called to order for consideration of the rezoning request by Shugart Enterprises with regard to its property on Highway 273, from R-A and R-12 to R-8SF, R-8MF, R-10 and R-12. There is 132.95 acres proposed to be developed into Autumn Woods Subdivision as submitted in the petition. Zoning Administrator Danny Jackson reported that the Planning Commission recommends approval. Mr. Grover Shugart was present to answer any questions. Councilman Jessen inquired about the multi-family section of the subdivision. Mr. Shugart said they intend to have a variety product, and the property with rougher grade will be developed with "cluster" homes or townhouses, which will all be for sale, none will be rental apartment complexes. The density will not be greater because of the topography, and the rough areas will be left natural. His company will be constructing but will also sell lots to other contractors so the homes will not all be the same. Mr. Shugart stated most of the State approvals have been received, and they plan to begin building homes early next year. There will be two price ranges, and perhaps three if there is a market for higher price homes. There were no other comments. The public hearing was adjourned and the regular meeting resumed. Councilman Hope **MOVED** the rezoning request by Shugart Enterprises be approved upon recommendation of the Planning Commission, seconded by Councilman Jessen, with all present in favor. (copy of map attached)

Mayor Black recessed the regular meeting and called a public hearing to order to consider the rezoning request by Maya Lodging, LLC, for a 3.7 acre tract located at 250 Beatty Drive (Highway 273), from R-A to B-3. Zoning Administrator Danny Jackson stated that the Planning Commission has recommended approval. Mayor Black said the company proposed to build a Holiday Inn Express hotel and he believed it would be a nice addition to Mt. Holly. Mr. Baldev Thakor, was present to answer questions. Councilman Hope inquired about the construction. Mr. Thakor said they plan 60 rooms, built as two or three stories (he provided a picture on one in Anderson, S. C.), using block and stucco. Mr. James Beaty,

403 Pearl Beaty Road, was recognized, and said he did not receive a notice in the mail, but only just saw it in the paper. He said the motel would be fine as long as it is a nice one and not like the one on Highway 29-74 in Belmont. He also said there is a natural spring that he does not want them to harm. Mr. Thakor said they are professional hotel managers and have a Holiday Inn in Charlotte, and one of the partners owns a Days Inn. He further stated he is excited about the spring and hopes to put up a gazebo near it and beautify the surrounding area. Mrs. Sharon White, for the veterinarian who owns adjoining property, asked what difference is between Holiday Inn and Holiday Inn Express, and also stated that they are expanding the building and kennels at the vet's office so they wanted to forewarn the hotel so they can plan their building knowing there will be animals outside and inside on the next property. Mr. Thakor said Holiday Inn is a full-service hotel with lounge and restaurant, whereas Holiday Inn Express has only a free breakfast bar but no lounge or restaurant. He appreciated the Whites making him aware of the additions they will be making. Councilman Hope asked if Maya Lodging, LLC, already owns this land; Mr. Thakor said it does. Dr. White arrived at this time representing Catawba Heights Animal Hospital at 407 Pearl Beaty Road and stated he has already cleared the land for the 4600 square foot building and the kennels will be enlarged. He wants to be sure they know there will be dogs barking, and he did not want an incompatible neighbor and get complaints about it later. He encouraged them to be careful about placement of the building and having sound buffers. Dr. White wanted to have input as to their site plan. Mr. Jackson said the two properties would be commercial if this rezoning occurs, so that no buffer would be required by the City between the two properties, only between them and residential zones. Mayor Black said the site plan will be submitted and will be at City Hall for inspection by anyone who wishes to do so, and perhaps the two property owners should talk between themselves, but otherwise the City will only enforce zoning and building regulations in its ordinance. Mrs. White asked if they complained about dogs barking later could the vet hospital be shut down. Mr. Jackson said the only way the City could shut them down is if they were not in compliance with the permitted use for which it is zoned. The City would have no effect on any other enforcement or injunctions pursued by private citizens or other governmental agencies. There were no further comments. The public hearing was adjourned and the regular meeting resumed. Councilman Helms **MOVED** to approve the rezoning request by Maya Lodging, LLC, upon recommendation of the Planning Commission, seconded by Councilman Duke, with all present in favor.

City Manager Ponder said Mr. Pace has not gotten approval of the Lease from his attorney. Councilman Duke **MOVED** to table action until the next regular meeting, seconded by Councilwoman Harris, with all present in favor.

The Council discussed several corrections to the traffic control map, and a proposed amendment to Section 13-2 suggested by the

City Attorney. Councilman Jessen **MOVED** to table this matter, seconded by Councilman Duke, with all present in favor. Councilman Jessen **MOVED** that the City Manager request N. C. DOT to change the speed limit on South Main Street (Hwy. 273) from 45 mph to 35 mph beginning at the end of the four lanes, seconded by Councilwoman Harris, with all present in favor.

Mr. George Cobb, Senior Transportation Planner for the Gaston Urban Area Metropolitan Planning Organization, appeared before Council to discuss transportation concerns in Mount Holly. They are presently doing a street inventory and updating the thoroughfare plan. They make recommendations to the Board of Transportation as to needs priority. Mr. Cobb distributed some printed information to the Council. In recent years, Gaston County has been using a lot of its allotment to widen roads. Their present #1 priority is the 321/74 By-Pass which goes to south Gastonia and then east across the Catawba River to connect eventually with the Charlotte outerbelt. There is a plan for a western Mount Holly-Belmont outer loop, on the list at #6 at an estimated cost of \$27 million, which he said is the ultimate solution to the traffic problem here. The immediate traffic problem in Mt. Holly is on Highway 273 and the four/five lane improvement is on the priority list at #13. Our Board of Transportation member is Ann Gaither, and she takes the allotment and goes down the list to do what she has money for until she runs out; he recommended Mt. Holly invite her for a visit. Mayor Black stated that all the projects Mt. Holly has received have come from the governor's discretionary funds and not through TAC. Mr. Cobb said one thing the Council can do is protect the right-of-ways when new development comes before it; a second is to purchase right-of-ways in advance like Gastonia did recently on Hudson Boulevard. He stated that going through the TIP process is the hard way to do it. Mayor Black was irritated that the P&N Railroad was bought by the State and they planned to put in a commuter train from Gastonia to Charlotte through Mt. Holly, but then they spent it on the railroad line going down to South Carolina because of politics related to the Panthers football. He was also concerned that he was told it will take two years to get a left turn lane put onto Highway 273 at Pinewood School. Mr. Cobb said a lot of time if saved if no federal funds are involved.

Councilman Duke nominated Councilman Mike Helms to be designated as Mt. Holly's official to make recommendations to the N. C. Alcoholic Beverage Control Commission on ABC permit applications. There were no other nominations and the same were closed upon **MOTION** by Councilman Jessen, seconded by Councilman Duke. Mr. Helms was appointed by unanimous vote.

The Council concurred with City Manager Ponder that he continue the contract with Judi Simac for planning consulting services for another six months.

City Manager Ponder received another request from DOT to close or signalize the Lee Street, First Street, and West Central Avenue

railroad crossings. He reminded them that the new bridge construction includes signalization of Lee Street. The City's share for signalization at First Street would be about \$7,500. Mayor Black was not in favor of closing First Street. The Council took no action.

City Manager Ponder requested Item 5 of New Business be delayed, to which Council concurred.

The floor was opened to complaints or petitions not on the agenda. Hazel Michael, 203 Pearl Beaty Road, commended the Police Department for their prompt and efficient work for her when her home was broken into recently.

Gene Ratchford, Triangle Real Estate, requested the Council release ten of the completed apartment buildings for occupancy. He stated the road is being cut and 6 inches of stone will be put on it, but it must dry up before it can be used as a back entrance. He would put a temporary blockade at the half point and all future construction trucks would have to use the rear entrance on Tuckaseege; he anticipated a completion in eight weeks. He said he needs to allow people to occupy as he has 80 units with appliances and has already had things stolen. Mr. Ratchford said the DOT representative in Shelby told him he would try to 3-lane that section out of his maintenance budget. Mayor Black asked Mr. Jackson if there were any other requirements besides the rear entrance not finished; he said there was not. Councilman Hope asked Mr. Ratchford if he would be sure not to allow occupancy on the other buildings until the paving at the back is finished; he agreed to do so. Mr. Jessen said the letter received had said 30 days were needed. Mr. Ratchford stated they hit rock and for the curb, gutter and all pavement to be done properly he needs 60 days. Councilman Hope stated he understood the weather has been a definite factor and sympathizes with cash flow problems in development, and so **MOVED** to release Buildings #1, 2, 3, 4, 10, 11, 12, 13, 14, and 15 for occupancy provided the paving is completed before occupancy, seconded by Councilman Helms, with all present in favor.

City Attorney Michael reported to the Council with regard to the remainder of the streets requested to be closed by Second Baptist Church. Duke Power has now come to an agreement with the church as to the ownership of the title and they are ready for the Council to take action on the delayed portion. The public hearing already held covered both sections. Councilman Hope **MOVED** to adopt Resolution #7-10-95(a) to close portions of Scott and Tuckaseege Streets as written, seconded by Councilman Duke, with all present in favor. (copy attached)

City Manager Ponder delivered an invitation to the Mayor and Council from The Massey Company to attend the Area Council meeting the next Wednesday at Noon which it will host.

City Manager Ponder had received a letter from COG encouraging

applications for community development block grants, as none have been awarded in our whole area this year and only one was awarded last year. Councilmen Hope and Jessen expressed support for the City to apply.

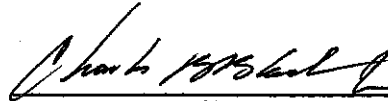
Mayor Black noted that in the bulletin from the League of Municipalities he read that 75% of the revenue from deed transfers goes to Parks and Recreation as a trust fund and is annually appropriated at a rate of 30% matching funds to local authorities; he encouraged pursuit of these funds by Mt. Holly.

City Manager Ponder said he has had a request for the City to donate the old park equipment being removed to W. Creek Recreation Center. The Council concurred with the provision that they be notified in writing that it is not certified as to safety and have it acknowledged by them.

There being no further business before the Council, the meeting was adjourned, upon motion duly made, seconded and carried, at 9:32 P.M.



City Clerk



Mayor
