AGENDA

Meeting Type:	Z
Date:	06/15/98

City of Charlotte, City Clerk's Office

OFFICE COPY

Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

Rod Autrey
Charles Baker
Patrick Cannon
Malachi Greene
Mike Jackson
Nasif Rashad Majeed
Don Reid
Al Rousso
Tim Sellers
Sara Spencer

Council Agenda

MONDAY, JUNE 15, 1998

5:00 pm - COUNCIL-MANAGER DINNER
MEETING CHAMBER CONFERENCE ROOM

- **Airport Noise Overlay District**

6:00 pm - COUNCIL MEETING
MEETING CHAMBER

- **FY99 Operating Budget and FY 99-03 Capital Investment Plan**
- **Zoning Hearings and Decisions**

CITY COUNCIL AGENDA
Monday, June 15, 1998
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1. FY99 Operating Budget and FY99-03 Capital Investment Plan

Action: **Approve 1998-1999 Appropriations and Tax Levy Ordinance, the Capital Investment Plan Resolution for Fiscal Years 1999-03, the FY99 Pay and Benefits Resolution, and other items related to the Annual Ordinance adoption.**

Staff Resource: Listed under each section

Policy: As required by state law, the City of Charlotte adopts an annual appropriations and tax levy ordinance and considers related actions prior to June 30 of each fiscal year.

Explanation: Council is requested to adopt the following actions:

A. Consideration of Mayor and Council Compensation Adjustment (Curt Walton)

B. The FY99 Appropriations and Tax Levy Ordinance (Curt Walton)

C. The FY99-03 Capital Investment Plan Resolution (Curt Walton)

D. Two-Thirds General Obligation Bonds Resolution (Richard Martin)

E. The FY99 Pay and Benefits Plan Resolution (Bill Wilder)

F. The FY99 Lease Purchase Agreement Resolution (Richard Martin)

G. City/County Interlocal Agreement Amendments (Curt Walton)

H. Financial Partners Performance Review (Curt Walton)

Options

1. To bring Councilmembers up to the same total compensation and to provide the same percentage increase for the Mayor, an adjustment of $8,500 would need to be made to the budget.

2. To bring the Mayor and Councilmembers up to the same base salary as Mecklenburg County, an adjustment of $24,100 would need to be made to the budget.

3. To bring the Mayor and Councilmembers up to the same base salary and expenses, an adjustment of $45,000 would need to be made to the budget.

4. Other options as determined by Council.

Funding

As stated in Section B, $465,395 is budgeted in Council's FY99 Contingency. Any adjustment to Mayor and Council compensation would require a transfer of the total adjustment needed from contingency to the Mayor/ Council budget.

Budget Overview:

B. The FY99 Appropriations and Tax Levy Ordinance

- On May 4, 1998, the City Manager presented the recommended FY99 Operating Budget and the FY99-03 Capital Investment Plan to the Mayor and City Council. The Mayor and City Council has held five half-day budget retreats and the required public hearing.

- As tentatively approved on June 9, 1998 by straw vote, the Council endorsed the following budget scenario:

  - A revenue neutral tax rate of 47.2¢, a 5.3¢ decrease from the current year.

I. Arts and Outside Agencies Contracts (Curt Walton)

J. Municipal Service Districts Contracts (Curt Walton)

K. Job Training Contracts (Stanley Watkins)

L. Human Services Contracts (Stanley Watkins)

M. Housing Development Contracts (Stanley Watkins)

N. Other Budgetary Items (Curt Walton)

Action:

A. Consideration of Mayor and Council Compensation Adjustment

On June 9, 1998, Council voted to add this item to the June 15, 1998 agenda.

If Council's interest is in matching the compensation level of Mecklenburg County Commissioners, following is a comparison.

	Base Salary	Expense Allowance	Technology Allowance	Total
City Councilmember	$12,252*	$4,000	$3,100	$19,352
County Commissioner	$14,212*	$5,800	$0	$20,012

	Base Salary	Expense and Car Allowance	Technology Allowance	Total
Mayor	$16,800*	$10,000	$3,100	$29,900
County Commissioner Chair	$17,628*	$6,400	$0	$24,028

* Base Salary reflects adjustments included in the respective recommended budgets

- A 1¢ transfer from the General tax rate to Pay-As-You-Go, as well as a ¼¢ transfer from the Storm Water tax rate to the Debt Service to support the capital program.

- An average increase in Storm Water fees of 6.5% for residential customers and 7.2% for commercial customers. This increase reflects the second-year implementation of phasing out the 1¢ property tax rate dedicated to Storm Water over four years and making Storm Water an enterprise fund.

- A Water and Sewer rate increase of 2.79% for residential customers.

- No increase in transit fares.

Property Tax Rate:

The property tax rate for FY99 is a total of 47.2¢ per $100 of assessed valuation. This meets City Council's revenue neutral tax goal. The FY99 assessed value is estimated at $40.19 billion, with an estimated collection rate of 98%. The distribution of the tax rate is as follows:

General Operations	**37.80¢**
Debt Payments	**6.70¢**
Pay-As-You-Go Capital	**2.25¢**
Storm Water	**0.45¢**
Total	**47.20¢**

Changes to the Recommended Budget:

Council made the following changes to the Manager's recommended budget on June 9, 1998:

1. Reduced funding for the Economic Development Division to $100,000, including one additional position, a net reduction of $342,195.

2. Added funding for two positions in Planning to allow the number of monthly zoning cases to be increased from 10 to 12, a net increase of $46,800.

3. Added funding for the Community Building Task Force, an addition of $45,000. Funding is contingent upon the Task Force raising the private funds outlined in their budget request.

4. Added funding for Crimestoppers, an increase of $100,000.

5. Added funding for the Charlotte Philharmonic Orchestra, an increase of $35,000. Funding is meant as a one-time contribution.

6. Reallocated debt capacity to additional State Roads on the November 1998 ballot, an increase of $26 million, and to additional local roads, an increase of $6 million. The total road bond package for November 1998 is $88.3 million.

7. Directed staff to come back to Council with the most efficient way to provide transit services. The FY99 budget includes $1,655,000 for new and expanded transit service.

8. Reductions exceeded additions by $115,395. This amount is placed in Council's FY99 Contingency, bringing the total to $465,395.

Attachment 1
Ordinance

C. The FY99-03 Capital Investment Plan Resolution

- The resolution approves the five-year capital investment expenditure and financing plan totaling $1.3 billion.

- The property tax rate dedicated to the Municipal Debt Service Fund is recommended at 6.7¢. This is a ¼¢ increase over FY98. The increase is a transfer from the Storm Water Fund as part of the financing of the 1996 bond projects and a phase-out of the property tax support for storm water.

The sale of up to $291,000,000 of refunding bonds will result in estimated interest savings of $5,073,000.

Two-Thirds Bonds:

1. This resolution allows staff to secure authorization to issue up to approximately $20,480,000 of two-thirds General Obligation Bonds to include up to approximately $19,730,000 of Street Bonds for street and sidewalk projects, and up to approximately $750,000 of Cemetery Bonds to finance cemetery projects.

2. Approval of the resolution includes:

   a. Introduction of a bond order for $19,730,000 of Street Bonds.

   b. Introduction of a bond order for $750,000 of Cemetery Bonds.

   c. Designation of staff to file the Sworn Statement of Debt with the City Clerk.

   d. Setting the City Council meeting on June 22, 1998 as the place and time for a public hearing concerning the bond orders.

Refunding Bonds:

3. Approve a resolution to authorize up to $275,000,000 of General Obligation Refunding Bonds and up to $16,000,000 of Airport General Obligation Refunding Bonds, which includes:

   a. Introduction of a bond order up to $275,000,000 of General Obligation Refunding Bonds.

   b. Introduction of a bond order for $16,000,000 of Airport General Obligation Refunding Bonds.

- The property tax rate dedicated to the Pay-As-You-Go Fund is recommended at 2.25¢. This is an increase of 1¢ over FY98. The increase is a transfer from the General Fund to the Pay-As-You-Go Fund to increase the amount of cash available to fund capital projects.

- The Storm Water Capital Project Fund expands to $125.3 million over the next five years, supported by fee increases averaging 6.5% for residential customers, 7.2% for commercial customers, and 10% for City facilities.

- The Public Transit Capital Project Fund schedules $140.6 million over the next five years to support the Five-Year Transportation Plan. The Operating Budget impact of the infrastructure plan totals $3.4 million in FY99.

- The Water and Sewer Capital Program totals $370.1 million over the next five years, requiring an FY99 residential rate increase of 2.79%.

Attachment 2

C. Two-Thirds General Obligation Bonds Resolution and Refunding Bonds Resolution

The City's FY99-03 CIP includes an option to partially fund General Capital projects with two-thirds bonds.

North Carolina General Statutes contain provisions for the issuance of bonds under a "two-thirds" rule. This rule provides for the issuance of general obligation debt, without a referendum, for an amount equal to two-thirds of the amount of general obligation net principal reduction in the previous fiscal year. The total two-thirds capacity available in FY99 is approximately $29,000,000, of which $20,480,000 is being used in the FY99-03 CIP.

c. Designation of staff to file the Sworn Statement of Debt with the City Clerk.

d. Ratification and approval of the filing of an application with the Local Government Commission.

e. Setting the City Council meeting on June 22, 1998 as the place and time for a public hearing concerning the bond orders.

- Under current market conditions (interest rates), a portion of the refunding bonds would produce only marginal savings. The savings on refinancing are very sensitive to market conditions and a minor decline in rates could produce significant savings. Staff requests to be in a position to move quickly if rates move in our favor. In addition, a regular bond sale has been scheduled with the Local Government Commission for July 14, 1998. Combining the refunding bond sale with the regular bond sale will allow the city to realize savings on the sale expenses.

Attachment 3
List of projects to be funded
Resolution

E. The FY99 Employee Pay and Benefits Plan Resolution

The FY99 Pay Report includes the following recommendations:

- In the Broadbanding Pay Plan, a 4.2% total budget increase for each Key Business Unit and includes:

  - 3.7% for merit increases and .5% for career development increases.

- Merit increases will range from 0% to 8% based on market position and performance level, but total increases in each Business Unit will not exceed 4.2%.

- A 3% increase to minimum and maximum rates in the Broadbanding Pay Plan.

- In the Public Safety Pay Plan:

  - No increase for step rates in the Public Safety Pay Plan but full funding is recommended for a 5% step increase for employees not at maximum pay. This is consistent with the original design of the Plan in which adjustments to steps generally will be made only in the first year of the two-year budget cycle.

  - A 4% increase was made to the step rates for FY98.

- Medical insurance premiums for employees/retirees and the City will increase by 7%.

- No change to life insurance or dental insurance premiums, and that the annual dental maximum benefit be increased from $1,000 to $1,500 per calendar year for each covered member.

- The City will comply with the Federal Mental Health Parity Act by changing the maximum benefit structures for mental health and substance abuse services.

Attachment 4

F. The FY99 Lease Purchase Agreement Resolution

- The FY99 Budget includes the purchase of equipment through lease purchase. The City has used this type of financing since 1982 with favorable results. The FY99 contract is recommended up to $8.5 million and includes the following:

Public Safety vehicles	$4.93 million
CMUD vehicles & equipment	.70 million
Other vehicles & equipment	2.58 million

  This action authorizes staff to proceed with the necessary actions to secure the Lease/Purchase Agreement (Installment Purchase Contract).

- Council will be requested to approve actual financing documents at a later meeting.

- Individual bids for this equipment come to Council for approval prior to these funds being spent.

Attachment 5

G. City/County Interlocal Agreement Amendments

- The City Manager and the County Manager recommend amending the Interlocal Agreement in the following way:

  - The City would fully fund the Planning Commission, Animal Control, Emergency Management, Rideshare, and Cable TV Administration.

  - The County would fully fund the Tax Office and Veterans Services.

- These services will still be considered City-County functions with no impact on the level of service now provided. This amendment only pertains to how the services are funded.

- The five services the City will fund and the two services the County will fund each total approximately $2.5 million.

- The County Commission approved this funding amendment on April 2, 1998.

H. Financial Partners Performance Review RFP

- In association with the FY99 Budget Development Process, the City Manager developed a systematic plan for reviewing the performance of selected Financial Partners. This process will review the efficiency and effectiveness of each Partner's organization and management structure, financial management, how each organization supports Council's focus areas and priorities, and the success of each organization in fulfilling its stated mission.

- Partners selected for study in FY99 are:

  1. Carolinas Partnership;
  2. Charlotte Convention and Visitors Bureau; and
  3. Charlotte-Mecklenburg Housing Partnership.

  The evaluations will take place between September 1998 and January 1999 with a final report to City Council in March 1999. $250,000 is included in the budget for these reviews.

- Council is requested to approve the attached RFP, process, and schedule for these reviews.

Attachment 6

Sections I-M contain contracts in excess of $100,000. Scope of services and FY99 program objectives for each of these agencies are attached.

I. Arts and Outside Agencies Contracts:

1. Charlotte Convention & Visitors Bureau (CCVB) $2,373,948

Funding for CCVB is derived from the proceeds of a county-wide occupancy tax. The increase of $210,198 over FY98 is due to increases in the net proceeds of the tax.

The CCVB promotes economic development in the Charlotte-Mecklenburg area by promoting the area as a destination for convention, leisure, and sports-related travel.

Attachment 7

2. Convention Center Marketing $3.4 million

In 1993, City Council approved an agreement between the Convention and Visitors Bureau (CCVB) and the Auditorium/Coliseum/Convention Center Authority to jointly market the Charlotte Convention Center. 70% of the marketing dollars go to CCVB and 30% goes to the Authority. Marketing dollars come from the prepared food and beverage tax and the second 3% of occupancy taxes.

The amount projected to be available during FY99 for marketing the Convention Center is $3.4 million.

On March 17, 1998, the Board Chairs of the CCVB, the Hospitality and Tourism Alliance (HTA), and The Authority presented to Council a process to develop a marketing plan for the Convention Center and the City as a whole. The Board Chairs committed to update City Council in approximately 90 days. A status report to Council is scheduled for the June 22, 1998 Dinner Meeting.

To accommodate any possible changes Council may approve during FY99 on how the Convention Center is marketed, a new clause has been inserted into the contract with CCVB and the Authority stating that the City Council may amend or terminate the contract without cause upon issuance of a 90-day notice.

3. United Family Services
(Victim Assistance) $244,512

Funding for United Family Services increased from FY98 to FY99. The increase of $11,137 represents a 3.7% increase in City support dedicated to staff salaries and a one-time cost for technology upgrade.

The Victim Assistance Program provides counseling, education, and assistance to adult and child victims of crime and to families of homicide victims.

Attachment 8

4. Arts & Science Council (ASC) $2,174,580

Funding for the Arts & Science Council was held flat from FY98 to FY99.

The Arts & Science Council oversees community-wide cultural planning, fundraising, grant-making, technical assistance, facility review, and other responsibilities to advance the cultural life of Charlotte and Mecklenburg County.

Attachment 9

J. Municipal Service Districts Contracts (Charlotte Center City Partners (CCCP))

Municipal Service Districts 1, 2, and 3 were created to promote investment in the central business area. Contracts covering District 1 have been funded since 1978, and contracts covering Districts 2 and 3 have been funded since 1984.

For FY99, the City will contract with Charlotte Center City Partners for all three Municipal Service Districts.

As a result of the recent property revaluation, the tax rates for all three Municipal Service Districts are reduced to meet the City Council's revenue neutral policy.

<u>Municipal Service District 1</u>
FY99 Contract Amount $554,146

The FY99 contract with CCCP for District 1 represents a 3.4% increase over the FY98 contract amount due to an increase in the projected net proceeds of the District 1 tax levy. The tax rate for District 1 are reduced from 2.08¢ per $100 assessed valuation to 1.93¢.

Attachment 10

Municipal Service District 2
FY99 Contract Amount $118,031

The FY99 contract with CCCP for District 2 represents a 6.4% increase over the FY98 contract amount due to an increase in the projected net proceeds of the District 2 tax levy. The tax rate for District 2 is reduced from 1.5¢ per $100 assessed valuation to 1.4¢.

Attachment 10

Municipal Service District 3
FY99 Contract Amount $342,669

The FY99 contract with CCCP for District 3 represents a 7.5% increase over the FY98 contract amount due to an increase in the projected net proceeds of the District 3 tax levy. The tax rate for District 3 is reduced from 3.0¢ per $100 assessed valuation to 2.89¢.

Attachment 10

K. Job Training Contracts

- On March 23, 1998, City Council approved the FY99 Job Training Plan. The Plan identifies strategies to increase the self-sufficiency of individuals through comprehensive job training, job development, and support services.

- Approval of the following contracts will implement the child care support service and dislocated worker portions of the Plan. These contracts are funded annually from Federal JTPA grants, State Worker Trust funds, and local money.

1. Employment Security Commission $346,727

Funding for FY99 represents a decrease of 2.45% or $8,719. The City of Charlotte began funding the Title III Dislocated Worker Program in 1991.

The Dislocated Worker Program assists dislocated workers in re-entering the Charlotte-Mecklenburg labor force.

2. Child Care Resources, Inc. $131,044

Funding for FY99 represents a 51.92% decrease, or $141,520 less than FY98.

Child Care Resources assists participants of the Employment and Training Program with obtaining subsidized day care for their children at private, public, or non-profit day care facilities.

Attachment 11

L. Human Services Contracts

- The FY99 Consolidated Action Plan approved by Council on April 27, 1998 identifies priorities for Federal housing and community development resources including the Community Development Block Grant (CDBG). Human services contracts for Gethsemane Enrichment Program and Bethlehem Center, Inc. are part of the projected FY99 CDBG activities. The following contracts provide for educational enrichment activities for

elementary, middle school, and high school students of families with low income who reside in City Within A City (CWAC) boundaries. Charlotte-Mecklenburg Schools provides training for the City-funded after school program staff(s) under their contract. The contracts are awarded and funded annually under the human services component of the CDBG program. FY99 funding represents a 4% increase for all after school enrichment programs.

1.	Gethsemane Enrichment Program	$460,174
2.	Bethlehem Center	$165,178
3.	Charlotte-Mecklenburg Schools	$156,000

Attachment 12

M. Housing Development Contracts

- The Consolidated Plan approved by Council April 27, 1998 establishes strategies to provide housing and supportive services for low- and moderate-income people as part of an overall community revitalization strategy.

1. The Charlotte-Mecklenburg Housing Partnership (CMHP) Affordable Housing contract is $2 million for FY99. The contract contains no increase in funding and permits no carryover of FY98 funds.

2. The Regional HIV/AIDS Consortium will award restricted-use grant contracts to Charlotte to serve the seven-county Metropolitan Statistical Area (MSA). The Consortium will distribute funds available through the Housing Opportunities for Persons with AIDS Program (HOPWA).

This contract represents new federal grant (HUD) monies for developing access to community residences, developing more affordable housing through rental assistance programs, and coordinating other supportive services for residents with HIV/AIDS. The contract amount for FY99 is $361,000.

3. Crisis Assistance Ministry assists low-income families who reside in the City Within A City (CWAC) area with restoring water and utility services or preventing service interruption during the winter. Crisis Assistance Ministry also provides emergency rental assistance for low-income, CWAC families facing eviction for non-payment of rent.

1.	Crisis Assistance Ministry Energy Assistance	$100,289
2.	Crisis Assistance Ministry Emergency Assistance	$104,000

Attachment 13

N. Other Budgetary Items

- The FY99 Ordinance contains the second of two $1.1 million payments from the Coliseum Authority's net proceeds to the Municipal Debt Service Fund. The initial payment was made during FY98.

- The City's new SafeLight Program is established in this FY99 Budget as a Special Revenue Fund for the purpose of funding and tracking future transportation-related safety initiatives.

- The following year-end adjustments to the current budget are also recommended:

- $80,000 from the NC Department of Environmental and Natural Resources is appropriated to offset the City's expenses for this year's Cankerworm Program.

- $118,797 from other Federal and State grants in excess of original estimates are appropriated.

- Technical accounting changes to clarify or correct FY98 Budgetary ordinances.

ZONING AGENDA

ITEM NO.

PUBLIC HEARINGS

2. A. Hearing to consider designation of the property known as the "Thomas Alexander House" (the land listed under Tax Parcel Number 183-022-24 in the Mecklenburg County Tax Office and including the entire exterior of the main house, located within the boundaries of such Tax Parcel) located at 2051 Sharon Lane in Charlotte, North Carolina as a historic landmark.

   B. Adopt an ordinance designating the Thomas Alexander House as a Historic Landmark.

   Attachment No. 14

3. (98-19) Hearing on Petition No. 98-19 by T.J. Orr-Charlotte/Douglas International Airport for a change in zoning for approximately 0.48 acres located on the southeast corner of Freedom Drive and Edgewood Road from R-4 to B-1(CD).

   This petition was deferred for 30 days on April 20, 1998 and May 18, 1998

   Attachment No. 15

4. (98-42) Hearing on Petition No. 98-42 by 2112 East 7th Street, LLC for a change in zoning for approximately 0.4 acres located on the south side of East 7th Street between Clarice Avenue and Ridgeway Avenue from R-22MF to NS.

   This petition was deferred for 30 days on May 18, 1998.

   Protest petitions have been filed.

   Attachment No. 16

ITEM NO.

5. (98-52) Hearing on Petition No. 98-52 by Bill Stroud for a change in zoning for approximately 3.8 acres located on the southeast corner of North Sharon Amity Road and Verndale Road from R-3 to R-5(CD).

   A protest petition has been filed.

   Attachment No. 17

6. (98-53) Hearing on Petition No. 98-53 by Frank M. Burgess, Jr. for a change in zoning for approximately 1.2 acres located on the southeast corner of Park South Drive and Pine Valley Road from R-3 to R-8MF(CD).

   Attachment No. 18

7. (98-54) Hearing on Petition No. 98-54 to consider a text amendment to the City of Charlotte Zoning Ordinance to create the Airport Noise Disclosure Overlay District.

   Attachment No. 19

8. (98-55) Hearing on Petition No. 98-55 SUB to consider a text amendment to the City of Charlotte Subdivision Ordinance to implement the notification requirements of the Airport Noise Disclosure Overlay District.

   Attachment No. 20

9. (98-56) Hearing on Petition No. 98-56 by T.J. Orr, Aviation Director for a change in zoning for approximately 7,925 acres surrounding Charlotte/Douglas Airport to establish the boundaries of the Airport Noise Disclosure Overlay District.

   A protest petition has been filed.

   Attachment No. 21

10. (98-57) Hearing on Petition No. 98-57 by Waterville Equities I, LLC for a change in zoning for approximately 1.8 acres located on the northwest corner of Ballantyne Commons Parkway and Elm Lane West from O-1(CD) to B-1(CD).

    A protest petition has been filed and is not sufficient to invoke the 3/4 rule.

    Attachment No. 22

ITEM NO.

11. (98-58) Hearing on Petition No. By 98-58 by Grubb & Ellis Bissell and Wachovia Bank, N.A. for a change in zoning for approximately 5.18 acres located on the southeast corner of Sharon Road and Coltsgate Road from R-3 to O-1(CD).

    Attachment No. 23

12. (98-59) Hearing on Petition No. 98-59 by R. Malloy McKeithen for a change in zoning for approximately 4.51 acres located on the north side of Smith Street between West Seventh Street and West Ninth Street from UR-2 to UR-C(CD).

    Attachment No. 24

13. (98-60) Hearing on Petition No. 98-60 by The Everett Company LLC for a change in zoning for approximately 3.0 acres located on the southeast corner of Woodlawn Road and Fairbluff Place from R-4 to R-12MF(CD).

    Attachment No. 25

14. (98-61) Hearing on Petition No. 98-61 by Motel 6 Operating L.P. for a change in zoning for approximately 5.9 acres located on the northwest corner of Sloan Drive and Interstate 85 South service road from B-1(CD) to B-2(CD).

    Attachment No. 26

15. (98-74) Hearing on Petition No. 98-74 by The FWA Group, Harry D. Sherrill, Jr. for a change in zoning for approximately 0.77 acres located on the southwest corner of West Stonewall Street, Church Street and Poplar Street from UMUD to UMUD-O.

    Attachment No. 27

DECISIONS

16. (98-03) Decision on Petition No. 98-03 by LandCraft Properties Inc., for a change in zoning for approximately 41.5 acres located on the west side of Rocky River Road, south of North Tryon Street (US 29) from R-3 and B-2(CD) to R-8MF(CD).

ITEM NO.

This petition was deferred for 60 days on February 16, 1998 and 30 days on April 20, 1998.

A protest petition has been filed and is sufficient to invoke the 3/4 rule.

The Zoning Committee voted to recommend an additional one month deferral.

Attachment No. 28

17. (98-09) Decision on Petition No. 98-09 by LandCraft Properties, Inc. for a change in zoning for approximately 16.51 acres located on the wast side of Mallard Creek Road between Garrison Drive and Mallard Park Drive from R-3 to R-8(CD).

A valid protest petition was filed but it has been withdrawn.

This petition was deferred 30 day on May 18, 1998.

A motion to defer resulted in a 3-3 tie vote. This constitutes no action on the part of the Zoning Committee and this petition will be deferred to their June work session.

Attachment No. 29

18. (98-25) Decision on Petition No. 98-25 by Nasir Ahamad for a change in zoning for approximately 2.05 acres located on the south side of US Highway 29, west of the proposed I-485, and near Wheelingtown Mobile Home Park from R-MH to B-2.

This petition was deferred for 30 days on April 20. 1998 and May 18, 1998.

The Zoning Committee voted to recommend deferral of this petition until their June 22, 1998 work session.

Attachment No. 30

19. (98-32) Decision on Petition No. 98-32 by Hunter Sr. Trust, G.P. Hunter Jr. Family Trust and Patrick and Beatriz Staub for a change in zoning for approximately 0.744 acres located on the south side of South Tryon Street between Bland Street and Winona Street from I-2 to NS.

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 31

ITEM NO.

20. (98-33) Decision on Petition No. 98-33 by City Attorney for a text amendment to address the filing and withdrawal of protest petitions.

This petition was deferred for 30 days on May 18, 1998.

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 32

21. (98-40) Decision on Petition No. 98-40 by Sam's Mart for a change in zoning for approximately 6.3 acres located on the north side of University City Boulevard (Hwy 49) west of Pavilion Boulevard and adjacent to the Back Creek Shopping Center from R-4 to B-2(CD).

This hearing was deferred for 30 days on April 20, 1998.

The Zoning Committee voted to recommend deferral of this petition for one month.

Attachment No. 33

22. (98-43) Decision on Petition No. 98-43 by Steele Creek Church for a change in zoning for approximately 10.4 acres located on the south side of West Arrowood Road across from the intersection with Bramblewood Drive from R-4, O-2(CD) and I-1 to Institutional (CD).

The Zoning Committee voted to recommend approval of this petition, with the following modification:

- The petitioner agrees to dedicate greenway as requested by Mecklenburg County Parks & Recreation Department.

Attachment No. 34

23. (98-44) Decision on Petition No. 98-44 by Jimmy John Katsoudas for a change in zoning for approximately 2.1 acres located on the north side of Albemarle Road (NC 27) approximately 600' west of the intersection with W.T. Harris Boulevard from B-2 to B-D(CD).

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 35

ITEM NO.

24. (98-45) Decision on Petition No. 98-45 by William Trotter Development Company for a change in zoning for approximately 14.4 acres located on the west side of Weddington Road just south of Interstate 485 from O-15(CD) to O-1(CD).

A motion to defer resulted in a 3-3 tie vote. This constitutes no action on the part of the Zoning Committee and this petition will be deferred to their June work session.

Attachment No. 36

25. (98-46) Decision on Petition No. 98-46 by Carroll B. Little for a change in zoning for approximately 4.1 acres located on the northeast corner of David Cox Road and Davis Lake Parkway from R-9(PUD) to R-8MF.

A protest petition has been filed and is sufficient to invoke the 3/4 rule.

The Zoning Committee voted to recommend a one month deferral of this petition.

Attachment No. 37

26. (98-47) Decision on Petition No. 98-47 by Willie L. Bratcher for a change in zoning for approximately 0.17 acres located on the west side of Beatties Ford Road north of Tate Street from O-2 to B-1(CD).

The Zoning Committee voted to recommend approval of this petition.

Attachment No. 38

27. (98-49) Decision on Petition No. 98-49 by The Everett Company for a change in zoning for approximately 1.81 acres located on the east side of Sardis Road, approximately 400 feet south of Rama Road from R-3 to R-8 MF(CD).

A protest petition has been filed and is sufficient to invoke the 3/4 rule.

The Zoning Committee recommended approval of this petition, with the following modifications:

- The petitioner will dedicate additional right-of-way as requested.
- Stormwater detention through the 100-year flood will be provided.
- The sidewalk along Sardis Road will be moved to the back of the right-of-way.

Attachment No. 39

ITEM NO.

28. (98-50) Decision on Petition No. 98-50 by Lakeshore II, LLC for a change in zoning for approximately 6 acres located on the west side of Mallard Creek Church Road south of Mary Alexander Road from Institutional to R-17MF(CD).

The Zoning Committee voted to recommend approval of this petition, with the following modifications:

- Building elevations accompanying this petition will be made part of this site plan.

Attachment No. 40

29. (98-51) Decision on Petition No. 98-51 by Exxon Company USA for a change in zoning for approximately 2.0 acres located on the north side of University City Boulevard (NC 49) between Pavilion Boulevard and Interstate 485 from O-1(CD) to B-1(CD).

A motion to defer resulted in a 3-3 tie vote. This constitutes no action on the part of the Zoning Committee and this petition will be deferred to their June work session.

Attachment No. 41

30. (98-62) Decision on Petition No. 98-62 by Lincoln Property Company for a change in zoning for approximately 0.75 acres located on the south side of East Morehead Street between College Street and South Boulevard from I-2 to UMUD(CD).

The Zoning Committee recommend approval of this petition.

Attachment No. 42

31. Resolution calling for public hearings on Monday, July 20, 1998 at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petition Nos. 98-15, 98-36, 98-64, 98-66 through 98-69, 98-71 through 98-73, 98-75 and 98-76.