AGENDA

Meeting Type:	B
Date:	10-25-1993

City of Charlotte, City Clerk's Office

Dinner Briefing Oct. 25, 1993

Mayor Viant 5:48
Campbell
Clark Felter ✓
Hammond ✓
McCray 6:00
Majeed ✓
Mangum 5:43
Martin ✓
Patterson
Reid ✓
Scarborough ✓
Wheeler ✓

5:35
Wardell White - Be get food
Ann Hammond - Call to order 5:37
Kid With A Gun - Call 911

Don Steger
(Tom Mangum arrived 5:43)
Hammond
White
Hammond
Schematic Design for Police Headquarters
White

(Mazur arrived 5:48)
Asst. Chief Jack Boger
Martin
Boger
Martin
Boger
Glenn Ware ? Meyer — middleton
(McCrory arrived 6:00) stratified? McMillan
McCrory
Ware
McCrory
Ware
McCrory
Ware
McCrory
Mazur
Majeed
White
McCrory
Boger
Majeed (cough cough cough)
White
Boger
Scarborough
White

Bob Greeley
Scarborough
Mangum
Mayor
Martin
Reid
White

Mayor
Moved
White
Mayor
White

Mayor

MWBE Disparity Study

Borysdorf D. J. Miller & assoc.
David Miller - slide show
Midge Street (Page 1 Side 2)
~~Gary~~ Blackwell
Mayor
Pam Syfert
Dr. El Davis
Miller
Syfert
Mayor

By consensus agree to
Workshop Nov. 15 to continue.

Adjourn 6:30
this part

COUNCIL MEETING 10/25/93

Mayor ✓
Campbell ✓
Clodfelter ✓
Hammond ✓
McCrory ✓
Majeed ✓
Mangum ✓
Martin ✓
Patterson ✓
Reid ✓
Scarborough ✓
Wheeler ✓

6:40 p.m.

Mayor
Hoyle Martin - Invocation
Vinroot
Captain Mitchell Barnes - Suburban Div.
Vinroot
Officers Barnes
Henry Joyce - Char.-Meck. Park Ranger Div.
Vinroot
Delcie Holstein

Vinroot
Paul Whitfield
Eula Kay Jackson
Vinroot
Vickie Ray
LoyAnn Laseskie (Steve Dillon)
Hammond
Majeed
White
Martin -
Mangum - Comes up quite often - papers lost
Reid - Do ahead & do it.
Majeed
Vinroot
White -
Gerald Collins
Barbara Nicholson

Vinroot 7:15

93-53 - Scarborough - Iwas No VOTE - wants to bring back tonight or on a future agenda

County has endorsed

Vinroot - Endorse the Resolution for Econ. Dev. Financing - Add to tonight's agenda

White / Sc

No - Reid - Cannot add

Vinroot
Reid

#1 - 38A, 39C, 42, 45AB+F
39, B, C + D -

Man / White app. Rest
Unan.

#38

Jim Beach -
Vinroot
White
Patterson - Should we defer
White - You can defer
Patterson
White
Vinroot
White
Wayman

Man / Patt defer to 11/8
unan.

39 B, ~~C~~ & D
Man / Reid App B & D
unan.

Vinroot $29,800 salary
39C Reid - Do they get Food Stamps, AFDC
Borgedorf - do not know
Reid -
Borgedorf
Reid
Patterson
Reid - ~~Oh~~ How far do we help somebody?
Patterson
Reid
Patterson
Reid
~~Oh~~ Vinroot
Man / Scar app - No - Reid

#42
Reid - 2/3 of it parking facility
Bob Pressley, CDOT
McCrory

Pressley
McCrory
Pressley
McCrory
Pressley
Mangum
McCrory
Mangum / Hammond
#45F- Settled remove from agenda - Unan.
#45 A+B -
William Harry Justice
Whitley
Vinroot
Mangum / Wheeler defer A+B
Vinroot
Unan. to add that item
Scarborough - No need - she will talk to John later.
#2 Vinroot
Hammond
Vinroot
Bill James
Vinroot
Alice Oliver
Jane Burts
Stan Vaughan
Vinroot

Majeed
Campbell

Tape 2

Patterson
Reid - Success or failure lies with oversight committee
Hammond - tell us about Phoenix
Borgdorf - Internal audit
Hammond
Borgedorf
Hammond
McCrory
Martin
Wheeler
Clodfelter
Clod / Martin - App recession and concept of by Public Service Comm; oversight comm. with a mission defined for oversight committee - bring back definition of oversight comm. 's mission on 11/8

Mangum
Scarborough - Council will appoint

Hammond
Clodfelter
Hammond
Clodfelter
Hammond
Martin
Vinroot
Mangum
Pott
Vin
Scarborough
Vinroot

VOTE - Unan.

Wheeler - Cost per month on - garbage, recycling & yard waste
Campbell

~~#3 Vinroot~~
White - These answers
Wheeler - Per month cost
White
Syfert -
Wheeler
Patterson
Wheeler
Patterson

White
Wheeler
White
Vinroot - Recognize Susan Morrison

3 Vinroot

Sc / Han App.
Mangum - Cannot support -
Vinroot
VOTE - No - Mangum

#4 Vinroot
Clod / Sc
app technical wording app but
Comm. Booth changes made by
Unan.

#5 Sc / Hans
Unan.

#6 Vinroot
Mangum
Mangum / Sc App IV for Zoning
Clodfelter
Majeed

McCrory
Patterson
Reid
McCrory

VOTE -
Unan.

#7 8c

1 Van
Unan.

#8 Vinroot
Scarborough
Jamie Stallings - Vote against Bonds
Ray Warren - Vote against Bonds
Scarborough
Warren
Scarborough
Joel Carter - Vote against bonds
Morgan
Martin
McCrory
Vinroot
Martin

McCrory
Vinroot
Hammond
Patterson
Hammond
Vinroot.
Scarborough / Reid - Don't approve a resolution at all
~~Hol~~ -
Majeed.
VOTE -
YES - Sc , Reid, Martin,
Majeed.

Ham / Whi — Delete State Bonds from agenda unan.
VOTE -
Delet. McC / Scar
Keep on - Patterson, Scarborough, McCrory

Morgan
Patt / Whi — App. County Bonds Unan
Schools

No - Scarborough, Reid, Martin, Morgan

Patt / Ham — App Rec. Mod Bnds

No Scarborough, Reid, Martin, Coldfelter

Patt / ~~Ham~~ Sc — App. Rec. for City Bnds unan.

McCrory -
Vinroot
#9 - White
Vin

Clodfelter
Ham / Clodfelter
VOTE - ~~Unan.~~ No - Majeed
Scar - Bldg. without parking is a mistake

#10
Sc / Patt App.
Vinroot
Vi Alexander 8:57 p.m.
Scarborough
Martin
Alexander
Vin
VOTE Unan.
Majeed
#11 Sc / McC
App. Unan.
Recess 9:00 p.m.
Reconvene 9:08

Vinroot - Zoning Dec.
#12- 93-55 - Area A-1
Vinroot
Clodfelter
Vinroot
Majed
Fields
Patterson
Hammond
VOTE - FAILED 8-4
No - Campbell, Reid, McCrory, Wheeler

#13 93-56 - D
See notes on spring list for zoning Decisions
Morgan
Clodfelter
Martin / Martin R-4

Subst. Can
YES - Reid R-8 MF
Mann.

Vinroot
Man / Mc

Add Econ. Dev Financing
to agenda
Unan.

Vinroot
Hammond / Wheeler
App. Resolution for Const.
Amendment

Reid
Subst. not to endorse Reid /
No second
Vinroot read resolution
Reid
Vinroot
VOTE - No Reid

Mangum - Put on a future agenda
discussion extending terms of council
and stagger terms in 1997
Vinroot
Reid
Vinroot
Mangum - Content
Underhill

Morgan
Vinroot

Martin / Scarborough
California
Union.
10:00 p.m.

CITIZENS HEARING

✓#9 - MISS BARBARA NICHOLSON

✓#10 ELLA JACKSON

BUSINESS

#8 ✓JAMIE STALLINGS - BONDS

✓RAY WARREN

✓JOEL R. CARTER

MAYOR'S SCHEDULE
October 25, 1993

6:30 p.m CITIZEN'S HEARING

1. Invocation by Rev. Eddie Grigg, Wilson Grove Baptist Church.

2. Recognize Officer Frances Taylor, Charlotte-Mecklenburg Police Department for Proclamation for Halloween Safety Day.

3. Recognize Susan Morrison, 8929 J. M. Keynes Drive, 377-4441 - Certificate of Merit for Heroism.

4. Delcie Holstein, 4426 Wildwood Avenue, 336-2309 Hospital bill for injuries received on City Bus

5. Paul Whitfield, 1500 East Fourth Street, 372-8322 - Prosecution of public nuisance for Police Department.

6. Eula Kay, 345 Wellingford Street, 598-6839 or 333-8553 - Sentencing in Officer Griffin's Case.

7. Vickie Ray, 11804 Harris Ridge Drive, 525-8810 - Street lights for Harris Point Development.

8. Gerald Collins, 1000 Lakehill, 392-9217 Storm drain fees, property taxes, police protection

(OVER)

7:00 p.m. CITY COUNCIL MEETING

1. The following requests to speak to Agenda Items have been received:

#38A - JIM BEACH, 4003 SOFLEY RD.

A. Agenda Item No. 45-A & B - Condemnation of Property at 5353 Buena Vista Avenue from William H. and Francis W. Justice.

1. Harry Justice, 119 Shadow Lane - 336-6380

B. ~~Agenda Item No. 45-F - Condemnation of property at 3060 Reid Avenue from William Earle Dye.~~

Settled - Remove from agenda.

1. William Dye, 3060 Reid Avenue - 372-0667

C. Agenda Item No. 2 - Privatization and Competition Recomendations.

1. Marvin Wilson, 4419 Monroe Road - 333-9515

2. Bill James, 10401 Oak Pond Circle - 347-5518

3. Alice Oliver, 7326 Glen Brooke Lane - 597-0481

4. Jane Burts, 2143 Sherwood Avenue - 372-0675

5. Stan Vaughan

CHARLOTTE

MEETINGS IN OCTOBER '93

Revised October 14, 1993

NOTE All Revisions are in italic type and denoted by arrows in the left margin

THE WEEK OF OCTOBER 4 - 8

4 Monday 9 00 a m	**AUDITORIUM COLISEUM CONVENTION CENTER AUTHORITY** New Convention Center Office 2940 One First Union Center
12 00 Noon	**PLANNING COMMISSION/Work Session** CMGC 8th Floor Conference Room
3 00 p m	**CITY COUNCIL PUBLIC SERVICES COMMITTEE** CMGC Room 270
5 00 p m	**CITY COUNCIL WORKSHOP** CMGC Conference Center
5, Tuesday 2 00 p m	**PLANNING COMMISSION/Planning Committee** CMGC 8th Floor Conference Room
7 00 p m	**YOUTH INVOLVEMENT COUNCIL** CMGC Conference Center
6 Wednesday 8 30 a m	**CIVIL SERVICE BOARD** CMGC 7th Floor Conference Room
4 00 p m	**CITY COUNCIL REGIONALISM COMMITTEE** CMGC Conference Center
7 Thursday 10 00 a m	**PARADE PERMIT COMMITTEE** CMGC 6th Floor Conference Room
2 00 p m	**ADVISORY ENERGY COMMISSION** Hal Marshall Center 700 N Tryon St Auditorium #1
3 30 p m	**PLANNING COMMISSION/Planning Committee** CMGC 8th Floor Conference Room

THE WEEK OF OCTOBER 11 - 15

11 Monday 5 00 p m	**COUNCIL/MANAGER DINNER** Conference Center
6 30 p m	**CITIZENS HEARING** CMGC Meeting Chamber (Televised Live on Cable Channels 16/32)
7 00 p m	**CITY COUNCIL MEETING** CMGC Meeting Chamber (Televised Live on Cable Channels 16/32)
7 00 p m	**HISTORIC LANDMARKS COMMISSION** Thies Bldg 500 N Tryon St Suite 200
12 Tuesday 3 00 p m	**HOUSING APPEALS BOARD** CMGC 5th Floor Conference Room
4 00 p m	**AIRPORT ADVISORY COMMITTEE** Charlotte/Douglas International Airport Conf Rooms A&B
13 Wednesday 8 00 a m	**CLEAN CITY COMMITTEE** CMGC 8th Floor Conference Room
3 00 p m	**HISTORIC DISTRICT COMMISSION** CMGC 8th Floor Conference Room
4 00 p m	**CITY COUNCIL PUBLIC SAFETY COMMITTEE** CMGC Meeting Chamber Conference Room
14 Thursday 7 30 am	**PLANNING COMMISSION/Executive Committee** CMGC 8th Floor Conference Room
****** 14 Thursday 8 00 a m***	***CITY ZONING BOARD OF ADJUSTMENT/Special Meeting - Building Standards Training Room, 700 N Tryon St (PURPOSE Hearing for one case on Charlotte Dr CONTACT Phyllis Powell, 336-2831)***

(Continued on Back)

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

MEETINGS IN OCTOBER '93 (Continued)

THE WEEK OF OCTOBER 18 - 22

17 19, Sunday Tuesday	**N C LEAGUE OF MUNICIPALITIES CONFERENCE** Fayetteville, NC
18, Monday 8 00 a m	**MAYOR S INTERNATIONAL CABINET** CMGC Conference Center
******12:00 Noon***	***PLANNING COMMITTEE - CMGC, 8th Floor Planning Conference Room***
19, Tuesday 2 00 p m	**HOUSING AUTHORITY** Administrative Office 1301 S Blvd
6 00 p m	**HOUSING AUTHORITY/PUBLIC FORUM** Pine Valley/Turnkey III 1700 Longleaf Drive
7 00 p m	**YOUTH INVOLVEMENT COUNCIL** CMGC Conference Center
20 Wednesday 5 00 p m	**CITIZENS CABLE OVERSIGHT COMMITTEE** CMGC 7th Floor Conference Room
5 00 p m	**COUNCIL/MANAGER DINNER** CMGC Meeting Chamber Conference Room
6 00 p m	**CITY COUNCIL MEETING/Zoning Hearings** CMGC Meeting Chamber
7 00 p m	**METROPOLITAN PLANNING ORGANIZATION** CMGC Conference Center
21 Thursday 2 00 p m	**CMUD ADVISORY COMMITTEE** Utility Department 5100 Brookshire Blvd
4 00 p m	**CITY COUNCIL PLANNING COMMITTEE** CMGC Room 270
7 00 p m	**CHARLOTTE TREE ADVISORY COMMISSION** CMGC Conference Center

THE WEEK OF OCTOBER 25 - 29

25 Monday 12 00 Noon	**PLANNING COMMISSION/Executive Committee** CMGC 8th Floor Conference Room
4 30 p m	**PLANNING COMMISSION/Zoning Work Session** CMGC 8th Floor Conference Room
5 00 p m	**COUNCIL/MANAGER DINNER** CMGC Conference Center
6 30 p m	**CITIZENS HEARING** CMGC Meeting Chamber (Televised Live on Cable Channels 16/32)
7 00 p m	**CITY COUNCIL MEETING** CMGC Meeting Chamber (Televised Live on Cable Channels 16/32)
26 Tuesday 1 00 p m	**ZONING BOARD OF ADJUSTMENT** Hal Marshall Center 700 N Tryon St Training Conference Room
4 30 p m	**CHARLOTTE-MECKLENBURG ART COMMISSION** Arts &Science Council Building 214 N Church St
28 Thursday 7 30 a m	**FIREFIGHTER S RETIREMENT BOARD** 428 E Fourth St Suite 205
4 30 p m	**CHARLOTTE TRANSIT ADVISORY COMMITTEE** CMGC Room 119

NOTE These organizations do not have meetings scheduled for OCTOBER

Community Relations Committee
Insurance & Risk Management Advisory Board
Private Industry Council

CHARLOTTE

Mayor Richard Vinroot *Mayor Pro Tem Ann Hammond*

Stan Campbell *Hoyle H Martin*
Daniel G Clodfelter *Cyndee Patterson*
Patrick McCrory *Don D Reid*
Nasif Rashad Majeed *Ella Butler Scarborough*
Thomas A Mangum *Lynn M Wheeler*

Council Agenda

CITY COUNCIL MEETING

Monday, October 25, 1993

5:00 p.m. <u>Conference Center</u>

- "Kid With a Gun - Call 911" Presentation
- Schematic Design Plan for Charlotte/Mecklenburg Police Headquarters
- Disparity Study Presentation

6:30 p.m. <u>Meeting Chamber</u>

- Invocation
- *Citizens Hearing*

7:00 p.m. Formal Business Meeting

CITY COUNCIL AGENDA
Monday, October 25, 1993
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CONSENT ITEMS

1. **Agenda items 38 through 45 may be considered in one motion except for those items removed from the Consent Agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.**

   Staff Resource: Julie Burch

POLICY

2. **Privatization and Competition Recommendations**

Action: **Approve recommendations of the Public Services Committee regarding privatization and competition following their review of the Mayor's Privatization Task Force Report and recommendations.**

Staff Resource: Del Borgsdorf

Explanation of Request: Through its efforts over the past year, the Mayor's Privatization Task Force identified many benefits the City may realize as a result of privatization (e.g., cost savings, higher quality services). The Public Services Committee is in agreement with the concepts presented by the Task Force. After reviewing the report, the Committee has chosen to clarify the City's goals and corresponding policy statements. While these may not be identical to those of the Task Force, they are believed to be consistent in concept and do not conflict with those recommendations.

Specifically, the Committee has adopted and recommends:

1. A policy statement and goals for competitive bidding of public services.

2. A policy statement and goals for asset management

Clodfelter / Martin
Public Services
app
recommendation and approve the
concept of an oversight committee to
but ask Task Force and committee for
back with a definition of mission for
an oversight committee on 11/8 meeting
Urban.

City Manager's Office

3. Recommendations for fulfilling the roles of an "oversight committee."

I. SERVICES CONTRACTING

Policy Statement for Services Contracting

The City Council will evaluate whether an individual City service should be considered a "public" or "private" service. If the Council determines that a service is a public service (involving a City-wide standard of service, determined and administered by the City and paid for by a tax or governmental levy) the following policy shall apply:

> In evaluating the most efficient and effective way to provide public services, the City shall use a competitive process in which private service providers are encouraged to compete with City departments for the opportunity to provide such services, and in which the option of delivering services through public employees and departments must be justified through the competitive bidding process. The City shall encourage the provision of public services through contracts with private service providers, wherever this offers the lowest cost, most effective method of service delivery consistent with service level standards and other adopted City policies.

Goals for Services Contracting

1. The City Council wishes to provide the highest quality services at the lowest cost, whether provided by City forces or by the private sector.

2. Current contracts for services will be reviewed to ensure that existing private service providers are being held accountable and are providing effective and efficient services as specified by individual contracts. This review may result in placing a service out for competitive bidding again, with the City also submitting a bid for doing the work.

3. The City Council will systematically assess current City services to determine the appropriate level of service to be provided, whether by City forces or by contract with the private sector.

4. The City Council will assess the relationship of a service being considered for competition with other Council priorities and policies. Council will use this assessment to determine whether the services will be subject to competitive bid and in what amount, and to determine any special provisions which may need to be included in specifications to address other council priorities and policies.

5. Efforts should be made to minimize the impact on current city employees affected by competition. Each competition recommendation should include an assessment of the effect on employees and recommendations for handling any negative impact.

6. The City Council will make an assessment of how to best provide a "level playing field" for the City and all potential private service providers. This assessment will include defining the public values of City services and how those values will be addressed in the bid process and specifications.

Implementing Services Contracting

The Public Services Committee reviewed the list of 17 service areas recommended by the Task Force.

The Committee also reviewed the methodology that staff is using to prioritize services for competitive bidding.

In brief, the staff process includes inventorying all services by service provider and prioritizing services using criteria identified by the Task Force:

- All services which can be purchased in the marketplace are candidates for competition.
- Services for which a competitive market exists or can be structured will be prioritized first.
- Services which can be more easily bid in a competitive market will be prioritized first (to achieve early successes).

Staff also identified four service areas to the Committee that were currently targeted for the competition process including:

-Residential Garbage Collection
-Landscaping and Grounds Maintenance
-Employee Medical Services
-Special Transportation Services

II. ASSET MANAGEMENT

Policy Statement

In seeking to maximize the City's return from its current and future asset portfolio, the City will aggressively manage these assets. Maximizing the City's return will include pursuing alternative ownership/management strategies which optimize the benefits of private ownership (tax revenue streams, and eliminating public costs associated with ownership) while meeting the City's public policy objectives.

Goals for Asset Management

1. The City will evaluate various levels of asset privatization for all new capital projects as it plans, builds, or acquires additional public facilities and assets.

2. The City will manage and maximize its existing portfolio of assets by (in order of priority):

   - Selling or donating non-buildable parcels (land that is too small to meet the minimum building code requirements for the zoning on that parcel)

   - "Packaging" and marketing existing property for sale

   - "Packaging" existing property for current or future "public purpose" use

   - Reviewing alternative ownership/management options

3. The City Council will balance the benefits of the sale of any of its assets with other Council policies and goals.

Implementing Asset Management

1. Study, review and make recommendations to Council for disposition of all non-buildable residual properties.

2. After receiving concurrence on the recommendations for disposition of the properties, begin and complete the disposition of non-buildable residual properties.

3. Study, review and make recommendations to Council for disposition of all remaining vacant acreage tracts. Review process will include:

   -Mandatory Referral Process
   -10-Year Capital Needs Review
   -Market Needs Analysis

4. Market and dispose of acreage tracts based on review recommendations.

III. OVERSIGHT OF SERVICES CONTRACTING AND ASSET MANAGEMENT

The Public Services Committee reviewed the Task Force's recommendation to establish a Citizen's Oversight Committee. As reviewed, the Oversight Committee would be asked to fulfill two roles: first, to monitor the City's progress in implementing the Task Forces' recommendations using the recommended processes and guidelines, and second, to provide an independent review of bid information and the bid process to ensure fairness and impartiality.

The Public Services Committee recommends that the first role should be the responsibility of City Council. With regard to the second role, the Public Services Committee recommends that "outside" expertise can be acquired as needed if required to review bids or the bid award process.

Council is requested to approve the following items related to privatization and competition for the City of Charlotte:

Services Contracting

A. Adopt Goals and Policy Statement (as described above).

B. Approve in Concept the Process and Guidelines for Services Contracting (as described in the Task Force Report).

C. Assign to staff the responsibility to prioritize and recommend candidates for competition to Council. (Current candidates include residential garbage collection, landscape maintenance and employee medical services.)

Asset Management

A. Adopt Goals and Policy Statement (as described above).

B. Approve in Concept the Process and Guidelines for Asset Management (as described in the Task Force Report).

C. Assign to staff the responsibility to review and recommend assets for privatization to Council.

Oversight of Services Contracting and Asset Management

A. Assign to City Council the responsibility for monitoring the implementation of competition and privatization.

B. The City will utilize outside accounting expertise as needed to audit review bids and audit the bid award process.

Background. On August 2, the Privatization Task Force presented their final report and recommendations to City Council. On August 23, Council assigned the Public Services Committee to review the report and recommendations and bring forth recommendations within 60 days on how to implement a privatization program in the City of Charlotte.

3. Comprehensive Housing Affordability Strategy

Action: **Approve the City's FY94-99 Comprehensive Housing Affordability Strategy (CHAS) for submission to the U.S. Department of Housing and Urban Development by December 31, 1993 in compliance with federal regulations.**

Staff Resource: J. W. Walton

Policy Statement: At a Community Development & Housing Committee meeting on April 12, 1993 and City Council Workshops on July 12 and August 2, 1993, Councilmembers reviewed, affirmed and refined the City's current housing policies, programs and priorities and allocated housing funds for FY94. The outcome of these Council deliberations are incorporated into the CHAS.

Scarborough / Hammond
app.
10-1
No - Mangum

CR

Over the coming 5 years, the City of Charlotte and other local housing providers will pursue programs and activities which address the following 7 priorities:

- Preservation of Existing Housing
- Strengthening Neighborhoods and Community-Based Organizations
- Promoting Self-Sufficiency
- Promoting Housing Affordability
- Expanding the Affordable Housing Supply
- Addressing and Preventing Homelessness
- Targeted population to be saved

For additional detailed information refer to the Executive Summary attached or to the CHAS which is in Council's library.

Explanation of Request:

- As a federal Community Development Block Grant (CDBG) entitlement city and participating jurisdiction in the HOME program, the City of Charlotte is required by law to develop and submit a Comprehensive Housing Affordability Strategy (CHAS) to the U.S. Department of Housing and Urban Development (HUD) for its approval. The document must be received by HUD no later than December 31, 1993 or the City will not be eligible to receive approximately $4.5 million in CDBG funds and $1.4 million in HOME funds for housing.

- A strategic planning document, the City's CHAS is required to outline the City's overall housing policy, anticipated resources, funding priorities, strategies and goals for the five year period beginning October 1, 1993. The outline and content of the document is mandated by HUD.

Background:

On October 28, 1991, City Council approved the City's first five-year CHAS for FY92-97. That CHAS replaced the Housing Assistance Plan (HAP) and Comprehensive Homeless Assistance Plan (CHAP) and incorporated the City of Charlotte's Housing Policy Plan. Last year, the City submitted an Annual Update to its FY 92 CHAS which did not require Council approval. The more comprehensive strategy document is required only every two years.

Citizens and housing providers were also consulted during the CHAS development process and their comments incorporated wherever possible. A public hearing was held on July 15, 1993 by the Community Development Department to obtain input from citizens regarding housing needs and priorities in Charlotte. A brief statement describing the CHAS, its content and purpose and inviting public comment was published in the Charlotte Observer and the Charlotte Post.

Copies of the working draft were made available to citizens for their review and comment for 30 days beginning August 2, 1993 at all of Mecklenburg County's public library branches, the City of Charlotte's Public Service and Information Office and the Community Development Department. The draft was distributed directly to community groups and all of the major housing and social service providers. Special needs providers were surveyed and the input of homeless service providers was actively solicited, received, and incorporated.

On August 25, 1993, the City received communication from HUD Secretary Henry Cisneros' Office indicating that cities had the option of submitting either both the Five-Year Strategy and an Annual Plan as they had been previously instructed and as the regulations required, or submitting an Annual Plan only. This change, intended to reduce paperwork and the

extraordinary scope of the CHAS requirements, came quite late in the City of Charlotte's CHAS development process. Since the Five-Year Strategy had already been drafted and presented to the public and housing providers for public comment as part of the entire CHAS, it was felt that it should be left in the final document.

Attachment 1
Executive Summary of the FY94-98 CHAS

4. Storm Water Interlocal Agreement with Mecklenburg County

Action: **Approve interlocal agreement for the operation of a single storm water system in Mecklenburg County.**

Staff Resource: Jim Schumacher

Explanation of Request: Key elements of the agreement include:

Charlotte/Scarborough but also approve technical changes recommended by Commissioner Booth and approved by Jones.

- The County becomes the financial entity that charges storm water fees county-wide. The portion of the fee for City activities is established by the City Council, and the portion of the fee for County activities inside the City is established by the County.

- The County will establish levels of service and cost, prioritize, schedule, and manage activities for the "major" drainage system county-wide (streams with watersheds greater than one square mile).

- The City will establish levels of service and cost, prioritize, schedule, and manage activities for the "minor" drainage system (streams, pipes and culverts with watersheds less than one square mile) inside the City.

Jim Schumacher

- Further, the City will be responsible for protecting the quality of storm water runoff and surface waters in the City as required by Federal and State regulations.

- The County has adopted the City's credit policy; the City will review and approve all credit applications inside the City, and the resulting credit will apply to both portions of the fee.

- The City Finance Department will bill and collect a combined storm water fee (with water and sewer charges) that supports operation of both the major and minor portions of the drainage system. The County's portion of revenues will be disbursed to the County monthly.

- The six towns have the option of a similar arrangement with the County, with all fees collected by the City's single billing system.

- Should the County elect to use a different billing system for storm water charges in the future, the County will reimburse the City for any unrecovered costs associated with the existing storm water billing system.

- Service requests and inquiries from customers county-wide will be processed by a single customer service function, the City's Customer Service Center. Billing inquiries will be handled by the Finance Department along with water and sewer inquiries.

- A citizens advisory committee will be appointed jointly by the City, County, and towns.

- The initial term of the agreement is January 1, 1994 through June 30, 1999, and shall be automatically renewed each fiscal year thereafter unless either party wishes to withdraw.

- The Board of County Commissioners approved the agreement in concept on October 18, 1993, subject to clarification of some language by staff. Those issues have been resolved and the attached agreement incorporates the changes.

Background: In October 1992, the Board of Commissioners and City Council adopted a joint resolution to consolidate storm water activities County-wide with a target date for consolidation of January 1994. To resolve issues related to consolidation, the resolution provided for a committee consisting of two Councilmembers (Dan Clodfelter and Ann Hammond) and two Commissioners (Doug Booth and Edna Chirico) to develop a proposed interlocal agreement for consolidation. Since that time, City and County staff have worked to define the responsibilities of each agency as assigned by the committee's recommended proposal.

Attachment 2
Agreement for Operation of a Single Storm Water System in Mecklenburg County

5. Automated Storm Water Billing Agreement Amendment

Ord. #8 #3701-X B 43 P 417

Action: Scarborough/Hammond unan. app.

A. Approve an ordinance to appropriate revenue from Mecklenburg County for operating costs in the amount of $396,788 representing their portion of billing cost. Costs will include the addition of three positions to handle payment processing, billing inquiries, and account identification/research for an estimated 20,000 accounts.

Engineering

B. Recommend approval to amend the five year licensing agreement with Rippe and Kingston Systems, Inc. approved by Council on June 8, 1992. This amendment will increase the not to exceed amount by $190,000 to $990,000 for a computerized stormwater billing system to include billing for Mecklenburg County.

Staff Resource: Richard Martin

Explanation of Request:

- Mecklenburg County and the City's Finance Department have agreed on the additional *staff required to accommodate the increased* workload. The increased workload includes additional accounts because many storm water accounts do not share billing with the City's Utility Department.

- This amendment to the agreement is contingent upon the approval of an Interlocal Agreement between the City of Charlotte and Mecklenburg County for the operation of a single Storm Water System in Mecklenburg County. In order to implement an automated system in January, 1994, to begin billing County storm water fees, it is necessary to expand the scope of the existing City storm water billing system.

Background: The City began billing storm water fees on January 19, 1993. The proposed City-County interlocal agreement provides that the City of Charlotte Finance Department shall create and distribute bills and collect fees throughout areas on behalf of the county as well as for the City.

6. **Televising Zoning Hearings**

Action: Consider Councilmember Tom Mangum's request that City Council Zoning Meetings be televised on the Government Channel. The City Council voted Oct. 11 to put this item on the agenda for discussion.

Staff Resource: Bill Guerrant

Explanation of Request: Options:

Mangum | Scarborough
ok. and at least try for a year
Unan.

1. **Televise City Zoning Meetings:**

Televising City Zoning Meetings would mean cablecasting two live government meetings during the same day since the Board of County Commissioners also meets on the third Monday of each month.

Therefore the City's Video Production Center would be in operation from 6:30 a.m. to approximately 10:30 p.m. the third Monday of each month. This would necessitate hiring a second shift television crew to produce the live City Zoning Meeting.

Direct production costs would be approximately $1,000 per meeting for technical personnel including camera/booth operators (4), director, engineer, character generator operator, video tape, etc. This expense is not currently funded in the Public Service & Information Department budget. The only available source of funding is Council Contingency.

These direct costs do not include accelerated equipment depreciation or the cost for an additional extended playback system ($3000-$4000) that would be needed if the meeting is to be rebroadcast.

Psd

2. **Video Taped "Zoning Update" Program:**

Produce in cooperation with the Planning Commission a video taped "Zoning Update" program which would highlight petitions to be heard by the City Council each month at its regular Zoning Meeting.

On the program, Planning staff would present the facts of the request and use maps to illustrate land use, etc. The program would be produced by the City's Video Production Center in the CMGC studios.

This taped program would be aired on the Government Channel several times prior to the Monthly Zoning Meeting. Interested persons would be encouraged to attend the Zoning Meeting.

Direct program costs would be minimal ($100) and could be handled within the current Public Service & Information Department budget.

The schedule for submission of petition information may have to be altered to accommodate additional lead time required to produce the video taped program. PS&I and Planning Commission staff will be impacted by this option.

3. **Video Text Zoning Information:**

Enter summary zoning information on the Government Channel video text bulletin board prior to the Zoning Meeting. Highlight the date, time and place of the Zoning Meeting.

Direct costs for this option will be minimal.

4. **Do Not Televise Zoning Meetings:**

Continue current policy of not televising zoning meetings.

Background:

Currently City Council Business Meetings are televised on the Government Channel the second and fourth Mondays of each month. Regular meetings of the Mecklenburg Board of County Commissioners are also televised on the first and third Mondays of each month under a video contract with Mecklenburg County. All of these business meetings are rebroadcast.

Zoning meetings are not currently televised.

7. **Cooperative Planning Agreement with School System**

Action:

Direct the Planning Commission Staff to Work with Mr. Arthur Griffin over the Next 60 Days to Identify Policy Options for Promoting Integrated Communities.

Explanation of Request:

Scarborough/Hammond approval

- Mr. Griffin appeared before City Council on October 11, 1993 to request assistance from the Planning Staff in identifying policy options to promote integrated communities in order to reduce reliance on busing as a tool for integrating schools. This request will direct the Planning Staff to assist Mr. Griffin in his study.

- Planning Staff has reviewed Mr. Griffin's request and believes it can respond without significantly affecting the current work program.

Planning

Background: At the August 17, 1993 joint City/County/School Board luncheon Mr. Griffin made a presentation on "How To Develop More Integrated Neighborhoods" in order to support school desegregation. He requested that the City and County permit him to work with the Planning Staff to develop more specific options. The Board of County Commissioners has already taken action and has directed the Planning Staff to assist Mr. Griffin.

8

Support for Bond Referendum

Action:

Scarborough/Reid Don't do any resolutions Failed 7-4 YES- Scar, Reid, Martin, Rodgers

A. Adopt a resolution supporting the State of North Carolina's Bond Referendum.

B. Adopt a resolution supporting the City and County Bond Referendum.

Res. #10 B-31 P-374

Explanation of Request: The City of Charlotte will benefit both directly and indirectly from the approval of the State Bond Referendum. Currently, the State takes some of the City's dedicated revenue to match federal water quality grants to small cities. The approval of the State Bond Referendum would provide an alternative source for these matching dollars, and allow the State to return approximately $700,000 per year in dedicated revenue to the City.

Hammond/Wheeler Delete Res. for State Bonds from agenda. Unan.

Delete McCrory/Scarborough Keep them in. Yes- Patt, Scar, Mc

Background: At Council's last meeting, City-County Bond Campaign Chairmen John Georgius requested that Council adopt a resolution supporting the entire City-County Bond Referendum.

Patterson/Wheeler App res for County Bonds & no schools 7-4 App No- Scar, Reid, Martin, Mangum

Patterson/Hammond App. Res for School Bonds 7-4, No Scar, Reid, Martin, Clod

Patterson/Scarborough App. Res for City Bonds Unan.

BUSINESS

9. Schematic Design Plan for Charlotte/Mecklenburg Police Headquarters

Action: **Approve the Schematic Design of the Charlotte Mecklenburg Police Department Central Headquarters and authorize the Public Facilities and Engineering Department to instruct the Architect to proceed into the next phase of design.**

Staff Resource: Del Borgsdorf

Policy/Concept: The Police Department and the Engineering Department will present the final schematic design for the new Charlotte/Mecklenburg Police Headquarters. This building will be the major component in a tiered system of police facilities which will include, in 1996, the new Headquarters, the first Bureau Station, District Stations, and a number of Community Service Centers. As such it will embody the department's service delivery philosophy emphasizing community-based policing, decentralization, a county-wide perspective, services tailored to meet the needs of individual neighborhoods, and maximum organizational flexibility.

Hammond/Cloadfelter
app.
No-majeed

Explanation of Request:

- The Architect has completed schematic design documents for the CMPD Central Headquarters based upon the needs of the Police Department and input from various City Departments. The City Manager's Facilities Review Committee has approved the Schematic Design and the departments responsible for plan review have signed off on the plans with the understanding that opportunities for further design input will occur in the upcoming phases of the project.

Eng.

- Once Council approves the schematic design plan, a demolition contract will appear on an agenda in January, 1994 and a construction contract should come before Council in June or July, 1994.

Background: City Council awarded Architect and Construction Management contracts to Middleton McMillan Architects and F. N. Thompson/Turner, respectively on January 11, 1993 contingent upon agreement on a document transferring the current LEC property to the County. This agreement was approved by City Council and County Commission in May and notices to proceed were given on May 24, 1993. The project Architect developed the plan for the Central Headquarters based upon the approved program and the Charlotte Mecklenburg Police Department has approved the schematic design presented today.

10. Innovative Housing - Family Housing Services

Action: **Approve housing support contracts with the following agency: Family Housing Services, Inc.**

Staff Resource: Vi Alexander

Policy: **At the July 12th Housing Workshop, Council reviewed and affirmed the City's Housing Policy. The following contract is in the FY94 implementation plan and budget.**

Scar app. | Patt unan.

Explanation of Request:

Family Housing Services, Inc.

Contains significant changes. Consistent with the housing continuum concept adopted by Council, this agency's efforts have been focused upon improving the ability of low income persons to rent from private sector landlords, especially in the City Within a City area. Mortgage default counseling

Budget

remains unchanged and counseling for public sector housing tenants has been eliminated (the latter objectives have been transferred to the Housing Partnership and Housing Authority).

3 Month Extension	$ 74,585
1 Month Extension	$ 35,000
FY94 Contract Amount	**$188,755**
Cumulative Total for FY94	$298,340

Background: During the budget deliberations last spring, City Council decided that a complete review of the City's current housing policies was necessary before developing a plan for the Innovative Housing fund money. A Housing Workshop was held July 12, 1993.

In order to avoid a gap in the funding of Innovative Housing agencies, Council decided to extend the existing contracts of these agencies by three months at FY93 funding levels.

At the July 12th Workshop, Council reaffirmed existing Housing Policies and established a broad policy framework in an attempt to clarify roles and improve coordination.

Staff was directed to develop new contracts with the agencies at their FY93 funding level (Crisis Assistance Ministry was the only exception, Council voted on June 16, 1993 to increase their contract amount by $4,600.) and to incorporate the annual evaluation recommendations and policy direction provided in the Workshop.

Attachment 3
Agency Objectives

11. Neighborhood Development Transit Services Contract

Action: **Authorize the Director of Transportation to execute a contract for $300,000 with LATCO Enterprises, Inc. for operation of two neighborhood development transit services.**

Staff Resource: Bob Pressley

Explanation of Request:

Scarborough McCrory
ayes, unan.

- On July 26, Council approved implementation of neighborhood development transit services focused on the Johnston Memorial YMCA and the Amay James neighborhood center. At this meeting, Council also approved evaluation criteria for measuring the success of these new neighborhood-based transit services. The services will be monitored on a monthly basis with the first major evaluation occurring after three months of operation.

- The new transit services will provide residents of the neighborhoods with more direct and convenient access to jobs, shopping, and social services.

- A Proposal Selection Committee, after reviewing proposals from five transportation companies, chose LATCO Enterprises, Inc. to operate the neighborhood routes in north and west Charlotte.

- The City may terminate the agreement at any time by providing 30 days written notice to the Contractor.

CDOT

Background:

On August 11, the Charlotte Department of Transportation (CDOT) mailed a Request for Proposal to 21 transportation providers. CDOT also advertised for proposals in both the Charlotte Observer and the Charlotte Post.

On August 31, CDOT held a pre-proposal conference attended by seven persons representing five companies.

On September 17, CDOT received five proposals which were forwarded to the Proposal Selection Committee, which included:

1) Gregory Spearman
   Charlotte-Mecklenburg Purchasing Director

2) Johnnie Wallace
   Charlotte's Neighborhood Centers Department

3) Judy Mooney
   Johnston YMCA Executive Director

4) Terry Lathrop
   CDOT's Deputy Director

5) Ed Sizer
   Contract Administrator-Business Support Services

The Selection Committee chose LATCO Enterprises, Inc. because:

1) The company submitted the lowest hourly cost, $24.05. This figure is below the hourly estimate of $25 used by CDOT in service planning. LATCO will be leasing for the neighborhood routes, five new Dodge paratransit vans which comply with Americans with Disabilities Act (ADA) vehicle requirements.

2) Although LATCO has not operated transit services for the City to date, the company has successfully operated regularly-scheduled shuttle service to the airport for NationsBank and the Registry Hotel.

3) LATCO is certified as a minority-owned business by the City. The company's offices at 4101 Sentry Post Road is adjacent to the West Boulevard/Jackson Park leg of the Amay James route.

4) LATCO has committed to work with the City's Employment and Training and Neighborhood Centers departments to hire "City-Within-A-City" residents to operate these new routes.

Attachment 4

Zoning Decisions

12. Decision on Petition No. 93-55 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

A. Several lots or parcels bounded by Davidson Street, East 37th Street, Hudson Street and Charles Avenue from O-2 and R-22MF to R-5.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting in order to rezone the property, **with regards to Area A only.**

This portion of the petition was deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that this petition be approved.

Attachment 5

Area A-1 failed remains O-2

Item No.

Ord. #9 #3702-2 B-43 P-418

13. Decision on Petition No. 93-58 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

D. A large vacant tract off Belvedere Avenue, near Truman Road from R-17MF to R-4.

Area D Rezoned to R-8MF Unan.

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, **with regards to Area D only.**

This portion of the petition was deferred at the October 11, 1993 meeting.

The Zoning committee recommends that Area D (the Heath Property) be rezoned from R-17MF to R-8MF in lieu of the R-4 category recommended by the Central District Plan.

Attachment 6

14. Decision on Petition No. 93-60 by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 7 acres located on the north and south sides of Central Avenue from 10th Street to the Brookshire Freeway from B-2 to B-1.

Deferred 60 days

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the October 11, 1993 meeting.

The Zoning Committee deferred action on this petition for 60 days.

Attachment 7

15. Decision on Petition No. 93-62 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

A. Properties along Latrobe Drive and Pro Am Drive from I-2 to I-1.

Deferred 120 days

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, **with regards to Area A only.**

This portion of the petition was deferred at the October 11, 1993 meeting.

The Zoning Committee deferred action on Area A for 60 days.

Attachment 8

16. Decision on Petition No. 93-63 by Charlotte-Mecklenburg Planning Commission for a change in zoning for the following areas:

B-Denied

B. Property from Colonade Drive to Washburn Avenue on the south side of Monroe Road from I-2 to B-1.

Ord #10 #3203-Z B 43 p-421

C. Property between Colonade Drive, Bramlett Street and the Railway right-of-way and south of Independence Boulevard from B-1 and O-2 to R-22MF.

D Denied

D. Land between Colonade Drive, Washburn Avenue and the Merchandise Mart parking area from B-1 and B-2 to O-2.

Protest petitions have been filed and are sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, <u>with regards to Areas B, C and D.</u>

Areas B, C and D of this petition were deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that Areas B and D be denied.

The Zoning Committee recommends that Area C be approved with the exception of the D. L. Phillips' property.

Attachment 9

17. Decision on Petition No. 93-64 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

Ord #11 #3204-Z B 43 p-424

B. Several lots along Woodland Avenue and Commonwealth Avenue from B-1 and O-2 to R-4. Approved with exception of upholstery shop + Dental Lab properties

Ord #12 #3205-Z B 43 p-427

C. Lots off Monroe Road along both sides of Mayview Drive from O-2 to R-4.

Protest petitions have been filed and are sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, <u>with regards to Areas B and C.</u>

Areas B and C of this petition were deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that Area B be approved with the exception of the upholstery shop and adjacent office parcel.

The Zoning Committee recommends that Area C be approved.

Attachment 10

18. Decision on Petition No. 93-67 by Charlotte-Mecklenburg Planning Commission from a change in zoning for approximately 141 acres located in several locations along and/or adjacent to South Boulevard defined as:

Old #13 for A, E & F #3206-2 B: 43 p 430

A. Properties on Northgate Avenue from O-2 to R-4.

B. Properties on the east side of South Boulevard between Scaleybark Road and Woodlawn Road from I-2 to B-2.

C. Several tracts bound by South Boulevard and Old Pineville Road, north of Woodlawn Road from I-2 to B-2.

B, C & D deferred to 11/18/93

D. Three areas located on the west side of South Boulevard generally extending from Woodlawn Road to Scaleybark Road from I-2 to I-1.

E. Properties located on the west side of South Boulevard between Freeland Lane and Clanton Road from I-1 and I-2 to B-2.

F. Properties fronting on Woodlawn Road generally extending from South Tryon Street along I-77 to Old Pineville Road from I-2 to B-2.

Protest petitions have been filed and are sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, <u>with regards to Areas A, B, C, two portions of D and E.</u>

This petition was deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that Areas A, E and F be approved.

The Zoning Committee deferred action on Areas B, C and D for up to 90 days.

Attachment 11

19. Decision on Petition No. 93-69 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

C. Properties located between Weona Avenue and Conway Street south of Hartford Avenue from R-17MF to R-8.

Denied

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, with regards to Area C.

This portion of the petition was deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that Area C be rezoned to an R-8MF category in lieu of the requested R-8 district.

Attachment 12

20. Decision on Petition No. 93-71 by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 25 acres defined as the Queens College Campus bounded by Myers Park Traditional School, Queens Road, Radcliffe Avenue and Wellesley Avenue from R-3 to Institutional.

Denied

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

This petition was deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that this petition be denied.

Attachment 13

21. Decision on Petition No. 93-75 by Charlotte-Mecklenburg Planning Commission for a change in zoning for three areas in the Dilworth neighborhood defined as:

Approved A. Properties along Fountain View north of East Boulevard, from R-22MF to R-5. Ord. #14 #3707 B-43 P-433

B. Area along Waverly Avenue between the southerly side of Buchanan Street and Romany Road from R-22MF to R-8. Ord. #15 #3708 B-43 P-436

Denied C. Property along Lombardy Circle north of East Boulevard from R-22MF to R-8.

Protest petitions have been filed and are sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, with regards to Areas A and C only.

The Zoning Committee recommends that Areas A and B be approved.

The Zoning Committee recommends that Area C be rezoned to R-12MF rather than R-8 as recommended in the Plan.

Attachment 14

22. Decision on Petition No. 93-76 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

Denied A. A tract located on the northeast corner of Ideal Way and Kenilworth Avenue from O-2 to R-22MF.

B. Land located on the east side of Kenilworth Avenue north of Ideal Way and west of Floral Avenue from B-2 to B-1. Ord. #16 #3709-2 B-43 P-439

Protest petitions have been filed and are sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property with regards to Areas A and B.

These areas of the petition were deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that Area A be denied.

The Zoning Committee recommends that Area B be approved.

Attachment 15

23. Decision on Petition No. 93-77 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:

B. Property fronting Park Avenue between Euclid Avenue and Lyndhurst Avenue from R-22MF to R-5.

D. Properties fronting Lexington Avenue between Myrtle Avenue and Oriole Avenue from O-2 to R-22MF.

B & D failed remain as is

Protest petitions have been filed and are sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, with regards to Areas B and D.

These areas of the petition were deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that this petition be approved.

Attachment 16

Ord. #17 #3710-2 B-03 p 442

24. Decision on Petition No. 93-78 by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 31 acres located in the Cherry Neighborhood along Kings Drive, Independence Boulevard and Cecil Street between Fox Drive and Henley Street (excluding Midtown Mall property) from B-2 and O-2 to B-1, O-2 and R-22MF.

Approved only the portion fronting on Indep. Blvd.

This petition was deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that this petition be approved with the modification that the B-2 property fronting on Independence Boulevard be rezoned to R-8.

Attachment 17

25. **Decision on Petition No. 93-79 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:**

Ord #18 # 3711-2 B 43 P 445

A. Property in the Cherry Neighborhood north of Main Street and south of Third Street from R-22MF to R-6.

Opp 5 of Rules only not failed

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, **with regards to Area A.**

This portion of this petition was deferred at the October 11, 1993 meeting.

The Zoning Committee recommends that Area A be approved with the exception of the property north of Ranlo Avenue on both sides of Torrence Street.

Attachment 18

26. **Decision on Petition No. 93-81 by Charlotte-Mecklenburg Planning Commission for a change in zoning for:**

Ord #19 A + B # 3712-2 B-43 P-448

A. Properties fronting on the north and south sides of Freedom Drive between Camp Greene Street and Ashley Road from I-1 to B-2.

B. Properties fronting the south side of Freedom Drive between I-85 and Ledwell Street from I-2 to B-2.

The Zoning committee recommends that this petition be approved.

Attachment 19

27. **Decision on Petition No. 93-82 by Charlotte-Mecklenburg Planning Commission for a change in zoning for property located in the York Road neighborhood described as:**

Ord. #20 # 3713-2 B-43 P-451

A. Area generally bound by I-77 to the west, South Tryon Street to the east, Peterson Street to the south and Bowman Road to the north from R-22MF and B-1 to R-5.

Ord #21 #3714-2 B-43 P-453

B. **Area generally north of Freeland Street, east of South Tryon Street, west of Dewitt Avenue and south of Tryclan Drive from R-22MF to R-5.**

C. **Area generally bound by Peterson Street to the south, South Tryon Street to the west, Freeland Street to the north and Heriot Avenue to the east from R-22MF to R-8 and B-2 to B-1.**

The Zoning Committee recommends that Area A be approved with the exception of a 9.8 acre tract located south of Cama Street and east of I-77.

The Zoning Committee recommends that Area B and C be approved.

Attachment 20

28. Decision on Petition No. 93-83 by Charlotte-Mecklenburg Planning Commission for a change in zoning for approximately 25 acres east of South Tryon Street, south of Foster Avenue, west of the Southern Railway tracks, and north of Clanton Road from I-2 to I-1.

Denied

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property.

The Zoning Committee recommends that this petition be denied.

Attachment 21

29. Decision on Petition No. 93-84 by Charlotte-Mecklenburg Planning Commission for a change in zoning for property located in the Westerly Hills/Ashley Park neighborhood described as: #3716-2 B-43 P-458 A-4 #3717-2 B-43 P-461 B-1 A-1

Ord. #22 #3715-2 B-43 P-455

A. **Area north of Wilkinson Boulevard, west of Westerly Hills Drive, south of Amerigo Street and Meredith Avenue, and east of Morris Field Road from R-22MF and O-2 to R-8.**

#25 #3718-2 B-43 P-464

B. **Area generally north of Simmons Street, west of Pruitt Street, south of Corbett Street and Bristol Drive from R-22MF to R-5.**

Ord. #26 #3719-2 B-43 P-466

C. **Area fronting on Marlborough Road and Minnesota Road, west of Weyland Avenue from R-17MF to R-8.**

Protest petitions have been filed and are sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, **with regards to Area A-1 and A-4.**

The Zoning Committee recommends that Area A and C be approved.

The Zoning Committee recommends that Area B be approved with the exception of one parcel at the end of Beaux Street (061-061-33) which should be rezoned to R-8.

Attachment 22

30. Decision on Petition No. 93-85 by Charlotte-Mecklenburg Planning Commission, for a change in zoning for areas located in the Ashley Park neighborhood described as:

Ord. #27 #3720-r B-43 p 468

A. Properties generally north of Wilkinson Boulevard, south of Greenland Avenue, west of Camp Greene Street, and east of Weyland Avenue from O-2 to R-22MF.

B. Several areas generally west of Morehead Street, south of Marlowe Avenue, Garibaldi and Seabrook Avenues, west of Weyland Avenue and north of Arty Avenue, and properties east of Columbus Circle, south of Freedom Drive, west of Berryhill Road and north of Marlowe Avenue from R-22MF and O-2 to R-5.

C. Area generally south and west of Columbus Circle, north of Marlowe Avenue and Remount Road and east of Garibaldi Avenue from R-22MF to R-8.

The Zoning Committee recommends that this petition be approved.

Attachment 23

31. Decision on Petition No. 93-86 by Charlotte-Mecklenburg Planning Commission for a change in zoning for property described as:

Ord. #28 #3721-r B 43 p 471

A. Property generally south of Parker Drive, west of Remount Road, north of West Boulevard and east of Watson Drive from B-1 to R-22MF.

Ord. #29 #3723-2 B-43 P-474

B. Property generally east of Remount Road and north and south of Kimberly Road from O-2 to R-4.

The Zoning Committee recommends that this petition be approved.

Attachment 24

32. Decision on Petition No. 93-87 by Charlotte-Mecklenburg Planning Commission for a change in zoning for several areas described as:

A - Ord. #30 #3723-2 B 43 P-477

A. Properties fronting on the south side of West Boulevard generally between Donald Ross Road to the east and Ross Avenue to the west from B-1 to R-17MF.

B+C Ord #31 #3724-2 B-43 P-480

B. Properties fronting on the south side of West Boulevard, west of the intersection of Wilmount Road and West Boulevard from I-1 to B-1 and properties on all quadrants of the intersection of Old Steele Creek Road and West Boulevard from I-1 to B-1.

C. Properties fronting the north side of West Boulevard between Kenhill Drive and the Southern Railroad tracks from B-1 to R-22MF.

Denied — D. Properties fronting the south side of West Boulevard between Old Steel Creek Road and the Southern Railroad tracks from I-1 to R-8MF.

Failed — E. Area fronting on Wilmount Road generally between Shady Lane and Rubine Street from R-22MF to R-4.

Protest petitions have been filed and are sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property <u>with regards to Area D and E only.</u>

The Zoning Committee recommends that Areas A, B, C and E be approved.

The Zoning Committee recommends that Area D be denied.

Attachment 25

33. Decision on Petition No. 93-88 by Charlotte-Mecklenburg Planning Commission for a change in zoning for several areas located in the Reid Park neighborhood described as:

A. Properties fronting on West Boulevard to the north, generally between Donald Ross Road to the east and Walter Street to the west from B-1 and I-1 to R-8.

B. Properties just south of West Boulevard generally bound by Ross Avenue on the east, Walter Street and Wilmount Road on the west and the creek on the south from R-22MF to R-5.

C. Four properties generally fronting the south side of Sherrill Street between Walter Street to the west and Amay James Street to the east from I-1 to R-5.

D. Properties generally bound by Wilmount Road on the west and north, Sherrill Street on the south and Amay James Street on the east from I-1 to R-4.

E. Properties generally fronting West Boulevard between Walter Street on the west and Amay James Street on the east and Sherrill Street on the south from I-1 to B-1.

The Zoning Committee recommends that this petition be approved.

Attachment 26

34. Decision on Petition No. 93-89 by Charlotte-Mecklenburg Planning Commission for a change in zoning for property described as:

A. Area north of West Boulevard generally east of Old Steele Creek Road, west of Donald Ross Road from R-22MF to R-5.

B. Area fronting on the east and west sides of Mayfair Avenue between Markland Street and Wingate Avenue from R-22MF to R-8.

The Zoning Committee recommends that this petition be approved.

Attachment 27

35. **Decision on Petition No. 93-90 by Charlotte-Mecklenburg Planning Commission for a change in zoning for property described as:**

Ord. #35 #3728-2 B-45 p-1

A. Area north and south of Seymour Avenue east of Morris Field Drive and west of the railroad tracks from R-22MF to R-8.

Ord. #36 #3729-2 B 45 p-4

B. Area along Capitol Drive east of Morris Field Drive and west of the railroad tracks from R-22MF to R-5.

The Zoning Committee recommends that this petition be approved.

Attachment 28

36. **Decision on Petition No. 93-91 by Charlotte-Mecklenburg Planning Commission for a change in zoning for areas located in the Wilmore neighborhood described as:**

Ord. #37 #3730-2 B-45 p-7

A. Area generally bound by Summit Avenue to the north, Wilmore Drive to the south, Tryon Street to the east and I-77 to the west from R-22MF, O-2 and B-1 to R-5.

Ord #38 #3731-2 B 45 p-10

B. Several areas generally defined as properties on the north side of Spruce Street between Summit Avenue and I-77 from R-22MF to R-8; properties south of Kingston Avenue and north of Worthington Avenue between South Tryon Street and Cliffwood Place from R-43MF to R-8; properties on the south side of Worthington Avenue between Tryon Street and Cliffwood Place from R-22MF to R-8; properties on the north side of Wilmore Drive between Tryon Street and Wilmore Drive from R-22MF and O-2 to R-8; and properties on both sides of Merriman Street between Spruce Street and West Boulevard from R-22MF to R-8.

C Failed

C. Properties on the north side of Worthington Avenue between Wickford Place and Cliffwood Place, south of West Boulevard from R-43MF to R-8MF.

A protest petition has been filed and is sufficient to invoke the 20% rule, requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, <u>with regards to Area C only.</u>

The Zoning Committee recommends that this petition be approved.

Attachment 29

37. **Decision on Petition No. 93-92 by Charlotte-Mecklenburg Planning Commission for a change in zoning for areas located in the Wilmore neighborhood described as:**

A. Area generally bound by Summit Avenue to the north, Southwood to the east, Merriman Avenue to the west and to the south from I-2 to I-1. #39 # 3733-2 B 45 P. 13

B. Properties fronting on the west side of South Tryon Street between Woodcrest Avenue and West Boulevard from B-2 to B-1. #40 # 3733-2 B 45 P 16

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of 3/4 of the Mayor and Councilmembers, not excused from voting, in order to rezone the property, **with regards to Area A only.**

The Zoning Committee recommends approved of Area A with the exception of property west of Wilmore Drive which should remain I-2.

The Zoning Committee recommends that Area B be approved.

Attachment 30

Res #11 B 31 P. 363-A

Mangum | McCrory
Add item to agenda to Consider Economic Dev. Financing Resolution.
Unan.

Hammond | Wheeler Endorsing Constitutional Amendment
App. Resolution for Economic Dev. Financing
No - Reid

CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget, and are low bid, are within the budget estimate, and have met M/WBE criteria.

Consent II consists of items that have also been approved in the budget, but which may require additional explanation.

Pull Consent - 38, 39B, C + D, 42, 45A, B + F
Man / vote
App. Rest
Unan.

CONSENT I

38. Various Bids

A. 14 Automated Refuse Packers (Automated Pickup of Roll Out Garbage Cans)

Mangum / Patterson
Defer to 11/8
Unan.

Recommendation: The Director of Solid Waste Services recommends that the low bid of $1,532,720 by Heil/Crane Carrier of Charlotte be accepted.

There ~~are no known~~ MWBE's for this equipment.

Purchasing

39. In Rem Remedy Action

A. 3535 Jessie Street

Ord. # 1
H 3694 A
B 43 P 410

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3535 Jessie Street (Wilson Heights Neighborhood) which is located in the City Within a City boundaries.**

Explanation of Request:

- Demolition recommended because
  - estimated $9,210 In Rem Repair cost is 1354% of the $680 tax value.

CD

- rehabilitation vs new construction is not feasible (Total estimated cost to acquire and rehabilitate the house is $40,153 - includes $345 for delinquent taxes A new house could be constructed for $50,000 and have an economic life of 50 years.) Also, house contains only 864 sq. ft
- property is zoned I-1 (industrial) and is located next to the Statesville Avenue landfill

(See Exhibit A in the attachment - Acquisition/Disposition Analysis)

- Property originally inspected January 31, 1992 due to an assigned field observation in a Concentrated Code Enforcement area
- Owner ordered to demolish since cost to repair is more than 65% of the estimated tax value.
- Owner did not comply with Order to Demolish by March 29, 1992
- Demolition Cost - $2,700
- Lien will be placed on property for the cost of demolition.
- Owner has been notified of this In Rem action being presented to City Council
- See Attachment for additional background

Attachment 31

Hammond/Reid
App. B & D
Unan.

B. 3625-27 Jonquil Street

Ord #2
#3695 X
B-43
P-111

Action: **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 3625-27 Jonquil Street (Grier Heights Neighborhood) which is located in the City Within a City boundaries**

CP

Item No.

Explanation of Request:

- Demolition recommended because:
  - estimated $20,800 In Rem Repair cost is 140% of the $14,800 tax value
  - rehabilitation vs new construction is not feasible (Total estimated cost to acquire and rehabilitate the house is $70,670 - includes an $8,000 outstanding loan A new house could be constructed for $50,000 and have an economic life of 50 years.)

  (See Exhibit A in the attachment - Acquisition/Disposition Analysis)
- Property originally inspected October 5, 1990 due to an assigned field observation in a Concentrated Code Enforcement area
- Owner ordered to demolish since cost to repair is more than 65% of the estimated tax value
- Owner did not comply with Order to Demolish by January 6, 1991
- Demolition Cost - $2,700
- Lien will be placed on property for the cost of demolition
- Owner has been notified of this In Rem action being presented to City Council

Attachment 32

C. 4912 Morgan Street

Ord. #4
#3697-V
B-43
P-412

Action

Morgan/Scarborough
Aff - 10-1
No - Reed

A. Adopt an Ordinance authorizing the use of In Rem Remedy to repair the dwelling at 4912 Morgan Street (Hoskins/Thomasboro Neighborhood) which is located in the City Within a City boundaries.

B. **Approve an In Rem Home Repair loan to James and Geraldine Slade in the amount of $10,200 to finance the cost of the repairs.**

Explanation of Request:

- In Rem Repair and an In Rem Home Repair loan recommended after a financial analysis to determine the most appropriate financial assistance (See Attachment)
- Property inspected December 10, 1991 due to an assigned field observation in a Concentrated Code Enforcement area
- Owner ordered to repair since cost to repair is less than 65% of the estimated tax value
- Owner did not comply with Order to repair by March 5, 1992.
- Repair cost - $10,200
- Lien will be placed on property for cost of repairs
- Owner has been notified of this In Rem action being presented to City Council and agrees with this course of action
- See Attachment for additional background

Attachment 33

D. 2939 Clyde Drive

Ord #3 #3696 B-43 p.412

Action **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 2939 Clyde Drive (Smallwood Neighborhood) which is located in the City Within a City boundaries.**

CD

Explanation of Request:

- Demolition recommended because
  - estimated $9,975 In Rem Repair cost is 136% of the $7,310 tax value
  - rehabilitation vs new construction is not feasible (Total estimated cost to acquire and rehabilitate the house is $34,642 - includes $152 for delinquent taxes A new house could be constructed for $50,000 and have an economic life of 50 years.) Also, house contains only 840 sq ft

  (See Exhibit A in the Attachment - Acquisition/Disposition Analysis)

- Property originally inspected April 15, 1991 due to an assigned field observation in a Concentrated Code Enforcement area. House was ordered to be repaired by June 3, 1991. Extensions granted until June 22, 1992.

- A new inspection was made on February 1, 1993 because of a continued deterioration of the house

- Owner ordered to demolish since cost to repair is more than 65% of the estimated tax value

- Owner did not comply with Order to Demolish by April 21, 1993

- Demolition Cost - $3,100

- Lien will be placed on property for the cost of demolition

- Owner has been notified of this In Rem action being presented to City Council

- See Attachment for additional background

Attachment 34

Res. #1 P. 31 P. 355

40. **Refund of Certain Taxes**

Action: **Adopt a resolution authorizing the refund of certain taxes assessed through clerical or assessor error in the amount of $7,927.04.**

Explanation of Request: It is requested that the City Council adopt the attached resolution authorizing refund of $7,927.04 in total to the listed taxpayers.

Background: North Carolina General Statute 105-381(a) provides that any taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed through clerical or assessor error upon his property shall make demand in writing of a refund of the questioned tax payment. The governing body shall determine whether the taxpayer has a valid defense to the tax collected and authorize by resolution a refund of that portion of the amount that is determined to be in excess of the correct tax liability

APPROVED BY CITY COUNCIL
OCT 25 1993
Brenda R. Freeze
City Clerk

Attachment 35
Resolution with taxpayer listing
Additional listing of taxpayers who have received refunds less than $100 (As required by Resolution Book 27, Page 493, June 24, 1991)

Finance

CONSENT II

41. Third Party Insurance Administration

Action: Approve contracts with Comp~~Services~~ SOURCE, Inc. and Preferred Adjusters, Inc. for Third Party administration for claims adjustment and reporting services. Services are needed on behalf of the city of Charlotte, Mecklenburg County and the Board of Education The contracts are based on unit prices. Total dollars are dependent on the number of claims handled

Explanation of Request:

- The current third party administrator no longer handles workers compensation claims. CompServices, Inc is recommended for claims administration for Workers' Compensation.

- Preferred Adjusters, Inc is recommended to handle automobile and general liability claims for a period of two years with an option to renew for two additional terms of twelve months each

- A third party administrator (TPA) claims service firm is needed to assist the Division of Insurance and Risk Management (DIRM) in resolving a small percentage of claims A TPA is required on some percentage of claims that are not cost effective to adjust with City staff due to their complexity and the amount of time consumed in handling these claims (e g transit bus accidents and sewer backups)

Attachments: 36
1. Summary of Bids
2. Justification

DIRM

42. **Grant Application to Federal Transit Administration and NCDOT**

(3)

Action:

A Adopt resolutions amending the FY94-FY98 Capital Improvement Program and authorizing grant applications to the Federal Transit Administration and the North Carolina Department of Transportation for FY94 transit assistance, and

B. Adopt a budget ordinance appropriating grant funds and the City match.

Res #2 B-31 P-358
Res #3 B 31 P-360
Res #4 B 31 P-362
Res. #5 B 31 P-364
ORD #5 #3698 B 43 P 414

Explanation of Request:

City Council is requested to authorize the submission of applications to the Federal Transit Administration (FTA) and to the North Carolina Department of Transportation (NCDOT) for FY94 transit assistance

- Capital Assistance

The FY94 capital program includes:

1.	Replacement of 3 minibuses and 7 additional minibuses	$ 350,000
2	Purchase of computers for CTS/STS operations/ administration	75,000
3.	Purchase of maintenance equipment	50,000
4.	Construction of additional parking for 48 buses and 46 employee autos at the Transit Maintenance Operations Center (TMOC)	1,102,500
5	Replacement of 4 vanpool vehicles	80,000
6.	Rehabilitation of bus washer trench aprons	30,000
Total		$1,687,500

Manager/Assistant
OAP.
Union.

CDOT

Funding for these capital improvements is as follows:

FTA (80%)	$1,350,000
NCDOT (10%)	168,750
CITY (10%)	168,750
Total	$1,687,500

- Operating Assistance

The FY94 grant from the FTA will provide the maximum anticipated appropriation for operating assistance of approximately $1,285,729, to partially offset the transit system's deficit

Background: Annually, the City applies for grants from the FTA and the NCDOT to assist in the funding of the transit program FTA's formula grant program, Section 9, allocates funds for both capital and operating assistance At one time, operating assistance covered 50% of the operating deficit In 1987, the FTA capped its participation in operating assistance, and it is now $1,287,810. NCDOT does not provide operating assistance, so our State grant application requests capital funds only.

43. Mallard Creek Road Water Main

Res. #6 B-31 p-361
Ord. #6 # 3699-1 B-43 p-41

Action:

1) **Approval of a resolution amending the FY 94-98 Capital Improvement Program;**

2) **Approval of a budget ordinance appropriating $520,000 to the Mallard Creek Road Water Main From Prosperity Church Road To Beard Road Project, and**

3) **The Acting Utility Director recommends approval of the low bid of $212,659.55 by Kappers Construction Co. of Monroe, NC. for construction of a water main along Mallard Creek Road.**

CMUD

Item No.

Explanation of Request:

- The resolution revises the Mallard Creek Road Water Main From Prosperity Church Road To Beard Road Project When completed this project will consists of 9,000 feet of 16-inch water main from Prosperity Church Road To Beard Road

- Approximately 9,000 feet of this project was initiated due to citizens request for extension of water mains under the Utility Department's Street Main Extension Program

- Approval of the budget ordinance will move the construction funds into the current budget year and will allow construction of the first 2,500 feet with approval of this contract

- An additional 5,500 feet of the remaining portion of this project is currently under design Transferring of all funds at this time would allow commencement of construction of the 5,500 feet in approximately 4-5 months and it would prevent amending the CIP again within a short time frame

- This project was originally scheduled for construction in FY94-FY98

- The contractor has complied with MWBE contract provisions which allow him to perform all the work with his own forces.

Doc. #7
+ 3700
B-43
P 446

44. Lower Speed Limit on Amity Place

Action: **Request adoption of ordinance to lower the speed limit on one Charlotte Street.**

Explanation of Request:

- Request Council adopt an ordinance to lower the speed limit, in accordance with Council's approved policy on the Neighborhood 25 MPH Program, on:

CDOT

Brenda,

Please ask Council to delete Consent Item #45 F (Rye) Real Estate has negotiated a settlement

Thank you,
Gretta Cline

Amity Place from Farmingdale Drive to
Reddman Road 25 MPH

Background: On May 14, 1984, City Council approved a policy to permit a lowered speed limit on residential streets. The policy requires that the residents submit a petition signed by 75 percent of the residents or property owners on the streets and that an engineering evaluation be conducted by the Department of Transportation to determine if the lowered speed limit is appropriate

45. Property Transactions

Action: **Recommend approval of the following condemnations, resolutions and property agreements.**

Condemnations:

A. Project: Gwynne/Lanier Storm Drain, Parcel No. 19
Owner(s): Bruce Harrison Justice and any other parties of interest
Property Address: 5347 Buena Vista Avenue
Property to be Condemned: 917 sq.ft. (.02 ac.)
Improvements None
Price $1.00
Reason for Condemnation:
Total area: 13,000 sq.ft. = (.30 ac.)
Permanent Drain Easement
459 sq.ft. = (.010 ac.)
Temporary Const. Easement.
459 sq.ft = (.010 ac.)
Area remaining· 12,540 sq.ft. = (.29 ac.)

Mr. Justice owns this property which is adjacent to Parcel #21 owned by his father, William Justice. Since Mr. William Justice is displeased with the quality of work performed by the City, Mr Bruce Justice refuses to execute any agreements needed to construct this project.

Morgan/Wheeler Defer 45 A + B to Union. 11/8/93

Real Estate

Zoned R-4 Use: Residential
Tax Code: 161-031-13 Tax Value.

B. Project: Gwynne/Lanier Storm Drain, Parcel No. 21
Owner(s): William H. and Francis W. Justice and any other parties of interest
Property address: 5353 Buena Vista Avenue
Property to be condemned:
1,000 sq.ft (.023 ac.)
Improvements: None
Price: $1.00
Reason for condemnation:
Total area: 13,000 sq.ft. = (.30 ac.)
Permanent Drain Easement:
551 sq.ft = (.013 ac.)
Temporary Const. Easement:
449 sq.ft. = (010 ac.)
Area remaining 12,449 sq.ft. = (.285 ac.)
Mr. Justice objects to this project due to a previous negative experience with the quality of the installation of a sanitary sewer at his primary residence. Attempts have been made to correct the problem, but Mr. Justice is still angry and refuses to execute any agreements needed for the construction of this project.

Deferred

Zoned R-4 Use: Residential
Tax Code: 161-031-14 Tax Value:

C. Project: Gwynne/Lanier Storm Drain, Parcel No. 30
Owner(s). Bernie Larry Pence and any other parties of interest
Property address: N. Sharon Amity Road
Property to be condemned: 4,016 sq.ft.
(092ac.)
Improvements None
Price $1 00
Reason for condemnation:
Total area 15,874 sq ft = (.36 ac.)
Permanent Drain Easement
2,245 sq.ft. = (05 ac.)

Ref #1 B-3 P-368

Eng/RE

Item No.

Temporary Const. Easement:
1,771 sq ft. = (.04 ac.)

Area remaining: 13,629 sq.ft. = (.312 ac.)
This vacant property fronts N. Sharon Amity Road near its intersection with E. Independence Blvd. Across the street is a small office park. Mr.Pence has tried unsuccessfully to have the property rezoned to commercial or business to allow office development. He is angry and withholds support of the storm drain improvements due to the denial of his rezoning request.

Zoned: R-4 Use: Vacant
Tax Code· 161-032-13 Tax Value:

D. Project Gwynne/Lanier Storm Drain,
Parcel No 31
Owner(s) Bernie Larry Pence and any other parties of interest
Property address: N. Sharon Amity Road
Property to be condemned 784 sq ft. (017 ac.)
Improvements: None
Price: $1.00
Reason for condemnation:
Total area: 14,776 sq.ft = (.34 ac.)
Permanent Drain Easement:
321 sq ft. = (.007 ac)
Temporary Const. Easement.
463 sq ft = (.010 ac.)
Area remaining 14,435 sq ft. = (33 ac.)

This property (adjacent to Parcel 30) fronts N. Sharon Amity Road near its intersection with E. Independence Blvd. Across the street is a small office park. Mr. Pence has tried unsuccessfully to have the property rezoned to commercial or business to allow office development. He is angry and withholds support of the storm drain improvements due to the denial of his rezoning request.

Res #8
B 31
P-370

Eng

Zoned: R-4 Use Vacant
Tax Code· 161-032-12 Tax Value:

E. Project: Monroe Road/Wendover Road/Eastway Drive Intersection Improvements, Parcel No. 8
Owner(s): Andrew J. Beall, Jr. and any other parties of interest
Property address: 3901-05 Monroe Road
Property to be condemned: 3,979± sq.ft. (0.082 ac.)
Improvements None
Price· $27,500 00
Reason for condemnation:
Total area: 42,833 sq.ft. = (0.983 ac.)
Area to be acquired: 2,185 sq.ft. = (0.05 ac.)
Utility Easement: 52 sq.ft. = (0.0015 ac.)
Temporary Const. Easement 1,342 sq.ft. = (0.03 ac.)
An option to purchase the property was signed earlier this year. Due to title search problems, the parcel did not close within the option period. The owner has now decided that his business property has been damaged greater than our settlement amount. He is in the process of obtaining an appraisal, therefore, we must request approval for condemnation in order to prevent delays in construction.

Res # 9 B 31 P. 372

Eng/RE

Zoned B-2 Use· Beauty Salon
Tax Code: 159-054-26,28 Tax Value:

F. Project: Neighborhood Reinvestment: Reid Park, Phase I, Parcel No. 168
Owner(s): William Earle Dye and any other parties of interest
Property address: 3060 Reid Avenue
Property to be condemned.
3,152 sq ft (072 ac.)
Improvements· None
Price· $1.00

Settlement Negotiated - 10/25/93 - Remove from agenda Willa Cline

Eng/Real Estate

Item No.

Reason for condemnation:
Total area 9,375 sq ft = (.215 ac.)
Fee acquisition: 454 sq.ft. = (.010 ac.)
Permanent Utility Easement:
4 sq.ft. = (.00009 ac.)
Permanent Wall Easement:
98 sq.ft. = (.002 ac.)
Remaining area: 8,818 sq.ft. = (.202 ac.)
Temporary Const. Easement:
2,597 sq.ft = (.06 ac.)
The Neighborhood Reinvestment Project includes the opening of Caronia Street adjacent to Mr Dye's side property line. Opening the street requires raising the elevation and the installation of a concrete retaining wall. Mr. Dye objects to opening the street and the retaining wall because he will not be able to access his backyard from Caronia St.

Zoned· R-22 MF Use· Residential
Tax Code· 145-186-07 Tax Value·

Property Agreements:

Aviation

G. Project. F A.R. Part 150 Land Acquisition
Owner(s)· Wesley W Wilson and wife
Property Address: 102 Dogwood Drive
(Church of God property)
Property to be acquired .25 acres
Improvements: Ranch 2 bedroom, 1 bath
Tax Value: N/A
Purchase Price $26,000.00

H. Project· F A R Part 150 Land Acquisition
Owner(s): Henry L. Tadlock, Jr. and wife
Property Address· 4323 McKinley Drive
Property to be acquired .241 acres
Improvements Brick Ranch, 3 bedroom, 1 bath
Tax Value· $46,430.00
Purchase Price: $51,000.00

Aviation

I. **Project**· F. A R Part 150 Land Acquisition
Owner(s) Mildred L Walker
Property Address· 2412 Eatonton Street
Property to be acquired 1.128 Acres
Improvements Bungalow, 2 bedroom, 1 bath
Tax Value: $47,640.00
Purchase Price: $49,000.00

Aviation

EXHIBIT A

COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY

EXECUTIVE SUMMARY

COMMUNITY PROFILE/NEEDS ASSESSMENT

As of July 1993, the City of Charlotte had a population of 444,151 including recent annexations. Censustakers counted 158,991 occupied households in 1990, 55 percent of which were owner-occupied and 45 percent occupied by renters. There were 170,430 housing units in Charlotte, a 37 percent increase in the number of housing units since 1980. Sixty percent of the housing stock was comprised of single family dwellings, and 40 percent was multifamily. Of the 170,430 housing units, 11,434 or 7 percent were vacant in 1990

With respect to apartments, the citywide vacancy rate peaked at 11% in late 1991 but has since declined to 6 1 percent (May 1993 Charlotte Apartment Association Report). In some areas of the city the vacancy rate was higher, and there has been an increase in vacancies in older units rented to low- and moderate-income tenants in the central area of the city.

The condition of the housing stock is basically sound, with 95 percent considered to be in satisfactory condition according to a 1990 survey conducted for the City by the Urban Institute of UNC Charlotte While housing quality problems may be found throughout Charlotte, there is a significant concentration of deteriorated and dilapidated housing in the North and West quadrants of the City. Housing quality is related to the age of housing, and over half of Charlotte's housing was built prior to 1970. Tax law changes in 1986 removed incentives to invest in rental housing, and there are growing signs of disinvestment in some areas of the urban core.

As vacancy rates have declined over the past two years, rents have increased somewhat, and are expected to continue to rise The median household income for the City of Charlotte is $40,500 for a family of four. According to HUD, very low income families (with incomes of 50 percent or less of the area median), can afford to pay a maximum of $408 per month for a 2 bedroom unit. The Charlotte Apartment Report reported an average rent of $642 for a two bedroom unit. The gap illustrates the dilemma very low income families face in finding housing on the private market

Many low-income families cannot pay what it costs to operate a unit for a year, which is what is meant when property managers speak of an "economic gap" in the rental market which is squeezing profits and causing disinvestment. These families will need subsidies in order to be housed, and the demand far exceeds the supply There are a total of 7,958 assisted housing units in Charlotte, including 6,839 units owned,

managed, or otherwise subsidized by the Charlotte Housing Authority and 1,119 units of privately owned assisted housing developed through public private partnerships One rough measure of the demand for these units is the size of the Charlotte Housing Authority's waiting list, which had an unprecedented 9,413 families on it in July 1993, so many that its Board opted to close the waiting list due to the lengthy wait such families could expect before a public housing unit or Section 8 rent subsidy would be available for them

On the homeownership side, the 1990 Census indicated a median value for a single family home of $81,300. With mortgage interest rates as low as 6 5 percent and home prices comparatively affordable, many low-income families are finding that homeownership is within their reach as never before. Obstacles such as poor credit and inability to save for a downpayment, however, continue to hamper many local families' efforts to participate in the American Dream.

To summarize, low income families do face significant housing problems in the City of Charlotte, the most prevalent being the problem of affordability As local population growth levels off, the pressure on the housing supply becomes somewhat less acute, but there is generally a mismatch between very low income families' ability to pay and the rents they can find on the private market. Subsidized units are in short supply and, once in them, too many families find themselves unable to move up and out, thereby freeing up units for other families in need.

The much larger group of low-income families who are unable or unwilling to rely on assisted housing are often forced to live in substandard housing, which is concentrated in neighborhoods where crime and other problems are found. Unable to raise rents in such areas, some property owners are allowing their properties to decline, creating a downward spiral in certain areas of the City. Some families have sufficient income to become homeowners, but poor credit histories and lack of a downpayment stand in their way. Others, house rich and cash poor, are unable to maintain the homes they own and must stand by helplessly as their homes deteriorate around them.

There is also the problem of homelessness, which persists despite local providers' best efforts to prevent and solve it While reliable numbers are hard to find, local providers estimate that there are somewhere between 2,000 and 3,000 homeless in Charlotte. Meanwhile, there are an estimated 742 shelter beds for the homeless, including those provided as part of substance abuse treatment.

Meanwhile, some low-income Charlotte citizens need housing tailored to their special needs which is either unavailable or in short supply Populations with special housing needs include the elderly and frail elderly, the physically and developmentally disabled, the mentally ill, and persons living with AIDS

PRIORITIES AND STRATEGIES

Over the coming five years, the City of Charlotte and other local housing providers will pursue programs and activities which address the following seven priorities

Preservation of Existing Housing: Under this priority, the City will continue to enforce the City's minimum housing code in an effort to protect health and safety, preserve the existing housing stock, and prevent neighborhood decline It will target for concentrated code enforcement neighborhoods where housing, crime, and other conditions indicate, and it will seek to promote tenant responsibility where appropriate The City will also administer rehabilitation and home repair loan programs to assist low-income homeowners in bringing their properties up to the City's housing rehabilitation or code standards, and provide some rental rehabilitation assistance to absentee owners with properties under code enforcement.

Looking for more permanent solutions, the City will seek to facilitate, primarily through nonprofits, the acquisition of absentee-owned single family homes for rehabilitation and resale to low-income families. In the long run, preservation of existing housing is the most cost effective approach to providing affordable housing, and increased homeownership by low-income families is crucial to neighborhood stabilization

Strengthening Neighborhoods and Community-Based Organizations: The City sees nonprofit, community-based organizations as the key to arresting neighborhood decline and stabilizing low-income communities. Consequently, it will provide development finance to housing projects sponsored by community-based organizations and will also seek to build the capacity of such groups through technical assistance, training, and administrative support where needed It will also seek to link housing efforts to public safety/community policing initiatives wherever possible and appropriate.

Promoting Self-Sufficiency: Recognizing the limitations of a bricks and mortar-only approach, the City will continue and enhance programs aimed at increasing the self-sufficiency of low-income families in both assisted and non-assisted housing. Such programs and activities will be undertaken primarily by nonprofit agencies under contract with the City. A key goal of such efforts will be to move people up and out of public housing and into market rentals or homeownership situations. Programs to prepare people for homeownership and remove the typical obstacles will be supported

Promoting Housing Affordability: The City will commit resources toward rental assistance to address the gap between what low-income families can afford to pay and rent on the open market. It will also continue to support the second mortgage assistance offered by the Charlotte Mecklenburg Housing Partnership in tandem with its bank mortgage pool in an effort to promote homeownership opportunities for low-income families.

Expanding the Affordable Housing Supply There are and will continue to be instances where new construction of assisted housing is necessary and desirable as funds permit. These include replacement of housing stock naturally lost to deterioration each year, housing to fill specific needs such as for persons with disabilities, and housing which promotes important community goals such as economic and racial integration and integration of the schools

Addressing and Preventing Homelessness: It is anticipated that Mecklenburg County and the United Way will continue to provide the bulk of support for local emergency shelters and homeless service providers for the jurisdiction, and the City will play a supportive but secondary role. Providers will seek additional resources from the federal government to expand existing emergency and transitional housing facilities and increase case management and outreach to the homeless, especially those with special needs. Providers will seek to further coordinate and integrate homeless services through the newly formed Homeless Service Providers Network.

Targeted Population To Be Served: Priority for assisted housing owned and/or managed by the City, Charlotte Housing Authority, Charlotte-Mecklenburg Housing Partnership and Public/Private Partnerships is described below The Charlotte Housing Authority is to administer and maintain a Master Waiting List for assisted housing for low-income families. Families on the Master Waiting List to receive assisted housing must reside in substandard, overcrowded and unaffordable housing, and must earn 80% or less of the local median income with priority given in the following order:

- Families displaced by governmental actions such as:
  - code enforcement;
  - capital improvement projects (i e road improvements, modernization/ rehabilitation of assisted housing units); and
  - acquisition of houses by the City of Charlotte.
- Families earning 60% or less of the local median income
- Families currently residing in conventional public housing will have priority for transitional and homeownership opportunities.

Further priority consideration will be given to stabilizing the housing conditions for families with children below the age of 15 and to efforts promoting self-sufficiency for these families

Other: In addition to these priorities and strategies, the Charlotte Housing Authority will be undertaking significant efforts to modernize public housing utilizing federal funds available for this purpose. Also, faced with new federal mandates, both the City and the Charlotte Housing Authority will undertake new steps to address the hazards of lead-based paint in housing built prior to 1970.

Resources Available: The City's anticipates that approximately $15 7 million in federal and local funds will be available during FY94 for activities described under the housing priorities listed above

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG CITY OF CHARLOTTE

AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY

THIS AGREEMENT made as of _____, by and between MECKLENBURG COUNTY, a political subdivision of the State of North Carolina (hereinafter "County"), and the CITY OF CHARLOTTE, North Carolina, a municipal corporation of the State of North Carolina (hereinafter "City")

WITNESSETH:

WHEREAS, the purpose of this Agreement is to recognize that a *single storm water system* exists in Mecklenburg County, and that the goal of the City of Charlotte and Mecklenburg County is to provide comprehensive storm water services in an efficient, effective, and equitable manner, and

WHEREAS, the Charlotte City Council and Mecklenburg County Board of Commissioners believe the most equitable source of revenue for storm water services to be primarily storm water (utility) fees assessed on the basis of contribution of runoff from each property, and

WHEREAS, North Carolina General Statutes 153A-277 and 160A-314 require that no storm water utility fee may be levied whenever two or more units of local government operate separate structural and natural storm water and drainage system services in the same area within a county unless units of local government allocate among themselves the functions, duties, powers, and responsibilities of jointly operating a single system within the same area, and

WHEREAS, the County and City currently have certain distinct responsibilities in connection with the operation, maintenance and financing of separate systems, and

WHEREAS, the purpose of this Agreement is to establish a single storm water utility in Mecklenburg County, to allocate storm water responsibilities, and to establish the method and responsibilities for financing and operating a single, comprehensive storm water quantity and quality management program in Mecklenburg County

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE FULFILLMENT OF THE TERMS OF THIS AGREEMENT, THE COUNTY AND CITY AGREE AS FOLLOWS

1 Major system- The County shall be responsible for operation and maintenance of the major system (defined as streams having a watershed greater than one square mile) in the unincorporated areas of the county, and within the corporate limits of such municipalities as may by interlocal agreements with the County agree for the County to operate and maintain the major system within such municipalities The County shall establish levels of service and cost, prioritize, schedule, and manage activities related to the major system, and shall be responsible for financial accounting of associated revenues The City of Charlotte hereby allocates responsibility for the major system within the corporate limits of the City as they may change from time to time as the result of annexation or otherwise to the County

2 Minor system- The County shall be responsible for operation and maintenance of the minor system (defined as streams and drainage systems with a watershed of less than one square mile) in the unincorporated areas of the county, and within the corporate limits of such municipalities as may by interlocal agreements with the County agree for the County to operate and maintain the minor system within such municipalities The County shall establish levels of service and cost, prioritize, schedule, and manage activities related to the minor system in unincorporated areas, and shall be responsible for financial accounting of associated revenues The City hereby retains responsibility for the minor system and shall establish levels of service and cost, prioritize, schedule, and manage activities relating to the minor system within the corporate limits of the City as they may change from time to time as the result of annexation or otherwise

3 Charlotte-Mecklenburg Storm Water Utility- The storm water services to be provided pursuant to this Agreement shall be conducted as a public enterprise to be known as the Charlotte-Mecklenburg Storm Water Utility

4 Water quality- The City is responsible for protecting the quality of storm water runoff and surface waters in the City as required by the Clean Water Act and associated regulations promulgated by the United States Environmental Protection Agency and/or the State of North Carolina, and other laws and regulations that may apply

5 Financing- Pursuant to N C G S 153A-278 and 160A-314, the County shall, unless otherwise provided by this Agreement, establish, revise, charge, and collect, storm water fees and issue, where appropriate, storm water credits for property in the unincorporated areas of the county, and within corporate limits of the City and such other municipalities as may by interlocal agreement with the County request the County to operate and maintain all or a portion of the storm water system within such municipalities Storm water fees shall be a periodic service charge which shall consist of three components as follows

i) Fixed and Administrative cost component to pay those expenses that are not influenced by the amount of impervious area on a parcel of property, including but not limited to the cost of producing bills and collecting fees, and operating customer service functions Funds resulting from the fixed cost component of the fees shall be used only for billing, customer service, and other joint storm water activities of the City and County Cost associated with this component shall be updated annually through the submission of an annual budget to be presented by the City to the County by April 15 Final agreement between the City and

County Managers on this annual budget is required within 60 days of the submission

ii) Major system cost component to pay those expenses incurred in master planning, operating, and maintaining streams with a watershed greater than one square mile The major system component of the service charge shall be a flat amount for single family residences (regardless of the amount of impervious area on the property), and for all other property, shall be based on a flat amount for each 2613 square feet of impervious area, and a prorata share for each portion thereof In accordance to this Agreement, revenues from the major system cost component shall be distributed to the County for usage in the Mecklenburg County Storm Water Enterprise Fund

iii) Minor system cost component to pay those expenses incurred in operating and maintaining streams and drainage systems with a watershed of less than one square mile The minor system component of the service charge shall have two rates for single family residences, one amount for those with less than 2,000 square feet of impervious area, and a higher amount for those with 2,000 square feet or more For all other property, the charge shall be based on a flat amount for each 2613 square feet of impervious area, and a prorata share for each portion thereof Revenues from the minor system cost component collected in the City of Charlotte shall be distributed to the City of Charlotte for providing minor system services within its corporate limits

On or before April 15 of each year during the budget process, the County shall ask the City if it wishes to alter the minor system cost component of the service charge If the City requests that the County alter the minor system cost component of the service charge levied within the corporate limits of the City, the Board of County Commissioners shall schedule a joint public hearing on the alteration in the service charge at a time which is mutually convenient Following the hearing, the Board of County Commissioners shall alter the minor system cost component of the service charge to be levied within the City after it receives notification from the City Council of the desired alteration in the minor system cost component of the service charge The Board of County Commissioners shall attempt to schedule the public hearing before May 15 so that changes made in the minor system cost component can be placed into the budget for the next fiscal year

In the event a change is requested separate from the annual budget process, the County shall conduct such public hearings and other measures as required by the North Carolina General Statutes to establish new charges within sixty days of the City's request

6 Credits- Properties subject to storm water service charges may be granted credits against the fee in accordance to the credit policy jointly approved by the Charlotte City Council and Mecklenburg County Board of Commissioners The credit shall be applied to charges for both the major and minor system The City hereby retains the responsibility for reviewing and

approving credit applications within the City for both the major and minor system cost components of the service charge

7 Billing - Pursuant to NCGS 153A-277 and 160A-314 under this Agreement the County has primary responsibility for billing and collecting storm water (utility) fees However, until otherwise provided pursuant to this Agreement, the County agrees that the City of Charlotte Finance Department shall create and distribute bills and collect fees, in accordance with State law, throughout the unincorporated areas of the County as well as the City In addition, the City will also provide billing and collection services for other client municipalities which contract with the County to operate and maintain storm water systems provided said provisions are agreed to in writing by City and County Managers The City will be responsible for collecting all past due storm water fee accounts including legal collections The fees shall be billed with and at the same frequency as the Charlotte-Mecklenburg Utility Department water/sewer charges unless the City and County mutually agree to an alternative frequency

If the County decides to use a billing system other than the current billing system operated by the City Finance Department, it shall give written notice 360 days before that change to the City Finance Director Within 120 days of the change in billing system, the City shall submit a schedule showing the costs associated with the billing and collection system and customer service that are incurred and unrecovered by the City These costs shall include operational costs in excess of the annual budget, not to exceed five percent (5%) of the annual budget, remaining start up costs, as described in the repayment schedule in section "8", which have resulted from designing, programming, implementing, and modifying the City Finance billing and collection system, and system termination costs Final settlement is required within 60 days of the submission of costs

8 Billing and Collection System Start Up and Modification Costs- The County shall pay the total costs for changes necessary to distribute bills and collect fees for storm water services for the County and its other municipal participants The County's final payment to the City for these costs shall be submitted to the City within 60 days of final implementation of the initial services to be performed for the County Additionally, the City and County will share the costs incurred to design, program, and implement the billing and collection system based on a percentage calculated by adding the total number of bills from which each party receives a revenue A schedule of repayment for these costs will be mutually agreed upon by the City and the County Managers

9 Distribution of Revenues- Before the distribution of storm water fees collected for the County or a municipality serviced by the Charlotte-Mecklenburg Storm Water Utility, the City shall deduct that portion of the fee necessary to reimburse the City for fixed and operating costs associated with billing, collection, customer service and processing as described in Section "5 i" of this Agreement This deduction shall be on a monthly basis and consist of one-twelfth of the annual budget described in section "5 i" of this Agreement The City shall also deduct the minor system cost component collected to provide storm water services within the corporate limits of the City of Charlotte as described in section "5 iii" of this Agreement Net revenues shall be distributed to the County on the 25th of each month following the last billing cycle or on the first business day thereafter, for usage in the Mecklenburg County Storm Water Enterprise Fund Within 120 days of the close of the fiscal year, the City shall submit

a schedule showing the cost actually incurred and the amount over and under the budget Final settlement is required within 60 days of the submission of such information The County shall have no obligation to pay any amount which is more than five percent (5%) of the annual budget as described in section "5 i" of this Agreement unless mutually agreed upon in writing by the City and County Managers In the event the actual costs incurred are less than the budget, the difference between the budgeted amount and the actual costs for providing the service will be used for joint storm water activities of the City and County as specified by section "5 (i)" of this agreement

10 Indemnity of Each Party- County agrees to indemnify and hold City harmless from and against any and all claims, liabilities, damages and expenses, including attorneys fees, arising from the County's operation of its major system within the corporate limits of the City and from the County's use of revenue raised from the major system cost component of the service charge City agrees to indemnify and hold County harmless from and against any and all claims, liabilities, damages and expenses, including attorneys fees, arising from the City's operation and maintenance of the minor system in the City and from the City's use of revenues raised from the minor system cost component of the service charge

11 Charlotte-Mecklenburg Storm Water Advisory Committee- A nine member citizens advisory committee shall be established with representatives of the following categories

- schools, colleges, hospitals, or churches - 1 member (individual to be employed full time by the institution or be a board member or officer of the institution),
- industry, manufacturing, or commercial - 1 member (individual to be employed full time in the management and/or operation of industrial, manufacturing, or commercial property),
- environmental organizations - 1 member (individual to be a member of a generally recognized organization involved in environmental issues),
- financial, accounting, or legal professional - 1 member (individual to be employed full time in providing financial, accounting or legal services),
- developer or land development design professional - 1 member (individual to be employed full time in land development or the design of buildings or land improvements),
- general contractor - 1 member (individual to be employed full time as a construction contractor),
- residential neighborhoods - 3 members (individuals shall not qualify for one of the other categories)

The members shall be appointed as follows

- 3 members by the Charlotte City Council,

- 3 members by the Mecklenburg Board of County Commissioners,
- 1 member by the towns in the northern part of Mecklenburg County as determined by the northern towns,
- 1 member by the towns in the southern part of Mecklenburg County as determined by the southern towns, and
- 1 member by the eight previously appointed members above

The initial determination of specific categories to be appointed by the County and City will be determined by lottery after the two appointments are made by the towns in accordance with the above listing The ninth member appointed by the Committee must represent the category not filled by the City, County or Town appointments The members shall serve staggered, three year terms such that three members are appointed each year The categories of the three members to be appointed each successive year shall be allocated to the City, County, and towns or Committee by lottery In the event a jurisdiction cannot identify a candidate for the category assigned by the lottery, a "residential neighborhood" representative may be appointed The Committee position will revert back to the assigned category at the expiration of the term

No member may be appointed to more than two full or partial terms Any member who fails to attend at least seventy-five percent of the regular and special meetings of the Committee during any calendar year shall be automatically removed from the Committee The Committee shall select a Chairperson each year from its own members by majority vote Each member will continue to serve until 1) his or her term has expired and a successor has been appointed, 2) his or her resignation, or 3) his or her removal If a vacancy on the Committee occurs resulting from resignation or removal, a person will be appointed to complete the unexpired term associated with such vacant position in the same manner as such position was originally filled The successor must represent the same category

A majority of the membership constitutes a quorum Every action of the Committee requires the concurring votes of least five members The Committee may adopt its own rules of procedure which may not be inconsistent with the terms of this Agreement The responsibilities of the Advisory Committee shall be as follows

- Policy Review and recommend to the City Council and Board of County Commissioners storm water management policies, policy changes, long-range plans, and their budgetary and rate impacts The recommendations are to conform, in nature, to the successful operation of a single utility in Mecklenburg County and provide consistent guidelines and design principles for the community
- Capital Improvements Review and comment to the City Council and Board of County Commissioners on capital improvement programs These capital improvement programs should be reviewed and evaluated on the basis of a comprehensive storm water quantity and quality management program in Mecklenburg County

- Operations Program Review and comment to the City Council and Board of County Commissioners on the annual operating budget for their respective service charge areas including but not limited to public education activities, customer service, and the billing and collections system

- Appeals Hear appeals and reach decisions on service charges, credits, and adjustments Hear requests for changes from City and County staffs and from private parties, and make recommendations to the City Council and the Board of County Commissioners on the following matters the application, modification, and enforcement of storm water policies These policies should be reviewed and evaluated on the basis of a comprehensive storm water quantity and quality management program in Mecklenburg County

- Councils, Commissions, and Staff Resource Respond to City Council, Board of County Commissioners and staff requests for advice on matters related to the comprehensive storm water quantity and quality management program in Mecklenburg County

- Reporting Present the City Council and Board of County Commissioners with an annual report of key actions and issues

Overall administration and support of the Advisory Committee shall be provided by the County City staff shall present all matters associated with the City's program directly to the Committee, including but not limited to reports, recommendations, budgets, and appeals

12 Ownership of Real Property Involved in Undertaking City shall have no ownership in any real property acquired by County for the operation of the major drainage system, and the County shall be free to dispose of such real property to the extent and under procedures allowed by State law County shall have no ownership in any real property acquired by City for the operation of the minor drainage system, and the City shall be free to dispose of such real property to the extent and under procedures allowed by State law However, the City and County shall cooperate with each other by granting access to property when necessary for operation of the major and minor drainage systems

13 Methods of Amending this Agreement This Agreement may be amended by written agreement authorized by the governing bodies of each party and signed by authorized representatives of both parties

14 Term of Agreement - Methods of Terminating the Agreement The initial term of this Agreement shall be from January 1, 1994 through June 30, 1999, and shall be automatically renewed each fiscal year thereafter unless notice of non-renewal is given in writing at least 18 months prior to the beginning of the fiscal year when termination is intended This Agreement may also be terminated by court order upon the finding that there has been substantial breach of this agreement by the non-complaining party so as to entitle the complaining party to be relieved on its obligations under this Agreement

15 Enforcement of Agreement The parties agree that the remedy of specific

performance would be an appropriate remedy, among others, for the enforcement of this Agreement The parties agree that the effect of this Agreement is to consolidate the storm water management services such that the Joint Resolution for Joint Operation of a Single Storm Water System Within the City Limits adopted by the Board of County Commissioners and the City Council, dated November 9, 1992, shall cease to be in effect from and after January 1, 1994

16 Entire Agreement This Agreement is the entire agreement of the parties

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by the authority duly granted by their respective governing bodies

Approved as to form	Mecklenburg County
_____	_____
County Attorney	Chairman, Board of County Commissioners
	_____
	Clerk to the Board
Approved as to form	City of Charlotte
_____	_____
City Attorney	Mayor
	_____
	City Clerk

FAMILY HOUSING SERVICES
MISSION STATEMENT, STRATEGIES, AND OBJECTIVES

To provide comprehensive housing counseling assistance to eligible families helping them to resolve their various housing problems and needs and promoting self sufficiency

To increase self-sufficiency by teaching people how to plan for and live in a rental unit and/or home they purchase

1. Provide individual and group counseling sessions to private sector (including private Section 8) landlord-referred clients earning 80% or less of the City's median income
2. Provide individual and group money management, housekeeping and home maintenance counseling to 1,000 clients referred by private sector landlords including private Section 8 tenants, with priority given to City Within a City residents, to assist families improve their self-sufficiency and home management skills and enhance neighborhood preservation and stabilization
3. Following the housekeeping/home maintenance counseling provided in objective #2, the resolution must meet the Property Manager s approval in 80% of the cases

To maintain self-sufficiency by preventing/resolving problems that could lead to loss of housing.

4. Provide rental delinquency counseling to 1,000 families residing within the City Within a City boundaries and families earning 80% or less of the City's median income, preventing rental eviction for not less than 65% of the tenants assisted
5. At least 90% of the clients successfully assisted in objective #4 will pay their rent on time for the 3 months immediately following the rental delinquency counseling.
6. Provide mortgage default counseling for 250 persons earning 80% or less than the City's median income with priority given to City Within a City residents, preventing mortgage foreclosure for not less than 82% of those counseled (which will prevent at least 205 foreclosures)
7. At least 90% of the clients successfully assisted in objective #6 will pay their mortgage on time for the 3 months immediately following the mortage default counseling.

15 October 1993

NEIGHBORHOOD DEVELOPMENT SERVICES
EVALUATION CRITERIA

- Ridership will be monitored on a monthly basis. Ridership data will be used to focus service marketing efforts. Patronage results will serve as input to discussions with personnel from service agencies, Neighborhood Centers, etc. regarding route effectiveness.

- The first service evaluation will occur after 3 months of operation. Subsequent evaluations will be scheduled at 3-month intervals throughout the one-year demonstration period.

- The following ridership service standards will be used to evaluate the overall productivity of the two types of neighborhood services:

	Passengers/Hour		
	By 3rd Month	By 6th Month	By 9th Month & Thereafter
CROSSTOWN ROUTES • City-Within-A-City • Route 29 - Route 30	8	10	12
NEIGHBORHOOD CIRCULATORS • Amay James • Johnston YMCA	4	6	8

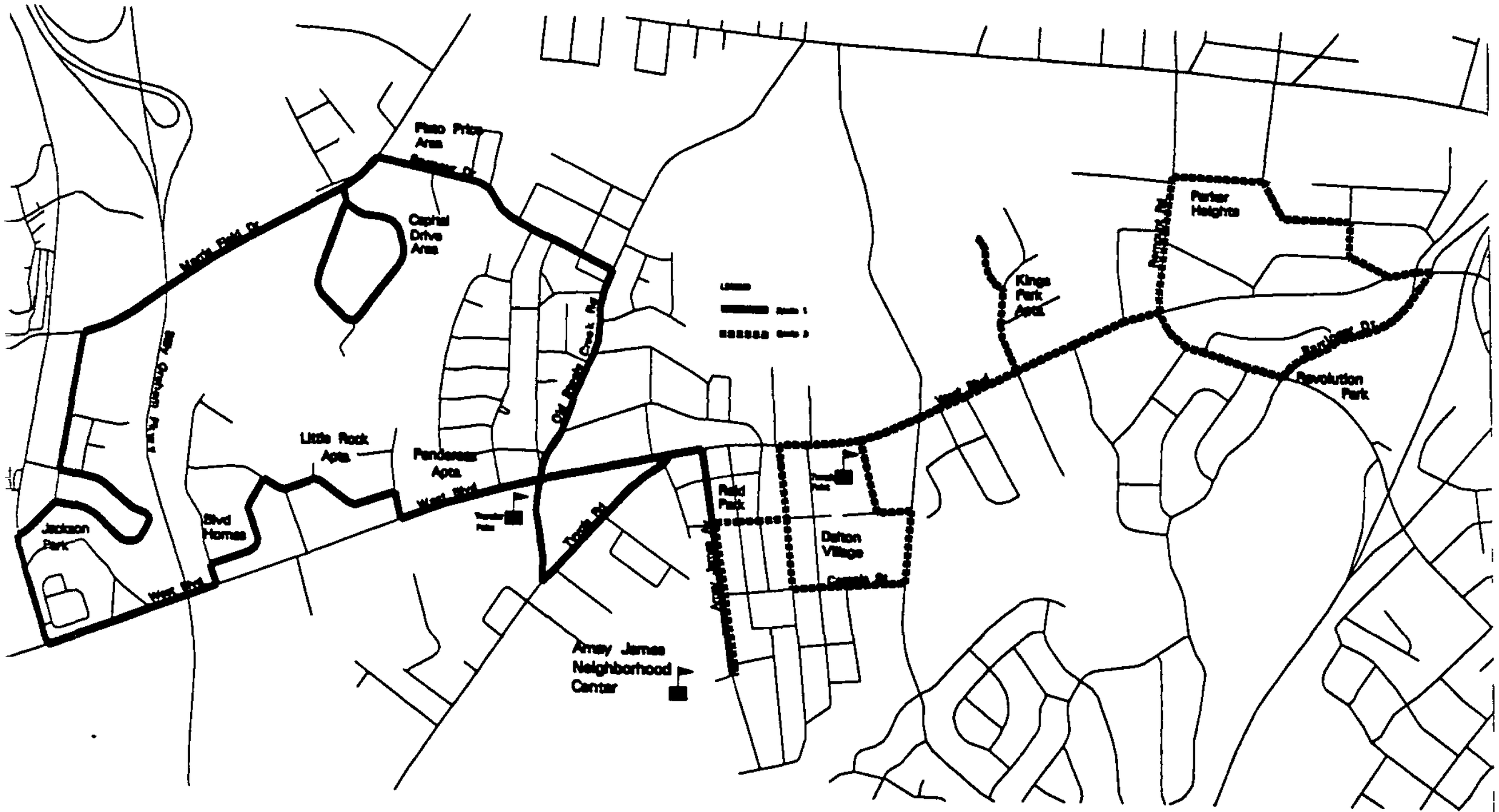
- As part of the review of each service, individual trips and route segments will be examined. At the 6 and 9 month evaluations, trips carrying fewer than 4 passengers (crosstown routes) and 2 passengers (neighborhood circulators) will be considered for termination. Non-productive route segments also may be eliminated in order to improve a service's performance to the standard.

- If route productivity has not reached the applicable standard by the end of the first year, service will be discontinued within 30 days. Service will not be terminated if a major route change surfaces which could increase productivity. This change will be evaluated after 3 additional months of operation, and a decision made on service continuation based on ridership results.

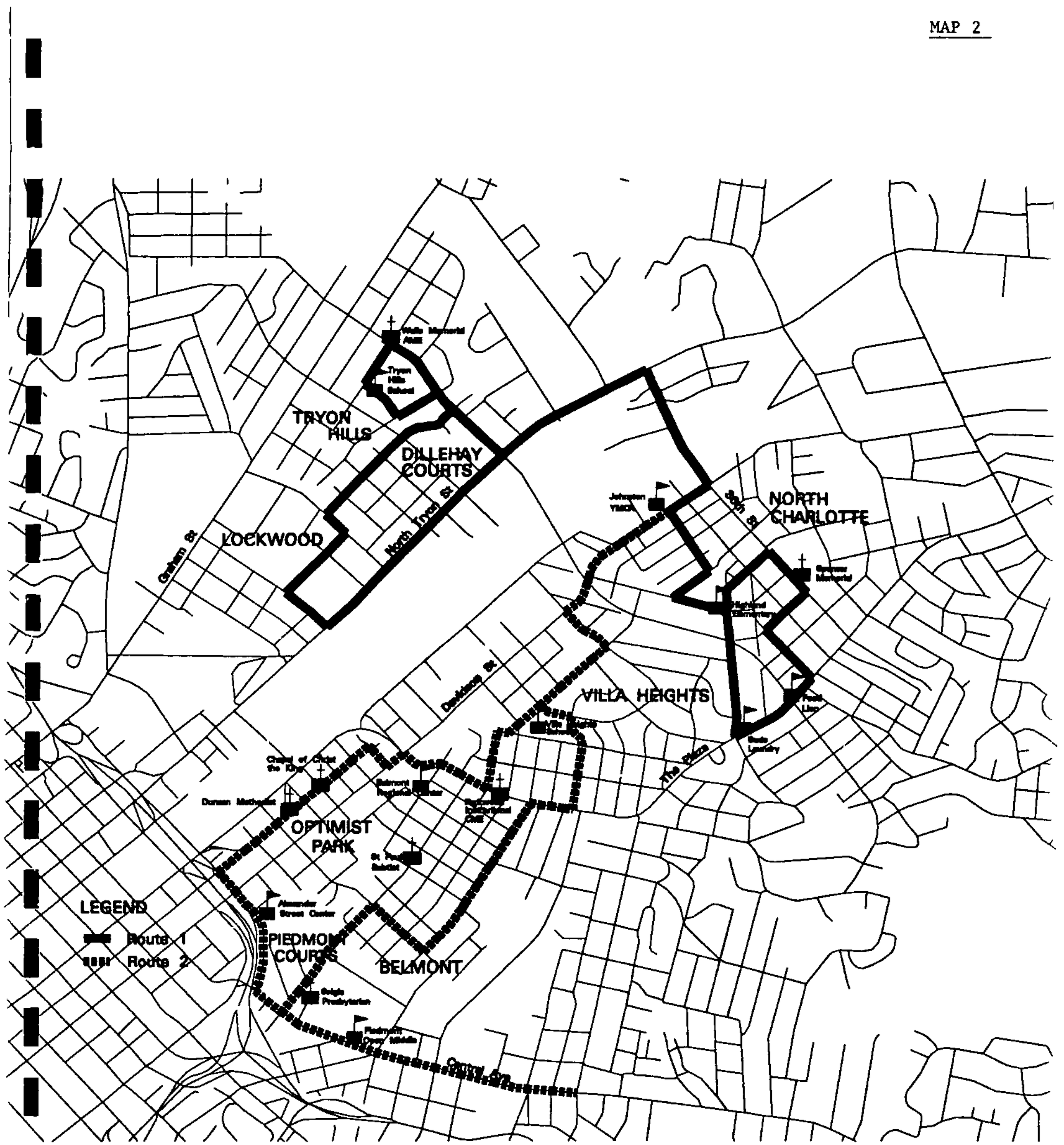
- After the one-year demonstration period, neighborhood transit services meeting the approved standards will be analyzed at 6-month intervals as part of Charlotte Transit's semi-annual systemwide evaluations.

lop21

MAP 1


Pleo Price Area
Capital Drive Area
Little Rock Apts
Pendexter Apts
Jackson Park
Blvd Homes
Array James Neighborhood Center
Dalton Village
Parker Heights
Revolution Park
Kings Park Area

MAP 2


TRYON HILLS
DILLEHAY COURTS
LOCKWOOD
NORTH CHARLOTTE
VILLA HEIGHTS
OPTIMIST PARK
PIEDMONT COURTS
BELMONT
Graham St
North Tryon St
Davidson St
The Plaza
Camp St
LEGEND
Route 1
Route 2

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

October 8, 1993

Mayor Richard Vinroot
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission on petitions which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission on September 21, 1993.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse 12:00 Noon on October 18, 1993. This will then permit these matters to be placed on your agenda for consideration on October 25, 1993.

If you have questions or wish to discuss any aspect of these recommendations, please let me know.

Respectfully submitted,

John P. Byrne
Charlotte-Mecklenburg Planning Commission
Zoning Committee Chairperson

JPB:mlj

Attachments

600 East Fourth Street • Charlotte North Carolina 28202-2853 • (704) 336-2205

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-55

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Three areas in North Charlotte and the Plaza Hills neighborhood described as (A) several lots or parcels bounded by Davidson Street, East 37th Street, Hudson Street and Charles Avenue (from O-2 and R-22MF to R-5), (B) several lots or parcels generally bounded by Herrin Avenue, 36th Street, Byrnes Street and Tappan Place (from R-22MF to R-5), and (C) several lots or parcels generally bounded by 35th Street, Indiana Street and Ford Street, south of The Plaza (from R-22MF to R-5)

Request: O-2 & R-22MF to R-5

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land The Central District plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Area A Combination of single family homes, duplexes, and several churches

Area B Single family homes

Area C Single family homes and duplexes

Surrounding Land Uses

Area A Single family homes to the north and south, industrial uses to the west along Davidson Street and commercial uses to the east along The Plaza

Area B. A mixture of single family homes and duplexes to the north and east, apartments to the south, industrial uses to the west

Area C. Apartments and single family homes to the north, duplexes to the east along Herrin Avenue, single family homes to the south and commercial uses along the Plaza

Proposed Land Uses

Single family is recommended in the plan for all three areas

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these areas

Nonconformities Resulting From This Rezoning

Area A Nineteen nonconforming uses (duplexes on small lots) will be created

Area B No nonconforming uses will be created

Area C Ten nonconforming uses (duplexes on small lots) will be created as a result of this rezoning

Consequences Of Not Rezoning This Property

These are older and well established single family neighborhoods However, these areas are being threatened by the expansion of industrial and commercial uses that are chipping away at the neighborhoods' edges The introduction of higher density housing could further exacerbate problems in these neighborhoods and discourage owners from reinvesting in their property

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-55

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 162.024 Acres Street Frontage(ft) Not Applicable

Current Land Use Predominantly single family and duplex residents

Zoning Request

Existing Zoning O-2, R-22MF Requested Zoning R-5

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N C 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

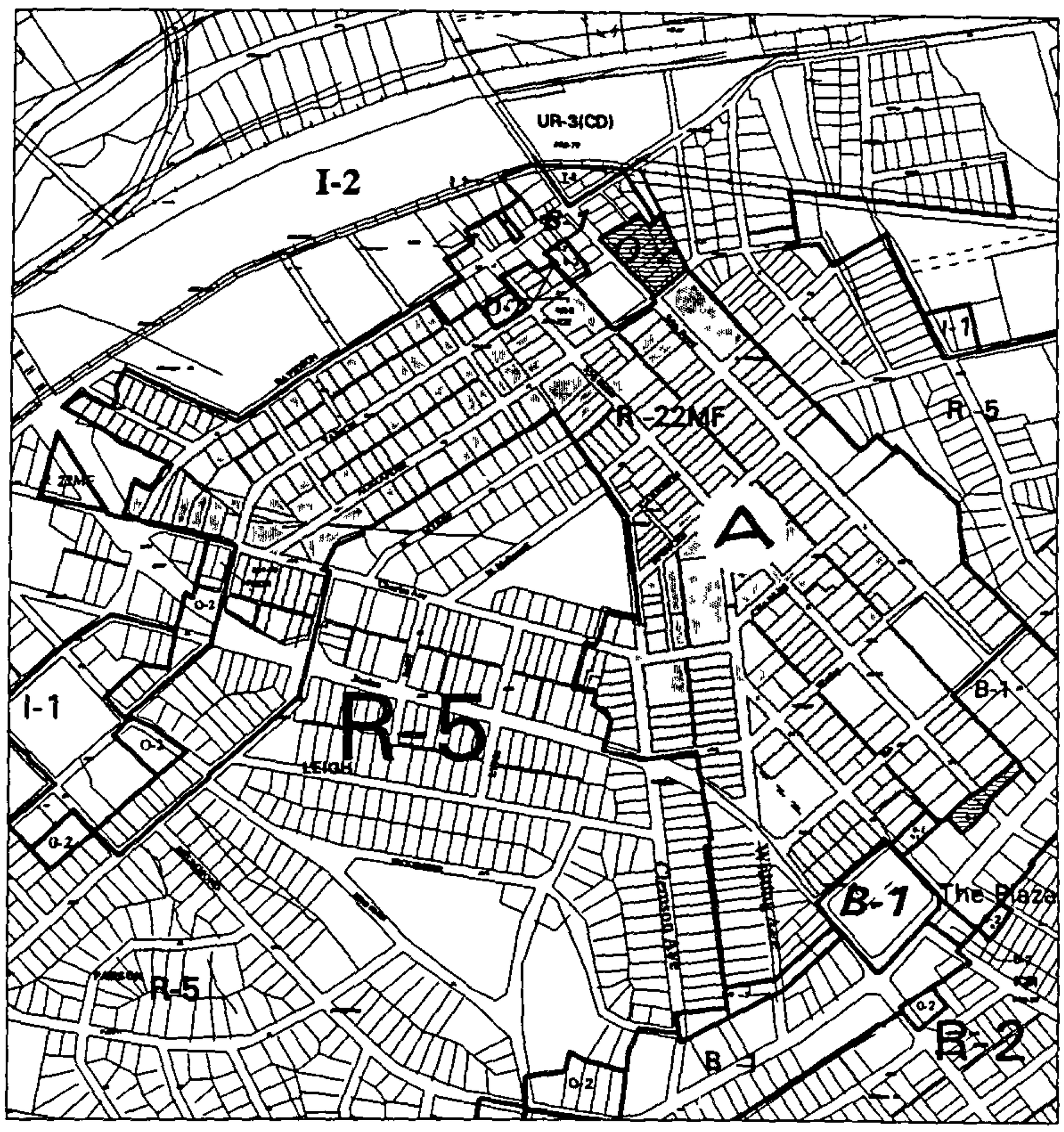
Petition #: 93-55

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): O-2, R-22MF
Zoning Classification (Requested): R-5
Location: Three areas in North Charlotte and the Plaza Hills neighborhood described as (A) several lots or parcels bounded by Davidson Street, East 37th Street, Hudson Street and Charles Avenue (from O-2 and R-22MF to R-5); (B) several lots or parcels generally bounded by Herrin Avenue, 36th Street, Byrnes Street and Tappan Place (from R-22MF to R-5); and (C) several lots or parcels generally bounded by 35th Street, Indiana Street and Ford Street, south of The Plaza (from R-22MF to R-5).

See Attached Sheet(s)

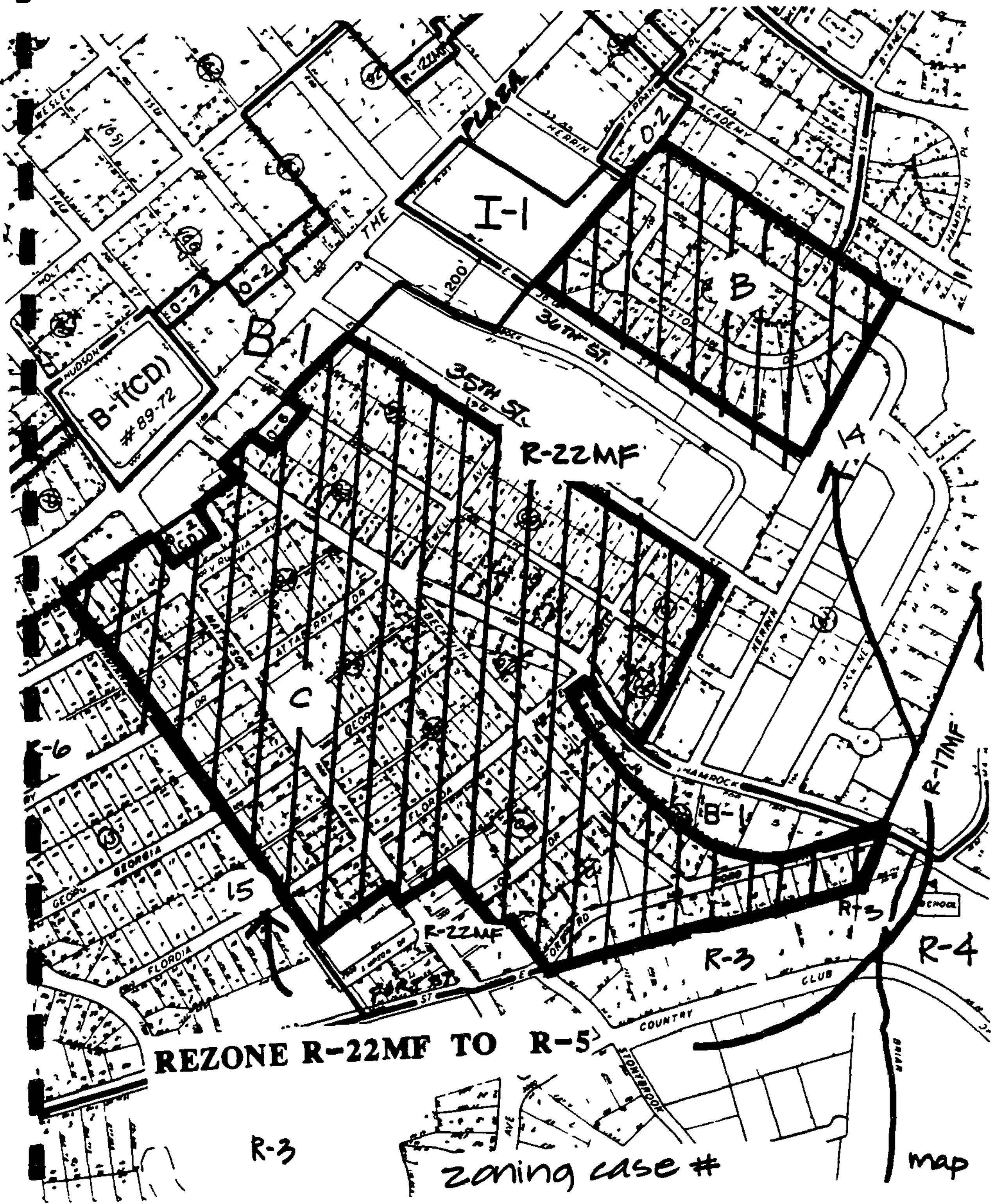
Zoning Map Nos.: 89 & 101

Scale: 1" = 400 feet



R-22MF to R-5

O-2 to R-5


REZONE R-22MF TO R-5
zoning case #
map
I-1
B-1
B
C
O-2
R-22MF
R-17MF
R-3
R-4
B-1(CD)
#89-72
35TH ST.
36TH ST.
THE
HERRIN
ACADEMY
HUDSON
GEORGIA
FLORIDA
HAMPSHIRE
HAMROCK
COUNTRY
CLUB
STONYBROOK
SCHOOL
14
15
16

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-58

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several areas in the Plaza-Midwood neighborhood generally defined as (A) properties bounded by Club and Truman Streets, Roland Street and Kensington Drive (from R-22MF to R-8), (B) properties along Thomas Avenue, north of Central Avenue (from O-2 to R-22MF), (C) properties bounded by Clement Avenue, Thomas Avenue, Hamorton Place and School Street (from R-22MF to R-8), and (D) a large vacant tract off Belvedere Avenue, near Truman Road (from R-17MF to R-4).

Request: R-22MF, O-2 & R-17MF to R-22MF, R-8 & R-4

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development. Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

In the late 1970's, the Planning Commission prepared a zoning policy study for the Plaza Midwood neighborhood. Several rezonings were initiated and approved by Council Area D in this petition was a part of those rezonings The zoning policy study recommended that the property be rezoned from R-6MFH/(R-43MF) to R-6/(R-5) The Planning Commission recommended and Council approved R-9MF/(R-17MF) which is the current zoning of the property

Existing Land Uses

Area A· Duplexes

Area B. Parking lot

Area C· Combination of duplexes, single family homes, triplexes, and quadraplexes

Area D. Vacant land

Surrounding Land Uses

Area A. Single family homes to the north, south, east, and west

Area B: Commercial uses to the east, west and south, single family homes to the north

Area C Vacant land and apartments to the north, single family homes to the east, industrial warehouses to the west, and single family homes and commercial uses to the south

Area D Single family homes to the south, north and west, vacant land and the Country Club Golf Course to the east

Proposed Land Uses

Area A· Mixture of single family homes, duplexes, triplexes and quadraplexes

Area B· Multi-family

Area C. Mixture of housing types, single family duplexes, triplexes and quadraplexes

Area D Single family

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these areas.

Nonconformities Resulting From This Rezoning

Area A. No nonconforming uses will be created

Area B One nonconforming use (a small parking lot used by businesses on Central Avenue) will be created

Area C: No nonconforming uses will be created

Area D: No nonconforming uses will be created

<u>Consequences Of Not Rezoning This Property</u>

Areas A, C and D The Plaza Midwood neighborhood is an older well established, single family neighborhood Portions of the neighborhood have been designated as a local historic district If the current zoning of these properties remain intact, multi-family uses could be built at a density that would be incompatible with the low density, predominantly single family character of this neighborhood High density housing would also likely increase traffic and safety problems for pedestrians due to narrow streets and lack of sidewalks in the neighborhood

Area B Office uses could be developed and increase the pressure for adjacent residential properties to be converted to nonresidential uses

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-58

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 60.469 Acres Street Frontage(ft.) Not Applicable

Current Land Use (A) Primarily Duplexes and Single Family; (B) Parking Lot and Single Family; (C) Predominately Duplexes and Triplexes with some Single Family; and (D) Vacant Tract of Land

Zoning Request

Existing Zoning R-22MF, O-2 & R-17MF Requested Zoning R-22MF, R-8 & R-4

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

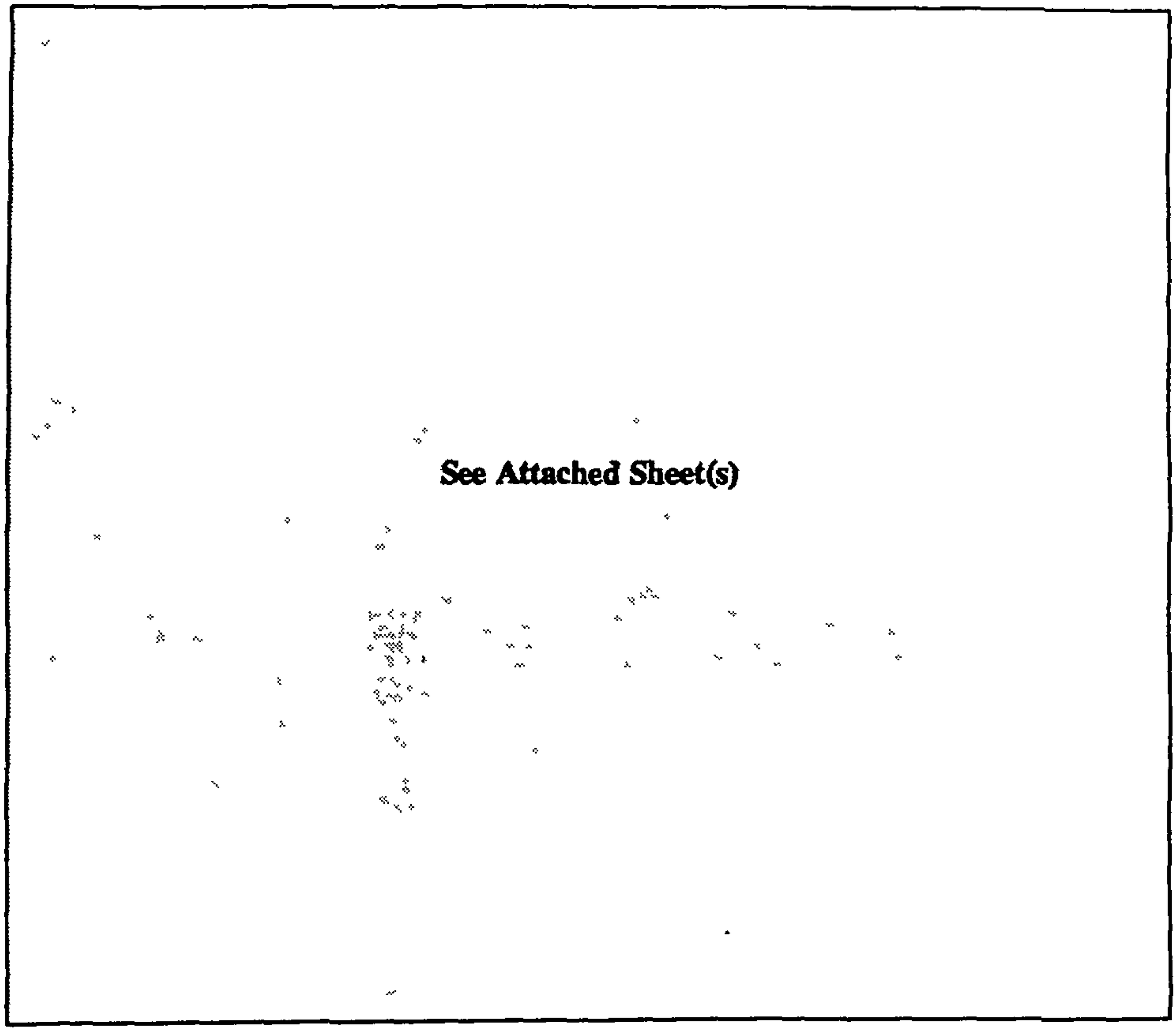
(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

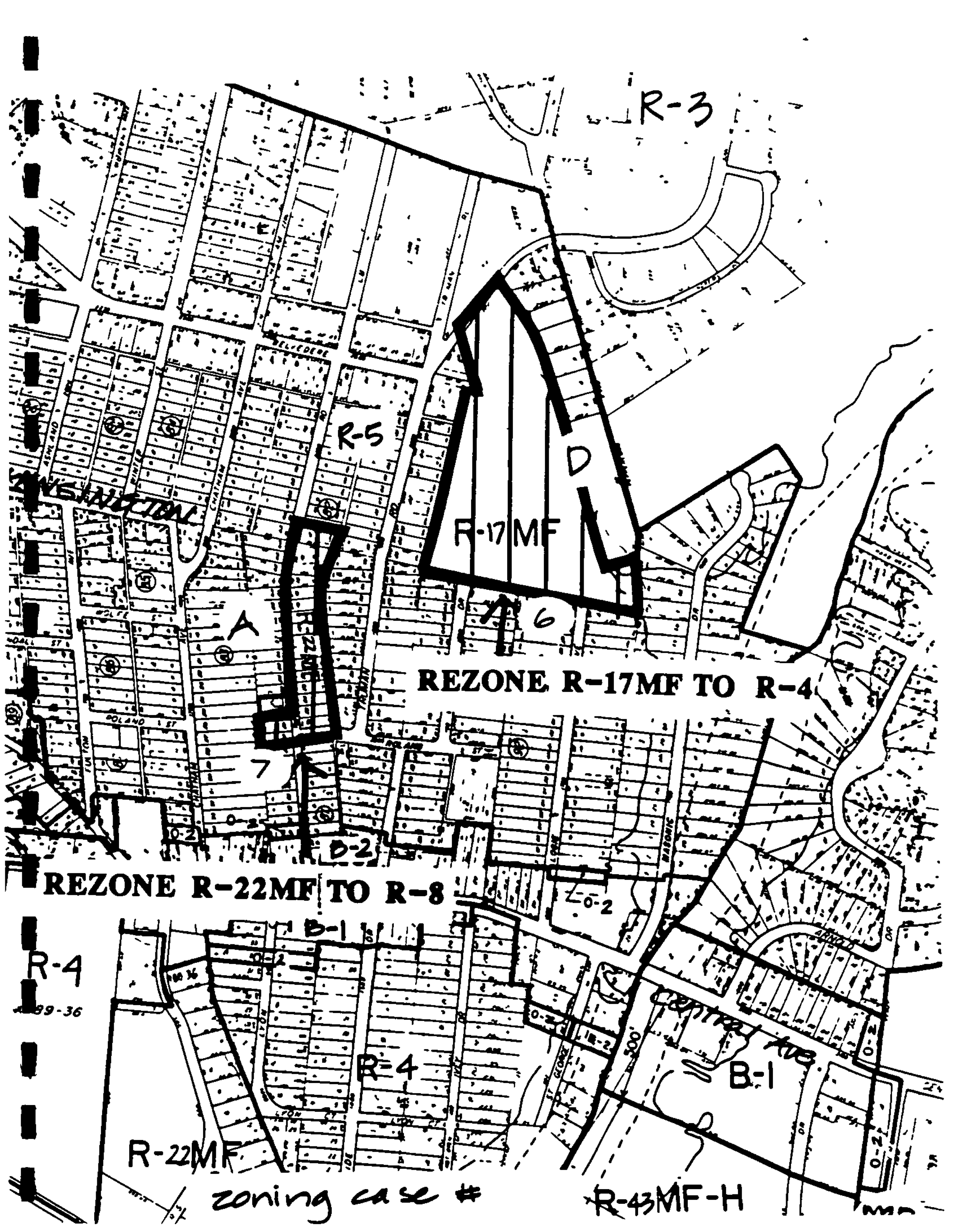
Petition #: 93-58

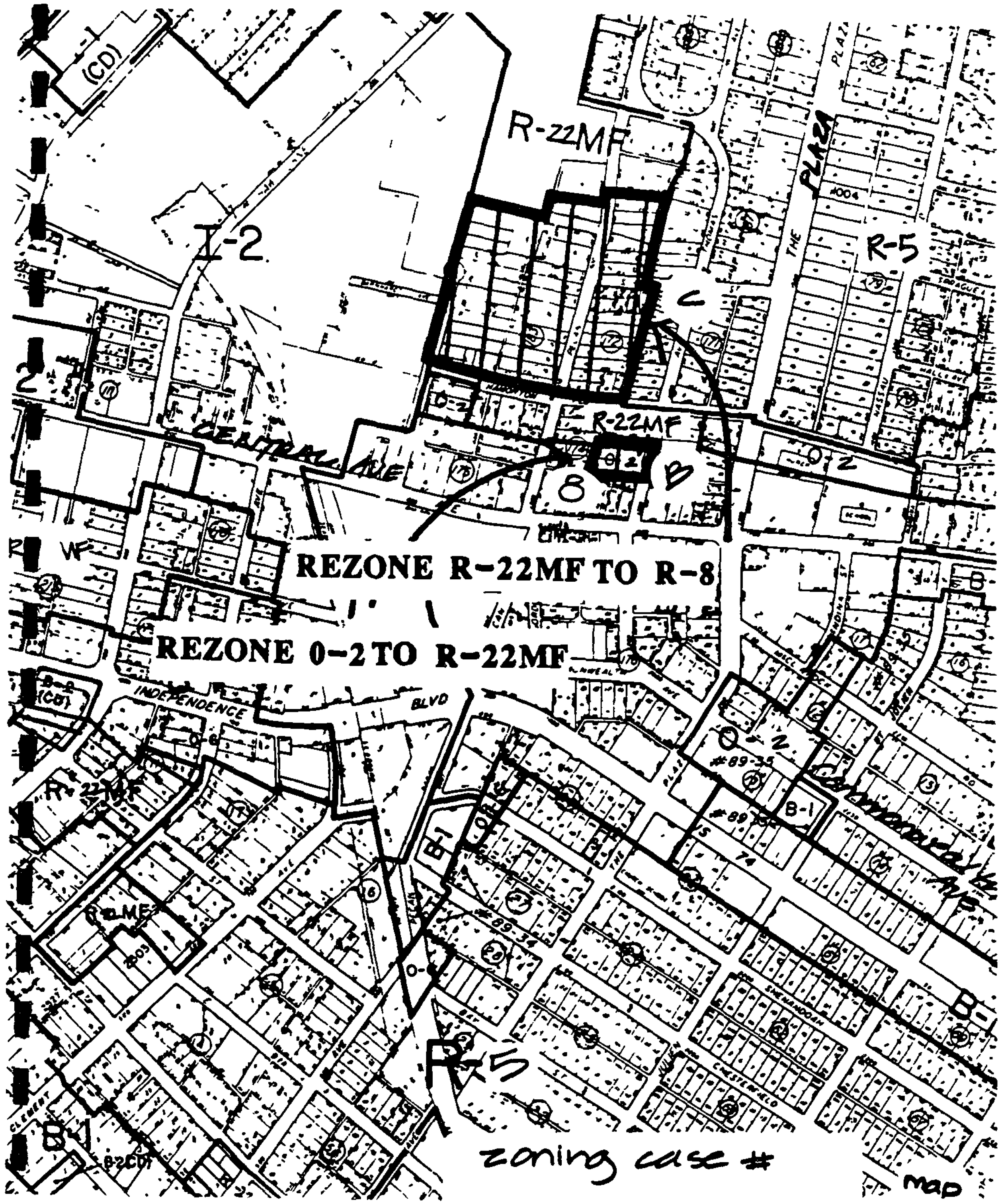
Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): R-22MF, O-2 & R-17MF
Zoning Classification (Requested): R-22MF, R-8 & R-4
Location: Several areas in the Plaza-Midwood neighborhood generally defined as (A) properties bound by Club and Truman Streets, Roland Street and Kensington Drive (from R-22MF to R-8), (B) properties along Thomas Avenue, north of Central Avenue (from O-2 to R-22MF); (C) properties bound by Clement Avenue, Thomas Avenue, Hamorton Place and School Street (from R-22MF to R-8); and (D) a large vacant tract off Belvedere Avenue, near Truman Road (from R-17MF to R-4).



Zoning Map Nos.: 101

Scale: 1" = 400 feet


R-3
R-5
D
R-17MF
6
A
R-22MF
REZONE R-17MF TO R-4
7
D-2
REZONE R-22MF TO R-8
O-2
B-1
R-4
R-4
R-22MF
B-1
zoning case #
R-43MF-H


REZONE R-22MF TO R-8
REZONE O-2 TO R-22MF
R-22MF
I-2
R-5
R-22MF
CENTRAL AVE
THE PLAZA
INDEPENDENCE BLVD
B-1
O-2
R-5
zoning case #
MAP

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-60

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Properties fronting the north and south sides of Central Avenue from 10th Street to the Brookshire Freeway

Request: B-2 to B-1

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area. This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land. The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan.

Zoning History

Not applicable

Existing Land Uses

Wholesale distributors and retail uses such as an antique furniture shop, party rentals, florist shop, eye wear distributor, consignment distributor, chair and equipment distributor, parking lot, offices and television repair shop

Surrounding Land Uses

A mixture of single family homes and apartments to the north and south, office, industrial and business uses to the east, Central Piedmont Community College's parking lot to the west

Propose Land Uses

Neighborhood oriented retail uses

Consistency With Study Group Recommendations

This rezoning was added to the plan by the Planning Committee after the study group process was complete.

Nonconformities Resulting From This Rezoning

Five nonconforming uses (chair and equipment company, eye wear distributor, antique furniture distributor, consignment distributor, and electric supply distributor) will be created Each of these uses are located on small lots and appear to have no room for further expansion

Consequences Of Not Rezoning This Property

This portion of Central Avenue serves as a gateway into and from the Uptown and CPCC. General businesses will not likely provide an attractive entrance into the Uptown and the adjacent residential neighborhoods.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-60

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq.Ft.-Acres) Approximately 6.746 Acres Street Frontage(ft.) Not Applicable

Current Land Use Combination of Office and Commercial uses

Zoning Request

Existing Zoning B-2 Requested Zoning B-1

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

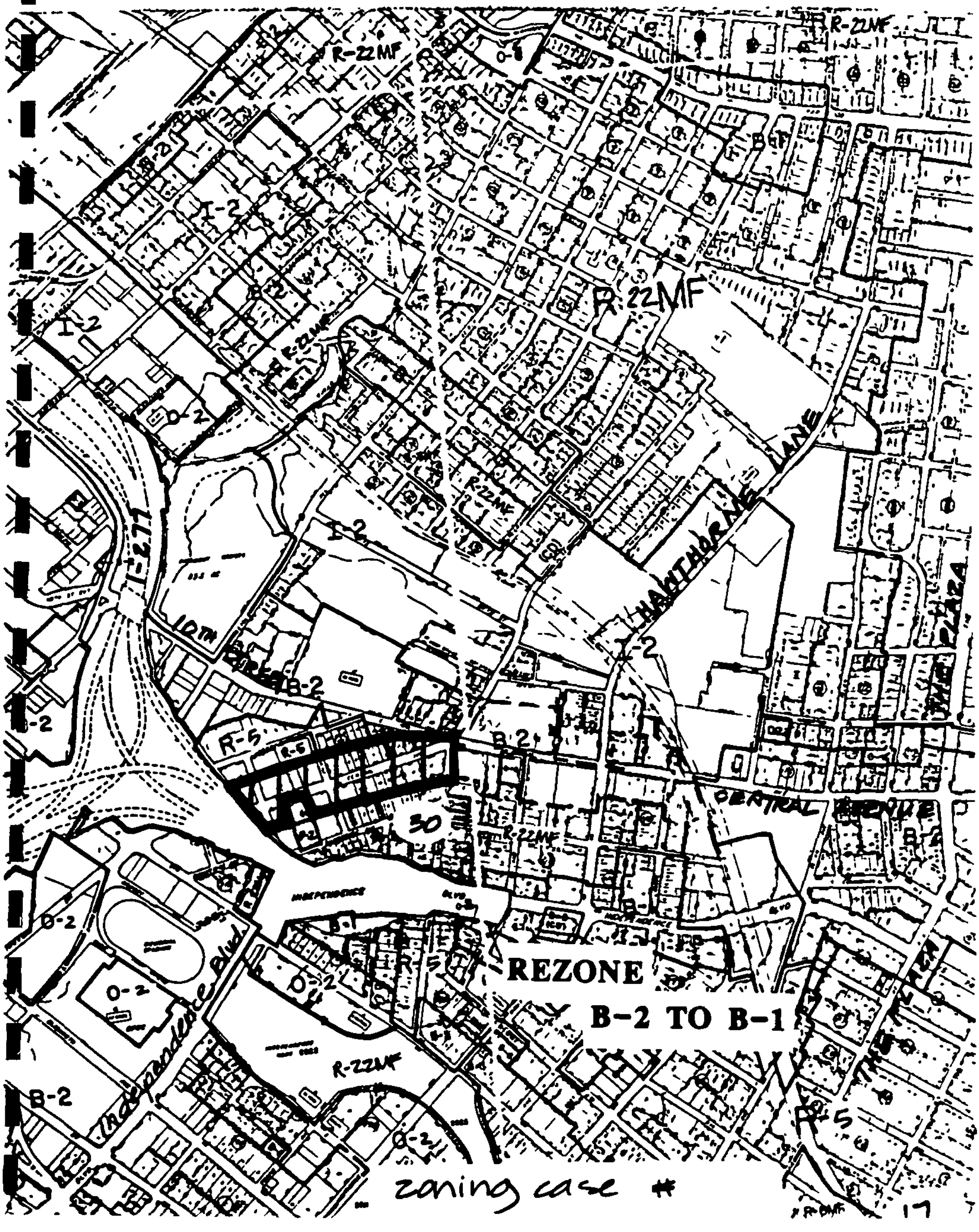
Petition #: 93-60

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): B-2
Zoning Classification (Requested): B-1
Location: Properties fronting the north and south sides of Central Avenue from 10th Street to the Brookshire Freeway.

See Attached Sheet(s)

Zoning Map Nos.: 101 & 102

Scale: 1"= 400 feet


REZONE
B-2 TO B-1
R-22MF
B-2
R-5
O-2
HAWTHORNE LANE
CENTRAL AVE
INDEPENDENCE BLVD
10TH
I-277
zoning case #
17

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-62

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Two areas near the Arnold Palmer Business Park defined as (A) properties along Latrobe Drive and Pro Am Drive (from I-2 to I-1), and (B) business property on Wendover Road between Latrobe Drive and the rail line (from I-2 to B-1).

Request: I-2 to I-1 & B-1

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land. The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's. The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Area A· Business park (primarily with medical offices, a few light manufacturing uses, and a mini storage warehouse)

Area B· Shopping center

Surrounding Land Uses

Area A Industrial uses to the north, commercial to the east, Grier Heights neighborhood to the south (combination of single family, apartments and duplexes)

Area B: Business Park to the north, west and south, apartments to the east

Proposed Land Uses

Area A: Light industrial

Area B: Neighborhood commercial center

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these areas

Nonconformities Resulting From This Rezoning

Area A: None

Area B: None

Consequences Of Not Rezoning This Property

Area A: The Arnold Palmer Business Park is currently developed with medical offices and/or medical related industrial uses. This is an attractive, well maintained inner city business park The introduction of more intense, heavy manufacturing uses would be incompatible with the existing development and would change the character of the business park

Area B: With the current zoning the commercial property could be redeveloped for industrial use The Grier Heights neighborhood and the adjacent apartment communities need the goods and services that are provided by this commercial center.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-62

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 53.69 Acres Street Frontage(ft) Not Applicable

Current Land Use (A) Offices and Light Industrial; (B) An existing Shopping Center

Zoning Request

Existing Zoning I-2 Requested Zoning I-1 & B-1

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

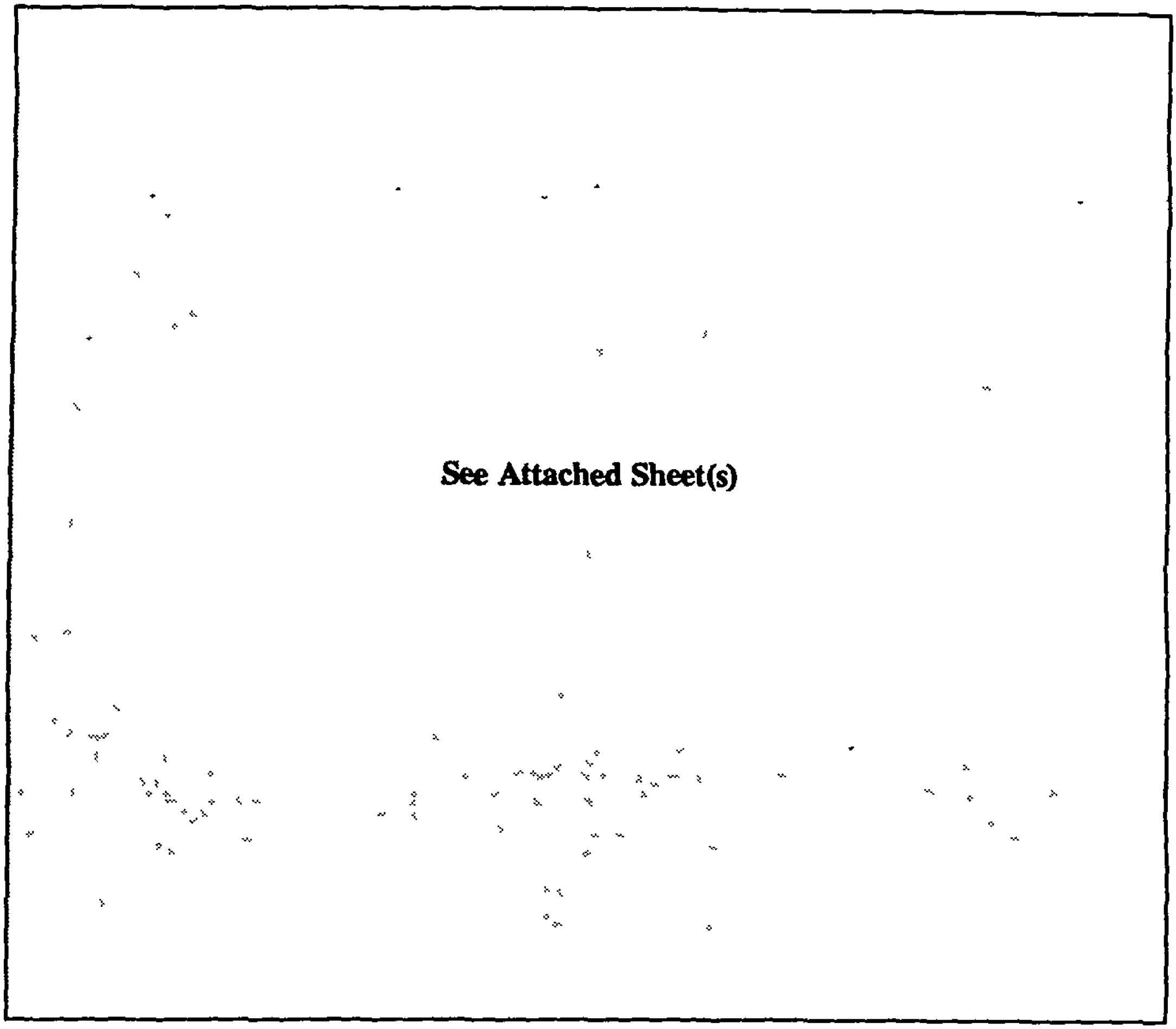
(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

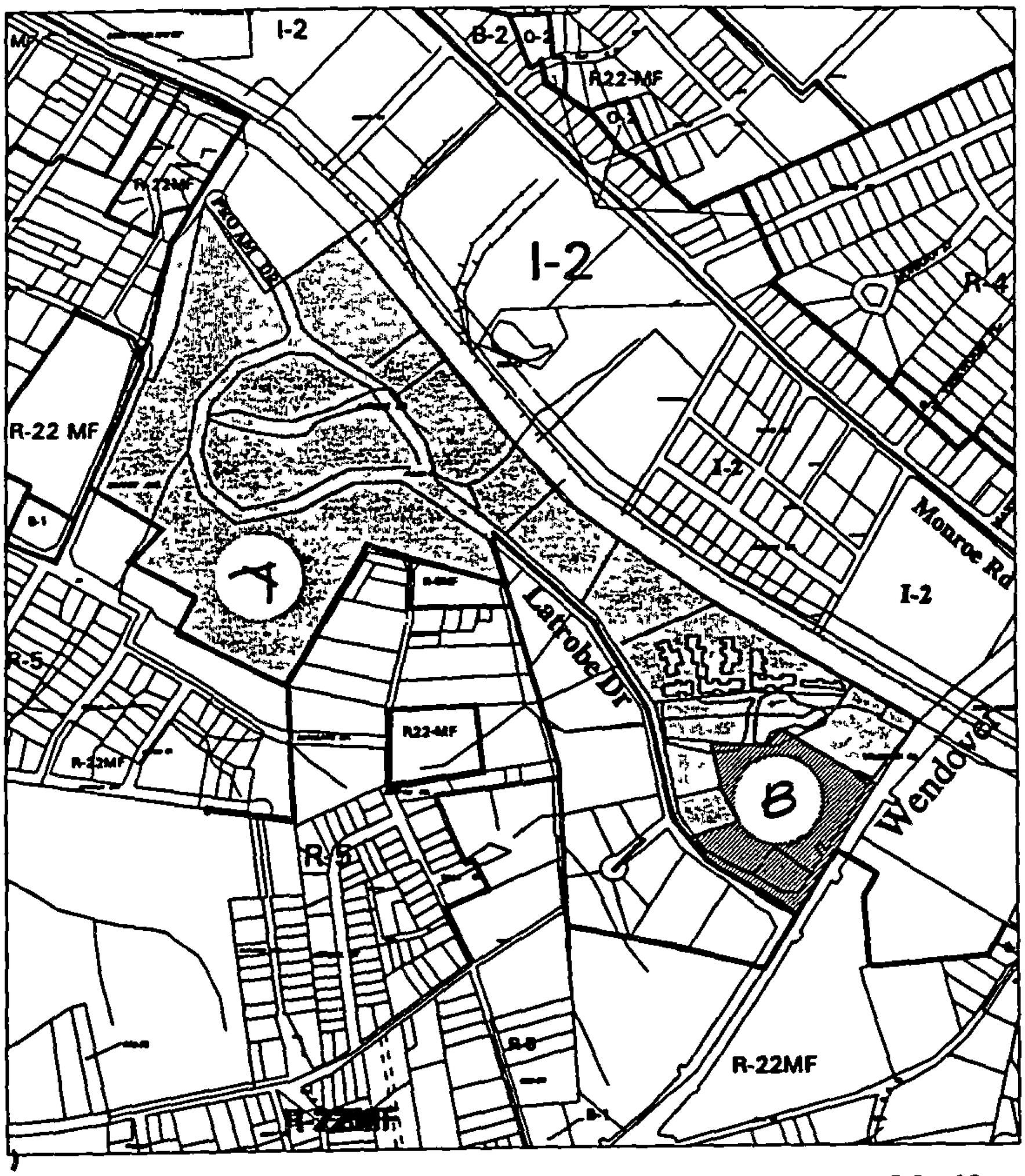
Petition #: 93-62

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): I-2
Zoning Classification (Requested): I-1 & B-1
Location: Two areas near the Arnold Palmer Business Park defined as (A) properties along Latrobe Drive and Pro Am Drive (from I-2 to I-1); and (B) business property on Wendover Road between Latrobe Drive and the rail line (from I-2 to B-1).



Zoning Map Nos.: 112

Scale: 1" = 400 feet



I-2 to I-1

I-2 to B-1

93-62

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-63

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several areas along Monroe Road and Old Coliseum area defined as (A) a parcel on the north side of Monroe Road west of Bramlett Street (from I-2 to I-1), (B) property from Colonade Drive to Washburn Avenue on the south side of Monroe Road (from I-2 to B-1), (C) property between Colonade Drive, Bramlett Street and the Railway right-of-way and south of Independence Boulevard (from B-1 & O-2 to R-22MF), and (D) land between Colonade Drive, Washburn Avenue and the Merchandise Mart parking area (from B-1 & B-2 to O-2)

Request: I-2, O-2, B-1 & B-2 to I-1, B-1, R-22MF & O-2

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development. Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Area A Office

Area B Offices, wholesale jeweler, costume shop, marble and granite engraver, restaurants and other small retail shops

Area C· Apartments, Chantilly Elementary School

Area D Several offices, single family homes, vacant buildings, television station and vacant lots

Surrounding Land Uses

Area A· Railroad overpass and greenhouse to the west; apartments to the north and east, car wash and fence supply company to the south

Area B. Commercial and office uses to the north and west, industrial uses to the south, commercial and industrial uses to the east,

Area C Office and commercial uses to the east, an office use to the west, a car wash to the south, hotels and other commercial uses to the north

Area D. Chantilly Elementary School and the Merchandise Mart's parking lot to the north, office, commercial and industrial uses to the south

Proposed Land Uses

Area A· Office

Area B· Neighborhood convenience center

Area C Multi-family

Area D· Office

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these areas.

Nonconformities Resulting From This Rezoning

Area A None

Area B. Three nonconforming uses (wholesale jewelry store, marble and granite engraver and a wholesale costume shop) will be created as a result of this rezoning

Area C. No nonconforming uses will be created

Area D· No nonconforming uses will be created

<u>Consequences Of Not Rezoning This Property</u>

Monroe Road is a major gateway into the Uptown and the Elizabeth neighborhood The corridor now contains a hodge podge of land uses and zoning. However, the desirability of this area as a potential location for more upscale development will be enhanced by the widening of Independence Boulevard, reuse of the Old Coliseum, and availability of vacant land and buildings that could be (re)developed. This rezoning presents an opportunity to encourage uses that will help upgrade the appearance of the corridor and establish a more consistent development pattern The relatively marginal uses that are currently located along the north side of the road will likely continue to be developed in the area if the current zoning is maintained

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-63

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 64.572 Acres Street Frontage(ft.) Not Applicable

Current Land Use (A) Light Industrial; (B) Predominantly Commercial Uses; (C) Apartment Complex, Schools and a Parking Lot; and (D) Primarily Offices.

Zoning Request

Existing Zoning I-2, O-2, B-1 & B-2 Requested Zoning I-1, B-1, R-22MF & O-2

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

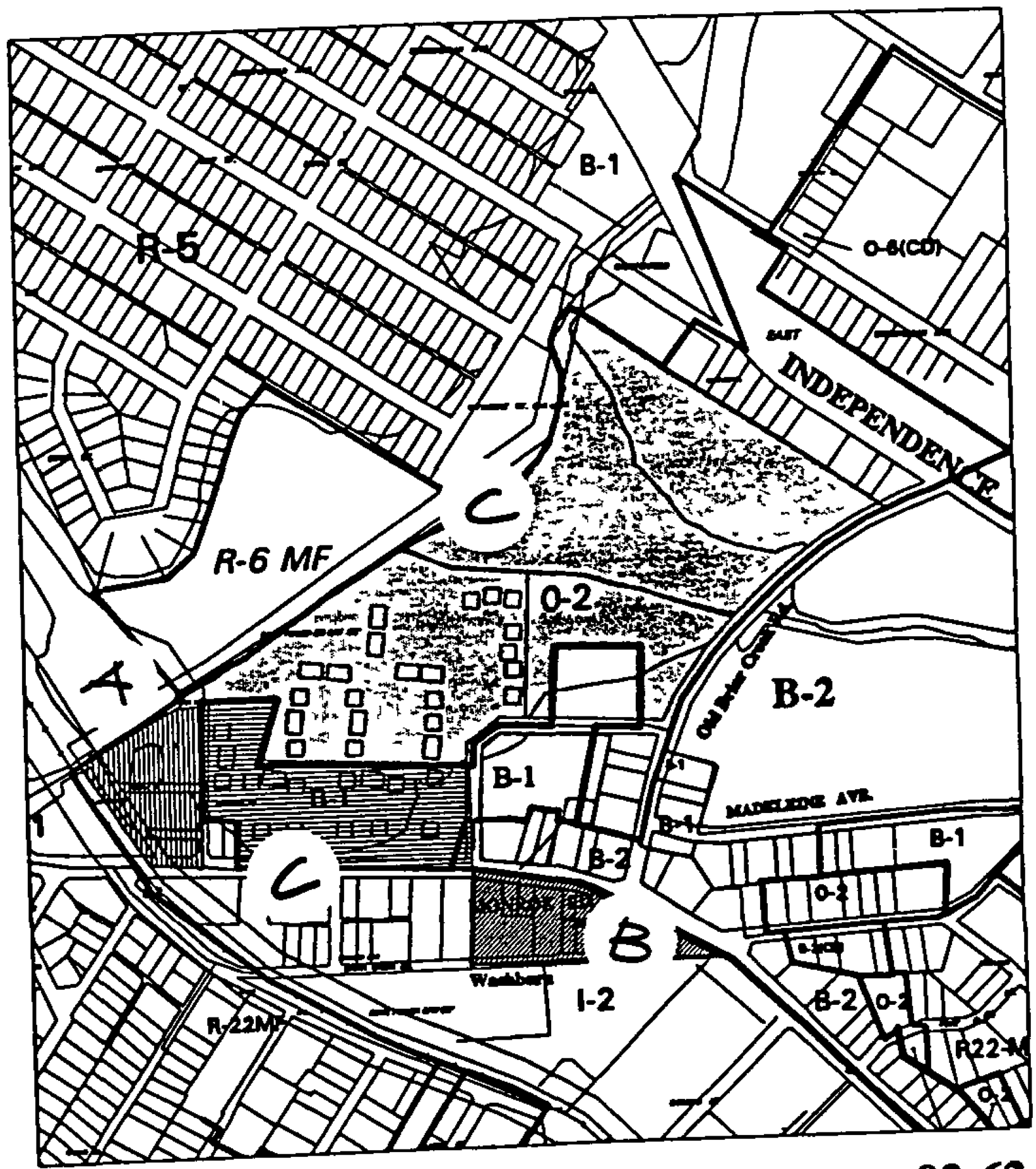
Petition #: 93-63

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): I-2, O-2, B-1 & B-2
Zoning Classification (Requested): I-1, B-1, R-22MF & O-2
Location: Several areas along Monroe Road and Old Coliseum area defined as (A) parcel on the north side of Monroe Road west of Bramlett Street (from I-2 to I-1); (B) property from Colonade Drive to Washburn Avenue on the south side of Monroe Road (from I-2 to B-1); (C) property between Colonade Drive, Bramlett Street and the Railway right-of-way and south of Independence Boulevard (from B-1 & O-2 to R-22MF); and (D) land between Colonade Drive, Washburn Avenue and the Merchandise Mart parking area (from B-1 & B-2 to O-2).

See Attached Sheet(s)

Zoning Map Nos.: 112

Scale: 1"= 400 feet



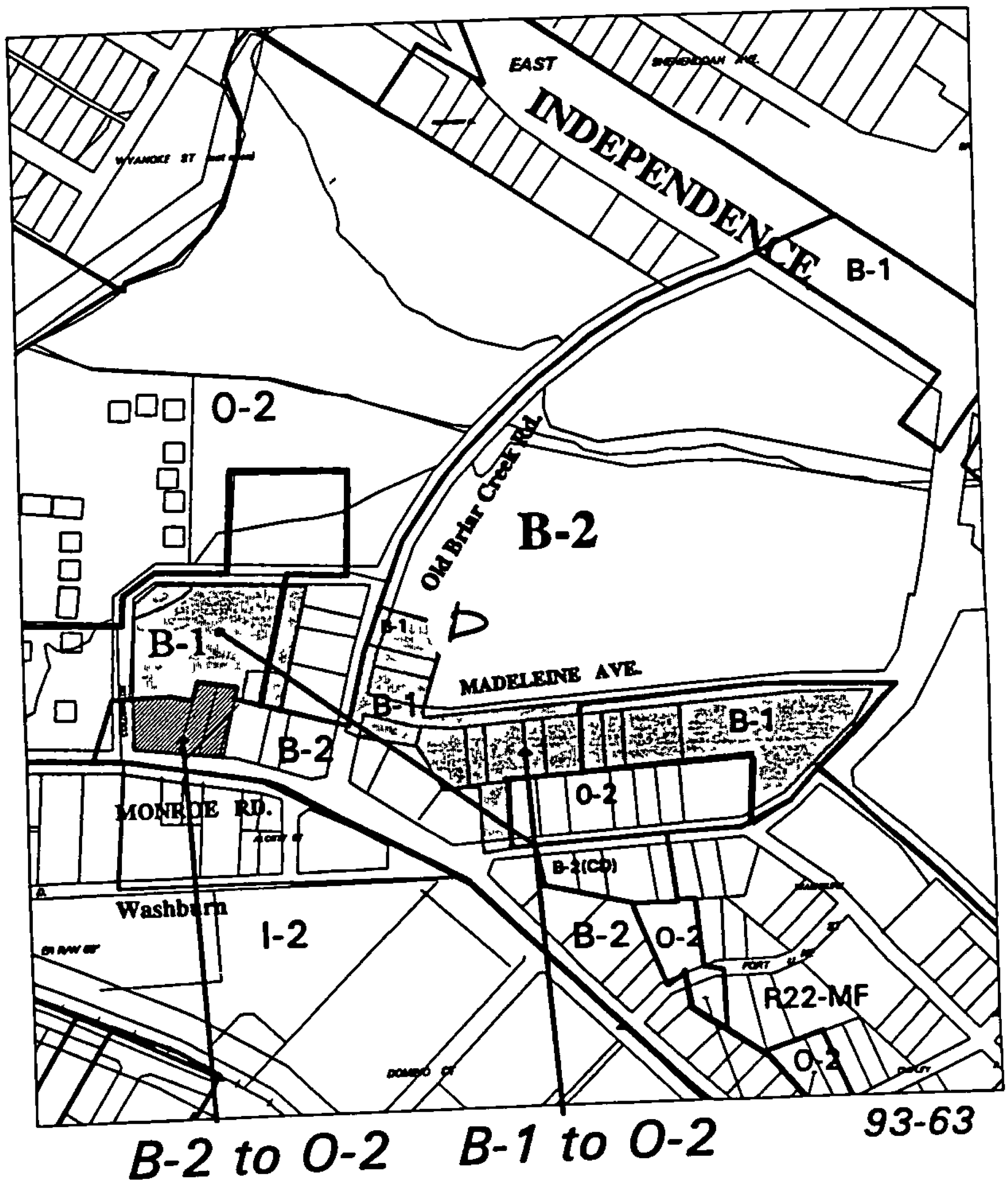
93-63

O-2 to R-22MF

B-1 to R-22MF

I-2 to I-1

I-2 to B-1



B-2 to O-2 B-1 to O-2 93-63

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-64

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several areas in the Briar Creek/Woodland and Echo Hills neighborhoods defined as (A) several lots along Commonwealth Avenue between Waterman Avenue and Eastway Drive/Independence Boulevard intersection (from O-2 to R-4); (B) several lots along Woodland Avenue and Commonwealth Avenue (from B-1 & O-2 to R-4), (C) lots off of Monroe Road along both sides of Mayview Drive (from O-2 to R-4), and (D) two apartment complexes at the intersection of Pinecrest and Barnhill and the Clairemont Public Housing Community located off Independence Boulevard (from O-2 to R-17MF)

Request: O-2 & B-1 to R-4 & R-17MF

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area. This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district. Much of the zoning in the Central district has been in place since the early 1960's The zoning in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Area A· Single family homes

Area B Single family homes, a triplex/condominium, and an upholstery shop

Area C Duplex and a vacant lot

Area D Two apartment complexes

Surrounding Land Uses

Area A. Single family homes to the north and east across Eastway Drive, apartments and a television station to the south, and single family homes to the west

Area B Single family homes to the north, west and east across Eastway Drive, and a television station to the south

Area C. Single family homes to the north, east and west, and commercial uses to the south

Area D Single family to the north and east, commercial to the south, and a television station to the west

Proposed Land Uses

Area A Single family homes

Area B: Single family homes

Area C Single family homes

Area D: Multi-family apartments

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these areas

Nonconformities Resulting From This Rezoning

Area A· None

Area B Two nonconforming uses (an upholstery shop and triplex) will be created Both uses are on small lots with little room for expansion

Area C. One nonconforming use (a duplex on a small lot) will be created as a result of this rezoning

Area D· None

Consequences Of Not Rezoning This Property

In the past, several residential properties along Commonwealth Avenue have been converted to business uses. This trend results in a loss of good housing and the continual stripping of business uses along the already fragile edge of the Briar Creek/Woodland neighborhood If the zoning is maintained, houses will likely continue to be converted to business use

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-64

Date Filed July 16, 1993

Recieved By M C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 17.94 Acres Street Frontage(ft) Not Applicable

Current Land Use (A) Single Family; (B) Single Family and one Triplex/Condominium; (C) Single Family; and (D) Apartment Complexes.

Zoning Request

Existing Zoning O-2 & B-1 Requested Zoning R-4 & R-17MF

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

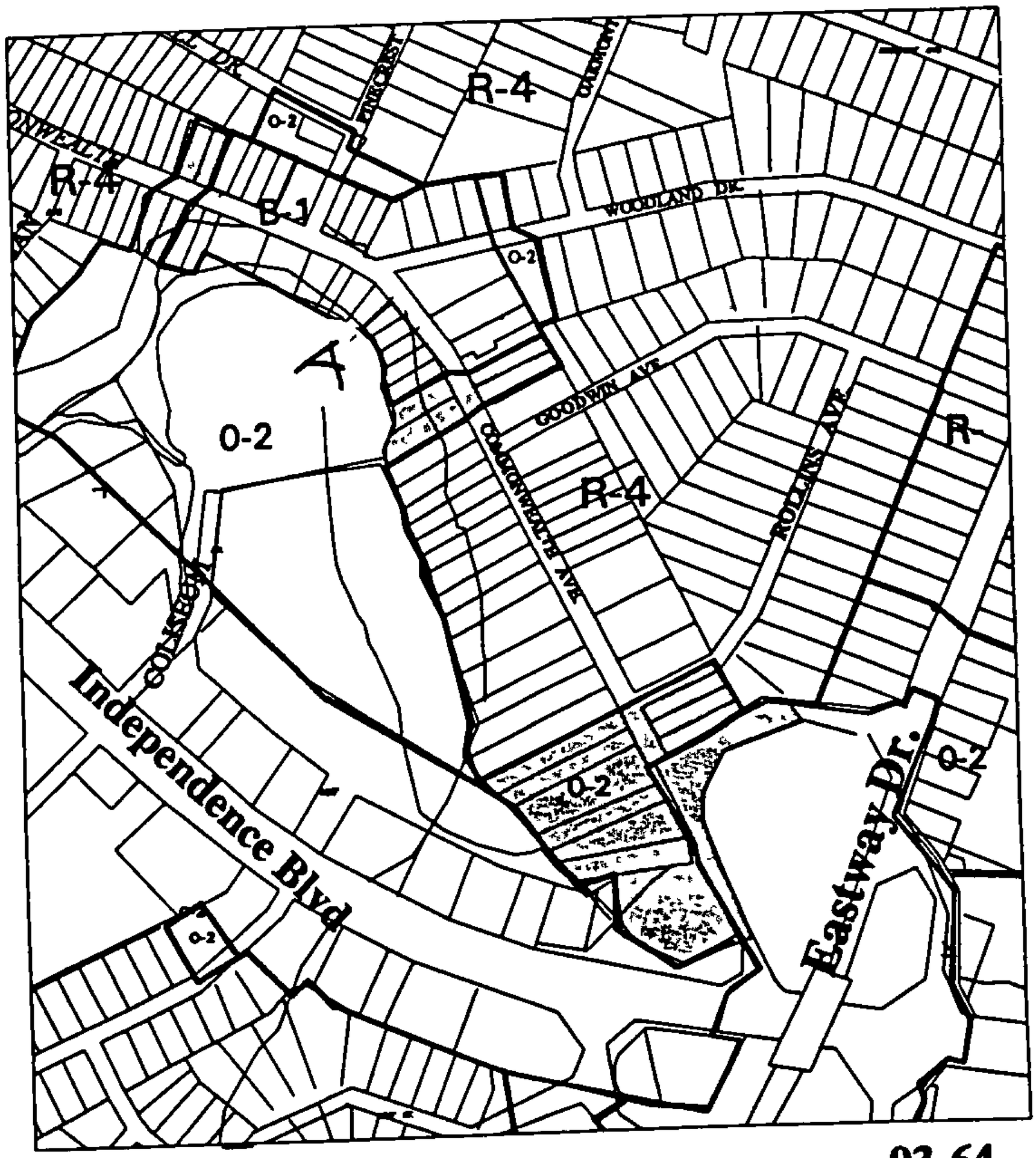
Petition #: 93-64

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): O-2 & B-1
Zoning Classification (Requested): R-4 & R-17MF
Location: Several areas in the Briar Creek Woodland and Echo Hills neighborhoods defined as (A) several lots along Commonwealth Avenue between Waterman Avenue and Eastway Drive/Independence Boulevard intersection (from O-2 to R-4); (B) several lots along Woodland Avenue and Commonwealth Avenue (from B-1 & O-2 to R-4); (C) lots off of Monroe Road along both sides of Mayview Drive (from O-2 to R-4); and (D) two apartment complexes at the intersection of Pinecrest and Barnhill and the Clairemont Public Housing Community located off Independence Boulevard (from O-2 to R-17MF).

See Attached Sheet(s)

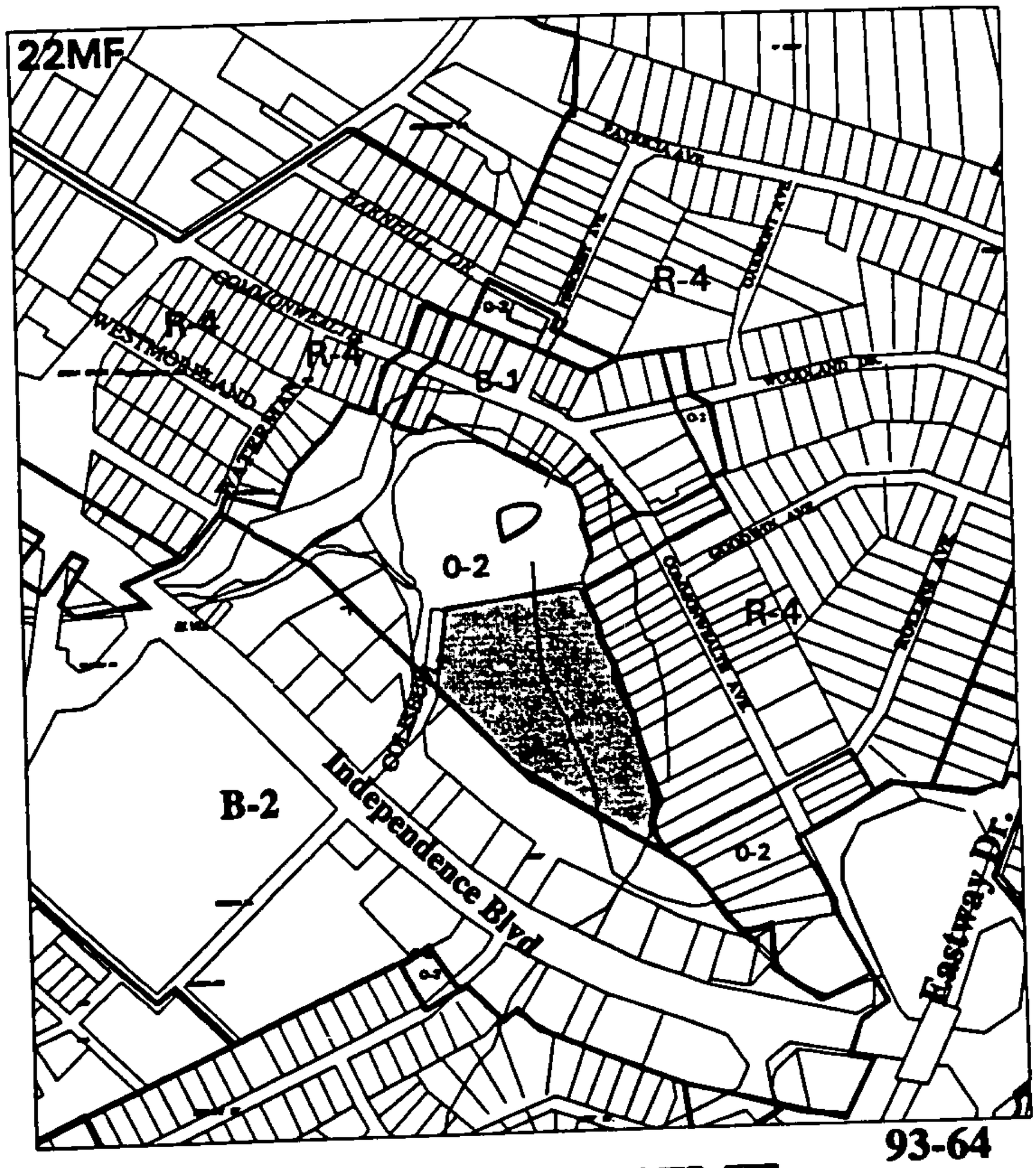
Zoning Map Nos.: 112

Scale: 1"= 400 feet

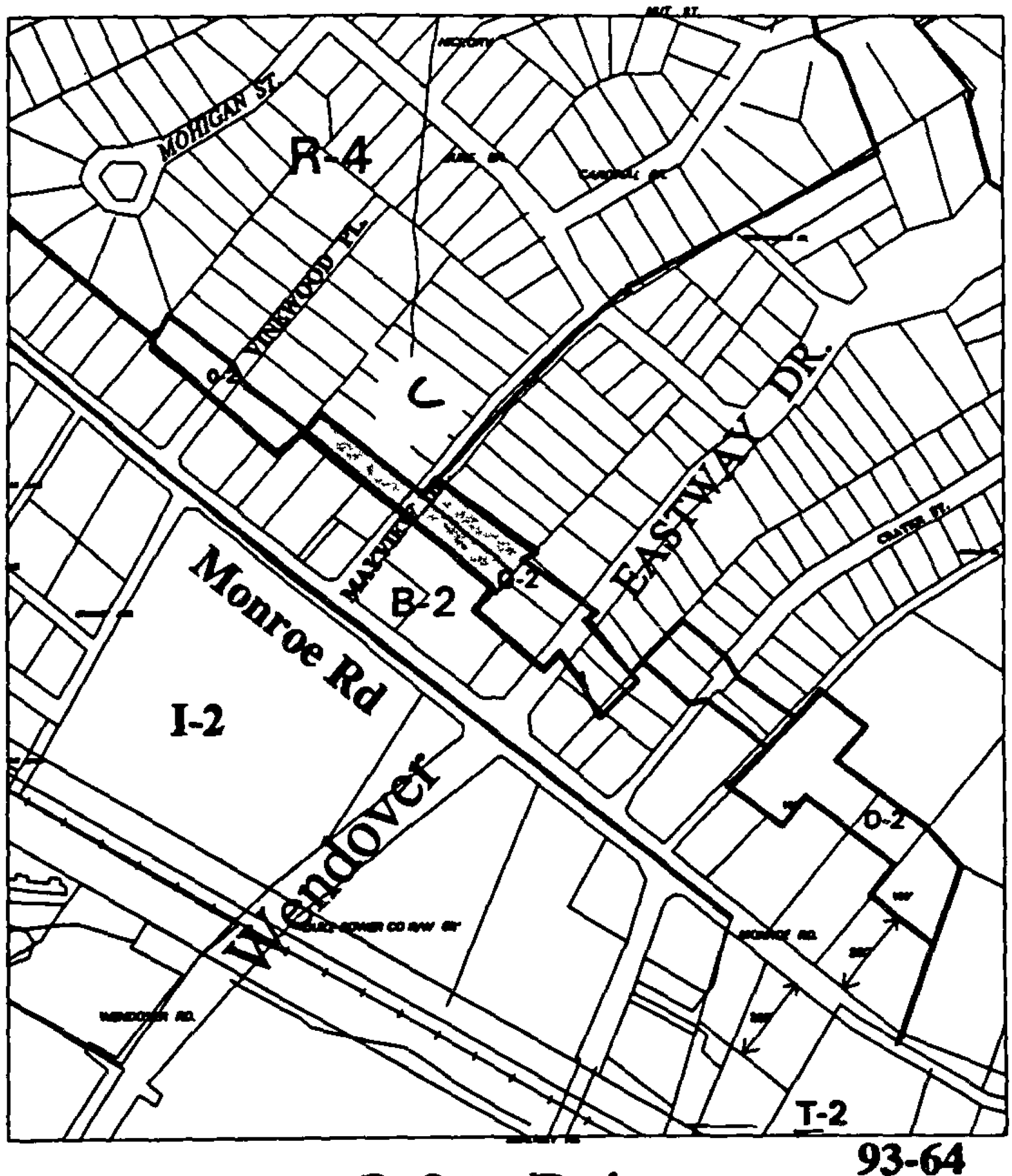

R-4
O-2
B-1
WOODLAND DR.
GOODWIN AVE
COMMONWEALTH AVE
ROLLINS AVE
Independence Blvd
Eastway Dr.

93-64

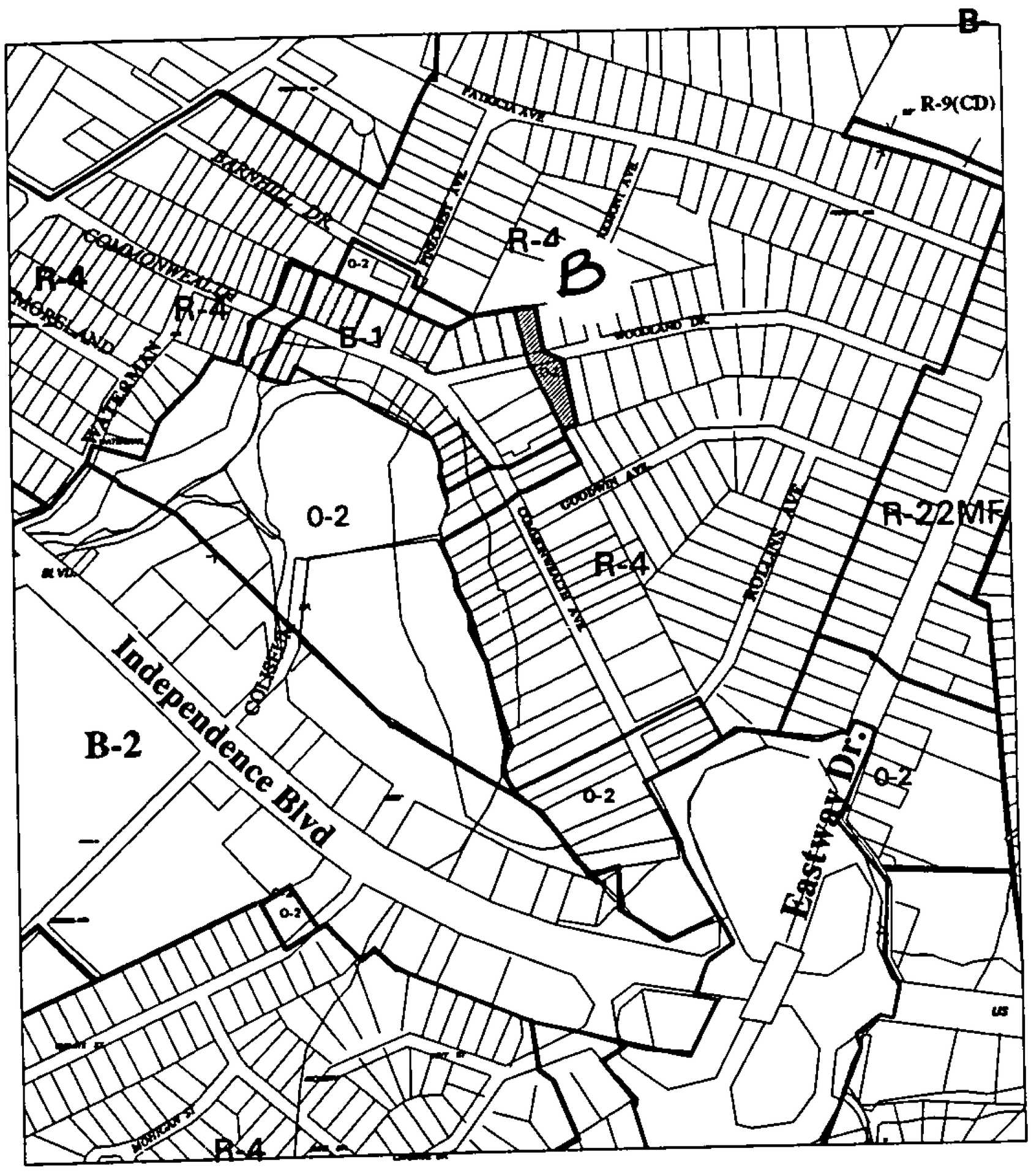
O-2 to R-4



O-2 to R-17MF


MOHIGAN ST.
R-4
VINEWOOD PL.
C
EASTWAY DR.
Monroe Rd
B-2
O-2
I-2
Wendover
O-2
T-2
93-64

O-2 to R-4



93-64

B-1 to R-4

O-2 to R-4

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-67

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several locations along and/or adjacent to South Boulevard defined as (A) properties on Northgate Avenue (from O-2 to R-4), (B) properties on the east side of South Boulevard between Scaleybark and Woodlawn (from I-2 to B-2), (C) several tracts bounded by South Boulevard and Old Pineville Road, north of Woodlawn Road (from I-2 to B-2), (D) three areas located on the west side of South Boulevard generally extending from Woodlawn to Scaleybark Road (from I-2 to I-1), (E) properties located on the west side of South Boulevard between Freeland Lane and Clanton Road (from I-1 & I-2 to B-2), and (F) properties fronting on Woodlawn Road generally extending from S Tryon Street along I-77 to Old Pineville Road (from I-2 to B-2)

Request: O-2, I-1 & I-2 to R-4, I-1 & B-2

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan. The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development. Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Area A· single family

Areas B and C: commercial uses, a few warehouses, storage yards, and glass manufacturer

Area D commercial uses including a lumber warehouse

Area E shopping center including Queen Park Cinema

Area F: shopping centers, motels and restaurants

Surrounding Land Uses

Area A: single family to the east and commercial elsewhere, access is from the east through the adjacent single family neighborhood

Area B single family and multi-family to the east, commercial and industrial to the west across South Blvd , shopping center to the north, and car dealer to the south across Woodlawn

Area C. industrial/commercial to the north, shopping center to the south across Woodlawn, commercial to the east across South Blvd., and commercial to the west

Area D industrial, office, and some commercial to the west across Old Pineville Road, commercial to the east across South Blvd. and generally commercial to the north and south

Area E industrial to the west, commercial to the east across South Blvd , commercial center to the south; and industrial to the north

Area F. single family, commercial, office and limited industrial to the north, commercial to the south; I-77 interchange to the west, and commercial to the east across South Blvd

Proposed Land Uses

Area A Single family

Areas B,C,D,E and F. General commercial uses

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these area, a number of properties were deleted from the proposed rezoning since the study group's review by Planning Committee and/or Council

Nonconformities Resulting From This Rezoning

Area A None

Area B Three warehouse uses and a glass manufacturer

Area C One warehouse

Area D: one lumber warehouse

Area E: None

Area F: None

<u>Consequences Of Not Rezoning This Property</u>

South Boulevard in this area and Woodlawn Road are principally strip commercial corridors If additional industrial uses develop among the commercial uses, the overall nature of the corridor will change There is some revitalization taking place by the private sector in this area, allowing industrial uses would not support the efforts to revitalize the commercial businesses

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-67

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 141.439 Acres Street Frontage(ft) Not Applicable

Current Land Use (A) Single Family; (B) & (C) Commercial uses and a few warehouses; (D) Commercial and some light industrial; (E) Commercial; and (F) Primarily commercial

Zoning Request

Existing Zoning O-2, I-1 & I-2 Requested Zoning R-4, I-1 & B-2

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

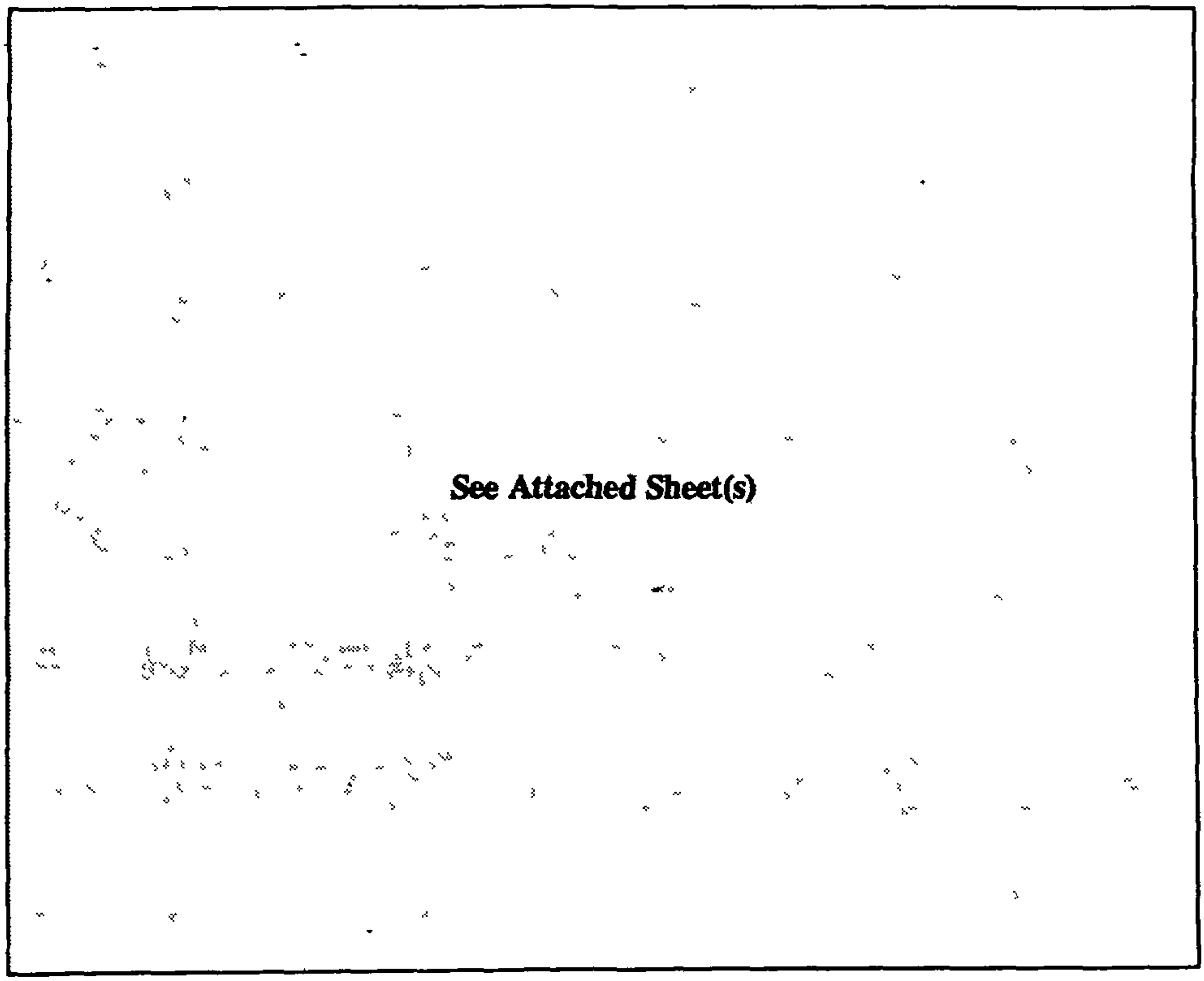
(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

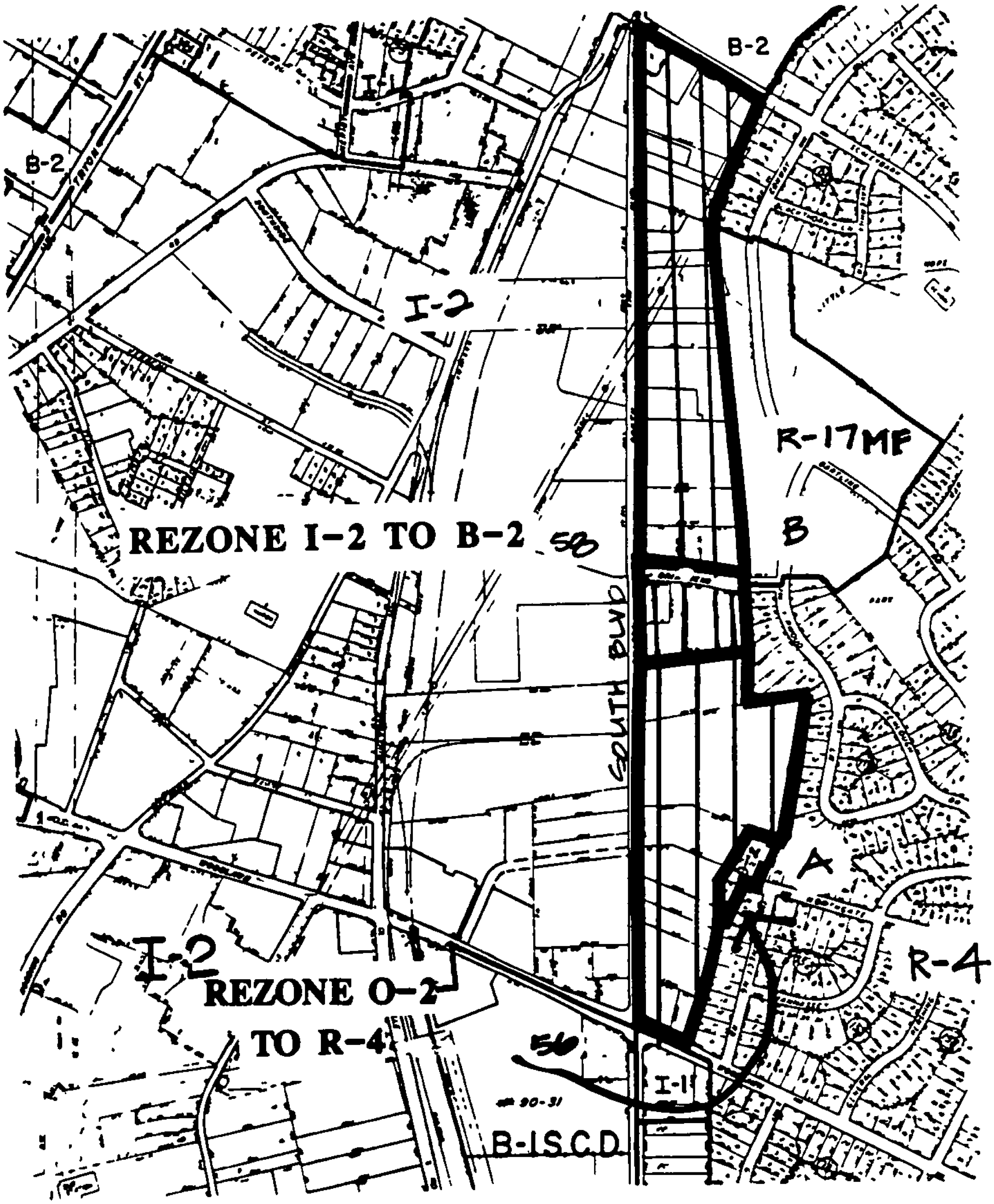
Petition #: 93-67

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): O-2, I-1 & I-2
Zoning Classification (Requested): R-4, I-1 & B-2
Location: Several locations along and/or adjacent to South Boulevard defined as (A) properties on Northgate Avenue (from O-2 to R-4); (B) properties on the east side of South Boulevard between Scaleybark and Woodlawn (from I-2 to B-2); (C) several tracts bounded by South Boulevard and Old Pineville Road, north of Woodlawn Road (from I-2 to B-2); (D) three areas located on the west side of South Boulevard generally extending from Woodlawn to Scaleybark Road (from I-2 to I-1); (E) properties located on the west side of South Boulevard between Freeland Lane and Clanton Road (from I-1 & I-2 to B-2); and (F) properties fronting on Woodlawn Road generally extending from S. Tryon Street along I-77 to Old Pineville Road (from I-2 to B-2).



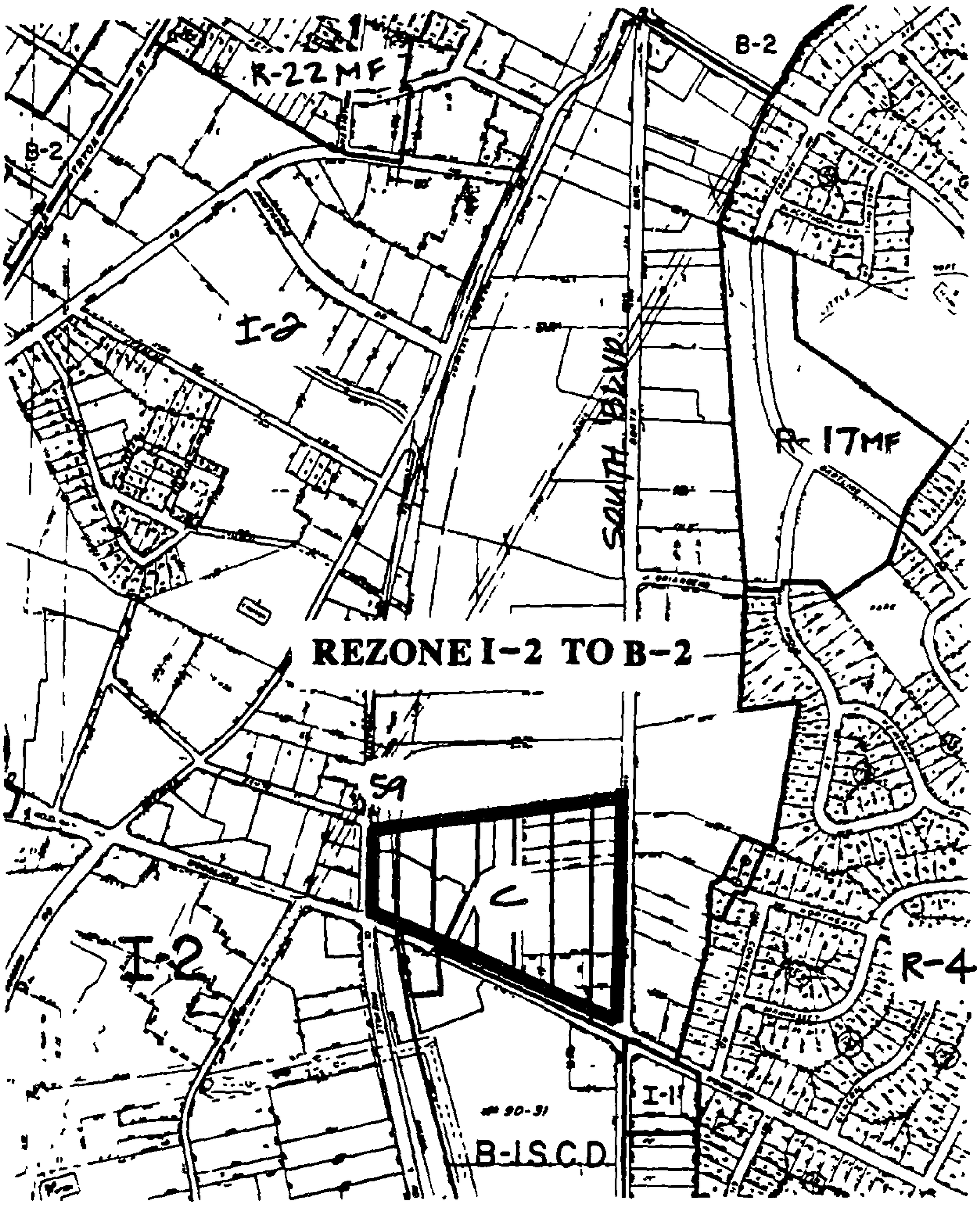
Zoning Map Nos.: 110 & 126

Scale: 1" = 400 feet

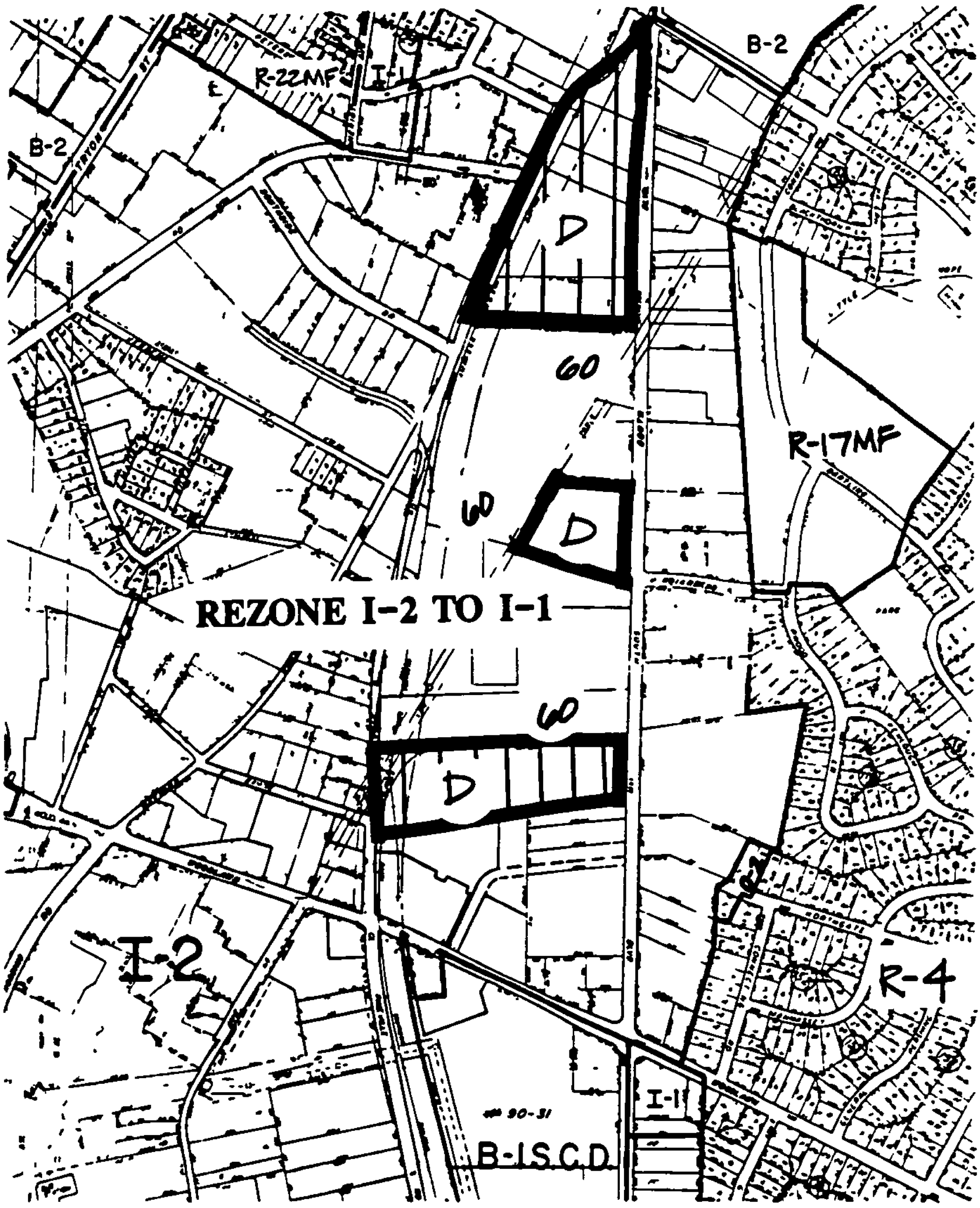


zoning case #

93-67

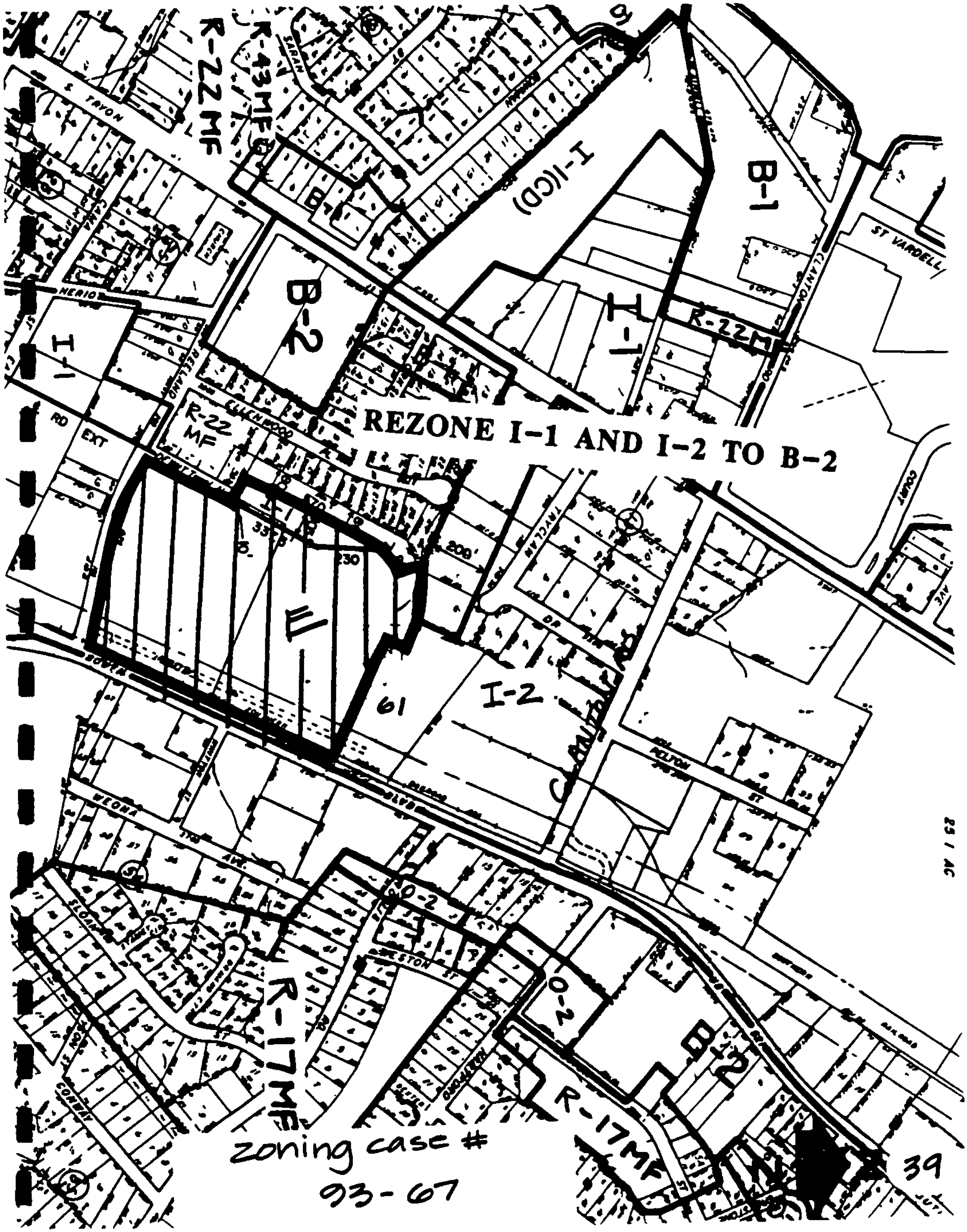


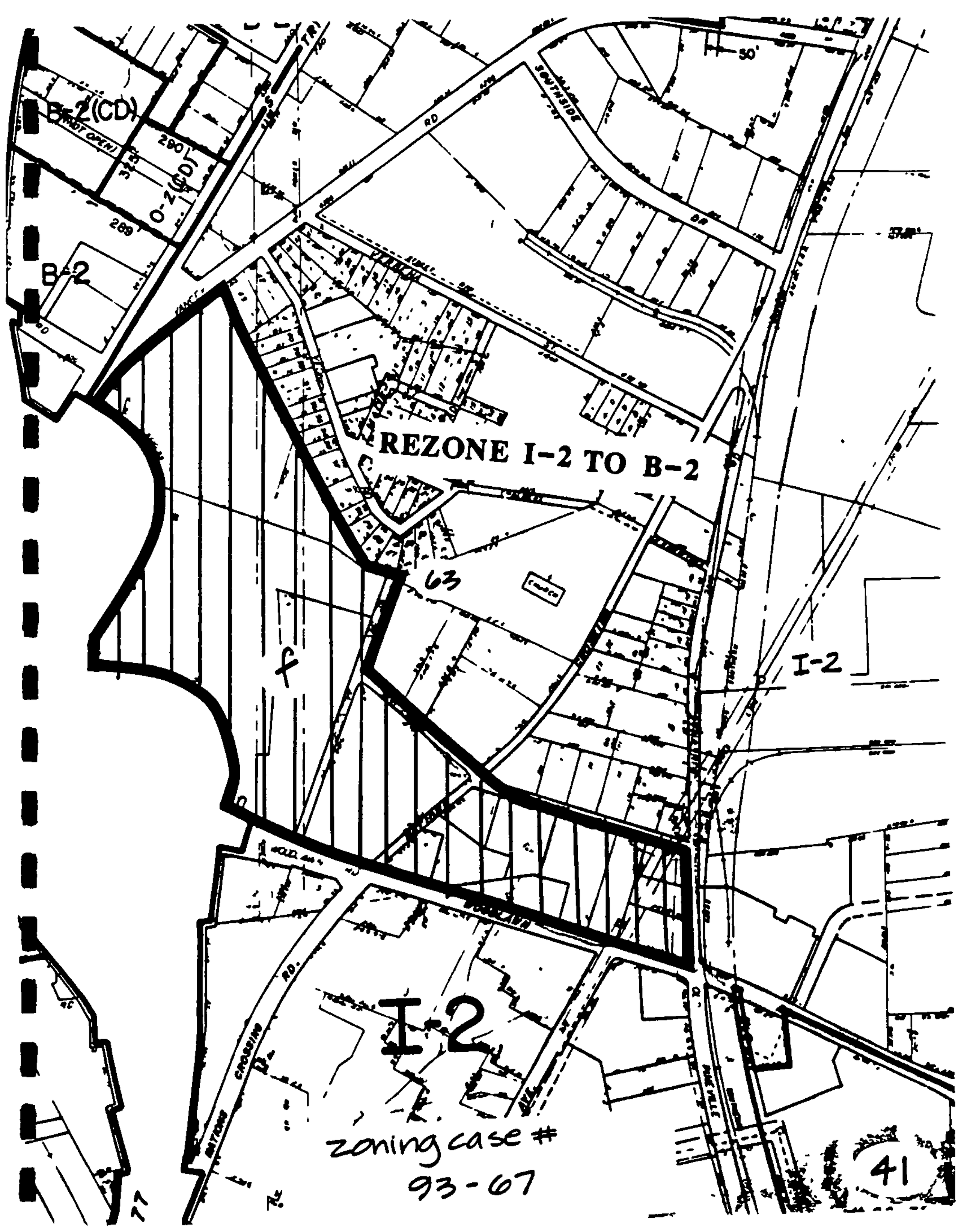
zoning case #
93-67



zoning case #
93-67

38


REZONE I-1 AND I-2 TO B-2
R-22 MF
R-43 MF
I-1(CD)
B-1
B-2
I-1
R-22
R-22 MF
I-1
I-2
61
O-2
O-2
R-17 MF
R-17 MF
B-2
39
TYVOLA
SOUTH
WEONA
ELIZABETH
PRESTON ST
CONWAY
ST VARDELL
CLANTON
HERIOT
RELAND
CLICHWOOD
TAYLOR
PELTON
RAILROAD
zoning case #
93-67


B-2(CD)
290
O-2(CD)
289
B-2
SOUTHSIDE
RD
50'
REZONE I-2 TO B-2
63
I-2
I-2
zoning case #
93-67
41

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-69

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several areas in the Sedgefield neighborhood defined as (A) properties fronting on Ardmore Street, Elmhurst Road and Poindexter Drive generally located east of South Boulevard between Ideal Way and Marsh Road(from R-17MF to R-8), (B) properties fronting along Belton Street between Mayfield Avenue and South Boulevard (from R-17MF to R-8), (C) properties located between Weona Avenue and Conway Street south of Hartford Avenue (from R-17MF to R-8); and (D) properties on the south side of Haverford between Poindexter Drive and Elmhurst Road east of South Boulevard (from O-2 to R-17MF)

Request: R-17MF & O-2 to R-8 & R-17MF

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land. The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed.

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan.

Zoning History

Not applicable

Existing Land Uses

Areas A, B, and C duplexes

Area D· apartments

Surrounding Land Uses

Areas A and B single family to the north, east, and south, and multi-family, offices, and businesses along South Blvd. to the west

Area C: single family to the east; single family and commercial to the south, commercial to the west along South Blvd., and multi-family to the north

Area D· duplexes to the north; multi-family to the east, vacant land and businesses to the south and west along South Blvd

Proposed Land Uses

Areas A, B, and C low density attached single family housing

Area D multi-family

Consistency With Study Group Recommendations

The Central District Study group supported the plan's recommendations for this area

Nonconformities Resulting From This Rezoning

None

Consequences Of Not Rezoning This Property

These properties are already developed with either duplexes or apartments and constitute a stable neighborhood edge for the single family neighborhoods east of them Allowing higher density would alter the character of these very well established residential areas

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-69

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 63.137 Acres Street Frontage(ft) Not Applicable

Current Land Use (A) Duplexes; (B) Duplexes; (C) Duplexes; (D) Apartments

Zoning Request

Existing Zoning R-17MF & O-2 Requested Zoning R-8 & R-17MF

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

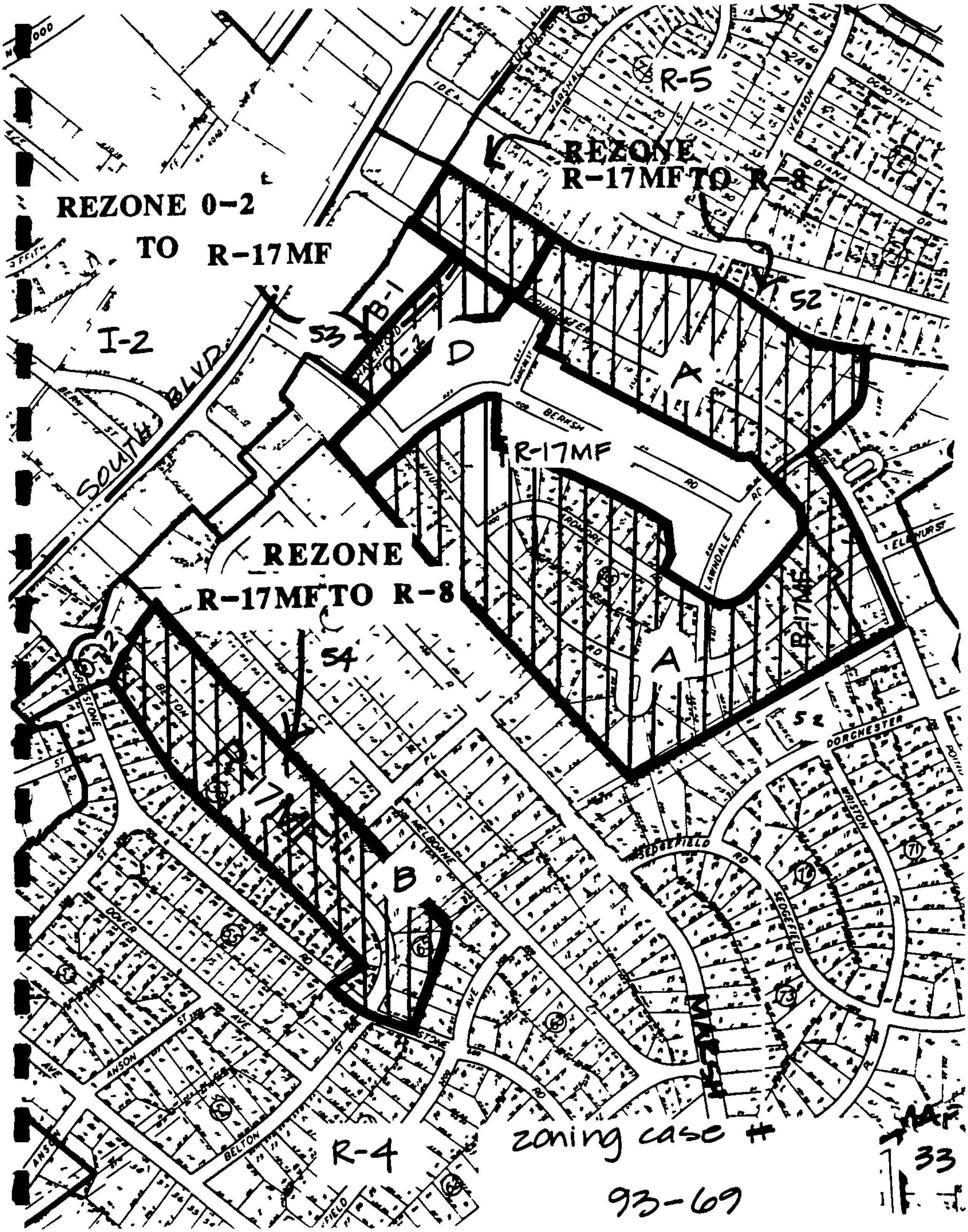
Petition #: 93-69

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): R-17MF & O-2
Zoning Classification (Requested): R-8 & R-17MF
Location: Several areas in the Sedgefield neighborhood defined as (A) properties fronting on Ardmore Street, Elmhurst Road and Poindexter Drive generally located east of South Boulevard between Ideal Way and Marsh Road(from R-17MF to R-8); (B) properties fronting along Belton Street between Mayfield Avenue and South Boulevard (from R-17MF to R-8); (C) properties located between Weona Avenue and Conway Street south of Hartford Avenue (from R-17MF to R-8); and (D) properties on the south side of Haverford between Poindexter Drive and Elmhurst Road east of South Boulevard (from O-2 to R-17MF).

See Attached Sheet(s)

Zoning Map Nos.: 110, 111 & 126

Scale: 1"= 400 feet


REZONE 0-2
TO R-17MF
REZONE
R-17MF TO R-8
REZONE
R-17MF TO R-8
R-5
R-17MF
R-4
I-2
O-2
B-1
A
B
53
52
54
IDEA
MARSHALL
IVERSON
DOROTHY
DIANA
BERKSH
RD
LAWNDALE
ELCHURST
SOUTH
BLVD
BERN
ST
BELTON
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DORCHESTER
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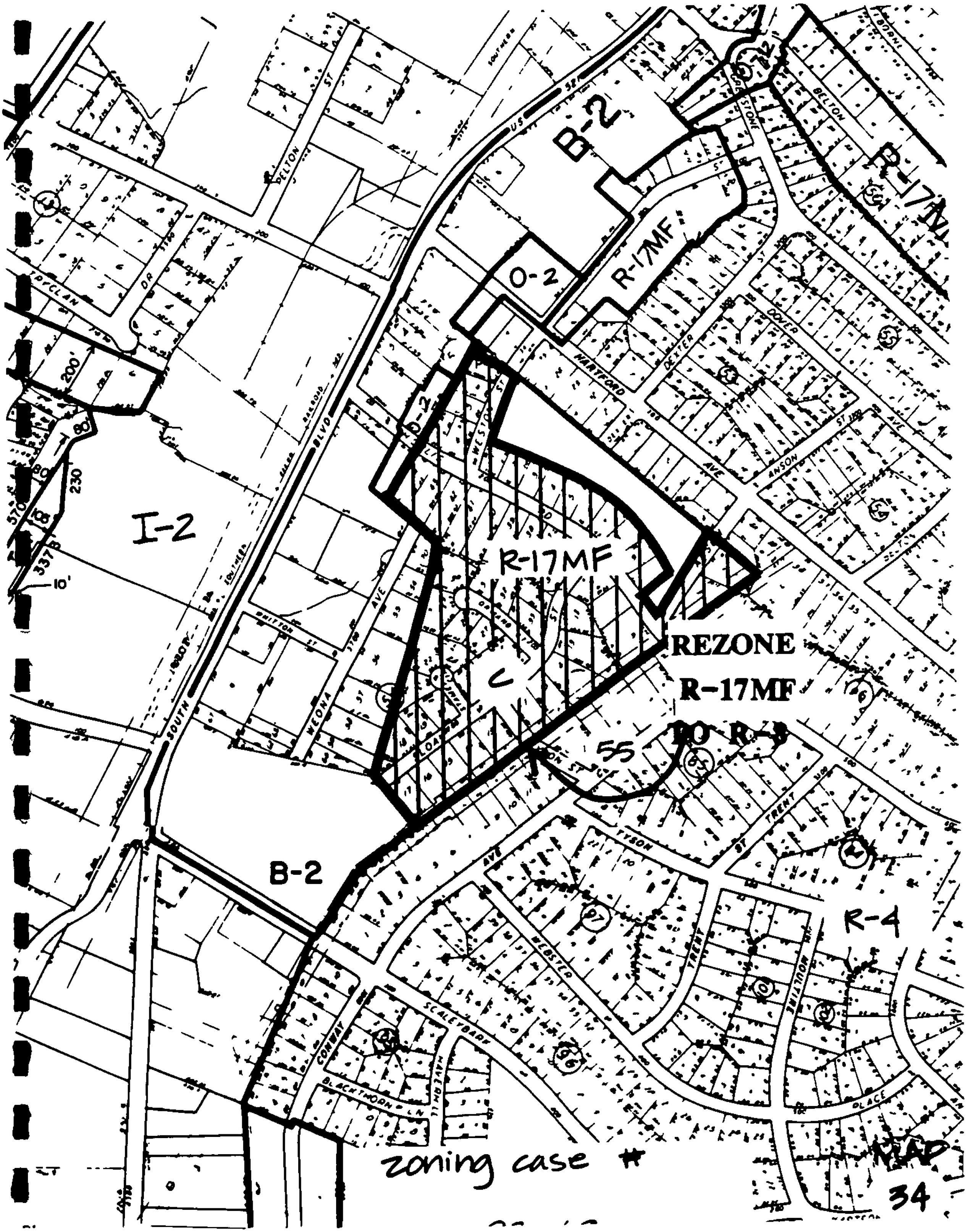
DOVER
ANSON
AVE
STONE
zoning case #
93-69
33


B-2
O-2
R-17MF
R-17MF
R-17MF
I-2
B-2
C
REZONE
R-17MF
TO R-4
R-4
zoning case #
MAP
34
BELTON ST
US 52
STONE
BELTON
DOVER
DEXTER
HARTFORD
AVE
ANSON
TRENT
TYSON
BLESSLE
SCALEBARK
CONWAY
BLACKTHORN LN
HAVEN
WEONA
SOUTH
BLVD
DR
200'
230
570
337
10'
55

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-71

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Queens College campus bounded by Myers Park Traditional School, Queens Road, Radcliffe Avenue and Wellesley Avenue

Request: R-3 to Institutional

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land The Central District plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Instructional buildings, auditoriums, dormitories, and other campus facilities

Surrounding Land Uses

Single family housing, churches, school

Proposed Land Uses

institutional

Consistency With Study Group Recommendations

This rezoning was added to the plan by the Planning Committee after the study group process was complete

Nonconformities Resulting From This Rezoning

Some of the setbacks may become nonconforming as a result of this rezoning, but this will not affect acquiring permits for new construction, unless such permit would result in an expansion of the specific nonconforming setback

Consequences Of Not Rezoning This Property

When the new zoning ordinance was adopted, the institutional district was revised The intent was to have all large institutional uses such as colleges and universities zoned institutional Many such uses are located in single family districts, yet the uses are clearly of a magnitude that can impact adjacent residential areas The revised institutional zone provides more stringent development standards with regard to setbacks and buffers to ensure greater compatibility with neighborhoods

Recognizing the existance of Queens College and JC Smith University, both zoned single family, the ordinance retained colleges and universities as by-right uses in residential districts so as not to make these institutions nonconforming However, the decision made at the time the ordinance was drafted, was that these existing colleges would eventually be rezoned to the institutional district, after which a text amendment would be prepared eliminating colleges and universities as by-right uses in residential districts This proposed rezoning is in response to the earlier decision to rezone the institutions

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-71

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 24.50 Acres Street Frontage(ft.) Not Applicable

Current Land Use Queens College

Zoning Request

Existing Zoning R-3 Requested Zoning Institutional

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

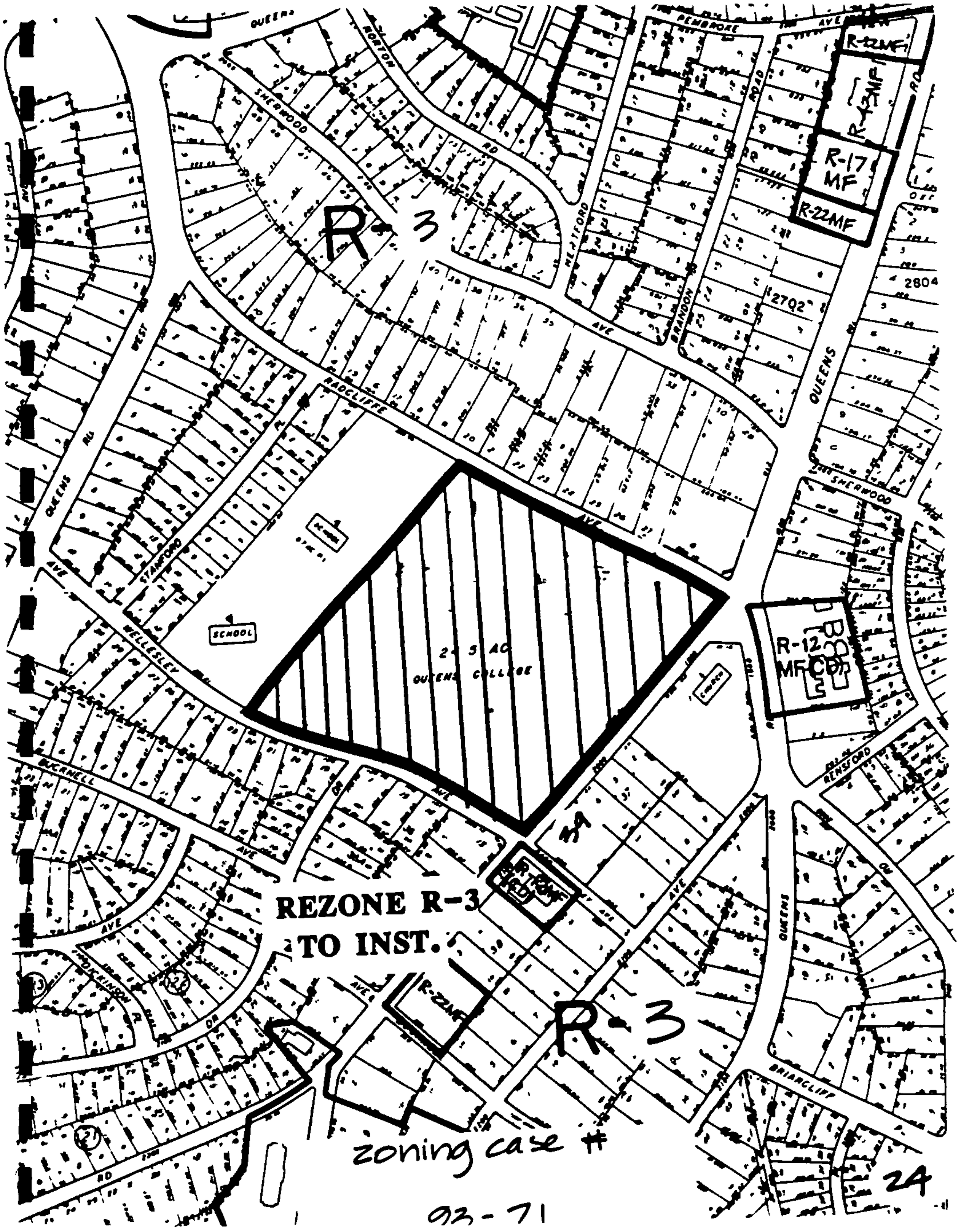
Petition #: 93-71

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): R-3
Zoning Classification (Requested): Institutional
Location: Queens College campus bounded by Myers Park Traditional School, Queens Road, Radcliffe Avenue and Wellesley Avenue.

See Attached Sheet(s)

Zoning Map Nos.: 111 & 125

Scale: 1"= 400 feet


REZONE R-3
TO INST.
R-3
R-3
R-22MF
R-17 MF
R-22MF
R-12 MF
2.5 AC
QUEENS COLLEGE
SCHOOL
CHURCH
2702
2804
QUEENS BLVD
WEST
QUEENS RD
SHERWOOD RD
NORTON
HEMFORD
BRANDON
PEMBROKE AVE
RADCLIFFE AVE
STANFORD
WELLESLEY
BUCKNELL
HENDERSON
BRIARCLIFF
RENSFORD
zoning case #
24
93-71

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-75

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-22MF to R-5 & R-8 (Central District Plan)

LOCATION: Approximately 30 acres located in three areas in the Dilworth neighborhood defined as (A) properties along Fountain View north of East Boulevard (from R-22MF to R-5), (B) area along Waverly Avenue between the southerly side of Buchanan Street and Romany Road (from R-22MF to R-8), and (C) property along Lombardy Circle north of East Boulevard (from R-22MF to R-8)

ACTION: The Zoning Committee took action on Areas A and B together Area C was considered separately.

AREAS A and B: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, Heard, Motley and Whelchel

Nays: None

Absent: James

REASONS

This portion of the petition proposes rezoning properties located along Fountainview north of East Boulevard and along Waverly Avenue between Buchanan Street and Romany Road from a multi-family district (R-22MF) to single family districts (R-5 and R-8) in accordance with the Central District Plan The petitioned property is composed of single family houses and duplexes. The Zoning Committee viewed the proposed single family residential districts as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

Area C: The Zoning Committee recommends that this portion of the petition be rezoned to R-12MF rather than R-8 as recommended in the plan (See attached map)

VOTE: *Yeas:* Baucom, Byrne, Heard, Jones, Motley and Whelchel

Nays: None

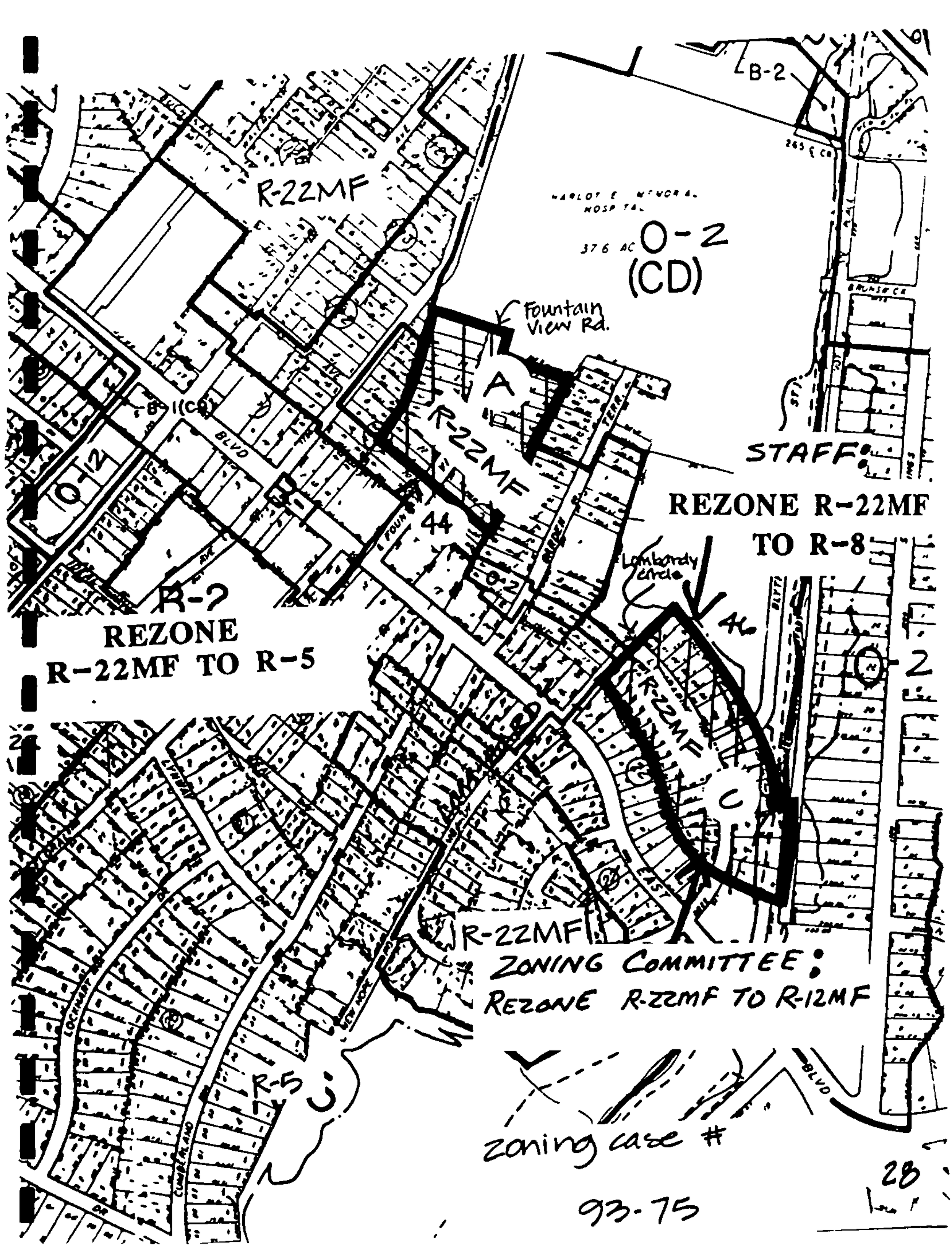
Absent. James

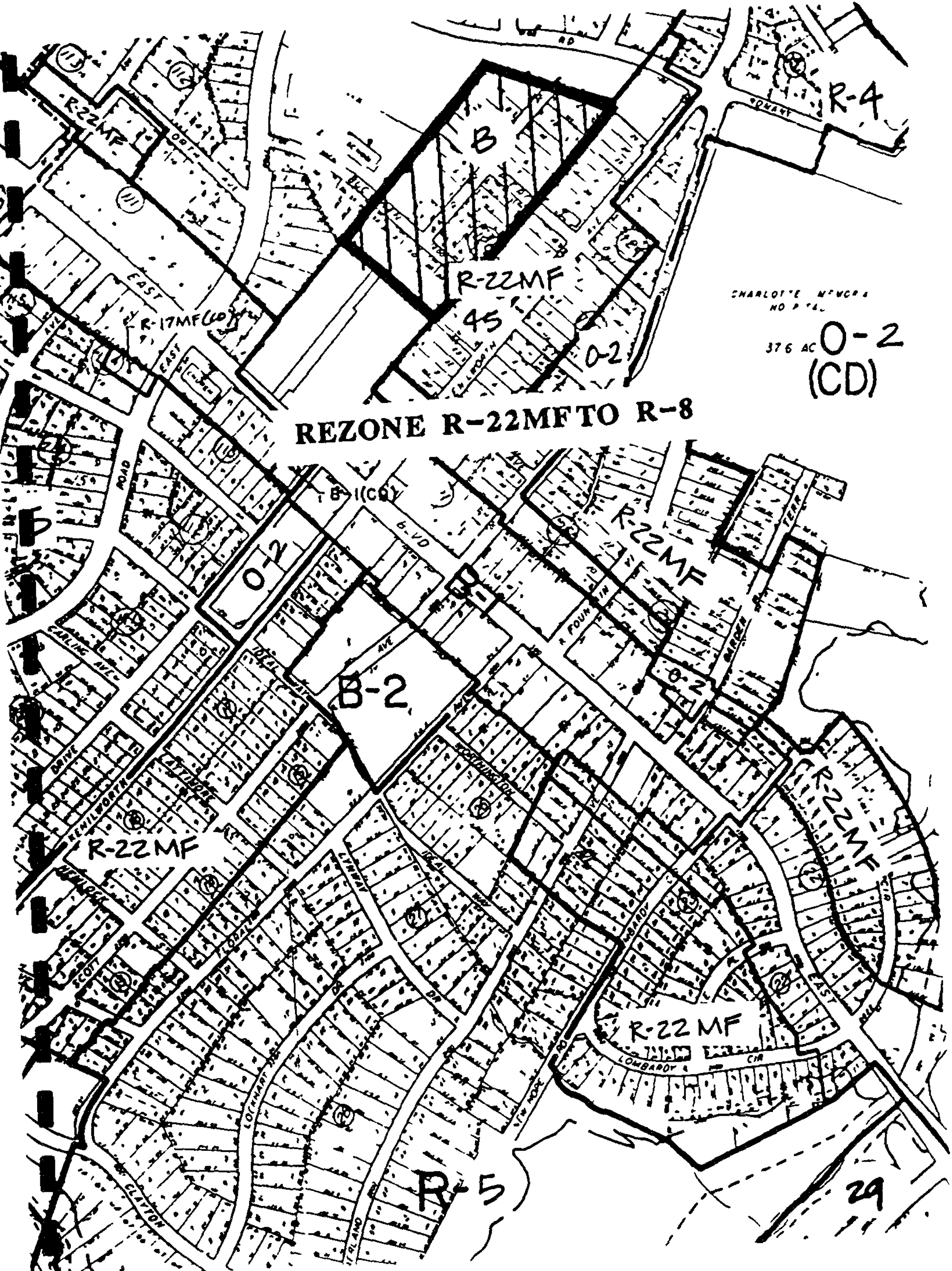
REASONS:

This portion of the petition proposes rezoning several parcels located along Lombardy Circle north of East Boulevard from R-22MF to R-8 in accordance with the Central District Plan The petitioned property is composed of a combination of single family homes, duplexes, and triplexes The Zoning Committee viewed the proposed single family district (R-8) as inappropriate for the area, and instead of recommended R-12MF The R-12MF district will allow moderately dense multi-family development which the Committee viewed as appropriate for the area

STAFF OPINION:

The staff agrees with the adopted plan's recommendation


B-2
R-22MF
O-2
(CD)
Fountain View Rd.
A
R-22MF
STAFF:
REZONE R-22MF
TO R-8
O-12
44
O-2
R-2
REZONE
R-22MF TO R-5
Lombardy Circle
46
R-22MF
O-2
C
R-22MF
ZONING COMMITTEE:
REZONE R-22MF TO R-12MF
R-5
zoning case #
93-75
28


REZONE R-22MF TO R-8
R-22MF
B
R-4
R-22MF
45
O-2
O-2
(CD)
R-17MF(CD)
EAST
B-1(CD)
O-2
R-22MF
B-2
O-2
R-22MF
R-22MF
R-22 MF
R-5
29

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-76

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several areas in the Dilworth neighborhood defined as (A) tract of land located on the northeast corner of Ideal Way and Kenilworth Avenue, (from O-2 to R-22MF), (B) land located off the east side of Kenilworth Avenue north of Ideal Way and west of Floral Avenue (from B-2 to B-1), and (C) property that fronts on Scott and Kenilworth Avenues between Ideal Way and Ordermore Avenue (from R-22MF to R-5)

Request: B-2, O-2 & R-22MF to B-1, R-22MF & R-5

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area. This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land. The Central District plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district. Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan

Zoning History

Not applicable

Existing Land Uses

Area A· Hopehaven group home

Area B shopping center (Tally's Grocery) on east side of Scott Ave and vacant tract with old greenhouse buildings on west side of Scott Avenue

Area C principally single family, duplexes, Duke Power Transfer Station

Surrounding Land Uses

Area A single family to the west and south, offices to the north, and single family to the east

Area B commercial along East Blvd to the north, single family to the west, east, and south

Area C· shopping center to the north; single family to the east and west, and single family and apartments to the south

Proposed Land Uses

Area A neighborhood commercial

Area B multi-family

Area C· single family

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's recommendation for Area C, the remaining proposed rezonings were added by the Planning Committee

Nonconformities Resulting From This Rezoning

Area A. none

Area B No more than a total of 10 employees and residents are legal for a group home in a multi-family zone, however, if the number exceeds 10 and the property is rezoned, that number will be allowed through the grandfather clause

Area C 4 duplexes on small lots

Consequences Of Not Rezoning This Property

Area A The B-2 district allows uses that may not be compatible with the neighborhood businesses in the area

Area B The existing residential structure could be converted to office, extending nonresidential uses into the residential areas around it

Area C Higher density housing, particularly developed piecemeal would alter the character of this area and valuable, affordable housing stock could be lost.

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-76

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 18.338 Acres Street Frontage(ft.) Not Applicable

Current Land Use (A) Vacant lot and existing Shopping Center; (B) Vacant lot; and (C) Single Family

Zoning Request

Existing Zoning B-2, O-2 & R-22MF Requested Zoning B-1, R-22MF & R-5

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

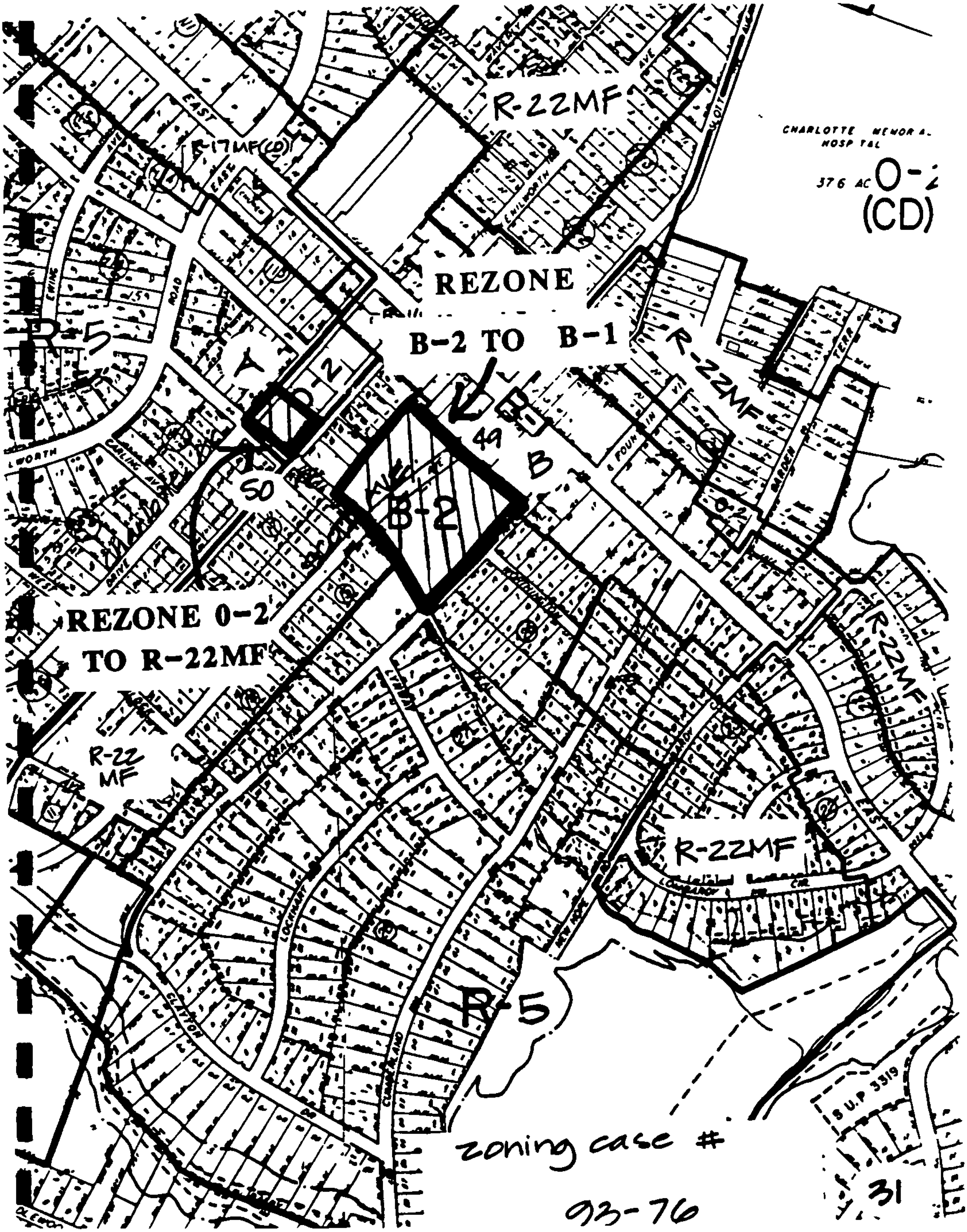
Petition #: 93-76

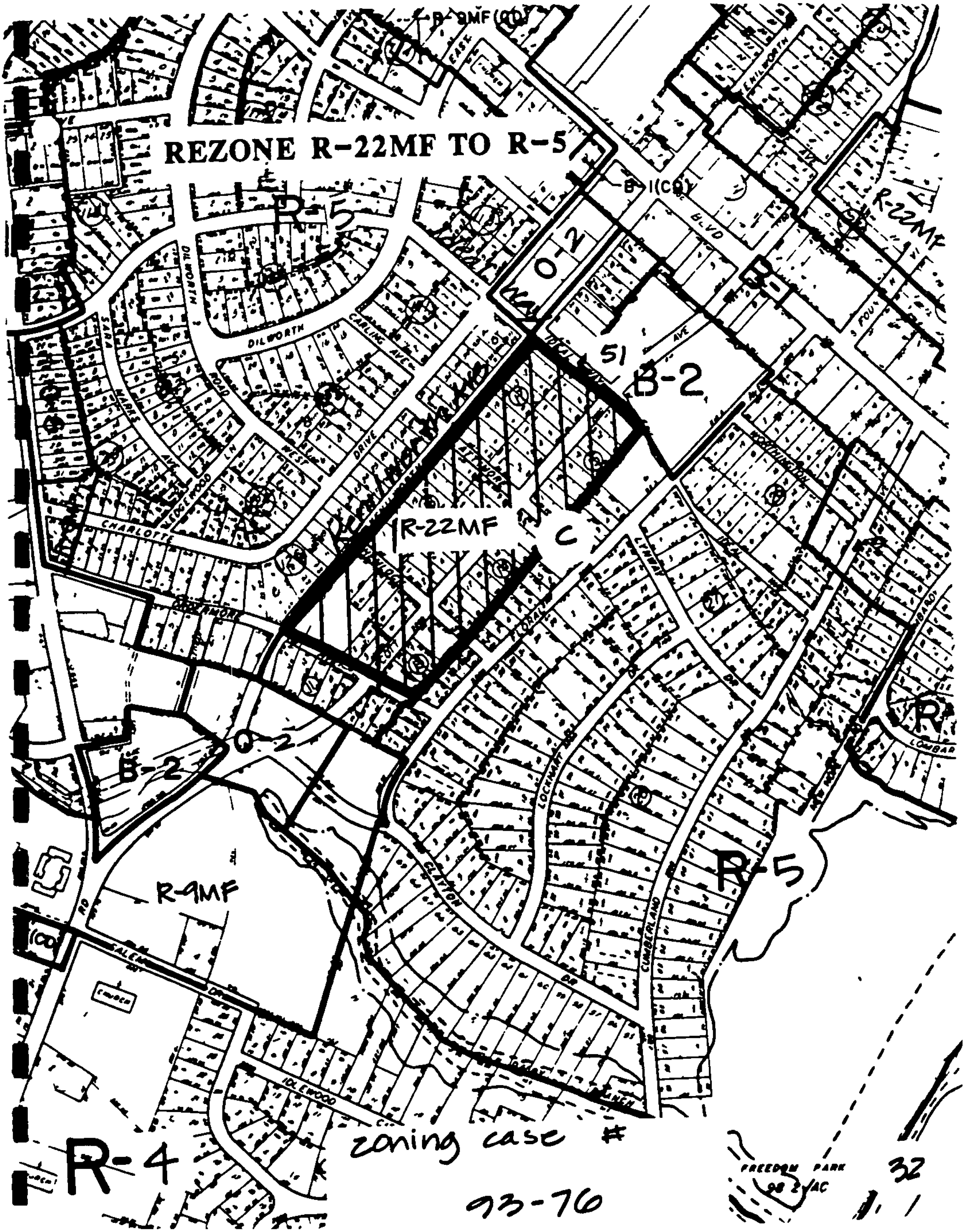
Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): B-2, O-2 & R-22MF
Zoning Classification (Requested): B-1, R-22MF & R-5
Location: Several areas in the Dilworth neighborhood defined as (A) tract of land located on the northeast corner of Ideal Way and Kenilworth Avenue; (from O-2 to R-22MF); (B) land located off the east side of Kenilworth Avenue north of Ideal Way and west of Floral Avenue (from B-2 to B-1); and (C) property that fronts on Scott and Kenilworth Avenues between Ideal Way and Ordermore Avenue (from R-22MF to R-5).

See Attached Sheet(s)

Zoning Map Nos.: 111

Scale: 1" = 400 feet


R-22MF
CHARLOTTE MEMORIAL HOSPITAL
37.6 AC
O-2
(CD)
EAST
R-17MF(CD)
REZONE
B-2 TO B-1
R-22MF
49
B
50
B-2
REZONE O-2
TO R-22MF
R-22 MF
R-22MF
R-22MF
R-5
S.U.P. 3319
zoning case #
93-76
31


REZONE R-22MF TO R-5
R-5
R-22MF
B-1(CD)
O-2
B-2
51
R-22MF
C
B-2
O-2
R-9MF
R-5
R-4
DILWORTH
CARLING AVE
CHARLOTTE
WEST
DRIVE
ELIZABETH
CUMBERLAND
LOCKHART
LOMBARDY
FREEDOM PARK
32
zoning case #
93-76

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-77

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Several areas in the Dilworth neighborhood defined as (A) an area generally bounded by Euclid Avenue, Springdale Avenue, Tremont Avenue and Worthington Avenue (from R-22MF to R-5), (B) property fronting Park Avenue between Euclid Avenue and Lyndhurst Avenue (from R-22MF to R-5), (C) properties fronting Lexington Avenue and Mt Vernon from Mt Vernon to Euclid Avenue, excluding multi-family units on southwest corner of Myrtle and Euclid (from R-22MF to R-8), and (D) properties fronting Lexington Avenue between Myrtle Avenue and Oriole Avenue (from O-2 to R-22MF).

Request: R-22MF & O-2 to R-5, R-8 & R-22MF

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Central District Plan The Central District Plan generally encompasses the area bound by Route 4 to the east, south, and west and I-85 to the north, excluding the uptown area This plan departs from the type of plan prepared for other districts in the county, which principally center on development opportunities on vacant land. The Central District Plan focuses primarily on preserving and/or enhancing the character of areas that are already developed

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of many of the neighborhoods and business areas in the district Much of the zoning in the Central district has been in place since the early 1960's The zoning ,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Central District Plan.

Zoning History

Not applicable

Existing Land Uses

Area A· single family, a few duplexes, and a church

Area B single family house and vacant lot

Area C single family and a few duplexes

Area D single family and duplexes

Surrounding Land Uses

Area A· single family to the south and east, single family, duplexes, and offices to the north, and single family and duplexes to the west

Proposed Land Uses

Areas A and B single family

Area C single family, duplexes, triplexes or quadraplexes

Area D multi-family

Consistency With Study Group Recommendations

The Central District Study Group supported the plan's land use and zoning recommendations for these areas

Nonconformities Resulting From This Rezoning

Area A Eight duplexes on small lots

Areas B and C. None

Area D None

Consequences Of Not Rezoning This Property

Areas A, B, C: High density housing could be built which would be out of character with the established single family character Also, this could lead to the loss of valuable core city housing

Area D Nonresidential development could be built on a street that is clearly residential in nature, altering the character of the street and placing pressure on adjacent land for continued nonresidential zoning

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-77

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq.Ft -Acres) Approximately 24.912 Acres Street Frontage(ft) Not Applicable

Current Land Use (A) Single Family; (B) Single Family and vacant lot; (C) Single Family; and (D) Single Family and Duplexes

Zoning Request

Existing Zoning R-22MF & O-2 Requested Zoning R-5, R-8 & R-22MF

Purpose of Zoning Change To comply with the land use recommendations of the Central District Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

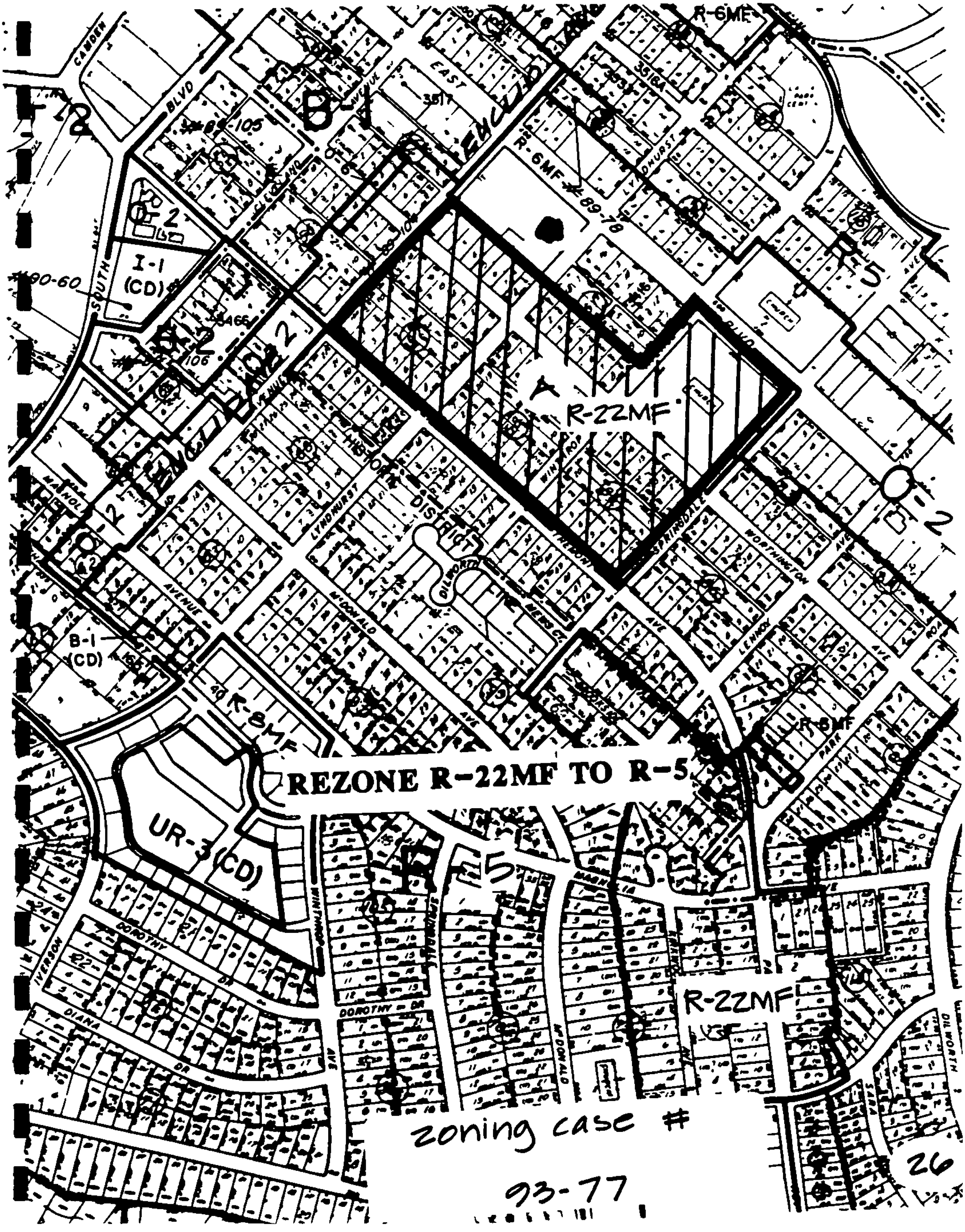
Petition #: 93-77

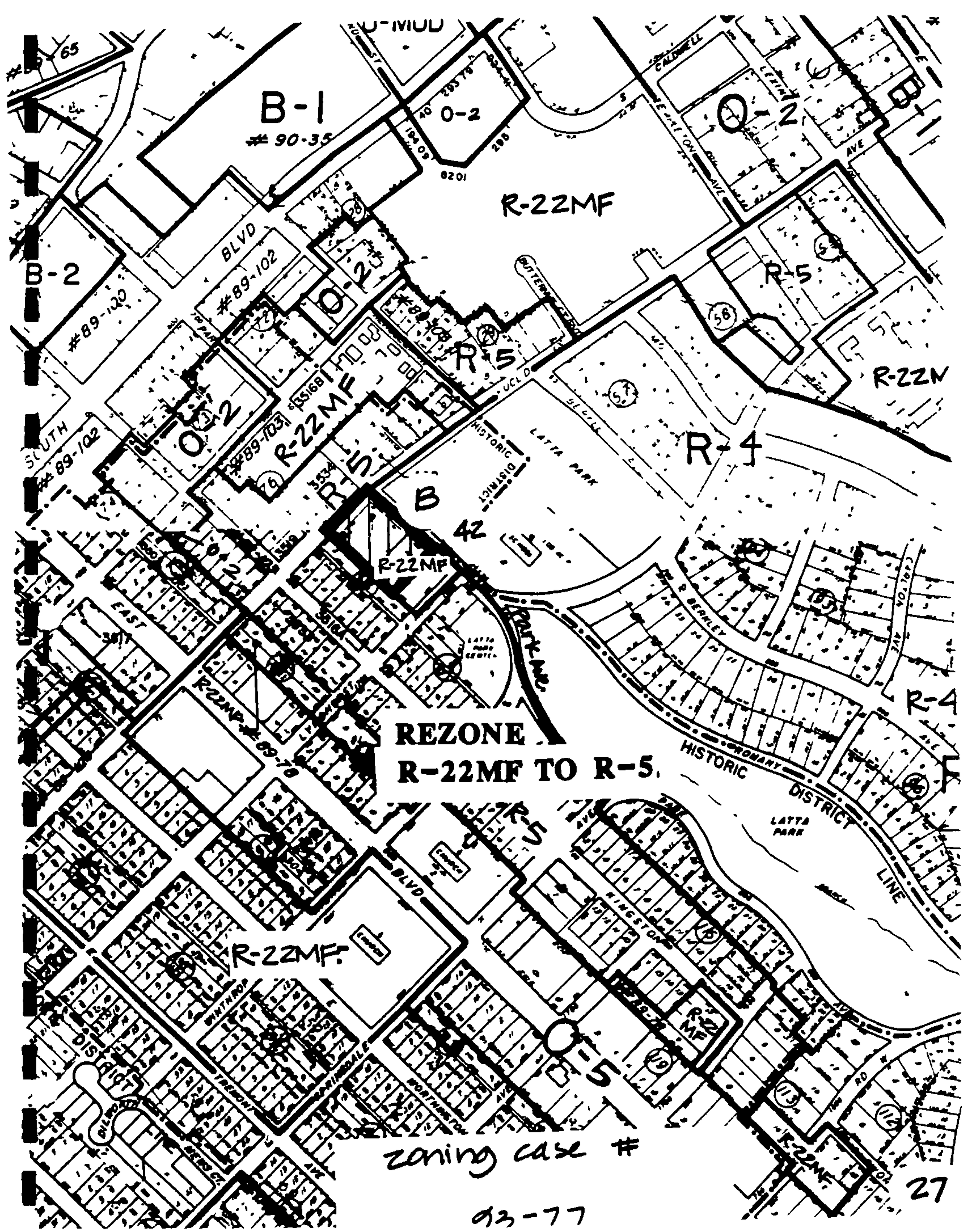
Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): R-22MF & O-2
Zoning Classification (Requested): R-5, R-8 & R-22MF
Location: Several areas in the Dilworth neighborhood defined as (A) an area generally bounded by Euclid Avenue, Springdale Avenue, Tremont Avenue and Worthington Avenue (from R-22MF to R-5); (B) property fronting Park Avenue between Euclid Avenue and Lyndhurst Avenue (from R-22MF to R-5); (C) properties fronting Lexington Avenue and Mt. Vernon from Mt. Vernon to Euclid Avenue, excluding multi-family unit on southwest corner of Myrtle and Euclid (from R-22MF to R-8); and (D) properties fronting Lexington Avenue between Myrtle Avenue and Oriole Avenue (from O-2 to R-22MF).

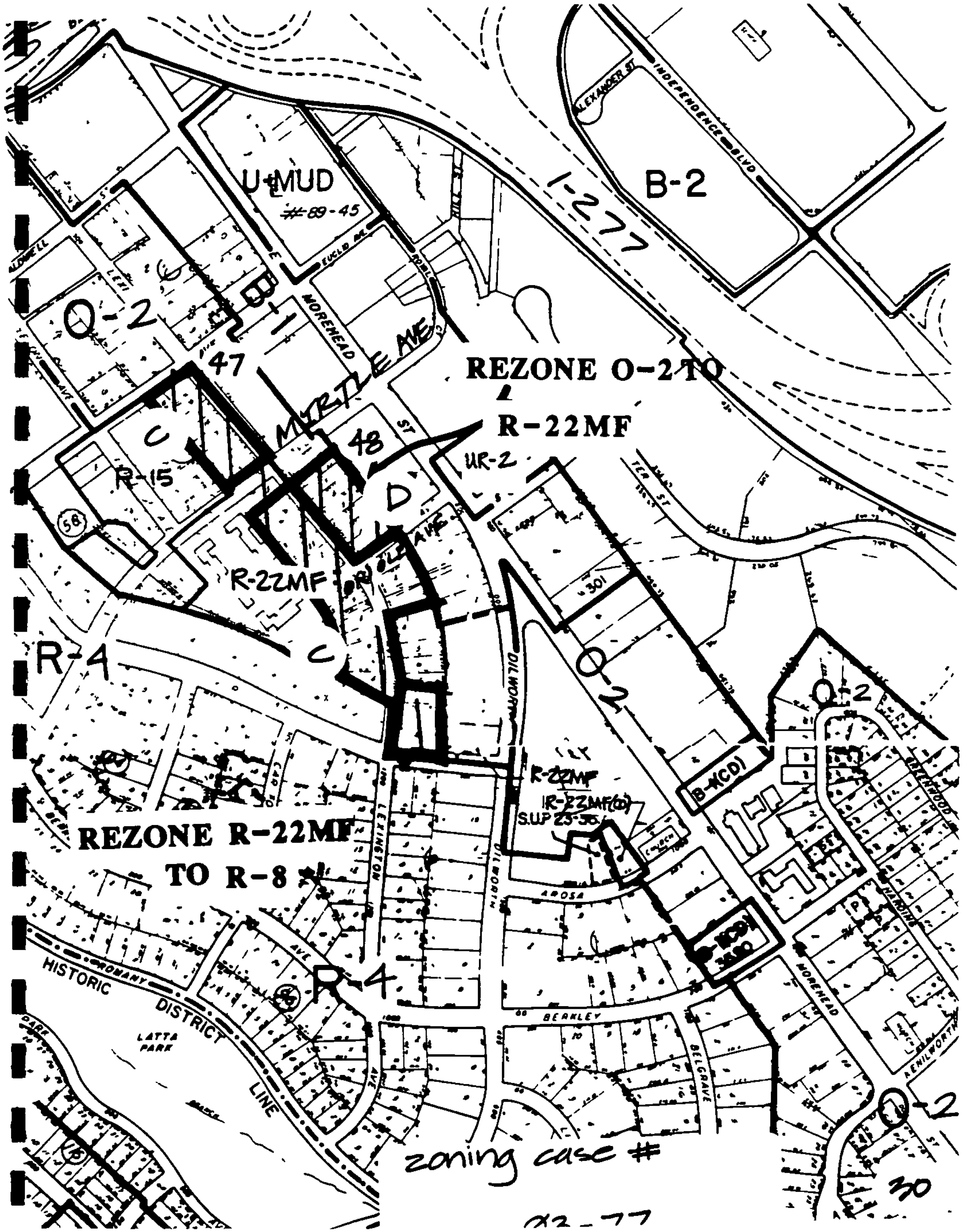
See Attached Sheet(s)

Zoning Map Nos.: 102 & 111

Scale: 1" = 400 feet


REZONE R-22MF TO R-5
R-6ME
R-6MF
89-78
R-22MF
I-1
(CD)
90-60
B-1
(CD)
UR-3
(CD)
R-5
R-22MF
CAMDEN
BLVD
EAST
SOUTH
LYNDHURST
AVENUE
MCDONALD
WINTHROP
SPRINGDALE
WORTHINGTON
LENNOX
PARK
DOROTHY
DIANA
IVERSON
DILWORTH
zoning case #
93-77
26


B-1
#90-35
O-2
R-22MF
B-2
#89-100
BLVD
#89-102
O-2
R-5
R-22N
R-4
#89-103
R-22MF
R-5
LATTA PARK
HISTORIC DISTRICT
B
42
R-22MF
EAST
R-22MF
#89-78
R-5
HISTORIC DISTRICT LINE
LATTA PARK
R-22MF
R-5
R-22MF
R-4
REZONE
R-22MF TO R-5.
zoning case #
93-77
27


U-MUD
#89-45
I-277
B-2
ALEXANDER ST
INDEPENDENCE BLVD
O-2
B-1
MOREHEAD
MYRTLE AVE
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48
REZONE O-2 TO
R-22MF
C
R-15
D
UR-2
58
R-22MF
R-4
C
301
O-2
O-2
R-22MF
R-22MF(O)
S.U.P 23-56
B-1(CD)
REZONE R-22MF
TO R-8
ARDSA
R-4
HISTORIC
DISTRICT
LINE
LATTA
PARK
BERKLEY
BELGRAVE
MOREHEAD
HARDING
KENILWORTH
O-2
zoning case #
30
82-77

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-78

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Areas in the Cherry neighborhood along Kings Drive, Independence and Cecil Street between Fox Drive and Henley Street (excluding Midtown Mall property)

Request: B-2 & O-2 to B-1, O-2 & R-22MF

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Cherry Small Area Plan The Cherry Plan generally encompasses the area bounded by Independence Boulevard and Fourth Street on the north, Henley Place an Morehead Street on the south, Sugar Creek on the west and Queens Road on the east The plan addresses a number of issues dealing with land use, housing, infrastructure needs, crime, and neighborhood appearance

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of Cherry The zoning in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to implement the land use recommendations as adopted in the Cherry Plan.

Zoning History

Not applicable

Existing Land Uses

Commercial shopping centers, fast food restaurants, offices, single family homes a duplex and vacant lots

Surrounding Land Uses

Offices and commercial uses to the north and northwest, Carolinas Medical Center to the south; Cherry community to the east, residential and office uses to the west.

Proposed Land Uses

Neighborhood commercial for properties that front on Kings Drive and Cecil Street Office development for the property that fronts on Torrence Street south of Ellison Street Multi-family is proposed for the area along Fox Drive and Independence

Consistency With Study Group Recommendations

The Cherry Study Group supported the plan's land use and zoning recommendations for these areas

Nonconformities Resulting From This Rezoning

No nonconforming uses will be created as a result of this rezoning

Consequences Of Not Rezoning This Property

Kings Drive is already primarily developed with neighborhood oriented commercial uses Several new centers have been built Midtown Square recently underwent extensive renovation. These types of improvements and investments made in the area should be protected from incompatible general business type uses that will negatively affect the appearance of the corridor. The residential neighborhoods that abut Kings Drive (Cherry and part of Myers Park) could be affected by intense commercial uses

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-78

Date Filed July 16, 1993

Recieved By M C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 30.726 Acres Street Frontage(ft) Not Applicable

Current Land Use Commercial, Office and Single Family

Zoning Request

Existing Zoning B-2 & O-2 Requested Zoning B-1, O-2 & R-22MF

Purpose of Zoning Change To comply with the land use recommendations of the Cherry Small Area Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

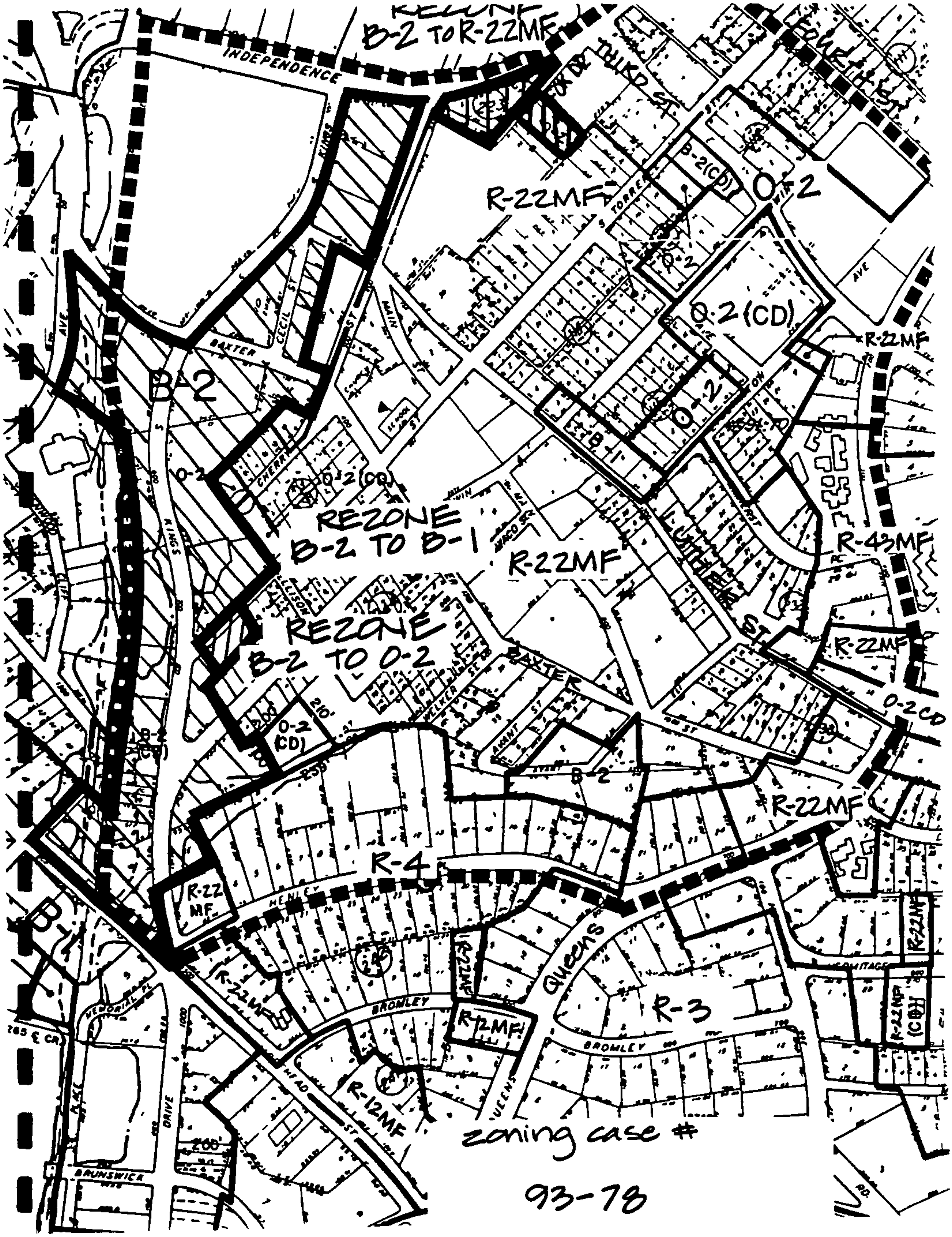
Petition #: 93-78

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): B-2 & O-2
Zoning Classification (Requested): B-1, O-2 & R-22MF
Location: Areas in the Cherry neighborhood along Kings Drive, Independence and Cecil Street between Fox Drive and Henley Street (excluding Midtown Mall property).

See Attached Sheet(s)

Zoning Map Nos.: 102 & 111

Scale: 1"= 400 feet


B-2 TO R-22MF
INDEPENDENCE
THIRD ST.
FOURTH ST.
R-22MF
B-2(CD)
O-2
O-2 (CD)
R-22MF
B-2
O-2
O-2 (CD)
R-43MF
REZONE
B-2 TO B-1
R-22MF
REZONE
B-2 TO O-2
R-22MF
O-2 CD
O-2 (CD)
B-2
R-22MF
R-4
R-22 MF
R-22MF
R-12MF
R-3
R-22MF
R-22MF (CD)
R-12MF
zoning case #
93-78

Pre-Hearing Staff Analysis
Rezoning Petition No. 93-79

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Two areas in the Cherry neighborhood along Torrence and Baldwin Streets defined as (A) north of Main Street and south of Third Street (from R-22MF to R-6), and (B) south of Baxter Street between Cherry Street and Queens Road (from B-1, B-2 & R-22MF to R-6)

Request: R-22MF, B-1 & B-2 to R-6

Background and Justification

In January of 1993, the Charlotte City Council formally adopted the Cherry Small Area Plan The Cherry Plan generally encompasses the area bound by Independence Boulevard and Fourth Street on the north, Henley Place and Morehead Street on the south, Sugar Creek on the west, Queens Road on the east. The plan addresses a number of issues dealing with land use, housing, infrastructure needs, crime, and neighborhood appearance

Inappropriate zoning is identified in the plan as one of the greatest threats to the stability and integrity of Cherry Much of the zoning in the interior of neighborhood has been in place since the early 1960's The zoning,in many instances, does not reflect existing and/or proposed development Consequently, this rezoning is being requested to comply with land use recommendations as proposed in the Cherry Plan

Zoning History

Not applicable

Existing Land Uses

Area A Single family homes, duplexes and vacant lots

Area B Single family homes, duplexes, quadraplexes, vacant lots, and an oil company

Surrounding Land Uses

Area A Office and commercial uses to the east, a hospital and other medical related offices to the south, duplexes, single family homes, a park, churches and a school to the west

Area B Commercial land office uses to the north and west, duplexes to the east, and single family properties to the south

Proposed Land Uses

Single family homes

Consistency With Study Group Recommendations

The Cherry Small Area Plan Study Group supported the plan's land use and zoning recommendations

Nonconformities Resulting From This Rezoning

Ten nonconforming uses (nine duplexes and a quadraplex on small lots) will be created as a result of this rezoning The oil company requires I-1 zoning and therefore, is currently nonconforming in the B-2 district

Consequences Of Not Rezoning This Property

The homes on Baldwin and Torrence Streets are the best maintained single family properties in the neighborhood Multi-family development could dramatically change the character of the area and could result in the loss of existing housing Further intensification of housing may also weaken revitalization efforts to increase home ownership opportunities

OFFICIAL REZONING APPLICATION
CITY OF CHARLOTTE

Petition No 93-79

Date Filed July 16, 1993

Recieved By M.C.M

OFFICE USE ONLY

Ownership Information

Property Owner See Sheet in Zoning Case File

Owner's Address See Sheet in Zoning Case File

Date Property Acquired Not Available

Tax Parcel Number See Sheet in Zoning Case File

Location of Property(address or description) See Sheet in Zoning Case File

Description of Property

Size(Sq Ft -Acres) Approximately 34.507 Acres Street Frontage(ft) Not Applicable

Current Land Use Single Family, Duplexes, Triplex and Churches

Zoning Request

Existing Zoning R-22MF, B-1 & B-2 Requested Zoning R-6

Purpose of Zoning Change To comply with the land use recommendations of the Cherry Small Area Plan.

Name of Agent

Agent's Address

Telephone Number

Charlotte-Mecklenburg Planning Commission
Name of Petitioner(s)

600 East Fourth Street, Charlotte, N. C. 28202-2853
Address of Petitioner(s)

(704)336-2205
Telephone Number

Signature

Signature of Property Owner
If Other Than Petitioner

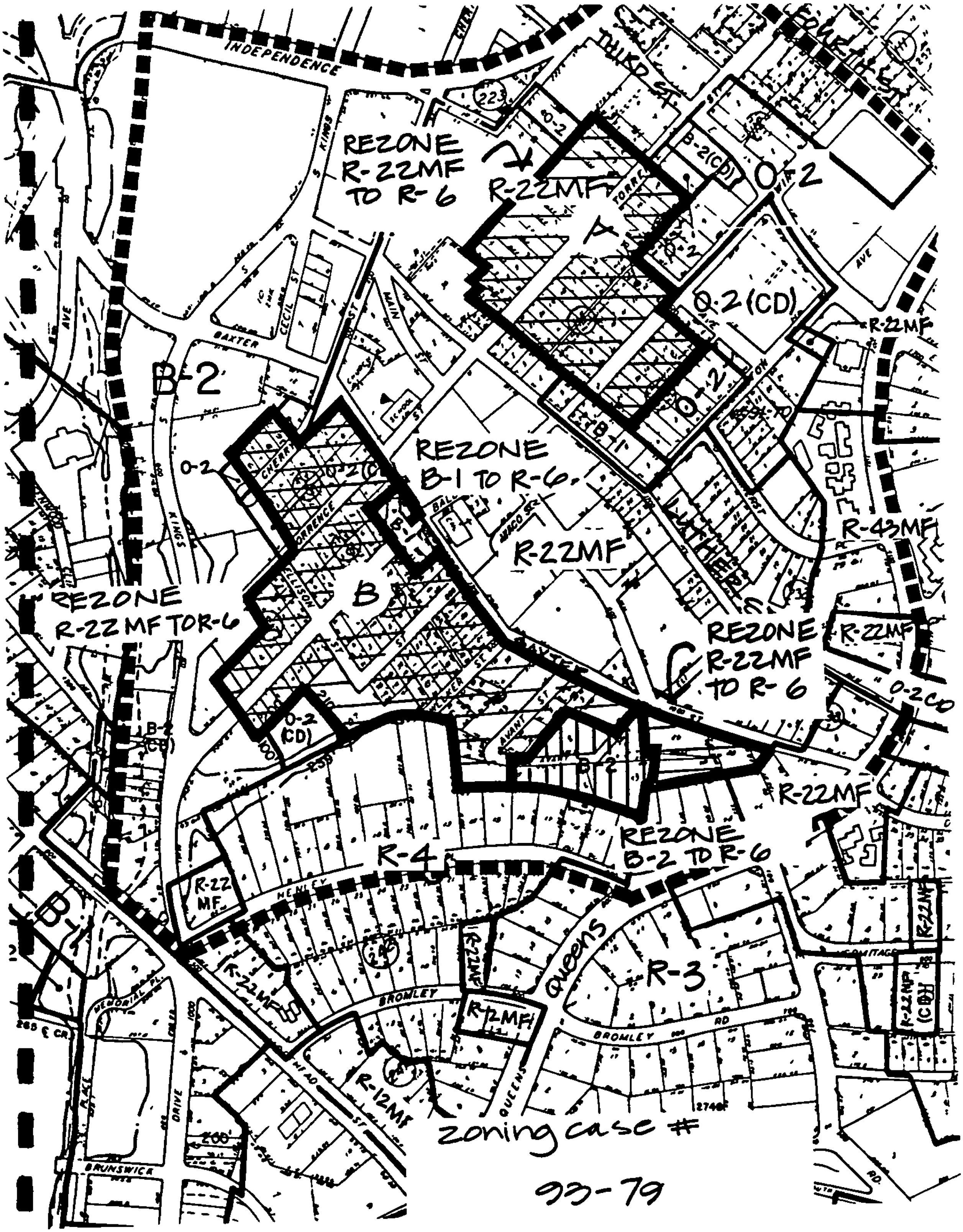
Petition #: 93-79

Petitioner: Charlotte-Mecklenburg Planning Commission
Hearing Date: August 30, 1993
Zoning Clasification (Existing): R-22MF, B-1 & B-2
Zoning Classification (Requested): R-6
Location: Two areas in the Cherry neighborhood along Torrence and Baldwin Streets defined as (A) north of Main Street and south of Third Street (from R-22MF to R-6); and (B) south of Baxter Street between Cherry Street and Queens Road (from B-1, B-2 & R-22MF to R-6).

See Attached Sheet(s)

Zoning Map Nos.: 111

Scale: 1" = 400 feet


INDEPENDENCE
THIRD ST
REZONE
R-22MF
TO R-6
R-22MF
O-2
B-2(CD)
O-2
Q-2 (CD)
R-22MF
B-2
O-2
REZONE
B-1 TO R-6
R-22MF
R-43MF
REZONE
R-22MF TOR-6
B
REZONE
R-22MF
TO R-6
R-22MF
O-2 CD
O-2
(CD)
B-2
(CD)
R-22MF
REZONE
B-2 TO R-6
R-4
R-22
MF
R-22MF
R-22MF
Queens
R-3
R-22MF
(CD)
R-12MF
R-12MF
zoning case #
93-79

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-81

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-1 and I-2 to B-2 (Central District Plan)

LOCATION: Approximately 168 acres that include (A) properties fronting on the north and south sides of Freedom Drive between Camp Greene Road and Ashley Road (from I-1 to B-2); and (B) properties fronting the south side of Freedom Drive between I-85 and Ledwell Street (from I-2 to B-2)

ACTION: The Zoning Committee recommends that this petition be approved

VOTE: *Yeas:* Baucom, Byrne, Heard, Motley and Whelchel

Nays: None

Absent: James

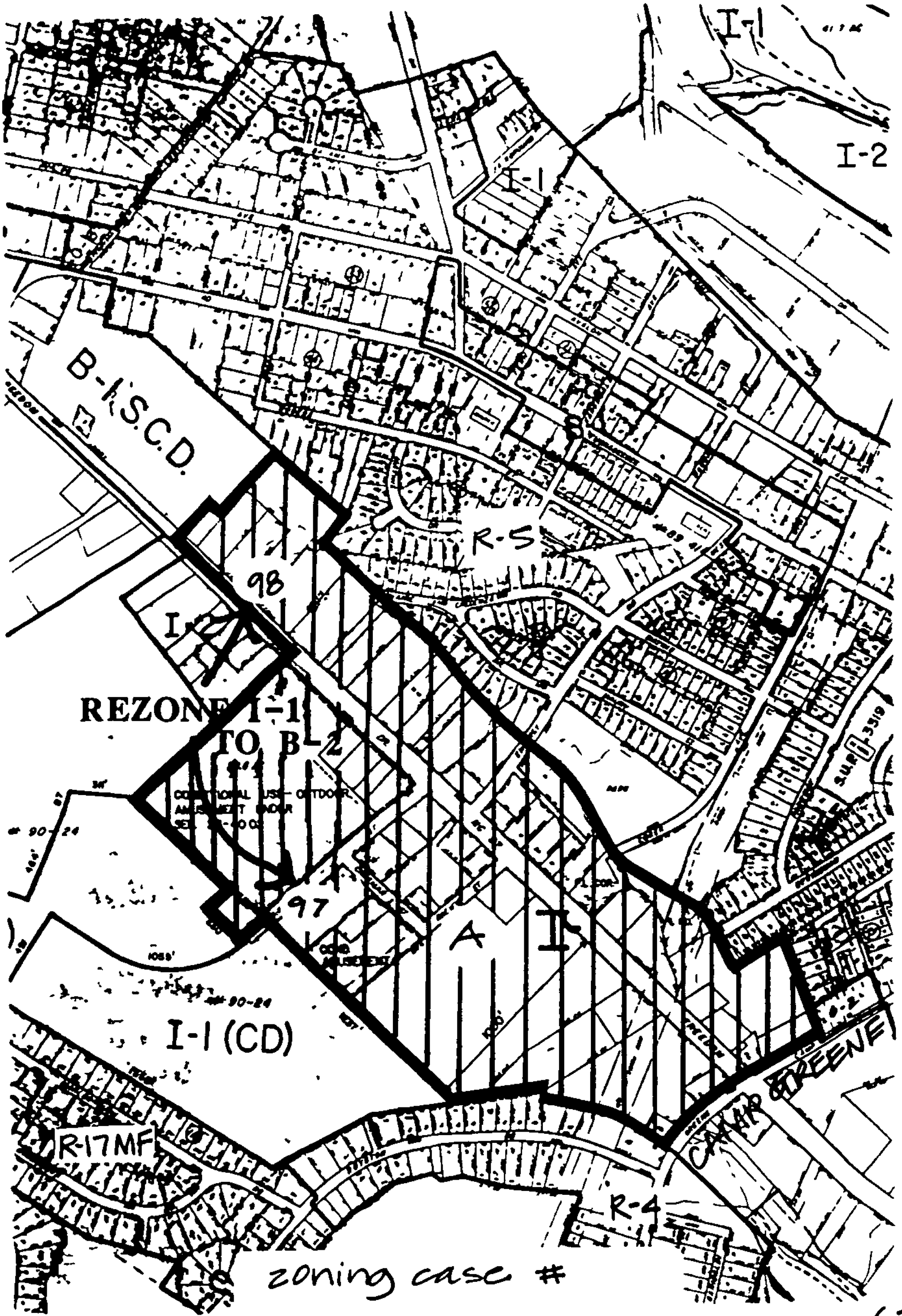
(John Jones was excused from voting due to a potential conflict of interest)

REASONS

This petition proposes rezoning properties fronting on the north and south sides of Freedom Drive between Camp Greene Road and Ashley Road and properties fronting the south side of Freedom Drive between I-85 and Ledwell Street from a combination of industrial districts (I-2 and I-1) to a general business district (B-2) in accordance with the Central District Plan The petitioned property consisits primarily of retail, general business and office uses The Zoning Committee viewed the proposed general business district as appropriate for the area and recommends approval of the petition

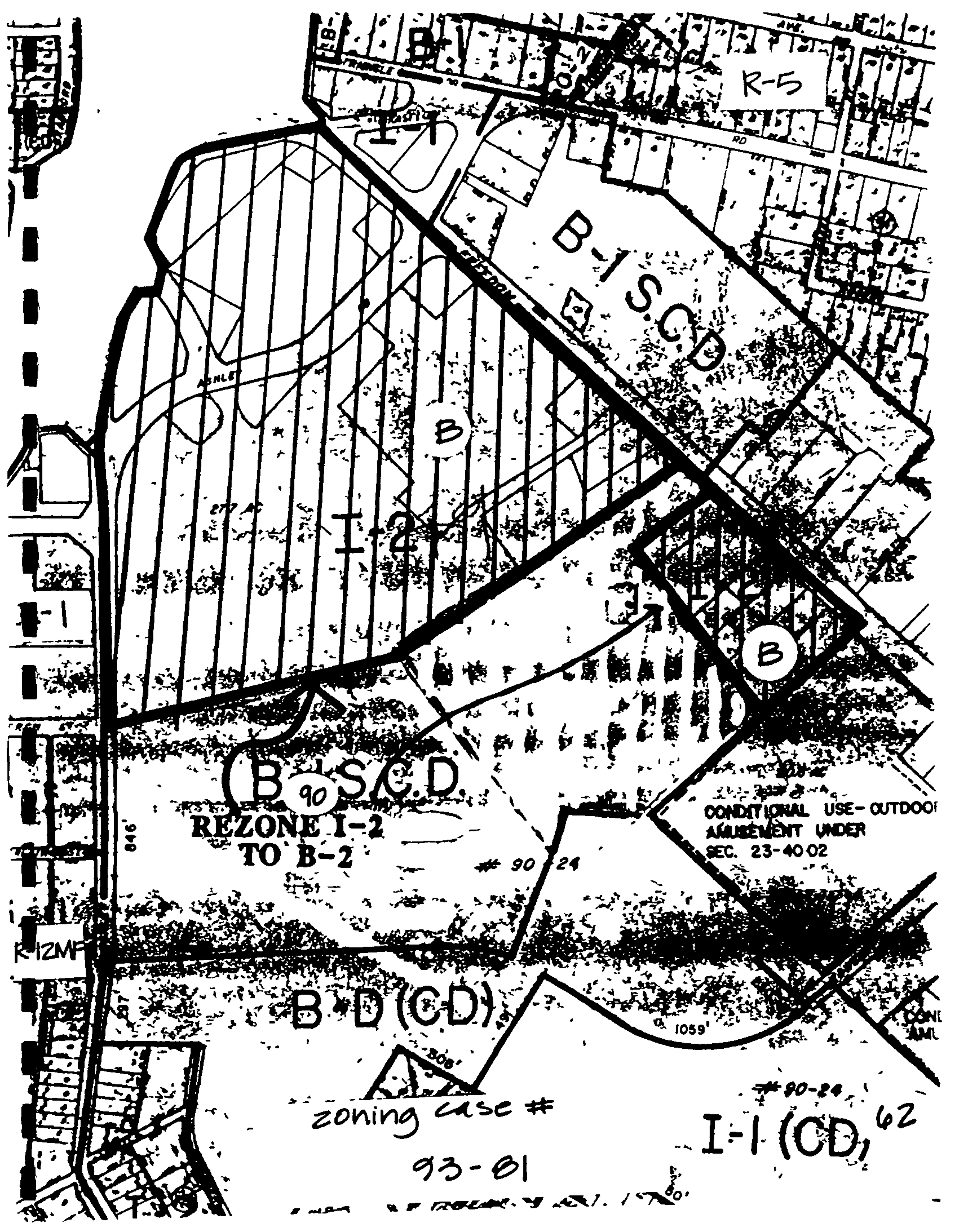
STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee



zoning case #

93-81


R-5
B-1 S.C.D.
I-2
B
B
B S.C.D.
90
REZONE I-2
TO B-2
90-24
CONDITIONAL USE- OUTDOOR
AMUSEMENT UNDER
SEC. 23-40.02
R-12MF
B-D (CD)
1059'
zoning case #
93-81
I-1 (CD)
62

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-82

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-1, B-2 & R-22MF to R-5, R-8 & B-1 (Central District Plan)

LOCATION: Approximately 87 acres located in the York Road neighborhood described as (A) area generally bound by I-77 to the west, S. Tryon to the east, Peterson Street to the south, and Bowman to the north (from R-22MF & B-1 to R-5); (B) area generally north of Freeland Street, east of S Tryon Street, west of Dewitt Avenue, and south of Tryclan (from R-22MF to R-5); and (C) area generally bound by Peterson Street to the south, S Tryon Street to the west, Freeland Street to the north, and Heriot Avenue to the east (from R-22MF to R-8 and B-2 to B-1),

ACTION: The Zoning Committee took action on the three subareas separately.

AREA A: The Zoning Committee recommends that this portion of the petitionbe approved with the exception of a 9.8 acre tract located south of Cama Street and east of I-77. (See attached Map)

VOTE: *Yeas:* Baucom, Byrne, Heard, James, Jones, Motley and Whelchel

Nays: None

REASONS

This portion of the petition proposes rezoning an area in the York Road neighborhood defined as properties generally bound by I-77 to the west, South Tryon to the east, Peterson Street to the south and Bowman Street to the north from a combination of multi-family (R-22MF), and neighborhood business (B-1) districts to a single family district (R-5) in accordance with the Central District Plan The petitioned property is composed of single family residential development and vacant land The Zoning Committee viewed the proposed single family residential district as appropriate for the area and recommends approval of this part of the petition with the exception of a 9 8 acre tract located east of I-77 and south of Cama Street which should remain zoned R-22MF.

STAFF OPINION

The staff agrees with the adopted plan's recommendation to rezone the entire area to R-5

AREA B: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas.* Baucom, Byrne, Heard, James, Jones, Motley and Whelchel

Nays: None

REASONS:

This portion of the petition proposes rezoning properties in the York Road neighborhood located generally north of Freeland Street, east of South Tryon Street, west of Dewitt Avenue, and south of Tryclan Street from R-22MF to R-5 in accordance with the Central District Plan The petitioned property is composed of single family residential development The Zoning Committee viewed the proposed single family residential district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION:

The staff agrees with the recommendation of the Zoning Committee.

AREA C: The Zoning Committee recommends approval of this portion of the petition

VOTE: *Yeas:* Baucom, Byrne, Heard, James, Jones, Motley and Whelchel

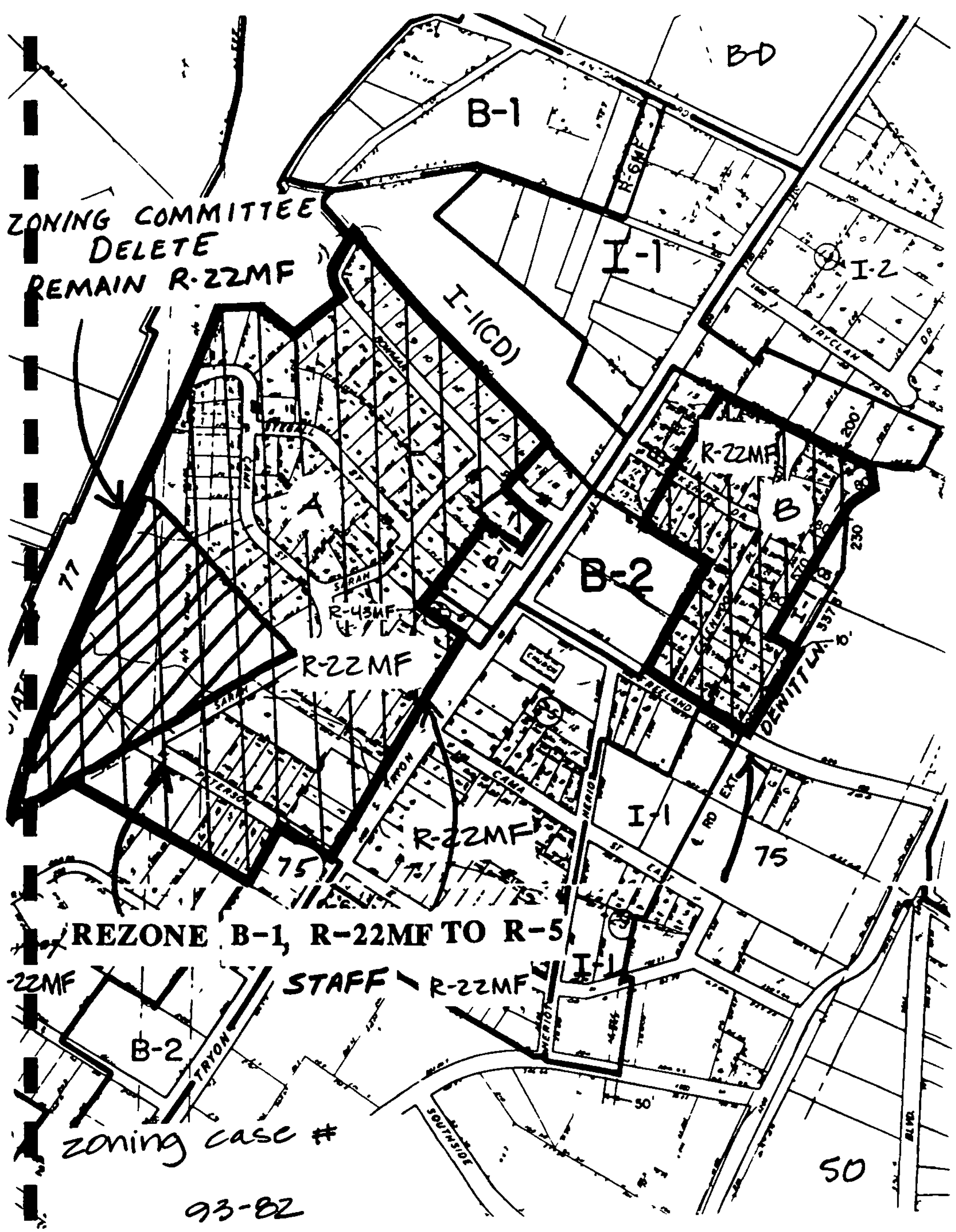
Nays: None.

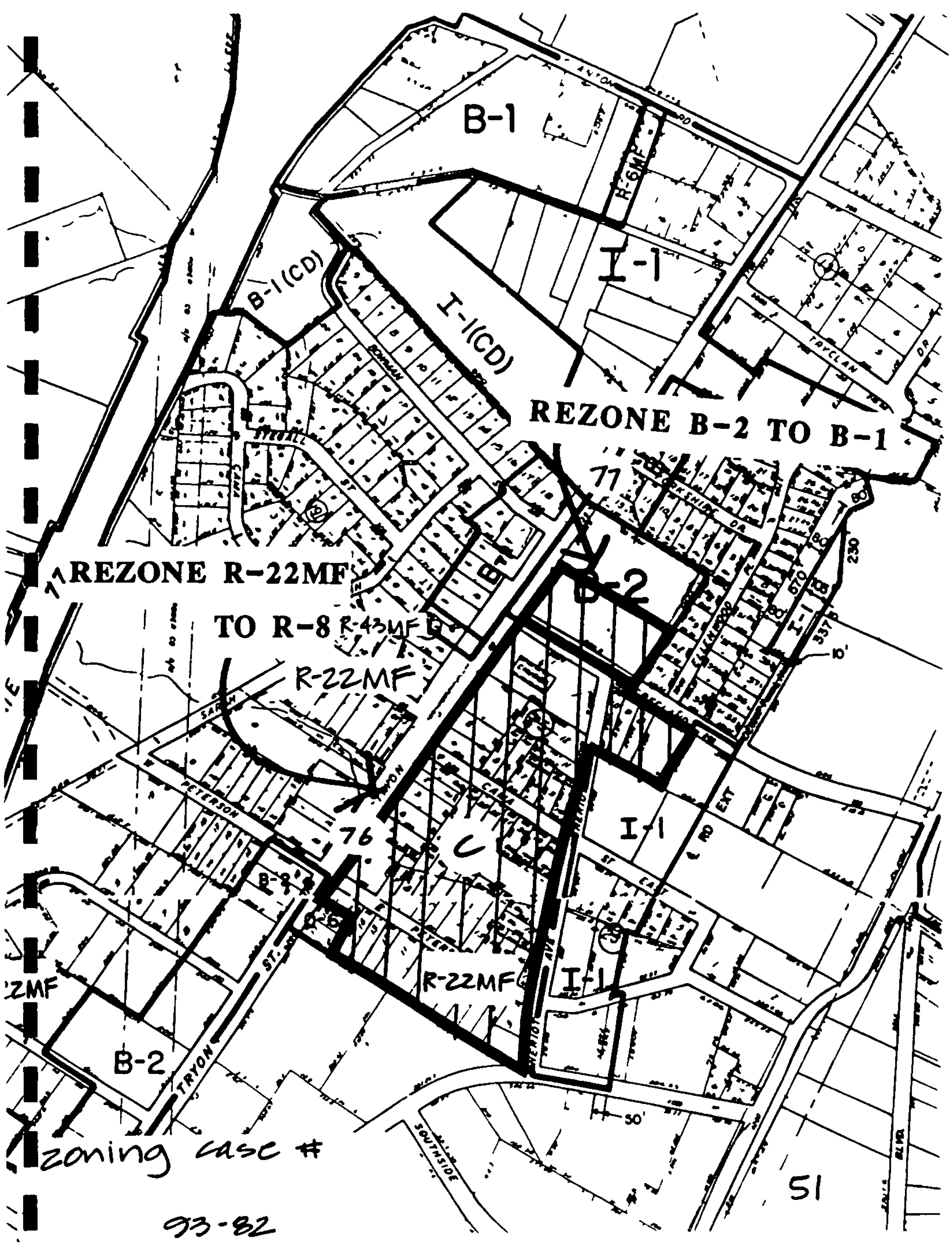
REASONS:

This portion of the petition proposes rezoning property in the York Road neighborhood generally bounded by Peterson Street to the south, South Tryon Street to the west, Freeland Street to the north, and Heroit Avenue to the east from a combination of multi-family (R-22MF) and general business (B-2) districts to a combination of single family (R-8) and neighborhood commercial (B-1) in accordance with the Central District Plan The petitioned property is composed of single family homes, duplexes, a church and vacant land. The Zoning Committee viewed the proposed single family district (R-5) and neighborhood commercial district (B-1) as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION:

The staff agrees with the recommendation of the Zoning Committee


ZONING COMMITTEE
DELETE
REMAIN R-22MF
B-1
B-D
R-6MF
I-1
I-2
I-1(CD)
TRYCLAN
R-22MF
A
B
B-2
SARAH
R-43MF
R-22MF
I-1B
DENITT LN.
I-1
75
77
R-22MF
75
50
REZONE B-1, R-22MF TO R-5
STAFF - R-22MF
B-2
TRYON
SOUTHSIDE
zoning case #
93-82


B-1
R-6MF
I-1
B-1(CD)
I-1(CD)
REZONE B-2 TO B-1
REZONE R-22MF
TO R-8
R-43MF
R-22MF
B-2
I-1
R-22MF
B-2
TRYON
PETERSON
SARAH
ST. CAT
SOUTHSIDE
TAYCLAN
71
76
51
zoning case #
93-82

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-83

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-2 to I-1 (Central District Plan)

LOCATION: Approximately 25 acres located east of South Tryon Street, south of Foster Avenue, west of Southern railway tracks, and north of Clanton Road

ACTION: The Zoning Committee recommends that this petition be denied

VOTE: *Yeas:* Baucom, Byrne, Heard, James, Jones, Motley and Whelchel

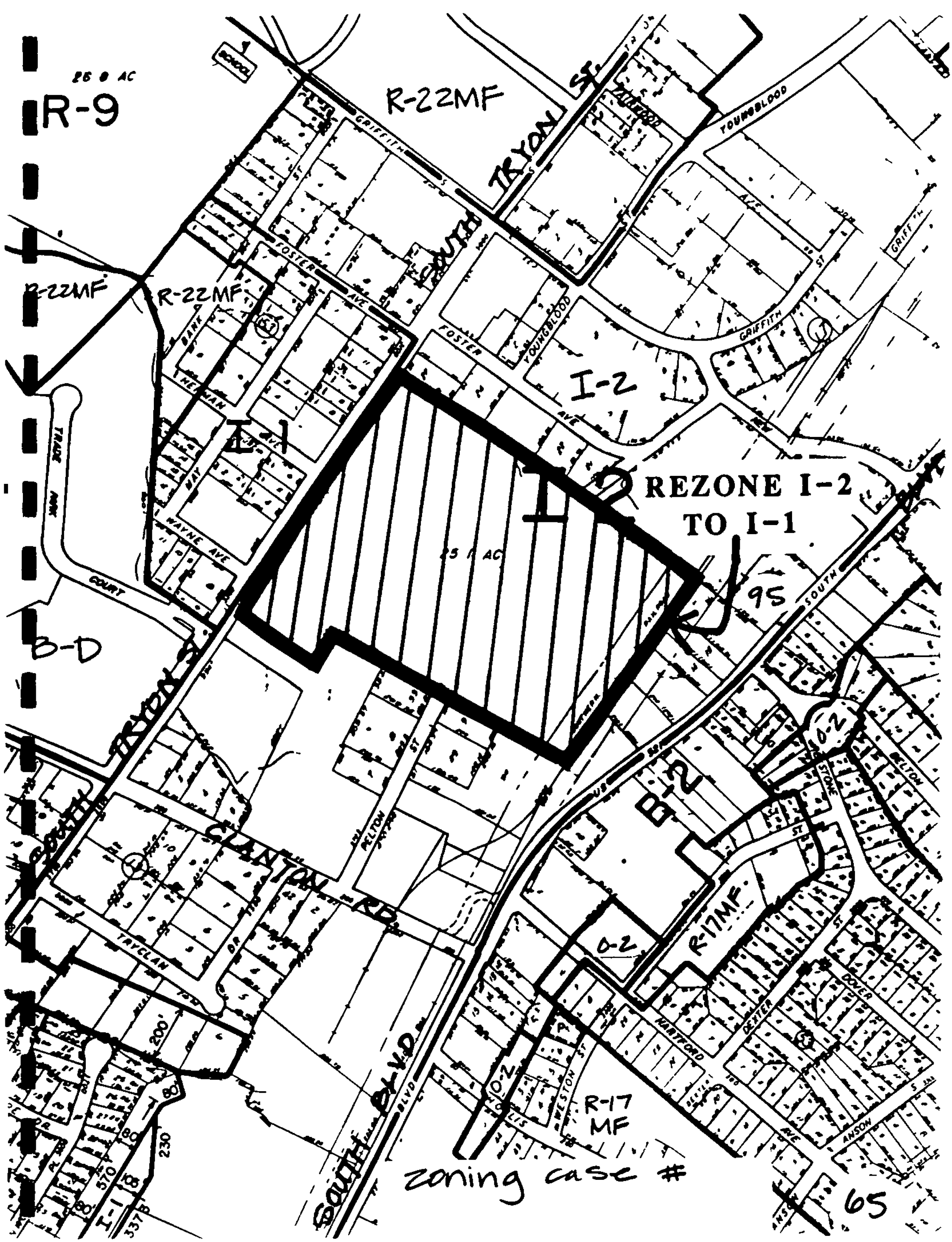
Nays: None

REASONS

This petition proposes rezoning a tract of land located east of South Tryon Street, south of Foster Avenue, west of Southern Railway Tracks, and north of Clanton Road from I-2 to I-1 in accordance with the Central District Plan The petitioned property is a large vacant lot The Zoning Committee viewed the proposed light industrial district as inappropriate for the area since the property is surrounded on three sides by I-2 (heavy industrial) zoning The Committee recommends that this petition be denied

STAFF OPINION

The Staff does not disagree with the recommendation of the Zoning Committee


R-9
R-22MF
R-22MF
R-22MF
TRYON
SOUTH
FOSTER AVE
YOUNGBLOOD
GRIFFITH
I-2
I-1
REZONE I-2
TO I-1
95
B-D
CLANTON RD
TAYCLAN
BELTON
STONE
O-2
R-17MF
HARTFORD
DEXTER
DOVER
ANSON
R-17
MF
zoning case #
65

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-84

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-22MF, O-2 & R-17MF to R-8 & R-5 (Central District Plan)

LOCATION: Approximately 94 acres located in the Westerly Hills/Ashley Park neighborhood described as (A) area north of Wilkinson Boulevard, west of Westerly Hills Drive, south of Amerigo Street and Meredith Avenue, and east of Morris Field Road (from R-22MF & O-2 to R-8), (B) area generally north of Simmons Street, west of Pruitt Street, south of Corbett Street and Bristol Drive (from R-22MF to R-5), (C) area fronting on Marlborough Road and Minnesota Road, west of Weyland Avenue (from R-17MF to R-8)

ACTION: The Zoning Committee took action on the three subareas separately

AREA A: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, Heard, James, Motley and Whelchel

Nays: Jones

REASONS

This portion of the petition proposes rezoning an area north of Wilkinson Boulevard, west of Westerly Hills Drive, south of Amerigo Street and Meredith Avenue, and east of Morris Field Road from a combination of multi-family (R-22MF) and office (O-2) districts to a single family (R-8) district in accordance with the Central District Plan. The petitioned property is composed of single family homes, duplexes, triplexes, a quadraplex, a church and vacant land

MINORITY OPINION

The minority opinion viewed the existing multi-family and office zoning as appropriate for the area

MAJORITY OPINION

The majority of the Zoning Committee viewed the proposed R-8 single family residential district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee

AREA B: The Zoning Committee recommends that this portion of the petition be approved with the exception of one parcel at the end of Beaux Street (061-061-33) which should be rezoned to R-8 (See attached map)

VOTE: *Yeas:* James, Jones, Motley and Whelchel

Nays: Baucom and Byrne

Absent: Heard

REASONS

This portion of the petition proposes rezoning property located north of Simmons Street, west of Pruitt Street, south of Corbett Street and Bristol Drive from R-22MF to R-5 in accordance with the Central District Plan The petitioned property is composed of single family homes and two duplexes

MINORITY OPINION

The minority opinion could not support the petition as amended because they could not see any purpose in having the R-8 zoning, which allows some multi-family, in an area that is primarily devoted to single family development

MAJORITY OPINION

The majority of Zoning Committee viewed the proposed single family residential district as appropriate and recommends approval of the petition with the exception of three lots located at the end of Beaux Street (061-061-33). The Committee recommends that these lots be rezoned to R-8 to accommodate the property owner's plans to build duplexes on this lot.

STAFF OPINION

The Staff agrees with the minority opinion that views the R-5 single family district as proposed in the Central District Plan as appropriate for the entire area

AREA C: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

Absent: Heard

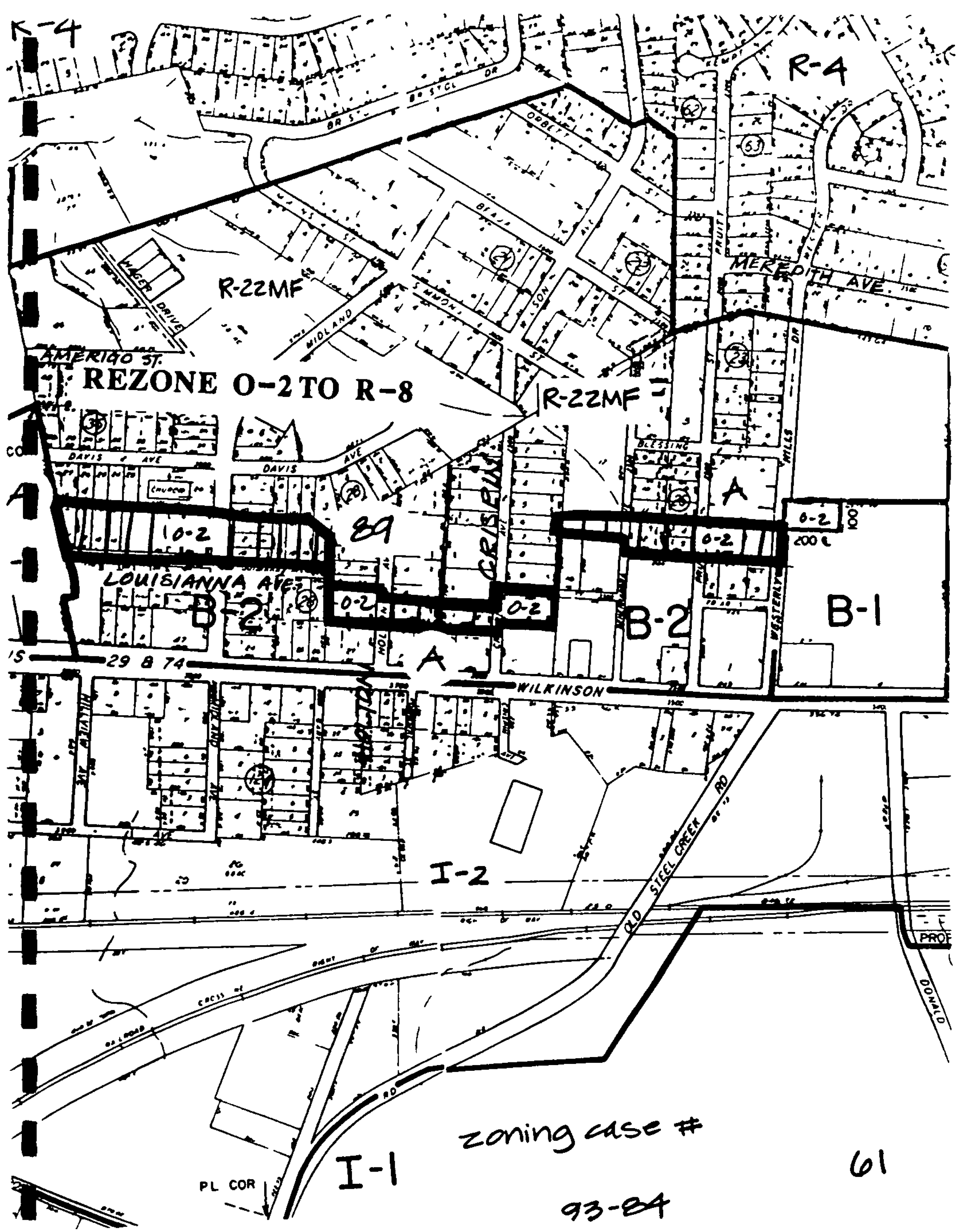
REASONS

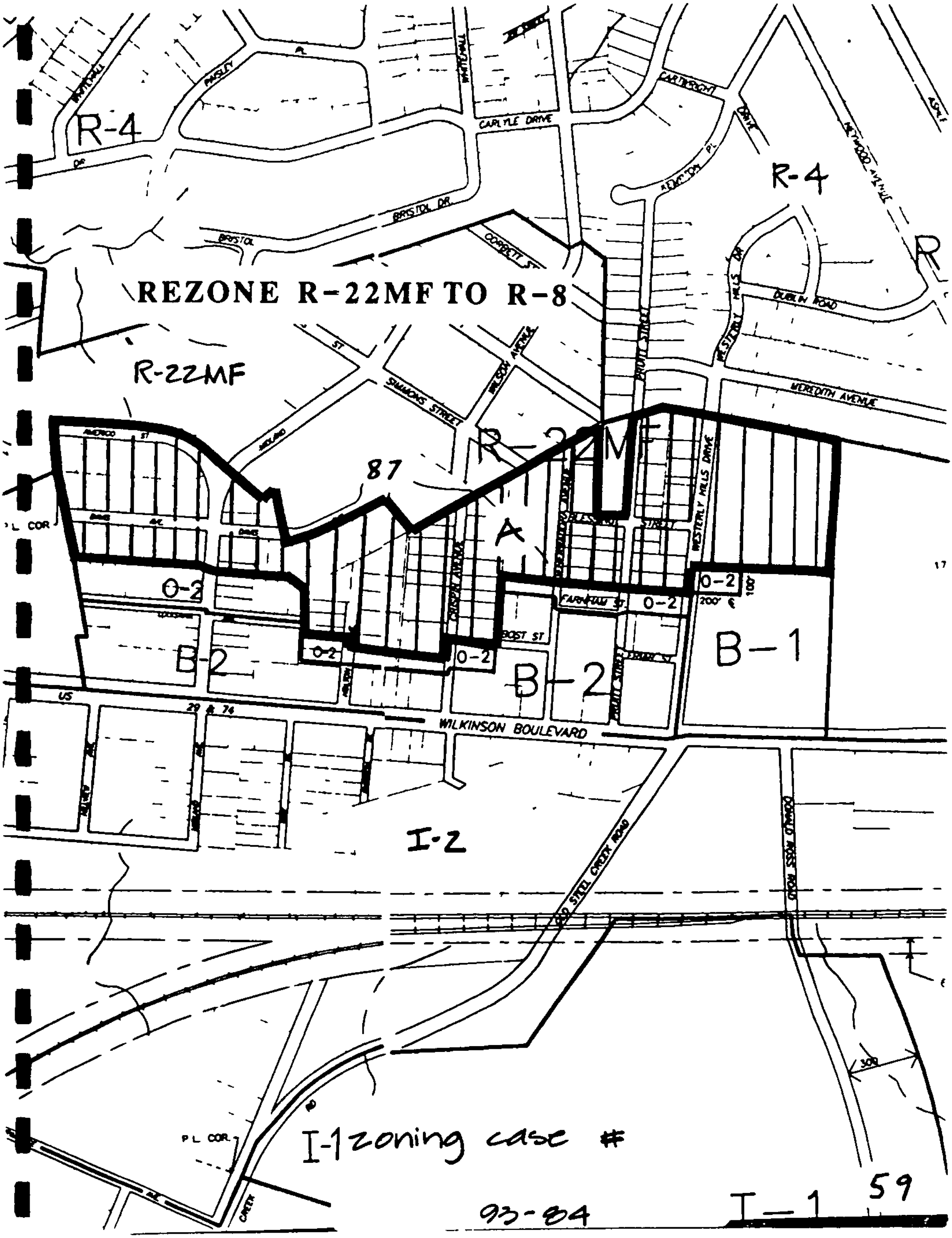
This portion of the petition proposes rezoning properties fronting on Marlborough Road and Minnesota Road, west of Weyland Avenue from R-17MF to R-8 in accordance with the Central District Plan The

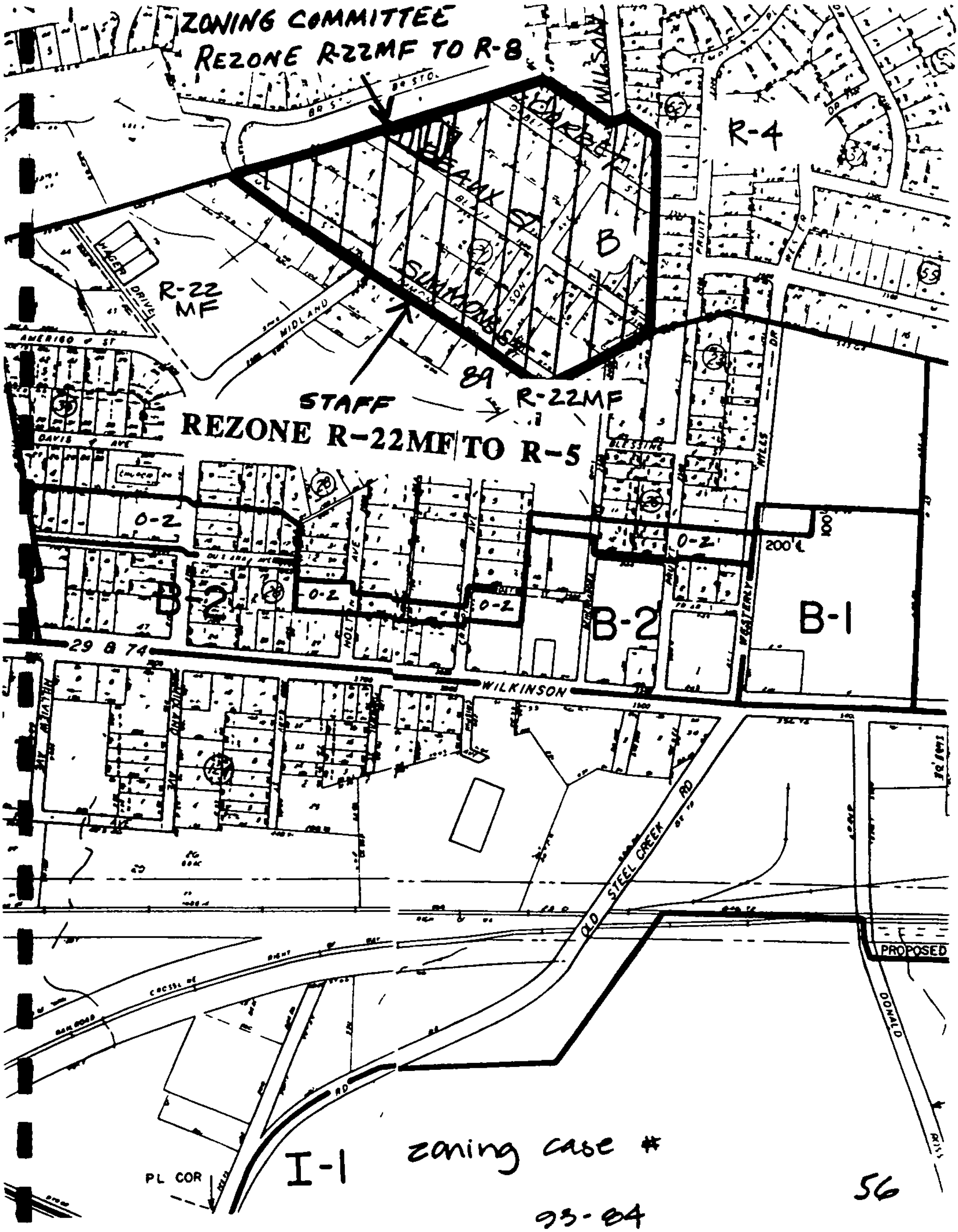
petitioned property is composed of duplexes The Zoning Committee viewed the proposed R-8 single family residential district as appropriate for the area and recommends approval of this portion of the petition

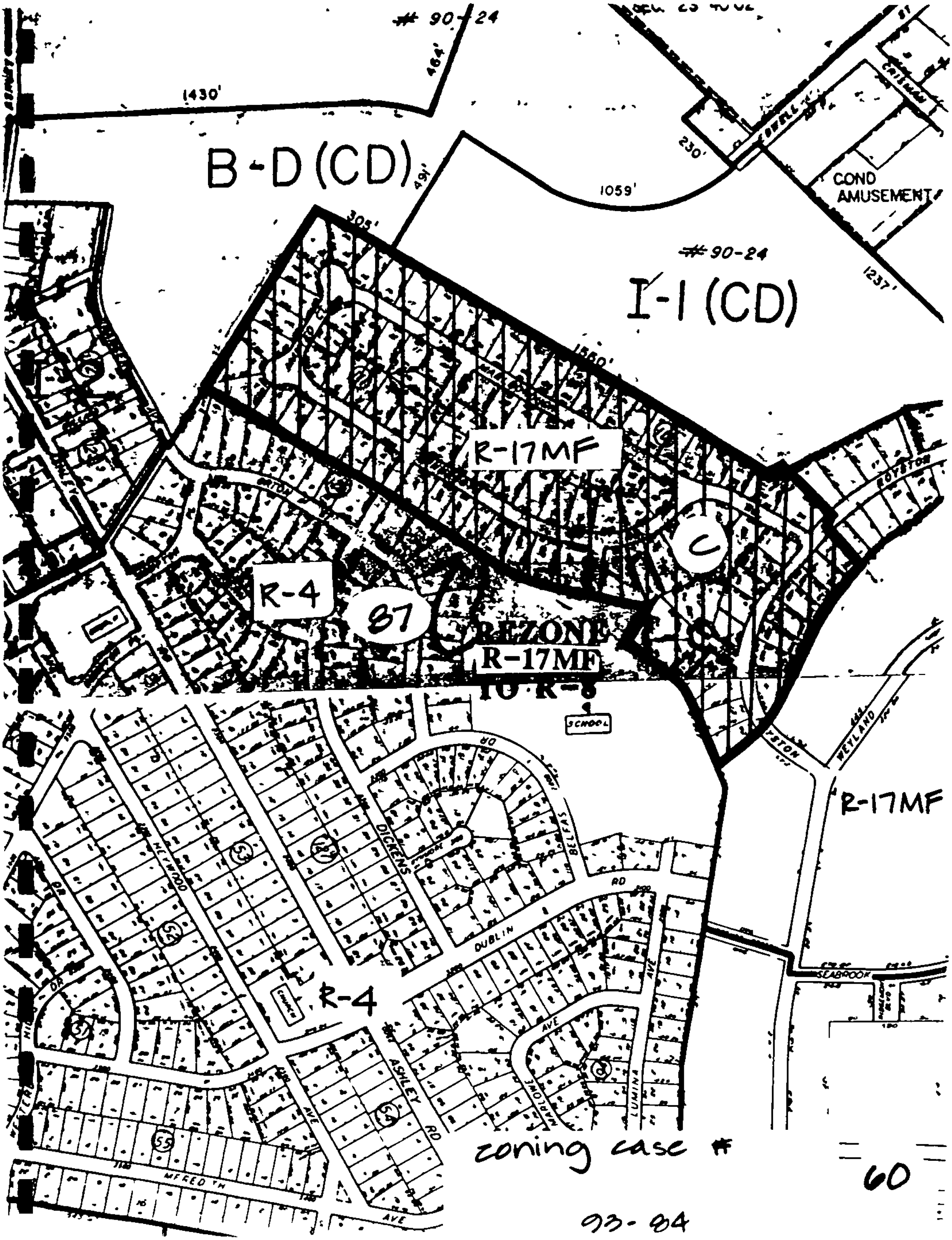
STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee


R-4
R-4
R-22MF
R-22MF
MEREDITH AVE.
AMERIGO ST.
REZONE O-2 TO R-8
DAVIS AVE
DAVIS AVE
89
O-2
O-2
O-2
O-2
O-2
LOUISIANNA AVE
B-2
B-2
B-1
A
A
29 & 74
WILKINSON
I-2
OLD STEEL CREEK RD
I-1
PL COR
zoning case #
93-84


REZONE R-22MF TO R-8
R-4
R-4
R-22MF
R-22MF
87
O-2
O-2
O-2
O-2
O-2
B-2
B-2
B-1
I-2
WILKINSON BOULEVARD
SIMMONS STREET
CARLYLE DRIVE
BRISTOL DR
CORBETT ST
MEREDITH AVENUE
DUBLIN ROAD
WESTERLY HILLS DRIVE
FARKAS ST
BOST ST
CRISPIN AVENUE
I-1 zoning case #
93-84
I-1
59


ZONING COMMITTEE
REZONE R-22MF TO R-8
R-4
B
R-22
MF
STAFF
R-22MF
REZONE R-22MF TO R-5
O-2
B-2
B-1
29 & 74
WILKINSON
OLD STEEL CREEK RD
PROPOSED
DONALD
I-1
PL COR
zoning case #
93-84
56


#90-24
1430'
464'
B-D (CD)
491'
1059'
230'
COND
AMUSEMENT
305'
#90-24
I-1 (CD)
1237'
1560'
R-17MF
R-4
87
REZONE
R-17MF
TO R-8
SCHOOL
R-17MF
R-4
DICKENS
DUBLIN
RD
ASHLEY
RD
MEEDYH
AVE
LUMINA
AVE
SEABROOK
WEYLAND
zoning case #
60
93-84

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-85

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from O-2 & R-22MF to R-22MF, R-5 & R-8 (Central District Plan)

LOCATION: Approximately 274 acres located in the Ashley Park neighborhood described as (A) properties generally north of Wilkinson Boulevard, south of Greenland Avenue, west of Camp Greene, and east of Weyland Avenue (from O-2 to R-22MF; (B) several areas generally west of Morehead Street, south of Marlowe Avenue, Garibaldi and Seabrook Avenue, west of Weyland Avenue and north of Arty Avenue, and properties east of Columbus Circle, south of Freedom Dive, west of Berryhill Road and north of Marlowe Avenue (from R-22MF & O-2 to R-5), and (C) area generally south and west of Columbus Circle, north of Marlowe Avenue and Remount Road and east of Garibaldi Avenue (from R-22MF to R-8).

ACTION: The Zoning Committee took action on the three subareas separately

AREA A: The Zoning Committee recommends approval of this part of the petition

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

Absent: Heard

REASONS

This portion of the petition proposes rezoning property located generally north of Wilkinson Boulevard, south of Greenland Avenue, west of Camp Greene, and east of Weyland Avenue from O-2 to R-22MF in accordance with the Central District Plan. The petitioned property is composed of single family residential development The Zoning Committee viewed the proposed multi-family district (R-22MF) as appropriate for the area and recommends approval of this part of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee

AREA B: The Zoning Committee recommends that this portion of the petition be approved

excluding the B-1CD property on Arty Avenue that was inadvertently included in the petition

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

Absent: Heard

REASONS

This portion of the petition proposes rezoning several areas generally west of Morehead Street, south of Marlowe Avenue, Garibaldi and Seabrook Avenue, west of Weyland Avenue and north of Arty Avenue and properties east of Columbus Circle, south of Freedom Drive, west of Berryhill Road and north of Marlowe Avenue from multi-family (R-22MF) and office (O-2) districts to single family district (R-5) in accordance with the Central District Plan The petitioned property is composed of single family residential development and a church. The Zoning Committee viewed the proposed single family residential district as appropriate for the area and recommends approval of this portion of the petition excluding the B-1(CD) property on Arty Avenue

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee.

AREA C: The Zoning Committee recommends approval of this portion of the petition.

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

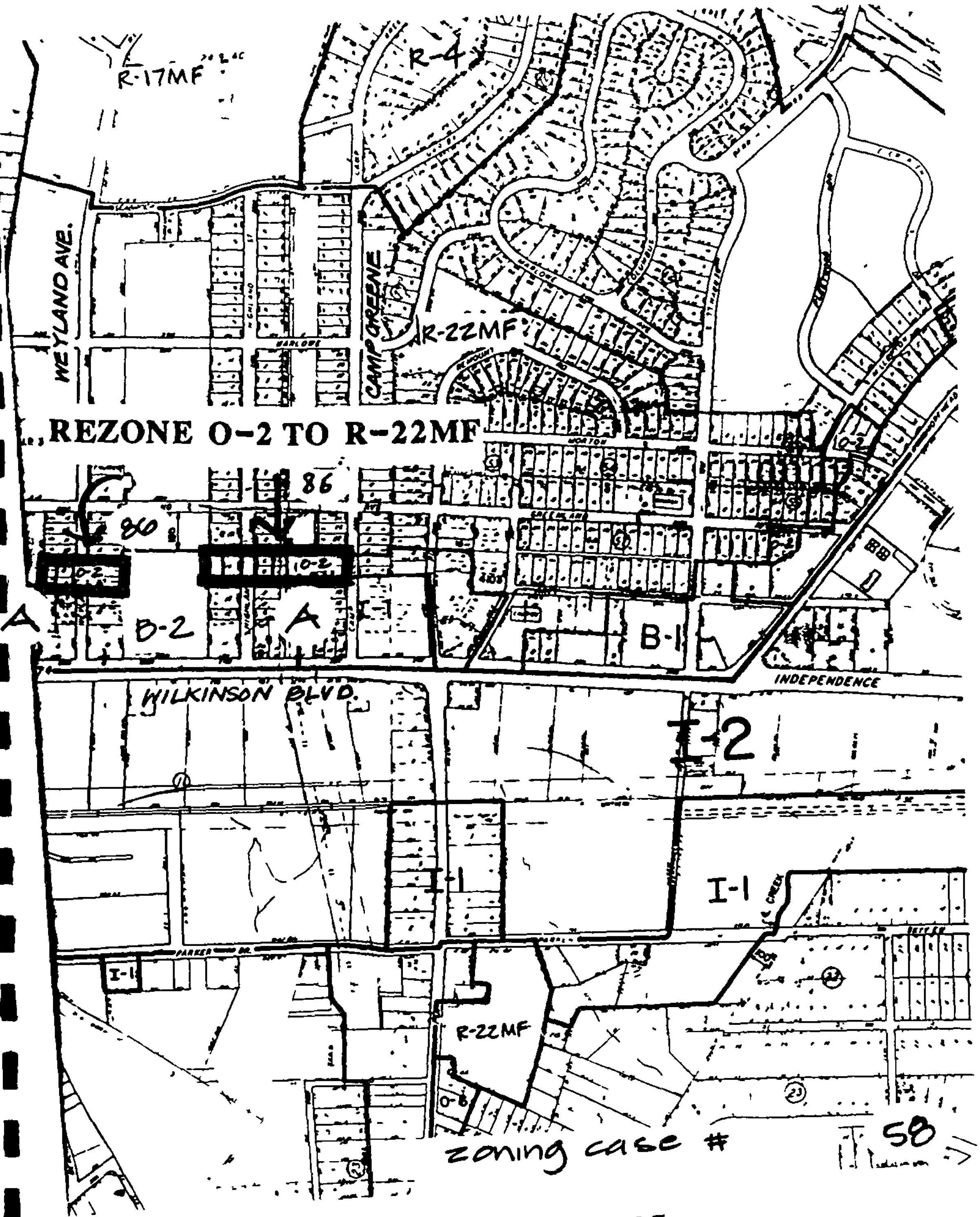
Absent: Heard

REASONS

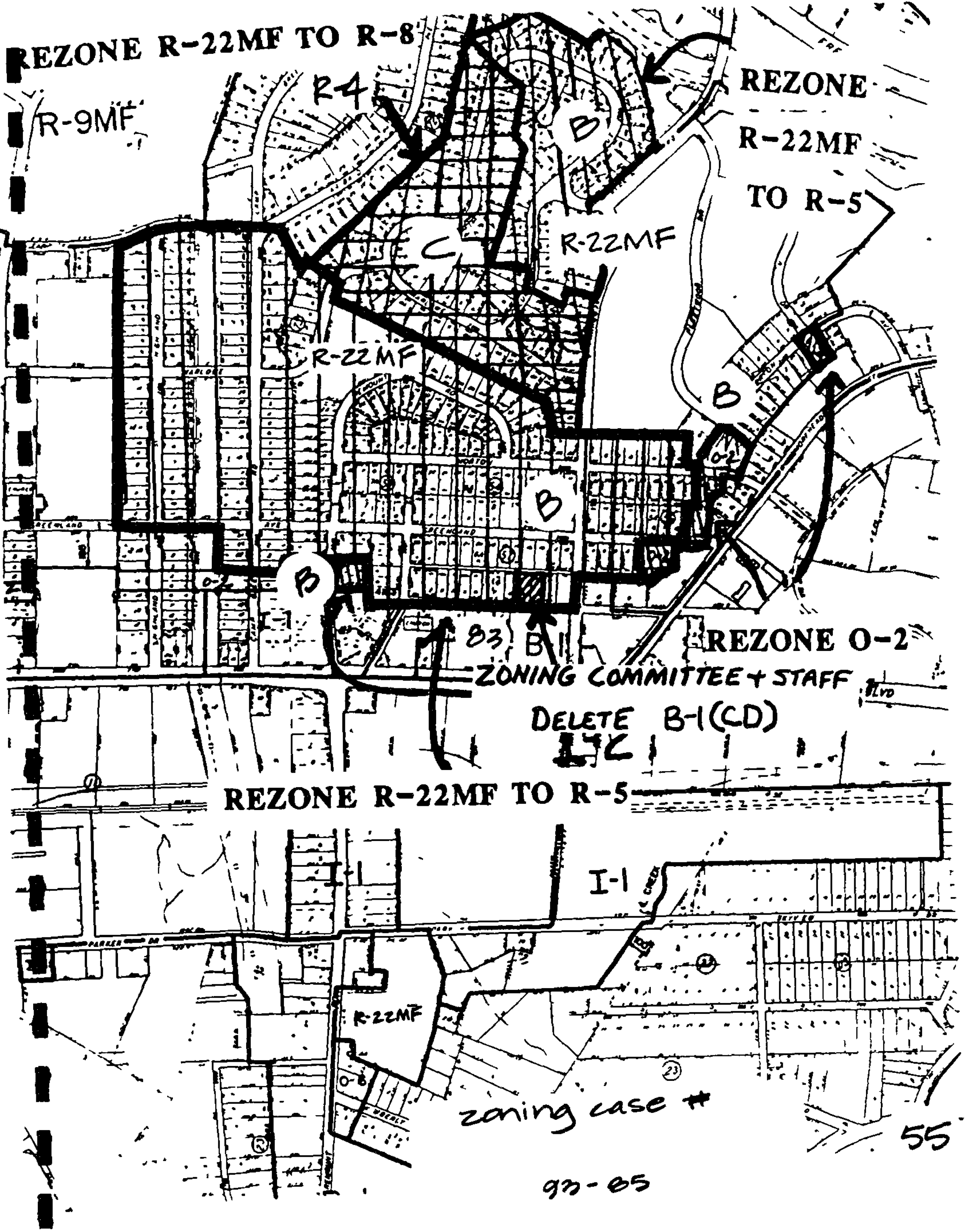
This portion of the petition proposes rezoning property generally south and west of Columbus Circle, north of Marlowe Avenue and Remount Road and east of Garibaldi Avenue from R-22MF to R-8 in accordance with the Central District Plan. The petitioned property is composed of duplexes. The Zoning Committee viewed the proposed single family district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee.


REZONE O-2 TO R-22MF
R-17MF
R-4
R-22MF
WEYLAND AVE.
CAMPBELL GREENE
HARLOWE
HIGHLAND
COLUMBIA
WORTON
GREENLAWN
86
O-2
B-2
B-1
INDEPENDENCE
WILKINSON BLVD.
I-2
I-1
PARKER DR.
R-22MF
O-6
zoning case #
58

93-85


REZONE R-22MF TO R-8
R-9MF
R4
B
REZONE
R-22MF
TO R-5
C
R-22MF
R-22MF
B
B
O-2
B
83
B
REZONE O-2
ZONING COMMITTEE + STAFF
DELETE B-1(CD)
REZONE R-22MF TO R-5
I-1
R-22MF
O-6
zoning case #
55
93-85

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-86

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-1 & O-2 to R-22MF & R-4 (Central District Plan)

LOCATION: Approximately 11 acres described as (A) property generally south of Parker Drive, west of Remount Road, north of West Boulevard and east of Watson Drive (from B-1 to R-22MF); (B) property generally east of Remount Road & north and south of Kimberly Road (from O-2 to R-4)

ACTION: The Zoning Committee took action on the two subareas separately

AREA A: The Zoning Committee recommends approval of this portion of the petition

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel.

Nays: None

Absent: Heard.

REASONS

This portion of the petition proposes rezoning property generally located south of Parker Drive, west of Remount Road, north of West Boulevard and east of Watson Drive from B-1 to R-22MF in accordance with the Central District Plan. The petitioned property is composed of single family homes, apartments, vacant land and a Duke Power substation The Zoning Committee viewed the proposed multi-family district (R-22MF) as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee.

AREA B: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

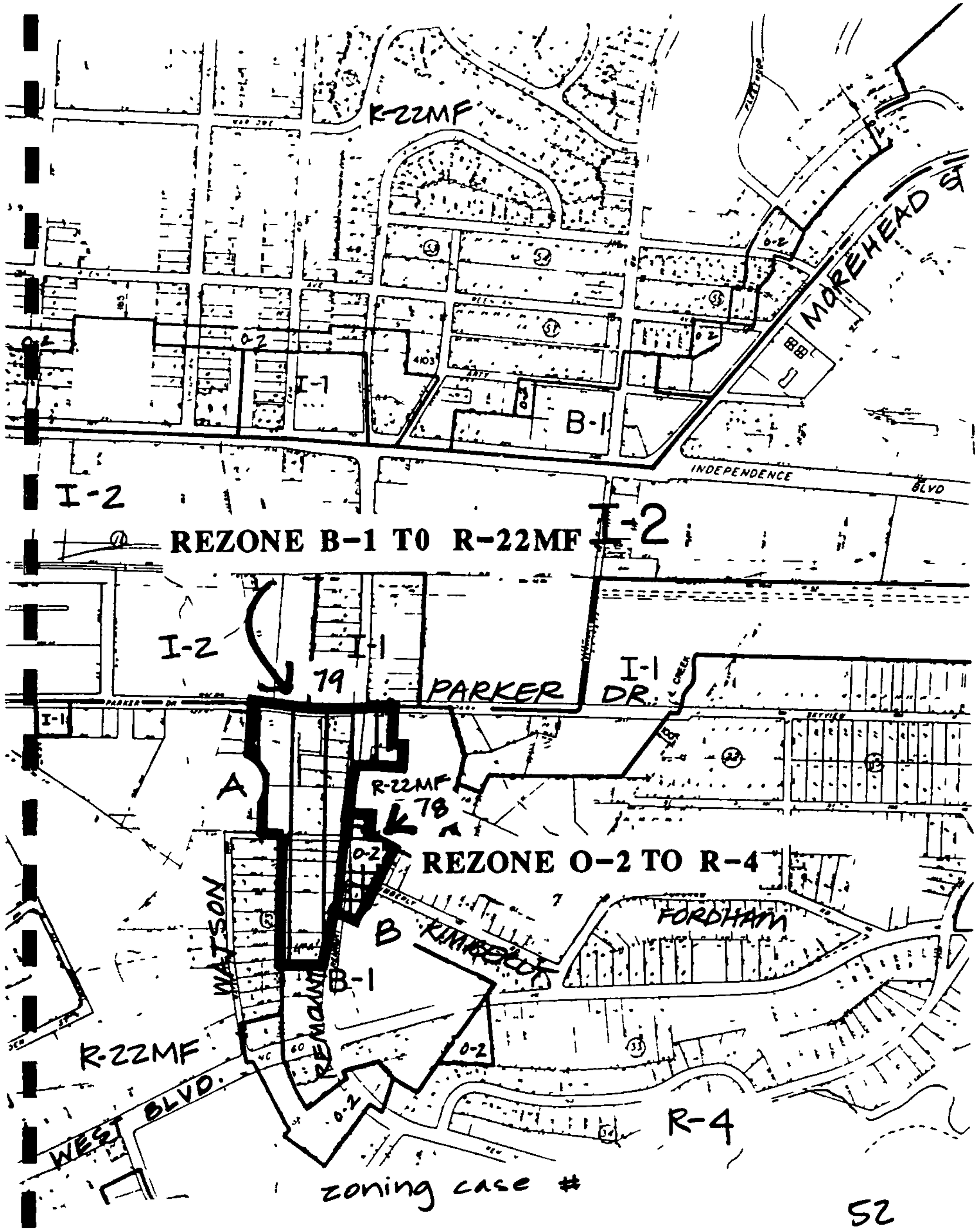
Absent: Heard

REASONS

This portion of the petition proposes rezoning an area generally located east of Remount Road and north and south of Kimberly Road from O-2 to R-4 in accordance with the Central District Plan The petitioned property is composed of single family residential development The Zoning Committee viewed the proposed single family residential district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee


R-22MF
MOREHEAD ST
O-2
I-1
B-1
INDEPENDENCE BLVD
I-2
REZONE B-1 T0 R-22MF
I-2
I-1
79
PARKER DR.
I-1
A
R-22MF
78
REZONE O-2 TO R-4
WATSON
B
KIMBROUGH
FORDHAM
B-1
R-22MF
O-2
WEST BLVD.
R-4
zoning case #

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-87

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-1, I-1 & R-22MF to R-17MF, B-1, R-22MF, R-4 & R-8MF (Central District Plan)

LOCATION: Approximately 58 acres located in the West Boulevard area described as (A) properties fronting on the south side of West Boulevard generally between Donald Ross Street to the east and Ross Avenue to the west (from B-1 to R-17MF), (B) properties fronting on the south side of West Boulevard, west of the intersection of Wilmount Road and West Boulevard (from I-1 to B-1) and properties on all quadrants of the intersection of Old Steele Creek Road and West Boulevard (from I-1 to B-1), (C) properties fronting the north side of West Boulevard between Kenhill Drive and the Southern Railroad tracks (from B-1 to R-22MF), (D) properties fronting the south side of West Boulevard between Old Steele Creek Road and the Southern Railroad tracks (from I-1 to R-8MF), and (E) area fronting on Wilmount Road generally between Shady Lane and Rubine Street (from R-22MF to R-4)

ACTION: The Zoning Committee took action on the five subareas separately

AREA A: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Motley and Whelchel

Nays: Jones

Absent: Heard

REASONS

This portion of the petition proposes rezoning properties fronting on the south side of West Boulevard generally located between Donald Ross Road to the east and Ross Avenue to the west from a neighborhood commercial district (B-1) to a multi-family district (R-17MF) in accordance with the Central District Plan The petitioned property is composed of vacant land and a public library

MINORITY OPINION

The minority opinion views the area as inappropriate for multi-family and believes the existing B-1 zoning should be maintained

MAJORITY OPINION

The majority of Zoning Committee viewed the proposed multi-family residential district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the majority opinion of Zoning Committee

AREA B: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motely and Whelchel

Nays: None.

Absent: Heard.

REASONS

This portion of the petition proposes rezoning properties fronting on the south side of West Boulevard, west of the intersection of Wilmont Road and West Boulevard and properties on all quadrants of the intersection of Old Steele Creek Road and West Boulevard from I-1 to B-1 in accordance with the Central District Plan. The petitioned property is composed of commercial uses (convenience store, tire store, body shop and night club), a church and vacant land The Zoning Committee viewed the proposed neighborhood commercial district (B-1) as appropriate for the area and recommends approval of this part of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee

AREA C: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None.

Absent: Heard

REASONS

This portion of the petition proposes rezoning properties fronting the north sides of West Boulevard between Kenhill Drive and the Southern Railroad tracks from B-1 to R-22MF in accordance with the Central District Plan The petitioned property is composed of vacant land and apartments The Zoning Committee viewed the proposed multi-family residential district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the recommendation of Zoning Committee

AREA D: The Zoning Committee recommends that this portion of the petition be denied

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

Absent: Heard

REASONS

This portion of the petition proposes rezoning properties fronting the south side of West Boulevard between Old Steele Creek and the Southern Railroad tracks from I-1 to R-8MF in accordance with the Central District Plan The petitioned property is composed of vacant land, several single family homes and a contractor's office. The Zoning Committee viewed the area as appropriate for industrial development that is needed to attract jobs and employment opportunities to the area. The Committee recommends that this portion of the petition be denied

STAFF OPINION

The Staff agrees with the plan's recommendation Industrial uses could be developed that may not be compatible with adjacent residential development

AREA E: The Zoning Committee recommends that this portion of the petition be approved.

VOTE: *Yeas:* Baucom, Byrne, James, Motley and Whelchel

Nays: Jones

Absent: Heard.

REASONS

This portion of the petition proposes rezoning properties fronting on Wilmont Road between Shady Lane and Rubine Street from R-22MF to R-4 in accordance with the Central District Plan The petitioned property is composed of vacant land, a duplex and several single family homes

MINORITY OPINION

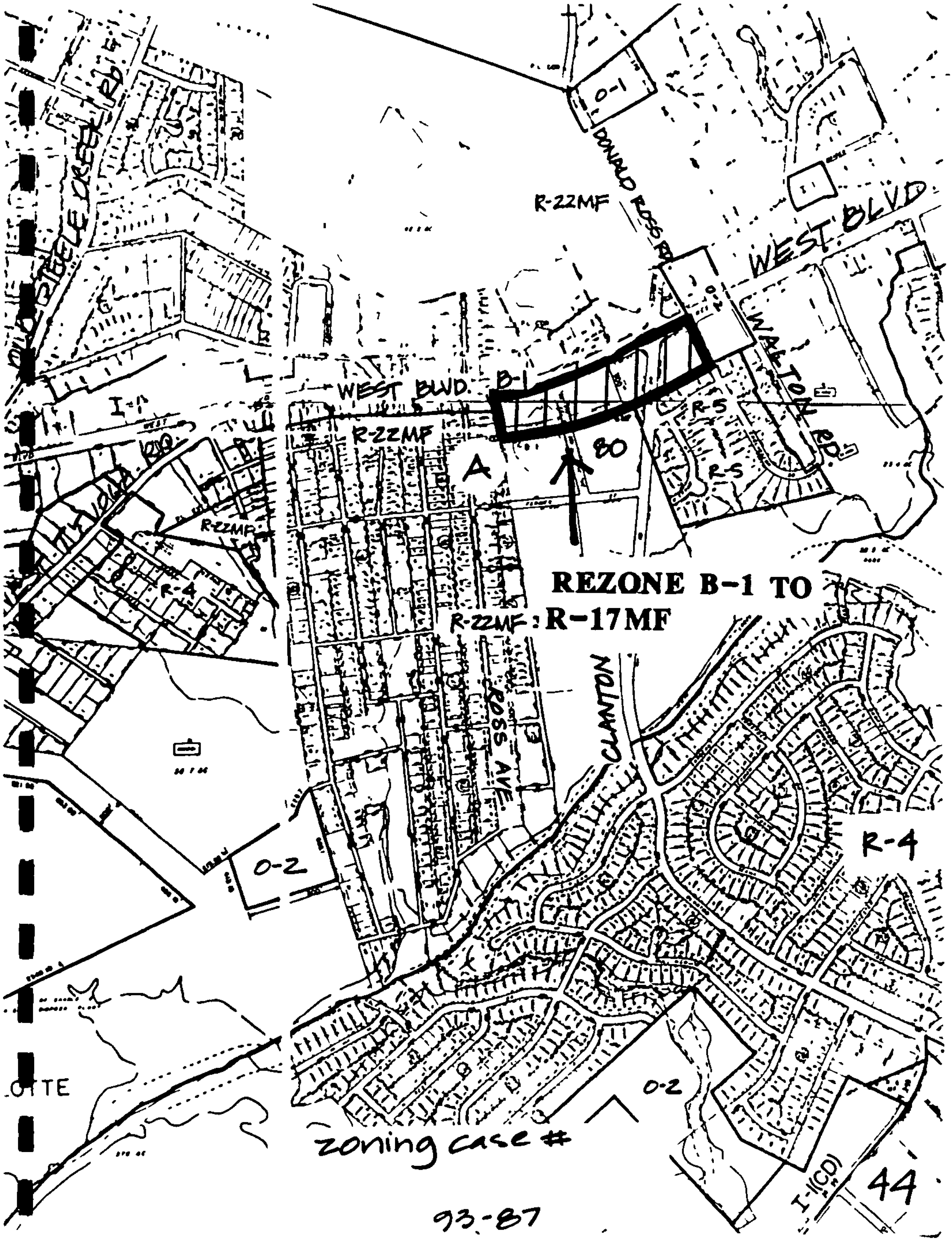
The minority opinion viewed the area as appropriate for multi-family development and believes the existing zoning should be maintained.

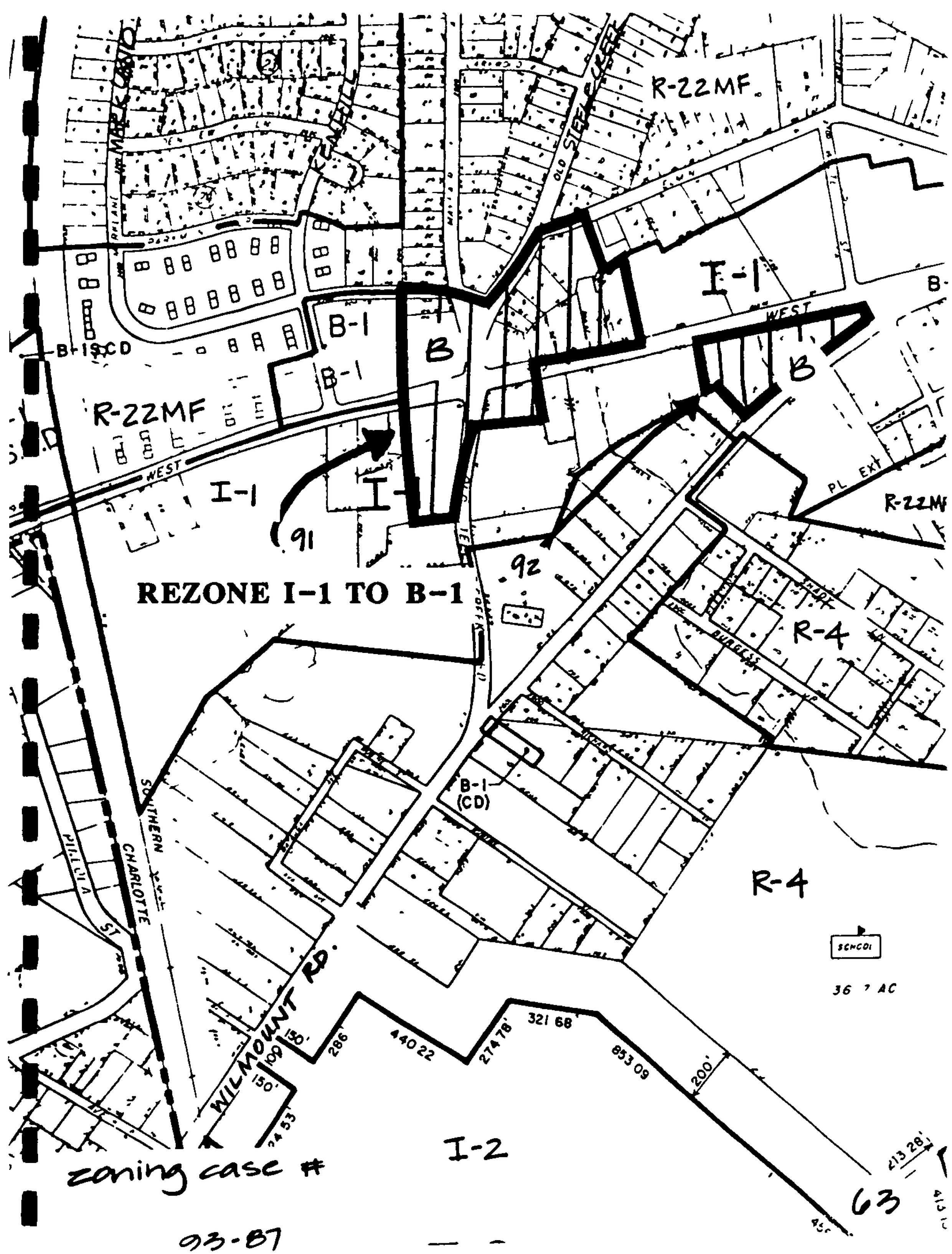
MAJORITY OPINION

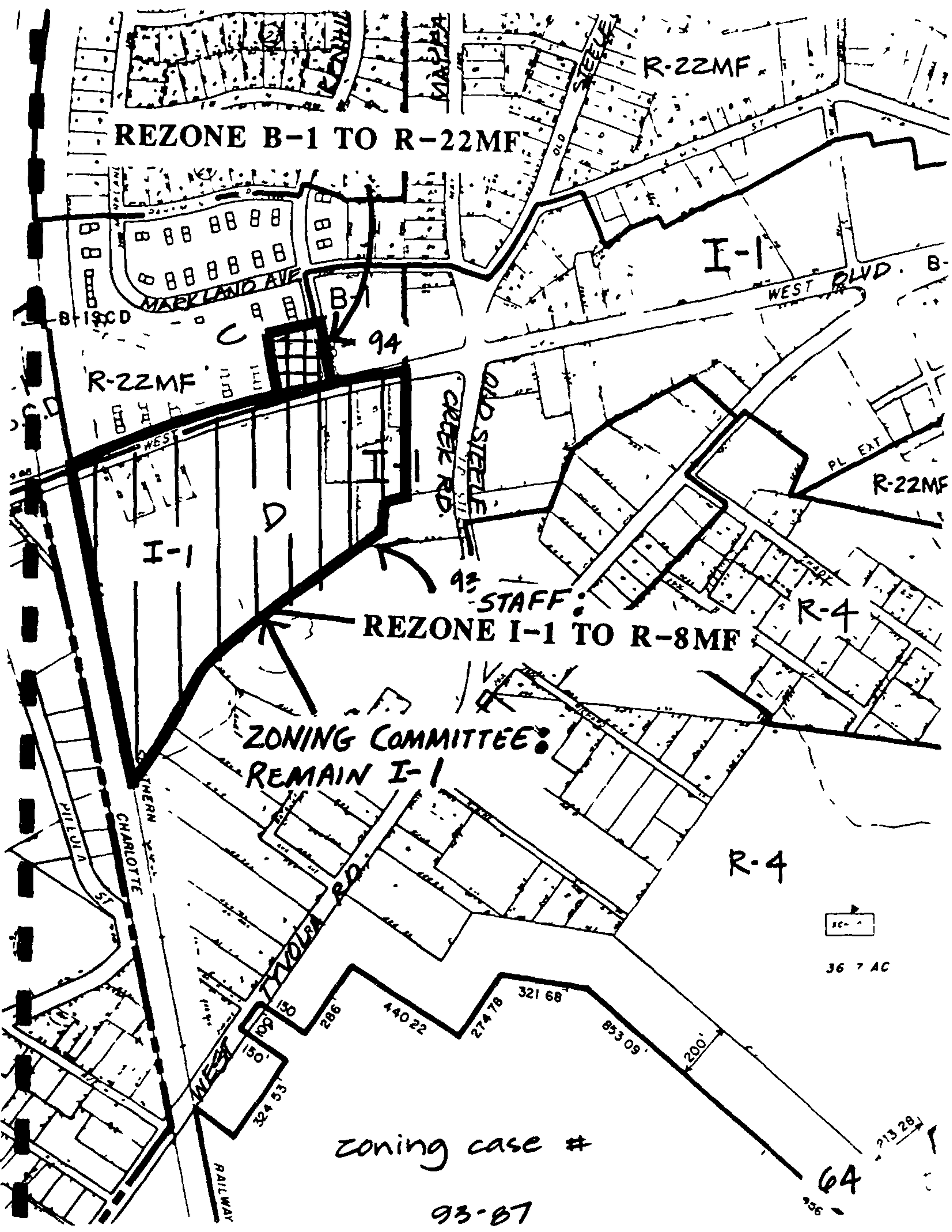
The majority of the Zoning Committee viewed the proposed R-5 single family residential district as appropriate for the area and recommends approval of this portion of the petition

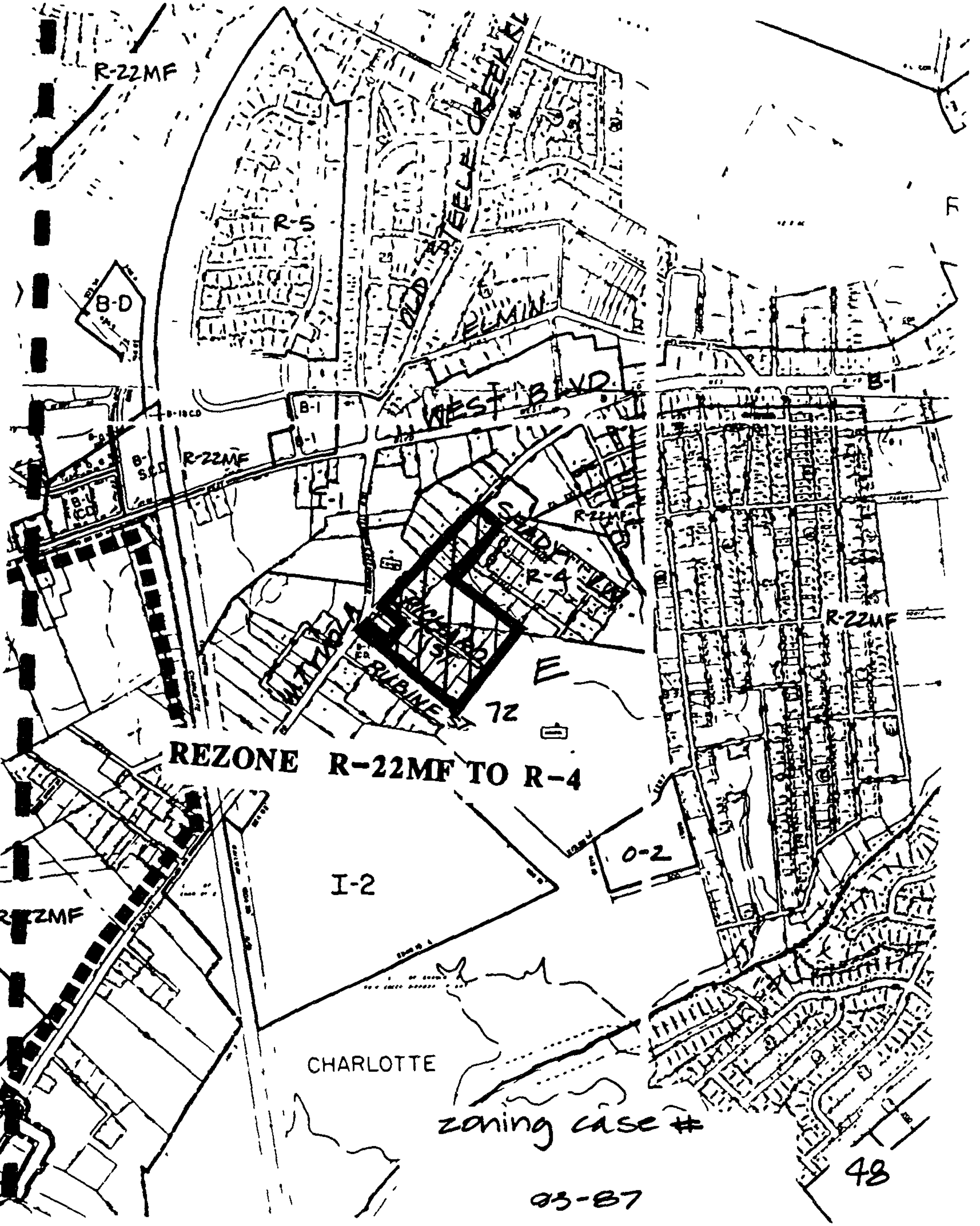
STAFF OPINION

The Staff agrees with the majority opinion of the Zoning Committee


O-1
DONALD ROSS RD
R-22MF
WEST BLVD
WEST BLVD.
B-1
I-1
R-22MF
A
80
R-5
R-5
R-22MF
R-4
R-22MF
REZONE B-1 TO
R-22MF : R-17MF
ROSS AVE
CLANTON
R-4
O-2
O-2
I-1(CD)
44
zoning case #
93-87


R-22MF
I-1
B-1
B
B-1
B-1(CD)
R-22MF
WEST
I-1
91
92
REZONE I-1 TO B-1
WEST
PL EXT
R-22MF
R-4
B-1
(CD)
R-4
SCHOOL
36 7 AC
WILMOUNT RD.
150'
109
150'
286
440 22
274 78'
321 68
853 09
200'
213 28'
I-2
63
zoning case #
93-87


REZONE B-1 TO R-22MF
R-22MF
MARYLAND AVE
B-1
B-1 & CD
C
94
R-22MF
WEST
D
I-1
OLD STEELE
CREEK RD
93
STAFF:
REZONE I-1 TO R-8MF
I-1
WEST BLVD.
PL EXT
R-22MF
R-4
ZONING COMMITTEE:
REMAIN I-1
R-4
CHARLOTTE
PILLIUM
ST
TYNDALL RD
WEST
150
286
440 22
274 78
321 68
853 09
200'
150'
324 53
RAILWAY
36 7 AC
64
zoning case #
93-87


R-22MF
R-5
B-D
B-1
B-1
B-1
R-22MF
I-1
WEST BLVD
R-22MF
R-4
R-22MF
E
72
REZONE R-22MF TO R-4
O-2
I-2
CHARLOTTE
zoning case #
48
93-87

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-88

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-1, B-1 and R-22MF to R-8, R-5, R-4 & B-1 (Reid Park Special Project Plan)

LOCATION: Approximately 164 acres located in the Reid Park neighborhood described as (A) properties fronting on West Boulevard to the north, generally between Donald Ross Road to the east and Walter Street to the west (from B-1 & I-1 to R-8), (B) properties just south of West Boulevard generally bound by Ross Avenue on the east, Walter Street and Wilmount Road on the west and the creek on the South (from R-22MF to R-5), (C) four properties generally fronting the south side of Sherrill Street between Walter Street to the west and Amay James Street to the east (from I-1 to R-5), (D) properties generally bound by Wilmount Road on the west and north, Sherrill Street on the south and Amay James on the east (from I-1 to R-4), and (E) properties generally fronting West Boulevard between Walter Street on the west and Amay James Street on the east and Sherrill Street on the south (from I-1 to B-1).

ACTION: The Zoning Committee recommends that this petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel.

Nays: None.

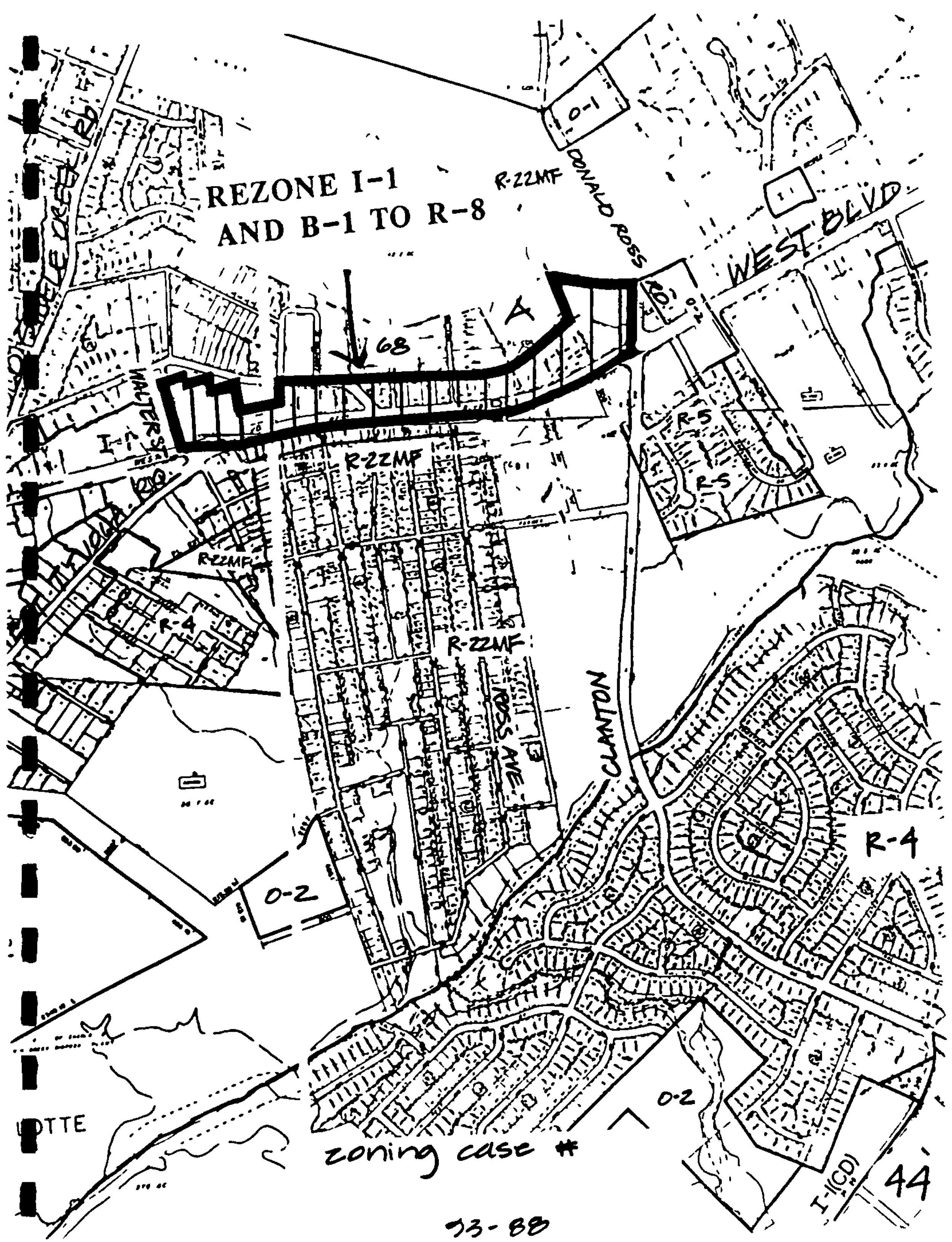
Absent: Heard

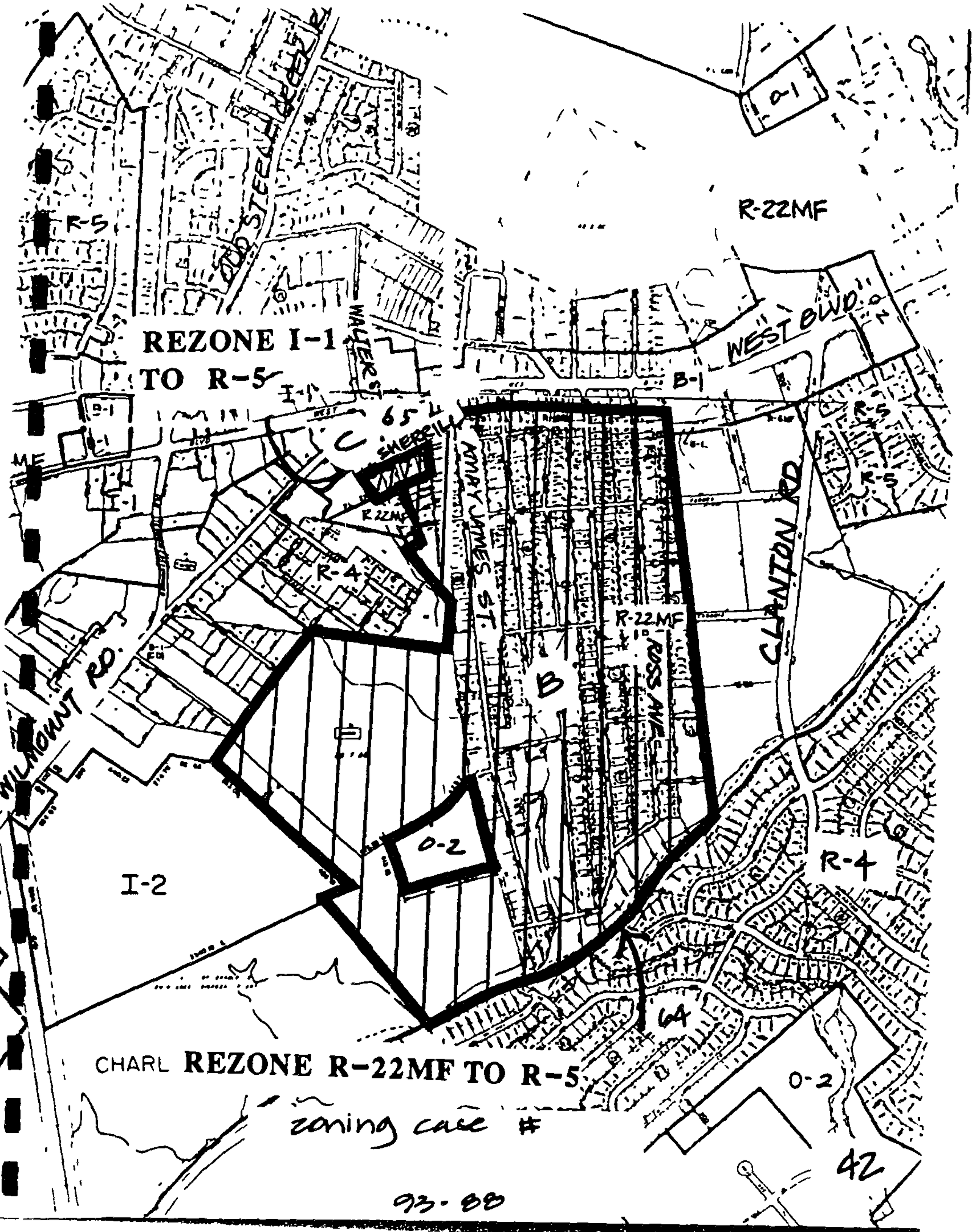
REASONS

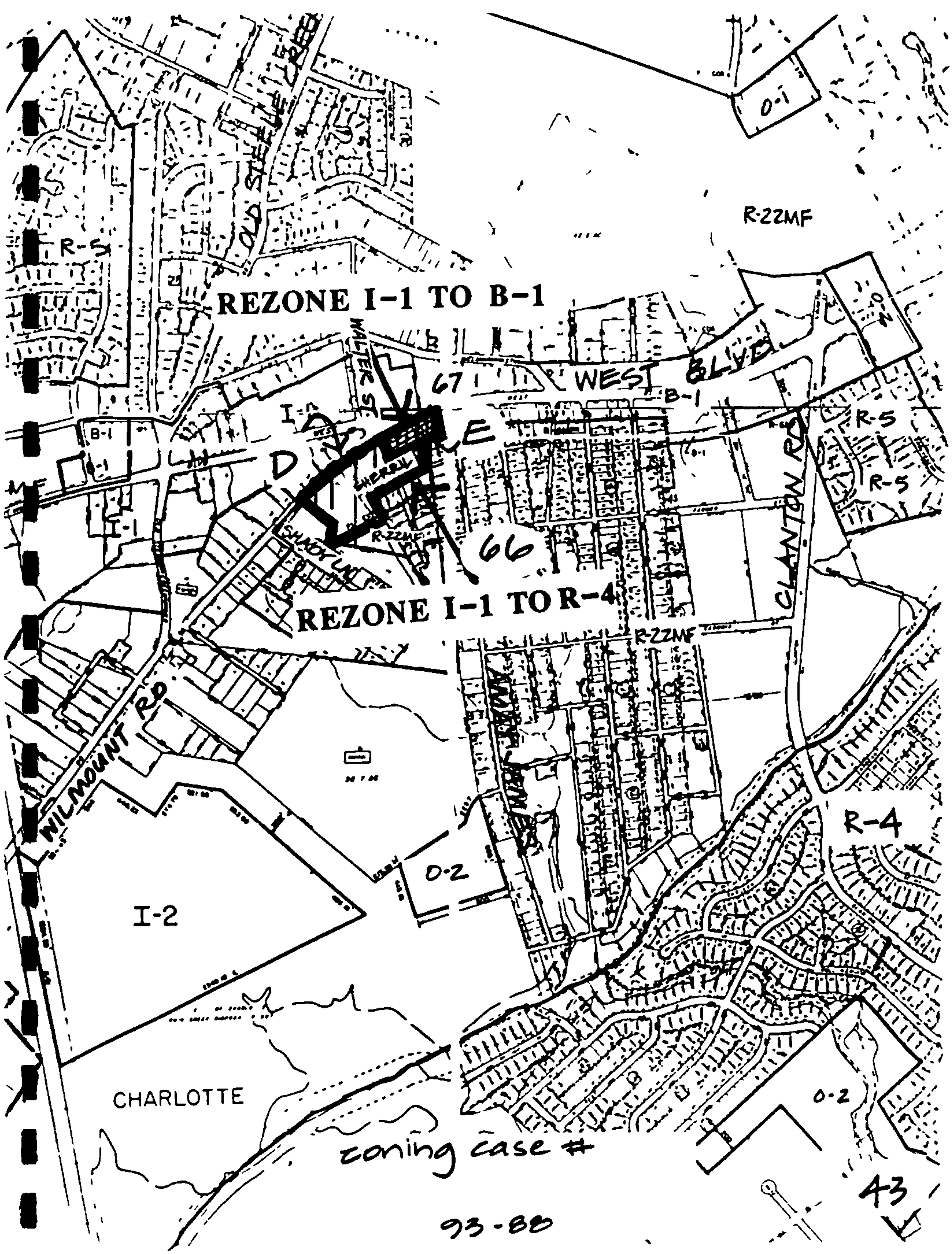
This petition proposes rezoning several areas in the Reid Park neighborhood from a combination of light industrial (I-1), neighborhood commercial (B-1) and multi-family (R-22MF) districts to a combination of single family residential (R-8, R-5, and R-4) and neighborhood commercial (B-1) districts in accordance with the Reid Park Special Project Plan The petitioned property is composed of single family homes, duplexes, triplexes, vacant land, churches, a barber shop, an office and machine shop The Zoning Committee viewed the proposed single family and neighborhood commercial districts as appropriate for the area and recommends approval of this petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee


REZONE I-1
AND B-1 TO R-8
O-1
R-22MF
DONALD ROSS
WEST BLVD
68
A
R-5
R-5
WALTERS ST
I-1
R-22MF
R-22MF
R-4
R-22MF
ROSS AVE
CLANTON
R-4
O-2
O-2
I-1(CD)
44
zoning case #
73-88


REZONE I-1
TO R-5
R-5
OLD STEELE ST
WALTERS
I-1
B-1
O-1
R-22MF
WEST BLVD
O-2
B-1
65
C
SHERRILL
R22MF
R-4
MAY JAMES ST.
R-22MF
B
ROSS AVE
CLANTON RD
R-5
R-5
WILMONT RD.
I-2
O-2
R-4
64
CHARL REZONE R-22MF TO R-5
zoning case #
O-2
42
93-88


REZONE I-1 TO B-1
REZONE I-1 TO R-4
O-1
R-22MF
R-5
OLD STATESVILLE RD
WALLACE
67
WEST BLVD
B-1
I-1
B-1
I-1
SHERRY LN
SHADY LN
R-22MF
66
R-5
R-5
CLANTON RD
R-22MF
WILMOUNT RD
R-4
O-2
I-2
CHARLOTTE
O-2
zoning case #
93-88
43

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-89

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-22MF to R-5 & R-8 (Central District Plan)

LOCATION: Approximately 158 acres described as (A) area north of West Boulevard generally east of Old Steele Creek Road, west of Donald Ross Road (from R-22MF to R-5), and (B) area fronting on the east and west sides of Mayfair Avenue between Markland Street and Wingate Avenue (from R-22MF to R-8)

ACTION: The Zoning Committee recommends that this petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones and Whelchel

Nays: None.

Absent: Heard.

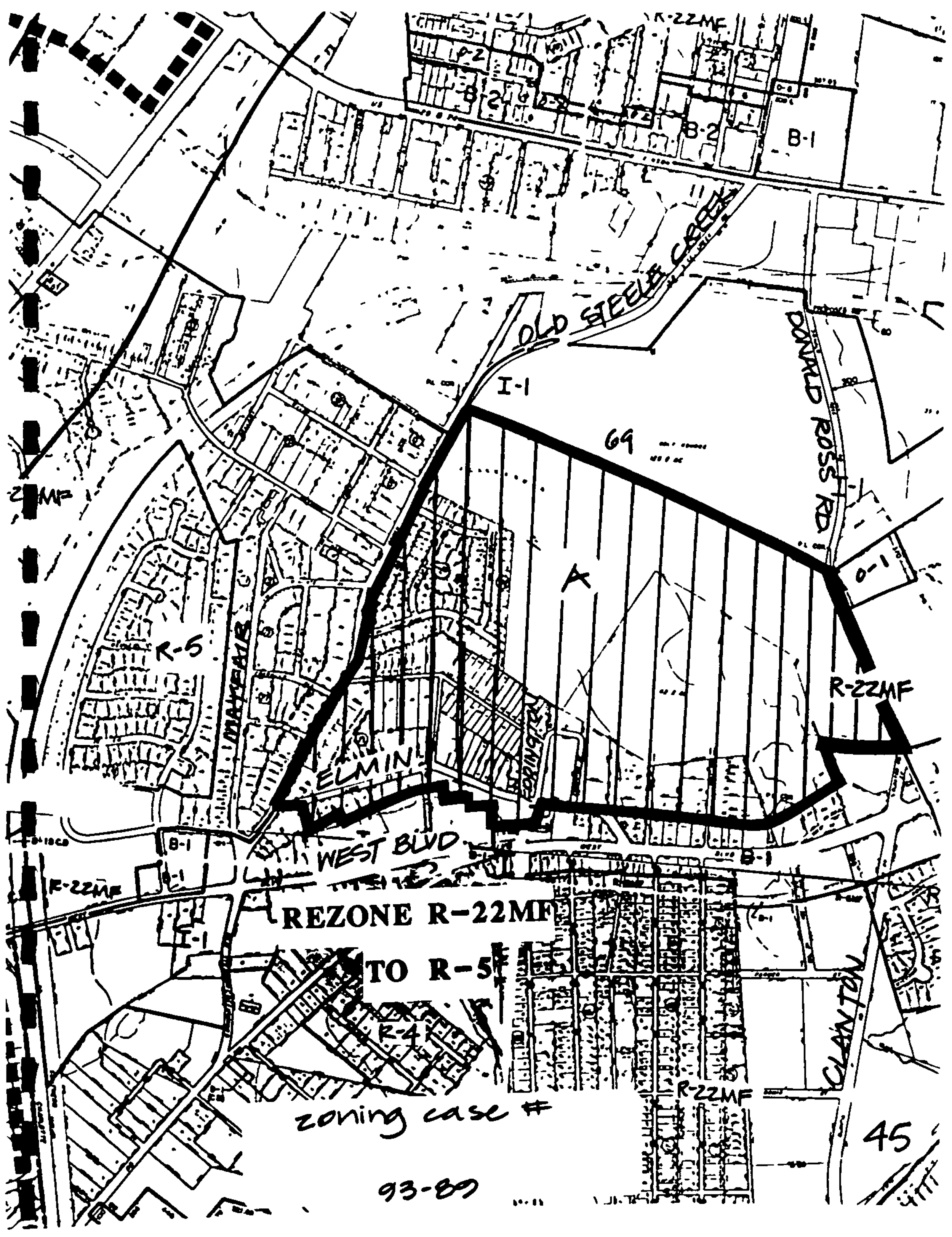
(Rowe Motley was excused from the vote due to a potential conflict of interest)

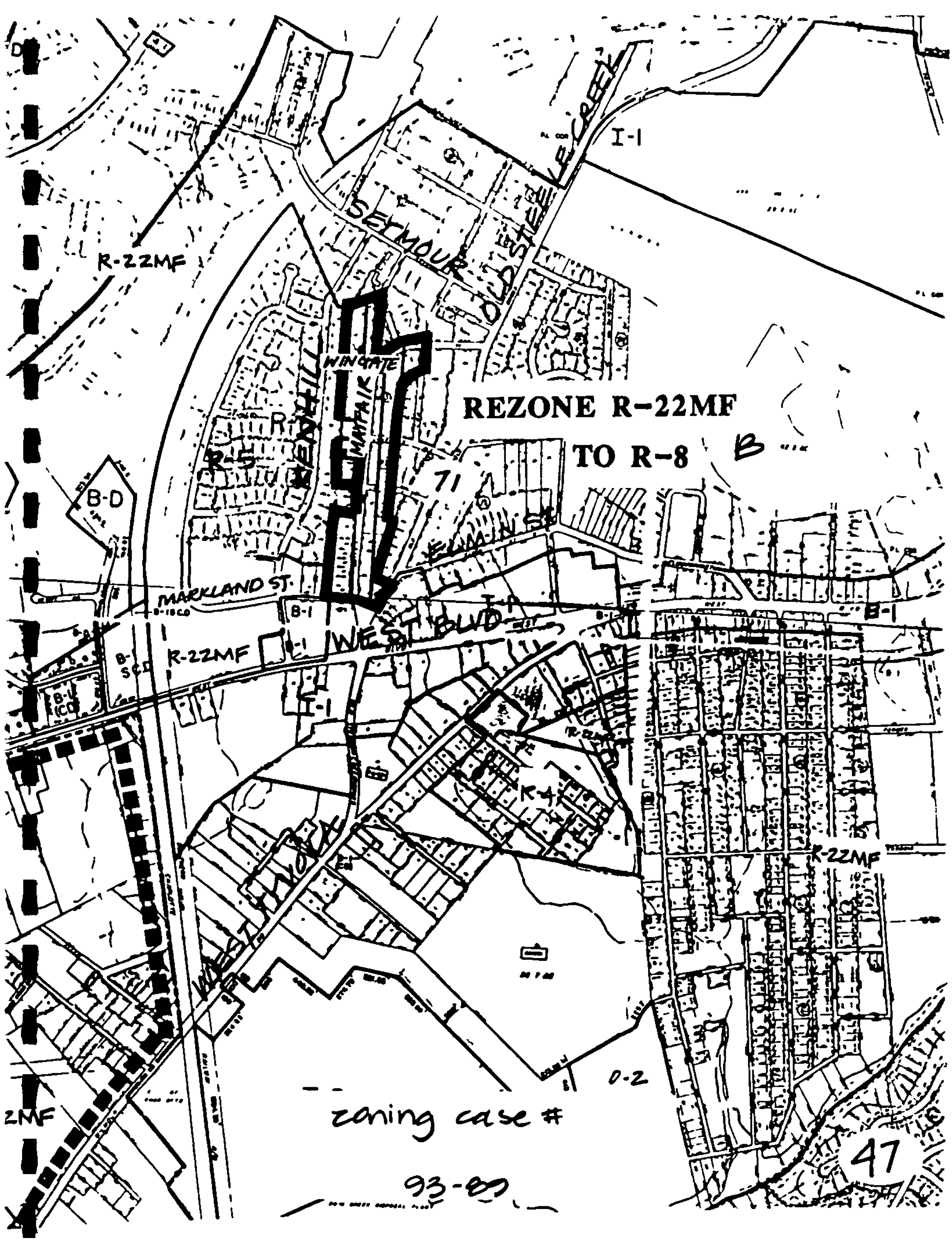
REASONS

This petition proposes rezoning an area north of West Boulevard generally east of Old Steele Creek , west of Donald Ross Road and an area fronting on the east and west sides of Mayfair Avenue between Markland Street and Wingate Avenue from R-22MF (multi-family) to a combination of R-5 and R-8 (single family) districts in accordance with the Central District Plan. The petitioned property is composed of single family homes, duplexes, two apartment complexes a church and vacant land The Zoning Committee viewed the proposed single family residential districts as appropriate for the area and recommends approval of this petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee


B-2
B-2
B-2
B-1
OLD STEELE CREEK
I-1
DONALD ROSS RD
69
O-1
R-5
MAKEAIR
ELMIN
SPRINGS
R-22MF
WEST BLVD
B-1
B-1
R-22MF
I-1
REZONE R-22MF
TO R-5
R-4
R-22MF
CLANTON
zoning case #
93-89
45


REZONE R-22MF
TO R-8
I-1
R-22MF
SEYMOUR
OLD STATE CREEK
WINGATE
MANPAIK
R-5
B-D
71
MARKLAND ST.
B-1
WEST BLVD
R-22MF
I-1
R-4
R-22MF
0-2
zoning case #
93-85
47

ZONING COMMITTEE
RECOMMENDATION

DATE: *September 13, 1993*

PETITION NO.: 93-90

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-22MF to R-8 & R-5 (Central District Plan)

LOCATION: Approximately 98 acres described as (A) area north and south of Seymour Avenue east of Morris Field Drive and west of the railroad tracks (from R-22MF to R-8), and (B) area along Capitol Drive east of Morris Field Drive, and west of the railroad tracks (from R-22MF to R-5)

ACTION: The Zoning Committee recommends approval of this petition

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None.

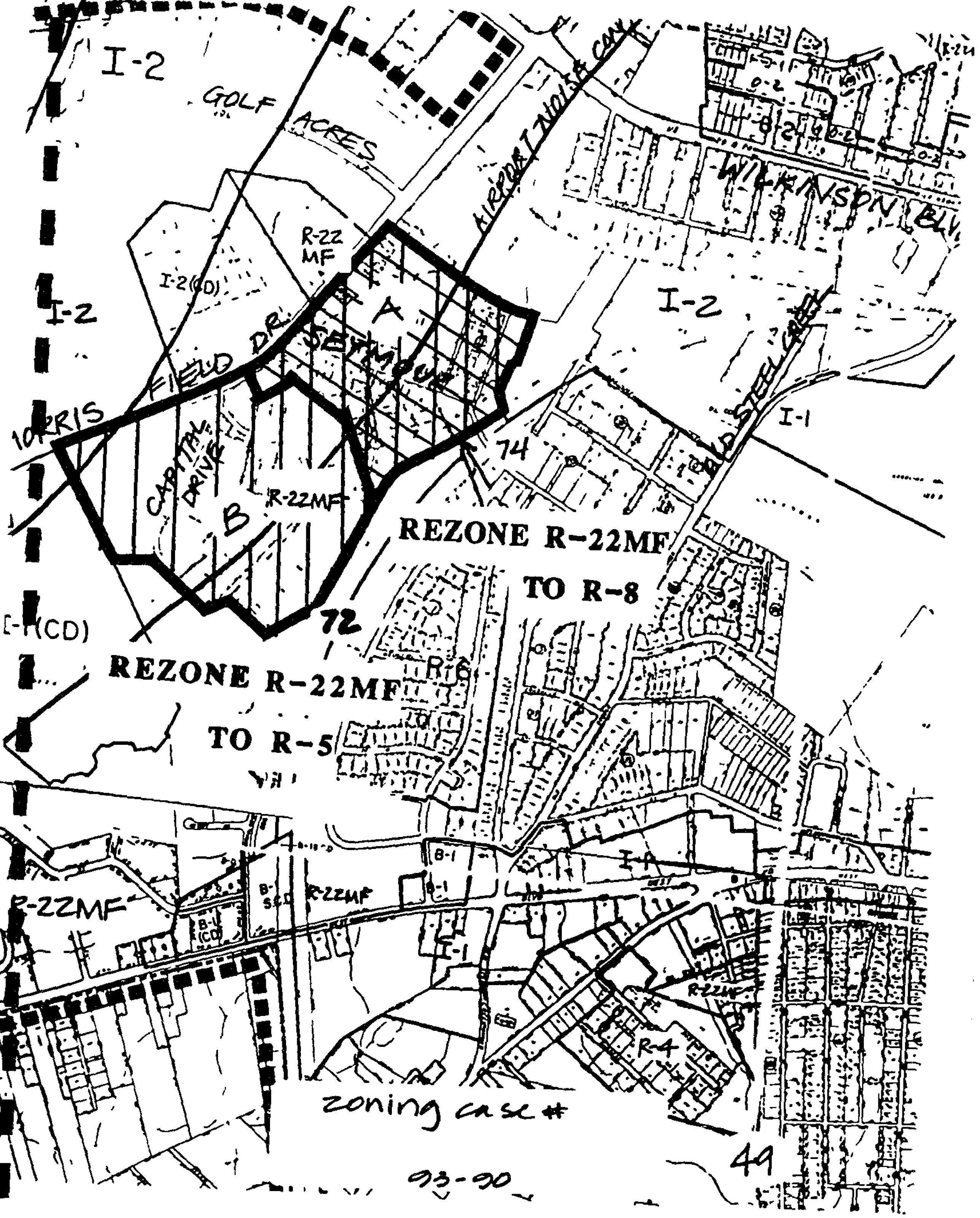
Absent: Heard

REASONS

This petition proposes rezoning two areas described as property north and south of Seymour Avenue east of Morris Field Drive and west of the railroad tracks and an area along Capitol Drive east of Morris Field Drive and west of the railroad tracks from a multi-family district (R-22MF) to a combination of single family districts (R-8 and R-5) in accordance with the Central District Plan. The petitioned property is composed of a mixture of housing types (single family, duplexes and triplexes) a convenience store, and the Old Plato Price School. Land use in Area B consists of single family homes and several duplexes and an apartment complex. The Zoning Committee viewed the proposed single family residential districts as appropriate for the area and recommends that the petition be approved

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee


I-2
GOLF
ACRES
AIRPORT NOISE CONT
WILKINSON BLVD
O-2
B-2
R-22
MF
I-2(CD)
I-2
FIELD DR.
A
SEYMOUR
I-2
I-1
CAPITAL DRIVE
R-22MF
B
74
REZONE R-22MF
TO R-8
72
I-1(CD)
REZONE R-22MF
TO R-5
R-6
B-1
B-1
R-22MF
B-1
(CD)
R-22MF
I-1
R-22MF
R-4
zoning case #
93-90
49

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-91

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from R-22MF, R-43MF, O-2 & B-1 to R-5, R-8 & R-8MF (Wilmore Small Area Plan)

LOCATION: Approximately 160 acres located in the Wilmore neighborhood described as (A) area generally bound by Summit Avenue to the north, Wilmore Drive to the South, Tryon Street to the east and I-77 to the west (from R-22MF, O-2 & B-1 to R-5); (B) several areas generally defined as properties on the north side of Spruce Street between Summit Avenue and I-77 (from R-22MF to R-8), properties south of Kingston Avenue and north of Worthington Avenue between S Tryon Street and Cliffwood Place (from R-43MF to R-8), properties on the south side of Worthington between Tryon Street and Cliffwood Place (from R-22MF to R-8), properties on the north side of Wilmore Drive between Tryon Street and Wilmore Drive (from R-22MF & O-2 to R-8) and properties on both sides of Merriman Street between Spruce and West Boulevard (from R-22MF to R-8), (C) properties on the north side of Worthington Avenue between Wickford Place and Cliffwood Place, south of West Boulevard (from R-43MF to R-8MF)

ACTION: The Zoning Committee took action on these three subareas separately.

AREA A: The Zoning Committee recommends approval of this portion of the petition

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None.

Absent: Heard

REASONS

This portion of the petition proposes rezoning an area generally bound by Summit Avenue to the north, Wilmore Drive to the South, Tryon Street to the east and I-77 to the west from a combination of R-22MF, O-2, and B-1 to an R-5 single family district in accordance with the Wilmore Small Area Plan. The petitioned property is composed of predominantly single family homes and duplexes The Zoning Committee viewed the proposed single family residential district as appropriate for the area and recommends approval of this portion of the petition

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee

AREA B: The Zoning Committee recommends that this portion of the petition be approved.

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

Absent: Heard

REASONS

This portion of the petition proposes rezoning several areas generally defined as properties on the north side of Spruce Street between Summit Avenue and I-77, properties south of Kingston Avenue and north of Worthington Avenue between South Tryon Street and Cliffwood Place, properties on the south side of Worthington Avenue between Tryon Street and Cliffwood Place, properties on the north side of Wilmore Drive between South Tryon Street and Wilmore Drive, and properties on both sides of Merriman Street between Spruce and West Boulevard from a combination of R-22MF, R-43MF, and O-2, to R-8 The petitioned property consists of vacant land north of Spruce Street, duplexes, a school and single family homes. The Zoning Committee viewed the proposed single family residential district as appropriate for the area and recommends approval of this portion of the petition.

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee.

AREA C: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, James, Jones, Motley and Whelchel

Nays: None

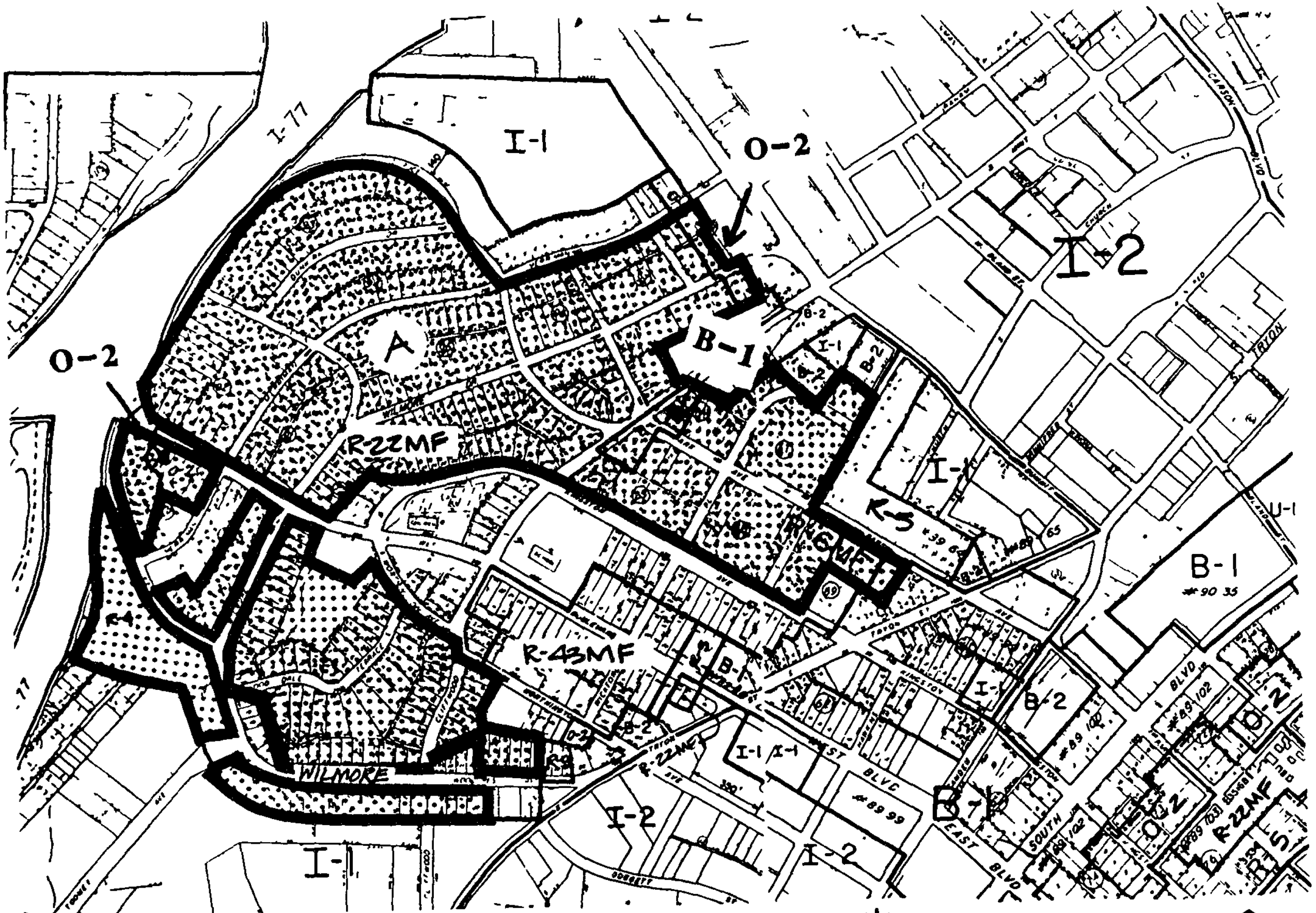
Absent: Heard.

REASONS

This portion of the petition proposes rezoning properties on the north side of Worthington Avenue between Wickford place and Cliffwood Place, south of West Boulevard from R-43MF to R-8MF in accordance with the Wilmore Small Area Plan. The petitioned property is composed of apartments The Zoning Committee viewed the proposed multi-family district as appropriate for the area and recommends approval of this portion of the petition.

STAFF OPINION

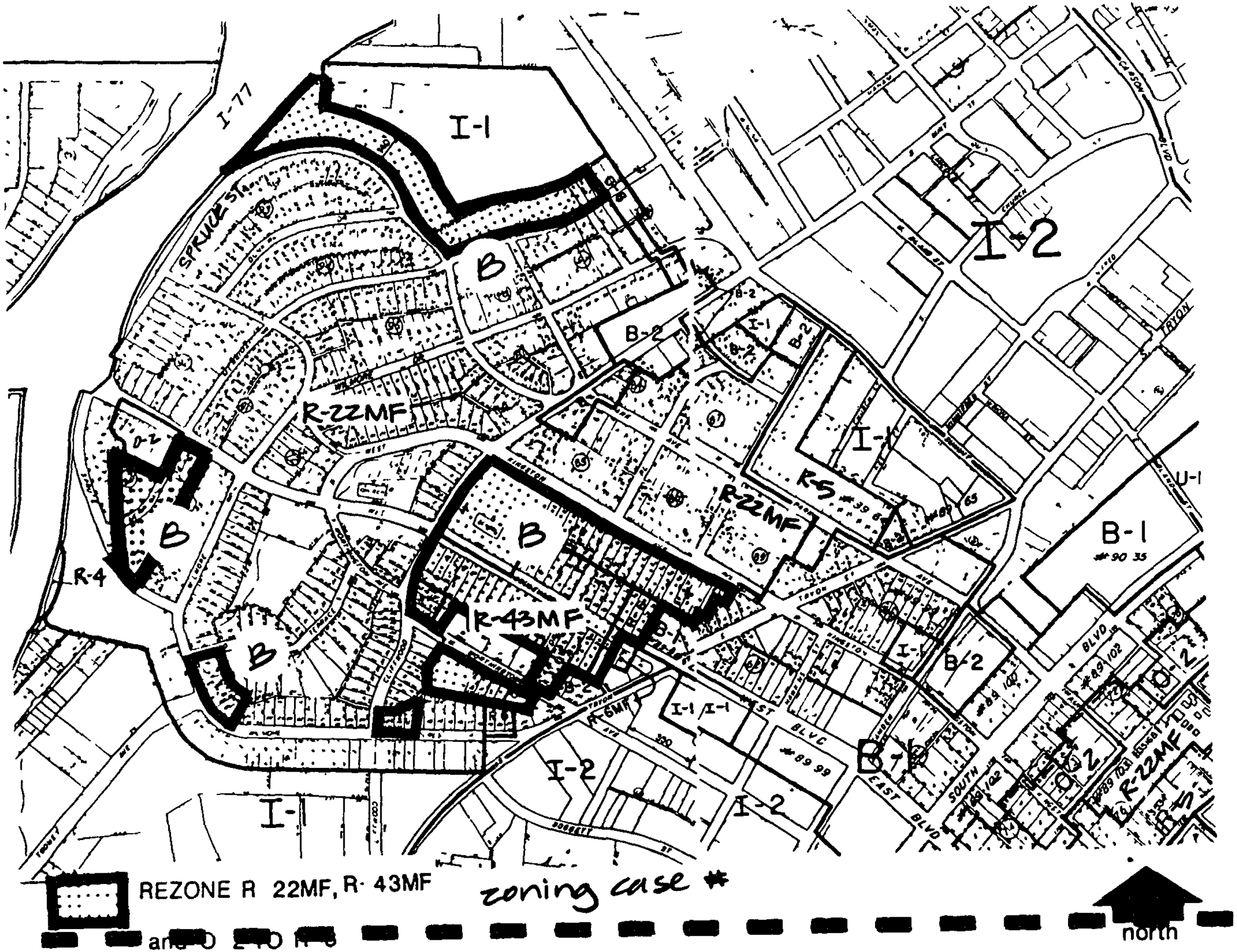
The Staff agrees with the recommendation of the Zoning Committee.

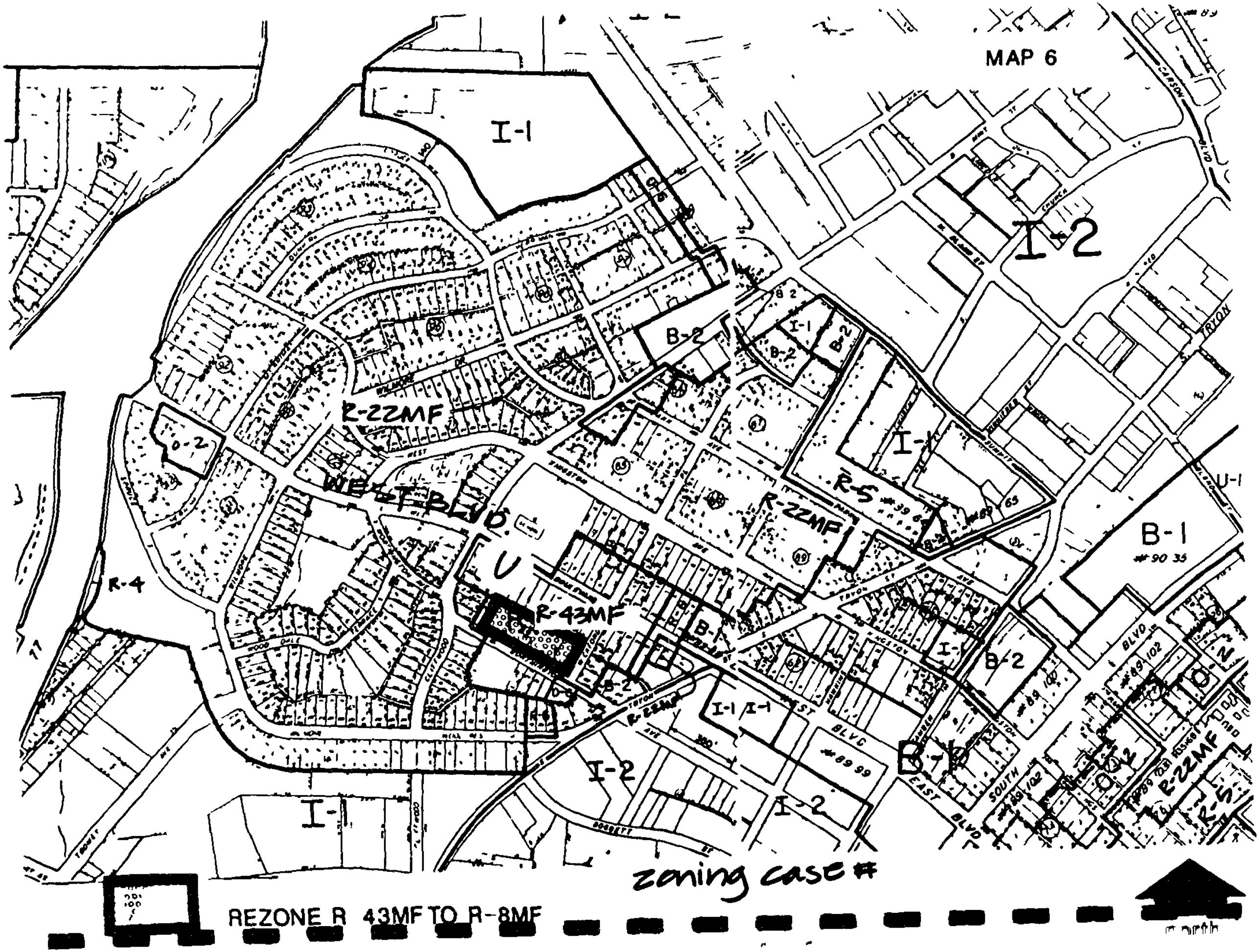


REZONE R-22MF, B-1, O-2 TO R-5

zoning case #

North


I-77
I-1
SPRUCE ST
B
B-2
R-22MF
R-43MF
R-5
I-1
I-2
B-1
U-1
R-4
O-2
R-6MF
I-1/I-1
WEST BLVD
EAST BLVD
SOUTH BLVD
TRYON
CARSON BLVD
REZONE R 22MF, R-43MF
zoning case #
north


MAP 6
I-1
I-2
B-2
I-1
B-2
B-2
R-22MF
O-2
WEST BLVD
R-5
R-22MF
B-1
R-4
R-43MF
B-1
I-1
B-2
I-1 I-1
EAST BLVD
B-2
I-2
I-2
I-2
I-1
R-22MF
R-5
zoning case #
REZONE R 43MF TO R-8MF
north

ZONING COMMITTEE
RECOMMENDATION

DATE: September 21, 1993

PETITION NO.: 93-92

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-2 & B-2 to I-1 & B-1 (Wilmore Small Area Plan)

LOCATION: Approximately 6 acres located in the Wilmore neighborhood described as (A) area generally bound by Summit Avenue to the north, Southwood to the East, Merriman Avenue to the west and to the south (from I-2 to I-1), (B) Properties fronting on the west side of North Tryon Street between Woodcrest Avenue and West Boulevard (from B-2 to B-1)

ACTION: The Zoning Committee took action on the two subareas separately

AREA A: The Zoning Committee recommends approval of this portion of the petition with the exception of property west of Wilmore Drive which should remain zoned I-2

VOTE: *Yeas:* Baucom, Byrne, Heard, Jones, Motley and Whelchel

Nays: None.

Absent: James.

REASONS

This portion of the petition proposes rezoning an area generally bound by Summitt Avenue to the north, Southwood to the east, Merriman Avenue to the west and to the south from I-2 to I-1 in accordance with the Wilmore Small Area Plan. The petitioned property is composed of an valve and gauge manufactured, a junk yard and vacant land. The Zoning Committee viewed the proposed light industrial as appropriate for the area and recommends approval of this portion of the petition excluding property west of Wilmore Drive which should remain zoned I-2.

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee

AREA B: The Zoning Committee recommends that this portion of the petition be approved

VOTE: *Yeas:* Baucom, Byrne, Heard, Jones, Motley and Whelchel

Nays: None

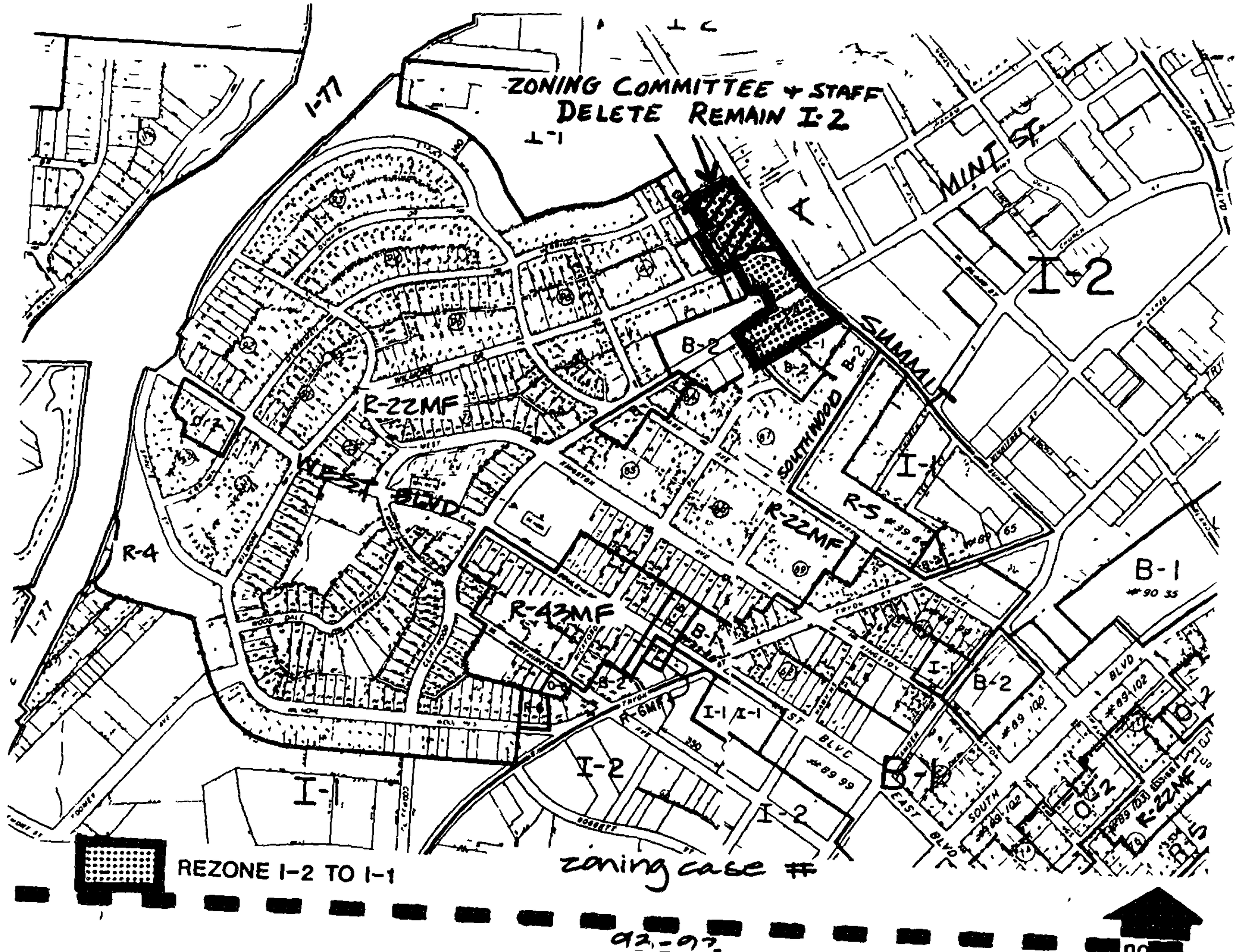
Absent: James

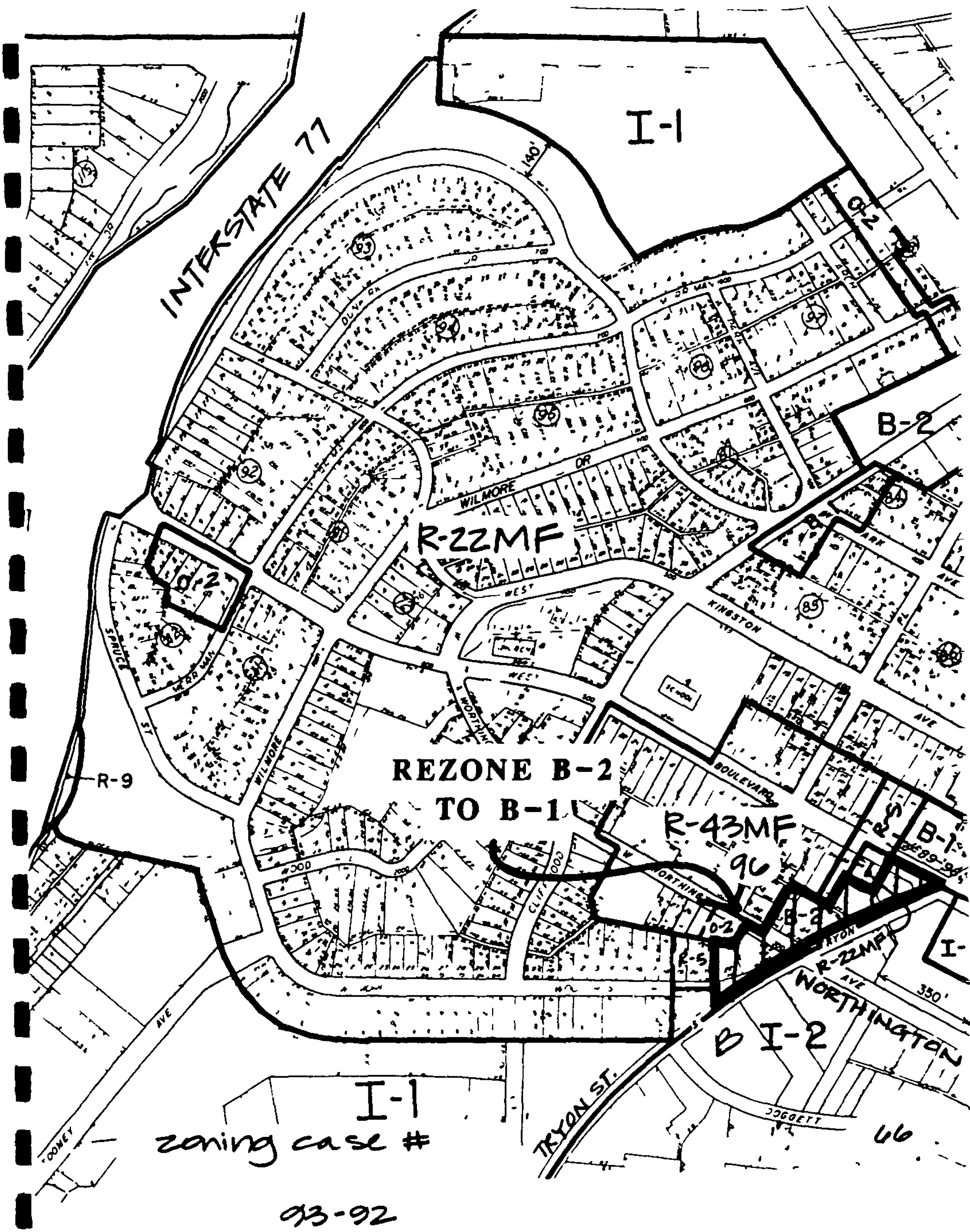
REASONS

This portion of the petition proposes rezoning properties fronting on the west side of North Tryon Street between Woodcrest Avenue and West Boulevard from B-2 to B-1 in accordance with the Wilmore Small Area Plan The petitioned property is composed of a variety of commercial uses including used car lots, body shops and a vending machine distributor The Zoning Committee viewed the proposed neighborhood commercial (B-1) district as appropriate for the area and recommends approval of this portion of the petition.

STAFF OPINION

The Staff agrees with the recommendation of the Zoning Committee.


ZONING COMMITTEE + STAFF
DELETE REMAIN I-2
I-77
MINT ST.
I-2
SUMMIT
B-2
R-22MF
WEST BLVD
SOUTHWOOD
R-5
R-22MF
R-4
B-1
R-43MF
B-1
B-2
I-1
B-2
I-1/I-1
R-6MF
I-2
I-2
I-2
I-1
B-1
EAST BLVD
SOUTH BLVD
O-2
R-22MF
REZONE I-2 TO I-1
zoning case #
92-07


INTERSTATE 77
I-1
140'
O-2
B-2
WILMORE DR
R-22MF
O-2
WEST
KINGSTON
AVE
SPRUCE ST
WILMORE
WORTHING
BOULEVARD
R-9
REZONE B-2
TO B-1
R-43MF
90
B-1
R-22MF
NORTHINGTON
AVE
350'
B I-2
I-1
TRYON ST.
JOGGETT
66
TOONEY AVE
zoning case #
93-92

BACKGROUND

- **General Information**

- Owner	Manly Youmans and wife, Mary L
- Owner's Address	3315 Cricketeer Drive Charlotte, NC 28216
- Property Address	3535 Jessie Street
- Neighborhood	Wilson Heights
- Census Tract	#51
- Council District	#1

- **Code Enforcement Information**

- Reason for Inspection	Assigned Field Observation in a Concentrated Code Enforcement Area
- Date of Inspection	1/31/92
- Owner Notified of Hearing	2/5/92
- Hearing Held.	2/28/92
- Demolition ordered since cost to repair was more than 65% of the estimated tax value.	
- Owner Ordered to Demolish Dwelling by:	3/29/92
- Owner requested permission to repair dwelling.	
- Supplemental Order Issued to Repair Dwelling by:	4/28/92
- Extension of Time to Make Repairs Granted Until:	6/28/92
- Second Extension of Time Granted Until:	8/28/92
- Third Extension of Time Granted Until:	2/16/93
- Owner did not comply with Order to repair, and owner began converting dwelling to a non-residential use without a permit.	
- Title report received in December 1992 revealed no parties in interest to the property.	
- Structure Occupied:	No
- Demolition Cost:	$2,700
- Lien will be placed on property for cost of demolition.	

- **Notification to Owner**

  - Owner has been notified of this In Rem action being presented to City Council

- **Acquisition/Disposition Analysis**

(See Exhibit A - Acquisition/Disposition Analysis)

Demolition recommended because
- estimated $9,210 In Rem Repair cost is 1354% of the $680 tax value
- rehabilitation vs new construction is not feasible (house contains only 864 sq. ft
- new house could be constructed with an economic life of 50 years
- property is zoned I-1 (industrial) and is located next to Statesville Avenue landfill

Acquisition & Rehabilitation Cost of Existing House (864 Sq. Ft.)	Average Cost to Build a New 1,000 Sq Ft House	Difference in Rehabilitation & New Construction Cost
$40,153*	$50,000	-$9,857

*Includes $345 in delinquent taxes

Revised 1/22/93

EXHIBIT A

DATE 8-24-93

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)
EVALUATION GUIDE

ADDRESS 3535 Jessie ST Census # 51

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS-II)

Code Order: In Rem Repair ___
Demolition X

Effective Year Structure Built 1947
Style ?
Bedrooms None
Sq. Ft. (House) 864
Civil Penalty X
Amount 2040
Date 8-24-93

A. Current Tax Value of Structure $ 680
B. Land Value $ 11,480
SUB-TOTAL TAX VALUE $ 12,160
C. Estimated Cost to In Rem Repair to Code Standards $ 9210
TOTAL $ 21,370

D. % of C divided by A 1354 %
< 65% of Value Yes ___ No X

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
This home is zoned I-1
Repairs for some other use than a dwelling were begun at one time, but not finished. Inside of home is gutted. Located next to Statesville Ave dump - environmental problems likely

Name M Jenkins
Date Completed 8-24-93

G. Preservation Manager or Development Manager Comments

_____

_____

_____

_____

_____

Date Completed _____

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date 8-25-93

1. Negotiated Acquisition or Tax Value $ 12,160
2a. Rehabilitation (Substantial) $ 27,648
(based on average cost of CD rehabilitation x sq.ft. in house)
864 sq.ft. x $ 32 per sq.ft.
2b. Actual Cost/Cost Estimate $ N/A
3. Delinquent Taxes (if any) $ 345 55
4. Outstanding Loans/Liens (if any) $ 0 *

Sub-Total $ 40,153 55
Outstanding Loans/Liens - 0
TOTAL $ 40,153 55

Is Total > $50,000 Yes ____ No ✓

B. Amount of Civil Penalties $ 2040

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ✓ No ____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by HDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

864 sq. ft. x $ 44 44 $ 38,396 16
Plus Land Value $ 11,480
TOTAL $ 49,876 16 **

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes ✓ No ____

Name A Williams
Date Completed 9-14-93

* There are 8 IRS liens totalling $345,787.75 against the owners

** Cost for new construction is elevated due to the high value of land because zone

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	✓

Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase.

If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.

2. In Rem Repair	____	✓
3. Demolish	✓	____

If #1 is checked yes, NDS notifies the NRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name D. Wall
Date Completed 9-14-93

B. Proposed Use (to be completed by NDS)

	Yes	No
1. Retain for Use Internally	____	✓

Explain Proposed Internal Use of House

2. Sell to Interested Purchaser Externally	____	✓

Explain Proposed External Sale of House

C. Comments

The vacant property is located next to the Statesville's Avenue dump. Unable to contact owner by phone or letter. Property is zoned industrial usage. Environmental problems likely. Not approp. location for residential. JJ

Name A Will
Date Completed 9-14-93

Concur JJ 9/17/93

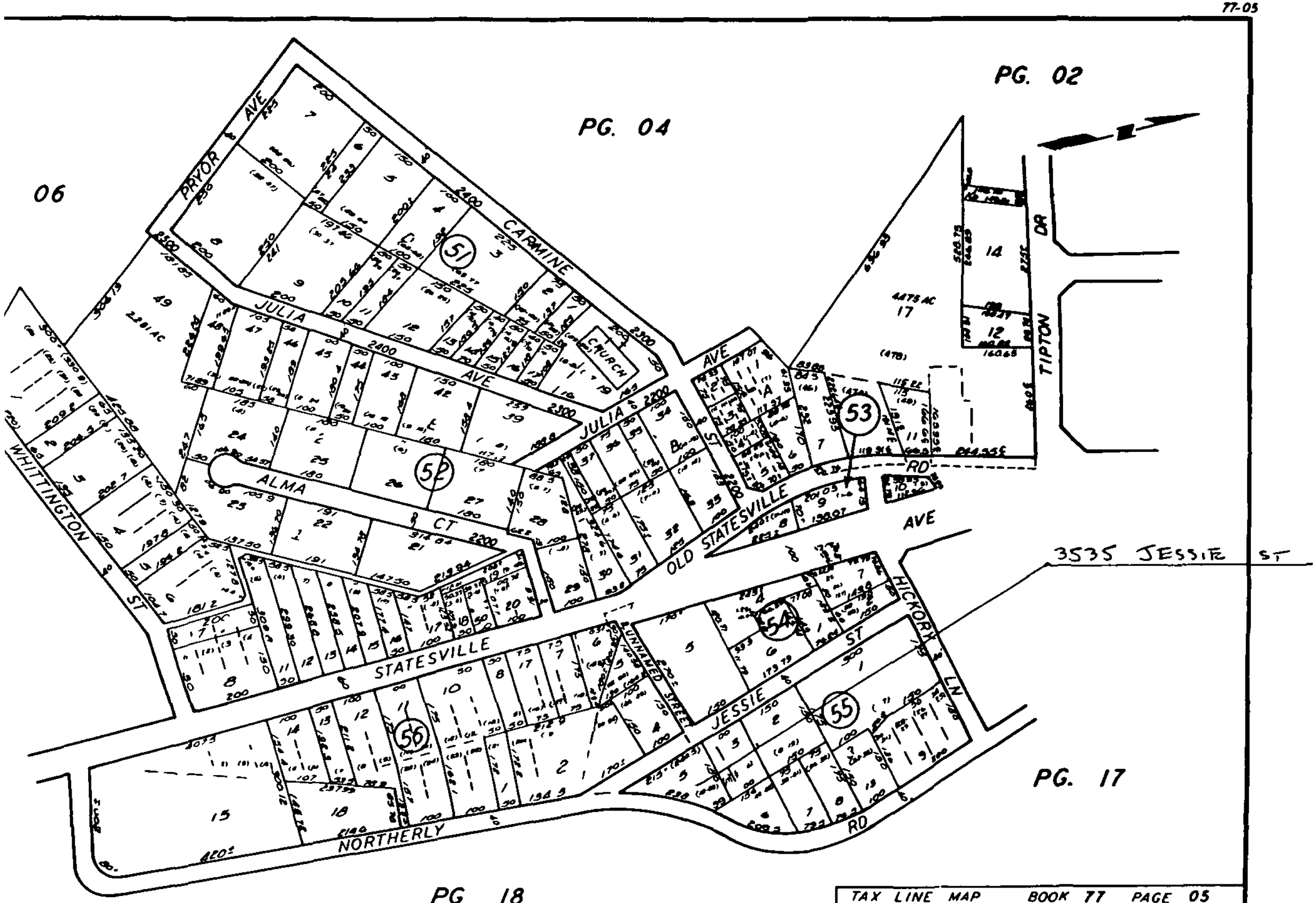
V. Community Development Director Approval ✓ Decline ____

Signature

Director's Comment/Concerns:

Demolition

3535 Jessie ST



TAX LINE MAP BOOK 77 PAGE 05	
MECKLENBURG COUNTY, NORTH CAROLINA	
REVISED 11 2 89	SCALE 1" = 200

FOR TAX PURPOSES ONLY

BACKGROUND

- **General Information**

- Owner	Floyd I, Harper, Jr and wife, Helen W
- Owner's Address	1801 Saluda River Drive West Columbia, SC 29169
- Property Address	3625-27 Jonquil Street
- Neighborhood.	Grier Heights
- Census Tract·	#23
- Council District	#1

- **Code Enforcement Information**

- Reason for Inspection	Assigned Field Observation in a Concentrated Code Enforcement Area
- Date of Inspection·	10/5/90
- Owner Notified of Hearing	10/9/90
- Hearing Held.	11/7/90

- Demolition ordered since cost to repair was more than 65% of the estimated tax value.
- Owner Ordered to Demolish Dwelling by: 1/6/91
- Owner did not comply with Order to demolish.
- Inspector did not follow-up on case
- Title report received in August 1992 revealed a party in interest to the property
- Party in interest has been notified

- Structure Occupied·	No
- Demolition Cost:	$2,700

- Lien will be placed on property for cost of demolition

- **Notification to Owner**

- Owner has been notified of this In Rem action being presented to City Council

- **Acquisition/Disposition Analysis**

(See Exhibit A - Acquisition/Disposition Analysis)

Demolition recommended because:
- estimated $20,800 In Rem Repair cost is 140% of the $14,800 tax value
- rehabilitation vs new construction is not feasible
- new house could be constructed with an economic life of 50 years

Acquisition & Rehabilitation Cost of Existing House (1,302 Sq. Ft)	Average Cost to Build a New 1,000 Sq Ft. House	Difference in Rehabilitation & New Construction Cost
$70,670*	$50,000	$20,670

*Includes an $8,000 outstanding loan (Loan was made in 1961 and is probably paid off but it is not indicated on the title report)

Revised 1/22/93

EXHIBIT A

DATE 6-10-93

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)
EVALUATION GUIDE

ADDRESS 3625-27 Jonquil ST Census # 23

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS·II)

Code Order: In Rem Repair ____
Demolition X

Effective Year
Structure Built 1961
Style Duplex
Bedrooms 2 Ea
Sq. Ft. (House) 1302
Civil Penalty X
Amount 8950
Date 6-10-93

A. Current Tax Value of Structure $ 14,800
B. Land Value $ 10,000
SUB-TOTAL TAX VALUE $ 24,800
C. Estimated Cost to In Rem Repair to Code Standards $ 20,800
TOTAL $ 45,600

D. % of C divided by A 140.5 %
< 65% of Value Yes ____ No X

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
Although the inspection was done in 1989, it is still fairly accurate

Name M. Jenkins
Date Completed 6-10-93

G. Preservation Manager or Development Manager Comments

Sonya, please check with Green Heights Econ Fndn on this one re house for house or land.

Date Completed 6/15/93 JJ

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date 6-17-93

1. Negotiated Acquisition or Tax Value $ 24,800
2a. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 1302 sq.ft. x $ 27 per sq.ft. $ 35,154
2b. Actual Cost/Cost Estimate $ N/A
3. Delinquent Taxes (if any) $ 2716.20
4. Outstanding Loans/Liens (if any) $ 8000 (Loan taken out 1961 probably paid off)

Sub-Total $ 70,670.20
Outstanding Loans/Liens - 8,000
TOTAL $ 62,670.20

Is Total > $50,000 Yes ✓ No ____

B. Amount of Civil Penalties $ 8750

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ✓ No ____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

1302 sq. ft. x $ 41.45 $ 53,967.90
Plus Land Value $ 10,000

TOTAL $ 63,967.90

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes ____ No ✓

Name L. Willis
Date Completed 7-22-93

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	____
Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase.		
If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.		
2. In Rem Repair	____	____
3. Demolish / Condemnation	✓	____

If #1 is checked yes, NDS notifies the HRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name [illegible]
Date Completed 9-3-93

B. Proposed Use (to be completed by NDS)

	Yes	No
1. Retain for Use Internally	✓	____

Explain Proposed Internal Use of House

Cross Heights, as provided by Craig Wallace is interested in purchasing and rehabbing property to revitalize the neighborhood. However the cost involved in rehabbing is not feasible.

9/3/93

yes but house does not appear salvageable

	Yes	No
2. Sell to Interested Purchaser Externally	____	____

Explain Proposed External Sale of House

C. Comments

Grier Heights does not have the funds at this time to acquire said school. Spoke to the owner in June 1993, he stated that he was going to repair. No repairs noted by code. Also followed up telephone conversation with letter laying out the telephone conversation.

Name B. Hill

Date Completed 9-3-93

V. Community Development Director

Approval ✓ Decline ____

Signature [signature] 9/7/93

Director's Comment/Concerns:

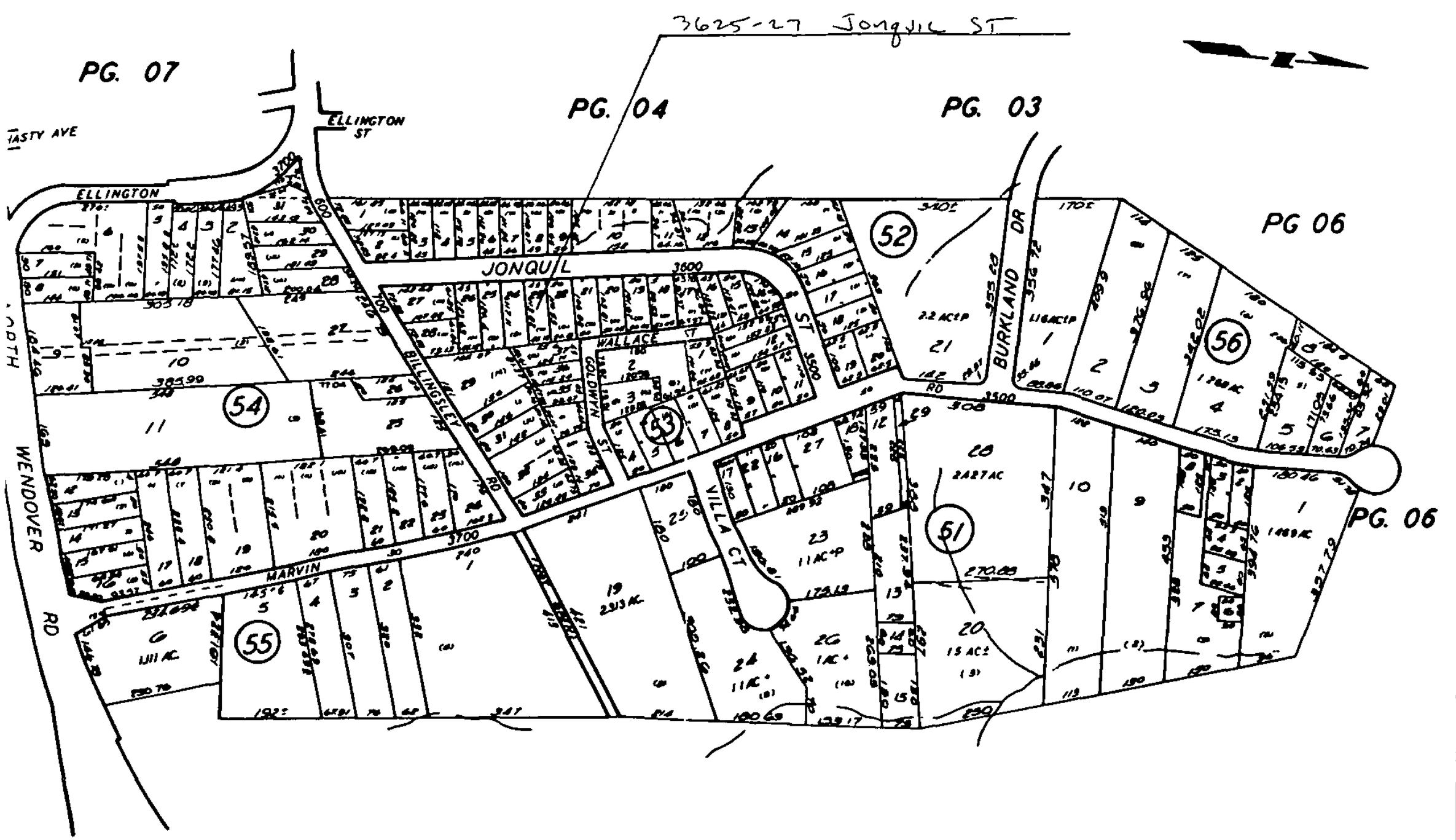
[signature]

→ Spoke with owner on 8/3/93, he is interested in selling but would not give an asking price on property

*9/3/93 - Property can be possible be used by Grier Heights in it revitalization efforts of the neighborhood

3625-27 Jonquil ST

157-05



TAX LINE MAP BOOK 157 PAGE 05	
MECKLENBURG COUNTY, NORTH CAROLINA	
REVISED 6-6 90	SCALE 1"=200'

FOR TAX PURPOSES ONLY

BACKGROUND

- General Information

  - Owner: James William Slade and wife, Geraldine E
  - Owner's Address: 4912 Morgan Street
  - Property Address: 4912 Morgan Street
  - Neighborhood: Hoskins/Thomasboro
  - Census Tract: #43 02
  - Council District: #2

- Code Enforcement Information

  - Reason for Inspection: Assigned Field Observation in a Concentrated Code Enforcement Area
  - Date of Inspection: 12/10/91
  - Owner Notified of Hearing: 12/16/91
  - Hearing Held: 1/10/92
  - Owner Ordered to Repair Dwelling by: 3/5/92
  - Title report received in August 1992 revealed a party in interest to the property
  - Structure Occupied: Yes (Owner-Occupant)
  - Repairs include repairing and painting interior walls and ceilings, replacing bathtub and lavatory, repairing floor and installing vinyl covering in bath and kitchen; installing additional electrical receptacle in kitchen; replacing bathroom door; installing new heating system; replacing foundation vents, replacing rear entrance door, removing rear porch and installing new wood deck and handicapped ramp; removing carport and shed and installing new metal out building.
  - Repair Cost: $10,200
  - Lien will be placed on property for cost of repairs.

- Feasibility to In Rem Repair vs. Rehabilitation or New Construction

  - Financial assistance analysis (Exhibit A) made by Community Development staff consisted of:
    - repair analysis to bring house to Code; covers homeowner's deferred maintenance items and extends economic life of house 5-10 years
    - selective rehabilitation analysis to bring house to Code plus rehabilitation standards to extend economic life of house 15-20 years
    - replacement housing analysis (substantial rehabilitation vs. new construction)

- Factors/variables to determine which analysis to use
  - loan to value ratio
  - amount of mortgage debt owed on house and number of liens
  - City's security position
  - most economically feasible to the owner and the City based on the variables
- In Rem Repair is the most economically feasible course of action for the owner and the City

- Financial Information

- Family Composition: James Slade - age 56
  Geraldine Slade - age 52
  Daughter - age 26
  Grandchildren - ages 2 & 5
- Monthly Income: $2,400 67
- Source of Income: Duke Power Company (Mr Slade)
- % of Household Income: 66% of the median income for a family of 5
- Analysis of Household Income

Gross Monthly Income	$2,400 67
Less Federal Taxes	-285.25
	$2,142 42 x 30%
Available for Housing	$ 642 73
Less Mortgage Payment (PITI)	-618.49
Available for Loan Payment	$ 24.24

- A family is to pay no more than 30% of their gross monthly income, less federal taxes, toward housing expenses. (Housing expenses are defined as principal and interest payments, real estate taxes and insurance on primary residnce.)
- The family is non-bankable.
  - Estimated Selective Rehabilitation cost - $42,754
  - Mortgage liens on house - $34,987
  - Tax value of house - $43,120
  - Loan to value ratio - 1.80
    ($42,754 + $34,987 = $77,741 ÷ $43,130 = 1.80

  Therefore, a Selective Rehabilitation loan is not feasible and an In Rem Home Repair loan is recommended.

- <u>Type of Assistance</u>

  - In Rem Home Repair Loan

• Amount	$10,200
• Interest Rate	To be determined*
• Term	To be negotiated based on family's ability-to-pay*
• Monthly Payments (P&I)	To be negotiated based on family's ability-to-pay*

*To be determined after Council approval because we cannot have a pre-determined payment arrangement on In Rem liens prior to Council approval based on Legal Department's interpretation of the law

  - Security — In Rem lien position on the property that is behind taxes due but ahead of mortgages owed

NAME: James Slade + wife Geraldine

DATE 10/7/93

ADDRESS: 4912 Morgan Street

FINANCIAL ANALYSIS FORM
(To Be Attached to Selective Rehab Form)

I	TAX VALUE HOUSE	$ 43,120	
II	MORTGAGE LIENS	$ 38,751	1ST LIENHOLDER Associate Financial
		$	2ND LIENHOLDER
		$	3RD LIENHOLDER
	TOTAL LIENS	$ 38,751	

III A COST COMPARISONS

ESTIMATED REHAB COST ($32 x Square Feet)	$ 42,754	LTV RETURN 1.89
MORTGAGE PAYOFF	$ 38,751	
ESTIMATED REPLACEMENT COST ($44 44 X Square Feet)	$ 42,218	
IN REM REPAIR COST	$ 10,200	

B COST COMPARISON

REHAB ($32 X Square Feet) (Excluding Mortgage Payoff)	$ 42,754
IN REM REPAIR	$ 10,200

RECOMMENDATION
(To Be Completed by CLO)

REHAB_____

REPLACEMENT HOUSING_____

IN REM Home Repair

COMMENTS _____

CLO APPROVAL. [signature] 10-7-93

Revised 1/13/93

EXHIBIT A

DATE 10 7 93

SELECTIVE REHABILITATION LOAN VS REPLACEMENT HOUSING COST ANALYSIS

ADDRESS 4912 Morgan St Census # 43 02

I CODE ENFORCEMENT COST REVIEW (to be completed by HRS II)

Code Order In Rem Repair ✓
Demolition ____

Effective Year
Structure Built 1958
Style Ranch
Bedrooms 3
Sw Ft (House) 950
Civil Penalty None
Amount ____
Date ____

A. Current Tax Value of Structure $ 33,120
B. Land Value $ 10,000
SUB-TOTAL TAX VALUE $ 43,120
C Estimated Cost to In Rem Repair to Code Standards $ 10,200
TOTAL $ 53,320

D Percent of C divided by A 31 %
< 65% of Value Yes ✓ No ____

E. Once HRS II completes above, forward to NDS>

F. Comments/Mitigative concerns

Name M. D. Miller
Date Completed 10-7-93

II Estimate of Cost to Acquire & Rehabilitate Property (To be completed by Loan Agent)

A Information received from HRS II Date _____

1 Negotiated Acquisition or Tax Value $ 43,120
2 Rehabilitation (~~estimated~~ Actual) $ 42,754
~~Estimated~~ Actual Rehab Cost per sq ft $ 45 00
3 Delinquent Taxes (if any) $ -0-
4 Outstanding Loans/Liens (if any) $ 38,751
Sub-Total $ 81,505
Outstanding Loans/Liens $ -38,751
TOTAL $ 42,754

Is Total > $50,000 Yes ____ No ✓

B Amount of Civil Penalties $ —

III Rehabilitation Feasibility/Replacement Housing

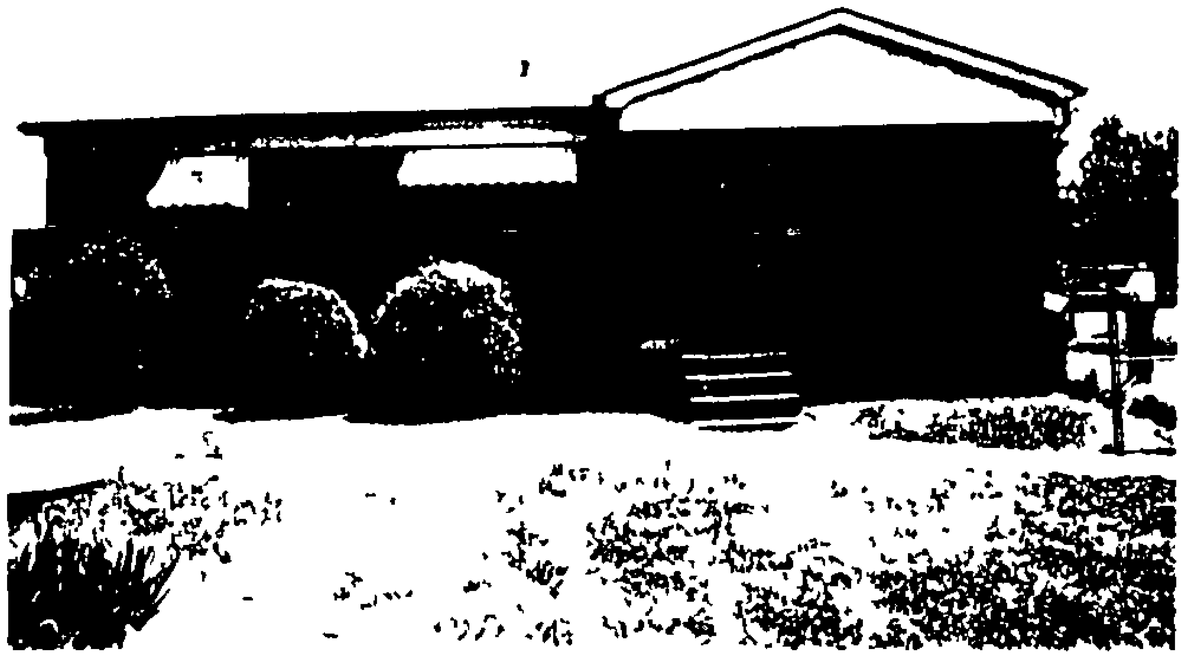
A Cost to Replace Vs Cost to Preserve (to be completed by L A)

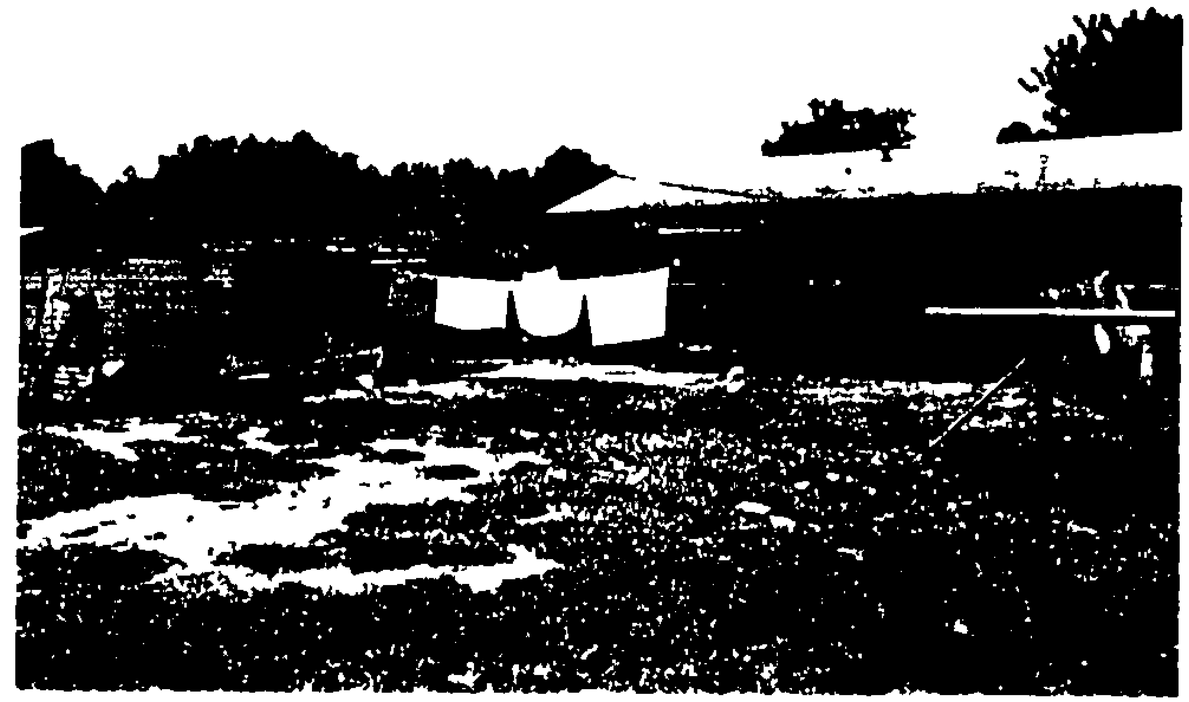
1 Replacement Value· sq ft of structure x replacement per sq ft (based on average cost of CD new construction)
950 sq. ft. x $44 44 = $ 42,218
2 Delinquent Taxes (if any) $ -0-
3 Outstanding Loans/Liens (if any) $ 38,751
TOTAL $ 80,969

B Rehabilitation Cost Vs Replacement Housing Cost
1 Rehabilitation Cost $ 42,754
2 Replacement Cost $ 42,218

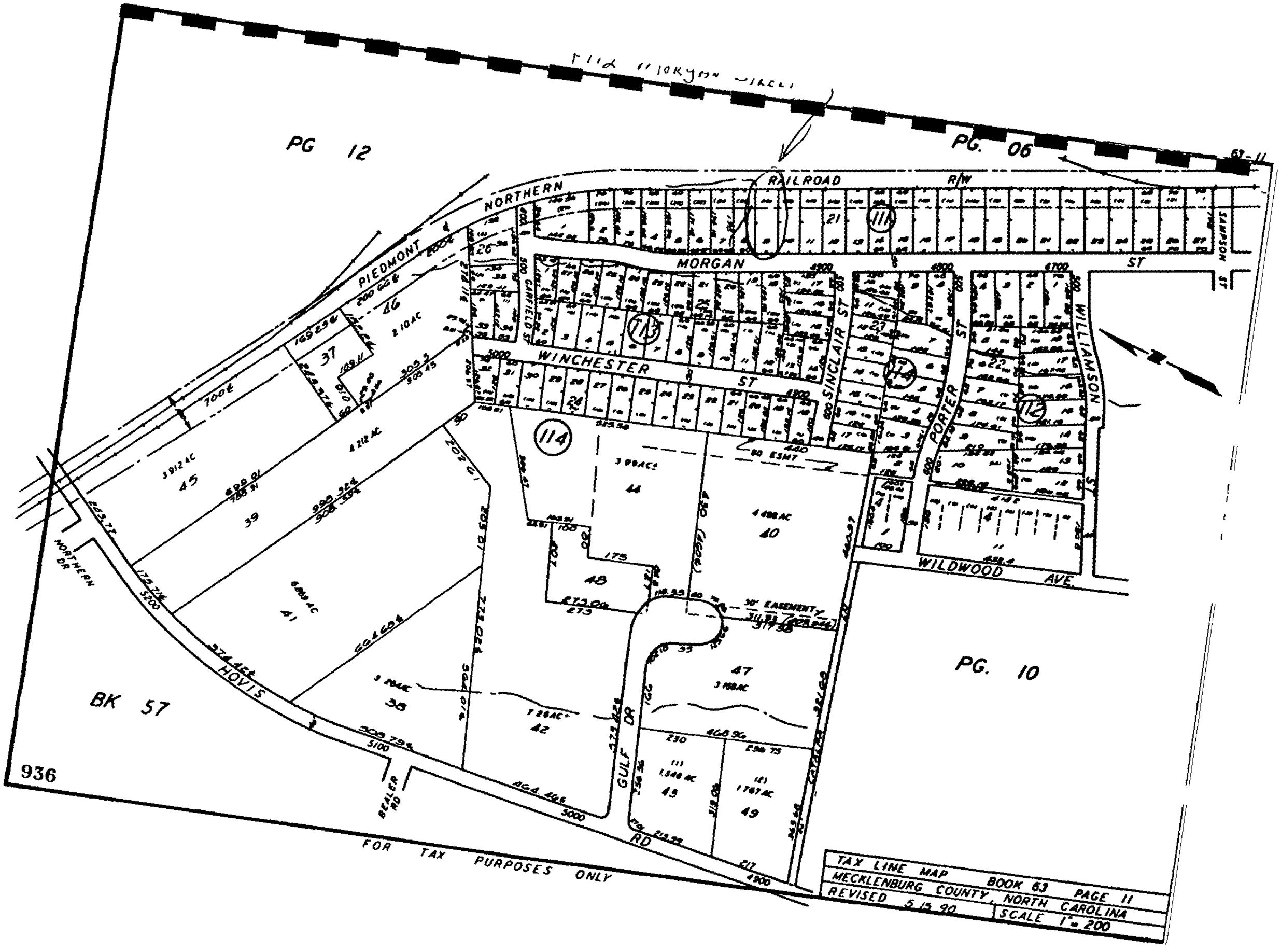
C. Is it feasible to rehabilitate vs replacement house cost?
Yes ____ No ✓

Name B C Miller
Date Completed 10/7/93





4912 Morgan Street


PG 12
PG. 06
PG. 10
BK 57
936
NORTHERN RAILROAD R/W
MORGAN ST
WINCHESTER ST
PIEDMONT
CARFIELD ST
SINCLAIR ST
PORTER ST
WILLIAMSON ST
SAMPSON ST
WILDWOOD AVE.
HOVIS RD
GULF DR
BEALER RD
NORTHERN DR
30' EASEMENT
FOR TAX PURPOSES ONLY
TAX LINE MAP BOOK 63 PAGE 11
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED 5 15 90
SCALE 1" = 200

BACKGROUND

- **General Information**

- Owner	Rufina Rivera-Rivera
- Owner's Address	1717 Lee Road, #281 Salem, Alabama 26874
- Property Address	2939 Clyde Drive
- Neighborhood	Smallwood
- Census Tract	#45 00
- Council District	#3

- **Code Enforcement Information**

- Reason for Inspection	Assigned Field Observation in a Concentrated Code Enforcement Area
- Date of Inspection:	4/15/91
- Owner Notified of Hearing:	4/16/91
- Hearing Held.	4/29/91
- Repair ordered since cost to repair was less than 65% of the estimated tax value	
- Owner Ordered to Repair Dwelling by·	6/3/91
- New Complaint & Notice of Hearing issued to owner because owner's name was wrong on the original notice	
- Owner Notified of Hearing:	10/1/91
- Hearing Held:	10/15/91
- Owner Ordered to Repair Dwelling by:	12/16/91
- Extension of Time to Make Repairs Granted Until.	2/17/92
- Second Extension of Time Granted Until:	4/20/92
- Third Extension of Time Granted Until:	6/22/92
- New inspection made because of continued deterioration of dwelling.	
- Date of New Inspection:	2/1/93
- Owner Notified of Hearing	2/22/93
- Hearing Held:	3/19/93
- Demolition ordered since cost to repair was more than 65% of the estimated tax value	

- Owner Ordered to Demolish Dwelling by 4/21/93
- Owner did not comply with Order to demolish
- Title report received in February 1993 revealed no parties in interest to the property
- Structure Occupied No
- Demolition Cost $3,100
- Lien will be placed on property for cost of demolition

■ **Notification to Owner**

- Owner has been notified of this In Rem action being presented to City Council

■ **Acquisition/Disposition Analysis**

(See Exhibit A - Acquisition/Disposition Analysis)

Demolition recommended because
- estimated $9,975 In Rem Repair cost is 136% of the $7,310 tax value
- rehabilitation vs new construction is not feasible (house contains only 840 sq. ft)
- new house could be constructed with an economic life of 50 years

Acquisition & Rehabilitation Cost of Existing House (840 Sq. Ft.)	Average Cost to Build a New 1,000 Sq Ft House	Difference in Rehabilitation & New Construction Cost
$34,642*	$50,000	-$15,358

*Includes $152 in delinquent taxes

Revised 1/22/93

EXHIBIT A

DATE 6/25/93

NEIGHBORHOOD DEVELOPMENT DIVISION
ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)
EVALUATION GUIDE

ADDRESS 2939 Clyde Drive (071-142-22) Census # 45.00

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS·II)

Code Order: In Rem Repair ____
Demolition ✓

Effective Year
Structure Built 1947
Style Traditional
Bedrooms 2
Sq. Ft. (House) 840
Civil Penalty ✓
Amount $4,370
Date 6/25/93

A. Current Tax Value of Structure $ 7,310
B. Land Value $ 4,500
SUB-TOTAL TAX VALUE $ 11,810
C. Estimated Cost to In Rem Repair to Code Standards $ 9,975
TOTAL $ 21,785

D. % of C divided by A < 65% of Value Yes 136 % ____ No ✓

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns
House is open and vacant and needs to be demolished as soon as possible.

Name M. D. Miller
Date Completed 6/25/93

G. Preservation Manager or Development Manager Comments

_____
_____
_____
_____
_____

Date Completed _____

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date _____

1. Negotiated Acquisition or Tax Value $ 11,810
2a. Rehabilitation (Substantial) $ 22,680
(based on average cost of CD rehabilitation x sq.ft. in house)
840 sq.ft. x $ 27 per sq.ft.
2b. Actual Cost/Cost Estimate $ N/A
3. Delinquent Taxes (if any) $ 152.49
4. Outstanding Loans/Liens (if any) $ 0

Sub-Total $ 34,642
Outstanding Loans/Liens - 0
TOTAL $ 34,642

Is Total > $50,000 Yes ____ No ✓

B. Amount of Civil Penalties $ 4370

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ✓ No ____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by HDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

840 sq. ft. x $ 41.45 $ 34,818
Plus Land Value $ 4,500

TOTAL $ 39,318

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes ____ No ✓

Name [illegible]
Date Completed 8-9-93

* House is vacant.

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

	Yes	No
1. Acquire	____	____
Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase.		
If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue.		
2. In Rem Repair	____	____
3. Demolish / Condemnation	X	____

If #1 is checked yes, NDS notifies the HRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name [illegible]
Date Completed 8-93

B. Proposed Use (to be completed by NDS)

	Yes	No
1. Retain for Use Internally	____	✓
Explain Proposed Internal Use of House		
2. Sell to Interested Purchaser Externally	____	✓
Explain Proposed External Sale of House		

C. Comments

Owner is interested in selling but no interested buyers (asking price $45,000). The property can be inventory and used by community organizations such as NWCDC that are working toward revitalizing the neighborhood

Name S Willis

Date Completed 9-3-93

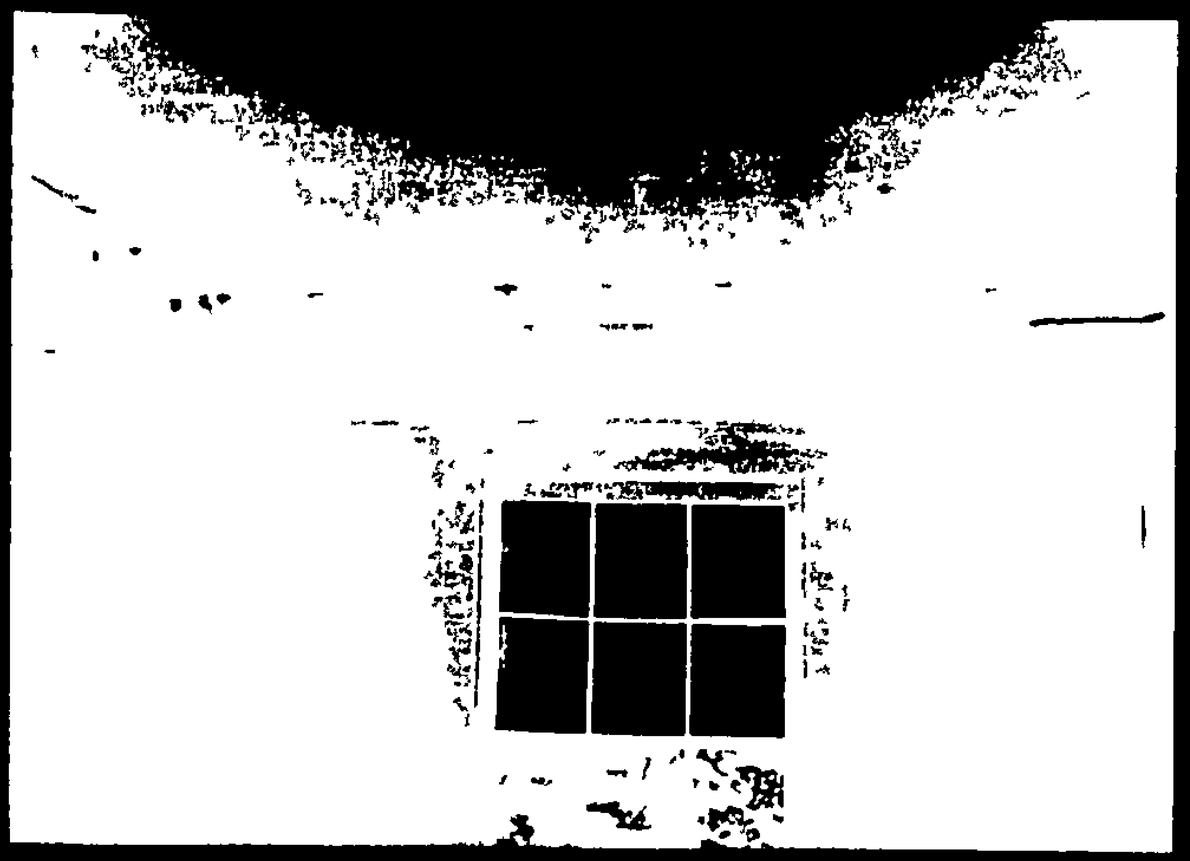
V. Community Development Director Approval ✓ Decline ____

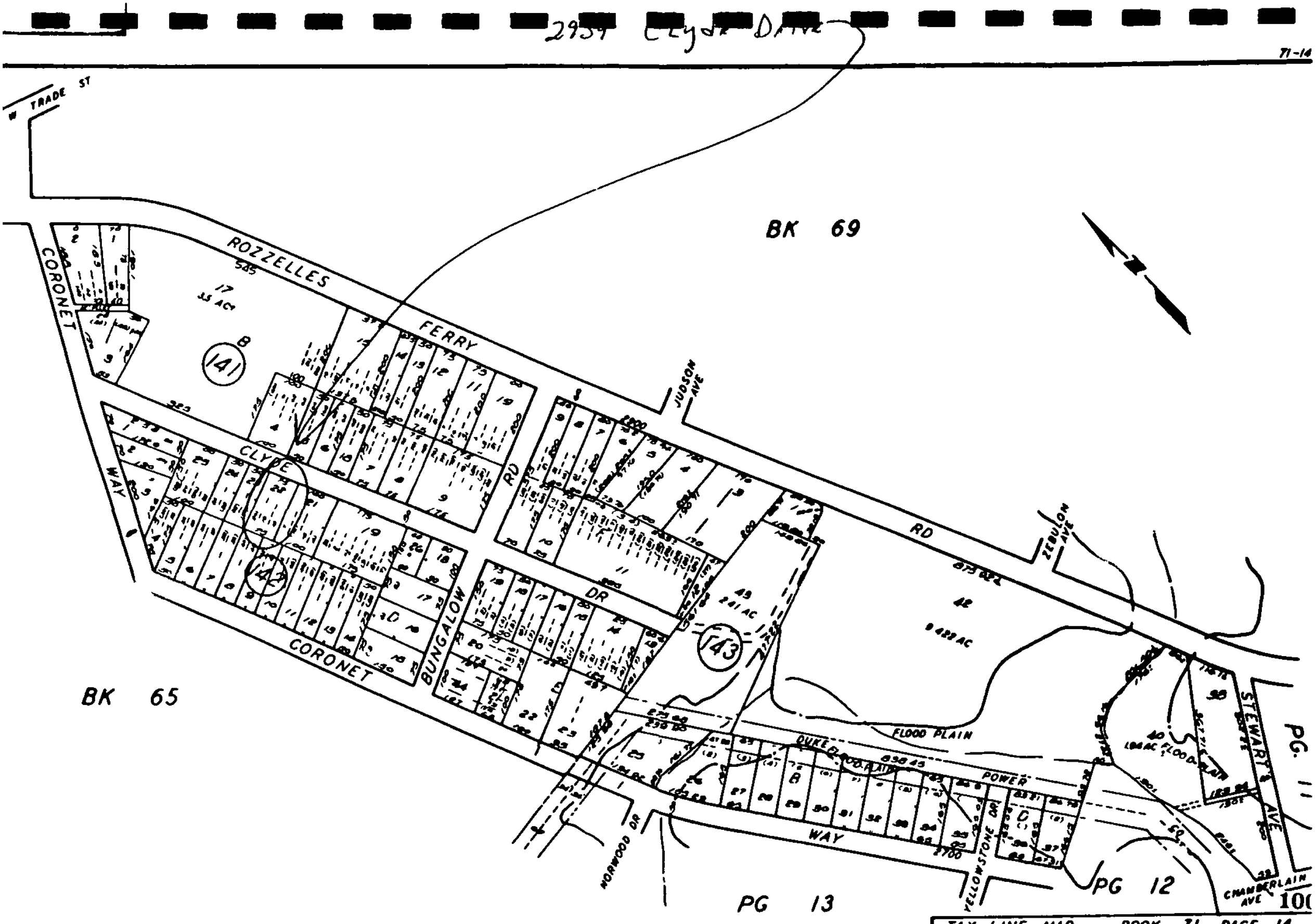
Signature J Walton 9-7-93

Director's Comment/Concerns:

Demolition

2939 Clyde DRIVE





TAX LINE MAP BOOK 71 PAGE 14
MECKLENBURG COUNTY, NORTH CAROLINA
REVISED SCALE 1" = 200'

FOR TAX PURPOSES ONLY

TAXPAYERS AND REFUNDS REQUESTED

LESS THAN $100

Name	Amount of Refund
Gallman W Whitaker	$ 19.83
Gallman W Whitaker	21.46
Gallman W Whitaker	19.31
Gallman W Whitaker	10.86
Security Pacific	38.63
Security Pacific	38.63
Buchanan Eugene	.81
Zoumas Konstadine George	76.38
Zoumas Konstadine George	58.92
Domino 77 Inc	78.51
Domino 77 Inc	76.70
Domino 77, Inc	95.49
Domino 77, Inc	51.93
Total	$587.46

TAXPAYERS AND REFUNDS REQUESTED
MORE THAN $100

Name	Amount of Refund
Phillips Eslie Rolland	$ 212.33
Westside Meats	190.99
Union Special Corp	4,208.88
Union Special Corp	3,314.84
Total	$7,927.04

SUMMARY OF BIDS

COMPANY	AL/GL/BI/PD	WC/IND/MO
Preferred Adjusters	240/140	290/75 (2 yrs)
Comp Source	N/B	360/68 (2 yrs)
Gay & Taylor	225/190	345/85
Crawford & Co.	234.50	399.25/68.50
Gen. Adjust. Bur.	332	T&E/75
Hertz	350/155 (475)	350/85
Continental	371/220 (251)	481/85
Kemper	375/350 (575/525)	627/98
Gallagher/Bassett	486/247	584/84
" "	593/302	691/88
Willis Corroon	495/295(450)	595/85
Carson Brooks	N/B	300/70
Lost Time Control	N/B	330/70
EB Services	N/B	375/75

Note: Prices bid as unit cost per claim.

Legend:

AL - Automobile Liability
GL - General Liability
BI - Bodily Injury
PD - Property Damage
WC - Workers' Compensation
IND - Indemnity
MO - Medical only

JUSTIFICATION

The Finance Department, Division of Insurance & Risk Management (DIRM), is charged with the responsibility of adjusting claims for liability or damages for the City, County and Board of Education. DIRM staff processes and settles the bulk of the liability and workers' compensation claims. A third party administrator (TPA) claims service firm is needed to assist DIRM in resolving a small percentage of claims. A TPA is required on some percentage of claims that are not cost effective to adjust with City staff due to their complexity and the amount of time consumed in handling these claims (e.g. transit bus accidents and sewer backups).

Thirteen companies responded to the Request For Proposal. All proposals were reviewed and eight companies were selected for interviews and references were contacted. Based on the information obtained, DIRM has selected Comp Sources, Inc. and Preferred Adjusters, Inc. as the best qualified providers of TPA services for the City, County, and Board of Education.

10/25/93 MEETING

CENTRAL DISTRICT PLAN REZONING DECISIONS - PART II

Decisions need to be made as follows

12.#93-55 Area A-1 - O-2 to R-5
Protest sufficient to invoke the 3/4 rule.

Han / Han
No Camp ~~tie~~ - FAILED 8-4
MC / Reid
Wheeler

The Zoning Committee recommends approval; one motion to approve or deny.

Area A-2, Area B, and Area C - R-22MF to R-5

Approved 10/11/93

The Zoning Committee recommends approval and may be done in one motion

Ord. #9

Referred & Withdrawn 13 #93-58 R-4 Area D - R-17MF to R-4
Protest sufficient to invoke 3/4 rule.

1 Han / Mayfield
Camp Rec. MAN. CLOSED
YES SCAR, HAMILTON - FAILED
MAN.
Reid - R-8MF
Subject. Can / Reid
Unan.

Zoning Committee recommends property be rezoned to R-8MF; motion to approve or deny.

14.#93-60 B-2 to B-1
Protest sufficient to invoke the 3/4 rule

Han / Sc
Defer 60 days
unan

Zoning Committee deferred action for for 60 days. 12/

15 #93-62 Area A - I-2 to I-1
Protest sufficient to invoke the 3/4 rule

Patt / Sc
Defer 60 days
unan

Zoning Committee deferred action for 60 days

Withdrawn Excused 16 #93-63 Area B - I-2 to B-1
Protest sufficient to invoke the 3/4 rule

Can / Reid
Deny B
YES-Can, Reid, McC, Man, Whe, Mais - Denied

Zoning Committee recommends denial, one motion

Ord. #10

Area C-1 - O-2 to R-22MF
Protest sufficient to invoke the 3/4 rule.

Han / Sc
App all of C as recom. with the exception of D.L. Phillips property
unan.

Zoning Committee recommends approval with the exception of the D. L. Phillips property; one motion.

Area C-2 - B-1 to R-22MF

Zoning Committee recommends approval; one motion.

Area D - B-1 and B-2 to O-2
Protest sufficient to invoke the 3/4 rule

Zoning Committee recommends denial; one motion.

Reid | Carr D Deny
YES
NO - Morgan
Denied

17 #93-64 Area B-1 - B-1 to R-4 and
Protest sufficient to invoke the 3/4 rule.

B - Ord. # 11

Zoning Committee recommends approval with the exception of the Upholstery Shop and Office parcel, one motion

Clod | Scar
App B with exception of Uph + Dental Lab property
No - McCrory
Approved

Area B-2 - O-2 to R-4
Zoning Committee recommends approval; one motion.

Clod | Morgan
C
App. unan.

C - Ord # 12

Area C - O-2 to R-4
Protest sufficient to invoke the 3/4 rule.

Zoning committee recommends approval; one motion.

18 #93-67 Area A - O-2 to R-4
Protest sufficient to invoke the 3/4 rule

Ord. # 13 for A, E + F

Zoning Committee recommends approval, one motion

Ham | Scarr
App as recommended
No - Carr, Reid
Approved 9-3

Area B - I-2 to B-2
Protest sufficient to invoke the 3/4 rule

B, C + D Deferred to 11/8/93

Zoning Committee deferred action for up to 90 days

A, E + F
Ham | Scarr to defer B, C + D 11/8
unan.

Area C - I-2 to B-2
Protest sufficient to invoke the 3/4 rule

Zoning Committee deferred for 90 days

Area D-1, D-2 and D-3
Protest sufficient to invoke the 3/4 rule on D-1 and D-2.

Zoning Committee deferred action for 90 days.

Council will need to make one motion for area D-1 and D-2 since they sufficiently protested, and a separate motion for D-3. ea

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Area E - I-1 and I-2 to B-2
Protest sufficient to invoke the 3/4 rule.

approved 9-3

Zoning Committee recommends approval, one motion

Area F - I-2 to B-2

approved 9-3

Zoning Committee recommends approval; one motion.

Reid 19 #93-69 To R-8 Area C - R-17MF to R-8
Protest is sufficient to invoke the 3/4 rule

Comp | Reid Patt Exc. Lynn Scarborough | Ham app. Subst. Majeed | Reid Deny

Zoning Committee recommends approval to R-8MF instead of R-8, one motion

Denied 7-4
No - Morgan, Clodfelter, Hammond, Scarborough

20 #93-71 R-3 to Institutional
Protest is sufficient to invoke the 3/4 rule.

Zoning Committee recommends denial, one motion.

Mc | Wke
Deny No - Morgan

21 #93-75 Area A - R-22MF to R-5
Protest is sufficient to invoke the 3/4 rule.

Ord. #14

Clod | Scar
app Rec on A
No Comp, Reid, McC
app'd. 9-3

Zoning Committee recommends approval; one motion

Ord. #15-B

Clod | Patt App B
Zman
Nay | Man
No Man, Clod, Whe, Hamm, Dery C
Can | Sc
Exclude Patt on C
Area.

Area B - R-22MF to R-8
Zoning Committee recommends approval.

Area C - R-22MF to R-8
Protest is sufficient to invoke the 3/4 rule.

DENIED 6-5 Subst Clod | Whe App sec. C
No Man Clod, Whe, Hamm, Vinroot

Zoning Committee recommends rezoning to R-12 MF.

22. #93-76 Area A - O-2 to R-22MF
Protest sufficient to invoke the 3/4 rule.

Clod | Sc plan - R-22MF
App. Rec. of plan, Hamm,
YES- Scar, Patt, Man, Clod, Man
FAILED - 6-6

Zoning Committee recommends denial, one motion.

Ord. #16

Area B - B-2 to B-1
Protest Sufficient to invoke the 3/4 rule

Clod | Sc
App - B - Carried 9-3 Reid,
No Can Sic

Zoning Committee recommends approval, one motion

23 #93-77 Area B - R-22MF to R-5
Protest sufficient to invoke the 3/4 rule

Can | Whe D.
Exc Patt App B
Sc | Hamm
No-Camp, Reid, MC, Nay
Whe FAILED 7-5

Zoning Committee recommends approval; one motion

Area D - O-2 to R-22MF
Protest sufficient to invoke the 3/4 rule.

Hamm | Clod
App Rec -D
6-5 - failed

Zoning Committee recommends approval; one motion

YES- Mangum, Clodfelter, Wheeler, Martin, Hammond, Vinroot

24 #93-78 B-2 and O-2 to B-1, O-2 and R-22MF

Ord. #17

Zoning Committee recommends approval with the modification that the B-2 property fronting on Independence Boulevard be rezoned to R-8; one motion

11/8 -

Clod | Patt Rec. of R-22MF
Move comm Rec. for properties fronting on Independence Blvd.

NO- Reid & McCrory
" Carried
Remainder failed

25.#93-79 Area A - R-22MF to R-6
Protest sufficient to invoke the 3/4 rule.

Ord. #18

Clod | Hamm
A South of Ranlo Ave unan to R-6
Part | McCorry opp. Rec
Debat. Clod | Hamm
A North of Ranlo to R-8 and 93-78 to R-8
No - McCorry, Reid, Camp, Mais
Failed 8-4

Zoning Committee recommends approval with the exception of property north of Ranlo Avenue on both sides of Torrence Street, one motion.

26 #93-81 Area A - I-1 to B-2, and Area B - I-2 to B-2
Zoning Comittee recommends approval, one motion

Ord #19 as recommended

Hamm opp unan

Sc

27 #93-82 Area A - R-22MF to B-1 and R-5
Zoning Comittee recommends approval with the exception of a 9 8 acre tract located south of Cama Street and east of I-77, one motion

Ord #20

Cam | Scar
E. Price Vinson unan
Clod | Scar app A
No - Cam | Reid carried
Reid | Scar app
Reid unan

Areas B and C- R-22 MF to R-5, and R-22MF to 4-8 and B-2 to B-1
Zoning Committee recommends approval; one motion.

Ord. #21

28 #93-83 I-2 to I-1
Protest is sufficient

Sc | Hamm
Deny - No - Mays

Zoning Committee recommends denial, one motion.

29 #93-84 Area A - R-22MF and O-2 to R-8
Protests sufficient for Areas A-1 and A-4.

A-1 Ord #22
A-4 Ord. #23
Opp remainder of A Ord. #24
Hamm | Mays
No - Reid carried

Mays | Scar
app A-1 carried
No - Cam, Reid, McCorry

Zoning Comittee recommends approval Motion needs to specify which portions of A are being covered (A-1 through A-4)

Sc | Hamm
A-4 | No. Cam & Reid carried

Area B - R-22MF to R-5
Zoning Committee recommends approval with exception of one parcel at the end of Beaux Street (061-061-33) which should be rezoned to R-8; one motion.

B Ord #25

Sc | Hamm
app. Reid carried
No - Reid

Part - C
No - McCorry carried

Area C - R-17 MF to R-8
Zoning Comittee recommends approval, one motion

C Ord. #26

Sc

30 #93-85 Areas A, B, C - O-22 to R-22MF, R-22MF and O-2 to R-5 and R-22MF to R-8
Zoning Committee recommends approval, one motion could be made for all three parts of the petition

Ord #27

Sc | Clod
app A, B unan.

31.#93-86 ~~Areas A & B~~ A - B-1 to R-22MF and O-2 to R-4

"Clod | Sc
app except for - Lund property 601 Remount
No - Reid

Sc | Part app. B
No - Reid

A - Ord #28
B - Ord #29

Zoning Committee recommends approval, one motion for both parts.

32 #93-87 Areas A, B, & C - B-1 to R-17MF, I-1 to B-1 and B-1 to R-22MF
Zoning Committee recommends approval, one motion could be made.

Area D - I-1 to R-8MF
Protest is sufficient.

Zoning Committee recommends denial; one motion

Area E - R-22MF to R-4
Protest is sufficient.

Zoning Committee recommends approval.

33 #93-88 Areas A,B,C,D & E - B-1 & I-1 to R-8, R-22MF to R-5, I-1 to R-5, I-1 to R-4; I-1 to B-1.

Zoning Committee recommends approval of entire petition; one motion could be made for all five parts

34 #93-89 Areas A & B - R-22MF to R-5 and R-22MF to R-8
Zoning Committee recommends approval of both parts; one motion could be made.

35 #93-90 Areas A & B - R-22MF to R-8 and R-22MF to R-5
Zoning Committee recommends approval; one motion could be made

36 #93-91 Areas A & B - R-22MF, Ow & B-1 to R-5, and R022MF & O-2 to R-8 and R-22MF to O-8.
Zoning Committee recommends approval, one motion for A & B.

Areas C - R-43MF to R-8MF
Protest is sufficient.

Zoning Comittee recommends approval; one motion

37.#93-92 Area A - I-2 to I-1
Protest is sufficient for Area A.

Zoning Committee recommends approval with the exception of property west of Wilmore Drive which should remain I-2.

Area B - B-2 to B-1
Zoning Committee recomends approval; one motion

Ord. # 40

| 1 | 2 | 3

Many B-
approval.

CONSENT I AGENDA ITEM Deferred to 11/8/93 Meeting

Council Agenda: 10/25/93

Project: Roll Out Garbage **User Dept:** Solid Waste (Purchasing)

FUNDING: Ctr: 50800 **Fund:**2014 **Obj. Code:** 35410 **Balance of Funds:** $1,168,000

Description: Fourteen (14) automated refuse packers

Justification: Needed for automated pickup of roll out garbage cans.

Advertised: 9/2/93 **Bids Rcvd:** 9/20/93 **Bids Expire:** 11/20/93

Summary of Bids:

HEIL/CRANE CARRIER	$1,532,720 00
Wayne/Ford	$1,533,294.00
Wayne/Crane Carrier	$1,562,190.00
Wayne/Volvo White	$1,566,840 00

MWBE Status:	**Amount**	**% of Project**	**Proj Goals**
MBE			5%
WBE			3%

Compliance: Yes. No known MWBE sources.

Program Director Concur: Yes.

Est. Cost: **% Difference** **$ Difference:** $
Consequences If Item Deferred: Trucks will not be available for roll out garbage on 7/1/94

Recommend Award to Low Bidder: Yes.

Submitted By: _____ **Approved:**_____
Gregory K. Spearman

Contact & Phone If Questions: Gregory K Spearman, ext 2933.

CONSENT II AGENDA ITEM

Council Agenda October 25, 1993

Action

1) Approval of a resolution amending the FY 94-98 Capital Improvement Program,

2) Approval of a budget ordinance appropriating $520,000 from the Mallard Creek Road Water Main From Prosperity Church Road To Beard Road Project, and

2) Approve low bid by Koppers Construction Company of Monroe, NC in the amount of $212,659 55

Explanation of Request

- The resolution revises the Mallard Creek Road Water Main From Prosperity Church Road To Beard Road Project When completed this project will consists of 9,000 feet of 16-inch water main from Prosperity Church Road To Beard Road
- Approximately 9,000 feet of this project was initiated due to citizens request for extension of water mains under the Utility Department's Street Main Extension Program
- Approval of the budget ordinance will move the construction funds into the current budget year and will allow construction of the first 2,500 feet with approval of this contract
- An additional 5,500 feet of the remaining portion of this project is currently under design Transferring of all funds at this time would allow commencement of construction of the 5,500 feet in approximately 4-5 months and it would prevent amending the CIP again within a short time frame
- This project was originally scheduled for construction in FY94-FY98

Project Water Main Construction - 16-Inch Water Main Along Mallard Creek Road And 8-Inch, 6-Inch, And 2-Inch Water Main Along Galloway Road And Garrison Road

User Dept CMUD

FUNDING. **Ctr:** 637 05 - Mallard Creek Road Water Main From Prosperity Church Road To Beard Road ($101,163 30) And 635 79 - Street Main Extension Program Water ($111,496 25) **Fund** 2071 **Obj Code** **Balance of Funds** Budget

Description: This project consists of approximately 2,510+ linear feet of 16-inch water main, 5,003+ linear feet of 8 inch water main, 1,389+ linear feet of 6-inch water main, 1,398+ linear feet of 2-inch water main, 8 fire hydrants and various other appurtenances to be performed within the rights-of-way of Mallard Creek Road, Galloway Road and Garrison Road

Justification. Construction of this project will extend water service into developing areas on Mallard Creek Road, Galloway Road and Garrison Road The need for this project is based upon the long range Generalized Land Plan 2005 to redirect growth to the northeast Construction will extend water service to residences which have requested connection to the City water system

Advertised. September 4, 1993 **Bids Rcvd·** September 28, 1993 **Bids Expire** November 28, 1993

Summary of Bids:

Koppers Construction Co	Monroe, NC	$212,659 55
Propst Construction	Concord, NC	$241,657 50
Trans-State Construction	Denver, NC	$245,393 93
Rea Brothers, Inc	Pineville, NC	$256,667 82
R H Price, Inc	Charlotte, NC	$269,024 70
McDaniel Construction Contractors	Spindale, NC	$278,114 97
W M Paris & Associates	Charlotte, NC	$296,595 97
B R S , Inc	Richfield, NC	$298,446 23

MWBE Status	**Amount**	% of Project	**Proj Goals**
MBE	0	0	3%
WBE	0	0	2%

Compliance Yes - The Contractor has complied with MWBE contract provisions which allow him to perform all the work with his own forces

Program Director Concur: Yes

Est Cost: $308,942 81 % Difference 31 12% **$ Difference** $96,283 26

Consequences If Item Deferred Bids would be valid for sixty days beyond September 28, 1993

Recommend Award To Low Bidder: Yes - Koppers Construction Company

Submitted By: _____ **Approved:** _____

Contact & Phone If Questions. Kathy Freeze - 391-5104

10/25/93
MEETING

CENTRAL DISTRICT PLAN REZONING DECISIONS - PART II

Decisions need to be made as follows

12 #93-55 Area A-1 - O-2 to R-5
Protest sufficient to invoke the 3/4 rule.

The Zoning Committee recommends approval, one motion to approve or deny.

Area A-2, Area B, and Area C - R-22MF to R-5

The Zoning Committee recommends approval and may be done in one motion

13.#93-58 Area D - R-17MF to R-4
Protest sufficient to invoke 3/4 rule.

Zoning Committee recommends property be rezoned to R-8; motion to approve or deny.

14.#93-60 B-2 to B-1
Protest sufficient to invoke the 3/4 rule.

Zoning Committee deferred action for for 60 days.

15.#93-62 Area A - I-2 to I-1
Protest sufficient to invoke the 3/4 rule.

Zoning Committee deferred action for 60 days.

16.#93-63 Area B - I-2 to B-1
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends denial; one motion.

Area C-1 - O-2 to R-22MF
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval with the exception of the D. L Phillips property; one motion.

Area C-2 - B-1 to R-22MF

Zoning Committee recommends approval, one motion.

Area D - B-1 and B-2 to O-2
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends denial; one motion.

17.#93-64 Area B-1 - B-1 to R-4 and
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval with the exception of the Upholstery Shop and Office parcel; one motion.

Area B-2 - O-2 to R-4
Zoning Committee recommends approval; one motion.

Area C - O-2 to R-4
Protest sufficient to invoke the 3/4 rule.

Zoning committee recommends approval; one motion.

18.#93-67 Area A - O-2 to R-4
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval; one motion.

Area B - I-2 to B-2
Protest sufficient to invoke the 3/4 rule.

Zoning Committee deferred action for 90 days.

Area C - I-2 to B-2
Protest sufficient to invoke the 3/4 rule

Zoning Committee deferred for 90 days

Area D-1, D-2 and D-3
Protest sufficient to invoke the 3/4 rule on D-1 and D-2

Zoning Committee deferred action for 90 days.

Council will need to make one motion for area D-1 and D-2 since they sufficiently protested, and a separate motion for D-3.

Area E - I-1 and I-2 to B-2
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval; one motion.

Area F - I-2 to B-2

Zoning Committee recommends approval; one motion.

19.#93-69 Area C - R-17MF to R-8
Protest is sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval to R-8MF instead of R-8; one motion.

20.#93-71 R-3 to Institutional
Protest is sufficient to invoke the 3/4 rule.

Zoning Committee recommends denial; one motion.

21. #93-75 Area A - R-22MF to R-5
Protest is sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval; one motion

Area B - R-22MF to R-8
Zoning Committee recommends approval.

Area C - R-22MF to R-8
Protest is sufficient to invoke the 3/4 rule.

Zoning Committee recommends rezoning to R-12 MF.

22.#93-76 Area A - O-2 to R-22MF
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends denial; one motion.

Area B - B-2 to B-1
Protest Sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval; one motion.

23.#93-77 Area B - R-22MF to R-5
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval; one motion.

Area D - O-2 to R-22MF
Protest sufficient to invoke the 3/4 rule.

Zoning Committee recommends approval; one motion.

24.#93-78 B-2 and O-2 to B-1, O-2 and R-22MF

Zoning Committee recommends approval with the modification that the B-2 property fronting on Independence Boulevard be rezoned to R-8; one motion.

25.#93-79 Area A - R-22MF to R-6
Protest sufficient to invoke the 3/4 rule

Zoning Committee recommends approval with the exception of property north of Ranlo Avenue on both sides of Torrence Street; one motion.

26.#93-81 Area A - I-1 to B-2, and Area B - I-2 to B-2
Zoning Comittee recommends approval; one motion.

27.#93-82 Area A - R-22MF to B-1 and R-5
Zoning Comittee recommends approval with the exception of a 9 8 acre tract located south of Cama Street and east of I-77; one motion.

Areas B and C- R-22 MF to R-5, and R-22MF to 4-8 and B-2 to B-1
Zoning Committee recommends approval; one motion.

28.#93-83 I-2 to I-1
Protest is sufficient

Zoning Committee recommends denial; one motion.

29.#93-84 Area A - R-22MF and O-2 to R-8
Protests sufficient for Areas A-1 and A-4.

Zoning Comittee recommends approval. Motion needs to specify which portions of A are being covered (A-1 through A-4).

Area B - R-22MF to R-5
Zoning Committee recommends approval with exception of one parcel at the end of Beaux Street (061-061-33) which should be rezoned to R-8; one motion.

Area C - R-17 MF to R-8
Zoning Comittee recommends approval; one motion

30.#93-85 Areas A, B, C - O-22 to R-22MF, R-22MF and O-2 to R-5 and R-22MF to R-8
Zoning Committee recommends approval; one motion could be made for all three parts of the petition.

31.#93-86 Areas A & B - B-1 to R-22MF and O-2 to R-4

Zoning Committee recommends approval, one motion for both parts

32 #93-87 Areas A, B, & C - B-1 to R-17MF, I-1 to B-1 and B-1 to R-22MF
Zoning Committee recommends approval; one motion could be made.

Area D - I-1 to R-8MF
Protest is sufficient.

Zoning Committee recommends denial; one motion.

Area E - R-22MF to R-4
Protest is sufficient.

Zoning Committee recommends approval.

33.#93-88 Areas A,B,C,D & E - B-1 & I-1 to R-8; R-22MF to R-5; I-1 to R-5; I-1 to R-4; I-1 to B-1.

Zoning Committee recommends approval of entire petition; one motion could be made for all five parts.

34.#93-89 Areas A & B - R-22MF to R-5 and R-22MF to R-8
Zoning Committee recommends approval of both parts; one motion could be made.

35.#93-90 Areas A & B - R-22MF to R-8 and R-22MF to R-5
Zoning Committee recommends approval; one motion could be made.

36.#93-91 Areas A & B - R-22MF, Ow & B-1 to R-5; and R022MF & O-2 to R-8 and R-22MF to O-8.
Zoning Committee recommends approval; one motion for A & B.

Areas C - R-43MF to R-8MF
Protest is sufficient.

Zoning Comittee recommends approval; one motion.

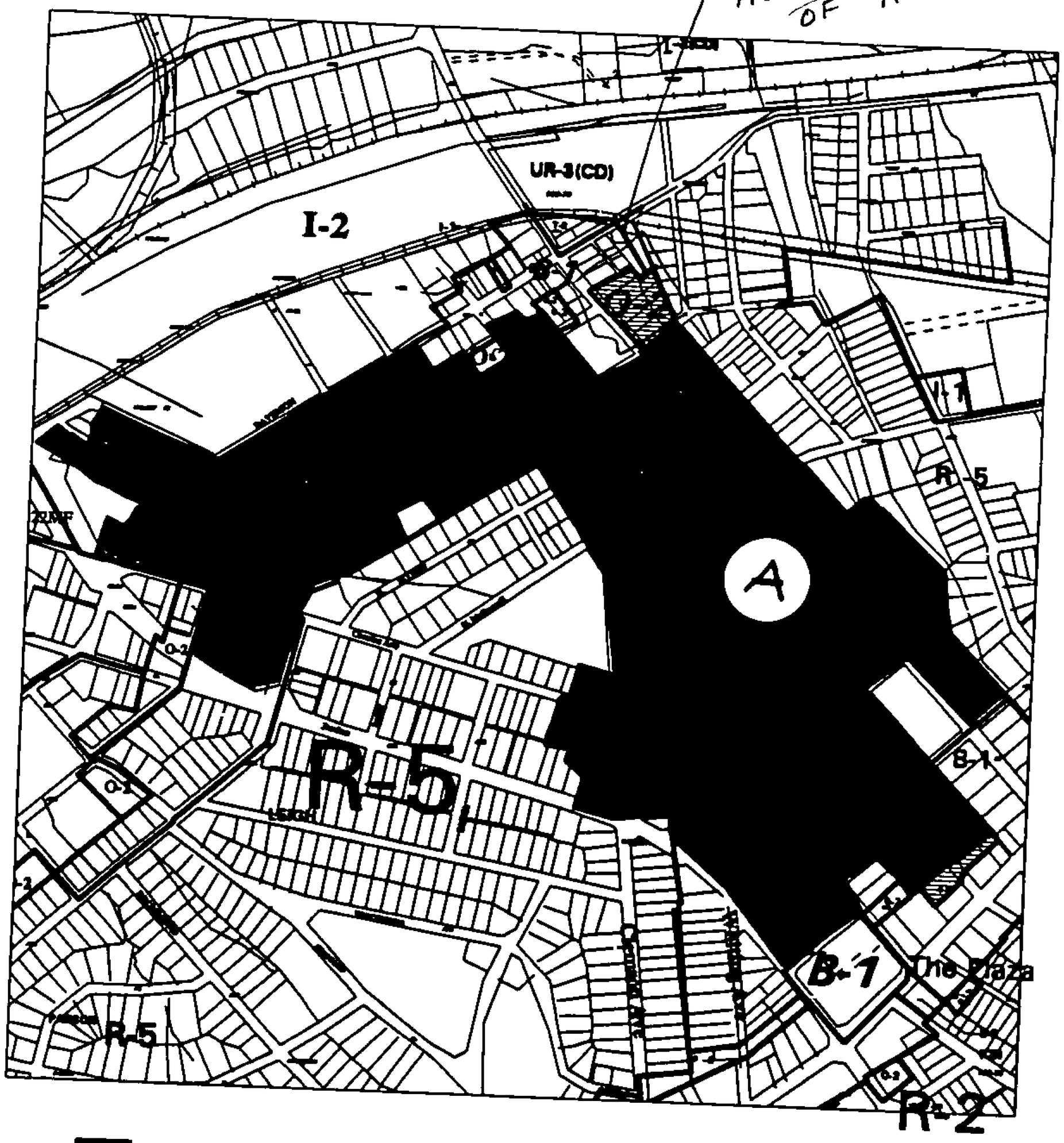
37.#93-92 Area A - I-2 to I-1
Protest is sufficient for Area A.

Zoning Committee recommends approval with the exception of property west of Wilmore Drive which should remain I-2

Area B - B-2 to B-1
Zoning Committee recomends approval, one motion.

THIS PORTION ONLY O-2 TO R-5
REMAINDER OF PETITION APPROVED
ON 10/11/93.

PROTEST SUFFICIENT ONLY AS TO THE PORTION OF "A" O-2 TO R-5



R-22MF to R-5

O-2 to R-5

93-55

Approved 10-25-93

LOCATIONAL POLICY CRITERIA

Objectives of Locational Standard

- Avoid Concentration of Low Income Persons
- Leveraging Private Dollars
- Geographic Dispersal
- Encourage economic/racial integration of Areas
- Protect racially integrated neighborhoods
- Pursue housing proposals responsive to the School System's Pupil Assignment Plan
- Promote community development of selected neighborhoods

Prohibited Areas*

1. Areas within a 1/4 mile radius (property line to property line) of any assisted housing project $\geq$ 25 units "Assisted housing" is hereafter defined as any housing project with public financial assistance such as Federal or City built public housing, public/private ventures using Low Income Housing Tax Credits and/or the City's Innovative Housing Fund and City/Housing Authority Transitional Housing; and any housing project Resolution Trust Corporation sells under RTC's Affordable Housing Program with a low income "set-aside" requirement.

2 Census tracts where 50% or more of households earn 80% or less of the City-wide median income are ineligible for additional assisted housing.

3 Census tracts where the black population exceeds 25%.

4. Census tracts where the total number of assisted housing units exceeds 5% of all housing units in a census tract

PERMISSIBLE CENSUS TRACTS

Census tracts not meeting the "prohibited" criteria and with less than the 5% maximum number of assisted housing units are eligible for additional assisted housing units, up to the maximum limit

PRIORITY CENSUS TRACTS

Census tracts not meeting the "prohibited" criteria and currently without andy assisted housing will be given priority for funding.

SPECIAL OBJECTIVE AREAS

Areas encompassing approved Small Area Plans or Special Project Plans that include recommendations for assisted housing will be considered for additional assisted housing by City Council on a case-by-case basis, even when located within census tracts meeting the "prohibited" criteria.

LONG-TERM AVAILABILITY

City has first right of refusal to purchase public/Private housing development, or the developer will provide the City with options on how the units can be maintained long term as low income housing units.

CENSUS TRACTS EXTENDING BEYOND CITY LIMITS

Prohibited, Restricted or Priority census tracts are based upon entire census tract's data.

MAXIMUM UNITS

No more than 50 units per site are permitted for all program approaches (5-10% +/- variance is permitted depending upon topography, site plan and design of units)

POLICY EXEMPTIONS

1. Elderly/handicapped housing.

2 Single-family units under Section 234 Program, North Carolina Housing Finance Agency or similar below market housing

3 Assisted housing within Community Development areas with an equal number made available outside of such areas within one year. (Community Development areas are census tracts where 50% or more of the households earn 80% or less of the local median income)

4. Assisted units developed for homeownership.

5. Project conversions defined as market rate units, where at least 51% of the units convert to assisted housing; will be considered for funding assistance on a case-by-case basis by City Council These assisted housing units will be included when calculating the 5% limit for assisted housing in a census tract Project conversions are not subject to the 1/4 mile radius criteria or the 50 unit limit per project. However, these projects will be reviewed case-by-case and are subject City Council exemption.

6. City Council can exempt projects from any of the above stated policy criteria on a case-by-case basis

NORTH CAROLINA HOUSING FIANCE AGENCY (NCHFA) BOND FINANCING

Developers of any 80%/20% developments financed by the North Carolina Housing Finance Agency are required to provide 30% of the 20% units for low income families be two and three bedroom units or to provide a justification as to why they cannot.

CONSENT II AGENDA ITEM

Council Agenda: October 25, 1993

Action

1) **Approval of a resolution amending the FY 94-98 Capital Improvement Program;**

2) **Approval of a budget ordinance appropriating $520,000 from the Mallard Creek Road Water Main From Prosperity Church Road To Beard Road Project, and**

2) **Approve low bid by Koppers Construction Company of Monroe, NC in the amount of $212,659 55.**

Explanation of Request

- The resolution revises the Mallard Creek Road Water Main From Prosperity Church Road To Beard Road Project When completed this project will consists of 9,000 feet of 16-inch water main from Prosperity Church Road To Beard Road

- Approximately 9,000 feet of this project was initiated due to citizens request for extension of water mains under the Utility Department's Street Main Extension Program

- Approval of the budget ordinance will move the construction funds into the current budget year and will allow construction of the first 2,500 feet with approval of this contract

- An additional 5,500 feet of the remaining portion of this project is currently under design Transferring of all funds at this time would allow commencement of construction of the 5,500 feet in approximately 4-5 months and it would prevent amending the CIP again within a short time frame

- This project was originally scheduled for construction in FY94 FY98

Project. *Water Main Construction - 16-Inch Water Main Along Mallard Creek Road* And 8-Inch, 6-Inch, And 2-Inch Water Main Along Galloway Road And Garrison Road

User Dept: CMUD

FUNDING: **Ctr** 637 05 - Mallard Creek Road Water Main From Prosperity Church Road To Beard Road ($101,163 30) And 635 79 - Street Main Extension Program Water ($111,496 25) **Fund·** 2071 **Obj Code** **Balance of Funds** Budget

Description This project consists of approximately 2,510+ linear feet of 16-inch water main, 5,003+ linear feet of 8-inch water main, 1,389+ linear feet of 6-inch water main, 1,398+ linear feet of 2-inch water main, 8 fire hydrants and various other appurtenances to be performed within the rights-of-way of Mallard Creek Road, Galloway Road and Garrison Road

Justification: Construction of this project will extend water service into developing areas on Mallard Creek Road, Galloway Road and Garrison Road The need for this project is based upon the long range Generalized Land Plan 2005 to redirect growth to the northeast Construction will extend water service to residences which have requested connection to the City water system

Advertised: September 4, 1993 **Bids Rcvd:** September 28, 1993 **Bids Expire:** November 28, 1993

Summary of Bids:

Koppers Construction Co	Monroe, NC	$212,659 55
Propst Construction	Concord, NC	$241,657 50
Trans-State Construction	Denver, NC	$245,393 93
Rea Brothers, Inc	Pineville, NC	$256,667 82
R H Price, Inc	Charlotte, NC	$269,024 70
McDaniel Construction Contractors	Spindale, NC	$278,114 97
W M Paris & Associates	Charlotte, NC	$296,595 97
B R S , Inc	Richfield, NC	$298,446 23

MWBE Status	Amount	% of Project	Proj Goals
MBE	0	0	3%
WBE	0	0	2%

Compliance Yes - The Contractor has complied with MWBE contract provisions which allow him to perform all the work with his own forces

Program Director Concur: Yes

Est Cost: $308,942 81 % Difference 31 12% **$ Difference** $96,283 26

Consequences If Item Deferred: Bids would be valid for sixty days beyond September 28, 1993

Recommend Award To Low Bidder Yes Koppers Construction Company

Submitted By: _____ **Approved:** _____

Contact & Phone If Questions Kathy Freeze - 391-5104

Law Offices Of

PAUL L. WHITFIELD

Professional Association

Paul L Whitfield
M Gregory Whitfield

1500 East Fourth Street
Charlotte, North Carolina 28204
Telephone (704) 372-8322

TO: **The Honorable Mayor and Members of Council, City of Charlotte**
FROM: **Paul L. Whitfield**
DATE: **October 20, 1993**
SUBJECT: **ALAMO MOTEL PUBLIC NUISANCE ACTION**

The Police Department originally asked me to close the Alamo in 1984 That request was from the then Vice-Squad Captain.

The police renewed this request in 1989 Capt S C Cook made the request in the company of Sgt Whit Neal and a uniformed officer The captain said he had orders to make this request from Commander Leonard Jones and that the request had also been cleared with Police Attorney Bob Thomas

Capt Earl Smith was also intimately involved While we were in the courtroom, Superior Court Judge Kirby asked me what the police department wanted me to do about the property and I asked Capt Earl Smith. Capt Smith told me the police department wanted me to "close her down" and "bulldoze her "

Enclosed is a photo of my completed work

I have done, on each occasion, precisely what the police department has requested me to do

In 1991 I recovered several thousand dollars for the police department by way of investigative costs I forced the owner to vacate the property and give the city a deed in lieu of foreclosure on the bond that had been posted

The property was on the tax books then for about $700,000 00 and the city could have secured all of its costs had I been permitted to proceed. Each of several previous owners dating back for about fifteen years had "dirty hands" in the law That is, they had permitted or encouraged the public nuisance There was no reason why the city should not have then become the owner of the property In fact, it <u>was</u> the owner because I had the deed in my possession on behalf of the city as its attorney of record.

I was prohibited from recording the deed to the property by Henry Underhill who ordered me not to record the deed and to take no further action in this regard.

Chief Ronnie Stone was interviewed by Steve Crump on WSOC on September 29, 1992, while standing on the Alamo site Chief Stone took credit for closing the Alamo for the police department and credited team policing Chief Stone was exactly correct in what he said. The Alamo was closed by the police department It was as a result of team policing and a good bit of lawyering

My job is done My bill has not been paid nor have my expenses

I would like to be paid on the basis of quantum meruit for the reasonable or market value of my services, not on the basis of the discount fees that were forced on me in the obscenity bookstore cases of some years ago by the deception of Mr Thomas and Mr Underhill That deception cost me about $20,000 00 over a period of years I don't think my office ought to be required to suffer a loss because of service to the police department and the city

Thank you for your prompt attention to my bill

Law Offices Of

PAUL L. WHITFIELD

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Charlotte, North Carolina 28204
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Facsimile (704) 372-1954

October 25, 1993

FOR LEGAL SERVICES RENDERED CHARLOTTE POLICE DEPARTMENT IN RE ALAMO MOTEL

ATTORNEY'S FEES	$37,687 50
PARALEGAL SERVICES	$ 2,047 20
	$39,734 70
PLUS· COSTS INCURRED	$ 651 35
TOTAL DUE	**$40,386.05**
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Charlotte, North Carolina 28204
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CONFIDENTIAL: PERSONNEL MATTERS

TO: The Honorable Mayor and Members of Council,
City of Charlotte
FROM: Paul L. Whitfield
DATE: October 25, 1993
SUBJECT: "THE REAL PROBLEM - PERSONAL ANIMOSITY"

As Paul Harvey says there is a "rest of the story"

The real problem and the reason I have not been paid for my work for the police department is professional jealousy and pettiness on the part of the police attorney's office with the knowledge, at least in significant part, of the city attorney

When I was asked by Mayor Gantt to prosecute obscenity in the bookstores several years ago, the then police attorney, Bob Thomas, accompanied me away from the meeting with the mayor and the city manager and the city attorney He told me he would like to prosecute these cases but he didn't have any trial experience He asked me for permission to "ride in a sidecar" while I prosecuted the cases I told him I would be happy to have him along He was a bit unhappy because the city had gone outside of his office to retain me to do the work

I did not know then but should have suspected what was to come

From that day forward there was no aspect of the obscenity cases that was not cleared personally with Bob Thomas He wanted a briefing from me every time the cases appeared on the calendar, even for something as routine as a calendar call He either wanted to be present or he had one of his staff and an investigator with me at all times calls

I was not permitted to speak to any police witnesses in the obscenity cases without his express permission

I was not permitted to review the evidence in any of the bookstore cases without his express permission

I was not permitted to talk to any of his staff without his express permission

I was permitted to review the evidence prior to motion hearings and prior to trial <u>only</u> in the library of the police attorney's office, by his express permission and either accompanied by him or his associate Randy Means or an investigator and in many cases all three

My numerous requests to meet with various officers in my office to prepare at my convenience were met with a stern admonition that all meetings were to take place in the police attorney's office with prior approval from Bob Thomas

In the approximate five years that I handled the obscenity cases I was never permitted to see all of the evidence at one time, never knew where it was During the life of the lawsuits I never knew the precise amount of evidence that was available because I was never permitted to see it I was permitted to view evidence as long as I was very precise about what I was asking for and only when it was delivered to the police attorney's conference room by the police investigator

Mr Thomas had some side arrangement with the city that permitted him to travel a couple of days a week to promote his consulting business Frequently I was not permitted to see files or talk to police officers in his absence even though I needed to be prepared the following Monday morning for court Because of Thomas' travel schedule, my phone requests were frequently handled five or six days later

I found it professionally very demanding and very difficult to properly prosecute the cases on behalf of the city under the constraints placed on me by Mr Thomas I never said anything at the time, but I should have complained to him, the police chief, the district attorney, the city attorney, and the mayor I didn't think any good would come from making an issue about it at the time so I said nothing That was a mistake And that mistake has now cost me my attorney/client relationship with the police department that I have represented for 27 years

I was the first assistant city attorney hired to handle litigation When I came in 1966 Bill Veeder had also hired a new police chief and the new chief insisted on legal counsel There was no money in the budget so Mr Veeder asked me if I would be the part time police attorney on an "as needed" basis I brought the first 13 public nuisance actions for the police department while I was a city employee

Since that time I have brought 80 or 90 more for the Charlotte police department, several for the county and ABC, a total of 100-110 cases

During these 27 years that I have been prosecuting public nuisances <u>all</u> of the fines and forfeitures that I have recovered have been paid directly to the city or to the city police department or to the city and county governments <u>jointly</u> as the statute requires

I am not now nor have I ever been employed by the district attorney I have been employed these 27 years only by the police department

Of the 100 or 110 lawsuits that have been filed, all have been successful That has nothing to do with my professional skill It has everything to do with the efficacy of the public nuisance statute It is one of the most significant crime fighting tools that the city has at its disposal Unfortunately, because of the statements made about me by Bob Thomas and Randy Means the police department no longer calls me This is the power the office of police attorney has over the department

When I was hired by Mayor Gantt he asked me to estimate my fees on the basis of my hourly rate I did so and as I recall my estimate was fairly close to the ultimate fees I was paid I collected all of those fees from the bookstore owners, however, and the city police department was reimbursed in full for all of the fees that were paid me

Unfortunately, I was shorted some $20,000 00 by deception on the part of Mr Thomas

I did not submit a bill for the first six months and after about six months I prepared the first bill I'm not sure to whom I sent the first bill I believe it was sent directly to the city hall When Bob Thomas ultimately came into possession of the bill he called me and told me it wasn't complete enough I prepared a second bill When he received the second bill he called me and asked me my hourly rate When I told him he told me in these precise words, "that my bills would have to be audited by him before they were paid and that if I wanted my bill paid I would have to reduce it " He told me that he had just talked with Henry Underhill and nobody in city history had ever been paid at the rate of $120 00 an hour for legal services He said that Richard Boner had been paid $90 00 an hour and that this was the highest rate of pay that any lawyer had ever been paid for handling city business per Henry Underhill This was a falsehood He knew it was false at the time he made the statement because the city council at the same time signed a contract with Jefferson Davis Gibson to handle the pavers contract at twice or three times that figure

I told Mr Thomas that I was at his mercy and that he would set whatever fee he thought was appropriate All subsequent billings were at the rate decided upon by Mr Thomas That cost me $20,000 00 approximately

After the bill was prepared in the amount that Mr Thomas dictated, he then told me that the city police were not able to pay the bill and that I would have to wait several months until the start of the new fiscal year It was about a year or fourteen months before I received my first payment after beginning work

As a result of the first six cases that I filed, about fifteen or twenty obscenity operators discontinued business The first two cases were won at jury trial The others were appealed on technicalities and the appellate court sustained our position In short, we prevailed in all the cases

The crime organization out of Cleveland hired the No 1 First Amendment lawyer in America to represent the bookstore interest, a lawyer named Schwartz from Denver His fees were several hundreds of dollars per hour I was forced to get Thomas' permission to speak to my own witness and view my own evidence

Approximately two years ago Stephanie Webster called me from the police attorney's office and reminded me that Bob Thomas was gone and that she was assuming his responsibilities as police attorney She reminded me that I was handling two cases for the police department The Alamo and the Downtown Motor Inn She demanded that I photocopy all the pleadings in both files and deliver them to her office immediately I told her that she had photocopies of all the pleadings that were forwarded routinely during the handling of the cases but I photocopied them again anyway and her investigator picked them up the following morning Some time later her investigator called our office four times one afternoon and demanded that I meet with her at eight o'clock a m the next day My staff knew that I had to be in court that day and therefore were reluctant to agree that I would meet her at eight o'clock. Later in the day her secretary called twice for a total of six times and was told the same thing The following morning Stephanie called twice and I was in the office when the second telephone call came in I was offended that Webster would call me eight times demanding that I be in her office at eight o'clock when I had court. She was irate that my office had not been responsive to her demands I guess she thought I was a rookie police officer That's the way I had been treated by her office for several years and I told her so I told her that Bob Thomas had jerked me around for five years in the handling of the obscenity cases and that I didn't want to

be jerked around any more That I had court to attend to and that I would see her when I got an opportunity Unfortunately, I was blunt in my remarks to her and that ended my relationship altogether with the police attorney's office She called around to various people, I think, including the district attorney, and suggested that I was having a nervous breakdown My impression was that she was the one having the breakdown She made the eight telephone calls, not my office

A short time thereafter a retired police officer friend of mine who sometimes does investigations for me spoke to the sergeant in records about picking up some accident reports and was told that he would be permitted to do that The following day I was telephoned by my friend that Randy Means had told the records sergeant that "we will not cooperate with Paul Whitfield's office The police department has had trouble with Paul Whitfield before " That's the kiss of death in the police department Since that time nobody from the police department has called me on any account About six months or a year later my police friend spoke to the records sergeant again He asked again about accident reports and he was told this time that the records people had been told by the police attorney not to cooperate with Paul Whitfield's office because "Paul Whitfield already made too much money " The instructions of the police attorney's office to the records people and otherwise noised about the police department and in the police community have effectively ruined my relationship with the police department at this point I was denied access to accident reports for two years because of the defamation by the police attorney's office The records are required by law to be open to the public

After I closed the Alamo I wrote a note to Stephanie Webster and asked her if she would help me collect my fees and expenses There was a long delay after which I got a note from her saying "you don't work for the police department, you work for the district attorney " AND THAT'S THE REST OF THE STORY!

The bottom line to Paul Whitfield's office is that we have lost about $150,000 00 in gross fees, lost a client relationship of more than 25 years and had our reputation in the police department effectively defamed by the reckless and untruthful statements of the police attorney's office

The only mistake that I have made in the matter was not filing suit in Federal Court against the police attorneys for their denial of the equal protection of law, interference with contract, defamation to my professional standing, violating the state's open records statute, and fraud

The question is basic fairness, not legal niceties or legal personalities