<table>
<thead>
<tr>
<th>Time</th>
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<tbody>
<tr>
<td>5:00 p.m.</td>
<td>Dinner</td>
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<tr>
<td>5:15 p.m.</td>
<td>Economic Development: Historic Preservation in Charleston</td>
</tr>
<tr>
<td>6:00 p.m.</td>
<td>HELP: Plan for Foreclosure Prevention in Charlotte-Mecklenburg</td>
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<tr>
<td>6:15 p.m.</td>
<td>Community Safety and Economic Development: Briefing on Events of May 28 in Center City</td>
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<tr>
<td>6:45 p.m.</td>
<td>Economic Development: Ballantyne Area Public/Private Partnership</td>
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<tr>
<td>7:05 p.m.</td>
<td>Environment: Revisions to the Post-Construction Controls Ordinance</td>
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<tr>
<td>7:30 p.m.</td>
<td>Citizens Forum Room 267</td>
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<tr>
<td>8:00 p.m.</td>
<td>RCA: Rezoning Petition No. 2011-020</td>
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<tr>
<td>8:15 p.m.</td>
<td>RCA: Closed Session</td>
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COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: Historic Preservation in Charleston

COUNCIL FOCUS AREA: Economic Development

RESOURCES: Mayor Joseph P. Riley, Jr.
Charleston, South Carolina

KEY POINTS:

- Mayor Foxx has invited Mayor Riley to make a presentation to Council on Charleston’s long-time initiatives to preserve its historical heritage.

COUNCIL DECISION OR DIRECTION REQUESTED:

None. This presentation is for informational purposes only.

ATTACHMENTS:

None.
TOPIC: HELP: Plan for Foreclosure Prevention in Charlotte-Mecklenburg

RESOURCES: Gerald Taylor

KEY POINTS:

- At the April 4 Citizens Forum, representatives of the local chapter of Helping Empower Local People (HELP) made a presentation to Council on foreclosures and how to prevent them in Charlotte-Mecklenburg.

- Due to time limitations, the presentation was cut short.

- Mayor Foxx has asked HELP to come back to Council to make the complete presentation.

COUNCIL DECISION OR DIRECTION REQUESTED:

None. This presentation is for informational purposes only.

ATTACHMENTS:

None.
COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: Briefing on Events of May 28 in Center City

COUNCIL FOCUS AREA: Community Safety and Economic Development

RESOURCES: Chief Rodney Monroe
Carolyn Flowers, Director Public Transit/CEO

KEY POINTS:

- On June 1, the Council requested a staff briefing on the events that occurred in the Center City on the evening of May 28.

COUNCIL DECISION OR DIRECTION REQUESTED:

None. This briefing is for informational purposes only.

ATTACHMENTS:

None.
COUNCIL WORKSHOP
AGENDA ITEM SUMMARY

TOPIC: Ballantyne Area Public/Private Partnership

COUNCIL FOCUS AREA: Economic Development

RESOURCES: Smoky Bissell, Bissell Companies
Ned Curran, Bissell Companies
Ron Kimble, City Manager’s Office
Peter Zeiler, Neighborhood and Business Services

KEY POINTS:

- The Ballantyne Area continues to experience consistent job and tax base growth for the Charlotte/Mecklenburg Region.

- This growth brings pressures upon the existing infrastructure in order to accommodate that growth, i.e. the existing infrastructure is stressed.

- The Bissell Companies will present a request for a public/private partnership that would provide that infrastructure more appropriately timed with its need, which would act as a catalyst for new job and tax base expansion.

- The Mecklenburg County Board of Commissioners is expected to hear this same request at their June 7 meeting and will be asked to consider it as well.

COUNCIL DECISION OR DIRECTION REQUESTED:

City Council will be asked if they desire to send this request to the Economic Development Committee for further study and recommendation.

ATTACHMENTS:

May 31, 2011 Letter from the Bissell Companies
May 31, 2011

Re: Ballantyne Public/Private Partnership for Economic Development

Dear Mayor Foxx and Members of Charlotte City Council:

The Bissell Companies remains fully committed to ensuring that Ballantyne Corporate Park continues to serve as an important hub for corporate locations/expansions while creating and maintaining a critical tax base to help pay for community needs such as schools, parks, roads and public safety. We are proud of the role Ballantyne has played in the success of the Charlotte-Mecklenburg Region starting in the early 1990’s with the initial rezoning of the over 2,000 acre master planned community to the present day with Ballantyne Corporate Park as the home of over 38 Fortune 500 companies.

Despite the continued success of Ballantyne, we face a challenge that if not addressed will slow down this vital economic engine. Ballantyne Corporate Park must plan now for its long term future by seeking to increase its current zoning entitlements to fulfill its vision as more of an urban center consistent with adopted community plans. In this regard, with the growth of the broader Ballantyne and south Mecklenburg area, nearby transportation infrastructure must be enhanced to address current and future needs.

To address these challenges and provide economic development and tax base benefits for our broader community, we recently filed a Rezoning Petition to increase entitlements for office, hotel and residential development within the 535 acre Ballantyne Corporate Park. In addition, we have been working productively on a preliminary basis with senior staff of the County and City on a public/private partnership to provide needed infrastructure that would act as a catalyst for new job and tax base expansion.

The public/private partnership would provide that our company complete construction of an estimated $11 million of road improvements by the end of 2014 which will allow critical coordination with NCDOT’s current plans for the widening of I-485 near Johnston Road (Hwy 521). These road improvements, to include construction/improvements to North Community House Road and a bridge over I-485, would significantly improve the area transportation network and continue Ballantyne’s economic engine.

The Bissell Companies seeks to continue discussions with the County and City on this public/private partnership which we propose to include use of the economic development grant model to reimburse our company for the costs of road improvements using 45% of the revenues from development/increases in value within the Corporate Park. This would result in 55% of the revenues going into the general funds of the County and the City for the grant period (and then 100% thereafter) helping to pay for schools, parks, public safety and other community needs.
Thank you for your consideration of this important opportunity.

Sincerely,

Ned Curran
President

CC:  Mr. Curt Walton
     Mr. Ron Kimble
     Mr. Pat Mumford
     Mr. Peter Zeiler
     Ms. Debra Campbell
     Mr. Danny Pleasant
     Mr. H.C. “Smoky” Bissell
     Mr. Jefferson W. Brown
TOPIC: Revisions to the Post-Construction Controls Ordinance

COUNCIL FOCUS AREA: Environment

RESOURCES: Daryl Hammock

KEY POINTS:

- The Post-Construction Controls Ordinance (PCCO) has been in effect since July 1, 2008.

- During implementation of the ordinance, staff has identified several areas that should be revised to provide more flexibility, to reflect recent changes in the Tree Ordinance, and to address housekeeping issues.

- The most significant of the proposed changes are:
  - Remove the applicability of natural area (tree) requirements after July 1, 2011. The tree save area required in the revised Tree Ordinance has removed the need for the PCCO to have similar requirements.
  - Allow more sites to be considered for a mitigation fee option for redevelopment. Staff has found that some redevelopment projects face substantial economic challenges accommodating water quality measures on the site. More flexibility is needed which will reduce compliance costs in many cases.

- Other less significant or housekeeping changes include:
  - Add language to prevent developers from ignoring State-required 30-foot buffers on some sites.
  - Make a housekeeping change to remove references to County watersheds not within our jurisdiction.

COUNCIL DECISION OR DIRECTION REQUESTED:

Proposed Stormwater Advisory Committee Review June 16, Proposed Public Hearing and Council decision on June 27.

ATTACHMENTS:

None.
1. **Rezoning Petition No. 2011-020**

<table>
<thead>
<tr>
<th>Action: Render a decision on proposed rezoning 2011-020 by Percival McGuire Commercial Real Estate Development for a change from R-3, single family residential to NS, neighborhood service district for approximately 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road.</th>
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</table>

**Staff Resource:** Tammie Keplinger

**Focus Area:** Transportation

**Explanation**

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred from April 25 to May 16.
- At their May 18, 2011 meeting, the Zoning Committee voted 3-2 to recommend approval of this petition with modifications. Because the petition did not receive a majority vote, it was automatically deferred to the May 25, 2011 Zoning Committee meeting.
- At the May 23, 2011 City Council meeting, the decision on this petition was scheduled for June 6, 2011 to avoid any further delays for the petitioner.
- On May 25, 2011, the Zoning Committee found the mix of nonresidential uses and designated open space of this petition to be consistent with the Northlake Area Plan but the proposed amount of retail square footage to be inconsistent with the plan by a vote of 5-2. This petition was found to be reasonable and in the public interest by a vote of 5-2.
- The Zoning Committee recommended **APPROVAL** of this petition with the following amendments by a vote of 5-2 (Fallon and Phipps dissenting):
  - A second greenway amenity area along the internal private street, near Building A, has been provided such that the overall development has better access and better relates to the future Dixon Branch and Long Creek greenways.
  - The typical 100-foot section along W.T. Harris Boulevard on sheet RZ-1 has been modified to indicate three street trees within the eight-foot planting strip and two trees behind the six-foot sidewalk.
  - Note 6 has been modified to include the following wording: “In the event that Building E is not developed as herein described, then the area vacated by the use shall become a combination of undeveloped open space and/or additional parking, vehicular circulation, service/utility functions, uninhabitable improvements (i.e.: mobile medical unit) and similar functions.”

**Attachments**

- Zoning Committee Recommendation
- Vicinity Map
- Location Map
- Site Plan
ZONING COMMITTEE RECOMMENDATION
May 25, 2011

REQUEST
Current Zoning: R-3, single family residential
Proposed Zoning: NS, neighborhood services

LOCATION
Approximately 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road.

SUMMARY OF PETITION
The petition proposes a 62,000 square foot mixed use nonresidential development.

PROPERTY OWNER
Russell Kakaley and Floreine F. Burt Family, L.P.

PETITIONER
Percival McGuire Commercial Real Estate Development

AGENT/REPRESENTATIVE
Bob Young/Robert G. Young, Inc.

COMMUNITY MEETING
Meeting is required and has been held. Report available online.

STATEMENT OF CONSISTENCY
The mix of nonresidential uses and the designated open space are found to be consistent with the Northlake Area Plan, but the proposed amount of retail square footage to be inconsistent with the plan’s 10,000 square foot limit. The overall development is found to be reasonable and in the public interest, by a 5-2 vote of the Zoning Committee (motion by Commissioner Firestone seconded by Commissioner Lipton).

ZONING COMMITTEE ACTION
The Zoning Committee voted 5-2 to recommend APPROVAL of this petition with the following modifications:

1. Provided a second greenway amenity area along the internal private street, near Building A, such that the overall development has better access and better relates to the future Dixon Branch and Long Creek greenways.
2. Modified the typical 100-foot section along W.T. Harris Boulevard on sheet RZ-1 to indicate three street trees within the eight-foot planting strip and two trees behind the six-foot sidewalk.
3. Modified Note 6 to add the following wording: "In the event that Building E is not developed as herein described, then the area vacated by the use shall become a combination of undeveloped open space and/or additional parking, vehicular circulation, service/utility functions, uninhabitable improvements (i.e. mobile medical unit) and similar functions."

VOTE
Motion/Second: Dodson/Walker
Yeas: Dodson, Firestone, Lipton, Rosenburgh, and Walker
Nays: Fallon and Phipps
Absent: None
Recused: None

ZONING COMMITTEE DISCUSSION
Staff reviewed the petition and noted all outstanding issues had been addressed.

One Commissioner asked staff to explain how the proposed retail square footage, which exceeds that recommended by the Northlake Area Plan, is appropriate. Staff stated that of the overall mixed use nonresidential development there is not a large amount of retail square footage that exceeds the 10,000 square foot limit. Staff continued by stated the site layout and design, which includes greenway amenity areas and an internal street network, resulted in an interconnected development which relates to and enhances the proposed greenway corridors. Also, the existing roadway design for W.T. Harris Boulevard makes it difficult to implement the purest
recommendation of the Northlake Area Plan.

In closing remarks, a Commissioner indicated the proposed amount of greenway area to be dedicated by the rezoning exceeds the amount recommended by the adopted plan.

MINORITY OPINION

The minority of the Zoning Committee indicted their disappointment that the recently adopted Northlake Area Plan would be amended to increase the amount of retail square footage and stated no compelling case was made to justify an increase in the retail square footage limit.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• Proposed Request Details

  The site plan accompanying this petition contains the following provisions:
  • A 62,000 square foot nonresidential development which includes the following land uses:
    • Office 26,200 square feet (Buildings C and D)
    • Retail 12,500 square feet (Buildings C and D)
    • Restaurant (sit down) or bank 9,000 square feet (Building A)
    • Restaurant (with accessory drive-through) 4,300 square feet (Building B)
    • Daycare 10,000 square feet (Building E)
  • If the 9,000 square feet allocated to Building A, which is proposed as a restaurant (sit down) or a bank, is not utilized, the remaining square footage can be transferred to Buildings C and D for office, retail and restaurant uses.
  • If the 10,000 square foot daycare use allocated to Building E is not constructed, this square footage can be transferred to Buildings C and D for additional office and retail square footage. Retail space would be limited to 2,500 square feet.
  • A maximum of two uses with accessory drive-through windows with a limit of only one restaurant with a drive-through window.
  • Internal street network to include a private street extending from the signalized intersection on W.T. Harris Boulevard to the abutting property to the east and a public street running along the eastern property line of the subject site.
  • A setback along W.T. Harris Boulevard, measuring from 30 to 35 feet from the future back of curb, which is similar to the building setback directly across W.T. Harris Boulevard.
  • Greenway dedication along both Long Creek and Dixon Branch greenway corridors.
  • Two greenway amenity areas containing various features (i.e. benches, picnic tables, etc.) abutting the greenway dedication area.
  • Lighting fixtures shall have a maximum height of 30 feet and will be capped and shielded.
  • No “wall pak” lighting will be permitted.
  • Commitments on building materials and complementary colors within the development.

• Public Plans and Policies

  The Northlake Area Plan (2008) recommends a mix of retail, office, residential and open space land uses. Retail square footage is limited to 10,000 square feet. The Plan recommends that buildings orient to the street or public/common open space and provide pedestrian access to the street. When a development is on a thoroughfare, reverse frontage is acceptable if appropriate screening and pedestrian access to the thoroughfare is provided. For development fronting a thoroughfare, provision of a secondary access point is encouraged. Buildings should also orient toward Dixon Branch and Long Creek greenways and other natural areas when feasible.

  The proposed mix of nonresidential uses and the designated open space are consistent with the Northlake Area Plan. However, the proposed amount of retail square footage is inconsistent with the maximum 10,000 square feet indicated by the adopted plan.
DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System: No comments received.
- Charlotte Department of Neighborhood & Business Services: No issues.
- Charlotte Department of Transportation: No issues.
- Charlotte Fire Department: No issues.
- Charlotte-Mecklenburg Schools: No issues.
- Charlotte-Mecklenburg Storm Water Services: No issues.
- Mecklenburg County Land Use and Environmental Services Agency: No issues.
- Mecklenburg County Parks and Recreation Department: No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- Site Design: The following explains how the petition addresses the environmentally sensitive site design guidance in the General Development Policies-Environment.
  - Protects environmentally sensitive areas by providing approximately 16.5 acres of undisturbed open space with the majority being dedicated as greenway.
  - Minimizes impacts to the City’s tree canopy by preserving existing trees in excess of minimum tree ordinance requirements.

OUTSTANDING ISSUES

- No issues.

Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Shad Spencer (704) 353-1132
Petition #: 2011-020

Acreage & Location: Approximately 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road.
Petition #: 2011-020
Petitioner: Percival McGuire Commercial Real Estate Development

Zoning Classification (Existing): R-3
(Single Family Residential, up to 3 dwelling units per acre)

Zoning Classification (Requested): NS
(Neighborhood Services)

Acreage & Location: Approximately 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road.

Map Produced by the Charlotte-Mecklenburg Planning Department
1-27-2011
2. Closed Session

| Action: | Adopt a motion to go into closed session pursuant to: A.GS 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of initial employment of an individual public officer or employee or prospective public officer or employee. |