AGENDA

Meeting Type:	Z
Date:	06/21/99

City of Charlotte, City Clerk's Office

CHARLOTTE

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Mayor Patrick McCrory *Mayor Pro Tem Lynn Wheeler*

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

Council Agenda

MONDAY, JUNE 21, 1999

5:00 pm **Council-Manager Dinner**
Meeting Chamber Conference Room

6:00 pm **Council Meeting**
Meeting Chamber

- **FY2000 & FY2001 Operating Budget Plan and FY2000-2004 Capital Investment Plan**
- **Zoning Hearings and Decisions**

CITY COUNCIL AGENDA
Monday, June 21, 1999
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1. FY2000 Operating Budget and FY2000-04 Capital Investment Plan

Action:	**Approve 1999-2000 Appropriations and Tax Levy Ordinance, the Capital Investment Plan Resolution for Fiscal Years 2000-2004, the FY2000 Pay and Benefits Resolution, and other items related to the Annual Ordinance adoption**
Committee Chair	Lynn Wheeler
Staff Resource.	Listed under each section
Policy	As required by state law the City of Charlotte adopts an annual appropriations and tax levy ordinance and considers related actions prior to June 30 of each fiscal year
Explanation:	Council is requested to adopt the following actions

A The FY2000 Appropriations and Tax Levy Ordinance (Curt Walton)

B The FY2001 Two-Year Budget Resolution (Curt Walton)

C The FY2000-2004 Capital Investment Plan Resolution (Curt Walton)

D The FY2000 Pay and Benefits Plan Resolution (Bill Wilder)

E The FY2000 Lease Purchase Agreement Resolution (Richard Martin)

F City of Charlotte/Town of Mint Hill Interlocal Agreement Amendment for Police Services (Curt Walton)

G Financial Partners Performance Review Contract Award (Curt Walton)

H Arts and Outside Agencies Contracts (Curt Walton)

I Municipal Service Districts Contracts (Curt Walton)

J Job Training Contracts (Stanley Watkins)

K Human Services Contracts (Stanley Watkins)

L Housing Development and Support Contracts (Stanley Watkins)

M Other Budgetary Items (Curt Walton)

Action: **A. Adopt the FY2000 Appropriations and Tax Levy Ordinance**

Budget Overview:

- On May 3 1999, the City Manager presented the recommended FY2000 and FY2001 Operating Budget Plan and the FY2000-2004 Capital Investment Plan to the Mayor and City Council The Mayor and City Council has held six half-day budget retreats and the required public hearing

- As tentatively approved on June 7, 1999 by straw vote the Council endorsed the following budget scenario

  - A revenue neutral tax rate of 46 7¢ a ½¢ decrease from the current year

  - A 23¢ transfer from the Storm Water tax rate to the Debt Service to support the capital program

    An average increase in Storm Water fees of 8 5% for residential customers and 7 2% for commercial customers This increase reflects the third-year implementation of phasing out the 1¢ property tax rate dedicated to Storm Water over four years and making Storm Water an enterprise fund

  - A Water and Sewer rate increase of 4 8% for residential customers

    No increase in transit fares

Regulatory user fees increase according to Council s approved cost recovery model of 60% user cost and 40% public cost Cost recovery is based on fully allocated costs

Property Tax Rate

The property tax rate for FY2000 is a total of 46 7¢ per $100 of assessed valuation This meets City Council s 1998 revenue neutral tax goal The FY2000 assessed value is estimated at $43 47 billion, with an estimated collection rate of 97 75% The distribution of the tax rate is as follows

General Operations	**38 05¢**
Debt Payments	**6.18¢**
Pay-As-You-Go Capital	**2.25¢**
Storm Water	**0.22¢**
Total	**46 70¢**

Changes to the Recommended Budget:

Additions.
Council approved the following additions to the City Manager s recommended budget on June 7 1999

1 $1,769 642 for Public Safety Pay Plan adjustments by adding an additional 5% step to the maximum for Senior Police Officer III, Police Sergeant Firefighter II Firefighter Engineer and Fire Captain

2 $12,000 for Festival in the Park

Reductions.
Council approved the following reductions to the City Manager s recommended budget on June 7 1999

1 $1,050 000 from the debt service fund which supported $30 million in unprogrammed debt capacity This transfers ¼¢ of the property tax rate from debt service to the General Fund

2 $400 000 from Council Contingency leaving a balance of $100 000

3 $312 444 is reduced from the recommended Animal Control service level change leaving a balance of $1,358 556

4 $25,000 from the Carolinas Partnership which eliminates funding for its Film Division

5 $7 198 from the Mayor and Council budget which was recommended for increases in dues and subscriptions

The recommended reductions exceed the recommended additions by $13 000, which is added to Council Contingency This brings the balance in Council Contingency to $113 000

City Council also recommended that $154 723 be included in the Manager's recommended budget for a Bulky Item Pilot program The $154 723 will be put into a contingency pending review of bulky item collection practices by Council s Restructuring Government Committee

Attachment 1
Ordinance

B. Adopt the FY2001 Operating Plan Resolution

The Manager's Recommended Budget includes recommendations for the next two years of operating budgets The first year FY2000, is listed in Section A of this Action

A resolution is adopted at the beginning of each two-year plan The resolution approves the FY2001 Operating Plan as recommended by the City Manager and as amended by Council on June 7 Adoption of the FY2001 Plan <u>does not</u> appropriate funds

Attachment 2
Resolution

C **Adopt the FY2000-2004 Capital Investment Plan Resolution**

- The resolution approves the five-year capital investment expenditure and financing plan totaling $1 5 billion

- The property tax rate dedicated to the Municipal Debt Service Fund is recommended at 6 18¢ This is a 48¢ decrease over FY99 0 23¢ of the decrease is the result of Council s revenue-neutral property tax rate budget goal the remaining 0 25¢ decrease is the result of Council s decision to transfer this amount which is estimated to generate $1 050 000, to the General Fund

- The property tax rate dedicated to the Pay-As-You Go Fund is recommended at 2 25¢ This is no change from FY99

- The Storm Water Capital Project Fund expands to $102 3 million over the next five years supported by fee increases averaging 8 5% for residential customers, 10% for commercial customers, and 10% for City facilities

- The Metropolitan Transit Commission Capital Project Funds total $48 1 million for the FY2000 interim budget $9 8 million is appropriated in the annual ordinance Remaining appropriations will be implemented when Federal and State grant applications are brought to Council for approval A 5-year transit capital plan will be developed over the next year

- The Water and Sewer Capital Program totals $412 5 million over the next five years requiring an FY2000 residential rate increase of 4 8%

Attachment 3
Resolution

D. **Adopt the FY2000 Employee Pay and Benefits Plan Resolution**

The recommendations included in the FY2000 Pay and Benefits Report as amended by City Council at their Budget Workshop on June 7 1999 include the following

Compensation

- In the **Broadbanding Pay Plan** a 5 0% total pay increase budget for each Key Business Unit including
  - 4 5% for merit increases and 5% for career development increases
  - Merit increases will range from 0% to 8% based on market position and performance level, but total increases in each Business Unit will not exceed 5 0%
  - Funds are included to move employees below 80% of market to 80%, and to address issues of employees with over 4 years of tenure in their job who are between 80% and 90% of market
  - A 5% increase to minimum and maximum rates in the Broadbanding Pay Plan
- In the **Public Safety Pay Plan**
  - Future market adjustments will be made on an annual, rather than biannual, basis FY2000 market adjustments will be made on July 7 1999

- A 5% market adjustment is included for all pay steps for Police Officer Senior Police Officer I III Firefighter I-II and Firefighter Engineer classes

- A 7 5% market adjustment is included for all pay steps for Police Sergeant and Fire Captain classes

- Funds are included for 5% step increases for employees not at the maximum step of their pay range

- An additional 5% step is added to the top of the pay range for Senior Police Officer III Firefighter II, Firefighter Engineer, Police Sergeant and Fire Captains classes
  (June 7, 1999 City Council amendment)

- Police Captains and Fire Battalion Chiefs are eligible for a 5% adjustment on July 7, 1999 and will be moved into the Broadbanding Pay Plan on that date These employees will be eligible for merit increases on their merit dates

- Educational incentive pay is moved to initial hire Employees with AA/AS degrees will begin 5% above a high school graduate Employees with BA/BS degrees will begin 10% above a high school graduate

- Medical insurance premiums for employees/retirees and the City will increase by 6%

  Dental insurance premiums for employees/retirees and the City will increase by 10%

- No change is made to life, short-term disability, or long-term disability insurance

- Medical stop-loss insurance premiums will increase by 5% (approximately $900 annually) and coverage will continue through a subsidiary of our current carrier American Insurance Group

- Changes effective July 1 1999 to the Group Life insurance coverage includes

  1 Setting the premium for claims up to $75,000 at 18/$1,000 coverage, and

  2 Setting the premium for claims over $75,000 at 23/$1,000 coverage

  It is anticipated that there will be no additional cost associated with setting the premiums at these amounts

Attachment 4
Resolution

E. The FY2000 Lease Purchase Agreement Resolution

- The FY2000 Budget includes the purchase of equipment through lease purchase The City has used this type of financing since 1982 with favorable results The FY2000 contract is recommended up to $13 5 million and includes the following

Public Safety vehicles	$7 42 million
CMU vehicles & equipment	3 00 million
Other vehicles & equipment	3 08 million

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

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

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

Attachment 5
Resolution

F. Approve the Interlocal Agreement Amendment between the City of Charlotte and Town of Mint Hill for Police Services

- The City Manager and the Town Administrator of Mint Hill recommend amending the Police Services Interlocal Agreement in the following way

  The Town of Mint Hill would fund Police Services provided by the Charlotte-Mecklenburg Police Department in accordance with the results of a costing study conducted during FY99

  - The Agreement extends the results of the FY99 costing study into the next two fiscal years by applying an inflation factor to the base year's data (FY99) The factor is determined by the market and merit rate adjustments included in the Manager's Recommended Budget for the Public Safety Pay Plan For FY2000 this factor is 10%

- Applying the costing model results in payments of $1 282,300 for FY2000 and $1 330 068 for FY2001 by the Town of Mint Hill to the City

- The Town of Mint Hill's Board of Commissioners approved the amended Agreement at their May 27, 1999 meeting

G. **Approve the Financial Partners Performance Review Contract Award**

- Staff recommends contracting with Deloitte & Touche for a price not to exceed $186 800 to conduct performance reviews for three additional financial partners the Arts and Science Council the Charlotte Center City Partners and Victim Assistance The annual budgets of these organizations total $4 079 182

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

- The FY2000 budget includes funding for 3 additional reviews In April 1999 Council s Budget Committee recommended continuation of the performance reviews and received staff's recommendation that the following financial partners be reviewed during FY2000

  1 The Arts and Science Council,
  2 Charlotte Center City Partners, and
  3 Victim Assistance

- Staff also recommended to the Budget Committee that the City exercise its option with Deloitte & Touche for a second year of reviews at a price not to exceed $186,800

Deloitte & Touche was the only bidder in 1998 and did an excellent job with the FY99 performance reviews Deloitte & Touche will once again sub-contract locally with the accounting firm of Lancaster and Martin

The evaluations will take place between June 1999 and December 1999 with a final report to City Council in February 2000 $250 000 is included in the budget for these reviews

- Council is requested to award the contract with Deloitte & Touche in an amount not to exceed $186 800

Attachment 6

Sections H-L contain contracts in excess of $100,000 Scope of services and FY2000 program objectives for each of these agencies are attached

H Approve the Arts and Outside Agencies Contracts

1 Charlotte Convention & Visitors Bureau (CCVB) $2 696 767

Funding for CCVB is derived from the proceeds of a county-wide occupancy tax

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

Attachment 7

2 Convention Center Marketing $3 9 million

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

The amount projected to be available during FY2000 for marketing the Convention Center is $3 9 million

Attachment 7

3 United Family Services (Victim Assistance) $264,127

Funding for United Family Services increased from FY99 to FY2000 The increase of $19,615 represents an 8% increase in City support to partially fund a position currently funded through the Victims of Crime Act (VOCA) grant

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

Attachment 8

4 Arts & Science Council (ASC) $2,674 580

FY2000 funding for the Arts & Science Council is increased $500,000 over the FY99 funding to support the neighborhood grants and history and heritage programs

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

Attachment 9

I Approve the Municipal Service Districts Contracts (Charlotte Center City Partners - CCCP)

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

For FY2000 the City will contract with Charlotte Center City Partners for all three Municipal Service Districts

The FY99 tax rate for each district will be maintained in FY2000

Municipal Service District 1
FY2000 Contract Amount $617 209
The FY2000 contract with CCCP for District 1 represents a 11 3% increase over the FY99 contract amount due to an increase in the projected net proceeds of the District 1 tax levy The tax rate for District 1 is 1 93¢ per $100 assessed valuation

Attachment 10

Municipal Service District 2
FY2000 Contract Amount $128,801
The FY2000 contract with CCCP for District 2 represents a 9 1% increase over the FY99 contract amount due to an increase in the projected net proceeds of the District 2 tax levy The tax rate for District 2 is 1 4¢ per $100 assessed valuation

Attachment 10

Municipal Service District 3
FY2000 Contract Amount $411 685
The FY2000 contract with CCCP for District 3 represents a 20 1% increase over the FY99 contract amount due to an increase in the projected net proceeds of the District 3 tax levy The tax rate for District 3 is 2 89¢ per $100 assessed valuation

Attachment 10

J Approve the Job Training Contracts

- On May 24, 1999 City Council approved the FY2000 Six-Month Job Training Plan The Plan identifies strategies to increase the self-sufficiency of individuals through comprehensive job training, job development and support services

- Approval of the following contract will implement the dislocated worker portion of the six-month Job Training Plan The contract is funded from Job Training Partnership Act (JTPA) grants state worker trust funds, and local money This Program assists dislocated workers in re-entering the labor force

1 Employment Security Commission $227 975

Attachment 11

K. Approve the Human Services Contracts

- The FY2000 Consolidated Housing Action Plan, approved by Council on May 24 1999 identifies priorities for federal housing and community development resources including the Community Development Block Grant (CDBG) Human services contracts for Gethsemane Enrichment After School Program and Bethlehem Center After School Program are part of the projected FY2000 CDBG-funded activities

- The contracts provide educational enrichment activities for elementary, middle and high school students of families with low incomes who reside in the City Within A City (CWAC) boundaries Charlotte-Mecklenburg Schools provide training for the city-funded after school program staff(s) under their contract The contracts are funded by the human/public services component of the CDBG program

1	Gethsemane Enrichment Program	$502 011
2	Bethlehem Center	$184 178
3	Charlotte-Mecklenburg Schools After School Care	$171 600
4	YWCA Education Enrichment	$106,182

Attachment 12

L Approve the Housing Development and Support Contracts

- The Consolidated Plan, approved by Council May 24 1999, establishes strategies to provide housing and supportive services for low- and moderate-income families and individuals as part of an overall community revitalization strategy

  1 The Charlotte-Mecklenburg Housing Partnership (CMHP) Affordable Housing Development contract is $2 1 million for FY2000 The contract includes a $100 000 increase in funding to address planning for future neighborhood housing projects

  2 The Charlotte-Mecklenburg Housing Partnership (CMHP) Special Housing Development contract for $850 000 will begin acquisition and development along the Statesville Road Corridor This is a new contract for FY2000

3 The Regional HIV/AIDS Consortium will award restricted-use grants to Charlotte to serve the seven-county Metropolitan Statistical Area (MSA) The Consortium will distribute funds available through the Housing Opportunities for People with AIDS Program (HOPWA) This contract represents the federal grant (HUD) monies for developing access to community residences, developing more affordable housing through rental assistance programs, and coordinating other supportive services for residents with HIV/AIDS The contract amount for FY2000 is $397,000

4 Crisis Assistance Ministry will assist low-income families in the City Within A City (CWAC) area by restoring water and utility services or preventing service interruption through the winter Crisis Assistance Ministry has a second contract that provides emergency rental assistance for low-income CWAC families facing eviction for non-payment of rent

a Crisis Assistance Energy Assistance $105 303

b Crisis Assistance Emergency Rental Assistance $109,200

5 Consumer Credit Counseling Services will provide housing and credit counseling for individuals and families striving for self-sufficiency and home ownership This is the second year of a three-year contract in the amount of $266,202

6 UJAMMA, Inc will assist individuals striving for home ownership via workshops and/or one-on-one counseling sessions UJAMMA offers eight hours of pre-home ownership education presented in a classroom setting Full attendance is mandatory before graduating to the home ownership component This is the second year of a three-year contract in the amount of $256 250

Attachment 13

M. Other Budgetary Items

- Sections 12 through 20 adjust several projects within the Aviation Capital Project Funds to reflect revised sources of funding

- The closeout of the former CityFair Operating Fund transfers the remaining balance of $1 090 000 to the General Fund's fund balance

- The General Fund's reserves in excess of 10% as of June 30, 1998 total $16 million and are transferred to the Capital Budget to support the FY2000-2004 Capital Investment Plan as approved by City Council

- The pre-Metropolitan Transit Commission (MTC) Transit Fund fund balance is authorized to be transferred to the Pay-As You-Go Fund for future transportation related capital projects The final amount has not yet been determined pending final closeouts

- In the Water and Sewer Capital Fund additional funds totaling $900,000 are necessary for Y2K-related capital improvements including the Water Distribution Operations Center and for additional expenditures necessary for the North Mecklenburg Water Treatment Plant construction These funds are available from additional interest earnings

- The recent increases in water consumption have resulted in an increase in the level of repairs and maintenance totaling $1,100,000 The corresponding increase in variable rate revenues will fund this change

- The FY2000-2004 Capital Investment Plan includes $3 22 million for phase III of the expansion at McDowell Wastewater Treatment Plant These funds are needed prior to the end of this fiscal year, this action requests accelerating the funding to FY99

- Sections 28 and 29 appropriate additional grant-related funds in both the Police and Fire Departments

- Section 30 authorizes the payment of $88,712 in collections in excess of budget from occupancy taxes to the Charlotte Convention and Visitors Bureau

- The remaining sections are technical accounting changes necessary to clarify or correct FY99 budgetary ordinances

ZONING AGENDA

ITEM NO

PUBLIC HEARINGS

14 (99-39) Hearing on Petition No 99-39 by Grubb Properties for a change in zoning for approximately 11 97 acres located on the southeast corner of Randolph Road and Wendwood Lane from R-3 to UR-2(CD)

A protest petition has been filed and is sufficient to invoke the ¾ voting rule

Attachment No 14

15 (99-54) Hearing on Petition No 99 54 by KidZoo Day Care Center for a change in zoning for approximately 52 acres located on Campbell Drive, north of Albemarle Road and west of N Sharon Amity Road from R-4 S U P to R-8MF(CD) and S U P termination

Attachment No 15

16 (99-56) Hearing on Petition No 99-56 by John H Tabor to consider a text amendment to the City of Charlotte Zoning Ordinance to allow more compatible uses for Outdoor Recreational Facilities adjacent to single family residential properties

Attachment No 16

17 (99-63) Hearing on Petition No 99-63 by City of Charlotte for a change in zoning for approximately 93 5 acres located on the west side of Mt Holly-Huntersville Road across from Northwoods Forest Court from R-4 LW-PA/LW-CA to R-4 LW-PA/LW CA

Attachment No 17

18 (99-64) Hearing on Petition No 99-64 by Westfield Homes of North Carolina, Inc for a change

in zoning for approximately 26 3 acres located on the southwest corner of David Cox Road and Cleve Brown Road from R-4 to R-8MF(CD)

Attachment No 18

19 (99-65) Hearing on Petition No 99-65 by Liberty Homes Inc for a change in zoning for approximately 0 45 acres located east of Chesapeake Drive and south of Auten Road from I-2(CD) to R-4

Attachment No 19

20 (99-67) Hearing on Petition No 99-67 by Earlville Farms Inc for a change in zoning for approximately 1 5 acres located south of Albemarle Road east of Farm Pond Lane from O-1 to B-1

Attachment No 20

21 (99 69) Hearing on Petition No 99-69 by Harris Capital Group Inc for a change in zoning for approximately 2 9 acres located on the northeast corner of Wallingford Street and W Exmore Street north of Woodlawn Road from I-2 to I-1

Attachment No 21

22 (99-70) Hearing on Petition No 99-54 by KidZoo Day Care Center for a change in zoning for approximately 52 acres located on Campbell Drive north of Albemarle Road and west of N Sharon Amity Road from R-4 S U P to R-8MF(CD) and S U P termination

Attachment No 22

23 (99-71) Hearing on Petition No 99-71 by Advantage Schools for a change in zoning for approximately 15 acres located south of Glory Street between W Craighead Road and W Sugar Creek Road from I-1(CD) to B-2(CD)

Attachment No 23

24 (99-72) Hearing on Petition No 99-72 by Vicky S Gonzalez for a change in zoning for approximately 1 2 acres located on the south side of Central Avenue between Norland Road and Landuse Drive north of Evergreen Cemetery from R-22MF to O-1(CD)

Attachment No 24

25 (99-73) Hearing on Petition No 99 73 by Capitol Funds Inc for a change in zoning for approximately 1 19 acres located on the northwest corner of N Church Street and W Seventh Street from UR 2 and UMUD to MUDD(CD)

Attachment No 25

26 (99-74) Hearing on Petition No 99-74SUB by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Subdivision Ordinance to reduce the minimum required building lines to the required setback for lots abutting arterial streets and to delete the sections entitled average setback" and average lot sizes for residential subdivisions

Attachment No 26

DECISIONS

27 (98-104) Decision on Petition No 98 104 by Dennis Richter for a change in zoning for approximately 2 7 acres located on the north side of East Boulevard between Kenilworth Avenue and Scott Avenue from O-2 and B-1 to MUDD(CD)

Zoning Committee voted to recommend approval of this petition

Attachment No 27

28 (98-117) Decision on Petition No 98-117 by John B Abernethy for a change in zoning for approximately 73 5 acres located on the north side of North Tryon Street opposite the intersection with Eastway Drive from R-9(CD), R-12MF(CD), B-2 and B-2(CD) to R-4(CD) R-5(CD) and B-2(CD) S P A

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

- The previously proposed multi-family residential component of this petition has been deleted Single family residential development has been substituted in its place bringing the total number of proposed single family homes up to 210 homes
- The previously proposed new access road to North Tryon Street is deleted Access will be limited to existing public streets

Attachment No 28

29 (99-09) Decision on Petition No 99-09 by Heritage Communities Inc for a change in zoning for approximately 31 4 acres located on the north side of East W T Harris Boulevard west of Old Concord Road from R-3 to R-17MF(CD)

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

Attachment No 29

30 (99-23) Decision on Petition No 99-23 by McCurry Properties for a change in zoning for approximately 2 8 acres located on the east side of South Boulevard between McDonald Avenue and Meachum Street from R-5 O-2 and B 2 and I 1 to MUDD O

A protest petition has been filed and is sufficient to invoke the ¾ rule

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

- The residential building along Euclid Avenue have been reduced to three stories in height and will be offered for sale'
- Notes will be added to the site plan specifying the screening and parking characteristics necessitating the Optional designation for this petition

Attachment No 30

31 (99-34) Decision on Petition No 99-34 by Park Selwyn LLC for a change in zoning for approximately 1 2 acres located on the north side of Woodlawn Road, west of Selwyn Avenue from R-5 to UR 2(CD)

The petition was deferred for 30 days on April 19 1999 and May 17 1999

A protest petition has been filed and is sufficient to invoke the ¾ rule

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

Attachment No 31

32 (99 36) Decision on Petition No 99 36 by St Luke s Village LLC for a change in zoning for approximately 4 95 acres located on the south side of Marsh Road west of Park Road from R-4 to R-17MF(CD)

The petition was deferred for 30 days on May 17 1999

The protest petition has been withdrawn

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

- The height of the main buildings has been lowered approximately one story (seven feet) by placing the parking partially underground The buildings have been reoriented to shield the parking entrances
- The setback of the building on the west portion of the property has been increased from 30 feet to 40 feet from Marsh Road
- A note has been added to the site plan regarding additional tree preservation and replacement
- Building elevations have been submitted as part of the site plan
- Miscellaneous minor site plan deficiencies have been corrected

Attachment No 32

33 (99-42) Decision on Petition No 99-42 for a change in zoning for approximately 38 5 acres located south of Rozzelles Ferry Road between Hovis Road and Melynda Road from I-1 and I-2 to R-5 MH-O

A protest petition has been filed and is not sufficient to invoke the ¾ rule

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

- The number of lots is reduced from 157 to 151
- The active recreation within the common open space is eliminated
- The common open space along the western property line will be undisturbed

Attachment No 33

34 (99-46) Decision on Petition No 99-46 by Keystone Realty and Development Corporation for approximately 23 acres located on the north side of Wallace Avenue west of East W T Harris Boulevard from R 3 to R-12MF(CD)

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

- Two of the three-story buildings along W T Harris Boulevard have been moved to more than 60 feet from the minimum setback line

- A note has been added to the site plan that landscaping above and beyond minimum tree ordinance standards will be required and approved through the planned multi family review process This landscaping will be within the setback along East W T Harris Boulevard

- A note has been added to the site plan that detention of the 25, 50 and 100-year storms will be provided and that release rates will not exceed those of land developed under R-3 zoning

Attachment No 34

35 (99 51) Decision on Petition No 99-51 by HFMI Properties Inc Stefan R Latorre and Bill Plummer for a change in zoning for approximately 1 9 acres located on the north side of Monroe Road between Shade Valley Road and Eaton Road from O-6(CD) to O-2

Zoning Committee voted to recommend approval of this petition

Attachment No 35

36 (99-52) Decision on Petition No 99-52 by LandCraft Properties Inc for a change in zoning for approximately 3 06 acres located on the north side of Old Plank Road east of Brookshire Freeway (NC 16) and south of Plumcrest Drive from R-3 to R-4

The Zoning Committee voted to recommend approval of this petition

Attachment No 36

37 (99-55) Decision on Petition No 99-55 by Chris Azar for a change in zoning for approximately 1 2 acres located on the northeast corner of Archdale Drive and Wensley Drive from R 8MF(CD) to R-12MF(CD)

A protest petition has been filed and is valid to invoke the ¾ rule

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

Attachment No 37

38 (99-57) Decision on Petition No 99-57 by Crosland Retail for a change in zoning for approximately 11 acres located on the northeast corner of East W T Harris Boulevard and Idlewild Road from R-4 to B-1(CD)

A protest petition has been filed and is sufficient to invoke the ¾ voting rule

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

Attachment 38

39 (99-58) Decision on Petition No 99-58 by W Patrick Burgess for a change in zoning for approximately 1 6 acres located on the west side of East W T Harris Boulevard north of Independence Boulevard (US 74) and south of Brook Canyon Drive from R-9MF(CD) to R-8

Zoning Committee voted to recommend approval of this petition

Attachment No 39

40 (99-59) Decision on Petition No 99 59 by Arrowood Limited Partnership for a change in zoning for approximately 10 acres located on the east side of England Street Extension south of Arrowood Road from BP to BD(CD)

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

- Mini-warehouses are eliminated as an allowed use
- The requested district is modified to BD(CD)

Attachment No 40

41 (99-60A B) Decision on Petition No 99-60A&B by Charlotte-Mecklenburg Planning Commission for a change in zoning for (A) approximately 1 7 acres located on the north and south sides of Arnold Drive west of Eastway Drive and east of Merry Oaks Road and (B) approximately 6 3 acres located generally on the northwest and southwest corners of the intersection of Eastway Drive and Arnold Drive requesting (A) from R 17MF to R-4 and

(B) from R-17MF to R-8

A protest petition has been filed for 99-60B and is sufficient to invoke the ¾ rule

(A) Zoning Committee voted to recommend approval of this unprotested portion of the petition

(B) Zoning Committee voted to recommend approval of the majority of this protested portion of the petition However the Zoning Committee also voted to deny the rezoning of the 1 1 acre site (Kelly property- tax parcel 095-141-35) The protest petition was filed by the owner of this property

Attachment No 41

42 (99 61A C) Decision on Petition No 99 61A-C by Charlotte-Mecklenburg Planning Commission for a change in zoning for (A) approximately 21 7 acres located north of Commonwealth Avenue west of Eastcrest Drive south of Central Avenue and east of Briar Creek (B) approximately 2 6 acres located on the east side of Wembley Drive south of Central Avenue, and (C) approximately 7 9 acres located on the northwest corner of Commonwealth Avenue and Briar Creek Road , requesting (A) change from R-43MF and B 1 to R-22MF, (B) change from R-22MF to R-12MF and (C) change from R 22MF to R-8

Zoning Committee voted to recommend approval of all three portions of this petition

Attachment No 42

43 (99-62A F) Decision on Petition No 99-62A-F by Charlotte-Mecklenburg Planning Commission for a change in zoning for (A) approximately 5 4 acres located on the southeast corner of Briar Creek Road and Creighton Drive, (B) approximately 0 44 acres located on the east and west sides of Commonwealth Avenue south of Woodland Drive (C) approximately 0 19 acres located on the southwest corner of Barnhill Drive, west of Pinecrest Avenue (D) approximately 0 54 acres located on the south side of Barnhill Drive west of Pinecrest Avenue, (E) approximately 5 1 acres located on the south side of Central Avenue between Briar Creek Road and Carolyn Drive (F) approximately 7 7 acres located on the west side of Eastway Drive south of Biscayne Drive and north of East Independence Boulevard, requesting (A) change from R 22MF to R-12MF, (B) change from B 1 to R-4 (C) change from O-2 to R-4, (D) change from O-2 to R-22MF, (E) change from R 22MF to R-12MF, and (F) change from R 22MF to R 17MF

A protest petition has been filed on 99-62(E) and is sufficient to invoke the ¾ rule

Zoning Committee voted to recommend approval of parts A, B, C D, & F of this petition

Attachment No 43

44 (99-75) Decision on Petition No 99-75 by Charlotte-Mecklenburg Planning Commission to consider a text amendment to the City of Charlotte Zoning Ordinance to allow driveways for all types of residential uses to be used to park and maneuver cars within the setback as well as allow these drivewavs to be designed to allow cars to back directly onto a public street

Zoning Committee voted to recommend approval of this petition

Attachment No 44

lution calling for public hearings on Monday July 19 1999 at 6 00 p m in the Meeting Chamber of the Charlotte-Mecklenburg Government Center for Petitions Nos 99-53 99-68 and 99-76 through 99-88