AGENDA

Meeting Type:	B
Date	08-28-1989
SUBJECT	

City of Charlotte, City Clerk's Office

CHARLOTTE

Council Agenda August 28, 1989

FILE COPY

CHARLOTTE

Meetings in August '89

THE WEEK OF AUGUST 1 - AUGUST 5

1	Tuesday, 3 00 p m	CULTURAL STUDY COMMITTEE - CMGC, Conference Center, Room 271
	Tuesday, 4 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Discovery Place Omnimax Ad Hoc Committee - CMGC, 8th Floor Conference Room
	Tuesday, 6 00 p m	CHARLOTTE ADVISORY PARKS COMMITTEE - CMGC, Conference Center, Room 267

THE WEEK OF AUGUST 6 - AUGUST 12

7	Monday, 5 00 p m	CITY COUNCIL WORKSHOP - CMGC, Conference Center, Room 267
9	Wednesday, 8 30 a m	CIVIL SERVICE BOARD - CMGC, 7th Floor Conference Room
	Wednesday, 9 30 a m	CIVIL SERVICE BOARD - CMGC, Room 118
	Wednesday, 4 00 p m	HISTORIC DISTRICT COMMISSION - CMGC, 8th Floor Conference Room

THE WEEK OF AUGUST 13 - AUGUST 19

14	Monday, 7 30 p m	HISTORIC PROPERTIES COMMISSION - 1221 S Caldwell Street
15	Tuesday, 2 00 p m	HOUSING AUTHORITY - 1301 South Boulevard
	Tuesday, 3 00 p m	CULTURAL STUDY COMMITTEE - CMGC, Conference Center, Room 271
	Tuesday, 4 00 p m	AIRPORT ADVISORY COMMITTEE - Charlotte/Douglas International Airport, Conference Room A
17	Thursday, 8 00 a m	CLEAN CITY COMMITTEE - CMGC, Conference Center, Room 267
	Thursday, 5 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room

THE WEEK OF AUGUST 20 - AUGUST 26

There are no meetings scheduled for this week

THE WEEK OF AUGUST 27 - AUGUST 31

28	Monday, 12 Noon	CITY COUNCIL/Executive Session - CMGC, Meeting Chamber
	Monday, 1 00 p m	CITY/MANAGER LUNCHEON - CMGC, Meeting Chamber Conference Room
	Monday, 2 00 p m	CITIZENS HEARING - CMGC, Meeting Chamber
	Monday, 2 30 p m	CITY COUNCIL MEETING - CMGC, Meeting Chamber
29	Tuesday, 2 00 p m	CITY ZONING BOARD OF ADJUSTMENT - Agricultural Extension Service, Large Conference Room, 700 North Tryon Street
31	Thursday, 4 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Executive Committee - CMGC, 8th Floor Conference Room
	Thursday, 5 00 p m	CHARLOTTE-MECKLENBURG ART COMMISSION/Board Meeting - CMGC, 8th Floor Conference Room

These organizations will not meet in August:
Charlotte-Mecklenburg Planning Commission
Community Facilities Committee
Housing Appeals Board
Specialized Transportation Advisory Committee

Public Service And Information Department

600 East Fourth Street

Charlotte NC 28202 2861

704/336-2395

August 28, 1989 City Council Agenda
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CHARLOTTE

Mayor Sue Myrick | Mayor Pro Tem Al Rousso

John A (Gus) Campbell | Roy Matthews
Stanley M Campbell | Cyndee Patterson
Dan Clodfelter | Ella Butler Scarborough
Charlie S Dannelly | Richard Vinroot
Gloria Fenning | Velia W Woollen

Council Agenda

Monday, August 28, 1989

12 00 Noon	Executive Session
2 00 PM	Citizens Hearing
2 30 PM	Council Meeting

ITEM NO

1 Invocation by Rev Brooks Graebner of St Peter's Episcopal Church

2 Consider approval of minutes of July 17, Zoning Hearings and the July 25 Regular Meeting and August 7 Council Workshop

PUBLIC HEARINGS

3 A Conduct a public hearing to abandon a portion of Palmer Street and Pitcher Street

B Recommend adoption of a resolution to close a portion of Palmer Street and Pitcher Street

Petitioner Charlotte Pipe and Foundry Company
Right-of-Way to be Abandoned A portion of Palmer Street and Pitcher Street
Location Between Interstate 277 and the Norfolk Southern Railroad
Reason To incorporate rights-of-way into adjoining parcels for future plant expansion

Clearances City departments and private utility companies no objection This area is not within limits of a neighborhood association

Funding No City funds are involved

Map Attached

Attachment No 1

4 A Conduct a public hearing to obtain the views of citizens on a proposed ordinance to amend the Charlotte Housing Code

B Recommend adoption of the proposed ordinance to amend the Charlotte Housing Code

Proposed Amendment: The amendment will authorize the Community Development Director to grant absentee owners, including all current active absentee code cases, additional time above that which is currently authorized when circumstances warrant additional time to complete Housing Code violations The compliance time can be extended from the currently approved 90 days to 180 days

Criteria for Extensions: The criteria to evaluate a request for extension will include

1) There must be no dangerous conditions that affect the health or safety of the occupants or the neighborhood

2 The owners must submit a plan that identifies the work to be done, and a schedule with a projected completion date Community Development will review the information and the Director will determine the compliance date If the compliance date is not met after all extensions are given, civil penalties will go into effect

On May 22, 1989 Council approved an amendment to the Housing Code that authorized the Community Development Director to grant extensions of up to one year for owner occupants That is working well, and the proposed amendment will give us more flexibility in correcting Housing Code violations

Funds: No City funds will be expended in implementing this ordinance

Clearances: This ordinance has been reviewed by the City Attorney and the Community Development Director

POLICY

5 Consider Transportation Committee's recommendation in directing the City's representative to the Metropolitan Planning Organization concerning alignment selection for the eastern circumferential to (A) approve the Technical Coordinating Committee's recommended alignment within Charlotte's sphere of influence and concurrence of Mint Hill's preference within the Mint Hill sphere of influence, and (B) not use Charlotte's weighted vote

Eastern Circumferential

The eastern circumferential is a proposed major thoroughfare which will provide a connection between the UNCC/US 29 North area and US 74 East at its intersection with Sardis Road North As envisioned, this thoroughfare would be constructed primarily within a 100 foot right-of-way and be very similar to the cross section of Fairview Road between Sharon and Providence Roads

Spheres of Influence

The portion of the proposed thoroughfare from Mallard Creek Road to McAlpine Creek is within the City of Charlotte's sphere of influence This section is 75 percent (9 3 miles) of the total project distance The other 25 percent or 2 7 miles (from the Charlotte City limits southward) is within the Town of Mint Hill's sphere of influence

New Roadway Location

The original 1983 Charlotte-Mecklenburg Thoroughfare Plan proposed that the eastern segment of the Charlotte Outer Loop be located in the general corridor east of the Harris Boulevard/Newell-Hickory Grove Road/Delta Road thoroughfare and west of Mint Hill In March 1988, the Metropolitan Planning Organization (MPO) selected an alignment for the Outer Loop that was further east, while directing local transportation staff to continue protecting a 100 foot corridor along the western alignment This new roadway's location in the western alignment was to be refined using the design criteria of a major thoroughfare (which are substantially different than those for a freeway)

Transportation staff from the City Engineering Department, Charlotte Department of Transportation, Charlotte-Mecklenburg Planning Department, and County Engineering Department presented the various alignments for the roadway at a June 8, 1989 public workshop attended by about 300 citizens The MPO reviewed this same information at their July 19, 1989 meeting

Alternatives

Four alternatives were considered by the Technical Coordinating Committee for the Eastern Circumferential At its July 19, 1989 meeting, the TCC approved an alignment (Attachment 1) which includes segments from each of the four primary alignments The recommended alignment's impacts are shown in Attachment 2

The TCC's recommendation was discussed at the MPO's July meeting MPO members had few comments about the TCC's recommended alignment north of McAlpine Creek (within Charlotte's sphere of the influence) There was considerable discussion regarding the TCC's proposed use of Wilson Grove, Lebanon, and Margaret Wallace Roads rather than constructing a new segment through the Edinborough Woods and Bent Creek subdivisions Attachment 3 compares the impacts of Segments A7 and B9 (TCC's recommendation) and Segment C4 (supported by Mint Hill) Each of these segments is located within either Mint Hill's corporate limits or sphere of influence

Attachment No 2

6 Consider the Transportation Committee's unanimous recommendation to approve the 2005 Transportation Plan and to direct the City's representative to the Metropolitan Planning Organization concerning adoption of the Plan

Recommendation: Council's Transportation Committee meeting on August 9, 1989, unanimously recommended Council adoption of the 2005 Transportation Plan. Council is requested to adopt the 2005 Transportation Plan and to authorize their representative to the MPO to support the Plan at the MPO's September, 1989 meeting

2005 Plan: Attached is a draft of the 2005 Transportation Plan Council has previously adopted or reviewed the three primary components of the plan

- 1988 Charlotte-Mecklenburg Thoroughfare Plan. This update of the 1983 Thoroughfare Plan was adopted by Council on January 23, 1989 following approval by the Metropolitan Planning Organization (MPO) on November 30, 1988 All local governments except Mint Hill have adopted the new Thoroughfare Plan

- Transit Corridors Study Harvey Joyner of Barton-Aschman Associates presented the study recommendations at a December 8, 1988 Council workshop The final report will be completed this month

- Roadway Project Priority Council adopted on June 12, 1989 a revision of the 1997 project rankings included in the 2005 Transportation Plan The adopted roadway list, changed slightly by the addition of a "current congestion" criterium, guided preparation of the project rankings in the area's FY 1990-94 Transportation Improvement Program

During the analysis of future travel conditions, the Department of Transportation identified 76 unfunded roadway projects needed by 2005 to meet projected auto traffic Tables 2 and 3 in the 2005 Transportation Plan list these projects The list of projects includes widening segments of several major thoroughfares from four to six lanes to provide acceptable levels of service in 2005

Some of the projects would have significant land use impacts because they occur in developed areas with substantial residential frontage The transportation benefits of these projects will have to be evaluated carefully in light of expected negative impacts

Attachment No 3

7 (88-10) Decision on Petition No 88-10 by the Charlotte-Mecklenburg Planning Commission to amend the text of the City of Charlotte Zoning Ordinance section 3053 6 7 "First Floor Retail Required"

The Planning Committee recommends that the amendment, as modified, be approved

Attachment No 4

8 (88-67) Decision on Petition No 88-67 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from I-3 to U-MUD for a 3 4 acre site comprising two blocks bounded by West Sixth Street, West Fifth Street, the Southern Railroad, and North Graham Street

A protest petition has been filed and found sufficient to invoke the 3/4 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 approved to the U-MUD district

Attachment No 5

9 (88-90) Decision on Petition No 88-90 by Edens and Avant, Inc , for a change in zoning from R-12 to B-1(CD) for a 4 92 acre site located on the southerly side of Matthews-Pineville Road (N C 51) east of Blue Heron Drive

This petition was replaced by 89-20 which was approved by City Council on May 15, 1989 Petition No 88-90 is on your agenda for housekeeping purposes

The Zoning Committee recommends that the petition be denied

Attachment No 6

10 (89-37) A. Decision on Petition No 89-37 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2 to B-1 and O-6 along Lyon Court.

A protest petition has been filed to invoke the 3/4 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 the petition be approved

Attachment No 7

B Lyon Court Street Closing

Options and associated costs for closing Lyon Court follow

1 Erect a simple guardrail barricade without any pavement removal - $0 (existing operating budget)

2 Construct a turn-around on the residential side and require that a turn-around be built on the business side as a condition of a future rezoning and redevelopment of the property - $15,300

3 Construct turnarounds on both sides of the closure. $53,300

Selection of options 2 or 3 requires adoption of a budget ordinance for the cost of the improvements The funding source for these improvements is the General Fund Contingency (balance $400,000)

C Adoption of an ordinance appropriating funds necessary for construction of the improvements

11 (89-48) Decision on Petition No 89-48 by Mecklenburg County Building Standards for consideration of a text amendment to section Nos 3063, 3073 and 3127 to allow veterinary outpatient clinics in all Business and Industrial Districts

The Planning Committee recommends that this petition be approved

Attachment No 8

12 (89-57) Decision on Petition No. 89-57 by Crown Point Plaza Associates for a Text Amendment to Section No 3210 3 to allow the sale of building materials at retail in a B-1SCD District under prescribed conditions

The Planning Committee recommends that this petition be approved

Attachment No 9

13 (89-53) Decision on Petition No 89-53 by John Usdan, Lemberg Syndicate, Charlotte Joint Venture, for a change in zoning from B-2 to B-1SCD for approximately 14 acres located on the east side of South Boulevard between Archdale Drive and Emerywood Drive

The Zoning Committee deferred action on this request with the consent of the petitioner to continue to work on technical problems with the site plan

Attachment No 10

14 (89-58) Decision on Petition No 89-58 by St Luke Baptist Church for a change in zoning from R-6MF to R-I for a 2 3 acre site located along Montreat Street near Rodey Avenue and Norris Avenue

The Zoning Committee recommends that this petition be approved

Attachment No 11

15 (89-59) Decision on Petition No 89-59 by Flavius J Settin for a change in zoning from R-6MF to I-1(CD) for a 36 acre site located on the south side of Elmin Street to the east of Old Steele Creek Road

The Zoning Committee recommends that this petition be deferred for thirty days and the Zoning Administrator's office report on possible illegal industrial storage on adjacent tracts

Attachment No 12

16 (89-60) Decision on Petition No. 89-60 by Frank J LaPointe a change in zoning from R-9 to O-15(CD) and B-2(CD) for a 15 4 acre site located on the east side of Independence Boulevard, north of Margaret Wallace Road fronting along both sides of Delta Road Extension (Harris Boulevard)

A protest petition has been filed to invoke the 3/4 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 deferred action on this request indefinitely at the request of the petitioner

Attachment No 13

17.(89-61) Decision on Petition No. 89-61 by The Pantry for a change in zoning from O-6 to B-1(CD) for a 1 34 acre site located on the west side of North Sharon Amity Road north of Central Avenue

The Zoning Committee recommends that this petition be denied

Attachment No 14

18 (89-62) Decision on Petition No. 89-62 by Fralin and Waldron, Inc for a change in zoning from R-12 to R-9MF(CD) for a 5 acre site located on the east side of Toddville Road south of Freedom Drive

The Zoning Committee recommends that this petition be approved

Attachment No 15

19 (89-63) Decision on Petition No 89-63 by the City of Charlotte to establish zoning jurisdiction of the City of Charlotte in newly annexed areas

The Zoning Committee recommends that this petition be approved

Attachment No 16

20 (89-64) Decision on Petition No 89-64 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from B-2, R-6MF and O-6 to R-9 and O-6 for several parcels totaling approximately 5 3 acres on the westerly side of West Park Avenue along portions of Southwood Avenue and along portions of South Tryon Street near its intersection with West Park Avenue

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

The Zoning Committee recommends that this petition be approved with the exception of two parcels Lots No 27 and 28 on the appropriate tax map, both located at the intersection of West Park Avenue and South Tryon Street, would remain zoned B-2

Attachment No 17

21 (89-65) Decision on Petition No 89-65 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2 to I-1 for several parcels totaling approximately 2 6 acres located on the northwesterly corner of South Tryon Street and West Summit Avenue

The Zoning Committee recommends that this petition be approved

Attachment No 18

22 (89-66) Decision on Petition No 89-66 by the Charlotte-Mecklenburg Planning Commission for a change in zoning from I-2 and I-3 to U-MUD for 8 4 acres bounded by West Independence Boulevard (Carson Boulevard), Morehead Street, Winnifred Street and the John Belk Freeway

The Zoning Committee deferred action on this request and asked the staff to provide additional information regarding the U-MUD category

Attachment No 19

23 Recommend adoption of a Resolution of Consideration for each of the 11 annexation study areas A series of official maps of each study area will be on file with the City Clerk

Annexation State law requires that areas being considered for annexation must be identified at least one year before the beginning of formal annexation proceedings. City Council must then wait one full year (but no more than two years) before initiating formal annexation proceedings

11 Areas The Planning staff has identified 11 areas which appear likely to qualify for annexation during the two-year life span of the resolution All or part of these areas can eventually be proposed for annexation, depending on the results of eligibility studies Prior to the start of the next formal annexation process (August 1990), staff will present the results of a cost benefit analysis of past annexations conducted by the Urban Institute

The annexation study areas are

1) Prosperity Church Road/Browne Road
2) Old Concord Road/I-85
3) Plott Road
4) Margaret Wallace Road/Independence Blvd
5) Hembstead/Providence Plantation
6) Providence Road/Providence Road West
7) Elm Lane West/Providence Road West
8) Beam Road/Shopton Road
9) Parkway Plaza
10) Wilmount Road/West Boulevard
11) NC 16/NC 27

Timetable The following is a timetable of major steps in the annexation process

August 1989	-	Adopt resolution of consideration, outlining general areas that may be eligible
April/May 1990	-	Discuss the results of Urban Institute's study at Council workshop
August 1990	-	Adopt resolution of intent, given specific boundaries of proposed annexation areas.
September 1990	-	Approve annexation reports
October 1990	-	Hold public hearings
January 1991	-	Adopt annexation ordinances
June 30, 1991	-	Effective date of annexation

Funds — Estimated revenue, service costs, and capital improvement expenditures are customarily presented in the "Preliminary Annexation Report" to be submitted in August, 1990 at the conclusion of detailed studies

Clearances — The study areas have been reviewed by the Legal and Planning Departments

A map is attached.

Attachment No 20

24 Recommend approval of the Charlotte-Mecklenburg Art Commission's recommendation of art work by Kathy Triplett for the Charlotte-Mecklenburg Utility Department (CMUD) and authorization to negotiate and execute a contract with Kathy Triplett not to exceed $12,000

CMUD Building — The Utility Department's administration building on Belhaven Boulevard is being expanded The proposed artwork will be located in the lobby. Representatives of the Art Commission will be available to discuss the artwork at the Council meeting, a model will also be available

Kathy Triplett Recommended — November, 1988 - the Ad Hoc Advisory Committee for CMUD met to discuss the budget, schedule, process and sites available for artwork

February, 1989 - the Ad Hoc Committee approved the prospectus for the project, which was mailed to North Carolina artists only. The project was also advertised in the Charlotte Observer and the Arts Journal

April, 1989 - the Ad Hoc Committee reviewed the submissions and selected three semi-finalists for the project Kathy Triplett, Paul Sires, and Cary Esser

May - these artists met with the Ad Hoc Committee at CMUD to discuss the project

The artists began working on their presentations, and made their proposals to the Ad Hoc Committee on July 18, 1989

The Ad Hoc Committee unanimously selected Kathy Triplett to recommend to the Art Commission on July 27, 1989.

- July 27 - the Art Commission unanimously approved the Ad Hoc Committee's recommendation of Kathy Triplett

Funds — Water and Sewer Capital Improvement Fund - (CMUD Administration Building Expansion)

Clearances — CMUD Ad Hoc Advisory Committee and Charlotte-Mecklenburg Art Commission.

Kathy Triplett's resume and proposal are attached.

Attachment No 21

25 Recommend approval of the workshop agenda for Tuesday, September 5.

Discussion of the two productivity committee reports Organization Review Advisory Committee and Advisory Committee on Performance Appraisal and Incentive Programs

HAP/Innovative Housing Discussion

BUSINESS

26 Recommend that Council (1) appropriate $5 87 million to the Capital Equipment Fund representing the FY 90 Equipment Lease-Purchase Program (2) Amend the FY 90 Budget Ordinance to revise the contribution from the General Fund to the Debt Service Fund for lease purchase payment, etc

Lease Purchase Financing — Because legislation affecting FY90 lease-purchase financing was not approved by the N C legislature until August 1, 1989, the City has not been able to enter into a lease-purchase financing Lease-purchase financing is used to buy large capital outlay items for the City's operating departments This delay in financing required an alternative method of funding for 93 police cars that were ordered in April 1989 and delivered in July 1989 Police cars were to be financed from the FY90 lease-purchase program

The delay and subsequent action have resulted in the following

1 A portion of the funds which had been previously set aside for yard waste trucks, 800 MgHz system, and recycling trucks were used to purchase police cars.

2 Yard waste trucks have been placed on the FY90 lease-purchase financing program

3 The first year requirement to meet lease-purchase obligations is lowered from $1,540,693 to $200,000 (an interest only payment is due in FY90)

4 $558,797 of the balance generated from #3 above is required to be returned to the Capital Equipment Fund to replenish funds used to buy police cars

5 $781,896 is available in FY90 to be transferred to Council's Contingency in the General Capital Improvement Fund

6 Lease-purchase payments for FY90 equipment will be lower in FY91 but higher in FY92, FY93 and FY94 The total five year cost to the City remains approximately the same

The Finance Department has now requested lease-purchase financing proposals from a number of firms and expects to bring a recommendation back to Council in late September for a $5 87 million lease-purchase program

Funds (1) FY 90 Lease Purchase Financing
(2) FY 90 Appropriation ordinance as amended

Clearances These ordinances have been cleared through Legal, Finance and Budget

27 Recommend repairs to the storm drainage system at 1726 East Eighth Street and assess the total costs of improvements on private property to the involved property owner in accordance with the City Charter Section 6 101

Location. 1726 East Eighth Street

Property Owner Gloria R Long

Reason. Hazardous street flooding in the 400 block of Lamar Avenue is caused by a blockage of the pipe on private property at 1726 East Eighth Street The repair necessary is clearing the outlet of an existing 15-inch pipe Street Maintenance has cleaned the pipe in the right-of-way as much as possible Mrs

Long's property does not qualify for the Storm Drainage Repair Policy because she is not experiencing flooding or erosion of her property The problem is a lack of maintenance. Engineering has contacted her several times beginning June 15, 1989 A letter hand delivered to her July 27 indicated that City Council would be asked to take enforcement action if the necessary repairs were not completed

Charter Provisions:
Section 6 101 of the City Charter states that City Council has the power to require that all property owners provide adequate drainage facilities to permit the natural flow of water and in case of the property owner's failure to do so, enter and make the repairs and charge the costs to the property owner

Total Estimated Cost for Repairs: $1,000 (all on private property).

Clearances The Street Maintenance Division concurs in the need to correct the problem Mrs Long has been notified of this request by letter

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The City Attorney advises that agenda items no 28 through 50 may be considered in one motion However, any member of Council may request that an item be divided and voted on separately

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BUDGET ORDINANCE

28 A Recommend adoption of a budget ordinance of $337,716.25 to appropriate the State's share of costs for the replacement of Birchwood Drive culvert over Gum Branch

Budget Ordinance The following Bid section recommends a bid award of $404,815 31 to Crowder Construction Company for construction of the Birchwood Drive culvert Additionally, $17,330 will be required for anticipated project administration bringing the total remaining cost of the project to $422,145 31

This budget ordinance will appropriate the State's share, $337,716.25, which represents 80% of the costs The City's share of 20%, $84,429 06, is available through the Capital Improvement Program's Bridge Replacement Account.

Funds N C Department of Transportation

B Recommend adoption of a budget ordinance to transfer $3,243,500 00 of 1988 Sewer Bonds previously approved for the composting complex to the effluent filtration system at the McAlpine Creek Wastewater Treatment Plant

Filter Unit Bids #29 H and I in the following Bid section are recommended bid awards for construction of a filter unit at the McAlpine Creek Wastewater Treatment Plant This is another phase of the on-going expansion and improvements at the plant

Cost The estimated cost of the filtration system includes

general contract	$3,664,000
electrical	422,500
emergency services	357,000
contingency	200,000

This represents a project cost of $4,643,500 for the complete phase The budgeted amount for the project was $1,400,000 and was based on an earlier estimate from the project engineer, CH2M Hill (The original estimate was made in 1986 It was difficult to develop an accurate estimate because of the uniqueness of the filter unit which must be developed for the site)

Current estimates by the engineers on this project indicate that the bids as submitted are reasonable Based on the operational requirements of the filter unit (filters must be able to handle total flow of the plant), a reduction in the scope of the project is not feasible

BID LIST

29 Recommend adoption of the bid list as shown. The following contract awards are all low bid and within budget estimate unless otherwise noted. Each project or purchase was authorized in the annual budget.

A 2 - Diesel Engines Utility Dept.

Recommendation: By the Purchasing Director and the Utility Director that the low bid, Carolina Tractor & Equipment Company, Charlotte, N C , in the amount of $88,170.00, be accepted for award of contract

Project Description. These engines will replace the existing gasoline motors on the emergency pumps at Vest Treatment Plant

Source of Funding. Water and Sewer Fund - (Vest Treatment Plant)

B Work Clothing Various Depts

Recommendation: By the Purchasing Director that the low bid, Anderson Uniform Company, Harrisburg, N C , in the amount of $137,440.50, be accepted for award of contract

Project Description: This work clothing will be used by City employees in the performance of their various duties for protection and identification purposes

Source of Funding. Airport Operating Fund Water and Sewer Operating Fund - (Various Divisions) General Fund - (Operations - Street Maintenance) General Fund - (Operations - Sanitation) General Fund - (Operations - Special Services) General Fund - (Parks and Recreation) General Fund - (Engineering) Community Development Fund

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C Seating (Desk Chairs, Side Chairs and Public seating) Various Depts

Recommendation By the Budget Department and the Purchasing Director that the lowest responsive bidder, Office Environments, Charlotte, N C , in the amount of $77,409.95, be accepted for award of contract on a unit price basis.

Project Description. This furniture will replace worn out furniture and will be in conformance with standard

guidelines that have been developed for the Charlotte-Mecklenburg Government Center

Source of Funding. General Capital Equipment Fund

D Copy Machine Rental (2 machines, 1 ea for locations 1 & 2) — Police Dept

Recommendation. By Police Chief and Purchasing Director that the low bid meeting specifications, Eastman Kodak Company, Charlotte, N C , in the amount of $105,576.00 (total for two years rental and supplies), be accepted for award of contract

Project Description Copy machines will replace equipment under rental agreements due to expire September 30, 1989

Source of Funding General Fund - (Police/Records)

E 800 Megahertz Radio System (Various Radio Equipment) — Fire, General Sers , & Park & Rec Depts

Recommendation. By the Purchasing Director, General Services Director, Fire Chief, and Park & Recreation Director that this radio system be purchased from the existing County Contract #9355 with Motorola, Inc , Charlotte, N C , in the amount of $2,824,372.00 Contract #9355 was awarded to Motorola, Inc by the Board of County Commissioners on September 6, 1988

Project Description. The 800 MgHz radio system that Council approved as part of the FY90 budget includes radios and dispatch consoles for Police, Fire, and Park Rangers, and capital equipment for an antenna and microwave system Equipment for the Police Department was approved on July 25, 1989

Approximately $1 8 million of the purchase on this agenda is for capital equipment; the remainder is radio equipment for the Fire Department and Park Rangers

Source of Funding General Capital Improvement Fund - (Public Safety Radio System) General Capital Equipment Replacement Fund - (800 MgHz System)

F Envelope Inserting & Mailing System — Finance/Revenue

Recommendation: By Purchasing Director and Finance Director that the bid from Bell & Howell Phillipsburg Company, Charlotte, N. C., in the amount of $147,300.00, be accepted for award of contract.

Project Description. This replacement equipment will be used by the Revenue Division to process the 120,000 monthly water/sewer bills

Source of Funding: General Capital Equipment Fund - (Finance - Accounting) Water and Sewer Fund - (Water and Sewer Accounts) General Fund - (Finance - Revenue)

G Graphics for Concourses A,B,C and D — Aviation

Recommendation. The Aviation Director recommends that the low bid from Cummings Signs, Inc. in the amount of $348,598.00 be accepted for the award of contract on this project

Project Description· Due to construction of Concourse D, an international facility and other new facilities, new signage is needed for the new concourse and throughout the terminal The proposed signage has been developed with the assistance of the same consultant who devised the exterior overhead sign system Signs for the international concourse will have the capability to display three languages City Council approved an appropriation for new signs in the 1987 Revenue Bonds

Source of Funding. Airport Construction Fund - (International and Commuter Facilities - 1987 Airport Revenue Bonds)

H McAlpine Creek Wastewater Treatment Plant - Effluent Filtration System Contract I - General Construction — Charlotte-Mecklenburg Utility Department

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Christopher Construction Company of Columbus, Ohio, in the amount of $3,664,000 00 be accepted for award of contract on a lump sum basis.

Project Description: Construction of the new filtration system will allow the McAlpine Creek Wastewater Treatment Plant to achieve a consistent level of wastewater treatment This project is an additional phase of the upgrading of the McAlpine Plant and part of the Utility Department's plan for McAlpine to meet EPA/State permit requirements

Source of Funding. Water and Sewer Capital Improvement Fund - (McAlpine Creek Wastewater Treatment Plant Filter Unit) Requires Budget Ordinance

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I McAlpine Creek Wastewater Treatment Plant - Effluent Filtration System Contract II - Electrical Work — Charlotte-Mecklenburg Utility Department

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by Ind-Com Electric Company, Inc. of Charlotte, North Carolina, in the amount of $422,500.00 be accepted for award of contract on a lump sum basis

Project Description. This project consists of all electrical work associated with construction of the new effluent filtration system at the McAlpine Creek Wastewater Treatment Plant

Source of Funding. Water and Sewer Capital Improvement Fund - (McAlpine Creek Wastewater Treatment Plant Filter Unit) Requires Budget Ordinance

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J Water Distribution Project 16-Inch Water Main Along W T Harris Boulevard - From U S 29 To N C 49 — Charlotte-Mecklenburg Utility Department

Recommendation Director, Charlotte-Mecklenburg Utility Department recommends that the low bid by W. M. Paris & Associates, Inc. of Charlotte, North Carolina in the amount of $184,639.09 be accepted for award of contract on a unit price basis

Project Description. Construction of this project would extend water service along W T Harris Boulevard from U S 29 To N C 49

Source of Funding Water and Sewer Capital Improvement Fund - (Water Main Along W T Harris Boulevard)

K Birchwood Drive Bridge Replacement Engineering

Recommendation. By the City Engineer that the bid of $404,815.31, as submitted by Rea Construction Co., be accepted for award on a unit price basis.

Project Description: Bridge was inspected by NCDOT under their maintenance program and recommendation was that structure be replaced Work involves the replacement of an old one-span steel and timber bridge with a new concrete box culvert and the relocation of crossing site in order to eliminate a sharp curve.

Source of Funding. This project will initially be funded through the Bridge Replacement Account Through a municipal agreement with the North Carolina Department of Transportation, the City will be refunded 80% of the approved allowable project costs

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L Park Road Alignment - Phase II Engineering

Recommendation. By the City Engineer that the low bid of $1,438,797 12, as submitted by Crowder Construction, be accepted for award on a unit price basis.

Project Description. The project provides for the construction of a four-lane roadway from Archdale Drive to Goneaway Road

Source of Funding. General Capital Improvement Fund - (Park Road Widening - 1987 and 1988 Street Bonds)

M Fairview Road/Carmel Road Widening and Intersection Improvements Engineering

Recommendation By the City Engineer that the low bid of $503,803 26, as submitted by Ferebee Corporation, be accepted for award on a unit price basis.

Project Description. This is a TSM intersection and due to the large increase in the volume of traffic in this area, is at the top of the list of suggested intersection improvements to be made around the city This project involves the widening of Fairview Road intersection and Carmel Road between Fairview Road and Sharonview Road Meetings have been held with the neighborhood and Country Day School

Source of Funding General Capital Improvement Fund - (TSM Intersection Improvements - Auto Privilege Tax)

N Bryant/Southside Park Renovations Engineering

Recommendation. By the City Engineer that the low bid of $99,963.15, as submitted by T. K. Browne Construction, be accepted for award on a unit price basis

Project Description. Bryant Park, 1800 West Morehead, and Southside Park, 1600 Remount Road are on the priority list identified by the Engineering Department's Park Design team for receipt of improvements and rehabilitation under funding for the current budget year

Renovations include playground equipment relocation, landscaping, building a new basketball court, and a picnic shelter

Source of Funding. General Capital Improvement Fund - (Improvements to Existing Parks)

O 1989 Parking Lot Repairs Engineering

$212,420 51

Recommendation: By the City Engineer that the low bid of ~~$212,420.15~~, as submitted by Rea Construction Co., be accepted for award on a unit price basis

Project Description. This project consists of storm drainage, 6" base repair, adjusting structures, concrete and asphalt curb, riprap, concrete pads, and resurfacing on city-owned parking lots at various locations throughout the city

Source of Funding. General Capital Improvement Fund - (Parking Lot Repairs - Pay-As-You-Go Tax Levy Funding)

P Central Avenue/Hawthorne Lane Intersection Improvements Engineering

Recommendation By the City Engineer that the low bid of $626,701.06, as submitted by Blythe Industries, Inc., be accepted for award on a unit price basis.

Project Description. This project provides for the addition of a left-turn-only lane along both approaches of Central Avenue Hawthorne Lane will be realigned for proper thorough movement and additional storage capacity will be

provided for the existing right-turn lane at 10th/Louise/ Central intersection The work includes paving, widening, grading, concrete curb and gutter, sidewalk, drainage and landscaping

In 1985, the Central/Hawthorne intersection was identified by the Charlotte Department of Transportation as having a high accident rate and operating at 10% above capacity The Engineering Department was charged with the responsibility to plan, design, and construct the Central/Hawthorne intersection improvement project The consultant, HDR Engineering, Inc , was selected to design this intersection improvement

During the planning phase, City staff conducted three public meetings to describe the alternatives to the public and gather their comments Two alternatives were presented to the public at these meetings One alternative improved the intersection by widening to the north side of Central Avenue. The other alternative widened to the south side of Central Avenue After reviewing the cost/benefit analysis, property impacts and public comments, City staff recommended the alternative of widening to the north side of Central Avenue

During the design phase of this project, pavement/soil testing identified voids under the existing pavement section The consultant, HDR Engineering, Inc , and City staff concurred that the existing pavement would require removal and replacement within the project limits

Source of Funding: General Capital Improvement Fund - (TSM Intersection Improvements - Auto Privilege Tax)

CONTRACT AMENDMENT

30 Recommend approval of Amendment No 4 to the engineering design contract for the Central/Hawthorne intersection with HDR Engineering, Inc. of North Carolina, for $106,300 00 to perform construction administration services for Central Avenue/ Hawthorne Lane Intersection Improvements Project and for the Parking Lot Repair Project.

Amendment The design services for the Central/Hawthorne project are now complete and the project is scheduled to begin construction in September, 1989 (Award of the construction bid was the previous agenda item) In order to negotiate the lowest fees with HDR Engineering, construction

administration services for this project were combined with construction administration services for the parking lot repair project. The level of service, however, will be in accordance with City and North Carolina Department of Transportation Standards

Construction Administration: Approximately 80% of the contract amount will be for construction administration of the Central/Hawthorne project; the remaining 20% for the parking lot program Construction administration involves

- an on-site inspector
- coordination of traffic control plans, utilities, surveying, reviewing results of lab tests for proper pavement/asphalt mix
- coordination between City and contractor
- reviewing payments to contractors, preparing change orders, analyzing claims from contractors
- final inspection of work in accordance with design plans, warranty inspections

Funds: TSM Intersection Improvements and Parking Lot Repair Capital accounts

Clearances: The amendment has been reviewed by the City Attorney and approved by the appropriate City staff

CONTRACT

31 Recommend approval of Touche Ross & Co , certified public accountants, to provide audit services to the City to include the financial and accounting records and annual financial report for the fiscal year ending June 30, 1989 for a fee of $69,250

Touche Ross: It is Council's policy that audit firms provide services on a rotating basis for periods not to exceed four years Using an audit proposal process, the firm of Touche, Ross & Company was selected in 1988 This recommended contract with Touche, Ross is for the second year

Funds: Various funds (General, Water and Sewer, Airport, Public Transportation, Community Development and Employment and Training)

Clearances: Finance

ORDINANCE/CONTRACT

32. Recommend adoption of an ordinance for $55,000 and approval of a contract with Mecklenburg County for the distribution and administration of the City's Emergency Shelter Grant Program funds of $55,000

Council Action: On January 23, 1989, City Council approved an Emergency Shelter Grant application to HUD for $55,000 and a proposal to continue contracting with Mecklenburg County for the administration and distribution of the funds This action will appropriate the funds and authorize a contract with Mecklenburg County which will again contract with the Men's Emergency and Transitional Center, Inc for the distribution of the funds

Emergency Shelter Grant: In November 1987, City Council appropriated $59,000 of HUD Emergency Shelter Grant funds to assist the City's homeless and contracted with Mecklenburg County for the administration and distribution of the funds On May 9, 1988, City Council amended the existing $59,000 contract to include a second Emergency Shelter Grant allocation of $9,000 Mecklenburg County in turn contracted with Men's Emergency and Transitional Center, Inc As of June 12, 1989, all funds had been allotted to the Center and and expended for services as listed·

Essential Services*	$ 2,653 61
Operations	65,346 39

* Includes services concerned with employment, physical health, mental health, substance abuse, education and food.

Clearances: Community Development Department

AGREEMENT

33 Recommend approval of an agreement for engineering services with the J E Greiner Company of Raleigh, North Carolina, for $58,320 00 for the design of improvements to the Seventh Street/Caswell Road/Pecan Avenue Intersection

TSM Intersection	The Seventh Street/Caswell Road/Pecan Avenue intersection has been identified as a Transportation System Management (TSM) intersection due to high traffic congestion
Neighborhood Approval	The Engineering Department has completed the planning/public involvement phase for the project The concept plan for proposed intersection improvements has been approved by the affected property owners and representatives of the Elizabeth neighborhood
Selection Process	The City Council approved consultant selection process was used to recommend the J E Greiner Company
Improvements	The intersection improvements include Widening along the south side of Caswell Road for approximately 350' to provide a right-turn-only lane onto Seventh Street Moving the curb line on the north side of Caswell Road to the south, resulting in the removal of excess pavement and the creation of a planting strip between the proposed curb and sidewalk. Improvement of the transit radius to facilitate right turns by buses from outbound Seventh Street onto Caswell Road.
Funds	TSM Intersection Improvements Capital Account
Clearances	The contract has been reviewed by CDOT staff and the City Attorney and reviewed and approved by Engineering

CHANGE ORDER

34 A. Recommend approval of Change Order Number 9 for $96,105.00 with P C Godfrey Inc for the Spirit Square renovations project.

Contract.	Spirit Square Renovations/Mechanical
Contractor	P C Godfrey, Inc
Contract Amount	$818,778 00
Date of Award	August 1, 1988
Change Order·	$ 96,105 00

Change Order	The Mecklenburg County Board of Commissioners approved $100,000 00 in the County's 1989-90 fiscal year budget for Spirit Square These funds are to be used specifically for the design and installation of an expanded comprehensive energy management system for Spirit Square
Funds	Spirit Square Renovations Capital Account
Clearances	This change order has been reviewed by the City attorney and approved by the architect, the Engineering Dept , and Spirit Square

B Recommend approval of Change Order No 1 to the Rama Road widening contract for $65,656 00 with Propst Construction Company, Inc

Contract·	Rama Road Widening
Award Date	November 14, 1988
Contractor	Propst Construction Co , Inc
Contract Amount	$3,756,022.61
Change Order·	$ 65,656 00

Reason for Change Order	The City has received complaints of flooding problems along Lynbrook Drive and a tributary of McMullen Creek This area is a part of the drainage system affected by the improvements being made to Rama Road This change order will upgrade the drainage system to increase its capacity and alleviate the flooding problems
Funds	Rama Road Widening Account
Clearances	This change order has been reviewed by the City Attorney and approved by the Engineering Department

INTERLOCAL AGREEMENT AMENDMENT

35. Recommend adoption of a resolution to authorize Amendment No. 3 to the interlocal agreement between the City and the Town of Matthews pertaining to the delivery of animals to the Charlotte-Mecklenburg Animal Control Division.

Amendment This amendment will allow Matthews' animal control officers to deliver animals impounded within the corporate limits of Matthews to the Charlotte-Mecklenburg Animal Shelter Once the animal is in the shelter, our Animal Control ordinance and practices will apply, and all fines, fees, etc collected will be kept by the City

Should any unusual costs result, the Town will be billed for actual cost In March 1989, Council authorized such an arrangement with Cornelius

Clearances The Town of Matthews has approved the amendment and the City Attorney's Office has reviewed it

RESOLUTION

36 Recommend adoption of a resolution requesting approval of the N C. Local Government Commission for allocation of the two ½% local option sales taxes for General Government purposes

Council Action Adoption of this resolution is a technicality required by the State to implement Council's policy of using the two ½% local option sales taxes for general government purposes

Clearances This resolution has been cleared through Legal and Finance

ALL HAZARDS PLAN

37 Recommend approval of the "Charlotte-Mecklenburg County Integrated Response Plan for All Hazards"

All Hazards Plan

A study was performed for Emergency Management by Centralina Council of Governments which assessed the types of disasters/emergency situations that could potentially threaten Charlotte and Mecklenburg County This information was used as the basis for a comprehensive planning guide for emergency response called the Charlotte-Mecklenburg County Integrated Response Plan for All Hazards (All Hazards Plan). This plan would be used as the emergency response guide for city and county government during disaster or emergency conditions

Council Approval Required

In order to use the All Hazards Plan, under Federal and State guidelines, it must be approved by the Charlotte City Council and the Board of County Commissioners The Board of County Commissioners approved the plan at their meeting of July 10, 1989.

A copy of the plan is in the Council library, a summary is attached

Attachment No 22

COG CHARTER AMENDMENTS

38 Recommend adoption of the Restated Charter of the Centralina Council of Governments

COG

Charlotte, along with 56 other local governmental units, is a member of the Centralina Council of Governments.

Charter Amendments

In July, a number of routine amendments to the COG charter were approved unanimously by the COG member delegates and each member organization is now asked to ratify the changes There are no major substantive or philosophical changes in the charter

Clearances

The changes have been reviewed by the City Attorney.

JAZZCHARLOTTE

39 Recommend [redacted] endorsing JazzCharlotte 1989 and authorizing the City of Charlotte to enter into an agreement with SpringFest, Inc and take other necessary action for JazzCharlotte 1989 to be held September 9 and 10, 1989.

Resolution Adoption of the resolution authorizes and approves (1) the City Manager to execute the agreement with SpringFest, Inc., (2) the temporary closing of segments of City streets, (3) the use of City sidewalks within the boundaries of the closed streets, (4) the use of designated public open space within the boundaries of the closed streets for various activities, (5) the issuance of a permit for the consumption of beer and/or wine on public property during the event which will be used only if the proper liquor liability insurance is procured, and (6) the power to levy certain fees The City's support activities will be coordinated through the Operations Department

Jazz-Charlotte JazzCharlotte, sponsored by SpringFest, Inc , is scheduled for September 9 and 10, 1989 The proposed site plan (copy attached) calls for portions of Fifth and Sixth Streets and portions of Church, Poplar and Pine Streets to be closed from Friday evening to Sunday evening Free public performances will be held in Fourth Ward Park, and two other locations within the site

Attachment No 23

SUBLEASE

40 Recommend Council authorize Science Museums of Charlotte, Inc., DBA "Discovery Place" to enter into a one-year sublease with Travelease Bus Tours, Inc , on the old transit garage property

Sublease The City leases the old transit garage property to Discovery Place This action will authorize Discovery Place to enter into a one year sublease with Travelease Bus Lines, Inc to handle Discovery Place's offsite bus parking

Travelease Bus Lines, Inc , would assume all costs of providing a drivers' lounge and dispatch services for Discovery Place and will make all

improvements necessary to provide these services This arrangement will make available the museum's present bus parking lot for car parking to service not only the museum but also the Charlotte Convention and Visitor's Bureau Information Center. This does not impact the First Ward Plan or the use of the old transit facility parking lot for First Ward School and the Convention Center.

Recommendation: That City Council authorize Science Museums of Charlotte, Inc , DBA Discovery, Place to enter into a sublease with Travelease Bus Lines, Inc , for $1 00

Clearances: Legal Dept., Insurance & Risk Management, Planning staff, and Engineering/Real Estate Div reviewed and approved this sublease

RENTAL REHABILITATION LOAN

41 Recommend approval of a second loan agreement with James M Howell d/b/a Borgin Properties under the Rental Rehabilitation Program for $50,000 to rehabilitate 32 units located on Yandle Lane, Ervin Lane, Aileen Circle and China Grove Church Road (formerly Old Pineville Rd) in the Sterling Community

Project Description: The loan to James Howell will be used to help rehabilitate 32 housing units located on Yandle Lane, Ervin Lane, Aileen Circle and China Grove Church Road (formerly Old Pineville Rd) in the Sterling community There are four one-bedroom, 24 two-bedroom, three three-bedroom and one four-bedroom units in this project The units are and will be rented to low income families

Background and funding information is attached.

Funds: Rental Rehabilitation Program HUD Grant Funds

Clearances: The loan application has been reviewed by the Community Development Department staff and all criteria for qualifying for financial assistance have been met by the applicant in accordance with the requirements outlined in the Rental Rehabilitation Program.

Attachment No 24

HOUSING CODE

42. Funds for the following housing code violations are available, liens will be placed against the properties for the costs incurred Detailed information is attached.

A Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1312 Beatties Ford Road (Oaklawn Park)

B Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2545 Hemphill Street (Carr Heights)

C Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2720 Duncan Avenue (Villa Heights)

D Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 912 Campus Street (Washington Heights)

E Recommend adoption of an ordinance authorizing the use of in rem remedy to correct code violations at 2245 Sharon Road (Myers Park)

F Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1812 Wayt Street (Greenville)

G Recommend adoption of an ordinance authorizing the use of in rem remedy to correct code violations at 121 Goff Street (Hoskins)

Attachment No 25

ENCROACHMENT AGREEMENT

43 Recommend adoption of a resolution authorizing an encroachment agreement with Southern Railway System and approve a one time fee of $50 00 for the railroad's administrative cost for installation of a 24 inch water main along I-85 service road

Project The need for this project is based on improving the operation of the N Tryon water storage tank and improving water service to the North Charlotte area

Funds Water and Sewer Operating Fund

Clearances Charlotte Mecklenburg Utility Department, Insurance & Risk Management Agency, Engineering/Real Estate concur in this request.

RIGHT OF ENTRY AGREEMENT

44 Recommend Council adopt a resolution authorizing a right of entry agreement with Norfolk Southern Railway Company for construction of intersection improvements at South Boulevard at Sharon Lakes Road and Sweden Road

Project The City is acquiring the rights-of-way for the improvement of the Sharon Lakes Road, Sweden Road and South Boulevard intersection The City will be purchasing a portion of the railroad corridor for $17,163 30 or $1 65 per square feet. This value has decreased from the railroad's original appraised value of $4 50 a square foot because of the City's ability to prove land values more in line with our settlement price The property to be conveyed consists of 10,402 square feet (239 acre) plus temporary construction easement

The Norfolk Southern Railway will grant the City a right-of-entry to the property prior to closing if the City agrees to the terms and conditions of the agreement

Funds Minor Intersection Improvements Capital Account

Clearances Department of Transportation, Insurance & Risk Management, Legal Department and Engineering/Real Estate concur in this request

SALE OF LAND

45 Recommend Council accept an offer to purchase from the high bidder, Louis D McCall and Wife, Mozella D McCall, former owners of a portion of City-owned property located at 1100 Auten Road for $54,357.64.

Three Acre Tract In 1986, the City purchased a three-acre tract from Mr and Mrs Louis D McCall for the new reservoir at the Franklin Treatment Plant We need only the back portion of the property but purchased the entire tract from the McCall's who planned to move and build elsewhere

Surplus

The McCall's are an elderly couple and due to their health and a change in plans, they asked that the City allow them to purchase the house and lot which was not needed for construction of the reservoir. This portion is 92 acres, fronts Auten Road, and consists of a single family frame house, and double garage, and several outbuildings

On February 13, 1989, Council declared this portion surplus and authorized it be offered for sale

$54,357.64 Appraisal

The property was appraised July 14, 1986, and updated May 11, 1989, to an amount of $54,357 64 based upon the present zoning of R-9 MF A bid of $54,357 64 by Mr and Mrs McCall was received on June 1, 1989 In accordance with N C G S 160-169, the property was advertised for upset bids on June 13, 1989, left open for ten days, and no further upset bids were received

Clearances

All City departments have been canvassed with none expressing an interest in retaining this parcel for City use The Charlotte Department of Transportation has recommended that right-of-way be retained 35 feet from the centerline of Auten Road The Planning Commission reviewed the Mandatory Referral Report and concurred in the sale of this property

Attachment

Mandatory Referral and map

Attachment No 26

ANNUAL ORDER OF COLLECTION OF TAXES

46 Recommend adoption of an order of collection empowering the Office of the Tax Supervisor to collect the City's ad valorem taxes

John C Petoskey, City-County Tax Administrator, recommends, upon the advice of the City-County Tax Attorney, that the City Council adopt and that the Mayor sign an annual order of collection of taxes This action has been taken in previous years

TAX REFUND

47 Recommend the adoption of a resolution authorizing the refund of certain taxes in the total amount of $16,542.02 which were assessed through clerical error or illegal levy against 23 tax accounts.

SPECIAL OFFICER PERMITS

48 Application for Special Officer Permit

Recommend approval of applications for Special Officer Permit for use on the premises of the Parks and Recreation Department

Scott Darnell Barringer
David Lejeune Ferrell
Debbie Rachelle Cowan
James Wilbur Franks

SET PUBLIC HEARING

49 A Recommend adoption of a resolution of intent to abandon an alleyway off North Tryon Street and set a public hearing for September 25, 1989

B Recommend adoption of a resolution calling for a joint public hearing on September 18, 1989 between the City Council and the Charlotte-Mecklenburg Historic Properties Commission to consider designation of the Mayfair Manor, and the land associated therewith, as historic property

C Recommend adoption of a resolution calling for a joint public hearing on September 18, 1989 between the City Council and the Charlotte-Mecklenburg Historic Properties Commission to consider designation of the Lucian H Walker House, and the land associated therewith, as historic property.

D Recommend adoption of a resolution calling for a joint public hearing on September 18, 1989 between the City Council and the Charlotte-Mecklenburg Historic Properties Commission to consider designation of the Leeper and Wyatt Store Building, and the land associated therewith, as historic property

PROPERTY TRANSACTIONS

50 Recommend approval of the following property transactions and adoption of the condemnation resolutions.

1 Project. Beatties Ford Road Widening
Owner(s). I-85-77 Limited Partnership
Property Address. I-85 at Beatties Ford Road
Property to be acquired. 59,280 sq ft (1 361 ac) in fee simple acquisition plus 12,290 sq ft (0 282 ac) of construction easement.
Price: $204,015 00
Remarks The relocation of the I-85 service road will sever this property leaving 2 small remnants The property is located at the intersection of Beatties Ford Road, I-85 and Hoskins Road Property is zoned B-2 and is vacant

2 Project. Beatties Ford Road Widening
Owner(s). McDonald's Mini-Center, Inc
Property Address. 2215 Wilson Avenue
Property to be acquired. 13,822 sq ft (0 317 ac) in fee simple acquisition plus temporary construction easement
Price. $86,000 00
Remarks. The proposed acquisition will severely alter the use of the remaining property due to its reduction in size and very odd shape In addition there will be 2 wedge-shaped pieces of land at the northeast and southeast corners that will be severed from the rest of the parcel The use of these pieces will be limited to parking only Property is zoned B-1 and is vacant

3 Project. Beatties Ford Road Widening
Owner(s). Prince Of Peace Lutheran Church, Inc
Property Address 3001 Beatties Ford Road
Property to be acquired: 6,190 sq ft (0 142 ac) in fee simple acquisition and 580 sq ft (0 013 ac) of permanent drainage easement plus temporary construction easement
Price. $27,000 00
Remarks. The property is zoned B-2 and used as a church

4 Project Beatties Ford Road Widening
Owner(s): McDaniel Jackson and wife, Mirian S Jackson, and Optionee, HJ Properties, Inc
Property Address. Beatties Ford Road
Property to be acquired. 9,408 sq ft (0 215 ac) in fee simple acquisition, 800 sq ft (0 018 ac) of permanent drainage easement, 151 sq ft (0 004 ac) of permanent down guy easement and 9,000 sq ft (0 211 ac) of temporary construction easement
Improvements Many large hardwood trees
Price. $15,000 00

Remarks Property is zoned B-1 and vacant

5 Project: Beatties Ford Road Widening
Owner(s): Lander H Bustle, Jr , and wife, Judith C. Bustle
Property Address: 3624 Beatties Ford Road
Property to be acquired: 2,599 sq ft (0 059 ac) in fee simple acquisition 2,735 sq. ft. (0.0627 ac) temporary construction easement and 72 sq ft (0 0016 ac) down guy easement
Improvements One large tree
Price. $15,200 00
Remarks. Paved parking area will be constructed on side of property to replace paved parking area lost in front of business. Property is zoned B-1 and being used as business and residential.

6 Project. Beatties Ford Road Widening
Owner(s): McDonald's Mini-Center, Inc.
Property Address: 3713 Beatties Ford Road
Property to be acquired: 9,266 sq ft. (0.213 ac) of fee simple acquistion, 1,159 sq. ft. (0.027 ac) of permanent drainage easement, 164 sq ft (0.003 ac) of permanent down guy easement plus temporary construction easement
Price. $11,500 00
Remarks. Property is zoned R-20 and used as residential

7 Project. Beatties Ford Road Widening
Owner(s). Trustees of Simpson-Gillespie United Methodist Church
Property Address 3545 Beatties Ford Road
Property to be acquired. 6,028 sq. ft (0 138 ac) plus temporary construction easement
Price: $19,200 00
Remarks: Property has been adversely affected due to loss of corner status Property is zoned R-6 MF and being used by Simpson-Gillespie United Methodist Church.

8 Project. Beatties Ford Road Widening
Owner(s). Trustees of Friendship Missionary Baptist Church
Property Address. 3301 Beatties Ford Road
Property to be acquired. 1,985 sq ft (0 045 ac) plus temporary construction easement
Improvements 20 shrubs
Price: $10,100 00
Remarks. Property is zoned R-9 and presently used by Friendship Missionary Baptist Church.

9 Project. Park Road/Johnston Road Widening - Phase I
Owner(s). Gene A. Frye and wife, Beth L Frye & Herbert B Lockwood, III, and Mabel H. Lockwood
Property Address. 7540 Park Road
Property to be acquired: 735 sq ft (0 0169 ac) in fee simple acquisition, 3,630 sq. ft. (0 0833 ac) of temporary construction easement, 658 sq ft (0 0151 ac) of permanent drainage easement
Improvements Approximately 30 mature trees
Price. $12,000 00
Remarks. Removal of trees greatly diminishes the screening of this property

10 Project. Park Road/Johnston Widening-Phase I
Owner(s) W J Francis and Kitty P. Francis
Property Address. 7801 Park Road
Property to be acquired 4,023 sq ft (0 0924 ac) in fee simple acquistion, 795 sq. ft (0 018 ac) of permanent drainage easement, 40 sq ft (0 0009 ac) of permanent down guy easement and 3,071 sq ft (0 0705 ac) of temporary easement
Improvements Large trees, shrubs and landscaping
Price. $14,500 00
Remarks. Property is zoned R-12 and used as residential

11 Project: Park Road/Johnston Road Widening - Phase I
Owner(s). Henry C. Severs and wife, Willeen Severs
Property Address. 6900 Sharon Road
Property to be acquired: 13,133 sq ft (0 3015 ac) of fee simple acquisition and 12,100 sq ft (0 2778 ac) of temporary construction easement
Improvements Large number of large mature hardwood trees and pines
Price $39,350 00
Remarks. The property is zoned R-12 and used as residential

12 Project: Park Road/Johnston Road Widening - Phase I
Owner(s): Will Delaine Sachsenmaier
Property Address 6901 Park Road
Property to be acquired 34,644 sq ft (0 7953 ac) in fee simple acquisition and 5,580 sq ft (0 1281 ac) of temporary construction easement
Improvements Large hardwoods
Price $34,650 00
Remarks Property is zoned R-12 and used as a golf course

13 Project. Monroe Road Widening
Owner(s): Apple Tree Village Homeowners Association, Inc.
Property Address. Monroe Road
Property to be acquired: 2,661 58 sq ft. (0 06 ac) of fee simple acquisition, 1,063 38 sq ft (0 024 ac) of permanent utility easement, 152 sq ft. (0 004 ac) of down guy easement, 80 sq ft (0 002 ac) of permanent drainage easement, and 3,823 sq ft (0 088 ac) of temporary construction easement
Improvements Many trees and wood fence
Price. $11,100 00
Remarks: Property is zoned R-12 MF and used as residential

14. Project. NC Hwy 51 Widening - Phase III
Owner(s). Calvary Church Unaffiliated
Property Address. 9298 Rea Road Extension
Property to be acquired. 128.886 sq. ft (0 003 ac) in fee simple acquisition, 10,345.710 sq ft (0 2305 ac) of permanent drainage easement, and 19,936 sq ft. (0 458 ac) of temporary construction easement
Price: $14,450 00
Remarks· The property is zoned R-15 and is the site of Calvary Church

15 Project. Shamrock Drive Widening
Owner(s): Glenwood G. Stephens and Bertha B Stephens
Property Address· 3311 Shamrock Drive
Property to be acquired: 30,563 sq ft. (0 7016 ac) in fee simple acquisition which includes improvements
Improvements One story brick residence with work shop and storage building
Price. $67,000 00
Remarks Total purchase of property including improvements.

CONDEMNATIONS

16. Project: Intersection Improvements - Randolph/Sharon Amity
Owner(s): B P Oil, Inc , and any other parties of interest
Property Address. 4474 Randolph Road
Property to be condemned 3,102 sq ft (071 ac) and 3,618 sq ft (083 ac) of temporary construction easement
Improvements Landscaping
Price $127,400 00
Reason for condemnation Owner wants project redesigned to lessen impact on current business operations, landscaping, and setback concessions for new site plan Property is zoned B-1 and has service station on it

17 Project: General Airport Land Acquisition
Owner(s): Roy Kenneth Bradey and wife, Brona Jean Bradey and any parties of interest
Property Address: 5811 Piney Top Drive
Property to be condemned. 1 001 acres (43,603 56 sq ft)
Improvements. Single family residential home and all related structures located thereon
Price. $55,120 00
Reason for condemnation The property owners are being represented by an attorney, and they counteroffered $125,000 00 The property is presently zoned residential but was appraised at its highest and best use which is industrial property

18 Project. General Airport Land Acquisition
Owner(s) Mack Vernon Warren and any other parties of interest
Property Address 5808 Piney Top Drive
Property to be condemned. 0 457 acres (19,906 92 sq ft)
Improvements: Single family residence and all related structures located thereon
Price $39,000 00
Reason for condemnation The property owner is being represented by an attorney, and he refused to make counteroffer Property is presently zoned residential but was appraised at its highest and best use which is industrial property

19. Project: General Airport Land Acquisition
Owner(s). Jody Lynn Pearson and wife, Francis M Pearson and any other parties of interest
Property Address. 5510 Piney Top Drive
Property to be condemned: 2 664 acres (116,043 sq ft)
Improvements· Single family residential home and all related structures located thereon
Price. $138,000 00
Reason for condemnation The property owners are represented by an attorney, and they refused to make counteroffer The property is presently zoned residential but was appraised at its highest and best use which is industrial property

20 Project. General Airport Land Acquisition
Owner(s). John Bruce Brown and wife, Lillian S Brown and any other parties of interest
Property Address 5732 Piney Top Drive
Property to be condemned: 2 199 acres (95,788 44 sq ft)
Improvements. Single family residential home and all related structures located thereon
Price. $116,000 00

Reason for condemnation· The property owners are represented by an attorney and counteroffered $200,000 00 The property is presently zoned residential but was appraised at its highest and best use which is industrial

21 Project: General Airport Land Acquisition
Owner(s). Lillian Freeman and any other parties of interest
Property Address. 5326 Piney Top Drive
Property to be condemned. 5 256 acres (228,951.36 sq. ft)
Improvements. Single family residential home and all related structures located thereon
Price. $400,700.00
Reason for condemnation The property owner is represented by an attorney and counteroffered $500,000 00 The property is presently zoned residential but was appraised at its highest and best use which is industrial property

22 Project. General Airport Land Acquisition
Owner(s). Lida H Auten and any other parties of interest
Property Address. 5627 Piney Top Drive
Property to be condemned 1 551 acres (67,516 56 sq ft)
Improvements Single family residential home and all related structures located thereon
Price: $82,600 00
Reason for condemnation The property owner is represented by an attorney and counteroffered $90,000 00 The property is presently zoned residential but was appraised at its highest and best use which is industrial property

23 Project: General Airport Land Acquisition
Owner(s) Wilburn B Brown and John B Brown and any other parties of interest
Property Address. New Dixie Road
Property to be condemned 7 703 acres (335,542 68 sq ft)
Price. $332,600 00
Remarks for condemnation The property owners are represented by an attorney and counteroffered $350,000 00 The property is presently zoned residential but was appraised at its highest and best use which is industrial property

24 Project. General Airport Land Acquisition
Owner(s). Phillip Sloan Porter and wife, Lucille Porter and any other parties of interest
Property Address. 5111 New Dixie Road
Property to be condemned. 0 874 acres (38,071 44 sq ft)
Improvements. Single family residential home and all related structures located thereon
Price. $48,000 00
Reason for condemnation The property owners are represented by an attorney and counteroffered $70,000 00 The property is presently zoned residential but was appraised at its highest and best used which is industrial property

25 Project. General Airport Land Acquisition
Owner(s): Charles M Freeman, Jr and wife, Irene Edwards Freeman and any other parties of interest
Property Address: 5703 Piney Top Drive
Property to be condemned. 0 703 acres (30,622 68 sq ft)
Improvements. Single family residential home and all related structures located thereon
Price. $43,000 00
Reason for condemnation The property owners are represented by an attorney and counteroffered $50,000 00 The property is presently zoned residential but was appraised at its highest and best use which is industrial property

26 Project. General Airport Land Acquisition
Owner(s) J N J Limited Partnership and any other parties of interest
Property Address 5205 New Dixie Road
Property to be condemned. 2 961 acres (128,981 16 sq ft)
Improvements. One story brick metal warehouse and office facility
Price. $433,000 00
Reason for condemnation The property owners are represented by an attorney and counteroffered $700,000 00 The property is presently zoned industrial and is being used as an insulating manufacturing plant

27 Project: Proposed 54 Inch Water Main Extension-Phase II
Owner(s) The Atlantic Land and Improvement Co , and any other parties of interest
Property Address Lakewood Avenue
Property to be condemned. 26,160 sq ft (0 600 ac) plus temporary construction easement
Price $18,000 00

Reason for condemnation: Amount offered for easement is acceptable but stipulations in the Railroad's easement are unacceptable to the Utility Department The Railroad has asked that Charlotte-Mecklenburg Utility Department move the 54" water main should they decide to develop this property They also have no blasting clause which could make the installation of this line impossible. The City will have to condemn to get the easement it desires to install this water main.

28. Project: Beatties Ford Road Widening
Owner(s): Wee Ones Paradise Day Care and any other parties of interest
Address of Property. 3200 Beatties Ford Road
Property to be condemned: 1,164 sq ft (0 027 ac) plus temporary construction easement
Price: $1,000 00
Reason for condemnation· Agent unable to locate property owner by mail or by phone The property has liens and judgments attached to it Legal Department has recommended condemnation in order for City to get clear title to right-of-way needed for street improvements

********** ********** **********

APPOINTMENTS TO BOARDS AND COMMISSIONS

51 Adoption of a motion to recess the meeting for the purpose of going into executive session to consider the qualifications of the following nominees and to cast ballots making the appointments in accordance with G.S 143-318 11.

The City Clerk will announce the results of the balloting when the meeting is reconvened

(Council is not required to go into executive session and may wish to make this one appointment in the Council meeting)

A Certified Development Corporation - The following nominations have been made for one unexpired term ending April 30, 1991 to represent a Community Organization·

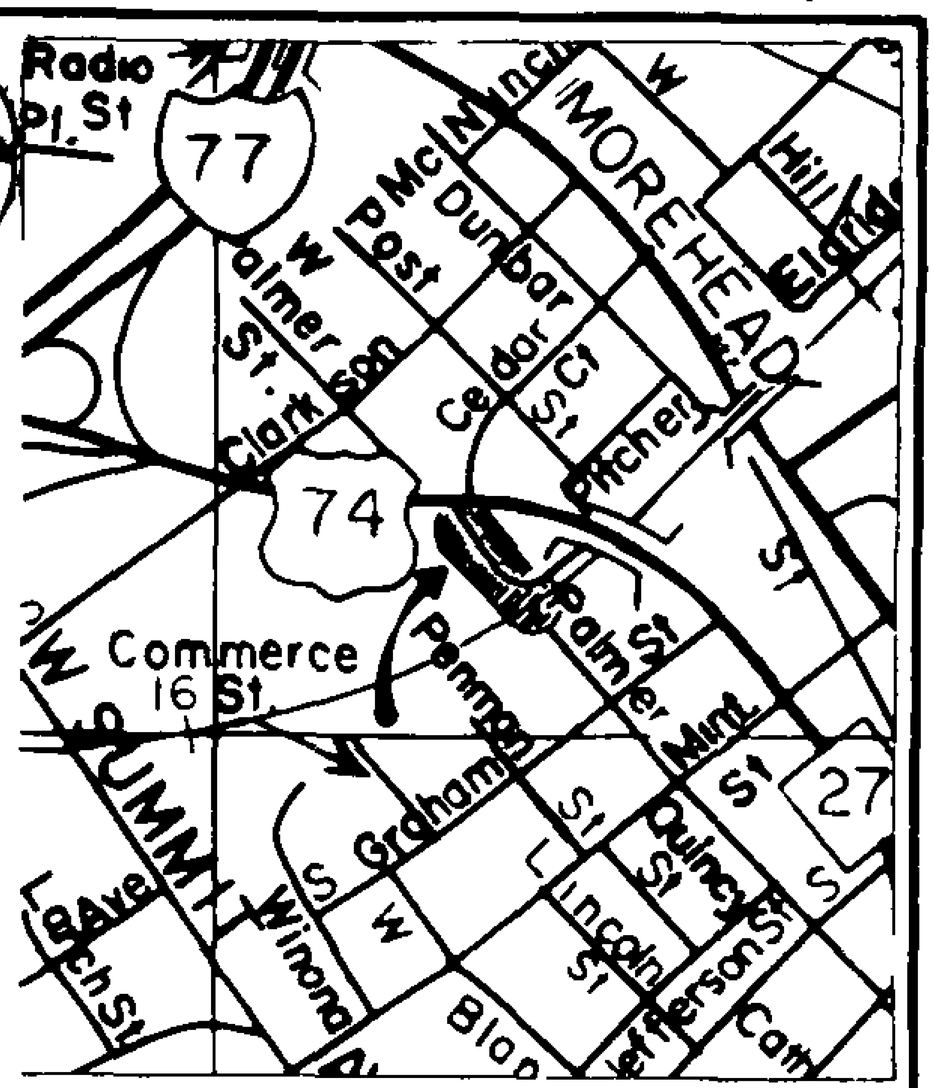
a) Darryl Broome, nominated by Councilmember Vinroot
b) Derrick Johnson, nominated by Councilmember Dannelly

Attachment No 27

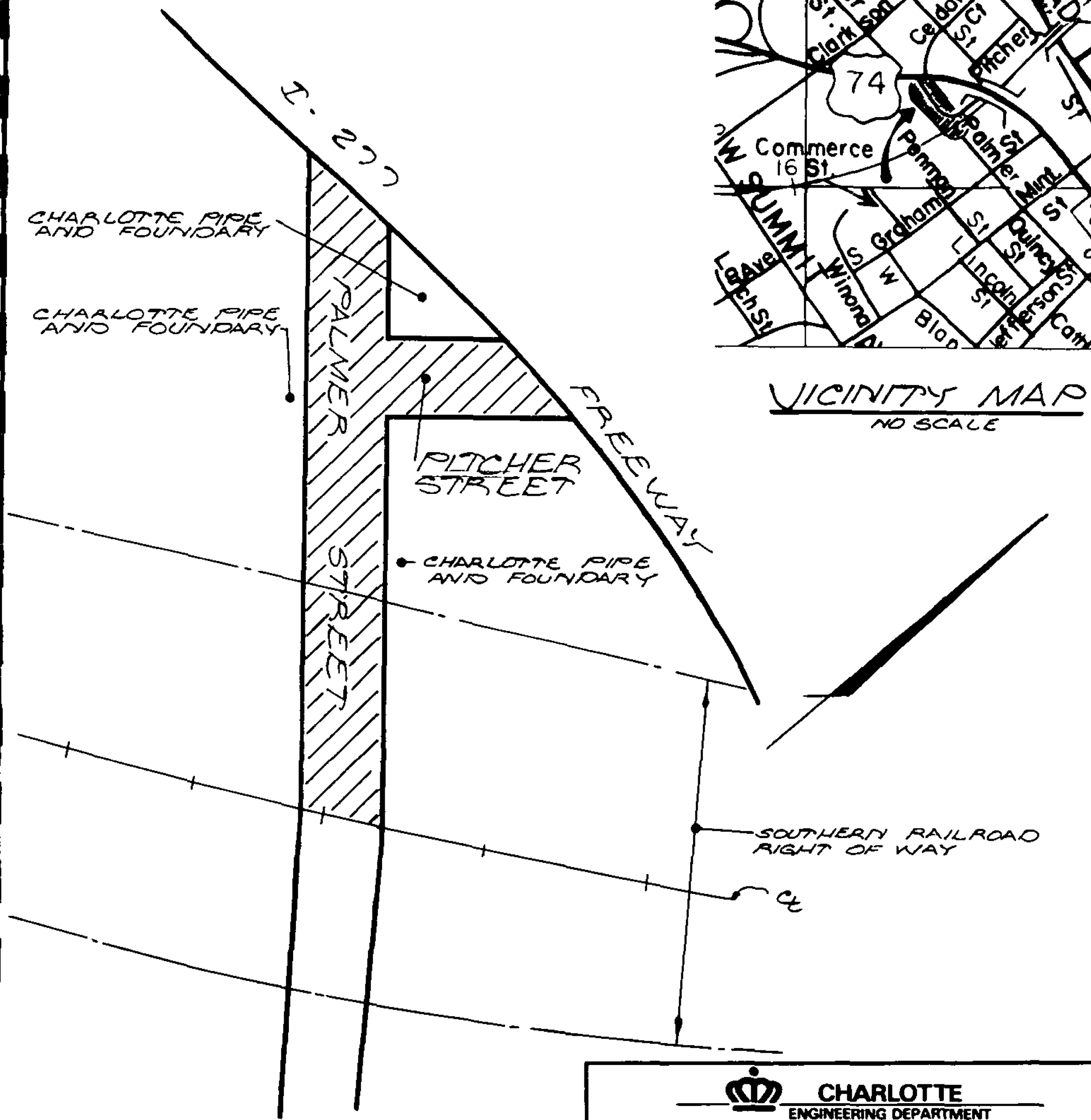
EXECUTIVE SESSION

52. Recommend adoption of a motion to hold an executive session upon the conclusion of the Council meeting to consult with the City's attorneys under the attorney-client relationship as permitted by G S 143-318.11

#1



VICINITY MAP
NO SCALE



CHARLOTTE
ENGINEERING DEPARTMENT

REVISIONS	ABANDONMENT OF	JOB NO.
		FILE NO
DRAWN BY CCE	PORTION OF PALMER STREET, ALL PITCHER STREET	SHEET 1
CHECKED BY SBC		OF 1
CITY ENGINEER	DATE 6/28/89 SCALE NONE	

	Recommended Alignment
Segments	B1, B2, D2, A2, D3, B5-B6, D6, A5, B7-B9, A7, A8
Length	12 01 MI
Floodway Crossings	5
Dwelling Units Taken	20
Dwelling Units Impacted	123
Businesses Taken	3
Businesses Impacted	9
Churches Taken	0
Churches Impacted	2
Schools Impacted	2 (g, h)
Park/Natural Areas Impacted	1 (j)
Estimated Cost	$94,525,000

CHA.R/NPP51200

a) Includes historic "White Oak" property.

b) Includes Bentcreek Townhomes and Pence Road Public Housing.

c) Potential impact at proposed "University Crossing" apartment complex not included (development not yet constructed).

d) Includes Baucom's Nursery.

e) Includes Durable Wood Preservers, Inc. potential hazardous waste site.

f) Includes Fabricated Products, industrial site.

g) Centerline passes within 100' of J. H. Gunn Elementary School.

h) Centerline passes within 400' of Northeast Jr. High School.

i) Centerline passes within 300' of Reedy Creek Park.

j) Alignment passes along the edge of Back Creek Swamp.

k) Includes Cornerstone Baptist Church

l) Includes Bentcreek Townhouses

m) Lake to be taken.

n) 175' from landfill buffer.

o) Alpine Village and Rolling Wheels Trailer Parks

"Impacts" noted on the preceding page are defined as any property that will, in the judgement of real estate staff, receive compensation due to the location of the proposed thoroughfares.

EASTERN CIRCUMFERENTIAL

	Segments A7 and B9	Segment C-4
Length	2.49 mi.	2.12 mi.
Floodway crossings	1	1
Dwelling Units Residences Taken	4	33*
Dwelling Units Residences Impacted	34	53*
Businesses Taken	0	0
Businesses Impacted	2	1
Churches Taken	0	0
Churches Impacted	1	0
Schools Impacted	1	0
Parks/Natural Areas Impacted	0	0
Estimated Cost	$18,600,000	$21,310,000

* Includes Bent Creek Townhomes

"Impacts" noted on the preceding page are defined as any property that will, in the judgement of real estate staff, receive compensation due to the location of the proposed thoroughfares.

#4

CHARLOTTE - MECKLENBURG PLANNING COMMISSION

August 10, 1989

Mayor Sue Myrick
Members, City Council

Dear Mayor and Council Members:

It has recently come to our attention that the Planning Committee recommendation on a portion of Petition No. 88-10 was not previously forwarded to City Council for a decision. The recommendation is submitted at this time for your consideration of decision on Monday, August 28, 1989.

The public hearing on this petition was held on January 6, 1988 and Planning Committee recommended approval of the petition on February 2, 1988. On March 23, 1988, City Council approved the petition with the exception of one provision. That one provision was referred back to Planning Committee for reconsideration. Planning Committee discussed the matter over a period of several months and arrived at a recommendation at the June 14, 1988 work session. Inadvertently, however, the recommendation was not forwarded to Council for decision. That oversight has been discovered and the Planning Committee recommendation on the remaining provision of Petition No. 88-10 is attached.

According to the adopted rules of procedure, this recommendation will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse at 12:00 noon on August 24, 1989. This will then permit this matter to be placed on your agenda for consideration of decision on Monday, August 28, 1989.

If you have any questions or wish to discuss any aspect of this recommendation please let me know.

Respectfully submitted,

Frank E. Emory, Jr., Chairman
Charlotte-Mecklenburg Planning Committee

FEE/LS:sls

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

DATE: June 14, 1988

PETITION NO.: 88-10

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Amend the text of the City of Charlotte Zoning Ordinance section 3053.6.7 "First Floor Retail Required".

ACTION: The Planning Committee recommends that the amendment, as modified, be approved.

VOTE: Yeas: Davis, Emory, Latham, Vaughan and Winget

Nays: Lassiter

BACKGROUND

Petition No. 88-10 contains a series of changes to the U-MUD standards and clarification of U-MUD standards. All but one of the provisions contained in the Petition have previously been adopted by City Council. The one remaining provision involves the U-MUD requirement for 50% of the first floor of any new building over 100,000 square feet in a certain geographic area to be devoted to retail activities. The originally proposed language contained in Petition No. 88-10 would have exempted expansions of existing structures from the 50% retail requirement. City Council directed Planning Committee to reevaluate that language indicating it may be appropriate to apply the 50% requirement to certain types of building expansions.

REASONS

Planning Committee discussed several different alternatives for application of the first floor retail requirement to expansions of existing buildings.

Option 1 would apply the first floor retail requirement to any expansion of an existing building which results in more than 100,000 square feet of new floor area.

Option 2 would invoke the requirement on any expansion of an existing building which results in more than 100,000 square feet of new floor area unless the new floor area is all in a vertical expansion resulting in no new street level floor area.

Option 3 is the same as Option 2 but adds that the 50% area is to be computed on the new street level floor area only.

Option 4 is the same as Option 2 but adds that the 50% area will be computed on the entire street level floor area including existing and new floor area. Credit will be allowed for retail floor area which already exists that meets the ordinance requirements.

Planning Committee discussed the four options at length and how each would relate to specific examples of past and future building expansions. In the final analysis, Planning Committee felt that Option 3 would best meet the intent of the first floor retail requirement as well as accommodate expansions to existing buildings. Therefore, Planning Committee recommends approval of Option 3.

MINORITY OPINION

The minority opinion expressed concern about expansions of existing buildings in which the expansion occurs interior to a block rather than along street frontage and saw no reason to require retail activities where the expansion area would have no direct pedestrian access from a street.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

1. Amend Section 3053.6.7 to add the following new language after the first sentence.

   Any expansion of an existing building which results in more than 100,000 square feet of new floor area must also comply with this requirement unless the new floor area is all in a vertical expansion which results in no new street level floor area. The 50% area will be computed on the new street level floor area only.

Section 2. These amendments shall become effective upon its adoption.

Approved as to form:

_____
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 19____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, at page _____.

_____
Pat Sharkey, City Clerk

#5

DATE	September 22, 1988
PETITION NO	88-67
PETITIONER(S)	Charlotte-Mecklenburg Planning Commission
REQUEST	Change from I-3 to U-MUD
LOCATION	A 3 4 acre site comprising two blocks bounded by West Sixth Street, West Fifth Street, the Southern Railroad, and North Graham Street
ACTION	The Zoning Committee recommends that this petition be approved to the U-MUD district
VOTE Yeas	Burns, McClure, Spencer, Thomasson, Wheeler, and Winget
Nays	None (Commissioner Vaughan was not present when vote was taken)

REASONS

The rezoning proposed for this property is to comply with the recommendations of the adopted Fourth Ward Plan At the public hearing an agent for the petitioner expressed concern that his client's property may become nonconforming as a result of this action. Upon investigation, the Zoning Administrator has concluded that the use a presently located on the site including the manufacturer and repair of textile equipment, the warehousing of products on the site, and sales or products from the site, would be allowed in the U-MUD district. Therefore, no nonconformancy would be created by the rezoning of this property to the U-MUD category and, therefore, the Zoning Committee recommends that this application be approved.

STAFF OPINION

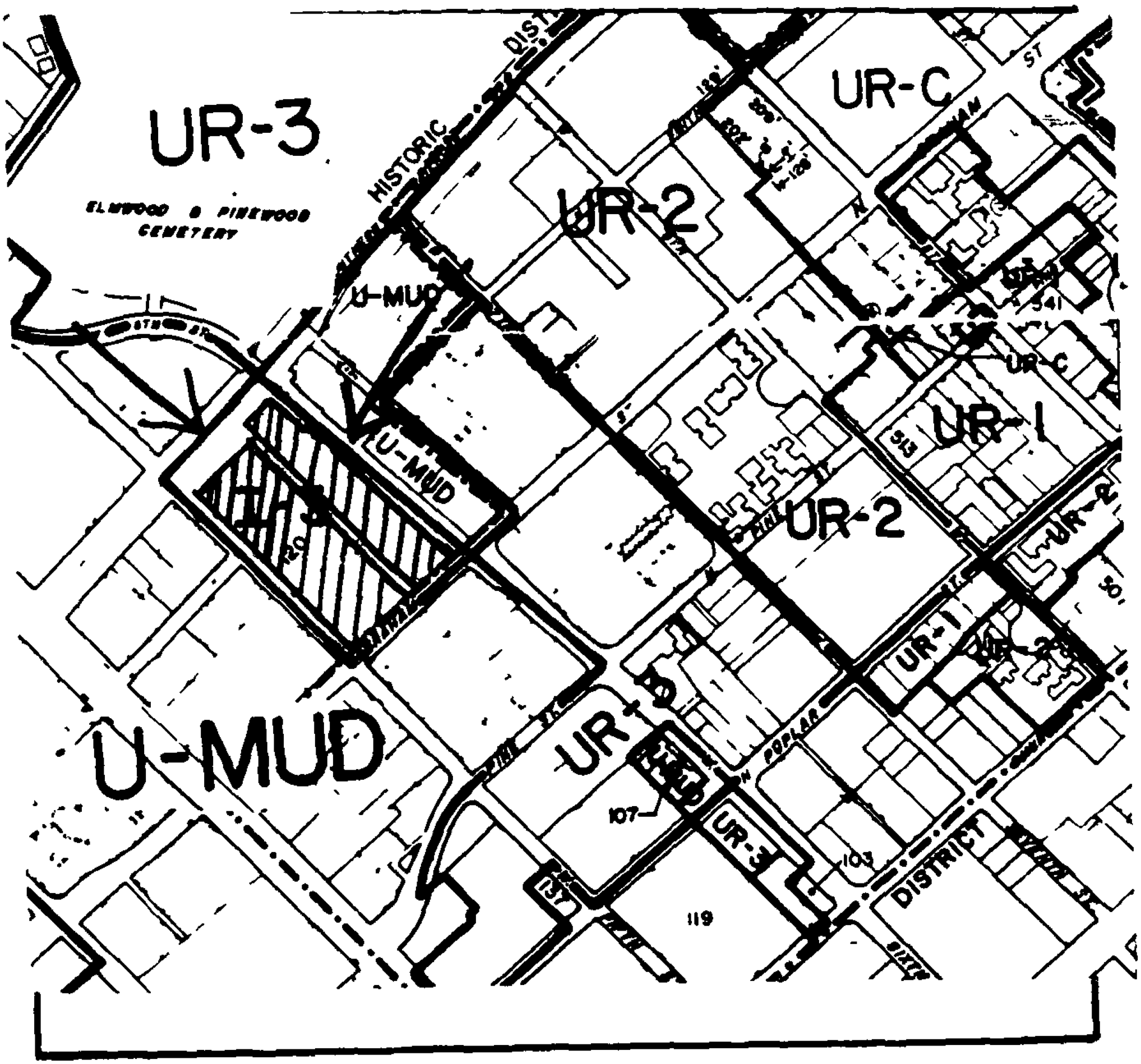
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER CMPC

PETITION NO. 88-67 HEARING DATE August 15, 1988

ZONING CLASSIFICATION, EXISTING I-3 REQUESTED U-MUD

LOCATION Approximately 3.4 acres comprising two blocks bounded by W 6th Street to the east, W. 5th Street to the west, Southern Railroad R/W to the north and N Graham Street to the south



ZONING MAP NO. 88-102 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#6

DATE	November 22, 1988
PETITION NO	88-90
PETITIONER(S)	Edens & Avant, Inc
REQUEST	Change from R-~~15~~ 12 to B-1(CD)
LOCATION	A 4 92 acre site located on the southerly side of Matthews-Pineville Road (N.C 51) east of Blue Heron Drive
ACTION	The Zoning Committee recommends that the petition be denied
VOTE Yeas	Burns, McClure, Spencer, Thomasson, and Wheeler
Nays	None
	(Commissioner Vaughan abstained from voting because of conflict of interest and Commissioner Winget was not present when vote was taken)

REASONS

This petition requests the rezoning of residential properties to accommodate a small retail center The petitioner indicates that this rezoning should be approved because the property is no longer suitable for single family residential use as it is located directly across the street from a major commercial development in the town of Pineville. The property is bounded on two sides by multi-family housing and on a third side by single family housing. The Zoning Committee, in discussing this case, reaffirmed the previously held policies that indicated that N C 51 was the boundary line between residential and nonresidential uses Indeed, all of the commercial zoning in the immediate area is located in the town of Pineville zoning jurisdiction. All of property on the south side of N C 51 between McMullen Creek in the Pineville city limit is zoned and used for residential purposes. The Zoning Committee feels that this pattern should be protected and preserved. They also indicated that a high quality, higher density residential project would be appropriate for the property involved with this request. However, they felt that the zoning of this property to accommodate a retail use was inconsistent with the land use patterns of the area and with publicly adopted policies for the area. Therefore, the Zoning Committee recommends that this petition be denied.

STAFF OPINION

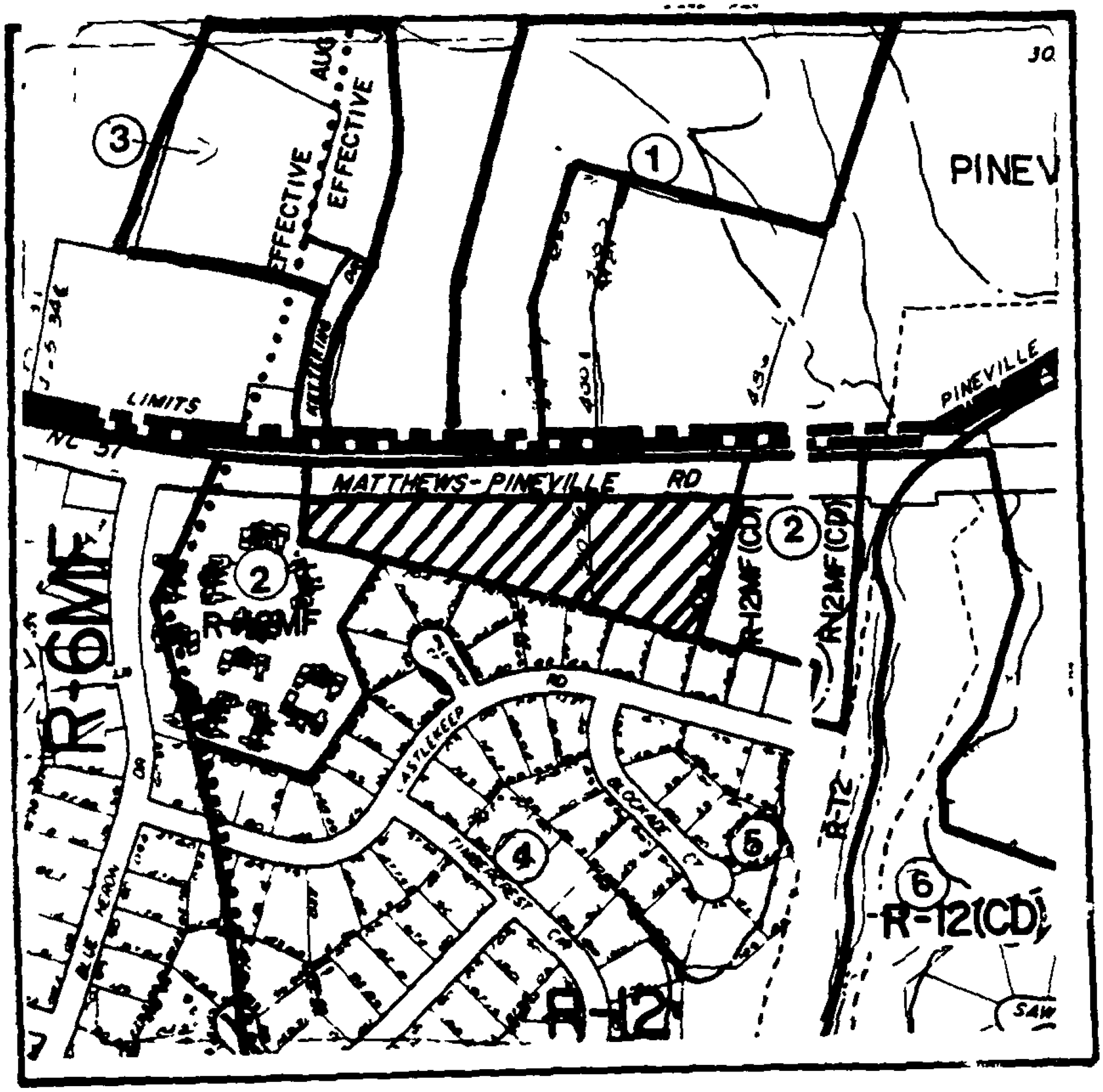
The staff agrees with the recommendation of the Zoning Committee

PETITIONER Edens & Avant, Inc

PETITION NO. 88-90 HEARING DATE November 21, 1988

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED B-1(CD)

LOCATION Approx 4 92 acres located on the southerly side of Matthews-Pineville Road (N.C. 51) east of Blue heron Drive.



ZONING MAP NO. 167 & 168 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#9

DATE: May 22, 1989

PETITION NO.: 89-37

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-2 and O-6 to B-1, O-6, and R-9

LOCATION: Approximately 7.9 acres located on the south side of Central Avenue along Lyon Court, Morningside Drive and Ivey Drive.

ACTION: The Zoning Committee recommends that the petition be approved.

VOTE: Yeas: Lassiter, Latham, Spencer, Thomasson, and Wheeler.

Nays: None.

REASONS

This petition is involved with implementation of the Chantilly-Commonwealth Small Area Plan. It includes approximately 7.9 acres located south of Central Avenue along Lyon Court, Morningside Drive, and Ivey Drive. Properties included within the petition are currently zoned a combination of B-2 and O-6. The rezoning request at hand seeks B-1, O-6, and R-9. The portion of the subject property which fronts Central Avenue is petitioned for rezoning from B-2 to B-1 to establish more compatible zoning on the edge of the established neighborhood. The properties are developed with commercial, office, and residential uses.

The petition seeks a change from B-2 to O-6 for two parcels on the east side of Ivey Drive which are developed with a single family house. It also proposes a change from B-2 to O-6 for three lots on the west side of Ivey Drive, two lots on either side of Morningside Drive, and two lots on either side of Lyon Court. These lots form a strip behind the proposed B-1 lots and are presently occupied by single family uses except for the two lots on Lyon Court which contain office uses. The balance of the petition is requested for rezoning to R-9. These parcels are occupied by single family residences with the exception of one lot on Lyon Court which contains an office use. The Zoning Committee recommends approval of the petition.

STAFF OPINION

The staff agrees with the Zoning Committee recommendations.

CENTRAL AVENUE
COMMONWEALTH AVENUE
THE PLAZA
THOMAS AVE
NANCIA AVE
ST LUCIA
WESTOVER ST
LYON COURT
CORNINGSIDE DR
IVEY DR
ST GEORGE
THE PLAZA
COMMONWEALTH
ROSE
SHENANDOAH
CHESTERFIELD
BAY
AVENUE
STREET
LABURNUM
KINGSBURY DRIVE
WYANOKE AVENUE
IOWA STREET
ROSE AVE

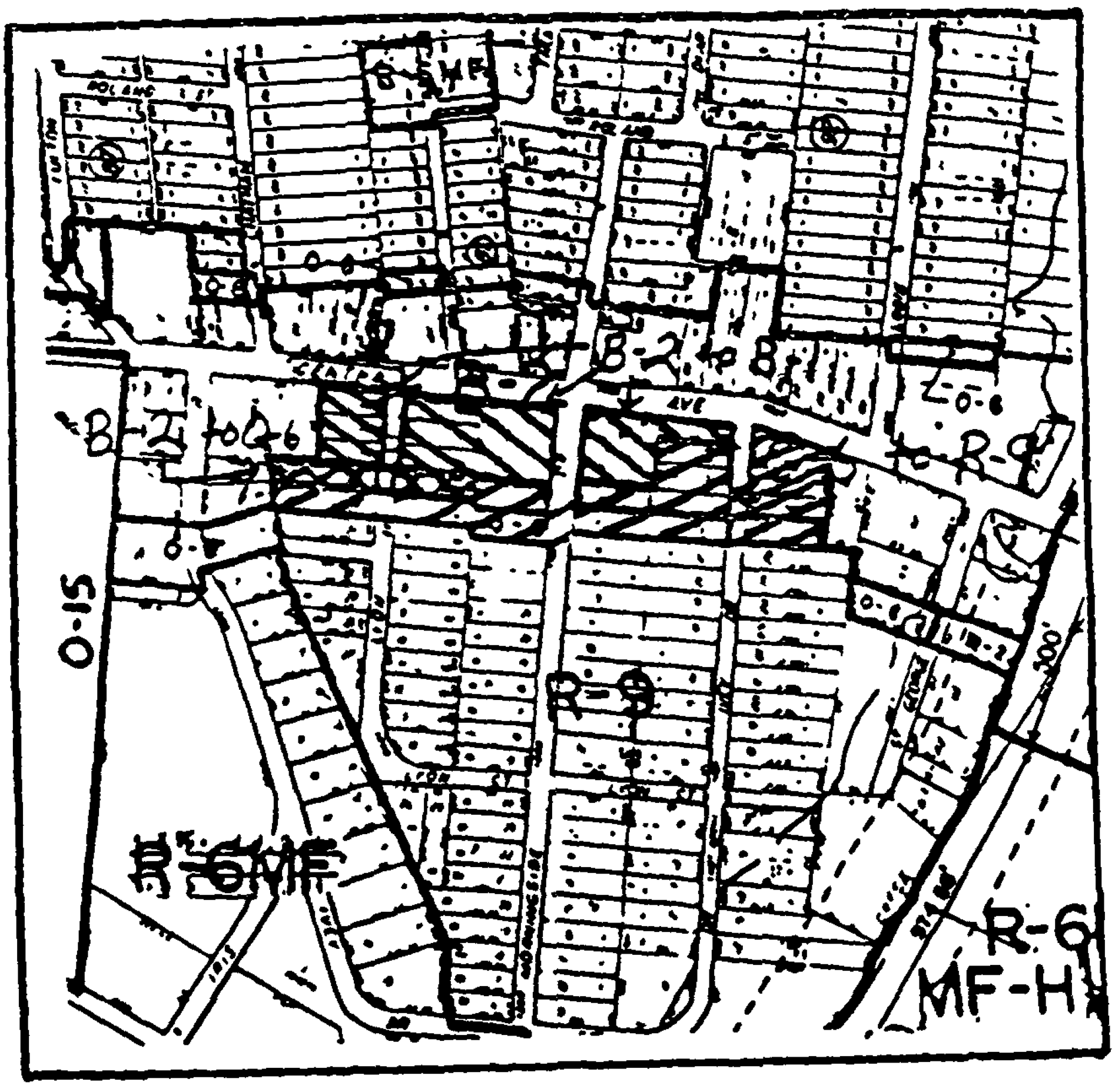
CORRECTED MAP

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-37 HEARING DATE April 17, 1989

ZONING CLASSIFICATION, EXISTING B-2 & O-6 REQUESTED B-1, O-6, & R-9

LOCATION Approx. 7.984 acres located on the south side of Central Ave. along both sides of Lyon Ct., Morningside Dr. and Ivey Dr.



ZONING MAP NO. 101 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#8

DATE: July 25, 1989

PETITION NO.: 89-48

PETITIONER(S): Mecklenburg County Building Standards Department

REQUEST: Consideration of a text amendment to allow veterinary outpatient clinics in all business and industrial districts.

ACTION: The Planning Committee affirmed its original recommendation that this petition as modified be approved.

VOTE: Yeas: Burns, Emory, McClure, Mead, Points, Spencer and Thomasson.

Nays: None.

REASONS

This matter was referred to the Planning Committee by the City Council on July 17 with instructions for the Planning Committee to consider the possible need for additional definitions or other clarifying language in the text. In discussing this matter for the third time, the Planning Committee again reviewed the various issues. The staff briefed the Planning Committee on the history of the request from the Building Standards Department and discussed many of the specific concerns outlined in a rebuttal letter which had been drafted pursuant to the Planning Committee's original recommendation. The Committee discussed the need for defining what a "small" animal is, the need for a 300 ft. buffer around such a facility, the advantage to having the City's ordinance be same as the County's ordinance for the ease of administration, and noted that there had been no apparent problems with enforcement or application of these standards to date.

Several members of the Planning Committee objected to what they viewed as "spurious" issues that have been raised in conjunction with this request. Issues such as unfair or unequal treatment between newly established clinics and existing clinics, the definition of what constitutes a "small" animal, and an apparent anti-competitive intent of the objectors, are all matters which the Planning Committee felt were not relevant to the discussion of this case. In the judgement of the Planning Committee the types of uses defined by this section and the standards which would apply to those uses are both realistic and appropriate when viewed in the context of the overall Zoning Ordinance. The Planning Committee acknowledges that there may indeed be other uses which should also be considered for similar treatment, but that with regard to the issue at hand approval of the amendment with the single modification to delete the uses from the B-1(Neighborhood Commercial District) is appropriate.

STAFF OPINION

The staff agrees with the recommendation of the Planning Committee.

ORDINANCE NO._____ AN ORDINANCE AMENDING APPENDIX A-ZONING

AN ORDINANCE AMENDING APPENDIX A-ZONING, OF THE CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Appendix A-Zoning, of the City Code shall be amended as follows:

1. Amend § 3063, "Uses under prescribed conditions", by adding a new Item "32" as follows:

> "32. Veterinary Outpatient Clinics, subject to the regulations in § 3127 (except in B-1)."

2. Amend § 3073, "Uses under prescribed conditions", by adding a new Item "28" as follows:

> "28. Veterinary Outpatient Clinics, subject to the regulations in § 3127."

3. Amend § 3127, which is currently designated "Not Used", to read as follows:

> § 3127. Veterinary Outpatient Clinics.
>
> Veterinary Outpatient Clinics, as defined below, must comply with the yard, area, and height requirements for the district in which they are located. A veterinary outpatient clinic is a facility where small animals or pets are given medical or surgical treatment and are cared for only while there for the treatment. It must be within a completely enclosed building with no outside storage or animal areas. Grooming and boarding of animals is not permitted. All building plans submitted for a veterinary outpatient clinic whether for a new or existing structure must be accompanied by a certification by a registered Architect or Acoustical Engineer that no sounds emitted through the outside walls or roof of the building will exceed 45 decibels."

Section 2. This ordinance shall become effective upon its adoption.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

#9

DATE: July 25, 1989

PETITION NO.: 89-57

PETITIONER(S): Crown Pointe Plaza Associates

REQUEST: Consideration of a text amendment to allow the sale of building materials at retail in a B-1SCD district under prescribed conditions.

ACTION: The Planning Committee recommends that this petition be approved.

VOTE: Yeas: Burns, Emory, McClure, Mead, Points and Thomasson.

Nays: Spencer.

REASONS

This petition proposes to add a use to the list of uses allowed in a B-1SCD district. At present, only those uses permitted in the B-1 (Neighborhood Commercial District) and indoor movie theaters are permitted in a B-1SCD district. This amendment would allow the sale of building materials in a B-1SCD district subject to specific conditions dealing with outdoor storage, the prohibition of wholesale or contractor sales, and the prohibition of any delivery services from the site. In its discussion, the Planning Committee concluded that this request was appropriate. Concerns were expressed about the need for this amendment at this point in time and how this amendment would relate to work on the new Zoning Ordinance presently underway. On the whole, however, the Planning Committee recommends that this amendment be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

ZONING ORDINANCE
TEXT AMENDMENT NO. _____

A RESOLUTION AMENDING
THE ZONING ORDINANCE OF
THE CITY OF CHARLOTTE

BE IT RESOLVED BY THE CHARLOTTE CITY COUNCIL that the City zoning regulations, as embodied in the Charlotte Zoning Ordinance, are hereby amended as follows:

Section 1. Amend Section 3210 by deleting all the provisions of paragraph 3210.3, and substituting the following provisions in lieu thereof:

3210.3. PERMITTED USES. The uses permitted in the B-1 shopping center district are as follows:

Those specified for the B-1 district;

Theaters within an enclosed building; and

Building materials sales, subject to the following limitations:

.1 All portions of the business including the storage of all materials must be housed within a completely enclosed structure.

.2. Only retail sales of building materials will be permitted. For the purpose of this section this means sales to the ultimate consumer with sales to a contractor or other intermediate user being prohibited.

.3 The operator of the business will not be permitted to provide for the delivery of building materials from the site.

Section 2. That this Ordinance shall become effective upon its adoption by the Charlotte City Council.

#70

DATE: July 26, 1989

PETITION NO.: 89-53

PETITIONER(S): John Usdan, Lamberg Syndicate, Charlotte JV

REQUEST: Change from B-2 to B-1SCD

LOCATION: A 14 acres site located on the east side of South Boulevard between Archdale Drive and Emerywood Drive.

ACTION: The Zoning Committee deferred action on this request with the consent of the petitioner to continue to work on technical problems with the site plan.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

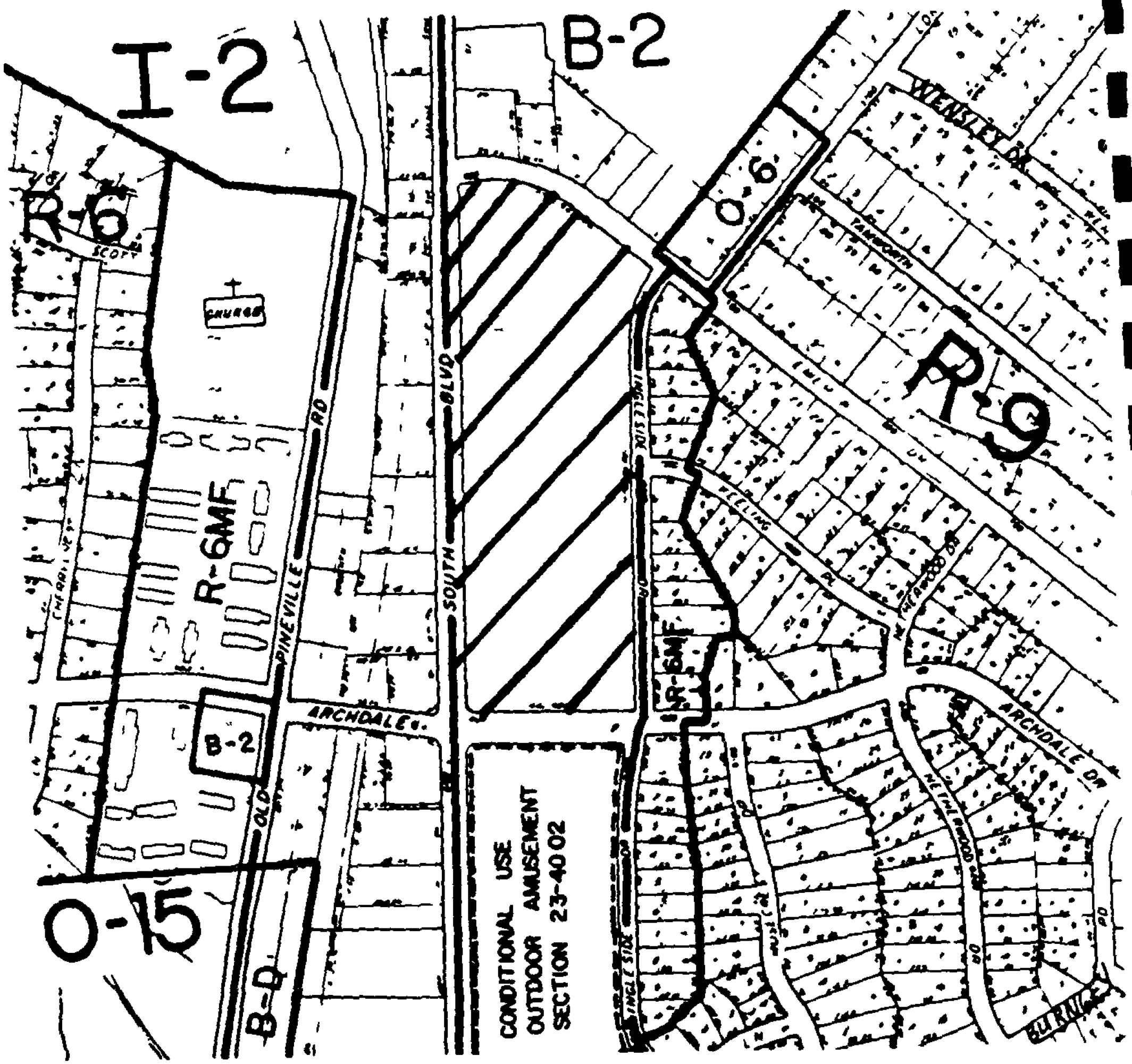
The petitioner's agent is still working with city staff to address problems with the site plan dealing with parking, access points, right-of-way, and tree planting. With the petitioners consent the Zoning Committee deferred action on this request until its next scheduled work session to allow the petitioner's agent time to continue to address these technical issues.

PETITIONER Mr. John Usdan, Lamberg Syndicate, Charlotte JV

PETITION NO. 89-53 HEARING DATE June 19, 1989

ZONING CLASSIFICATION, EXISTING B-2 REQUESTED B-1SCD

LOCATION Approximately 14.0 acres located on the east side of South Boulevard between Archdale Drive and Emerywood Dr.



ZONING MAP NO. 134 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#81

DATE: July 26, 1989

PETITION NO.: 89-58

PETITIONER(S): St. Luke Baptist Church

REQUEST: Change from R-6MF to R-I

LOCATION: 2.3 acres located along Montreat Street near Rodey Avenue and Norris Avenue.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

This petition proposes the rezoning of properties from R-6MF to the R-I category for the expansion an existing church facility. The R-I category is sought to accommodate parking lots which are located on adjacent properties not part of the present church site. One of these properties is across the street from the church and the other is adjacent to the main church site itself. All of the technical requirements for the R-I category have been met by the applicant and there are no land use issues which accompany this application. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

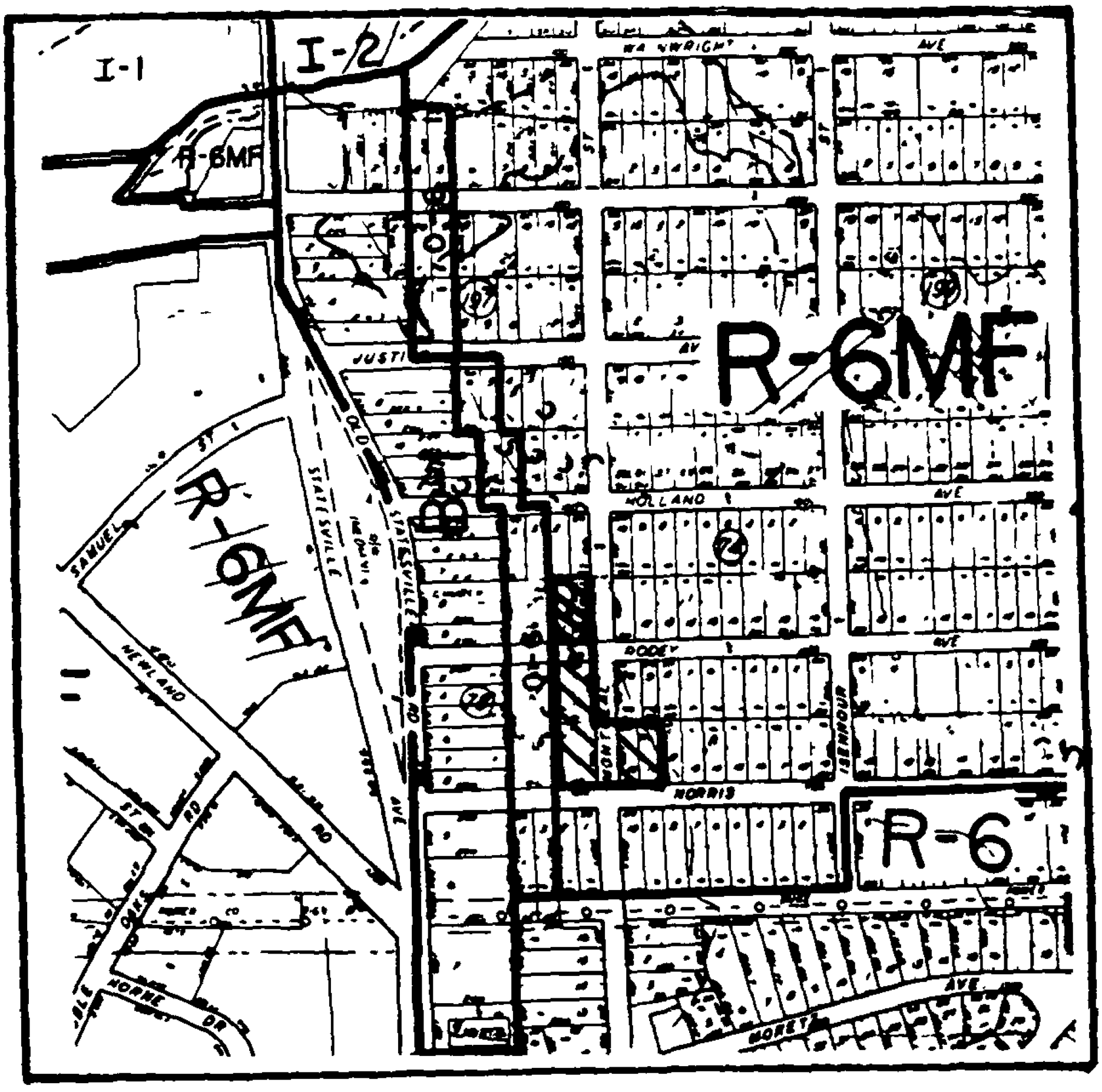
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER St. Luke Baptist Church

PETITION NO. 89-58 HEARING DATE July 17, 1989

ZONING CLASSIFICATION. EXISTING R-6MF REQUESTED RI

LOCATION A 2.3 acre site located off of Old Statesville Road on the northwest corner of Rodey Avenue and Montreal Street.



ZONING MAP NO. 79 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#12

DATE: July 26, 1989

PETITION NO.: 89-59

PETITIONER(S): M. Flavius J. Settin

REQUEST: Change from R-6MF to I-1(CD)

LOCATION: A .35 acre site located on the south side of Elmin Lane east of Old Steele Creek Road.

ACTION: The Zoning Committee recommends that this petition be deferred for thirty days and that the Zoning Administrator's Office report on possibly illegal industrial storage on adjacent tracts.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

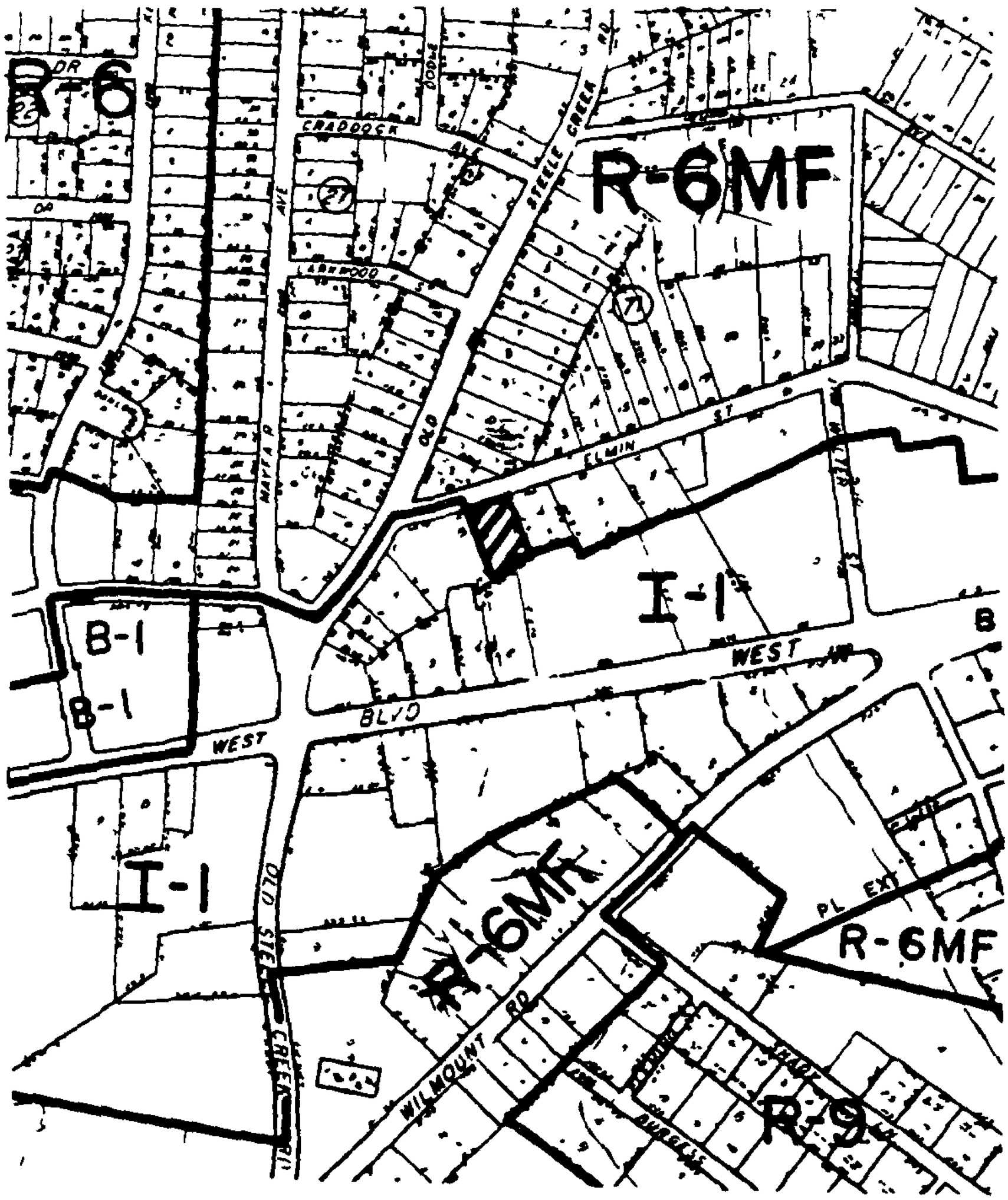
The Zoning Committee discussed this petition for some time. Opinion varied as to the advisability of this proposed zoning change and an issue arose regarding the uses of properties adjacent to the subject site. The Zoning Committee instructed the staff to work with the Zoning Administrator's Office to investigate the uses on the adjoining site to determine if they are properly non-conforming.

PETITIONER M. Flavius J. Settin

PETITION NO. 89-59 HEARING DATE July 17, 1989

ZONING CLASSIFICATION, EXISTING R-6MF REQUESTED I-1(CD)

LOCATION Approximately .36± acres located on the south side of Elmin Street east of Old Steele Creek Road.



ZONING MAP NO. 104 & 109 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#13

DATE: July 26, 1989

PETITION NO.: 89-60

PETITIONER(S): Frank J. LaPointe

REQUEST: Change from R-9 to O-15(CD) and B-2 (CD)

LOCATION: A 15.4 acre site located on the east side of Independence Boulevard north or Margaret Wallace Road fronting along both sides of Delta Road Extension (Harris Boulevard).

ACTION: The Zoning Committee deferred action on this request indefinitely at the request of the petitioner.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

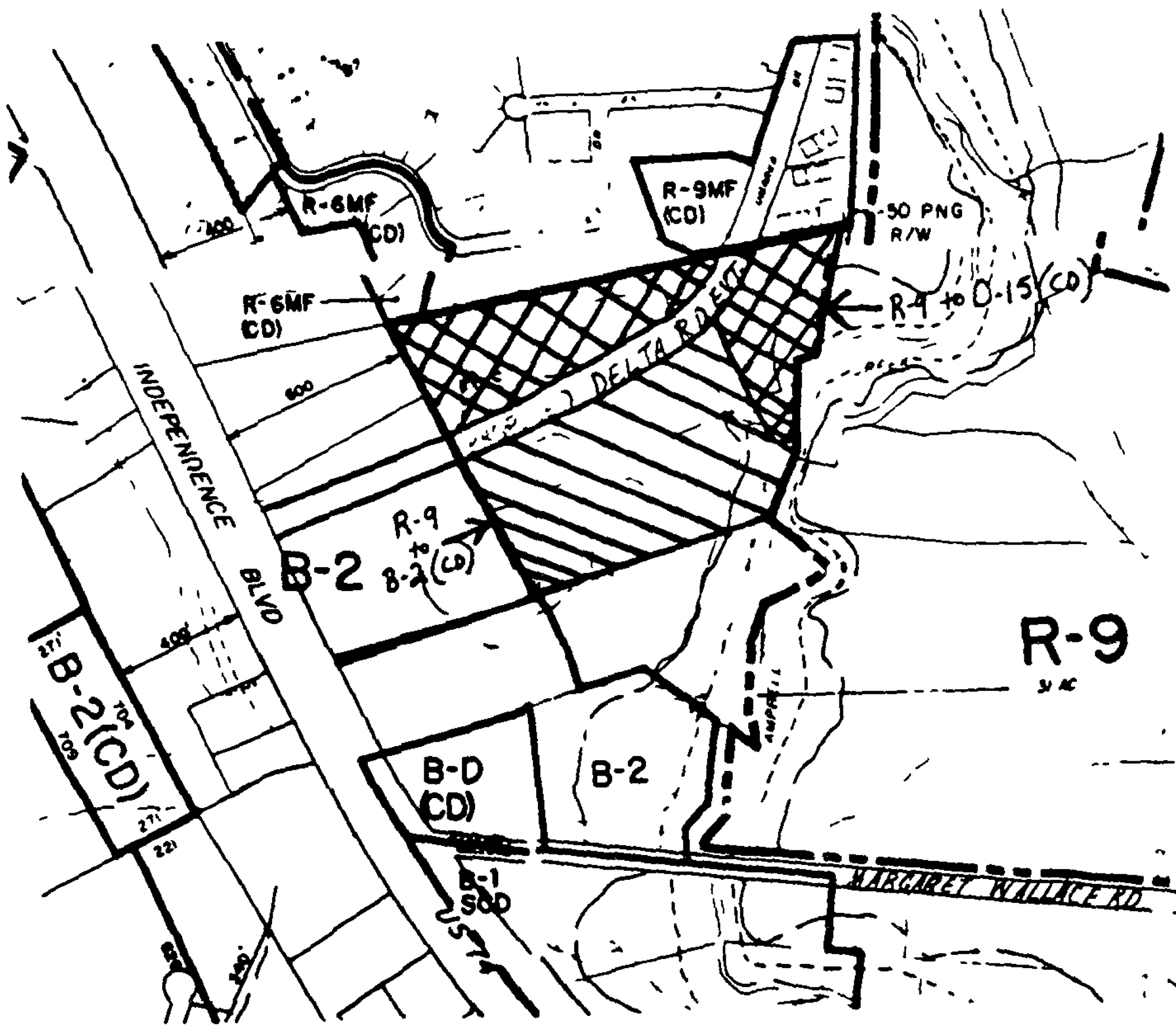
An agent for the petitioner asked that the Zoning Committee defer action on this request indefinitely so that they might pursue changes to the proposed plan in response to issues raised in the staff analysis and at the public hearing.

PETITIONER Frank J. LaPointe

PETITION NO. 89-60 HEARING DATE July 17, 1989

ZONING CLASSIFICATION, EXISTING R-9 REQUESTED O-15(CD) & B-2(CD)

LOCATION Approximately 15.4 acres located off the east side of Independence Boulevard north of Margaret Wallace Road along both sides of Delta Road (Proposed) Extension



ZONING MAP NO. 122, 123, 137, & 138 SCALE 1" = ~~200'~~ Reduced

PROPERTY PROPOSED FOR CHANGE

#14

DATE: July 26, 1989

PETITION NO.: 89-61

PETITIONER(S): The Pantry

REQUEST: Change from O-6 to B-1(CD)

LOCATION: A 1.34 acre site located on the west side of N. Sharon Amity Road north of Central Avenue.

ACTION: The Zoning Committee recommends that this petition be denied.

VOTE: Yeas: Davis, Vaughan, Wheeler and Winget.

Nays: Lassiter.

REASONS

The Zoning Committee discussed this petition for some time. It proposes the replacement of an existing single family structure on office zoned land with a convenience store. The site plan indicates that the facility would be served by a single driveway to N. Sharon Amity Road which would be limited to right in/right out movements only. The plan indicates the dedication of right-of-way along N. Sharon Amity but also indicates that the only landscape improvement on the front portion of the site would fall within this area to be dedicated. From a land use standpoint this petition would permit the continued migration of commercial type land uses away from the intersection of Central and Sharon Amity Road. This site and the one directly to the north are zoned office and the zoning provides a buffer between commercial zoning near the intersection and multi-family and single family zoning to the west and north. The majority of the Zoning Committee felt that the conversion of this property to a commercial use could set in motion a trend toward further rezonings of individual single family homes along this stretch of N. Sharon Amity Road. A minority opinion was expressed that there still would remain a single tract zoned O-6 to serve as a buffer between this site and residential properties. However, the majority of the Zoning Committee felt that this petition was not appropriate for approval.

STAFF OPINION

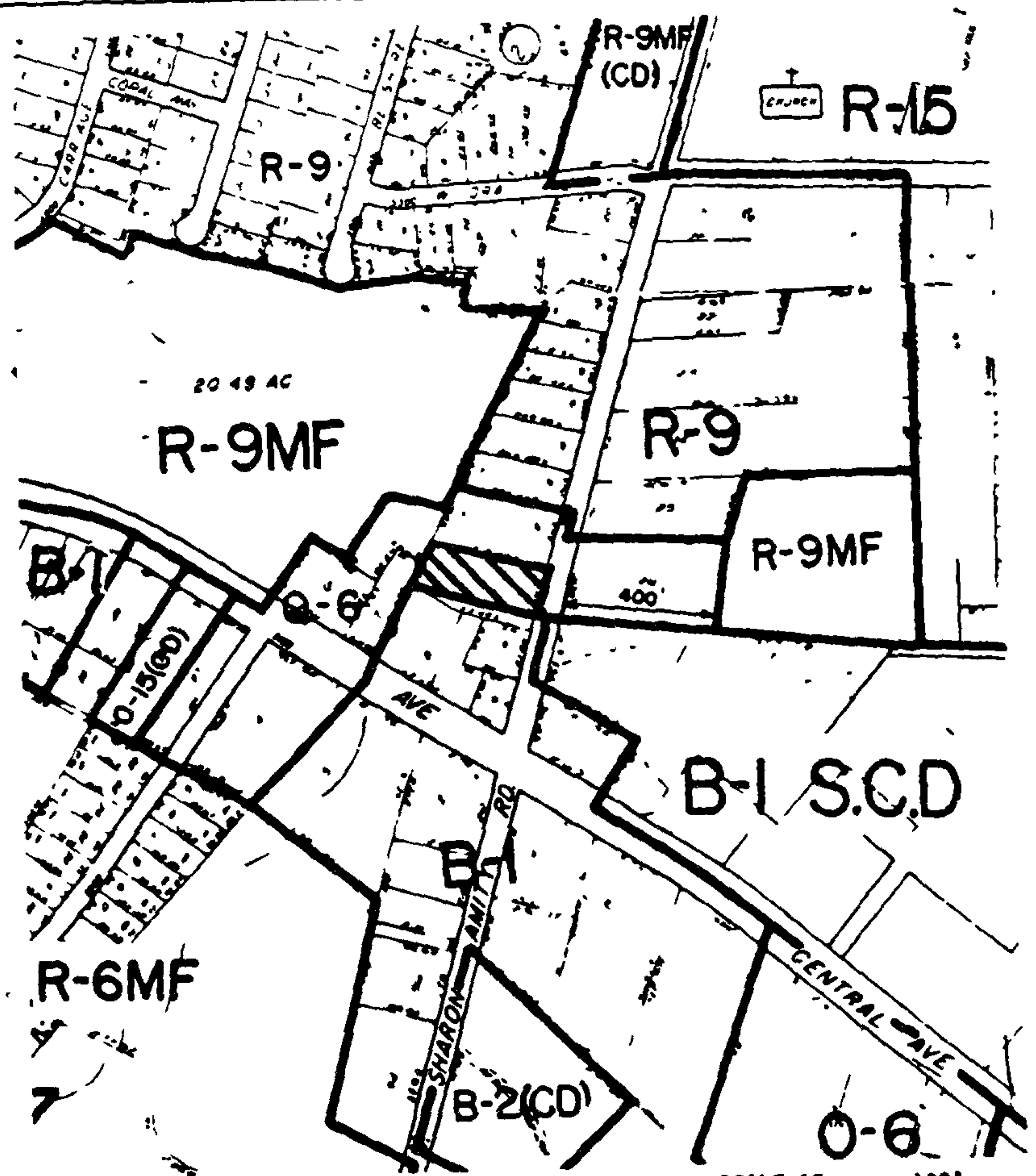
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER The Pantry

PETITION NO. 89-61 HEARING DATE July 17, 1989

ZONING CLASSIFICATION, EXISTING O-6 REQUESTED B-1(CD)

LOCATION Approximately 1.341 acres located on the west side of N. Sharon Amity Road north of Central Avenue.



ZONING MAP NO. 100 & 113 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

#15

DATE: July 26, 1989

PETITION NO.: 89-62

PETITIONER(S): Fralin and Waldron, Inc.

REQUEST: Change from R-12 to R-9MF(CD)

LOCATION: A 5 acre site on the east side of Toddville Road south of Freedom Drive.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

This petition proposes the development of a nursing home facility on a tract surrounded by scattered single family development. The petitioner proposes road improvements, screening, right-of-way dedication, and a commitment for the petitioner to initiate a rezoning of the property if the certificate of need is not approved by the State. There are no land use issues which accompany this application and all the technical issues on the site plan have been addressed. Therefore, the Zoning Committee recommends that this petition be approved.

STAFF OPINION

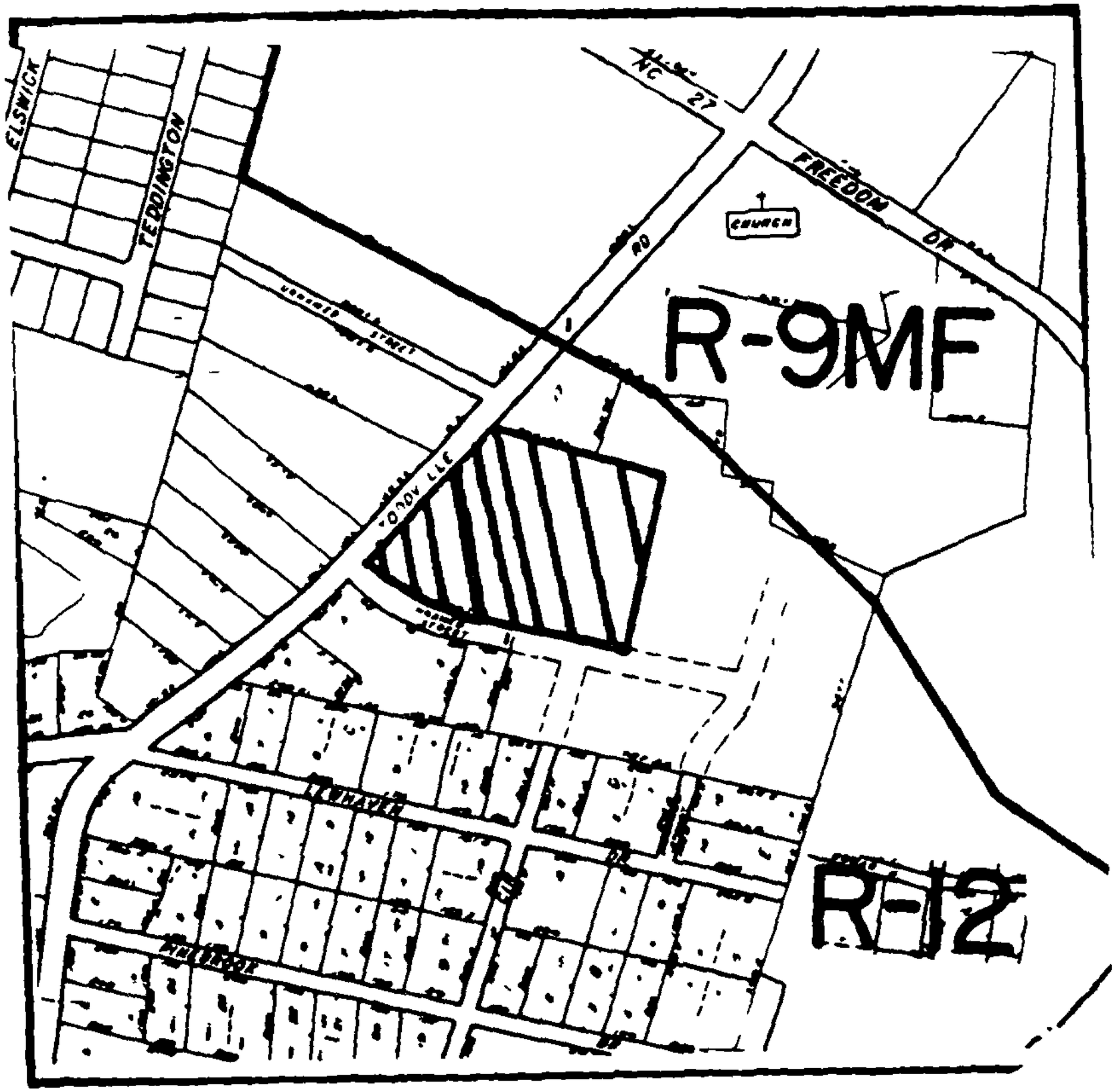
The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Fralin and Waldron, Inc.

PETITION NO. 89-62 HEARING DATE July 17, 1989

ZONING CLASSIFICATION, EXISTING R-12 REQUESTED R-9MF(CD)

LOCATION Approximately 5.0 acres located on the east side of Toddville Road south of Freedom Drive.



ZONING MAP NO. 81 SCALE 1" = __

PROPERTY PROPOSED FOR CHANGE

#1B

DATE: July 26, 1989

PETITION NO.: 89-63

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Establish zoning jurisdiction of the City of Charlotte and newly annexed areas.

LOCATION: Approximately 6,276 acres located in five areas which were annexed in the City of Charlotte effective June 30, 1989.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

The City of Charlotte is authorized by State law to extend its zoning jurisdiction into newly annexed areas. It is common practice for the City of Charlotte to establish zoning on properties in newly annexed areas as the same zoning categories as the properties contained when they were under the jurisdiction of Mecklenburg County. Within these five annexation areas there are two exceptions to this rule. In the I-77 Corridor North Annexation Area there are several parcels which are zoned O-9. This is a category which does not exist in the City ordinance. The recommendation for these parcels is that they be zoned O-6 under the City Zoning Ordinance so that no nonconforming uses would be created. The other exception to the customary practice is a small parcel of land in the Rea Road/Elm Lane West annexation area. That parcel is zoned RU(CD) for a commercial nursery. The City Zoning Ordinance does not contain a similar category and the property owners have consented to their site being rezoned to B-1(CD) pursuant to the site plan originally approved by Mecklenburg County. The Zoning Committee believes that this addresses all of the concerns of property owners involved in the annexation and makes a smooth transition from County zoning jurisdiction to City zoning jurisdiction. The Zoning Committee recommends that this petition be approved.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER City of Charlotte

PETITION NO. 89-63 HEARING DATE July 1, 1989

ZONING CLASSIFICATION, EXISTING SEE ATTACHED REQUESTED SEE ATTACHED (NOTES 1 &

LOCATION 6,276 acres of recently annexed property in the I-77 Corridor North, Hemphill, Rea Road/Elm Lane West, Arrowood I, and Arrowood II.

SEE ATTACHED MAP

ZONING MAP NO. Separate

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE

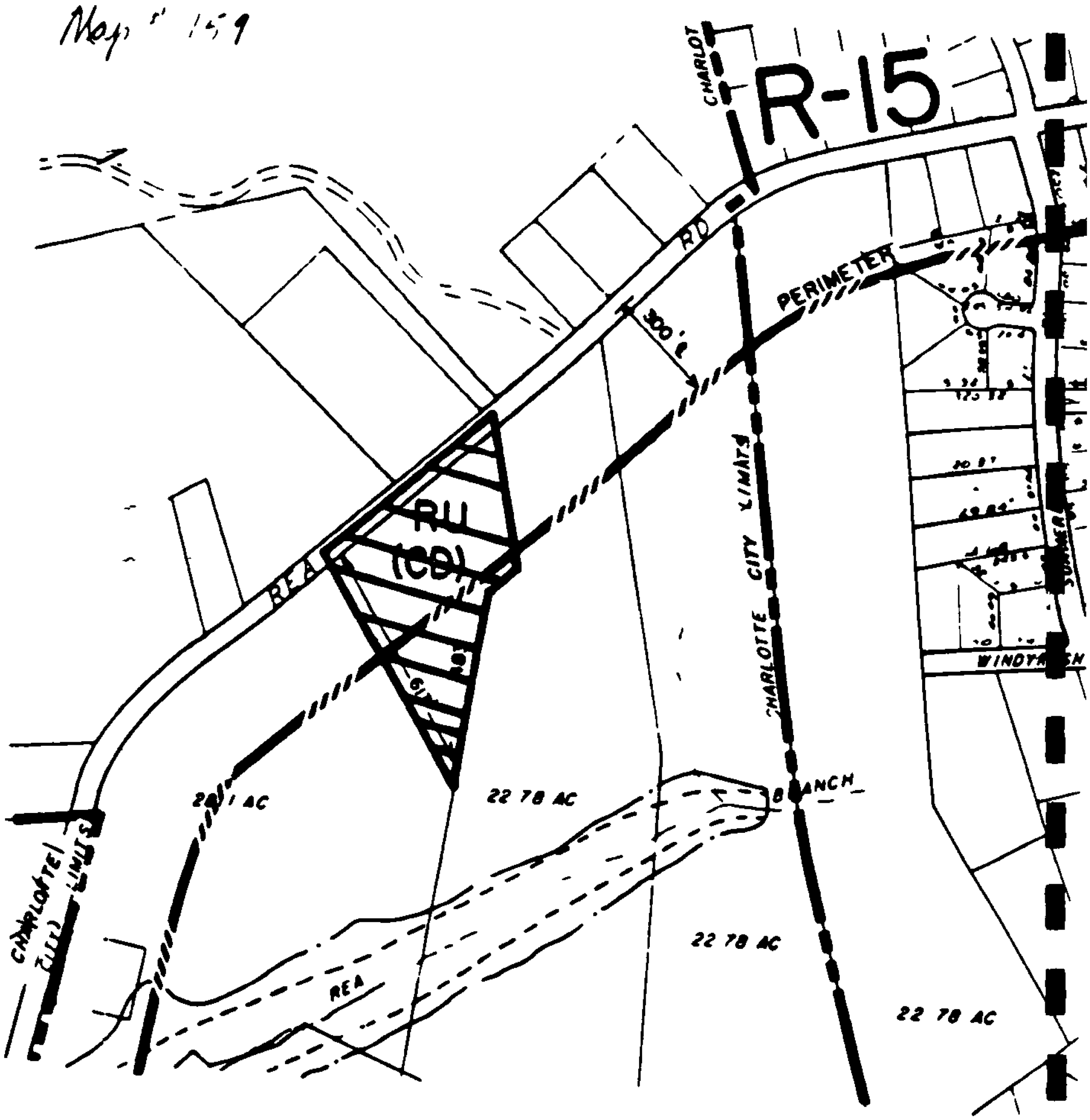
Petition No. 89-63

Existing Zoning: R-15, R-15(CD), R-12, R-9, R-9(CD), R-6, R-20MF, R-PUD, R-15MF, R-15MF(CD), R-12MF, R-12MF(CD), R-9MF, R-6, RU(CD), O-9, O-15, B-1, B-1(CD), B-2, B-2(CD), B-1SCD, I-1, I-1(CD), I-2, and I-2(CD).

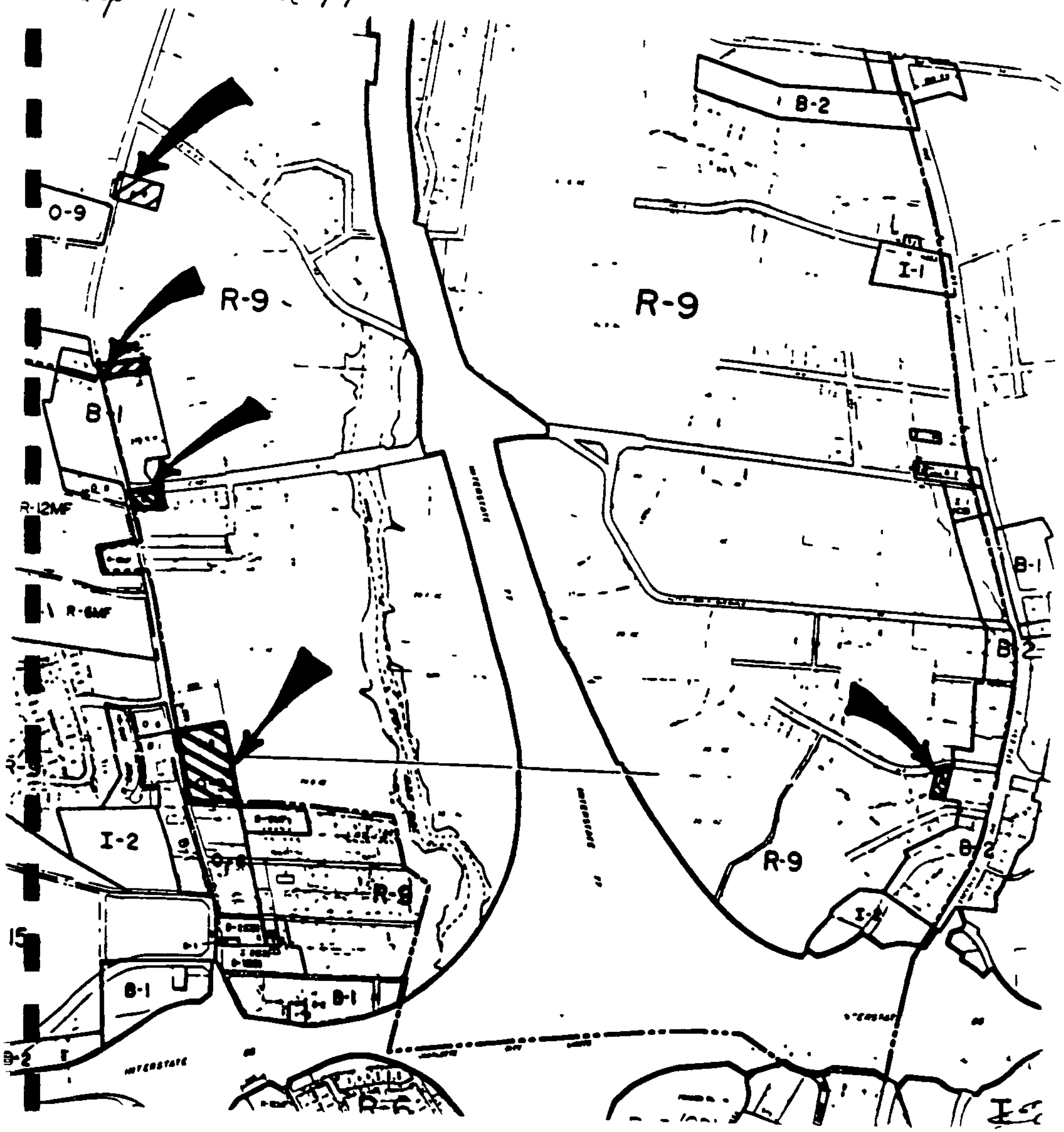
Change to: Note 1 (Rea Road/Elm Lane West): One (1) parcel on Rea Road between Summerlin Place and Rea Branch is zoned RU(CD). The City has no RU district; therefore, the parcel is recommended for B-1(CD).

Note 2 (I-77 Corridor North): Three (3) parcels along Beatties Ford Road and one on Riley Avenue are zoned O-9. The City has no O-9 district; therefore, these parcels are recommended for O-6.

Map # 159


R-15
CHARLOT
RD
PERIMETER
300'
R-11
(CD)
REA
CITY LIMITS
CHARLOTTE
WINDYA
22 78 AC
22 78 AC
22 78 AC
22 78 AC
BRANCH
REA
CHARLOTTE
CITY LIMITS

Map # 69 and 79


O-9
R-9
B-1
R-12MF
R-6MF
I-2
R-9
B-1
B-1
15
B-2
INTERSTATE
B-2
I-1
R-9
R-9
B-1
B-2
B-2

#19

DATE: July 26, 1989

PETITION NO.: 89-64

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from B-2, R-6MF, and O-6 to R-6 and O-6

LOCATION: Several parcels totaling approximately 5.3 acres on the westerly side of West Park Avenue along portions of Southwood Avenue and along portions of South Tryon Street near its intersection with West Park Avenue.

ACTION: The Zoning Committee recommends that this petition be approved with the exception of two parcels. Lots No. 27 and 28 on the appropriate tax map, both located at the intersection of West Park Avenue and South Tryon Street, would remain zoned B-2.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS -

This petition is initiated to support the recommendations of the West Morehead Special Project Plan which was adopted in 1987 by the City Council. That plan made numerous recommendations for corrective rezonings throughout the West Morehead Street area. This petition was intended to return properties which are presently used for single family purposes to single family categories. The Zoning Committee felt that by and large this was an appropriate proposal. However, they felt that two objecting property owners with tracts presently zoned B-2 and whose parcels fronted directly on South Tryon Street should be allowed to keep their present zoning classification. Therefore, the Zoning Committee recommends that this petition be approved with the exception of the two for mentioned parcels which are indicated as Nos. 27 and 28 on the appropriate tax map.

STAFF OPINION

The staff believes that the entire proposal should be recommended for approval. The staff had already discussed with one of the two property owners a compromise measure which would allow the property to be rezoned from B-2 to O-6 rather than to R-6. However, the property owner was not inclined to accept that compromise proposal.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-64 HEARING DATE July 17, 1989

ZONING CLASSIFICATION, EXISTING B-2, R-6MF and O-6 REQUESTED R-6 & O-6

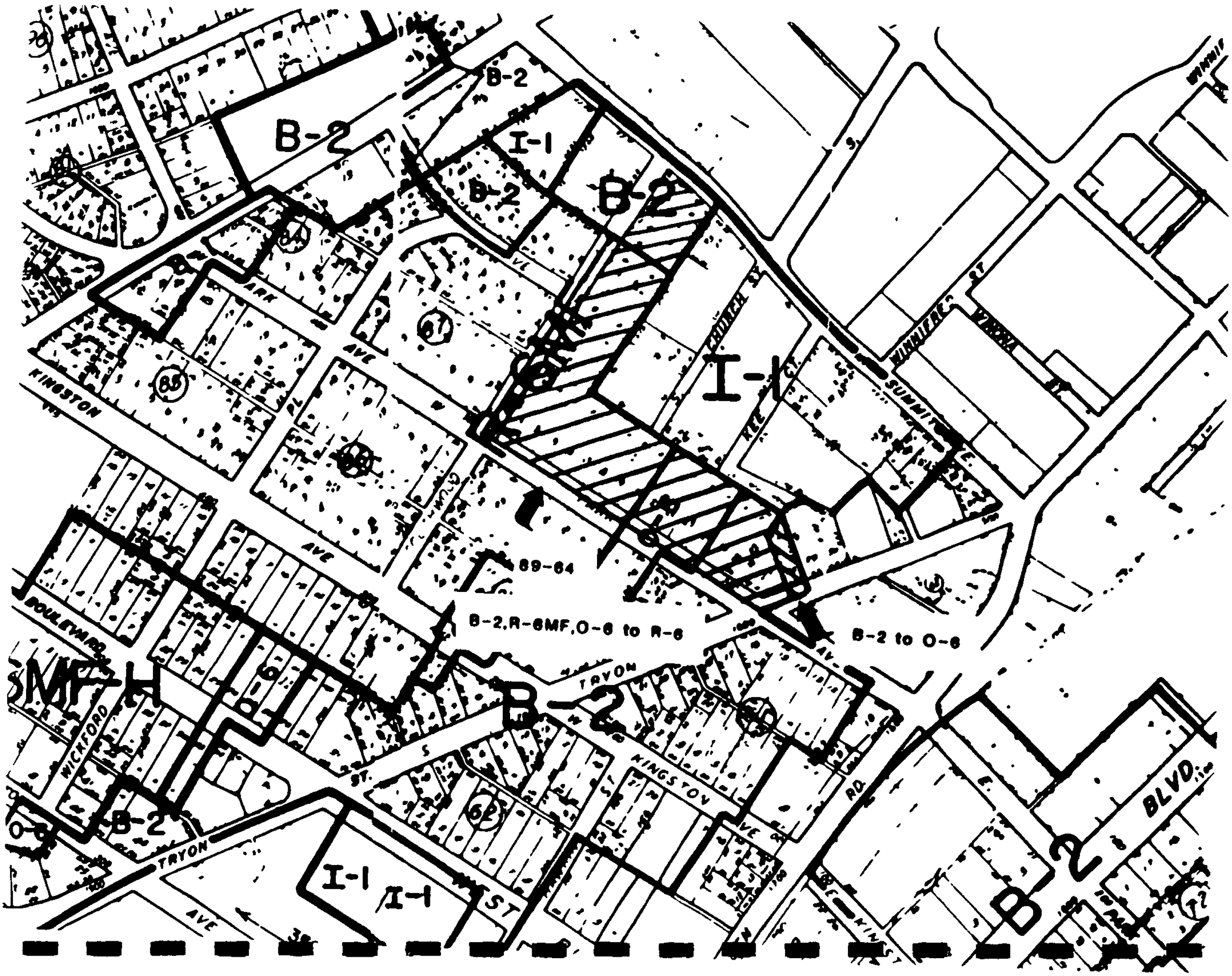
LOCATION Approximately 5.53 acres located on the westerly side of Park Avenue between Southwood Avenue and South Tryon Street.

SEE ATTACHED MAP

ZONING MAP NO. 102 & 103

SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


B-2
B-2
I-1
B-2
B-2
I-1
KINGSTON
AVE
AVE
BOULEVARD
B-2
B-2
B-2

#18

DATE: July 26, 1989

PETITION NO.: 89-65

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-2 to I-1

LOCATION: Several parcels totalling approximately 2.6 acres located on the northwesterly corner of South Tryon Street and West Summit Avenue.

ACTION: The Zoning Committee recommends that this petition be approved.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

This is the second of three petitions to implement the recommendations of the West Morehead Street Special Project Plan. All the properties involved this request are presently zoned I-2, but are used for uses which could be accommodated in the I-1 district. Therefore, the plan recommends that the properties be rezoned to the I-1 classification. Zoning Committee believes that this petition is appropriate for approval.

STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-65 HEARING DATE July 17, 1989

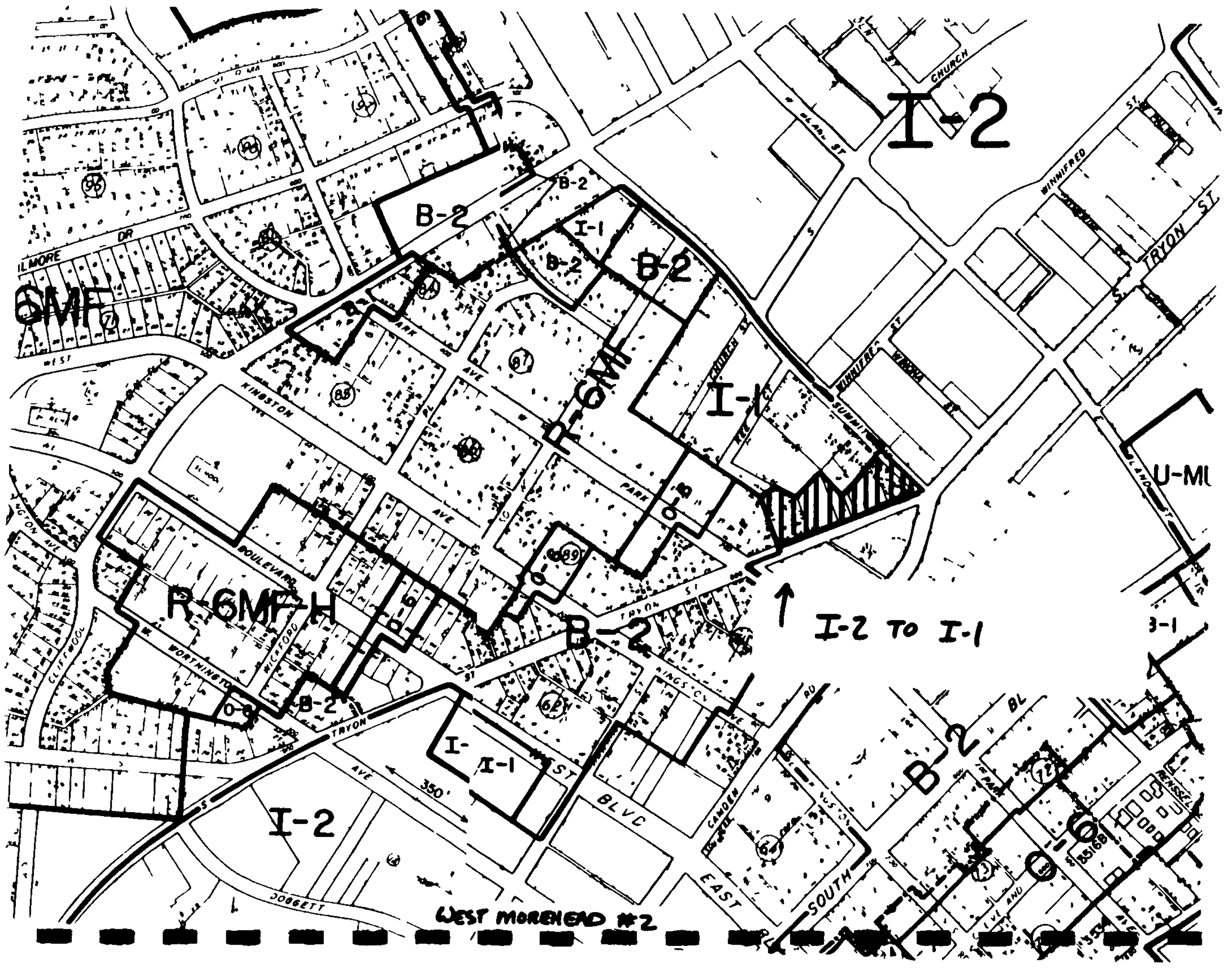
ZONING CLASSIFICATION, EXISTING I-2 REQUESTED I-1

LOCATION Approximately 2.697 acres located on the northwesterly corner of South Tryon Street and W. Summit Avenue.

SEE ATTACHED MAP

ZONING MAP NO. 102 & 103 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


I-2
CHURCH
WINNIFRED
TRYON ST
B-2
I-1
R-6MF
KINGSTON
AVE
PARK
BOULEVARD
WORTHINGTON
WICKFORD
CLIFFWOOD
TRYON
I-2 TO I-1
350'
BLVD
EAST
SOUTH
CAMDEN
DOGGETT
WEST MOREHEAD #2

#19

DATE: July 26, 1989

PETITION NO.: 89-66

PETITIONER(S): Charlotte-Mecklenburg Planning Commission

REQUEST: Change from I-2 and I-3 to UMUD

LOCATION: Several parcels totaling approximately 8.3 acres bounded by West Independence Boulevard (Carson Boulevard), Morehead Street, Winnifred Street, and the John Belk Freeway.

ACTION: The Zoning Committee deferred action on this request and asked the staff to provide additional information regarding the UMUD category.

VOTE: Yeas: Davis, Lassiter, Vaughan, Wheeler and Winget.

Nays: None.

REASONS

This is the third of a series of petitions to implement the recommendations of the West Morehead Street Special Project Plan. It calls for the conversion of the existing I-2 and I-3 zoning to the UMUD category. The UMUD category is the predominate category in most of the uptown area. No nonconforming uses would be created by this rezoning, but the Zoning Committee expressed concern about the extent that which the UMUD category is being used in the uptown area. The Zoning Committee asked for a report from the Planning Director about issues raised in the Central Area Urban Design Plan regarding the UMUD zoning district.

PETITIONER Charlotte-Mecklenburg Planning Commission

PETITION NO. 89-66 HEARING DATE July 17, 1989

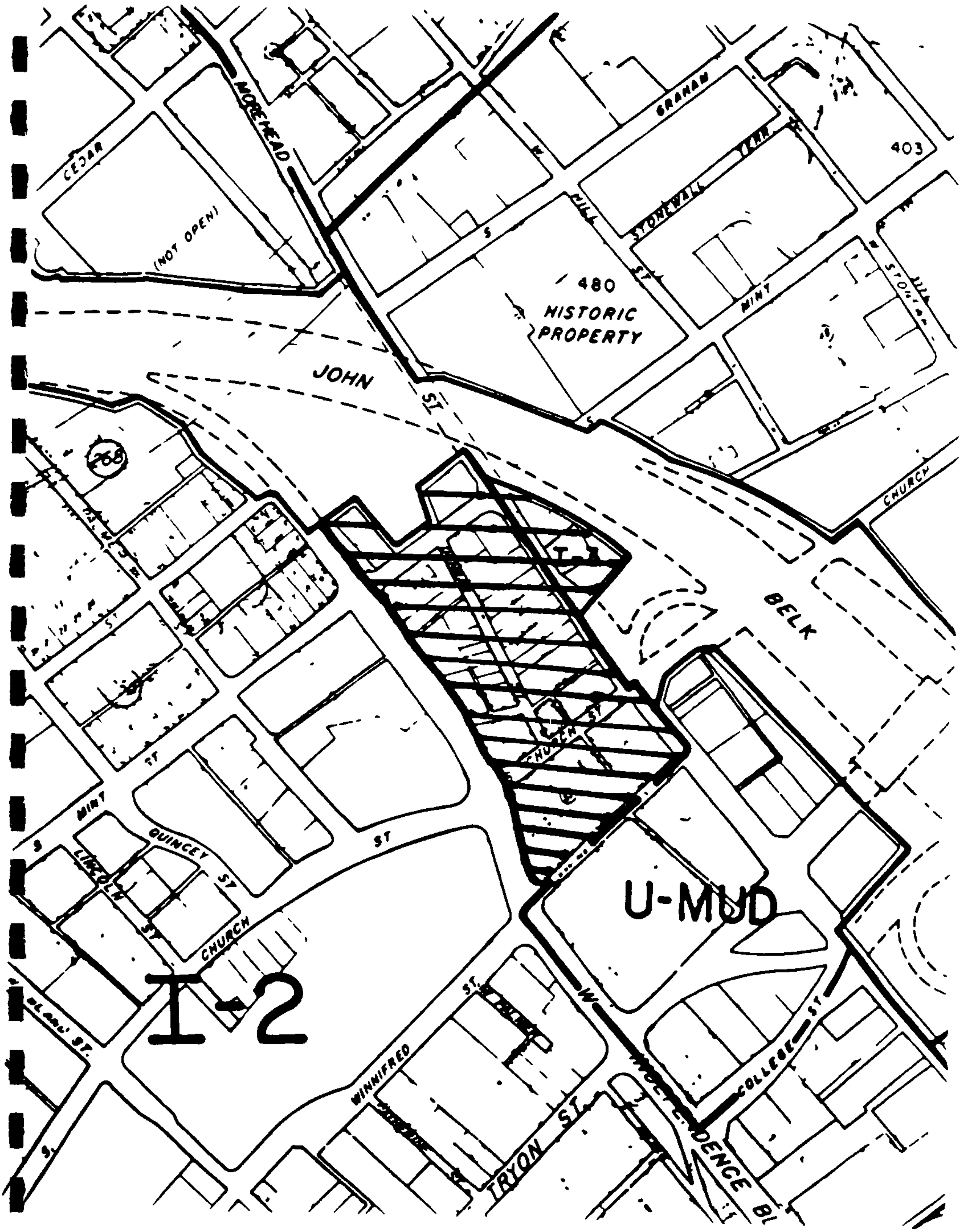
ZONING CLASSIFICATION, EXISTING I-2 & I-3 REQUESTED U-MUD

LOCATION Approximately 8.397 acres bounded by West Independence Boulevard (Carson Boulevard) on the west, Morehead Street on the east, Winnifred Street on the south, and John Belk Freeway to the north and east.

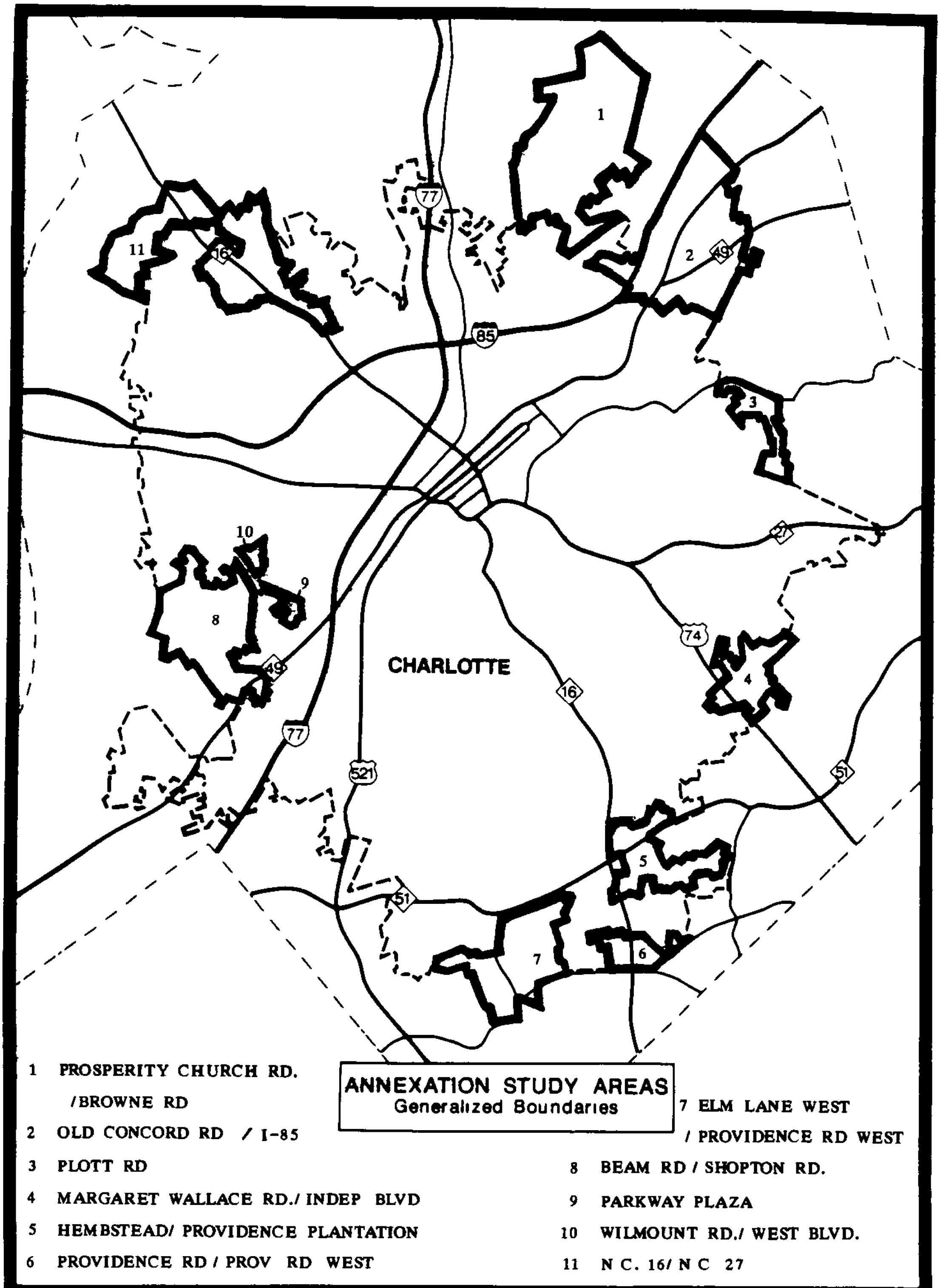
SEE ATTACHED MAP

ZONING MAP NO. 102 & 103 SCALE 1" = 400'

PROPERTY PROPOSED FOR CHANGE


CEDAR
(NOT OPEN)
MOREHEAD
GRAHAM
STONEWALL
403
480
HISTORIC
PROPERTY
MINT
STONE
JOHN
ST
268
CHURCH
BELK
CHURCH ST
MINT
QUINCEY
ST
LINCOLN
ST
CHURCH
U-MUD
I-2
WINNIFRED
TRYON ST
COLLEGE
ST

#20


CHARLOTTE
ANNEXATION STUDY AREAS
Generalized Boundaries
1 PROSPERITY CHURCH RD. /BROWNE RD
2 OLD CONCORD RD / I-85
3 PLOTT RD
4 MARGARET WALLACE RD./ INDEP BLVD
5 HEMBSTEAD/ PROVIDENCE PLANTATION
6 PROVIDENCE RD / PROV RD WEST
7 ELM LANE WEST / PROVIDENCE RD WEST
8 BEAM RD / SHOPTON RD.
9 PARKWAY PLAZA
10 WILMOUNT RD./ WEST BLVD.
11 N C. 16/ N C 27

#21

Proposal for Charlotte - Mecklenburg Utilities Department

Kathy Triplett

This ceramic wall relief represents the hydrologic cycle and man's position in the cycle. It is composed of five panels. The two outside ones, with their organic outline, represent the natural elements in the cycle; i.e. the formation of water in the atmosphere and underground flow through the geological layers of sand, clay, and rock. The three interior panels portray man's capture of water. Dams are represented first by showing the scalloped layers of water as it flows over a smooth surface. Water transmitted from the resevoir and distributed to users is represented in next panel by the massive and intricate system of pipes. The next panel shows the last step in man's role; the treatment of wastewater with its array of cylindrical filtering devices and rotating biological contactors.

For each section the clay pieces are adhered to plywood so that the edges of the plywood are not seen. The plywood is secured with screws to the wall joists, with clay plugs to cover the screwheads. Each panel weighs approximately 200 pounds.

The predominate colors of aquas, greens, teals, and shades of terra cotta, ochre, and taupe are composed of ceramic stains and matt glazes fired to 2,200 °.

Buaget for Proposed Wall Piece for Charlotte - Mecklenburg Utilities Department

By Kathy Triplett

Materials and Engineering clay, glaze materials, plywood, adhesives, screws	$ 675.
Studio Overhead - six months rent, utilities	1,326.
Delivery and Installation gas, labor, packing	265.
Photography slides and black and whites for publication and for client	160.
Artist's Fee	9,450.
	$11,876

KATHERINE A. TRIPLETT
170 Lyman
Asheville, North Carolina 28801

(704) 253-8266

Education

Univérsidad de las Américas, Cholula, Puebla, Mexico
Agnes Scott College, Decatur, Georgia, B A

Guild Memberships

Piedmont Craftsmen, Inc , Winston-Salem, North Carolina
Southern Highland Guild, Asheville, North Carolina

Commissions and Collections

McCann - Erickson Advertising, New York, New York, 1989
Crum & Forster Insurance, Durham, North Carolina, 1989
Coca-Cola Enterprises, Atlanta, Georgia, 1988
Sheraton Hotel, Myrtle Beach, South Carolina, 1988
Raleigh Federal Bank, Raleigh, North Carolina, 1988
Hyatt Regency, Tampa, Florida, 1987
Hyatt Regency Ravinia, Atlanta, Georgia, 1987
Ray Chem Corporation, Atlanta, Georgia, 1987
Hyatt Regency Cerromar, Dorado, Puerto Rico, 1986
Holt and Land, Atlanta, Georgia, 1986
Asheville Art Museum, Asheville, North Carolina; 1986
Central Carolina Bank and Trust, Raleigh, North Carolina, 1986
North Carolina Museum of History, Raleigh, North Carolina, 1986
Instituto Portales, Cochabamba, Bolivia, 1984
Tennessee Valley Authority, Knoxville, Tennessee, 1983
Georgia Council for the Arts and Humanities, Atlanta, Georgia, 1982

Selected Exhibitions

Merit Award, "The Cedar Creek National Teapot Show", Creedmore, North Carolina, 1989
"Out of the Carolinas", International Gallery, San Diego, California, 1989
"The Unique, The Unusual, The Utilitarian", Craft Alliance, St Louis, Missouri, 1989
"North Carolina Artists Invitational", Wilson Arts Center, Wilson, N C , 1989
"Spotlight 89", University of Florida Gallery, Gainesville, Florida, 1989
"Traveling Exhibition", Florida Craftsmen Gallery, Florida, 1989
Solo Exhibition, Great American Gallery, Atlanta, Georgia, 1988
"The Artful Hand", Green Hill Art Center, Greensboro, North Carolina, 1988
"Teapots", The Clay Pot, Brooklyn, New York, 1988
"Spotlight 88", Moody Gallery of Art, Tuscaloosa, Alabama, 1988

"Southern Craft Invitational 1988", New Elements Gallery, Wilmington, North Carolina, 1988
"The Dripless Spout", Arrowmont Gallery, Gatlinburg, Tennessee, 1988
"Form and Function Teapots"; Craft Alliance, St Louis, Missouri, 1988
"A Tea Party", Pinch Pottery, Northhampton, Massachusetts, 1988
"Desert Tea", Incorporated Gallery, New York, New York, 1988
"The Teapot Form and Function", Artworks Gallery, Seattle, Washington, 1987
"At the Table", Society of Arts and Crafts, Boston, Massachusetts; 1987
"Clay Concepts", Mindscape Gallery, Evanston, Illinois, 1987
"Teapots", International Gallery, San Diego, California, 1987
"North Carolina Treasures/Women Craft Artists", International Craft Marketplace, Philadelphia, Pennsylvania, 1987
"Tea for Two-hundred", Incorporated Gallery, New York, New York, 1987
"A Tea Party", Craft Company No 6, Rochester, New York, 1987
"Hard and Soft Geometry Clay and Fiber", The Arts Council, Inc , Winston-Salem, North Carolina, 1987
"The 10th Artist Invitational Exhibition", The Waterworks Visual Arts Center, Salisbury, North Carolina, 1987
Solo Exhibition, Chelsea Gallery, Cullowhee, North Carolina, 1987
"Spotlight 87", Arrowmont, Gatlinburg, Tennessee; 1987
"New Art Forms", Chicago International Exposition, Chicago, Illinois, 1986
"Summer Show", New Morning Gallery, Asheville, North Carolina, 1986
Solo Exhibition, Asheville Art Museum, Asheville, North Carolina, 1986
"Second Juried Exhibition of North Carolina Crafts, North Carolina Museum of History, Raleigh, North Carolina, 1986
"Spotlight 85", Longwood College, Farmville, Virginia, 1985
"The Tabletop", Southeastern Center for Contemporary Art, Winston-Salem, North Carolina, 1984
"Ceramics Southeast", University of Georgia Athens, Georgia, 1982
"National Drawing Show", Terrance Gallery, Palenville, New York; 1981
Solo Exhibition, Agnes Scott College; Decatur, Georgia, 1980

#22

CHARLOTTE-MECKLENBURG COUNTY
INTEGRATED RESPONSE PLAN FOR ALL HAZARDS

EXECUTIVE SUMMARY

The following information serves as an explanation and a summary of the Charlotte-Mecklenburg County Integrated Response Plan for All Hazards. This document represents the culmination of over two years of work by the staff of the Charlotte-Mecklenburg Emergency Management Office (CMEMO) as well as other City and County departments. Numerous meetings and work sessions were held where successive versions of the plan were refined into this final draft document

The primary features of the plan are as follows

A The response procedures were developed based on functions that are common to disaster/emergency operations involving potential emergency occurrences in this area

B All departments affected by the plan were afforded several opportunities to provide input concerning their roles as specified within the confines of the planning document

C The response plan meets or exceeds all Federal and/or State requirements for emergency response planning documents

D This planning document combines elements from other response plans except those mandated by federal regulation to remain as separate entities.

E. The document is concise in that departments can quickly identify their areas of responsibility.

F The document was developed without the provision of any special funding and can be periodically updated within the confines of Emergency Management's budget.

G. With the document meeting or exceeding all Federal and State guidelines, it will ensure the continued participation of CMEMO under the Emergency Management Grant Program.

H. This response plan is rapidly adaptable for revision due to the fact that it is a stored document in a mainframe word processing system.

Perhaps the most positive aspects of improvement over the existing plans are in the areas of accountability, liability, and the enhancement of public safety and welfare. In that the plan meets or exceeds all Federal and State response planning requirements the questions of accountability and liability are addressed by North Carolina General Statutes 166A.14 and 166A.15. As long as emergency workers, as specified by 166A.14(d), act or respond in a prudent, reasonable manner, the individual cannot be held liable as the result of emergency response activity, while under a disaster or emergency declaration.

The issue of enhanced public safety results from a more expeditious and uniform response brought about by a clearer understanding of responsibilities and roles as well as a more defined line of authority and control The All Hazards plan clearly delineates these elements, thereby ensuring a rapid decision-making process that translates into prompt incident mitigation.

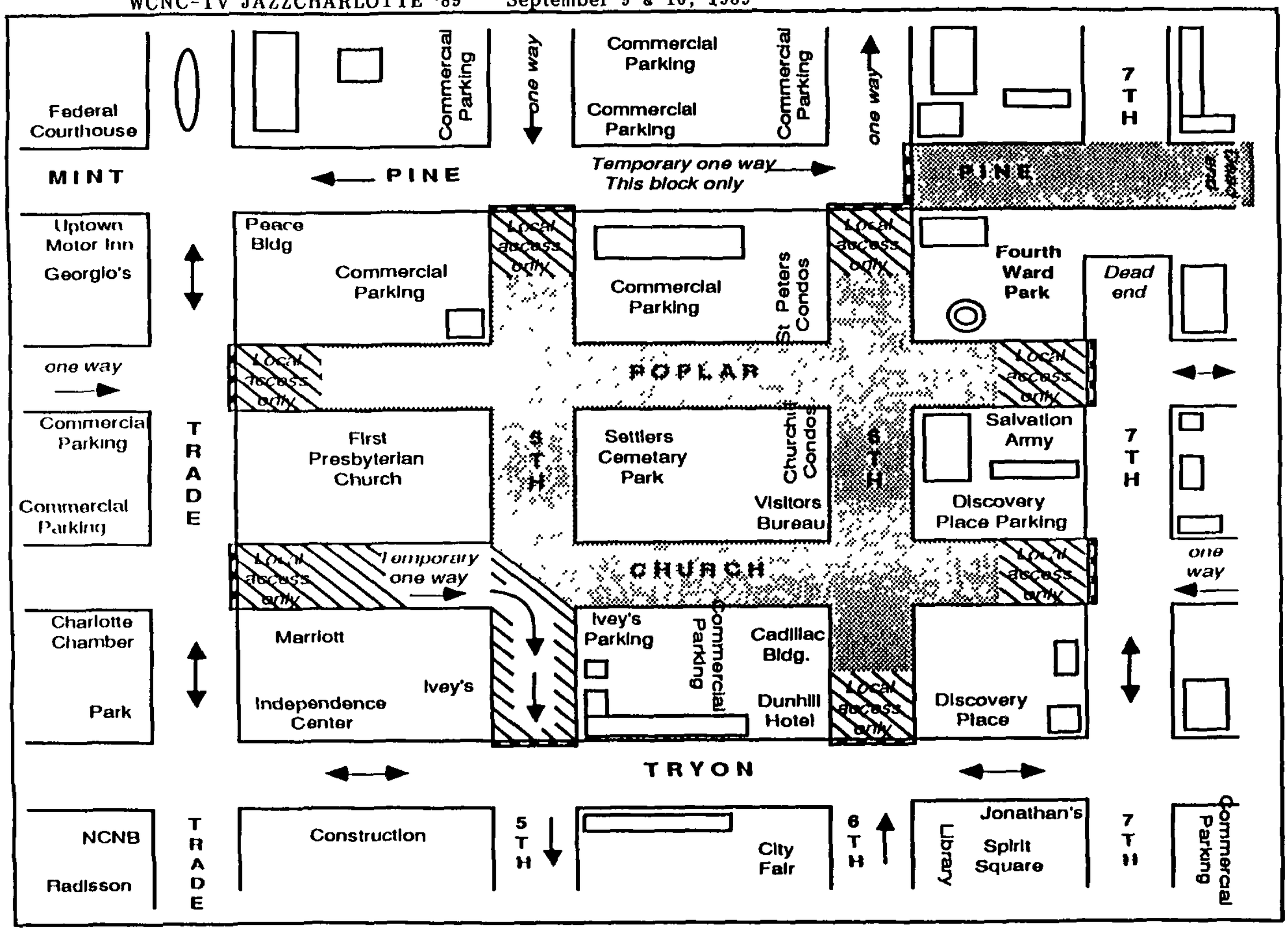
The All Hazards plan can be used in isolated incidents or for emergencies that affect an entire municipality or multi-county area. The flexibility of the plan allows it to be used in a field operational setting without the activation of the EOC or in harmony with EOC operations

In summary, the All Hazards plan provides a guide for use in emergency operations which does not eliminate the quality of personal initiative which is often necessary in the mitigation of a rapidly evolving incident The plan also maintains a sense of continuity between elected representatives, City/County management and emergency response organizations which is imperative in a disaster/emergency setting which threatens the safety and well-being of our community

Any comments or questions concerning this plan should be forwarded to the Emergency Management Office

#2

WCNC-TV JAZZCHARLOTTE '89 September 9 & 10, 1989



#24

JAMES M. HOWELL (BORGIN PROPERTIES)

Previous Council Action

On October 24, 1988, City Council voted unanimously in favor of approving a loan agreement of $160,000 with James Howell d/b/a Borgin Properties under the Rental Rehabilitation Program. Since completing the work on 11 units and starting work on six more units, Mr. Howell has experienced unanticipated cost overruns averaging $4,000 per unit. Major contributing factors have been hidden decay and high labor costs Mr. Howell and the contractor have taken immediate action steps to bring the work in line with their revised budget

Mr. Howell has provided the City a firm commitment letter from Mechanics & Farmers Bank matching the additional funds requested dollar for dollar. The request is still well within the Rental Rehabilitation guidelines. He is eligible to apply for $240,000 under the current Rental Rehabilitation guidelines. The additional request will bring his loan amount with the City to $210,000.

Source of Funds

	Current	Proposed
Mechanics and Farmers Bank	$160,000	$210,000
W. A. Yandle (Purchase Contract)	240,000	240,000
City of Charlotte	160,000	210,000
Borrower's Contribution	82,100	82,100
TOTAL PROJECT FUNDS	$642,100	$742,100
Less Acquisition Costs	-240,000	-240,000
TOTAL REHABILITATION COSTS	$402,100	$502,100

Terms of the Loan

Mechanics and Farmers Bank has approved a first mortgage on the property of $210,000 for rehabilitation. The loan term is 15 years with a fixed rate of 11%.

The second mortgage will be a purchase contract between James M. Howell and W. A. Yandle of $240,000. The loan term is 20 years with a fixed rate of 9%.

The City will hold a third and fourth mortgage on the property in the total amount of $210,000 at 0% plus a 5% fee due and payable in 15 years under the policies of the Rental Rehabilitation Program.

Value and Equity Position

An appraisal indicates the after rehabilitation value of the property to be $790,000. The planned total indebtedness after rehabilitation, including the private first, second, third and fourth mortgage with the City, will be $660,000. Therefore, the value of the property after rehabilitation will be sufficient to cover the total indebtedness by $130,000

Rent Schedule

The following is a table showing the rent levels of the 32 single-family houses in the Sterling Community

Rents	Before Rehabilitation	Rents After Rehabilitation	Maximum Allowable Rents for Section 8 *
(4)	1 BR - $85-$125/Month	$272/Month	$347
(24)	2 BR - $75-$175/Month	$318/Month	$407
(3)	3 BR - $90-$175/Month	$400/Month	$508
(1)	4 BR - $200/Month	$440/Month	$568
(32)			*Includes utilities

The rents before rehabilitation were being charged when the properties were purchased by Mr. Howell. The rents will remain the same until the units are completed and certified standard for Section 8 It should be noted that the low rents reflect the following for all 32 houses no heat except wood or coal stoves, no showers, no closets, no cabinets, no insulation, substandard and inadequate plumbing, substandard and inadequate wiring

It is expected that with Section 8 assistance the majority of tenants will be paying less rent (out-of-pocket) after the rehabilitation is complete than they were paying before rehabilitation

Section 8 has verified that the new rent levels are within their guidelines.

#25

A. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 1312 Beatties Ford Road (Oaklawn Park).

Date of Inspection: 9/23/88
Reason for Inspection: Field Observation
Owner(s) Notified of Hearing: 9/23/88 (mail returned)

Title search ordered and received: 12/12/89
Title search revealed no parties in interest. The Complaint & Notice of Hearing and the Findings of Fact & Order were advertised in the Mecklenburg Times because the owner could not be served by certified mail.

Date of Reinspection: 2/6/89
Owner(s) Notified of Hearing: 2/17/89
Hearing Held: 3/3/89
Owner(s) Ordered to Demolish Dwelling By: 4/13/89
Estimated Value of Dwelling: $20
Estimated Repair Cost (which exceeds 65% of estimated value): $1,910

The repairs include: Repairing and replacing defective and missing foundation materials; replacing defective foundation vents; preparing and painting exterior of structure; installing screening at front porch.

The owner was notifed of a Civil Penalty on June 14, 1989. The total penalty as of August 28, 1989 amounts to $1,470. The owner has also been notified of this August 28, 1989 Council action.

B. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2545 Hemphill Street (Carr Heights).

Date of Inspection: 1/15/87
Reason for Inspection: Field Observation
Owner(s) Notified of Hearing: 1/21/87 (mail returned)

Title search ordered and received: 2/25/87
Title search revealed parties in interest. The Complaint and Notice of Hearing and The Findings of Fact & Order were advertised in the Mecklenburg Times because the parties in interest could not be served by certified mail.

Code action was delayed due to the property being fire damaged and the Charlotte-Mecklenburg County Building Standards Department had the responsibility of enforcement on fire damaged structures at that point in time.

Date of Reinspection: 12/15/88
Owner(s) Notified of hearing: 12/16/88
Owner(s) Ordered to Demolish Dwelling by: 3/6/89

In Rem action was delayed on this case because the parties in interest started demolishing this structure, however, work has been discontinued.

Estimated Value of Dwelling: $450
Estimated Repair (which exceeds 65% of estimated value): $31,500

The repairs include: Removing debris and torn out building materials and completely rebuilding structure from ground up.

The owner was notifed of a Civil Penalty on May 26, 1989. The total penalty as of August 28, 1989 amounts to $1,840. The owner has also been notified of this August 28, 1989 Council action.

C. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 2720 Duncan Avenue (Villa Heights).

Date of Inspection: 7/24/87
Reason for Inspection: Complaint

Title search ordered and received: 8/87
Title search revealed parties in interest to the property. Code action was delayed on the dwelling because the owner secured the property which satisfied the Housing Code at this point in time.

Date of Reinspection: 9/28/88
Owner(s) Notified of Hearing: 9/29/88
Hearing Held: 10/14/88
Owner(s) Ordered to Demolish Dwelling By: 11/19/88
Estimated Value of Dwelling: $690
Estimated Repair Cost (which exceeds 65% of estimated value): $13,250

The repairs include: Replacing defective and missing interior doors and locksets; installing new kitchen sink and supply lines; replacing cover plate on water heater; repairing walls and ceilings throughout dwelling; painting walls and ceilings throughout; replacing all missing window and door screens; replacing all defective windows and trim; replacing all defective and missing light fixtures; replacing kitchen cabinets; installing new bath lavatory and supply lines; replacing water tank at commode; weatherstripping exterior doors; preparing and painting interior woodwork; replacing all broken window glass; installing new foundation access door; replacing all decayed soffit and facia boards; replacing defective materials in foundation; replacing dilapidated fencing; replacing defective and missing gutters; removing trash and rubbish from premises; treating dwelling for infestation of rats and roaches; preparing and painting exterior; replacing front door casing; replacing rotted exterior siding; replacing rotted main sill at front; removing dead tree limbs; installing railing at rear steps; repairing and replacing defective floors; replacing disappearing staircase; installing new heating system; repairing plumbing fixtures to operate properly; installing adequate foundation vents; installing R-19 attic insulation.

The owner was notifed of a Civil Penalty on December 13, 1988. The total penalty as of August 28, 1989 amounts to $2,920. The owner has also been notified of this August 28, 1989 Council action.

D. Recommend adoption of an ordinance authorizing the use of in rem remedy to demolish and remove the dwelling located at 912 Campus Street (Washington Heights).

Date of Inspection: 8/11/87
Reason for Inspection: Field Observation
Owner(s) Notified of Hearing: 8/25/87 (mail returned)
Owner(s) Notified of Hearing: 10/23/87 (mail returned)

Title search ordered and received: 12/88
Title search revealed parties in interest. The Complaint & Notice of Hearing of Fact & Order were advertised in the Mecklenburg Times because the parties in interest could not be served by certified mail.

Date of Reinspection: 12/14/88
Owner(s) Notified of hearing: 2/10/89

Date of Reinspection: 2/17/89 (Revealed dwelling had been damaged by fire)
Owner(s) Notified of Hearing: 3/28/89
Hearing Held: 4/21/89
Owner(s) ordered to demolish dwelling by: 6/11/89
Estimated Value of Dwelling: $9,600 (before fire)
Estimated Repair (which exceeds 65% of estimated value): $13,650

The repairs include: Cleaning debris from interior caused by fire; tearing out all fire damaged members of walls, floors and ceilings; replacing all interior walls; replacing burned framing of exterior walls; replacing burned members of ceiling and roof system; replacing fire damaged flooring; replacing interior doors and trim; replacing burned and missing exterior doors and windows; replacing burned exterior siding and trim; replacing defective screens.

The owner was notifed of a Civil Penalty on July 20, 1989. The total penalty as of August 28, 1989 amounts to $870. The owner has also been notified of this August 28, 1989 Council action.

E. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to correct code violations at 2245 Sharon Road (Myers Park).

Date of Inspection: 9/26/88
Reason for Inspection: Petition
Owner(s) Notified of Hearing: 9/29/88 (mail returned)

A voluntary title search was made on May 11, 1989 because the owners whereabouts were unknown. The title search revealed no parties in interest.

Date of Reinspection: 5/23/89
Owner(s) Notified of Hearing: 5/30/89
Hearing Held: 6/15/89
Owner(s) Ordered to Repair Dwelling By: 7/15/89
Estimated Value of Dwelling: $77,190
Estimated Repair Cost (which is less than 65% of estimated value): $5,300

The repairs include: Painting all exterior wood surfaces; replacing missing and defective window screens; repairing roof and installing new roof covering; replacing rotten facia and trim; preparing and painting exterior of garage building; removing junk and debris from garage; removing bushes and undergrowth from yards.

The owner was notifed of a Civil Penalty on July 18, 1989. The total penalty as of August 28, 1989 amounts to $510. The owner has also been notified of this August 28, 1989 Council action.

F. Recommend adoption of an ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling located at 1812 Wayt Street (Greenville).

Date of Inspection: 3/14/89
Reason for Inspection: Field Observation
Owner(s) Notified of Hearing: 3/16/89
Hearing Held: 4/3/89
Owner(s) Ordered to Demolish Dwelling by: 5/5/89 (mail returned)

Investigation revealed that owner was deceased.
Administrator of estate notified of code enforcement action.

Owner(s) Notified of Hearing: 5/10/89
Hearing Held: 5/26/89
Owner(s) Ordered to Demolish Dwelling By: 6/26/89
Estimated Value of Dwelling: $17,560
Estimated Repair (Which Exceeds 65% of Estimated Value): $11,695

The repairs include: repairing holes in walls and ceilings; removing peeling paint and painting interior; repairing bathroom floor; replacing damaged or missing wall switches, receptacles and ceiling light fixtures; replacing damaged or missing interior doors and hardware; installing heating equipment; replacing missing interior wood trim; replacing improper foundation vents; repairing crawlspace access door; removing peeling paint and repainting exterior; replacing damaged rear entry door and hardware; replacing broken or missing window panes and sashes; replacing rotted porch decking at front; replacing missing window and door screens; installing R-19 insulation at attic; removing existing roof covering and damaged sheathing and rafters and replacing; removing dilapidated rear addition and replacing.

The owner was notified of a Civil Penalty on July 17, 1989. The total penalty as of August 28, 1989 amounts to $410. The owner has also been notified of this August 28, 1989 Council action.

G. Recommend adoption of an ordinance authorizing the use of in rem remedy to correct code violations at 121 Goff Street (Hoskins).

Date of Inspection: 11/25/87
Reason for Inspection: Complaint
Owner Notified of Hearing: 12/2/87
Hearing Held: 12/28/87
Owners Ordered to Repair Dwelling By: 2/27/88
(Certified mail returned unclaimed)
Owners Ordered to Repair Dwelling By: 6/19/88
(Mail Hand Delivered)

Title Search Ordered: 11/29/88
Title Search Revealed Party of Interest
Party of Interest Notified of Hearing: 2/10/89
Hearing Held: 3/10/89
Order To Repair Dwelling Issued to Party Of Interest: 3/29/89
Party of Interest Ordered to Repair Dwelling By: 4/28/89
Estimated Value of Dwelling: $19,640
Estimated Repair (Which Is Less Than 65% of Estimated Value): $2,065

The repairs include: removing peeling paint and repainting window sills at living room and kitchen; repairing holes in walls at kitchen cabinet and bedroom #2 wall; repairing tile at bathtub faucet; removing rust and repainting bathtub; replacing missing caulking at bathtub; repairing leaky lavatory faucet; replacing defective light fixtures at hall, bedroom #2, rear porch and exterior flood lights; replacing closet door hardware at bedroom #2; pointing up defective mortar joints at foundation walls; replacing defective foundation vents; weatherstripping front and rear doors; replacing front entry door; replacing rear entry door; repairing loose access door; replacing screen mesh at front door; replacing missing or defective window screens; replacing missing rear screen door; repairing patio door.

The owner was notified of a Civil Penalty on July 5, 1988. The total penalty as of August 28, 1989 amounts to $4,440. The owner has also been notified of this August 28, 1989 Council action.

#26

ATTACHMENT NO. 2

Mandatory Referral Report No. 88-37

Charlotte-Mecklenburg Planning Commission

Sale of City Property

December 1988

Project Proposal and Location

This project consist of the sale of .9587 acres of a parcel located on the south side of Auten Road.

Project Justification

The property contains one single family home. The occupants had planned to move and therefore sold their property to the City for a new reservoir to be constructed. The City has used the back portion of the lot for the reservoir now under construction. Due to a change in plans, the elderly occupants have requested to buy back their home and the front section of the property which is not being used by the City.

Project Impact

No impact expected.

Relationship to Other Public and Private Projects

The original land purchase was to obtain the back portion of the property, beyond the Duke Power right-of-way, to expand the City's water facility.

Since Auten Road is a minor thoroughfare, the City should retain right-of-way, which is 35 feet from the center line of the roadway.

Project Cost

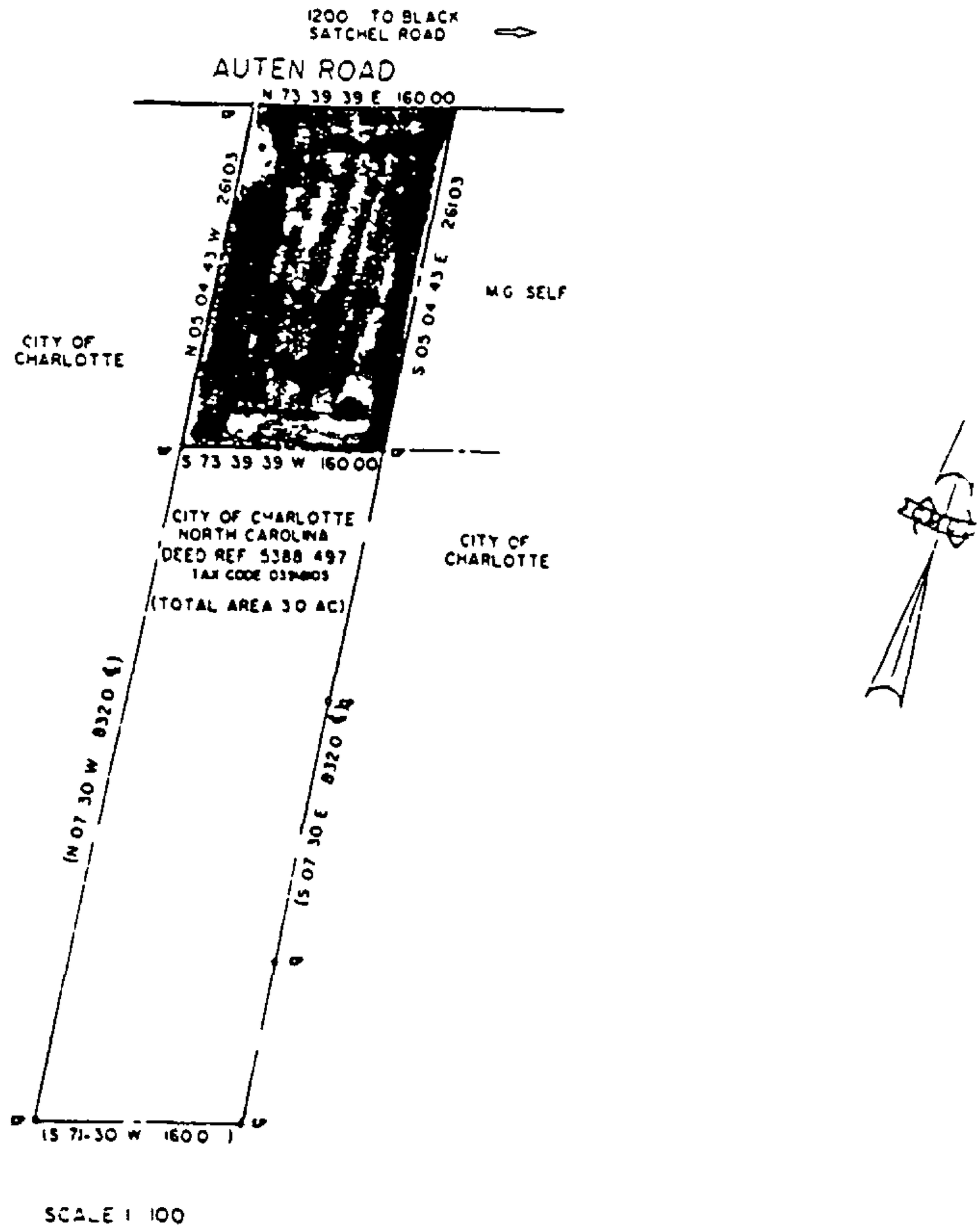
The total cost of the project is $1050.00; $150.00 for advertising, $300.00 for an appraisal, $300 in legal fees, and $300 for real estate costs.

Staff Recommendation

Approval.

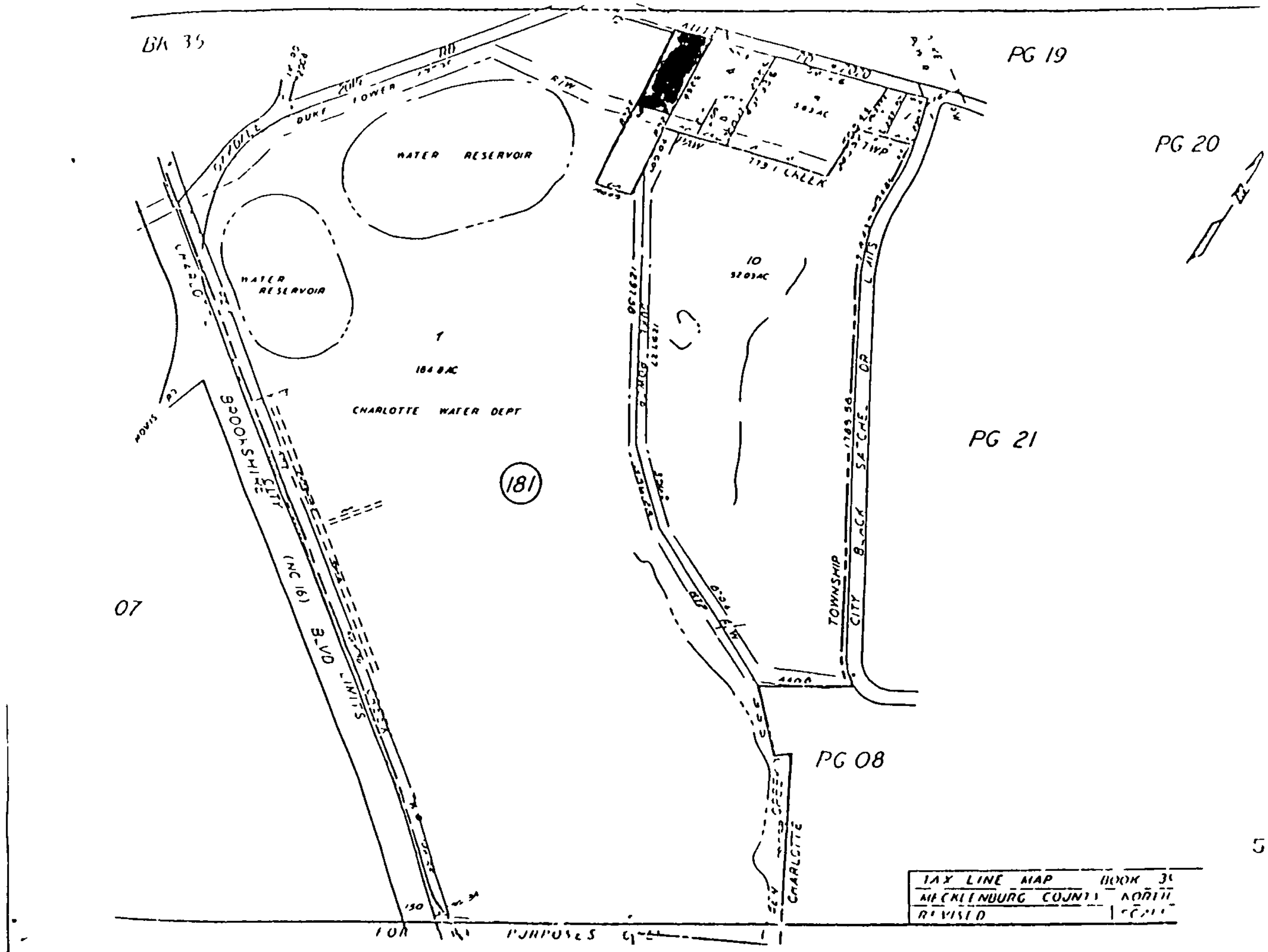
Planning Committee

Approved staff recommendation.



NOTE Bearings And Distances Shown In Parenthesis Were Taken From Deeds

NOTE [illegible] Magnetic North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PG 21
PG 08
07
WATER RESERVOIR
WATER RESERVOIR
DUKE POWER
1
184 AC
CHARLOTTE WATER DEPT
181
10
50.0 AC
TOWNSHIP
CITY
CHARLOTTE
TAX LINE MAP
BOOK 35
MECKLENBURG COUNTY
NORTH
REVISED

#27

APPOINTMENTS TO BOARDS AND COMMISSIONS

Information on Nominees

	District	Profession/Business
Certified Development Corp.		
1. Darryl Broome	7	Zoning Inspector
2. Derrick Johnson (Did not receive application)		

18 Appointed by City
Mayor (6); Council (12)
9 Appointed by County

CERTIFIED DEVELOPMENT CORPORATION
(27 Members)

Membership - Members must be residents of the City of Charlotte or Mecklenburg County, of legal voting age, be of good character and reputation, have never been convicted of a criminal offense other than a minor motor vehicle violation, and not under indictment, on parole or probation. Terms are for three years (following the expiration of the initial terms which were made on a staggered basis). Membership shall include participation by the following four groups: (a) local government, (b) private lending institutions, (c) community organizations, and (d) business organizations.

Responsibilities - The purpose of the company is to stimulate the growth and expansion of small businesses in the community by assisting such businesses to obtain long-term financing for capital improvements and fixed assets.

MEMBER & CATEGORY	DISTRICT	ORIGINAL APPTMT.	RE-APPTMT.	TERM	EXPIR.
Local Government					
(C)Gus Psomadakis W/M	6	11/14/88		Unexp.	4/30/90
Private Lending Institutions					
*(C) L. R. Miller, Jr. W/M	6	5/14/84	4/06/87	3 yrs.	4/30/90
(C)H. Clayton Howze W/M	6	3/11/85	4/11/88	3 yrs.	4/30/91
(M)Consuella Chavis Miller B/F		5/19/86	5/18/87	3 yrs.	4/30/90
(C)Titus Ivory B/M	2	5/05/86	4/10/89	3 yrs.	4/30/92
(M)Melvin White B/M	0	6/17/88		3 yrs.	4/30/91
(C)Peggy Jennings W/F	5	1/23/89		Unexp.	4/30/91
Business Organizations					
(C)Jerry W. McMurray W/M	4	4/27/87		3 yrs.	4/30/90
(C)Clayton Lovell B/M	6	10/08/84	4/06/87	3 yrs.	4/30/90
(C)Mitchell Aberman W/M	1	5/09/88		3 yrs.	4/30/91
(M)Gregory Finnican W/M		4/19/88		3 yrs.	4/30/91
(M)Walter Denning B/M		8/06/87		3 yrs.	4/30/90
(C)Warren H. Linde, Jr. W/M	5	7/25/89		Unexp.	4/30/91
Community Organizations					
(C)Michael D. Covington	4	6/26/89		Unexp.	4/30/91
(C)A. Ray Biggs W/M	6	3/11/85	4/11/88	3 yrs.	4/30/91
(Removed - Att.)					
(M)Lem Long, Jr. B/M	5	7/31/84	5/18/87	3 yrs.	4/30/90
(M)James H. Watters W/M		5/05/86	4/19/88	3 yrs.	4/30/91
(C)David R. Krug W/M	6	6/08/87		3 yrs.	4/30/90

County Appointments - Expiring 4/30/89

Pradeep K. Patnaik W/M	Michael Blair W/M
Richard Bullard W/M	Stephen Morris W/M
Betty Pride B/F	Robert Shirley W/M
George Taylor	Donna D. Noble W/F
	Steven Seigel

Revised 8/2/89

*President

No. 0157

City of Charlotte
Application for Appointment

Applications should be typed or printed in black ink

Committee, Commission, Board or Authority: Planning Commission, Certified Development Company, Community Relations Comm., Char. Uptown Develop. Corp

Name Darryl Antonio Broome **Sex/Race** M/B **District No.** 7

Home Address 188 Shady Oak Tr. Charlotte, N.C. 28210 **Phone No.** 563-1380

Business Address 700 North Tryon Street, Charlotte, N.C. 28202 **Phone No.** 336-2831

Education B.A. Urban Studies, Johnson C. Smith University

Present Employer Charlotte-Mecklenburg Building Standards Department

Job Title Zoning Inspector **Duties** Issurance of Zoning, Building, and Sign Permits, etc. Code Enforcement

Business & Civic Experience Registrar Precinct #58 Member: Concerned Charlotteans, Black Republican Council, Omega Psi Phi Fraternity, Focus on Leadership, State Delegate G.O.P. #58, Civic Affairs Director Victory Christian Center

Interests/Skills/Areas of Expertise Transportation, Housing, City-County Planning, Community Relations, Recreation

Comments I am interested in serving the people of Charlotte to provide equal and quality services.

I understand that this application will be maintained in the active file for a period of one year only.

4-18-88 Darryl A. Broome

Date Signature of Applicant

The Mayor and City Council appreciate the interest of citizens in serving on City committees. Applications should be sent to:

Office of the City Clerk
600 East Trade Street
Charlotte, North Carolina 28202

A personal contact with the Mayor's Office or a City Councilmember is recommended.

PLEASE DO NOT SUBMIT RESUMES

City Clerk
1983