# AGENDA

| | |
|---|---|
| Meeting Type: | B |
| Date: | 11-22-1993 |

City of Charlotte, City Clerk's Office

11/22/93

Dinner Briefing

Police Youth Outreach
Convention Center
Commute Ride

Mayor Winroot ✓
Campbell ✓ 5:52
Chodgetter ✓
Hammond Absent
McCrory ✓
Mayfield Absent
Mangum ✓
Martin ✓
Patterson ✓ 5:52
Reid ✓
Scarborough ✓
Wheeler ✓

5:20 p.m.

Winroot
Wendell
Stone - Police Youth Outreach Program
Winroot
Mangum
Stone - introduces Snyder & Elizabeth Burkset
Mayor
Stone
Mayor
White
Bill McGee - Commute Ride - CUDC

Mayor
McGee
Wheeler
McGee
Clodfelter — Fair Box?
McGee — Quality, dependable #1 each way
Clodfelter
Mary Clayton - CUPC
McGee
Mayor — Contact with downtown!
McGee — $55,000
Mayor
McGee — Ridership has grown by word of mouth
Reid — 150 day?
McGee - Correct
Mayor
White - Charlotte Report
Campbell arrives 5:52 & Patterson
Clark Reading - Presentation on Convention Center
Clodfelter -
White
Clodfelter - ordinance
White - Down work that way
Clodfelter
Carey Odem
Clodfelter - $22 million

Odom - Debt service
Reid -
Odom - Safety Feature
Reid
Odom
Reid
Odom
Reid - Bond holder
Odom
Patterson - Over the life of the bond
Odom
Chodfelter
Odom
Mayor
Reid
Odom - 6.4 was an estimate
Reid - 3% 1%
Odom
Mayor - $3 million bridge
Reading - Redesign RRX
Wheeler - Cost to demolish
David Garner - Eng
White
McCrory
White - no

McCrory
Mayer
McCrory
White
McCrory - d'on Listening
White

McCrory
Reading - 1st Street
McCrory
Bob Pulsley
Mangum - Street one-way 2
Patterson - Yes
Reid
Martin
Mike Jackson
Odom
Jackson - met Class
Odom -

Jackson
Odom -
Jackson
Odom
Jackson
Odom
Jackson - Hatch & Speed

Odom
Jackson - not cost
Odom
Jackson
Odom - 250,000
Patterson
Odom
Patterson - 5 years Revenue looks like?
Odom $250,000 over 50,000 over
Mayer
McCrory - Art Contracts for Convention
White - Eyes
Patterson
White - no
McCrory
Patterson
White
Mayer - Ann's father - Orientation
McCrory
White - Review Bids
Mayer
White
Mayer
Reid
Mayer - Side 2
Patterson

McCrory

Scarborough - Capitol Drive area neighborhoods

Pam Sargent

Ella

Patterson

Mayor

Ella

Mayor

Mangum

Mayor

White - Convention Center

Mayor

Ella - Study on recommendations

White

Ella - Walker in Center

White

City Council Meeting 11-22-93

Mayor Vinroot ✓
Campbell ✓
Clodfelter ✓
Hammond Absent
Mc Coy ✓
Majeed Absent
Mangum ✓
Martin ✓
Patterson ✓
Reid ✓
Scarborough ✓
Wheeler ✓

6:30

Mayor
Invocation / Rev. Ken Meeks
Mayor
Vincent Rydzak
Mayor
Rydzak
Scarborough
Mayor
Bob Carrigan

Barbara Nicholson
Mayor
Mc Crory
Mayor
Underhill
Morgan
Mayor
Underhill
White
Mayor
Underhill
Patterson
Mayor - Item #24 pulled
# 2 - not the minutes unan
# 3 - Consent
Items 20 - 31
Gilbert
pull 24 + 25
Patt / who to approve others

# 29 -
Scar
Underhill
Tom Templeton
Martin

Lindsley
Martin
Underhill
Scarborough
Campbell – why are we moving the powers?
Templeton
Mayor
Scarborough
Martin
Underhill
Scar / Mart to defer until neighborhood is located

Templeton
Mayor
Templeton
Mayor
Union:
#4 - Privatization / Competition Report
Mayor
Patterson
Uhe / Martin – Union
Marquis
Patterson
Mildred:
(& left out all the chatter)

#1 - Public Hearing 7:00

Mayor

McC / Whe Unan

Whe / Scan approve B + C Unan

#5 - Planning Com. Recs

Clodfelter - mm to adopt A + B

Whe - Second

McCrory

Clod

McC

Martin

Unan.

#6 - Coliseum Land Swap

Carp / Mart - to excuse Pat + Ella

Clod / Mart - to approve

Reid

Larry Rosenstrauch

Reid

Rosenstrauch

Reid

Walter Fields

Reid

Rosenstrauch

Reid

Rosenstrauch

Reid
Campbell
Rosenstraver
Campbell
Rosenstraver
Campbell
Art Fields - Crescent Resources
Campbell
Fields
Campbell
Art Fields
Dale Stewart Land Design Eng. 7:30 am
Campbell
Dr. Jim Horton
Pattison
Fields
Horton
Pattison
Campbell
Horton
Underhill
Campbell
Wodzelter
Rosenstraver
Wodzelter
Rosenstraver

Clodfelter
Rosenthaler
Borgsdorf – It was closer to 8 M
Rosenthaler
Clodfelter
Rosenthaler
Fields
Wheeler
Mayor
Horton
Mayor
Horton
Mayor
Mangum
Clodfelter
Reid
Horton
Reid
Mangum
Reid
Mayor
Campbell
White
# 7 Motion/Second to approve A – F when

# 8 Mang/ Scar
if No. - Reid
Reid
Zoning

# 9 - 93-27
Mazur
Whe/ Scar to approve as modified
Lunar

# 10 - 93-51
Whe/ Scar to deny check tape
Lunar

# 11 93-52
Mart/ Mang (to deny)
McCrory
Fields
Mc Crory
Fields
Mc Crory
Fields
Mc Crory
Chrzelecki
Scar
Martin
Fields

Mart. N 8:00
Mangum
Mayor (Rid Second)
McCrory / Sub Motion / and back to Zoning
Mangum
Martin
Vote on Sub. Mot. of FOR
Comp - Scar - Rid - Patt - Mc - Wha - Clod
Mayor
93-100

Mang / Wha - to approve
Martin - Sub. motion Change to R-5 / Scar
Clod
Mayor
Mart
Mayor
Mart
Mang - withdraw motion - change A to R-9
defer B
Mayor - Out of order - NOT ALLOWED
Vote on Sub. Motion
Mart - repeated Motion -
Move A as is
Don C. Seconded
Part A unanimous

Vote on Part B -
Change to R-5 : Second Scar

4 - yes Scar - Mart - Clod
Patt

Original Motion — Carried Part B
mang / Patt
No Scar - Rid - Mart

# 13 — 93-108
Whe / Mart Unan

# 14 93-109
Whe / Mang Unan

# 15 93-110 Clod / Scar
Defer for 30 days
Unan

# 16 93-111
Clod / Mang -
Unan

# 17 Clod / Patt 93-113
Unan

#18 - Resolution - Public Hearing
Wheel / Scan
Unan

#19 -
Patt / Wh
Unan

Addendum
Gilbert

Martin / Scan to approve
Clerk
Scan
Fields
Underhill
Closefelter
Underhill
Mangum
Scan
Mayer
Underhill
Mayer
Closefelter
Mayer
Closefelter

Lindenhill
Mayer
Mongum
Scarborough - Put back to multi-family
Mayer
Scar - Comp - Patt - Mart
Whe - Chel -
Mayer
Mong
McC
Patt / Scar
Adjourn 8:25 pm

**MAYOR'S SCHEDULE**
**November 22, 1993**

**6:30 p.m CITIZEN'S HEARING**

1. ✓ Invocation by Rev. Ken Meeks, Newell Presbyterian Church.

2. X Jane McNeary, 1011 Mt. Holly-Huntersville Road, 392-4046 - Latta Equestrian Center.

3. X Sandy Carnegie, 301 South McDowell Street, 375-8007 - Latta Equestrian Center.

4. X Betsy Young, Trammell-Crow Commercial, 331-9574 - Lata Equestrian Center.

5. X Robert Young, 2418 Finchley Drive, 568-5603 - Team Leaders Report.

6. X Amy Yetman, 9117 Fairbridge Road, 541-3065 - Team Leaders Report

7. X Eric Miller, 1001 112 Tryon Plaza, 377-0239 - Team Leaders Report.

8. ✓ Vincent Rydzak, 11801 Moonridge Drive, 543-8823 - Helicopter Equipment for Police.

9. ✓ Bob Carrigan, 1224 South Mint Street, 332-3516 - Prison Cap.

10. Barbara Nicholson, — Prayer

**7:00 p.m. CITY COUNCIL MEETING**

CHARLOTTE

# MEETINGS IN NOVEMBER '93

## THE WEEK OF NOVEMBER 1 - 5

| | |
|---|---|
| 1 Monday<br>8 00 a m | **PLANNING COMMISSION/Fall Planning Retreat** CMGC 8th Floor Conference Room |
| 2, Tuesday<br>2 00 p m | **COMMITTEE OF 100/Staff Task Force** CMGC Conference Center |
| 7 00 p m | **YOUTH INVOLVEMENT COUNCIL** CMGC Conference Center |
| 4 Thursday<br>3 00 p m | **COMMITTEE OF 100/Steering Committee** CMGC Conference Center |
| 4 30 p m | **CHARLOTTE MECKLENBURG ART COMMISSION** Arts & Science Council Bldg 214 N Church St |

## THE WEEK OF NOVEMBER 8 - 12

| | |
|---|---|
| 8 Monday<br>9 00 a m | **AUDITORIUM COLISEUM CONVENTION CENTER AUTHORITY** 2940 One First Union Center |
| 3 30 p m | **CITY COUNCIL PUBLIC SERVICES COMMITTEE** CMGC Room 271 |
| 5 00 p m | **COUNCIL/MANAGER DINNER CMGC Conference Center** |
| 6 30 p m | **CITIZENS HEARING** CMGC Meeting Chamber (Televised Live on Cablevision 16 and VisionCable 32) |
| 7 00 p m | **CITY COUNCIL MEETING** CMGC Meeting Chamber (Televised Live on Cablevision 16 and VisionCable 32) |
| 7 00 p m | **HISTORIC LANDMARKS COMMISSION** Commission Office 500 N Tryon St Suite 201 |
| 9, Tuesday<br>7 30 a m | **FIREFIGHTERS RETIREMENT BOARD** 428 E Fourth St Suite 205 |
| 12 00 Noon | **PLANNING COMMISSION** CMGC 8th Floor Conference Room |
| 1 30 p m | **HOUSING APPEALS BOARD** CMGC 5th Floor Conference Room |
| 8 00 a m | **AIRPORT ADVISORY COMMITTEE** Charlotte/Douglas International Airport Conference Rooms A&B |
| 10, Wednesday<br>8 30 a m | **CIVIL SERVICE BOARD** CMGC 7th Floor Conference Room |
| 3 00 p m | **HISTORIC DISTRICT COMMISSION** CMGC 8th Floor Conference Room |
| 5 30 p m | **CLEAN CITY COMMITTEE\Business Beautification Awards Committee** CMGC Room 270 |
| 11 Thursday | **CITY HOLIDAY** Veterans Day All City Offices Closed |

## THE WEEK OF NOVEMBER 15 - 19

| | |
|---|---|
| 15 Monday<br>5 00 p m | **CITY COUNCIL WORKSHOP Disparity Study** CMGC Conference Center |
| 16, Tuesday<br>2 00 p m | **HOUSING AUTHORITY** Administrative Offices 1301 South Boulevard |
| 7 00 p m | **YOUTH INVOLVEMENT COUNCIL** CMGC Conference Center |
| 17 Wednesday<br>7 45 a m | **PRIVATE INDUSTRY COUNCIL** CMGC Conference Center |
| 7 00 p m | **CITIZENS CABLE OVERSIGHT COMMITTEE/Public Hearing** CMGC Meeting Chamber (Televised live on Cablevision 16 and VisionCable 32) |
| 7 00 p m | **METROPOLITAN PLANNING ORGANIZATION** CMGC Conference Center |
| 19 Friday<br>2 00 p m | **CMUD ADVISORY COMMITTEE** Utility Department 5100 Brookshire Blvd |
| 7 00 p m | **TREE COMMISSION** CMGC Room 270 |

*Public Service And Information Department*

*600 East Fourth Street*

*Charlotte NC 28202 2861*

*704/336-2395*

(Continued on Back)

# MEETINGS IN NOVEMBER '93 (Continued)

## THE WEEK OF NOVEMBER 22 - 26

| | |
|---|---|
| **22, Monday** 8 00 a m | **MAYOR S INTERNATIONAL CABINET** CMGC Conference Center |
| 11 45 a m | **PLANNING COMMISSION/Executive Committee** CMGC 8th Floor Conference Room |
| 4 30 p m | **PLANNING COMMISSION/Zoning Committee** CMGC 8th Floor Conference Room |
| 5 00 p m | **COUNCIL/MANAGER DINNER CMGC Conference Center** |
| 6 30 p m | **CITIZENS HEARING** CMGC Meeting Chamber (Televised Live on Cablevision 16 and VisionCable 32) |
| 7 00 p m | **CITY COUNCIL MEETING** - CMGC Meeting Chamber (Televised Live on Cablevision 16 and VisionCable 32) |
| **25, Thursday** | **CITY HOLIDAY** Thanksgiving All City Offices Closed |

## NOVEMBER 29 - 30

| | |
|---|---|
| **29, Monday** 7 00 p m | **CITY COUNCIL MEETING/OATH OF OFFICE CEREMONY** CMGC Meeting Chamber (Teleivsed on Cablevision 16 and Vision Cable 32) |
| **30, Tuesday** 1 00 p m | **ZONING BOARD OF ADJUSTMENT** Hal Marshall Center 700 N Tryon St Training/Conference Room |

**NOTE· These organizations do not have meetings scheduled for NOVEMBER**

Advisory Energy Commission
Charlotte Transit Advisory Committee
Community Relations Committee
Div of Insurance & Risk Management
Parade Permit Committee

CHARLOTTE

*Mayor Richard Vinroot* *Mayor Pro Tem Ann Hammond*

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

# *Council Agenda*

## CITY COUNCIL MEETING
**Monday, November 22, 1993**

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**5:00 p.m.** — **Conference Center**

- Police Youth Outreach Program
- Savings from Convention Center Refinancing

**6:30 p.m.** — **Meeting Chamber**

- Invocation
- Citizens Hearing

**7:00 p.m.** — Formal Business Meeting

# CITY COUNCIL AGENDA
## Monday, November 22, 1993
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| | B. 1015 McAden Street | 18 | 14 |

| Item No. | | Page No. | Attachment No. |
|---|---|---|---|
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## PUBLIC HEARING

**1. Sale of City-owned Land at 3117 Drenan Street**

**Action:**

**(A) Conduct a public hearing to consider the sale of a parcel of City-owned land located at 3117 Drenan Street to the Grier Heights Economic Foundation (GHEF) for the appraised value of $5,900.**

**(B) Approve the sale of the parcel to the GHEF for $5,900.**

**(C) Approve a $51,784 loan agreement with GHEF to provide interim financing for:**
- **purchase of the City-owned parcel at 3117 Drenan Street**
- **purchase of the City-owned house at 4025 Eastway Drive**
- **contract with Carolinas Construction Company for a turnkey rehabilitation project.**

to close mtl wh wnd appr C to B + SOW wh wnd

**Policy:**

- The Comprehensive Housing Affordability Strategy approved by City Council on October 25, 1993 listed Strengthening Neighborhoods and Community-Based Organizations as one of its seven priorities; and the City agreed to provide financing to housing projects sponsored by community-based organizations.

- In 1989 City Council directed City staff to make houses displaced by capital improvement projects available to the Community Development Department to provide affordable housing resources to low-to-moderate income families.

**Staff Resource:** J W. Walton

**Explanation of Request:**

- State law requires that a public hearing be held by the City prior to the sale of land and that the land be sold for no less than its appraised value.

CD

- The sale of the parcel of City-owned land to the GHEF for the appraised value of $5,900 will provide the land needed to relocate a single-family house the GHEF is purchasing from the City at 4025 Eastway Drive as part of the Eastway Drive capital improvement program.

- A breakdown of the $51,784 loan to GHEF is:

| | |
|---|---|
| $ 5,900 | Purchase of Land at 3117 Drenan Street |
| 900* | Purchase of House at 4025 Eastway Drive |
| 42,053 | Contract with Carolinas Construction Co. |
| $48,853 | |
| 2,931 | 6% Contingency |
| $51,784 | |

*Purchase price of house was provided by the Public Facilities and Engineering Department. The "as-is" salvage value of the remaining structure is $900. The price is comparable to recent salvage values received by NCDOT and the Airport.

Term of the loan is 1 year at an interest rate of 1/2 of 1% which will be assessed upon repayment of the loan.

- GHEF will enter into an agreement with Wachovia Bank and Trust to provide permanent financing

  - Wachovia's Neighborhood Revitalization Program (NRP) will be used if the buyer is qualified (maximum household income $30,000; within targeted geographical areas; 2 years continuous employment).

- A buyer not qualified for Wachovia's NRP will utilize financing from both Wachovia and the City whereby Wachovia and the City will finance 85% and 15% respectively.

- Downpayment assistance up to $1,500 (but not to exceed 50% of the downpayment amount) can be provided by the City on an as-needed basis

**Funding:**

- HOME program requires that 15% of the City's grant funds be used by neighborhood-based organizations on approved activities, such as acquisition and rehabilitation of houses for sale to low-to-moderate income families.

  HOME funds will be used to:
  - provide interim financing to GHEF
  - provide funds for the City's portion of the permanent financing (15% second mortgage) if the buyer does not qualify for Wachovia's Neighborhood Reinvestment Program
  - provide downpayment assistance if needed

**Clearances:** The Planning Commission approved a Mandatory Referral Review on September 7, 1993.

**Attachment 1**
Background

**MINUTES**

**2. Approve Minutes of: September 27, 1993 Regular Business Meeting**

Mart / wha
Lunar..

Pull 24 + 25 approve others

Item No. Pat / who know.



## CONSENT ITEMS

**3.** **Agenda items 20 through 31 may be considered in one motion except for those items removed from the Consent Agenda as a result of a Councilmember making such a request of the City Clerk prior to the meeting.**

**Staff Resource:** Julie Burch

## POLICY

**4.** **Public Services Committee's Recommendations for a Privatization/Competition Advisory Committee**

**Action:** **Approve the Public Services Committee's recommended Charge and Composition for a Privatization/Competition Advisory Committee**

**Policy:** See Attachment

**Staff Resource:** Dave Cooke

**Explanation of Request:** The Public Services Committee has met with the Chairman of the Mayor's Privatization Task Force and reviewed the Task Force's recommendations for an oversight committee.

To approve what Mr Cooke

The Public Services Committee recommends the following charge and composition for the Privatization/Competition Advisory Committee:

**Charge**

1. The Committee shall monitor the progress of the City in implementing services contracting and asset management, recommend services and assets to be considered for competition and privatization, and will advise on ways to improve current contracted services with service delivery problems.

Dave Cooke

The Committee will prepare an annual report to City Council.

2. The Committee shall assist and advise the City on issues in implementing the goals and processes adopted by City Council of:

   -services contracting
   -asset management

This may include review of requests for proposal, cost comparison methodologies, bid processes, etc.

3. The Committee shall be an advisor to both the City Council and the City Manager on matters regarding privatization and competition, in general They will review the existing legal system for contracting and may develop and recommend local legislation to modify such systems.

4. The Committee shall be a resource regarding concerns about the fairness of any bidding processes. As a result, they may be asked to review bid proceedings and hear grievances from parties involved.

**Composition**

Proposed Size: Nine members

Appointments: Committee Chairman and one member appointed by the Mayor. Other members appointed by City Council.

Terms: 2-Year staggered terms, each member being limited to two consecutive terms.

Composition: The Mayor and City Council should appoint individuals who will maintain objectivity throughout implementation. Members must consider the interests of citizens, the business community and current City employees.

The Committee should be comprised of individuals that will focus on internal issues (process, specifications, costs) as well as external issues (e.g., quality customer service, impact on City employees).

The Committee should also be comprised of individuals knowledgeable about management, accounting, human resources, marketing and customer service. Representative skills may include some or all of the following: work management and specifications, cost accounting, customer relations, performance measurement and analysis, employee relations, quality assurance, asset divestment, and procurement and bidding processes.

**Background.** The Public Services Committee was assigned to review the Mayor's Privatization Task Force Report and bring to Council recommendations for proceeding with privatization and competition in the City of Charlotte. Specific recommendations, including goals and policy statements, were brought to Council and approved on October 25th. Council then requested the Public Services Committee to bring specific recommendations, including charge and composition, for a privatization/competition oversight committee.

**Attachment 2**
Policy Statement

**5. Planning Committee's Recommendations on Regulating Adult Entertainment Establishments**

**This recommendation will be included in the Friday, November 19 Council-Manager Communication.**

## BUSINESS

**6. Coliseum Center Tract II - Land Swap**

**Action:** **Authorize the Mayor to execute a deed transferring Coliseum Tract II Land to Crescent Resources Inc., in exchange for land to protect the City's water supply and $400,000 cash, contingent upon approval by Mandatory Referral Process.**

**Explanation of: Request:** This exchange helps meet Council's policy and goals for :

- watershed/water supply protection,
- Real Estate Asset Management, and
- Economic Development in the Coliseum area.

Corp/Mat to excuse Pat + Ellen
Corp/Mat to approve
(No bid)

The City will exchange land with Crescent Resources Inc. as follows:

City Property known as Coliseum Tract II contains 33.57 acres.
Appraised Fair Market Value: $2,550,400

---

Crescent Resources Inc. property:

- Along Dixie River Road contains 130 ± acres. Appraised Fair Market Value: $675,000
- Along Pump Station Road contains 59 7 ± acres Appraised Fair Market Value: $625,000
- Along Stephens Road contains 203 ± acres. Appraised Fair Market Value: $1,115,000
- In addition to the land, Crescent Resources, Inc. will pay to the City: $ 400,000
- Total contribution from Crescent Resources Inc. $2,815,000

Economic Development

**Background:**

- City Council instructed staff to negotiate with Crescent Resources Inc. for the sale of Coliseum Center land, Tract II. Crescent proposed an exchange of watershed protection property in the area of Mountain Island Lake and land for a future water distribution plant on Lake Wylie. Staff has secured a proposal for approximately 263± acres in the Mountain Island Lake area and 130± acres on Lake Wylie.

- In exchange for the Crescent properties the City will deed Tract II of the Coliseum Center to them for development of a business park and retail/restaurant space in accordance with the existing zoning and the Southwest District Plan. The City will also receive $400,000 in cash at closing. (These revenues will revert to General Fund fund balance at year-end )

- In accordance with N C.G.S. 160A-271, (Exchange of Property) notice of the exchange was published in the Charlotte Observer specifying the property and value to be exchanged by both parties.

**Attachment 3**
Maps

To approve A-F
Marg | Sec Unan.

**7. Refinance 1987 Airport Revenue Bonds**

**Action:**

Res # 5 B-31 p-395

Res # 6 B-31 p-490

7

Res # B-31 p-493 Cu at m

**Take the necessary actions required to refinance the 1987 Airport Revenue Bonds totaling approximately $73 million. These actions include the approval of three resolutions and a budget ordinance that will accomplish the following:**

#5 **A) Approve the 1997 Airport Revenue Refunding Bonds Series Resolution and the issuance of the Refunding Bonds by July 1, 1997**

#5 **B) Approve the redemption of the 1987 Airport Revenue Bonds**

Item No.

#7 C) Approve the Interest Rate Agreement

#5 D) Approve the necessary contracts for the financing team

#5 E) Approve the contract for bond insurance, and

F) Approve a budget ordinance appropriating $3,390,000 to pay issuance cost of the refinancing. The major portion of this will be call premium, underwriters' spread and bond insurance.

ORD# 5
#3761-X
B-45
P. 86

**Explanation of Request:** These actions are necessary to complete the refinancing transaction that is expected to produce estimated savings of approximately $17 million.

**Funding:** Temporary advance from the Airport Discretionary Fund and the 1997 Airport Revenue Refunding bonds.

**Background:** The airlines, particularly USAir, will be the primary beneficiaries of the savings. An agreement has been entered into with the airlines that authorizes the refinancing. The Local Government Commission will consider the transaction on December 7, 1993. This transaction is very similar to the refinancing that was completed in June, 1993, that refinanced the 1985 Airport Revenue Bonds.

## 8. New Convention Center Appropriation of Refinancing Savings

**Action:** Approve a budget ordinance appropriating $6,400,000 in refinancing savings of the Convention Center Bonds as follows:

A) $3,660,000 to the project contingency, and

B) $2,740,000 to the finance/reserves account.

ORD# 6 TO APPROVE
#3762-X
B-45
P. 87
Mary Scott
1 NO-VOTE

Emp.

Item No.

**Explanation of Request:**

- The new Charlotte Convention Center is a fast track and dynamic project. The project is currently 38% complete and is on schedule.

- The final construction contract was awarded by City Council on September 13, 1993.

- Due to many of the bids coming in over budget, the Architect and Construction Manager have worked closely with City and Authority staff, and the Design Review Committee in identifying reductions to get the project within budget. With these cost reductions and the use of contingency, the project has kept on track and within budget.

- The contingency has now been drawn down to $612,858 which is less than 1/2% of the project budget The Construction Manager, Architect and City staff are uncomfortable with the amount remaining.

- Typically, a project of this size and complexity would hold a 3% contingency for unforseen problems and possible claims.

- At the direction of Council, the Convention Center Bonds have been refinanced, resulting in a $6.4 million savings.

- In the Council Manager memo for the week of November 8, 1993, there were two other Convention Center issues identified. These items are the vicinity improvements and the Railroad Bridge over Stonewall Street, for which cost figures have not yet been finalized. The remaining $2.74 million of the savings can be utilized on these items. They are scheduled as topics at the November 22, 1993 Dinner Meeting. Council will be asked to vote on these at a later date.

**Background:**

- In June of 1991 Certifications of Participation in the amount of $167,643,940 were sold to finance the new Convention Center's land acquisition, design, construction and the financing requirements.

- The budget for land, design and construction is $142,416,000, with the remainder required for financial cost and reserves

37 63 45 88

Del 37 4 88 B.P. Approve As modified Mayor/Scan Unan.

**9. Decision on Petition No.93-27 by Harold Jolly for a change in zoning from R-4 to R-8MF(CD) for approximately 2.2 acres located on the west side of Oakdale Road south of Dale Avenue.**

This hearing was continued from the June 21 meeting.

At the July 19th meeting, the petitioner requested some time to work on his site plan, therefore the Zoning Committee did not take any action on this petition at that time.

This petition was deferred at the September 22, and October 20, 1993 meetings.

The Zoning Committee recommends that this petition be approved as modified.

**Attachment 4**

**10. Decision on Petition No. 93-51 by Samuel M. Youngblood, III for a change in zoning from R-12MF(CD) to B-D for a 4,280 square foot parcel bounded by Neal Drive, McGill Street and Heathway Drive.**

Denied w/o/scan Unan

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

This petition was deferred at the October 20, 1993 Meeting.

The Zoning Committee recommends that this petition be denied.

**Attachment 5**

93-100 - I couldn't get all this in the book

First motion -
Mary/ Wise to approve

Sub motion
Mart/ Scan to change the entire petition to R-5 zoning

Martin changed motion to accept part A as recommended
Don C. seconded - Unanimous

Martin moved Part B to R-5
Scan seconded - 4 Votes Yes
Scan - Mart - Patt - Clock

Vote on
Marquam's ORIGINAL motion for Part B to approve - Patt seconded
No - Scan - Rib - Mart
This mot. on Carried

To deny Mart/Mang

Sub. Motion McCray/Reid to recommend to site plan zoning back to Committee 7 yes No. Mart Mang

11. **Decision on Petition No. 93-52 by Alan and Terry Beaty for a change in zoning from I-1 to I-2(CD) for approximately 5.27 acres located on the northeasterly side of Brookshire Boulevard east of Caldwell Williams Road.**

A protest petition has been filed and is not sufficient to invoke the 20% rule.

This petition was deferred for 30 days at the October 20, 1993 Meeting.

The Zoning Committee recommends that this petition be denied.

**Attachment 6** Mang/Cato to approve Sub. to approve w/ conditions B to R-5 move B to R-5 Mart/Scott

12. **Decision on Petition No. 93-100 by Charlotte-Mecklenburg Planning Commission for a change in zoning for the following areas:**

Sub A Mart/Cato #3764-2 B-45 p-91

A. **In the Seversville and Smallwood neighborhoods, including areas generally south of Rosyln Avenue, west of West Trade Street, north of Tuckaseegee Road and east of Stewart Creek from R-22MF, B-2 and I-1 to R-8.**

B. **Property at the end of Clyde Drive between Coronet Way and Rozzelles Ferry Road from I-1 to R-22MF.**

This petition was deferred at the November 8 meeting

The Zoning Committee recommends that this petition be approved.

**Attachment 7**

#3765-2 B-45 p-94

To Approve Wheel Mart unan

13. **Decision on Petition No. 93-108 by University Research Park, Inc., for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the development standards for the Research Districts.**

The Zoning Committee recommends that this request be approved.

**Attachment 8**

#3766-2 B-45 p-96

14. **Decision on Petition No. 93-109 by Dr. Robert Zack Hull for a change in zoning from R-22MF to O-2(CD) for approximately .61 acres located on the southwesterly corner of the intersection of Queens Road and Edgehill Road South.**

To Approve Wheel Mang unan.

The Zoning Committee recommends that this petition be approved.

**Attachment 9**

Deferred for 30 days Cl.d/Sec unan.

**15. Decision on Petition No. 93-110 by Ronald S. and Betty B. Cecil for a change in zoning from R-3 to B-2 for approximately 1.63 acres located on the northeasterly corner of the intersection of East W. T. Harris Boulevard and Robinson Church Road.**

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

The Zoning Committee deferred action on this petition for 30 days.

**Attachment 10**

#3767-2 B.S. p. 99 To Approve Cl.d/Many unan.

**16. Decision on Petition No. 93-111 by Catherine M. Piercy for a change in zoning from R-3 to R-4 for approximately 14.18 acres located on the east side of Mason Drive, north of Mallard Creek Road.**

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

The Zoning Committee recommends that this petition be approved.

**Attachment 11**

#3768-2 B.S. p. 102 To Approve Cl.d/PAH unan.

**17. Decision on Petition No. 93-113 by Paul Sires and Ruth Lyons for a change in zoning from B-1 to NS (Neighborhood Services) for approximately .27 acres located on the southeast corner of North Davidson Street and East 34th Street.**

The Zoning Committee recommends that this petition be approved.

**Attachment 12**

# # 20

Adoption of a motion that the City of Charlotte serve as the petitioner for a rezoning petition on the Dixon property located on Capital Drive to rezone the property from its current single family zoning classification to an appropriate multi family classification that would allow a day care center and that the rezoning petition be advertised for public hearing at the January zoning meeting.

Item No. Res # B-31 p-197

18. Recommend adoption of a resolution calling for a joint public hearing on Monday, December 20, 1993, by the City Council and the Charlotte-Mecklenburg Historic Landmarks Commission concerning the designation of the John Dinkins House and Lodge and the land associated therewith as a local Historic Landmark.

19. Recommend adoption of a resolution calling for public hearings on Monday, December 20, 1993 at 6:00 p.m. in the Meeting Chamber on Petition Nos. 93-114 through 93-119 for zoning changes.

Res # B-31 p-199
# 20.
See ATTACHED

## CONSENT

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

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

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

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.

## CONSENT I

Do approve pat/ whe mon.

**20. Various Bids**

**A. Sanitary Sewer and Water Main Construction - FY94 Contract E - Street Main Extensions** CMUD

**Recommendation:** The Charlotte-Mecklenburg Utility Department Acting Director recommends that the low bid of $956,467 75 by McDaniel Construction Contractors of Spindale, NC be accepted.

**MWBE Status:**

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | $0 | 0% | 6% |
| WBE | $956,467.75 | 100% | 3% |

**B. Sanitary Sewer Construction - Caldwell Creek Tributary North - U.S. Highway 21 to Bailey Road** CMUD

**Recommendation:** The Charlotte-Mecklenburg Utility Department Acting Director recommends that the low bid of $213,124.17 by 7 Star Construction of Rock Hill, SC be accepted.

**MWBE Status:**

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | $0 | 0% | 3% |
| WBE | $213,124.17 | 100% | 3% |

**C. Park\Johnston Road Landscaping** — **Public Facilities and Engineering**

**Recommendation:** The Public Facilities and Engineering Department Director recommends that the low bid of $148,958.78 by Southern Tree and Landscape Company of Charlotte, NC be accepted.

The Contractor has complied with the MWBE Program provision which allows performance of all work with contractor's own forces.

Do approve Patt/wh Wm

**D. Annual Vehicle Replacement** — **Purchasing**

**Recommendation:** The Purchasing Director recommends the following low bids be accepted.

**Summary of Bids:**

| | | |
|---|---|---|
| Young Ford | Charlotte,NC | ~~$2,282,145~~ 2,169,560 |
| Town & Country Ford | Charlotte, NC | ~~217,692~~ 217,405 |
| City Chevrolet | Charlotte, NC | 130,510 |
| Harrelson Ford | Charlotte, NC | 116,930 |
| Metrolina Dodge | Charlotte, NC | 55,010 |
| Southland Chevrolet | Charlotte, NC | 31,567 |

| MWBE Status: | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | $55,010 | 2 | 5 |
| WBE | | 0 | 3 |

**21. In Rem Remedy**

**A. 929 Patch Avenue**

**Action:** **Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 929 Patch Avenue (Druid Hills Neighborhood) which is located in the City Within a City boundaries.**

ORDT # 1 #3757-X B-45 P. 82 Patt/wh D. approve Wm.

**Attachment 13**

Item No.

B. 1015 McAden Street

Action: Adopt an Ordinance authorizing the use of In Rem Remedy to demolish and remove the dwelling at 1015 McAden Street (Belmont Neighborhood) which is located in the City Within a City boundaries.

ORD # 2
# 3758-X
B-45
p-83

Attachment 14

Patt/wh
approved
2°

22. Speed Limit - Houston Branch Road

Action: Adopt an ordinance to lower the speed limit from 35 mph to 30 mph on Houston Branch Road from High Ridge Road to Plantation Road.

ORD # 3
3759
B-45
p 84

23. Set Public Hearing to Abandon Street

Action:

A. Adopt the Resolution of Intent to abandon portions of Greenwood Avenue, Dudley Avenue, and Belt Road;

B. Set a Public Hearing for January 10, 1994.

Res # 1
B-31
p-381
Part/wh
approved
2° unan

Attachment 15
Vicinity Map

CONSENT II

**24. Plastic Roll-Out Containers** Solid Waste

**Recommendation:** The Directors of Solid Waste Services and Purchasing recommend that the bid of $5,681,158 by Otto Industries of Charlotte, NC be accepted.

| MWBE Status: | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | $398,750 | 7% | 5% |

**Summary of Bids:**

| | | |
|---|---|---|
| Otto Industries | Charlotte, NC | $5,681,158 |
| Schaefer Systems | Charlotte, NC | $4,763,200 |
| Toter Incorporated | Statesville, NC | $5,727,500 |
| Zarn Incorporated | Reidsville, NC | $9,522,153 |

**Project Description:** The Solid Waste Services Department will be implementing a curbside garbage collection program in July of 1994. These containers are needed so that customers can safely and conveniently transport waste materials to the curb for collection by the Solid Waste Services Department or by any private hauler that may be operating under a contract with the City of Charlotte for residential and small business refuse collection.

**Explanation:** The low bidder, Schaefer Systems did not meet the specification requiring the containers to be a universal cart. Use of the Schaefer cart would require a retrofit of automated trucks which may not be compatible with other carts or vehicles used by private haulers.

Solid Waste Services budgeted $55 per container. The actual cost per container will be $39.18 which includes a 2%-15 day prompt payment discount. Total estimated cost was $7,975,000. Difference between estimated cost and Otto Industries bid is $2,293,842.

**25. Raw Water Pump Station Expansion - Professional Services Contract - Metcalf & Eddy**

**Action:** **Approve Professional Services Contract totaling $820,500 with Metcalf & Eddy for study, design, and construction management of the Raw Water Pump Station Expansion.**

Pull from Consent Put on Dec. 13

CMAR

Item No.

**Explanation of Request:**

This contract will provide engineering services to determine the most cost effective design to ensure maximum utilization of the existing facilities. This contract will also provide for design and preparation of construction documents and construction management for the expansion of the 70 year old Raw Water Pumping Station. This station was last expanded in 1965 and is seriously undersized to meet present water demands.

**26. Air Rights Over Caswell Road**

Do approve BAH | wke

**Action:**

**A. Adopt a Resolution that approves the granting of Air Rights over Caswell Road to Presbyterian Health Services Corporation; and**

Res # 2 B-31 P-386

**B. Authorize the Mayor or Director of the Charlotte Department of Transportation to execute a Crosswalk Agreement and Term Air Rights Easement granting such rights.**

**Explanation of Request:**

City Council has the authority to grant air right easements over public rights-of-way. The City's Policy is to charge 50% of adjacent property tax value (square foot basis) for air rights easements The cost of the air rights is $8,760.

**Background:**

**Location:**
Caswell Road, approximately 300 feet east of Providence Road (between Providence Road and Randolph Road).

**Reason:**
To provide a pedestrian bridge between the Presbyterian Hospital Parking Deck and the Nalle Clinic (under construction).

DOT

**27. Extension of Existing Contract for Fire Hydrants**

Do approve BAH | wke

**Action:**

**Approve purchase of 130 fire hydrants for $60,368.88 by extending existing contract with Pump & Lighting Co. of Charlotte, NC for one year.**

Purchasing

**Explanation of Request:**

- In August of 1992 requests to bid for new fire hydrants were sent to 18 companies. Three bids were received. Pump & Lighting Co. was the low bid.
- The contract stated that additional fire hydrants could be purchased at this price ($440) for one year by extending the contract.
- Extending the existing contract saves time and expense of soliciting bids.
- The Purchasing Department estimates that the City will save 7% on the price by extending the existing contract.

To approve unan

**28. Sale of Fire Truck Resolution**

**Action:**

**A) Approve the sale of Fire Apparatus Ladder #24 Resolution, and**

Rev# 3 B 31 P 387

**B) Approve budget ordinance appropriating $275,000 from sale to the General Fund.**

**Explanation of Request:**

During Hurricane Hugo, a fire truck was damaged beyond repair. The need to replace this truck was immediate because an area of the City was without fire protection. An identical replacement was not immediately available. The truck subsequently bought has not met the needs of the Fire Department. The truck has experienced mechanical problems and it does not meet the present specifications.

ORD# 4 #3760-X B-45 P. 85

The City of Hopewell, VA has agreed to purchase this fire truck for $275,000.

Budget

**29. Removal of Unmarked Graves**

To defer Scary mot Unan.

**Action:**

**Approve the removal of approximately fifteen unmarked grave sites located on property owned by Lizzie Mayberry.**

**Explanation of Request:**

Pursuant to North Carolina General Statutes, Article 5, § 65-13, before removing a grave, the land owner must first secure the consent of the governing body of the City in which the grave site is located. This is the only action the City is required to take.

The land owner is responsible for relocating the graves.

Budget Office

The property on which the grave sites are located is on West Sugar Creek Road between Hubbard Road and Enoch Drive.

**30. Resolution Declaring November 2 Bond Referendum Results**

**Action:**

Res # 4
B-31
P-389

**Adopt a resolution declaring the result of the special bond referendum held on November 2, 1993 upon the questions of approving $12,760,000 Sanitary Sewer Bonds, $58,490,000 Water Bonds, and $27,000,000 Environmental Clean-up Bonds.**

**Explanation of Request:**

State law requires the City Council to adopt a resolution declaring the results of a bond referendum once the results have been certified by the County Board of Elections. The Board of Elections met on November 4, canvassed the returns and have certified the results of the referendum.

Do approve post/take w/

$12,760,000 Sanitary Sewer Bonds
For: 41,199 votes
Against: 30,724 votes
$58,490,000 Water Bonds
For: 40,760 votes
Against: 30,847 votes

$27,000,000 Environmental Clean-up Bonds
For: 40,015 votes
Against: 30,828 votes

Finance

Item No.

**31. Property Transactions**

**Action:** **Approve the following property transaction:**

Do approve final.

Project: F.A.R. Part 150 Land Acquisition
Owner(s): Gerald D. Smith and wife
Property Address: 4320 McKinley Drive
Property to be acquired: .248 Acres, Lot size 88X130X80X143
Improvements: Brick ranch, 3 bdrm, 1 bath
Tax Value: $50,780
Purchase Price: $54,000
Remarks: The purchase price was determined by an independent appraiser and was reviewed by a second appraiser. Each appraisal takes into consideration the specific quality and quantity of the house. Residential property is acquired per Federal Guidelines 49CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Owners are eligible for relocation benefits The acquisition and relocation costs are eligible for Federal Aviation Administration reimbursement.

AVIATION

## BACKGROUND

- City Council has directed staff to make houses, displaced by capital improvement projects, available to the Community Development Department to be used in programs that provide affordable housing resources to low to moderate income families.

- GHEF is a non-profit neighborhood-based organization that has previously acquired land from the City and moved 6 houses, after which the houses were sold by the GHEF to low to moderate income families.

- The Grier Heights Economic Foundation (GHEF) originally submitted a proposal to relocate 13 houses from Eastway Drive to lots in Grier Heights to be acquired from the City. However, after a thorough analysis, it was determined that the cost of moving and rehabilitation exceeded the cost of new construction for all but 1 (4025 Eastway Drive) of the 13 structures. (As an alternative to the original proposal, GHEF is presently working with Community Development staff to develop a request for proposals to solicit bids from developers to construct up to 10 houses on land which GHEF proposes to purchase from the City in the Grier Heights area. The proposal and a funding request will be presented to City Council at a later date.)

- The GHEF will contract with Carolinas Construction Company to provide a turnkey project to move the house currently located at 4025 Eastway Drive to 3117 Drenan Street and to construct the foundation and rehabilitate the moved house

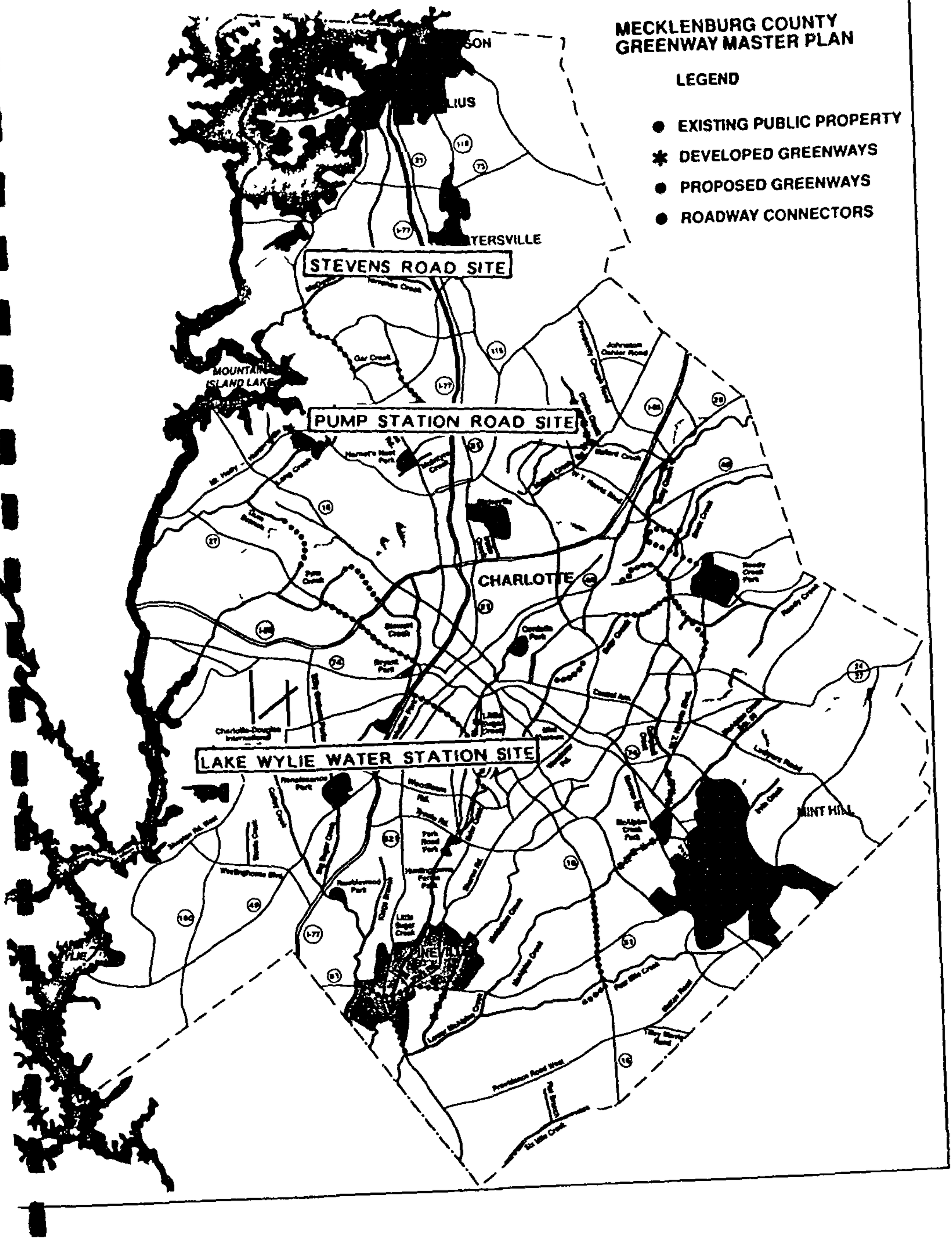
- The notice of the public hearing to sell the City-owned parcel at 3117 Drenan Street will be advertised in the Charlotte Observer on November 12 and November 19, 1993.

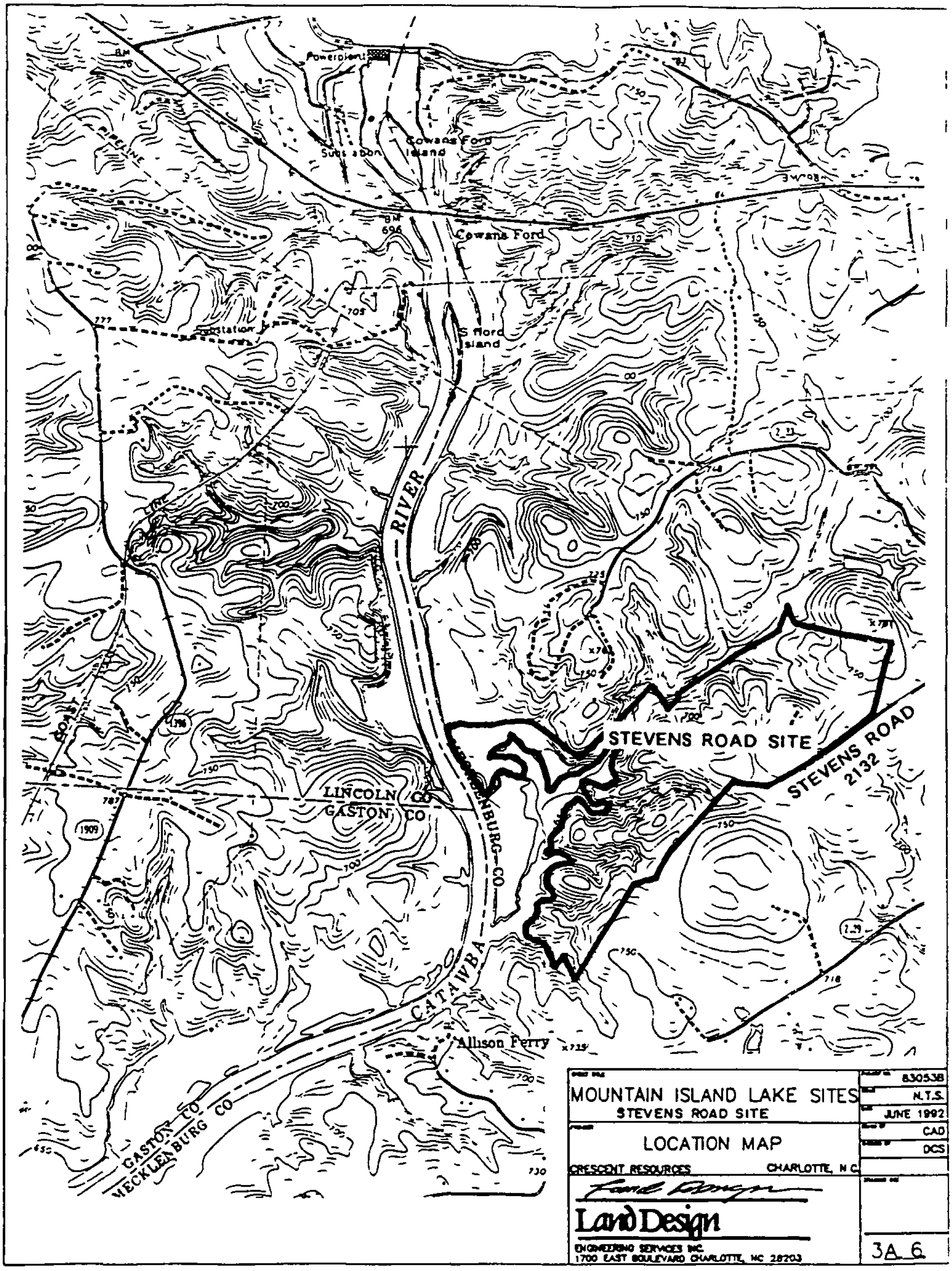
**Services Contracting Policy (approved 10-25-93)**

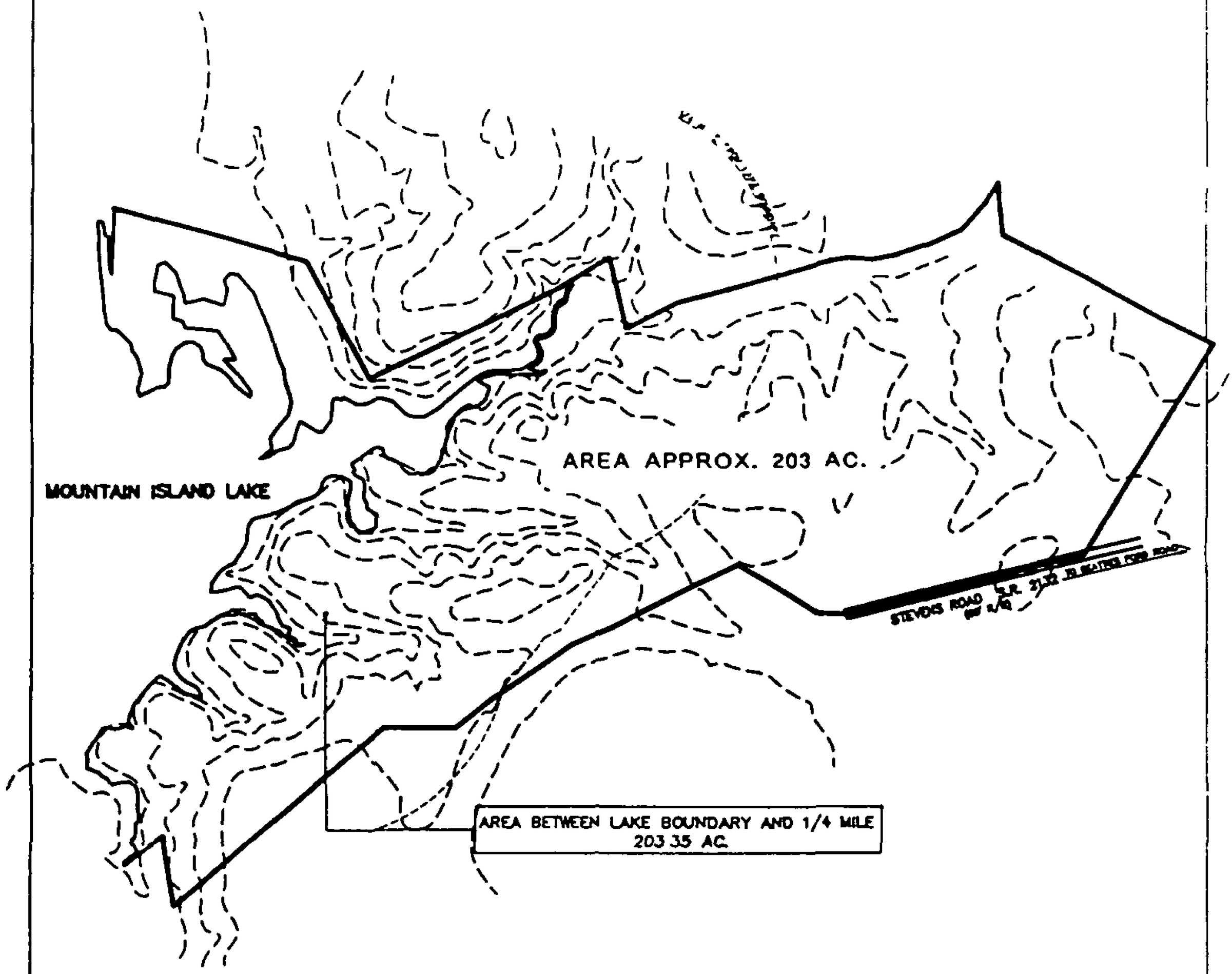
In evaluating the most efficient and effective way to provide public services, the City shall use a competitive process in which private service providers are encouraged to compete with City departments for the opportunity to provide such services, and in which the option of delivering services through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

**Asset Management Policy (approved 10-25-93)**

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


MECKLENBURG COUNTY
GREENWAY MASTER PLAN
LEGEND
EXISTING PUBLIC PROPERTY
DEVELOPED GREENWAYS
PROPOSED GREENWAYS
ROADWAY CONNECTORS
STEVENS ROAD SITE
PUMP STATION ROAD SITE
LAKE WYLIE WATER STATION SITE
CHARLOTTE
MOUNTAIN ISLAND LAKE
MINT HILL


Powerplant
Substation
Cowans Ford Island
Cowans Ford
PIPELINE
Substation
S Ford Island
RIVER
STEVENS ROAD SITE
STEVENS ROAD
2132
LINCOLN CO
GASTON CO
CATAWBA
Allison Ferry
GASTON CO
MECKLENBURG CO
MOUNTAIN ISLAND LAKE SITES
STEVENS ROAD SITE
LOCATION MAP
CRESCENT RESOURCES
CHARLOTTE, N.C.
830538
N.T.S.
JUNE 1992
CAD
DCS
Land Design
ENGINEERING SERVICES INC.
1700 EAST BOULEVARD CHARLOTTE, NC 28203
3A 6




| | |
|---|---|
| MOUNTAIN ISLAND LAKE | 830538 |
| | 1"=1000' |
| | JUNE 1992 |
| STEVENS ROAD SITE | CAD |
| CRESCENT CHARLOTTE, N.C. | DCS |
| Land Design<br>ENGINEERING SERVICES INC.<br>1700 EAST BOULEVARD CHARLOTTE, NC 28203 | 5.6 |

MOUNTAIN ISLAND LAKE SITES
PUMP STATION ROAD SITE

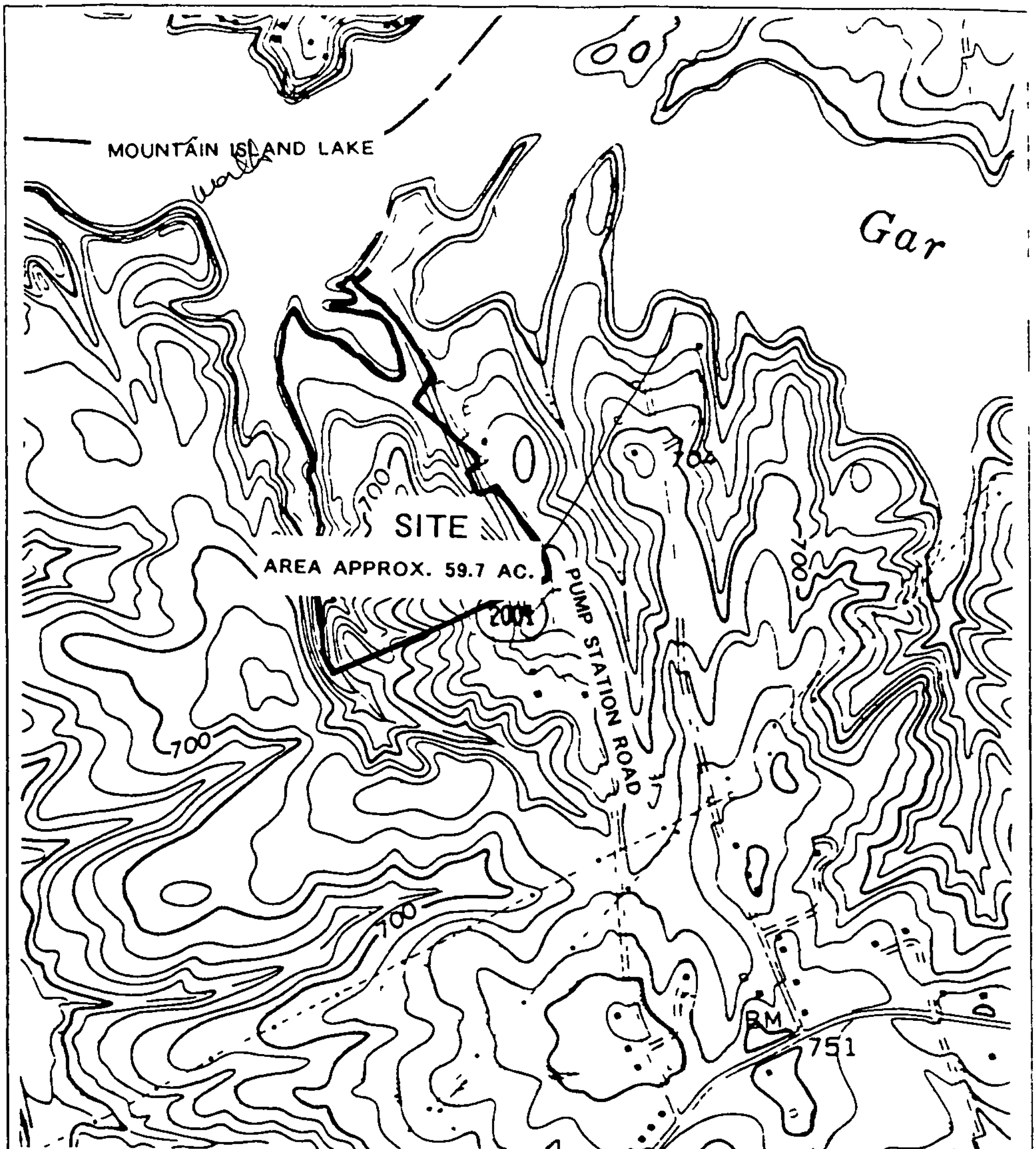
LOCATION MAP

CRESCENT RESOURCES CHARLOTTE, N.C.

Land Design
ENGINEERING SERVICES INC.
1700 EAST BOULEVARD CHARLOTTE, NC 28203

830538
N.T.S.
JUNE 1992
CAD
DCS

3.6

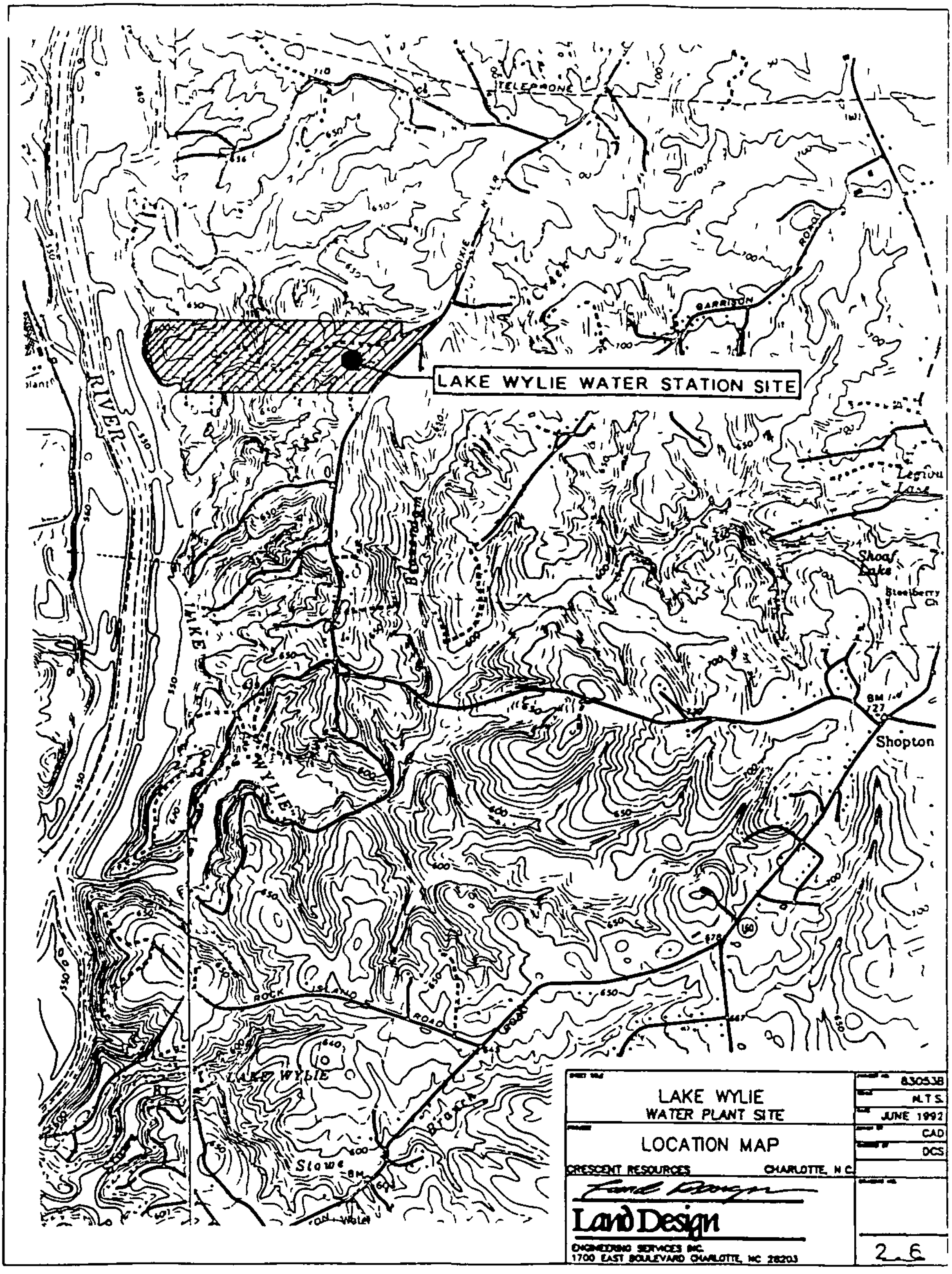


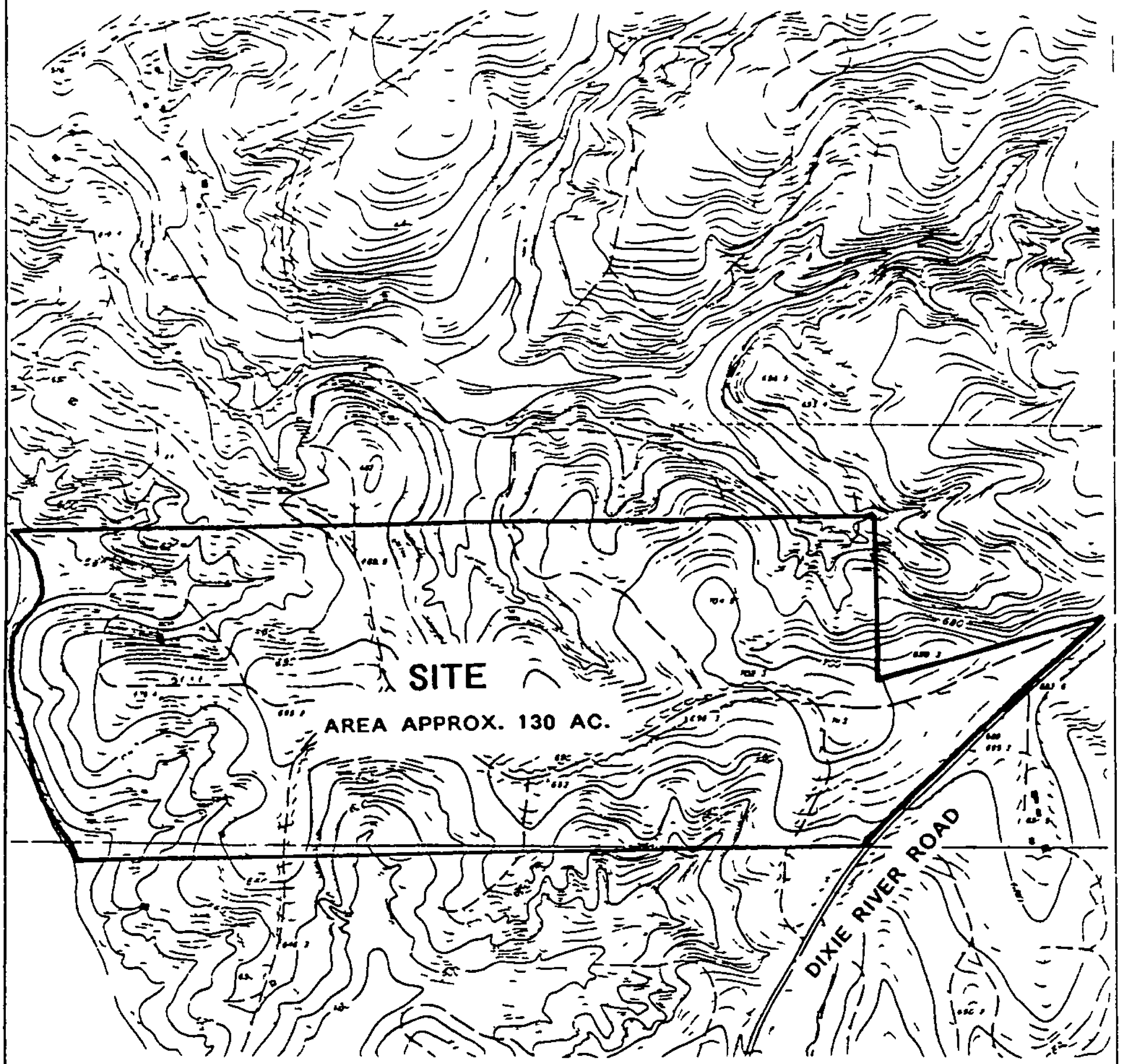

| | |
|---|---|
| MOUNTAIN ISLAND LAKE | 630538 |
| | N.T.S. |
| | JUNE 1992 |
| PUMP STATION ROAD SITE | CAD |
| CRESCENT CHARLOTTE, N.C. | DCS |

Land Design

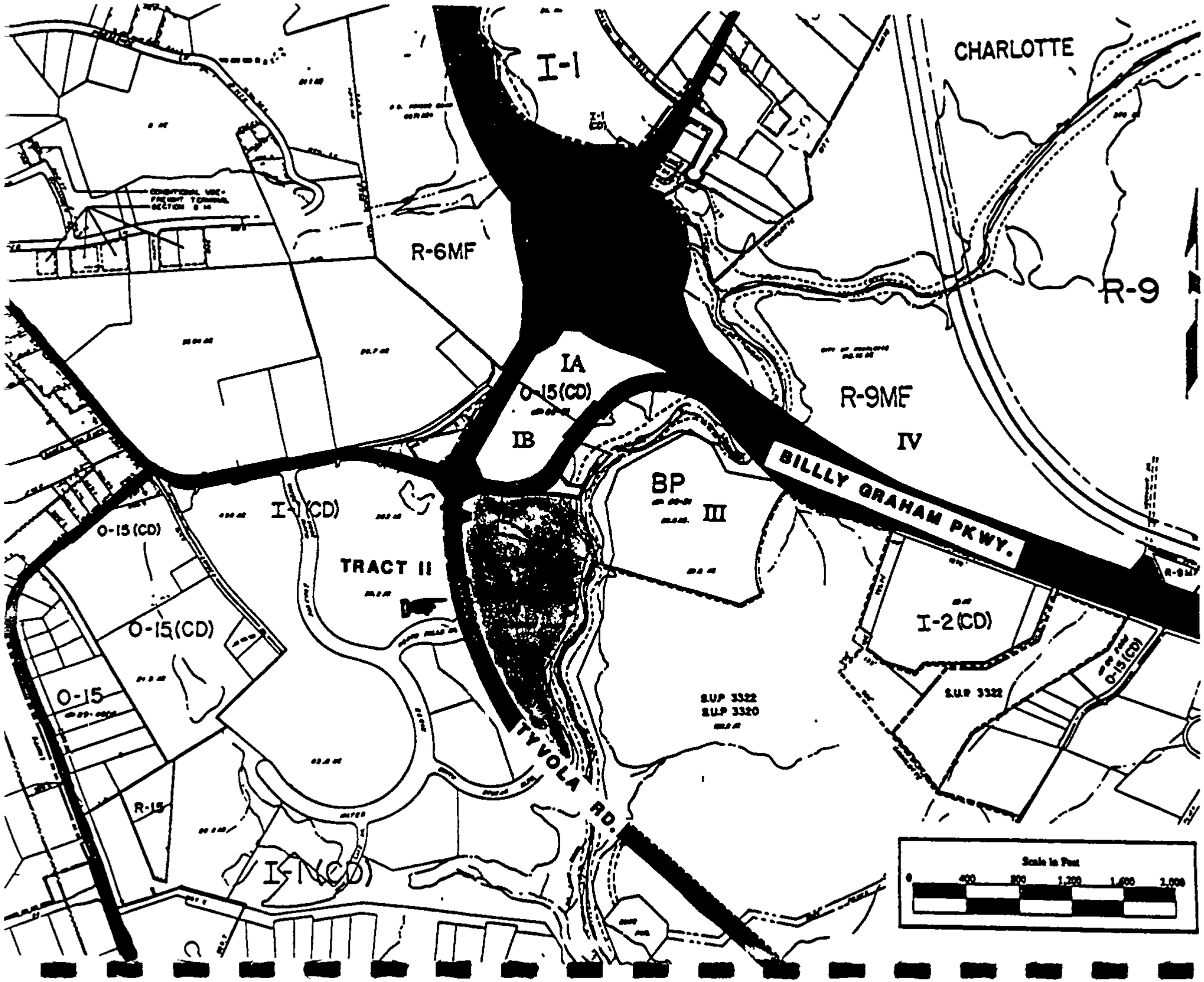
ENGINEERING SERVICES INC.
1700 EAST BOULEVARD CHARLOTTE, NC 28203

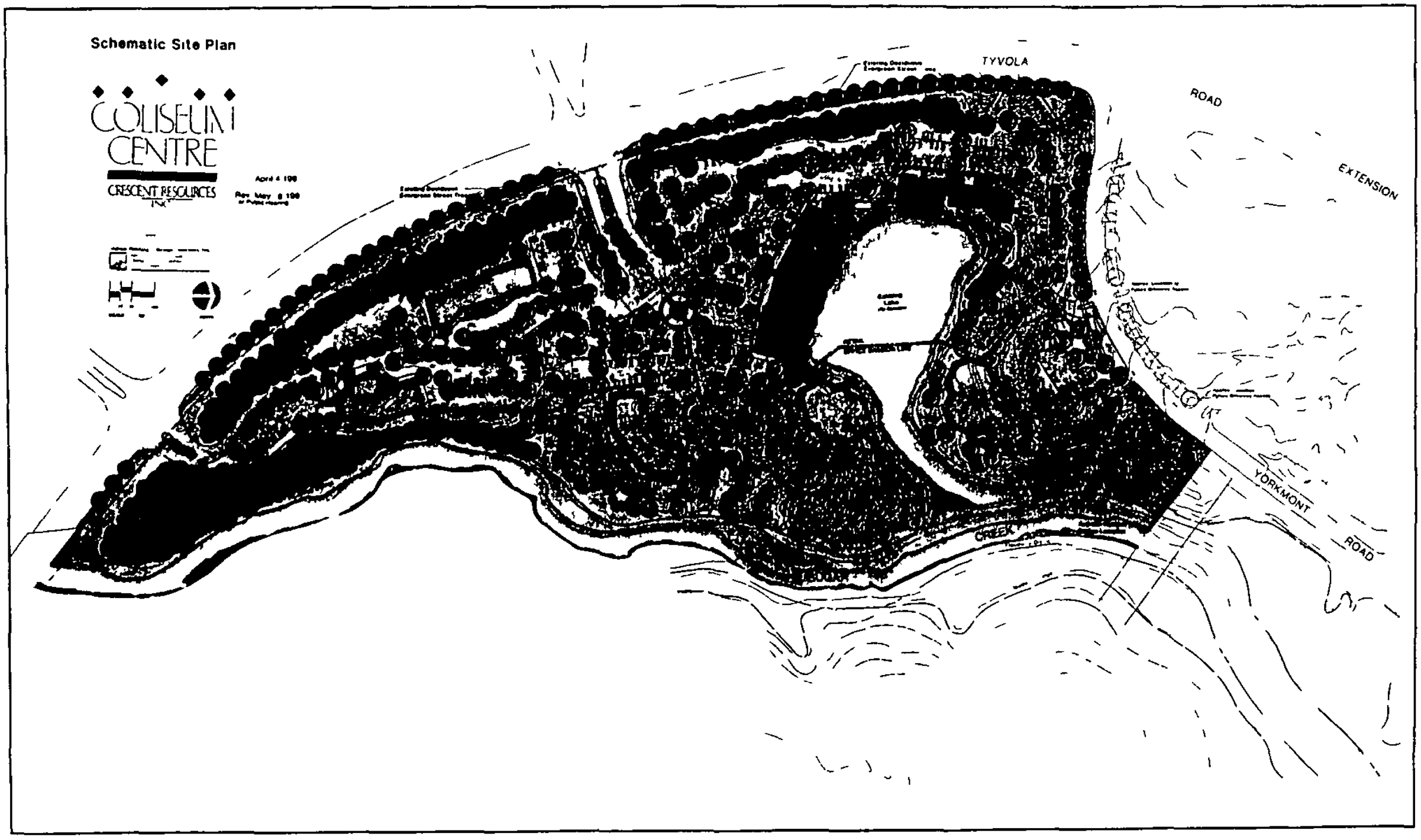
6 6


LAKE WYLIE WATER STATION SITE
TELEPHONE
DIXIE
GARRISON
ROAD
RIVER
LAKE WYLIE
Legion Lake
Shoal Lake
Shopton
ROCK ISLAND ROAD
LAKE WYLIE
Slowe
LAKE WYLIE
WATER PLANT SITE
LOCATION MAP
CRESCENT RESOURCES
CHARLOTTE, N.C.
Land Design
ENGINEERING SERVICES INC.
1700 EAST BOULEVARD CHARLOTTE, NC 28203
830538
N.T.S.
JUNE 1992
CAD
DCS
2 6




| | |
|---|---|
| LAKE WYLIE | 830538 |
| | N.T.S. |
| | JUNE 1992 |
| WATER PLANT SITE | CAD |
| | DCS |
| CRESCENT CHARLOTTE, N.C. | |
| Land Design<br>ENGINEERING SERVICES INC.<br>1700 EAST BOULEVARD CHARLOTTE, NC 28203 | 4 of 6 |


CHARLOTTE
I-1
R-6MF
R-9
R-9MF
IV
IA
O-15(CD)
IB
BP
III
BILLY GRAHAM PKWY.
I-1(CD)
TRACT II
O-15(CD)
O-15(CD)
O-15
R-15
I-2(CD)
S.U.P 3322
S.U.P 3320
S.U.P 3322
TYVOLA RD.
I-1(CD)
Scale in Feet
0
400
800
1,200
1,600
2,000


Schematic Site Plan
COLISEUM CENTRE
CRESCENT RESOURCES INC
TYVOLA
ROAD
EXTENSION
YORKMONT
ROAD
CREEK

# CHARLOTTE - MECKLENBURG PLANNING COMMISSION

November 5, 1993

Mayor Richard Vinroot
Members, City Council
Charlotte, North Carolina

Dear Mayor and Council Members:

Attached are recommendations of the Zoning Committee of the Charlotte-Mecklenburg Planning Commission on petitions which have been heard and referred to the Planning Commission for consideration. The recommendations as reflected herein were arrived at in a meeting of the Planning Commission on October 25, 1993.

According to the adopted rules of procedure, these recommendations will be sent to the interested parties with a time period for the conveyance of any written statement set to elapse 12:00 Noon on Monday, November 15, 1993. This will then permit these matters to be placed on your agenda for consideration on Monday, November 22, 1993.

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

Respectfully submitted,

Don Wheichel
Charlotte-Mecklenburg Planning Commission
Assistant Zoning Committee Chairperson

DW:mcm

Attachments

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

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-27

**PETITIONER(S):** Harold Jolly

**REQUEST:** Change from R-4 to R-8MF(CD)

**LOCATION:** Approximately 2.2 acres located on the west side of Oakdale Road south of Dale Avenue.

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

**VOTE:** *Yeas:* Baucom, James, Jones, Motley, and Whelchel.

*Nays:* None.

*Absent:* Byrne and Heard.

**REASONS**

This petition proposes rezoning from a single family residential classification to a conditional multi-family category to allow a fraternal organization. Publicly adopted plans for the area envision single family residential land uses for the subject property. The Zoning Committee previously deferred action on this petition to allow the petitioner to revise his site plan. The petitioner has submitted a revised site plan that addresses earlier concerns regarding the residential character of the structure. Therefore, the Zoning Committee recommends that this petition be approved.

**STAFF OPINION**

The staff agrees with the recommendation of the Zoning Committee.

**Petition #:** 93-27

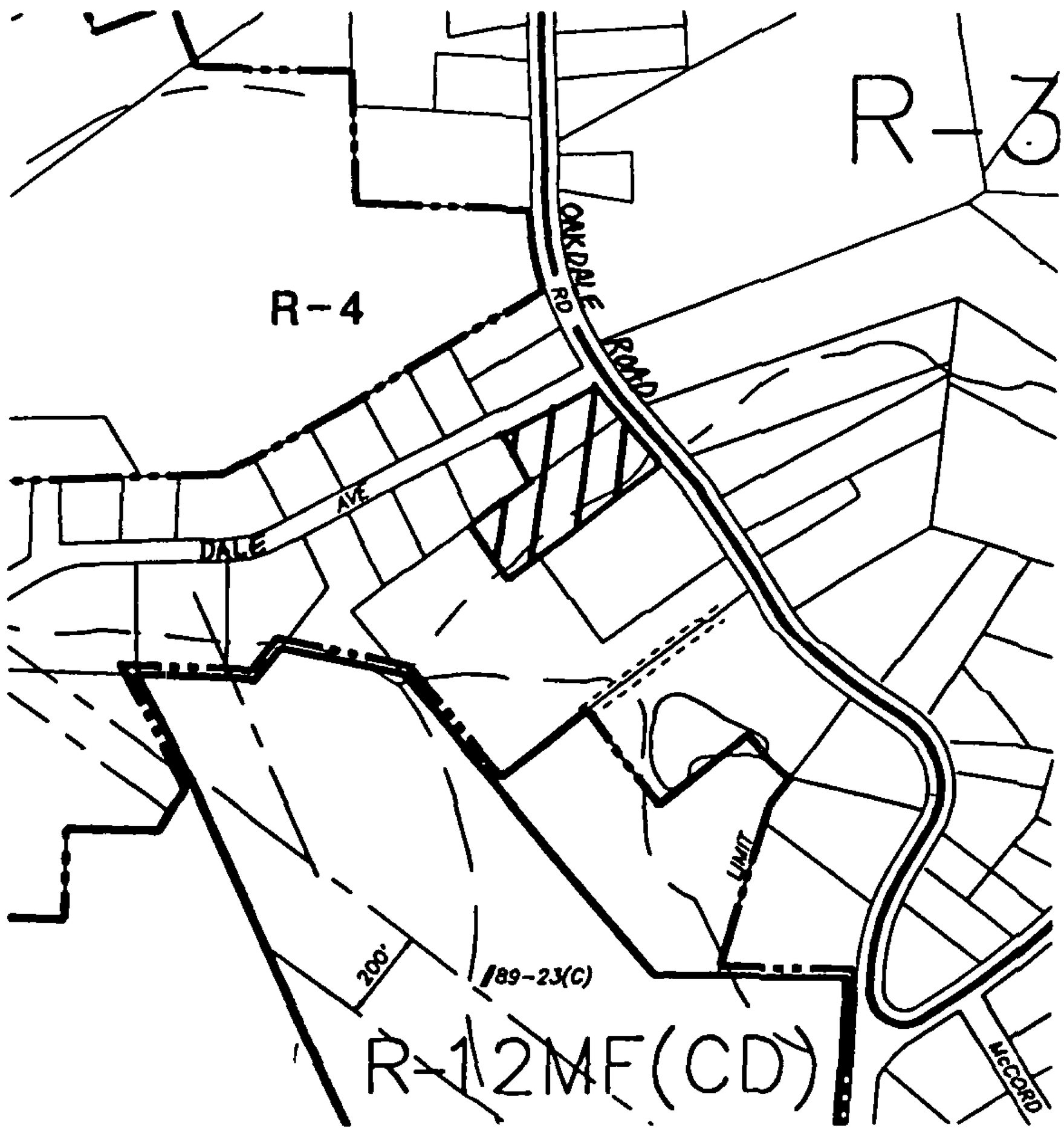
**Petitioner:** Harold Jolly

**Hearing Date:** June 21, 1993

**Zoning Classification (Existing):** R-4

**Zoning Classification (Requested):** R-8MF(CD)

**Location:** Approximately 2.2 acres located on the westerly side of Oakdale Road south of Dale Avenue.




**Zoning Map #(s):** 68

**Scale:** 1" = 400'

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-51

**PETITIONER(S):** Samuel M. Youngblood, III

**REQUEST:** Change from R-12MF(CD) to B-D

**LOCATION:** A 4,280 square foot parcel bounded by Neal Drive, McGill Street and Heathway Drive.

**ACTION:** The Zoning Committee recommends that this request be denied.

**VOTE:** *Yeas:* Adams, Baucom, Bruno, James, Jones, Motley, and Whelchel.

*Nays:* None.

**NOTE:** There are two votes from Planning Committee members on this petition. Some of the members of the Zoning Committee were unable to attend the public hearing on this petition and two members of the Planning Committee attended in their absence.

## REASONS

This petition proposes a rezoning from a conditional multi-family residential category to the distributive business district. Publicly adopted plans generally recommend residential development in the area of the subject property. The Zoning Committee deferred action on this petition last month at the petitioner's request. The petitioner indicated a desire to submit a conditional site plan. However, the petitioner never submitted a conditional site plan. Therefore, the Zoning Committee recommends that this petition be denied.

## STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

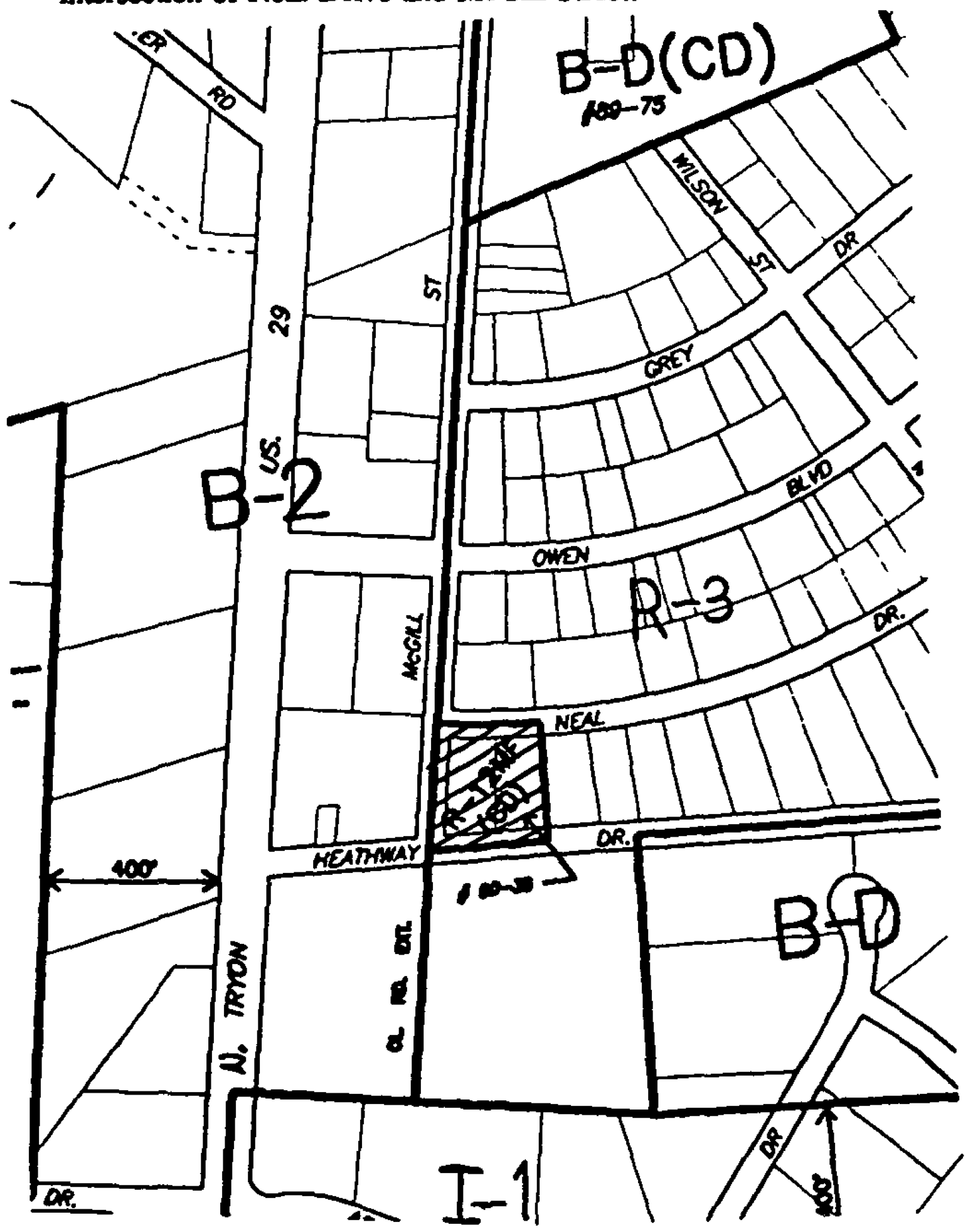
**Petition #:** 93-51

**Petitioner:** Samuel M. Youngblood III **Hearing Date:** September 20, 1993

**Zoning Classification (Existing):** R-12MF(CD)

**Zoning Classification (Requested):** B-D

**Location:** Approximately 4,280 square feet located on the southeast corner of the intersection of Neal Drive and McGill Street.




**Zoning Map #(s):** 77 **Scale:** 1" = 400'

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-52

**PETITIONER(S):** Alan and Terry Beaty

**REQUEST:** Change from I-1 to I-2(CD)

**LOCATION:** Approximately 5 27 acres located on the northeasterly side of Brookshire Boulevard east of Caldwell Williams Road

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

**VOTE:** *Yeas.* Adams, Baucom, Bruno, and James.

*Nays:* Jones, Motley, and Whelchel.

*Absent* Byrne and Heard.

**NOTE:** There are two votes from members of the Planning Committee on this petition. Some of the members of the Zoning Committee were unable to attend the public hearing on this petition and two members of the Planning Committee attended in their absence. As a result, two members of the Planning Committee voted on this petition

**REASONS**

This petition proposes a change from a light industrial district to a conditional general industrial district. Publicly adopted plans for the area recommend light industrial land uses for the subject property. Previously, the Zoning Committee deferred action on this petition to allow the petitioner an opportunity to submit a conditional site plan. The petitioner has submitted a conditional site plan that revises the area of the site that's being petitioned for rezoning. The front portion of the site has been deleted from the petition and the rear portion of the site is being requested to be rezoned to I-2(CD).

This petition was discussed at length by the Zoning Committee. The Zoning Committee was unsuccessful in getting the petitioner's agent to agree to additional restrictions to the site plan that exceed minimum ordinance requirements. Although, committee members were mainly concerned with additional buffering and screening, concern was also expressed regarding this site being an eyesore in the community and existing violations at this site. Therefore, the Zoning Committee recommends that this petition be denied.

## STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee The planning staff does not believe that the general industrial zoning should be expanded to this side of Belhaven Boulevard While a conditional site plan is preferable to a conventional rezoning, staff does not consider this request appropriate for approval

**Petition #:** 93-52

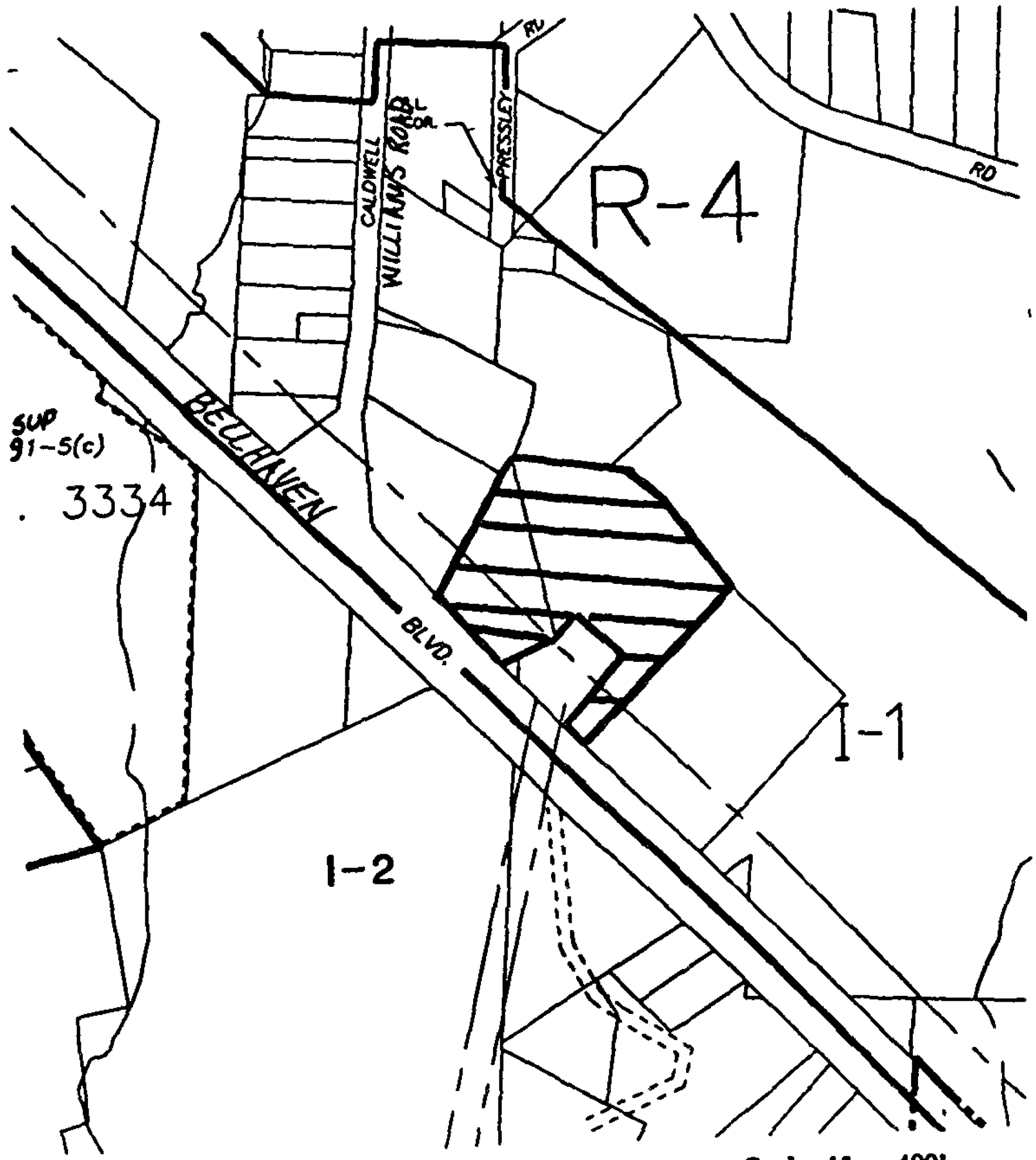
**Petitioner:** Alan & Terry Beaty

**Hearing Date:** September 20, 1993

**Zoning Classification (Existing):** I-1

**Zoning Classification (Requested):** I-2

**Location:** Approximately 5.27 acres located on the northeasterly side of Brookshire Boulevard (NC Hwy. 16) east of Caldwell Williams Road.




Zoning Map #(s): 67

Scale: 1" = 400'

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE.** September 28, 1993

**PETITION NO.:** 93-100

**PETITIONER(S):** Charlotte-Mecklenburg Planning Commission

**REQUEST:** Change from R-22MF, B-2 & I-1 to R-22MF & R-8 (Central District Plan)

**LOCATION:** Several acres located in (A) the Seversville and Smallwood neighborhoods, including areas generally south of Roslyn Avenue, west of West Trade Street, north of Tuckaseegee Road, and east of Stewart Creek (from R-22MF, B-2 and I-1 to R-8), (B) property at the end of Clyde Drive between Coronet Way and Rozzelles Ferry Road (from I-1 to R-22MF)

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

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

*Nays* None

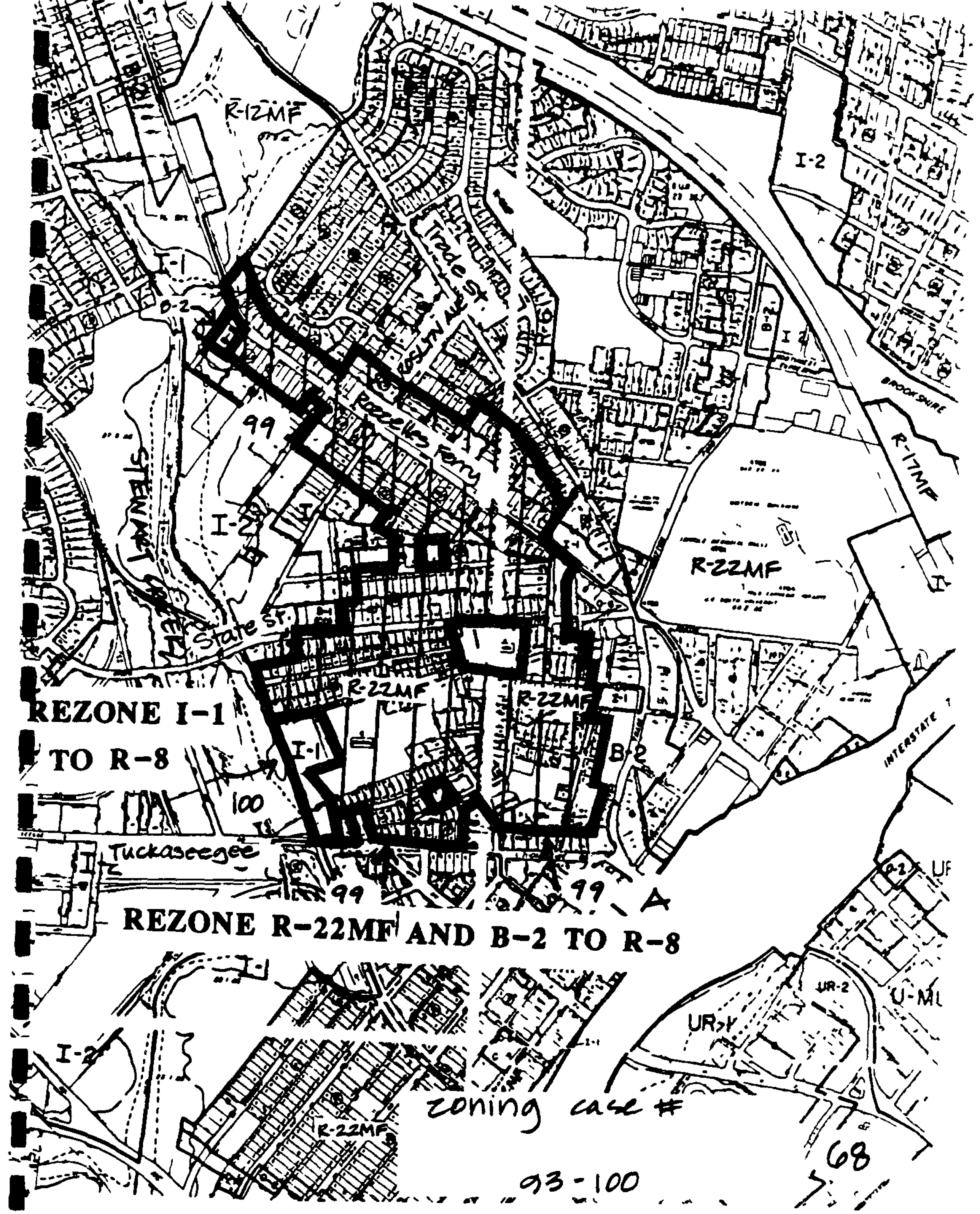
*Absent* Heard

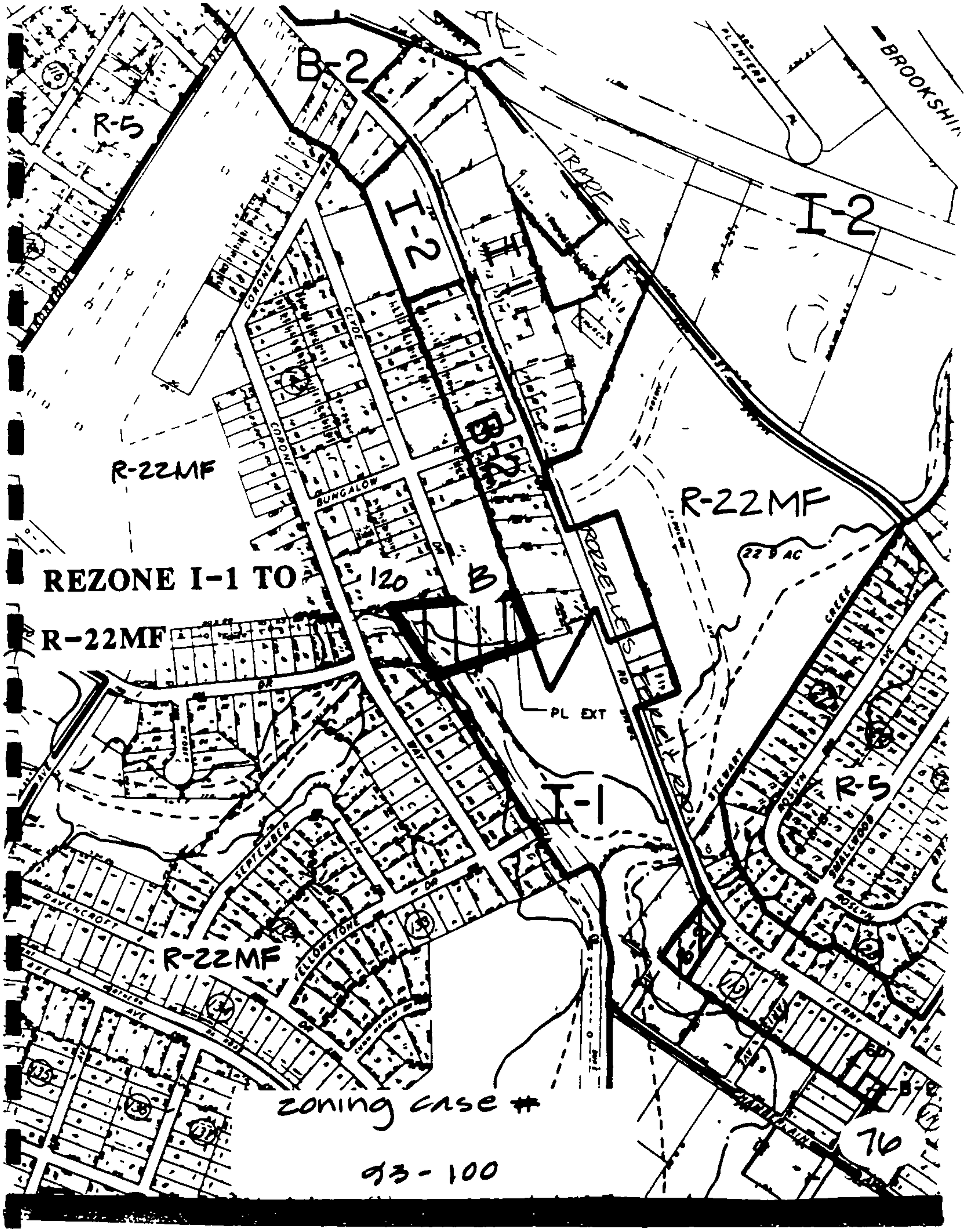
## REASONS

This petition proposes rezoning properties located in the Seversville and Smallwood neighborhoods, including areas generally south of Roslyn Avenue, west of West Trade Street, north of Tuckaseegee Road, and east of Stewart Creek, property at the end of Clyde Drive between Coronet Way and Rozzelles Ferry Road from a combination of R-22MF, B-2 and I-1 to R-22MF and R-8 based on the Central District Plan The petitioned property consists of single family homes, duplexes, vacant land, several churches, and an elementary school. The Zoning Committee viewed the proposed single family and multi-family residential districts as appropriate for the area and recommends that the petition be approved

## STAFF OPINION

The Staff agrees with recommendation of the Zoning Committee


R-12MF
I-2
Trade St.
I-1
B-2
I-2
BROOKSHIRE
R-17MF
99
STEWART
I-2
R-22MF
State St.
REZONE I-1
TO R-8
R-22MF
R-22MF
I-1
B-2
100
Tuckaseegee
99
99
A
REZONE R-22MF AND B-2 TO R-8
UR-2
U-ML
UR-2
I-2
R-22MF
zoning case #
68
93-100


REZONE I-1 TO
R-22MF
B-2
R-5
I-2
I-2
R-22MF
R-22MF
R-22MF
R-22MF
I-1
R-5
TRADE ST
PLANTERS
BROOKSHIR
CORONET
CLYDE
BUNGALOW
REVELLE RD
PL EXT
22.5 AC
CREEK
STEWART
ROSLYN
SMALLWOOD
SEPTEMBER
YELLOWSTONE
DAVENCROFT
FERRY
zoning case #
93-100
76

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-108

**PETITIONER(S):** University Research Park, Inc.

**REQUEST:** Consideration of a text amendment to the City of Charlotte Zoning Ordinance to modify the development standards for the Research districts

**ACTION:** The Zoning Committee recommends that this request be approved

**VOTE:** *Yeas:* Baucom, James, Jones, Motley, and Whelchel.

*Nays:* None.

*Absent:* Byrne and Heard.

## REASONS

This text amendment proposes minor changes to the development standards for the Research districts in the City Zoning Ordinance. The Zoning Committee viewed the changes as relatively minor and having no negative effect on future development in the Research Park area. Therefore, the Zoning Committee recommends that this request be approved.

## STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

ORDINANCE NO. _____

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 City of Charlotte is hereby amended as follows:

1 - Amend Chapter 9, Part 6, Section 9.605 (Development standards for research districts) by:

(A) Delete subsection (1)(d) in its entirety.

(B) Add a new subsection (1)(d) as follows:

| "(d) Minimum Setbacks (Feet) | RE-1 | RE-2 |
|---|---|---|
| - Lots between 2 and 4 acres | 40** | N.A. |
| - Lots between 4 and 15 acres | 40** | 100 |
| - Lots between 15 and 20 acres | 100 | 125 |
| - Lots greater than 20 acres | 100 | 150 " |

(C) Amend subsection (5) by deleting the word "exterior" from the first sentence of that subsection.

Section 2. That this ordinance shall become effective upon 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 _____.

_____
Brenda Freeze, City Clerk

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-109

**PETITIONER(S):** Dr. Robert Zach Hull

**REQUEST:** Change from R-22MF to O-2(CD)

**LOCATION:** Approximately 0.61 acres located at the southwest corner of the intersection of Queens Road And Edgehill Road South.

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

**VOTE:** *Yeas:* Baucom, James, Jones, Motley, and Whelchel.

*Nays:* None.

*Absent:* Byrne and Heard

**REASONS**

This petition proposes a rezoning from a multi-family residential zoning district to a conditional office zoning district to allow an existing structure to be used as an office facility. The site plan limits the kinds of office uses that would be permitted on the site. Publicly adopted plans for the area recommend residential land uses for the property. However, due to the established land use pattern in the area, this petition may be considered appropriate for approval. Therefore, the Zoning Committee recommends that this petition be approved.

**STAFF OPINION**

The staff agrees with the recommendation of the Zoning Committee.

**Petition #:** 93-109

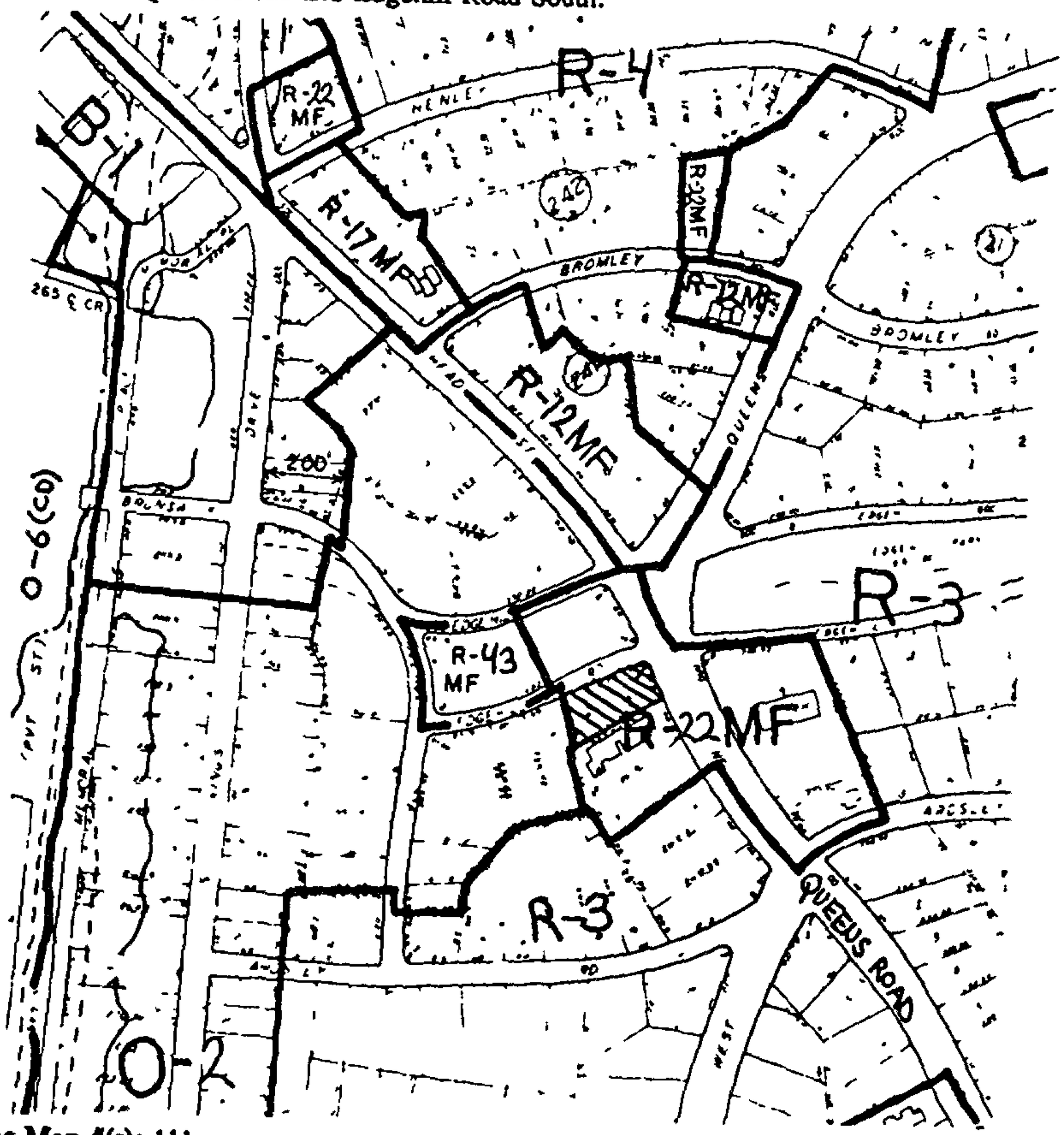
**Petitioner:** Dr. Robert Zach Hull

**Hearing Date:** October 20, 1993

**Zoning Classification (Existing):** R-22 MF

**Zoning Classification (Requested):** O-2(CD)

**Location:** Approximately .61 acres located on the southwest corner of the intersection of Queens Road and Edgehill Road South.




**Zoning Map #(s):** 111

**Scale:** 1" = 400'

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-110

**PETITIONER(S):** Ronald S. & Betty B. Cecil

**REQUEST:** Change from R-3 to B-2

**LOCATION:** Approximately 1.63 acres located on the northeasterly corner of the intersection of East W.T. Harris Boulevard And Robinson Church Road.

**ACTION:** The Zoning Committee deferred action on this petition for 30 days

**VOTE:** *Yeas:* Baucom, James, Jones, Motley and Whelchel

*Nays* None

*Absent:* Byrne and Heard.

**REASONS**

This petition proposes a change from a single family residential category to a conventional general business category. Publicly adopted plans for the area recommend continued residential development along the Harris Boulevard corridor. Zoning Committee members expressed concern over this being a conventional application. The petitioner agreed to file a conditional site plan. Therefore, the Zoning Committee deferred this petition for 30 days.

# ZONING COMMITTEE
# RECOMMENDATION

---

**DATE:** October 25, 1993

**PETITION NO.:** 93-111

**PETITIONER(S):** Catherine M Piercy

**REQUEST:** Change from R-3 to R-4

**LOCATION:** *Approximately 14.18 acres located on the east side of Mason Drive, north* of Mallard Creek Road.

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

**VOTE:** *Yeas:* Baucom, James, Jones, Motley, and Whelchel

*Nays:* None.

*Absent:* Byrne and Heard.

## REASONS

This petition proposes a change from one single family residential classification to another of *slightly higher density. Publicly adopted plans for the area recommend single family residential* development at a density of up to 4 dwelling units per acre. Therefore, the Zoning Committee recommends that this petition be approved.

## STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

**Petition #:** 93-111

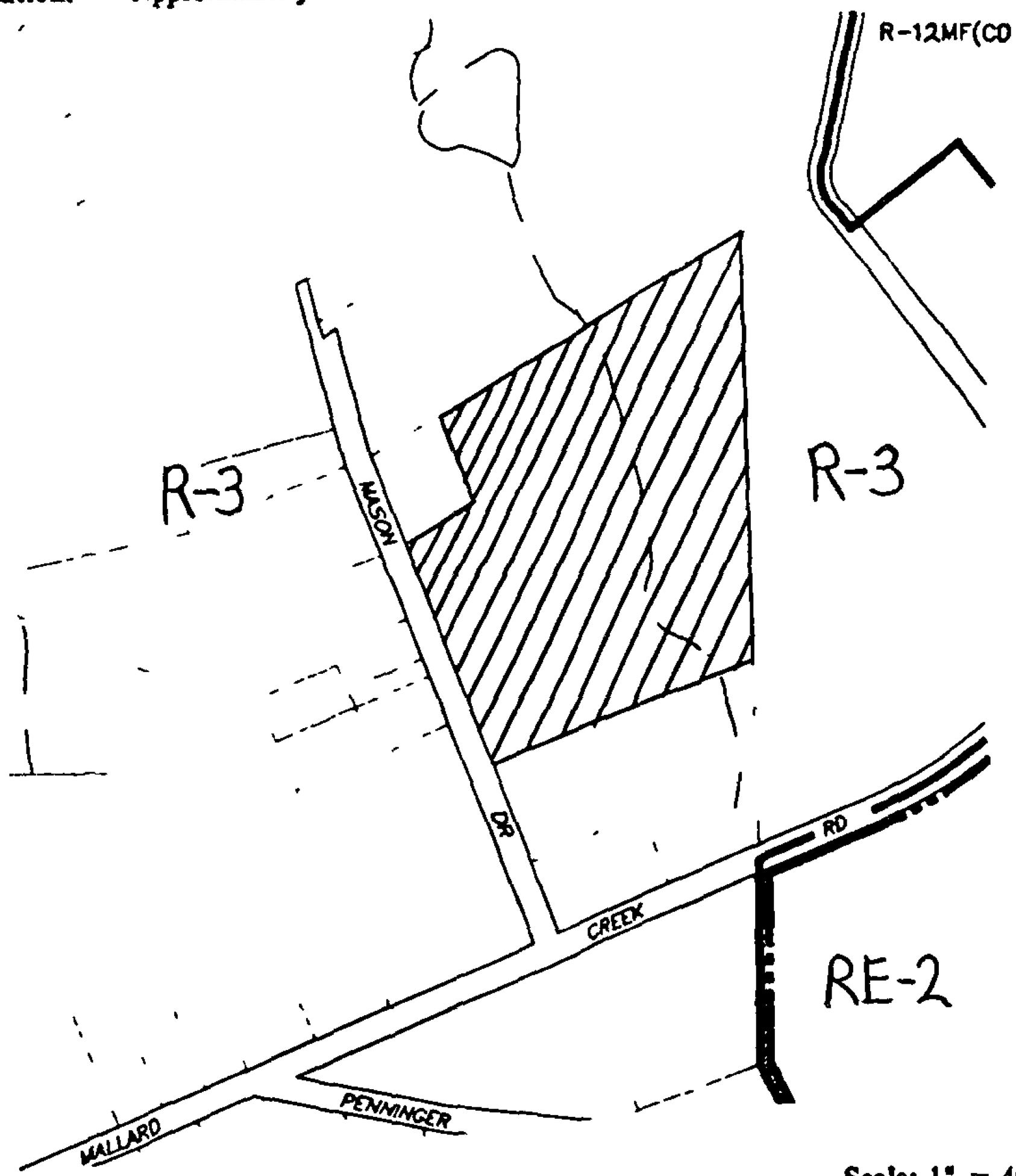
**Petitioner:** Catherine M Piercy

**Hearing Date:** October 20, 1993

**Zoning Classification (Existing):** R-3

**Zoning Classification (Requested):** R-4

**Location:** Approximately 14.18 acres located on the east side of Mason Drive.




**Zoning Map #(s):** 59

**Scale:** 1" = 400'

# ZONING COMMITTEE
# RECOMMENDATION

---

| | | |
|---|---|---|
| **DATE:** | | October 25, 1993 |
| **PETITION NO.:** | | 93-113 |
| **PETITIONER(S):** | | Paul Sires and Ruth Lyons |
| **REQUEST:** | | Change from B-1 to NS (Neighborhood Services) |
| **LOCATION:** | | Approximately .27 acres located on the southeast corner of North Davidson Street and East 34th Street. |
| **ACTION:** | | The Zoning Committee recommends that this petition be approved. |
| **VOTE:** | *Yeas* | Baucom, James, Jones, Motley, and Whelchel. |
| | *Nays:* | None. |
| | *Absent:* | Byrne and Heard. |

## REASONS

This petition proposes a rezoning from a conventional neighborhood business district to the neighborhood services district. Publicly adopted plans for the area recommend the revitalization of the commercial district surrounding the intersection of Davidson Street and 36th Street. Therefore, the Zoning Committee recommends that this petition be approved.

## STAFF OPINION

The staff agrees with the recommendation of the Zoning Committee.

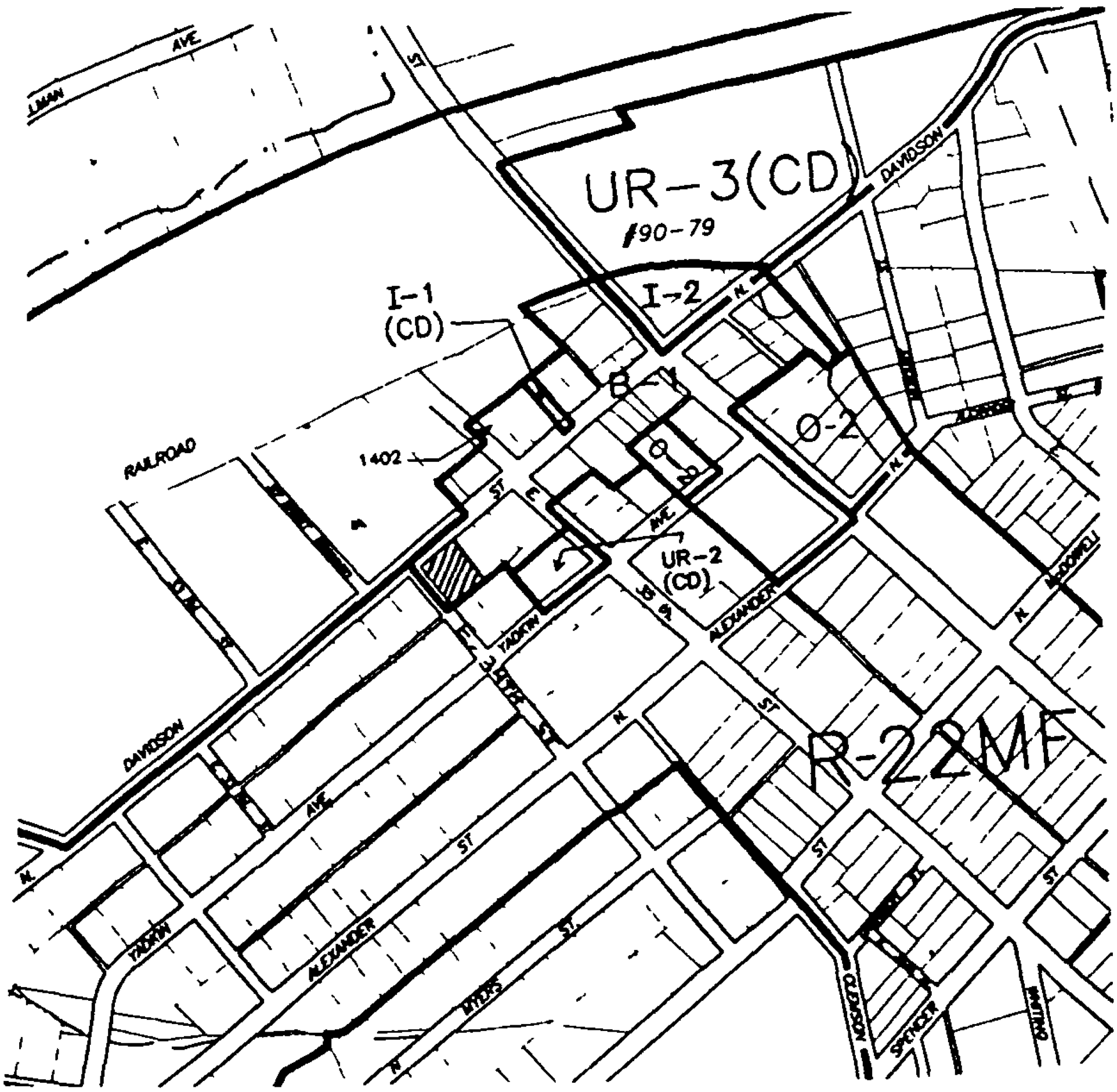
**Petition #:** 93-113

**Petitioner:** Paul Sires and Ruth Lyons **Hearing Date:** October 20, 1993

**Zoning Classification (Existing):** B-1

**Zoning Classification (Requested):** NS

**Location:** Approximately .27 acres located at the southeast corner of the intersection of N. Davidson Street and E. 34th Street.




**Zoning Map #(s):** 89 **Scale:** 1" = 400'

## BACKGROUND

- **General Information**

  - Owner: Mildred L. Gibson
    c/o Anthony Giordano
    Attorney at Law
  - Owner's Address: P. O. Box 15342
    Charlotte, NC 28211
  - Property Address: 929 Patch Avenue
  - Neighborhood: Druid Hills
  - Census Tract: #51
  - Council District: #2

- **Code Enforcement Information**

  - Reason for Inspection: Complaint From Occupant
  - Date of Inspection: 12/31/92
  - Owner Notified of Hearing: 1/4/93
  - Hearing Held: 1/29/93
  - Demolition ordered since cost to repair was more than 65% of the estimated tax value.
  - Owner Ordered to Demolish Dwelling by: 3/29/93
  - Owner did not comply with Order to demolish.
  - Title report received in July 1993 revealed no parties in interest to the property.
  - Structure Occupied: No (Tenant moved shortly after complaint was made)
  - Demolition Cost: $2,298
  - Lien will be placed on property for cost of demolition.

- **Notification to Owner**

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

- <u>Acquisition/Disposition Analysis</u>

(See Exhibit A - Acquisition/Disposition Analysis)

*Demolition recommended because:*
- estimated $14,525 In Rem Repair cost is 206% of the $7,030 tax value
- rehabilitation vs. new construction is not feasible
- new house could be constructed with an economic life of 50 years

| Acquisition & Rehabilitation Cost of Existing House (1,170 Sq. Ft.) | Average Cost to Build a New 1,000 Sq. Ft. House | Difference in Rehabilitation & New Construction Cost |
|---|---|---|
| $53,735* | $50,000 | $3,735 |

*Includes $265 in delinquent taxes and a $750 outstanding lien

Revised 1/22/93

EXHIBIT A

DATE 6-30-93

**NEIGHBORHOOD DEVELOPMENT DIVISION**
**ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)**
**EVALUATION GUIDE**

ADDRESS 929 PATCH AV Census # 51

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS·II)

Code Order: In Rem Repair ____
Demolition X

Effective Year
Structure Built 1927
Style TROD
# Bedrooms 2
Sq. Ft. (House) 1170
Civil Penalty X
Amount 1020
Date 6-30-93

A. Current Tax Value of Structure $ 7030
B. Land Value $ 9000
SUB-TOTAL TAX VALUE $ 16,030
C. Estimated Cost to In Rem Repair to Code Standards $ 14,525
TOTAL $ 30,555

D. % of C divided by A 206.6%
< 65% of Value Yes ____ No X

E. Once HRS II completes above, forward to NDS.

F. Comments/Mitigative Concerns

- House has been heavily vandalized.
- The garage listed on the tax card no longer exists
- Guardian of the owner is very anxious to dispose of property & abate civil penalty

Name M. Vaskin
Date Completed 6-30-93

G. Preservation Manager or Development Manager Comments

_____

_____

_____

_____

_____

Date Completed _____

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date 7-2-93

1. Negotiated Acquisition or Tax Value $ 16,030
2a. Rehabilitation (Substantial) (based on average cost of CD rehabilitation x sq.ft. in house) 1170 sq.ft. x $32 per sq.ft. $ 37,440
2b. Actual Cost/Cost Estimate $ NA
3. Delinquent Taxes (if any) $ 265 56
4. Outstanding Loans/Liens (if any) $ 750 *

Sub-Total $ 54,485.56
Outstanding Loans/Liens - 750
TOTAL $ 53,735.56

Is Total > $50,000 Yes ✓ No ___

B. Amount of Civil Penalties $ 1020

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ✓ No ___
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by NDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

1170 sq. ft. x $ 44.44 $ 51,994.80
Plus Land Value $ 9000

67 yr old structure TOTAL $ 60,994.80

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes ___ No ✓

Name [signature]
Date Completed 9-20-93

* City lien $750.00 listed on title reports
The lien was for the removal of trash and junk.

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

| | Yes | No |
|---|---|---|
| 1. Acquire | ____ | ____ |
| Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase. | | |
| If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue. | | |
| 2. In Rem Repair | ____ | ____ |
| 3. Demolish | ✓ | ____ |

If #1 is checked yes, NDS notifies the HRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name A. Willi
Date Completed 9-20-93

B. Proposed Use (to be completed by NDS)

| | Yes | No |
|---|---|---|
| 1. Retain for Use Internally | ____ | ✓ |
| Explain Proposed Internal Use of House: Provided a location with information but no one on waiting interested | | |
| 2. Sell to Interested Purchaser Externally | ____ | ✓ |
| Explain Proposed External Sale of House: Sent information on property to non-profits who are not interested in property | | |

C. Comments

Attorney for owner and CD staff have tried to locate potential vacancy by relocation and unpaid but no success.

Support demolition of structure and not inventory land for later use. [redacted] the location of the property near the Statesville Avenue Dump may impact the decision of a future relocatee or nonprofit.

concur
Joyce Jones
9/27/93

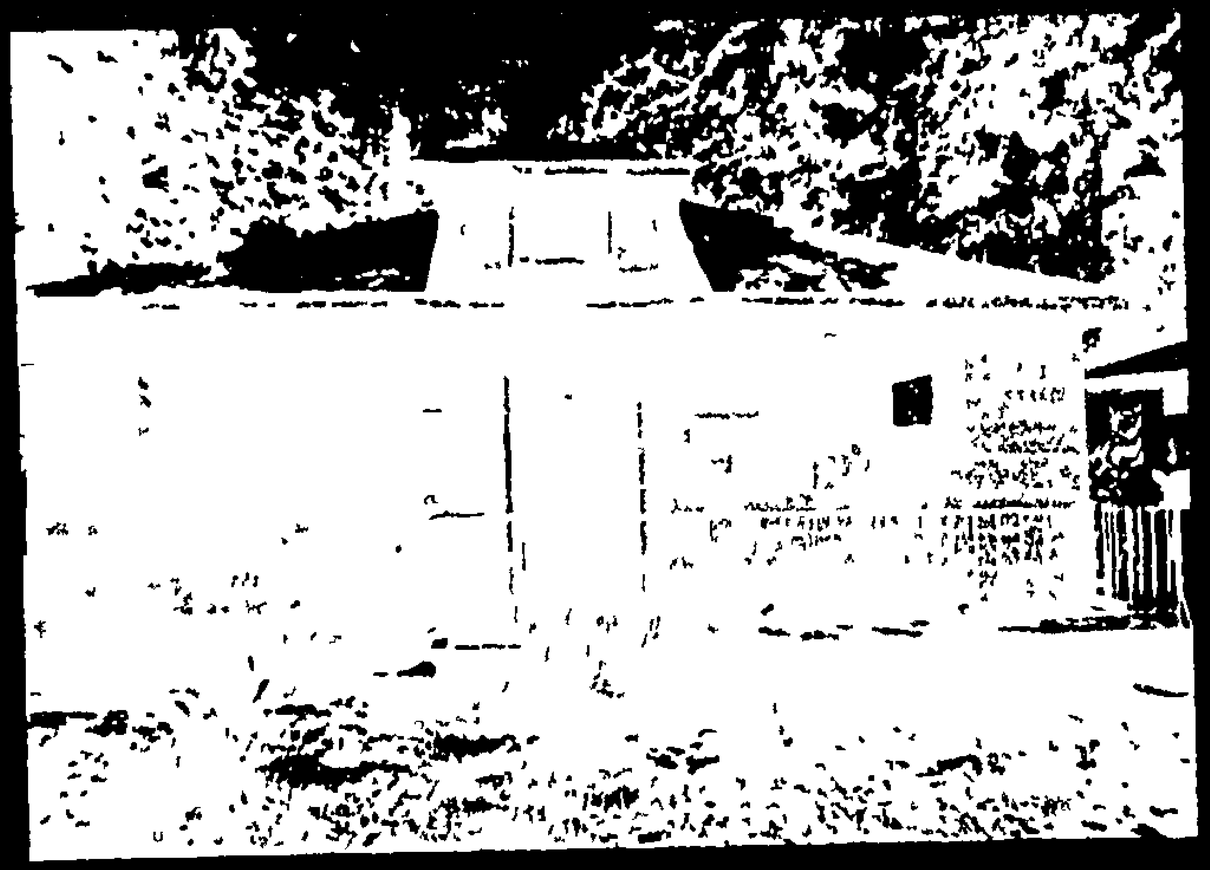
Name A. Wall
Date Completed 9/27/93

V. Community Development Director Approval ✓ Decline ____

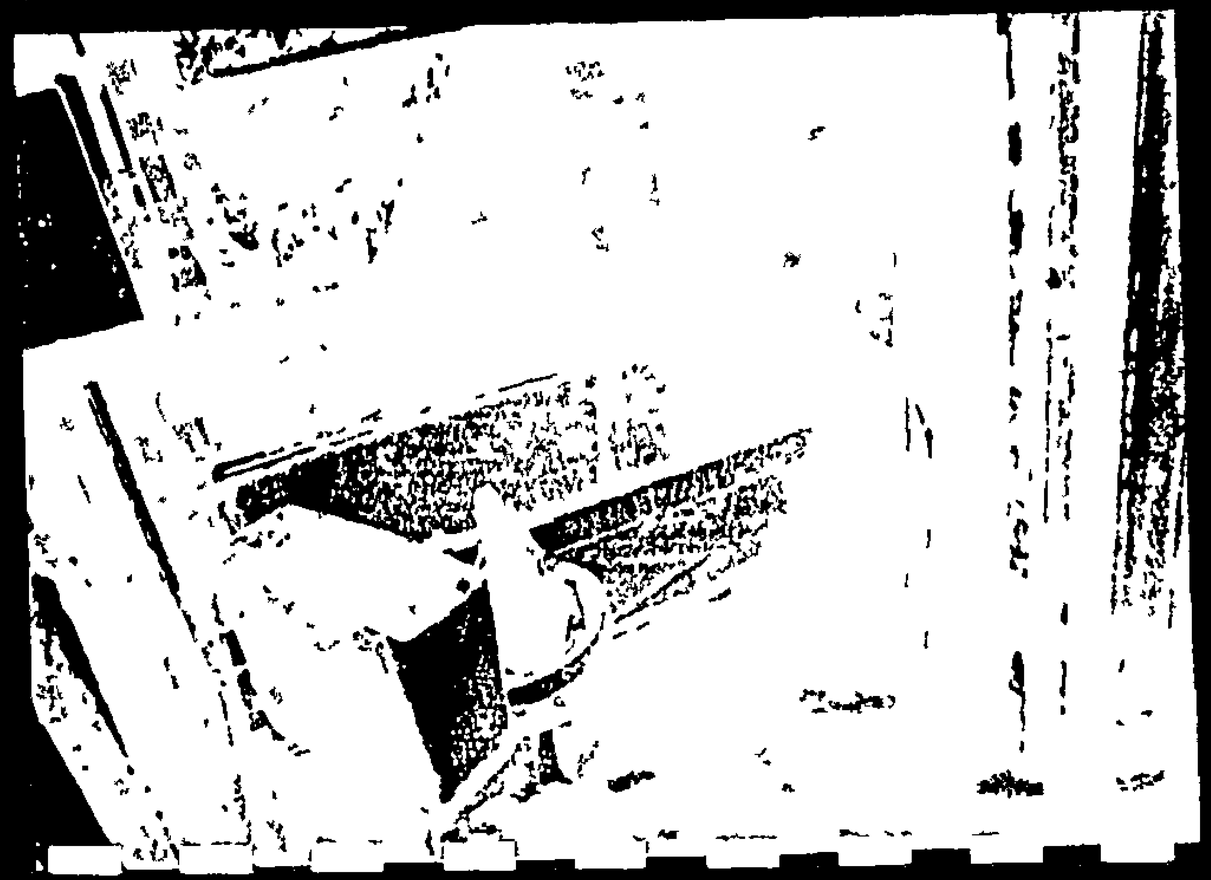
Signature 9-28-93

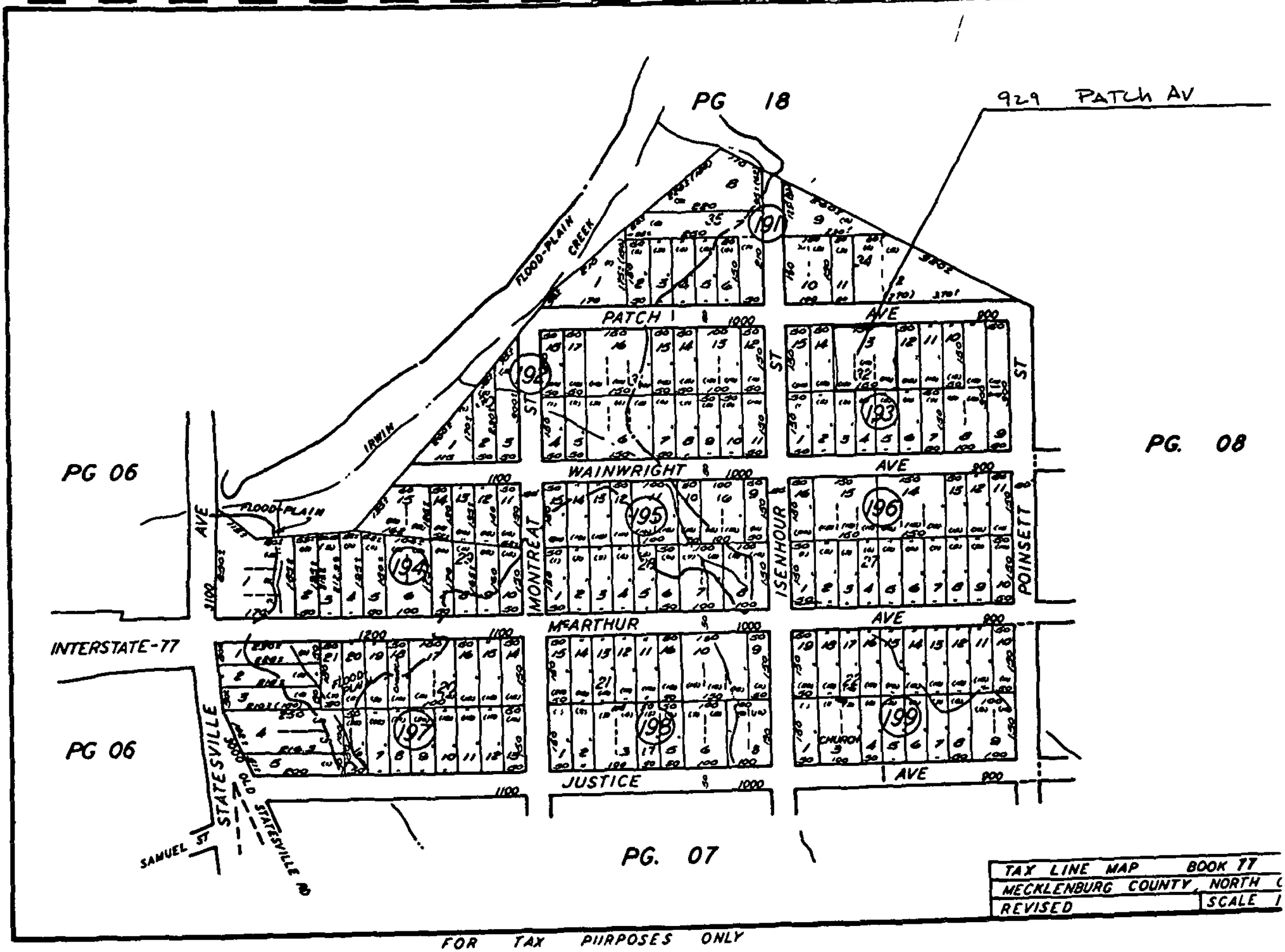
Director's Comment/Concerns:

Demolition



929 PORCH DV






TAX LINE MAP BOOK 77
MECKLENBURG COUNTY, NORTH C
REVISED SCALE 1

FOR TAX PURPOSES ONLY

## BACKGROUND

- **General Information**

| | |
|---|---|
| - Owner: | Mildred L. Gibson<br>c/o Anthony Giordano<br>Attorney at Law |
| - Owner's Address: | P. O. Box 15342<br>Charlotte, NC 28211 |
| - Property Address: | 1015 McAden Street |
| - Neighborhood: | Belmont |
| - Census Tract: | #8 |
| - Council District: | #1 |

- **Code Enforcement Information**

| | |
|---|---|
| - Reason for Inspection: | Assigned Field Observation in a Concentrated Code Enforcement Area |
| - Date of Inspection: | 8/14/90 |
| - Owner Notified of Hearing (by advertisement): | 9/25/90 |
| - Hearing Held: | 10/8/90 |

- Repair ordered since cost to repair was less than 65% of the estimated tax value.

| | |
|---|---|
| - Owner Ordered to Repair Dwelling by: | 11/20/90 |

- Owner did not comply with Order to repair. (Some repairs made, but none to meet Code.)
- Property continued to deteriorate and the cost to repair the house now exceeded 65% of the estimated tax value.

| | |
|---|---|
| - Owner Ordered to Demolish Dwelling by: | 7/17/91 |

- Owner did not comply with Order to demolish.
- Case was not followed up on.
- Since additional violations had occurred, a new inspection was made.

| | |
|---|---|
| - Date of New Inspecton: | 2/17/93 |
| - Owner Notified of Hearing: | 2/18/93 (mail returned unclaimed) |
| - Owner Notified of Hearing: | 3/17/93 |
| - Hearing Held: | 4/16/93 |

- Demolition ordered since cost to repair was more than 65% of the estimated tax value.

| | |
|---|---|
| - Owner Ordered to Demolish Dwelling by: | 5/16/93 |

- Title report received in October 1993 revealed no parties in interest to the property.
- Structure Occupied: Yes (Tenant will be relocated prior to demolition)
- Demolition Cost: $2,590
- Lien will be placed on property for cost of demolition.

■ **Notification to Owner**

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

■ **Acquisition/Disposition Analysis**

(See Exhibit A - Acquisition/Disposition Analysis)

Demolition recommended because:
- estimated $6,040 In Rem Repair cost is 67% of the $9,010 tax value
- rehabilitation vs. new construction is not feasible
- new house could be constructed with an economic life of 50 years

| Acquisition & Rehabilitation Cost of Existing House (1,065 Sq. Ft.) | Average Cost to Build a New 1,000 Sq. Ft. House | Difference in Rehabilitation & New Construction Cost |
|---|---|---|
| $45,634* | $50,000 | -$4,366 |

*Includes $334 in delinquent taxes

Revised 1/22/93

EXHIBIT A

DATE 6-30-93

**NEIGHBORHOOD DEVELOPMENT DIVISION**
**ACQUISITION/DISPOSITION ANALYSIS PROGRAM (ADAP)**
**EVALUATION GUIDE**

ADDRESS 1015 McAdoo ST Census # 8

I. CODE ENFORCEMENT COST REVIEW (to be completed by HRS·II)

Code Order: In Rem Repair
Demolition X

Effective Year
Structure Built 1932
Style IBDD
# Bedrooms 3
Sq. Ft. (House) 1065
Civil Penalty X
Amount 9,610
Date 6-30-93

A. Current Tax Value of Structure $ 9010
B. Land Value $ 2210
SUB-TOTAL TAX VALUE $ 11220
C. Estimated Cost to In Rem Repair to Code Standards $ 6040
TOTAL $ 17260

D. % of C divided by A 61 %
< 65% of Value Yes ___ No X

E. Once HRS II completes above, forward to HDS.

F. Comments/Mitigative Concerns

- Please note that case has been partially thru ADA in March 1992.
- Guardian of the owner is very anxious to dispose of property + abate civil penalty

Name M. Jenkins
Date Completed 6-30-93

G. Preservation Manager or Development Manager Comments

_____

_____

_____

_____

_____

Date Completed _____

II. Estimate of Cost to Acquire & Rehabilitate Property

A. Information received from HRS II Date 7-2-93

1. Negotiated Acquisition or Tax Value $ 11,220
2a. Rehabilitation (Substantial) $ 34,080
(based on average cost of CD rehabilitation x sq.ft. in house)
1065 sq.ft. x $ 32 per sq.ft.
2b. Actual Cost/Cost Estimate $ N/A
3. Delinquent Taxes (if any) $ 334.56
4. Outstanding Loans/Liens (if any) $ 0

Sub-Total $ 45,634.56
Outstanding Loans/Liens - 0
TOTAL $ 45,634.56

Is Total > $50,000 Yes ____ No ✓

B. Amount of Civil Penalties *$ 9,610

III. Rehabilitation Feasibility vs. Replacement Housing

A. Is it feasible to rehabilitate? Yes ✓ No ____
If yes, complete the following section.

B. Cost to Replace Vs. Cost to Preserve (to be completed by HDS)

Replacement Value: sq. ft. of structure x replacement cost per sq.ft. (based on average cost of CD new construction)

1065 sq. ft. x $ 44.44 $ 47,328.60
Plus Land Value $ 2210

TOTAL $ 49,538.60 *

C. Is it feasible to rehabilitate vs. replacement house cost?
Yes ____ No ✓

Name D. Willis
Date Completed 9-28-93

*Structure is 61 yrs old and has not been maintained by owner.
Replacement housing cost is $39 04 04 more than acq/rehab. cost.

IV. Course of Action

A. Proposed recommendation(s) (to be completed by NDS)

| | Yes | No |
|---|---|---|
| 1. Acquire | ____ | ____ |
| Only forward to Rehabilitation Chief for work write-up and cost estimate after concurrence with CD Director of internal use purchase. | | |
| If we are interested in acquiring the land, the two processes (code and acquisition) simultaneously continue. | | |
| 2. In Rem Repair | ____ | ____ |
| 3. Demolish | ✓ | ____ |

If #1 is checked yes, NDS notifies the HRS II and the code enforcement process stops.

If either #2 or #3 is checked yes, the code enforcement process is continued by updating cost estimate and preparing City Council agenda item.

Name D. Wilson
Date Completed 9-23-93

B. Proposed Use (to be completed by NDS)

| | Yes | No |
|---|---|---|
| 1. Retain for Use Internally | ____ | ✓ |
| Explain Proposed Internal Use of House | | |
| 2. Sell to Interested Purchaser Externally | ✓ | ____ |

Explain Proposed External Sale of House
Habitat wants the lot not the structure. Habitat does not want to pay demolish cost due to those cost constraints.

C. Comments

Attorney for the owner who is incompetent does not have the funds to demolish structure prior to selling to Habitat.

Name [illegible]

Date Completed 9-24-93

[illegible] 9/24/93

V. Community Development Director Approval ✓ Decline ____

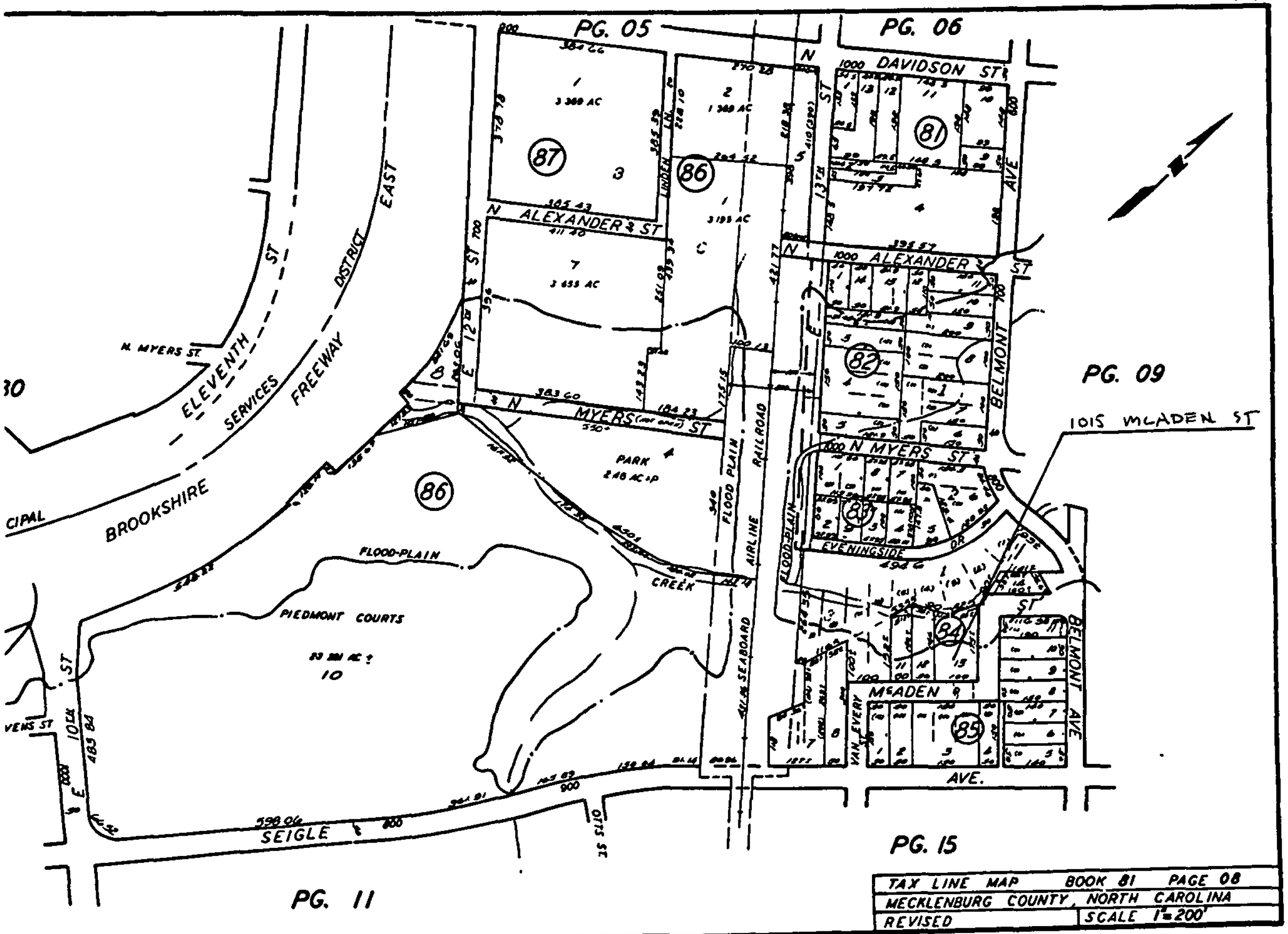
[illegible] 9-28-93

Signature

Director's Comment/Concerns:

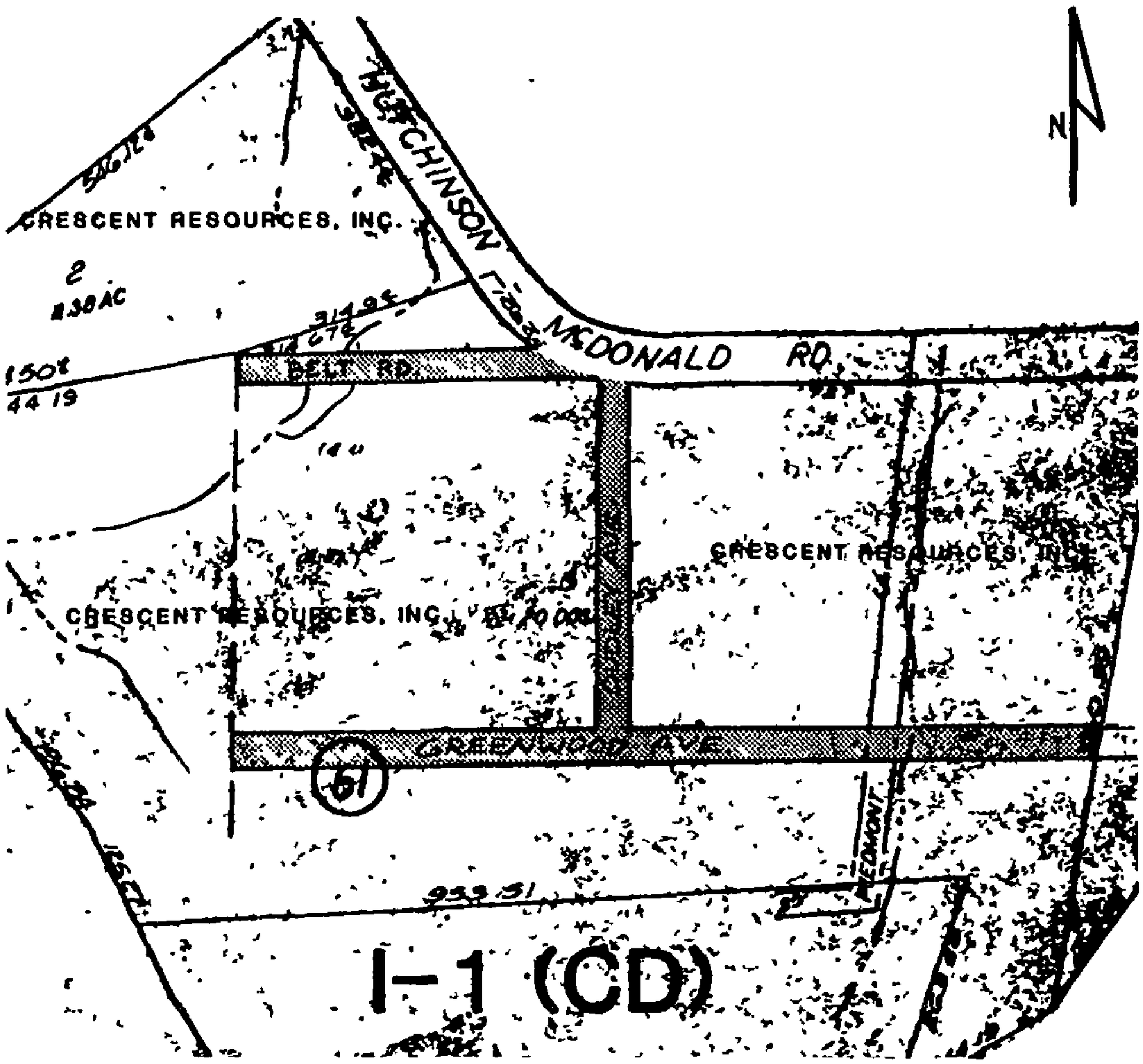
Demolition - Habitat wants lot to rebuild House

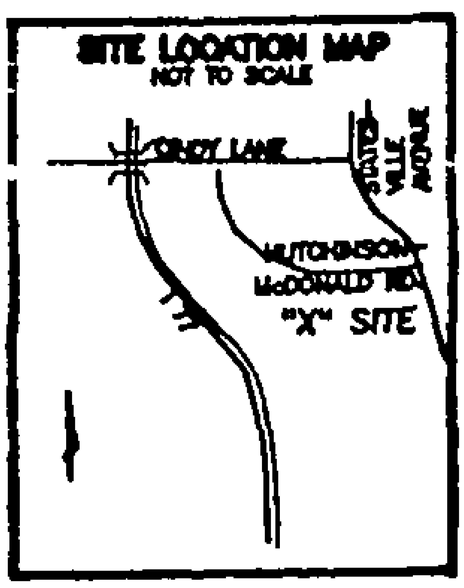
1015 McADEN ST




| | |
|---|---|
| TAX LINE MAP | BOOK 81 PAGE 08 |
| MECKLENBURG COUNTY, NORTH CAROLINA | |
| REVISED | SCALE 1"=200' |

FOR TAX PURPOSES ONLY




ROADWAYS TO BE CLOSED

CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION
TRANSPORTATION ENGINEERING DIVISION

PROPOSED ROADWAY CLOSING

PORTIONS OF
GREENWOOD AVENUE,
DUDLEY AVENUE
AND BELT ROAD

| ROS/PROJECT NO. | FILE NO. |
|---|---|

## REQUEST FOR COUNCIL ACTION

**Planning Committee Recommendations on Regulating Adult Entertainment Establishments**

**Action:**

**A) Approve recommendation from Planning Committee on regulating adult entertainment establishments; and**

**B) Hold a public hearing on a proposed zoning text amendment at the December 20 Zoning Meeting.**

**Explanation of Request:**

On October 21, the Planning Committee voted to recommend to Council to direct staff to prepare zoning text amendments to establish spacing and other requirements for adult entertainment establishments; and to prepare a resolution for a public hearing on the amendment in December 1993.

**Overview of of Proposed Amendment**

- Ordinance would apply to "adult establishments" which are defined as adult book stores, adult motion picture theaters, adult mini motion picture theaters, adult live entertainment establishments (topless) or massage parlors.

- Any structure in which an adult establishment is the principal or accessory use must be separated by a distance of at least 500 feet from any residential use or district, church, school, child care center, park or play ground.

- In addition, any structure in which an adult establishment is the principal or accessory use shall be separated by a distance of at least 1,000 feet from any other adult establishment.

- Existing adult establishments that become non-conforming with respect to the 500 feet separation requirement must come into compliance with the provisions of this ordinance within 5 years from the date of the

adoption of the ordinance.

- Attached is information reviewed by the Planning Committee about current regulations in Charlotte and Mecklenburg and other cities.

**Background:**

- The Public Safety Committee recently discussed the issue of adult entertainment businesses and concerns related to their existence. A primary concern was the impact of these establishments on residential, recreational, religious and educational property uses. The City Attorney and Planning staff provided outline information as to criminal and land use regulations that might apply. The land use issues were referred to the Planning Committee for further discussion.

- At the Planning Committee meeting the City Attorney discussed several legal issues and the Planning staff discussed potential land use regulations.

**Attachment**

# ADULT ENTERTAINMENT ESTABLISHMENT ORDINANCES

**Current Zoning Regulations for Adult Entertainment Establishments**

The City of Charlotte and Mecklenburg County Zoning Ordinances regulate certain adult entertainment establishments in the following manner:

Nightclubs, bars and lounges are allowed in B-1 and B-2 districts subject to a 400 foot separation from residential uses or districts.
Nightclubs, bars and lounges up to 70,000 square feet are allowed in I-1 and up to 25,000 square feet in I-2 districts subject to a 400 foot separation from residential uses or districts.
Entertainment establishments such as nightclubs, bars, lounges, taverns and cabarets are allowed in UMUD (City only) subject to a 100 foot separation from a residential structure in a residential district.

There are no zoning regulations that prevent the conversion of an ordinary restaurant (permitted in B-1, B-2, UMUD, I-1 and I-2) to a topless restaurant and no separation requirements are imposed.

**Review of Regulations in Other Localities**

Localities throughout the Country that have chosen to adopt special regulations for adult uses have generally used one of two zoning approaches in the regulation of adult establishments. The "concentration" technique confines adult establishments to specified areas. The "dispersal" technique separates adult businesses from each other (usually 1000 feet apart) and from residential districts and/or uses and certain "protected" uses such as churches, schools, day care centers, playgrounds and public parks (usually 500-1000 feet away). Many ordinances also prohibit sexually oriented signage or displays in view of the general public and amortize nonconforming adult uses.

## CONCENTRATION TECHNIQUE

**Boston, Massachusetts**

- "Adult Entertainment District" special purpose overlay district required.

## DISPERSAL TECHNIQUE

**Denver, Colorado**

- 500 foot separation from residential zoning or uses, schools, and churches.
- 1000 foot separation from another adult use.

**Islip, NY**

o 500 foot separation from residential uses, schools, churches, and playgrounds.
o 1/2 mile separation from another adult use.
o Industrial district with a special exception required.
o Separation standards can be waived based on certain findings including submittal of a petition bearing signatures of 51% of property owners within a 500 foot radius.
o Amortization schedule for nonconforming adult uses based on $ invested.

**Lakewood, Colorado**

o 750 foot separation from residential zoning, schools, churches, day care centers, and public parks.
o 1000 foot separation from another adult use.
o Amortization of nonconforming adult uses in 6 months.
o Subsequent location of protected use does not render pre-existing adult use nonconforming.

**Little Rock, Arkansas**

o 750 foot separation from residential zoning or uses, schools, churches, public park, hospital, or historic properties or to another adult use.
o Amortization of nonconforming adult uses in 3 years unless extension is granted based on finding of hardship.
o Subsequent location of protected use does not render pre-existing adult use nonconforming.

**Los Angeles, California**

o 500 foot separation from residential zoning, schools, churches, or public park.
o 1000 foot separation from another adult use.
o Amortization schedule for nonconforming adult uses based on $ invested or lease terms.

**Marion County, Florida**

o Commercial or industrial zoning with a special use permit required and
*1000 foot separation from residential zoning, schools, churches, playgrounds, parks and another adult use.
*Signage controls

**National City, California**

o 1000 foot separation from residential zoning.
o 1500 foot separation from another adult use, schools and public parks.
o No public school, public park or residential district allowed to commence within the specified distances of separation.

**New Hanover County, NC**

- Commercial or industrial district with a special use permit required and
  - *500 foot separation from residential zoning, schools. churches, and parks.
  - *1000 foot separation from another adult use.
  - *Signage controls.

**Raleigh, NC**

- Industrial, commercial, or thoroughfare district with a special use permit required.

## Potential Impacts

There has been extensive research and numerous studies of the potential adverse impacts of adult businesses by municipalities across the nation in support of their ordinances. The documented potential impacts are outlined below.

### Property Values

Several municipalities including Indianapolis, Minneapolis, St. Paul, Detroit, and Los Angeles have documented that areas with a concentration of adult businesses experience deteriorating property values, rental values, and rentability/salability and that this effect diminishes with distance.

### Blight

It has also been documented that the economic decline resulting from concentrations of adult businesses often causes physical deterioration and blight. Negative physical impacts have been documented by cities including Detroit and Los Angeles.

### Crime Rate

A number of impact studies from cities including Indianapolis, Austin, Minneapolis, St. Paul, Phoenix, Detroit, Los Angeles and Fayetteville indicate that areas with adult entertainment businesses tend to have higher crime rates than areas without such uses and sex-related crimes were substantially higher in these areas than the control areas without these businesses.

## Summary of Court Reviews

Courts have generally upheld the constitutionality of zoning ordinances aimed at controlling adult establishments provided that the regulations do not totally exclude or excessively restrict these uses. Localities may seek to limit the potential negative impacts of adult uses as opposed to prevent their establishment.

#5

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Mve to adopt A + B
clerk letter / who
Lmar

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## CONSENT I AGENDA ITEM

**Council Agenda:** NOVEMBER 22, 1993

**Project:** PARK / JOHNSTON ROAD LANDSCAPING
**User Dept:** PUBLIC FACILITIES AND ENGINEERING

**FUNDING:** General Capital Improvement program (Park Road Widening - Street Bonds) - $1,740,843

**Description:** This project will provide tree, shrub, and ground cover planting from North of Quail Hill Rd to South of Treva Woods on Park Road, and East of the Gleneagles-Sharon Rd. West / Park Rd. intersection to West of Hopeton Rd. on Sharon Road West.

**Justification:** This project is related to the Park Road Widening construction project described in the FY 92-96 Capital Budget This landscaping will complete Phase II, Segments I, II, and III of the Park Road Widening project

**Advertised:** October 3, 1993
**Bids Rcvd:** October 26, 1993 **Bids Expire:** December 24, 1993

**Summary of Bids:**

| | |
|---|---|
| SOUTHERN TREE & LANDSCAPE COMPANY | $148,958.78 |
| DAVIS LANDSCAPE, INC. | $168,237 50 |
| INGLE & SON LANDSCAPING | $182,435 23 |

| **MWBE Status:** | **Amount** | **% of Project** | **Proj Goals** |
|---|---|---|---|
| **MBE** | 0 | 0 | 2% |
| **WBE** | 0 | 0 | 2% |

**Compliance:** Contractor has complied with M/WBE Program provision which allows performance of all work with contractor's own forces

**Program Director Concur:** YES

**Est. Cost:** $184,000 **% Difference** 19% **$ Difference** $35,000

**Consequences If Item Deferred:** DELAY IN AWARD
**Recommend Award to Low Bidder:** Yes

**Submitted By:** _____
**C.D. READLING, City Engineer**

Contact & Phone If Questions Tom Campbell, 336-3617

ENGBID1.112

## CONSENT I AGENDA ITEM

**Council Agenda·** November 22, 1993

**Project:** Sanitary Sewer Construction - Caldwell Creek Outfall **User Dept:** CMUD

**FUNDING: Ctr:** 632.61 **Fund:** Water/Sewer CIP (2071)
**Balance of Funds·** $329,835 62

**Description:** This project consists of approximately 3098+ linear feet of 15-inch sanitary sewer main, 965+ linear feet of 12-inch sanitary sewer main, 1001+ linear feet of 8-inch sanitary sewer main, 16 manholes and various other appurtenances to be performed within varying width sanitary sewer rights-of-way with additional temporary construction easements, crossing seven (7) individually owned properties, beginning at an existing manhole at U.S Highway 21 (Statesville Road) and proceeding northeasterly to Bailey Road

**Justification.** Construction of this project is based upon efforts to promote development between the towns of Cornelius and Huntersville The 2005 Generalized Land Plan designates a Development Enterprise Area (DEA) between the two towns to promote employment growth in the general area In addition, this project meets the need by promoting growth in North Mecklenburg and assists in overall community efforts to redirect growth from the fast growing South and East

**Advertised:** October 9, 1993 **Bids Rcvd:** November 4, 1993 **Bids Expire:** January 4, 1994

**Summary of Bids:**

| | | |
|---|---|---|
| 7 Star Construction | Rock Hill, SC | $213,124.17 |
| B R S , Inc. | Richfield, NC | $248,186.03 |
| Marlboro Construction | Bennettsville, SC | $261,859.66 |
| Dellinger, Inc. | Monroe, NC | $265,437.17 |
| Hickory Sand Company | Hickory, NC | $268,181.55 |
| Gilbert Engineering | Statesville, NC | $269,574 64 |
| State Utility Contractors | Monroe, NC | $277,146 56 |
| Rea Brothers, Inc | Pineville, NC | $355,595 36 |

**MWBE Status·** MBE PRIME CONTRACTOR

| Amount | % of Project | Proj Goals | |
|---|---|---|---|
| **MBE** | **$0** | **0%** | **3%** |
| **WBE** | **$213,124.17** | **100%** | **3%** |

**Compliance: Yes - The Contractor has complied with the MWBE contract provisions which allow him to perform all the work with his own forces. The Contractor has met and will exceed the project goal for MBE participation.**

**Program Director Concur:** Yes

**Est. Cost:** $230,000 00 **% Difference** 7.34% **$ Difference:** $16,875 83

**Consequences If Item Deferred:** Bids will be valid for sixty (60) days beyond November 5, 1993.

**Recommend Award to Low Bidder:** Yes - 7 Star Construction Company

**Submitted By:** _____ **Approved:**_____

**Contact & Phone If Questions:** Kathy Freeze - 391-5104

## CONSENT I AGENDA ITEM

**Council Agenda:** 11-22-93

**Project:** Fire **User Dept:** Utility (Purchasing)

**FUNDING: Ctr:** Utility Operating-Inventory Purchases (610.99) **Fund:** 7101 **Obj. Code·** 39900 **Balance of Funds:** $767,652.29

**Description:** Fire Hydrants

**Justification:** Fire Hydrants are used for residential and commercial fire protection Pump & Lighting Company has offered a twelve month extension at the same prices bid one year ago. See copy of letter. Present contract #93 006.09 08 allows for extention

**Advertised:** N/A **Bids Rcvd:** N/A **Bids Expire:** 11-30-93

**Summary of Bids:**

Pump & Lighting Co., Charlotte, NC $60,368.88

| MWBE Status | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | N/A | | |
| WBE | N/A | | |

**Compliance:** Yes

**Program Director Concur:** Yes

**Est. Cost:** 60,368 88 **% Difference** 0 **$ Difference** $0
**Consequences If Item Deferred:** Present contract will expire 11-30-93 Extension of present contract is needed to assure systematic delivery of hydrants. A 7% increase would amount to a savings of $4,225.82.

**Recommend Award to Low Bidder:** Yes

**Submitted By:** _____ **Approved:**_____
**Contact & Phone If Questions:** Gregory S Spearman, 336-2933

## CONSENT I AGENDA ITEM

**Council Agenda:** November 22, 1993

**Project:** Sanitary Sewer And Water Main Construction - FY 94 Contract E - Street Main Extensions **User Dept:** CMUD

**Contract Amounts:** Sewer Street Main Extension - 633.79 ($408,990 38), Sewer Extensions for Public Health Protection - 633.90 ($35,000.00), Sewer Extension Policy 50/50 Program - 630.90 ($35,000.00), Water Street Main Extension - 635 79 ($387,477.37), Water Extension Policy 50/50 Program - 630.89 ($20,000.00), Minor Water System Improvements - 635.09 ($20,000.00), Water Extension For Public Health - 635.90 ($50,000.00).

**FUNDING:** A total of seven project accounts are impacted by this bid. WATER AND SEWER CIP 2071· Street Main Extension Program - Sewer (633.79) - $4,900,000.00; Street Main Extension Program - Water (635 79) - $2,871,661 23; Sewer Extensions for Public Health Protection (633.90) - $113,769.38, Water Extensions for Public Health Protection (635.90) - $421,541 13, Minor Water Main Repair (635 09) - $400,256.45. (Total Available - $9,263,907 38)

**Description:** This project consists of approximately 8,000+ linear feet of 8-inch sewer pipe, 1,150+ linear feet of 12-inch water pipe, 2,150+ linear feet of 8-inch water pipe, 3,150+ linear feet of 6-inch water pipe, 2,150+ linear feet of 2-inch water pipe, 30 four foot manholes, 6 fire hydrants and various other appurtenances to be performed within rights-of-way of the North Carolina Department of Transportation and/or Charlotte Department of Transportation and other public road rights-of-way or 15-foot sanitary sewer right-of-way acquired from individually owned properties with varying temporary construction easements throughout the City of Charlotte and Mecklenburg County

**Justification:** Construction of these projects will extend sewer and water service to residences which have been determined to be public health hazards, where private wells are faulty, and/or to residences/businesses which have requested connection to the City's water/sewer system.

**Advertised:** October 9, 1993 **Bids Rcvd:** November 2, 1993 **Bids Expire:** January 2, 1994

**Summary of Bids:**

| | | |
|---|---|---|
| McDaniel Construction Contractors | Spindale, NC | $ 956,467.75 |
| Dellinger, Inc | Monroe, NC | 961,060.25 |
| Propst Construction Company | Concord, NC | 998,674.25 |
| W. M. Paris & Associates | Charlotte, NC | 1,002,444 50 |
| B.R.S., Incorporated | Richfield, NC | 1,006,859.75 |
| Rea Brothers, Inc. | Pineville, NC | 1,011,936 80 |

**MWBE Status·** WBE PRIME CONTRACTOR

| | Amount | % of Project | Proj Goals |
|---|---|---|---|
| **MBE** | $0 | 0% | 6% |
| **WBE** | $956,467.75 | 100% | 3% |

**Compliance:** Yes - The Utility Department has reviewed the Contractor's good faith efforts to meet the project goals and determined that she has complied with the requirements of the MWBE Program The Contractor has met and will exceed the project goal for WBE participation

**Program Director Concur:** Yes

**Est. Cost:** $997,065.00 **% Difference** 4 07% **$ Difference** $40,597 25

**Consequences If Item Deferred:** We would be unable to provide service within the six month period outlined in the extension policy

**Recommend Award to Low Bidder:** Yes - McDaniel Construction Contractors

**Submitted By:** _____ **Approved·**_____

**Contact & Phone If Questions:** Kathy Freeze - 391-5104

## CONSENT I AGENDA ITEM

**Council Agenda:** 11-22-93

**Project:** Autos & Light Trucks **User Dept:** Various

**FUNDING: See Attached list.**

**Description:** Police cars, staff cars and other light vehicles for various City departments.

**Justification:** Vehicles are worn out, have high maintenance costs and lower dependability.

**Advertised:** 9-25-93 **Bids Rcvd:** 11-1-93 **Bids Expire:** 1-1-94

**Summary of Bids:**

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | 2,169,560 |
| Town & Country Ford | Charlotte, NC | 217,405 |
| City Chevrolet | Charlotte, NC | 130,510 |
| Harrelson Ford | Charlotte, NC | 116,930 |
| Metrolina Dodge | Charlotte, NC | 55,010 |
| Southland Chevrolet | Charlotte, NC | 31,567 |

| MWBE Status | Amount | % of Project | Proj Goals |
|---|---|---|---|
| MBE | 55,010 | 2 | 5 |
| WBE | - | 0 | 3 |

**Compliance:** Yes, requests for quotation were sent to 2 local MWBE vendors, one bid was successful on the section bid

**Program Director Concur: Yes**

**Est. Cost: % Difference $ Difference: $**
**Consequences If Item Deferred:** Vehicles will continue to have high maintenance costs and low dependability.

**Recommend Award to Low Bidder·** Yes

**Submitted By:** _____ **Approved·**_____
**Contact & Phone If Questions:**

Attachment for Consent I Agenda Item November 22 1993

| Fund | Fund Title | Division | Center Number | Actual | Budget |
|---|---|---|---|---|---|
| 2078 | Transportation Capital | 645 07 CTS – Admin | | 9,168 | 8,700 |
| 7701 | Storm Water Operating | 671 01 Management | | 9,168 | 14,490 |
| 0101 | General Operating | 522 03 Transportation | | 9 168 | 8 450 |
| | | 401 51 Police – Urban | | 25 596 | 26 400 |
| | | 401 20 Police – Suburban | | 230,362 | 231 800 |
| | | 401 51 Police – Urban | | 102,392 | 105 800 |
| | | 401 64 Police – Urban | | 12 782 | 14 000 |
| | | 522 02 Transportation | | 17 265 | 17 000 |
| | | 531 82 Reimbursed Accidents | | 12,359 | 15,000 |
| | | | | 409,946 | 418,250 |
| 2014 | General Capital Equipment (Lease Purchase) | 522 03 Transportation | | 18 336 | 17 400 |
| | | 402 42 Fire | | 9 168 | 8,900 |
| | | 512 00 Engineering | | 9,958 | 9 700 |
| | | 505 00 Central Services | | 9,958 | 14 000 |
| | | 401 51 Police – Urban | | 209 754 | 191 100 |
| | | 507 01 Equipment Services | | 23 306 | 23 000 |
| | | 402 45 Fire | | 11 653 | 8,900 |
| | | 401 51 Police – Urban | | 1 279 900 | 1,320 000 |
| | | 401 51 Police – Urban | | 25 564 | 26 400 |
| | | 402 52 Fire | | 12 762 | 9,900 |
| | | 404 00 Animal Control | | 9,564 | 13 700 |
| | | 507 01 Equipment Services | | 11 060 | 12 000 |
| | | 506 00 Sanitation | | 22 160 | 24 000 |
| | | 514 00 Special Services | | 22 160 | 24 000 |
| | | 303 03 Landscape Managemt | | 22 160 | 24 000 |
| | | 402 51 Fire | | 12 503 | 12 200 |
| | | 401 51 Police – Urban | | 13 959 | 14 500 |
| | | 303 03 Landscape Managemt | | 15 405 | 18 000 |
| | | 303 03 Landscape Managemt | | 12 836 | 14 000 |
| | | 507 01 Equipment Services | | 16 155 | 24 000 |
| | | 514 00 Special Services | | 12 981 | 15 000 |
| | | 404 00 Animal Control | | 38 919 | 41 100 |
| | | 303 03 Landscape Managemt | | 15 764 | 16 000 |
| | | 522 03 Transportation | | 15 764 | 9 700 |
| | | 402 47 Fire | | 37 592 | 33 000 |
| | | 401 51 Police – Urban | | 27 777 | 28 600 |
| | | 402 46 Fire | | 14,715 | 16,000 |
| | | | | 1,931,935 | 1,969,100 |
| 7101 | Utilities Operating | 628 00 McAlpine Creek WWTP | | 9,860 | 11 300 |
| | | 613 00 Remote Water Facilities | | 12,858 | 25,000 |
| | | | | 22,718 | 36,300 |
| 2074 | Utilities Capital Equipment (Lease Purchase) | 623 00 Sugar Creek WWTP | | 9,956 | 8 700 |
| | | 619 00 Wastewater Collection | | 9 763 | 10 600 |
| | | 627 00 Sewer Lift Stations | | 9 763 | 10 600 |
| | | 611 00 Customer Service | | 39 520 | 42 400 |
| | | 623 00 Sugar Creek WWTP | | 9 880 | 10 600 |
| | | 628 00 McAlpine Creek WWTP | | 29 640 | 31 800 |
| | | 614 00 McDowell Creek WWTP | | 9,880 | 10 600 |
| | | 629 00 Mallard Creek WWTP | | 9,880 | 10 600 |
| | | 615 00 Franklin WWTP | | 10 986 | 10 600 |
| | | 602 00 Engineering | | 54 930 | 53 000 |
| | | 611 00 Customer Service | | 11 080 | 12 000 |
| | | 619 00 Wastewater Collection | | 15 405 | 18 500 |
| | | 624 00 Irwin Creek WWTP | | 12 838 | 17 000 |
| | | 619 00 Wastewater Collection | | 17 610 | 24 000 |
| | | 625 00 Odor Monitor/Control | | 17 265 | 15 900 |
| | | 619 00 Wastewater Collection | | 18 556 | 19 400 |
| | | 610 00 Water Distribution | | 51,087 | 38,500 |
| | | | | 336,043 | 344,800 |
| | GRAND TOTALS | | | 2,720,978 | 2,791,640 |

SUMMARY BY DIVISION 18-Nov-93

| Division | Center Number | Actual | Budget |
|---|---|---|---|
| 645 07 CTS – Admin | | 9,168 | 8,700 |
| 671 01 Management | | 9,168 | 14,490 |
| 522 XX Transportation | | 26 433 | 25 450 |
| 401 XX Police – Urban | | 140 772 | 146 000 |
| 401 20 Police – Suburban | | 230,362 | 231 800 |
| 531 82 Reimbursed Accidents | | 12,359 | 15,000 |
| | | 409,946 | 418,250 |
| 522 03 Transportation | | 34 120 | 27 100 |
| 402 XX Fire | | 96 413 | 88,900 |
| 512 00 Engineering | | 9,958 | 9 700 |
| 505 00 Central Services | | 9,958 | 14 000 |
| 401 XX Police – Urban | | 1,556 954 | 1,580 600 |
| 507 01 Equipment Services | | 50,541 | 59 000 |
| 404 00 Animal Control | | 48 503 | 54 800 |
| 506 00 Sanitation | | 22 160 | 24 000 |
| 514 00 Special Services | | 35 141 | 39 000 |
| 303 03 Landscape Managemt | | 66,187 | 72,000 |
| | | 1,931,935 | 1,969,100 |
| 628 00 McAlpine Creek WWTP | | 9,860 | 11,300 |
| 613 00 Remote Water Facilities | | 12,858 | 25,000 |
| | | 22,718 | 36,300 |
| 627 00 Sewer Lift Stations | | 9 763 | 10 600 |
| 623 00 Sugar Creek WWTP | | 19 836 | 19 300 |
| 628 00 McAlpine Creek WWTP | | 29 640 | 31 800 |
| 614 00 McDowell Creek WWTP | | 9,880 | 10 600 |
| 629 00 Mallard Creek WWTP | | 9,880 | 10 600 |
| 615 00 Franklin WWTP | | 10 986 | 10 600 |
| 602 00 Engineering | | 54,930 | 53,000 |
| 611 00 Customer Service | | 50 600 | 54 400 |
| 624 00 Irwin Creek WWTP | | 12 838 | 17 000 |
| 625 00 Odor Monitor/Control | | 17 265 | 15 900 |
| 619 00 Wastewater Collection | | 61,336 | 72 500 |
| 610 00 Water Distribution | | 51,087 | 38,500 |
| | | 336,043 | 344,800 |
| | | 2,720,978 | 2,791,640 |

# ATTACHMENT

## BID SECTION 1
**********

6 ea. - Staff Cars — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Metrolina Dodge, Charlotte, NC, in the amount of $55,010 28 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| Metrolina Dodge | Charlotte, NC | $55,010 28 |
| Young Ford | Charlotte, NC | 56,274 00 |
| Harrelson Ford | Charlotte, NC | 56,682 00 |
| City Chevrolet | Charlotte, NC | 58,548 00 |
| Town & Country Ford | Charlotte, NC | 58,790 00 |

## SECTION 2
*********

3 ea. - Compact Station Wagon — Various Depts

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $29,874 00 be accepted for award of contract on a unit price basis.

Bid Summary:

| | | |
|---|---|---|
| City Chevrolet | Charlotte, NC | $29,874.00 |
| Town & Country Ford | Charlotte, NC | 32,292 00 |
| Young Ford | Charlotte, NC | 38,526.00 |

ATTACHMENT

BID SECTION 3
**********

21 ea - Unmarked Police Staff Cars Police Dept

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $244,713 00 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $244,713 00 |
| Harrelson Ford | Charlotte, NC | 249,858 00 |
| Town & Country Ford | Charlotte, NC | 263,067 00 |

SECTION 4
*********

128 ea - Marked Police Cars Police Dept

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $1,766,262.00 be accepted for award of contract on a unit price basis.

Bid Summary.

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $1,638,272.00 |
| Town & Country Ford | Charlotte, NC | 1,643,520 00 |
| Harrelson Ford | Charlotte, NC | 1,650,688.00 |
| City Chevrolet | Charlotte, NC | 1,740,800 00 |

ATTACHMENT

BID SECTION 5
**********

4 ea. - Unmarked Police Cars — Police Depts.

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Harrelson Ford, Charlotte, NC, in the amount of $51,128 00 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| Harrelson Ford | Charlotte, NC | $51,128 00 |
| Town & Country Ford | Charlotte, NC | 51,532 00 |
| Young Ford | Charlotte, NC | 52,132.00 |
| City Chevrolet | Charlotte, NC | 54,320.00 |

SECTION 6
*********

2 ea - Standard Mini Pickup — Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $19,526 be accepted for award of contract on a unit price basis.

Bid Summary:

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $19,526.00 |
| Harrelson Ford | Charlotte, NC | 19,898 00 |
| City Chevrolet | Charlotte, NC | 20,170 00 |
| Southland Chevrolet | Charlotte, NC | 20,524 00 |
| Town & Country Ford | Charlotte, NC | 20,858 00 |

ATTACHMENT

BID SECTION 7
**********

11 ea - Heavy Duty Mini Pickup — Various Depts.

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $108,680 00 be accepted for award of contract on a unit price basis.

Bid Summary.

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $108,680.00 |
| Town & Country Ford | Charlotte, NC | 109,197.00 |
| City Chevrolet | Charlotte, NC | 110,440.00 |
| Harrelson Ford | Charlotte, NC | 111,221 00 |
| Southland Chevrolet | Charlotte, NC | 112,882 00 |

SECTION 8
*********

6 ea. - Mini Pickup, Extended Cab — Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $65,918 16 be accepted for award of contract on a unit price basis

Bid Summary

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $65,918.18 |
| City Chevrolet | Charlotte, NC | 66,492 00 |
| Harrelson Ford | Charlotte, NC | 66,840 00 |
| Southland Chevrolet | Charlotte, NC | 67,068 00 |
| Young Ford | Charlotte, NC | 70,158 00 |

ATTACHMENT

BID SECTION 9
**********

1 ea. - Mini Cab & Chassis — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $9,584.20 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $9,584 20 |
| Harrelson Ford | Charlotte, NC | 9,686 00 |
| Young Ford | Charlotte, NC | 9,880.00 |
| City Chevrolet | Charlotte, NC | 10,003 00 |

SECTIONS 10 & 11

8 ea - Full size Pickup — Various Depts

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $88,640.00 be accepted for award of contract on a unit price basis.

Bid Summary:

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $88,640.00 |
| Town & Country Ford | Charlotte, NC | 94,568 00 |
| Harrelson Ford | Charlotte, NC | 94,864 00 |
| City Chevrolet | Charlotte, NC | 98,680 00 |

ATTACHMENT

BID SECTION 12
**********

1 ea - 8600 GVW Pickup — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $12,503 38 be accepted for award of contract on a unit price basis.

Bid Summary:

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $12,503.38 |
| Young Ford | Charlotte, NC | 12,631 00 |
| Harrelson Ford | Charlotte, NC | 12,802.00 |
| Southland Chevrolet | Charlotte, NC | 13,219 49 |
| City Chevrolet | Charlotte, NC | 13,294 00 |

SECTION 13
**********

1 ea. - 8600 GVW Pickup with Liftgate — Various Depts

Recommendation: By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $13,958 38 be accepted for award of contract on a unit price basis

Bid Summary:

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $13,958 38 |
| Young Ford | Charlotte, NC | 14,069 00 |
| Harrelson Ford | Charlotte, NC | 14,107 00 |
| City Chevrolet | Charlotte, NC | 14,831.00 |

ATTACHMENT

BID SECTION 14
**********

2 ea - 10,000 GVW Crew Cab Pickup — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Young Ford, Charlotte, NC, in the amount of $15,405 00 be accepted for award of contract on a unit price basis

Bid Summary:

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $30,810 00 |
| Town & Country Ford | Charlotte, NC | 30,874.76 |
| Harrelson Ford | Charlotte, NC | 31,004 00 |
| City Chevrolet | Charlotte, NC | 37,992 00 |

SECTION 15
**********

3 ea. - 10,000 GVW Cab & Chassis — Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $12,838 38 be accepted for award of contract on a unit price basis

Bid Summary:

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $38,514.00 |
| Young Ford | Charlotte, NC | 38,715.00 |
| Harrelson Ford | Charlotte, NC | 38,862 00 |
| City Chevrolet | Charlotte, NC | 39,846 00 |

ATTACHMENT

BID SECTION 16
**********

1 ea - 10,000 GVW Diesel Cab & Chassis — Equipment Services

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $16,155 00 be accepted for award of contract on a unit price basis

Bid Summary:

| | | |
|---|---|---|
| City Chevrolet | Charlotte, NC | $16,155.00 |
| Young Ford | Charlotte, NC | 18,072 00 |
| Harrelson Ford | Charlotte, NC | 18,410 00 |
| Town & Country Ford | Charlotte, NC | 19,014 83 |

SECTION 17
**********

3 ea - 8600 GVW Pickup — Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $38,944.14 be accepted for award of contract on a unit price basis

Bid Summary:

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $12,981 00 |
| City Chevrolet | Charlotte, NC | 13,018 00 |
| Town & Country Ford | Charlotte, NC | 13,044.00 |
| Harrelson Ford | Charlotte, NC | 13,109 00 |

ATTACHMENT

BID SECTION 18

1 ea. - 10,000 GVW Crew Cab — Various Depts

Recommendation. By the Purchasing Director and Equipment Maintenance Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $17,610.38 be accepted for award of contract on a unit price basis.

Bid Summary.

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $17,610.38 |
| Harrelson Ford | Charlotte, NC | 17,753.00 |
| Young Ford | Charlotte, NC | 18,782 00 |
| City Chevrolet | Charlotte, NC | 19,656 00 |

SECTION 19
**********

3 ea - 8600 GVW Cab & Chassis — Various Depts

Recommendation. By Purchasing Director and Equipment Maintenance Director that the low bid, Young Ford, Charlotte, NC, in the amount of $38,919 00 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| Young Ford | Charlotte, NC | $38,919.00 |
| City Chevrolet | Charlotte, NC | 40,431 00 |
| Town & Country Ford | Charlotte, NC | 46,242 00 |
| Harrelson Ford | Charlotte, NC | 46,461 00 |

ATTACHMENT

BID SECTION 20
**********

2 ea. - Sport Utility Vehicle, 2 dr , 2 WD — Various Depts

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, Southland Chevrolet, Charlotte, NC, in the amount of $31,567.18 be accepted for award of contract on a unit price basis.

Bid Summary.

| | | |
|---|---|---|
| Southland Chevrolet | Charlotte, NC | $31,567.18 |
| City Chevrolet | Charlotte, NC | 31,694 00 |
| Young Ford | Charlotte, NC | 33,056.00 |
| Town & Country Ford | Charlotte, NC | 33,130 00 |
| Harrelson Ford | Charlotte, NC | 34,178 00 |

SECTION 21
**********

2 ea - Sport Utility Vehicle, 2 dr., 4 WD — Various Depts

Recommendation. By Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $34,530.00 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| City Chevrolet | Charlotte, NC | $34,530.00 |
| Southland Chevrolet | Charlotte, NC | 35,136.00 |
| Town & Country Ford | Charlotte, NC | 36,106 00 |
| Young Ford | Charlotte, NC | 36,278 00 |
| Harrelson Ford | Charlotte, NC | 37,614 00 |

ATTACHMENT

BID SECTION 22
**********

1 ea - Full Size Sport Utility Vehicle — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $18,557 80 be accepted for award of contract on a unit price basis.

Bid Summary:

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $18,557.80 |
| Harrelson Ford | Charlotte, NC | 18,748.00 |
| Young Ford | Charlotte, NC | 18,817 00 |
| City Chevrolet | Charlotte, NC | 20,219 00 |

SECTION 23
**********

2 ea. - Sport Utility Vehicle, 4 dr , 4 WD — Various Depts

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $37,592 00 be accepted for award of contract on a unit price basis

Bid Summary:

| | | |
|---|---|---|
| City Chevrolet | Charlotte, NC | $37,592 00 |
| Young Ford | Charlotte, NC | 37,996.00 |
| Town & Country Ford | Charlotte, NC | 38,070 00 |
| Harrelson Ford | Charlotte, NC | 39,140 00 |

ATTACHMENT

BID SECTION 24
**********

1 ea - Mini Cargo Van — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, City Chevrolet, Charlotte, NC, in the amount of $12,359 00 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| City Chevrolet | Charlotte, NC | $12,359.00 |
| Southland Chevrolet | Charlotte, NC | 12,492 08 |
| Young Ford | Charlotte, NC | 13,150 00 |
| Town & Country Ford | Charlotte, NC | 13,190 70 |
| Harrelson Ford | Charlotte, NC | 13,390 00 |

SECTION 25
**********

2 ea. - Police Mini Vans — Police Dept

Recommendation. By the Purchasing Director and Equipment Services Director that the low bid, Town & Country Ford, Charlotte, NC, in the amount of $27,777.26 be accepted for award of contract on a unit price basis

Bid Summary.

| | | |
|---|---|---|
| Town & Country Ford | Charlotte, NC | $27,777 26 |
| Young Ford | Charlotte, NC | 28,412 00 |
| Harrelson Ford | Charlotte, NC | 28,460 00 |

ATTACHMENT

BID SECTION 27
**********

1 ea. - 8600 GVW Cargo Van — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Harrelson Ford, Charlotte, NC, in the amount of $14,715 00 be accepted for award of contract on a unit price basis.

Bid Summary.

| | | |
|---|---|---|
| Harrelson Ford | Charlotte, NC | $14,715.00 |
| City Chevrolet | Charlotte, NC | 14,730 00 |
| Young Ford | Charlotte, NC | 15,690 00 |
| Town & Country Ford | Charlotte, NC | 16,188 65 |

SECTION 28
**********

3 ea - 14,500 GVW Cab & Chassis — Various Depts

Recommendation: By the Purchasing Director and Equipment Services Director that the low bid, Harrelson Ford, Charlotte, NC, in the amount of $51,087.00 be accepted for award of contract on a unit price basis.

Bid Summary.

| | | |
|---|---|---|
| Harrelson Ford | Charlotte, NC | $51,087.00 |
| Town & Country Ford | Charlotte, NC | 53,918 88 |
| Young Ford | Charlotte, NC | 54,624 00 |
| City Chevrolet | Charlotte, NC | 55,674 00 |

11-2293

RESOLUTION IN SUPPORT OF CITIZENS CHALLENGING STATE INMATE RELEASE STATUTE.

WHEREAS, the City Council is reliably informed that a class action law suit has been filed by citizens, from various parts of North Carolina, who challenge the constitutionality of the so-called Inmate Release Statute; and

WHEREAS, the Inmate Release Statute, North Carolina General Statutes §148-4.1, generally requires that, whenever the prison population reaches 98% of a stated capacity for a prescribed period of time, State officials must release on parole a sufficient number of inmates to reduce the prison population to a 97% level; and

WHEREAS, the named plaintiffs in the law suit appear to be citizens who have suffered serious injury or citizens who have had family members murdered, by persons who were released from prison, pursuant to the Inmate Release Statute, before serving their full sentence; and

WHEREAS, the release of prisoners pursuant to the Inmate Release Statute has contributed to the appearance of a "revolving door" where persons convicted of often serious crime are sentenced to imprisonment but often appear on the street, soon after incarceration, as a result of compliance with the Inmate Release Statute; and

WHEREAS, this appearance of a revolving door within the criminal judicial system causes serious deterioration in the public's confidence in the ability of government to maintain law and order; and

WHEREAS, the citizens who have filed the class action law suit, to which reference is made above, represent not only those persons who have suffered injury or loss at the hands of a criminal who was returned prematurely to the streets under the Inmate Release Statute, but also that larger population of citizens who are justifiably frustrated and angered by government's seeming inability to keep criminals off the streets, until their sentences have been served, for reasons related solely to the statutorily imposed prison population cap prescribed by the Inmate Release Statute;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ~~DURHAM:~~ Charlotte

First, the City Council does hereby express its concern and frustration with the continued release of inmates from prison prior to the completion of the inmates' sentences, for reasons related solely to the requirements of the Inmate Release Statute.

Second, the City Council commends those citizens who, through their time and effort, have brought the question of the constitutionality of the Inmate Release Statute before the court, where that important question may be resolved.

Third, the City Council calls upon the Governor and the General Assembly to continue their efforts to deal with the revolving door problem in our criminal justice system which allows persons who, by their conduct, have demonstrated that they are a threat to the public safety and welfare, to be returned to the streets.

Fourth, the City Clerk is directed to forward a certified copy of this Resolution to the Governor, the Attorney General, the members of the General Assembly who represent Durham County, and to counsel for the citizens who have filed the class action law suit to which reference is made above.

Fifth, this Resolution is effective upon adoption.