

The City Council of the City of Charlotte, North Carolina convened for a Special Meeting on Monday, June 26, 2023, at 5:07 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, and Marjorie Molina.

ABSENT: Councilmembers Dimple Ajmera, Danté Anderson, Ed Driggs, Victoria Watlington, and Braxton Winston II.

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Mayor Lyles said good afternoon, everyone. I hope everyone had a good weekend. We're here for the June 26, 2023, City of Charlotte Council Meeting. We're going to have a meeting that's going to substitute that we're going to try to do Zoning because we didn't have a meeting last meeting week, and then we'll have our Business Meeting as well. Tonight's meeting is being held consistent with the virtual meeting laws that are in the electronic meeting statute and the requirements for notice access and minutes are being met electronically. You're all invited to watch this meeting on the Government Channel, the City's Facebook page, or the City's YouTube page.

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ITEM NO. 1: MAYOR AND COUNCIL CONSENT ITEM QUESTIONS AND ANSWERS

Mayor Lyles said Ms. Harris as the request for questions or an agenda item. So, unless they're additional ones, why don't we go through the ones that we have that were asked this afternoon for this agenda.

Marie Harris, Strategy and Budget said yes. Thank you and good evening, Mayor and Council. I did get a chance to speak briefly with Ms. Mayfield about her questions. Did you have any additional or did those cover it?

Councilmember Mayfield said I do not at this time Marie.

Ms. Harris said thank you ma'am. Then, Ms. Johnson I believe had one, but it was specific to a business item later on in the agenda.

Mayor Lyles said which item was the business item?

Ms. Harris said do you remember the number? It was on the small business ecosystem.

Councilmember Johnson said Number 31.

Mayor Lyles said Number 31.

Ms. Harris said that was during the business part.

Mayor Lyles said we'll just do that as a part of our agenda when we go downstairs.

Ms. Harris said yes ma'am.

Mayor Lyles said okay. So, with that, any other questions about consent items?

Ms. Mayfield said for consent items, I would like to have Item Number 5, 11, and 9 pulled for separate votes.

Ms. Harris said ma'am, I'm sorry to interrupt you but I believe those are probably business items.

Ms. Mayfield said these are under consent, the zoning consent.

Ms. Harris said oh I'm sorry. I was just doing the business. Yes ma'am.

Mayor Lyles said we'll have to do that downstairs for the zoning consent, but I've got a note. So, these are the zoning items that you want to have separate?

Ms. Mayfield said correct. Thank you.

Mayor Lyles said okay, got it. Alright.

Ms. Harris said I believe we were going to do business consent and then roll right into the zoning items. So, that'd be appropriate for Dave when he comes up next.

Mayor Lyles said any other items or questions on the consent agenda for business today?

Ms. Mayfield said thank you. Since that's all the way at the bottom, I needed to scroll down to it. I would like 59 pulled aside so that I can ask additional questions as well as number 62, as well as 63.

Mayor Lyles said alright. So, I wanted to say that the staff has asked that Item 63 be deferred. So, we will not do 63, alright. So, Ms. Mayfield, could you go ahead and ask your questions on Item 59 please from our consent agenda?

Ms. Mayfield said so, for clarification, the Airport Visitor Information Center Management on Part B, which we do a lot of times. It has on here authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and the amended contract with the purpose for which the contract was approved. This is for moving forward Mr. Manager and for Council consideration. My question is what is the percent or maximum amount not to exceed so that when we are approving for a one, two-year, three-year, extension so that when Council's approving it, we're getting at least an idea of what that contract could potentially be either not to exceed a certain percentage or not to exceed a certain amount. If we're saying it's to possibly take into consideration inflation, having that language specified because just these last few months we've had a number of items that have come back before Council that were approved with X dollars and the amendment is in some cases if not more than half of the original approval, some cases have been more than half of the original approval. So, just so that we can keep an eye on the tracking on that, it would be helpful for us to start actually identifying for those Part B's what are potentially talking about. Either a percent wise and/or no more than this max amount. Thank you, Mr. Manager.

Mayor Lyles said alright.

Ms. Mayfield said then for the next one which is number 62, the Charlotte Water property transactions at Little Hope Creek Sanitary Sewer Improvements, we have on this that this is a multi-family development.

Mayor Lyles said it's zoned for RF-12 MF conditional.

Ms. Mayfield said right. The specific question that I have on this and hopefully staff can answer it by the time we get down, does the community currently have any residents in it and if so, how will this potential condemnation of the property potentially impact the current residents and/or their rental rates? For the simple fact that I asked this question, is I had a resident reach out to me over this past weekend which Marie was amazing last minute on a late Friday to help me identify some solutions, but this is a development that is moving forward and, on the property, there's a current rental. The water is going to shut off while an easement is being discussed for this property. The individuals also, this particular property is a much smaller property, but they have to remove their vehicles as well as their water is going to be shut off. So, that has triggered me to now want to have a better understanding that when we're doing these projects, especially something like this because this is one of the first ones in these nine months that I've noticed Mr. Manager as a multi-family. What is going to be the actual impact? I think

that's something we should know so that we can be prepared for if the residents were to reach out to us before moving forward with the condemnation. I don't know if this is something that needs to happen right now or if we can have a conversation about a potential deferral on this because this is very important to know. Do we already have residents there and if so, how are they going to be impacted because I believe all of us saw an email earlier today where we have a different resident where they have impact in their home because of a development that was done by one of our partners.

So, if we're already having challenges, we're not seven years ago where we can easily move someone to another living situation if need be. So, it would be helpful for us to start being a little bit more proactive on the front end of that potentially can look like versus approving this potential condemnation without thinking about the impact. Thank you, Mr. Manager.

Mayor Lyles said so, are you requesting a deferral on this one?

Ms. Mayfield said I am going to put that as an official deferral request. I would also, once we get the numbers we need, might need to get the support on it.

Ms. Harris said we do have Angela Charles here with any clarity around that project. If you don't mind listening for a couple of minutes as opposed to deferring.

Ms. Mayfield said I love when Ms. Charles shares things with me. I was just with her last week celebrating and while you're making your way up, congratulations on last week's award celebrations that were going on with Charlotte Water.

Angela Charles, Charlotte Water said thank you Council member.

Ms. Mayfield said Ms. Charles were you able to hear my question?

Ms. Charles said I heard some of it.

Ms. Mayfield said should I repeat it?

Ms. Charles said let me introduce myself. Good evening, Mayor and Council and Manager. I'm Angela Charles, Director of Charlotte Water. Now I heard something about rental rates.

Mayor Lyles said on Item 62, you have a property transaction that's for Little Hope Creek Sanitary Sewer Improvements and the question Ms. Mayfield asked is because it's zoned and used as multi-family, are there current residents living on the property and what would be the impact of moving forward with this project?

Ms. Charles said yes, the main impact will be from construction. Now, I heard a little bit about water will be disrupted. Right now, at this time, not unless there's a utility hit, we are not planning for water to be disrupted to the folks living in this area. This is a sewer rehab that we are completing in the area.

Ms. Mayfield said so, just quickly, because that's what I wanted to clarify if you heard my question because I mentioned a couple of different things as you were making your way into the room. I gave an example of another separate project where water is being discussed. For this particular project, the question I was asking is are there currently residents at this community and if so, how will a condemnation of the property potentially impact those current residents and/or their rate? Where if they were to be impacted, which that would be a conversation with the owner of the property of whether or not there is going to be some adjustment of their rates, but just wanted to make sure that there isn't an impact because unfortunately I think you saw an email we received last week, another completely separate one regarding sewer backup that happened into a home. So, that's what I want to get an idea. Are there residents? How are they going to be impacted?

Ms. Charles said right. Mainly with construction, now when I say construction, that's backhoe's, track machines, dump trucks. While we are working in this particular area to upgrade our infrastructure, I do have a clarifying question for you. When you say rates, are referencing water/sewer rates or are you referencing the multi-family rates that the people would be paying?

Ms. Mayfield said the combination of both.

Ms. Charles said okay.

Ms. Mayfield said because you only can control the water/sewer, which I recognize, but if there are residents, has there been a conversation of the what ifs? If they are impacted by this, whether it was a crack was created and/or concrete mistakenly went down the wrong particular section and it creates a backup into that unit, that is going to impact that resident being able to be in that unit. So, I wanted to get an idea of were there conversations to think about how our project could potentially impact the residents that are there.

Ms. Charles said sure. Now we do extensive work with our project communications, also we do have projects on our website. So, you can find Charlotte Water's capital projects on the website. In terms of water sewer rates, the project itself is covered in our capital plan and so there won't be additional costs to the folks in the area for the work that Charlotte Water is doing and that's when we work throughout the region, that's how it works.

I think your point is Charlotte Water does all this great work, we get more development, do the people staying nearby have to pay more for their rates. From a multi-family standpoint, I can't answer that piece. It would be the landlord or property owner who would be in the area.

Ms. Mayfield said so, I'm going to recognize that I can clarify it a little differently.

Ms. Charles said okay.

Ms. Mayfield said if this is the building that has the multi-family, how close is this project going to be? Because if the project is going to be right here, it's going to create a direct impact whether I have access to my unit, if water were to be shut off in my unit, what that impact can be versus here's my unit, but the project is happening here on the edge of the community. That's the specific question. How will a condemnation of the property potentially impact the current residents? The water rates were just an aside but how are the current residents going to be impacted? Because unfortunately we don't necessarily have access to the housing, we had seven years ago where if someone needed to be relocated, we'll easily be able to transition them out into quality or better housing until the situation is addressed. They would have to live through that. So, that's what I'm trying to get an idea of.

Ms. Charles said normally as a part of the project, we try to identify any issues like that or any incumbrances or if a resident would be in a situation where they would have to relocate. We would take care of that in the beginning. Now, what is hard to prevent is again the impact from construction and construction traffic. A lot of that has to do with the density. There was a time when Charlotte Water could do its work and we weren't as dense as we are today. So, that's part of the price that we pay. We still have to upgrade our infrastructure; we still have to maintain it and we're just denser as a community.

Unknown said this is for a sewer line, correct? So, it would be [INAUDIBLE], inconvenient than having a sewer rupture?

Ms. Charles said yes.

Ms. Mayfield said well we have sewer backups that's happening right now. I appreciate Ms. Charles, the fact what you just stated is that you did take into consideration on the front end what the impact to the residents may be and that was my ultimate question.

Ms. Charles said yes, that's part of project planning and what we can do, we do need your support for the approval, but we can also give you additional information and share a map with you and also Council about the project and any additional information you desire.

Ms. Mayfield said thank you so much.

Ms. Charles said yes, thank you.

Ms. Mayfield said Madam Mayor, well you noted that 63 is going to be deferred. So, thank you. Those were my questions.

Mayor Lyles said it's in the motion for the staff. Alright. So, any other questions? Alright. So, looking at consent items, we have a separate vote, do you want 62 as a separate vote Ms. Mayfield?

Ms. Mayfield said actually no, it does not need to be a separate vote.

Mayor Lyles said okay, not a separate vote, and 59, which is the Visitor Information Center. Do you want a separate vote on that?

Ms. Mayfield said Mr. Manager, 59 goes with the same question that I asked earlier even though for that one, but for this one, my apologies Madam Clerk, this one was clarified in the last statement to the Manager. So, I do not need a separate vote.

Mayor Lyles said alright, thank you Ms. Mayfield.

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CONSENT

ITEM NO. 2: CONSENT AGENDA ITEMS 48 THROUGH 64 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS REMOVED BY A COUNCIL MEMBER. ITEMS ARE REMOVED BY NOTIFYING THE CITY CLERK.

Motion was made by Councilmember Molina, seconded by Councilmember Bokhari, and carried unanimously to approve the Consent Agenda as presented, with the exception of Item No. 63 which was deferred.

The following items were approved:

Item No. 48: Violence Interruption Services

(A) Approve a contract with Youth Advocate Programs, Inc. in the amount of \$897,537 for a one-year term for the provision of violence interruption services at two program sites, (B) Approve a contract with Urban League of Central Carolinas, Inc. in the amount of \$450,000 for a one-year term for the provision of violence interruption services at one program site, and (C) Authorize the City Manager to execute, amend, and renew the contracts for up to two additional one-year terms with possible price adjustments consistent with the purpose for which the contracts were approved.

Item No. 49: Financial Modeling for Transit and Transportation

(A) Authorize the City Manager to negotiate and execute a contract with InfraStrategies, LLC for funding and financial modeling for transportation services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for one, three-

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year term with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 50: On-Call Moving Services

(A) Approve contracts with the following companies for on-call moving services for an initial term of three years: Armstrong Relocation Co., Inc., Cameron & Cameron Assembly, Moving & Storage, Inc., Suddath Relocation Systems of Charlotte, LLC, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 51: Charlotte Water Rate Model Financial Consulting Service

(A) Approve a unit price contract with Raftelis Financial Consultants, Inc. for rate model financial consulting services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 52: Water and Sanitary Sewer Service Installations

Approve a contract in the amount of \$10,944,428.00 to the lowest responsive bidder B.R.S., Inc. for the water and sanitary sewer service installations project contract 1.

Summary of Bids

B.R.S., Inc.	\$10,944,428.00
Propst Construction	\$12,091,915.00
Atlantic Coast Contractors, Inc.	\$12,991,617.10

Item No. 53: Water and Wastewater Treatment Chemicals

(A) Approve the purchase of magnesium hydroxide by the sole source exemption, (B) Approve a contract with Premier Magnesia, LLC for the purchase of magnesium hydroxide for the term of one year, (C) Reject the low bids submitted by the following companies for water and wastewater treatment chemicals: JCI Jones Chemicals, Inc., Momar, Inc., (D) Approve unit price contracts for the purchase of water and wastewater treatment chemicals for one year to the following: PVS Technologies, Inc., Brenntag Mid-South, Inc., Univar Solutions USA Inc. dba Univar USA Inc., Environmental Operating Solutions, Inc. dba EOSi, and (E) Authorize the City Manager to renew the contract with Premier Magnesia, LLC for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 54: Water Transmission Main Improvements and Repairs

Approve a guaranteed maximum price of \$11,581,852.00 to State Utility Contractors, Inc. for Design-Build construction services for the Water Transmission Main Improvements and Repairs project.

Item No. 55: Airport Community Roundtable Technical Support Services

(A) Approve a contract with Harris Miller Miller & Hanson Inc. for the Airport Community Roundtable Technical Services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

Item No. 56: Airport Construction Management Software

(A) Authorize the City Manager to negotiate and execute a contract with Trimble Inc. dba e-Builder, Inc. a Trimble Company to provide cloud-based construction project management software, for an initial term of five years, and (B) Authorize the City Manager to purchase such additional software licenses, services, hardware, maintenance, and support as required to maintain the system for as long as the city uses the system.

Item No. 57: Airport Ramp Dual Taxilane Design Contract

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(A) Approve a contract in the amount of \$1,306,818 to RS&H Architects-Engineers-Planners, Inc. for design services for the Airport West Ramp Dual Taxilane Project, and

(B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 58: Airport Reimbursable Agreement for Technology Equipment

Approve a Reimbursable Agreement with U.S. Customs and Border Protection for technology hardware and connectivity refresh.

Item No. 59: Airport Visitor Information Center Management

(A) Approve a contract with the Charlotte Regional Visitors Authority for management and operation of the Airport Visitor Information Center for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

PROPERTY TRANSACTIONS

Item No. 60: Aviation Property Transactions – 7808 Cooper Lane

Acquisition of 1.225 acres (53,361 square feet) at 7808 Cooper Lane from Andrew James Davis for \$319,000, and all relocation benefits in compliance with Federal, State or Local regulations for Aviation Master Plan.

Item No. 61: Charlotte Water Property Transactions – Little Hope Creek Sanitary Sewer Improvements, Parcel # 320

Resolution of Condemnation of 15,001 square feet (0.34 acres) in Permanent Easement and 1,138.00 square feet (0.03 acres) in Temporary Construction Easement at 1000 E. Woodlawn Road from Preston Flats Condominium Association, Inc. for \$111,400 for Little Hope Creek Sanitary Sewer Improvements, Parcel #320.

The resolution is recorded in full in Resolution Book 54, at Page(s) 83.

Item No. 62: Charlotte Water Property Transactions – Little Hope Creek Sanitary Sewer Improvements, Parcel # 327

Resolution of Condemnation of 48,453 square feet (1.11 acres) in Permanent Easement at 900-1232 Falls Creek Lane from HRTBH Timber Creek LLC for \$278,600 for Little Hope Creek Sanitary Sewer Improvements, Parcel #327.

The resolution is recorded in full in Resolution Book 54, at Page(s) 84.

Item No. 64: Property Transactions – Shamrock Drive Improvements, Parcel # 58

Acquisition of 10 square feet (0.000 acres) Fee Simple, 1,206 square feet (0.028 acres) Sidewalk Utility Easement, 241 square feet (0.006 acres) Storm Drainage Easement and 1,675 square feet (0.038 acres) Temporary Construction Easement at 2249 Shamrock Drive from Belinda McKinstry for \$28,004 for Shamrock Drive Improvements, Parcel # 58.

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EXPLANATION OF THE ZONING MEETING PROCESS

Mayor Lyles explained the Zoning Meeting rules and procedures.

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ZONING CONSENT

ITEM NO. 3: ZONING CONSENT AGENDA ITEMS 4 THROUGH 14 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS PULLED BY A COUNCIL MEMBER. ITEMS ARE PULLED BY NOTIFYING THE CITY CLERK.

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Mayor Lyles said now we're going to begin with our Planning Zoning Meetings that did not take place last week and so we will now go to Zoning Consent Items. Let me read

through. I think we have members. I'll recognize our Zoning Committee Members. Please stand up and be recognized in case there are any questions that you would have as we go through this with their consideration. I will tell you those that are being pulled that Mr. Pettine will go over, the petitions that have been submitted for deferral/withdrawal as well as those that have a change that you may choose to send back to the Zoning Committee. Until then, I think that my understanding is that we have for our petitions that meet the criteria for the rezonings.

Councilmember Mayfield said I have items to pull out because I was waiting for Mr. Pettine to go through the deferrals like he normally does to give us an update to see if anything is going to be for deferral because we usually start with him.

Mayor Lyles said I was just looking at ones that meet the consent. Do you have anything on consent that you do not want?

Ms. Mayfield said so, between Items 3 and 14, yes, I do.

Mayor Lyles said okay. Why don't we just go ahead and start with our petitions then that we have objections to the consent. Do you have yours labeled Ms. Mayfield?

Ms. Mayfield said I would like for number 5 to be pulled as well as number 9.

David Pettine, Planning, Design & Development said we do have 14 as requested for deferral. So, we do have that down on the deferral list. So, that'll be deferred this evening to July 17, 2023.

Mayor Lyles said so, the consent items that have with the exception of 5, 9 and 14. Is there any further discussion?

Ms. Mayfield said the other one I had on here Madam Mayor in that grouping is number 11.

Motion was made by Councilmember Bokhari, seconded by Councilmember Mitchell, and carried unanimously to approve Zoning Consent Agenda as presented, with the exception of Item No. 5, Item No. 9, and Item No. 11 which were pulled for discussion and Item No. 14 which was deferred until July 17, 2023.

The following items were approved:

Item No. 4: Ordinance No. 554-Z, Petition No. 2021-120 by Maria Mergianos amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.45 acres located on the east side of The Plaza, north of Mimosa Avenue, and south of Mecklenburg Avenue from OFC (Office Flex Campus) and CG (General Commercial) to NS (Neighborhood Services).

The Zoning Committee voted 5-1 (motion by Russell, seconded by Gaston) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 2 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is compatible with nearby residential and commercial uses. The petition is proposing reuse of an existing structure, which will ensure compatibility with the surrounding character. The petition limits building height to 40 feet. The petition commits to a 10-foot multi-use path and eight-foot planting strip along The Plaza. The petition commits to remarking current bike lane pavement markings to a dedicated right turn lane, a bike ramp near south property line to transition bicyclists

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from separated bike lanes to multi-use path and extending the 10-foot multi-path to the south. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active

Communities, 9: Retain Our Identity & Charm. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 2 to Neighborhood Center for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 168-169.

Item No. 6: Ordinance No. 555-Z, Petition No. 2022-136 by Vision Ventures amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.64 acres located along the east side of Catalina Avenue, south of West 28th Street, and north of West 26th Street from N1-C (Neighborhood 1 - C) to UR-2(CD) (Urban Residential, Conditional).

The Zoning Committee voted 5-1 (motion by Gaston, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Located along the eastern side of Catalina Avenue, this site is situated directly along a transitional boundary between single family detached development to the north and west and denser residential development aligned with the Neighborhood 2 Place Type just to the east and south. The building forms proposed along Catalina Avenue will be limited to no more than 4 units per building at a maximum height of 38 feet behind a 27-foot setback. This type of residential structure is compatible with the scale of development supported in the Neighborhood 1 Place Type, which is appropriate given the Neighborhood 1 designation and uses to the north and west of the site. The plan positions denser building forms to the rear of the site against an area zoned UR-2(CD) that is developing with multi-family units and recommended for the Neighborhood 2 Place Type. The proposal commits to install a Class C buffer with a fence along the site's northern and southern boundaries, screening the site from the abutting single-family homes. Located less than a mile from the site is Camp North End, one of multiple nodes of commercial development that would service potential future residents on these parcels. The application of the Neighborhood 2 Place Type is appropriate here given the adjacency to Neighborhood 1 and 2 Place Types. The site is also within a half-mile walk of areas within the Neighborhood Center Place Type along significant transportation corridors, North Tryon Street and North Graham Street. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 1 to Neighborhood 2 for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 170-171.

Item No. 7: Ordinance No. 556-Z, Petition No. 2022-179 by Coral Reef Investment Properties, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 5.65 acres located along the east and west side of Charlotte Park Drive, south of Pressley Road, and west of Interstate 77 from CG (General Commercial) to MUDD(CD) (Mixed Use Development, Conditional).

The Zoning Committee voted 6-0 (motion by Harvey, seconded by Lansdell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent and inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 2; and the 2040 Policy Map recommends Commercial. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public

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hearing, and because: With close proximity to major transportation corridors and commercial areas that could service residents, this site is an appropriate location for denser residential development and is well positioned in an area that is developing with

a mix of residential and commercial uses, just east of industrially zoned areas. The proposal aligns with uses supported in the Neighborhood 2 Place Type and commits to provide 12 workforce housing units offered at 80% to 90% of the Area's Median Income (AMI) with no specified term duration. A sizeable portion of the site would be reserved for open space, amounting to approximately 2.414 acres. This petition would improve the streetscape and mobility of the area with installation of larger planting strips and sidewalks along all street frontages as well as an ADA compliant bus stop at the corner of Pressley Road and Charlotte Park Drive. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 3: Housing Access for All, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Commercial to Neighborhood 2 for a portion of the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 172-173.

Item No. 8: Ordinance No. 557-Z, Petition No. 2022-181 by A.J. Klenk amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.22 acres located on the south side of North Davidson Street, north of Yadkin Avenue, and west of East 34th Street from TOD-M(O) (Transit Oriented Development - Mixed Use, Optional) to MUDD-O (Mixed Use Development District, Optional).

The Zoning Committee voted 6-0 (motion by Lansdell, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood Center Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Neighborhood Centers are small, walkable mixed-use areas, typically embedded within neighborhoods, that provide convenient access to goods, services, dining, and residential for nearby residents. The proposed offers an appropriate transition between non-residential uses to the north and residential uses to the south. The petition is proposing reuse of an existing structure, which will ensure compatibility with the surrounding character. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 7: Integrated Natural & Built Environments, 8: Diverse & Resilient Economic Opportunity, 9: Retain Our Identity & Charm.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 174-175.

Item No. 10: Ordinance No. 559-Z, Petition No. 2022-185 by Morningstar Properties, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 6.01 acres located on the south side of David Cox Road, east of Old Statesville Road, and north of West W.T. Harris Boulevard from ML-1 (Manufacturing and Logistics) to ML-2 (Manufacturing and Logistics).

The Zoning Committee voted 6-0 (motion by Russell, seconded by Lansdell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommendation for the Manufacturing & Logistics Place Type. We find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is currently zoned for light industrial uses and surrounded by other properties zoned for and developed as light and general industrial uses. The site is within an area designated by the 2040 Policy Map for the Manufacturing and Logistics Place Type. The site is located

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abutting a heavy freight railroad line along an existing minor throughfare. The site has access to I-77 and I-485 within two miles along existing major throughfares. The site is located within a half mile of the future Clarks Creek Tributary greenways and adjacent

to the route of the proposed Charlotte to Mooresville trail. The site is located along the route of the number 21 Statesville Avenue local bus providing service to the Charlotte Transportation Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Opportunity.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 178-179.

Item No. 12: Ordinance No. 560-Z, Petition No. 2022-188 by Northbridge, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 6.25 acres located along the south and west side of Windsor Oak Court, west of England Street, and north of East Hebron Street from OFC (Office Flex Campus) to ML-2 (Manufacturing and Logistics - 2).

The Zoning Committee voted 6-0 (motion by Lansdell, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The petition is consistent with the 2040 Policy Map (2022) recommendation for Neighborhood 1 place type. Rationale for Recommendation: The petition's proposal for the R-6 zoning district, which translates to N1-D, is consistent with Neighborhood 1 Place Type and would help facilitate the goal of providing areas for neighborhoods with a variety of housing types, where single family housing is the primary use. The Neighborhood 1 Place Type may consist of smaller lot single family detached and attached dwellings. Additionally, this place type can allow for parks, religious institutions and neighborhood scaled schools. The character of this place type would align with the overall character design of the area. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 9: Retain Our Identity & Charm.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 180-181.

Item No. 13: Ordinance No. 561-Z, Petition No. 2022-192 by Ascent Real Estate Capital, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 2 acres bound by the east side of Plymouth Avenue, south side of Dunloe Street, west side of Sylvania Avenue, and north side of North Tryon Street from ML-2 (Manufacturing and Logistics) to MUDD(CD) (Mixed Use Development District, Conditional)

The Zoning Committee voted 6-0 (motion by Welton, seconded by Harvey) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommendation for the Commercial Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: This petition is appropriate and compatible for the location as it increases the variety of housing types in the area while creating opportunities for neighborhood scale commercial services that could help support the residents of the proposed development and the adjacent Lockwood neighborhood. Several parcels near the site and along the North Tryon Street corridor have recently been rezoned or are in the process of requesting a rezoning to the MUDD(CD) and MUDD-O districts. This represents an ongoing shift in this area to a more urban and mixed-use development pattern. The petition commits to providing a minimum of 3,000 square feet and a maximum of 8,000 square feet of retail, restaurant, or personal care uses. The proposal includes architectural design standards related to building materials, direct pedestrian connections, façade and roof articulations, blank wall limitations, ground floor transparency requirements, height transitions from surrounding residential uses, and limits the maximum building height to 80 feet. The site is served by the number 11 and 21 CATS local buses providing service between the

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Charlotte Transit Center and Ikea Boulevard/University Point Boulevard and Sugar Creek Road/WT Harris Boulevard, respectively. The site is also located within a ¾-mile walk of the Parkwood Lynx Blue Line Station. The petition could facilitate the following

2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 182-183.

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DEFERRALS/WITHDRAWALS

Mayor Lyles said alright, are there any questions on any of those that you would like to see treated differently?

Councilmember Johnson said yes, I wanted to ask about 2022-177. Did you list that?

Mayor Lyles said no, I think it was 14, 16, 17 and 18.

Ms. Johnson said okay. So, we received an email from our Attorney that we requested that to be deferred. So, I guess the motion would be to add number 15 to that list.

Terrie Hagler-Gray, Senior Assistant City Attorney said I don't believe it'll be deferred Councilmember Johnson. I believe it's being pulled from the agenda. So, there won't be a vote on a deferral on it.

Ms. Johnson said it'll be deferred until July 17, 2023, right?

Patrick Baker, City Attorney said it's been pulled from the agenda, and it will be back on for July 17, 2023. We get there, just in a different way, but yes, it's pulled.

Ms. Johnson said okay, I don't understand that. Can someone explain the difference between deferred and pulled from the agenda?

Mr. Baker said from a practical perspective, there isn't one other than this is coming from the administration and the Attorney's office to pull that item. Usually, it's the applicant that's requesting deferral.

Ms. Johnson said okay. Thank you.

Motion was made by Councilmember Bokhari, seconded by Councilmember Mitchell, and carried unanimously to defer: a hearing on Item No. 14, Petition No. 2022-193 by Brown Group, Inc.; a decision on Item No. 16, Petition No. 2022-134 by Muhsin Muhammad II to July 17, 2023; a decision on Item No. 17, Petition No. 2022-147 by SouthPark Towers PropCo, LLC to July 17, 2023; a decision on Item No. 18, Petition No. 2022-160 by Penler Development, LLC to July 17, 2023; and a withdraw of Item No. 15, Petition No. 2022-177 by Appaloosa Real Estate Partners

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ITEM NO. 5: PETITION NO. 2022-084 BY MISSION PROPERTIES AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 20.85 ACRES LOCATED ALONG THE SOUTH SIDE OF RIDGE ROAD AND NORTH SIDE OF THE INTERSTATE 485 INTERCHANGE FROM N1-A (NEIGHBORHOOD 1 - A) TO R-17MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 4-2 (motion by Gaston, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency:

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This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The proposed plan would add to the variety of housing options in the area. The proposed building forms of triplexes and quadraplexes are consistent with the Neighborhood 1 Place Type. The petition proposes streetscape improvements including a 12-foot multi-use path on Ridge Road. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

Motion was made by Councilmember Bokhari, seconded by Councilmember Johnson, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed plan would add to the variety of housing options in the area. The proposed building forms of triplexes and quadraplexes are consistent with the Neighborhood 1 Place Type. The petition proposes streetscape improvements including a 12-foot multi-use path on Ridge Road. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

Councilmember Johnson said there were some questions about this petition being reviewed by the Historical Commission. There were some comments from the Historical Commission, and I just wanted to let you all know that I spoke with the developer. The developer did reach out to the Historic Commission and got the approval if you will to proceed. There was not historical value on the property. So, that issue has been resolved. Thanks.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Bokhari, Graham, Johnson, Mitchell, and Molina

NAYS: Councilmember Mayfield

Terrie Hagler-Gray, Senior Assistant City Attorney said because there were not six votes, no action is taken, and it will go to the next Zoning Meeting agenda.

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ITEM NO. 9: ORDINANCE NO. 558-Z, PETITION NO. 2022-184 BY UNITED AIR FILTER COMPANY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 2.13 ACRES LOCATED ON THE EAST SIDE OF WEST PALMER STREET, SOUTH OF WEST MOREHEAD STREET, AND NORTH OF JOHN BELK FREEWAY FROM ML-2 (MANUFACTURING AND LOGISTICS) TO UC (UPTOWN CORE).

The Zoning Committee voted 6-0 (motion by Welton, seconded by Lansdell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommendation for the Regional Activity Center Place

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Type. We find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The site is located within the I-277/I-77 loop in Uptown surrounded by a dense network

of streets with small blocks. The site is located within a half mile of adopted location of the Morehead Street Lynx Silver Line Station. The site is located within a half mile walk of the Wesley Heights Greenway and adjacent to the proposed alignment of the future Irwin Creek Greenway. The UMUD district permits a variety of uses that align with the recommendations of the Regional Activity Center Place Type from 2040 Comprehensive Plan such as vertically integrated mixed-uses including office, multi-family, retail, restaurant, entertainment, institutional and personal care services. All parcels surrounding the site have recently been zoned to another urban district, UMUD-O, representing a major shift in this area from industrial to more urban, mixed-use developments. UMUD standards include requirements for enhanced streetscape treatment, building entrances, urban open space, architectural requirements, distinguished base of high rises, and screening. The requested district is complimentary in nature to the recently entitled mixed-use districts within a convenient walking distance an adopted Silver Line station. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

Motion was made by Councilmember Graham and seconded by Councilmember Bokhari to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommendation for the Regional Activity Center Place Type. We find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is located within the I-277/I-77 loop in Uptown surrounded by a dense network of streets with small blocks. The site is located within a half mile of adopted location of the Morehead Street Lynx Silver Line Station. The site is located within a half mile walk of the Wesley Heights Greenway and adjacent to the proposed alignment of the future Irwin Creek Greenway. The UMUD district permits a variety of uses that align with the recommendations of the Regional Activity Center Place Type from 2040 Comprehensive Plan such as vertically integrated mixed-uses including office, multi-family, retail, restaurant, entertainment, institutional and personal care services. All parcels surrounding the site have recently been zoned to another urban district, UMUD-O, representing a major shift in this area from industrial to more urban, mixed-use developments. UMUD standards include requirements for enhanced streetscape treatment, building entrances, urban open space, architectural requirements, distinguished base of high rises, and screening. The requested district is complimentary in nature to the recently entitled mixed-use districts within a convenient walking distance an adopted Silver Line station. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

Councilmember Mayfield said Mr. Pettine, I just had a question. If you can tell me, what is Uptown Core? What is that designation now?

David Pettine, Planning, Design & Development said it's similar to our previous UMUD zoning district. So, it's just within the confines of the Uptown District which is really up to that 277 loop within the Uptown Core. So, it's similar again to our previous UMUD. This was requesting UMUD but because everything translated on June 1, 2023, that goes automatically now to Uptown Core, UC.

Ms. Mayfield said so, may I ask that as we're getting used to the new language if we can start to add that, what it previously was noted versus just jumping to the new language? That would be helpful.

Mr. Pettine said sure.

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Ms. Mayfield said thank you.

The vote was taken on the motion and recorded as unanimous.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 176-177.

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ITEM NO. 11: PETITION NO. 2022-187 BY VISTA RESIDENTIAL PARTNERS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 14.8 ACRES LOCATED ON THE WEST SIDE OF KREFELD DRIVE, EAST OF MONROE ROAD, AND WEST OF EAST INDEPENDENCE BOULEVARD FROM R-6MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO R-22MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 6-0 (motion by Welton, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The map recommends Neighborhood 2 place type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The site is located in an area recommended for multi-family uses. There are other multi-family developments in the area. The site is less than a quarter mile walk from bus stops for Route 17. The site is adjacent to McAlpine Creek Park and greenway. The proposal dedicates a portion of the site adjacent to the park to Mecklenburg County and provides a connection to the park. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments.

Motion was made by Councilmember Bokhari and seconded by Councilmember Graham to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The map recommends Neighborhood 2 place type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is located in an area recommended for multi-family uses. There are other multi-family developments in the area. The site is less than a quarter mile walk from bus stops for Route 17. The site is adjacent to McAlpine Creek Park and greenway. The proposal dedicates a portion of the site adjacent to the park to Mecklenburg County and provides a connection to the park. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Bokhari, Graham, Johnson, Mitchell, and Molina

NAYS: Councilmember Mayfield

Mayor Lyles said so that one will come back on July 17, 2023.

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ZONING DECISIONS

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ITEM NO. 19: PETITION NO. 2021-213 BY GOLDBERG COMPANIES, INC. AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 42.85 ACRES LOCATED

ON THE SOUTH SIDE OF PINEVILLE-MATTHEWS ROAD, EAST OF HUGH FOREST ROAD, AND WEST OF REVERDY LANE FROM R-12 MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) PROPOSED ZONING: R-12 MF (CD) SPA (MULTI-FAMILY RESIDENTIAL, CONDITIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 6-0 (motion by Welton, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with 2040 Policy Map based on the information from the post-hearing staff analysis and the public hearing, and because: The Policy Map recommends Neighborhood 2 place type for the site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition increases the total number of units from 266 to 478, a net increase of 221 units. The overall density of the development will be 11.15 units per acre, within the limits of the existing R-12MF zoning category. The petition redevelops the western portion of the site containing 66 units with the construction of 278 new units. The site plan maintains the existing berm along Hugh Forest Rd. except as necessary to be removed for site access. The petition provides a 260 ft building and parking setback along Hugh Forest Rd. The petition maintains the existing buffers along the southern and eastern property lines. The petition makes improvements to the intersections of Hugh Forest Rd and Highway 51 and Echo Forest Dr. and Highway 51. The site is located on a major thoroughfare in an area with a mix of residential housing types and institutional uses. The petition will provide additional housing options to the area.

Motion was made by Councilmember Bokhari and seconded by Councilmember Mitchell to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with 2040 Policy Map based on the information from the final staff analysis and the public hearing, and because: The Policy Map recommends Neighborhood 2 place type for the site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition increases the total number of units from 266 to 478, a net increase of 221 units. The overall density of the development will be 11.15 units per acre, within the limits of the existing R-12MF zoning category. The petition redevelops the western portion of the site containing 66 units with the construction of 278 new units. The site plan maintains the existing berm along Hugh Forest Rd. except as necessary to be removed for site access. The petition provides a 260 ft building and parking setback along Hugh Forest Rd. The petition maintains the existing buffers along the southern and eastern property lines. The petition makes improvements to the intersections of Hugh Forest Rd and Highway 51 and Echo Forest Dr. and Highway 51. The site is located on a major thoroughfare in an area with a mix of residential housing types and institutional uses. The petition will provide additional housing options to the area.

Councilmember Bokhari said I was asked by Mr. Driggs who wasn't able to be here last week to move to adopt and approve.

Mayor Lyles said he did send me a text this morning saying the same this week as last week.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Bokhari, Graham, Johnson, Mitchell, and Molina

NAYS: Councilmember Mayfield

Mayor Lyles said okay that one will move forward to the next meeting as well.

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ITEM NO. 20: ORDINANCE NO. 562-Z, PETITION NO. 2022-175 BY ROCKY RIVER HOLDINGS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 42.46 ACRES LOCATED ALONG THE NORTH SIDE OF ROCKY RIVER ROAD, WEST OF BACK CREEK CHURCH ROAD, AND SOUTHEAST OF JOHN RUSSELL ROAD FROM N1-A (NEIGHBORHOOD 1 - A) TO R-8MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 6-0 (motion by Lansdell, seconded by Gaston) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: While inconsistent with the Neighborhood 1 Place Type, the project provides a variety of housing types, such as triplexes, quadraplexes and townhomes which can help facilitate the goal of housing variety. The petition is proposing single family attached units with a density of approximately 6 DUA. This proposal remains in character with the area's general land use pattern, including the approved entitlements (2021-040) to the northwest. The petition proposes street improvements along Rocky River Road, including an eight-foot planting strip, a 12-foot multi-use path, and bicycle facilities. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

The petitioner made the following changes to the petition after the Zoning Committee vote. Therefore, the City Council must determine if the changes are substantial and if the petition should be referred back to the Zoning Committee for review.

1. Petitioner shall contribute \$7,500 to CATS for bus stop improvement stop include a shelter with seating at the intersection of Rocky River Road and Grier Road. Contribution shall occur prior to the issuance of the first building Certificate of Occupancy for the site.
2. Petitioner shall contribute \$10,000 to the Far East Neighborhood Coalition (FENCO). Contribution shall occur prior to the issuance of the first building Certificate of Occupancy for the site.

Motion was made by Councilmember Bokhari, seconded by Councilmember Johnson, and carried unanimously not to refer back to the Zoning Committee.

Motion was made by Councilmember Johnson, seconded by Councilmember Bokhari, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: While inconsistent with the Neighborhood 1 Place Type, the project provides a variety of housing types, such as triplexes, quadraplexes and townhomes which can help facilitate the goal of housing variety. The petition is proposing single family attached units with a density of approximately 6 DUA. This proposal remains in character with the area's general land use pattern, including the approved entitlements (2021-040) to the northwest. The petition proposes street improvements along Rocky River Road, including an eight-foot planting strip, a 12-foot multi-use path, and bicycle facilities. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site, as modified.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 184-185.

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ITEM NO. 21: ORDINANCE NO. 563-Z, PETITION NO. 2022-190 BY CHARLOTTE PIPE AND FOUNDRY COMPANY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.08 ACRES LOCATED ON THE WEST SIDE OF PROVIDENCE ROAD, NORTH OF ARDSLEY ROAD, AND SOUTH OF MORAVIAN LANE FROM UR-C (CD) (URBAN RESIDENTIAL - COMMERCIAL, CONDITIONAL) TO UR-C (CD) SPA (URBAN RESIDENTIAL - COMMERCIAL, CONDITIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 6-0 (motion by Lansdell, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 2. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The current entitlements for the site under petition 2011-008 allow for the adaptive reuse of the existing structure for non-residential uses. The 2011 conditional plan would preclude the site from being fully redeveloped with new structures. This site plan amendment would maintain the parcel's permitted non-residential uses but allow for redevelopment to occur that better aligns with current site and building design guidelines. The existing conditional plan, 2011-0008, for example would allow for a parking area between the building and the Providence Road frontage whereas this rezoning proposal moves the building footprint much closer to the frontage, relegating parking to the rear and side. The adjacent R-3 zoned parcel would be adequately buffered with a 20-foot rear yard and opaque fence along the western boundary of the site. An opaque fence will also be installed along the northern boundary, which abuts single family uses in an R-22MF district and a bank at the intersection of Providence Road and Moravian Lane. Although inconsistent with the Policy Map recommendation for Neighborhood 2, the site itself has been intended for non-residential uses for many years. This rezoning would bring the parcel under Neighborhood Center, matching the adjacent parcels that are along Providence Road.

This area of the Providence Road corridor matches the goals of the Neighborhood Center Place Type and houses a number of commercial uses that service the nearby residents in the bordering Neighborhood 1 and 2 Place Types. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 2 to Neighborhood Center for the site.

Motion was made by Councilmember Bokhari, seconded by Councilmember Mitchell, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 2. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The current entitlements for the site under petition 2011-008 allow for the adaptive reuse of the existing structure for non-residential uses. The 2011 conditional plan would preclude the site from being fully redeveloped with new structures. This site plan amendment would maintain the parcel's permitted non-residential uses but allow for redevelopment to occur that better aligns with current site and building design guidelines. The existing conditional plan, 2011-0008, for example would allow for a parking area between the building and the Providence Road frontage whereas this rezoning proposal moves the building footprint much closer to the frontage, relegating parking to the rear and side. The adjacent R-3 zoned parcel would be adequately buffered with a 20-foot rear yard and opaque fence along the western boundary of the site. An opaque fence will also be installed along the northern boundary, which abuts single family uses in an R-22MF district and a bank at the intersection of Providence Road and Moravian Lane. Although inconsistent with the Policy Map recommendation for Neighborhood 2, the site itself has been intended for non-residential uses for many years. This rezoning would bring the parcel under Neighborhood Center, matching the adjacent parcels that are along Providence Road. This area of the Providence Road corridor matches the goals of the Neighborhood Center Place Type and houses a number of commercial uses that service the nearby residents in the bordering Neighborhood 1 and 2 Place Types. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 2 to Neighborhood Center for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 186-187.

Councilmember Mayfield said before we go into closed session, since we are combining two meetings right now, I want to have as much transparency that I understand. Are we getting ready to go into a closed session then to come out and then go downstairs, or we're doing everything right here?

Mayor Lyles said we're doing the closed session in here since we have time before the meeting starts downstairs.

Ms. Mayfield said we are having the meeting downstairs?

Mayor Lyles said we are going downstairs, yes.

Ms. Mayfield said thank you.

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ITEM NO. 22: CLOSED SESSION (AS NECESSARY)

Motion was made by Councilmember Bokhari, seconded by Councilmember Molina, and carried unanimously to go into closed session for attorney-client consultation in the matters of Charlotte versus Vector Media Holdings, Inc. and Flat Iron Constructors, et. al. versus City of Charlotte all pursuant to 143.318.11 (a) (3).

The meeting was recessed at 5:41 p.m. for a closed session in Room 267. The closed session recessed at 5:51 p.m. to go to the Meeting Chamber for the regularly scheduled Business Meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, June 26, 2023, at 6:06 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Tariq Bokhari, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, and Marjorie Molina.

ABSENT: Councilmember Dimple Ajmera, Danté Anderson, Ed Driggs, Victoria Watlington, and Braxton Winston II

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Mayor Lyles said thank you for joining us this evening as we begin the Charlotte City Council Business Meeting. We really appreciate those that are present with us as well as those that are watching us virtually or listening to us however you can do it. I am going to call this meeting to order. Several of our Council members were not able to attend this meeting. So, that's why we are a group of six, which is a little bit of a rule change because everything that we do has to have six people approve it. So, it may be a little bit different.

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INVOCATION AND PLEDGE

Councilmember Mitchell gave the Invocation and the Pledge of Allegiance to the Flag was led by all.

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AWARDS AND RECOGNITION

Mayor Lyles said tonight we have several special guests with us, and I'm thrilled to announce that Charlotte, our City, has been named a 2023 All American City by the National Civic League. This prestigious award recognizes our City's commitment to youth engagement and development. Our City's team including representatives from various departments, partner organizations and some of our City's great youth leaders presented our City's innovative programs to a jury of nationally recognized civic leaders. We are proud to be 1 of only 10 communities honored with the 2023 All American City designation. I want to highlight a few programs that contributed to this achievement. The Charlotte Mecklenburg Police Department Youth Diversion, REACH, and Invision Programs. The community relations Peer Club and Peer Mediation programs that have made a significant impact in empowering our youth and fostering positive relationships.

Something that's very dear to my heart is the Mayor's Youth Employment Program which has provided valuable work experiences for our high school students, equipping them with success for the future. This award is a testament to the dedication of our community, partners, and residents. We really ought to be saying thank you to the young people that participate. What you do for this City and what you've learned to do is

going to serve us so long and so well. So, I want to say again, thank you for all of your contributions to this achievement and if you will, please stand if you were any part of this to be recognized so that we may recognize you with a round of applause. So, now we'd like to invite you to stay for the remaining part of the meeting. Thank you very much.

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PUBLIC FORUM

Crest on Providence Apartments

Colleen Tolson, 5827 Brittany Court said my name is Colleen Tolson and what led me here today is when I went to check on one of my elderly neighbors after our water had been cut off for close to 40 times within 2 years, at the property of Crest on Providence/Levine Properties. Well, what the residents, they're wanting, including myself is one to two years of our rent money back for having to pay rent on uninhabitable conditions. We have been dealing with false advertisement, pool and workout room not made readily accessible and that's included in our rent. Unusually high-water bills. As I just stated, the water has been turned off over 20 times. I signed a lease in August 2021. We have leaks, mold, people have been sick from living there including me and my daughter. We moved in August 7, 2021, my daughter became so sick. When I did a paper trail to see what type of evidence, I had to prove the allegations that I'm accusing this property owner of, my daughter went to the doctor on August 17, 2021, that's how sick she had become with cold-like, allergy-like symptoms.

Next, our maintenance repairs not fully being completed or addressed all the way. Sewage that backs up on to people's properties. This tenant is afraid to speak because he's afraid of the retaliation. We were given what I'll call a fake rezoning letter. It was passed out in March 2023. While after doing some digging, I found out the City of Charlotte has not approved this property for rezoning. In the letter, it stated everybody needed to be gone so that they could make this property more presentable to the community. We found out that was not true. The Zoning Supervisor emailed me last week.

Next, units that become flooded when it rains outside. This water is muddy, it's coming into the units' causing gnats and other pests, roaches as big as mice. I was shown one unit when I applied to lease on this property, and I was given another unit. So, they did the old bait and switch on me, but at that time the U-Haul truck was packed, and I was doing my walkthrough. So, at this time we are asking for what has been submitted and received from FHAP, F-H-A-P (Fair Housing Assistance Program) for Title VIII and VI because this property owner has been collecting rent money for uninhabitable conditions. When I went to check on my elderly neighbor that day, she let me inside her unit. There was a crack that looked like the sky was getting ready to fall through it.

Mayor Lyles said we'll hear more about this, and I think we're aware.

Councilmember Mitchell said Reenie is going over it.

Mayor Lyles said so, Ms. Askew, Reenie Askew is going to continue to work with you. Please join her. Ms. Askew will you start with Ms. Tolson so that we can have the list of concerns and what the neighbors have looked at. So, we will be doing work on this. Thank you.

Ms. Tolson said thank you Mayor.

Charlotte Animal Care and Control Services

Kelsey Joseph, 2022 Sage Park Drive said thank you Council for your time. My name is Kelsey Joseph. I'm a CMPD (Charlotte Mecklenburg Police Department) Animal Shelter volunteer. The shelter was built in 1994 when the population of Charlotte was

400,000. It's not been expanded since and our population is now nearly 1 million. In 1994, we did not focus on life saving programming and now we thankfully do. I would like to paint a scene for you. There's a shelter full of barking dogs, there are no kennels open. There are animal care and control vans in the parking lot filled with dogs waiting on a kennel. The shelter staff has to walk the kennels and decide, who do we kill to make space? These are animals that staff and volunteers care for and love. Animals

who are healthy and could be so happy with a forever family if only there was somewhere for them to go in the meantime. So, staff makes these decisions, they perform the euthanasia, they wheel animals to the incinerator and we all cringe at the smell. The dogs who are still there still need to be walked. So, the caretakers, we dry our eyes, and we walk them by as ashes from their former neighbors are emptied into trash bins. This is heart wrenching for staff, for volunteers, for community members who care about animals but who also had to surrender their animal because of their unfortunate circumstances and of course the animals themselves.

Animal services desperately need a bigger shelter, more funding, and less bureaucracy in order to adequately serve our fellow community members and their beloved companion animals. So, I'm here today to ask you to provide better funding for animal services. Thank you.

Alexis Ketover, 8139 Deodora Cedar Lane said thank you. Kelsey, I don't know how I'm going to follow that. You said everything so perfectly. I'm crying over here. I need a minute to compose myself. My name is Alexis Ketover, and I'm a foster and volunteer with the Charlotte Mecklenburg Animal Shelter. I'm able to see firsthand how hard things are, not just for the animals, but for the staff and the community themselves. To help everyone, we are in dire need of upgrades. The most important upgrade being a larger shelter. I know that that's a challenge and the biggest challenge in that is being staffing which is why we're asking for funding for staffing to incorporate with a larger shelter. The shelter needs more funding for not just that, but so many things. Those are the two things that we want to start with. Another issue that we seem to face, the amount of red tape we have to try and work around to get dogs moved and to get better care and attention for these animals. If we were able to have less bureaucracy, we'd be able to focus on what really matters such as supporting community members and bettering the lives of these animals while giving them a real chance at a happy ending in their forever homes.

I actually was just at the shelter just before this and there are a few dogs that I walked past their kennels and I gave them extra love because we are so full right now, there's a chance that I could be saying my goodbyes to them, and it breaks my heart. I know that I'm not alone in this, and that is why we are asking for these things for the shelter. Thank you.

Mayor Lyles said thank you very much.

Crest on Providence Apartments

Jimmy Vasiliou, Shallowood Lane said good evening. My name is Jimmy Vasiliou. I am a member of the Housing Justice Coalition and I'm here this evening in support of the residents at Crest on Providence who you just heard from Ms. Tolson, have undergone extremely dire conditions in their units. People getting sick from mold, roofs caving in, unexplained water shut offs, unexplained water charges, increases, and now they're having to deal with a rezoning that was filed in January of 2023, but which has not been made public. It's currently working its way through the rezoning process as 2023-038. At this moment, I was told by I believe Mr. Pettine of the City Planning Department that once they review it, then they'll have the notice and that sort of thing. At this moment and from what we've heard from residents there have been people who have been told that they can live in these units three months after they filed this rezoning petition, with no sort of explanation from the property management group that at some point this property is going to be redeveloped and we're going to filing these letters.

So, I hate that the All-America people had to leave to see this. I mean this is an All-American problem. People are being displaced in this City, if they're not being displaced, they're living in conditions that are so intolerable that it's just hard to live at the end of the day. So, we ask you support these residents at Crest on Providence, what they go through, hear their experience. That's all. Thank you.

Mayor Lyles said thank you.

Senior Housing

Lowell Faison, 3601 Central Avenue said good evening, folks. I want to make this short and brief. I congratulate you folks on what you have done in terms of growing Charlotte, but the downside, the consequential side is that you've done so at the expense of black and brown people and poor people. You continue to put bandages on a hemorrhage. Thank God that come next election cycle, all of you will not be here.

Mayor Lyles said okay, thank you Mr. Faison.

Woody Point Road

Mr. Hannes, 1344 Woody Point Road said I believe I pretty much said everything that there is to say about Woody Point Road, but I just wanted to kind of keep my presence in front of the Council so that you know I'm still fighting to try to get Woody Point Road fixed. The last time I came to a Council Meeting was back on May 8, 2023, and at that time, I had recently spoken with Councilman Mitchell, and he suggested that I present a petition for the residents of Woody Point Road to the Council to demonstrate the support I had for fixing Woody Point Road on the current map. I followed Councilman Mitchell's advice and presented my petition which was signed by 82 percent of the residents of Woody Point Road at the meeting on May 8, 2023. I had planned on attending the meeting on May 22, 2023, also but Councilman Mitchell suggested I give staff until the end of June to get this matter resolved. I'm hoping that staff is working on this and that some type of solution will get done very soon. It should be evident by now that this problem is not going away until the City fixes Woody Point Road on the map. Over the past three to four months, I've made a concerted effort to contact every member of Council. I've been very encouraged by the majority of the Council members' willingness to talk or meet with me to discuss the resolution of the Woody Point Road situation. I now believe that I have a majority of Council members in support of amending the Charlotte Streets Map. All that remains is for this item to be added to the agenda in order for a vote to be taken to amend the map. It's unfortunate that this situation has dragged on for over a year and a half. In essence, the residents of Woody Point Road have been held hostage by the City of Charlotte when all the City had to do was correct the street classification of one little insignificant street on the map.

It's time that Council corrected the mistake of misclassifying Woody Point as a collector street and amend the map to properly show Woody Point as a local street. If there are any members of Council here this evening that I haven't talked to yet who are interested in talking to me, or meeting with me, please contact me. I've included my contact information on the handout you should've received from Ms. Tynes before the meeting tonight. Thank you very much.

Mayor Lyles said we do have your handout. Thank you, Mr. Hannes.

Councilmember Johnson said yes. I have a question for staff regarding Mr. Hannes' concerns. Can we get an update from City staff?

Unknown said yes.

Ms. Johnson said okay. Thank you.

Accessible Sidewalks and CMPD

Mary Gray, 945 North College Street said I'm called a handicap person. I usually use a walker. I can walk short distances if I have something to hold on to without one, but I would like to make a complaint about the trend towards making the sidewalks brick. Now I know it looks villagey and quaint, but it's very hard on people that are handicapped. I'm hoping that you will kind of limit that. Now what a store does on their own property if they wanted to. Another thing, in other words the City sidewalks where

people are, a lot of traffic, like post offices, banks, libraries, things like that, it makes it very difficult. Also, there are a lot of places where I guess somebody makes a complaint about a specific area that's torn up or broken or jagged, but there are a lot of those places around town that maybe you could send someone out to check on them and see if you can do something about them. Another thing for a handicap, as the City puts up trash cans at bus stops. Now many bus stops have a special little area to the side with a concrete area where the handicap can access the bus stop instead of going over the grass or the muddy area. The City puts up trash cans right there in that space so that the handicap people cannot get to the place where the bus driver would see them at the bus stop. Maybe you could do something. I'm thinking there's one at 1617 South Boulevard.

Mayor Lyles said 1617 South Boulevard?

Ms. Gray said well that's a building that's nearby.

Mayor Lyles said okay.

Ms. Gray said at least that's what it says on the building. Also, I would like to make a complaint about some CMPD officers. I am not one of the owners of a large home, but they have filed inaccurate records. I have some criminal charges against me, second degree trespassing, it's a family issue, and they have put in the wrong address and the wrong charges, the wrong driver's license and they have on record something that I was never charged with. I would like for the City, you're in charge of the Police Department, to require them to be more accurate in their record keeping.

Mayor Lyles said yes ma'am.

Ms. Gray said because there are some things that are there that are out and out not right.

Mayor Lyles said we want it to be right. Yes ma'am.

Ms. Gray said so, the handicap issues and the record keeping.

Mayor Lyles said alright. Thank you very much for joining us this evening.

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PUBLIC HEARING

ITEM NO. 24: PUBLIC HEARING AND DECISION ON HAMILTON WOODS AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

Weston Boles, 1213 West Morehead Street, Suite 300 said yes, Weston Boles. Good evening, Council. We're just here in case there's any questions about the annexation.

Troy Karski, 8025 Arrowridge Boulevard said that's the same for me as well. Thank you.

Motion was made by Councilmember Mitchell, seconded by Councilmember Bokhari, and carried unanimously to close the public hearing.
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pti:mt

Councilmember Johnson said I do have a question about this. What is the impact on residents when we make this determination? Can someone answer that? Thank you.

Mayor Lyles said yes, we're having someone come down and talk to us about annexation now. I know that you do get garbage collection and CMPD.

Holly Cramer, Planning, Design, and Development said yes, that's a good start. My name is Holly Cramer and I work with the Planning Department. So, it's the procurement of municipal services. So, trash pick-up, Fire Department, CMPD, all of those municipal services that we would normally provide within City limits.

Ms. Johnson said so, is there an additional cost burden to residents?

Ms. Cramer said so, your taxes are different if you're unincorporated within the County versus within City limits, and I can pull up the specific tax rates for you if you're interested.

Ms. Johnson said how are residents notified?

Ms. Cramer said well, there are no current residents in here. All the property owners have to agree to the petition to be annexed. It requires 100 percent property owner consent.

Ms. Johnson said it does, 100 percent? Okay.

Ms. Cramer said 100 percent.

Ms. Johnson said okay, thank you.

Councilmember Mayfield said this is also a question for City staff and I don't see the other staff that might be able to assist. So, we know that we're seeing rapid growth and our Fire Department is being stretched. I'm trying to see what if any comments we have from fire because our response times. We have seen, unfortunately just within the last few months, major fire incidences that have not only created space for opportunity unfortunately for loss of life, but also a number of severe incidences. So, it would be helpful to know as we're looking at this potential annexation and this particular area because if I'm reading this correctly, this will be a development that will potentially bring an additional 119 additional single family detached homes into this area. So, what will be helpful is to know, one, what is going to be the potential response time impact on our current fire. Two, if we're looking at developments like this for annexation, are we as City staff having conversations for the shared cost of building a new fire station since we, through tax dollars, don't necessarily have the funds, and it may be 10 years out before we're able to build a new fire station that may be needed based on these approvals. So, that information would be very helpful to come back prior to this coming for decision, as well as our current capacity that we have regarding water and sewer.

Ms. Cramer said so, if I could touch on that real quick.

Ms. Mayfield said yes.

Ms. Cramer said okay, thank you. So, key business units including Charlotte Fire Department, CMPD, Solid Waste Services, they are all polled during our annexation process to determine what the impact to serve the site would be. So, this site would already fall within their determined response time. I believe it's four-minute response time for Charlotte Fire Department, but I'll double check that for you. So, this doesn't fall outside of their normal response time as it is. It is contiguous to City limits. So, you're not looking at going far outside existing City limits to access the site and we did receive from them an estimated cost to serve which is typical with every single annexation. We estimate the number of calls that could be generated from the site given the proposed development. So, with this site, we would estimate 45 calls a year that Charlotte Fire

would respond to, which amounts to about a little under \$46,000. So, we do assess them, and I do have their comments in full that I can send you if you're interested.

Ms. Mayfield said those comments would be very helpful, Mr. Manager, as we continue to look at how we're growing the City. Thank you.

Motion was made by Councilmember Mitchell, seconded by Councilmember Graham, and carried unanimously to adopt an annexation ordinance with an effective date of June 26, 2023, to extend the corporate limits to include this property and assign it to the adjacent City Council District 3.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 154-157.

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ITEM NO. 25: PUBLIC HEARING AND DECISION ON NORTHLAKE TOWN CENTER AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

Jennifer Greeson, 2459 Wilkinson Boulevard, Suite 200 said good evening, Council, Madam Mayor. My name is Jennifer Greeson. I'm with Design Resource Group, here to answer any questions if Council has any on the annexation hearing.

Mayor Lyles said alright, as well Mr. Williams, any questions that are coming up? So, we have heard from the speakers to address any questions on this items.

Motion was made by Councilmember Mitchell, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

Motion was made by Councilmember Graham and seconded by Councilmember Johnson to Adopt an annexation ordinance with an effective date of June 26, 2023, to extend the corporate limits to include this property and assign it to the adjacent City Council District 5.

Councilmember Johnson said so, we asked the questions on the previous annexation. The questions are the same, but I would like to ask the City Manager. This brings to mind the broader issue of infrastructure, not just for annexation. So, if we can get an update on the infrastructure meeting that we had in December and to make sure we're including these annexations. I think Councilmember Mayfield, her concerns about the cost and the Fire Department, that falls in line with the infrastructure concerns that we had. So, if we can get an update of what's going on and what the processes are, that would be great. Thank you.

Marcus Jones, City Manager said will do.

Councilmember Mayfield said Mr. Manager, it would also be helpful as we're looking at these potential annexations, it's still a capacity issue that I'm going to reference. Mount Holly Huntersville Road, the entire length of Mount Holly Huntersville Road, but I actually was just down in this area this past weekend. It is literally still a bit of old Charlotte country road, but you have one lane. Infrastructure wise as well as community impact, what is our current plan for road widening and are we looking at a project to align with that? Here is the challenge. There's a project on Mount Holly Huntersville Road between Mount Holly Road and Belhaven. A new development was created. That development was built and then came the traffic delays to try to do a partial road widening, basically only for the entrance of that development, but what does that do? That creates major delays from vehicles having to stop while the construction workers

are doing their job which trying to clear the ground to lay the gravel, all of that. This is a two-lane road. Early in the morning, midday, as well as evenings. If we already know we have road projects that are happening and we have projects that are being petitioned before us that are three to five to 10 years away from the road project, we need to have some very different discussions because the impact of that on the residents as well as those who are attempting to get to and from work, all of that is part of the challenges that we're creating.

So, when we're looking at these annexations, it would be helpful, and staff can help with this, bring us back what road widening project is being planned in this area as well as the other areas where we have an annexation request because that is going to create additional challenges on current Charlotte residents. You're tightening our current capacity; we just passed the budget. We passed that budget at a revenue neutral rate. We're bringing in the need for more resources. Are we actually aligning that to protect when we tell the community on one hand, we've allocated millions of dollars to try to protect and sustain neighborhoods, yet on the other side we're creating some of the challenges that are impacting the neighborhoods the most.

So, it would be helpful if before this comes to decision that we know what road projects are planned through City funding, what projects are planned through development funding, and which of any of those projects have been approved where the money has been allocated and what's the timeline on that versus what is the timeline on this project that they're attempting to move forward with annexation? How soon are you looking at annexation because I'm going to go back through this area, but we already have clearing that has gone on that I saw a notice on, but when I looked it up, we hadn't had a discussion on it. So, we need to stay on top of this because it feels like clearing and work is already happening in some areas of our City where Council hasn't said yay or nay on yet. So, combination, bring back what's the road plan, what's the widening plan.

Holly Cramer, Planning, Design and Development said got it. I'll make a note of that for certain.

Mr. Jones said so, I'd like to go to Ms. Mayfield's question a bit broader. I agree with you and that is one of the things that I was trying to present tonight in the action briefing. If you go back to my 30-day memo, we wanted to do an update from where we were in the fall the last time, we were together. An update of where we were from the fall Housing and Job Summit as well as take a look at what we were doing in infrastructure. So, you may go back to I guess it was November 2022 or December 2022 where Ed McKinney gave us that opportunity to look at maybe 2,000 projects from road projects to sidewalks projects. We want to do something differently. It's never been done in Charlotte before to try to figure out how we can bundle those projects so that you can created more capacity for the growth that we have.

So, we still have a little bit of work to do to catch up with some of the Zoning staff, but once you come back off of break, I'd like to have that before you. It'll start to talk to your point Ms. Johnson about infrastructure and the impacts with it. Also, for the first time, we will look at projects, bundling them together to try to create some more capacity in the City.

Mayor Lyles said I agree with Ms. Mayfield that this is one of the most important issues as well as Ms. Johnson having that issue of where we are with the infrastructure, but if I recall you gave us the book that had the 2,000 opportunities for road projects in it and it was done by Council Districts and what I heard you suggesting is that instead of doing it by political lines, that we do it by what's appropriate, the contractual lines that we could possibly look and cost out. I think all of us know that 2,000 road projects and even this annexation is almost like a teardrop versus an ocean because there's not that much land left to be acquired and annexed in. I think that what we really are dealing with are the roads across our entire footprint right now as Ms. Mayfield pointed out. I mean, it's very difficult to actually address some of the one lane roads. It's very difficult to address the construction that we're having, but if we don't get a handle on this as a complete picture and then decide on a policy of what's going to be approached and when it will be

approached and how do you set priorities, because as you just heard Ms. Gray, thinking about how do we do sidewalks. So, are we doing five-foot sidewalks? Are we doing seven-foot sidewalks? I mean what are we trying to build out in the long term and what works for us. So, I think it's going to be one of our best discussions, or opportunities for a really good discussion around what's possible and what are our policies so that people will actually be able to identify with what's going to happen next. I think that's really engagement and when we talk about this, as something as engagement we have really committed to from the Council and I think that it's going to be one that's going to be a healthy conversation, and a good one for us to have and to see how much we can afford.

Ms. Mayfield said so, thank you Madam Mayor.

Councilmember Graham said expensive conversations.

Mayor Lyles said it's going to be an expensive conversation. You're right about that.

Ms. Mayfield said Madam Mayor, for clarification, what I want to also emphasize Mr. Manager, you did share the information regarding the potential roads, but I read it and interpreted it as if we were looking at rezonings and growth when we're adding in annexations on top of, because the annexations are happening pre-development and then the other pieces may be coming along in these multiple conversation and looking at the fact of is our language clear enough to give us the space to slow it down to make sure that it's aligning. Thank you.

Ms. Cramer said I just want to make a note of one thing.

Ms. Mayfield said jump in.

Ms. Cramer said the vast majority of our annexations come in after they've been rezoned. So, would it be helpful for you if I provided the rezoning petition information on the summary of the annexation item, or any information related to that? It is really like 99 percent of our annexations went through as conditional rezoning cases. So, in those conditional plans as you're aware, they commit to a lot of streetscape improvements. So, if you would like, I can begin providing that information and what they committed to in terms of infrastructure during the rezoning process. Would that be helpful?

Ms. Mayfield said that would be extremely helpful for me. Hopefully it will be helpful for my colleagues as well because we are approving a number of rezonings and that way we can do a better job of tracking which rezonings go along with now, a year, two years later. There's an annexation request, what have we been able to accomplish roadway wise or infrastructure wise during that time. Thank you.

Ms. Johnson said thank you. That would be helpful for me also, but I want to understand because we do approve a lot of rezonings in the ETJ. So, if we're hearing that 90 percent of them are then applying for annexation, maybe we can have a discussion offline because I want to understand what the benefit is, and if maybe our process needs to change.

Ms. Mayfield said she was saying 90 percent are already [inaudible].

Mr. Jones said it's the other way around.

Mayor Lyles said it's the other way around.

Ms. Mayfield said some of them come in to be annexed when we've already done the approval.

Ms. Johnson said you said 90 percent of [inaudible].

Ms. Cramer said most of our annexations were former rezonings, not that former rezonings in the ETJ then 99 percent go on to be annexations. It's just of the annexations I receive, which we only approve between 10 to 14 a year of those annexations we receive and process in a year, 99 percent, 90 percent of them have been rezonings.

Ms. Johnson said right. That's what I meant to say, that's what I understood.

Ms. Cramer said okay.

Ms. Johnson said so, I want to understand what the benefit of them applying to be in the City after they're rezoned and what I'm missing. So, I'd like to have a conversation offline and maybe if they know, if the plan is to be a part of the City, if maybe that be a requirement in the rezoning. I don't know, I just want to understand.

Ms. Cramer said it often is, to be fair. Especially when C-DOT (Charlotte Department of Transportation) is looking at these plans, they want to make sure that streetscape improvements, if they are going to be done and if the intention that the site will be in the City, it needs to be built to City standards. So, sometimes especially in larger projects, the rezoning will have a condition that it has to seek annexation, but that is typically reserved for larger projects like River District for example, the rezoning has a condition that it must be annexed if they would like to develop the site to the conditions that are set forth in rezoning plans.

Ms. Johnson said okay. Thank you.

The vote was taken on the motion to adopt the annexation ordinance and recorded as unanimous.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 158-161.

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ITEM NO. 26: PUBLIC HEARING AND DECISION ON OAK LAKE AREA VOLUNTARY ANNEXATION

Mayor Lyles declared the hearing open.

We do have one speaker. I'm assuming that that speaker is Joe Niland and that is to answer questions if there are questions. So, do we have any questions for the petitioner?

Motion was made by Councilmember Bokhari, seconded by Councilmember Graham, and carried unanimously to close the public hearing.
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Motion was made by Councilmember Bokhari, seconded by Councilmember Johnson, and carried unanimously to adopt an annexation ordinance with an effective date of June 26, 2023, to extend the corporate limits to include this property and assign it to the adjacent City Council District 4.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 162-166.

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ITEM NO. 27: PUBLIC HEARING FOR ALPITRONIC AMERICAS, LLC BUSINESS INVESTMENT GRANT

Mayor Lyles declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Mitchell, seconded by Councilmember Graham, and carried unanimously to (A) Close the public hearing, and (B) Approve the city's share of a Business Investment Grant to aplitronic Americas, LLC for a not to exceed amount of \$181,846 over seven years.

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POLICY

ITEM NO. 28: CITY MANAGER'S REPORT

Mayor Lyles said now the Manager has given I think a pretty good report on roads. Anything else you want to talk about?

Marcus Jones, City Manager said Mayor and Council, I just want to do one quick thing. I believe Dana notified you on Friday that we had received a raise grant. So, the West Sugar Mobility Corridor, a \$12 million raise grant which is not insignificant given the amount of money that went to the entire State of North Carolina. So, kudos to the Corridors Team. We talk a lot about a horizontal organization and the work from ED (Economic Development) and from Planning and from CMPD and the entire team. So, there's a great opportunity. The project will fund engineering right of way construction of three mobility hubs with electric vehicle charging stations and improved pedestrian crossings, intersection improvements, smart lighting, multi-use path, new sidewalks and approximately 3.5 miles of sidewalks in Sugar Creek. So, start to think about that. Start to think about how we can bundle these types of projects so that we can created more capacity. So, we thank the Corridors Team. Then hot off the press, but I don't see Brett. We received a \$30 million grant to advance our fleet electrification and workforce development programs in CATS.

You may recall back in 2020 we received about \$3.8 million for this purpose to allow us to have more electrification of the bus system, but this is \$30 million, and this is no small amount from the FTA (Federal Transit Authority), part of the bipartisan infrastructure law. What we'll see is basically 31 old diesel buses would be replaced with 15 battery electric buses and 16 hybrid electric diesel buses as well as 15 battery electric bus charging stations and more infrastructure. So, again, it's one of the things that the Council made sure that we did and that was to see how we can pull down as many federal dollars as possible. So, a big day for the City over the course of the last couple of days. So, just wanted to make sure Council knew that.

Mayor Lyles said congratulations. That is great.

Councilmember Graham said congratulations.

Mayor Lyles said thanks to the team of people that work on these grants and pursue them and dog them out until we get them. So, thank you very much.

Councilmember Mayfield said thank you Mr. Manager for your report. I would also like to ask if you could bring back to Council rather quickly through the help of the team. So, I had the opportunity to meet with someone this past weekend who is a business owner in our community that formerly lived in the City, we were having a conversation. They've since moved out of the City and the comment was made that Charlotte has become a rental city because I asked why did you leave because unfortunately, I'm running into a number of long-term residents especially business owners who have moved outside. I would like for us to get some numbers and I've already done some preliminary, because you know I never ask you a question without already doing some research prior to asking it, regarding what is the impact on the number of rentals we have versus owner occupancy?

So, we know that college towns have a very different theme, it's very transient, but we are also luring a number of really great companies to our City. One of those many selling points outside of our weather when Mother Nature wants to act right and the fact that we have an airport that does the type of business and the amount of business it does, is our workforce. We are losing a good bit of our workforce because they cannot afford to live in the City, which is something you and I have been talking about for many years even when I wasn't on Council, we had conversations about it. So, it would be very helpful to get an idea of communities that have seen the level of growth, because I would say ours started since the DNC (Democratic National Convention) to be perfectly honest, 2012. We were put on a different stage. A lot of people got to learn about the City. We have a lot of people that have been here under a decade. Let's look at some peer cities that have seen tremendous growth but have also seen an increase in rental versus home ownership to look at some of the challenges that they have already experienced or are experiencing because we're already seeing some of the challenges.

The greater concern that I have is when there are conversations, especially when we look at our public school system and we look at challenges with access to housing and our public school, some of our corporate partners that are coming into the area, are having very different conversations with real estate agents and those conversations are consisting of how do I get into X private school? That is causing a level of imbalance in itself. So, when we're looking at saying that we are creating great communities, that community is only as great as the diversity of it, but when we're having high concentrations of not just multi-family now single family for rent, brand new single family for rent product because we're infilling, in neighborhoods that historically have not had a HOAs (Homeowner Associations) because they were older communities that didn't necessarily have all the investment and all the opportunities. So, the land was a lot cheaper. For us to stay ahead and to look at Charlotte 30 years from now, are we really taking advantage of the opportunities that we have in our language since we have not a living document that we have rolled out. What are we saying in that document that's going to ensure that we are creating diverse housing opportunities so that we're not a 20 percent owner occupied community versus a 75-80 percent rental community because that transiency can cause us challenges in the long run when it comes to continuing to grow the City as well as how much money we would need to keep putting into certain neighborhoods to keep those neighborhoods in a state of growth and development. That would be very helpful.

Mr. Jones said okay. We can get some information, yes.

Ms. Mayfield said thank you.

Councilmember Mitchell said thank you Councilmember Mayfield. City Manager there was a City-led effort to have some public engagement related to Eastland Yard and I know we had through our two dates June 24, 2023, and June 28, 2023, can we get an update where we are as far as the public engagement?

Mr. Jones said sure. Councilmember Mitchell I guess the best way to put this is where we are in the process. So, right now in the process, we're aligning between the City and the County in terms of looking at proposals that are before us, these two proposals and City staff and County staff independently are reviewing them. The goal is to when we come back on the July 10, 2023, is to have a report back to this body and then the engagement would follow that report.

Mr. Mitchell said okay, thank you.

Ms. Mayfield said one additional piece. Mr. Manager, my apologies on missing what you shared earlier. I think I may have come into the meeting just a couple of minutes late and missed that piece. This is a question regarding our partner for CRVA (Charlotte Regional Visitors Authority) for an upcoming report. We are going to congratulate the current leadership because he will be retiring, but according to the by-laws and I remember this from a number of years ago and the by-laws of the CRVA, when it

comes time to identify an Execution Director just like with the City of Charlotte, they would do a search because there's a community input process. I want to ensure that as one of the major funding partners that it is very clear on the front end that the expectation is for that to happen. It has been a number of years since there's needed to be a hiring process for that role. So, we want to make sure that role is as transparent as possible and that means according to the by-laws within the CRVA is that it is potentially a national search but definitely community engagement in that process. What we need to make sure is that we would not give you the ability to pick who's going to be your replacement if you would decide that you were wanting to retire. I think we got another good 20 years out of you, but if you decide you wanted to retire, you're not going to be able to say, "Okay, here's someone I think will be good." You don't get to pick your replacement. So, we need to make sure that the expectation on the front end and that it's known publicly and from the Manager's office and hopefully my colleagues also agree that we need to make sure that whole process is as transparent as possible regarding the search as well as community input when it comes to identifying the next Executive Director for the Charlotte Regional Visitors Authority.

Mr. Jones said okay.

Ms. Mayfield said that's my last one. Thank you.

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BUSINESS

ITEM NO. 29: AFFORDABLE HOUSING GENERAL OBLIGATION BONDS

Motion was made by Councilmember Mayfield, seconded by Councilmember Johnson, and carried unanimously to adopt the bond order and resolution to provide for the issuance of General Obligation Bonds for Affordable Housing not to exceed \$75,000,000.

The resolution is recorded in full in Resolution Book 54, at Page(s) 69-82.

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ITEM NO. 30: ACCEPT GRANT FOR CHARLOTTE BUSINESS INCLUSION PROMOTION

Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to (A) Accept a grant in the amount of \$15,000 from the National League of Cities for promotion of the Charlotte Business INClusion Program, and (B) Adopt a budget ordinance appropriating \$15,000 from the National League of Cities to the General Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 167.

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ITEM NO. 31: RECOMMENDED USES FOR AMERICAN RESCUE PLAN ACT FUNDS – ADDITIONAL SMALL BUSINESS ECOSYSTEM PARTNER SUPPORT

Motion was made by Councilmember Mayfield and seconded by Councilmember Graham to (A) Approve funding in the amount of \$237,500 from American Rescue Plan Act Funds to University City Partners to serve small businesses impacted by COVID-19 through the Small Business Ecosystem Partner Program, and (B) Authorize the City Manager, or his designee, to negotiate and execute any necessary contracts and agreements related to these recommendations.

Councilmember Johnson said first of all I want to say that Keith Stanley and the University City Partners Board, Betty Doster, all of them are very, very grateful for this opportunity, but I want to make a substitute motion that instead of the \$237,500 that the motion be for \$250,000 and I want to give you, my justification. Two hundred fifty thousand dollars is the maximum of this award and this \$237,500 was supposed to be awarded to this organization back in 2020, but due to the City staff error which we all want to make sure that we are rectifying fairly and justly for this organization. The UCP (University City Partners) did not receive it. So, I would advocate that we take inflation into account and adjust that amount to \$250,000. If we were truly looking at the inflationary amount, it would actually be \$270,000 in today's dollars but since the maximum is \$250,000, I think that the right thing to do is to adjust that amount based on inflation.

Substitute motion was made by Councilmember Johnson and seconded by Councilmember Mayfield to award \$250,000 to University City Partners due to inflation.

Councilmember Molina said well before we change this amount, I'd first like to know where we came up with this amount from before we change the amount from the dais. Can someone answer, give me some specificity around the numbers and how you arrived at this and any legacy information that you can share that would help us. To adjust a line item \$12,500, I want to make sure that it doesn't create problems for any competing deliverables.

Tracy Dodson, Assistant City Manager said so I will say that I have not been as close to what the new program is going to be, but the dollar amount that we got to was what they had originally asked for in the first go around. So, since we made the error on the first go around, we would fund the exact same amount which is why that number is what it is.

Ms. Molina said is there a way that we can arrive at what that number would look like adjusted for inflation, would that be something that we'd do traditionally or something that we've done in this position?

Ms. Dodson said it wasn't like a loan or anything, this is just a grant. We haven't really done anything like that. I think if you took what standard inflation has been over the past two years it actually probably goes higher than the \$250,000 but the grant amounts, the max you could've gotten if you were awarded a grant anytime that we did the program was \$250,000.

Ms. Molina said so, I want to make clear I'm not what you say in opposition of this group getting exactly what is fair to them, I just want to make sure that any decision, especially at this point from the dais that we're making it with all of the considerations in mind because I'm always that person who's wondering about the precedent that we set. So, if we make another mistake and let's say that mistake is \$1 million or something substantial, we have closed sessions about those types of things often. Then do we now set the precedent that we're going to correct our mistakes with that as an expectation or not. So, I have some questions before we would make that type of adjustment at this point.

Ms. Dodson said again, I think from our perspective we were just trying to right a wrong when we found this error and we were trying to then go back and work with University City Partners and Keith to say, "Okay, if we came back and did this, what would you want to do? Here was the dollar amount you originally applied for, what would you do," and build out a program for them to try to fix the wrong. We have not ever, from and ED's perspective ever done anything that's gone back and accounted for inflation. So, that's relatively new to us, but again that was the intent, that was where the original number came from which was the original request grant amount.

Councilmember Bokhari said just one quick question Mr. Manager. Do you have the money to do this?

Marcus Jones, City Manager said yes, we do. I guess it's really twofold. One, is that we tried to go back and correct a wrong. I'm not even sure that I know what they're going to do with the money whether it's \$237,000 or \$250,000. I just don't know.

Councilmember Mitchell said who, the University City Partners?

Mr. Jones said right. So, it's not like it's a new application of something. Maybe they can use it for the same purpose that they initially wanted it for, but I'm a little concerned about how the money is going to be spent. I'm sure they'll do it consistently with ARPA (American Rescue Plan Act) funds, but that's kind of where we are. We made a mistake; we're trying to fix the mistake.

Mr. Mitchell said City Manager and Tracy, just for clarification. What was the original amount requested? Was it \$250,000?

Ms. Dodson said no.

Mr. Mitchell said \$237,000?

Ms. Dodson said it was the \$237,000 amount and so to the Manager's point we kind of went back and said can we fix this wrong? Can we go back and build a program with you to support small businesses in University City?

Mr. Mitchell said so, the follow up then, my colleague Councilmember Johnson, what you're saying is we should make it \$250,000 based on. Okay, thank you all. I got it. Thank you, Madam Mayor.

Ms. Johnson said yes. For my colleagues, I didn't reach out to you before because I've been waiting for clarification, but I did talk to Holly at the very beginning, and I talked to her about this consideration. I believe if we look at inflation, the present value of dollars penalty, whatever that is, \$237,500 does not buy in today's dollars what it did back in 2020. So, I have had this discussion with City staff. I'm sorry Holly is not here, and you don't have the details. What happened is University City Partners applied for a grant and because of a mathematical error, they weren't awarded the grant that they should have been. So, I think this is fair to consider this. Again, the University City Partners, they are grateful and they're not asking for it for any of my colleagues that are considering it, but I think that this is the integral thing to do. So, I'm advocating for it. That's all. Thank you.

Mayor Lyles said I think Ms. Molina talked about a precedent on if we make mistakes, we do want to fix them but how do we do it and not set kind of like, "Well what do we put that bar to be next time?" I think we ought to approve this, and I think that we ought to get a report on what they plan on doing with it. If there's something that's really special or it's something that it's not and they can't figure out a way to do it, then we can always come back and consider adding more money to it. So, that's where I am. So, is there any further discussion?

Mr. Bokhari said I think based on what I've heard and your ringing endorsement just now Madam Mayor, I think I'll show a little good will to my colleagues down there and support this.

The vote was taken on the substitute motion and recorded as follows:

YEAS: Councilmembers Bokhari, Johnson, Mayfield and Mitchell

NAYS: Councilmembers Graham and Molina

Mayor Lyles said so, the motion does not pass.

pti:mt

The vote was taken on the main motion and was recorded as unanimous.

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NOMINATIONS TO BOARDS AND COMMISSIONS


Motion was made by Councilmember Mitchell, seconded by Councilmember Mayfield, and carried unanimously to defer all nominations to July 10, 2023.

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ADJOURNMENT

Motion was made by Councilmember Mitchell, seconded by Councilmember Y, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 7:32 p.m.


Billie Tynes, Deputy City Clerk

Length of Meeting: 2 Hours, 0 Minutes
Minutes completed: July 18, 2024