

City of Charlotte

*Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202*



Meeting Agenda

Monday, March 16, 2020

Council Chambers

City Council Zoning Meeting

*Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Malcolm Graham
Council Member Renee Johnson
Council Member James Mitchell
Council Member Matt Newton
Council Member Victoria Watlington
Council Member Braxton Winston II*

DINNER MEETING

1. 5:00 P.M. DINNER MEETING, CH-14

1. Meeting Agenda

2. Dinner Meeting Agenda

1. Agenda Review - Dave Pettine

3. Follow-Up Report

2. Dinner Meeting Agenda

1. Agenda Review - Dave Pettine

3. Follow Up Report

[March Follow-Up Report - Final](#)

5:30 P.M. ZONING MEETING, COUNCIL CHAMBERS

ZONING DECISIONS

4. Rezoning Petition: 2019-009 by Joseph Rhodes

Location: Approximately 16.0 acres located on the east side of Beatties Ford Road, north of Trinity Road and south of Lakeview Road. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential) and B-2 (general business)

Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 7:0 to recommend **APPROVAL** of this petition.

5. Rezoning Petition: 2019-152 by Spectrum Companies

Location: Approximately 27.410 acres located off Carolyn Lane and Joe Whitener Road with frontage and access to University City Boulevard. (Council District 4 - Johnson)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

6. Rezoning Petition: 2018-114 by Seahawk Partner Holdings, LLC

Location: Approximately 0.178 acres located on the eastern side of Thomas Avenue, north of Central Avenue in the Plaza-Midwood Neighborhood. (Council District 1 - Egleston)

Current Zoning: R-5 (residential)

Proposed Zoning: NS (neighborhood services)

Public Hearing Held: February 17, 2020 - Item #19

Zoning Committee Recommendation:

The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2018-114 ZC Reco DONE](#)

[2018-114 Final DONE](#)

[2018-114 RevSitePlan 02-24-2020](#)

7. Rezoning Petition: 2019-069 by Harrison Tucker - CoHab, LLC

Location: Approximately 0.9 acres on the west side of E. 36th St, north of North McDowell St. and south of North Alexander St. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

Proposed Zoning: NS (neighborhood services)

Public Hearing Held: December 16, 2019 - Item #29

Zoning Committee Recommendation:

The Zoning Committee voted 6:1 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-069 ZC done](#)

[2019-069 Final Staff DONE](#)

[2019-069 RevSitePlan 02-12-2020](#)

8. Rezoning Petition: 2019-141 by Mark Bolous

Location: Approximately 0.44 acres located on the west corner of N. Sharon Amity Road and Castleton Road. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

Public Hearing Held: January 21, 2020 - Item #33

Zoning Committee Recommendation:

The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019 141 ZC Reco DONE](#)

[2019 141 Final Staff DONE](#)

[2019-141 02-17-20](#)

9. Rezoning Petition: 2019-142 by Kennedy Howard

Location: Approximately 0.27 acres located on the southeast corner of Tuckaseegee Road and Enderly Road from B-1 to MUDD-O. (Council District 3 - Watlington)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: MUDD-O (mixed use development district-optional)

Public Hearing Held: February 17, 2020 - Item #22

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff Recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-142 ZC Reco DONE](#)

[2019-142 Final Staff DONE](#)

[2019-142 RevSitePlan-02-27-2020](#)

10. Rezoning Petition: 2019-144 by York Acquisitions, LLC

Location: Approximately 23.57 acres located on the west side of North Tryon Street, south of Sir Anthony Drive, north of West Mallard Creek Church Road. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential) and R-12(CD) (single-family residential, conditional)

Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

Public Hearing Held: January 21, 2020 - Item #35

Zoning Committee Recommendation:

The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-144 ZC Reco DONE](#)

[2019-144 Final staff DONE](#)

[2019-144 RevSitePlans 01-27-2020](#)

11. Rezoning Petition: 2019-155 by Plaza Midwood Charlotte 2 LP

Location: Approximately 0.18 acres located on the south side of Central Avenue, east of Pecan Avenue and west of Thomas Avenue. (Council District 1 - Egleston)

Current Zoning: B-2 PED (general business, pedestrian overlay)

Proposed Zoning: B-2 PED (O) (general business, pedestrian overlay-optional)

Public Hearing Held: February 17, 2020 - Item #24

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-155_ZC_Reco_DONE](#)

[2019-155_Final_DONE](#)

[2019-155_RevSitePlan_02-24-2020](#)

12. Rezoning Petition: 2019-157 by ABP Development LLC

Location: Approximately 8.5 acres located on the south side of Polk and White Road, west of Mallard Creek Road. (Council District 4 - Johnson)

Current Zoning: R-4 (single-family residential)

Proposed Zoning: R-8MF (CD) (multi-family residential, conditional)

Public Hearing Held: February 17, 2020 - Item #25

Zoning Committee Recommendation:

The Zoning Committee voted 5:1 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-157_ZC_Reco_DONE](#)

[2019-157_Final_DONE](#)

[2019-157_RevSitePlan_02-24-2020](#)

13. Rezoning Petition: 2019-158 by MPV Properties

Location: Approximately 3.6 acres located on the south side of E. Woodlawn Road, east of Murrayhill Road. (Council District 6 - Bokhari)

Current Zoning: R-4 (single family residential) & UR-2 (CD) (urban residential, conditional)

Proposed Zoning: UR-2 (CD) (urban residential, conditional) & UR-2 (CD) SPA (urban residential, conditional, site plan amendment)

Public Hearing Held: February 17, 2020 - Item #26

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019_158_ZC_Reco_DONE](#)

[2019_158_FinalStaff_DONE](#)

[2019-158_RevSitePlan_02-24-2020](#)

[2007-005 approved site plan](#)

14. Rezoning Petition: 2019-159 by Ed Zepa

Location: Approximately 0.95 acres located on the west side of Nations Crossing Road, south of Verbena Street. (Council District 3 - Watlington)

Current Zoning: MUDD (CD) (mixed use development, conditional)

Proposed Zoning: TOD-TR (transit-oriented development-transition)

Public Hearing Held: February 17, 2020 - Item #27

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

[2019-159_ZC_Reco_DONE](#)

[2019-159_Final_DONE](#)

15. Rezoning Petition: 2019-161 by Crescent Communities, LLC

Location: Approximately 2.4 acres bounded by S. Tryon Street and W. Hill Street east of John Belk Freeway. (Council District 1 - Egleston)

Current Zoning: UMUD-O (uptown mixed use, optional)

Proposed Zoning: UMUD-O SPA (uptown mixed use, optional, site plan amendment)

Public Hearing Held: February 17, 2020 - Item #28

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-161_ZC_Reco_DONE](#)

[2019-161_Final_DONE](#)

[2019-161-RevSitePlan_02-25-2020](#)

16. Rezoning Petition: 2019-162 by Harbor Baptist Church

Location: Approximately 2.88 acres located along the northern side of Old Concord Road near its intersection with N. Tryon Street and in close proximity to the LYNCX Blue Line's Old Concord Road transit station. (Council District 4 - Johnson)

Current Zoning: I-2 (industrial)

Proposed Zoning: TOD-TR (transit-oriented development, transitional)

Public Hearing Held: February 17, 2020 - Item #29

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

[2019-162_ZC_Reco_DONE](#)

[2019-162_Final_DONE](#)

17. Rezoning Petition: 2019-164 by PDAN Holdings, LLC

Location: Approximately 1.1 acres located on the north side of Johnston Oehler Road, west of Oehler Bridge Drive. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: R-8MF (CD) (multi-family, conditional)

Public Hearing Held: February 17, 2020 - Item #30

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff Recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-164 ZC Reco DONE](#)

[2019-164-Final DONE](#)

[2019-164 RevSitePlan 02-24-2020](#)

18. Rezoning Petition: 2019-165 by Wood Partners

Location: Approximately 4.0 acres located on the north side of West Morehead Street, between Millerton Avenue and Morton Street. (Council District 3 - Watlington)

Current Zoning: I-1 (Light Industrial), R-5 (Single Family Residential), R-22MF Multi Family Residential), and O-2 (office)

Proposed Zoning: TOD-CC (Transit Oriented Development - Community Center)

Public Hearing Held: February 17, 2020 - Item #31

Zoning Committee Recommendation:

The Zoning Committee voted 5:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

[2019-165 ZC Reco DONE](#)

[2019-165 Final Staff DONE](#)

19. Rezoning Petition: 2019-169 by Thompson Thrift Development Inc.

Location: Approximately 15.9 acres located on the east side of Ridge Road, at Odell School Road, south of Mallard Creek Road. (Outside City Limits)

Current Zoning: CC (commercial center)

Proposed Zoning: CC SPA (commercial center, site plan amendment) with five-years vested rights

Public Hearing Held: February 17, 2020 - Item #33

Zoning Committee Recommendation:

The Zoning Committee voted 6:0 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends **APPROVAL** of this petition upon resolution of outstanding issues related to transportation.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2019-169_ZC_Reco_DONE](#)

[2019-169-Final_DONE](#)

[2019-169_RevSitePlan_02-24-2020](#)

ACTIVE TRANSPORTATION PROJECTS

20. Active Transportation Projects

[District1_ActiveProjects](#)

[District2_ActiveProjects](#)

[District3_ActiveProjects](#)

[District4_ActiveProjects](#)

[District5_ActiveProjects](#)

[District6_ActiveProjects](#)

[District7_ActiveProjects](#)

ZONING HEARINGS

21. Rezoning Petition: 2019-111 by Hive Fitness, LLC

Location: Approximately 0.69 acres located on the south side of Southside Drive, west of Old Pineville road, and east of Yancey Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

Proposed Zoning: MUDD(O) (mixed use development, optional)

22. Rezoning Petition: 2019-146 by ALB Architecture, PA

Location: Approximately .17 acres located at the eastern corner of N. Davidson Street and E. 19th Street in the Optimist Park community. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

Proposed Zoning: UR-1 (CD) (urban residential, conditional) & UR-C (CD) (urban residential commercial, conditional)

23. Rezoning Petition: 2019-167 by Grubb Management, LLC

Update: Petitioner is requesting deferral to May 18, 2020

Location: Approximately 0.7 acres (two lots) located on the south side of State Street and north side of Katonah Avenue. (Council District 2 - Graham)

Current Zoning: I-2 (General Industrial) and R-8 (Single Family Residential)

Proposed Zoning: MUDD-O (Mixed Use Development, Optional)

24. Rezoning Petition: 2019-113 by The Charlotte-Mecklenburg Hospital Authority - Text Amendment**Summary of petition:**

This Text Amendment adds "helistops, limited" as an accessory use allowed with one prescribed condition in the mixed-use development district (MUDD).

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Text Amendment

[2019-113 PHstaff_DONE.pdf](#)

[2019-113 Text Amendement rev. 1.pdf](#)

25. Rezoning Petition: 2019-114 by The Charlotte Mecklenburg Hospital Authority

Location: Approximately 70 acres bounded by Scott Avenue, East Morehead Street, and Little Sugar Creek. (Council District 1 - Egleston)

Current Zoning: O-2 (office), O-6 (CD) (office, conditional), B-1 (neighborhood business), B-2 (general business), R-6 (single family residential), and R-22MF (multi-family residential)

Proposed Zoning: MUDD-O (mixed use development, optional) with 5-year vested rights

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to environment and requested technical revisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-114 PH DONE](#)

[2019-114 RevSitePlan 02-11-2020](#)

26. Rezoning Petition: 2019-115 by Northwood Development, LLC

Location: Approximately 454.24 located on the north side of Ballantyne Commons Pkwy., south of I-485 on both sides of Johnston Road. (Council District 7 - Driggs)

Current Zoning: BP (CD) (business park, conditional) & O-3 (CD) (office, conditional)

Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site design and transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-115 PHstaff DONE](#)

[2019-115 RevSitePlan 01-21-2020](#)

27. Rezoning Petition: 2019-156 by Parkwood Plaza

Location: Approximately 0.52 acres located at 1118 Parkwood Avenue, adjacent to Pegram Street in the Belmont neighborhood. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

Proposed Zoning: UR-3 CD (urban residential, conditional)

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

Pre-Hearing Staff Analysis

Site Plan

[2019-156 PreHearing DONE](#)

[2019-156 RevSitePlan 02-11-2020](#)

28. Rezoning Petition: 2019-166 by Canopy CLT

Location: Approximately 1.6 acres located on the east side of Providence Road, south of Creola Road, north of Jefferson Drive. (Council District 6 - Bokhari)

Current Zoning: R-3 (single family, residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional)

29. Rezoning Petition: 2019-168 by Suncrest Real Estate and Land

Location: Approximately 22.87 acres located on the north side of Oakdale Road between Miranda Road and Interstate 485. (Council District - Outside City limits)

Current Zoning: R-3 LWPA (single-family, residential, Lake Wylie Protected Area)

Proposed Zoning: MX-2 (CD) LWPA (mixed use, conditional, Lake Wylie Protected Area)

Staff Recommendation:

Staff Recommends approval of this petition upon resolution of outstanding issues related to transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-168-PHstaff DONE](#)

[2019-168 RevSitePlan 02-11-2020](#)

30. Rezoning Petition: 2019-171 by Anthony Kuhn

Location: Approximately 2.55 acres located at 3000 N. Tryon Street, west of its intersection with 36th Street. (Council District 1 - Egleston)

Current Zoning: I-2 (industrial)

Proposed Zoning: TOD-UC (transit-oriented development, urban center)

Staff Recommendation:

Staff Recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2019-171 Pre Hearing DONE](#)

31. Rezoning Petition: 2019-172 by Sharon Academy Properties, LLC

Location: Approximately 4.12 acres located on the northeast corner of Tyvola Road and Wedgewood Drive, west of Marion Diehl Park Drive. (Council District 6 - Bokhari)

Current Zoning: R-4 (single family residential)

Proposed Zoning: INST (institutional)

Staff Recommendation:

Staff Recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2019-172 PH DONE](#)

32. Rezoning Petition: 2019-174 by 2901, LLC

Location: Approximately 1.12 acres located on the south side of Coltsgate Road, east of Sharon Road, north of Fairview Road. (Council District 6 - Bokhari)

Current Zoning: O-6(CD) (office)

Proposed Zoning: MUDD-O (mixed use development, optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design, transportation and requested technical revisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-174 PH DONE](#)

[2019-174 RevSitePlan 02-11-2020](#)

33. Rezoning Petition: 2019-176 by Charlotte-Douglas International Airport

Location: Approximately 78.68 acres on the east side of Steele Creek Road, south of Byrum Drive and West Boulevard. (Council District 3 - Watlington)

Current Zoning: R-3 AIR (single-family residential, airport noise overlay)

Proposed Zoning: I-2 AIR (general industrial, airport noise overlay)

Staff Recommendation:

Staff Recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2019-176 PH Staff DONE](#)

34. Rezoning Petition: 2019-178 by DRB Group

Location: Approximately 11.48 acres located on the east side of Rozzelles Ferry Road, west of West Trade Street, near Judson Avenue and Zebulon Avenue. (Council District 2 - Graham)

Current Zoning: I-2(CD) (general industrial, conditional)

Proposed Zoning: UR-C(CD) (urban residential - commercial, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment and technical revisions related to land use.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-178 PH Staff DONE](#)

[2019-178 RevSitePlan 02-11-2020](#)

35. Rezoning Petition: 2019-181 by Clay Cooper - Woda Cooper Development, Inc.

Location: Approximately 6.54 acres located on the east side of Northlake Centre Parkway, north of Northlake Mall Drive. (Council District - Outside City Limits)

Current Zoning: R-3 (single-family, residential)

Proposed Zoning: UR-2(CD) urban residential, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-181 PH staff DONE](#)

[2019-181 RevSitePlan 02-11-2020](#)

36. Rezoning Petition: 2019-183 by Rhyno Partners Coffee, LLC

Location: Approximately 0.241 acres located on the west side of The Plaza, north of Commonwealth Avenue. (Council District 1 - Egleston)

Current Zoning: B-2 PED (general business, pedestrian overlay)

Proposed Zoning: B-2 PED(O) (general business, pedestrian overlay-optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-183 PH DONE](#)

[2019-183-RevSitePlan 02-11-2020](#)

37. Rezoning Petition: 2019-184 by Taft Mills Group

Location: Approximately 4.2 acres located to the east of W.T. Harris Boulevard, south of Woodland Circle and north of Interstate 485. (Council District 2 - Graham)

Current Zoning: R-3 (single-family, residential)

Proposed Zoning: R-17MF(CD) (multi-family residential, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-184 PHstaff_DONE](#)

[2019-184 RevSitePlan 02-11-2020](#)

38. Rezoning Petition: 2019-185 by Freedom Communities

Location: Approximately 1.67 acres located on the south side of Tuckaseegee Road, east of Gaston Street and west of Karendale Avenue. (Council District 3 - Watlington)

Current Zoning: R-5 (single-family, residential)

Proposed Zoning: UR-C(CD) (urban residential, commercial, conditional district)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design and land use.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2019-185 PH Staff_DONE](#)

[2019-185 RevSitePlan 02-11-2020](#)

39. Rezoning Petition: 2020-036 by Charlotte Planning, Design and Development

Location: Approximately 0.56 acres west of Pecan Avenue, north of Independence Boulevard, south of Central Avenue. (Council district 1 - Egleston)

Current Zoning: None

Proposed Zoning: B-2(PED) (general business, pedestrian overlay district)

Staff Recommendation:

Staff Recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

[2020-036 PH DONE](#)

CITY COUNCIL BUSINESS MEETING, CHARLOTTE-MECKLENBURG

40. Consent agenda items 44 through 46 may be considered in one motion except for those items removed by a Council member. Items are removed by notifying the City Clerk.

Consideration of Consent Items shall occur in the following order:

- A. Items that have not been pulled, and
- B. Items with residents signed up to speak to the item.

BUSINESS**41. Partnership with the Foundation for the Carolinas for Emergency Housing Assistance****Action:**

Authorize the City Manager to negotiate and approve an Agreement with the Foundation for the Carolinas in the amount of \$1,000,000 for the provision of housing assistance to persons whose incomes are impacted by the current COVID-19 health crisis.

Staff Resource(s):

Ryan Bergman, Strategy and Budget

Explanation

- The Foundation for the Carolinas is working to establish an emergency fund to assist people who are unable to maintain housing due to economic impacts related to the current virus health crisis.
- This approval will allow the City of Charlotte to contribute \$1,000,000 in funding toward this relief effort.
- Mecklenburg County is also planning to contribute funding and private sector funding is being pledged.

Funding: General Capital Investment Plan (PAY-GO)

42. Emergency Paid Leave**Action:**

Adopt a resolution authorizing the City Manager to enact an emergency paid leave program and to make necessary adjustments to the City's employee leave policies to address the current COVID-19 pandemic.

Staff Resource(s):

Sheila Simpson, Human Resources

Explanation

- In an effort to effectively manage the City's response to the ongoing COVID-19 pandemic on a local level, the City administration requests the authority to enact an emergency paid leave program to make necessary adjustments to applicable employee leave policies.
- This authorization will help to support the continuation of essential government services to the Charlotte community while assisting employees with additional flexibility to alleviate impacts from the COVID-19 pandemic.

Attachment(s)

Resolution

COVID-19 Leave Resolution

43. Emergency Repair of Sanitary Sewer Line at Stewart Creek

Action:

- A. Approve change order #1 for up to \$5,000,000 to Atlantic Coast Contractors, Inc. for emergency repair to sanitary sewer lines related to storm damage, and
- B. Adopt a budget ordinance appropriating up to \$5,000,000 from fund balance in the Charlotte Water Operating Fund to the Charlotte Water Capital Projects Fund for emergency repairs.

Staff Resource(s):

David Czerr, Charlotte Water
Ron Hargrove, Charlotte Water
Keri Cantrell, Charlotte Water

Explanation

- On February 6, 2020, flooding caused creek bank soil to wash away which damaged the 36-inch sanitary sewer line that parallels Stewart Creek (Council District 3).
- Emergency repairs are needed to mediate the storm erosion damage and to prevent further damage.
- Atlantic Coast Contractors, Inc. has a contract with the city to perform restoration work and has availability to do the required emergency work.
- This change order provides for the capacity to address additional emergency repairs, as needed.

Charlotte Business INclusion

All additional work involved in this Change Order will be performed by Atlantic Coast Contractors, Inc. and their existing subcontractors (Part D: Section 6 of the Charlotte Business INclusion Policy).

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Budget Ordinance

Map

Pictures

Charlotte Water Budget Ordinance

Map-Emergency Repair of Sanitary Sewer Line at Stewart Creek

Pictures-Emergency Repair of Sanitary Sewer Line at Stewart Creek

CONSENT**44. Mount Holly Pump Station and Force Main Construction****Action:**

Approve a guaranteed maximum price of \$829,219 to The Haskell Company for the purchase of materials and equipment needed for Design-Build construction services for the Mount Holly Pump Station and Force Main project.

Staff Resource(s):

David Czerr, Charlotte Water

Ron Hargrove, Charlotte Water

Carl Wilson, Charlotte Water

Explanation

- The Haskell Company has developed a guaranteed maximum price (GMP) for the purchase of specialized materials and equipment required for construction of improvements at existing facilities.
- This project will design and construct pump stations and pipelines and modify existing infrastructure that will enable the City of Mount Holly to send its sanitary sewer flow into the future Stowe Regional Water Resource Recovery Facility (adjacent to Council Districts 2 and 3).
- The city and Mount Holly have agreed to construct this project through resolutions and agreements with Mount Holly and Gaston County approved by Council on September 10, 2018 and December 11, 2018.
- On July 8, 2019, Council approved a contract with The Haskell Company for Design-Build design services.
- Council will receive future requests for the approval of remaining project GMPs once the GMPs are established.

Charlotte Business INclusion

This project is subject to the North Carolina Clean Water State Revolving Fund (CWSRF) loan program guidelines. There are no MWBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

Fiscal Note

Funding: Charlotte Water Capital Investment Plan

Attachment(s)

Map

Map-Mount Holly Pump Station and Force Main Construction

45. Airport West Ramp Expansion Phase II Construction Contract

Action:

Approve a contract in the amount of \$28,414,120.30 to the lowest responsive bidder Hi-Way Paving, Inc. for the West Ramp Expansion Phase II Construction project.

Staff Resource(s):

Brent Cagle, Aviation

Jack Christine, Aviation

Explanation

- This contract will provide construction services for an expansion of the aircraft ramp and associated support facilities, including a fueling facility, a lavatory dump station, and ground equipment fueling facility, located north of the Concourse A Expansion Phase I.
- On June 25, 2018, City Council approved a contract with Talbert Bright & Ellington, Inc. for design services of the West Ramp Expansion Phase II.
- On January 2, 2020, the city issued an Invitation to Bid; three bids were received.
- Hi-Way Paving, Inc. was selected as the lowest responsive, responsible bidder.
- The project is anticipated to be complete in fourth quarter 2021.
- This activity is occurring on airport property, located in Council District 3.

Disadvantaged Business Enterprise Program

Established DBE Goal: 20.00%

Committed DBE Goal: 20.00%

Hi-Way Paving, Inc. met the established DBE subcontracting goal and has committed 20.00% (\$5,683,649) of the total contract amount to the following certified firms:

- Besco Electrical Corporation (DBE) (\$1,100,000) (electrical)
- Carolina Construction Supplies LLC (DBE) (\$268,200) (material supply)
- Carolina Guardrail, LLC (DBE) (\$15,550) (guardrail construction)
- Express Logistics Services, Inc (DBE) (\$2,549,833) (hauling)
- Bullseye Equipment and Supply (DBE) (\$966,165) (traffic control)
- Martin Landscaping Company, Inc (DBE) (\$211,411) (seeding)
- Dan-Kel Concrete Cutting (DBE) (\$217,834) (concrete sawing)
- Dakota Contracting Company (DBE) (\$354,656) (utility lines)

Fiscal Note

Funding: Aviation Capital Investment Plan

46. Refund of Property Taxes

Action:

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$1,183,547.56.

Staff Resource(s):

Kelly Flannery, Finance

Explanation

- Mecklenburg County notified and provided the City the list of Property Tax refunds due to clerical or assessment error.

Attachment(s)

Taxpayers and Refunds Requested

Resolution Property Tax Refunds

List of Taxpayers.pdf

Resolution.pdf

ADJOURNMENT

REFERENCES

47. Reference - Charlotte Business INClusion Policy

The following excerpts from the City of Charlotte's Charlotte Business INClusion Policy are intended to provide further explanation for those agenda items that reference the Charlotte Business INClusion Policy in the business meeting agenda.

Part A: Administration and Enforcement

Part A: Section 2.3: Targeted Outreach and Designated Contracts for Small Business Enterprises (SBEs).

When feasible, the Charlotte Business INClusion (CBI) Office may designate certain Contracts or categories of Contracts in which solicitation efforts will be directed only to SBEs. In designating Contracts for targeted outreach or SBE participation, the CBI Office takes into account the size and scope of the Contract and the availability of SBEs to provide the applicable services or products.

Part A: Section 3.1: Subcontracting Goals. The city shall establish one or more Subcontracting Goals for all Construction Contracts of \$300,000 or more and for all Architecture, Engineering, and Surveying Contracts of \$100,000 or more. Contracts estimated to be less than these thresholds are exempt from the goal setting process.

Appendix Section 20: Contract: For the purposes of establishing an (Minority, Women, and Small Business Enterprise (MWSBE) subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the city procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration, and remodeling; (b) architectural work, engineering, surveying, testing, construction management, and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services), and (d) apparatus, supplies, goods, or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, Minority Business Enterprise (MBE), or Women Business Enterprise (WBE) Goal has been set.
- Financial Partner Agreements, Development Agreements, Infrastructure Improvement Agreements, Design-Build, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the Charlotte Business INClusion Program Policy.

Appendix Section 27: Exempt Contracts: Contracts that fall within one or more of the following categories are "Exempt Contracts" and shall be exempt from all aspects of the Charlotte Business INClusion Policy:

No Competitive Process Contracts: Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the city, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

Managed Competition Contracts: Managed competition contracts pursuant to which a city department or division competes with Business Enterprises to perform a city function.

Real Estate Leasing and Acquisition Contracts: Contracts for the acquisition or lease of real estate.

Federal Contracts Subject to Disadvantaged Business Enterprise (DBE) Requirements: Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as

set forth in 49 CFR Part 26 or any successor legislation.

State Funded Contracts Subject to the State's MWBE Requirements: Contracts that are subject to an MWBE Goal set by the State of North Carolina pursuant to N.C. Gen. Stat. 143-128.2.

Financial Partner Agreements with DBE or MWBE Requirements: Contracts that are subject to a DBE program or minority and women business development program maintained by a Financial Partner.

Interlocal Agreements: Contracts with other units of federal, state, or local government.

Contracts for Legal Services: Contracts for legal services, unless otherwise indicated by the City Attorney.

Contracts with Waivers: Contracts for which the City Manager or CBI Program Manager waives the CBI Program requirements (such as when there are no MWSBE subcontracting opportunities on a Contract).

Special Exemptions: Contracts where the department and the CBI Program Manager agree that the department had no discretion to hire an MWSBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

Appendix Section 35: Informal Contracts: Contracts that are estimated to be less than the following dollar thresholds prior to issuance of the City Solicitation Documents:

- Construction Contracts: \$500,000, and
- Service Contracts and Commodities Contracts: \$100,000.

Part B: Construction and Commodities Contracts

Part B: Section 2.1: When the city sets a Subcontracting Goal, each Bidder must either: (a) meet each Subcontracting Goal; or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements for each unmet Subcontracting Goal. Failure to comply constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities. The city shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs, or WBEs (as applicable) to perform scopes of work or provide products or services that the city regards as realistic opportunities for subcontracting.

Part C: Service Contracts

Part C: Section 2.1(a) Subcontracting Goals: No Goal When There Are No MWSBE Subcontracting Opportunities. The city shall not establish Subcontracting Goals for Service Contracts where (a) there are no subcontracting opportunities identified for the Contract; or (b) there are no SBEs or MWBEs certified to perform the scopes of work that the city regards as realistic opportunities for subcontracting.

Part C: Section 2.1(b) and 2.1(c): The city may require each Proposer to submit with its Proposal one or more of the following: (a) a Participation Plan describing how Proposer intends to solicit MWSBE participation; (b) the Proposer's Committed Subcontracting Goals; and (c) an affidavit listing the SBEs and MWBEs it intends to use on the Contract.

Part C: Section 2.1(h) Negotiated Goals: The City may seek to negotiate Subcontracting Goals after Proposals have been submitted.

Part D: Post Contract Award Requirements

Part D: Section 6: New Subcontractor Opportunities/Additions to Scope/Contract Amendments

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the city as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the city shall either (a) notify the Contractor that there will be no Supplemental MWSBE Goal for the new work; or (b) establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

Part G: Alternative Construction Agreements

Part G: Section 2.7: Prior to City Council's vote to award the Alternative Construction Agreement, the Program Manager and the Company shall negotiate and agree on proposed MWSBE Goals for the Project and on a Participation Plan that describes the outreach and efforts the Company will be required to undertake to meet the MWSBE subcontracting goals.