

THERE WAS NO DINNER MEETING HELD

* * * * *

ZONING MEETING

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday, March 16, 2020 at 5:21 p.m. in Room 278 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Malcolm Graham, Renee Johnson, James Mitchell, Matt Newton, Victoria Watlington, and Braxton Winston II.

* * * * *

Mayor Lyles said we are here in spite of the odds; we're following our public health directives for social distancing, but we are also here to conduct the public's business. I want to say to the people that are watching this on Live Stream or in any other way, that we say welcome to all of you for being here. I, as Mayor, like everyone else across the Carolinas, just a regular person working every day in this world of change, we've all been watching what has been going on with the Coronavirus. I've spent a lot of time working with the City Manager, the Charlotte City Council, and other City leaders as we've been working tirelessly to respond to this unprecedented global pandemic. I know that this is an uncertain time for many of us and it is difficult to keep up with what people need to know, but I want you to know that our City government is open, and we are serving people that need the service. That is what you see us doing tonight. You are used to seeing us in the Chamber of our Charlotte Mecklenburg Government Center, but tonight we are in a conference room Live Streaming this meeting to all of you. We have members of the media and several residents watching live from the Meeting Chamber and what we are doing is social distancing. You can see that we've positioned ourselves at least six feet from one another and we will adhere to the recommendations for safe interaction that we knew of before starting this meeting today.

Certainly, we don't prefer to do our meetings this way, but we have to be flexible and we have to work within the guidelines that we have from our federal, state as well as our county government. We need to keep our government open and accessible even when we are having very difficult and trying times. So, we find ourselves in this extraordinary situation, and like that, you are watching or will see this at some point, we are also struggling with the overwhelming stress of this moment. But as our City has done and shown itself constantly, that even with the threats bearing down on us we will not let this pandemic crush us. It is an opportunity to exhibit the real purpose of government which is to protect the wellbeing of our residents in situations like this. I urge each of you that is watching and those that you may refer to this to know that we want to be able to provide you good information, we want to do it quickly and we are always assessing what we need to do to be better responsive to you. We want to be sure that we continue always to work in the best interest of our citizens and our residents. The work is being done. I want you to know, constantly we are talking daily. The City Manager meets daily, often more than once a day with the County Government. We are working with our State Government, we are out there all the time trying to understand better what we can do. We are also realizing that we do not know what everything that is going to come forward will be and knowing that and knowing that we are working with an as determined situation we are constantly thinking about being nimble and being quick to respond to every situation.

We will continue our discussions with the state and local Health Departments and the CDC, and the WHO, and we ask you to continue to follow these guidelines and know that if we can all pull together, we will get through this together. Thank you very much.

* * * * *

DEFERRALS

Motion was made by Councilmember Graham, seconded by Councilmember Newton, and carried unanimously to defer: a decision on Item No. 4, Petition No. 2019-009 by Joseph Rhodes to April 20, 2020; a decision on Item No. 5, Petition No. 2019-152 by Spectrum Companies to April 20, 2020; and a hearing on Item No. 23, Petition No. 2019-167 by Grubb Management, LLC to May 18, 2020.

Councilmember Winston said I think we as a City Council and as a City should be focused on the essential functions of government; rezonings are not. These items have not gone through the typical process, we did not have our Lunch Briefing where we iron out the final issues that we have. I can tell you that this Councilmember has canceled meetings around these rezonings in the interest of focusing on what we have at hand and we set a bad example if we finalize these rezonings to tell folks that they should go about their business as usual of trying to get permits tomorrow to push along the development process and possibly start new projects where we are literally telling people to do the opposite and socially separate.

A substitute motion was made by Councilmember Winston, to defer all decisions on our Zoning Agenda to the next applicable Zoning Meeting. There was no second to the motion.

Without a second, the motion was not considered.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

* * * * *

ITEM NO. 6: ORDINANCE NO. 9760-Z, PETITION NO. 2018-114 BY SEAHAWK PARTNER HOLDINGS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.178 ACRES LOCATED ON THE EASTERN SIDE OF THOMAS AVENUE, NORTH OF CENTRAL AVENUE IN THE PLAZA/MIDWOOD NEIGHBORHOOD FROM R-5 (RESIDENTIAL) TO NS (NEIGHBORHOOD SERVICES).

The Zoning Committed voted 5-0 (Motion by Gussman, seconded by McClung) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Central District Plan (1993) based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends single-family uses up to five dwelling units per acre. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the proposed development is inconsistent with the plan's single-family recommendation, the requested NS district allows for appropriate uses adjacent to existing single-family homes. The proposed development will provide an appropriate transition between existing business and single-family uses. The proposed development will consist of the re-development of an existing gravel lot in the Plaza-Midwood Historic District. The proposed development is committed to a maximum building height of two stories and compatibility with the surrounding neighborhood character, in coordination with the Historic District Commission. The petition's commitment to an eight-foot sidewalk, behind the existing planter strip, along Thomas Avenue complements the adjacent pedestrian overlay and promotes walkability.

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. Commit to a 30' building height.

Motion was made by Councilmember Egleston, seconded by Councilmember Bokhari, and carried unanimously not to send this petition back to the Zoning Committee.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

Motion was made by Councilmember Egleston, seconded by Councilmember Bokhari, to approve Petition No. 2018-114 by Seahawk Partner Holdings, LLC and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Central District Plan (1993) based on the information from the final staff analysis and the public hearing and because the plan recommends single family uses up to five dwelling units per acre. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because while the proposed development is inconsistent with the plan's single family recommendation, the requested NS district allows for appropriate uses adjacent to existing single family homes. The proposed development will provide an appropriate transition between existing business and single family uses. The proposed development will consist of the re-development of an existing gravel lot in the Plaza-Midwood Historic District. The proposed development is committed to a maximum building height of two stories and compatibility with the surrounding neighborhood character, in coordination with the Historic District Commission. The petition's commitment to an eight-foot sidewalk, behind the existing planter strip, along Thomas Avenue complements the adjacent pedestrian overlay and promotes walkability, as modified.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 774-775.

* * * * *

ITEM NO. 7: ORDINANCE NO. 9761-Z, PETITION NO. 2019-069 BY HARRISON TUCKER-COHAB, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.9 ACRES ON THE WEST SIDE OF EAST 36TH STREET, NORTH OF NORTH MCDOWELL STREET AND SOUTH OF NORTH ALEXANDER STREET FROM R-5 (SINGLE-FAMILY RESIDENTIAL) TO NS (NEIGHBORHOOD SERVICES).

The Zoning Committee voted 6-1 (motion by Wiggins, seconded by Gussman) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with 36th Street Transit Station Area Plan with respect to proposed land use, based on the information from the post-hearing staff analysis and the public hearing, and because the Plan recommends residential uses up

to five dwelling units per acre for the site. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because although the petition is not requesting a transit-oriented district, the site is under a half-mile from a high-volume transit station. The density proposed with this petition is complimentary to the density expected around light rail stations. The petition is providing enhanced buffering and roof massing along the shared property boundary with single-family residential uses, creating an overall form that attempts to match the massing of existing development while transitioning to its maximum height along E. 36th Street. The retail element of this project will provide an enhanced neighborhood experience while committing to noise restrictions to stay in harmony with an area that is still largely residential in nature. The requested density (67 dwelling units per acre) closely matches that of the Mercury apartments (petition 2012-001; 65 dwelling units per acre), an apartment community one block to the north. This petition is complementary to the overall vision of the Blue Line Extension Station Areas found within the Transit Station Area Plan (2013) by providing a “mixture of uses that create safe, dynamic urban places...”. This project proposes a mixture of residential, retail, and commercial uses in an inventive floorplate and overall design. The petition is complementary to the Transit Station Area Plan’s overall goal of community design by creating a “high-quality urban environment by enhancing the identity of the Transit Station Area through the creation of attractive streetscapes.” This petition accomplishes that through a proposed 16-foot wide sidewalk and street trees along with an activated ground floor with retail uses along the property’s E. 36th Street frontage. The increase in sidewalk width along E. 36th street makes an easily traversable area along a sidewalk that provides direct access to a transit station. Although recommended for neighborhood preservation within the 36th Street Transit Station Area Plan, there have been example rezonings approved in the past that have allowed a higher density residential product within the same block as the subject property. The petitioner is committing to providing three affordable housing units through the Federal Housing Voucher program. Furthermore, it provides a potential storefront for a neighborhood retailer through the reservation of 1,600 SF of retail space at 60 percent of the market rate.

Motion was made by Councilmember Egleston, seconded by Councilmember Bokhari, to approve Petition No. 2019-69 by Harrison Tucker - CoHab, LLC and adopt the following Statement of Consistency: This petition is found to be inconsistent with 36th Street Transit Station Area Plan with respect to proposed land use, based on the information from the final staff analysis and the public hearing, and because the Plan recommends residential uses up to five dwelling units per acre for the site. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because although the petition is not requesting a transit-oriented district, the site is under a half mile from a high-volume transit station. The density proposed with this petition is complimentary to the density expected around light rail stations. The petition is providing enhanced buffering and roof massing along the shared property boundary with single family residential uses, creating an overall form that attempts to match the massing of existing development while transitioning to its maximum height along E. 36th Street. The retail element of this project will provide an enhanced neighborhood experience while committing to noise restrictions to stay in harmony with an area that is still largely residential in nature. The requested density (67 dwelling units per acre) closely matches that of the Mercury apartments (petition 2012-001; 65 dwelling units per acre), an apartment community one block to the north. This petition is complementary to the overall vision of the Blue Line Extension Station Areas found within the Transit Station Area Plan (2013) by providing a "mixture of uses that create safe, dynamic urban places...". This project proposes a mixture of residential, retail, and commercial uses in an inventive floorplate and overall design. The petition is complementary to the Transit Station Area Plan's overall goal of community design by creating a "high quality urban environment by enhancing the identity of the Transit Station Area through the creation attractive streetscapes." This petition accomplishes that through a proposed 16-foot wide sidewalk and street trees along with an activated ground floor with retail uses along the property's E. 36th Street frontage. The increase in sidewalk width along E. 36th street makes an easily traversable area along a sidewalk that provides direct access to a transit station. Although recommended for neighborhood preservation within the 36th Street Transit Station Area Plan, there have been example rezonings approved in the past that have allowed a higher density residential product within the same block as the subject property. The petitioner is committing to providing three affordable housing units through the Federal Housing Voucher program. Furthermore, it provides a potential storefront for a neighborhood retailer through the reservation of 1,600 SF of retail space at 60 percent of the market rate.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 767-777.

* * * * *

ITEM NO. 8: ORDINANCE NO. 9762-Z, PETITION NO. 2019-141 BY MARK BOLOUS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.44 ACRES LOCATED ON THE WEST CORNER OF NORTH SHARON AMITY ROAD AND CASTLETON ROAD FROM R-3 (SINGLE-FAMILY RESIDENTIAL) TO UR-2(CD) (URBAN RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 5-0 (motion by Watkins, seconded by McClung) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with the South District Plan (1993) recommendation for single-family housing at three units per acre for this site. The petition is consistent with the General Development Policies recommendation for residential uses at the proposed density based on the information from the post-hearing staff analysis and the public hearing, and because the petition proposes single-family attached and detached residential use up to 9.09 units per acre. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the General Development Policies,

residential design guidelines state that infill development should protect and enhance the character of existing neighborhoods by encouraging a range of housing types and densities while blending the building scale and setbacks with existing development. The proposed site layout provides a setback along the street frontages that is compatible with surrounding single-family residential. Duplex units are permitted on corner lots within single-family zoning. The proposed duplex unit is located on the corner of the intersection of North Sharon Amity Road and Castleton Road. Single-family homes dominate the Castleton Road frontage. The petition proposes two single-family homes fronting Castleton Road. The dwelling units have a height limited to 40 feet, the same maximum height allowed in single-family zoning. The adjoining property zoned R-12MF(CD) by petition 1995-060 is conditionally zoned for use only as a fraternal organization hall and buffers the site from single-family uses to the north and west of 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. Reduces the number of units from 4 to 3.
2. Changes the unit type to 3 single-family detached lots.
3. Remove note related to contribution for traffic calming.

Motion was made by Councilmember Newton, seconded by Councilmember Driggs, and carried unanimously not to send this petition back to the Zoning Committee.

The vote was recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

Motion was made by Councilmember Newton, seconded by Councilmember Bokhari, to approved Petition No. 2019-141 by Mark Bolus and adopt the following Statement of Consistency: This petition is found to be inconsistent with the South District Plan (1993) recommendation for single family housing at three units per acre for this site. The petition is consistent with the General Development Policies recommendation for residential uses at the proposed density based on the information from the final staff analysis and the public hearing and because the petition proposes single family attached and detached residential use up to 9.09 units per acre. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the General Development Policies residential design guidelines state that infill development should protect and enhance the character of existing neighborhoods by encouraging a range of housing types and densities while blending the building scale and setbacks with existing development. The proposed site layout provides a setback along the street frontages that is compatible with surrounding single family residential. Duplex units are permitted on corner lots within single family zoning. The proposed duplex unit is located on the corner of the intersection of North Sharon Amity Road and Castleton Road. Single family homes dominate the Castleton Road frontage. The petition proposes two single family homes fronting Castleton Road. The dwelling units have a height limited to 40 feet, same maximum height allowed in single family zoning. The adjoining property zoned R-12MF(CD) by petition 1995-060 is conditionally zoned for use only as a fraternal organization hall and buffers the site from single family uses to the north and west of the site, as modified.

The vote was recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 778-779.

* * * * *

ITEM NO. 9: ORDINANCE NO. 9763-Z, PETITION NO. 2019-142 BY KENNEDY HOWARD AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.27 ACRES LOCATED ON THE SOUTHEAST CORNER OF TUCKASEEGEE ROAD AND ENDERLY ROAD FROM B-1 (NEIGHBORHOOD SERVICES) TO MUDD-O (MIXED-USE DEVELOPMENT DISTRICT-OPTIONAL).

The Zoning Committee voted 6-0 (motion by Ham, seconded by Nwasike) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Central District Plan, based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends single-family/multi-family residential uses for the site. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the proposed rezoning to MUDD-O, while inconsistent with the recommended land use, is adaptively reusing an existing commercial building that was built in 1945. The site was recommended by the Central District Plan to be correctively rezoned to R-8, however, it was left out of that rezoning and remained B-1 (neighborhood business). Under the current B-1 zoning, the permitted uses would be similar to what is currently proposed; however, the MUDD zoning district requires fewer parking spaces. The reduction of required parking spaces would allow the building to be redeveloped for an eating, drinking, and entertainment establishment.

Motion was made by Councilmember Watlington, seconded by Councilmember Mitchell, to approve Petition No. 2019-142 by Kennedy Howard and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Central District Plan, based on the information from the final staff analysis and the public hearing and because the plan recommends single family/multi-family residential uses for the site. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the proposed rezoning to MUDD-O, while inconsistent with the recommended land use, is adaptively reusing an existing commercial building that was built in 1945. The site was recommended by the Central District Plan to be correctively rezoned to R-8, however it was left out of that rezoning and remained B-1 (neighborhood business). Under the current B-1 zoning, the permitted uses would be similar to what is currently proposed; however, the MUDD zoning district requires fewer parking spaces. The reduction of required parking spaces would allow the building to be redeveloped for an eating, drinking, and entertainment establishment.

The vote was recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Driggs. Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 780-781.

* * * * *

ITEM NO. 10: ORDINANCE NO. 9764-Z, PETITION NO. 2019-144 BY YORK ACQUISITIONS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR 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 FROM R-3 (SINGLE-FAMILY RESIDENTIAL) AND R-12(CD) (SINGLE-FAMILY RESIDENTIAL, CONDITIONAL) TO R-12MF(CD) (MULTIFAMILY RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 5-0 (motion by Nwasike, seconded by McClung) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent with the Northeast Area Plan (2000) recommendation for residential uses at or less than 12 dwelling units per acre for the majority of the site. The petition is inconsistent with the plan recommendation for residential uses at or less than four dwelling units per acre on parcel 02903125, based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends residential. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the petition's residential density of eight dwelling units per acre is less dense than the 12 dwellings units per acre that the plan recommended for the majority of the site. The petition respects the recommendation of four dwelling units per acre on the northern portion of Sir Anthony Drive-by locating the leasing office and community amenities on that parcel, making it the least dense portion of the site. The petition is sensitive to the neighboring existing and entitled single-family development by locating the less dense, attached single-family product adjacent to areas zoned R-3 and the multi-family product adjacent to the areas zoned R-12MF. In addition, existing trees in the tree-save areas are to be undisturbed, ensuring an adequate buffer between the development and existing and entitled single-family development.

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.

David Pettine, Planning said we had a lot of questions about how the units within the project would be utilized. The petitioner has made some commitments in the notes to prohibit single room occupancy as a permitted use and clarified that they can't rent some of those units by the room, as well as some other commitments involving the University Niner Choice Program and implement the Gold Standard. So, some things that they felt were going to be items that they could include in the conditional notes that they felt would help address some of those concerns about it being a single room occupancy type of project that was in there. It doesn't really change the complexity of the project or the nature of the outcome of it. It is still the same proposal for units and building layout, parking and I don't feel like it would have any impact really on the Zoning Committee's recommendation. We felt like they were notes that they tried to put in to address some of those concerns and don't feel they need to go back.

1. Prohibited Single-room-occupancy (SROs) as a permitted use and clarified units can't be rented by the room.
2. Added commitment to participate in the Niner Choice program and implement the Gold Standard.
3. Employ a Courtesy Officer for the site and provide a unit for occupancy by the Courtesy Officer.
4. Employ a shuttle service to the UNCC Campus as well as CATS Blue Line Stations in the University Area.
5. Install up to 3-speed humps along Westbend Drive if warranted.
6. Front doors will be equipped with 160-180-degree peephole.
7. Each door providing access to the unit will be equipped with self-closing and locking doors.
8. Building numbers must be visible to the street and internal directional signage will be provided to help locate proposed buildings.
9. Blue Light emergency phones will be installed in the parking areas.
10. Property will install a surveillance system

11. Security Fencing will have pedestrian gates.
12. Any required or provided landscaping will meet the following standards: All shrubbery will be trimmed to maintain a maximum height between three (3) and four (4) feet; all trees must be limited to six (6) to seven (7) feet.

Motion was made by Councilmember Johnson, seconded by Councilmember Newton, and carried unanimously not to send this petition to the Zoning Committee.

The vote was recorded as follows:

Yeas: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

Motion was made by Councilmember Johnson, seconded by Councilmember Mitchell, to approve Petition No. 2019-144 by York Acquisitions, LLC and adopt the following Statement of Consistency: This petition is found to be consistent with the Northeast Area Plan (2000) recommendation for residential uses at or less than 12 dwelling units per acre for the majority of the site. The petition is inconsistent with the plan recommendation for residential uses at or less than four dwelling units per acre on parcel 02903125, based on the information from the final staff analysis and the public hearing and because the plan recommends residential. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the petition's residential density of eight dwelling units per acre is less dense than the 12 dwellings units per acre that the plan recommended for the majority of the site. The petition respects the recommendation of four dwelling units per acre on the northern portion of Sir Anthony Drive by locating the leasing office and community amenities on that parcel, making it the least dense portion of the site. The petition is sensitive to the neighboring existing and entitled single family development by locating the less dense, attached single family product adjacent to areas zoned R-3 and the multi-family product adjacent to the areas zoned R-12MF. In addition, existing trees in the tree-save areas are to be undisturbed, ensuring an adequate buffer between the development and existing and entitled single family development, as modified.

Councilmember Johnson said I want everyone to take a look around and really absorb the gravity of this situation. We are in the midst of an extraordinary crisis and as leaders we moved. We were agile, responsive, steadfast, and came up with a creative solution to address the crisis and to make a decision that was best for all of our citizens. We didn't allow the fear of the unknown optics or political pressure to stop us from moving forward. I support this petition. For the record this is not exclusively student housing, while it is very attractive to students due to its diverse price points, amenities, and planned participation in the University's Niner Choice Program, this is nearly two-miles off-campus and will be open to non-students and to the public. Consequently, it will be a student's choice to live there. These are open market, co-living units. These are suitable for young professionals or anyone who may earn less than the \$41,600 salary that is required to qualify for the average one-bedroom apartment in our City. District 4 has approximately 7,000 jobs in the pipeline and many of these employees will need an attractive and affordable place to live.

The developer has agreed to give a three percent discount to teachers, UNCC, and City Employees as well as provide on-site security by a CMPD Officer through the Courtesy Officer Program. A well-trained officer in the building alongside tenants will strengthen the relationship between CMPD and the community. Lastly, the developer has agreed to provide shuttle service to the light rail so that individuals will have access to mass transportation. This will reduce traffic and carbon emissions in our area with lower rents and extra disposable income this will enable upward mobility for many residents. I see this as a creative co-living solution that we need more of in every District. This is a solution

that is being adopted by many large cities and it addresses many of Charlotte's priorities, including workforce housing, upward mobility, traffic, transportation, environmental, safety, and community policing. The developer has worked to address the University and UCP's (University City Partners) concern and this petition is unanimously recommended by staff and the Zoning Committee. I realize that two of our largest stakeholders are opposed, however, this development meets the needs of many of our residents who remain my priority.

A deficit of 30,000 affordable housing units is an extraordinary crisis. When individuals who work in Charlotte can no longer afford to live here, that is an extraordinary crisis. We have to be as responsive and deliberate in finding creative solutions to address this crisis as we were today. We just spent a half-hour in our press conference talking about our commitment to vulnerable residents. I am honored to be able to advocate for those individuals who have felt left behind for far too long and to put my vote where my mouth is. I support this petition.

Councilmember Eiselt said I want to first start by thanking the District Representative, Ms. Johnson for her outreach to me and I appreciate that you did and explaining your rationale for supporting this. As I shared with you and I just wanted to say why I'm not going to be supporting this probably has more to do with the history of working with the University and having gone through some incidents where student safety was compromised. I take that very seriously when I look at a project. I think this is a great product, I really do. I'm concerned that we are talking about 194 multifamily units in 41 buildings and it is all one product and then the items that they added to it to me just sound like you are marketing to student living. If it doesn't fit the criteria, which the University is telling us for student housing it makes it more difficult for them to be able to control where students live, especially undergraduates. I think graduate students or something like that is different, but I do have concerns because we make land-use decisions. We can't tell this developer that you have to maintain that Police Officer or that you have to maintain that shuttle service. For that reason, I do appreciate, and I can understand the rationale for supporting it, but because of the safety and the concerns for students at the UNCC area; they did market it as student living and not much has changed in terms of the structure of the building now that they are calling it not student living. That would be my reason for not supporting it.

Councilmember Watlington said I just wanted to say that I too appreciate, not only the due diligence that Ms. Johnson had but also some of the stakeholders that reached out. Certainly, I appreciate the concern of the University for the students. For me, this is about consistency and just like any student can choose to live in a private resident anywhere in the City that they so desire, I think when we start to make land-use decisions based on trying to decide where private residents, I don't know that that is going to be something that is going to be sustainable and consistent in making decisions. So, for me, I appreciate the concern of the University, also the work that the developers have done to quell some of those concerns, but ultimately it is a student or an individual's choice where they live. Also, to add a little balance, I was concerned with some of the e-mails that I received from residents and in the way that we cast workforce housing and particularly people in the workforce or what light they are cast in. I want to make sure that we don't create a narrative where people who are lower-income are automatically criminals and that piece, I feel like was definitely an underlying theme in this discussion so, I just want to make sure that we recognize that we represent all citizens and particularly those in the workforce that need our support. I want to make sure that as we go forward, we don't automatically associate criminality with people who are working.

Councilmember Driggs said I'm not able to support the petition. I had an extended conversation with Ms. Johnson, and I respect your reasons and your aspiration in terms of pursuing our affordable housing goals. I do also recognize that the staff and the Zoning Committee looked at this from a land-use standpoint and found it to be acceptable. There is a reason, however, that a decision like this comes to full Council. There is a reason that it doesn't just go to the Zoning Committee and the staff and then on the basis of their decision it passes. That reason is for us to look at it from the standpoint of public interest. I'm also very mindful of who the people are who raised these objections. In fact, I'm

disappointed frankly, that members of this Council are inclined to proceed with this decision in the face of strenuous objections from UNCC and UCP. Their main issue as they have made clear to us is safety. I think we can understand why because of the shootings on campus and the recent nearby shooting on a similar property to this one. I think they could be forgiven for being a little nervous about safety. I'm wondering if we know even, and I ask you this question Ms. Johnson, do we know how many students are expected to be living at this location? I had asked you and you said you would look into it. I didn't know whether you were able to share an answer.

Mr. Johnson said no, I don't know how many students will be living in the units and as I stated and we all know, it is not exclusively student housing.

Mr. Driggs said the other University concern is that this facility will be associated with them; they may be held responsible for safety in a place over which they have no real jurisdiction. They don't know who lives there, they can't really enforce what goes on there and I don't know what ability we have to enforce any commitments that are being made by the petitioner. For example, the three percent incentive is something that would need to be documented to have any real impact here. Bear in mind this was originally brought to us as student housing and then changes have been made to it that we just now decided were minor. It is the same thing with a different label on it. The floorplan is the same, the commitment has been made not to rent by the room. I understand that is different, but there is enough similarity still with the original proposal for the changes that have occurred to be labeled as minor. Furthermore, the co-living model which is what we are pursuing here, in my mind hasn't been fully researched by us at least, so I don't know when we are asked to consider setting aside the objections of the University in pursuit of a co-living opportunity whether we really understand fully what that might entail. I do want to emphasize too, that in my mind UNCC is a jewel in Charlotte's Crown; it has been for a long time. Over the last 15-years the growth of the University and the increase in its stature, the Blue Line going out there, everything the University has done for this community and now they come to us for the first time in 15-years and they try to get us to understand that they have some serious concerns. This is not political, this is something that has been brought to us by the people who have created and run this University because of real concerns they have about the safety of their students. I would appreciate it if we could pay a little more respect to that.

Councilmember Ajmera said I appreciated both stakeholders who have reached out to us as part of this process. I want to address this from my personal experience. I was recruited to Charlotte in 2011 and I had lived in this type of development where you have roommates and I appreciate the need that we are seeing right now, and we are having a development that will address that need. This development is not for students only, it is for anyone whether you are a student, whether you are a young professional who cannot afford to pay \$1,200 or \$1,300 in rent, or it is for those who are elders. When I lived in similar development for three-years after moving here in 2011 I had roommates. One roommate was a student at UNC-Charlotte, one was a senior citizen who wanted to downsize and save money in rent, and one was a young professional and there was me who was also a young professional. I go on to share this experience because I see there is a fear of unknown where what is going to happen to those who live in this community when it comes to safety. I can only speak from my experience, but there is a dire need for those that require this kind of space because it is more cost-effective. We need to address that need. I respect the concerns that have been raised by University and University City Partners, but we have to make the decision that it is based, not on fear, but based on the courage to address the needs of our larger community. I will be supporting this petition because I have lived in this kind of development when I first moved to Charlotte and there is this increasing need for this kind of development, especially in areas such as the University where it is close to Research Park where a lot of young professionals' work. It is close to the University and there is also a larger community.

Councilmember Graham said I lived in University City when there were no gas stations over there some 25-years and as a Councilmember, I started University City Partners in terms of working with the corporations over there to tax themselves to form the organization and have represented the University as a Councilmember and State Senator

for 15-years. I know there is a lot of respect there for the University and the Chancellor and Betty. I call her Betty because we are really close friends. One of the hardest things to do is to tell your friends no and unfortunately, I have to tell them no and say yes to this petition. I took the job seriously that the Mayor gave me as Chairman of the Great Neighborhoods Committee and really trying to understand the affordable housing crisis that we are in from homelessness all the way to homeownership and trying to see what we can do to advance that. Ms. Wideman is probably tired of me calling her every other day about something I read on the internet about what we can do to help solve the problem here locally. I think this is part of the solution. Certainly, the shooting on campus has nothing to do with this petition. There is an element of crime over there where all of these apartments are closely congested together and this one is miles away from the University so, I think that is a plus. And it is a plus that it offers an avenue for young adults, recent college graduates to transition to our community by living there and then within a year they generally move out to a full pledge apartment or with a roommate. I understand the concerns that the University has, I respect that. I also acknowledge with what Ms. Watlington said earlier in some of the e-mails and the content of the descriptions by some of the advocates really offended me. It really did because I know the type of people that live in University City. They are hard-working middle-class folks that care about their community safety, care about the growth of the University, care about establishing University City as a tremendous edge City with the University itself being its anchor. I will be supporting this petition and I encourage others to do the same.

Ms. Johnson said as the University District Rep, it is really hard for me to go against the University and UCP's recommendation. I hope to work very closely with them, I'm an honorary member of the UCP Board. I respect and want to protect the University's reputation. On a personal note, my daughter lived in this type of co-living or student housing in Ohio and my expectation was that it was student housing. So, that is why I was very adamant that we are very clear and very transparent that this is not just student housing because we can't have a student, or a parent expects that it is just student housing and then you go, and you would see someone who is 60-years old living there. This is not student housing. We have models like this. Previous Councils have approved units like this so, the only thing different and new about this is they are expanding the targeting to the general public. They are going to provide transportation to the train so that folks can get to work. They are going to have an on-site CMPD Officer or Courtesy Officer so that security is addressed. They are giving a three percent discount to preferred employers so, again, this is not exclusively student housing, this is co-living. We have other co-living facilities so to say it hasn't been researched, well, for consistency purposes, it has been approved before. Again, I'm supporting this, I think it is a model if we want to address the need for more affordable housing with a small "a" because this is not "affordable housing" this is just housing that is affordable. Again, I support it and I hope that you all will too.

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

YEAS: Councilmembers Ajmera, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmembers Driggs, Bokhari, Egleston, Eiselt, and Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 782-783.

* * * * *

ITEM NO. 11: ORDINANCE NO. 9765-Z, PETITION NO. 2019-155 BY PLAZA MIDWOOD CHARLOTTE 2 LP AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.18 ACRES LOCATED ON THE SOUTH SIDE OF CENTRAL AVENUE, EAST OF PECAN AVENUE AND WEST OF THOMAS AVENUE FROM B-2 PED (GENERAL BUSINESS, PEDESTRIAN OVERLAY) TO B-2 PED (0) (GENERAL BUSINESS, PEDESTRIAN OVERLAY OPTIONAL).

The Zoning Committee voted 6-0 (motion by Nwasike, seconded by Wiggins) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent with the Plaza Central Pedscape Plan, based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends retail mixed-use: retail/office/multi-family residential uses with a pedestrian overlay district. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the site is located on Central Avenue, which is a commercial corridor. The property is located within the heart of the Plaza Midwood business district where the Plaza Central Pedscape Plan identifies the preservation of the historic character as a priority. The proposal will preserve an existing building in the business district. The Gold Line streetcar is proposed to run along Central Avenue in front of this site, which will provide an alternative mode of transportation.

Motion was made by Councilmember Egleston, seconded by Councilmember Bokhari, to approve Petition No. 2019-155 by Plaza Midwood Charlotte 2 LP and adopt the following Statement of Consistency: This petition is found to be consistent with the Plaza Central Pedscape Plan, based on the information from the final staff analysis and the public hearing and because the plan recommends retail mixed use: retail/office/multi-family residential uses with a pedestrian overlay district. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the site is located on Central Avenue, which is a commercial corridor. The property is located within the heart of the Plaza Midwood business district where the Plaza Central Pedscape Plan identifies the preservation of the historic character as a priority. The proposal will preserve an existing building in the business district. The Gold Line streetcar is proposed to run along Central Avenue in front of this site, which will provide an alternative mode of transportation.

Councilmember Egleston said I just want to note that hopefully everybody saw the letter of support from the Plaza/Midwood Merchants on this petition and appreciate their engagement in support.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 784-785.

* * * * *

ITEM NO. 12: ORDINANCE NO. 9766-Z, PETITION NO. 2019-157 BY ABP DEVELOPMENT LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 8.5 ACRES LOCATED ON THE SOUTH SIDE OF POLK AND WHITE ROAD, WEST OF MALLARD CREEK ROAD FROM R-4 (SINGLE-FAMILY RESIDENTIAL) TO R-8MF (CD) (MULTIFAMILY RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 5-1 (motion by McClung, seconded by Wiggins) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Prosperity/Hucks Area Plan (2015) recommendation for single-family uses up to four dwelling units per acre based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends single-family residential up to four dwelling units per acre. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because at 8 dwelling units per acre, the proposed development in this petition is denser than what the adopted area

plan recommends. However, the adopted plan suggests that small clusters of slightly higher density residential are appropriate at strategic locations, such as along the edge of open space. Because this site abuts the Tradition Golf Club, an area designated as open space, this extra open space can serve as a natural buffer between this site and the surrounding slightly lower-density sites. This petition is consistent with the area plan's recommendation by providing a mixture of thoughtfully arranged housing types, consisting of single-family detached homes, and single-family attached homes. The petition proposes two access points onto the site, increasing street connectivity and ample site access, both of which are priorities of the area plan. The petition commits to enhancing the pedestrian environment, proposing an eight-foot-wide planting strip and a minimum six-foot sidewalk shall be installed along the Site's public street frontages, including the Site's frontage along Polk and White Road.

Motion was made by Councilmember Johnson, seconded by Councilmember Mitchell, to approve Petition No. 2019-157 by ABP Development, LLC and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Prosperity/Hucks Area Plan (2015) recommendation for single family uses up to four dwelling units per acre based on the information from the final staff analysis and the public hearing, and because the plan recommends single family residential up to four dwelling units per acre. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because at 8 dwelling units per acre, the proposed development in this petition is denser than what the adopted area plan recommends. However, the adopted plan suggests that small clusters of slightly higher density residential are appropriate at strategic locations, such as along the edge of open space. Because this site abuts the Tradition Golf Club, an area designated as open space, this extra open space can serve as a natural buffer between this site and the surrounding slightly lower-density sites. This petition is consistent with the area plan's recommendation by providing a mixture of thoughtfully arranged housing types, consisting of single-family detached homes, and single-family attached homes. The petition proposes two access points onto the site, increasing street connectivity and ample site access, both of which are priorities of the area plan. The petition commits to enhancing the pedestrian environment, proposing an eight-foot wide planting strip and a minimum six-foot sidewalk shall be installed along the Site's public street frontages, including the Site's frontage along Polk and White Road.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 786-787.

ITEM NO. 13: ORDINANCE NO. 9767-Z, PETITION NO. 2019-158 BY MPV PROPERTIES AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.6 ACRES LOCATED ON THE SOUTH SIDE OF EAST WOODLAWN ROAD, EAST OF MURRAYHILL ROAD FROM R-4 (SINGLE-FAMILY RESIDENTIAL) AND UR-2(CD) (URBAN RESIDENTIAL, CONDITIONAL) TO UR-2(CD) (URBAN RESIDENTIAL, CONDITIONAL) AND UR-2(CD) SPA (URBAN RESIDENTIAL, CONDITIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 6-0 (motion by McClung, seconded by Wiggins) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent with the Woodlawn Transit Station Area Plan for the majority of the site; however, it is inconsistent with the Plan on the western portion of

the site, based on the information from the post-hearing staff analysis and the public hearing, and because he plan recommends residential uses up to 22 DUA for the majority of the site. The plan recommends residential land use up to 4 DUA on the western portion of the site. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the development proposes 37 single-family attached, townhome units at a density of 10.14 units per acre. The previous rezoning for the majority of the site allowed up to 20 townhomes at a density of 7.72 units per acre. Although this proposal slightly increases the previously approved density, the plan provides a commitment for wall or fence within a buffer, maximum building length of 120 feet, and architectural design standards not included in the previously approved rezoning. The site plan provides buffers to provide separation and screening from adjacent single-family detached homes. The plan provides a setback from Woodlawn Road that is consistent with single-family homes and recently approved developments in the area. The plan limits the height of the buildings to 3 stories to not exceed 45 feet, 5 feet more than allowed in single-family zoning.

Motion was made by Councilmember Bokhari, seconded by Councilmember Newton, to approve Petition No. 2019-158 by MPV Properties and adopt the following Statement of Consistency: This petition is found to be consistent with the Woodlawn Transit Station Area Plan for the majority of the site; however, it is inconsistent with the Plan on the western portion of the site, based on the information from the final staff analysis and the public hearing and because he plan recommends residential uses up to 22 DUA for the majority of the site. The plan recommends residential land use up to 4 DUA on the western portion of the site. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the development proposes 37 single family attached, townhome units at a density of 10.14 units per acre. The previous rezoning for the majority of the site allowed up to 20 townhomes at a density of 7.72 units per acre. Although this proposal slightly increases the previously approved density, the plan provides commitment for wall or fence within buffer, maximum building length of 120 feet, and architectural design standards not included in the previously approved rezoning. The site plan provides buffers to provide separation and screening from adjacent single family detached homes. The plan provides a setback from Woodlawn Road that is consistent with single family homes and recently approved developments in the area. The plan limits the height of the buildings to 3 stories to not exceed 45 feet, 5 feet more than allowed in single family zoning.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62 at Page(s) 788-789.

* * * * *

ITEM NO. 14: ORDINANCE NO. 9768-Z, PETITION NO. 2019-159 BY ED ZEPSA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.95 ACRES LOCATED ON THE WEST SIDE OF NATIONS CROSSING ROAD, SOUTH OF VERBENA STREET FROM MUDD (CD) (MIXED USE DEVELOPMENT, CONDITIONAL) TO TOD-TR (TRANSIT ORIENTED DEVELOPMENT, TRANSITION).

The Zoning Committee voted 6-0 (motion by Wiggins, seconded by Gussman) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent with the Woodlawn Station Area Plan, based on the

information from the post-hearing staff analysis and the public hearing, and because the plan recommends mixed-use (residential/office/retail) as amended by petition 2017-204. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the site is approximately ½ mile from Woodlawn Station on the LYNX Blue Line. Since the adoption of the plan, TOD and mixed-use development has advanced in the Lower South End area in the direction of this parcel significantly. The proposal allows a site previously used for industrial/office to convert to transit-supportive land uses. The use of conventional TOD-TR zoning applies standards and regulations to create the desired form and intensity of transit-supportive development, and a conditional rezoning is not necessary. TOD (transit-oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening. The TOD-TR district may be applied to parcels within 1-mile walking distance of an existing rapid transit station.

Motion was made by Councilmember Watlington, seconded by Councilmember Bokhari, to approve Petition No. 2019-159 by Ed Zepa and adopt the following Statement of Consistency: This petition is found to be consistent with the Woodlawn Station Area Plan, based on the information from the final staff analysis and the public hearing, and because the plan recommends mixed use (residential/office/retail) as amended by petition 2017-204. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the site is approximately ½ mile from Woodlawn Station on the LYNX Blue Line. Since the adoption of the plan, TOD and mixed-use development has advanced in the Lower South End area in the direction of this parcel significantly. The proposal allows a site previously used for industrial/office to convert to transit supportive land uses. Use of conventional TOD-TR zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary. TOD (transit-oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening. The TOD-TR district may be applied to parcels within 1-mile walking distance of an existing rapid transit station.

The vote was taken in the motion to approve and recorded as follows:

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 790-791.

* * * * *

ITEM NO. 15: ORDINANCE NO. 9769-Z, PETITION NO. 2019-161 BY CRESCENT COMMUNITIES, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 2.4 ACRES BOUNDED BY SOUTH TRYON STREET AND WEST HILL STREET, EAST OF JOHN BELK FREEWAY FROM UMUD-O (UPTOWN MIXED USE, OPTIONAL) TO UMUD-O SPA (UPTOWN MIXED USE, OPTIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 6-0 (motion by McClung, seconded by Nwasike) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent with the Charlotte Center City 2020 Vision Plan, based on the information from the post-hearing staff analysis and the public hearing, and because while this plan does not make a specific land use recommendation for the site, it encourages future development to contribute to the overall viability and livability of Center City. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and

because the petition proposes to modify an approved plan to increase the allowed signage for an uptown building under construction. The request will increase the previously approved two attached electronic signs (video or LED screen) from a maximum size of 300 square feet each to 450 square feet each. The allowable electronic signs will be designed to pique visual interest through the use of channelized letters, multi-dimensional designs, or other techniques in order to avoid the appearance of traditional, flat “box-like” signs or screens. This signage will be limited to building identification, tenant identification, and artistic/civic/cultural displays or messages. Petition 2014-079 approved the use of several options for the development. Petition 2017-199 approved an additional optional request to allow for a 10-foot overhead encroachment into the 22-foot setback along Stonewall Street. The previous optional requests and design details from petition 2014-079 and 2017-199 will remain for the subject site.

Motion was made by Councilmember Egleston, seconded by Councilmember Bokhari, to approve Petition No. 2019-161 by Crescent Communities, LLC and adopt the following Statement of Consistency: This petition is found to be consistent with the Charlotte Center City 2020 Vision Plan, based on the information from the final staff analysis and the public hearing and because while this plan does not make a specific land use recommendation for the site, it encourages future development to contribute to the overall viability and livability of Center City. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the petition proposes to modify an approved plan to increase the allowed signage for an uptown building under construction. The request will increase the previously approved two attached electronic signs (video or LED screen) from a maximum size of 300 square feet each to 450 square feet each. The allowable electronic signs will be designed to pique visual interest through the use of channelized letters, multi-dimensional designs, or other techniques in order to avoid the appearance of traditional, flat “box like” signs or screens. This signage will be limited to building identification, tenant identification, and artistic/civic/cultural displays or messages. Petition 2014-079 approved the use of several options for the development. Petition 2017-199 approved an additional optional request to allow for a 10-foot overhead encroachment into the 22-foot setback along Stonewall Street. The previous optional requests and design details from petition 2014-079 and 2017-199 will remain for the subject site.

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

YEAS: Councilmembers Ajmera Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 792-793.

* * * * *

ITEM NO. 16: ORDINANCE NO. 9770-Z, PETITION NO. 2019-162 BY HARBOR BAPTIST CHURCH AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 2.88 ACRES LOCATED ALONG THE NORTHERN SIDE OF OLD CONCORD ROAD NEAR ITS INTERSECTION WITH NORTH TRYON STREET AND IN CLOSE PROXIMITY TO THE LYNEX BLUE LINE'S OLD CONCORD ROAD TRANSIT STATION FROM I-2 (INDUSTRIAL) TO TOD-TR (TRANSIT ORIENTED DEVELOPMENT, TRANSITIONAL).

The Zoning Committee voted 6-0 (motion by Gussman, seconded by Wiggins) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Old Concord Transit Station Plan (2013), based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends office/retail uses for the site. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing

staff analysis and the public hearing, and because the request for a transit-oriented zoning district at this site is supported by the policies of the Blue Line Extension Plan (2013) as it is within a ½ mile walking distance to the Old Concord Road station. The area plan states that existing employment-based, non-residential areas between Orr and Old Concord roads are expected to remain. Approval of this petition would allow for this existing non-residential use to remain. TOD-TR is intended to accommodate and encourage transit-oriented and transit-supportive development in transit station areas where there is not a current market demand for more intense development. The use of conventional TOD zoning districts apply standards and regulations to create the desired form and intensity of transit-supportive development, and a conditional rezoning is not necessary.

Motion was made by Councilmember Johnson, seconded by Councilmember Bokhari, to approve Petition No. 2019-162 by Harbor Baptist Church and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Old Concord Transit Station Plan (2013), based on the information from the final staff analysis and the public hearing, and because the plan recommends office/retail uses for the site. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the request for a transit-oriented zoning district at this site is supported by the policies of the Blue Line Extension Plan (2013) as it is within a ½ mile walking distance to the Old Concord Road station. The area plan states that existing employment based, non-residential areas between Orr and Old Concord roads are expected to remain. Approval of this petition would allow for this existing non-residential use to remain. TOD-TR is intended to accommodate and encourage transit oriented and transit supportive development in transit station areas where there is not a current market demand for more intense development. Use of conventional TOD zoning districts apply standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 794-795.

* * * * *

ITEM NO. 17: ORDINANCE NO. 9771-Z, PETITION NO. 2019-164 BY PDAN HOLDINGS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.1 ACRES LOCATED ON THE NORTH SIDE OF JOHNSTON OEHLER ROAD, WEST OF OEHLER BRIDGE DRIVE FROM R-3 (SINGLE-FAMILY RESIDENTIAL) TO R-8MF (CD) (MULTIFAMILY, CONDITIONAL.)

The Zoning Committee voted 6-0 (motion by Wiggins, seconded by Gussman) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Prosperity Hucks Area Plan (2015) recommendation for single-family uses up to four dwelling units per acre based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends single-family residential up to four dwelling units per acre. However, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because at 8 dwelling units per acre, this petition is denser than what the adopted area plan recommends. However, the plan also recommends that residential uses bordering the activity center include a mix of housing types that serve as a transition from the denser mixed-use development to the

surrounding lower density neighborhoods. This petition is consistent with the area plan's recommendation of higher density residential at strategic locations as elements of a larger development. This site's proximity to the activity center and to Interstate 485 makes it a strategic transition to single-family homes on the outskirts of the activity center. The petition commits to enhancing the pedestrian environment, committing to front porch stoops on all homes, and limiting the blank wall expanse to 10-ft on all units facing a public or private street. Garage doors visible from the street should have an additional setback of 12-24 inches and additional architectural treatments to minimize the visual impact for the pedestrian. The petition commits to increasing connectivity by including walkways to connect all residential entrances to sidewalks along public and private streets.

Motion was made by Councilmember Johnson, seconded by Councilmember Mitchell, to approve Petition No. 2019-164 by PDAN Holdings, LLC and adopt the following Statement of Consistency: This petition is found to be inconsistent with the Prosperity Hucks Area Plan (2015) recommendation for single-family uses up to four dwelling units per acre based on the information from the final staff analysis and the public hearing, and because: the plan recommends single-family residential up to four dwelling units per acre. However, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because at 8 dwelling units per acre, this petition is denser than what the adopted area plan recommends. However, the plan also recommends that residential uses bordering the activity center include a mix of housing types that serve as a transition from the denser mixed-use development to the surrounding lower density neighborhoods. This petition is consistent with the area plan's recommendation of higher density residential at strategic locations as elements of a larger development. This site's proximity to the activity center and to Interstate 485 make it a strategic transition to single-family homes on the outskirts of the activity center. The petition commits to enhancing the pedestrian environment, committing to front porch stoops on all homes, and limiting the blank wall expanse to 10-ft on all units facing a public or private street. Garage doors visible from the street should have an additional setback of 12-24 inches and additional architectural treatments to minimize the visual impact for the pedestrian. The petition commits to increasing connectivity by including walkways to connect all residential entrances to sidewalks along public and private streets.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 796-797.

* * * * *

ITEM NO. 18: ORDINANCE NO. 9772-Z, PETITION No. 2019-165 BY WOOD PARTNERS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 4.0 ACRES LOCATED ON THE NORTH SIDE OF WEST MOREHEAD STREET, BETWEEN MILLERTON AVENUE AND MORTON STREET FROM I-1 (LIGHT INDUSTRIAL), R-5 (SINGLE-FAMILY RESIDENTIAL) AND R-22MF (MULTIFAMILY RESIDENTIAL) AND O-2 (OFFICE) TO TOD-CC (TRANSIT ORIENTED DEVELOPMENT – COMMUNITY CENTER).

The Zoning Committee voted 6-0 (motion by McClung, seconded by Gussman) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent for a portion of the site and inconsistent for the other portion of the site with the Bryant Park Land Use and Streetscape, based on the

information from the post-hearing staff analysis and the public hearing, and because the plan recommends mixed-use residential/office/retail land use for most of the site; and the plan recommends residential up to 22 dwelling units per acre for a portion of the site. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because the proposed rezoning for transit-oriented development, is consistent with the mixed-use land use recommendation for a large portion of this site. The site is within a ¼ mile of two proposed transit stations on the CATS Silver Line. Use of conventional TOD-CC (transit-oriented development – community center) zoning applies standards and regulations to create the desired form and intensity of transit-supportive development, and a conditional rezoning is not necessary. TOD (transit-oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

Motion was made by Councilmember Watlington, seconded by Councilmember Bokhari, to approve Petition No. 2019-165 by Wood Partners and adopt the following Statement of Consistency: This petition is found to be consistent for a portion of the site and inconsistent for the other portion of the site with the Bryant Park Land Use and Streetscape, based on the information from the final staff analysis and the public hearing and because: the plan recommends mixed-use residential/office/retail land use for most of the site; and the plan recommends residential up to 22 dwelling units per acre for a portion of the site. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because the proposed rezoning for transit-oriented development, is consistent with the mixed-use land use recommendation for a large portion of this site. The site is within a ¼ mile of two proposed transit stations on the CATS Silver Line. Use of conventional TOD-CC (transit-oriented development – community center) zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary. TOD (transit-oriented development) standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.

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

YEAS: Councilmember Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 798-799.

* * * * *

ITEM NO. 19: ORDINANCE NO. 9773-Z, PETITION NO. 2019-169 BY THOMPSON THRIFT DEVELOPMENT, INC. AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 15.9 ACRES LOCATED ON THE EAST SIDE OF RIDGE ROAD, AT ODELL SCHOOL ROAD, SOUTH OF MALLARD CREEK ROAD FROM CC (COMMUNITY CENTER) TO CC SPA (COMMUNITY CENTER, SITE PLAN AMENDMENT) WITH FIVE-YEAR VESTED RIGHTS.

The Zoning Committee voted 6-0 (motion by Wiggins, seconded by Ham) to recommend approval of this petition and adopt the following Statement of Consistency: This petition is found to be consistent with the Northeast Area Plan (2000) based on the information from the post-hearing staff analysis and the public hearing, and because the plan recommends multi-family/office/retail uses. Therefore, we find this petition to be reasonable and in the public interest based on information from the post-hearing staff analysis and the public hearing, and because The Northeast Area Plan recommends retail and office for this site and requires a residential component as well. The residential

density is recommended at 12+ dwelling units per acre. This petition's proposal is 17 dwelling units per acre. The petition's commitment to providing multi-family development on the site is consistent with the plan's land use recommendation and consistent with the current zoning of the site. The site fronts Mallard Creek Road and is adjacent to a recent CC SPA rezoning. At 22 dwelling units per acre, this recent rezoning is a higher density than this petition. The petition commits to enhancing connectivity and multi-modal activity in this area by including an internal private street network that will allow pedestrian, bicycle, and automobile traffic to travel through the site and connect to the eventual future development of surrounded parcels contributing to a mixed-use destination. The petition commits to enhancing the pedestrian experience by installing an eight-foot planting strip and twelve-foot multi-use path along the site's frontage of Ridge Road. Eight-foot planting strip and eight-foot sidewalks are proposed along all other existing public roads abutting the site.

Motion was made by Councilmember Mitchell, seconded by Councilmember Bokhari, to approve Petition No. 2019-169 by Thompson Thrift Development Inc. and adopt the following Statement of Consistency: This petition is found to be consistent with the Northeast Area Plan (2000) based on the information from the final staff analysis and the public hearing, and because the plan recommends multi-family/office/retail uses. Therefore, we find this petition to be reasonable and in the public interest based on information from the final staff analysis and the public hearing and because The Northeast Area Plan recommends retail and office for this site and requires a residential component as well. The residential density is recommended at 12+ dwelling units per acre. This petition's proposal is 17 dwelling units per acre. The petition's commitment to providing multi-family development on the site is consistent with the plan's land use recommendation, and consistent with the current zoning of the site. The site fronts Mallard Creek Road and is adjacent to a recent CC SPA rezoning. At 22 dwelling units per acre, this recent rezoning is a higher density than this petition. The petition commits to enhancing connectivity and multi-modal activity in this area by including an internal private street network that will allow pedestrian, bicycle and automobile traffic to travel through the site and connect to eventual future development of surrounded parcels contributing to a mixed-use destination. The petition commits to enhancing the pedestrian experience by installing an eight-foot planting strip and twelve-foot multi-use path along the site's frontage of Ridge Road. Eight-foot planting strip and eight-foot sidewalks are proposed along all other existing public roads abutting the site.

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

YEAS: Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Mitchell, Newton, and Watlington.

NAYS: Councilmember Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 800-801.

* * * * *

PUBLIC HEARINGS

Mayor Lyles said we will open the following Public Hearings; Item No. 21: Petition No. 2019-111 by Hive Fitness, LLC, Item No. 22: Petition No. 2019-146 by ALB Architecture, PA, Item No. 24: Petition No. 2019-113 by The Charlotte Mecklenburg Hospital Authority, Item No. 25: Petition No. 2019-114 by The Charlotte Mecklenburg Hospital Authority, Item No. 26: Petition No. 2019-115 by Northwood Development, LLC, Item No. 27: Petition No. 2019-156 by Parkwood Plaza, Item No. 28: Petition No. 2019-166 by Canopy CLT, Item No. 29, Petition No. 2019-168 by Suncrest Real Estate and Land, Item No. 30, Petition No. 2019-171 by Anthony Kuhn, Item No. 31, Petition No. 2019-172 by Sharon Academy Properties, LLC., Item No. 33: Petition No. 2019-176 by Charlotte Douglas International Airport, Item No. 34: Petition No. 2019-178 by DRB Group, Item No. 35: Petition No. 2019-181 by Clay Cooper – Woda Cooper Development, INC., Item No. 36: Petition No. 2019-

183 by Rhyno Partners Coffee, LLC, Item No. 37: Petition No. 2019-184 by Taft Mills Group, Item No. 38: Petition No. 2019-185 by Freedom Communities, Item No. 39: Petition No. 2020-036 by Charlotte, Planning, Design and Development.

Motion was made by Councilmember Winston, seconded by Councilmember Driggs, and carried unanimously to continue the above items to April 20, 2020.

* * * * *

Mayor Lyles said the next are the items that were added from the Business and Consent Materials that were sent to you and I will turn it over to the City Manager to address those items.

ITEM NO. 20: ACTIVE TRANSPORTATION PROJECTS

Marcus Jones, City Manager said as the Mayor mentioned earlier tonight when she began the meeting, we have a situation that is rapidly changing and I can tell you the information that we had last Wednesday is very different from the situation that we had two days later, the situation that we had over the weekend and even today. What we've done as a team is assumed that things will change more over the course of the next 24, 36, 48 hours and what we did was examine the Business Meeting Agenda for the end of March and looked at those items just in case that meeting was canceled, that are important to the running of government. In other words, if we did not have a meeting next week, which the more and more as we see what is happening, that seems to be closer to the reality. We wanted to make sure that you could give us the tools that we need to continue with government operations. I will tell you that as we have been dealing with this crisis, we have always looked at this first in protecting staff and then providing essential services to the community. When I speak of essential services we are really talking about Public Safety and Health. From the beginning of this crisis we set up our Emergency Operation Center, which is something that is normal, but for what is normal is maybe a tornado or a hurricane or something along those lines. This is really a public health crisis which as a community, this was something different for all of us, not just the City, but the County and our partners.

I want to thank Chief Johnson and Chief Graham for being able to set up the platform for which much of these decisions can be made. We do have an overall structure with a Policy Group, but in terms of the incident command, that is handled by Gibbie Harris who is the Health Director and we are taking our direction from her as a community. What we have tonight are really, I would call these three sections for this agenda, and I really appreciate that you would allow us to put this before you tonight. We have been going through our crisis Communication Protocol so that is why you have daily calls from your ACM's. I would say that is one of the most important calls that you will get during the day, that provides you with updates from the meetings that are occurring with the Policy Group and with the EOC. I will separate these into three areas.

The first Business Item is really related to the 5:00 press conference which addresses a contribution from the City to a fund that is being developed. If there are any questions about where those resources come from, I can provide that. The next item, Item No. 42 is really trying to get out in front of what we think is going to happen to us. The Federal Government has already discussed an emergency paid leave. I have been in constant communication with the County Manager and I believe she is going to produce something similar tonight to her Board and this is just providing me with the flexibility to be consistent with some of the tools that will be provided to us. Again, if we remember, first of all, we are trying to protect our staff, but also keep providing central services and I believe that will provide me with the flexibility. The last four items are really items that would have been planned for March 23rd that are really dealing with emergency repairs, some of the regional obligations that we have and as you go through those, we have staff that is ready to speak to those. Essentially what we are attempting to do is plan as if you are not meeting anymore this month.

Mayor Lyles said that is the overview, but each one of these will require a separate vote by the Council.

Councilmember Winston said I have a question for the Manager regarding essential services; while we provide municipal services, one of the other essential services is that we are a buyer of services by contractors. I definitely am for our emergency paid leave action that we have today, but just looking forward at some of the traditional contracts that might be coming up, not just this months, but however forward-looking, are we able to do something where we are making some alternate arrangements with those contractors so that we are able to provide payment so they may be able to provide wages to their workers as opposed to them just losing out completely and totally?

Mr. Jones said Mr. Wilson, I will try to answer your question; the first piece do we look further out. Absolutely, we have a 30, 60, 90-day planning tool so what we attempted to do, we have more clarity are those things that would have been brought to you next week. There has been a good deal of vetting with those. In terms of what we would do potentially with contractors who have employees, we don't have a solution for that right now, but that is some of the things that we are talking about, one is how do we continue to protect our own employees, two, keep essential government services running, but also what is occurring to not only those contractors, but as we go down this pathway of months down the road, what is the impact on our MWSBE (Minority, Women and Small Business Enterprises) goals and what we can do in order to meet those goals. I think that is one of the reasons why some of the different collaborations are occurring right now like what you did earlier today to see that we can continue to keep our economy going given the unprecedented time we have right now.

Mr. Winston said I also don't see any items in here for funding for the purchase of any type of thermometers or equipment or additional personal protective items of our front-line workers, not just our emergency service folks, but people that are going to be out in public. We know that it is going to be an extraordinary cost would rise above \$500,000. Is there a reason why there is not something in here or how do we think that we are going to deal with that in the very short term?

Mr. Jones said that is a great question Mr. Winston; Angela Charles is my eyes and ears as it relates to what we are doing in the EOC (Emergency Operations Center) and one of the things we discussed as a community today is can we have all of our purchases go to the EOC because we believe that those types of bulk purchases may get us higher up in the cue and even more favorable prices. The entire EOC is looking at those types of issues.

Councilmember Mitchell said City Manager, I will be very supportive of this, and thank you for taking a proactive stand on addressing especially emergency pay leave. Just as information only, can you share with us Items 44 and 45, the MWBE participation goals?

Mr. Jones said absolutely, I will see what we have. I know that in terms of 45, I believe the goal was 20% and we met that goal of 20%, but hopefully, before you vote on that we can provide you with that.

Mr. Mitchell said thank you, sir.

Mayor Lyles said it is in the packet; Item 44 project is subject to the Clean Water Revolving Loan Fund and there are no MWBEs with the scope. On Item 45, the goal was 20% and committed was 20%.

Mr. Mitchell said great job, thank you, staff.

Councilmember Newton said you might have actually touched on the core of my questions. As it pertains to the items specifically relating to the Coronavirus crisis, I think we can all acknowledge this is a very serious situation, also very fluid, very quickly changing. I don't think many of us would have thought we would be where we are today even a week and certainly not two weeks ago. And knowing how quickly this has

mushroomed and ballooned somewhat out of our control, certainly out of the control of our federal government, in my humble opinion, I am very supportive of the measurers being presented today that we will be voting on. I have questions pertaining to whether or not we will in the future be considering things such as small business assistance and relief, potentially in the closing of business locally. Buildings being provided potentially for medical services, more specifically beds in the Army Corp of Engineers. I know that we've asked things like temperature test, whether or not those are even feasible for us to engage in. Knowing that these are decisions that we will likely be faced with, will likely need to be made, and hearing you Mr. Manager, say that we might not meet, did you say for another month? How are we going to be able to address these, can we move on a dime and are we giving you the authority to make some of those decisions if and when necessary?

Mr. Jones said I appreciate the questions Mr. Newton; I would say that right now this gives me the authority in the short term. What is extremely important and that is why I will also pivot back to the EOC, it is a collaborative effort led by Gibbie Harris from the Health Department which includes the hospitals, the City, the County, the Schools, the Sheriff's Office, Fire, Medic and many of those decisions we are working on together. I will tell you that I have been in conversations with the Superintendent and the County Manager. I believe the next step for us is to close the City-owned buildings to the public because what we are trying to do in the City is it is a three-prong approach. When we start to think about operations and Mayor, maybe I'm getting out too much further in terms of what will come at the end, but I think it will help with some of the questions. With operations we are looking at staggering shifts so, in other words, looking at minimum staffing levels so that we can keep our staff safe and fresh. That is what we've been doing and if you were in the building today there were less people in this building today than you've probably seen since you've been on Council. We have doubled our capacity for staff to work from home, so those are the types of things we are doing and if by chance you are actually in the building or buildings for core services, we are practicing social distancing. In terms of what we think we will see in the next days and weeks, it makes sense to have our employees at home, our employees that are in that front line, keep them safe, but also keep them fresh with minimum staffing levels and we believe that in the short terms that is what can set us up to keep our employees safe as well as provide services.

In each instance, we are looking for technology solutions so that we can still continue to have government function. So, from a planning perspective, we spent a great deal of time talking about the one-stop-shop which Taiwo renamed the CLT Development Center and we are seeing to what extent we can still operate without you coming into the building. That is what I mean when we talk about our steps that we are trying to be proactive to protect our employees as well as provide essential services.

Mr. Newton said I just want us to be realistic and so I'm asking the question if we need to act and we need to act as a body, we need to do if publicly, I think it is important and it is fantastic the way that we have tonight's meeting setup. Certainly, we are respecting the guidelines that we were issued before. We are staying six-feet apart from one another, we have much more legroom individually as Councilmembers, it is much more comfortable in that regard, but the CDC just issued guidelines saying no more than 10 people should be meeting in any one location at any one given time. Granted, I know that is not something that has been mandated by our Governor, but all we know, that is coming down the pipe. So, having said that, if we do need to make decisions could we explore or is it possible for us to explore us ourselves meeting remotely and making some decisions, particularly given the fluidity of the situation, the seriousness of the situation and possibly the need to make decisions very, very quickly? I don't know if you are given the carte Blanche authority to do that on your own through this that we are talking about tonight, nor maybe should you.

Mr. Jones said where we are right now is that we are exploring those technology solutions. We are making sure that what we do is legal by talking with the City Attorney and we are working, not only on what we could do, but we are also working on what type of relief that the State Statues could give to you. I think the CDC is still at 50.

Mr. Newton said today it was 10.

Mayor Lyles said but he didn't describe the groups. I think what I've been told is that 10 relates to people over the age of 65 which some of us are not.

Mr. Newton said 10 from the CDC, the Task Force today, and this was during the Press may be only three hours ago.

Mayor Lyles said the Manager says we are exploring the remote software for this, but also the guidelines for open meeting laws that have been sent out as well.

* * * * *

BUSINESS MEETING

Mayor Lyles said the first item on our agenda would be the Consent Items that we can do in one motion.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to approve Consent Items 44, 45 and 46.

The following items were approved:

Item No. 44: Mount Holly Pump Station and Force Main Construction

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.

Item No. 45: Airport West Ramp Expansion Phase II Construction Contract

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.

Summary of Bids

A list of the bids is on file in the City Clerk's Office.

Item No. 46: Refund of Property Taxes

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 484-495.

* * * * *

ITEM NO. 41: PARTNERSHIP WITH THE FOUNDATION FOR THE CAROLINAS FOR EMERGENCY HOUSING ASSISTANCE

Mayor Lyles said this was written up in a way of the concept of our priority of affordable housing, keeping people in their homes with the things and tools that they needed for that.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, to 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.

Councilmember Winston said how is this money going to get spent? I heard downstairs it was said that this money was going to be given to non-profits, but we are saying that this is for emergency housing assistance. I know a lot of questions are out there, how are

people going to pay their rent, how people are going to pay their mortgages so, can you please explain how this money and what amounts do people access this money that we are setting aside today?

Marcus Jones, City Manager said in these initial discussions what the City wanted to make sure that its money is used for is to individuals who are currently in apartments or homes who are negatively impacted by these circumstances be able to remain in those apartments or homes. The reality is that there are organizations that provide disbursements of those funds for that reason. So, my understanding of where we are now is to make sure that that first principle is what is being addressed, but if you don't have individuals that can disburse it, we wouldn't want to take that off of the table.

Mayor Lyles said the only thing that I would add Mr. Winston, is that we currently have two organizations that do this work for us that we have it now, so in our financial partners, Crisis Assistance Ministry helps people pay their utility bills and that would be one of the areas that would keep people in their homes and would keep them safe paying their water bill and their other utility bills. Crisis Assistance also helps with rent payments, so the question is how do we set up for those people that perhaps need mortgage payments, which is something that the Foundation will look to the appropriate agency to do. We did not define that because that could go across one or two, but I think primarily right now, the agencies that deal with rental assistance, as well as utility payments, is Crisis Assistance Ministry.

Mr. Winston said I would just say I'm a big fan of Crisis Assistance Ministry. I know that everybody can't take advantage of Crisis Assistance Ministry services. I think while I'm in favor of us making this contribution because it is going to be all hands-on deck. We need to do more and be able to tell people, homeowners, renters, whoever because everybody is going to be impacted, how they could get the help that they need. I don't think this is totally clear when is all is said and done at the end of this vote.

Mayor Lyles said I think there will be changes to the criteria; what Crisis does not is they have a methodology to get things out quickly, but that doesn't mean the criteria has to stay the same for this fund as what they do routinely. I was just pointing out the example that we already have an agency that has a system that will work, the criteria for the system can be nimble and changed.

Councilmember Eiselt said I just wanted to say that I applaud Lending Tree and The Foundation and I'm glad that the City was willing to contribute and be a part of this fund. If people weren't part of the Press Conference, it has helped CLT.org because they can participate and help with this fund too. If you weren't able to hear that earlier, please go to that website and look at that to see if you want to participate. I just wanted to mention that there are a lot of neighborhood groups that are talking and texting each other to reach out and find ways to help. I know today some of my neighbors came together and gave Heal Charlotte some board games because they are taking care of a lot of kids whose parents are still working and the children are out of school. We collected board games and some cash for lunches and things like that. Reach out to your neighbors because we can all – you are right, it is hard to administer it all through one organization. There are people that won't be able to get down to Crisis Assistance Ministries, but you could do things like buy gift cards from Food Lion or whatever and leave them at Crisis Assistance or some of the other organizations. Let's get innovative with our neighbors and see how we can help our fellow residents.

Councilmember Bokhari said Mr. Manager; I wonder if you could just give a second or two on a little bit about the source of the funds, particularly there is probably never more a needy cause than this and one that justifies our getting involved. I just want to make sure the community understands how we went about identifying this money in our funds.

Mr. Jones said yes, Mr. Bokhari, in the FY2019 budget you had \$1 million that was approved in PAYGO and you see that on the RCA that is in front of you, but the description was Community Investment Contingency and the sub-bullets were to provide contingency

funding for unforeseen critical needs that may arise. These funds have not been used so, if you start to think about using funds for the initial purpose, this is very much in line.

Mr. Bokhari said thank you. I just think it is really important. Like I said there isn't a more needy cause where we could get involved. I just definitely want people to understand this was designed for a day that could come like this because of good forethought and now we are deploying it.

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

* * * * *

ITEM NO. 42: EMERGENCY PAID LEAVE

Councilmember Ajmera said Mr. Manager; does this apply to short-term or hourly workers or is this only for salary employees?

Marcus Jones, City Manager said it would apply to everyone.

Councilmember Winston said given your explanation of what is going on and you mentioned that we are going to different types of shift workers and drawing back just to essential services. How will our day to day actions or our employees, especially our first responders, Police, and Fire, how do we expect that to change? Are they going to be still responding to every 911 call, or are they going to have to prioritize? Are we arresting everybody for every misdemeanor that is going on out there?

Mr. Jones said Mr. Winston said as this is evolving on a daily basis, I will tell you that on Sunday, in this room we have all our Department Heads together, properly spaced, trying to talk through plans and when we look at Police and Fire and we made some assumptions about how many people would not be at work today based on the school closings, we were pretty much on target with that. I will say that I don't think there was a single issue in terms of people coming to work at Fire. Police, I talked to the Chief today and they have flexibility within their staffing to address the core provision of bulk service. That is today, tomorrow may be different and the next day may be different, but where we are right now we believe we have the tools to be flexible between this minimum staffing levels, working from home and this tool we believe is going to give us more flexibility in terms of what we can do with some of the issues that employees are facing. It is really somewhat in line with House Resolution 6201 and we are just trying to make sure that if that gets passed that we have a vehicle in place also to implement.

Councilmember Graham said first I want to thank you for what you are doing. I was on the 15th floor Wednesday up to now and you guys are doing a tremendous job in terms of being proactive on a number of fronts. I just wanted to have the answer to this question again for the public in terms of our employees that are public-facing. Our bus drivers, our transit drivers, how we are sanitizing the buses and the trains, our garbage collectors who do a great job. They are public-facing as well so, as a part of, and we've talked about Police, Fire, garbage collection, transit buses, and the Airport so, can you kind of talk about that in a universal sense in terms of government still being open for business and we are taking these safety precautions and how we are ensuring that those who are working are being protected as they work in terms of gloves? Can you just talk to the public one more time?

Mr. Jones said yes Mr. Graham and thank you. The team has really jelled together, and it is not that we hadn't been already jelling together, but it is something about a crisis that sometimes brings out the best in individuals. I will tell you that today we don't see a change in bus services based on the information we received this weekend, even with a certain decrease in staff that are available. I will tell you that when we talked about CATS (Charlotte Area Transit System), there are only about 100 employees that are City Employees and that is for STS. The other is part of a contract, but as we went through that, cleaning the buses daily, understanding what we may lose in terms of staff resources, we feel in the short-term and the short-term being this week, that the bus

service will stay the way it is. I will tell you that if something changes dramatically then we may go to an alternate schedule. There is Title 6 which basically says the different forms of transportation have to be equal, so those are the things we have to take into account. I will say that in terms of Solid Waste there will be a reduction in services as this continues. I will say that the top priority is picking up trash and we will do that, but bulky waste and some of the other things that we do at no cost, we will have to pull back on those because our top priority is once a week picking up the trash because of the public health that is related to that. In terms of what we are doing with the Department of Transportation and some of our other operations, Charlotte Water, when we start to think about the social distancing that we are taking into account as well as having fresh folks ready to be deployed. We are going to pull back on services, but we are not stopping. What we are working on, and I think this is the key; I'm just so proud of my Assistant City Managers and my Department Directors because now we are trying to find other ways of producing services through other sources. Sometimes when you have situations like this that ingenuity comes in, but I do want this Council to know that our goal is that we are going to look after our employees. It is not an opportunity to downsize government. What we are doing right now is taking care of the team.

Councilmember Driggs said Mr. Manager; I'm very happy to support this authority. At the same time, there are a lot of questions about how it will work and practice so I hope you will give us updates on what steps you decide to take pursuant to this and how it is all working, what service levels we are able to maintain so we can just kind of monitor your implantation of these measures.

Mr. Jones said I appreciate that Mr. Driggs; that is one of the reasons why I have the Budget Director in the room and the HR Director in the room. As we roll this out words are so important and how we have different employees that where there is operational administrative, we are taking into account so that we can make sure that everybody understands they are valued, not just with this tool, but all the other tools that we have. So yes, we will update you.

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 482-483.

* * * * *

ITEM NO. 43: EMERGENCY REPAIR OF SANITARY SEWER LINE AT STEWART CREEK

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to (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 Budget Ordinance No. 9759-X appropriating up to \$5,000,000 from a fund balance in the Charlotte Water Operating Fund to the Charlotte Water Capital Projects Fund for emergency repairs.

The ordinance is recorded in Ordinance Book 62, at Page(s) 733.

* * * * *

Mayor Lyles said Mr. Jones; we talked about what is going on with the City Operations and I think now is a good time for us to address questions. I didn't know if you wanted to do an overview or if you wanted to just take questions. How would you like to do this?

Marcus Jones, City Manager said Mayor; I think I've addressed it at a high level, so I'm open to any questions that may come up.

Councilmember Graham said I don't have a question per se, but just want to make a 90-second comment. There is this old saying that faith without works is dead and this is

the time for our community to run to our faith, whatever that may mean for you, and there is a higher being at work, but there is also work to be done as well. I'm just encouraging the community to get to work and that work for us is washing our hands, trying not to touch our face, listening to our local and state officials and following their directives, and being responsible citizens. That is the work that we have to do for our community. There was one individual yesterday and I told the Mayor about this, that challenged that the Mayor and the City Council weren't doing enough. I had to remind him that we are in partnership with Mecklenburg County and Mecklenburg County runs the Health Department, so they are squarely in the driver's seat. This is the time for the community to speak with one voice and follow one directive. So, I am encouraging everyone to again, pay attention to what is happening with our local Health Department, pay attention to what the Governor is saying. He is giving good advice every day, working really hard and I think our Mayor is working extremely hard. Again, I was on the 15th floor the last couple of days and non-stop, she is working from calling DC to focusing on what is happening in Raleigh, here in the building, raising money for this relief fund, making sure that the Manager is doing what he is supposed to be doing. She is not absent or not available, she is working. I just wanted to acknowledge that publicly and publicly say that the Council and the Mayor, we are in the passenger's seat of the car, our hands are close to the steering wheel, but the County and the Health Department and Gibbie is driving this train and we are in full support of what they are doing. Hold onto your faith, but let's do the work that has to be done to get through these next couple of weeks. The support, the City staff and the work that must continue to be done, we still have to make sure that everyone is safe from a public safety perspective and that is Police and Fire and people are coming through our Airport, we need to make sure that they are safe and we do the work there as well as our transit. We talked about that a little bit about that in terms of our buses and our rail. This is the time where we need to demonstrate why we are the Queen City and do the work necessary to get past the next couple of days and weeks and be as flexible as possible. I don't have a question, I just want to acknowledge the work that is being done. The work may look differently tomorrow, it may look at lot different on Thursday and maybe totally different by Saturday or Sunday because this is a fluid situation. The government that is most responsive to the citizens is the government that is closest to you. Please pay attention to what is coming out of the Health Department here locally and what the Governor is saying and certainly the actions of the Mayor and the City Council.

Councilmember Driggs said I actually had a similar comment; I think the public may find it hard to understand the effort that goes into a lot of what we are doing because we are in a difficult position. We are trying to maximize public health, maintain service delivery and at the same time, we are trying to minimize the hardship that is created for our employees and the public as a result of the measures that we have to take. We are doing this under conditions of uncertainty. As was noted earlier, a couple of weeks ago our assessment of this was very different, it changes daily, and so I just want everybody to understand the tremendous effort on the part of the staff, our Mayor and all of us to keep abreast of these events and to promote public safety while at the same time not going straight for example, to a total house arrest for the whole community which would create an incredible hardship for parents and for families and would make it impossible for us to deliver services. I appreciate the tough decisions you are making Mayor and Manager and we support you and I hope the public does as well.

Councilmember Winston said can we get an update on any potential plans to implement testing or temperature checks on our employees that are working front lines as well as do we have any plans or are there any discussions about testing people that are riding our public transportation system, getting on and off our buses and our trains? Is there an update to that right now?

Mr. Jones said Mr. Winston; you did mention that to me earlier. I would like to run this through this Policy Group that we are talking about that Gibbie Harris is the resident expert with that, but I will do that in our call tomorrow morning.

Mr. Winston said also, are we making any plans, we know from what is happening all around the world that there will be a need for additional space, an additional place to put people, both healthy and sick, especially our workers as we are going to be fighting a war

of attrition? You mentioned that we would probably be closing buildings to public access on Wednesday, are we doing any work with identifying what buildings and space can be prepared for things like additional people, also understanding that there is a rush and there will potentially be scarcity amongst items that people need eventually? Are we identifying space where the community can organize a response to that as well, thinking of places like Bojangles Coliseum or the Convention Center and things like that? How are we preparing these places that we have for what is to come?

Mr. Jones said early on in the discussion I would say when the EOC opened last week, the County and the Health Department did discuss the potential for having the need for space. I don't want to go into more detail because that is a discussion.

Mr. Winston said in that EOC I understand that if there is the need, for instance for military assistance through the National Guard, will that go through the EOC? It says in past states of emergencies that is something that has to come through City Council and/or the Mayor's Office?

Mr. Jones said the Mayor and the Chair of the Board of County Commissioners, as well as the Mayors from the Towns, they signed the Emergency Declaration this weekend, so that opens up doors for us for certain reimbursements and certain things that we can do, but also through the EOC, that is typically where certain requests for assistance comes through.

Mr. Winston said we also receive guidance from the Governor over the weekend that we do have the ability to hold public meetings and do our business virtually. I asked for that several days ago. Is there a plan so that we can meet as a body to discuss official business and have public discussions? Are there plans for that and if so, why would that preclude our meeting as a body at any point in time in the future?

Mr. Jones said it would not preclude you if it were legal, so what we are doing right now is we are working on the technology, but also, we are working with the City Attorney that we don't do something that is not legal. So, yes, we are working on it.

Councilmember Newton said on that point as we talk about public/private partnerships for space, I do have somebody, a private owner, that I want to refer over to you. I wanted to also ask, in these conversations with Gibbie Harris and the Health and Human Services Committee, is there a plan for our immigrant community making sure that whatever is decided within the Committee is communicated to them in a way that they understand that is culturally sensitive to them as well? Not everybody speaks English as a first language; at the same time not, everybody speaks English and/or Spanish as a first or second language. I just want to make sure that all of the residents of the City of Charlotte are being kept in our minds as we are doing this and are being reached out to and communicate with all the information that we have at our disposal.

Mr. Jones said thank you, Mr. Newton. I want to make sure when we talk about the EOC that I don't limit it to this Policy Group and what I will make sure is that we provide you information on how the EOC is structured. There are more than a dozen different groups from Planning to Logistics and within that, we take into account, not just delivery of services, but what are the impacts for our community. For instance, sometimes when you are in space like this, you redirect so, over the weekend the faith-based community came in to help CMS with feeding, not just students, but families so, within those different units within the EOC there are concepts that come out that address the needs. You put needs on the table, we make sure we bring it back to the EOC and make sure those are addressed, so everything that you are putting on the table, it is just the Policy Group, it is the entire EOC so I will make sure that is on the table.

Councilmember Bokhari said this is just a PSA (Public Service Announcement) for everyone in Charlotte right now that is very simple that I would like to make sure it is on the top of their minds and also ask them to spread the word as well. One quite simply is trust Charlotte Water; your Charlotte Water System is award-winning. It is a [inaudible] Peak Award Winner since 1999; it has been named and designated Utility of the Future

in 2018. This is something that you can count on in a very tough time. So, for those of you really concerned and making runs on water and bottled water in the grocery store, or it is all gone, you can trust your Charlotte Water. We have spoken with the head of Charlotte Water as a Department multiple times, we are monitoring it, have confidence, and spread the word there. Number two, there is going to be, as we've heard all over the place, a lot of people hurting through this time, particularly our small business in town. Do think about our small businesses and when you are going to the grocery store and you see other things like the bread isles completely empty and things like that, know there are great small businesses that are going through tough times that have bread. Minola's Bakery being one and many, many others so, remember to support your local small businesses through this time, find ways of practicing both social distancing and supporting them as well. I know the community can come together to do that.

Mr. Winston said there are a lot of our community members, official and unofficial, that are organizing amongst themselves right now. Do we have folks from Housing and Neighborhood Services or Corporate Communications that are paying attention to who is doing what, where? In the interest of community safety, making sure that we are suggesting the proper way to go about providing child care or food to know that again, while this is a public health crisis, there is our number one responsibility of public safety. As this thing plays out people are going to have to find food where resources are at. Are we doing anything internally to kind of take account of what is going on where and reaching out to be proactive to folks that are providing services within our community?

Mr. Jones said Mr. Winston, I'm not sure the City is doing something along those lines, but I will go back to Chief Johnson and see what we have in terms of information from the EOC that would address your concerns.

Councilmember Johnson said I was just going to piggyback off of what Mr. Winston said. If they are, because I know you have been great about sharing resources, and I think each of us has shared things on our Facebook page, but if there could be a centralized place where we could share communications. I think there is a church that is giving free child care and different resources, free lunch from CMS if things are dissected if the City could get in front of a centralized place where we can share resources because there are people that have extreme needs right now. If there would be a way to share that in a centralized place, I think that would be great.

Mr. Jones said I agree with you Ms. Johnson. The Emergency Operations Center is designed for that. You put the data in, and you share the data with the community. It is the type of data that you want in and so what I'm hearing tonight is information that could be useful to the communities and we will make sure that I bring that to the table tomorrow morning.

Mr. Winston said to Ms. Johnson's point, what I've been doing, even if I don't feel it is appropriate to share, I've been tagging CLT.gov on tweeter and tagging the City of Charlotte on Facebook so at least Corp.com or somebody in our organization is alerted that it is there and I think we have as elected, you know we have to do our best to communicate what is happening in here and what is happening out there and vice versa. So, these folks at least have the data so is say keeping their nose to the grindstone, they can make the best decisions with the most information that we can provide them.

Ms. Johnson said I received an inquiry from a small business person today and I made a call to find out what the resource was and that is SBA through the State and then we later received an e-mail from Charlotte Business Journal of something about the low-interest loans. There are lots of resources, we are all getting different questions so if there would be a way to compile the information that would be great. If it is through the resource that you mentioned, but just so we have that information, just so there is a centralized place where the public knows where they can check to see if there are resources that the City is in front of. I know the County is the leader, but if there is just any way that we are able to share resources to serve the public that would be great.

Mayor Lyles said Mr. Jones, the only other question that I think I remember from a conversation that I've had with the Council is can you tell us the approach that Police is using as they look at what are the ways they are protecting the public safety employees generally, and what is going on in terms of the way the Police Department is approaching public safety during this time? I think the question was around misdemeanor arrest, but I think the real question may have been what is the allocation of resources, where we are using our public safety, primarily our Police Officers.

Mr. Jones said I will make sure that I provide you with information with our first responders, how we are addressing the crisis.

Mr. Winston said especially as it relates to this \$1 million that we are putting in, what I would also like to see is identifying open properties that we can work with those owners to find places for people to live in, at least temporarily, during this whether they be new homes that are just coming online or places that are between rentals. I'm thinking about specifically our homeless population. We know that there are two ways to kill this germ, our immune system response and killing it on surfaces. We need people to be in homes to stop the life cycle of these germs. As we are finding people, Police, for instance, which traditionally take a person in for trespassing or something like. Is there an opportunity to find them a place to actually live through this as opposed to sitting in jail and continuously spreading this virus or interacting with people period? Does that make sense?

Mr. Jones said talk about that one on one?

Mayor Lyles said I do think that is really a good one. The County has a main, we've kind of looked at it. It is keeping people in their homes and the County is looking at the homeless and the sheltering operations. I think it is so we don't duplicate each other in some respects, but I think the idea is where we have available housing that we can get people into rapidly is an important factor and making stability possible as well as preventing the spread of the virus.

I think that we have discussed everything, and the Manager has addressed all of the questions.

* * * * *

ADJOURNMENT

Motion was made by Councilmember Bokhari, seconded by Councilmember Egleston, and carried unanimously to adjourn the meeting.

The meeting was adjourned at 7:19 p.m.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 1 Hour, 58 Minutes
Minutes Completed: April 14, 2020