

Planning Committee  

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Agenda Packet

January 17, 2017 |  
Room 280  
5:00 p.m. |



# Charlotte-Mecklenburg Planning Commission

## Planning Committee Meeting Agenda

January 17, 2017 – 5:00 p.m.

CMGC – 2<sup>nd</sup> Floor, Room 280

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### 1. Call to Order and Introductions

### 2. Approve December 20, 2016 Minutes. *Attachment 1*

### 3. Strategic Priorities Discussion

#### **Unified Development Ordinance & Place Types Update**

*Background:* The Committee will continue to discuss the ordinance rewrite and place types.

*Staff Resources:* Ed McKinney, Kathy Cornett & Grant Meacci, Planning

*Action Requested:* For Committee discussion.

### 4. Mandatory Referral Process

*Background:* Consider adoption of the revised process for the review and evaluation of mandatory referrals. **Attachment 2**

*Staff Resources:* Garet Johnson, Planning

*Action Requested:* For Committee approval

### 5. Mandatory Referrals

*Background:* Per the revised draft of the Mandatory Referral Process (see Agenda item #4, above) the Committee motion on Mandatory Referrals will typically be:

- I move that the Planning Committee reviewed **M.R. # \_\_\_ on January 17, 2017** and has no additional comments for the submitting agency.

*In rare instances, the Committee may want to call attention to a particular concern by providing a letter from the Chair with comments to the submitter and various bodies. In these cases, the Committee motion will typically be stated as:*

- I move that the Planning Committee reviewed **M.R. # \_\_\_ on January 17, 2017** and make the following comments \_\_\_\_\_ to the following bodies \_\_\_\_\_.

**M.R. #17-01:** Charlotte Real Estate and Mecklenburg County Asset Management propose transferring the Police Activities League building located on Oaklawn Avenue from County to City ownership. ***Attachment 3***

**M.R. #17-02:** County Asset Management proposes a land exchange along Stewart Creek in W. Morehead Street/Freedom Drive area to enable greenway development. ***Attachment 4***

**6. Mandatory Referrals for Discussion**

**7. Adjourn**

## **Attendance**

**Commissioners Present:** Planning Commission Chairperson Tony Lathrop, Planning Committee Chairperson Mike Sullivan, Planning Committee Vice-chairperson John Fryday and Commissioners John Ham, Bolyn McClung, Elizabeth McMillan, Dionne Nelson and Deborah Ryan

**Planning Staff Present:** Scott Adams, Kathy Cornett, Garet Johnson, Linda Keich, Melony McCullough, Ed McKinney, Grant Meacci and Cheryl Neely

## **Call to Order and Introductions**

Planning Committee Chairperson Sullivan called the meeting to order at 5:05 p.m., welcomed those present and asked everyone to introduce themselves.

## **Approve November 15, 2016 Minutes**

*A motion was made by Commissioner McMillan and seconded by Vice-chairperson Fryday to approve the November 15, 2016 minutes. The vote was unanimous to approve the November 15, 2016 minutes.*

## **Mandatory Referral Process**

Chairperson Sullivan provided background information on the Committee's previous discussion about the mandatory referral process. He reminded members that they received a detailed presentation from staff a couple months ago on the mandatory referral process. The Committee discovered some areas that needed to be addressed in order for their actions to have more impact.

Garet Johnson (Planning) summarized the Committee's two biggest concerns about mandatory referrals which are to make sure that mandatory referrals are appropriately evaluated and to appropriately communicate the Committee's concerns to the right people.

## ***Evaluation and Discussion of Mandatory Referrals***

During her presentation, Ms. Johnson reviewed the *Mandatory Referral Process* handout dated 11/28/2016 that was developed by the Executive Committee, Planning Committee and staff. She summarized the staff review and evaluation process which includes discussion by the Joint Use Task Force (JUTF). Staff will provide the Planning Committee with documentation of their evaluation in the "Mandatory Referral Report" for the Committee's review and response.

Staff will provide the final mandatory referral report to the Committee a week prior to the Planning Committee meeting. The report will include a summary of any discussion of the mandatory referral by the JUTF and a list of the departments/agencies in attendance at the JUTF meeting.

***Committee concerns are communicated to the appropriate parties***

Ms. Johnson explained that the Planning Committee will review the report and may choose to respond to the mandatory referrals as consent items or to discuss the report in detail. The Committee may make whatever response, if any, to the submitting body and others as deemed appropriate.

Ms. Johnson reviewed the Typical Planning Committee responses recommended which includes the following:

1. Recommend Approval
2. Not Recommend Approval
3. No Action

See the *Mandatory Referral Process* handout dated 11/28/2016 for more details.

Commissioner Ryan said that she thinks the suggestions are good and thorough. She asked Ms. Johnson to explain the timeline. Ms. Johnson explained the staff review process in detail and what happens after the Committee's review. Commissioner Ryan asked if the submitting staff will give the report to the elected officials or boards. Ms. Johnson explained that typically Planning staff will send the report with the Committee's comments to the submitting staff. That staff person may or may not share it with the officials. However, the proposed process allows for the Planning Committee Chair to send a formal letter from the Planning Committee to the submitting Board (including elected officials), agency or department as applicable. Ms. Johnson said that staff will draft an example letter for the Planning Committee Chairperson to use as a template to facilitate the Committee's response. Commissioner Ryan stated that the Committee wants to make sure that City Council is aware of these transactions.

Vice-chairperson Fryday clarified that the letter from the chairperson will go to elected officials and boards and thanked Ms. Johnson for pulling the information together. Ms. Johnson also pointed out the contact list on the last page of the *Mandatory Referral Process* handout. This contact list is provided for guidance when the Committee's response is to provide additional comments to specified bodies. She added that the list is not complete. Chairperson Sullivan emphasized that when an issue occurs, the Committee can make sure that the appropriate body is aware of it.

Commissioner Nelson shared her concern about the terminology used – approval, non-approval, or just a comment. She said that recommending approval or non-approval is misleading and implies that the Committee has more influence in the process than they actually have. The statute calls for the Committee to review the proposed request and make comments, if any. She suggested that the Committee not continue to stamp the reports with recommend approval or recommend non-approval. The Committee should simply state either we have comments or we do not have comments. If the Committee does not have any comments, we could move not to make comments on the mandatory referral because there is nothing to discuss. However, if there is something that the Committee would like to discuss, we could pull the report for discussion just like we have in the past. If the Committee discusses the mandatory referral and thinks that the questions were answered, there would be no comment. However, if the Committee makes a specific recommendation on the report, she is fine with referencing the *Communication Contact List* included in the *Mandatory Referral Process* handout to share comments with the appropriate group.

Commissioner Nelson emphasized that she is literally suggesting no comment if the Committee does not see anything that raises a concern worth sharing with an outside body. Vice-chairperson Fryday asked if there could be a statement that the Committee has reviewed the report and has no comments. Chairperson Sullivan asked staff if the Committee has to comment. Ms. Johnson replied no. She stated that the Committee could say that they have no comments. Commissioner Nelson agreed that every mandatory referral should not have a comment.

Commissioner Ryan asked if commissioners disagree is there a way to provide comments from both sides. Chairperson Sullivan answered yes there could be a minority opinion included in the Committee's report. Chairperson Sullivan said that the Committee could approve, not approve or not comment.

Ms. Johnson cautioned the Committee not to send comments to all of the different bodies on a regular basis if they would like for their comments to be impactful. The comments should not be typical but something special. Commissioner Nelson added that if the comments are received on a regular basis, people will not read them.

Vice-chairperson Fryday asked if the Committee could have standard statements as listed below.

**If pulled for consent**, the Committee reports that they reviewed Mandatory Referral \_\_\_\_\_ (insert MR#) on a certain date \_\_\_\_\_ (insert meeting date) and have no comments or have comments and list them.

**If pulled for discussion and the Committee has comments**, the Committee decides if the comments are important enough to share. Then the Committee could report that they reviewed the mandatory referral and have the following comments \_\_\_\_\_ (list comments).

Commissioner McClung asked if the reports should go to the Zoning Committee. Planning Commission Chairperson Lathrop replied no. Commissioner McMillan asked if a timeline with the steps in the mandatory referral review process could be added. Ms. Johnson replied yes.

Chairperson Nelson suggested that a commissioner say that I move that the Planning Committee makes the following comment \_\_\_\_\_ to the following body \_\_\_\_\_. If individuals do not agree, add a minority opinion.

Chairperson Sullivan said that if the mandatory referral is approved by the Committee, they could make a motion and include information that would be sent to the submitting agency and others that may have a vested interested or concern.

Chairperson Sullivan confirmed that the first page of the *Mandatory Referral Process* document is fine and the second page has some strike throughs. He stated that the *Mandatory Referral Process* handout dated 11/28/2016 needs to be revised and that the Committee needs to wait until the January 2017 meeting to take action.

*A motion was made by Commissioner Ryan and seconded by Vice-chairperson Fryday to move forward with a vote on the revised Mandatory Referral Process with Chairperson Sullivan's points at the January 2017 meeting.*

*The vote was unanimous to move forward with a vote on the revised Mandatory Referral Process at the January 2017 Planning Committee meeting.*

Chairperson Sullivan thanked Commissioner Nelson, Vice-chairperson Fryday and Ms. Johnson for their hard work on this item.

### **Commissioners Areas of Expertise**

Commissioner Ham is putting together an outline of the commissioners' areas of expertise. This may provide a way to identify who may have more information to share with others on various items. He would like for commissioners to respond to an email that was sent about this item. He hopes that there will be a presentation on this information by early February.

### **Unified Development Ordinance & Place Type Update**

Ed McKinney stated that staff will give an overview of the Place Type meetings that recently took place in the community. Kathy Cornett (Planning) provided the Place Types overview. She shared some of the high level themes from the consultants' meetings with Planning Commissioners and City Council, summarized what staff heard at the community workshops and reviewed the next steps in the process.

There were five meetings throughout the city with 159 participants.

Ms. Cornett shared the Top 10 Favorite Places that participants identified at the meetings.

- |                        |                   |
|------------------------|-------------------|
| 1. Freedom Park        | 6. NoDA           |
| 2. Greenways           | 7. Dilworth       |
| 3. South End           | 8. Wesley Heights |
| 4. Uptown              | 9. Plaza-Midwood  |
| 5. Romare Bearden Park | 10. Rail Trail    |

Ms. Cornett highlighted what people liked most about these places. Key words included experience, open space, mixed use and diversity. Next she highlighted key words use to describe these spaces which included beautiful, walkable, peaceful, green and diverse. Ms. Cornett stated that staff distributed 100 "Meeting in a Box" packets for participants to use to share information with others in the community. 87% of participants thought the workshop was helpful. Click [here](#) to view the PowerPoint presentation.

Commissioner Ryan asked how many people participated online. Ms. Cornett stated 10 to 15 people. She stated that staff recognizes that this is a slow start and have had conversations with other staff that have used similar tools. Their experience was that once you build your momentum, participation grows quickly. Commissioner Ryan stated that she would be surprised if the momentum develops on its own. She suggested that it may need to be targeted through organizations.

Commissioner McClung asked if there were any questions about school locations. Ms. Cornett answered yes. Commissioner McClung said that he has had discussions with CMS staff about what kind of tools to use for population projections to determine where schools are needed. He added that densities are getting higher and it is going to be hard to find school property. Ms. Cornett stated that the comments are generally about how schools, transportation and other departments/agencies are participating in the process. She said that it was helpful to have CDOT and CATS staff at the meetings to share information and show how we work together.

Vice-chairperson Fryday stated that he enjoyed being at the meetings and listening to the people at his table. They were more aware of planning than one might expect. He noted that SouthPark is not one of the Top 10 Favorite Places. He asked about the commonalities and differences of the Top 10.

Commissioner Nelson asked about the diversity of the Ordinance Advisory Committee (OAC) in terms of professionals, community and race. Mr. McKinney stated there was a detailed conversation about all of the above in the last work session.

Commissioner Ryan stated that she attended the same meeting as Vice-chairperson Fryday and the meeting went really well. She thought people were engaged and was surprised at how knowledgeable people were. She said that she thought the presentation captured what she heard at her table. Commissioner Ryan commented on slide 6 "*What people liked most about these places*" – the word cloud is more about places and not about uses. She stated that she still struggles with the names of these places being called mixed use or residential center when we are trying to get away from using those categories. She expressed a desire to revisit the names of place types. She added that slide 7 "*Words used to describe their favorite places*" the word cloud is all about places as well. She encouraged staff to revisit this. She said that she wonders if there is a way to capture the essence of the joy of the people at her table. The activity was setup in terms of cards and all of the choices were pretty obvious but you learned that the people there understood the concept of place types. Commissioner Ryan thought it was a raging success.

Chairperson Sullivan stated that it is interesting that there is very little of South Park in the word clouds. It is interesting that the higher impact areas are the ones that participants have less interest in. He added that all of the places identified are centrally located in the center of town. Commissioner Ryan stated that could have been because participants were asked what their favorite place is and they thought of parks instead of neighborhoods. She suggested that if you ask what your favorite neighborhood is, you may get more information.

Commissioner Nelson stated that maybe consideration should be given to different types of examples. One could talk about favorite places in Charlotte and have a list that is representative of all the places that are needed in our community. She thinks that we need to drill down further to understand what people really mean.

Commissioner McMillan asked how staff will address things that are missing on the slides. Ms. Cornett said that staff is at the very beginning stage and will have to figure out how to address this. Mr. McKinney added that if you look at slide 10 “Stakeholder Feedback” the table that shows feedback from the Mayor, City Council, Planning Commission and Workshop Participants, you can see some clear themes emerging such as affordable housing. This is giving us a broad road map for the things that we need to focus on. Mr. McKinney reiterated the commonalities across the different groups. Commissioner McClung asked if anyone brought up what they did not want in their favorite places. Ms. Cornett said that question was not specifically asked.

Commissioner Nelson stated that some things may be easier to address than others. She said there are some things like affordable housing and gentrification that we say are not land use issues. However, they are an outgrowth of land use issues. She suggests that we research what other cities have done to address these issues. She asked what can be put in writing to address this. Look for ways that some of these issues are explicitly dealt with in ordinances. She said that she is optimistic that there are some cities that have found ways to address affordability. The issue may have been addressed through something in an ordinance about the speed of change in a neighborhood or rezonings in a neighborhood that could trigger gentrification.

Vice-chairperson Fryday agreed with Commissioner Nelson. He questioned if the words on slide 10 “Stakeholder Feedback” - the table that shows feedback from the Mayor, City Council, Planning Commission and Workshop Participants mean the same thing to all of the groups.

Commissioner Ryan expressed her disappointment in not seeing all of the information prior to the public meetings. She wants to see more of the place types and compare the eight categories. She thinks that we might discover some that are missing. Mr. Meacci stated that some of that information will be shared next month.

Planning Commission Chairperson Lathrop stated that he sensed a tremendous amount of self-selection in participation. He thinks there is an overwhelming number of people in the community who do not know about this and are not paying attention. He said that it is very important to test the terminology with people who are not in the know.

Chairperson Sullivan said that he thinks it is important to look at who is at the meetings and make an effort to reach out to those who are not there. Either they can't take time out of their day for these meetings or they don't feel engaged. If we are going to make a city for everyone, then we need to reach out to all. Vice-chairperson Fryday asked what the Committee can do to help bring in more people. He asked if the Committee can invite people from all over the city because they all know people. McClung suggested getting people interested in UDO.org.

Chairperson Sullivan stated that Charlotte agenda has a number of events that have hundreds of individuals, mostly in there thirties. He also suggested the Ballantyne Breakfast Club and the Tuesday Morning Breakfast Club as groups to contact. He said that maybe we need to go to their events to engage them. Mr. McKinney stated that staff has been going to various groups for the past nine months and will continue to do that. However, staff will never catch everyone. He asked committee members to share specific contacts.

Commissioner Ryan said that she thought that is what the Lee Institute is doing. Ms. Cornett said that the Lee Institute provided feedback on the presentation and helped design the table activities. McKinney stated they have their list to.

Commissioner Nelson suggested that we go outside of our circle. She inquired about a list of the presentations that staff makes to groups. Mr. McKinney stated that the list changes daily. Commissioner Nelson asked if the list is on the website. Mr. McKinney said it is difficult to manage keeping everyone up to speed on every single neighborhood meeting that staff attends. He said that if anyone invites staff to any neighborhood meetings they will participate.

Commissioner Ryan asked if staff could place a calendar on the website to make them aware of where you will present information and to what group. Ms. Johnson stated that if staff knows ahead of time the information can be included in the agenda packet. Mr. McKinney stated staff is keeping a record of all meetings that they attend. He emphasized that all of this information will not be placed on the website. Mr. McKinney said do not hesitate to let him know of groups that you think staff should contact.

Commissioner Ryan noted that the presentation started with Centers, Corridor and Wedges (CCW). She thinks that there are some unspoken things that were not communicated. For example, what do we mean by transportation choices. She added that we would like to see most of our neighborhoods have different uses, different incomes and be well connected. She suggested a discussion about things that you see in some neighborhoods and towns and others we do not. Consider asking participants how they feel about making their neighborhood more walkable. She said that she believes there are some unspoken values that could be much more explicitly stated that can help people understand why some of these things are important.

Vice-chairperson Fryday stated that the presentation started off by pointing out that we are a growing city but it did not say that implies these kinds of things will be important to the city. Ms. Cornett explained that the presentation begins with the vision for the city of Charlotte.

Meeting adjourned at 6:35 p.m.



## **Mandatory Referral Process (Draft proposal 1/3/2017)**

After reviewing the NC Statute, the Planning Committee recognized a need to better articulate the Mandatory Referral review process to ensure that each referral is appropriately evaluated and discussed and that Committee concerns are communicated to the appropriate parties. Below is the proposed process developed by the Executive Committee of the Planning Commission, working with staff and members of the Planning Committee.

### Planning Staff Review and Evaluation

Planning Staff will ensure that each Mandatory Referral is evaluated for:<sup>1</sup>

- Consistency with any applicable adopted planning policies (e.g, Area Plans, Place Types);
- Consistency with any other applicable public policies, goals, and capital plans for the area;
- Consistency with the submitting agency's capital plans and capital plans of other public agencies;
- Compatibility with surrounding land uses;
- Impact on public services and infrastructure; and
- Potential for shared use or joint use opportunities.

Staff will provide the Planning Committee with documentation of the above evaluation for their review and response. This documentation is referred to below as the "Mandatory Referral Report".

### Planning Committee Review

Given the 30 day window of the Statute, and the time needed for staff review and evaluation, staff will provide the Committee the final Mandatory Referral Report that includes the staff evaluation and recommendation a week prior to the Planning Committee meeting. Included in this report will be a summary of any discussion of the Mandatory Referral by the Joint Use Task Force and a list of the departments/agencies in attendance at the Joint Use Task Force meeting. Committee members are responsible for reviewing this information.

### Planning Committee Recommendation and Response

Conforming to the Statute, the Planning Committee "will review the project or action and make whatever response, if any, to the submitting body and others as it deems appropriate"<sup>2</sup>. The Committee may choose to respond to the Mandatory Referrals as consent items, or may choose to discuss in more detail. Typical Planning Committee responses will include:

#### **When the Committee has no additional comment to transmit:**

- Response – The standard Planning Committee response in these cases will be: "The Planning Committee reviewed Mandatory Referral report <fill in number> on <fill in date> and has no additional comments for the submitting agency."

Transmittal and Communication - Planning Staff will provide an email response, including the full Mandatory Referral Report with the Planning Committee response of no additional comments, to submitting staff.

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<sup>1</sup> Criteria based on the Mandatory Referrals Section of the Charlotte-Mecklenburg Planning Commission Handbook

<sup>2</sup> NC State Statute language on Mandatory Referral process

**When the Committee has additional comment(s) to transmit:**

- Response – The standard Planning Committee response in these cases will be: “The Planning Committee reviewed Mandatory Referral report <fill in number> on <fill in date> and has the following comments . . .” The comments included in this response will be part of the Committee’s motion and may also include comments that represent a minority opinion. A typical Committee motion would be “I move that the Planning Committee make the following comments to the following bodies . . .”

Transmittal and Communication - Planning staff will provide an email response, including the full Mandatory Referral Report with the Planning Committee response, to submitting staff. In addition, if specified in the Committee motion, a formal letter from the Planning Committee Chair will be attached to the Mandatory Referral Report and will be sent to those bodies specified in the Committee motion.

Transmittal and Communication Contact List:

Staff will draft an example letter to use as a template to facilitate the response letter from the Planning Committee Chairperson. The list below is provided for guidance when the Committee response is to provide additional comments to specified bodies.

- Mecklenburg County
  - Submitting Staff: Asset Management; County Mgr.’s Office; County Stormwater; or Parks & Rec.
  - Agency/Department Head:
  - County Manager: Mecklenburg County Manager
  - Board of County Commission: Chairman
- Charlotte Mecklenburg Schools
  - Submitting Staff:
  - Agency/Department Head: Superintendent
  - School Board: Chairperson
- Charlotte Mecklenburg Public Library
  - Submitting Staff:
  - Agency/Department Head:
  - Board Chairperson:
- Central Piedmont Community College
  - Submitting Staff:
  - Agency/Department Head:
  - Board Chairperson:
- City of Charlotte
  - Submitting Staff: Real Estate (on behalf of numerous departments); CATS; Neighborhood & Business Services
  - Agency/Department Head:
  - City Manager
  - City Council

Mandatory Referral Process Timeline – Key Activities

The schedule shown below is followed to allow review of Mandatory Referrals within the 30- day timeframe specified by state statute.

	Activity	Notes
Week 0	By the 20 <sup>th</sup> day of the month all Mandatory Referrals proposed for consideration at the following month’s Planning Committee meeting must be submitted to Planning Staff.	<ul style="list-style-type: none"> <li>▪ Once submittals are received, Planning staff does an initial review to determine if additional information/corrections/clarifications are needed and follows up with submitter.</li> <li>▪ Draft maps are prepared and Planning staff begins analysis of proposals.</li> </ul>
Week 1	Joint Use Task Force (JUTF) agenda packet sent out a week prior to their meeting.	<ul style="list-style-type: none"> <li>• Packet includes listing of the proposed Mandatory Referrals along with any preliminary information and maps.</li> <li>• JUTF members begin their review of the proposals.</li> </ul>
Week 2	JUTF staff meets on the first Wednesday of the month.	<ul style="list-style-type: none"> <li>• As part of their meeting agenda, JUTF discusses the proposed Mandatory Referrals.</li> <li>▪ After the JUTF meeting, staff from various departments follow up on issues/concerns from the meeting; additional information is gathered/discussions held if needed; and, the staff analysis/report and maps are updated, additional information added and finalized.</li> <li>▪ Finalized reports and maps are sent to Agenda Coordinator to include in Planning Committee agenda package.</li> </ul>
Week 3	Planning Committee agenda packet sent out a week prior to their meeting.	<ul style="list-style-type: none"> <li>• Packet includes complete Mandatory Referral reports.</li> <li>• Planning Committee members begin their review of the reports.</li> </ul>
Week 4	Planning Committee meets on the third Tuesday of the month	<ul style="list-style-type: none"> <li>• As part of their meeting agenda, the Planning Committee reviews the Mandatory Referrals.</li> <li>• Following the meeting, the final Mandatory Referral report, including any Planning Committee comments, is transmitted to the submitter and any other bodies identified by the Committee. In some specific cases, a letter from the Committee Chair will accompany the report.</li> </ul>



**Submitted by:** Hannah Bromberger, E&PM, Real Estate  
Jacqueline McNeil, County Asset & Facility Management

**Initiated by:** Major Lisa Goelz, CMPD

**MANDATORY REFERRAL-REPORT NO. 17-01**  
**Proposed Transfer of the Police Activities League Building on Oaklawn Avenue from**  
**Mecklenburg County to the City of Charlotte**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County proposes to transfer the Police Activities League (PAL) Building to the City of Charlotte. The PAL Building is located at 812 Oaklawn Avenue (parcel identification number 075-106-01), is approximately 0.27 acres and is zoned B-1 according to the Charlotte Zoning Ordinance.

**PROJECT JUSTIFICATION:**

The City of Charlotte currently leases the PAL Building for several Charlotte-Mecklenburg Police Department's (CMPD) programs, including the Youth Diversion Program. The Youth Diversion Program engages at-risk youth and youth that have been involved in delinquent or criminal activity through mentorships, life skills classes, conflict resolution classes, and educational opportunities for parents. Through prevention, diversion, and intervention programming, CMPD is able to reduce the number of youth referred to the criminal justice system and reduce criminal recidivism by youth.

This parcel was originally part of the Oaklawn Park and was conveyed to Mecklenburg County from the City of Charlotte in 1997 as part of the Consolidation of the Park and Recreation Departments agreement. The 1997 transfer deed requires that this parcel be used by Mecklenburg County for park and recreation purposes. The deed also outlines that the property may be transferred back to the City at no cost should the property cease to be used for park and recreation purposes. Mecklenburg County Park and Recreation does not have a need for the building; therefore, the County recommends conveying the property back to the City.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

On October 10, 2016, Charlotte City Council approved an "Action Item in Response to City Council Letter to the Community" in which the CMPD's Youth Diversion Program was recognized as a program that City Council would like to expand. In order to expand the Youth Diversion Program, CMPD would like to invest in the facility so all program participants can be accommodated.

The City maintains the PAL Building and has previously invested \$150,000 for the initial phase of the renovation which included new flooring, drywall, kitchen enhancements, furniture, technology, and building exterior repairs and painting. A second phase of the renovation is planned to reconfigure the basement and renovate the restrooms, as well as to replace the building's HVAC system, plumbing system, and lighting. CMPD completed a project study for the second phase of the renovation; the study estimates the project costs to be between \$440,000 and \$500,000. CMPD is also interested in investing in the adjacent grassy parcel via a long term lease or purchase agreement in order to provide additional parking for staff and citizens.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The Central District Plan (1993) recommends retail uses for the subject property.

**PROJECT IMPACT:**

No impacts are anticipated.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

There are no known relationships to other public or private projects.

**ESTIMATED PROJECT COMPLETION DATE:**

This transfer is anticipated to be completed by spring of 2017.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their January 4, 2017, meeting and no joint use comments were offered.

Agencies represented at the JUTF meeting: City Neighborhood & Business Services, Mecklenburg County Library, City Real Estate, County Asset Management, Charlotte Department of Transportation, CMS, City Engineering & Property Management, CATS, Town of Matthews, County Finance, Planning, County Manager's Office, County Health, City Solid Waste Services, Charlotte Mecklenburg Police.

## **PLANNING STAFF REVIEW:**

Planning staff has reviewed the proposed transfer of property from Mecklenburg County to the City of Charlotte and below are the key findings:

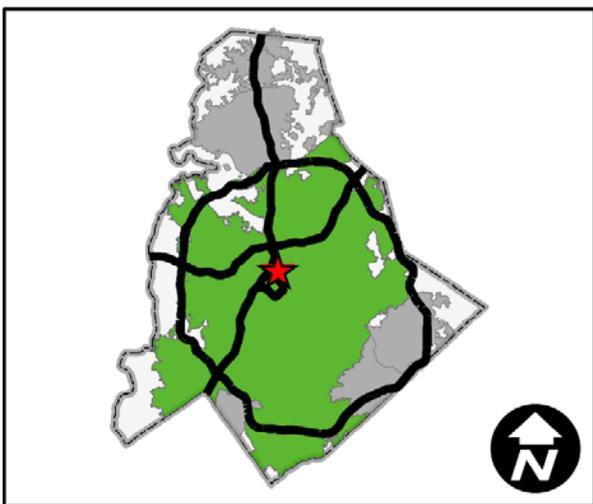
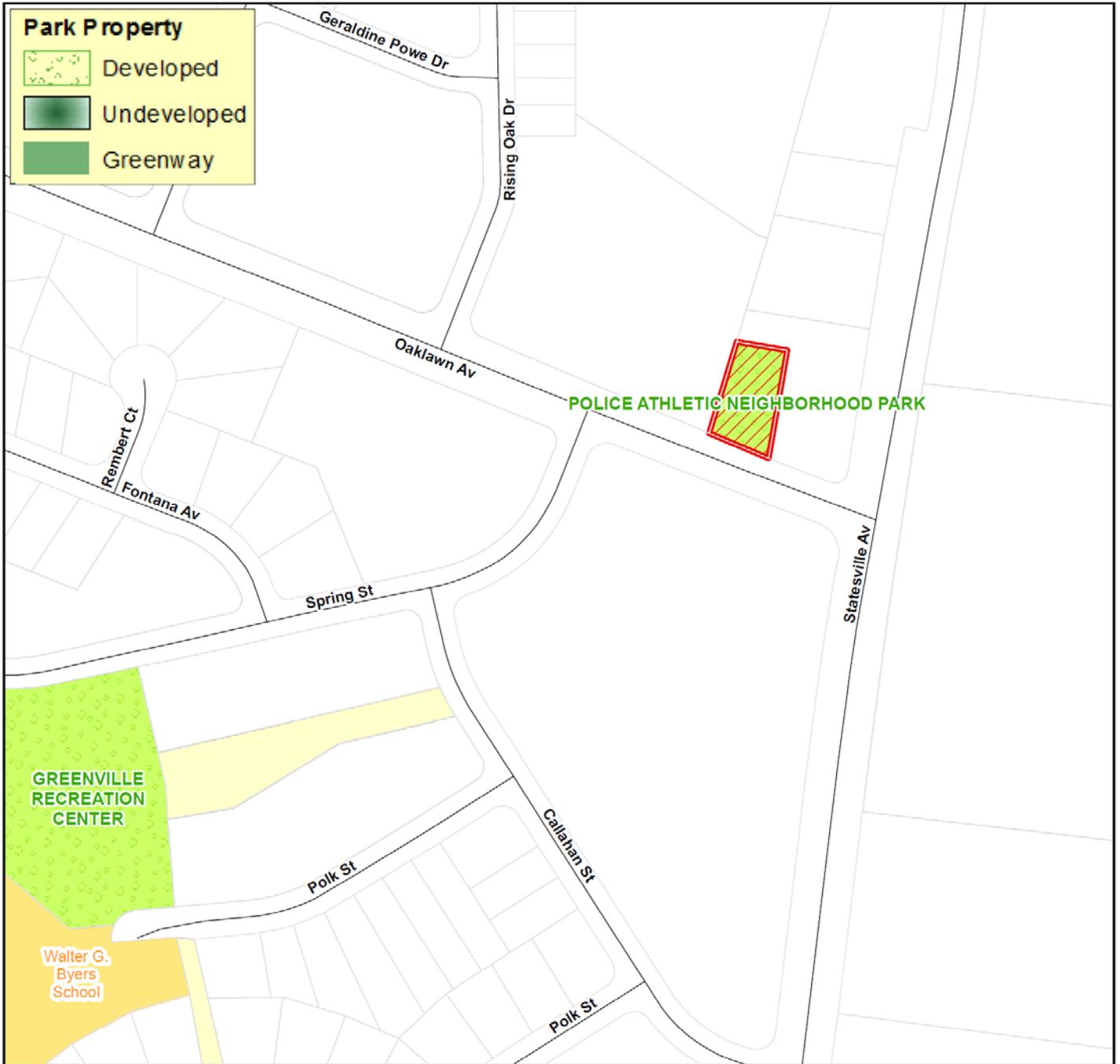
### **Conclusions:**

- The site is currently used by the Police Activity League to house the Youth Diversion Program and is a program that City Council recently expressed desire to expand.
- The site is within the City's North End Smart District and the Applied Innovation Corridor. These programs seek to bring high-tech businesses to the area and encourage infill of residential and commercial development. There may be opportunities for the Youth Diversion Program and businesses that locate in this area, as well as Uptown, to collaborate for mutual benefit.
- The site is conveniently located near Uptown with access to a bus transit corridor for those attending the Youth Diversion Program that may not be able to drive a car.
- While retail may also be appropriate for this location, this site can serve as an institutional or community need given its access and location in proximity to Uptown and a mix of surrounding uses and neighborhoods.
- Zoning entitlements establish a retail node at the corner of Woodward Avenue and Statesville Avenue, less than ½ mile from the site. A current rezoning petition (2017-027) proposes to establish an expanded retail node less than one mile north of the subject location.
- The submitter is aware that when investments are made to the existing structure they must comply with applicable ordinances at that time, particularly relating to building and site design.

### **Adopted Goals and Policies:**

- The City Council has an adopted objective in the Housing and Neighborhood Development Focus Area Plan Fiscal Year 2018 & 2019 to foster economic success for everyone in the community. Strategies include:
  - Connecting children to high-quality out of school time (OST) programs
  - Directly through partner organizations provide youth with internships, pre-apprenticeships, and other work experiences.

## **CMPC PLANNING COMMITTEE REVIEW:**



# Mandatory Referral 17-01

Initiated by: CMPD  
 Submitted by: County Asset & Facility Management

- Mandatory Referral
- City Property
- County Property
- Schools





**Submitted by:** Jacqueline McNeil, Asset & Facility Management

**Initiated by:** Jim Garges, Park and Recreation

### **MANDATORY REFERRAL REPORT NO. 17-02**

Proposed Land Exchange in West Charlotte for Stewart Creek Greenway

#### **PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County proposes a series of land exchange transactions involving three parcels in the West Morehead Street/Freedom Drive area. These parcels are described as follows:

- a 2.26-acre portion of 9.8-acre County-owned Tax Parcel 067-031-11, that is wooded, undeveloped, and zoned I-1 (industrial) according to the Charlotte Zoning Ordinance
- a 3.58-acre portion of 15.55-acre privately-owned Parcel 067-031-04, that is also vacant, wooded and zoned I-1. (The northern edge of this property is crossed by what appears to be two old and inactive railroad sidings.) Stewart Creek forms the eastern boundary of this parcel.
- a 1.90-acre portion of 3.76-acre privately-owned Parcel 067-031-03 that is partially wooded, largely vacant (except for an unimproved parking lot) and zoned B-1 (business). This parcel is bordered by an inactive railroad siding. Stewart Creek forms the western boundary of this parcel.

All three properties are located within the West Morehead/Freedom corridor that is undergoing significant commercial and residential reinvestment and redevelopment. Mecklenburg County has a significant stake in the area, given the recent and anticipated work on completing this segment of the Stewart Creek greenway. The goal of this transaction is for the County to gain easements for a future greenway trail along Stewart Creek, and for the owners of the two privately-owned parcels (described above) to gain ownership of a single contiguous parcel for a proposed mixed use or residential development.

West of Stewart Creek and fronting on Freedom Drive, the County proposes to obtain from the private owner +/- 3.58 acres of greenway easement along the tributary of Stewart Creek (on the northern edge of Parcel 067-031-04) in exchange for +/- 2.26 acres (fee simple) of adjoining County-owned Parcel 067-031-11. In addition, as part of the transaction, it is proposed that east of the creek and along the main stem of Stewart Creek (on privately-owned parcel 067-031-03), the County will purchase an easement of about 1.98 acres needed for construction of the greenway trail.

Finally, as part of this proposed arrangement, the County will obtain donation of a storm water easement along the creek (on parcels 067-031-03 and 067-031-04) for necessary creek improvements (the exact size and dimensions of this easement will be determined at a later date).

The owner of parcel 067-031-04 plans to submit a rezoning request to the City to have that parcel (and the portion of the County's Parcel 067-031-11) conveyed to him as part of this proposed transaction rezoned to either the MUDD (CD) or MUDD-O zoning category, in order to construct a proposed mixed use or residential development.

#### **PROJECT JUSTIFICATION:**

This project will allow the County to move forward with construction of Stewart Creek Greenway in the future and is necessary to have uninterrupted trail along the creek. Additionally, it will enable the private owner to develop additional housing along the Freedom Drive and West Morehead corridors.

#### **CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

Acquisition of greenway land is consistent with the County's *Park & Recreation Master Plan*.

#### **CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *Bryant Park Land Use and Streetscape Plan* (adopted 2007) recommends Greenway and Park/Open Space land uses for these parcels. The plan also recommends Residential/Office/Retail land uses for the portion of PID# 067-031-04, that is not included as part of the land transaction, but is where the proposed mixed use development is to be developed.

#### **PROJECT IMPACT:**

Acceptance of this donation would allow for potential expansion of the greenway and related stream enhancements.

#### **RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

The parcels are located with the West Trade / Rozzelles Ferry Comprehensive Neighborhood Improvement Program (CNIP) area. Also, the developers of the mixed-use project on PID #067-031-04 would be requested by the City to build a road connection extending Wesley Village Road across Freedom Drive and Stewart Creek, connecting to W. Morehead Street (see attached graphic illustrating the location of the proposed road extension).

#### **ESTIMATED PROJECT COMPLETION DATE:**

Acquisition of this property is expected to be complete during the spring 2017.

### **JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their January 4, 2017. No joint use comments were offered, although the comment was raised if the County was aware of the City's CNIP projects in the area.

Agencies represented at the JUTF meeting: City Neighborhood & Business Services, Mecklenburg County Library, City Real Estate, County Asset Management, Charlotte Department of Transportation, CMS, City Engineering & Property Management, CATS, Town of Matthews, County Finance, Planning, County Manager's Office, County Health, City Solid Waste Services, Charlotte Mecklenburg Police.

### **PLANNING STAFF REVIEW:**

Planning staff has reviewed the proposed land transactions and below are the key findings:

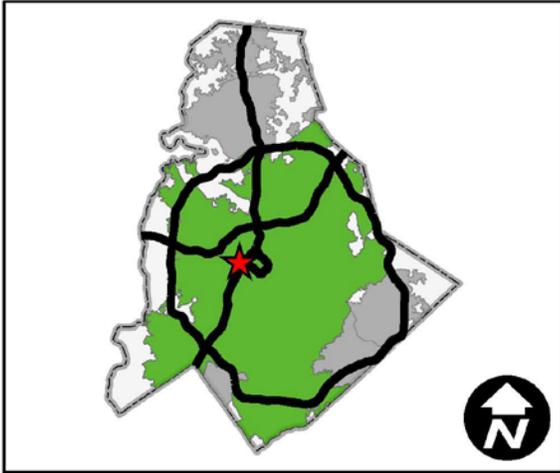
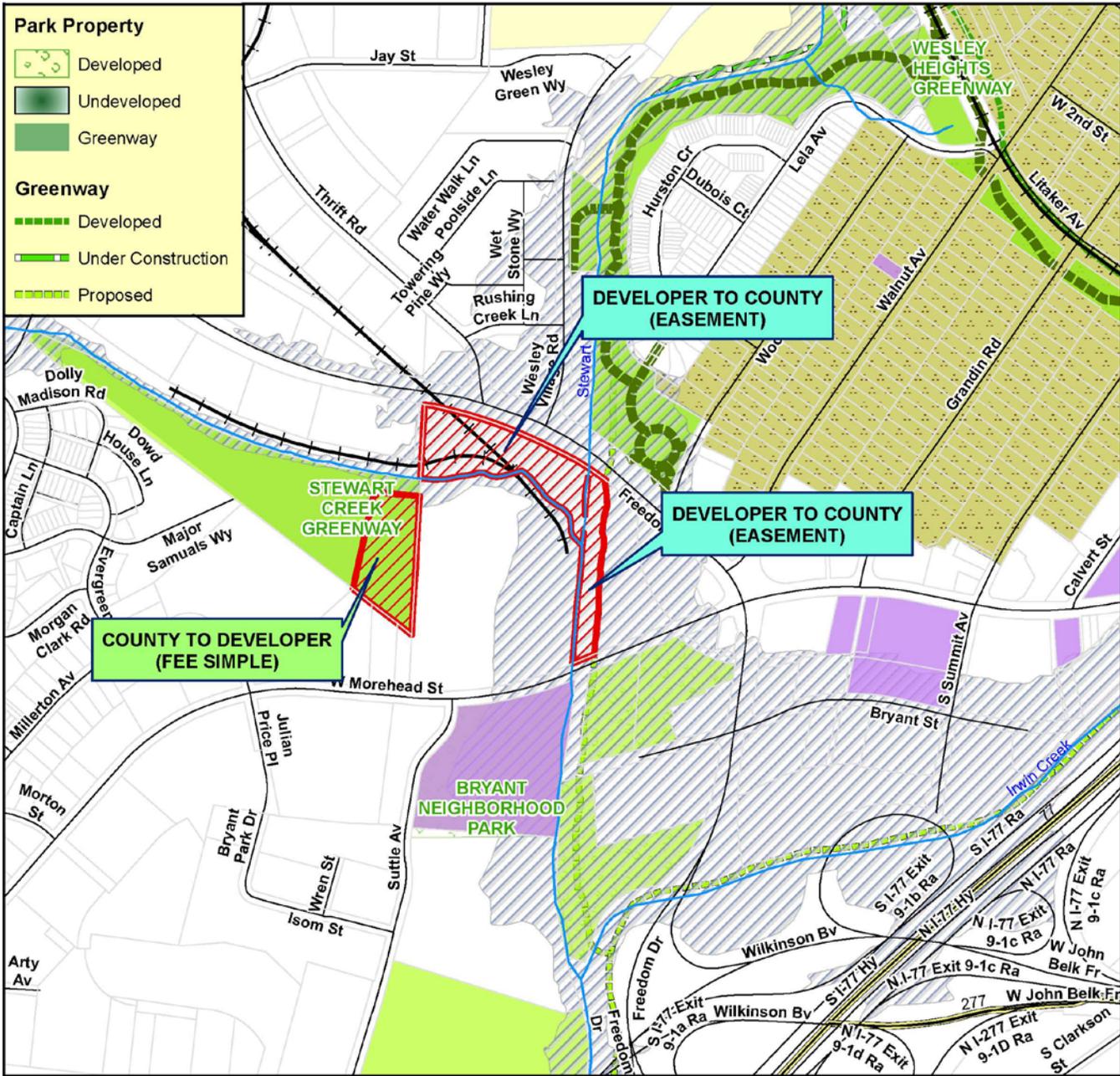
#### **Conclusions:**

- The opportunity to gain the land needed for the future Stewart Creek Greenway and Camp Green connection meets the overall goals and objectives for more pedestrian and bicycle connections found in the *Bryant Park Land Use and Streetscape Plan*.
- The recommended land transactions for future greenway connections helps further a number of the strategies established by the City's CNIP program for this area (West Trade / Rozzelles Ferry CNIP). The strategies include enhancing the public space network, connecting opportunities in the neighborhood, leveraging public and private investments and helping to make a great community.

#### **Adopted Goals and Policies:**

- The adopted future land use for the parcels is greenway and park/open space as per the *Bryant Park Land Use and Streetscape Plan (2007)*.
- The *Bryant Park Land Use and Streetscape Plan (2007)* also included a road connection through these parcels, extending Wesley Village Road across Freedom Drive to West Morehead Street (see "recommended streetscape improvements" graphic attached for more details).

### **CMPC PLANNING COMMITTEE REVIEW:**

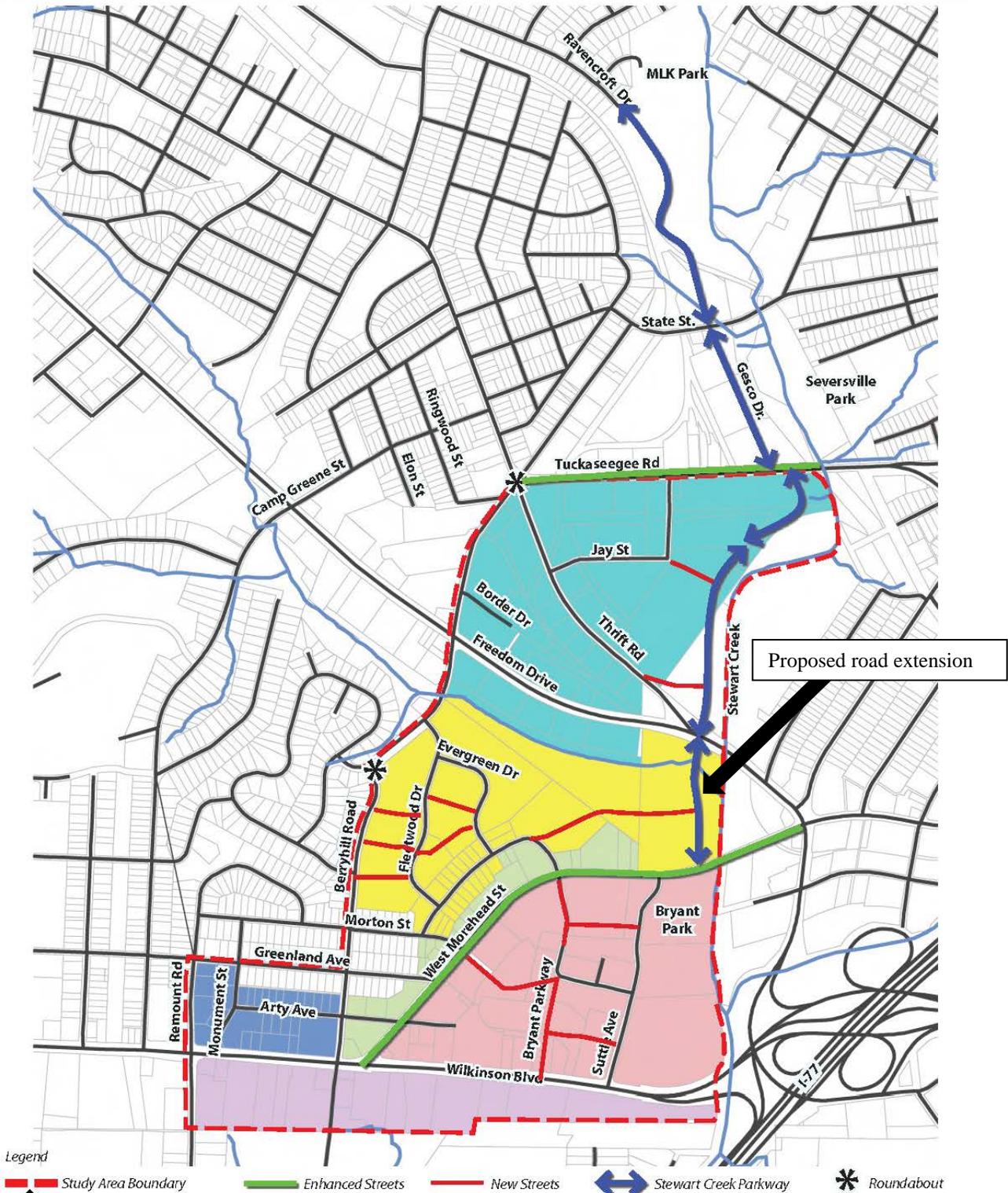


# Mandatory Referral 17-02

**Initiated by: County Park & Recreation**  
**Submitted by: Asset & Facility Management**

- Mandatory Referral
- County Property
- Historic Districts
- Local Historic Landmark
- FEMA 100 Year Floodplain





Legend  
Study Area Boundary    Enhanced Streets    New Streets    Stewart Creek Parkway    Roundabout



Recommended Transportation Network: Map 12

RECOMMENDED STREETScape IMPROVEMENTS