



July 15, 2009

Chairperson Yolanda Johnson
Planning Committee Members

Dear Committee Members:

Attached for your review are the agenda and attachments for your regular meeting to be held on **Tuesday, July 21, 2009 at 5:00 p.m. in Room 280** located on the 2nd Floor of the Charlotte-Mecklenburg Government Center.

At the July 21st meeting, the Committee will be asked to make recommendations on three mandatory referrals. Attached are copies of Mandatory Referrals #09-08, #09-13 and #09-14.

If you cannot attend the July 21st meeting, please contact me at (704) 336-5993 or mmcullough@ci.charlotte.nc.us at your earliest convenience.

Sincerely,

Melony C. McCullough,
Planning Coordinator
Charlotte-Mecklenburg Planning Department

c. Planning Staff
Tim O'Brien, City Real Estate

Charlotte-Mecklenburg Planning Committee Meeting
July 21, 2009
CMGC – 2nd Floor, Conference Room 280, 5:00 p.m.

AGENDA

I. Introductions and Call to Order

II. Approve June 16, 2009 Meeting Minutes. *Attachment 1.*

III. M.R. #09-08: Proposed Acquisition of Property for Expansion of the I-485/South Boulevard Park and Ride Lot

Background: Charlotte Area Transit System (CATS) is seeking to acquire 3.5 acres of land located at 9530 South Boulevard to expand the existing park and ride facility. ***Attachment 2.***

Staff Resources: Kent Main, Planning
Robert W. Drayton, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #09-08.

IV. M.R. #09-13: Proposed Acquisition of Land for a Park on Shearer Road in Davidson's ETJ

Background: Mecklenburg County Park and Recreation Department proposes to acquire approximately 70.86 acres of land for park and open space land uses. These parcels link parcels previously acquired for park and open space. ***Attachment 3.***

Staff Resources: Jonathan Wells, Planning
Nancy Brunnemer, County Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #09-13.

V. M.R. #09-14: Proposed Design and Construction of a New Providence Division Headquarters for Charlotte-Mecklenburg Police Department

Background: City of Charlotte Real Estate proposes that a facility be designed and constructed to meet the specifications for a new Charlotte-Mecklenburg Police Department (CMPD) Providence Division headquarters that will replace the current 7,000 square foot leased facility at 3500 Latrobe Drive. ***Attachment 4.***

Staff Resources: John Howard, Planning
Robert W. Drayton, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #09-14.

VI. Area Plan Status and Meeting Report

Background: Committee members assigned to area plans will provide a report on any meetings that have occurred since the last report.

Resources: Commissioners Firestone and Finch – Catawba Area Plan
Commissioners Johnson and Lipton – Independence Blvd. Area Plan

Action Requested: None, for information only.

VII. Adjourn

DRAFT

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Room 280
June 16, 2009 – 5:00 p.m.**

Commissioners Present: George Sheild (Chairman), Joel Randolph (Vice-Chairman); Tracy Finch-Dodson, Steven Firestone, Nina Lipton, and Greg Phipps

Commissioners Absent: Commissioner Yolanda Johnson

Planning Staff Present: Karen Chavis, Kathy Cornett, Kent Main, Melony McCullough, Bryman Suttle, and Jonathan Wells

Other City/County Staff Present: Robert Drayton (City Real Estate), Nancy Brunnemer (County Real Estate), Captain Rich Granger (Charlotte Fire Department) and Dennis LaCaria (Charlotte-Mecklenburg Schools)

Call to Order

Chairman Sheild called the meeting to order at 5:00 p.m.

Chairman Sheild announced that this is his last official meeting as a Planning Commissioner. He thanked the Planning Commission, Planning Staff and the City of Charlotte. He also acknowledged the quality of Planning staff's work and others throughout the City. Commissioner Lipton thanked Chairman Shield for his service and leadership.

Approval of Meeting Minutes

The Chairman asked Commissioner Lipton if she had any comments on information in the minutes summarizing the Carolinas Medical Center (CMC) discussion. Commissioner Lipton replied that the minutes were very accurate. However, she suggested that Commissioner Randolph follow up on this item at the June Executive Committee meeting.

A motion was made by Commissioner Phipps and seconded by Commissioner Finch-Dodson to approve the minutes from the May 19, 2009 meeting. The vote was 6-0 to approve the minutes.

Mandatory Referrals

Mandatory Referral 09-11 was discussed first to allow Kent Main time to arrive from the Transportation Cabinet Meeting.

Mandatory Referral #09-11: Proposed Acquisition of Land for an Elementary School Site on Johnson Oehler Road in Mallard Creek Park

Kathy Cornett (Planning Staff) presented the mandatory referral proposing Charlotte-Mecklenburg Schools (CMS) build an elementary school on approximately ten acres fronting Johnston Oehler Road within Mallard Creek Park. She stated that the *Northeast District Plan* (1996) is the most recently adopted plan for the area and that land use plans typically do not identify appropriate locations for schools or institutional land uses. However, schools are considered to be compatible land uses to parks.

The Chairman informed committee members that he has interest in a small retail parcel located on Johnston Oehler Road, northwest of the site. He stated that he does not think this mandatory referral will impact the site but would recuse himself if committee members think he should be excused from the vote. Committee members agreed that the Chairman should not be excused from the vote.

Commissioner Lipton asked if the elementary school on Salome Church Road has opened. Dennis LaCaria (CMS) replied that the school will open August 25. She also asked if enrollment in area schools has decreased. Mr. LaCaria stated that school enrollment has not decreased.

A motion was made by Commissioner Randolph and seconded by Commissioner Firestone to approve the proposal. The vote was 6-0 to approve the mandatory referral.

Mandatory Referral: #09-09: Proposed Acquisition of Land for a Fire Station in the Eastland Mall Area

Kent Main (Planning Staff) presented the mandatory referral. He stated that Charlotte Fire Department has identified the need for a new fire station in the Eastland Mall area to address service needs. The parcel under consideration is the site of a vacant bank building.

The *Eastland Area Plan* (2003) recommends a mixture of residential, civic, office, and retail land uses for the site which is located within the proposed "Town Center". Mr. Main added that a number of sites in the area were considered for a fire station before this location was selected. Price and topography were among the determining factors in selecting this site.

Captain Rich Granger (Charlotte Fire Department) emphasized that this station is needed because of the high call volume in this area and stated that calls continue to increase. This is a good location because the Fire Department tries to locate stations within areas that receive the highest number of calls. Also, the location of a fire station at this location will improve the area's response time.

A motion was made by Commissioner Finch-Dobson and seconded by Commissioner Randolph to approve the proposal. The vote was 6-0 to approve the mandatory referral.

Mandatory Referral: #09-12: Proposed County Acquisition, Exchange, and Sale of Land Located off Holbrooks Road near Huntersville

Bryman Suttle (Planning Staff) presented the mandatory referral for Mecklenburg County to purchase a parcel located at 13240 New Haven Drive. Mecklenburg County's former Community Development Department built a home on the wrong lot by mistake. This mandatory referral allows for purchase of the lot on which the home was built. The County will exchange the property for an adjoining vacant parcel on which the home should have been built. The vacant parcel will then be sold as surplus property.

A motion was made by Commissioner Lipton and seconded by Commissioner Finch-Dodson to approve the proposal. The vote was 6-0 to approve the mandatory referral.

Area Plan Status and Meeting Report

There were no updates.

Adjourn

The meeting adjourned at 5:35 p.m.

MANDATORY REFERRAL REPORT NO. 09-08
Proposed Acquisition of Property for Expansion of the I-485/South Boulevard Park and Ride Lot

PROJECT PROPOSAL AND LOCATION:

Charlotte Area Transit System (CATS) is seeking to acquire a 3.54 acre parcel of land at 9530 South Boulevard in the I-485/South Boulevard area of Charlotte to expand the existing park and ride facility, which serves commuters from South Charlotte and South Carolina that use the light rail line. With a convenient location along South Boulevard, near I-485, the proposed site is adjacent to the existing parking deck developed in 2005 for the LYNX Blue Line / South Corridor project and now is frequently over capacity, forcing riders to drive to a park and ride lot further into town. The expanded lot will relieve congestion and provide a higher level of service for park and ride and transit users. The site should be able to accommodate about 132 parking spaces and five handicapped spaces.

The proposed location is adjacent to a newly developed surface parking lot that serves as overflow parking for the parking structure, which is often full by 8 a.m. The availability of the property adjacent to the existing operation provides CATS with the maximum of flexibility for future expansion of parking capacity or possibly transit oriented development in conjunction with a private enterprise.

CATS and the City of Charlotte Real Estate Division identified this parcel (PID number 205-102-33) adjacent to the existing facility that meets the requirements set forth by CATS and an Option to Purchase has been submitted to the current owner. The property is zoned B-1 Neighborhood Business, and is currently occupied by the Texas Roadhouse restaurant, which is making plans to close this location and re-locate to the Matthews area.

PROJECT JUSTIFICATION:

CATS has a capital program with planned facilities to serve existing passengers and to attract new riders. Owning commuter parking as opposed to short-term use agreements on property owned by others provides stability and reliability for riders, and allows marketing of innovative express and custom bus services. There is high demand for park and ride in the subject area.

Requirements for property to be considered for a park & ride facility should meet the following criteria:

- Appropriate zoning for park & ride
- Parcel size to accommodate anticipated parking demand
- Proximity to customers and customer demand
- Topography (flat)
- Proximity to transit routes

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

CATS' adopted capital budget and strategic plan includes a specific Park and Ride line-item.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Sharon & I-485 Transit Station Area Plan* (2009) specifically references the need for additional Park and Ride capacity at the I-485 Station. In the short term, it recommends additional surface parking spaces in proximity to the station. Over the long term, it anticipates garage expansion in conjunction with redevelopment of surface lots and other property. As such, the proposal is consistent with the plan.

PROJECT IMPACT:

The lot is well situated to attract train commuters along the South Corridor. Increased ridership will serve to provide transportation options in a rapidly growing part of the county.

The Park & Ride location itself will be a parking area and transportation hub, which will mesh seamlessly with the surrounding commercial development.

This provides an opportunity to redevelop the Texas Roadhouse site after it moves to a new location.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known other public projects in this vicinity. There are numerous residential as well as retail developments in this general area. The parking facility will serve commuters and shoppers in this region.

ESTIMATED PROJECT COMPLETION DATE:

If approved, the property should be acquired by December 1, 2009.

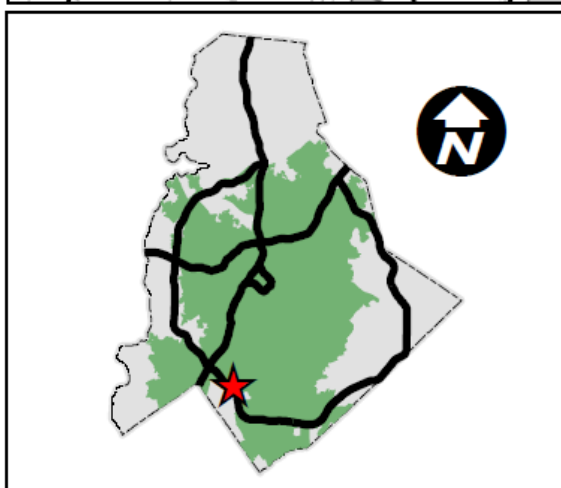
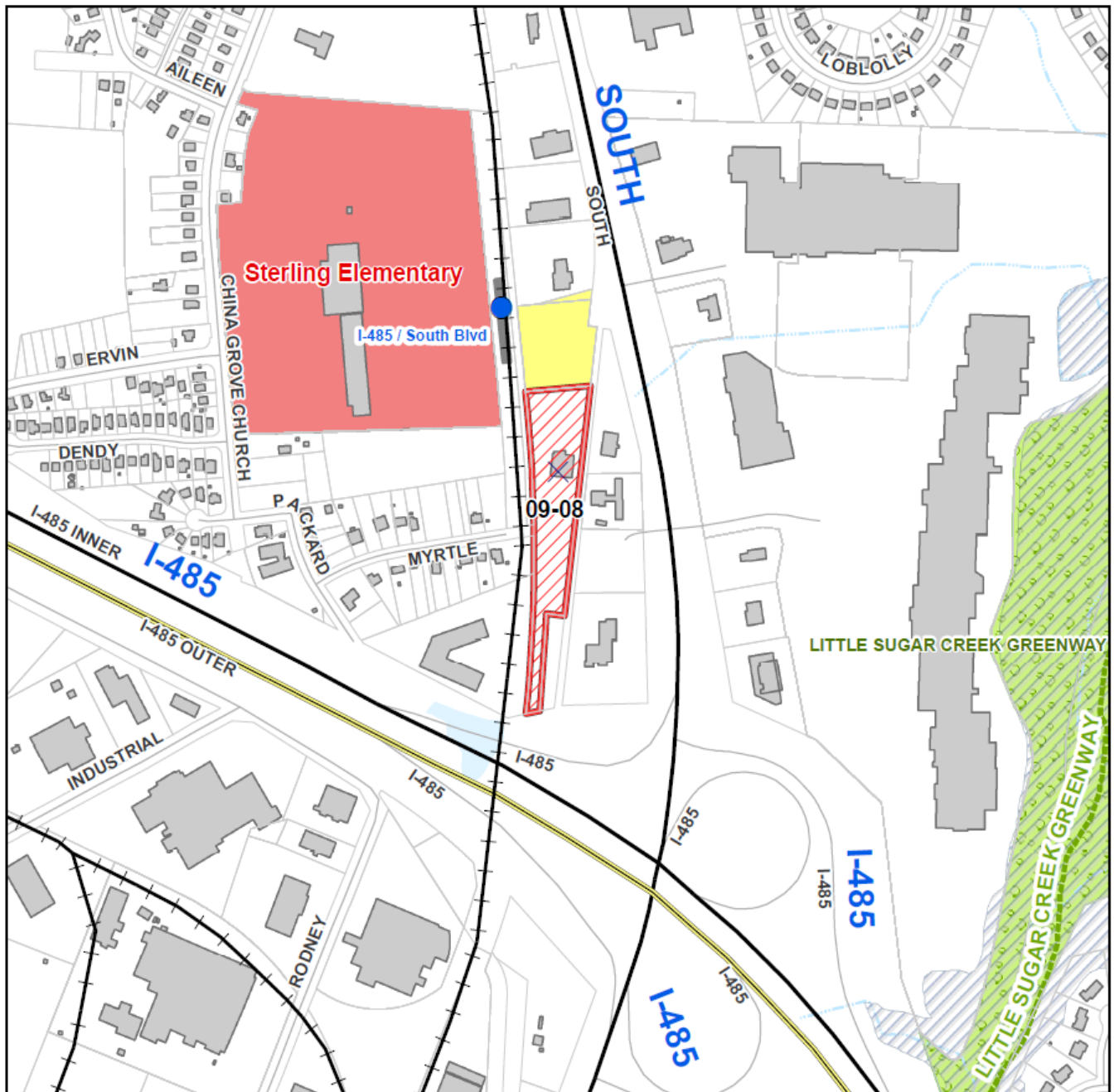
JOINT USE TASK FORCE REVIEW COMMENTS:

This matter was discussed at the July 1, 2009 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the proposed property transaction because it is consistent with the *Sharon & I-485 Transit Station Area Plan* by providing additional Park and Ride parking capacity.





CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 09-08

Submitted by: City Real Estate

Initiated by: CATS

-  Mandatory Referral
-  City Property
-  County Property
-  South Corridor Transit Station

Produced by the Charlotte-Mecklenburg Planning Department



Submitted by: Nancy Brunnemer, Real Estate Services Dept.

Initiated by: Jim Garges, Director, Park & Recreation Dept.

MANDATORY REFERRAL REPORT NO. 09-13 **Proposed Land Acquisition on Shearer Road in Davidson's ETJ for Parkland**

PROJECT PROPOSAL AND LOCATION:

This project is the proposed acquisition of +/- 70.86 acres consisting of Tax Parcel 003-331-02 on Shearer Road in the north/northeasterly portion of the County within the Town of Davidson's extraterritorial jurisdiction. The property is currently vacant and links a land holding to the south owned by the Town (200 acre Fisher Farm Park; Tax Parcel 003-111-04) and to the north by the County (4 acres and 33.65 acres; Tax Parcels 003-051-13 and 003-051-06). These properties were acquired for park and open space purposes. The subject property will bridge these two areas into one solid tract containing +/- 302.51 acres. The property is zoned RPA (Rural Planning Area) under Davidson's Planning Ordinance.

Once assembled, the County proposes to lease its portion of the property to the Town which will develop and operate it as passive public parkland (including a section of greenway, which has already been constructed on adjoining properties).

The Town of Davidson is in favor of the proposed transaction and support the intended parkland use.

PROJECT JUSTIFICATION:

Expanding existing park sites to create larger contiguous acreage provides opportunities for locating multiple outdoor recreation facilities in combination with protection of tree cover, wildlife corridors and streams. There are significant environmental features on the property as well as a variety of wildlife for which this space would provide refuge and habitat.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

This project is consistent with the *2008 Mecklenburg County Parks Master Plan* objectives, and its objectives focusing on expanding existing open space/park sites where feasible. The western boundary of the site is formed by the east branch of Rocky River, which is a proposed greenway, according to both the Town's and the County's greenway master plans.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The Town of Davidson's adopted land use policy in this part of the extraterritorial jurisdiction is to limit development due to the lack of sewer and to preserve the high quality of the habitat and rural character. The zoning is Rural Planning Area and parks are permitted by-right in this area.

PROJECT IMPACT:

This project takes this tract out of play for future residential development and expands/connects two large land holdings on the eastern side of Davidson. Additionally, public ownership will ensure the preservation of high quality habitat for native plants and species and significant mature deciduous tree cover.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This property is to be utilized as open space/park land. It does not affect any other public projects in this area. It includes a section of floodplain that is designated as one of Davidson's greenway corridors.

ESTIMATED PROJECT COMPLETION DATE:

This project is for land acquisition only and is funded by 2007 Park Land Bonds. Development of future park facilities will occur at least five years out.

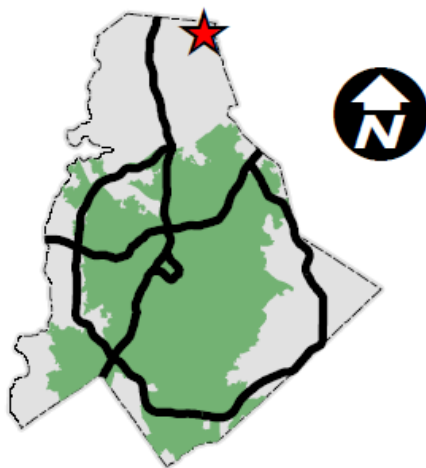
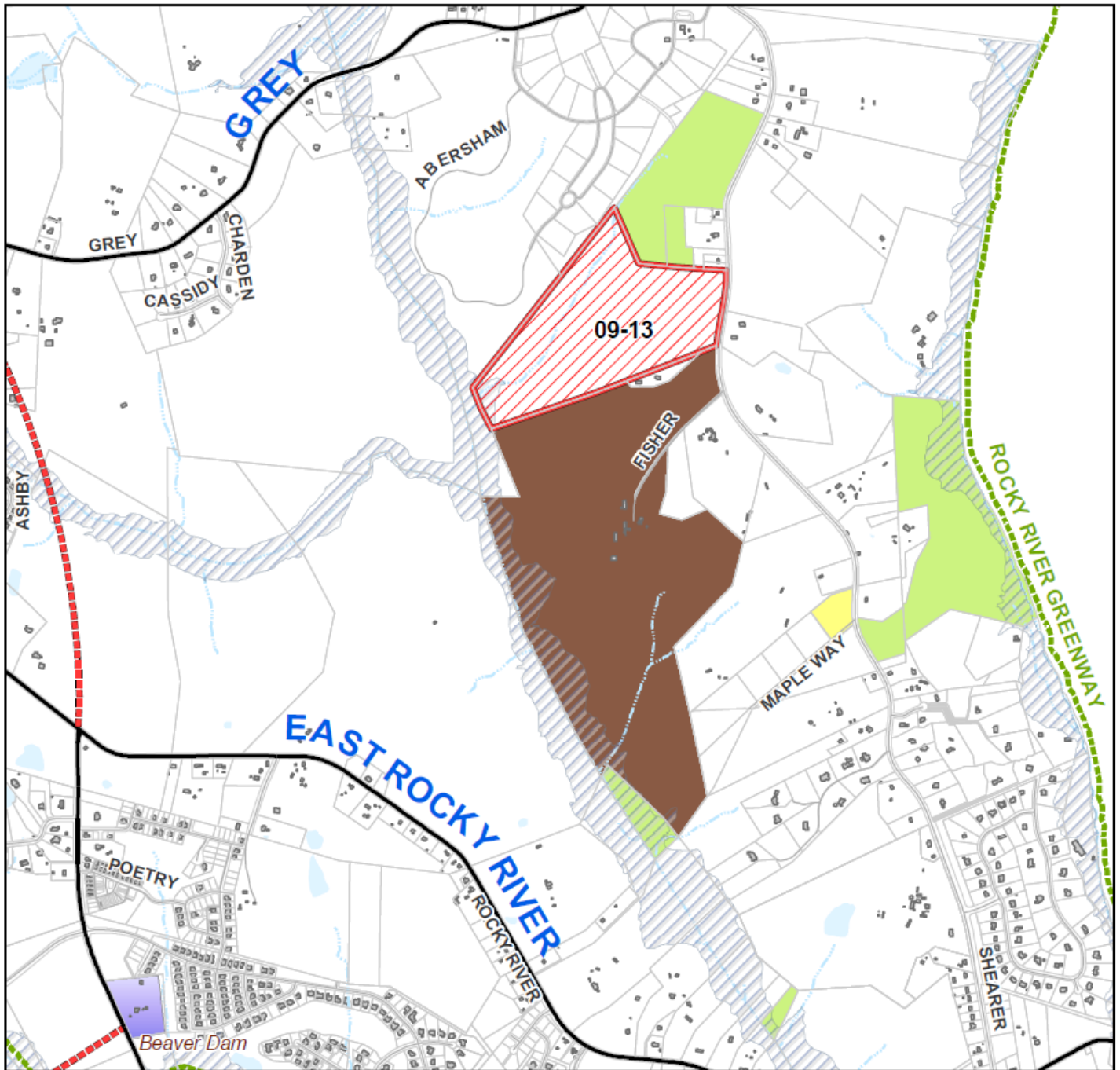
JOINT USE TASK FORCE REVIEW COMMENTS:

This matter was discussed at the July 1, 2009 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of this proposed transaction for the intended purpose.





CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 09-13

Submitted by: County Real Estate

Initiated by: Park & Recreation

-  Mandatory Referral
-  City Property
-  County Property
-  Davidson Property

Produced by the Charlotte-Mecklenburg Planning Department



MANDATORY REFERRAL REPORT NO. 09-14
Proposed New Police Station Location for Providence Division of Charlotte-Mecklenburg Police

PROJECT PROPOSAL AND LOCATION:

City of Charlotte Real Estate proposes that a facility be designed and constructed to meet the specifications for a new Charlotte-Mecklenburg Police Department (CMPD) Providence Division headquarters that will replace the current 7,000 square foot leased facility at 3500 Latrobe Drive. The new 12,500 square foot facility will be constructed and owned by the City of Charlotte. Government buildings up to 12,500 square feet are allowed in the current R-22 MF zoning district. The proposed site is 2.5 acres located on the northeast corner of North Wendover Road and Ellington Street in the Grier Heights neighborhood of Charlotte (consisting of parcels 157-054-05, 157-054-06, 157-054-07, 157-054-08, 157-054-09, 157-054-32, and a portion of 157-054-10).

The current land use is residential (the site currently contains approximately 15 dwelling units, although some are currently unoccupied) and the site is zoned R-22 multi-family residential, according to the Charlotte Zoning Ordinance. Land use in the area is a mix of residential and commercial. The current owner of the property states that she has made arrangements for relocation of tenants in occupied units on the site to other suitable units nearby.

It is the intent of Real Estate to seek rezoning of the property from R-22 MF to NS (Neighborhood Services) to accommodate the proposed land use and in order to minimize setbacks and therefore minimize community impact and site size (and property acquisition costs). The plan is to submit a rezoning petition for an October, 2009 public hearing.

The residential units that currently occupy the rear (northern) portion of the block (on the remainder of parcel 157-054-10) not affected by this development are proposed to remain. Access will be provided by way of a cross-easement north to Billingsley Road.

PROJECT JUSTIFICATION:

The current Providence Division is located in 7,000 square feet of leased space in a flex space building on Latrobe Drive. The CMPD wants to have highly visible and easily accessible division offices with 12,500 square feet of space. The current Latrobe Drive location is too small and not visible from a thoroughfare. It also lacks direct access to the Grier Heights Neighborhood which the new site will provide.

The search for a replacement facility for the Providence Division was initiated in July 2007. The following criteria guided City staff in identifying a site suitable for this facility:

- Site must be highly visible
- Site must be easily accessible from patrol division area.
- Site must be sufficient to accommodate a facility containing a minimum of 12,500 square feet of floor area, secured parking for 95 vehicles and public parking for at least 10 vehicles.
- Site must be centrally-located within the patrol division boundaries

Initially, several existing buildings within the Division boundaries were evaluated, but no existing and available buildings met CMPD requirements and criteria, so new construction was then considered. In mid-2008, a short term lease renewal for the Latrobe Drive location was negotiated, and a search for a site commenced early in 2009.

Several alternate sites were considered before selecting the Grier Heights location, but these sites did not meet the above criteria to the extent the selected site does. Specifically, the other sites exhibited relatively:

- poor accessibility/visibility,
- higher acquisition costs,
- greater distance from core response area,
- poor development conditions (e.g. located in floodplains, bad topography, etc.),
- difficulty locating minimum acreage needed, and,
- difficulty assembling site relatively unencumbered by current owners' desire to find alternative accommodations.

By having the building designed and constructed specifically to be a police station, the efficiency of the space will be improved over the existing facilities (initially designed as flex space), while avoiding the potential need to spend a significant amount of funding in renovation of the existing leased facilities.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Policies governing facility placement are contained in the criteria listed above. Additionally, priority is given to owning (as opposed to leasing) station locations because it is more cost-effective over time.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Central District Plan (1993)* recommends multi-family residential development on the subject parcel. Though the *Central District Plan* recommends multi-family land uses, institutional developments are typically considered complimentary uses in residential areas. In addition, staff rarely identifies institutional land uses in adopted plans unless the site is developed or zoned as such.

PROJECT IMPACT:

The development group that currently owns the property has an adequate number of vacancies in the housing immediately adjacent to the land to be used for the CMPD station so the tenants currently occupying units to be displaced by the proposed station will have suitable replacement housing available to them.

The redevelopment of this site has the potential to be a catalyst for reinvestment in the Grier Heights neighborhood. Several smaller sites along Wendover Road appear to be suitable for development or redevelopment.

The presence of a highly visible police station in the Grier Heights neighborhood should have a positive impact on crime in the area.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no other public or private projects currently planned in this area.

ESTIMATED PROJECT COMPLETION DATE:

The project would be completed by December 2010.

JOINT USE TASK FORCE REVIEW COMMENTS:

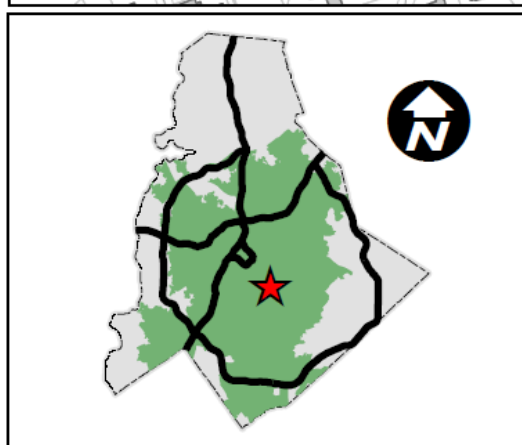
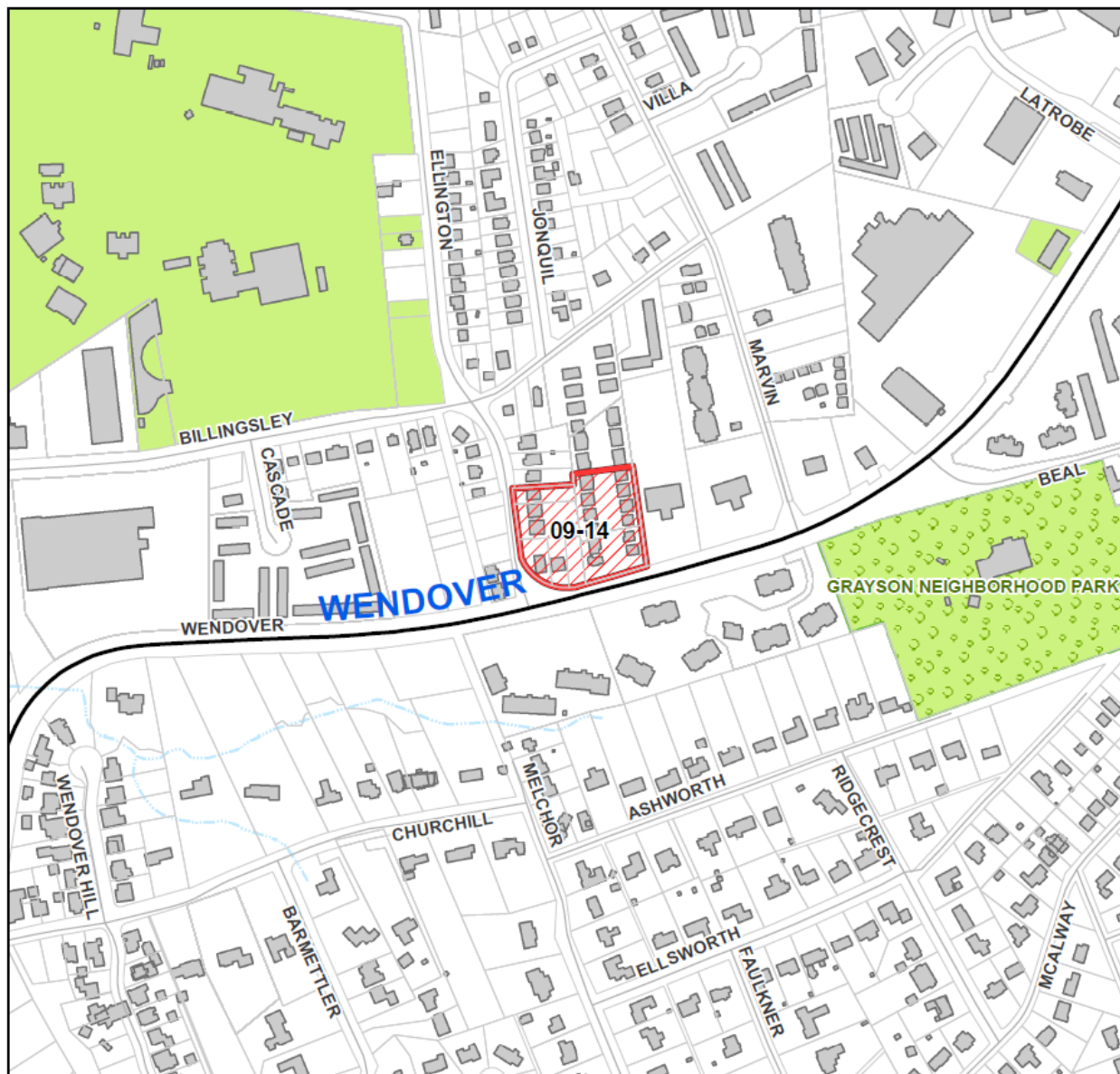
The Joint Use Task Force discussed this matter at their January 7, 2009 meeting and no joint use suggestions were made. The Joint Use Task Force discussed the topic again at their July 1, 2009 meeting and the representative from City Stormwater cautioned that the site will need to meet the requirements of the Post Construction Controls ordinance with respect to storm water runoff.

PLANNING STAFF RECOMMENDATION:

Based on the potential of the police station to improve the quality of life in the community, staff supports the recommendation to construct the Providence Division police station at this location. The following conditions are placed on this recommendation:

- The new facility should meet urban streetscape and façade design suitable for the surrounding context, i.e. building fronting the streets, high quality façade materials and design, windows, decorative fencing, landscaping, etc. The level should be elevated 4 to 6 feet above grade with foundation plantings.
- Efforts should be made to relocate residents of the existing dwellings.
- CMPD should continue to engage Planning and other agencies in the successful development of a long range facilities master plan in order to better plan for their facilities in anticipation of their need.
- Planning staff should be involved in the design process of the facility to ensure it meets expected design standards.

CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 09-14

Submitted by: City Real Estate

Initiated by: CMPD



Mandatory Referral



County Property



Produced by the Charlotte-Mecklenburg Planning Department