



October 12, 2010

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, October 19, 2010 at 5:00 p.m.** in the Innovation Station Conference Room located on the 8th floor of the Charlotte-Mecklenburg Government Center.

At the October 19th meeting, the Committee will receive public comments on the draft *Plaza-Central Pedscape Plan Amendment* and will be asked to make recommendations on four mandatory referrals. Attached are copies of Mandatory Referrals #10-16, #10-17, #10-18, and #10-19.

If you cannot attend the October 19th 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

AGENDA

I. Introductions and Call to Order

II. Approve September 21, 2010 Meeting Minutes. *Attachment 1.*

III. Plaza-Central Plan Amendment Public Comment

Background: The property owner at 1508 Central Avenue has requested an amendment to the *Plaza-Central Pedscape Plan*. This plan amendment allows for a reduction in the 400' distance from residential required for alcohol sales to 225'.

Staff Resources: Michelle Jones, Planning

Action Requested: Receive Public Comment

IV. M.R. #10-16: Proposal to Transfer City-Owned Properties to Various Non-Profit Corporations

Background: Neighborhood and Business Services Key Business Unit proposes to transfer fourteen parcels to various nonprofit organizations. ***Attachment 2.***

Staff Resources: John Howard, Planning
Tim O'Brien, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #10-16

V. M.R. #10-17: Proposed Sale of City-Owned Land Located at 922 Louise Avenue

Background: The City proposes to sale a .72 acre site located at 922 Louise Avenue (part of PID 081-112-07) to The Salvation Army. ***Attachment 3.***

Staff Resources: Melony McCullough, Planning
Tim O'Brien, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #10-17

VI. M.R. #10-18: Proposal to Purchase Land for a New Police Station in Steele Creek

Background: City of Charlotte Real Estate proposes to purchase 2.9 acres located on the southwest corner of South Tryon Street and Westinghouse Boulevard to construct a new Charlotte-Mecklenburg Police Department Steele Creek Division Police Station. **Attachment 4.**

Staff Resources: Alberto Gonzalez, Planning
Robert W. Drayton, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #10-18

VII. M.R. #10-19: Proposed Land Exchange between Mecklenburg County, City of Charlotte, and a Developer in the Metropolitan Area

Background: The Metropolitan development located in the Midtown section of Charlotte is a partnership between the County, City and Pappas Properties. This land exchange allows for infrastructure improvements in the area. **Attachment 5.**

Staff Resources: John Howard, Planning
Jacqueline McNeil, Mecklenburg County Real Estate Services

Action Requested: Approve Planning staff recommendation for M.R. #10-19

VIII. 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: Elizabeth Area Plan Commissioners Griffith and Johnson
Steele Creek Area Plan Commissioner Zoutwelle

- Citizen Advisory Group Meeting
November 9th at 6:00 p.m.
Carolinas Medical Center – Steele Creek,
13640 Steelescote Parkway

Action Requested: None, for information only.

IX. November and December Meeting Schedule

X. Adjourn

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Conference Room 280, 2nd Floor
September 21, 2010**

DRAFT

Commissioners Present: Yolanda Johnson (Chairperson), Andy Zoutewelle (Vice-Chairperson), Emma Allen, Eric Locher, and Margaret Nealon

Commissioners Absent: Lucia Griffith and Joel Randolph

Planning Staff Present: Karen Chavis, Alan Goodwin, Michelle Jones, Kent Main, Melony McCullough, and Jan Whitesell

Call to Order

Chairperson Johnson called the meeting to order at 5:01pm.

Approval of Meeting Minutes

A motion was made by Commissioner Allen and seconded by Commissioner Zoutewelle to approve the July 20, 2010 meeting minutes. The vote was unanimous (5-0) to approve the minutes.

Plaza-Central Plan Amendment Overview

Michelle Jones (Planning staff) explained that the property owner at 1508 Central Avenue is requesting an amendment to the *Plaza-Central Pedscape Plan* (2003). She gave an overview of the proposed amendment to allow a reduction in the 400-foot separation required between residential uses and nightclubs to 225 feet within the plan area.

She explained that the plan guides land use, public investment and other decisions focused on enhancing the pedestrian environment. Ms. Jones also explained the Pedestrian Overlay Zoning District (PED) which provides standards for form and design but does not change land use.

Commissioner Locher asked how the 400' distance requirement came about. Kent Main (Planning staff) explained that the 400' distance is standard in the Zoning Ordinance. He also stated that a property owner cannot apply for a variance in PED and that staff does not support PED-O (Optional) for this request.

Commissioner Zoutewelle shared his concerns about the underlying zoning districts and what may happen in the future. Committee members were also concerned about the maximum number of bars that would be allowed to sale alcohol in the area and if property owners will be notified of any request to sale alcohol. Staff responded that there is no limitation on the number of bars that the amendment allows; however, notification of all requests will be sent to property owners within 400' and neighborhood leaders within a one-mile radius.

Staff shared with the Committee concerns heard during the public meeting. Approximately 15 persons attended and expressed concern about parking as well as drinking and driving through the neighborhood. Most of those in attendance support the plan amendment if bars and nightclubs are to be mainly located along Central Avenue and away from single family neighborhoods.

Staff highlighted the next steps in the process which include holding a final public meeting on September 23 and the Planning Committee receiving public comments on October 19.

FY2011 Area Plan Assessment Results

Ms. McCullough and Jan Whitesell (Planning staff) shared results of the FY2011 Area Plan Assessment Process. Ms. McCullough explained that this is a comprehensive process that involves analyzing a large amount of data and assessing planning needs throughout Charlotte's extraterritorial jurisdiction.

Ms. McCullough explained that the plan assessment takes into considerations over 35 factors that can be grouped in the following categories: development pressure, environmental features, and transportation/infrastructure factors. Ms. Whitesell presented several maps showing the application of data and data sources. Some of the data sources are building permits, quality of life index, rezoning petitions, transportation and infrastructure projects, and environmental features.

The results of the FY2011 Area Plan Assessment Process were shared and the following areas scored highest: Prosperity Church Road, Ballantyne, Cotswold, Central/Albemarle/Lawyers Road, Park Road, and I-85/Sugar Creek/North Tryon/North Graham.

Commissioner Zoutewelle stated that he would like to be included in area plan meetings. The Committee discussed the previous decision to assign a commissioner along with a substitute to cover to each area plan meeting.

Chairperson Johnson was interested in who determines the type of planning process needed. For example, is it a plan amendment or an area plan. Staff responded that the Planning Director decides if a plan amendment is appropriate depending upon the request.

Chairperson Johnson also informed the Committee members that the Independence Boulevard Area Plan is on hold while discussions regarding the transitional setback continue.

Area Plan Status and Meeting Report

Elizabeth Area Plan - Commissioner Zoutewelle reported that he attended some of the area plan meetings as a stakeholder. Alan Goodwin (Planning staff) reported that the next steps include staff finalizing the plan recommendations and meeting with the stakeholders to share the details of the plan recommendations.

Steele Creek Area Plan – Commissioner Zoutewelle reported there were no updates and the next CAG meeting is scheduled for October 7, 2010.

Chairperson Johnson assigned the following commissioners to the following plans:

Elizabeth – Commissioners Johnson and Griffith

Midtown – Commissioners Locher and Zoutewelle

Plaza-Central Pedscape Plan – Commissioner Nealon

Area Plan Tours

Ms. McCullough presented options to the Committee for tours of the Elizabeth and Steele Creek plan areas. The Committee will tour the Elizabeth plan area on Monday, October 4 at 2:00 p.m. and the Steele Creek plan area on Monday, November 1 at 2:00 p.m. following the full Planning Commission meetings.

Planning Commission Retreat

The Planning Committee briefly discussed the Planning Commission Retreat. Chairperson Johnson stated that there are unfinished items that need to be addressed. She indicated that Chairman Rosenburgh asked her and Commissioner Dodson to draft what they would like to see in an operating agreement. This information will be shared with Chairman Rosenburgh, the Planning Director, and the facilitator. Chairperson Johnson is soliciting thoughts from committee members. Commissioner Allen suggested the Commission develop four to five bullets that communicate how the Commission gets their work done. The next steps are to finalize the operating agreement and meet with the Retreat Committee, Planning Director and facilitator to complete unfinished items from the retreat.

Adjourn

The meeting adjourned at 6:03pm.

Submitted by: Timothy J. O'Brien, City of Charlotte Real Estate Division

Initiated by: Denice Beteta, Neighborhood & Business Services

MANDATORY REFERRAL REPORT NO. 10-16
Proposal to Transfer City-Owned Properties to Various Non-profit Corporations

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Neighborhood and Business Services (NBS) KBU proposes to transfer 22 City-owned parcels to various nonprofit organizations. Those parcels not wanted by the nonprofit organizations will be sold through an upset bid process. Thirteen of the parcels are improved with houses that are mostly in good shape but will need some remodeling and/or structural repairs. The other nine parcels are vacant. Twenty one of the parcels are zoned for residential use while one is zoned business. All of the parcels came to the City as a result of non-payment of mortgages that were generated from NBS

The goal is to transfer most of these parcels, individually or in groups, to a non-profit housing organization such as a Community Development Corporation (CDC) or to Habitat for Humanity as soon as the selection process has concluded. The non-profit organizations will be responsible to make the renovations to the existing houses and market them as affordable housing. The vacant lots will also be transferred to non-profits so that they can construct additional affordable houses. The properties are as follows:

Table 1: PARCEL SUMMARY					
	I.D. NO.	ADDRESS	ZONING	CURRENT USE	LOT SIZE (AC.)
1	06310303	4518 Hovis Road	R-5	Residential (house)	.45
2	06705210	2436 Morton Street	R-5	Residential (house)	.20
3	07704304	1914 Newland Road	R-5	Residential (house)	.34
4	04301107	6336 Carver Blvd.	R-5	Residential (house)	.56
5	02934210	11626 Oak Street	R-3	Residential (house)	.22
6	08114305	1513 Harrill Street	R-5	Residential (house)	.17
7	08314703	2420 Barry Street	R-5	Residential (house)	.20
8	11902121	1838 Remount Street	R-22MF	Residential (house)	.28
9	07505209	1800 Haines Street	R-5	Residential (house)	.20
10	06909224	1705 Taylor Avenue	R-5	Residential (house)	.17
11	14518129	2409 West Blvd.	B-1	Residential (house)	.16
12	08313101	1932 Umstead	R-5	Residential (house)	.17
13	06906242	2610 Dundeen Street	R-5	Residential (house)	.15
14	08314202	2726 Duncan Ave.	R-5	Vacant lot	.19
15	12524505	609 Avant St	R-6	Vacant lot	< .10
16	12524506	617 Avant St	R-6	Vacant lot	.18
17	12524332	630 Avant St	R-6	Vacant lot	1.0
18	12524501	631 Avant St.	R-6	Vacant lot	6.0
19	12524333	809 Avant St	R-6	Vacant lot	.81
20	07818721	212 N Summit Ave	R-22MF	Vacant lot	.06
21	07818720	218 N Summit Ave	R-22MF	Vacant lot	.17
22	07818719	222 N Summit Ave	R-22MF	Vacant lot	.09

The non-profits to which these properties are to be transferred will be selected in the following manner. City approved Community Housing Development Organizations (CHDOs) and local non-profit Community Development Corporations (CDCs) with good development track records are invited to review the City's surplus property listings for interest in redevelopment and sale of those properties. These organizations must recertify annually/biannually to maintain good standing with the City of Charlotte. These organizations have partnered with NBS in revitalizing targeted neighborhoods. Once interest in listings is made known to NBS, the property is reserved for the organization until the Mandatory Referral and approval process is complete. After the approval process is complete, City Real Estate is charged with overseeing the transfer of these properties to the designated development organizations. Interested parties are required to submit to NBS a development plan for the parcels in which they are interested.

PROJECT JUSTIFICATION:

These properties were acquired by Substitute Trustee's Deeds as a result of foreclosures on the mortgages that were held by the City of Charlotte. Since they are not needed for City operations, they incur year-round maintenance and liability expenses as well as additional clean-up costs due to occasional dumping. NBS is working in conjunction with several CDC's and Habitat for Humanity to provide affordable housing opportunities in Charlotte as well as to help revitalize some of the neighborhoods in which these houses are located.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The transfer of these parcels to the nonprofit organizations supports the recommendation to develop affordable housing as outlined in the *FY2006-2010 Consolidated Action Plan* (approved by City Council on June 23, 2005).

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The majority of the parcels are consistent with the underlying small area plan or district plan recommendation for single family housing. However, two parcels are inconsistent with the *Central District Plan* (1993). Parcel 11902121 (1838 Remount Road) is zoned multi-family as reflected by the plan recommendation. Parcel 14518129 (2409 West Boulevard) is currently zoned for commercial and the *Central District Plan* recommends commercial development on for the parcel (although the existing structure on the site is a residential dwelling).

PROJECT IMPACT:

The project provides for additional home ownership opportunities and supports revitalization efforts within the associated neighborhoods.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

No other known projects are planned or underway in these areas.

ESTIMATED PROJECT COMPLETION DATE:

The parcels with houses are our highest priorities to deed to nonprofits. Leaving vacant homes unattended is a serious liability problem. The vacant lots invite dumping. Therefore, we intend to transfer these parcels by the end of 2010.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their October 6, 2010 meeting and no comments were offered.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends the transfer of the majority of the parcels in Table 1 for single family use with the following conditions:

- Renovation/redevelopment of the dwellings located in the Belmont neighborhood (1513 Harrill Street and 2420 Barry Street) should follow the single family design guidelines outlined in the *Belmont Area Revitalization Plan* (2003).
- Renovation/redevelopment of the dwelling located at 4518 Hovis Road should follow the residential development guidelines in the *Thomasboro-Hoskins Small Area Plan* (2002).
- Renovation/redevelopment of the dwelling located at 2610 Dundeen Street should follow the residential design guidelines in the *Washington Heights Small Area Plan* (2002).
- For all other parcels, including those located on Avant Street, any redevelopment or rehabilitation should follow residential design guidelines outlined in the *General Development Policies* (GDP), adopted by City Council in 2003.

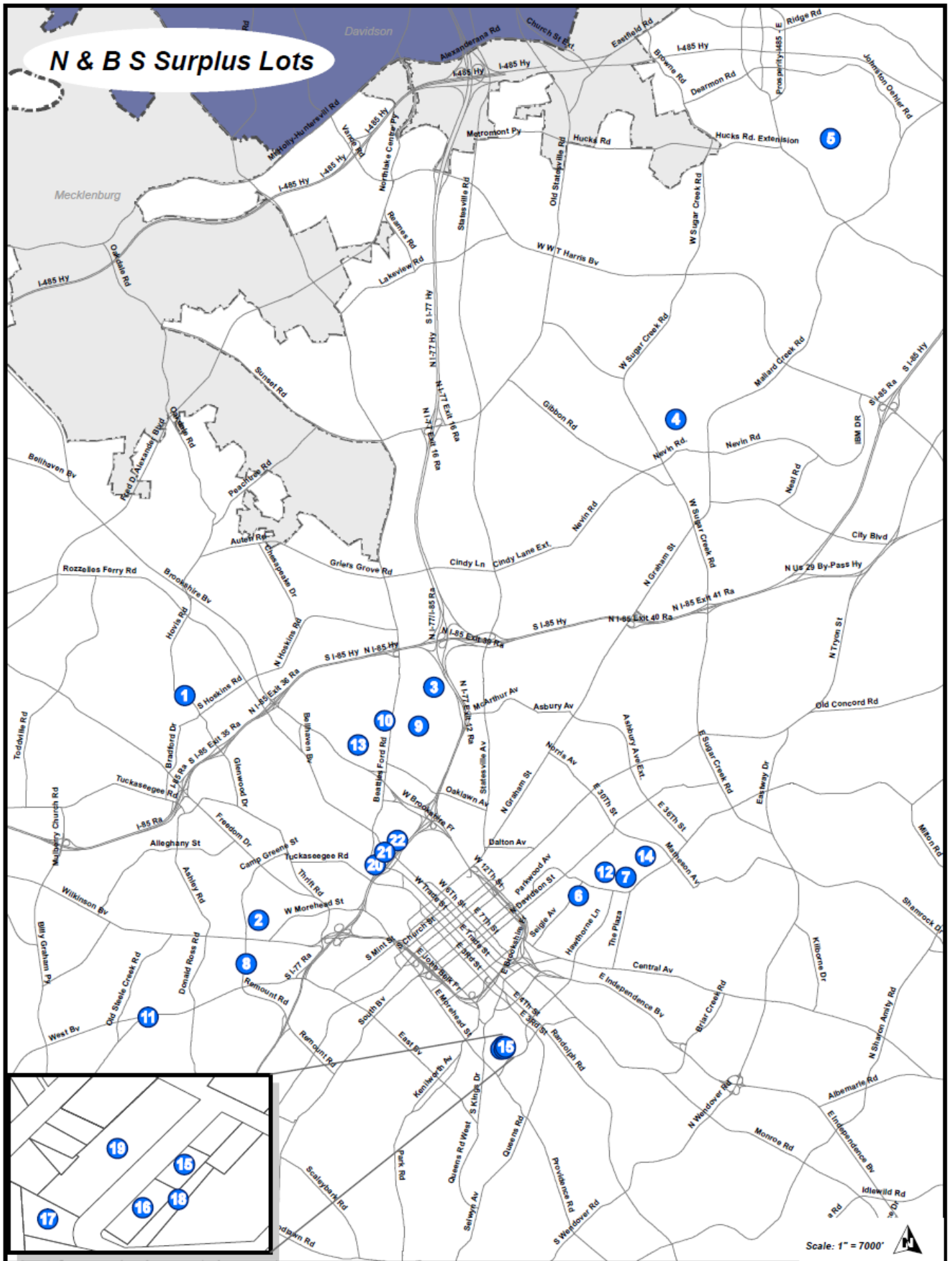
A note regarding the Remount Road property (Parcel 8 in Table 1) is that Planning staff can support the proposed use although it is inconsistent with the *Central District Plan* since the proposed use is of lower intensity than the 22 units per acre as prescribed in the Plan.

Additionally, Planning staff does not support the transfer of the following parcels for the intended purposes for the indicated reasons:

- The dwelling located at 2409 West Boulevard (parcel #11 in the table above) should be reconsidered for non-residential use due to the commercial character of the block and the relationship of the parcel to a major thoroughfare which makes this parcel undesirable for sustainable residential use. This parcel's prescribed residential redevelopment is also inconsistent with the commercial recommendation contained within the adopted *Central District Plan*.
- The vacant parcels on Avant Street (15 through 19) are within Planning's upcoming Cherry/Midtown Small Area Plan boundary. Consideration for future land uses for these parcels will be discussed through the plan development process, and sale of these properties should be deferred pending adoption of this upcoming plan.
- The vacant parcels along North Summit Avenue (parcels 20, 21, and 22 in the table above) are within the *West End Pedestrian Overlay District* (2005). The plan recommends a master planned mixed use of multi-family development in conjunction with the nearby Charlotte Housing Authority property. The vacant adjacent property along West 5th Street is also owned by the City. Development of the subject parcels relies heavily in some manner of redevelopment of Tarlton Hills. The sale of these properties should be delayed until a credible master development plan for the larger area is developed.

CMPC PLANNING COMMITTEE RECOMMENDATION:

N & B S Surplus Lots



Initiated and Submitted by: Timothy J. O'Brien, Engineering & Property Management

MANDATORY REFERRAL-REPORT NO. 10-17
Proposed Sale of Surplus City-owned Land on Louise Avenue

PROJECT PROPOSAL AND LOCATION:

The City proposes to sell a .72 acre site located at 922 Louise Avenue (part of PID 081-112-07), behind The Salvation Army Center on Central Avenue. The City's Solid Waste Services department uses a portion of this parcel as a parking lot to store trucks. When the parking lot was constructed, a .72 acre wooded portion of the site could not be used due to the steep grade change. The best access to this site is through The Salvation Army's property or up a steep hill through the City's Solid Waste Services parking lot. The portion of the property being considered for sale is zoned I-2 (Industrial) and is bordered on the south by the Salvation Army facility and on the north by the Solid Waste Services parking lot.

The Salvation Army approached the City about purchasing the surplus land to create a wooded outdoor environment for counseling those struggling with addictions.

PROJECT JUSTIFICATION:

The land is not needed for any other governmental purpose. The elevation difference between the subject portion of the parcel and the remainder of the City-owned property is significant. That makes combining this land with adjacent property owned by The Salvation Army, which is at a similar elevation, appropriate. Departmental polling was conducted and no departments or agencies expressed an interest in retaining this land.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

City Council Policy entitled, "*Guidelines for Services Contracting and Asset Management*" encourages the City of Charlotte's Real Estate Division to divest itself of any City-owned properties not needed for the City's core businesses.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The Belmont Area Revitalization Plan (adopted 2003) recommends industrial land uses for the subject property associated with the City Yards. The use of a .72 acre portion of the site in its natural vegetative state for counseling is considered an appropriate use at this location.

PROJECT IMPACT:

The Salvation Army intends to pay fair market value for the property to the City of Charlotte. The Salvation Army is planning to develop a wooded outdoor environment in which to provide counseling to those struggling with addiction issues through their Adult Rehabilitation Center (ARC).

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The sale and development of this wooded parcel does not seem to have an impact to any other public or private ventures.

ESTIMATED PROJECT COMPLETION DATE:

The Salvation Army plans to create trails and sitting stations during this fall or winter.

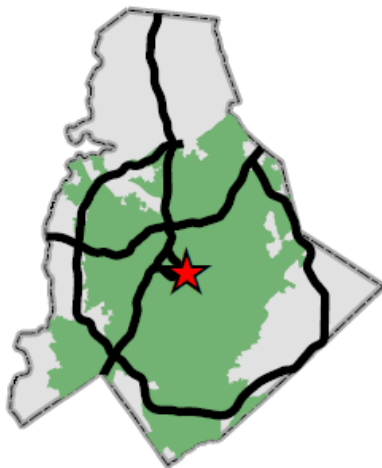
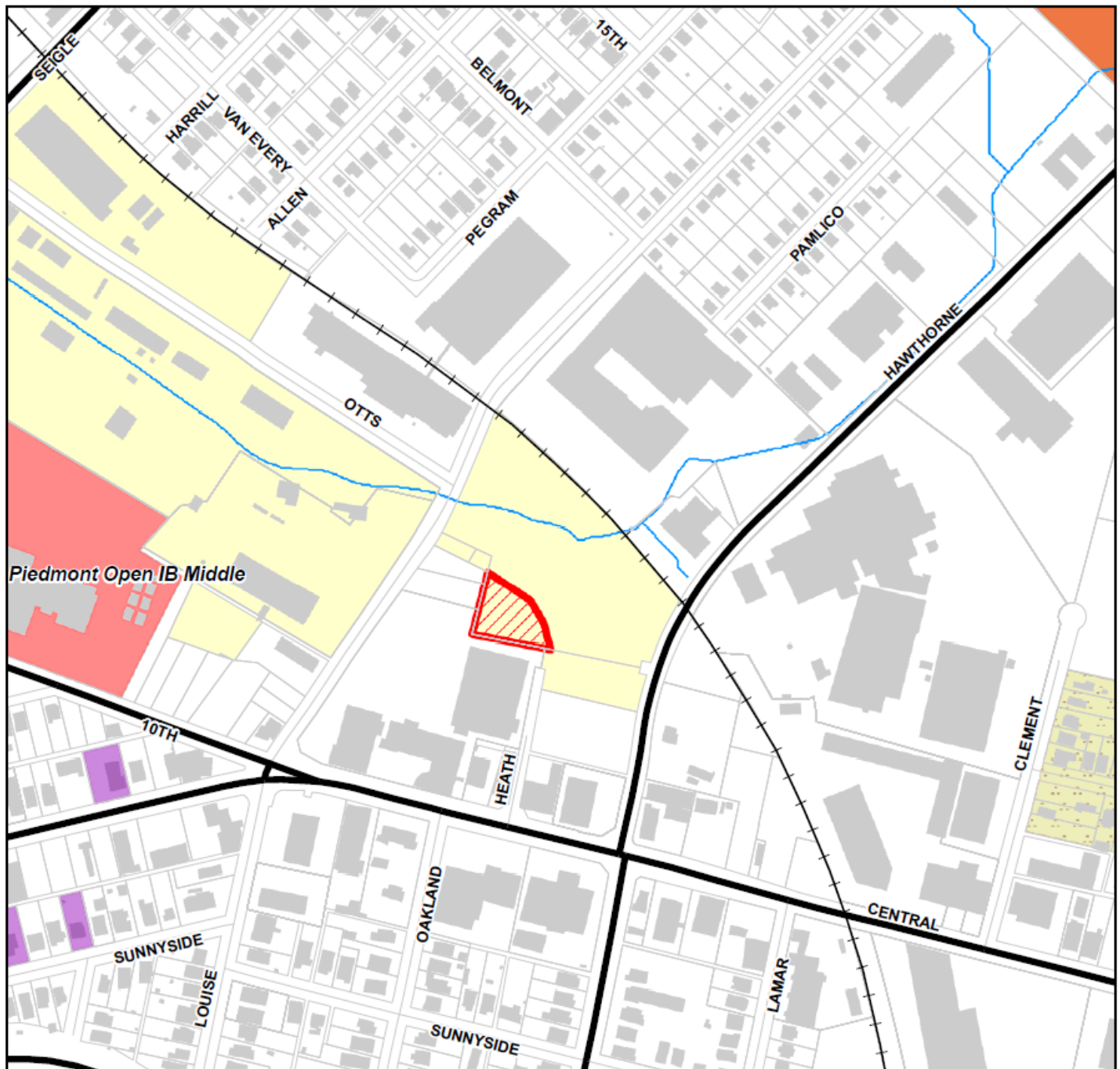
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed this matter at their October 6, 2010 meeting and had no comment.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the sale of the property for the stated purpose.

CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 10-17

Submitted by: City Real Estate, E&PM

Initiated by: Solid Waste Services



Mandatory Referral



Historic Districts



Local Historic Landmark

Produced by the Charlotte-Mecklenburg Planning Department



Submitted by: Robert W. Drayton: City E&PM Real Estate

Initiated by: Mike Bedard, Charlotte-Mecklenburg Police Department

MANDATORY REFERRAL REPORT NO. 10-18
Proposed New Police Station Location for Steele Creek 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) Steele Creek Division headquarters that would replace the current facility located at 1790 Shopton Road on the grounds of the Police and Fire Training Academy. The new 12,500 square foot facility would be constructed and owned by the City of Charlotte. The proposed site is approximately 2.9 acres at the southwest corner of S. Tryon Street and Westinghouse Boulevard in the City of Charlotte (consisting of parcels 201-171-09, 201-171-10 and 201-171-21).

The property is currently vacant land and is zoned I-1 (Light Industrial), according to the Charlotte Zoning Ordinance. Land use in the area is a mix of commercial and industrial. The property was cleared for development several years ago but the prospective buyer cancelled the contract.

PROJECT JUSTIFICATION:

The current Steele Creek Division is located in a 24,000 square foot building on the grounds of the Police and Fire Training Academy and is not accessible at night and weekends. The CMPD wants to have highly visible and easily accessible division offices, with 12,500 square feet of space.

The search for a replacement facility for the Steele Creek Division was initiated in March 2010. The following criteria were developed by CMPD to identify 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 12,000 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
- Site must be easily accessible by public transportation

Initially, the list of candidate sites contained over 50 locations, but by applying the site criteria, it was reduced to seven that were more thoroughly evaluated. Of those seven, three were identified as finalist sites. The final review of these three sites resulted in the subject site, as the other two sites did not meet the criteria to the degree the selected site does. Specifically, the other sites exhibited relatively:

- poor accessibility/visibility,
- greater distance from core response area,
- poor development conditions (e.g. located in floodplains, bad topography, site configuration, etc.), and
- difficulty locating minimum acreage needed.

By having the division headquarters building designed and constructed specifically to be a police station, the efficiency of the space will be improved over the existing facilities (that were initially designed and built as flex space and subsequently modified to serve CMPD's needs), 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 as it is over time more cost-effective.

CMPD adopted a Facilities Strategic Plan in February, 2010 to identify facilities that needed to be upgraded and/or replaced. The Plan provides a framework to evaluate and prioritize existing facilities and to determine the order or sequence in which investments in new or improved facilities should be made. It also outlined the key criteria to be used in site selection of new facilities (as outlined above).

Based upon the evaluation of all CMPD division facilities, Steele Creek was ranked as the highest in terms of need for replacement. The subject property was identified inasmuch as it most closely met the site selection criteria and is located in an area that is primarily light industrial and retail.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Southwest District Plan* (1991) recommends industrial uses along with a neighborhood serving retail center at this intersection of Westinghouse Blvd and South Tryon Street. The *Steele Creek Area Plan*, which is currently in the process of being drafted and is expected to be adopted by early 2011, has a preliminary land use recommendation for Office / Retail / Industrial-Warehouse Distribution for this location. The preliminary urban design recommendations also address the importance of this key intersection for the surrounding area, and that the development of this site has the potential of acting as a key catalyst for future redevelopment in the area. The development of this property at a key intersection should also follow the urban design policies in the *Steele Creek Area Plan* in developing civic buildings on major thoroughfares, making them pedestrian friendly and easily accessible.

PROJECT IMPACT:

The redevelopment of this site has the potential to be a catalyst for reinvestment in the area.

CMPD held a strategic planning retreat in January 2009 to develop implementation steps for key priorities in the department's strategic plan. Major components of successful neighborhood crime reduction included increased police visibility, enforcement and prevention strategies tailored to the crimes and offenders causing the most significant harm in each response area, rapid response to emerging trends, and incapacitation of criminals.

One priority examined in detail at the retreat was the role of police facilities (primarily patrol division headquarters) in supporting departmental goals. Neighborhood crime reduction is most effectively supported by division facilities that represent a broad range of police services at the neighborhood level and provide high visibility and accessibility to all areas within the divisions. Division offices should be accessible 24 hours per day, have staff sufficient to respond to service calls within the department response time parameters, proactively implement prevention and apprehension strategies, and be able to respond to a wide range of crimes with division-based investigative resources.

The proposed location meets the locational criteria and the presence of a highly-visible police facility at a major intersection should positively impact 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 2012.

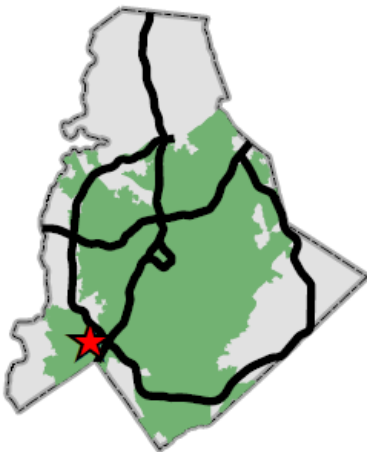
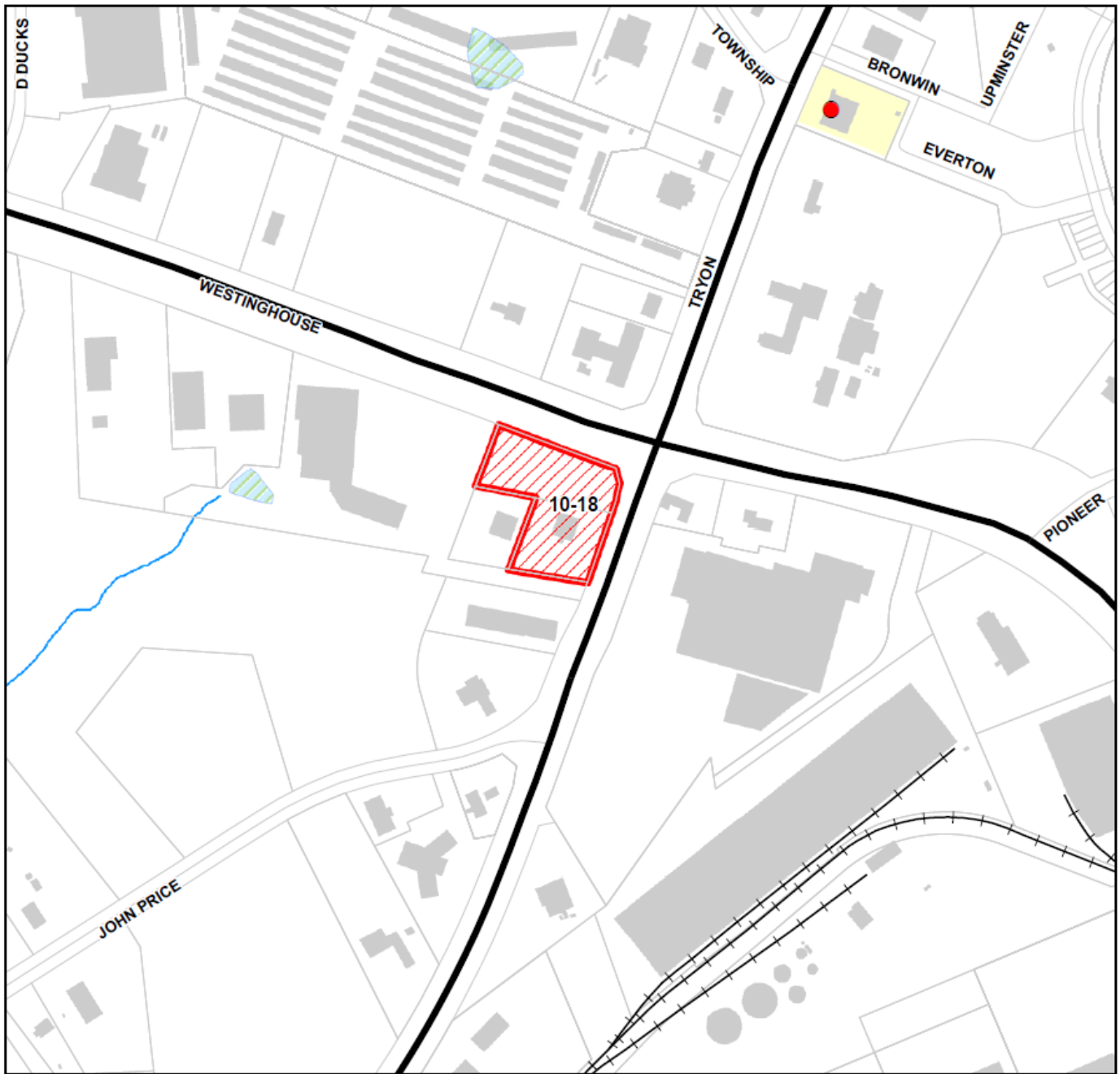
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their October 6, 2010 meeting and no comments were offered.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed land acquisition for the stated purpose.

CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 10-18

Submitted by: City Real Estate, E&PM

Initiated by: CMPD

- Fire Station
- Mandatory Referral
- City Property
- Building Footprints

Produced by the Charlotte-Mecklenburg Planning Department



Submitted by: Jacqueline McNeil, Mecklenburg County Real Estate Services

Initiated by: Mark Hahn, Mecklenburg County Real Estate Services

MANDATORY REFERRAL REPORT NO. 10-19
Proposed Land Exchange Among Mecklenburg County, City of Charlotte,
and a Developer in the Metropolitan Area of Charlotte

PROJECT PROPOSAL AND LOCATION:

The Metropolitan development project is a partnership among Mecklenburg County, the City of Charlotte, and Pappas Properties in the mid-town section of Charlotte. Metropolitan is a mixed-use development that consists of mid-rise condominiums, restaurants, and other retail uses along with public open space. Mecklenburg County and the City of Charlotte are party to an Economic Development Grant Agreement with Pappas Properties that will result in major infrastructure and community development improvements in this area of the city and along Little Sugar Creek that runs parallel to Kenilworth Drive. Infrastructure improvements and real estate transactions that have or will take place per the agreement include:

- Little Sugar Creek Greenway/Stream Restoration – The County uncovered the portion of Little Sugar Creek that was capped and restored the natural elements of the Creek, including its flow. The County envisions this section of Little Sugar Creek becoming the signature section the greenway. The County added additional greenway trail that can be used for recreation and open space purposes
- Old Baxter Street Bridge – The County removed the Old Baxter Street Bridge to make way for a new bridge. The County was also responsible for the removal of overhead power lines in the vicinity of the old bridge. The City was responsible for moving water and sewer lines that ran under the old bridge.
- New “Baxter Street” Bridge (Pearle Street Parkway) – With contributions from the County and the developer, the City constructed the new bridge that replaced the Old Baxter Street Bridge. The new bridge is functionally superior to the bridge it replaced as it is at a height that allows the greenway trail to pass under the bridge. The new bridge is out of the flood zone and has four traffic lanes with six foot sidewalks which is an improvement over the previous bridge.
- Independence Boulevard Bridge – The Independence Boulevard Bridge was replaced. The new bridge was raised and the lanes were widened. The improvements included alignment of the bridge with improvements that were made to the Kenilworth/Independence intersection.
- Transfer of Right-of-Way from County to City – To accomplish the above bridge/road improvements, the County is to transfer right-of-way to the City along Independence Blvd, Pearle Street Park, and additional right-of-way for the new Baxter Street Bridge (Pearle Street Parkway). At a later date, the City will widen Kenilworth Avenue.
- Right-of-Way Abandonment – The City agreed to abandon property at the intersection of the reconfigured S. Independence/Kenilworth. Residual property from the ROW abandonment is to be transferred from the City to the County. The property will be incorporated into Little Sugar Creek Greenway.

Categorically, the transactions involve:

- Acquisition from private parties of land by the City of Charlotte to serve as street right-of-way (e.g. re-aligned Baxter Street)
- Transfer from County to City to serve as street right-of-way (e.g. new Pearle Street Parkway)
- Transfer of former right-of-way from City to private parties (e.g. old Baxter Street)
- Transfer of former right-of-way from City to County (e.g. old S. Independence Blvd./Kenilworth Ave. intersection)
- Transfer of right-of-way from County to City to enable widening of existing streets

PROJECT JUSTIFICATION:

This project will accomplish the following objectives:

- Improvement to creek/floodplain quality at Little Sugar Creek by restoring the creek to its natural state
- Replace the Independence Boulevard and Baxter Street bridges that serve traffic in this area of town, and elevate the bridges out of the flood zone.
- Allow for extension of the greenway trail at Little Sugar Creek, and improve connectivity and pedestrian access to the trail
- Facilitate development in the mid-town area
- Improve traffic flow to and from the mid-town area

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Little Sugar Creek is identified as a priority greenway corridor in the *10-Year Park and Recreation Master Plan* (adopted by the County Commission in 2008). Participation in the Metropolitan project is consistent with the *Master Plan*.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Central District Plan* (1993) does not identify new street or greenway connections. However, the General Development Policies (2003) recommends interconnected pedestrian and street networks.

PROJECT IMPACT:

This project will have a positive impact on the community by increasing public accessibility to the greenway system, improving the quality of the creek, revitalizing this portion of the community, and improving the traffic network.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

Eventually, this section of Little Sugar Creek will connect to Alexander Street Park. It currently connects to Freedom Park, and extends beyond Park Road Shopping Center. This project will inject energy into this area of town, and will complement the private mixed use development (Metropolitan).

ESTIMATED PROJECT COMPLETION DATE:

Most land transactions are expected to be completed by Fall, 2010 with design and construction plans finalized for future roadway work shortly thereafter.

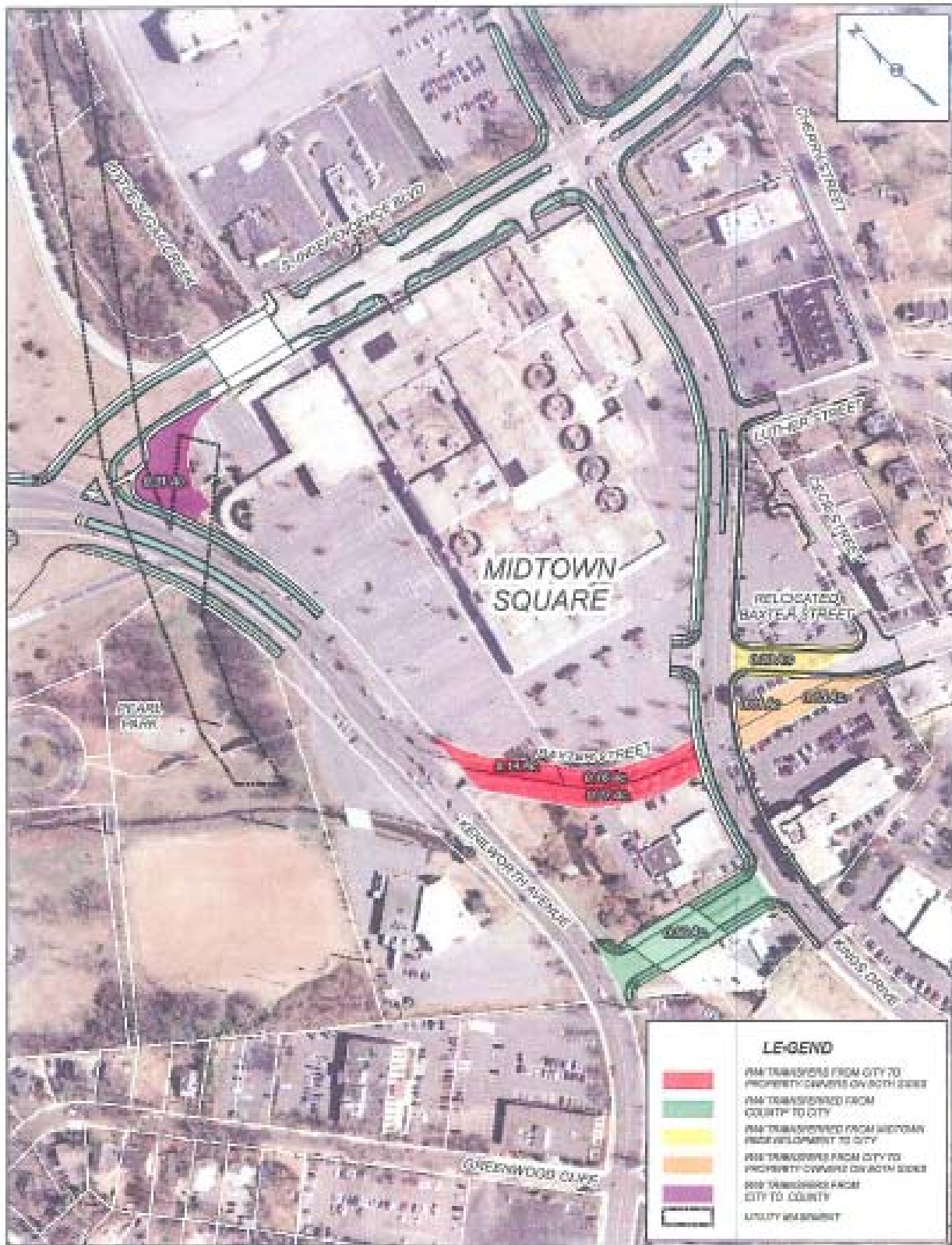
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their October 6, 2010 meeting and no comments were offered.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the land exchange among the listed entities.

CMPC PLANNING COMMITTEE RECOMMENDATION:



LEGEND FOR MAP ABOVE

Red	=	Property proposed for transfer from City to private entity (Metropolitan developer)
Green	=	Property proposed for transfer from County to City
Yellow	=	Property proposed for transfer from private entity to City
Orange	=	Property proposed for transfer from City to adjoining property owner(s)
Purple	=	Property proposed for transfer from City to County