

Planning Committee

Agenda Packet

October 15, 2013 |
Room 280
5:00 p.m. |

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Agenda

October 15, 2013 – 5:00 p.m.

CMGC – 2nd Floor, Room 280

1. Call to Order and Introductions

2. Approve September 17, 2013 Minutes. *Attachment 1*

3. M.R. #13-18: Proposal by the City Of Charlotte's Neighborhood and Business Services Department (NBS) to Transfer 5 Residential Properties for Rehabilitation and Re-Occupancy

Background: The City proposes to transfer 5 city-owned residential properties scattered throughout the City to nonprofit development organizations and Community Development Corporations (CDC) for rehabilitation and re-occupancy. ***Attachment 2***

Staff Resources: Alberto Gonzalez, Planning
Tim O'Brien, City Real Estate

Action Requested: Approve Planning staff's recommendation for M.R. #13-18.

4. M.R. #13-20: Proposal by the City of Charlotte to Acquire a Strip of Land for Fire Station #20 Expansion

Background: The City proposes to purchase a strip of land (50' x 200') from Central Piedmont Community College (Harper Campus) to allow for Fire Station #20 building renovations and expansion. ***Attachment 3***

Staff Resources: Catherine Stutts, Planning
Tim O'Brien, City Real Estate

Action Requested: Approve Planning staff's recommendation for M.R. #13-20.

5. M.R. #13-21: Proposal by Central Piedmont Community College to Acquire Land located on Morris Field Drive to Expand the Harris Campus

Background: CPCC proposes to purchase approximately 13.5 acres located on the south side of Morris Field Drive between CPCC Harris Campus Drive and Capitol Drive (PID 11505105) for expansion of the Harris Campus. ***Attachment 4***

Staff Resources: Alberto Gonzalez, Planning
Rich Rosenthal, Central Piedmont Community College

Action Requested: Approve Planning staff's recommendation for M.R. #13-21.

6. Area Plan Status and Meeting Report

Background: Committee members will provide an update on area plans.

Area Plans	Assigned Commissioner	Schedule
Prosperity Hucks Area Plan	Commissioner Phipps	Planning Committee Tour Monday, November 4 th 10:00 a.m. (<i>tentative</i>)

Action Requested: None, for information only.

7. Adjourn

Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Agenda (DRAFT)
September 17, 2013 – 5:00 p.m.
CMGC – Second Floor, Room 280

ATTACHMENT 1

Attendance

Commissioners Present: Chairperson Tony Lathrop, Vice-Chairperson Raymond Eschert, Randy Fink, Dionne Nelson, Greg Phipps, Michael Sullivan and Andy Zoutewelle

Planning Staff Present: Sonda Kennedy, Kent Main, Melony McCullough, Cheryl Neely, Bryman Suttle, Amanda Vari and Jonathan Wells

Other Staff Present: Timothy J. O'Brien (City Real Estate), Jacqueline McNeil and Katie Ross (Mecklenburg County Asset and Facility Management) and Gwen Cook (Mecklenburg County Park and Recreation)

Call to Order and Introductions

Chairperson Tony Lathrop called the meeting to order at 5:05 p.m. He welcomed everyone, introduced the new Committee members, and explained how the meetings will operate.

Election of Planning Committee Vice-Chairperson

Chairperson Lathrop opened the floor for nominations for Planning Committee Vice-Chairperson. Commissioner Zoutewelle nominated Commissioner Raymond Eschert to serve as Planning Committee Vice-Chairperson. Commissioner Phipps seconded the motion. The Committee voted unanimously to elect Commissioner Eschert as Planning Committee Vice-Chairperson.

Approve May 21, 2013 Minutes

A motion was made by Commissioner Zoutewelle and seconded by Vice-Chairperson Eschert to approve the May 21, 2013 minutes. The vote was 7-0 to approve the minutes.

Overview of the Mandatory Referral Process

Jonathan Wells (Planning Staff) provided a brief overview of the Mandatory Referral process. He explained that the Mandatory Referral process dates back to 1973 and is required by state law when the City, County or sub-entities propose capital investments that involve real estate transactions. However, proposed land acquisitions intended for landfills, rights-of-way, easements, etc. and acquisitions associated with the land development process (e.g. streets, open space, etc.) are not subject to the mandatory referral process.

Mr. Wells further explained that the Committee's recommendation is advisory only and reviewed factors that the Committee can consider when discussing mandatory referrals. They include consistency with publicly adopted plans and policies, compatibility with surrounding land uses, impact on existing infrastructure and joint use opportunities. Factors that cannot be considered include costs and alternative locations. The Planning Department processes an average of 25 to 30 mandatory referrals each year.

Commissioner Fink asked for clarification on the Joint Use Task Force (JUTF) and Planning Committee's role on mandatory referrals. Mr. Wells explained that the JUTF reviews mandatory referrals in search of joint use opportunities that may have been overlooked. Click this link to view the presentation [MR Process Overview PowerPoint.](#)

M.R. #13-13: Proposal by Mecklenburg County to Acquire Properties along the Proposed Barton Creek Greenway

Commissioner Zoutewelle revealed that his survey firm staked easements along a portion of the greenway and asked the Committee if there was a conflict of interest. The Committee decided that Commissioner Zoutewelle did not have a conflict of interest.

Amanda Vari (Planning) presented Mandatory Referral #13-13, a proposal by Mecklenburg County to acquire several properties located along the future route of Barton Creek Greenway. The proposed route is located in northeast Charlotte at University Place, an area with a mixture of retail, office, single family and multi-family residential land uses. Commissioner Phipps asked if bicycle parking will be added along the greenway. Ms. Gwen Cook (Mecklenburg County Park and Recreation) replied bike parking will be available at the proposed transit station.

A motion was made by Vice-Chairperson Raymond Eschert and seconded by Commissioner Greg Phipps to approve Planning staff's recommendation for Mandatory Referral #13-13. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-13.

M.R. #13-14: Proposal by the City of Charlotte to Exchange Land on Dwight Evans Boulevard with an Adjoining Property Owner

Jonathan Wells (Planning) presented Mandatory Referral #13-14, a proposal for the City to exchange a 60-foot wide parcel of land located on Dwight Evans Boulevard with an adjoining property owner to allow the road right-of-way to shift.

A motion was made by Commissioner Zoutewelle and seconded by Commissioner Nelson to approve Planning staff's recommendation for Mandatory Referral #13-14. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-14.

M.R. #13-15: Proposal by Mecklenburg County to Acquire Land on Rozzelles Ferry Road for Relocation of the County's Compost Central Facility

Commissioner Zoutewelle revealed a conflict of interest and was recused from considering this mandatory referral.

Amanda Vari (Planning) presented Mandatory Referral #13-15, a proposal by the County to acquire approximately 51 acres of land located on Rozzelles Ferry Road, and bounded by Valleydale Road and Fred. D. Alexander Boulevard, for relocation of the Compost Central Facility from 5631 West Boulevard. She explained that the property on West Boulevard is being leased from Charlotte Douglas International Airport and the Airport has plans for a new runway on the property.

Commissioner Phipps asked what type of outreach efforts have been made in the community. Ms. Jacqueline McNeil (Mecklenburg County Asset Facility and Management) stated that there is a public involvement process which includes a public meeting and tours will be offered to elected officials. Also, information will be posted on the County's website and sent to approximately 1700 citizens in the general area.

Commissioner Sullivan asked if there has been a traffic study. Ms. McNeil said that there is a preliminary traffic study that is not final. Access has been discussed with Planning and CDOT staff and it was determined that there is ample access to the property. However, the best access solution has to be determined.

Commissioner Fink wanted more details about access and screening. Mr. Timothy O'Brien (City Real Estate) used a map to show the new road, clarify the land exchange and outline how the City might reconfigure access to the site.

Commissioner Fink inquired about screening. Ms. McNeil replied that buffers will be required. Commissioner Phipps asked if there had been any problems at other compost facilities. Mr. O'Brien stated that there was one other City operated compost facility and a privately owned facility. There have not been any significant problems reported at these facilities.

Commissioner Fink asked if the property is under contract and if there is time to request additional information. Ms. McNeil answered that the Board of County Commissioners is scheduled to consider this Mandatory Referral on October 15, 2013 and decide if they would like to move forward. Commissioner Fink emphasized his desire to have more information about how the plan addresses access and the neighborhood across the street before making a recommendation. Chairperson Lathrop said there may be different opinions and that it is the will of the Committee to determine if they will make a recommendation today.

Commissioner Sullivan asked if it is normal to only allow a three week timeframe for community involvement. Ms. McNeil stated that County staff wants to make sure the community is aware of the project. She reiterated that staff would like more time to work with the community; however, circumstances with the lease at the existing location requires acceleration of the process.

Chairperson Lathrop asked the Committee if they felt there was enough information to act on the mandatory referral today. Commissioner Nelson stated that if the proposed use is permitted in the existing zoning category and consistent with the recommended land use; she has some reservations about holding the County to a higher standard than someone else developing the property. Commissioner Sullivan stated that there are a lot of unanswered questions and asked if this is the normal timeframe for this type of request. Ms. McNeil told the Committee that the anticipated date for the Board of County Commissioners to review this mandatory referral is October 15. She noted that this is a time-sensitive item.

After further discussion, it was noted that the site is bounded on three sides by significant roads, no neighborhood directly abuts the site, the neighborhood located on the other side of Rozzelles Ferry Road would be buffered by landscaping, a number of road right-of-ways and railroad right-of-way. Vice-Chairperson Ray Eschert asked what other uses are allowed in I-2. Ms. McCullough explained that I-2 is the least restrictive zoning category and that it allows general industrial land uses.

Commissioner Fink shared his concerns about limited information, access and the nearby neighbors. He noted that he will make a motion to approve this mandatory referral; however, he will vote against his own motion.

A motion was made by Commissioner Fink and seconded by Commissioner Nelson to approve Planning staff's recommendation for Mandatory Referral #13-15. The vote was 5-1 to approve staff's recommendation for Mandatory Referral #13-15. Commissioner Fink voted against.

M.R. #13-17: Proposal by Mecklenburg County to Acquire Flood-Prone Structures Located along McDowell Creek

Jonathan Wells (Planning) presented Mandatory Referral #13-17. This is a proposal by Mecklenburg County Storm Water Services Program, to acquire several residential properties located on Gilead Road and along McDowell Creek within the Town of Huntersville.

A motion was made by Vice-Chairperson Eschert and seconded by Commissioner Sullivan to approve Planning staff's recommendation for Mandatory Referral #13-17. The vote was unanimous to approve Mandatory Referral #13-17.

Overview of the Area Plan Development Process

Ms. Melony McCullough (Planning) provided a brief overview of the area plan development process. She explained that area plans are policy documents that serve as a guide for future growth and development. She reviewed the Centers, Corridors and Wedges Growth Framework and the purpose of an area plan. She explained the Plan Assessment process which is an analytical tool used to determine where future planning efforts should be focused.

Ms. McCullough gave an overview of the plan development process and explained that staff is in the process of reviewing how plans are developed and broadening the toolbox for developing area plans. Commissioner Nelson asked how often does the plan development process change. Ms. McCullough stated that the process is a little different for each area plan. However, it may be several years before staff takes a comprehensive look at the overall process for developing area plans.

Ms. McCullough completed her presentation by explaining the Planning Commission's role in the area planning process. In summary, it was stated that the commissioners attend community meetings and Citizen Advisory Group (CAG) meetings as well as make a recommendation to City Council on area plans. Click this link to view the presentation [Area Plan Development Process PowerPoint](#).

Draft Prosperity Hucks Area Plan Update

Kent Main (Planning) provided an update to the Prosperity Hucks area planning process. The plan development process began last fall and a community meeting to receive public comment on draft plan recommendations was held August 8. Staff will provide an update on the Prosperity Hucks area planning process and the Committee may be asked to receive public comment on the draft plan this fall.

Area Plan Status and Meeting Report

Chairperson Lathrop stated that commissioners assigned to area plans attend the CAG meetings and update the Committee on the area planning process. A motion was made by Commissioner Nelson and seconded by Vice-Chairperson Ray Eschert to assign Commissioner Greg Phipps to the Prosperity Hucks Area planning process. The vote was unanimous. Chairperson Lathrop also said that any committee member who is interested in attending an area plan meeting is welcome to attend the meeting and share their input.

Ms. McCullough asked the Committee if they are interested in touring the Prosperity Hucks plan area on Monday, October 7 prior to the full Planning Commission meeting. Commissioners Fink, Nelson and Phipps plan to attend. Other committee members will also receive an appointment with the tour date.

Adjourn at 6:55 p.m.

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

Initiated by: Denice Beteta, Neighborhood & Business Services

MANDATORY REFERRAL REPORT NO. 13-18

Proposal to Transfer 5 City-Owned Residential Properties for Rehabilitation and Re-occupancy

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Neighborhood and Business Services Department (NBS) proposes to transfer scattered City-owned residential properties to allow them to be rehabilitated and re-occupied. These properties are vacant residential structures that came to the City as a result of non-payment of mortgages that were generated from NBS and are generally in need of rehabilitation.

NBS maintains a list of City approved, experienced nonprofit development organizations and Community Development Corporations (CDC) with whom they partner in developing affordable housing. It is proposed that these organizations be provided a list of these potentially available properties in order to solicit their interest in acquiring the properties in order to rehabilitate them and make them available for sale as affordable housing. In the event that any of the properties receive no interest from the nonprofits or CDC's, they will then be offered to the public for purchase (the public offering would have no condition to subsequently sell as affordable housing).

Parcel Summary						
	PARCEL #	PROPERTY ADDRESS	NEIGHBORHOOD	ZONING	EXISTING LAND USE	LOT SIZE (AC.)
1	08114512	1604 Harrill Street	Belmont	R-5	Single Family Residential	.14
2	08305913	2233 Pinckney Avenue	Villa Heights	R-5	Single Family Residential	.18
3	06902519	158 S. Gregg Street	Smallwood	R-5	Single Family Residential	.18
4	15701207	305 Skyland Avenue	Grier Heights	R-5	Single Family Residential	.34
5	14518124	2934 Amay James Avenue	Reid Park	R-5	Single Family Residential	.17

PROJECT JUSTIFICATION:

These properties were acquired by Substitute Trustee's Deeds as a result of mortgage foreclosures. Because they are properties that 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 on the properties. NBS has been working with neighborhood organizations and other nonprofits in efforts toward revitalizing some of the neighborhoods in which these properties are located.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The transfer of these parcels with an emphasis upon providing first rights to 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 applicable area / district plans are specified in the third column of the table below. The land uses prescribed by those plans are detailed in the table as well. All the properties have an adopted future land use for residential, with a recommended density ranging from 4 to 8 dwelling units per acre (DUA).

#	ADDRESS	AREA PLAN	ADOPTED FUTURE LAND USE	PLAN CONSISTENCY?
1	1604 Harrill Street	<i>Belmont Area Revitalization Plan (2003)</i>	Single Family ≤ 5 DUA	Yes
2	2233 Pinckney Avenue	<i>Blue Line Extension Transit Station Area Plan – 25th Street Station (2013)</i>	Residential ≤ 5 DUA	Yes
3	158 S. Gregg Street	<i>Central District Plan (1993)</i>	Single Family ≤ 4 DUA	Yes
4	305 Skyland Avenue	<i>Central District Plan (1993)</i>	Single Family / Multi-Family ≤ 8 DUA	Yes
5	2934 Amay James Avenue	<i>Central District Plan (1993)</i>	Single Family ≤ 5 DUA	Yes

PROJECT IMPACT:

The project provides for additional homeownership 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 intent is to transfer these parcels to their new owners by the end of 2013.

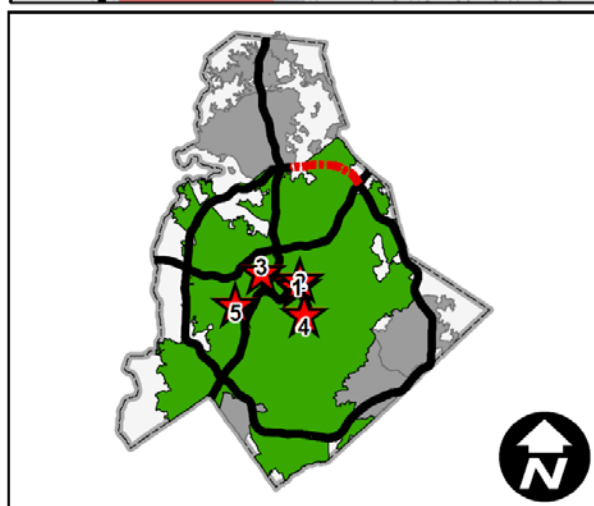
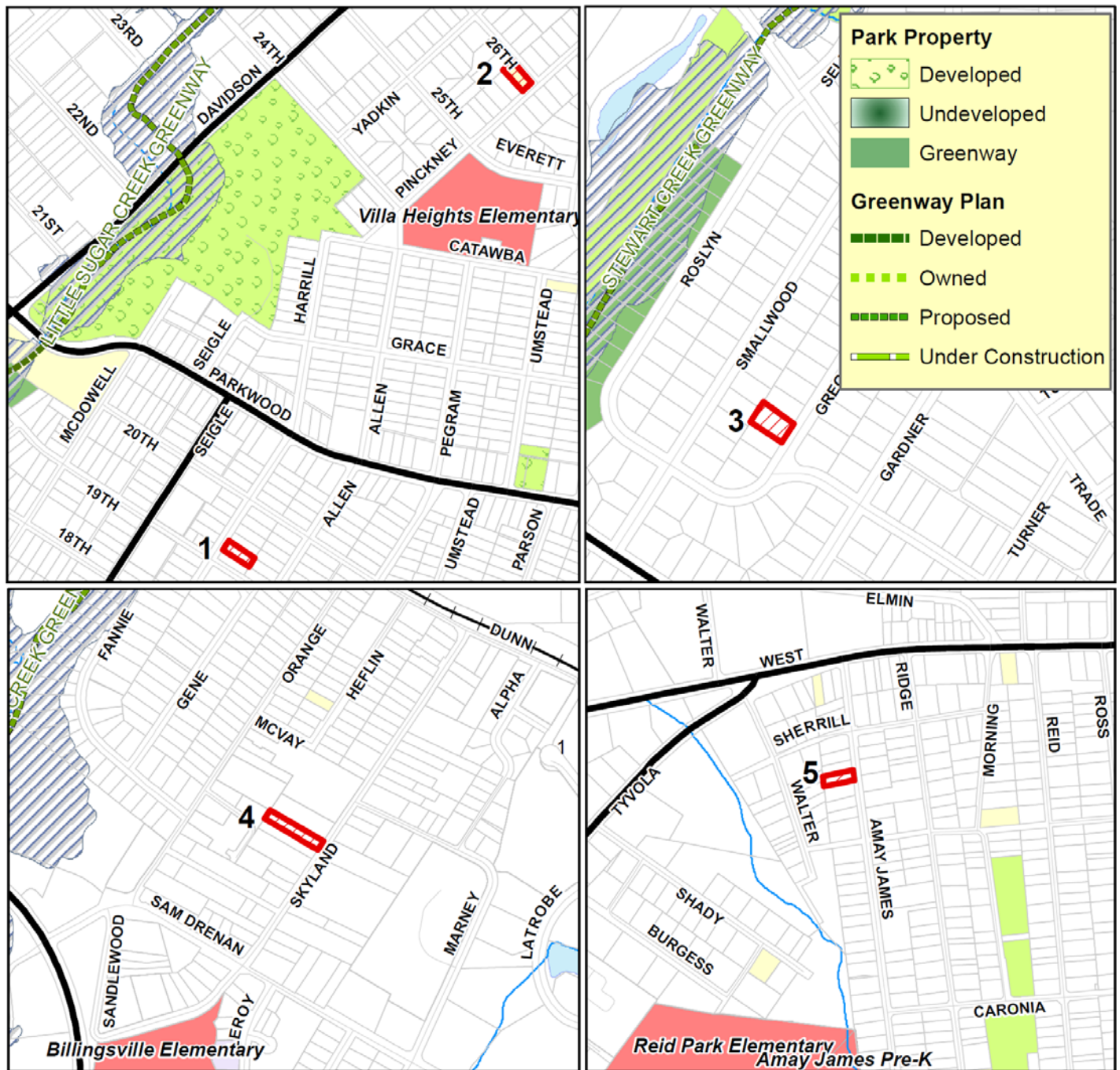
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed the matter at their October 2, 2013 meeting and there were no comments.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed land transfers.

CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 13-18

Initiated by: N&BS
Submitted by: City Real Estate

- Mandatory Referral
- FEMA 100 Year Floodplain
- County Property
- City Property

Produced by the Charlotte-Mecklenburg Planning Department



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

Initiated by: Monifa Hendrickson, City of Charlotte, E & PM

MANDATORY REFERRAL REPORT NO. 13-20
Proposed Acquisition of Land for Fire Station #20 Renovations/Expansion

PROJECT PROPOSAL AND LOCATION:

Fire Station #20 is located at 9400 Nations Ford Road in southwest Charlotte. The fire station property is located in an area with vacant land and institutional uses. Central Piedmont Community College (CPCC) owns the adjoining vacant property, a portion of which is proposed to be transferred to the City for fire station expansion. The CPCC Harper Campus is located on West Hebron Street across from the parcel proposed for transfer.

The proposed transaction involves a 50-foot by 200-foot strip of land that is part of a larger 20.5 acre vacant parcel owned by CPCC. The subject property (and adjoining fire station) are zoned R-17MF (multi-family) according to the Charlotte Zoning Ordinance, with institutional and office zoning nearby.

During the early 1990's, West Hebron Street was constructed. When the road was designed and constructed, the edge of the right-of-way came within approximately 50 feet of the fire station property. This 50-foot sliver of land is currently owned by CPCC. Fire Station #20 was constructed in 1974 and is in need of renovation and expansion, requiring an increased building footprint, re-grading and drainage on the subject property located between the Fire Station and W. Hebron Street. The City is proposing purchase of the narrow strip of land to provide for the needed building renovations. It will also enable the Fire Station to have access rights to two major streets in the area (both Nations Ford Road upon which the station currently fronts as well as West Hebron Street).

PROJECT JUSTIFICATION:

The land is needed to make improvements to the Fire Station. The land's width (50 feet) is insufficient to support development for any use other than fire station expansion. CPCC also agrees with the sale of this land.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

No applicable public policies govern the proposed transaction.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Southwest District Plan* (1993) recommends Institutional land use for the subject parcel. The proposed land use is consistent with the plan.

PROJECT IMPACT:

There are no known impacts of the proposed transaction.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The City and CPCC are working together to make improvements to the Fire Department's service to the community.

ESTIMATED PROJECT COMPLETION DATE:

Construction is proposed to begin in Fall 2013 and be completed by Spring, 2014.

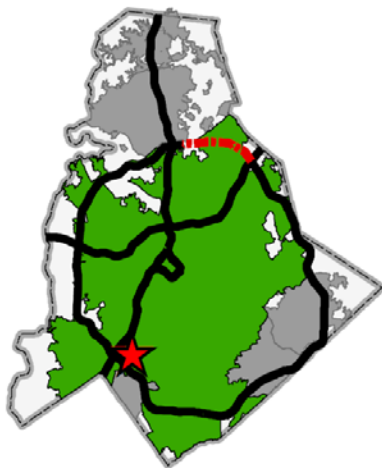
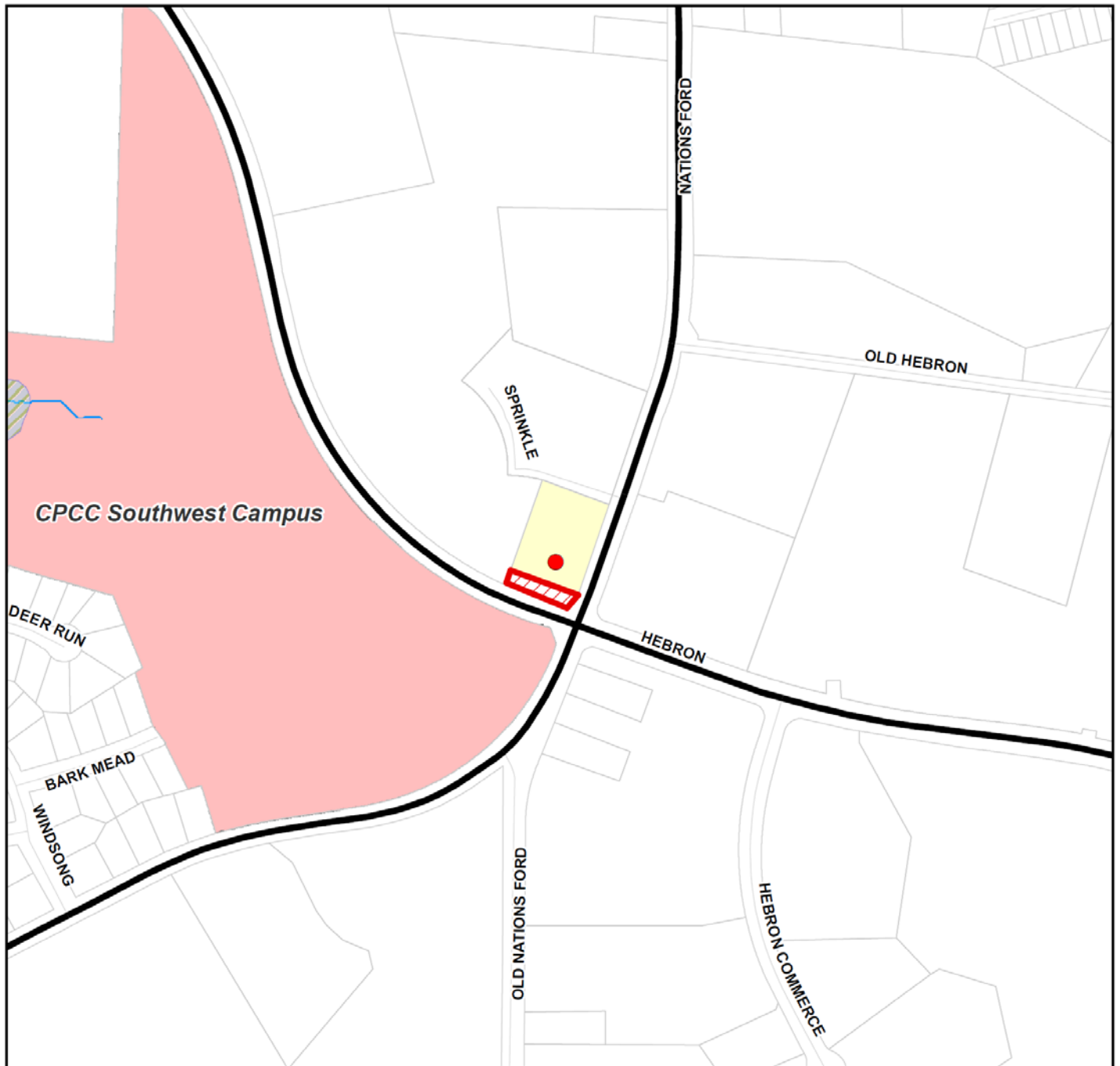
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed this matter at their October 2, 2013 meeting and no comments were received.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed land transfer.

CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 13-20

Initiated by: E&PM
Submitted by: City Real Estate

-  Mandatory Referral
-  City Property







PROPOSED LOCATION OF FIRE STATION ADDITION

MANDATORY REFERRAL REPORT NO. 13-21
**Proposed Land Acquisition on Morris Field Drive for Central Piedmont Community College -
Harris Campus Expansion**

PROJECT PROPOSAL AND LOCATION:

Central Piedmont Community College (CPCC) intends to purchase a 13.57 acre parcel (PID 11505105) for expansion of the Harris Campus. The parcel is located on the south side of Morris Field Drive between CPCC Harris Campus Drive and Capitol Drive within the City of Charlotte. The subject parcel is bordered on the west by the Harris Campus, on the east and south by single family residences and on the north (across Morris Field Drive) by a business park.

The property was zoned R-5 (Residential) under the Charlotte Zoning Ordinance when CPCC petitioned (Petition 2013-058) to rezone it to Institutional (CD) (consistent with the zoning on the Harris Campus). That petition was approved by City Council on September 16, 2013.

PROJECT JUSTIFICATION:

This acquisition will provide land for the long term expansion of the Harris Campus. There are no plans or funding to develop the property in the foreseeable future. However, CPCC is committed to developing the property in accordance with the conditions articulated under the conditional rezoning.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

No applicable public policies relate to this proposed transaction.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The parcel was rezoned via petition 2013-058 from R-5 single family residential to Institutional (CD), updating the *Central District Plan* (1993) recommendation from single family residential up to 5 dwelling units per acre to Institutional. Institutional uses are generally found to be complimentary uses to an area when they seek to establish a balanced land use pattern.

PROJECT IMPACT:

There are no known impacts to this proposed transaction.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known projects in the area.

ESTIMATED PROJECT COMPLETION DATE:

It is proposed to complete this transaction in the second quarter of 2014.

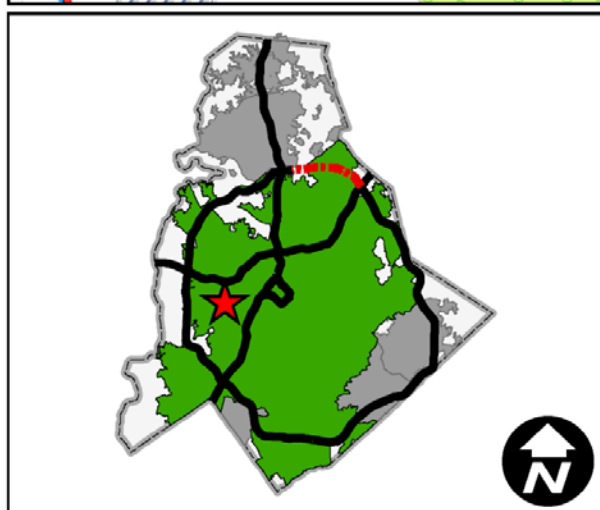
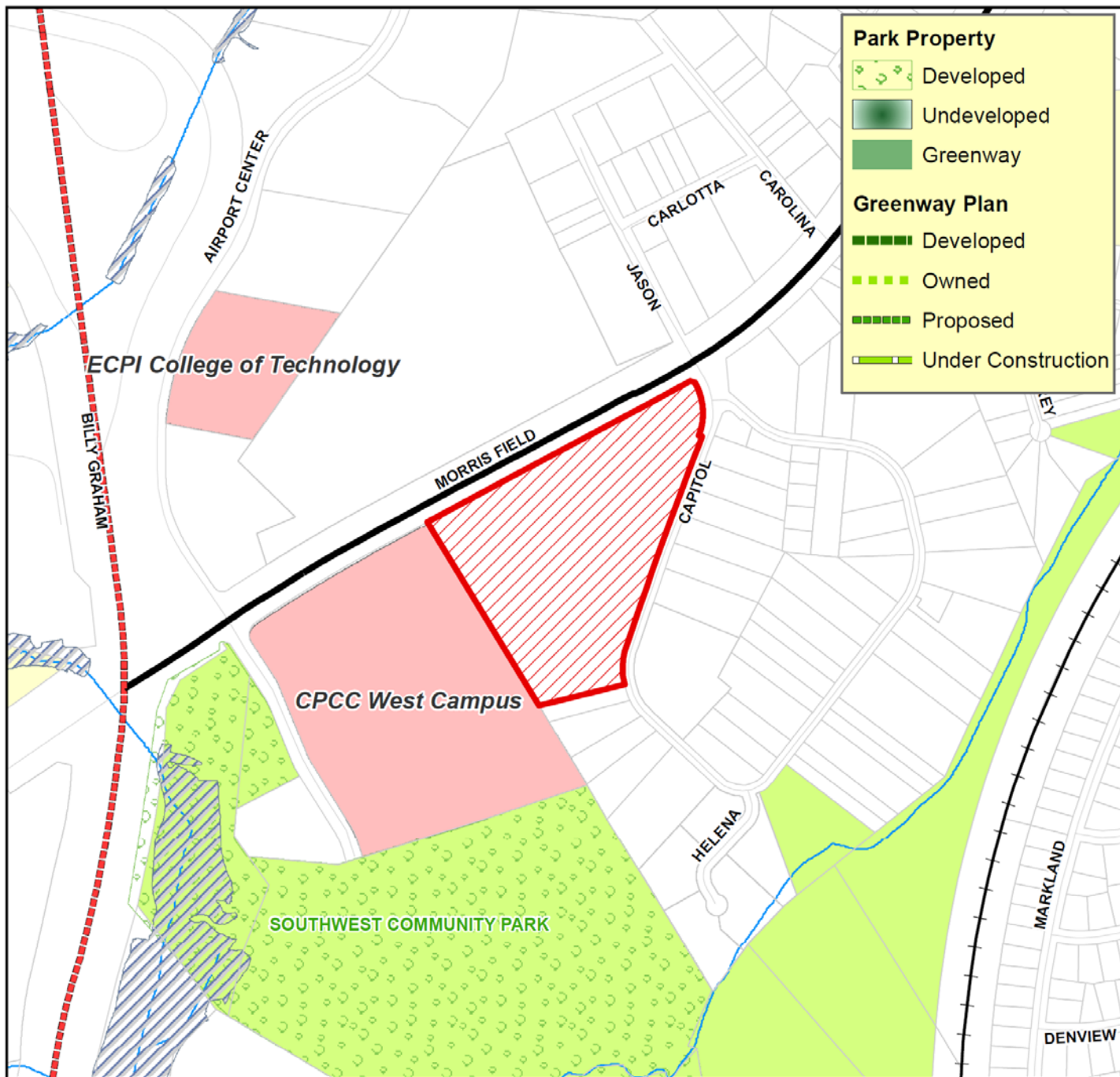
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed this matter at their October 2, 2013 meeting and the only comment was by the City Engineering & Property Management Department, suggesting that CPCC enter into a 5-7 year agreement, to preserve trees on the property until the property needs to be developed.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the proposed land purchase.

CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 13-21

Initiated & Submitted by: CPCC

- Mandatory Referral
- County Property
- City Property

Produced by the Charlotte-Mecklenburg Planning Department

