Planning Committee

Agenda Packet

May 20, 2014
Room 280
5:00 p.m.

Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Agenda
May 20, 2014 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

1. **Call to Order and Introductions**

2. **Approve April 15, 2014 Minutes.** ***Attachment 1***

M.R. #14-18: Proposal by Mecklenburg County to Acquire Property Located on Miranda Road in Charlotte's ETJ

Mecklenburg County proposes to acquire 56 acres located off the southerly side of Miranda Road, west of Beatties Ford Road (Tax Parcel 037-081-02) for the assembly of nature preserve and greenway along McIntyre Creek. ***Attachment 2***

Staff Resources: Amanda Vari, Planning
Jacqueline McNeil, County Asset and Facility Management

Action Requested: Approve Planning staff's recommendation for M.R. #14-18.

3. **M.R. #14-19: Proposal by Mecklenburg County to Accept the Donation of Property Located on Carmel Road for Addition to Carmel Road Park**

Mecklenburg County proposes to accept the donation of a 48-foot wide stretch of land located off Carmel Road adjacent to Carmel Road Neighborhood Park (along the western boundary of Tax Parcel 209-021-02) from the Church at Charlotte for expansion of the park. ***Attachment 3***

Staff Resources: Kent Main, Planning
Jacqueline McNeil, County Asset and Facility Management

Action Requested: Approve Planning staff's recommendation for M.R. #14-19.

4. **M.R. #14-20: Proposal by Mecklenburg County to Acquire Two Parcels Located in the Purser Drive Area Along Briar Creek**

Mecklenburg County proposes to acquire two parcels located in the Purser Drive area along Briar Creek in East Charlotte (Tax Parcels 099-061-12 and 099-061-13) for expansion of the greenway system along Briar Creek. **Attachment 4**

Staff Resources: Alysia Osborne, Planning
Jennifer Morell, County Asset and Facility Management

Action Requested: Approve Planning staff's recommendation for M.R. #14-20.

5. Area Plan Status and Meeting Report

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

Area Plans	Assigned Commissioners	Scheduled Meeting
University City Area Plan - Blue Line Extension Transit Station Area Plans	Deborah Ryan	Tuesday, July 22 4:30 - 6:30 p.m. Oasis Shriner's Temple

6. Adjourn

Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
April 15, 2014 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

Attendance:
Commissioners Present: Chairperson Tony Lathrop, Vice-Chairperson Raymond Eschert, Randy Fink, Thomas Low, Cozzie Watkins and Nancy Wiggins

Planning Staff Present: Garet Johnson, Sonda Kennedy, Kent Main, Melony McCullough, Alysia Osborne, Bryman Suttle and Jonathan Wells

Other Staff Present: Timothy J. O'Brien (City Real Estate), Katie Daughtry and Jacqueline McNeil (Mecklenburg County Asset and Facility Management) and John DeKemper (Town of Cornelius)

Call to Order and Introductions
Chairperson Lathrop called the meeting to order at 5:15 p.m., welcomed those present and asked everyone to introduce themselves.

Approve March 18, 2014 Minutes
A motion was made by Commissioner Watkins and seconded by Commissioner Wiggins to approve the March 18, 2014 minutes. The vote was unanimous to approve the minutes.

M.R. #14-10: Proposal by City Real Estate to Sale 1.8 Acres of Surplus Land Located on Beaumont Avenue

Chairperson Lathrop reminded the committee members that when considering mandatory referrals their scope of review is advisory. Factors to be considered are land use related factors such as consistency with adopted land use policies, compatibility with surrounding land uses, impact on infrastructure and opportunities for joint use. Factors that cannot be considered include costs and alternative locations.

Bryman Suttle (Planning) presented the proposal from the City of Charlotte to sell 1.8 acres of land located on Beaumont Avenue (Tax Parcels 080-201-14, -15, -17) adjacent to Independence Boulevard, in the Elizabeth Neighborhood. The subject property is currently used for the Charlotte Fire Department Fire Prevention Bureau. Staff will move to the newly purchased facility at 1517 North Graham Street in August 2014. Therefore, the land is no longer needed for City use.

Timothy O'Brien (City Real Estate) stated that the intended use has not been decided but the opportunity exists to put the property on the market now. Commissioner Fink asked if it is normal to market property in this manner. Mr. O'Brien replied yes. Vice-Chairperson Eschert asked if construction of the new facility on Graham Street is on schedule. Mr. O'Brien answered that it is not on schedule; however, buyers of the subject property will be notified that they cannot take possession of the building until the current occupants move out.

A motion was made by Commissioner Wiggins and seconded by Commissioner Watkins to approve Planning staff's recommendation for Mandatory Referral #14-10. The vote was unanimous to approve staff's recommendation for Mandatory Referral #14-10.

M.R. #14-15: Proposal by Mecklenburg County Park and Recreation Department to Acquire 13 Acres of Land Located off Neck Road for Expansion of Auten Nature Preserve

Bryman Suttle (Planning) presented the proposal from the Mecklenburg County Park and Recreation Department to acquire approximately 13 acres of land located off Neck Road (Tax Parcel 013-032-23) in the Town of Huntersville's ETJ for the expansion of Auten Nature Preserve. The property is surrounded by the existing Auten Nature Preserve, adjoins the Rural Hill Nature Preserve (also County-owned) and is within close proximity to McDowell Creek Greenway.

This acquisition is consistent with several Mecklenburg County adopted policies and plans such as the *2008 Park and Recreation Master Plan,* the *Mountain Island Lake Memorandum,* the *Charlotte-Mecklenburg Water Quality Buffer Implementation Guidelines* as well as several other water improvement ordinance and floodplain development ordinances. The property is to be utilized as nature preserve land and does not affect any other known public projects in this area.

A motion was made by Commissioner Wiggins and seconded by Vice-Chairperson Eschert to approve Planning staff's recommendation for Mandatory Referral #14-15. The vote was unanimous to approve staff's recommendation for Mandatory Referral #14-15.

M. R. #14-16: Proposal by Mecklenburg County Park and Recreation Department to Acquire 12 Acres of Land Located off Bailey Road for Caldwell Station Greenway

Bryman Suttle (Planning) presented the proposal from Mecklenburg County Park and Recreation Department to acquire 11.8 acres of land located off Bailey Road (Tax Parcels 005-032-09, 005-032-10 and 005-383-85) in the Town of Cornelius' ETJ for inclusion into Caldwell Station Greenway. It is envisioned that the greenway will be constructed by the Town of Cornelius and maintained by the County. Ms. Jacqueline McNeil (Mecklenburg County Asset and Facility Management) stated that there is a partnership between Mecklenburg County and the Town of Cornelius. The Town of Cornelius received a grant to build and maintain future access. Chairperson Lathrop asked about the use of certain sites on the parcel. Ms. McNeil said that this route was chosen based on the ability to acquire property. Mr. John DeKemper (Town of Cornelius) stated that there are a lot of wetlands on the property but the park is expected to be usable by the fall of 2015.

A motion was made by Vice-Chairperson Eschert and seconded by Commissioner Wiggins to approve Planning staff's recommendation for Mandatory Referral #14-16. The vote was unanimous to approve staff's recommendation for Mandatory Referral #14-16.

M.R. #14-17: Proposal by Mecklenburg County Park and Recreation Department to Acquire 8 Acres of Land Located off Hucks Road to Expand Clarks Creek Nature Preserve

Kent Main (Planning) presented the proposal by Mecklenburg County Park and Recreation Department to acquire 8 acres of land located at 5532 Hucks Road (Tax Parcel 027-161-02) for the expansion of Clarks Creek Nature Preserve. Clarks Creek Nature Preserve occupies the majority of the land to the east of the parcel. Hucks Road Community Park and Croft Community Elementary School are located across Hucks Road to the south of the property. Commissioner Wiggins asked if there is a way to maintain the appearance of some of the older farm structures. Mr. Main explained that the existing house will be used for restrooms. Ms. McNeil stated that this has not been a part of discussions but staff can ask Park and Recreation to consider this suggestion. Commissioner Low asked if Park and Recreation will work with the neighborhood during the master planning process. Ms. McNeil replied yes. Chairperson Lathrop added that he thinks that this is a wonderful central location for a park. He asked if property located south of Hucks Road will be a part of the nature preserve. Mr. Main responded that the property is dedicated for school use.

A motion was made by Commissioner Watkins and seconded by Commissioner Wiggins to approve Planning staff's recommendation for Mandatory Referral #14-17. The vote was unanimous to approve staff's recommendation for Mandatory Referral #14-17.

Area Plan Status and Meeting Report - Overview of the Land Use Policy Assessment Process

Alysia Osborne (Planning) gave an overview and update on the Land Use Policy Assessment Process. She stated that the goal of the process is to assess the effectiveness of our existing land use policy structure and to develop recommendations to strengthen our policy development processes, products and implementation tools. She also explained the project work flow steps, which consist of assessing and confirming issues with internal and external stakeholders, analyzing information to develop goals for focus areas and developing a plan of action to address short, medium and long terms policy goals. She also stated that the idea is to link area plan recommendations with the zoning ordinance.

The Land Use Policy Assessment team began working with Planning staff and staff in other City and County departments last July. The team also presented information to the Planning Commission earlier this year. On April 10, a meeting was held with a group of citizens to begin receiving public input. While attendance at this meeting was low, the input was good. Staff heard a lot about transparency, time commitment and only involving others at critical points in the process.

Commissioner Wiggins asked who was invited to attend the meeting. Ms. Osborne replied people who previously participated in area planning or zoning processes. She further asked if staff targeted any professional groups and how many people showed up. Ms. Osborne stated that 17 people attended the meeting.

Commissioner Watkins stated that she attended the meeting. She commended staff for their openness and acceptance of criticism. She added that she learned a lot. Commissioner Low asked what the next steps are. Ms. Osborne said that staff will look at what other cities are doing, refine their findings and develop potential approaches to share at a public meeting. Chairperson Lathrop asked if there are any common themes. Ms. Osborne answered "communication" not often enough ongoing communications about area plans. Chairperson Lathrop asked if this initiative will come to the Planning Committee for action. Ms. Osborne answered not anytime soon and she is not sure if this Committee will take action on this item. Commissioner Low suggested including design professionals such as architects, planners, designers, developers and others in the process because they have a lot to offer.

Other Discussion Items

Vice-Chairperson Eschert asked Mr. Main about the status of the *Prosperity Hucks Area Plan* because he heard that it was at ground zero. Mr. Main told him that the plan is not at ground zero; however, staff is engaging in additional dialogue with the community. Chairperson Lathrop said no matter how the process is structured; you hear from people at the end who were not involved in the earlier stages of the process. Commissioner Fink stated that this was his first planning process and he commended staff on doing a good job. He felt that a consensus from the community was really important during the process.

Chairperson Lathrop thanked staff again for their hard work. He also told committee members that they can attend as many meetings as they would like and if they have an interest in a specific area to please let him know. Chairperson Lathrop hopes that the commission can add value to the process because of the available talent and asked staff to let the commission know where they can add value.

A tour of the BLE/University City Area is planned for Monday, May 5 for the newest commissioners Watkins and Wiggins; all commissioners are welcome to attend.

Chairperson Lathrop asked if committee members are interested in serving on the Historic District Commission or other committees. He would like for commissioners to work in areas where they are interested.

Adjourn 6:00 p.m.

Submitted by: Jacqueline McNeil, BSSA-Asset and Facility Management **Initiated by:** Jim Garges, Director, Park & Recreation Dept.

MANDATORY REFERRAL REPORT NO. 14-18

Proposed Acquisition by Mecklenburg County of Property on Miranda Road in Charlotte ETJ

PROJECT PROPOSAL AND LOCATION:

This transaction is the proposed acquisition of ±55.93 acres (Tax Parcel 037-081-02) located off Miranda Road in the City of Charlotte's ETJ for the assembly of nature preserve and greenway property. The property contains a residential home and several accessory structures. It is zoned R-3 (Single Family Residential) under the City's Zoning Ordinance. The property is located in the northwest portion of the County between I-77 and I-485. The surrounding neighborhood is generally residential in character with scattered businesses along major roads. Much of the area consists of large vacant parcels.

PROJECT JUSTIFICATION:

As the County continues to develop, the opportunity to preserve the area's natural habitat and vegetation will become increasingly rare. Park and Recreation has determined that the property contains a mix of young and mature forests. Open fields and young forest in the northern portion of the property provide cover, foraging and nesting habitat for a diversity of wildlife species. Several ponds on the property provide habitat for wildlife as well as important breeding habitat for many amphibian species. McIntrye Creek runs along the southern portion of the property and is home to high quality mature hardwood forest that also provides habitat for wildlife and protects water quality in the McIntyre Creek watershed. Approximately 5.6 acres of the property is in the floodplain, and McIntyre Creek is one of the County's adopted greenway corridors. If acquired, the County will designate at least a portion of the property as nature preserve and develop a future greenway trail along the creek.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

This acquisition is consistent with the County's *2008 Park and Recreation Master Plan* which encourages the expansion of nature preserves and protection of habitat for wildlife and plant life. McIntyre Creek is on the County's adopted *Greenway Master Plan*. Citizens within the County have ranked the expansion and increased connectivity of the greenway system as its highest ranked park and recreation desire.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The property lies within the *Northwest District Plan* (adopted 1990), which recommends the location of single-family land uses. Adopted land use policy plans do not identify all areas that are appropriate for planned or future greenways. Typically, greenways are compatible with the surrounding single-family land uses. The use of the property for a nature preserve and greenway meets the plan's intent to foster a livable and attractive quality community and will reduce the impact on environmentally sensitive land.

PROJECT IMPACT:

Acquisition of this property takes this tract out of play for future development and expands the area protected by County nature preserves.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This property is to be utilized as nature preserve and greenway land. It does not affect any other known public projects in this area.

ESTIMATED PROJECT COMPLETION DATE:

This project is for land acquisition only and is expected to be completed by fall 2014.

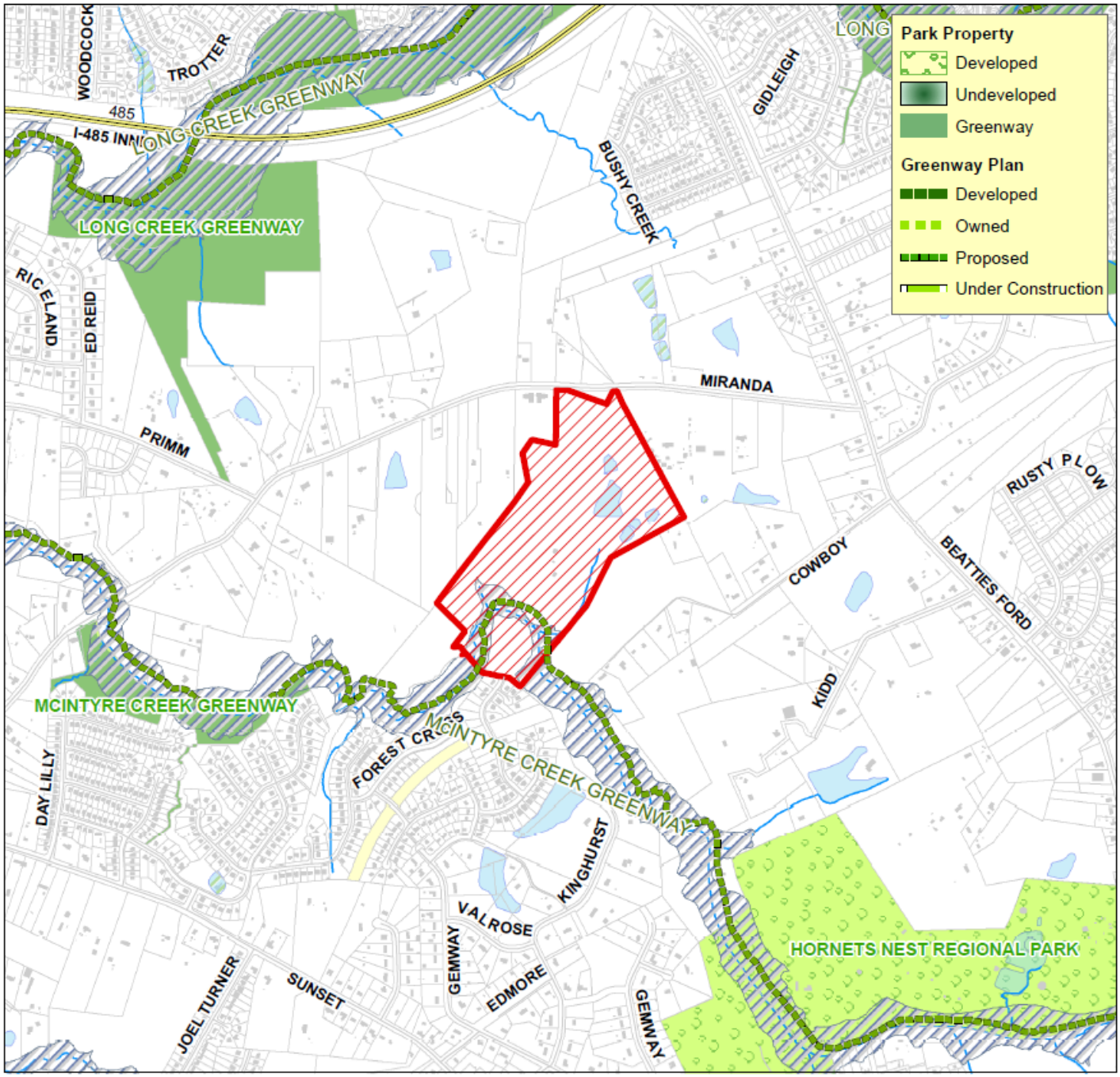
JOINT USE TASK FORCE REVIEW COMMENTS:

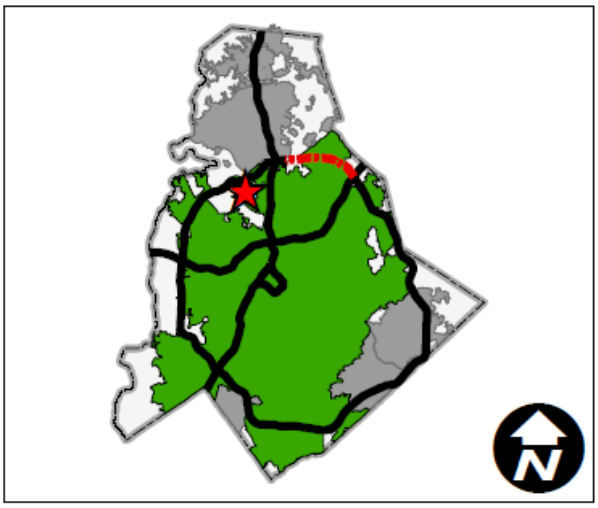
The Joint Use Task Force discussed this matter at their May 7, 2014 meeting and had no comments.

PLANNING STAFF RECOMMENDATION:

The proposed use of the property as a nature preserve and greenway meets the plan's intent to foster a livable and attractive quality community and will reduce the impact on environmentally sensitive land. Staff recommends approval of the land acquisition to be used for a nature preserve and greenway.

CMPC PLANNING COMMITTEE RECOMMENDATION:





Mandatory Referral 14-18

Initiated by: Park & Recreation

Submitted by: County Real Estate

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

Produced by the Charlotte-Mecklenburg Planning Department

Submitted by: Jacqueline McNeil, BSSA-Asset and Facility Management **Initiated by:** Jim Garges, Director, Park & Recreation Dept.

MANDATORY REFERRAL REPORT NO. 14-19

Proposed Acceptance of Donation of Property on Carmel Road for Addition to Carmel Road Park

PROJECT PROPOSAL AND LOCATION:

This transaction is the proposed donation of a 48-foot wide stretch of property along the western boundary of Tax Parcel #209-021-02 from the Church at Charlotte to the County to be added to the western boundary of the County's property at Carmel Road Neighborhood Park (#209-021-01). Currently, the property is vacant with light tree cover. As part of the donation, the owner (church) has agreed to construct a parking lot for the mutual benefit of the County and the church. A written joint use agreement would be executed between the County and the church. The property is zoned R-3 (Single Family Residential) under the City of Charlotte's Zoning Ordinance.

PROJECT JUSTIFICATION:

The donation of the property will allow for additional parking for the park. Currently, parking at the park is limited and this agreement will increase parking and accommodate greater numbers of visitors to the park when the parking need isn't as great at the church. The arrangement is of benefit to the current owner as well by expanding its parking and use of its property.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

This acquisition is consistent with the County's *2008 Park and Recreation Master Plan* in which citizens of the County expressed a desire for increased park and recreation facilities and opportunities. Donation of the property is consistent with the County's goal of increasing opportunities for citizens to make use of existing facilities as well as participation in joint use opportunities.

In this case, there is an existing required 48-foot buffer from the park on the church property, but the Charlotte City Zoning Ordinance permits elimination of the buffer requirement if the land is dedicated for incorporation into the park. Since the park and church both need additional parking, it is proposed to expand the existing church parking lot into the buffer, and to dedicate the land to the park with appropriate joint use agreements between park and church, thereby eliminating the need for the buffer and complying with the zoning provision.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *South District Plan* (adopted in 1993) recognizes the Church at Charlotte property as an institutional use and the Carmel Road Neighborhood Park as open space, reflecting the status quo at the time of adoption. While the plan does not recommend specific locations for new and expanded parks, it does reference the need for park expansion generally. As such, the plan supports the acquisition.

PROJECT IMPACT:

Acquisition of the property will increase the County's usability of its park and allow more citizens to visit the park.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This acquisition does not affect any other known public projects in this area.

ESTIMATED PROJECT COMPLETION DATE:

Donation of the property is expected to be completed by fall 2014.

JOINT USE TASK FORCE REVIEW COMMENTS:

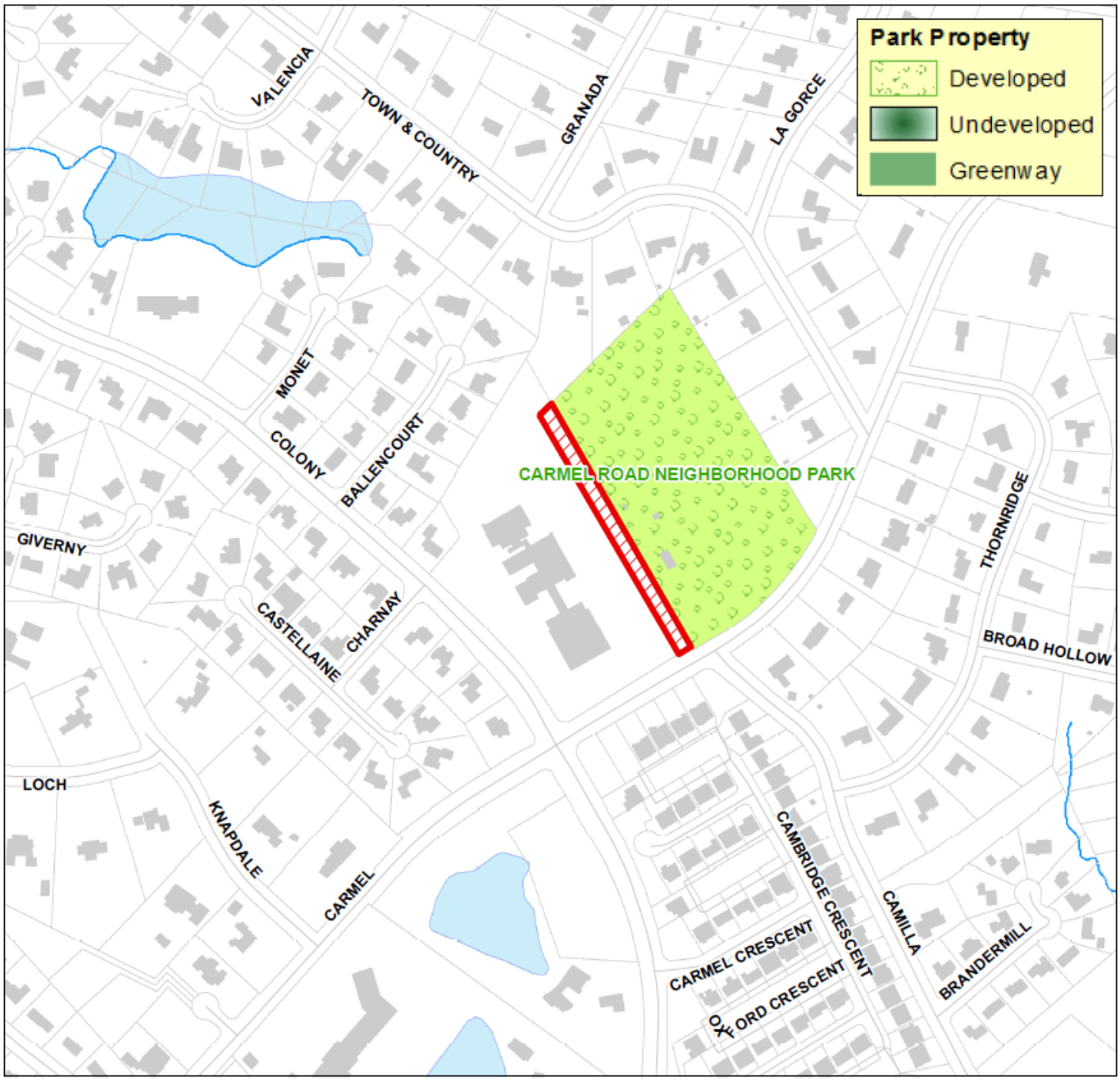
The Joint Use Task Force discussed this matter at their May 7, 2014 meeting and did not have comments on this item.

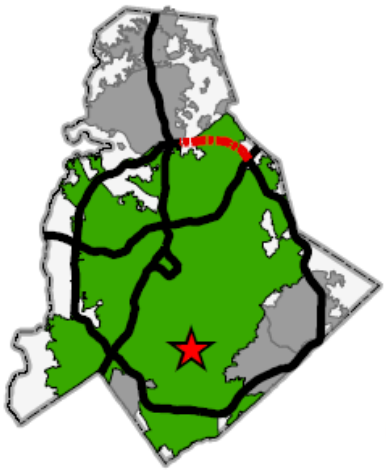
PLANNING STAFF RECOMMENDATION:

The proposal is consistent with the *South District Plan's* recommendation for extension of parks and open space. It is consistent with the *Zoning Ordinance's* regulations concerning elimination of required buffers. As such, staff recommends approval of the proposal.

CMPC PLANNING COMMITTEE RECOMMENDATION:

Staff resource: Kent Main



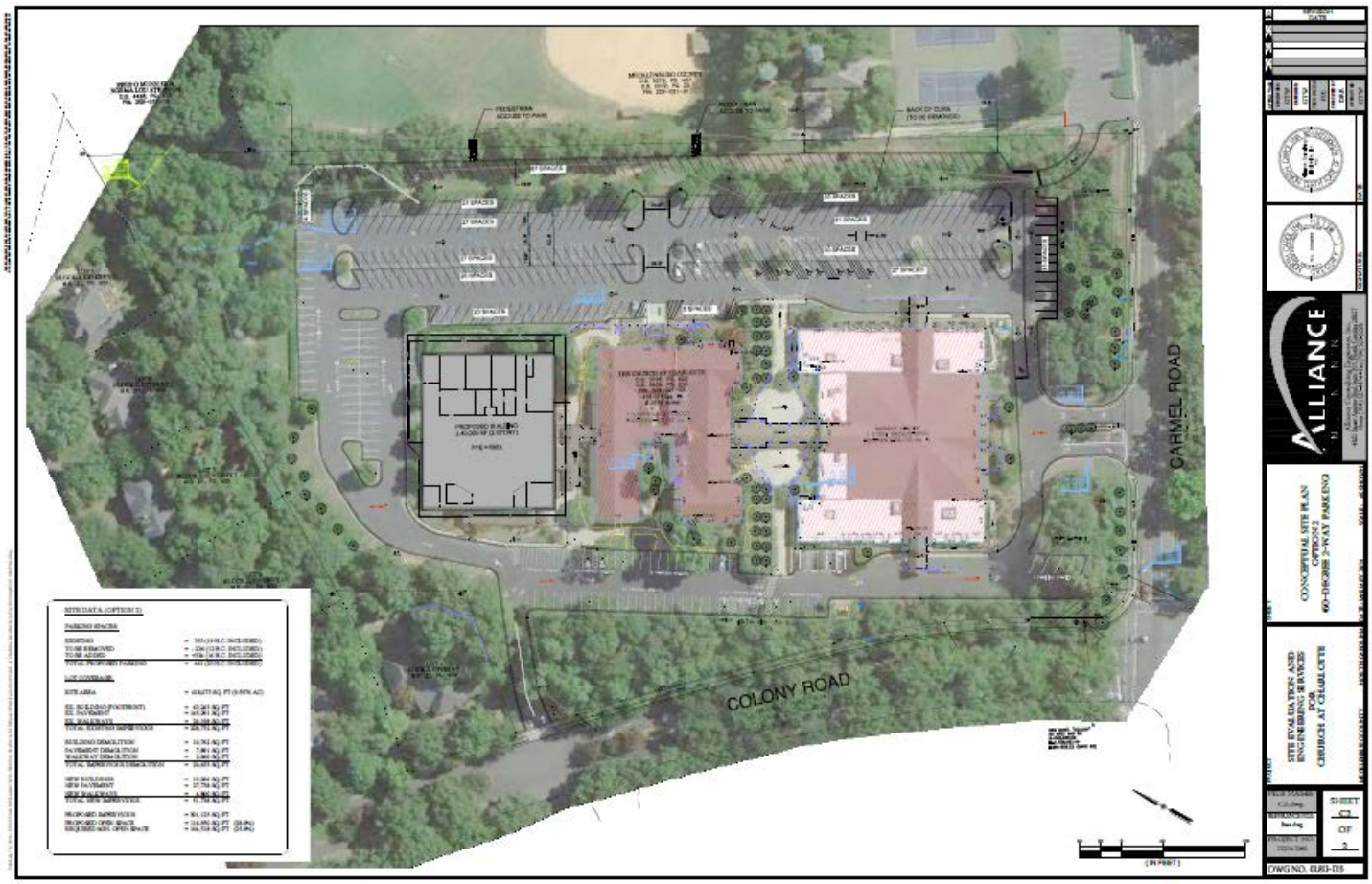


Mandatory Referral 14-19

Initiated by: Park & Recreation
Submitted by: County Real Estate

Mandatory Referral
County Property

Produced by the Charlotte-Mecklenburg Planning Department


CARMEL ROAD
COLONY ROAD
SITE DATA (OPTION 2)
PARKING SPACES
LOT COVERAGE
ALLIANCE
CONCEPTUAL SITE PLAN
OPTION 2
60-DEGREE 2-WAY PARKING
SITE EVALUATION AND
ENGINEERING SERVICES
FOR
CHURCH AT CHARLOTTE
SHEET
C2
OF
2
DWG NO. 0103-03

Submitted by: Jennifer Morell, BSSA-Asset & Facility Management **Initiated by:** David Love, County Storm Water Services

MANDATORY REFERRAL REPORT NO. 14-20
Proposed Acquisition by Mecklenburg County of Flood-prone Properties along Briar Creek in Charlotte

PROJECT PROPOSAL AND LOCATION:
Mecklenburg County's Storm Water Services Program proposes to acquire two properties (Parcel Identification Numbers 09906112 and 09906113) in the Purser Drive area along Briar Creek in East Charlotte. These parcels are vacant and located in a single family neighborhood near flood prone areas subject to periodic and severe flooding. Use of the Storm Water Services capital fund is proposed for acquisition of these properties. The properties are zoned R-4, single family residential under the City of Charlotte's Zoning Ordinance. Following acquisition, the properties will be added to the County's open space/greenway system and maintained in a natural state.

The intent is to preserve open space for the benefit of water quality and floodplain management with the long term goal of abandoning a portion of the street (Purser Drive) that serves these parcels. The land could be used in the future for a greenway but there are no immediate plans for that use.

PROJECT JUSTIFICATION:
The proposed acquisitions will contribute to water quality by ensuring that the floodplain area remains undeveloped. Additionally, acquisition of these parcels will add to greenway connectivity and assemblage along the creek.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:
Acquisition of these parcels is consistent with the *Mecklenburg County Floodplain Management Guidance Document* (adopted by County Commission on December 3, 1997) which aimed to 1) prevent and reduce the loss of life, property damage, and service disruptions and 2) restore natural and beneficial functions of the floodplain.

Greenway property assemblage along the creeks is supported by and consistent with the *2008 Greenway Master Plan*, a component of the *2008 Park and Recreation 10-Year Master Plan* adopted by the County Commission on May 7, 2008.

CONSISTENCY WITH ADOPTED LAND USE PLANS:
The proposed transaction and intended use of the property is consistent with the *East District Plan (1990)* which recommends greenway/park/open space.

PROJECT IMPACT:
Acquisition of these parcels will contribute to the water quality/open space needs of the community.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:
There is no confirmed relationship to other public or private projects at this time. The project intent is to protect the land from future development and preserve the beneficial use of the floodplain. Potential future projects could include park/greenway and/or storm water treatment.

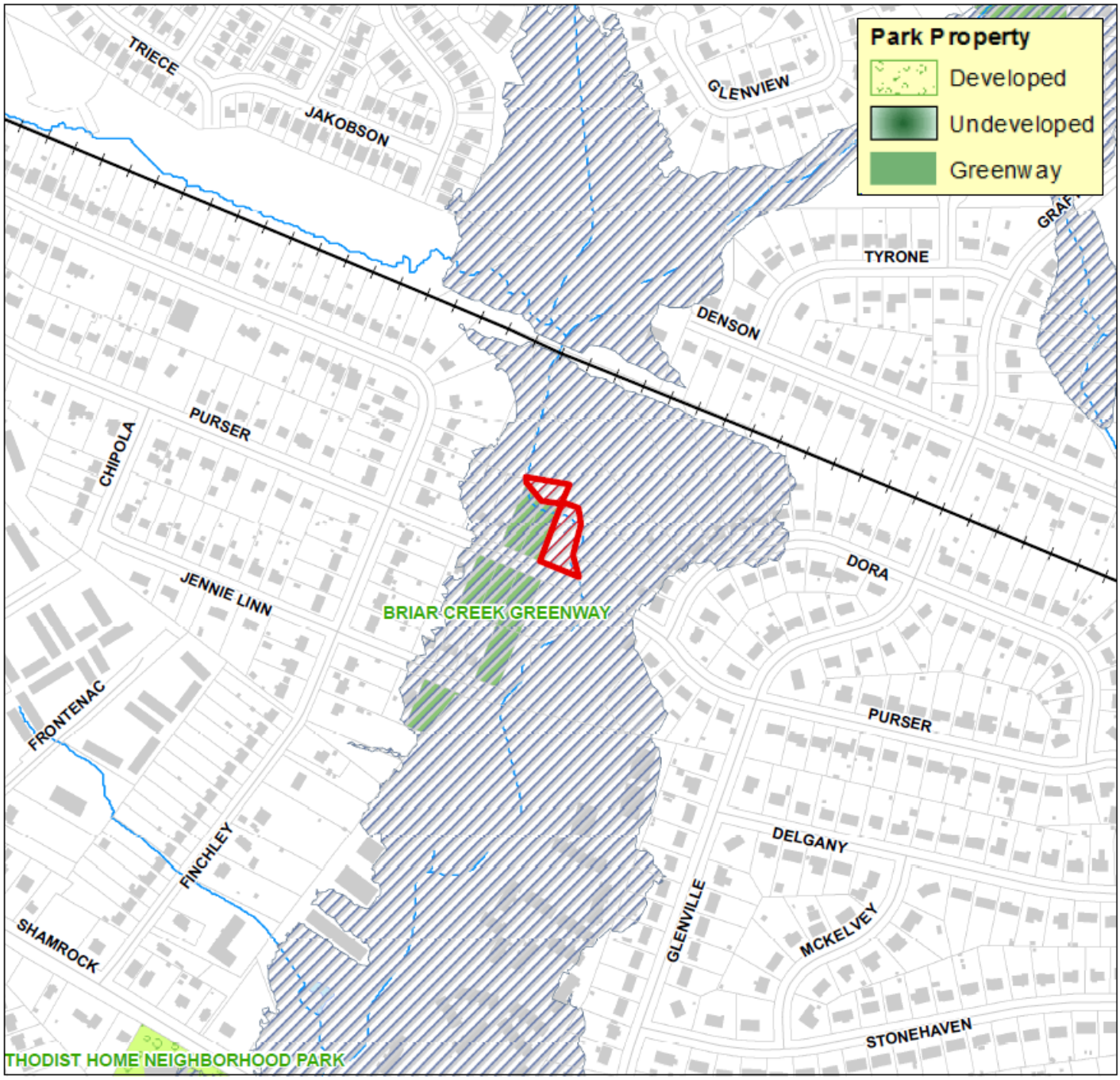
ESTIMATED PROJECT COMPLETION DATE:
Mecklenburg County anticipates acquiring these properties by the end of fiscal year 2014, subject to Commissioners' approval of the proposed acquisition.

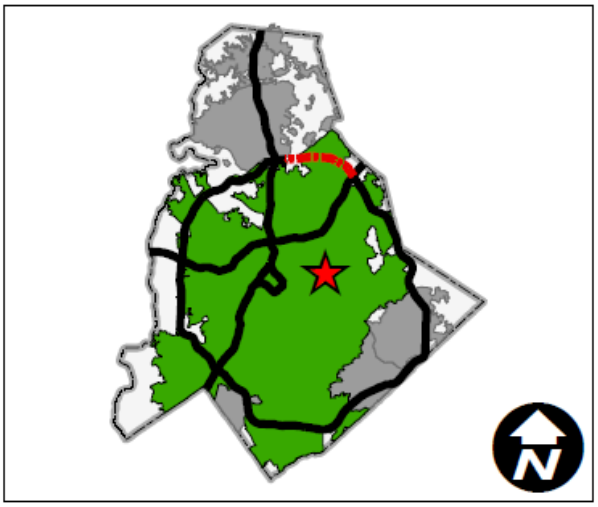
JOINT USE TASK FORCE REVIEW COMMENTS:
The Joint Use Task Force discussed this matter at their May 7, 2014 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:
Staff recommends approval of the proposed transaction.

CMPC PLANNING COMMITTEE RECOMMENDATION:

Staff resource: Alysia Osborne





Mandatory Referral 14-20

Initiated by: Storm Water Services
Submitted by: County Real Estate

- Mandatory Referral
- County Property
- FEMA 100 Year Floodplain

Produced by the Charlotte-Mecklenburg Planning Department