

Planning Committee

Agenda Packet

November 18, 2014 |
Room 280
5:00 p.m. |

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Agenda

November 18, 2014 – 5:00 p.m.

CMGC – 2nd Floor, Room 280

1. Call to Order and Introductions

2. Approve October 21, 2014 Minutes. *Attachment 1*

3. M.R. #14-47: Proposal by the City of Charlotte to Sell or Transfer Six Properties Located throughout the City for Affordable Housing

Background: The City of Charlotte proposes to sell or transfer six properties (see mandatory referral report for tax parcel list) located throughout the City for Affordable Housing. These properties were acquired by the City as the result of loan foreclosures or through in rem liens and neighborhood revitalization projects. ***Attachment 2***

Staff Resources: Alberto Gonzalez, Planning
Amanda Byrum, City Engineering

Action Requested: Approve Planning staff's recommendation for M.R. #14-47.

4. M.R. #14-49: Proposal by Mecklenburg County to Acquire Land Located along Freedom Drive for a Park

Background: Mecklenburg County proposes to acquire approximately one acre of land (Tax parcel 059-161-19), located along Freedom Drive for the future development of Teddington Neighborhood Park in northwest Charlotte. ***Attachment 3***

Staff Resources: Alberto Gonzalez, Planning
Katie Daughtry, County Asset and Facility Management

Action Requested: Approve Planning staff's recommendation for M.R. #14-49.

5. M.R. #14-50: Proposal by the City of Charlotte to Transfer Properties Located in the Cherry Neighborhood to a Developer for Affordable Housing

Background: The City of Charlotte proposes to transfer five vacant parcels located along Baxter Street in the Cherry Neighborhood to a private company that specializes in developing affordable housing. ***Attachment 4***

Staff Resources: Alberto Gonzalez, Planning
Timothy J. O'Brien, City of Charlotte Real Estate Division

Action Requested: Approve Planning staff's recommendation for M.R. #14-50.

6. Area Plan Status and Meeting Report

Area Plans	Assigned Commissioner(s)	Scheduled Meeting
<i>University City Area Plan - Blue Line Extension Transit Station Area Plans</i>	Deborah Ryan Nancy Wiggins	Community Meeting <i>(Staff will present final plan recommendations.)</i> Tuesday, December 9 6 – 8 p.m. Oasis Shriner's Temple 604 Doug Mayes Place
<i>Prosperity Hucks Area Plan</i>		To be determined

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

Action Requested: For Committee discussion.

7. Adjourn

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Minutes

DRAFT

October 21, 2014 – 5:00 p.m.

CMGC – 2nd Floor, Room 280

Attendance:

Commissioners Present: Chairperson Tony Lathrop, Vice-chairperson Randy Fink, Commissioners Emma Allen, Cozzie Watkins and Nancy Wiggins

Commissioners Absent: Thomas Low

Planning Staff Present: Pontip Aphayarath, Alan Goodwin, Alberto Gonzalez, John Howard, Sonda Kennedy, Melony McCullough and Jonathan Wells

Other Staff Present: Jacqueline McNeil and Katie Daughtry (Mecklenburg County Asset and Facility Management), David Love (Storm Water Services) and Vicki Saville (Central Piedmont Community College)

Call to Order and Introductions

Chairperson Lathrop called the meeting to order at 5:35 p.m., welcomed those present and asked everyone to introduce themselves.

Approve September 21, 2014 Minutes

A motion was made by Commissioner Allen and seconded by Vice-chairperson Fink to approve the September 21, 2014 minutes. The vote was unanimous to approve the minutes.

M.R. #14-38: Proposal by Central Piedmont Community College (CPCC) to Purchase Property at 1409 E. Fifth Street for Parking

This mandatory referral was deferred at the September Committee meeting because the Committee had questions about Planning staff's recommendation and wanted to ask Mr. Alan Goodwin (Planning) questions about recommendations in the *Elizabeth Area Plan* for the subject property.

Mr. Goodwin explained that the subject area is in close proximity to the future but undetermined location for the Silver Line Transit Station subarea and the Gold Line streetcar currently under construction. He further explained that the *Transit Station Area Principles* recommend the establishment of parking maximums rather than minimums and encourage shared parking facilities. He stated that there are parking decks within one quarter mile of the subject site.

Chairperson Lathrop asked if there has been any feedback from the neighbors. Mr. Goodwin explained CPCC's outreach efforts and said that Ms. Saville contacted neighborhood leaders. Information was sent to neighborhood leaders Eric Davis and Melanie Sizemore. Mr. Goodwin read responses from Councilmember Patsy Kinsey and Mr. Andy Misiaveg (The Shopping Center Group, LLC). He also stated that demolition of this structure to create a surface parking lot is inconsistent with the goal of minimizing surface parking and encouraging shared parking. It is also inconsistent with the overall land use goal of the *Elizabeth Area Plan* to maintain and preserve the area's predominant historic residential character.

Chairperson Lathrop asked Ms. Saville if there are plans to tear down the structure for parking. Ms. Saville explained that CPCC has received funds in stages. They received a bond to develop four major projects. One is to purchase the property at 1409 E. Fifth Street and develop a parking lot. Their future goals are to create a more collegiate environment for the campus.

Vice-chairperson Fink asked if this process goes to City Council. Jonathan Wells (Planning) explained that this mandatory referral will go to CPCC's Board of Trustees for action. He also told Vice-chairperson Fink that there is nothing in the request to keep them from developing the property as they desire, because a rezoning is not required.

Commissioner Wiggins stated that she does not support staff's recommendation because she is concerned about pedestrian safety in the area. Chairperson Lathrop made a motion to approve CPCC's proposal to create a surface parking lot at the subject location and not support staff's recommendation. Commissioner Wiggins seconded the motion. Commissioner Allen asked Ms. Saville about the tenants living in the house. Ms. Saville said the tenants have moved to another location. Vice-chairperson Fink, commissioners Allen and Watkins said they were voting against the motion. The vote was 3 to 2; therefore, the motion failed to pass.

A motion was made by Vice-chairperson Fink and seconded by Commissioner Watkins to approve Planning Staff's recommendation for Mandatory Referral #14-38. The vote was 3 to 2 to approve staff's recommendation for Mandatory Referral #14-38. Mandatory Referral #14-38 was approved.

Yeas: Vice-Chairperson Fink, Commissioners Allen and Watkins

Nays: Chairperson Lathrop and Commissioner Wiggins

Overview of the Mandatory Referral Process

Jonathan Wells (Planning) provided a brief overview of the Mandatory Referral process which is required by state law when City, County or sub-entities propose capital investments that involve real estate transactions.

M.R. #14-45: Proposal by Mecklenburg County to Acquire Two Parcels Located in the Rockwell Park Neighborhood for the Proposed Mallard Creek Tributary Greenway

Mr. Wells presented Mecklenburg County's proposal to accept the donation of two parcels of land, totaling approximately 2 acres, located along a tributary of Mallard Creek for the proposed Mallard Creek Tributary Greenway Trail. This project is consistent with the 2008 *Mecklenburg County Park and Recreation Master Plan* objectives which identified the need for expanding the County's greenway system.

A motion was made by Commissioner Wiggins and seconded by Commissioner Allen to approve Planning Staff's recommendation for Mandatory Referral #14-45. The vote was 5 to 0 to approve staff's recommendation for Mandatory Referral #14-45.

M.R. #14-46: Proposal by Mecklenburg County to Acquire Several Flood Prone Structures Located Along Several Streams in Charlotte

Alberto Gonzalez (Planning) presented the proposal by Mecklenburg County's Storm Water Services Program to acquire 24 flood prone properties located along Briar Creek, Sugar Creek and Irwin Creek. All are improved with single family and multi-family dwellings. Commissioner Wiggins commented that rebuilding houses in a floodplain area is no longer allowed and she thinks that this is a worthy cause.

A motion was made by Commissioner Wiggins and seconded by Commissioner Allen to approve Planning Staff's recommendation for Mandatory Referral #14-46. The vote was 5 to 0 to approve staff's recommendation for Mandatory Referral #14-46.

Area Plan Status and Meeting Report

Chairperson Lathrop stated that the *University City Area Plan-Blue Line Extension - Transit Station Area Plans* community meeting is scheduled for Tuesday, December 9 at the Oasis Shriner's Temple. Commissioner Wiggins stated that there is no new information to report at this time; however, she will attend this meeting.

A commissioner is not currently assigned to the Prosperity Hucks Area planning process. Chairperson Lathrop said this matter will be discussed at a later date. Mr. Gonzalez said that there was no controversy at the public meeting that was held on Monday, October 20.

Ms. McCullough said that staff will not give an update on the Prosperity Hucks Area Plan at this meeting since a presentation was given to the full Planning Commission earlier this month.

Adjourned: 6:20 p.m.

MANDATORY REFERRAL-REPORT NO. 14-47
Proposed Transfer of Six City-Owned Properties to Not-for-Profit Agencies

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Neighborhood and Business Services Department (N&BS) proposes to sell or transfer six City-owned properties out of the City's inventory for reoccupation, rehabilitation or construction of affordable housing by non-profit organizations. These properties were acquired by the City as the result of foreclosures of loans generated by N&BS or through in rem liens and neighborhood revitalization projects.

N&BS works with City-approved, experienced non-profit organizations and Community Development Corporations (CDC) to partner on making more affordable housing available in neighborhoods throughout the City. N&BS will release a list of properties approved for transfer to these organizations in order to determine whether they can be rehabilitated or built on for affordable housing opportunities. If none of the organizations are interested in these properties, they will be marketed and offered for sale to the public.

#	Address	Parcel ID	Acreage	Zoning ⁽²⁾	Existing Land Use
1	2235 West Blvd	145-183-02	.3	B-1	Vacant
2	1201 Parkwood Ave ⁽¹⁾	083-091-09	.324	B-1	Vacant
3	2021 St. John St	075-057-13	.1	R-5	Single Family Detached
4	3308 Amay James	145-171-05	.168	R-5	Vacant
5	801 Ambassador	071-121-21	.4	R-5	Vacant
6	1723 Taylor Ave	069-092-88	.167	R-5	Vacant

⁽¹⁾ Subject of two previous Mandatory Referrals (MR 02-40 and MR 03-10)

⁽²⁾ According to the Charlotte Zoning Ordinance

PROJECT JUSTIFICATION:

These properties were acquired as the result of foreclosures or past projects and are not needed for City use or operations. The City incurs the expenses of year-round mowing and maintenance. N&BS works with non-profit and neighborhood organizations in order to transfer properties for rehabilitation and re-occupancy by the organizations' qualified clients.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The transfer of these parcels supports City Council's recommendation to develop affordable housing. The proposed transfer of these parcels supports the recommendation to develop affordable housing as outlined in the *FY2010-2015 Consolidated Action Plan* (approved by City Council on April 28, 2014).

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The applicable Area Plans (and adoption dates), the land uses prescribed by those plans, and the land use consistency of the proposed use with the plans are detailed in the table below.

#	Address	Adopted Future Land Use	Plan	Consistency
1	2235 West Blvd	Retail	<i>Central District Plan (1993)</i>	No
2	1201 Parkwood Ave	Multi-Family/Office/Retail	<i>Belmont Area Revitalization Plan (2003)</i>	With Condition
3	2021 St. John St	Single Family <=4DUA	<i>Central District Plan (1993)</i>	Yes
4	3308 Amay James	Single Family <=5DUA	<i>Central District Plan (1993)</i>	Yes
5	801 Ambassador	Single Family <=5DUA	<i>Central District Plan (1993)</i>	Yes
6	1723 Taylor Ave	Single Family <=4DUA	<i>Central District Plan (1993)</i>	Yes

PROJECT IMPACT:

The project provides support for homeownership opportunities and neighborhood revitalization.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known related public or private projects.

ESTIMATED PROJECT COMPLETION DATE:

Interest in the properties for use by non-profit organizations and the availability of funds for these organizations to undertake rehabilitation or rebuilding will dictate the completion of the transfers.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their November 5, 2014 meeting and provided no comments.

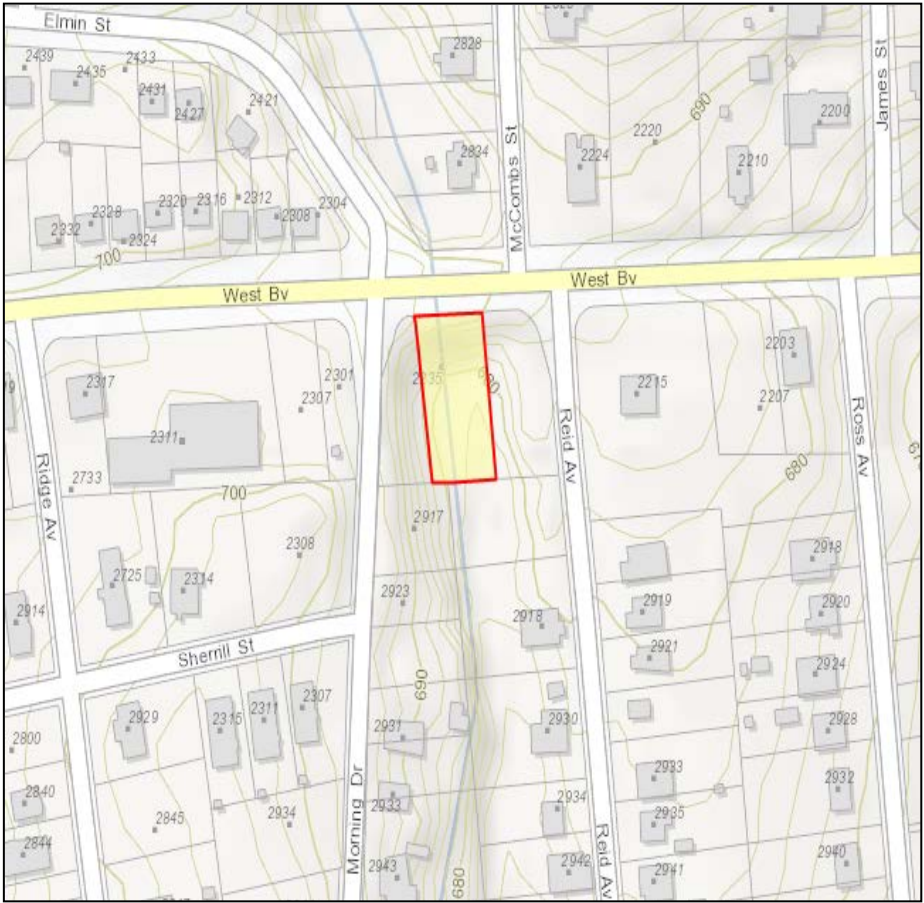
PLANNING STAFF RECOMMENDATION:

Staff recommends disposition of the subject parcels in the following fashion:

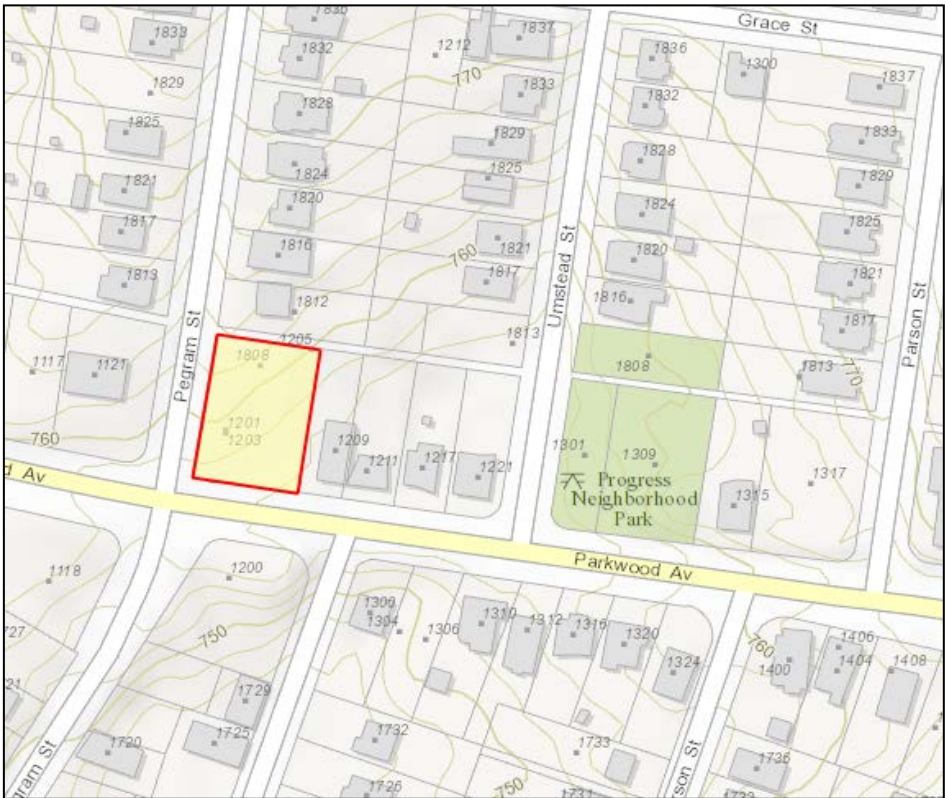
- Parcel #1 has a non-residential adopted future land use that is not consistent with the proposed residential use. More specific information is needed regarding the potential future development for this site before a recommendation can be made. Multi-family residential might be applicable as a future use. Therefore, the recommendation is to defer action pending receipt of additional information on the precise nature of the recommended future land use.
- Parcel #2 has a mixed-use adopted land use as per the *Belmont Area Revitalization Plan* which recommends the development of a neighborhood-scale mixed-use node (this could include a residential component as part of a mixture of uses). Staff recommends that residential development on this parcel be part of a larger mixed-use development that is consistent with the adopted mixed-use land use for this site.
- Parcels #3 through #6 all have an adopted future land use of single family and are recommended for disposition for the proposed use.

CMPC PLANNING COMMITTEE RECOMMENDATION:

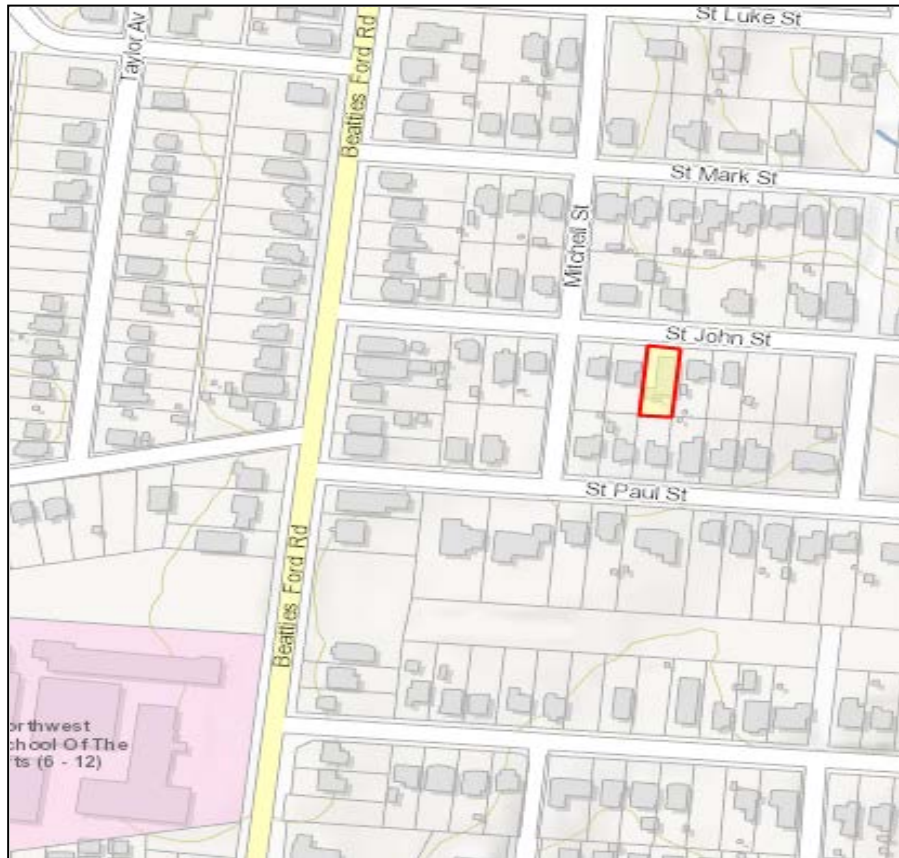
Property 1: 2235 West Boulevard



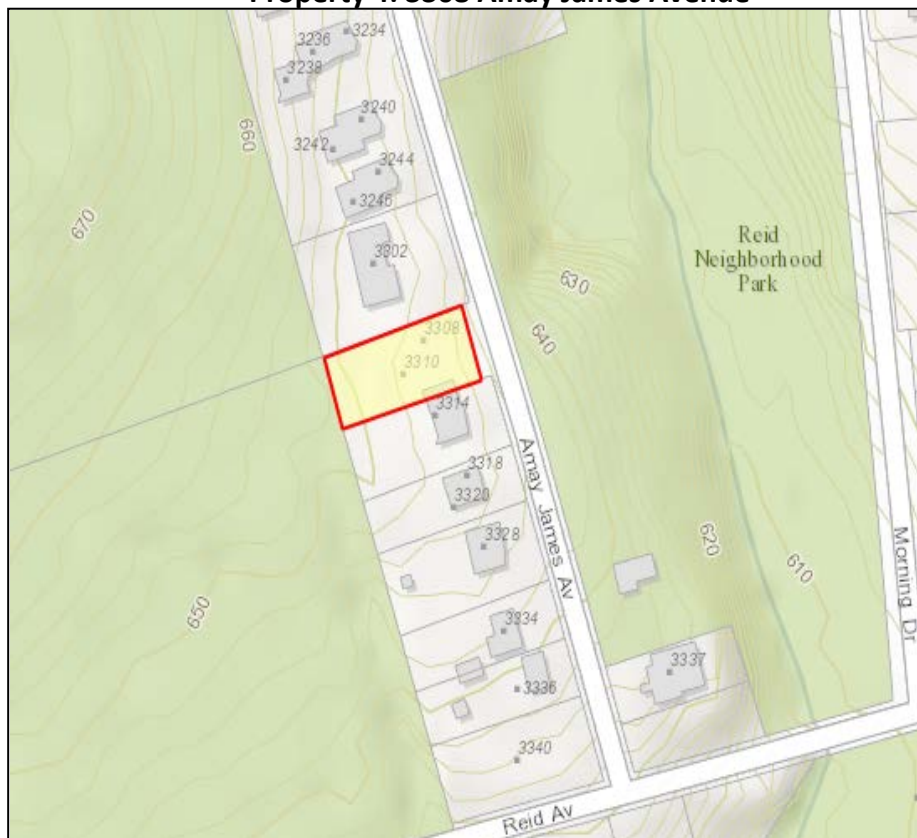
Property 2: 1201 Parkwood Avenue



Property 3: 2021 St. John Street



Property 4: 3308 Amay James Avenue

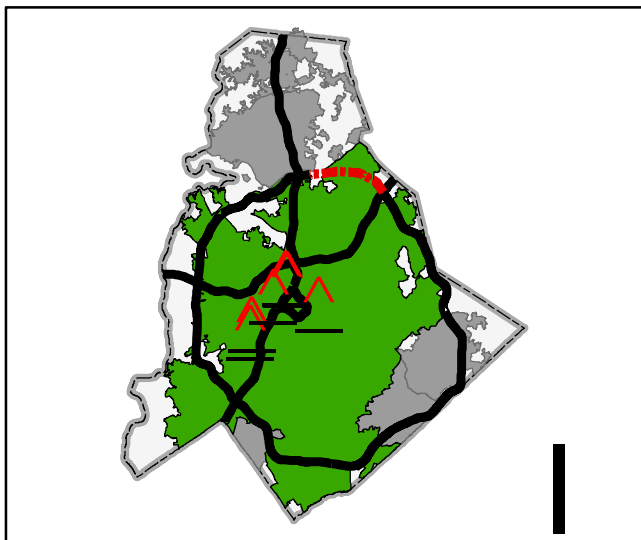
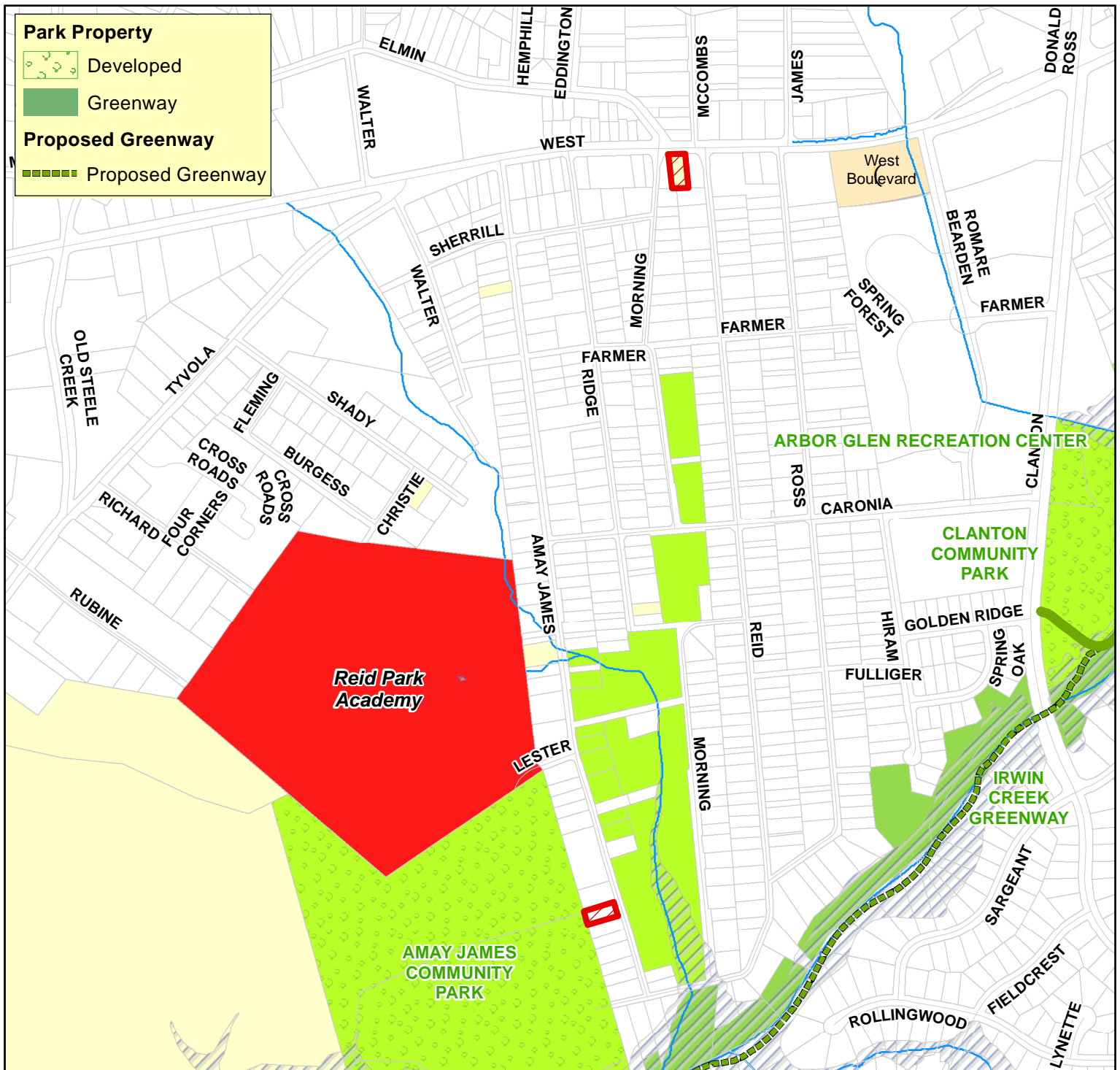


Property 5: 801 Ambassador Street



Property 6: 1723 Taylor Avenue





Mandatory Referral 14-47

Initiated by: Neighborhood & Business

Submitted by: City Real Estate



Mandatory Referral



City Property



County Property

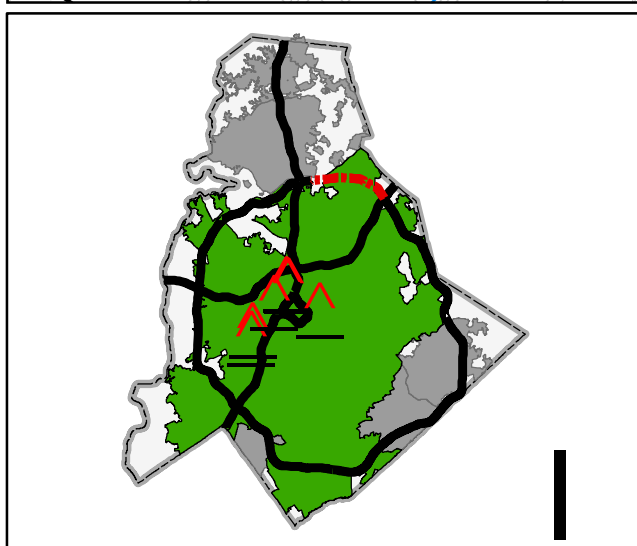
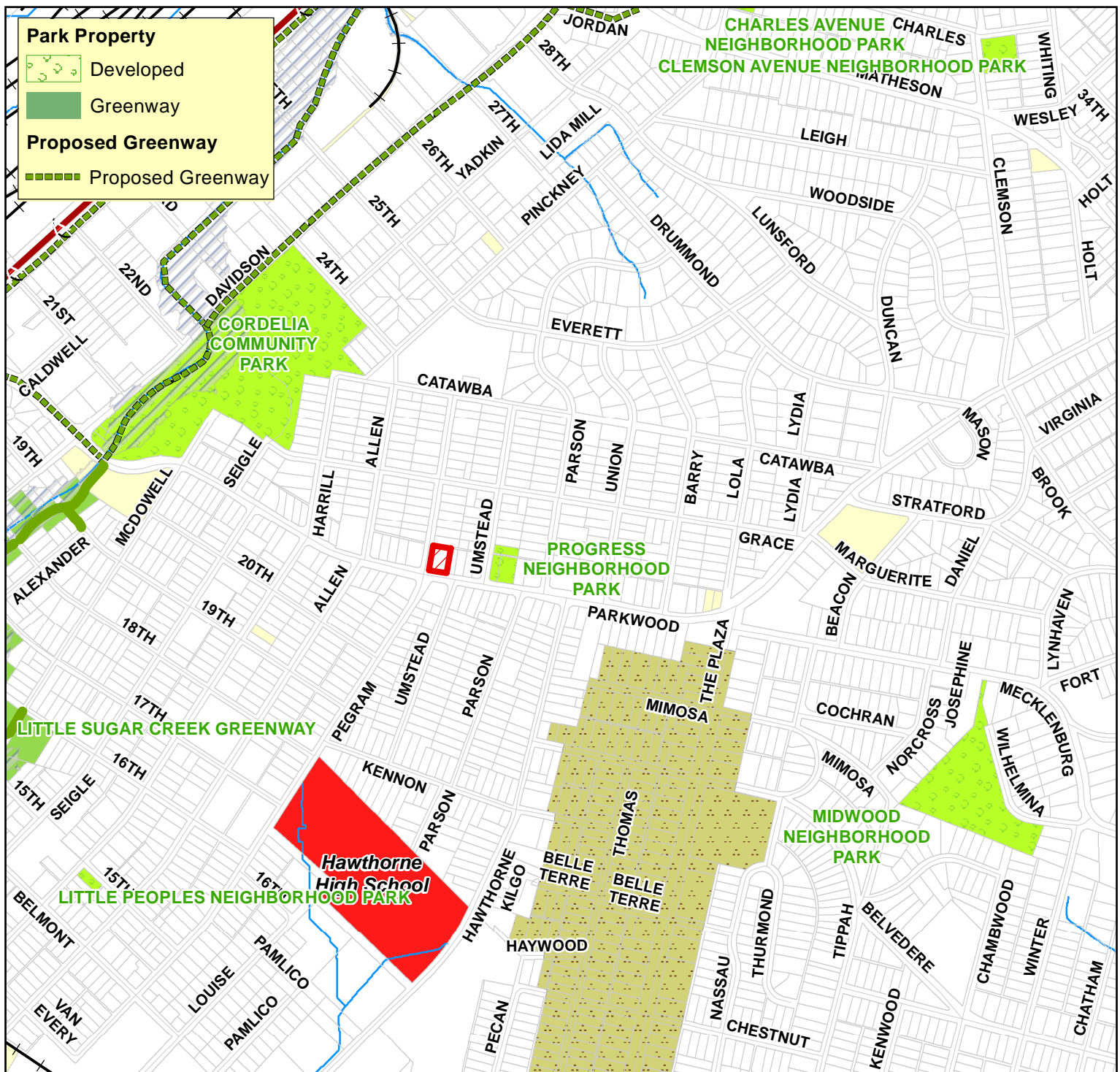


Schools



FEMA 100 Year Floodplain



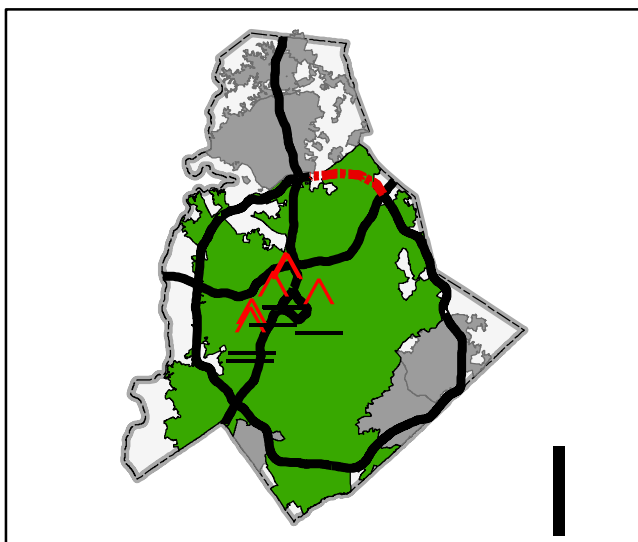
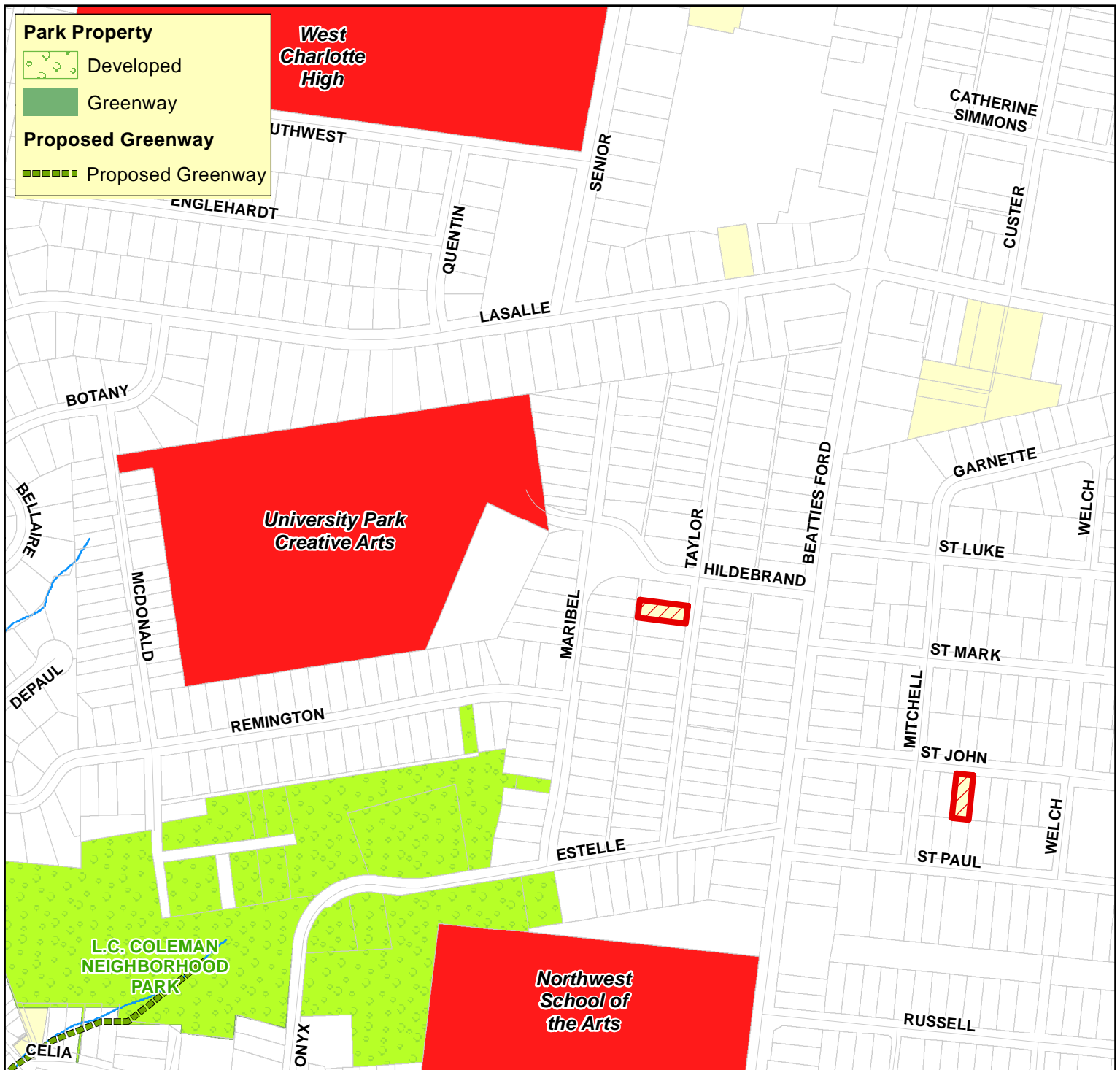


Mandatory Referral 14-47

Initiated by: Neighborhood & Business
Submitted by: City Real Estate

- Mandatory Referral
- City Property
- County Property
- Schools
- Historic Districts





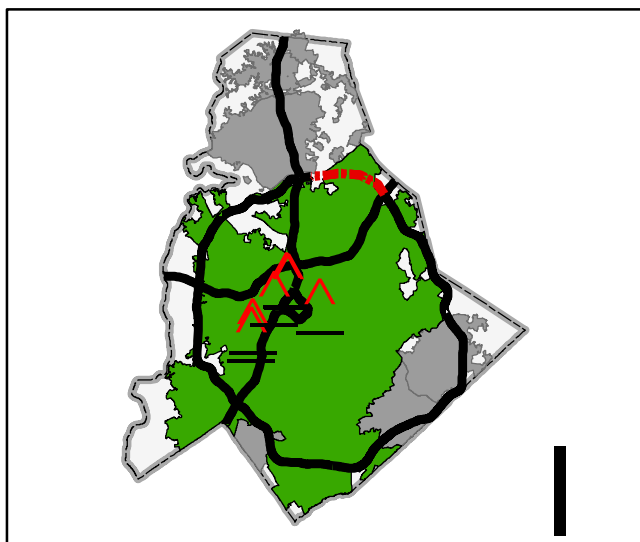
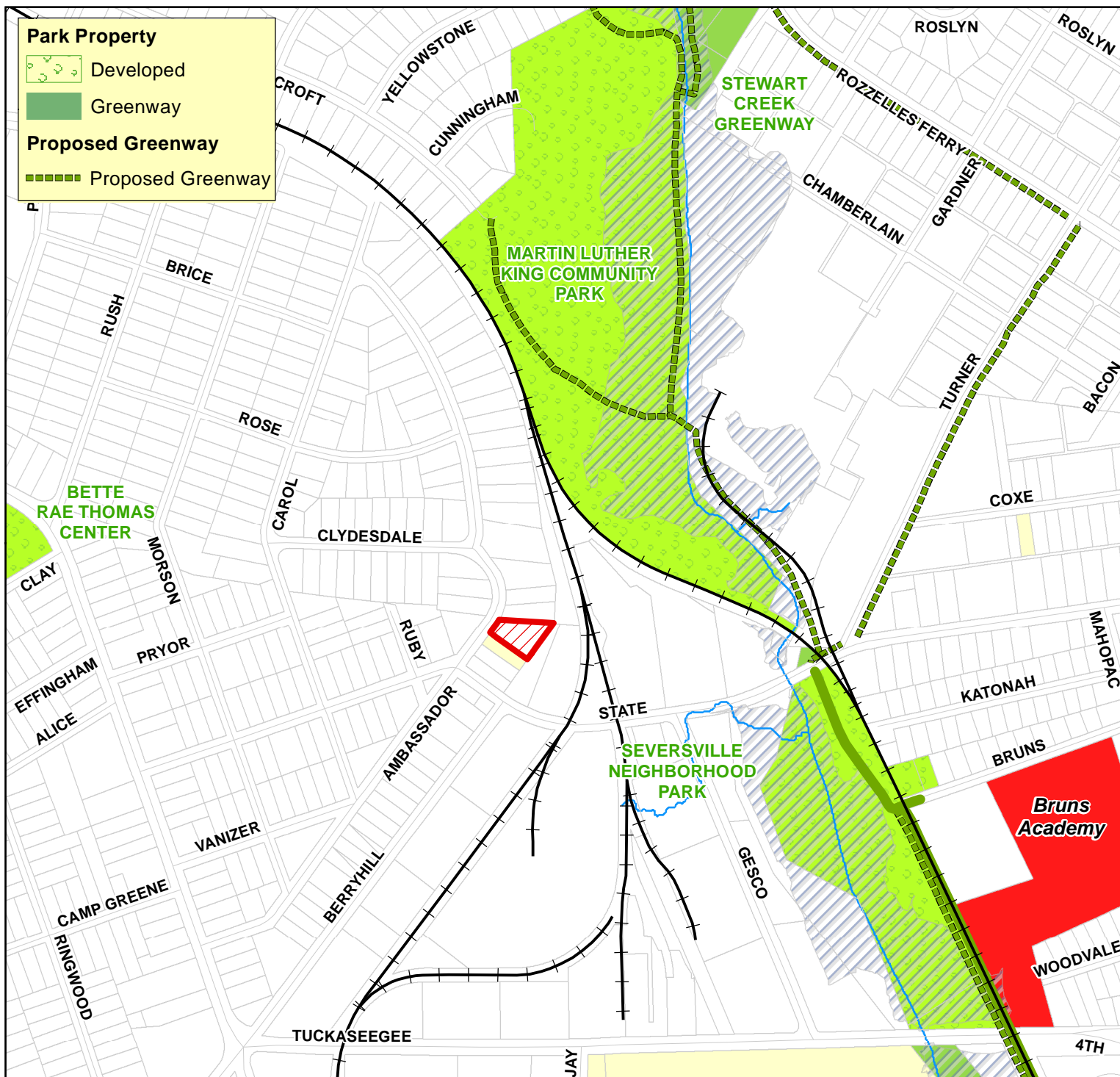
Mandatory Referral 14-47

Initiated by: Neighborhood & Business

Submitted by: City Real Estate






- Mandatory Referral
- City Property
- County Property
- Schools





Mandatory Referral 14-47

Initiated by: Neighborhood & Business
Submitted by: City Real Estate

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



MANDATORY REFERRAL REPORT NO. 14-49

Proposed Teddington Neighborhood Park Acquisition

PROJECT PROPOSAL AND LOCATION:

Mecklenburg County proposes to acquire tax parcel 059-161-19 (±1.2 acres) along Freedom Drive for the future development of Teddington Neighborhood Park in northwest Charlotte. The property will be assembled with existing park property, which is currently undeveloped.

The property is currently vacant and is zoned R-3 (single family residential) according to the Charlotte Zoning Ordinance. The property is surrounded by park property and single-family residences.

PROJECT JUSTIFICATION:

Park and Recreation is currently in design for Teddington Neighborhood Park. During that process, this property was identified for the construction of the park. The park is anticipated to contain walking trails, seating areas, a shelter and possibly a playground. Construction of this park would fill in a critical gap in neighborhood parks in this area of the County.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The *Mecklenburg County Park and Recreation 10 Year Master Plan* (2008) supports creating and expanding neighborhood parks.

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 as well as parks and open space. Much of the site lies within the FEMA 100-year floodplain, which is the area recommended for parks and open space by the adopted land use plan.

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 an expansion of existing park and open space property meets the plan's intent to foster a livable and attractive quality community and will reduce the impact on environmentally sensitive land.

PROJECT IMPACT:

There is no known impact to other public projects.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

ESTIMATED PROJECT COMPLETION DATE:

This project is for land acquisition only and is expected to be completed by late winter 2015.

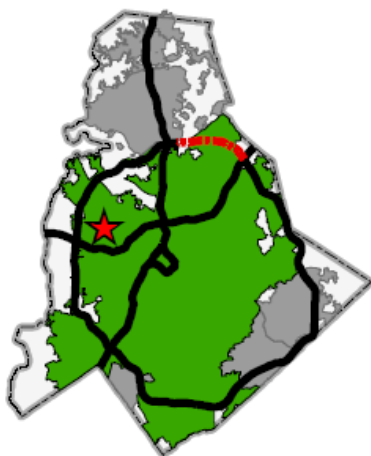
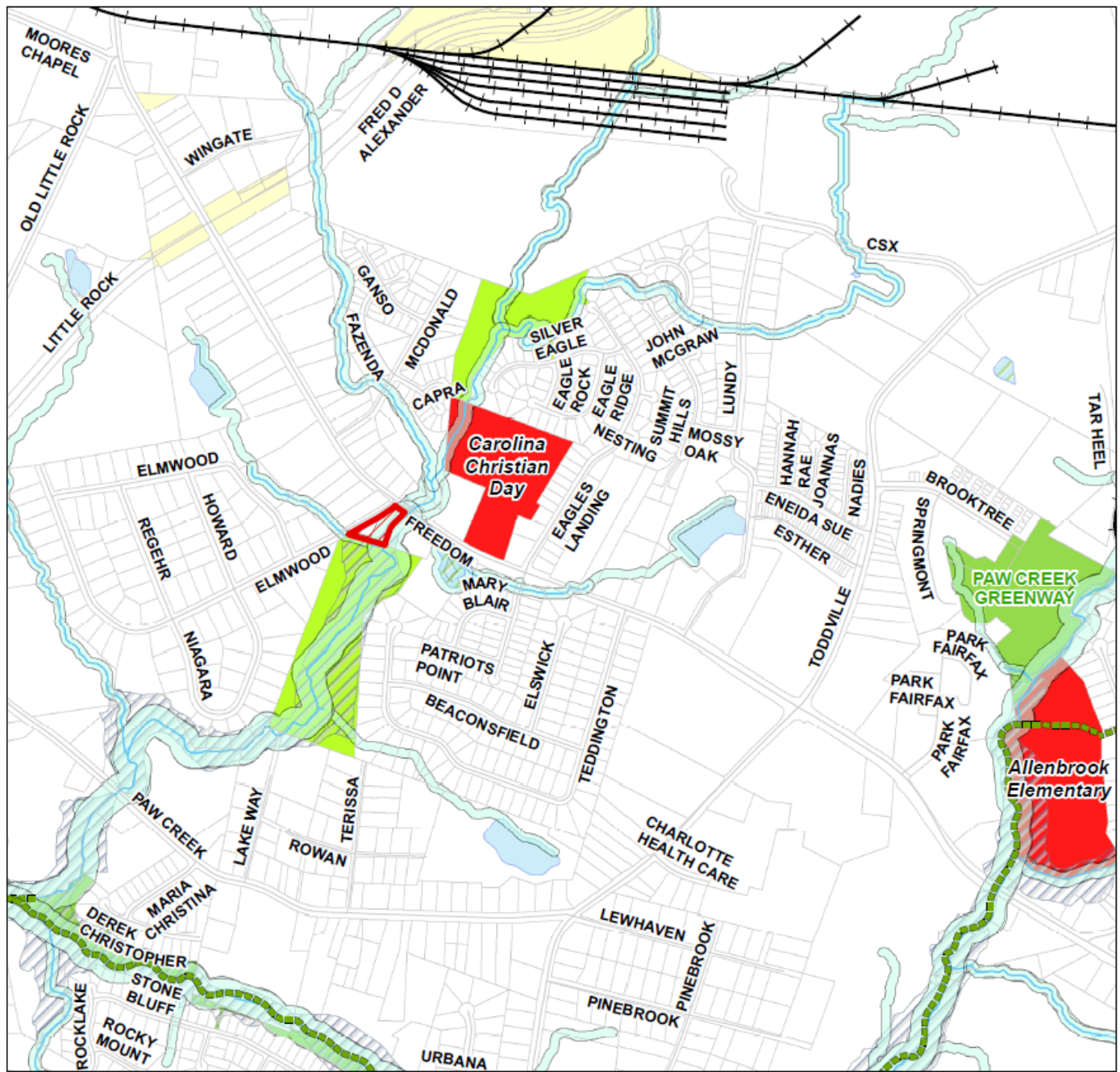
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their November 5, 2014 meeting and had no comments.

PLANNING STAFF RECOMMENDATION:

The proposed use of the property for expansion of existing park and open space property 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 park and open space.






CMPC PLANNING COMMITTEE RECOMMENDATION:



Mandatory Referral 14-49

Initiated by: Park & Recreation

Submitted by: BSSA-Asset & Facility Management

-  Mandatory Referral
-  SWIM Buffer
-  County Property
-  Schools
-  FEMA 100 Year Floodplain

Produced by the Charlotte-Mecklenburg Planning Department



MANDATORY REFERRAL REPORT NO. 14-50
Proposal to Transfer City-Owned Properties in Cherry Neighborhood
to a Developer to Build Affordable Housing

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Neighborhood & Business Services (NBS) Department proposes to transfer five City-owned parcels to a private company which specializes in developing affordable housing. The parcels are clustered together around an unopened road right of way (also proposed to be transferred with the five parcels), and each parcel is currently vacant land and zoned residential. The properties are located in the Cherry community along Baxter Street, midway between Kings Drive near the Metropolitan mixed-use retail and residential development and Queens Road in the City of Charlotte.

The developer intends to utilize these parcels of land to develop affordable housing with a 40 year affordability restriction. The desire is to abandon the non-existing street and assemble the land with five neighboring lots in order to create a better footprint for multifamily use. The plan would be to develop multiple structures to provide up to 30 units.

The properties are as follow:

PARCEL SUMMARY				
PARCEL NO.	ADDRESS	ZONING ⁽¹⁾	CURRENT USE	LOT SIZE (AC.)
12524333	809 Avant Street	R-6	Vacant	+/- .670
12524505	609 Avant Street	R-6	Vacant	+/- .126
12524506	617 Avant Street	R-6	Vacant	+/- .197
12524501	631 Avant Street	R-6	Vacant	+/- .242
12524332	630 Avant Street	R-6	Vacant	+/- 1.00

⁽¹⁾ Residential zoning, according to the City of Charlotte Zoning Ordinance

These properties are proposed for transfer specifically for the pursuit and development of affordable rental housing. After the approval process is complete, City Real Estate will be charged with overseeing the transfer of these properties to the designated organization.

PROJECT JUSTIFICATION:

NBS provides affordable housing opportunities in Charlotte as well as assistance to help revitalize and preserve affordable housing options in the neighborhood in which these properties are located. Records indicate that the five parcels were acquired by the City of Charlotte under the Community Development program, which assisted in redevelopment in declining neighborhoods. These properties are surplus to City operations, and the goal of constructing affordable housing complements the reasons for initial acquisition. Additionally, releasing the City-owned properties will avoid the potential for maintenance and liability expenses.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The transfer of these parcels supports the recommendation to develop affordable housing as outlined in the *FY2010-2015 Consolidated Action Plan* (approved by City Council on April 28, 2014).

Additionally it should be noted that in the event the final development plan (reportedly still being finalized) proposes residential density exceeding the maximum 6 units per acre allowed under existing zoning, a rezoning will be required.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Midtown Morehead Cherry Area Plan* (2012) set as twin goals for the Cherry neighborhood: “Maintain and preserve the area’s predominant historic residential character, while continuing to provide viable affordable housing opportunities...”. The Plan also sets forth the intention to encourage well-conceived infill development balanced with neighborhood preservation. The future land use for these specific parcels called for in the Plan is for residential density of six units per acre.

The proposed dwelling count in the Project Proposal section above is loose, indicating that development could exceed the density recommended in the Plan (taken collectively these five lots combined with the abandoned right-of-way would total approximately 2.8 acres, which would support about 17 dwelling units at six units per acre, while the stated maximum of 30 units would result in just under 11 units per acre). However, it is noted that the subject property is located across Baxter Street from the Cherry Gardens midrise apartments for seniors, containing 42 one-bedroom units and sitting on a site of just over one acre (Google image below).

The proposed use of the site is consistent with the Plan’s goals to provide viable affordable housing opportunities and to continue the neighborhood’s historic residential character. While the maximum density may exceed the recommended density articulated in the Plan, it would be no higher than at least one nearby property, and respectful development design can maintain a consistency of scale and style appropriate to the surrounding neighborhood.

PROJECT IMPACT:

The project provides for additional affordable housing options in a community that is rapidly gentrifying, which is resulting in the displacement of residents in need of affordable housing.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no other known public or private projects in the vicinity of the project site.

ESTIMATED PROJECT COMPLETION DATE:

The developer is on a fairly ambitious schedule to apply for housing tax credits in 2015 that will assist in offsetting the construction costs and make the development more affordable to lower income households. If tax credits are awarded during 2015, the developer expects to begin construction in early 2016.

JOINT USE TASK FORCE REVIEW COMMENTS:

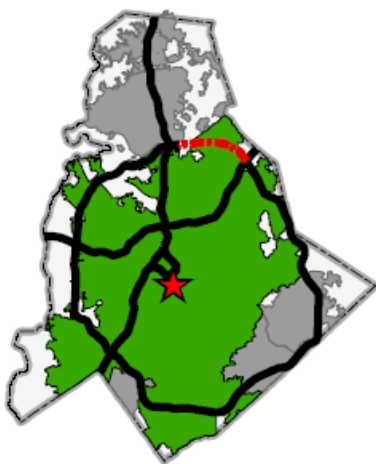
The Joint Use Task Force discussed this matter at their November 5, 2014 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

The proposal to develop this site residentially and for affordable housing is consistent with goals articulated in the *Midtown Morehead Cherry Area Plan*. If residential densities developed at six units per acre, the development would align with the Plan’s density goal, however, if up to 30 units are constructed, it would exceed the prescribed 6 units per acre in the Plan but will also require a re-zoning that would initiate a project review to address development design in order to maintain scale and style consistency with the surrounding neighborhood, intended to offset the impact of the higher density (and would serve to address the Plan’s goal of preserving neighborhood character). As such, staff recommends approval of the proposal.

CMPC PLANNING COMMITTEE RECOMMENDATION:







Staff resource: Kent Main



Mandatory Referral 14-50

Initiated by: Neighborhood & Business Services

Submitted by: City of Charlotte Real Estate

-  Mandatory Referral
-  Schools
-  City Property
-  County Property
-  Historic Districts
-  FEMA 100 Year Floodplain



Produced by the Charlotte-Mecklenburg Planning Department

