

Planning Committee

Agenda Packet

May 17, 2016 |
Room 280
5:00 p.m. |

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Agenda

May 17, 2016 – 5:00 p.m.

CMGC – 2nd Floor, Room 280

1. Call to Order and Introductions

2. Approve April 19, 2016 Minutes. *Attachment 1*

3. M.R. #16-18: Proposal by the City of Charlotte to Use Two City-Owned Parcels Located on Albemarle Road for the New Charlotte-Mecklenburg Police Department (CMPD) Hickory Grove Division Station

Background: The City of Charlotte proposes to construct a new CMPD Hickory Grove Division station on a 1.8 acre site located at 7023 Albemarle Road (Tax Parcel 109-171-11) and a 3 acre site located at 7035 Albemarle Road (Tax Parcel 109-171-12). ***Attachment 2***

Staff Resources: Mandy Vari, Planning
Hannah Bromberger, E&PM - Real Estate

Action Requested: Approve Planning staff's recommendation for M.R. #16-18.

4. M.R. #16-19: Proposal by Mecklenburg County, the City of Charlotte, and the Charlotte Housing Authority (CHA) to Exchange Property in the Midtown Area

Background: Proposal by the County, the City, and the CHA to exchange several parcels located in the Midtown area (see mandatory referral for locations and tax parcel numbers) to create a new street network and improve connectivity (auto, pedestrian, and bicycle). ***Attachment 3***

Staff Resources: Kent Main & Catherine Mahoney, Planning
Jacqueline McNeil, County Asset & Facility Management
Amanda Byrum & Hannah Bromberger, City E&PM - Real Estate

Action Requested: Approve Planning staff's recommendation for M.R. #16-19.

5. Development Ordinance and Place Types Update

Background: The Committee will continue to discuss the Ordinance Rewrite and Place Types.

Staff Resources: Ed McKinney & Grant Meacci, Planning

Action Requested: For Committee discussion.

6. Adjourn

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Agenda**

**April 19, 2016 – 5:00 p.m.
CMGC – 2nd Floor, Room 280**

**ATTACHMENT 1
DRAFT**

Attendance

Commissioners Present: Planning Commission Chairperson Tony Lathrop, Planning Committee Vice-Chairperson Cozzie Watkins, and Commissioners Emma Allen, John Fryday, Bolyn McClung, Deborah Ryan, and Sam Spencer

Commissioner Absent: Planning Committee Chairperson Dionne Nelson

Planning Staff Present: Pontip Aphayarath, Alan Goodwin, Garet Johnson, Sonda Kennedy, Catherine Mahoney, Melony McCullough, Ed McKinney, Grant Meacci, Cheryl Neely, and Jonathan Wells

Other Staff Present: Jacqueline McNeil, County Asset and Facility Management

Call to Order and Introductions

Planning Committee Vice-Chairperson Watkins called the meeting to order at 5:02 pm, welcomed those present and asked everyone to introduce themselves.

Approve March 15, 2016 Minutes

A motion was made by Commissioner Spencer and seconded by Commissioner McClung to approve the March 15, 2016 minutes. The vote was 6 to 0 to approve the minutes. Commissioner Ryan abstained from voting on the minutes because she did not attend the March 15 meeting.

Mandatory Referrals

M.R. #16-14: Proposal by Central Piedmont Community College (CPCC) to Construct a New Advanced Technology Building on the Central Campus

CPCC proposes to construct a new 80,000 square foot, 5 story classroom building and related site improvements on a 0.59 acre site located at 1105 Charlottetowne Avenue (Tax Parcel 125-101-15) on the existing Central Campus.

M.R. #16-15: Proposal by Central Piedmont Community College (CPCC) to Construct a New Education Center Building on the Central Campus

CPCC proposes to construct a new 180,000 square foot, 8 story classroom building and related site improvements on a 12.4 acre site located at 1320 Sam Ryburn Walk (Tax Parcel 081-132-03) on the existing Central Campus.

M.R. #16-16: Proposal by Central Piedmont Community College (CPCC) to Construct a New Student Services Building on the Central Campus

CPCC proposes to construct a new 90,000 square foot, 4 story classroom building and related site improvements at 1141-1201 Elizabeth Avenue (Tax Parcels 080-132-03 and 01) on the existing Central Campus.

M.R. #16-17: Proposal by Mecklenburg County to Acquire Land for the Expansion of McDowell Nature Preserve

Mecklenburg County proposes to purchase a 7 acre site located on Shopton Road West, between Sledge and Four Horse roads (Tax Parcel 199-481-06) to expand McDowell Nature Preserve.

A motion was made by Commissioner McClung and seconded by Commissioner Allen to approve by consent Planning staff's recommendations for M.R. #16-14, M.R. #16-15, M.R. #16-16, and M.R. #16-17. The vote was 7 to 0 to approve staff's recommendations for the mandatory referrals.

Continued Discussion of Ordinance Update and Place Types

The Committee continued their discussion of the ordinance update and place types. Ed McKinney (Interim Planning Director) began by reminding the Committee of the discussion held last month concerning the existing TOD ordinance. Basic topics mentioned were street level parking, parking design, rail trail, parking standards, buffers, dumpsters, and lighting. He also mentioned the non-zoning ordinance issues such as transit, street design, tree ordinance, and affordable housing.

Commissioner Ryan thanked staff for their presentation and shared her concerns about developers getting by without installing sidewalks between the front doors of units and the street. She said that she did not see anything specific about this in the summary. Alan Goodwin (Planning) said there was no requirement for sidewalks. He mentioned that developers have different reasons for their designs. Commissioner Ryan spoke about door openings and said this is a huge urban design issue and is not pedestrian friendly. She asked if this can be a requirement in Transit Oriented Development (TOD). Mr. Goodwin said that with a conditional or optional TOD rezoning petition, staff has some ability to negotiate. However, conventional TOD zoning does not give staff the leverage to make that a requirement. He stated that individual units must have doors but they do not have to face a street. Commissioner Ryan asked if this can be changed. She added that she understands that it has to be approved by Council but there may be missed opportunities by waiting three years.

Mr. McKinney said that this type of conversation is extremely important. The goal is to address this issue in the overall ordinance rewrite. Addressing this now will likely open up other issues and deflect from the rewrite. Staff understands the desire of the Committee and Council to move quickly on these issues and will continue to advocate for changes through the ordinance rewrite.

Commissioner Fryday said that people are unhappy with certain aspects of TOD. The ordinance supports some things that do not happen. He asked if staff has enough authority to enforce the ordinance and how the problem can be fixed. Mr. McKinney explained that there are reasons why some of the wording in the ordinance may be considered insufficient. He said that that a quick discussion will not solve the problem. Also, doing this incrementally is a losing battle.

Vice-Chairperson Watkins said TOD is not doing what it needs to and asked if it would be helpful for the Committee to draft some guiding principles. Commissioner Ryan said there is a lot of room for interpretation and asked if staff is willing to take a leadership role and push for better design. Commissioner Fryday asked what the Committee can do to help. Mr. McKinney agreed that some of the ordinance language is vague. He said that staff's interpretations are based on this language. He added that this discussion helps staff to focus on the issues.

Commissioner Ryan stated that if the ordinance is about walkable communities why can't this happen. Mr. Goodwin said the ordinance does a lot; however, it needs to be more specific and there are some gray areas. Commissioner Spencer asked if interpretations have been done a certain way for so long that it has become the norm. Mr. McKinney said that staff tries to be consistent with interpretations.

Vice-Chairperson Watkins said that it is clear that the language is vague and asked if two or three points could be given to the Committee to help strengthen the ordinance. Mr. McKinney said that it would be valuable to have a clear statement from the Committee that identifies the most important gap to address.

Planning Commission Chairperson Lathrop asked if the Committee should consider adopting a set of recommendations that are general to TOD. He asked if there is a need to discuss deficiencies and make a strong statement for specifics in the ordinance. Mr. McKinney said that it would be helpful to discuss the gaps and have a goal statement and deliverables. Planning Commission Chairperson Lathrop asked if another column should be added to the TOD document that has aspirations and Mr. McKinney answered yes.

Commissioner McClung said that the problem appears to be escape clauses and weak text in the TOD ordinance. Planning Commission Chairperson Lathrop said the language needs to be tighter. Mr. McKinney said that there is a certain way that ordinances are crafted. It is impossible to address everything. Vice-Chairperson Watkins said the Committee understands the gaps and asked how to develop something sustainable.

Commissioner Fryday said that he understands how the ordinance is written but there is a problem. He said that staff should use the preamble to TOD more in the design review and the designers should be required to meet those expectations.

Commissioner Ryan expressed her admiration for city staff's collaboration with each other and said that does not happen on the streets. She added that many young architects may not understand that they should be doing this. Walkable places are not being created. Commissioner Ryan said that it should be communicated to transportation that the Committee has certain expectations.

Commissioner McClung suggested adopting a policy statement asking that the identified issues be considered as a basis for changes to the TOD ordinance. Planning Commission Chairperson Lathrop made a motion to adopt a policy statement that contains a preamble to the TOD ordinance stating that it has deficiencies that need to be fixed as soon as it is appropriate. Commissioner Allen seconded the motion.

Commissioner Spencer asked if there is a deficiency in TOD that unifies all elements and if there is a reason to recommend this. Planning Commission Chairperson Lathrop stated that it fails to embody the livable cities principles that the Commission has already endorsed. Commissioner Fryday said it does not meet expectations. Commissioner Spencer asked if more specific language needs to be added and if it should be stated that more work is needed with Charlotte Department of Transportation and North Carolina Department of Transportation. Vice-Chairperson Watkins cautioned the group about wordsmithing.

The motion to adopt a policy statement that contains a preamble to the TOD ordinance stating that it has deficiencies that need to be fixed as soon as appropriate was approved unanimously.

Place Types

Grant Meacci (Planning) gave a presentation on Place Types. He walked through the process and explained the significance of the posters. He has shared the Place Types information at some public meetings to begin introducing the concept to the community. The number one element identified by the public so far is walkability. Staff will attend other public meetings in May. Mr. Meacci will post the form and pattern elements on the Commission's resource page for their review and discussion on this topic will continue in May.

Commissioner Ryan shared her concern about Place Types and said she hopes that they are not leaving out any aspirational types. She is interested in walkable bicycle lanes. This should be more qualitative than quantitative. Commissioner Spencer commented on the aspirational place types. He asked if there has been any consideration for rural areas. Gareth Johnson (Planning) stated that this discussion often comes up in the community. The answer is "no" in Mecklenburg County. However, during the CONNECT process, rural areas were identified in surrounding communities.

Vice-Chairperson Watkins asked if there is anything the Committee can do to help. Mr. Meacci said to share comments on the Commission's resource page. Vice-Chairperson Watkins asked everyone to share their comments on the resource page and said the Committee will continue their discussion at the next meeting.

Adjourned: 7:10 pm

Submitted by: Hannah Bromberger, E&PM, Real Estate

Initiated by: Major Lisa Goelz, CMPD

MANDATORY REFERRAL-REPORT NO. 16-18

Proposed Use of City-Owned Property on Albemarle Road for New CMPD Hickory Grove Division Station

PROJECT PROPOSAL AND LOCATION

The City of Charlotte proposes to use two City-owned parcels for the construction of the Charlotte-Mecklenburg Police Department (CMPD) Hickory Grove Division station. The first parcel, 7023 Albemarle Road (parcel identification number 109-171-11), is 1.87 acres and has a dual zoning of R-17MF (multi-family) and O-2 (office) according to the Charlotte Zoning Ordinance. The second parcel, 7035 Albemarle Road (parcel identification number 109-171-12), is 3.17 acres and is zoned B-2 (business).

PROJECT JUSTIFICATION:

The City acquired the parcels in 2001 and 2002 for the Albemarle Road and W.T. Harris Boulevard intersection improvement project, which was later changed to the Lawyers Road extension project. The project was completed in 2010 and the parcels are therefore no longer needed by the City Engineering & Property Management Department.

City Real Estate regularly assists CMPD in the search for property to house Division stations. These two parcels are located within the Hickory Grove Division boundaries and, because they are City-owned property, their use would eliminate any additional land acquisition costs. The Hickory Grove Division is currently housed in leased facilities located at 5727 N. Sharon Amity Road.

Departmental polling for the two parcels was discussed at the April 6, 2016 Joint Use Task Force meeting.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

In 2010, CMPD proposed the Facilities Strategic Plan to outline police facility goals through 2025. In this plan, CMPD prioritized the transition from renting leased spaces to occupying City-owned facilities. This recommendation stemmed from a CMPD objective to be highly visible and accessible to the communities they serve. In an effort to achieve these goals and build permanent division stations, CMPD has phased Capital Improvement Program (CIP) funding requests throughout the last six years. The Hickory Grove Division is anticipated to receive CIP funding to begin site construction in July 2016.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *East District Plan (1990)* recommends multi-family uses for a majority of the site, and office uses for approximately 0.34 acres of the site, consistent with the current zoning districts. The plan identified the intersection of Albemarle Road and East W.T. Harris Boulevard (then Delta Road) as a Community Center. The plan did not acknowledge the future extension of Lawyers Road north of Albemarle Road. While not entirely consistent with the adopted land use recommendations, the use of the site for a Police Station is considered compatible with the surrounding context and contributing to the Community Center in the area.

PROJECT IMPACT:

No impacts are anticipated.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known relationships to other public or private projects.

ESTIMATED PROJECT COMPLETION DATE:

Engineering & Property Management's Special Projects team estimates that construction will be completed within three years.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their May 4, 2016, meeting and had no comments.

PLANNING STAFF RECOMMENDATION:

The proposed use of the property for a new Police Station is inconsistent with the land use recommendations in the *East District Plan*, however is compatible with the surrounding context and in keeping with the plan's recommendation for a Community Center in this area. Staff recommends approval of the use of these City-owned properties for a new Police Station.

CMPC PLANNING COMMITTEE RECOMMENDATION:

Staff resource: Mandy Vari

Submitted by: Jacqueline McNeil, County Asset & Facility Management
Amanda Byrum, City E&PM, Real Estate
Hannah Bromberger, City E&PM, Real Estate

Initiated by: Peter Zeiler, County Economic Development
Jim Garges, County Park and Recreation
Todd DeLong, City N&BS, Economic Development

MANDATORY REFERRAL-REPORT NO. 16-19
Proposed Pearle Street Neighborhood Park Property Exchange and Sale

PROJECT PROPOSAL AND LOCATION:

Mecklenburg County (County), the City of Charlotte (City), and the Charlotte Housing Authority (CHA) have been asked to partner in a proposed private developer-led redevelopment project in the Midtown area of Charlotte. The redevelopment plan calls for a series of property exchanges which will result in a new street network and connectivity (auto, pedestrian, and bicycle) in the portion of the Midtown area north of Kenilworth Avenue and between Greenwood Cliff and Baxter Street.

The real estate transactions outlined below will be completed by the County, the City, the CHA, and a private developer of specified adjacent properties.

Mecklenburg County

1. County to accept a portion of Tax Parcel #125-201-56 from the City (#1 on the attached maps) for incorporation into Pearle Street Neighborhood Park.
2. County to convey a portion of Tax Parcels #125-201-47 and #125-201-48 (collectively, Pearle Street Neighborhood Park) to the City (#2 and #3 on the maps). #2 on the map will become right-of-way for the extension of Pearl Park Way. #3 on the map will become a remnant parcel to be sold to the private developer after the City removes its park and recreation use restrictions imposed by the City in the parks consolidation deed to the County.
3. County to accept a portion of Tax Parcel #125-201-52 (Charlottetown Terrace complex) from the CHA (#8 on the maps). A portion of this property will be incorporated into Pearle Street Neighborhood Park.
4. County to accept residual land from the abandonment of Baxter Street right-of-way from the City (#5 on the maps) for incorporation into Pearle Street Neighborhood Park.
5. County to convey a portion of the existing Baxter Street Neighborhood Park to the CHA (#6 on the maps).
6. County to convey a portion of the property conveyed from the CHA (#8 on the maps) to the City for right-of-way for the realignment of Baxter Street (#9 on the maps).
7. County to convey the remnant parcel from Tax Parcel #125-201-52 to the City (#11 on the maps).

City of Charlotte

1. City to convey a portion of Tax Parcel #125-201-56 to the County (see #1 above and on the maps).
2. City to accept a portion of Tax Parcels #125-201-47 and #125-201-48 from the County for right-of-way (see #2 above and on the maps).
3. Private developer to purchase remnant portions of Tax Parcels #125-201-47 and #125-201-48 that is conveyed to the City from the County (#3 remnant parcel on the maps) after the City removes its park and recreation use restrictions imposed by the City on Parcel #125-201-48 in the parks consolidation deed to the County.
4. Private developer to dedicate portion of Tax Parcels #125-201-43 and #125-201-41 to the City for right-of-way for the extension of Pearl Park Way (#4 on the maps).
5. The City to abandon the Baxter Street right-of-way and convey the residual property to the County to be incorporated into Pearle Street Neighborhood Park (see #4 above and #5 on the maps).
6. Private developer to purchase the remnant parcel from Tax Parcel #125-201-48 from the City (#10 on the maps) once the City has removed the park and recreation use restrictions that were imposed in the parks consolidation deed to the County.
7. Private developer to purchase the remnant parcel from Tax Parcel #125-201-52 from the City (#11 on the maps).
8. Private developer to purchase the remnant parcel from Tax Parcel #125-201-56 from the City (#12 on the maps).

Improvements to the park will include removal of old asphalt and replacement with turf at the former site of the Midtown Sundries restaurant, and a bike/pedestrian path through the park. The current Baxter Street Neighborhood Park property could be redeveloped by the CHA for affordable multi-family residential in the future. Portions of the privately-owned property immediately south of the new Pearl Park Way extension and a few parcels fronting onto Kenilworth Avenue will be redeveloped for mixed-use residential and commercial uses. This development project is proposed to include a new office for the Charlotte Regional Realtors Association, multi-family housing units, a hotel, office space, and a parking deck to accommodate 1,239 parking spaces. The project area falls into several zoning categories; the existing Pearle Street Neighborhood Park is zoned B-2, the CHA property and the existing Baxter Street Neighborhood Park are zoned MUDD, and the private development area is zoned O-2. The CHA and the private developer will be responsible for obtaining the appropriate zoning designations for their proposed developments.

PROJECT JUSTIFICATION:

Participation in this project by the County allows for an expanded and better utilized Pearle Street Neighborhood Park. The park is heavily used and additional land area will allow greater use of the property by the public. Additionally, the improved street network by the realignment of Baxter Street to the extension of Pearl Park Way along with the addition of bike lanes and a bike path through the park will allow for greater accessibility to the park by pedestrians and vehicles.

The current Baxter Street Neighborhood Park is under-utilized and exchanging this park will allow for greater use of the more heavily used Pearle Street Neighborhood Park. Additionally, both the County and the City are supportive of the goal of increasing affordable housing to serve the community, which could be accomplished by future residential development to be built by the CHA on properties exchanged with the County. A use-restriction will be placed on the existing Baxter Street Neighborhood Park property conveyed from the County to the CHA to ensure the property will be used for additional residential development.

Participation in this project by the City allows for increased road, bicycle, and pedestrian connectivity and other infrastructure improvements in the Midtown area as described in the *Midtown Morehead Cherry Area Plan*. This public-private partnership provides an opportunity to complete these improvements on an accelerated timeline and boosts transportation networks while preserving urban open space.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

This acquisition is consistent with several County-adopted policies and plans such as the Mecklenburg County *Park and Recreation Master Plan* which seeks to expand and better utilize the County's existing parks.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Midtown Morehead Cherry Area Plan* (2012) recommends a mix of office and residential land uses for the Charlotte Housing Authority site fronting Baxter Street and all parcels fronting Greenwood Cliff. The plan recognized continued park use for both Pearle Street and Baxter Street parks. The plan envisions the larger East Morehead Street area, including Baxter Street and Greenwood Cliff, as a pedestrian zone and recommends establishing an urban fabric by promoting a pedestrian-oriented setting with a mix of uses. The proposal reorders proposed land use slightly from the plan's mapped uses by consolidating park land into a single larger facility, and providing for affordable housing development on the Baxter Street Park site.

The plan also specifically recommends extending Pearl Park Way across Kenilworth Avenue to Baxter Street. The street extension will link Baxter Street and Pearle Street Park with the Little Sugar Creek Greenway and create a more continuous system of green space, and will provide a significant improvement in street connectivity for the area. Design and implementation of the street extension has been coordinated with development plans for the Realtor Association and Charlottetowne Terrace (CHA) properties as well as with Park and Recreation, in order to develop quality, active street edges. It should be noted that the plan stressed the importance of on-street parking along the new street.

PROJECT IMPACT:

This project is expected to have a major impact on the Midtown area just outside of Uptown Charlotte. It will result in added housing and retail options close to the city core. The public investment in the project will significantly improve the park's aesthetics and utility. Additionally, the improved walkability, street networks, and park access will continue to enhance the surrounding community.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

Other than the private and public entities involved in the project, the project has no known relationship to other projects.

ESTIMATED PROJECT COMPLETION DATE:

This project is for land conveyances only and is expected to be completed in 2017 pending federal Housing and Urban Development approval on conveyance of the CHA parcel.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their May 4, 2016, meeting and there were no comments. It was noted that a street abandonment has not yet been undertaken for the Baxter Street cul-de-sac end; this process should be started if and when this proposed land exchange concept is approved and advanced.

PLANNING STAFF RECOMMENDATION:

The proposed street extension is a specific plan recommendation of the *Midtown Morehead Cherry Area Plan* (2012), and is fully consistent. The proposed land use is either consistent or compatible with the plan's overall vision and recommendations. Staff recommends approval of the proposal.

CMPC PLANNING COMMITTEE RECOMMENDATION:

Staff resource: Kent Main and Catherine Mahoney

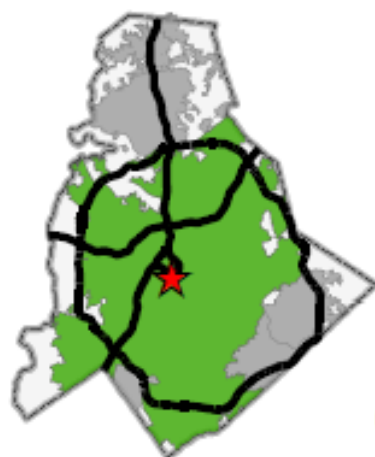
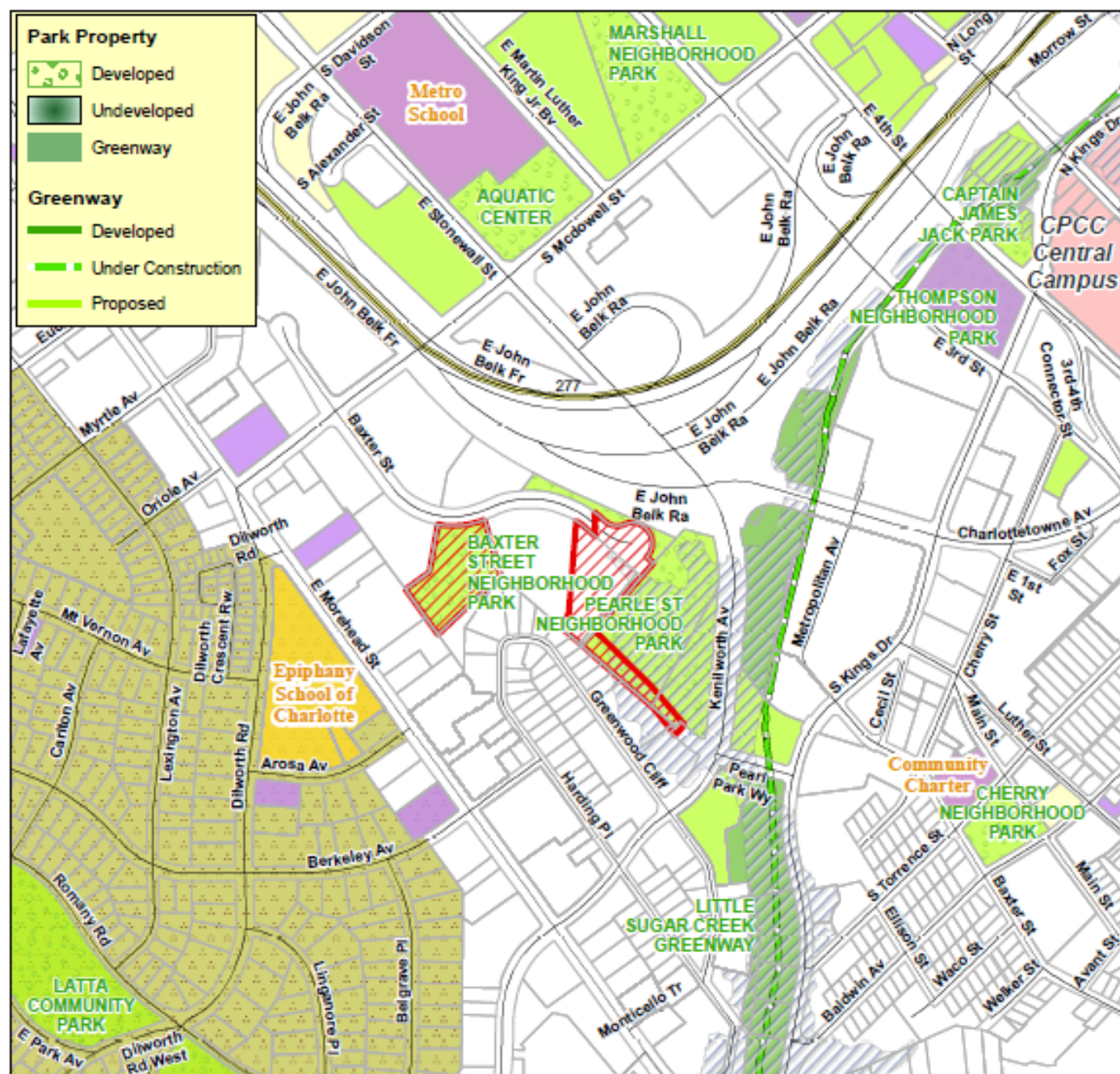












Mandatory Referral 16-19

Initiated & Submitted by:
County Asset & Facility Management



Produced by the Charlotte-Mecklenburg Planning Department