

# Planning Committee

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## Agenda Packet

September 20, 2016 |  
Room 280  
5:00 p.m. |



**Charlotte-Mecklenburg Planning Commission**  
**Planning Committee Meeting Agenda**  
**September 20, 2016 – 5:00 p.m.**  
**CMGC – 2<sup>nd</sup> Floor, Room 280**

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**1. Call to Order and Introductions**

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

**3. Review of the Mandatory Referral Process**

*Background:* Staff will explain and provide a brief overview of the Mandatory Referral process.

*Staff Resource:* Melony McCullough, Planning

*Action Requested:* None, for information only.

**4. M.R. #16-38: Proposal by Charlotte Area Transit System (CATS) to Purchase Property from NCDOT for the Charlotte Gateway Station (CGS) Project**

*Background:* CATS proposes to purchase 12 parcels totaling approximately 3 acres bounded by Norfolk Southern Railroad, W. Trade, South Graham and W. Fourth streets (see mandatory referral for Tax Parcel Numbers). The CGS project will include future transportation services such as intercity passenger rail (Amtrak), regional rail, intercity and local bus, CityLYNX Gold Line, taxi, car-sharing, bicycle and pedestrian linkages. The City of Charlotte and the North Carolina Department of Transportation (NCDOT) are jointly implementing the CGS. ***Attachment 2***

*Staff Resources:* Catherine Mahoney, Planning  
Tina M. Votaw, Charlotte Area Transit System

*Action Requested:* Approve Planning staff's recommendation for M.R. #16-38.

**5. M.R. #16-39: Proposal by the City Of Charlotte's Engineering and Property Management Department (E&PM) to Acquire Property in the Hickory Grove Area for Tree Canopy Preservation**

*Background:* E&PM proposes to acquire approximately 23 acres of land located near Robinson Church and Plott roads adjacent to Reedy Creek Greenway (Tax Parcel 108-071-15) for tree canopy preservation. ***Attachment 3***

*Staff Resources:* Amanda Vari, Planning  
Amanda L. Byrum, City Real Estate

*Action Requested:* Approve Planning staff's recommendation for M.R. #16-39.

**6. M.R. #16-40: Proposal by Mecklenburg County to Acquire Land Located on Lake Drive for Nature Preserve Expansion**

*Background:* The County proposes to acquire three parcels totaling approximately 2.5 acres (Tax Parcels 031-471-10, 031-472-07, 09 ) located on Lake Drive near the Catawba River in Charlotte's ETJ to provide park and nature preserve amenities to this area of the County. These properties are located within the FEMA floodplain. **Attachment 4**

*Staff Resources:* Alberto Gonzalez, Planning  
Jennifer Morell, County Asset & Facility Management

*Action Requested:* Approve Planning staff's recommendation for M.R. #16-40.

**7. North Tryon Vision Plan**

*Background:* The 2020 Center City Vision Plan identified the North Tryon area in Uptown as a focus area for further planning and development. Charlotte Center City Partners and the Foundation for the Carolinas led a planning effort in partnership with over 18 public and private entities to establish a vision to catalyze and implement growth and development in this area of Charlotte's uptown. The plan is available at [www.northtryon.org](http://www.northtryon.org)

*Staff Resource:* Grant Meacci, Planning  
Cheryl Myers, Center City Partners

*Action Requested:* Receive an overview of the *North Tryon Vision Plan*

**8. South End Vision & Strategic Plan**

*Background:* Charlotte Center City Partners is leading this effort in partnership with the Charlotte-Mecklenburg Planning Department to prepare a South End Vision & Strategic Plan. This plan will establish a vision and implementation strategies to help ensure high quality urban design and development while preserving the distinct character of South End.

*Staff Resource:* Grant Meacci, Planning  
Cheryl Myers, Center City Partners

*Action Requested:* Receive an introduction and overview of the scope and process.

**9. 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.

**10. Adjourn**

**Attendance**

**Commissioners Present:** Planning Commission Chairperson Tony Lathrop, Planning Committee Chairperson Mike Sullivan, Planning Committee Vice-Chairperson John Fryday and Commissioners Bolyn McClung, Elizabeth McMillan and Dionne Nelson

**Commissioner Absent:** Commissioner Deb Ryan

**Planning Staff Present:** Scott Adams, Pontip Aphayarath, Alberto Gonzalez, Garet Johnson, Linda Keich, Catherine Mahoney, Kent Main, Melony McCullough, Ed McKinney, Grant Meacci, Cheryl Neely, Amanda Vari and Jonathan Wells

**Other Staff Present:** Katie Daughtry, Jackie McNeil and Jennifer Morrell - County Asset and Facility Management; Joe Hack, David Love and Stephanie Roberts - Mecklenburg County Land Use and Environmental Services; Dennis LaCaria, Mecklenburg County Manager's Office, Peggy Hey, Charlotte-Mecklenburg Schools (CMS) and Vicki Saville, Central Piedmont Community College

**Consultant Present:** Chrystal Joy, The Lee Institute

**Call to Order and Introductions**

Planning Committee Chairperson Sullivan called the meeting to order at 5:10 pm, welcomed those present and asked everyone to introduce themselves.

*A motion was made by Commissioner McClung and seconded by Commissioner Nelson to nominate Commissioner Fryday to be the Vice-Chairperson of the Planning Committee. The vote was unanimous to elect Commissioner Fryday as Vice-Chairperson of the Planning Committee.*

**Approve June 21, 2016 Minutes**

*A motion was made by Commissioner McClung and seconded by Vice-Chairperson Fryday to approve the June 21, 2016 minutes. The vote was unanimous to approve the minutes.*

**Mandatory Referrals**

**M.R. #16-26: Proposal by Mecklenburg County to Accept Donated Property Located on Plumleaf Drive**

**Background:** Mecklenburg County Park and Recreation proposes to accept the donation of 0.18 acres of vacant land located on Plumleaf Drive (Tax Parcel 051-202-84) in the Old Stone Crossing subdivision adjacent to the future Back Creek Regional Park site.

**M.R. #16-29: Proposal by Mecklenburg County to Convey Property to Central Piedmont Community College (CPCC) for the Expansion of the Mercanas Campus Located on Verhoeff Drive in the Town of Huntersville and for the Huntersville Recreation Center Development Project on Adjacent County Owned Land**

*Background:* Mecklenburg County proposes to convey property located at the intersection of Statesville Road (U.S. Highway 21) and Verhoeff Drive (Tax Parcels 017-204-01, 02, 04; 017-421-10, 11) to CPCC for construction of a Public Safety Classroom Center and a Public Safety Training Village with associated parking. CPCC and Huntersville agree to enter into a joint use agreement that allows the following:

- visitors to the Huntersville Aquatic Center to park at the Public Safety Classroom Center.
- the Town to use parking at the Public Safety Training Village.
- the Town to construct a recreation center on the eastern part of Tax Parcel 017-042-10.
- CPCC to use the recreation center for college related activities.
- CPCC to construct a parking lot with vehicular access to the Town's recreation center with at least 100 parking spaces on CPCC owned Tax Parcel 017-042-07. CPCC and the Town to enter into an agreement that allows the Town to use this parking lot.

**M.R. #16-31: Proposal by Charlotte-Mecklenburg Board of Education (CMS) to Sale Surplus Property Located at 9015 Newell Baptist Church Road**

*Background:* CMS proposes to sell the parcel of surplus property located at 9015 Newell Baptist Church Road (Tax Parcel 049-271-09). There is a vacant single family house located on the property.

**M.R. #16-33: Proposal by Charlotte-Mecklenburg Board of Education (CMS) to Sale Surplus Property Located at 7520 Tuckaseegee Road**

*Background:* CMS proposes to sell 0.53 acres of the parcel located at 7520 Tuckaseegee Road (Tax Parcel 055-283-06 p/o). CMS has determined that there is not a current or anticipated district school need for this property.

**M.R. #16-34: Proposal by Mecklenburg County to Dispose of Property Located on Spector Drive**

*Background:* Mecklenburg County proposes to dispose of approximately 12 acres of land located at 5200 Spector Drive (Tax Parcel 037-019-02-14). There is 57,550 square feet of usable industrial/warehouse space on the site. The site was acquired for expansion of the Mecklenburg County Jail - North facility, which is no longer needed.

**M.R. #16-35: Proposal by Mecklenburg County to Acquire Property Located on Billingsley Road**

*Background:* Mecklenburg County proposes to purchase a medical office building and its associated parcel (1.5 acres) located at 335 Billingsley (Tax Parcel 157-041-07). The near-term use is flexible space in the event that County functions related to the Department of Social Services must be relocated from the Center City government district (more specifically the Walton Plaza building) prior to the availability of future permanent space at Valerie C. Woodard Center.

**M.R. #16-36: Proposal by Mecklenburg County to Expand Iswa Nature Preserve**

*Background:* Mecklenburg County proposes to purchase 1.2 acres of vacant property located on the south side of Wilkinson Boulevard (Tax Parcel 113-341-07) in Charlotte's extra-territorial jurisdiction for inclusion in the Iswa Nature Preserve.

**M.R. #16-37: Proposal by Mecklenburg County to Expand Latta Plantation Nature Preserve Located in the Town of Huntersville**

*Background:* Mecklenburg County proposes to purchase 32 acres of land located on the south side of Sample Road (Tax Parcels 023-211-13 – 20 and 023-211-25) in the Town of Huntersville’s extra-territorial jurisdiction for inclusion in Latta Plantation Nature Preserve.

Commissioner McClung stated that he attended the July Joint Use Task Force meeting. He thinks that they are doing a good job looking at properties for affordable housing and they could make a recommendation to City Council prior to Council considering the mandatory referrals.

*A motion was made by Planning Commission Chairperson Tony Lathrop and seconded by Vice-Chairperson Fryday to approve by consent Planning staff’s recommendations for M.R. #16-26, M.R. #16-29, M.R. #16-31, M.R. #16-33, M.R. #16-34, M.R. #16-35, M.R. #16-36 and M.R. #16-37. The vote was unanimous to approve staff’s recommendations for these mandatory referrals.*

**M.R. #16-32: Proposal by Charlotte-Mecklenburg Board of Education (CMS) to Sale Surplus Property Located at 11719 Downs Road in the Town of Pineville**

*Background:* CMS proposes to sell 5 acres of the parcel of vacant surplus property located at 11719 Downs Road (Tax Parcel 205-061-36 p/o) adjacent to CMS Downs Road Transportation Center.

Commissioner Nelson asked for clarification on the recommendation for M.R. #16-32. Garet Johnson (Planning) stated that for the properties that are not within Charlotte’s jurisdiction; Planning staff relies on the recommendation from staff in other municipalities. Planning staff wanted to make it clear that this is the town staff’s recommendation. Commissioner Nelson said she recalls an instance where Planning staff did not agree with the town staff. Ms. Johnson stated that Planning will make those instances known.

Vice-Chairperson Fryday has concerns with the Town of Pineville’s comment that the property should be publicly offered for sale or restricted to certain property owners. He asked if only an adjacent property owner can buy it. Ms. Johnson replied yes, that is their recommendation. Vice-Chairperson Fryday said he is unsure about this proposal. He stated that just because the zoning ordinance doesn’t allow something does not mean you cannot sell the land to someone.

Jonathan Wells (Planning) explained that the subdivision ordinance does not allow the creation of a new parcel that does not have frontage on a dedicated street. The basis of Pineville’s recommendation is that the proposed transaction would create a lot that could not be created under their subdivision ordinance unless it was sold to an adjacent owner and combined with another parcel.

Commissioner Nelson asked about the second sub bullet which states the following *“If the property is to be publicly offered, sale should be restricted to owners of adjoining parcel 20506111 (within the Town of Pineville) with which this parcel should be combined. The Pineville subdivision ordinance does not permit creation of landlocked parcels, nor does it permit combining parcels within the town with adjoining parcels in other municipal jurisdictions, thereby prohibiting sale of and combination with adjoining properties within the City of Charlotte.”*

Mr. Wells emphasized that the first preference is for the property to be used as greenway. The County could look at the property and decide if it is suitable for adding to the greenway system. If that is not an option, the property could be sold to an adjoining property owner.

Planning Commission Chairperson Lathrop asked if the property could still be sold to the County for use as greenway. Mr. Wells said that was his understanding as of two weeks ago.

Ms. Peggy Hey (CMS) said the County is not interested in the property for greenway. She said the Board of County Commissioners has also reviewed this proposal to sale the property. Ms. Hey said there is an adjacent property owner that may be interested in the property. She has reached out to the Town of Pineville to discuss alternatives but they have not responded. She will reach out to them again to ask if there is any way to accommodate the business owner's potential use of the property. Commissioner Nelson stated that if the adjacent property owner wants the property, it should not be restricted more than necessary.

Planning Committee Chairperson Sullivan asked if the Committee can change the recommendation. Ms. Johnson answered that the Committee can recommend approval of the sale. The Committee does not have to approve the Town's recommendation.

*A motion was made by Commissioner Nelson and seconded by Planning Commission Chairperson Lathrop to recommend approval of MR #16-32 without the conditions proposed by the Town of Pineville's Planning staff. The vote was unanimous to approve MR #16-32 without the conditions proposed by the Town of Pineville's Planning staff.*

### **Continued Discussion on Place Types**

Grant Meacci gave an update on place types. He noted that staff briefed City Council on the process last night and requested that Council approve the contract with the consultant that allows staff to engage them in the next phase of work. Next Monday, Council will take action on that amendment. Afterwards, staff will move forward and an advisory committee will be established this fall.

Commissioner McClung inquired about the budget. Ed McKinney (Planning) explained that the Phase I contract was setup with the consultant team and the budget is reasonably on track. Commissioner McClung asked if City Council asked about the budget. Mr. McKinney answered yes. Planning Commission Chairperson Lathrop asked if they approved the budget for last year. Mr. McKinney said Council approved it in their FY 2015 budget. Dollars were approved for both the consultant services and a temporary staff person. He further explained that once a contract exceeds \$100,000, even if the money has been allocated, it requires Council approval.

Grant Meacci stated that he will give a quick overview of place types, an update on the development ordinance and introduce Chrystal Joy from the Lee Institute to talk about community engagement. Afterwards, the Committee will discuss the homework that Mr. Meacci gave.

Mr. Meacci started with the City's vision and said that we are building a great city made of wonderful places. He said we are talking about one project that has two major parts: the Land Use Policy Update which is Place Types and the Unified Development Ordinance. This is all under the growth framework that the City has been using for many years; Centers, Corridors, and Wedges.



Earlier land use plans provided very general guidance of the types of places and the elements that we are trying to build. Place types will fill in the gaps for the parts of our City that do not have detailed land use recommendations. Currently, in area plans, we have future land use designations in one area of the City that represent Northlake Mall. In another area of the City, that same land use designation represents Morehead Street. The character of these places is vastly different. In the future they will be two different places.

Many other cities such as Denver, Austin, Portland and Nashville have started to align and describe their cities in terms of places instead of districts. The new community character manual which is introducing place types will fill the gap and establish consistency across the entire City. Parallel to that is the development ordinance update, the Unified Development Ordinance (UDO). Mr. Meacci explained that the UDO is combining a half dozen or more of our different ordinances into one unified document that will connect with place types. All the development standards will be in one place.

Planning Commission Chairperson Lathrop asked when the community character manual will be completed. Mr. Meacci answered summer 2017. It is about six months to one year ahead of the development ordinance. Planning Commission Chairperson Lathrop asked if the Livable City Policy Statement can be incorporated into the community character manual. Mr. Meacci answered yes; many of the principles are already embedded in it.

Mr. Meacci introduced Chrystal Joy (Lee Institute) and said she would share information later in the meeting about community engagement. He said Ms. Joy can share information about the “Connect our Future” project which utilized a large regional planning exercise. It was very successful in outreach and engagement. It defined 32 different place types for the entire 14 county regional. Over the past six months, staff has used that palette as a framework and a baseline for developing Charlotte’s place types. Staff took the original palette of 32 and combined some of the place types and deleted others. TOD was discussed as a place type. It was removed from some areas and placed in others. Staff decided on 16 place types that can be divided into 5 different places. There are a couple of open space place types that address open space and recreational uses. There are neighborhood place types that range from conservation based neighborhoods to mixed residential and traditional single family. There are certain place types that address smaller neighborhood commercial centers up to larger suburban commercial office centers and corridor place types, urban place types range from mixed use neighborhoods to Uptown or metropolitan centers. There are also light industrial mixed use or heavy industrial mixed use place types.

Staff will go into the communities and test the palette of place types. Staff will start mapping place types over the next year. In 2017, there will be a future land use map that includes place types. This will align with the first public review draft of the UDO. As we are out into the community talking about place types, we are also talking about how place types are implemented.

Commissioner Nelson asked about the status of the advisory committee. Mr. McKinney said that staff is working to define the number of people to involve and the right mix of experience and interest. The advisory committee will come from different geographic areas to make sure we have good representation for the entire City. Staff will have the traditional open houses to share information and receive input.

As a department, we will establish that committee and get advice from other stakeholders and the City Manager's office. He would like to get that committee established by the end of August. The committee's focus will center on the technical details of the UDO.

Planning Commission Chairperson Lathrop asked how the Planning Commission can be involved with this. Mr. McKinney said the advisory committee will allow for deeper conversations and broader community input. Ultimately, the input that flows through this Committee and the Planning Commission will go to Council for action.

Vice-Chairperson Fryday asked for an example of an issue that the technical advisory committee might resolve. Mr. McKinney said most of the issues with the ordinance will go to this committee for discussion. There is not an expectation that every issue will be resolved. This group will be used to get the best input and advice possible. The exercise we did with this Committee on the TOD issue will be used to clarify what the issues are and identify the gaps.

Mr. McKinney invited Chrystal Joy to give an overview of her role with the community engagement process. He stated that after discussions with the Lee Institute about how they ran the public process for the Connect project, staff contracted with them to assist with this process.

Ms. Joy shared The Lee Institute's mission. Their mission is to serve and strengthen organizations and individuals who share a commitment to building great communities. They are a non-profit consulting firm that works strictly with other non-profits, governments, congregations and community groups across the Charlotte region around strategic planning, leadership development and public engagement.

Ms. Joy stated that The Lee Institute is excited to partner with the City of Charlotte on this project. She gave a brief update on the process and said that the first place types' meeting is next week.

Ms. Joy explained that public engagement is not a checkbox. It is an extremely important process and the community should be involved from the beginning of the process. Their mantra is to bring diversity into the room, as far as race, ethnicity, socioeconomics and differences and diversity of thought. They strive to make sure that people are not left out intentionally. They also strive to capture as many voices as possible in the public engagement process.

Ms. Joy stressed that transparency is extremely important. In the corporate world, I will tell you what I know from the minute I am in the room. Building trust in the community is being transparent. Ms. Joy also emphasized respect for all those involved in the process. Everyone will not have the same level of intellect and she can help people better understand what is being said.

Planning Commission Chairperson Lathrop asked how does public engagement fit on the timeline. Mr. McKinney responded that the engagement will initially focus on place types (about 6 months ahead of the UDO) and transition to place type's adoption and UDO facilitation. Wray Ward will also help to bring messaging to people in a meaningful and understandable way.

Commissioner McClung asked how the role of The Lee Institute will differ from the advisory committee. Mr. McKinney replied that the advisory committee will be led by staff. The Lee Institute will help with community engagement.

Commissioner Nelson shared her concern about the length of this process.

Planning Commission Chairperson Lathrop stated he likes the core concepts, place types and the idea of the UDO.

Commissioner McClung stated the importance of adhering to the schedule and budget. He is ready to move forward with this process and community involvement is important.

Commissioner Nelson thinks that community engagement is important. She also thinks that initially the focus needs to be on professional stakeholders to receive meaningful input before going out to the larger community. She said that the community engagement process will likely focus on informing the general public, which is important. However, that is more important after you have more definition and “meat on the bones.” There is a difference between public engagement and stakeholder engagement. You can clearly identify the people that care about some of these key components in the early phase.

Mr. McKinney stated the intent is to do these tasks concurrently, get clearer on the process and identify stakeholders. The Planning Committee can provide some contacts and groups.

Vice-Chairperson Fryday said that he would like a report on Mr. McKinney’s meeting with the Real Estate & Building Industry Coalition (REBIC). He thinks that the process is beyond general meetings. He suggested paying someone to write an article or getting on a local news show.

Planning Committee Chairperson Sullivan asked how will you follow up with the 450 people that you have reached and if staff is continuing to engage them. Mr. Meacci said that outreach has generally focused on neighborhood groups, special interest groups and public meeting forums (including other City/County department meetings). Staff is creating a database of participants from these meetings. The website, UDO.org, has the most updated information and has a tool to sign up for updates - subscriber database. This includes email blasts of meetings and changes to the website.

### **Homework Assignment**

Mr. Meacci has received the homework assignment from Commissioners Ryan and Vice-Chairperson Fryday. He asked other Committee members to send their comments by September.

**Adjourned:** 7:10 pm



**MANDATORY REFERRAL REPORT NO. 16-38**  
**Proposed Purchase by Charlotte Area Transit System of Property**  
**from NCDOT for the Charlotte Gateway Station (CGS) Project**

**PROJECT PROPOSAL AND LOCATION:**

The 2030 *Transit System Plan* recommends that a second Charlotte Area Transit System (CATS) transportation center be established in Uptown Charlotte. The Charlotte Gateway Station (CGS) Project has been identified as that second facility and will be the region's "multi-modal" center by including future transportation services such as intercity passenger rail (Amtrak), regional rail, intercity and local bus, CityLYNX Gold Line, taxi, car-sharing, bicycle and pedestrian linkages. The City of Charlotte and the North Carolina Department of Transportation (NCDOT) are jointly implementing the Charlotte Gateway Station.

The CGS Project will be located in the area of West Trade, West Fourth and South Graham Streets (see attachment – Block labeled "C" is primary block for future multi-modal center, and is the subject parcel of this proposed transaction). This block, consisting of 2.9 acres, is composed of 12 parcels: 073-151-10, 073-151-12, 073-151-13, 073-151-14, 073-151-15, 073-151-16, 073-151-19, 073-151-20, 073-151-21, 073-151-22, 073-151-23 and 073-151-24. The property is zoned UMUD (Urban Mixed Use District) according to the Charlotte Zoning Ordinance. The land is currently used for surface parking for downtown commuters and for Carolina Panthers football games.

The CGS is the nexus of many years of inter-agency planning, coordination and partnership. The City of Charlotte and the North Carolina Department of Transportation (NCDOT) are partners in the implementation of this important transportation project that will improve both regional passenger rail and regional freight operations. The CGS Project will include a signature multi-modal facility bringing passenger rail into the City's downtown connecting local rail, local and regional buses and inter-city buses.

**PROJECT JUSTIFICATION:**

In October 2015, the Project was approved for a \$25 million TIGER 2015 grant by the U.S. Department of Transportation through the Federal Railroad Administration. This grant will pay for a portion of the cost to construct the first phase of the Project, referred to as the Track, Structures & Signals (TS&S) Phase.

In order to sign the grant agreement, the City must demonstrate that it has completed the required preconstruction activities, such as completion of right-of-way acquisition and completion of construction drawings of the TS&S infrastructure. It is anticipated that the grant agreement will be signed by September 2017.

NCDOT currently owns all of the parcels outlined in green on the attached map, located between Martin Luther King Drive and 9<sup>th</sup> Street in Uptown Charlotte. These parcels were purposely acquired by NCDOT for purposes of the CGS Project. The block labeled as "C" on the attached map totals approximately 2.9 acres and will be the site of the future permanent CGS station/multi-modal center building. The City is responsible for the planning, design and implementation of the station portion of the CGS Project and needs to acquire the station site in order to advance the planning, design and construction of the future station/multi-modal center. Prior to use as the multi-modal center, the site will be needed in order to relocate certain functions operated by Greyhound that will be displaced due to construction.

The existing Charlotte passenger rail station was built in 1962 and is currently located at 1914 North Tryon Street in Charlotte. The current size, configuration and location of the existing station are inadequate to serve existing and anticipated needs. The configuration of the existing track and station requires a sharing of uses between passenger and freight operations, resulting in inconveniences for passengers, inefficient operation for both passenger and freight rail operations and maintenance issues.

Passenger access to and from the existing train station by private vehicle can be challenging and access via public transit is limited. The existing parking lot floods from time to time.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

Establishment of the CGS is consistent with the following adopted public policies:

- *Centers and Corridors Concept Plan* (1994)
- *2025 Integrated Transit and Land Use Plan* (1998)
- *Smart Growth Principles* (2001)
- *Station Area Plan* (2004) and narrative (2005)
- *2030 Transit System Plan* (2006)
- *Centers, Corridors and Wedges Growth Framework* (2010)
- *Center City 2020 Vision Plan* (2011)

### **CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The property falls within the boundaries of the *Charlotte Center City 2020 Vision Plan* (2011) which does not make a specific land use recommendation for the site. The plan supports the development of a new multi-modal regional Gateway Station on the property in question. The future Gateway Station should be a significant, mixed-use architectural icon as well as a major employment center. As a part of Uptown, the property is zoned Uptown Mixed Use Development (UMUD) and planned for a mix of high-density development. The proposed development, as described, meets the expectations of the *Charlotte Center City 2020 Vision Plan*, therefore the intended use is considered consistent with the principles of the Plan.

### **PROJECT IMPACT:**

The CGS Project will:

- likely increase ridership due to its improved location in Uptown and will divert traffic from highways to rail, with the associated reduction in emissions,
- separate passenger and freight service will improve the flow of both freight and passenger trains through Charlotte and will add track capacity for future freight and passenger train growth in the Charlotte area, and
- provide new transportation choices and will further catalyze development along West Trade Street.

### **RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

The CGS Project is well coordinated with several public and private projects. The following is a list of those projects and their sponsors:

- City of Charlotte – LYNX Gold Line (streetcar)
- CDOT – Existing streets and existing bridges as well as future complete street improvements
- Panthers – Existing Stadium and practice fields
- Northeast Strategy Team – CIP Improvements
- Norfolk Southern Railroad – Existing and future freight traffic
- Greyhound – Existing and future bus routes
- Amtrak – Existing and future train trips

### **ESTIMATED PROJECT COMPLETION DATE:**

Construction of the first phase of the CGS Project, referred to as the Track, Structures & Signals (TS&S) Phase is projected to begin in late 2017. In the meantime, the multi-modal site will be needed in order to relocate certain functions operated by Greyhound that will be displaced prior to construction.

### **JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their September 7, 2016 meeting and discussion included the county-owned property diagonally across from the subject property, and what the county's plans for that property were. County Asset Management staff reported that there are no specific plans for the property although there've been numerous expressions of interest received from prospective developers. CATS staff said they'd like to "vision" the county property along with the Gateway Station property to identify some possibilities and County staff appeared to have interest in the outcome of that process. CATS staff also mentioned that the adjoining Greyhound property will be eventually acquired by the NCDOT for track expansion but for the time being Greyhound will be able to remain on their site.

### **PLANNING STAFF RECOMMENDATION:**

The proposed land use is consistent with the *Center City 2020 Vision Plan* (2011). Staff therefore recommends approval of the proposal.

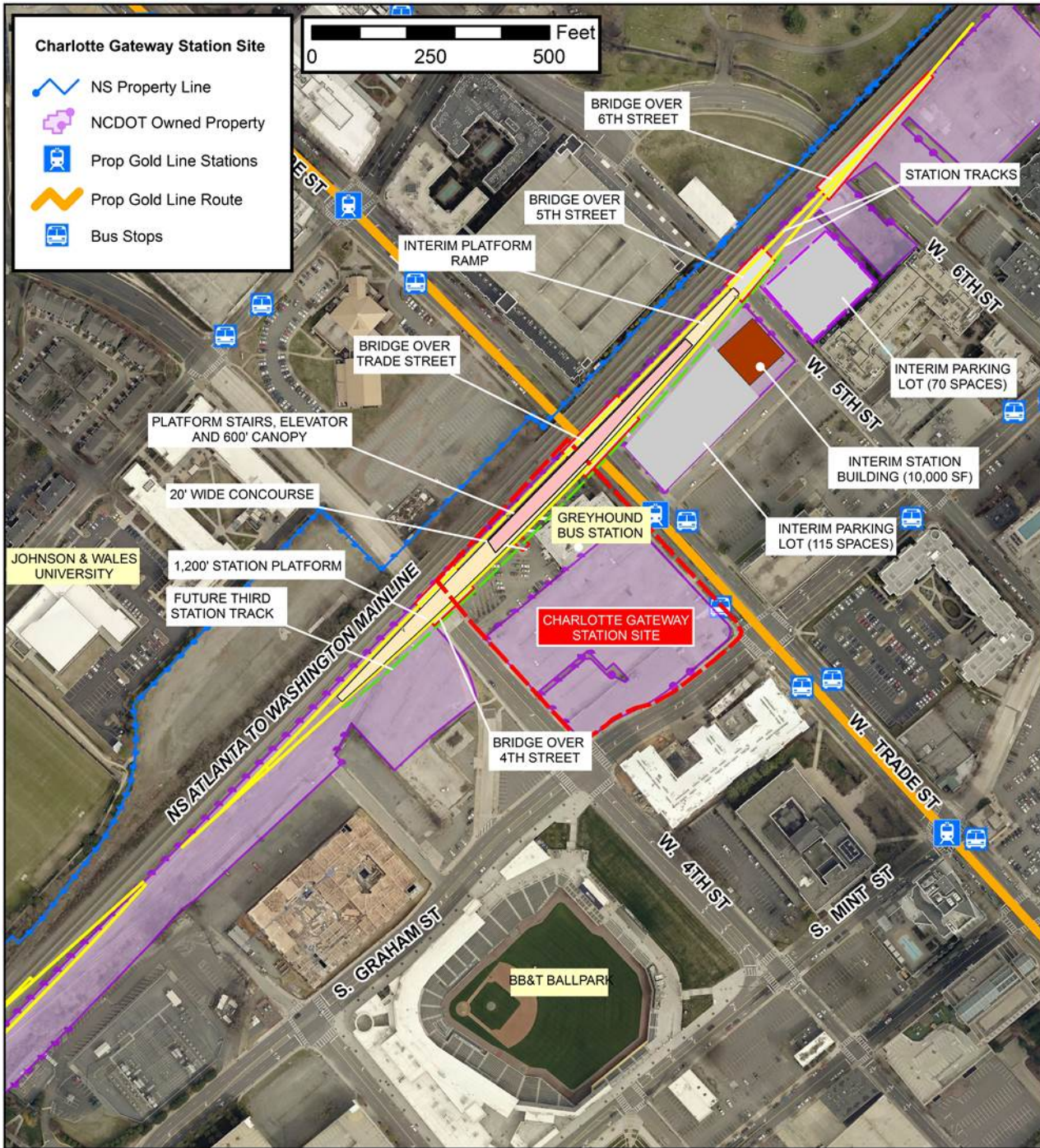
### **CMPC PLANNING COMMITTEE RECOMMENDATION:**













Submitted by: Amanda L. Byrum, E&PM, Real Estate

Initiated by: Tim Porter, E&PM, Landscape Management

### **MANDATORY REFERRAL REPORT NO. 16-39**

#### **Proposed Acquisition of Property in Hickory Grove area of Charlotte for Tree Canopy Preservation**

##### **PROJECT PROPOSAL AND LOCATION:**

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire one parcel of approximately 23.194 acres (108-071-15), zoned R-3 (single family residential) per the Charlotte Zoning Ordinance, in the Hickory Grove area of Charlotte for tree canopy preservation. The property is located near Robinson Church Road and Plott Road, as shown on the location map below, and is adjacent to Reedy Creek Greenway.

Following acquisition of this property by the City, the City will donate a conservation easement to the Catawba Lands Conservancy in order to ensure that perpetual stewardship of the tree canopy is provided. This property is proposed to remain in a natural state following acquisition, and may be used for low-intensity recreational purposes, such as a natural surface trail.

##### **PROJECT JUSTIFICATION:**

The acquisition of this property will enable the City to work toward reaching Charlotte City Council's goal of attaining fifty percent tree canopy coverage city-wide by 2050 through the preservation of forested properties in developing areas. This acquisition allows the City, as required by the Charlotte Tree Ordinance, to fulfill its role as administrator of a Tree Ordinance Mitigation Fund and to meet the greater intent of the tree ordinance to preserve and protect tree canopy and promote the benefits trees provide to the Charlotte community (Charlotte, North Carolina, City Code, §21).

Approximately two contiguous acres of existing mature forest and twenty-two acres of early successional forest will be protected as part of this acquisition.

This property was identified and considered under the City's scoring model for tree canopy preservation. This model uses criteria including acreage, current vegetative cover, potential for connectivity to greenways, partnering opportunities, and the level of development in the general geographic area.

Since the City lacks the capacity for property stewardship following acquisition, the Catawba Lands Conservancy is a key stewardship partner to maintain properties through conservation easements. This property features biodiversity and habitat characteristics important for conservation.

Finally, it was determined that the conservation of twenty-two acres of early successional forest existing on this property provided a rare opportunity to obtain and protect a significant one-time net gain in tree canopy. This area was completely devoid of tree canopy per the City's 2012 Urban Tree Canopy Analysis.

##### **CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

The acquisition of this property is consistent with the tree canopy goals established in the Environmental Focus Area Plan, adopted by City Council on June 28, 2011.

In order to complete the acquisition, the City will utilize tree ordinance mitigation funds collected by Land Development through developer payment in lieu of on-site tree preservation to acquire these properties for conservation purposes, as established in the City's tree ordinance.

The acquisition of this property is consistent with the general environmental goals associated with the Charlotte Post Construction Stormwater Ordinance, the *Rocky River Road Area Plan* and, North Carolina, City Code, §18.

##### **CONSISTENCY WITH ADOPTED LAND USE PLANS:**

This property is subject to the policies within the *Rocky River Road Area Plan* (2006). A portion of the subject property is recommended for greenway uses, while the remainder is recommended for single family uses up to 4 dwelling units per acre. The prescribed land use of "tree canopy preservation" aligns most closely with the land use categories of open space and greenways used in the District and Area Plans. Typically, these plans do not specifically prescribe open space or greenway as land uses unless the property is already in that use, or unless parks or greenway master plans specifically designate parcels for future open space or greenway use.

In general, open space is considered to be compatible with residential land uses; therefore, the prescribed use, although somewhat inconsistent with the adopted plan, is considered to be compatible with the vision and policies in the *Rocky River Road Area Plan*.

**PROJECT IMPACT:**

Acquisition will enable the City to work toward reaching the goal of attaining fifty percent tree canopy coverage city-wide by 2050 through the preservation of forested properties in developing areas.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

This property is adjacent to Reedy Creek Greenway and could provide connectivity for future trail plans. This site is also adjacent to properties acquired through the Mandatory Referral 16-01 in which Planning Department staff recommended approval of the acquisition of approximately 74 acres immediately east of the subject property and are in the process of being purchased by the City. Mecklenburg County currently owns PID 10804101 (west of the parcel) as well.

**ESTIMATED PROJECT COMPLETION DATE:**

Staff has been in communication with the respective property owners and Catawba Lands Conservancy, and plan to move forward with obtaining City Council approval pending completion of preliminary due diligence work.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their September 7, 2016, meeting, and City Real Estate staff reported that adjoining parcels to the east are in process of being acquired for tree canopy preservation. This eliminated a concern previously expressed by CDOT about connectivity through the subject site. It was also stated that this property is proposed for acquisition while contemplating a greenway extension across the property.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of the acquisition of the property and continued coordination by Landscape Management with other departments to address any concerns associated with cross-easements.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**







Submitted by: Jennifer Morell, County Asset & Facility Management

Initiated by: Jim Garges, County Park and Recreation

**MANDATORY REFERRAL REPORT NO. 16-40**  
**Proposed Lake Drive Property Acquisitions for Nature Preserve Expansion**

**PROJECT PROPOSAL AND LOCATION:**

The County would like to acquire Tax Parcels 031-471-10, 031-472-07, and 031-472-09 located on Lake Drive near the Catawba River in Charlotte's ETJ to provide park and nature preserve amenities to this area of the County. The three properties cumulatively are 2.437 acres, and are located within the FEMA floodplain. The properties are zoned R-5 (Residential) under the City's Zoning Ordinance and the surrounding land uses are single-family residential. The properties are currently improved with homes that are occupied but the acquisitions are voluntary, so no involuntary relocations would occur.

**PROJECT JUSTIFICATION:**

These properties along Lake Drive will add to the County's recent acquisition of tax parcels 031-471-09 and 031-163-03 (+/- 84 acres) located in the immediate vicinity along Lake Drive and Riverside Drive. The overarching goal of these acquisitions is to provide County residents with a unique opportunity for a neighborhood park/nature preserve along this stretch of the Catawba River. The County would like to provide river access for canoeing and kayaking, walking and hiking trails, nature observation and other passive recreational opportunities in this area.

Tax parcels 031-472-07 and 031-472-09 provide direct river front access to the Catawba River while tax parcel 031-471-10 will fill in ownership gaps adjacent to a recent, large land acquisition. While the specific site plans for the properties have not been developed, they will likely be similar to Reedy Creek Park/Nature Preserve with a park component and a nature preserve component.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

Acquisition of these parcels is consistent with *the Park and Recreation Master Plan* to serve more County residents by filling in gaps identified in the Facility/Amenity Needs Assessment.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The adopted future land use for this site is for single family residential up to 4 dwelling units per acre, as per the *Northwest District Plan* (adopted 1990). Park and open space uses are considered compatible to residential uses and are reviewed on a case by case basis. The proposed park and open space use would be considered compatible with the low density residential and undeveloped land in the immediate area, coupled with the fact that the properties are located within the 100-year floodplain.

**PROJECT IMPACT:**

Acquisition of these properties will add to recently acquired County-owned property on Riverside Drive and Lake Drive as well as contribute to the water quality of the Catawba River watershed.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

This acquisition has no known relationship to other public or private projects.

**ESTIMATED PROJECT COMPLETION DATE:**

Acquisition of these properties is anticipated to be completed in fiscal year 2017 or 2018.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

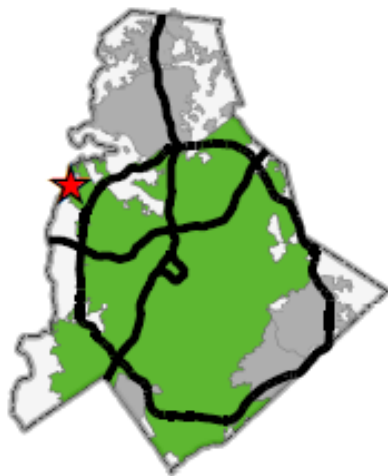
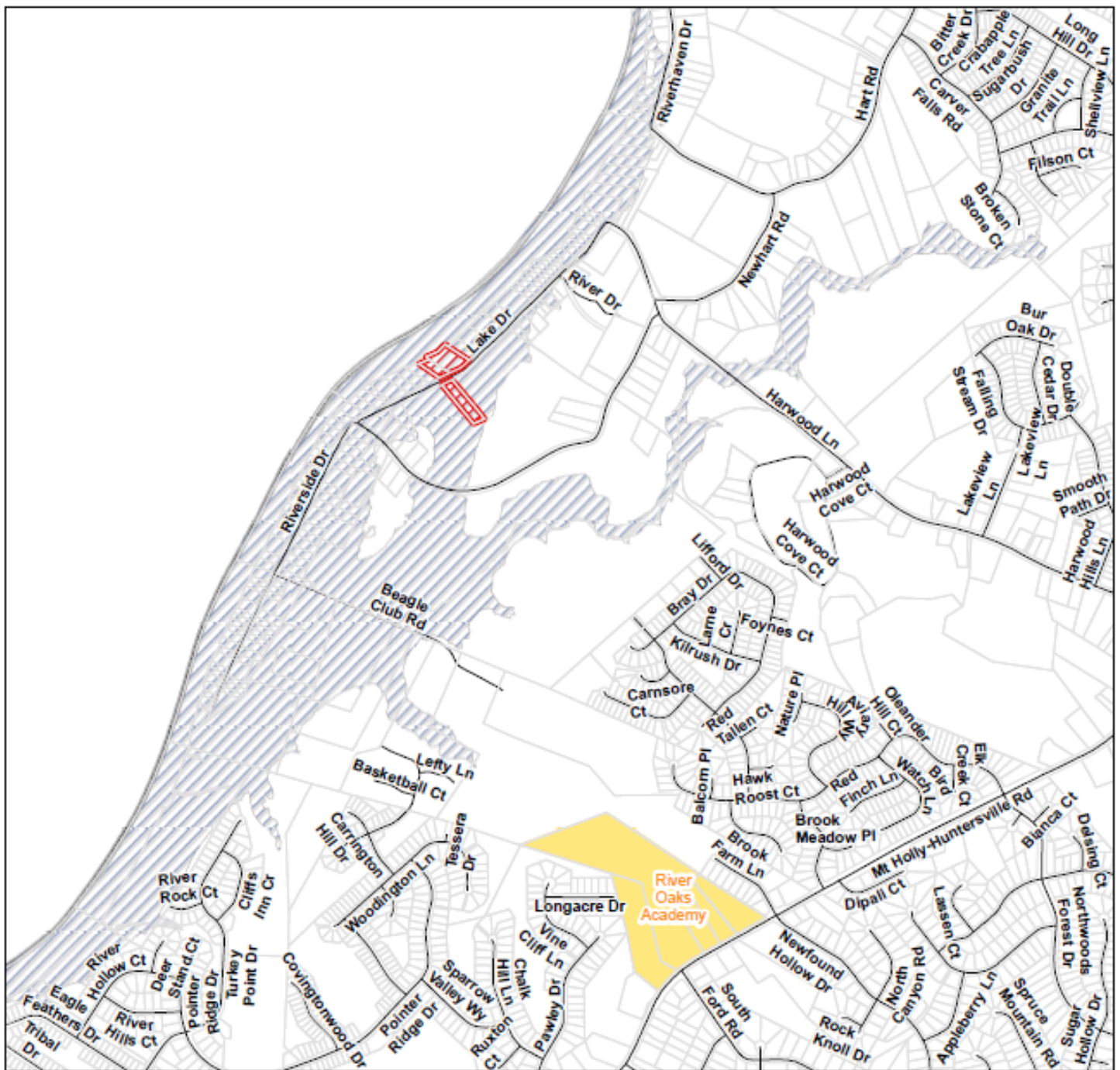
The Joint Use Task Force discussed this matter at their September 7, 2016 meeting and had no comments.

**PLANNING STAFF RECOMMENDATION:**

Planning staff considers the proposed use to be compatible with the surrounding land uses and therefore recommends approval of the proposed land acquisition.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**

Staff resource: Alberto Gonzalez



## Mandatory Referral 16-40

Initiated by: County Asset & Facility Management

Submitted by: County Park & Recreation



Mandatory Referral



Schools



FEMA 100 Year Floodplain

