

Planning Committee

Agenda Packet

March 21, 2017 |
Room 280
5:00 p.m. |

Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Agenda
March 21, 2017 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

1. **Call to Order and Introductions**
2. **Approve February 21, 2017 Minutes. *Attachment 1***

3. **Strategic Priorities Discussion**

Unified Development Ordinance & Place Types Update

Background: The Committee will continue to discuss the ordinance rewrite and place types.

Staff Resources: Ed McKinney, Kathy Cornett & Grant Meacci, Planning

Action Requested: For Committee discussion.

4. **Mandatory Referrals**

M.R. #17-06: Proposal by Charlotte-Mecklenburg Schools (CMS) to Lease Property Located at Hawthorne Academy of Health Sciences for a Cell Tower

CMS proposes to lease a portion of a school site, Hawthorne Academy of Health Sciences, located at 1414 Pegram Street (Tax Parcel 081-163-35) for cell tower construction, operation and maintenance. ***Attachment 2***

M.R. #17-07: Proposal by the City of Charlotte to Acquire Property Located in University Research Park for Tree Canopy Preservation

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire approximately 27 acres of vacant land located near Research Drive and David Taylor Drive, adjacent to Mallard Creek Greenway in the University area (Tax Parcel 047-351-02) for tree canopy preservation. ***Attachment 3***

M.R. #17-08: Proposal by the City of Charlotte to Sell City-Owned Property Located on Piaffe Avenue in Mint Hill

Charlotte Water Department proposes to sell or dispose of two City-owned parcels totaling approximately 3.3 acres located at 4125 Piaffe Avenue and 11915 Shady Oak Court in the Cheval subdivision off Lawyers Road (Tax Parcels 195-056-48 & 195-181-99). ***Attachment 4***

M.R. #17-09: Proposal by the City of Charlotte to Sell Five City-Owned Properties located in Various Areas of the City

Charlotte Water Department proposes to sell or dispose of three former wastewater treatment plant sites - 2.5 acres located at 17806 Bondhaven Drive (Tax Parcel 111-308-30), 2.4 acres located at 399 McCarron Way (Tax Parcels 111-361-99 & 111-021-17) and 0.60 acres located on Starwood Avenue (Tax Parcels 105-271-74 & 75). **Attachment 5**

M.R. #17-10: Proposal by the City of Charlotte to Sell Property Located on Kale Wood Drive in Matthews

The City of Charlotte's Charlotte Water Department proposes to sell or dispose of a former private wastewater treatment facility on a 1.0 acre parcel located at 1076 Kale Wood Drive in the Town of Matthews (Tax Parcel 193-338-09). **Attachment 6**

5. Adjourn

Attendance

Commissioners Present: Planning Commission Chairperson Tony Lathrop, Planning Committee Chairperson Mike Sullivan, Planning Committee Vice-Chair Elizabeth McMillan and Commissioners Ray Eschert, John Ham, Dionne Nelson and Deborah Ryan

Commissioners Absent: Commissioner Karen Labovitz

Planning Staff Present: Scott Adams, Bryman Suttle, Kathy Cornett, Garett Johnson, Linda Keich, Melony McCullough, Catherine Mahoney, Ed McKinney, Amanda Vari, Jonathan Wells and Julia Zweifel

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

Call to Order and Introductions

Planning Committee Chairperson Sullivan called the meeting to order at 5:07 p.m., welcomed those present and asked everyone to introduce themselves.

Election of Planning Committee Vice-Chairperson

Chairperson Sullivan reminded the Committee that they need to elect a vice-chairperson and opened the floor for nominations for the position.

A motion was made by Commissioner Nelson and seconded by Commissioner Eschert to elect Commissioner Elizabeth McMillan as vice-chairperson of the Planning Committee. The vote was unanimous to elect Commissioner McMillan as vice-chairperson of the Planning Committee.

Approve January 17, 2017 Minutes

A motion was made by Commissioner Nelson and seconded by Vice-Chairperson McMillan to approve the January 17, 2017 minutes. The vote was unanimous to approve the minutes.

Mandatory Referrals

M.R. #17-03: Charlotte –Mecklenburg Schools (CMS) of Property in Davidson known as Ada Jenkins School CMS proposed to sell 4.3 acres located at 212 Gamble Street in Davidson (Tax Parcel 003-233-25), known as the “Ada Jenkins Center” to Ada Jenkins Families and Careers Development Center, Inc., a social services organization, that has occupied the property for a number of years.

M.R. #17-04: Proposed Donation of Property off WT Harris Boulevard to Mecklenburg County Mecklenburg County proposes to accept the donation of 6.6 acres of vacant land located at 1900 East W.T. Harris Boulevard (Tax Parcel 105-371-04). The property is mostly within the floodplain and is along the future corridor for Back Creek Greenway.

M.R. #17-05: Proposed Acceptance of Land Donation to Robert L. Smith Park

Mecklenburg County proposes to accept the donation of 0.5 acres of largely wooded land located off Starnes Road in the rear of Robert L. Smith Park for inclusion in the park.

Chairperson Sullivan asked if the Committee would like to discuss any of the mandatory referrals. None of the mandatory referrals were pulled for discussion.

A motion was made by Commissioner Nelson and seconded by Commissioner Eschert to state that the Planning Committee has reviewed M.R. # 17-03, M.R. # 17-04 and M.R. #17-05 and has no additional comments for the submitting agency. The vote was unanimous to state that the Planning Committee has reviewed the mandatory referrals and has no additional comments for the submitting agency.

Charlotte Mecklenburg Youth Council

Garet Johnson explained that Planning Commission Chairperson Lathrop and some Planning staff members will leave this meeting early to attend the Charlotte Mecklenburg Youth Council meeting. There are approximately 50 students on the Youth Council who represent the future of our community. Planning Commission Chairperson Lathrop will speak to them about the role of a Planning Commissioner and Planning staff will share information about planning careers and place types. Ms. Johnson added that this is a great opportunity for staff to share information about place types and receive student input. Staff will share the outcome with the Committee at next month's meeting.

Update on the Unified Development Ordinance and Place Types

Ms. Johnson gave the place types presentation. She reminded the Committee of their previous discussions about the place types' palette. At the previous meeting, staff shared some different categories that aligned better with our overall growth framework. Staff looked at neighborhoods, activity centers, corridors and shared some mapping exercises with the Committee. What staff heard from that discussion:

- Palette needs to better communicate vision and intent.
- Vocabulary is not capturing the concept of form and character.
- Difficult to determine where one place type transitions to another.

Some of the questions were:

- How big does a place type need to be?
- What if there is single family and multi-family, is that one place type or two place types?
- If you have a corridor, how does a place type work that is one parcel deep?

Ms. Johnson stated that is a summary of what staff heard and asked if she missed anything. She explained that staff organized the presentation (click [here](#) to view presentation) to address those concerns. Ms. Johnson reviewed the place types/unified development ordinance purpose, need and what they are intended to accomplish. The place types part is the vision, policy and plans. The unified development ordinance is the implementation of those plans - basically the ordinance and regulations. She shared some of the concerns that staff heard from City Council, the Planning Commission and the community. The concerns generally centered around the age of plans and the need for a way to update plans.

Ms. Johnson explained that the zoning ordinance was last updated in the 1990s and there has been a piece mill approach to updating it. It will be helpful to combine all of the development regulations such as subdivision ordinance, tree ordinance and others. She stated that there has not been a lot of discussion about why we need the place types piece. This piece is needed for some of the same reasons that the new UDO is needed. The last update to the future land use policy was in the 1990s. It has been updated incrementally with area plans and through the rezoning process. Our policy framework and some of the area plans do not relate well to each other.

Staff did an assessment of the policy framework about three years ago. The process was called the Land Use Policy Assessment (LUPA). During this process, we heard a lot from the community about the age of our plans. A good portion of our community has not had an updated policy guide for a decade or several decades. We have been trying to catch up for several years but that has not happened. We need a way to update our overall future land use plans. The *Centers, Corridors and Wedges Growth Framework (CCW)* was updated seven years ago to provide the framework for growth and development. However, it does not provide the level of specificity needed. Once an area plan is completed, often a number of rezonings occur. Often, we lack the zoning categories to implement plan recommendations.

The community has suggested that there needs to be a stronger link between zoning districts, zoning regulations and area plans. We also heard from the Committee in addition to land use, area plans should address development and design.

Planning Commission Chairperson Lathrop asked why place types is better than developing a comprehensive plan. Ms. Johnson answered that it allows us to update our land use plans as well as provide design guidance in one document with our ordinances that is more user friendly and more useful. We want place types to be our tool to provide updated guidance for land use and development across our entire community, not just by area plan. We want a more sustainable process moving forward to keep plans updated

Commissioner Nelson asked if the result will be a map that puts a place type on every parcel. Ms. Johnson answered yes. we look at this as a map and manual. The map and unified development ordinance will replace our adopted future land use map.

Commissioner Nelson asked who will determine what the place type will be. Is it the intent for staff and the consultant to figure out what the place type ought to be? Ms. Johnson responded that the land use that you see today will be updated and replaced with the place types map. It will take a while to map. Staff will work with the community to figure it out.

Commissioner Nelson asked if the new map will reflect the aspirational intent of what the place type should be for what we know an area is becoming. Ms. Johnson said that is the difficult piece. It is going to take a while to do the mapping and get the palette right. For some areas, we will have to do a more detailed analysis. Commissioner Nelson asked if there will be a map that shows aspirational place types at the end of the UDO process. Ms. Johnson replied yes. It will not happen in a couple of months behind closed doors. It is going to happen with the community's input. Commissioner Nelson said that she is all for community engagement.

Commissioner Nelson asked if we have built in the time to develop a plan for the entire city at one time. Ed McKinney (Planning) said that it will take time and we will have to determine the best way to do it. All of that for us is a work in progress.

Chairperson Sullivan asked if this will be rolled out at one time and how will it address ongoing changes that are taking place in the community. Ms. Johnson said the process will have to be flexible. Also, as zoning districts are finalized, we may need to adjust place types. This effort will include a process to amend place types.

Ms. Johnson reiterated that various elements make up a place type. The place types are organized into five categories. Staff has focused on the neighborhood category. The other categories will change and mixed use will probably go away. Neighborhoods can have a range of intensities. There is a range of scales in neighborhoods: Neighborhood 1 - least intense, Neighborhood 2, Neighborhood 3 and Neighborhood Node - most intense (*see slide 12 of the attached PowerPoint Presentation*). Ms. Johnson walked through the description of each neighborhood place type and Ms. Cornett shared a graphic of how they might look.

Neighborhood 1 replaces nine land use categories, Neighborhood 2 replaces five land use categories, and Neighborhood 3 is more intense. The Neighborhood Node replaces 21 land use categories and covers multiple land use types. Commissioner Nelson asked will the land use categories ultimately go away. Ms. Johnson replied yes.

Mr. McKinney explained that this provides a clearer way to direct policy and will be as important as a rezoning. Commissioner Nelson asked if a property owner whose new land use or zoning is neighborhood node would be able to do anything by right allowed in the neighborhood node place type. Ms. Johnson replied no. The property owner would still have to adhere to the zoning. The neighborhood node will have a couple of zoning districts.

Vice-chairperson McMillan asked what happens to all of the zoning classifications. Ms. Johnson replied that use may not be as important to distinguish in some instances.

Commissioner Nelson asked how place types relate to the future zoning categories. Mr. McKinney answered that we will look at the zoning ordinance to determine the tool needed to make that kind of place happen. The way we currently address this is through conditional zoning. This would minimize the need for negotiations on every case.

Commissioner Ryan stated that she is thrilled to see the progress that has been made on this information. She said once the place type descriptions are completed, it might be helpful to have the consultant for the ordinance rewrite turn them into ordinance language. She asked if that can occur simultaneously so that the consultant could show them side by side. She thinks failure to link the rewrite and place types early may cause problems later. Ms. Johnson said that staff has been communicating with the consultants and keeping them up to date on the place types process and what we are hearing from the community.

Ms. Cornett explained that some neighborhoods may have all the elements while others may only have a couple. She reviewed some examples to help explain the concept. Commissioner Nelson asked if the boundaries are based on the current land use. Ms. Cornett explained that in some instances the lines may reflect what is there today and what is likely to be there in the future. Other areas may be more aspirational and that is where the community conversation will take place.

Chairperson Sullivan asked if we are looking at what is there or what we want to be there. Ms. Cornett replied what the area wants to be with some flexibility. All of the elements are not predictable. Some areas will need to be revisited in the future.

Commissioner Ryan stated that the neighborhood nodes show poor pedestrian quality in some areas and asked if guidance will be provided for redevelopment. Ms. Cornett explained that some of the specifics may be addressed by zoning.

Commissioner Ryan revisited the aspirational question. She expressed concern that in order to create the intensity discussed, some buildings will need to be 6 stories. Some people may not like that. She is concerned that if the community is allowed to describe these areas, they may not change. Instead of asking the community if 3 or 4 stories are appropriate, we should explain why we think it should be 6 stories. She asked if the *Livable City Policy* was taken into consideration. She also asked if consideration has been given to the city's priority of community safety and what does that mean in terms of a place type. Commissioner Ryan stated that if the Commission wants to sell this to City Council and they care a lot about economic development, how do we show the relationship. She thinks it is important to share our knowledge and principles for decisions.

Ms. Johnson said there are adopted policies that state the same thing but may be worded differently. The policies are there. We start with the vision and include everything else. However, we forget to remind people.

Ms. Cornett reviewed the last example, Brightwalk - neighborhood node. Commissioner Ham asked if Brightwalk has an affordable housing element. Ms. Cornett answered yes, there is an affordable housing component that was developed by Charlotte-Mecklenburg Housing Partnership. Commissioner Nelson added that it is mixed tier housing that includes middle income, workforce and market rate housing. Values are increasing in the area.

Commissioner Nelson stated that it seems bizarre that the map goes from multi-family to Neighborhood Node to Neighborhood 1 within the same block and a half. Ms. Cornett explained that is why we are testing the palette to see how it works in areas like this. This is an emerging area that is changing. This is an area where we would have more conversation and look to provide that aspiration. *See map in PowerPoint presentation - Proposed Place Types.*

Chairperson Sullivan said we may need to consider a softer approach because people may think that they are being pushed out of their homes. Maybe we should show change over time.

Commissioner Nelson said that she heard staff say that they are sharing the preliminary map with the Committee. The future map would be more intentional about locating similar uses across the street from one another based on what is appropriate for that neighborhood. Ms. Cornett said this is just to test the palette. This will help determine if this is the right palette. Ms. Johnson added this helps start the conversation

Commissioner Nelson said that she thinks that it will be an unproductive conversation if you go in the community with place types and not include zoning. Also, having one conversation without the other will make the process a lot longer. She also agreed with Commissioner Ryan's point that it is important to place a lot of emphasis on community engagement. Ms. Johnson said that typically staff will map out a community engagement process and share it with Council and the Commission.

Commissioner Ryan questioned ways to help the community understand why neighborhood nodes are important. Chairperson Sullivan said there may be some resistance from people that are used to the current system. He is concerned that this could become a political issue.

Ms. Johnson asked if the neighborhood palette is more understandable and if staff is on the right track. Commissioner Ryan said staff has been very responsive to suggestions and she thinks we are moving in the right direction. However, she reiterated that she would really like to see the zoning piece before moving forward. Ms. Johnson said that it may take a while to get the consultant to this point. She asked if an example from another city that has been through this process would be helpful. Commissioner Nelson answered yes and added that staff should work with the consultant to at least look at residential. Then the Committee could discuss what works or does not work in the context of Charlotte.

Commissioner Nelson asked if staff can talk about community engagement and the timeline. Commissioner Ryan asked what is going on with the Ordinance Advisory Committee. Ms. Johnson said this was discussed yesterday at the Executive Committee meeting. Information will be included in the next Planning Committee packet. Presentations from the Ordinance Advisory Committee meetings are online at UDO.org.

Commissioner Ryan said she has been hearing from participants and would like staff's input. Ms. Johnson stated that there have been three meetings with some robust discussions. They are catching up on place types.

Commissioner Ryan said that we must get this information to where it is clearer, shorter and the community gets it. Vice-chairperson McMillan said the group will really be interested in transitioning from place types to zoning. Commissioner Ryan asked if we are getting many comments on the web. Scott Adams (Planning) answered that we are getting one response per week on Twitter. Ms. Cornett shared recent and planned meetings. Commissioner Ryan would like to see that information on the UDO website. She asked what can be done to improve participation on the web. Ms. Cornett answered that staff is using NextDoor and considering other options. Commissioner Ryan said that she would like for her students to go there weekly to complete an activity. She asked if the consultants are helping with outreach and what the Lee Institute is doing. Ms. Johnson said the Lee Institute is working on messaging.

Meeting adjourned at 6:57 p.m.

Initiated by: Peggy Hey, CMS

Submitted by: Peggy Hey, CMS

Planning staff resource: Amanda Vari

MANDATORY REFERRAL REPORT NO. 17-06 **PROPOSED CELL TOWER LEASE ON CMS SCHOOL PROPERTY**

PROJECT PROPOSAL AND LOCATION:

Charlotte-Mecklenburg Schools (CMS) proposes to lease a portion of a school site for cell tower construction, operation and maintenance.

On August 15, 2014 a *Request for Expressions of Interest* to lease land for cell tower construction/cell service was posted on the CMS website. The deadline for submitting that request to CMS was August 25, 2014. Staff received expressions of interest for the following location: Hawthorne Academy of Health Sciences, 1414 Pegram Street, Charlotte (parcel # 08116335). The property is zoned R-5 Residential under the Charlotte Zoning Ordinance and is improved with a 100,000+ square foot public school. The property is located less than 1 mile from Uptown Charlotte, near the Belmont and Plaza Midwood neighborhoods.

The proposal would be to establish one cell tower, with a five year lease. Liability would be limited for CMS (typical for CMS contracts), and clause for termination and for convenience will be incorporated. The lease will stipulate that the cell tower operators are not to interfere with school operations, staff, students, or the public who may use the school and property. These lease terms have proven successful with existing cell tower leases at Quail Hollow Middle School, Myers Park High School, Providence High School and Jay M. Robinson Middle School.

A group of proposed cell tower leases was submitted by CMS and taken through the Mandatory Referral process in 2015 (MR 15-33) but this particular address was inadvertently omitted from the Mandatory Referral. At the time the Planning Committee recommended approval. The lease was subsequently approved by the Board of Education.

The lease includes a 100' x 100' area to encompass tower pads, enclosures, access drives, etc., to be located on a portion of the campus not currently actively used (in no case will a current or planned school use be displaced by the proposed tower). The proposed height from grade would be 160 feet.

PROJECT JUSTIFICATION:

Telecommunication towers offer an opportunity for public agencies to realize a revenue stream from current real estate assets.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Prospective leases of portions of school sites for cell tower use are considered to be consistent with CMS policies regarding joint and Community Use of Schools sites. The City's 2007 *General Development Policies* for Infrastructure also support the co-location of facilities and private/public partnerships.

Cell towers are governed by the municipal zoning ordinances in terms of permitted uses by zoning district. Currently, cell towers are permitted within the zoning districts subject to the conditions found in City of Charlotte Zoning Ordinance Subsection 12.108(7) and 12.108(8), allowing cell towers within certain zoning districts subject to prescribed conditions.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The Belmont Area Revitalization Plan (2003) recommends Recreational Open Space for the proposed site.

PROJECT IMPACT:

The telecommunication tower will provide increased service to area customers and added revenue for the school district. The cell tower operator is to be responsible for obtaining all permits and approvals necessary in order to erect the cell towers.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known public or private projects that will be adversely impacted by this project.

ESTIMATED PROJECT COMPLETION DATE:

The estimated completion for cell tower construction beginning with due diligence process is approximately twelve months.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their March 1, 2017 meeting and there were no comments.

The following agencies were represented at the March 1, 2017 JUTF meeting: Charlotte-Mecklenburg Planning, City Budget, County Park & Recreation, City Real Estate, Charlotte Water, Charlotte DOT, Centralina COG, Charlotte-Mecklenburg Schools, City Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, City Forester, City Housing & Neighborhood Services, County Public Health, Charlotte Mecklenburg Police, Charlotte Mecklenburg Housing Partnership.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed lease and below are the key findings:

Conclusions:

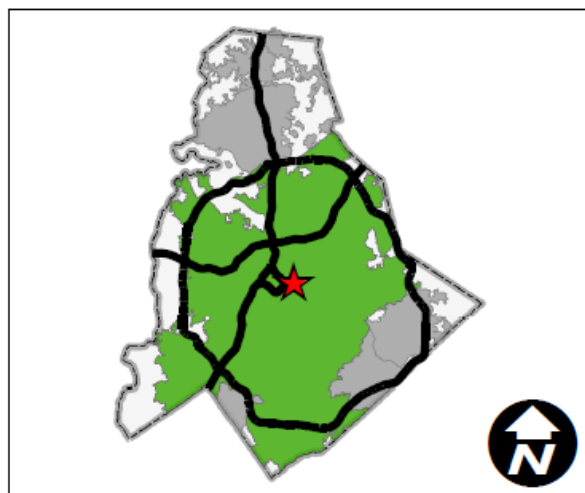
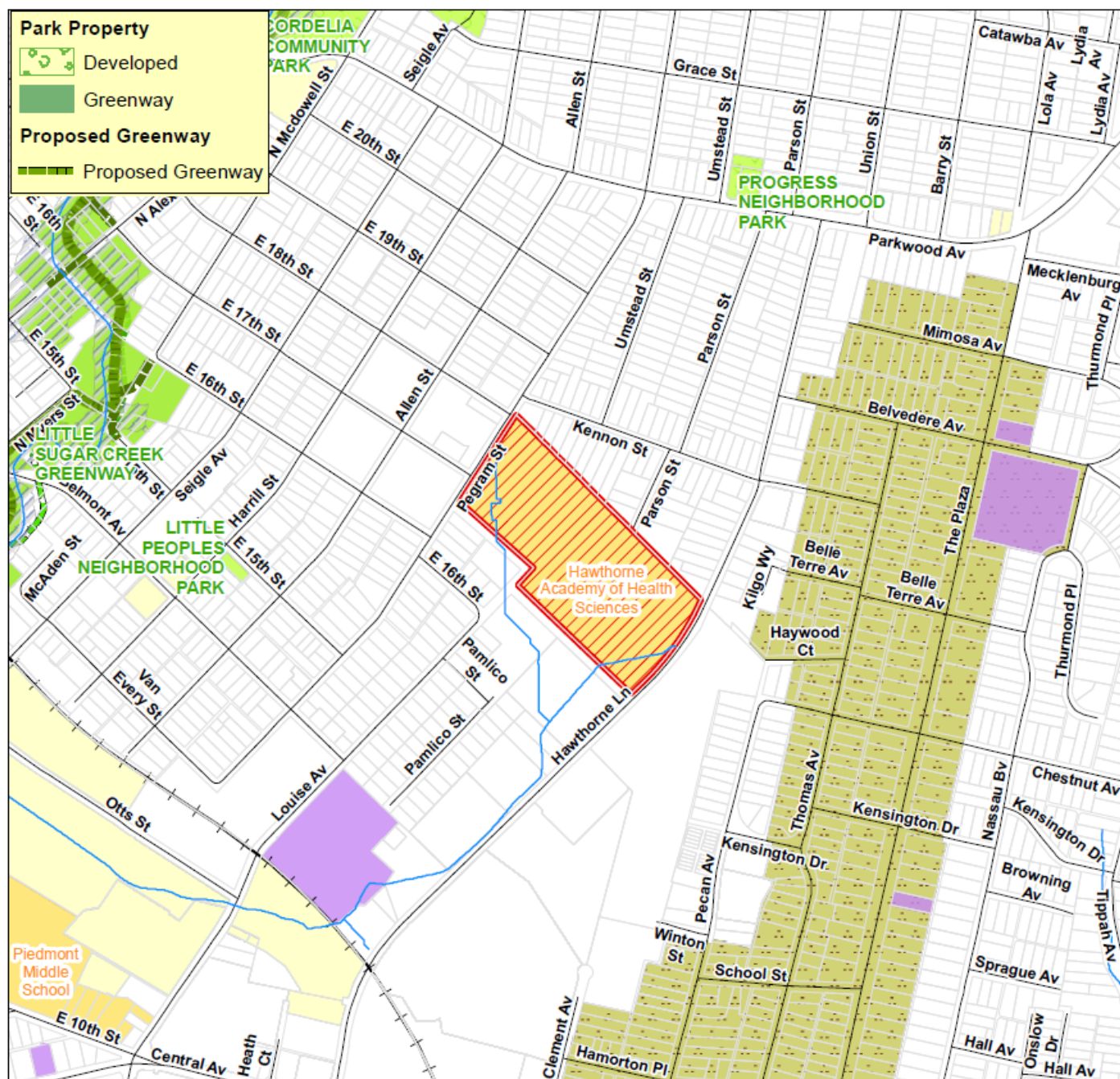
- Land use plans do not typically prescribe the location of public facilities, institutional uses, or utilities unless it is reflective of a preexisting facility or land banking/master planning efforts. These types of uses are governed by the zoning ordinance in terms of permitted uses by zoning district.
- Cell towers are permitted within the R-5 zoning district subject to the conditions found in Subsection 12.108(7) and 12.108(8) of the Charlotte Zoning Ordinance.

Adopted Goals and Policies:

- The Belmont Area Revitalization Plan (2003) recommends Recreational Open Space for the proposed site and is currently zoned R-5.
- Prospective leases of portions of school sites for cell tower use are considered to be consistent with CMS policies regarding joint and Community Use of Schools sites.
- The City's 2007 *General Development Policies* for Infrastructure also support the co-location of facilities and private/public partnerships.

CMPC PLANNING COMMITTEE REVIEW:

At their March 21, 2017 meeting the Planning Committee voted ...



Mandatory Referral 17-06

Initiated & Submitted by: CMS

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

Produced by the Charlotte-Mecklenburg Planning Department



Initiated by: Tim Porter, Engineering & Property Management
Submitted by: Amanda Byrum, Engineering & Property Management
Planning staff resource: Alberto Gonzalez

MANDATORY REFERRAL-REPORT NO. 17-07
Proposed Acquisition of Property in University Research Park for Tree Canopy Preservation

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire one vacant forested parcel of approximately 27.032 acres (047-351-02), zoned RE-2 (Research) per the Charlotte Zoning Ordinance, in the University area of Charlotte for tree canopy preservation. The property is located near Research Drive and David Taylor Drive, as shown on the location map below, and is adjacent to Mallard Creek Greenway. This property is proposed to be maintained in a natural state following acquisition, and may be used for low-intensity recreational purposes such as a natural surface trail.

Following acquisition of this property by the City, the City anticipates donation of a conservation easement to the Catawba Lands Conservancy in order to ensure that perpetual stewardship of the tree canopy is provided. 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.

This property was identified and considered under the City's scoring model for tree canopy preservation and was determined to be a good candidate for preservation due to its forest quality, conservation value, geographic location, and potential partnership opportunities. 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.

PROJECT JUSTIFICATION:

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 the year 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 24.93 contiguous acres of existing mature forest on the 27.032-acre property will be protected as part of this acquisition will be protected as part of this acquisition.

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, North Carolina, City Code, §18, as well as the Charlotte Tree Ordinance.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The adopted future land use for this site is Residential/Office and Parks/Open Space as per the *University Research Park Area Plan* (adopted 2010). The Plan also had as a goal to preserve undeveloped land flanking Mallard Creek for the creation of a new community park and improved greenway. The Plan envisions a community park amenity that will connect the URP (University Research Park) to adjacent properties, as well as surrounding community.

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:

The “North Bridge project” will create a bridge connector over I-85 connecting Research Drive to J.W. Clay Boulevard and connections between University Research Park to shopping and services at University Place, the J.W. Clay LYNX station, the North Tryon street corridor, the Charlotte Research Institute, and the University of North Carolina at Charlotte. This project is anticipated to impact approximately one acre of the property, at the corner of David Taylor Drive and Research Drive, as a result of road realignment and intersection improvements.

ESTIMATED PROJECT COMPLETION DATE:

Staff have negotiated a purchase price with the property owners and plan to move forward with obtaining City Council approval to enter into a contract following Joint Use Task Force and Planning Committee review. Acquisition of the parcel is anticipated within eighteen months of Council approval.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their March 1, 2017, meeting, and the following comments were offered.

An assessment was conducted by the Housing & Neighborhood Services Department on the suitability of the site for affordable housing and it was determined that it is not feasible due to the challenging topography.

A question was also asked as to whether the proposed conservation easement to be placed upon the property would allow public access for greenway access and passive recreation, and City Real Estate staff assured the group that the easement would allow such activity on the site.

Agencies in attendance at the meeting were City Budget, County Park & Recreation, City Real Estate, Charlotte Water, Charlotte DOT, Centralina COG, Charlotte-Mecklenburg Schools, City Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, City Forester, City Housing & Neighborhood Services, County Public Health, Charlotte Mecklenburg Police, Charlotte Mecklenburg Housing Partnership.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed acquisition and below are the key findings:

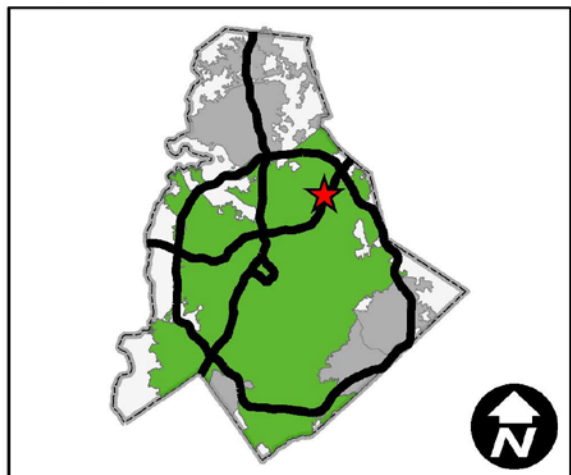
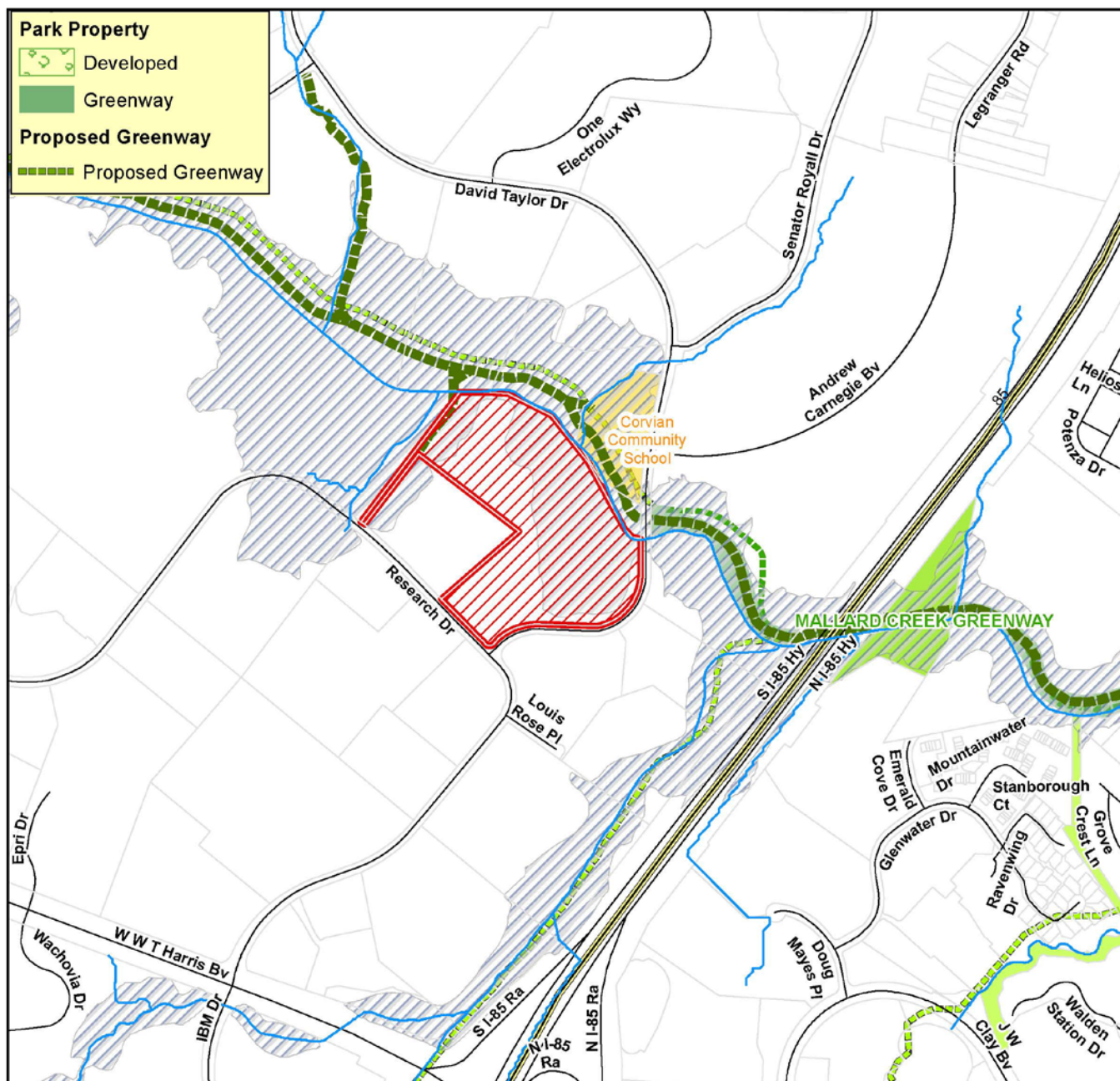
Conclusions:

- A good portion of the property is within the 100-year floodplain.
- The site is challenged by topography making development prohibitive.
- The City of Charlotte's Housing & Neighborhood Services Department has determined that the site is not suitable for affordable housing.

Adopted Goals and Policies:

- The proposed use for the property for tree canopy preservation is consistent with the Park / Open Space future land use for the site as per the *University Research Park Area Plan* (adopted 2010).
- The proposed use is also consistent with stated goal in the *University Research Park Area Plan* for preservation of undeveloped land flanking Mallard Creek for the creation of a new community park and improved greenway.

CMPC PLANNING COMMITTEE REVIEW:



Mandatory Referral 17-07

Initiated & Submitted by:
Engineering & Property Management

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



Produced by the Charlotte-Mecklenburg Planning Department

Initiated by: Carl Wilson, Charlotte Water

Submitted by: Amanda Byrum, Engineering & Property Management

Planning staff resource: Bryman Suttle, Planning Department; John Hoard, Town of Mint Hill

MANDATORY REFERRAL-REPORT NO. 17-08
Proposed Sale of City-Owned Property on Piaffe Avenue in Mint Hill

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Charlotte Water Department proposes to sell or dispose of two City-owned parcels of approximately 3.3 combined acres (tax parcel identification numbers 195-056-48 and 195-181-99), zoned R, under the Town of Mint Hill Zoning Ordinance. The properties are located at 4125 Piaffe Avenue and 11915 Shady Oak Court in the Cheval subdivision off Lawyers Road in Mint Hill.

These properties are located in the middle of the Cheval single family subdivision and have minor improvements associated with their former use as part of a private water system.

It is proposed that these two parcels be marketed and sold jointly.

PROJECT JUSTIFICATION:

The parcels were well sites acquired through a private water system purchase. Charlotte Water staff have determined that there is not a need to retain these parcels for their operations. The City's Real Estate Division is tasked with selling or otherwise disposing of any surplus property not needed for current or future programmed use.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The sale or disposition of parcels not needed for operations of the City's core services is consistent with the City Council adopted Asset Management Guidelines.

The smaller 1.04 acre parcel to the west (PID# 195-056-48) does not currently meet minimum ordinance requirements for developments unless combined with an abutting parcel having the minimum required road frontage. Currently, there are 2 vacant adjoining lots fronting Piaffe Avenue. There is, however, an opportunity for the larger 2.26 acre parcel to the east (PID# 195-181-99) to be developed because by ordinance, a parcel without road frontage can be developed provided it is a minimum of 2 acres and has a permanent easement allowing access to a public street.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Mint Hill Generalized Land Use Plan* (2000) identifies this location as appropriate for single family residential, although the approved development plan identifies the intended use of these parcels for private utilities.

PROJECT IMPACT:

No impacts are anticipated.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There is no known relationship to other projects.

ESTIMATED PROJECT COMPLETION DATE:

Charlotte Water will complete demolition of improvements remaining on site and cap and grout the wells prior to sale. The properties will be advertised for upset bid and market interest will dictate the completion of the sale.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their March 1, 2017, meeting and no comments were offered, other than that the property is deemed unsuitable for affordable housing by City Housing & Neighborhood Services due to the fact that it has very limited access and that it is located outside of the City.

Agencies represented at the March 1, 2017 Joint Use Task Force meeting: Charlotte-Mecklenburg Planning, City Budget, County Park & Recreation, City Real Estate, Charlotte Water, Charlotte DOT, Centralina COG, Charlotte-Mecklenburg Schools, City Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, City Forester, City Housing & Neighborhood Services, County Public Health, Charlotte Mecklenburg Police, Charlotte Mecklenburg Housing Partnership.

MINT HILL PLANNING STAFF REVIEW:

Mint Hill planning staff has reviewed the proposed disposition and below are the key findings:

Conclusions:

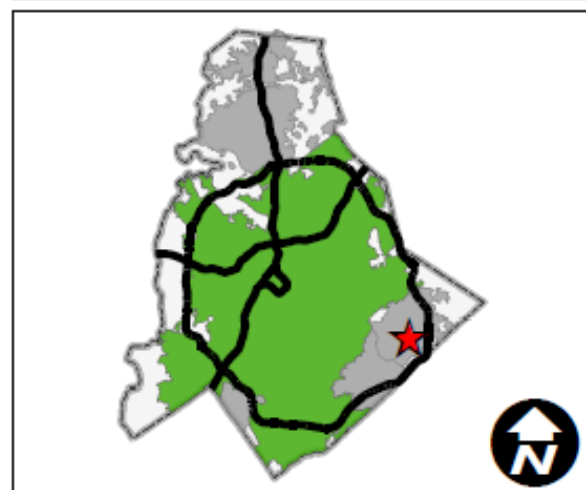
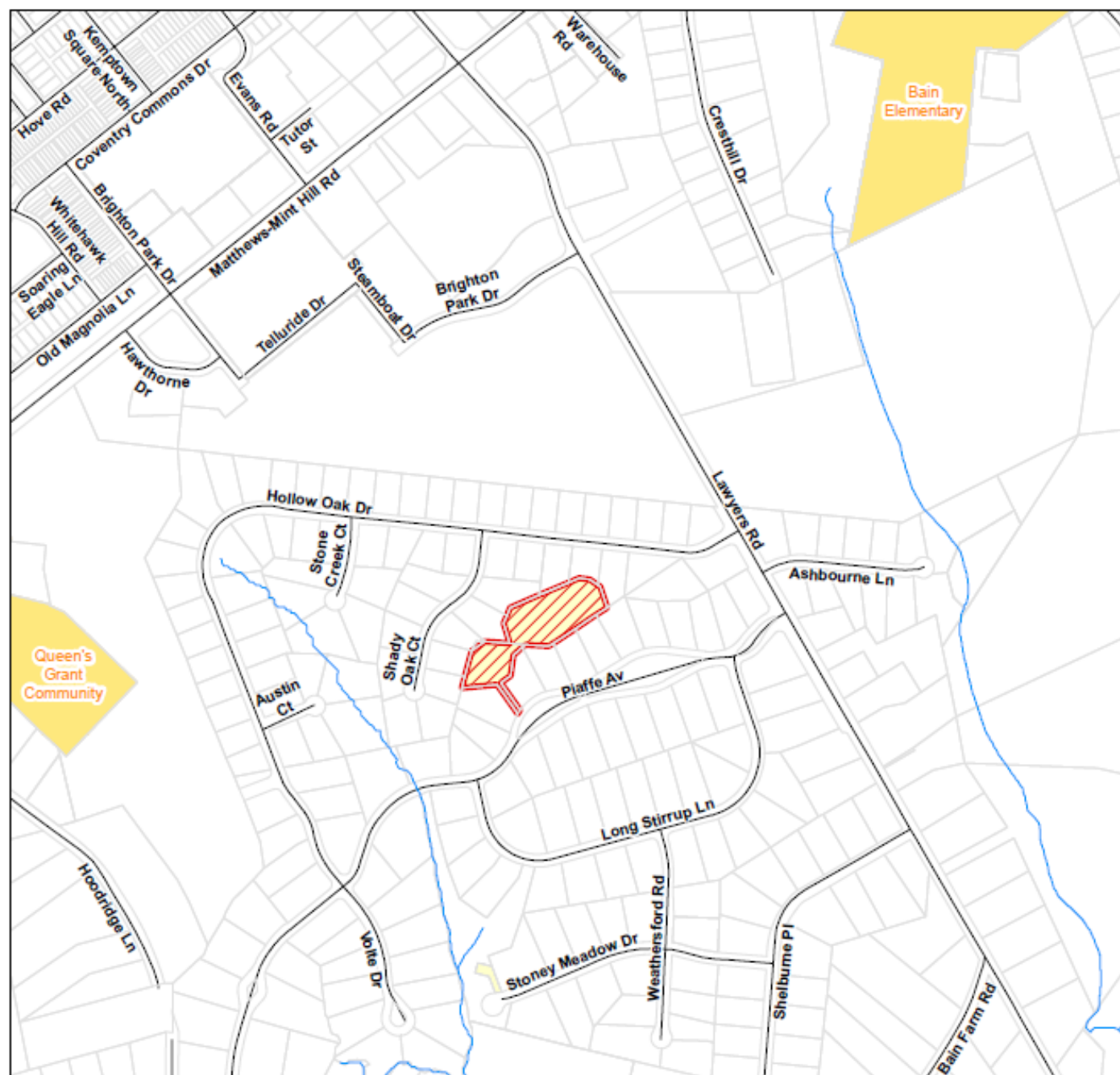
- The subject parcels are appropriate for single family residential development provided they meet the minimum development ordinance requirements.
- The City of Charlotte Housing & Neighborhood Services Department has determined it is not suitable for affordable housing.

Adopted Goals and Policies:

- The *Mint Hill Generalized Land Use Plan* (2000) identifies this location as appropriate for single family residential.
- The parcels are zoned R residential according to the Mint Hill zoning ordinance.
- The subject parcels are part of the Chaval neighborhood and were originally intended to be used for private utilities and to generally remain as vacant, natural areas.

CMPC PLANNING COMMITTEE REVIEW:

At their March 21, 2017, meeting, the Planning Committee



Mandatory Referral 17-08

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management

-  Mandatory Referral
-  City Property
-  Schools

Produced by the Charlotte-Mecklenburg Planning Department



Initiated by: Chuck Bliss, Charlotte Water

Submitted by: Amanda Byrum, Engineering & Property Management

Planning staff resource:

MANDATORY REFERRAL-REPORT NO. 17-09
Proposed Sale of Five City-Owned Properties in the City of Charlotte

PARCEL ID	ADDRESS	ZONING	SITE IMPROVEMENTS (inactive)	LOT SIZE (AC.)
111-308-30	7806 Bondhaven Drive	R-MH	Pond, storage building	2.51
111-361-99, 111-021-17	McCarron Way	R-3	Access drive, wastewater treatment facility	2.399
105-271-75, 105-271-74	Starwood Avenue	R-3	Access drive, wastewater treatment facility	.60

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Charlotte Water Department proposes to sell or dispose of five City-owned parcels, all within the City of Charlotte. See below:

PROJECT JUSTIFICATION:

These parcels were former wastewater treatment plant sites acquired through a private water system purchase. Charlotte Water staff have determined that there is not a need to retain these parcels. The City's Real Estate Division is tasked with selling or otherwise disposing of any surplus property not needed for current or future programmed use.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The sale or disposition of parcels not needed for operations of the City's core services is consistent with the City Council adopted Asset Management Guidelines.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The following table indicates adopted land use policy for each site:

PARCEL ID	ADDRESS	ADOPTED PLAN	ADOPTED FUTURE LAND USE
111-308-30	7806 Bondhaven Drive	East District Plan (1990)	Single Family up to 6 DUA
111-361-99, 111-021-17	McCarron Way	Rocky River Road Area Plan (2006)	Greenway and Single Family up to 4 DUA
105-271-75, 105-271-74	Starwood Avenue	Rocky River Road Area Plan (2006)	Single Family up to 4 DUA

PROJECT IMPACT:

No impacts are anticipated associated with the proposed transactions.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known relationships to other projects.

ESTIMATED PROJECT COMPLETION DATE:

Charlotte Water will complete demolition of the improvements on these sites. Contiguous parcels will be marketed and sold together. The properties will be advertised for sale or upset bid and market interest will dictate the completion of the sale.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their March 1, 2017 meeting, and Charlotte Stormwater has determined that the Bondhaven Drive pond is not necessary for stormwater management purposes.

The following agencies were represented at the March 1, 2017 JUTF meeting: Charlotte-Mecklenburg Planning, City Budget, County Park & Recreation, City Real Estate, Charlotte Water, Charlotte DOT, Centralina COG, Charlotte-Mecklenburg Schools, City Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, City Forester, City Housing & Neighborhood Services, County Public Health, Charlotte Mecklenburg Police, Charlotte Mecklenburg Housing Partnership.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposal to sell these sites and below are the key findings:

Conclusions:

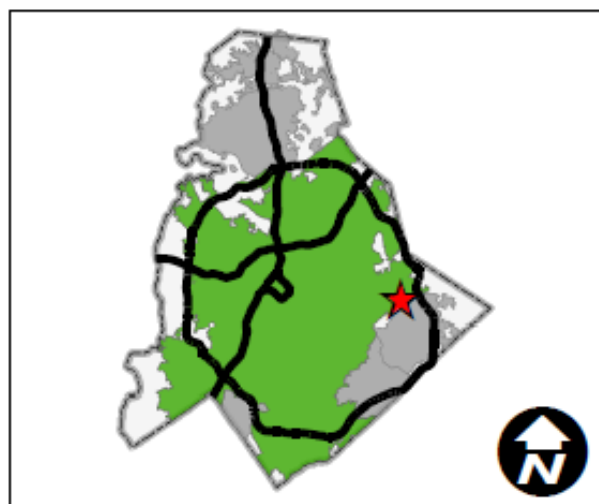
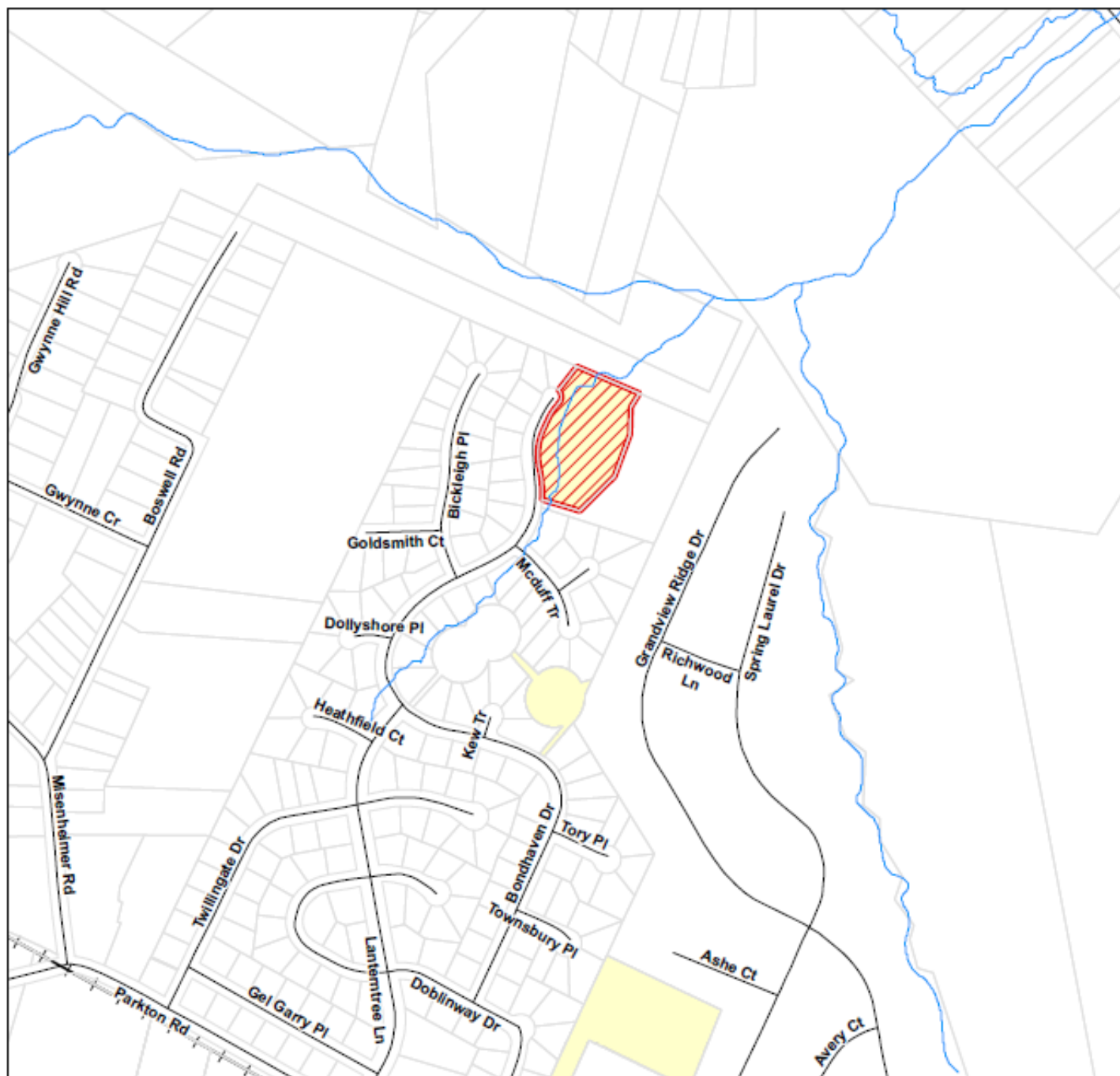
- Much of PID's 111-308-30 (Bondhaven) and 105-271-75 (Starwood) contain water quality buffers and may be challenging to redevelop.
- The parcels along Starwood Avenue will be marketed and sold together because PID 105-271-74 does not currently have frontage along a public right of way.
- The parcels along McCarron Way will be marketed and sold together because PID 111-021-17 does not currently have frontage along a public right of way.
- Mecklenburg County Park & Recreation has reviewed these properties and has no need for them.
- Charlotte Housing & Neighborhood Services has reviewed these parcels for potential affordable housing sites and determined they were not suitable due to poor topography and/or low accessibility as well as existing incompatible site improvements.

Adopted Goals and Policies:

- The East District Plan recommends single family uses up to 6 units per acre for the site on Bondhaven Drive.
- The Rocky River Road Area Plan recommends single family uses up to 4 units per acre for the site on Starwood Avenue and a partial area of the McCarron Way site. The remainder of the McCarron Way site is recommended for greenway uses in the Rocky River Road Area Plan.
- The Reedy Creek Greenway is an adopted greenway corridor on the Mecklenburg County Greenway Master Plan (2008).

CMPC PLANNING COMMITTEE REVIEW:



At their March 21, 2017, meeting, the Planning Committee



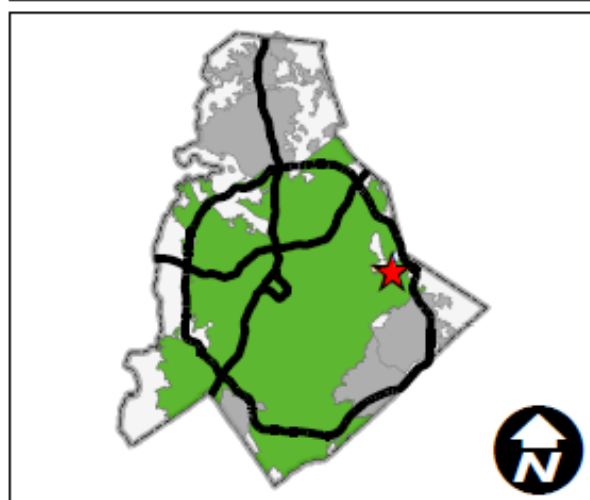
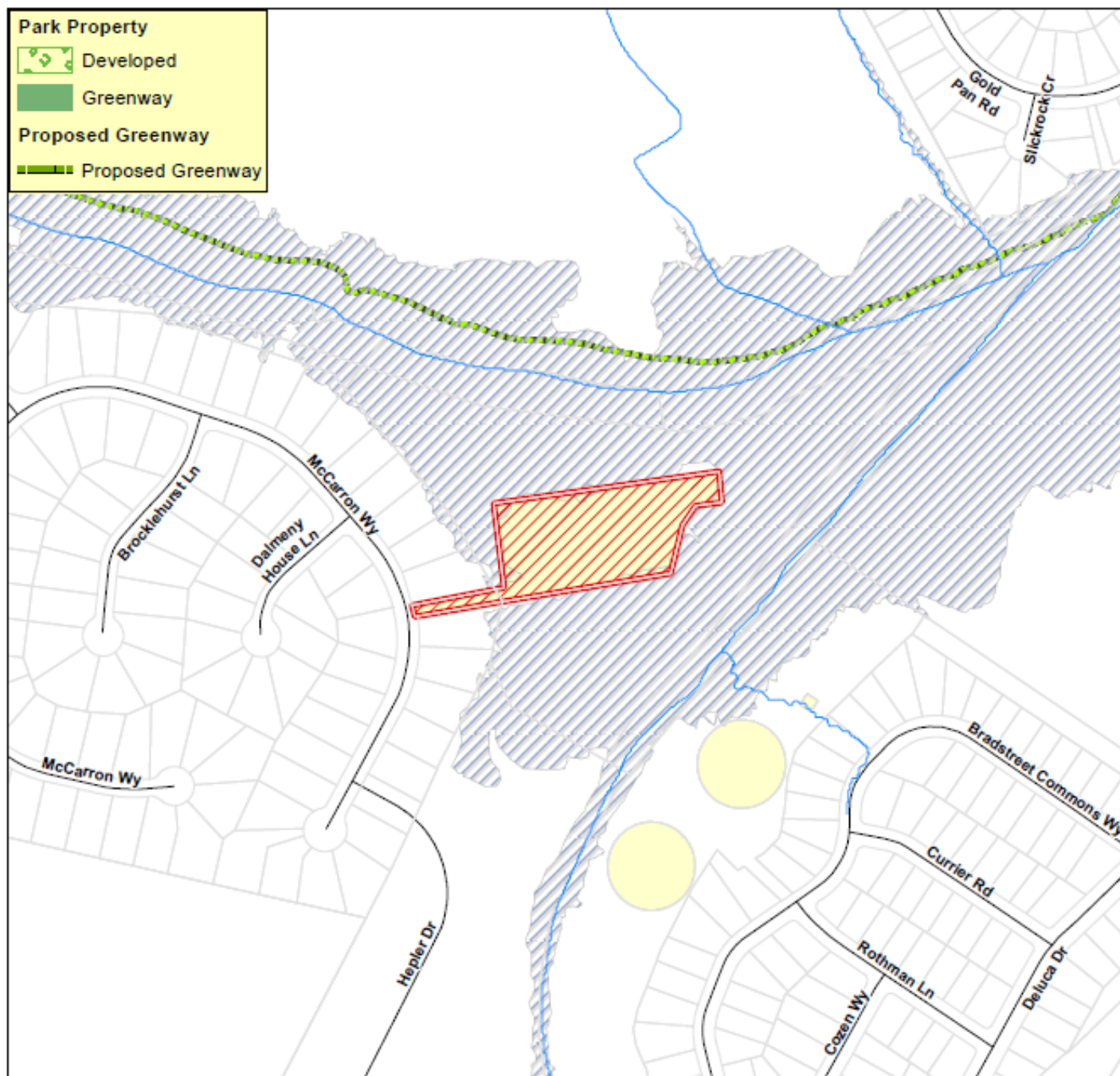
Mandatory Referral 17-09A

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management

-  Mandatory Referral
-  City Property





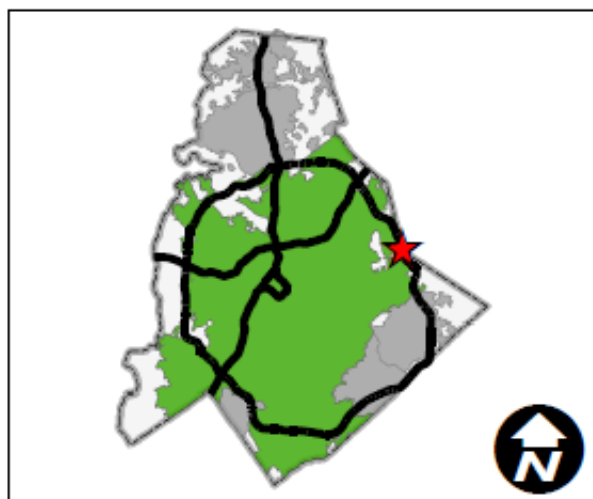
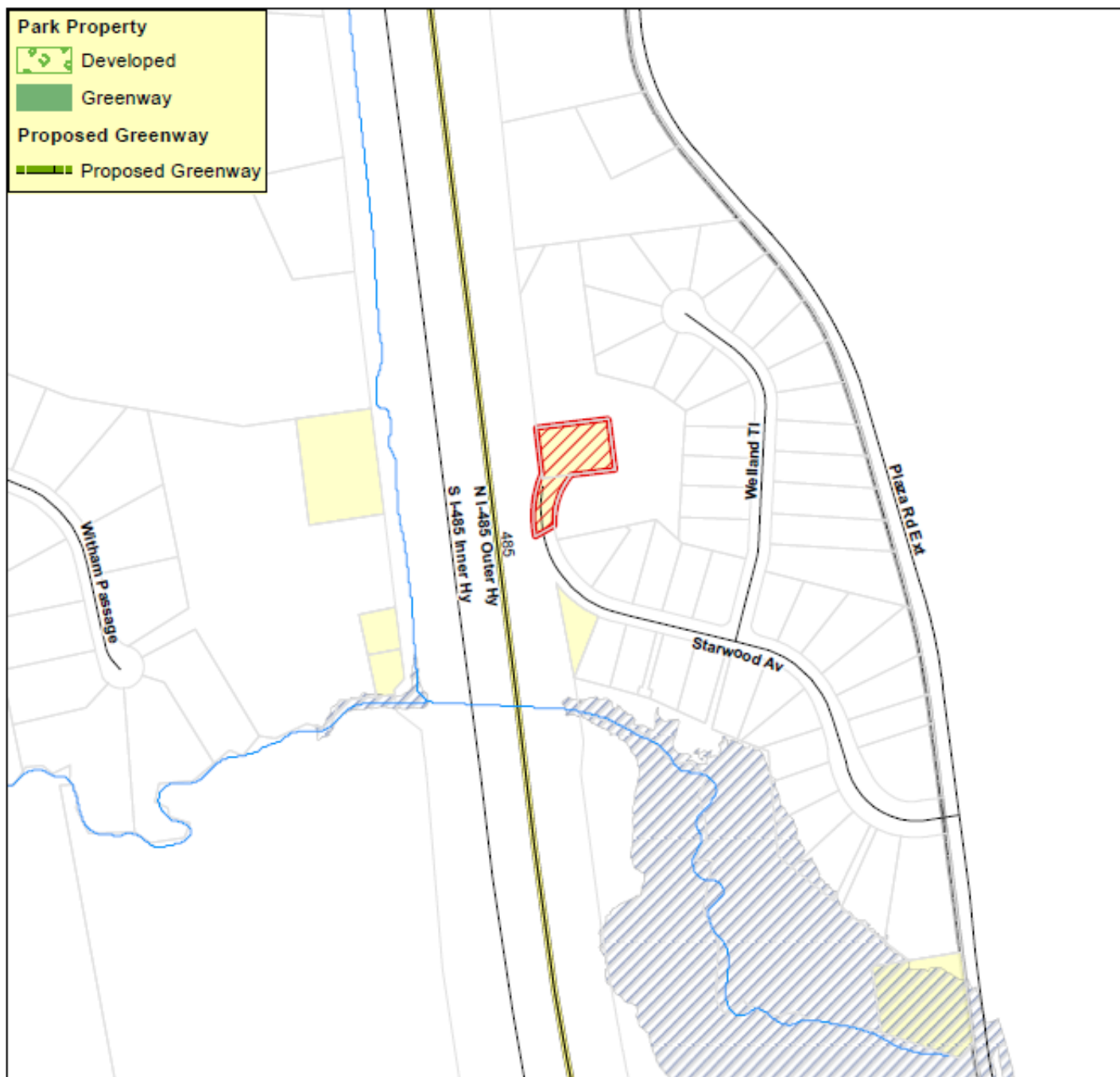
Mandatory Referral 17-09B

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management

- Mandatory Referral
- City Property
- FEMA 100 Year Floodplain





Mandatory Referral 17-09C

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management

- Mandatory Referral
- City Property
- FEMA 100 Year Floodplain



Initiated by: Chuck Bliss, Charlotte Water

Submitted by: Amanda Byrum, Engineering & Property Management

Planning staff resources: Jonathan Wells (C-M Planning); Kathi Ingrish (Town of Matthews Planning)

MANDATORY REFERRAL-REPORT NO. 17-10
Proposed Sale of City-Owned Property on Kale Wood Drive in Town of Matthews

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Charlotte Water Department proposes to sell or dispose of a 1.25-acre parcel located at 1076 Kale Wood Drive in the Town of Matthews (parcel 193-338-09). This is a former private wastewater treatment facility that was purchased and subsequently decommissioned. The property (zoned R-12 Residential by the Town of Matthews) borders a single family residential development and Northeast Parkway which is a perimeter road to the businesses fronting on Independence Boulevard.

PROJECT JUSTIFICATION:

This parcel previously served as a private wastewater treatment plant site that was acquired through a private water system purchase. Charlotte Water staff have determined that there is not a need to retain the property to support their operation. The City's Real Estate Division is tasked with selling or otherwise disposing of any surplus property not needed for current or future programmed use.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The sale or disposition of parcels not needed for operations of the City's core services is consistent with the City Council adopted Asset Management Guidelines.

The subdivision within which this property is located was platted and built in the late 1970's and no Town records exist on whether there are any restrictions on future re-use of this parcel. A check with Charlotte Mecklenburg Planning's subdivision records revealed that the only restrictions placed upon this parcel at the time involved front yard setbacks and the establishment of sewer easements associated with the property's previous use as a treatment facility.

The current R-12 zoning would allow for the development of a single family detached dwelling, although the parcel appears to be large enough that it could be subdivided into two or three lots that meet R-12 dimensional requirements. Uses such as a neighborhood park or swimming pool would also be allowed, as would a small residential care operation (assisted living, group home, etc.) although most institutional uses allowed in R-12 will require a higher class road frontage.

Adjoining parcel 19352109 was donated to the residential HOA through a rezoning action for the nearby Sycamore Commons shopping center. Additionally, the adjacent property running along Northeast Parkway was also donated to the Town of Matthews as part of the Sycamore Commons rezoning to serve as a buffer between the commercial development and residential community.

Finally, the SWIM buffers that currently run across the site may have an impact on what can be built on it.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Matthews Land Use Plan* calls for protecting established residential neighborhoods. However, there is no specific policy statement or future land use recommendation for this particular location.

PROJECT IMPACT:

No impacts are anticipated associated with this proposed transaction.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known relationships between this proposed transaction and other projects.

ESTIMATED PROJECT COMPLETION DATE:

Charlotte Water will complete demolition of any remaining improvements on the site, then the property will be advertised for sale or upset bid and market interest will dictate the completion of the sale.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their March 1, 2017, meeting, and no comments were offered.

Agencies represented at the March 1, 2017 Joint Use Task Force meeting: Charlotte-Mecklenburg Planning, City Budget, County Park & Recreation, City Real Estate, Charlotte Water, Charlotte DOT, Centralina COG, Charlotte-Mecklenburg Schools, City Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, City Forester, City Neighborhood & Business Services, County Public Health, Charlotte Mecklenburg Police, Charlotte Mecklenburg Housing Partnership.

MATTHEWS PLANNING STAFF REVIEW:

Town of Matthews Planning staff has reviewed the proposed land transaction and below are the key findings:

Conclusions:

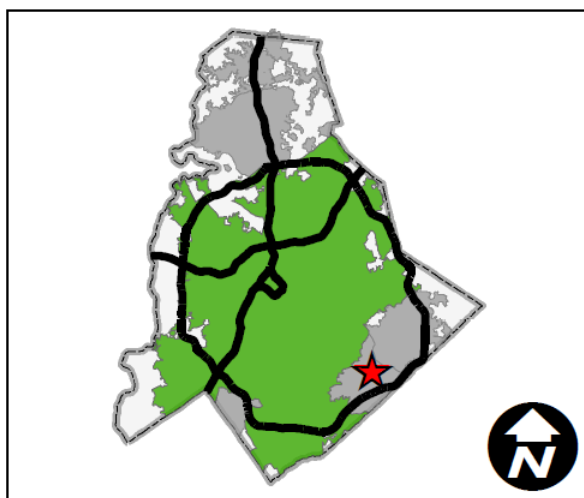
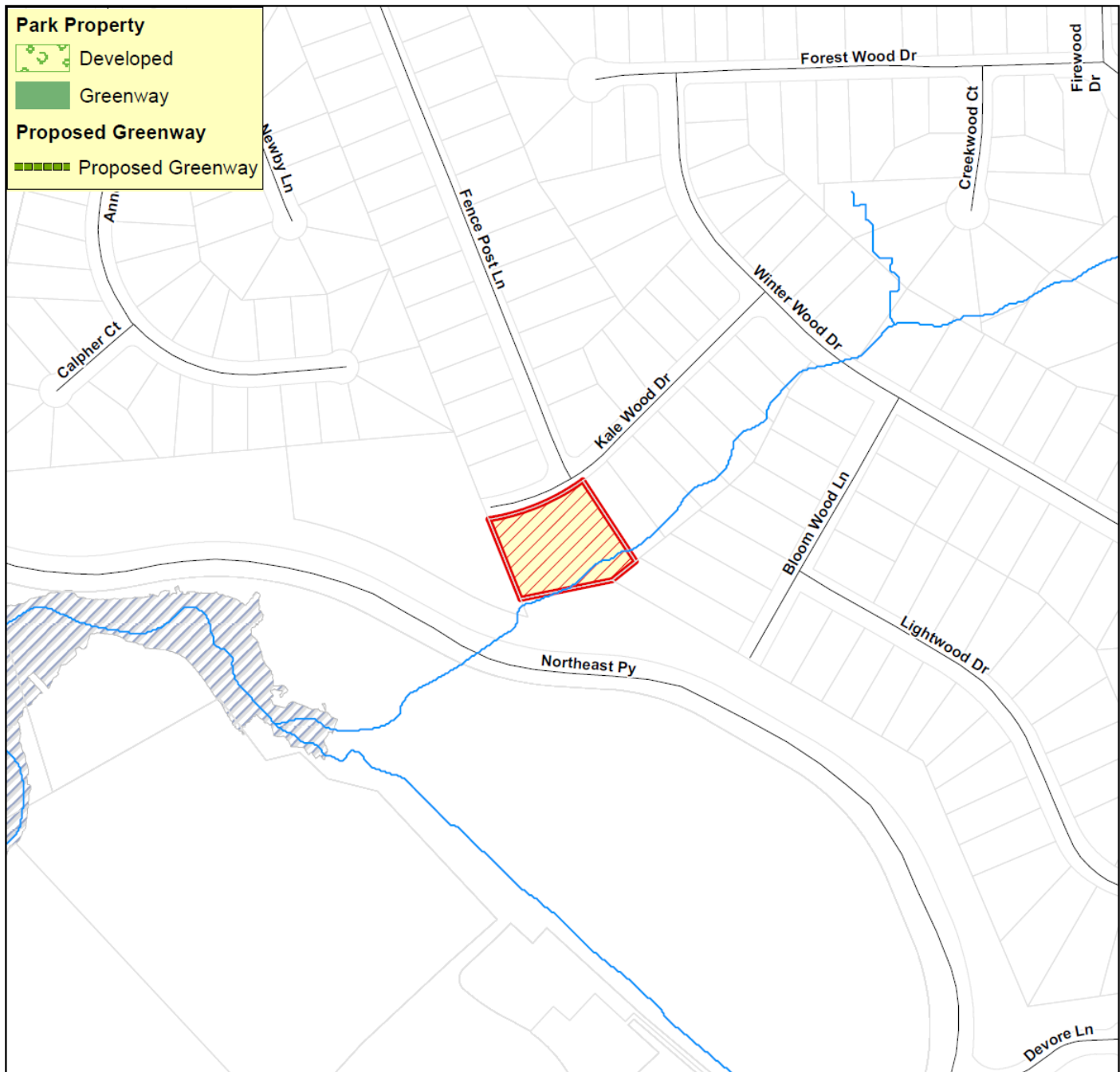
- The platted subdivision of which this property is a part does not offer any restrictions as to the future use of the property.
- Several nearby parcels were donated either to the Town or to the HOA as part of a commercial rezoning, to serve as buffers.
- This is a lovely setting for a potential residential lot, with plenty of large trees in front and back yards, located at the end of a dead end street.
- The City of Charlotte Housing & Neighborhood Services Department has determined it is not suitable for affordable housing.

Adopted Goals and Policies:

- The *Matthews Land Use Plan* calls for protecting established residential neighborhoods, although the Plan does not contain any specific language about land use for this parcel.
- The current zoning and lot would allow for development of a single family detached dwelling, but it could be subdivided to accommodate two or three lots that would still meet the current R-12 dimensional requirements.
- Neighborhood parks or swimming pools would also be allowed under the zoning
- Limited institutional uses (small residential care facility, assisted living facility, group home, etc.) would also be allowed, although a higher class road frontage would be required.

CMPC PLANNING COMMITTEE REVIEW:

At their March 21, 2017, meeting, the Planning Committee



Mandatory Referral 17-10

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management

- Mandatory Referral
- City Property
- FEMA 100 Year Floodplain