

# Planning Committee

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## Agenda Packet

May 16, 2017 |  
Room 280  
5:00 p.m. |



**Charlotte-Mecklenburg Planning Commission**  
**Planning Committee Meeting Agenda**  
**May 16, 2017 – 5:00 p.m.**  
**CMGC – 2<sup>nd</sup> Floor, Room 280**

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**1. Call to Order and Introductions**

**2. Approve April 18, 2017 Minutes. *Attachment 1***

**3. Strategic Priorities Discussion**

- **Pedestrian Overlay District Review** (30 minutes)
- **Unified Development Ordinance & Place Types Update** (30 minutes)
- **Committee Work Plan and Process** (30 minutes)

*Staff Resource:* Ed McKinney, Planning

*Action Requested:* For Committee discussion.

**4. Mandatory Referrals**

*Mandatory referrals that the Committee does not wish to discuss will be considered prior to the “main” agenda item and those that they would like to discuss will be considered afterwards.*

**M.R. #17-13: Proposal by the City of Charlotte to Sell Property Located on Little Rock Road**

City Real Estate proposes to sell .768 acres of city-owned land located on the east side of Little Rock Road between Glenmoor Drive and Flintrock Road (Tax Parcel No. 059-212-21). The city originally purchased the property in 2002 as part of the Freedom Drive Road Widening project.

***Attachment 2***

**M.R. #17-14: Proposal by the City of Charlotte to Acquire County-owned Property Located on North Tryon Street for the New Charlotte-Mecklenburg Police Department - University City Division Station**

The City of Charlotte proposes to acquire 1.8 acres of land located at 8446 North Tryon Street (Tax Parcel 049-336-01A) for construction of the Charlotte-Mecklenburg Police Department - University City Division Station. The land is currently owned by Mecklenburg County. ***Attachment 3***

**M.R. #17-15: Proposal by Mecklenburg County to Acquire Seven Flood-Prone Properties Located Along Briar Creek and Edwards Branch.**

Mecklenburg County’s Storm Water Services Program proposes to acquire seven flood-prone properties located on Commonwealth Avenue and Purser Drive (along Briar Creek and Edwards Branch - see mandatory referral for specific locations and tax parcel numbers) to eliminate potential future losses by removing the improvements. ***Attachment 4***

**M.R. #17-16: Proposal by Mecklenburg County to Acquire Four Flood-Prone Properties Located Along Irwin and Briar Creeks**

Mecklenburg County's Storm Water Services Program proposes to acquire four flood-prone properties located on Merriman Avenue and Placid Place (along Irwin and Briar creeks - see mandatory referral for specific locations and tax parcel numbers) to eliminate potential future losses by removing the improvements. ***Attachment 5***

**M.R. #17-17: Proposal by Mecklenburg County to Acquire Two Flood-Prone Properties Located Along Stewart Creek**

Mecklenburg County's Storm Water Services Program proposes to acquire two flood prone properties - 2922 October Court (Tax Parcel 071-131-27) and 831 Seldon Drive (Tax Parcel 069-052-11) located along Stewart Creek to eliminate potential future losses by removing the improvements. ***Attachment 6***

**M.R. #17-18: Proposal by Charlotte-Mecklenburg Schools to Renew a Lease for Warehouse Space Located on Hovis Road.**

The Charlotte-Mecklenburg Board of Education proposes to extend the lease at 5401 Hovis Road (Tax Parcel 057-011-04) to continue to operate the facility for an additional five years as a warehouse for the storage and distribution of educational materials. ***Attachment 7***

**5. Adjourn**

## **Attendance**

**Commissioners Present:** Vice-Chairperson Elizabeth McMillan, and Commissioners, Ray Eschert, John Ham, Karen Labovitz, Dionne Nelson, Deborah Ryan and Cozzie Watkins (Commissioner Watkins is a member of the Zoning Committee; however, she attended the meeting to ensure there was a quorum)

**Commissioners Absent:** Chairperson Mike Sullivan

**Planning Staff Present:** Garet Johnson, Linda Keich, Catherine Mahoney, Kent Main, Melony McCullough, Ed McKinney, Amanda Vari, Jonathan Wells and Julia Zweifel

**Other Staff Present:** Peggy Hey (Charlotte-Mecklenburg Schools)

## **Call to Order and Introductions**

Planning Committee Vice-Chairperson McMillan called the meeting to order at 5:05 p.m., welcomed those present and asked everyone to introduce themselves.

## **Approve March 21, 2017 Minutes**

*A motion was made by Commissioner Ryan and seconded by Commissioner Nelson to approve the March 21, 2017 minutes. The vote was unanimous to approve the minutes.*

## **Mandatory Referrals**

### **M.R. #17-11: Proposal by the Mecklenburg County ABC Board to acquire land located in the Waverly Development for an ABC Store**

Mecklenburg County ABC Board proposes to purchase approximately 1.3 acres of vacant land located in the Waverly Development in South Charlotte to operate an ABC Store on the site.

### **M.R. #17-12: Proposal by Charlotte-Mecklenburg Schools (CMS) to purchase land located on Sandy Porter Road**

Charlotte-Mecklenburg Board of Education proposes to purchase approximately 19.75 acres of land located on the southwest side of Sandy Porter Road west of S. Tryon Street (Tax Parcels 201-123-03, 04, 05, 06 and 201-124-13) for the construction of an elementary school.

Vice-Chairperson McMillan 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 Ryan to state that the Planning Committee has reviewed M.R. # 17-11 and M.R. # 17-12 and has no additional comments for the submitting agencies. The vote was unanimous to state that the Planning Committee has reviewed the mandatory referrals and has no additional comments for the submitting agencies.*

## **Update on the Unified Development Ordinance and Place Types**

Ed McKinney (Planning) began the discussion on the Unified Development Ordinance (UDO) and place types. He reviewed what staff has heard to date from the Planning Committee, City Council, the Ordinance Advisory Committee (OAC), consultants and the public.

Mr. McKinney said that staff gave an update to the Transportation and Planning (TAP) Committee last Monday. This included an update on where we are in the process and a description of where we are headed.

Staff is continuing to clarify how place type policy and framework verbiage relates to existing policies and regulations. Mr. McKinney said that the OAC stressed the significance of the unified part of the proposed ordinance. They view this as an opportunity to identify and clarify inconsistencies between all of our ordinances, not just the zoning ordinance.

Commissioner Labovitz asked how much of the current *Zoning Ordinance* will remain in place. Mr. McKinney said he cannot give a percentage but certain components of the ordinance will remain. Some components of the ordinances will be reorganized while the *Zoning Ordinance* will be dramatically revamped. Commissioner Labovitz said it would be helpful to have an explanation of what is not working and how it will be fixed.

Commissioner Nelson asked if the Committee will receive an update on the schedule. She also asked if the Committee will receive information on how one place type will translate to the ordinance. Mr. McKinney reviewed the schedule and highlighted that he would like to have a series of workshops with Council in September. This will include a working framework of the place types discussion. He added that the place types discussion is more than the palette; it is making sure we describe how place types works with all of our policies. This will be discussed with the Planning Committee and the OAC over the next couple of months.

A major step in the UDO process is to piece together an outline and draft the terminology that will address some of the Committee's questions. At that point, we will be clearer about what components of each of the ordinances will remain. This outline will help us identify key questions that we want to share with the Committee and City Council. Issues like the Transit-Oriented District (TOD) could be a part of that outline.

Mr. McKinney said this notion of a September milestone would probably allow us to separate the two processes more and allow them to go on their own schedule. They will run parallel and have a lot of iteration between them.

Commissioner Nelson asked if the timeframe for the place types draft document is 2018. Mr. McKinney answered yes the goal is to have a working draft by the end of 2018. It will still have to go through the public review process.

Commissioner Nelson asked if the UDO and place types documents are two different documents. Mr. McKinney answered that they are separate documents that relate to each other. Commissioner Nelson asked if the *Tree Ordinance* will be updated to reference how it works with place types. Mr. McKinney answered yes that is why it is important for us to unify the documents. Commissioner Eschert asked if there will still be flexibility to address requirements or will everything have to meet the same requirements. Mr. McKinney replied that is a critical question that will have to be discussed during this process.

Commissioner Watkins asked how the transition from the old ordinance to the new ordinance will occur. Mr. McKinney said that will be addressed later in the process. He added that there are numerous situations that may require phasing of their implementation or grandfathering of certain uses.

Mr. McKinney discussed an annotated outline that could identify key issues that need to be addressed in zoning districts like TOD or the Pedestrian-Overlay District (PED). The purpose of the outline is to focus on specific issues and make changes based on priorities. This could include identifying districts that are going to be removed, amended or created. Staff could come back to the Committee with a working palette and a working draft UDO outline. Staff could do the same with the OAC but focus on priorities that they have identified.

Commissioner Nelson asked where do we expect to be at the end of 2017. Mr. McKinney replied that staff will draft the policy document by the end of this year and work through review and adoption in 2018. Commissioner Nelson asked what is the difference between the framework and the document. Mr. McKinney answered that the framework identifies the palette and how we will incorporate it into the *Centers, Corridors and Wedges Growth Framework* (CCW) and the *General Development Policies*. It outlines how they relate to each other. Staff would like for Council and the Committee to sign off on the framework prior to the document being drafted.

Commissioner Nelson stated that the process seems long because it will be the end of 2018 before there is a draft document. Commissioner Eschert asked what was the original timeframe for the process. Mr. McKinney said it has been a moving target but was always a multi-year process. Commissioner Eschert asked if that is typical for other municipalities going through a comparable process. Mr. McKinney replied yes.

Commissioner Labovitz asked what the consultants are working on as opposed to staff. Mr. McKinney answered that one of their first deliverables is the UDO annotated outline.

Commissioner Ryan said that she feels like the Committee is beating their heads against the wall. They have asked for one example of a how the UDO will address a place type. She also shared concern about the lack of specificity or milestones in the schedule and not seeing any new place types in months. She said that it seems like we are only going to have the framework outline and not the place types in September. She asked what the holdup is and wondered if it is a City Council or City Manager's office issue. She suggested a tangible goal. For example, we will complete ten place types by the end of the summer or some other goal.

Mr. McKinney said there is nothing stopping the decision making. Staff has been trying to complete the palette and develop responses to a lot of the discussion with the Committee. He said staff's sense was you shared enough and wanted staff to come back with a complete palette. Staff has spent the last two months flushing out what they heard. Mr. McKinney said that he would like to complete what he is sharing this summer with the Committee and OAC's input. Next, he hopes to receive clear direction on how to move forward. He would like to have some consensus on the full palette and some consensus on the full outline of the ordinance.

Mr. McKinney said he understands the desire for clarity and decisions on the place types as quickly as possible. It is not that we are being held back in any way. There is a fair amount of internal effort taking place. This fall we will get into the details of the ordinance and flush out the draft policy.

Commissioner Ryan said that the Committee has expressed a lot of concern about the community engagement plan and still does not have it. She does not know what to do as a commission member because she is not helping.

Mr. McKinney said that staff wants to be clear about place types and CCW. Staff would like to receive input from the Committee and clarify any issues before engaging the community. If this work can be done internally and staff receives clarity by fall, it will give us a clear set of answers and topics as well as add more meaning to the policy framework.

Vice-chairperson McMillan asked if it is possible to do the PED review in two months. Commissioner Nelson said the TOD review was done in three months. She said the Committee began the conversation with staff giving an assessment of what does and does not work. The Committee then added their observations. Mr. McKinney said that PED is very similar to TOD.

Vice-chairperson McMillan asked when the OAC meets and if the Planning Committee can receive an update after their meetings. Mr. McKinney said the OAC meets on the fourth Thursday of each month. He said that staff can update the Committee on the April meeting in May.

Commissioner Ryan said the Committee spent a lot of time on the TOD review and it has not changed anything. She thinks that it was all for nothing. Council took no action. She does not want the Committee to do that for PED if it is just busy work. Vice-chairperson McMillan asked if it will help determine what will or will not be included in the ordinance.

Mr. McKinney said that he understands the Committee's frustration and he is trying to articulate this milestone in the outline to show where that level of detail and that level of direction lives. In the discussion with Council this fall, staff will share the issues you have raised as a Commission. This will set the stage for what the priorities are for the Commission and what the priorities are for Council.

Commissioner Nelson said the struggle is getting Council to buy into the Commission's work plan. She does not think it has been clarified with Council. She thinks the Committee needs to ask what is our work plan from now until the end of the fiscal year and find a way to communicate it to Council.

Commissioner Watkins said that she does not know if Council thinks the UDO is a priority. They are not thinking of the policy links (CCW, place types) and the technical language of the zoning ordinance. It becomes the Commission's job to make it a priority to them.



Mr. McKinney said that he wants to make sure we are not fixing something that was not going to be a part of the longer term structure (ordinance). He understands that for the Committee it is taking a long time. From staff's perspective, this is the most effective way to have that conversation with Council. We need to shape the overall structure in the long term and then have the discussion about what the focus and priorities are in the short term.

Commissioner Nelson asked what it means when you say short term focus and priorities. Mr. McKinney said that we could say we need a quick fix on TOD. We give Council political priority to consider that when discussing the ordinance and moving it to a faster timeframe. That will be the discussion in September.

Commissioner Nelson said that she does not suggest just doing the analysis. Staff will use that analysis how they see fit. She suggested committing to do the analysis and coming up with a clear recommendation based on the analysis that is communicated to Council. The Committee needs to be more formal and clear about what needs to happen. Commissioner Nelson said the Committee may have a different opinion on the path forward. Staff may have an opinion on context. The Committee needs to have an independent voice about what they recommend.

Commissioner Ryan said the route should be through the TAP Committee. Commissioner Labovitz said it would be helpful if the Committee could view the presentation before it goes to Council. Also, the chairperson should be present when staff presents to answer questions from the Planning Committee's perspective. Mr. McKinney said that he will use the discussion from this meeting to shape the presentation for the September TAP meeting.

*A motion was made by Commissioner Nelson and seconded by Commissioner Ryan for the Planning Committee to move forward with the topics that Mr. McKinney proposed for the May, June and July Committee meetings as the Committee's agenda items. The Committee will specifically agree on a recommendation on those topics prior to the September meeting. This will not be a list of issues but it will be recommendations around those issues. (Commissioner Ryan made a friendly amendment to include that the Committee will look at this in relation to the Livable City Policy Statement and TOD in order to have action items associated with it.) Commissioner Ryan seconded the motion. The vote was approved by a vote of 5 to 0 (Commissioners Eschert and Labovitz were not in the room for the vote).*

Meeting adjourned at 6:40 p.m.



**MANDATORY REFERRAL-REPORT NO. 17-13**  
**Proposed Sale of City-owned Property on Little Rock Road**

**PROJECT PROPOSAL AND LOCATION:**

The City of Charlotte purchased the lot that included a house in 2002 as part of the Freedom Drive Road Widening project, (tax parcel identification number 059-212-21). The house was removed and now the City is preparing to sell the R-3 (single family residential) zoned land consisting of .768 acres. The property is located on the east side of Little Rock Road, between Glenmoor Drive and Flintrock Road in the City of Charlotte.

**PROJECT JUSTIFICATION:**

The City-owned parcel is surplus to the City's operational needs and as such is prepared to be made available for marketing to the public.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

The sales 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:**

Adopted future land use is Single Family <= 4 DUA as per both the *Westside Strategic Plan* (2000) and the *Northwest District Plan* (1990).

**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:**

The sale or disposition is anticipated to occur later this calendar year (2017).

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their May 3, 2017 meeting and the following comments were made: A question was asked as to this site's suitability for affordable housing and Housing & Neighborhood Services staff agreed to conduct a review.

Agencies represented at the May 3, 2017 Joint Use Task Force meeting: Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, Charlotte Water, County Asset Management, Charlotte-Mecklenburg Planning, Charlotte DOT, Charlotte-Mecklenburg Schools, Charlotte Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, Engineering/City Forestry, Housing & Neighborhood Services, Charlotte-Mecklenburg Police, Charlotte Area Transit System, Envision Charlotte.

**PLANNING STAFF REVIEW:**

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

**Conclusions:**

- There is opportunity for Charlotte Housing & Neighborhood Services Department and Engineering & Property Management to assess this site for potential affordable housing suitability.
- There is also an opportunity as the adjacent landowner to the south has expressed interest in purchasing the site for expanded yard area.

**Adopted Goals and Policies:**

- Both the *Westside Strategic Plan* (2000) and the *Northwest District Plan* (1990) recommend a land use of single family with a density of four units per acre.
- The *Northwest District Plan* notes that medium density residential may be appropriate in some locations; however these locations are not specified.

**CMPC PLANNING COMMITTEE REVIEW:**



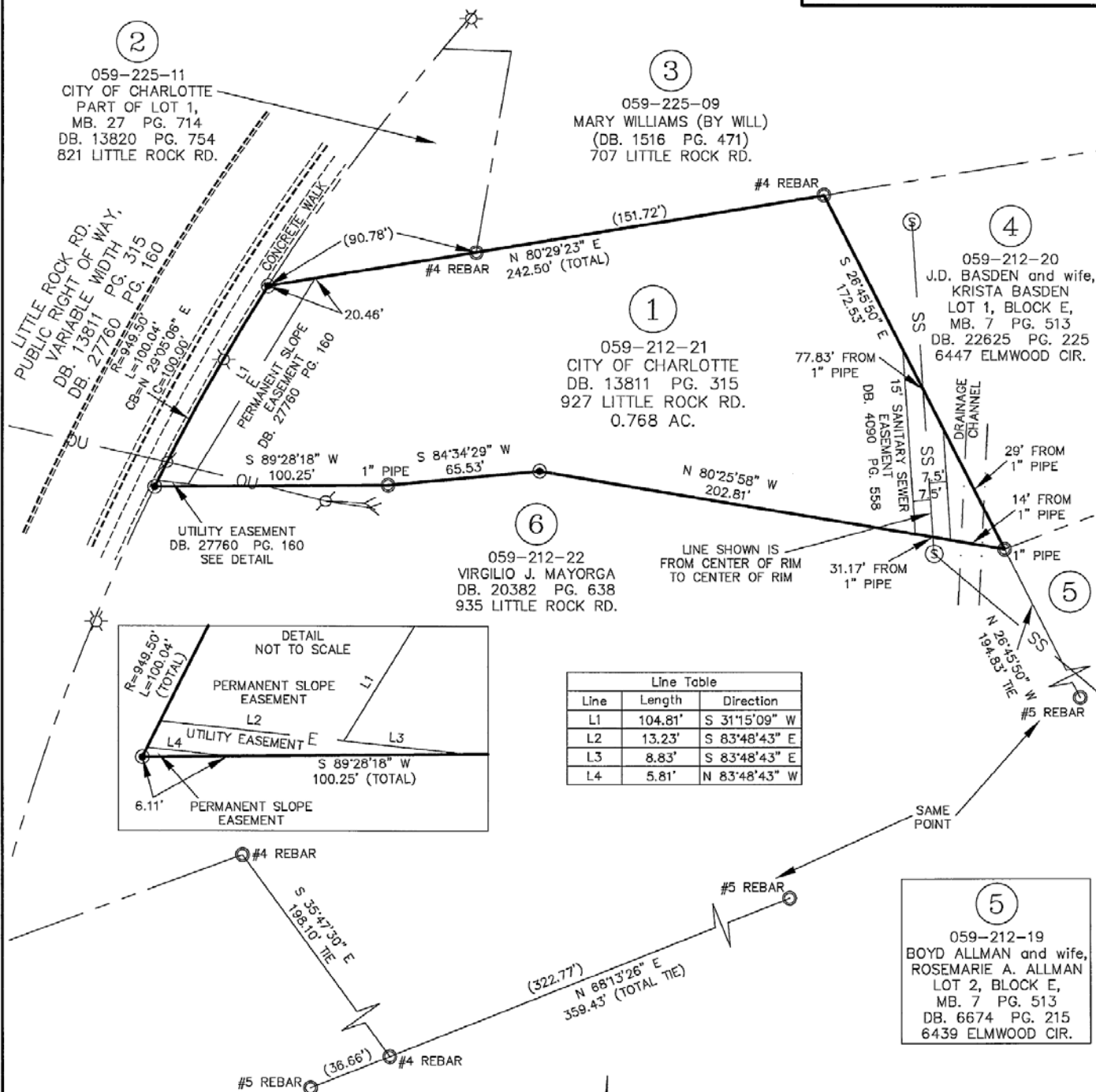
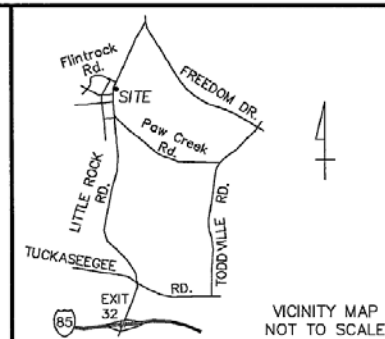
I, David L. Haywood, Jr., certify that this plat was drawn under my supervision from an actual survey performed under my supervision (Deed recorded in deed book 13811 page 315); that the boundaries not surveyed are clearly indicated as drawn from information found in deeds as shown; that the ratio of precision as calculated is 1:55,000; and that this map meets the requirements of the standards of practice for Land Surveying in North Carolina (21 NCAC 56.1600).

Witness my original signature and seal this the 15th day of February, 2017.

# PRELIMINARY PLAT NOT FOR RECORDATION, CONVEYANCES OR SALES

David L. Haywood, Jr., PLS

L-4822



## NOTES:

1. TRAVERSE ADJUSTED BY THE LEAST SQUARES ADJUSTMENT METHOD.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. AREAS DETERMINED BY COORDINATE COMPUTATIONS.
4. NO UNDERGROUND UTILITIES WERE LOCATED WITH THIS SURVEY.
5. AREA IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; AREAS OUTSIDE FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM F.I.R.M. MAP NUMBER 3710452500K; MAP REVISED SEPTEMBER 2, 2015.

## LEGEND

- EXISTING IRON PIN (AS DESCRIBED)
- SET IRON PIN (#5 REBAR WITH CAP)
- SANITARY SEWER MANHOLE
- UTILITY POLE
- LIGHT POLE
- GUY WIRE
- BOUNDARY AS SURVEYED
- TIE LINE
- BOUNDARY BY DEED OR MAP
- OVERHEAD UTILITY LINE



**MANDATORY REFERRAL REPORT NO. 17-14**  
**Proposed Acquisition of County-owned Property on North Tryon Street for**  
**New Charlotte Mecklenburg Police Department University City Division Station**

**PROJECT PROPOSAL AND LOCATION:**

The City of Charlotte proposes to use a Mecklenburg County-owned parcel for the construction of the Charlotte-Mecklenburg Police Department (CMPD) University City Division station. The parcel, located at 8446 N. Tryon Street (parcel identification number 049-336-01A), is 1.828 acres and is zoned O-2 (office) according to the Charlotte Zoning Ordinance.

**PROJECT JUSTIFICATION:**

Mecklenburg County acquired the parcel in 1929 and had a long-term lease with the Department of Motor Vehicles that expired in 2008. The County has determined that it has no immediate need for the property in the delivery of its current line of service.

City Real Estate regularly assists CMPD in the search for property to house Division stations. This parcel is located within the University City Division boundaries along the visible thoroughfare of N Tryon Street. The University City Division is currently housed in a leased facility located at 8401 University Executive Park Drive.

Departmental polling for the parcel was discussed at the April 5, 2017 Joint Use Task Force meeting. No comments were offered.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

In February 2010, CMPD adopted the Facilities Strategic Plan, which outlines division facility goals through 2025. In this plan, CMPD prioritized the transition from renting leased spaces to occupying City-owned facilities. This recommendation supports CMPD's objectives to be highly visible and accessible within the community, reduce operating costs, and accommodate future personnel growth. The Facilities Strategic Plan was updated in 2016 to address the progress made since 2010 and to prioritize construction moving forward. The 2016 Update lists construction of the University City Division station as a top five priority.

The University City Division received CIP funding in July 2016 to acquire land to construct a future division station. The Division is anticipated to receive FY 2019 CIP funding to design and construct a station.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *University City Area Plan* (2015) recommends a mix of residential, office, retail, and civic/institutional uses.

**PROJECT IMPACT:**

The proximity of the site to the McCullough BLE (Blue Line Extension) Station is ideal to help CMPD achieve the visibility and accessibility objectives outlined in the Facilities Strategic Plan.

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

This parcel is adjacent to Charlotte Fire Department Station 27 on Ken Hoffman Drive. The proximity of the parcels provides potential opportunities for the Fire Department and CMPD to collaborate to create an efficient site design.

**ESTIMATED PROJECT COMPLETION DATE:**

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

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force reviewed this matter at their May 3, 2017 meeting and there were no comments.

Agencies represented at the May 3, 2017 meeting: Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, Charlotte Water, County Asset Management, Charlotte-Mecklenburg Planning, Charlotte DOT, Charlotte-Mecklenburg Schools, Charlotte Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, Engineering/City Forestry, Housing & Neighborhood Services, Charlotte-Mecklenburg Police, Charlotte Area Transit System, Envision Charlotte.

**PLANNING STAFF REVIEW:**

Planning staff has reviewed the proposal to acquire the site and below are the key findings:

**Conclusions:**

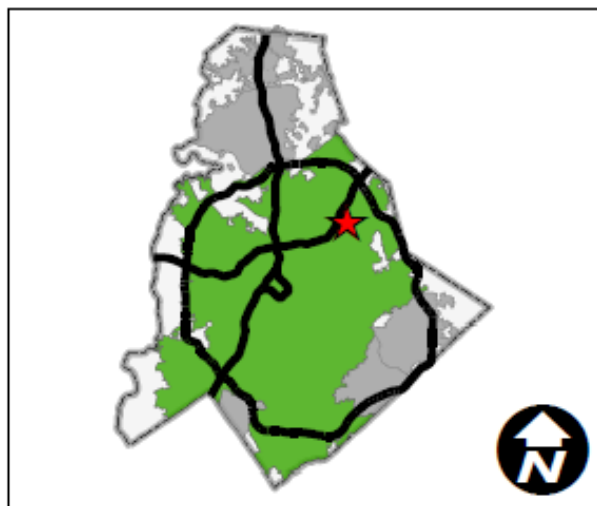
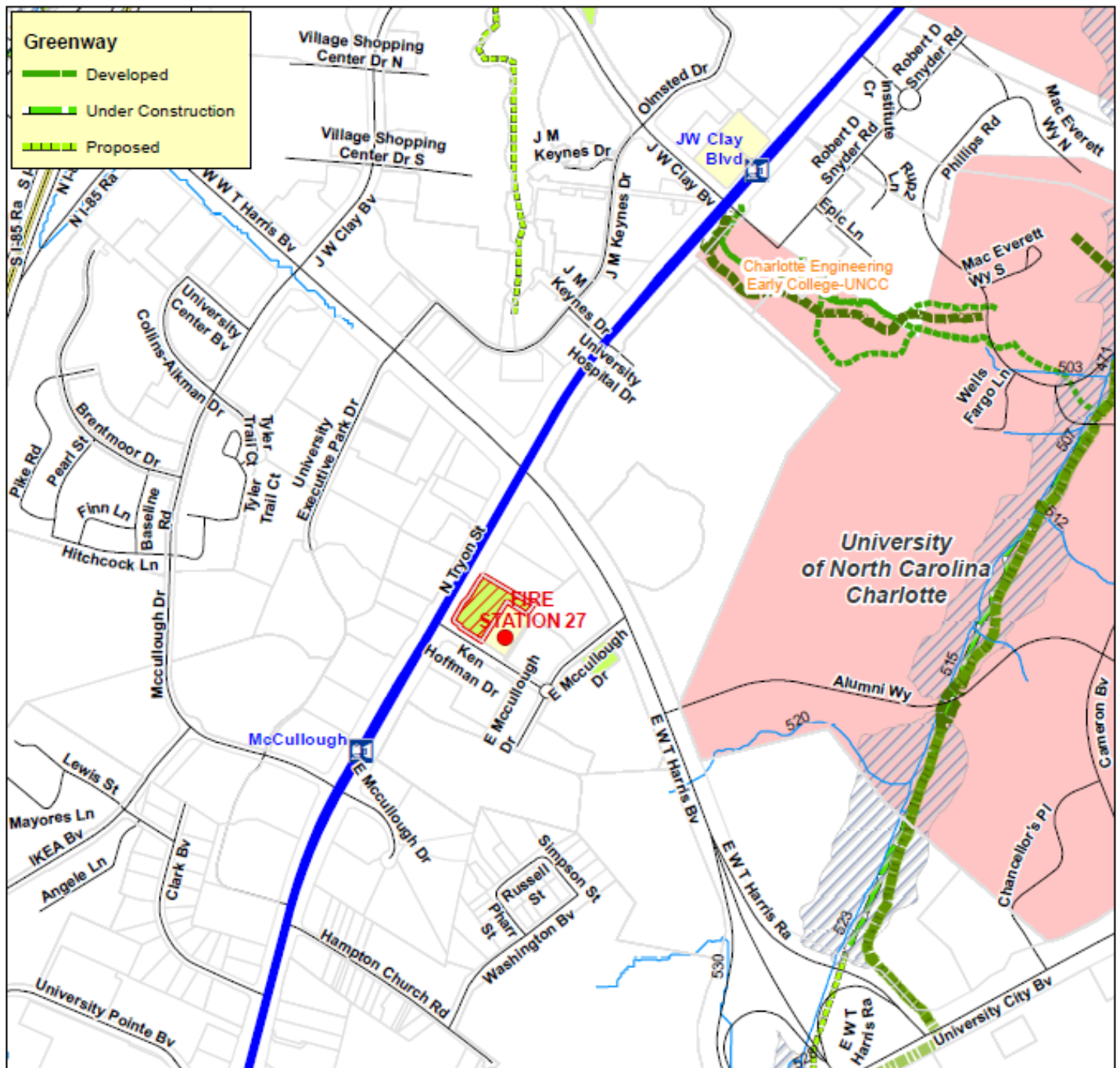
- The site is within the McCullough Transit Station Area, but outside of the core of the transit station area and therefore suitable for less intense development than those sites closer to the transit station.
- The site is located at a signalized intersection, providing better access for emergency vehicles as non-signalized crossings along the Blue Line Extension on N. Tryon Street are ultimately likely to be closed.
- The site is adjacent to Fire Station 27 and there may be potential to integrate these institutional sites in the future for shared space.
- The site is currently zoned O-2, which allows Government Buildings up to 300,000 square feet. CMPD will evaluate whether rezoning is needed for their purposes.

**Adopted Goals and Policies:**

- The University City Area Plan (2015) recommends a mix of residential, office, retail, and civic/institutional uses.
- The Plan also recommends design criteria for areas outside of the core of the transit station area:
  - Buildings should be multi-storied and be placed at or near the back of the sidewalk.
  - Surface parking should be located to the rear or side of buildings, and not between the building and the street.
  - Not more than 35% of a site's street frontage should be devoted to surface parking or driveway access.
  - Uses should activate the street with appropriate building orientation, accessible entrances, and space for outdoor seating and display near the sidewalk.
  - Structured parking is strongly encouraged to reduce the need for surface parking.
  - Development should create a cohesive corridor along N. Tryon Street.
  - Buildings should be designed to avoid the appearance of having a long, continuous building wall and to break up visual mass and bulk.
  - Both residential and non-residential buildings should be designed to activate the public realm.

**CMPC PLANNING COMMITTEE REVIEW:**





## Mandatory Referral 17-14

Initiated by: CMPD

Submitted by: Engineering & Property Management

- Mandatory Referral
- FEMA 100 Year Floodplain
- County Property
- City Property
- Colleges
- Blue Line Extension

Produced by the Charlotte-Mecklenburg Planning Department





**MANDATORY REFERRAL-REPORT NO. 17-15**  
**Proposed Acquisition by Mecklenburg County of Seven Flood Prone Structures in Charlotte**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County's Storm Water Services Program proposes to acquire seven flood prone properties listed below. These properties are subject to periodic and severe flooding as they are located within the 100-year floodplain of Briar Creek or Edwards Branch of Briar Creek. Use of County Storm Water Services capital funds is proposed for acquisition of these properties. Parcel owner participation is voluntary, no condemnation is proposed.

All properties are located within the City of Charlotte. The indicated zoning is according to the Charlotte Zoning Ordinance.

Tax Parcel #	Property Address	Current Land Use	Zoning	Area Plan	Land Use Recommendation
129-034-10	2636 Commonwealth Ave.	Single Family Residential	R-5	Central District Plan (1993)	Greenway
129-101-54	3302 Commonwealth Ave.	Commercial	B-1	Independence Boulevard Area Plan (2011)	TOD - Residential
129-101-53	3346 Commonwealth Ave.	Commercial	B-1	Independence Boulevard Area Plan (2011)	TOD - Residential
129-101-52	3348 Commonwealth Ave.	Commercial	B-1	Independence Boulevard Area Plan (2011)	TOD - Residential
129-101-51	3356 Commonwealth Ave.	Commercial	B-1	Independence Boulevard Area Plan (2011)	TOD - Residential
129-101-46	3412 Commonwealth Ave.	Single Family Residential	R-4	Independence Boulevard Area Plan (2011)	Residential, up to 4 units per acre
099-061-09	2225 Purser Drive	Single Family Residential	R-4	East District Plan (1990)	Greenway

The residential properties on Commonwealth consist of one vacant unit and one owner-occupied unit; the remaining Commonwealth commercial properties consist of a total of nine commercial units containing two owner-occupied businesses, five tenants, and two vacant. The Purser Drive property is tenant-occupied.

**PROJECT JUSTIFICATION:**

The proposed acquisitions are located within a FEMA-designated floodplain and are at continued risk of life and property damage and/or loss from future floods. The proposed acquisitions are intended to eliminate potential future losses by removing the improvements.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

General acquisition of floodplain parcels is consistent with the *Mecklenburg County Floodplain Management Guidance Document* (adopted by County Commission on December 3, 1997) which aimed to 1) prevent and reduce the loss of life, property damage, and service disruptions and 2) restore natural and beneficial functions of the floodplain. The selection of these specific parcels for acquisition is supported by the *Flood Risk Assessment and Risk Reduction Plan* (approved by County Commission May 2012) and by the FY17 Flood Risk Assessment and Risk Reduction Plan Implementation Guide (approved by Storm Water Advisory Committee September 2016).

Additionally, the *Mecklenburg County Park & Recreation Master Plan* identifies future greenway alignments that cross nearly all of these properties, so that public ownership will facilitate future greenway development at these locations.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The properties are located within the Area Plan boundaries as indicated in the table above.

**PROJECT IMPACT:**

Acquisition of these parcels will contribute to a reduction in property damage and potential loss of life for the affected communities as well as adding to the water quality/open space needs of the community.

**Participation in the proposed acquisitions is voluntary on the part of the property owners; therefore no owner will be required to participate.**

Acquisition of the three residential parcels above could result in displacement of two residential tenants, presuming the dwelling units are still occupied at the time of acquisition. To partially compensate for the cost and inconvenience of such displacement, reasonable moving expenses will be paid to impacted tenants. Acquisition of these flood-prone units under the Flood Mitigation Program is not considered significant in terms of negatively impacting the supply of suitable and available housing units in the community. From experience County staff has become aware that the proposed acquisition sites are subject to flooding and are undertaking this action with the goal of making the community a safer place for all residents.

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

Many of these properties are on creeks and tributaries that are on Park and Recreation's Greenway Master Plan. While other projects are not currently identified, acquired parcels can be available for future public/private projects with the understanding that new structures (buildings) will not be allowed..

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

Mecklenburg County anticipates acquiring these properties by late summer 2017.

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

The Joint Use Task Force discussed this matter at their May 3, 2017 meeting and H&NS staff stated that it isn't suitable to either build or maintain affordable housing in a floodplain. CATS staff reported exploring the opportunity of developing a Woodland/Coliseum Drive connector which would run through the general area in which some of these lots are located. No other joint use comments were offered.

Agencies represented at the May 3, 2017 meeting: Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, Charlotte Water, County Asset Management, Charlotte-Mecklenburg Planning, Charlotte DOT, Charlotte-Mecklenburg Schools, Charlotte Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, Engineering/City Forestry, Housing & Neighborhood Services, Charlotte-Mecklenburg Police, Charlotte Area Transit System, Envision Charlotte.

#### **PLANNING STAFF REVIEW:**

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

#### **Conclusions:**

- **Participation in the proposed acquisitions is voluntary on the part of the property owners; therefore no owner will be required to participate.**
- All properties are currently located within the FEMA floodplain and would be acquired to meet the intent of the *Mecklenburg County Floodplain Management Guidance Document* (1997) by preventing and reducing loss of life, property damage, and service disruptions and to restore natural and beneficial functions of the floodplain.
- Although not currently proposed to be used for open space, this use would be appropriate in any location given the relationship to surrounding uses and the opinion of staff that open space is considered an appropriate secondary use to the surrounding established residential and non-residential uses.
- Although many sites along Commonwealth Avenue are recommended for Transit Oriented Development – Residential, the Metropolitan Transit Commission approved an alternative alignment for the Silver Line since the adoption of the *Independence Boulevard Area Plan* in 2011. The station in this vicinity is proposed to accommodate a light rail facility and is recommended to be located on the Bojangles' Coliseum and Ovens Auditorium site, rather than bus rapid transit in the median of Independence Boulevard. These sites will be less accessible to the future transit station area and are therefore appropriate for less intense uses.

#### **Adopted Goals and Policies:**

- *Mecklenburg County Greenway Master Plan* identifies future greenway alignments for the Brier Creek Greenway and Edwards Branch Greenway.
- The *Central District Plan* (1993) recommends a greenway for PID 129-03-410.
- The *Independence Boulevard Area Plan* (2011) recommends Transit Oriented Development – Residential for PID 129-101-54, 129-101-53, 129-101-52 and single family residential uses up to 4 dwelling units per acre for PID 129-101-46.
- The *East District Plan* (1990) recommends a greenway for PID 099-061-09.

#### **CMPC PLANNING COMMITTEE REVIEW:**









**MANDATORY REFERRAL-REPORT NO. 17-16**  
**Proposed Acquisition by Mecklenburg County of Flood Prone Structures in Charlotte**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County's Storm Water Services Program proposes to acquire the four flood prone properties listed below. These properties are subject to periodic and severe flooding given their location within the 100-year floodplain of Irwin Creek and Briar Creek. Use of County Storm Water Services capital funds is proposed for acquisition of these properties. Parcel owner participation is voluntary, no condemnation is proposed.

All properties are located within the City of Charlotte. The indicated zoning is according to the Charlotte Zoning Ordinance.

Tax Parcel #	Property Address	Current Land Use	Zoning	Area Plan	Land Use Recommendation
119-042-03	1924 Merriman Ave.	Multi-Family Residential	R-8	Central District Plan (1993)	Low-density residential
119-042-02	1932 Merriman Ave.	Multi-Family Residential	R-8	Central District Plan (1993)	Low-density residential
181-011-07	100 Placid Place	Single Family Residential	R-3	Central District Plan (1993)	Low-density residential
181-011-06	110 Placid Place	Single Family Residential	R-3	Central District Plan (1993)	Low-density residential

Both of the Merriman Avenue properties are duplexes and tenant-occupied. The Placid Place properties are single-family homes and occupied either by owners or owner's relatives.

**PROJECT JUSTIFICATION:**

The proposed acquisitions are located within a FEMA-designated floodplain and are at continued risk of life and property damage and/or loss from future floods. The proposed acquisitions are intended to eliminate potential future losses by removing the improvements.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

General acquisition of floodplain parcels is consistent with the *Mecklenburg County Floodplain Management Guidance Document* (adopted by County Commission on December 3, 1997) which aimed to 1) prevent and reduce the loss of life, property damage, and service disruptions and 2) restore natural and beneficial functions of the floodplain. The selection of these specific parcels for acquisition is supported by the *Flood Risk Assessment and Risk Reduction Plan* (approved by County Commission May 2012) and by the FY17 Flood Risk Assessment and Risk Reduction Plan Implementation Guide (approved by Storm Water Advisory Committee September 2016).

Additionally, the *Mecklenburg County Park & Recreation Master Plan* identifies future greenway alignments that cross the Placid Place properties, so that public ownership will facilitate future greenway development at this location.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The properties are located within the Central District Plan boundaries as indicated in the table above. The *Central District Plan* (1993) identifies low-density residential uses as appropriate land uses for the properties in question. The plan also encourages the expansion of the county's greenway network where possible. The proposed use is considered to be consistent with the adopted land use plan.

**PROJECT IMPACT:**

Acquisition of these parcels will contribute to a reduction in property damage and potential loss of life for the affected communities as well as adding to the water quality/open space needs of the community.

**Participation in the proposed acquisitions is voluntary on the part of the property owners; therefore no owner will be required to participate.**

Acquisition of the parcels above could result in displacement of up to five residential tenants, presuming the dwelling units are still occupied at the time of acquisition. To partially compensate for the cost and inconvenience of such displacement, reasonable moving expenses will be paid to impacted tenants. Acquisition of these flood-prone units under the Flood Mitigation Program is not considered significant in terms of negatively impacting the supply of suitable and available

housing units in the community. From experience County staff has become aware that the proposed acquisition sites are subject to flooding and are undertaking this action with the goal of making the community a safer place for all residents.

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

Many of these properties are on creeks and tributaries that are on Park and Recreation's Greenway Master Plan. While other projects are not currently identified, acquired parcels can be available for future public/private projects with the understanding that new structures (buildings) will not be allowed.

**ESTIMATED PROJECT COMPLETION DATE:**

Mecklenburg County anticipates acquiring these properties by late summer 2017.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their May 3, 2017 meeting and Housing & Neighborhood Services staff stated the properties are not suitable for the maintenance or construction of affordable housing due to being located in a floodplain.

Agencies represented at the May 3, 2017 meeting: Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, Charlotte Water, County Asset Management, Charlotte-Mecklenburg Planning, Charlotte DOT, Charlotte-Mecklenburg Schools, Charlotte Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, Engineering/City Forestry, Housing & Neighborhood Services, Charlotte-Mecklenburg Police, Charlotte Area Transit System, Envision Charlotte.

**PLANNING STAFF REVIEW:**

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

**Conclusions:**

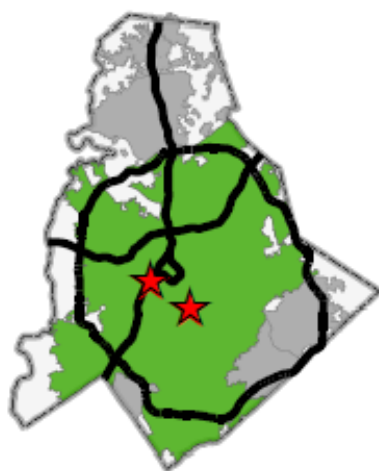
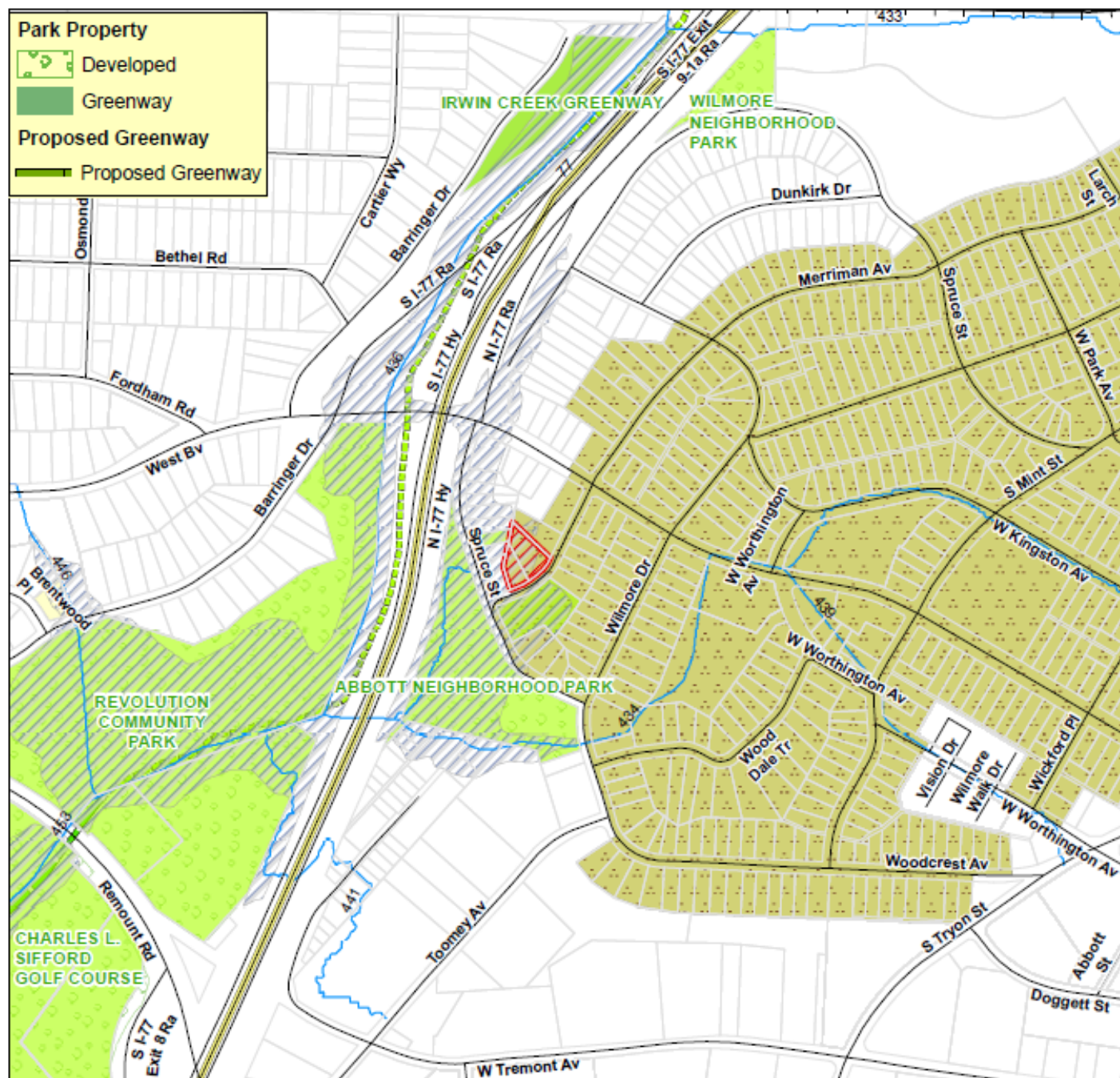
- **Participation in the proposed acquisitions is voluntary on the part of the property owners; therefore no owner will be required to participate.**
- The parcels fall within the FEMA-designated floodplain and are at continued risk of life and property damage and/or loss from future floods.
- Charlotte Housing & Neighborhood Services has reviewed these parcels for potential affordable housing sites and determined they were not suitable due to being located in a floodplain.

**Adopted Goals and Policies:**

- The *Central District Plan* (1993) recommends low-density residential uses for the properties in question.
- The Briar Creek Greenway and Irwin Creek Greenway are adopted greenway corridors on the *Mecklenburg County Greenway Master Plan* (2008)

**CMPC PLANNING COMMITTEE REVIEW:**





## Mandatory Referral 17-16A

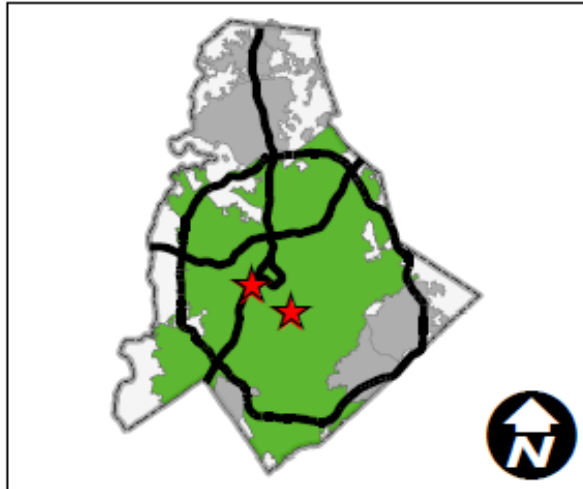
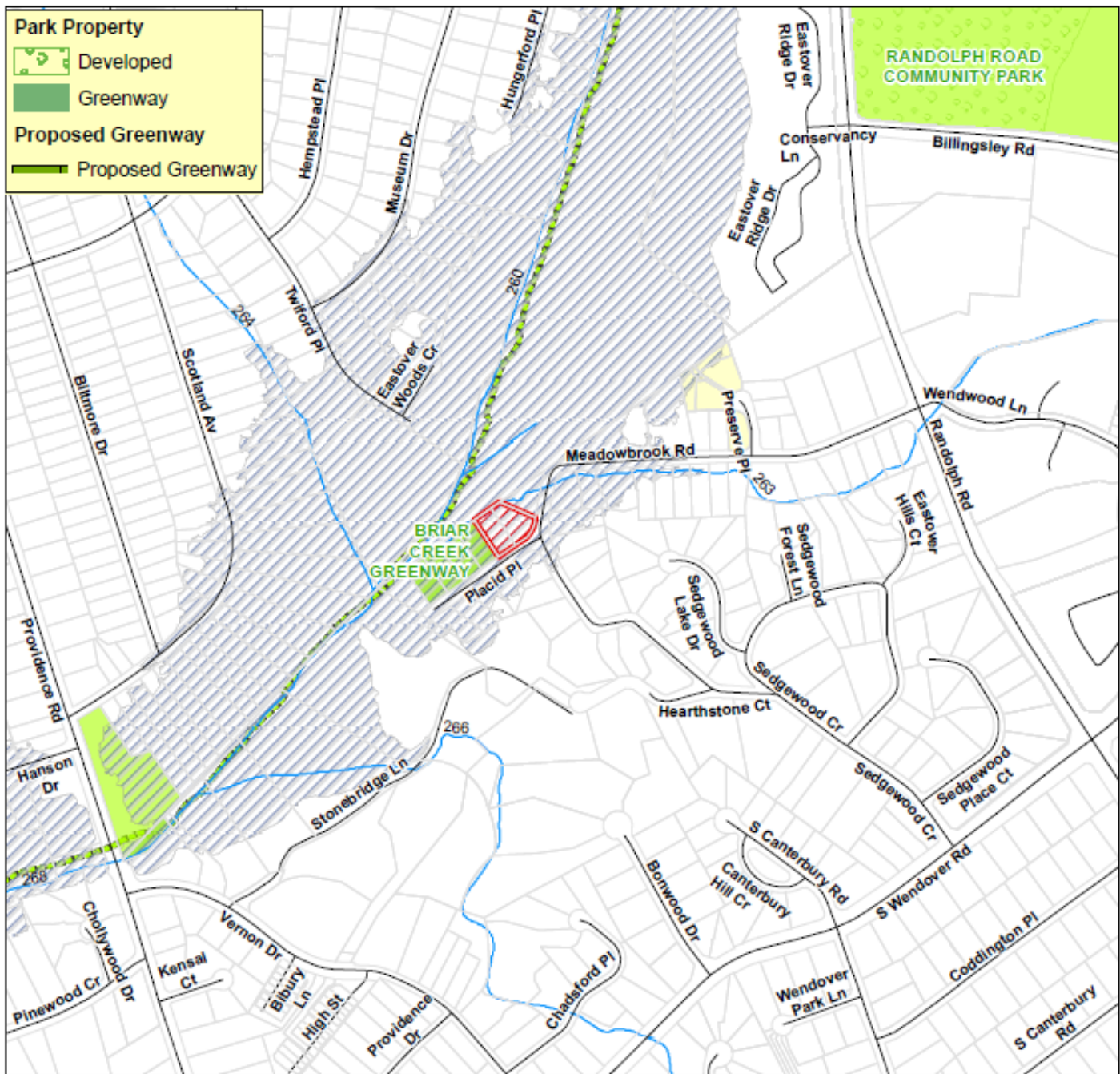
Initiated by: County Storm Water Services

Submitted by: Asset & Facility Management

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




Produced by the Charlotte-Mecklenburg Planning Department





## Mandatory Referral 17-16B


Initiated by: County Storm Water Services

Submitted by: Asset & Facility Management

 Mandatory Referral

 FEMA 100 Year Floodplain

 County Property

 City Property





**MANDATORY REFERRAL-REPORT NO. 17-17**  
**Proposed Acquisition by Mecklenburg County of Flood Prone Structures in Charlotte**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County's Storm Water Services Program proposes to acquire two flood prone properties as listed below. These properties are subject to periodic and severe flooding as they are located within the 100-year floodplain of Stewart Creek. Use of County Storm Water Services capital funds is proposed for acquisition of these properties. Parcel owner participation is voluntary, no condemnation is proposed.

Both properties are located within the City of Charlotte. The indicated zoning is according to the Charlotte Zoning Ordinance.

Tax Parcel #	Property Address	Current Land Use	Zoning	Area Plan	Plan Land Use Recommendation
071-131-27	2922 October Ct.	Single Family Residential	R-5	Central District Plan	Greenway
069-052-11	831 Seldon Drive	Single Family Residential	R-5	Central District Plan	Greenway

Both of these single family properties are occupied by tenants.

**PROJECT JUSTIFICATION:**

The proposed acquisitions are located within a FEMA-designated floodplain and are at continued risk of life and property damage and/or loss from future floods. The proposed acquisitions are intended to eliminate potential future losses by removing the improvements.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

General acquisition of floodplain parcels is consistent with the *Mecklenburg County Floodplain Management Guidance Document* (adopted by County Commission on December 3, 1997) which aimed to 1) prevent and reduce the loss of life, property damage, and service disruptions and 2) restore natural and beneficial functions of the floodplain. The selection of these specific parcels for acquisition is supported by the *Flood Risk Assessment and Risk Reduction Plan* (approved by County Commission May 2012) and by the FY17 Flood Risk Assessment and Risk Reduction Plan Implementation Guide (approved by Storm Water Advisory Committee September 2016).

Additionally, the *Mecklenburg County Park & Recreation Master Plan* identifies a future greenway alignment that crosses the October Court property, so that public ownership will facilitate future greenway development at these locations.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The properties are located within the *Central District Area Plan* (1993) boundaries as indicated in the table above. Both properties are designated as a future greenway alignment.

**PROJECT IMPACT:**

Acquisition of these parcels will contribute to a reduction in property damage and potential loss of life for the affected communities as well as adding to the water quality/open space needs of the community.

**Participation in the proposed acquisitions is voluntary on the part of the property owners; therefore no owner will be required to participate.**

Acquisition of both residential parcels above could result in displacement of two residential tenants, presuming the dwelling units are still occupied at the time of acquisition. To partially compensate for the cost and inconvenience of such displacement, reasonable moving expenses will be paid to impacted tenants. Acquisition of these flood-prone units under the Flood Mitigation Program is not considered significant in terms of negatively impacting the supply of suitable and available housing units in the community. From experience County staff has become aware that the proposed acquisition sites are subject to flooding and are undertaking this action with the goal of making the community a safer place for all residents.

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

Many of these properties are on creeks and tributaries that are on Park and Recreation's Greenway Master Plan. While other projects are not currently identified, acquired parcels can be available for future public/private projects with the understanding that new structures (buildings) will not be allowed..

**ESTIMATED PROJECT COMPLETION DATE:**

Mecklenburg County anticipates acquiring these properties by late summer 2017.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force discussed this matter at their May 3, 2017 meeting and County Stormwater staff noted that tenants of dwellings located within the project limits are typically given 90 days in which to relocate.

Agencies represented at the May 3, 2017 Joint Use Task Force meeting: Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, Charlotte Water, County Asset Management, Charlotte-Mecklenburg Planning, Charlotte DOT, Charlotte-Mecklenburg Schools, Charlotte Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, Engineering/City Forestry, Housing & Neighborhood Services, Charlotte-Mecklenburg Police, Charlotte Area Transit System, Envision Charlotte.

**PLANNING STAFF REVIEW:**

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

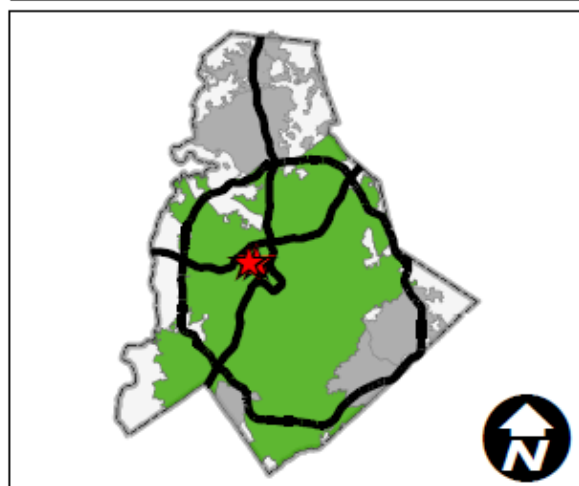
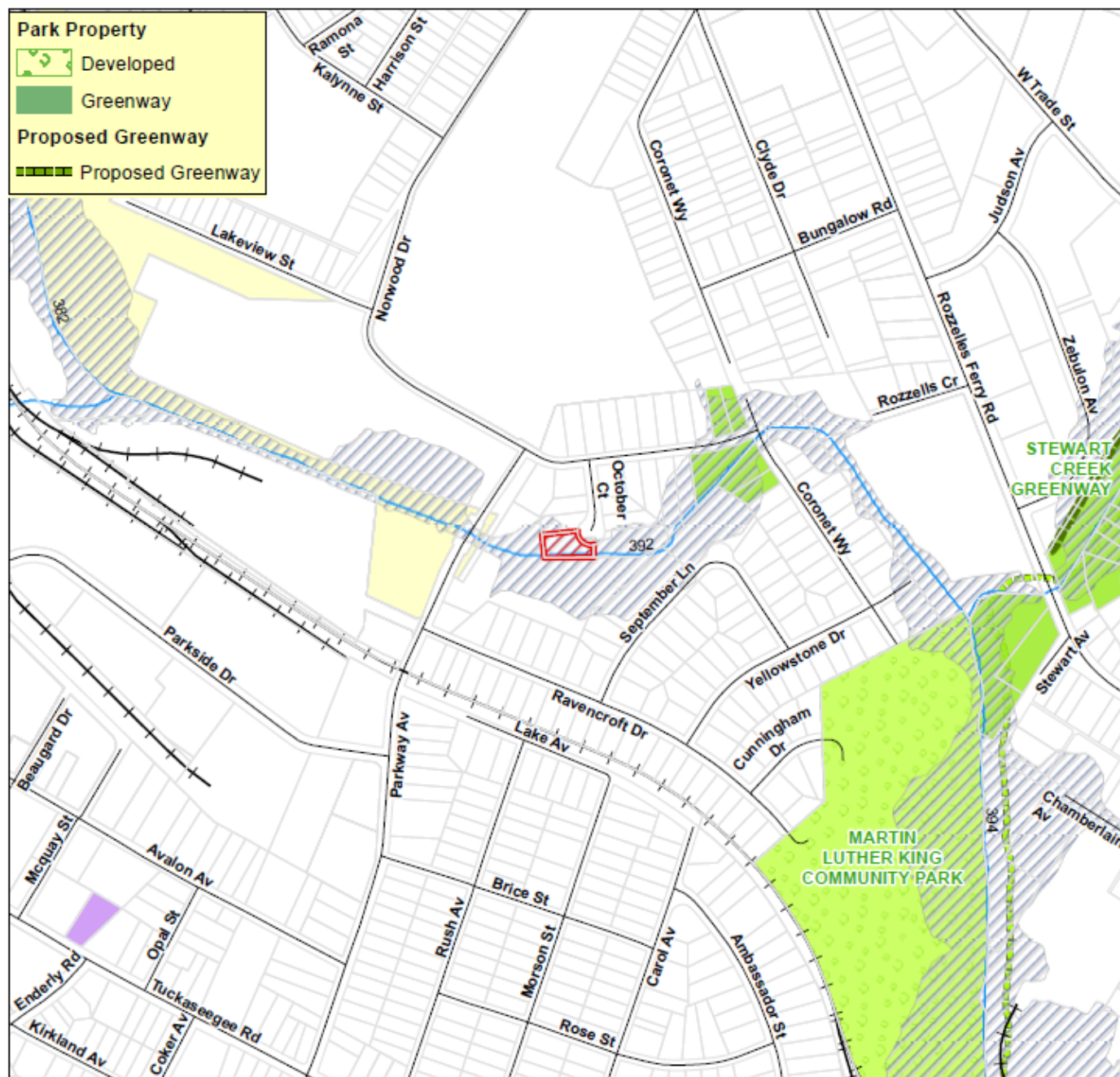
**Conclusions:**

- **Participation in the proposed acquisitions is voluntary on the part of the property owners; therefore no owner will be required to participate.**
- The parcels fall within the FEMA-designated floodplain and are at continued risk of life and property damage and/or loss from future floods.
- These parcels would not be suitable for potential affordable housing sites due to being located in a floodplain.

**Adopted Goals and Policies:**

- The adopted land use plans for these parcels indicates both should be designated for future greenway acquisition and alignment.

**CMPC PLANNING COMMITTEE REVIEW:**



## Mandatory Referral 17-17A

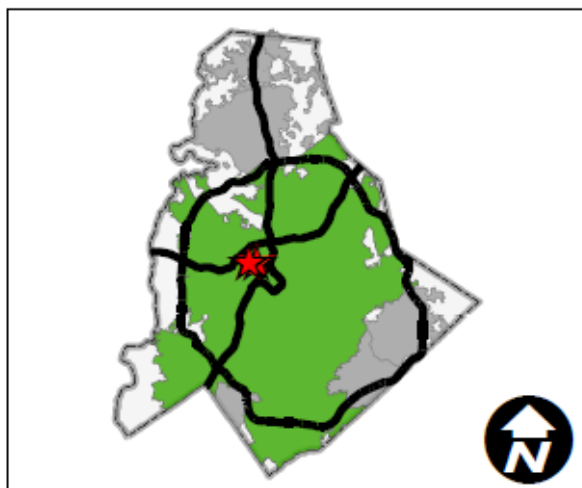
Initiated by: County Storm Water Services  
Submitted by: Asset & Facility Management

- Mandatory Referral
- FEMA 100 Year Floodplain
- County Property
- City Property
- Local Historic Landmark



Produced by the Charlotte-Mecklenburg Planning Department





## Mandatory Referral 17-17B

Initiated by: County Storm Water Services

Submitted by: Asset & Facility Management

- Mandatory Referral
- FEMA 100 Year Floodplain
- County Property
- Local Historic Landmark

Produced by the Charlotte-Mecklenburg Planning Department



**MANDATORY REFERRAL REPORT NO. 17-18**  
**Proposed CMS Lease Renewal at 5401 Hovis Road**

**PROJECT PROPOSAL AND LOCATION:**

The Charlotte-Mecklenburg Board of Education proposes to extend the lease at 5401 Hovis Road (PID #057-011-04) to continue to operate this facility for an additional five years as a warehouse for storage and distribution of educational materials. The property is located near Northern Drive and Hovis Road in an area bounded by residential and general industrial uses to the North and West, and light and general industrial uses to the East and South. The property is zoned I-2 (Industrial) according to the Charlotte Zoning Ordinance. No change in the land use of the property will occur as the result of this lease extension.

**PROJECT JUSTIFICATION:**

Charlotte-Mecklenburg Schools has used the property since August 15, 2012 to operate a warehouse for storage and distribution of materials. The lease is due to expire on July 31, 2017. The warehouse space is a need for Charlotte-Mecklenburg Schools and the lease extension was approved by the Board of Education on January 24, 2017.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

No public policies apply to this proposed transaction.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The State General Statutes allow for local Boards of Education to enter into operational leases of real or personal property for the purposes of operating the school districts they oversee. The *Northwest District Plan* (1990) recommends industrial land uses on the subject property, which is consistent with the proposed use.

**PROJECT IMPACT:**

Charlotte-Mecklenburg Schools will continue to lease warehouse space from a third party and renewing this lease will eliminate moving expenses.

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

There are no relationships to any other projects.

**ESTIMATED PROJECT COMPLETION DATE:**

Anticipated lease renewal would coincide with the July 31, 2017 expiration of the existing lease.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

The Joint Use Task Force reviewed this matter at their May 3, 2017 meeting and no comments were offered.

Agencies represented at the May 3, 2017 Joint Use Task Force meeting: Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, Charlotte Water, County Asset Management, Charlotte-Mecklenburg Planning, Charlotte DOT, Charlotte-Mecklenburg Schools, Charlotte Engineering & Property Management, City Stormwater, County Manager's office, Town of Matthews, Engineering/City Forestry, Housing & Neighborhood Services, Charlotte-Mecklenburg Police, Charlotte Area Transit System, Envision Charlotte.

**PLANNING STAFF REVIEW:**

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

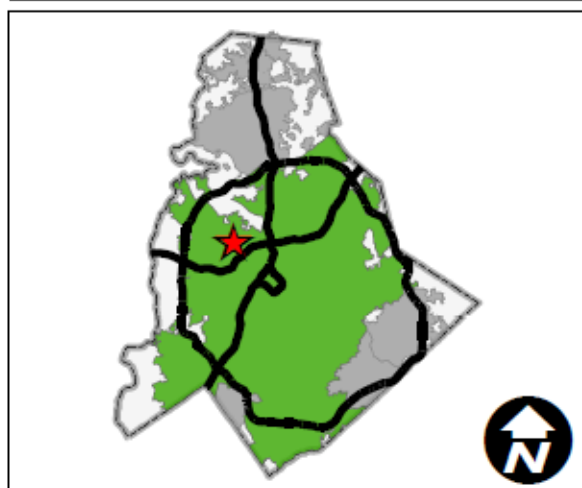
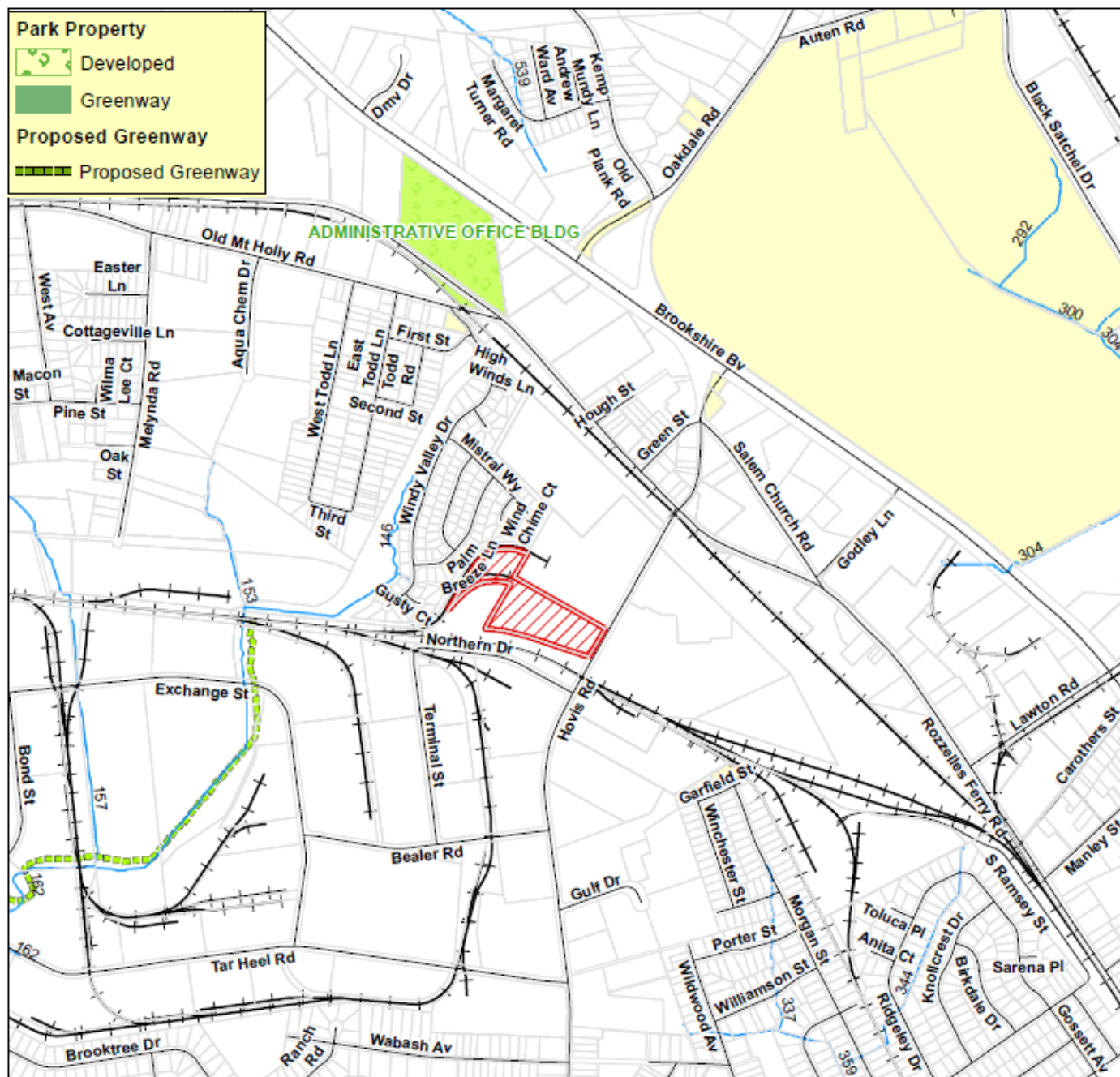
**Conclusions:**

- Extending the lease allowing the Charlotte-Mecklenburg Board of Education to continue to operate this facility for an additional five years will have no land use impacts as it is continuing an established use and will eliminate potential moving expenses.

**Adopted Goals and Policies:**

- This proposal is consistent with the adopted future land use of industrial.

**CMPC PLANNING COMMITTEE REVIEW:**



## Mandatory Referral 17-18

Initiated & Submitted by:  
CMS Facilities Planning & Management

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



Produced by the Charlotte-Mecklenburg Planning Department