

Planning Committee

Agenda Packet

June 20, 2017 |
Room 280
5:00 p.m. |

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Agenda

June 20, 2017 – 5:00 p.m.

CMGC – 2nd Floor, Room 280

1. Call to Order and Introductions
2. Approve May 16, 2017 Minutes. *Attachment 1*
3. Strategic Priorities Discussion
 - Unified Development Ordinance & Place Types Update
 - Process Procedure

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. #17-19: Proposal by Mecklenburg County ABC Board to Sell Property Located on Wilkinson Boulevard

Mecklenburg County ABC Board proposes to sell 0.86 acres of vacant land located at 2915 Wilkinson Boulevard (Tax Parcel 117-011-22). This is residual property from the recent construction of an ABC retail store on the western portion of the parcel. *Attachment 2*

M.R. #17-20: Proposal by the City of Charlotte to Sell Portions of 27 City-Owned Lots Located in Genesis Park Neighborhood to North Carolina Department of Transportation (NCDOT) for the Interstate 77 Express Lanes Project

City Real Estate proposes to sell 27 vacant parcels of land totaling 3.6 acres located along Genesis Park Place, adjacent to and immediately east of Interstate 77 (see mandatory referral for addresses and tax parcel numbers). NCDOT has identified portions of the subject parcels that are needed for the I-77 Express Lanes Project. *Attachment 3*

M.R. #17-21: Proposal by Mecklenburg County ABC Board to Acquire Properties Located on Statesville Road (U.S. Hwy. 21) in Huntersville to Construct an ABC Store

Mecklenburg County ABC Board proposes to purchase 1 acre of vacant land located on Statesville Road (U.S. Hwy 21) (Tax Parcel 017-153-03) in Huntersville to construct and operate an ABC Store. *Attachment 4*

M.R. #17-22: Proposal by the City of Charlotte to Sell Two City-Owned Properties located off Williams Road in the Town of Matthews

City Real Estate proposes to sell or dispose of two parcels located at 2823 & 3025 Windsor Chase Drive (Tax Parcels 193-461-99 & 22), which is off Williams Road, in Matthews. These are former well sites that were acquired through a private water system purchase. ***Attachment 5***

M.R. #17-23: Proposal by the City of Charlotte to Sell Three City-Owned Properties located in the Town of Mint Hill

City Real Estate proposes to sell or dispose of three parcels located at 8310 Quarters Lane, 8212 White Ash Court, and 8398 Silver Maple Lane (Tax Parcels 197-163-23, 197-172-51 & 52; respectively), which is in the Ashe Plantation neighborhood, in Mint Hill. These parcels are former well sites that were acquired through a private water system purchase. ***Attachment 6***

5. Adjourn

Attendance

Planning Committee Members Present: Chairperson Michael Sullivan, Vice-Chairperson Elizabeth McMillan and Commissioners Ray Eschert, John Ham, Karen Labovitz, Dionne Nelson and Deborah Ryan

Other Commissioners Present: Planning Commission Chairperson Tony Lathrop and Commissioners John Fryday and Bolyn McClung

Planning Staff Present: Scott Adams, Kathy Cornett, Laura Harmon, Garet Johnson, Linda Keich, Melony McCullough, Ed McKinney, Amanda Vari and Jonathan Wells

Other Staff Present: Assistant City Manager Debra Campbell (City Manager's Office) and Peggy Hey (Charlotte-Mecklenburg Schools)

Call to Order and Introductions

Chairperson Sullivan called the meeting to order at 5:09 p.m., welcomed those present and asked everyone to introduce themselves.

Approve April 18, 2017 Minutes

A motion was made by Commissioner Labovitz and seconded by Commissioner Eschert to approve the April 18, 2017 minutes. The vote was unanimous to approve the minutes.

Chairperson Sullivan stated that agenda items will be moved around to accommodate Assistant City Manager Debra Campbell who will attend the meeting. He stated that Ms. Campbell attended the Executive Committee meeting and there was an open discussion about process, how to move items forward from this Committee as well as how to communicate with staff and other entities.

Mandatory Referrals

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.

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.

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.

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.

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.

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.

Chairperson Sullivan asked if the Committee would like to discuss any of the mandatory referrals. M.R. 17-14 - Commissioner Eschert asked if there is currently an office building being leased at this location. Ms. Amanda Vari (Planning) answered yes.

None of the mandatory referrals were pulled for discussion.

A motion was made by Commissioner Ryan and seconded by Commissioner Labovitz to state that the Planning Committee has reviewed M.R. # 17-13, M.R. # 17-14, M.R. # 17-15, M.R. # 17-16, M.R. # 17-17 and M.R. # 17-18 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 (Interim Planning Director) reviewed a handout explaining the overall Unified Development Ordinance (UDO) process and work plan leading up to the Transportation and Planning Committee (TAP) workshop. It includes the mission and direction for the Advisory Committee over the next couple of months and provides an update on the work to date. It will bring closure to a couple of topics in a comprehensive update for Council's input or direction and will include the Pedestrian Overlay District (PED) discussion. This information will be shared at a workshop with TAP in September. This workshop will be used as the vehicle to communicate to Council the work that staff and the Commission have done.

Commissioner Nelson asked if a date has been set for the September workshop. Mr. McKinney replied no. Commissioner Nelson asked if the consultant has translated the place type palette into the zoning code. Mr. McKinney explained that it will tie in with the structure of the UDO and identify gaps. Staff would like to establish a working outline on what we believe the language of place types is, tie it to the structure of the UDO and identify gaps to determine where we need to investigate and update our current zoning districts or create new ones. Staff would like to put the UDO and the place types' structure in front of Council and then decide the next steps.

Commissioner Ryan asked how the current ordinance discussion is different than the discussion that took place prior to Clarion's work. Mr. McKinney said that Clarion's work described the basic challenges and disconnects between our area plans and our current zoning ordinance. It did not give detailed examples of where there are disconnects. For example, how the tree ordinance is applied to a zoning district.

Commissioner Eschert asked if Charlotte-Mecklenburg Schools (CMS) has been involved in this process. Mr. McKinney said CMS and the County have been involved. Commissioner Eschert asked if Mr. McKinney anticipates any speed bumps with the upcoming election of new Council members. Mr. McKinney said that the Council workshop this fall will be the first of a series of workshops that will be held throughout the life of this project. Staff regularly updates the TAP Committee and as Council changes, new members will receive updates.

Chairperson Sullivan explained that the Executive Committee met with Debra Campbell (City Manager's Office) last week. He said Ms. Campbell shared a document; *Making Charlotte The Winning City*. This document will help the Commission understand what Council envisions and what is important to them. It includes some of the guidelines that Council uses for discussion of their objectives and it will serve as a reference when the Commission looks at PED. He stated that PED will be discussed at a future meeting.

Chairperson Sullivan said that the Committee's work plan process was discussed a few weeks ago in the full Commission meeting. The discussion focused on how to move items forward. After discussing this item with Ms. Campbell and staff, the Executive Committee wanted to take a closer look at the process to move items forward. Mr. McKinney said that he would like to talk about how the Commission communicates with Council and share a few examples of how the communication process can be clarified.

He reviewed the formal processes that include rezonings, mandatory referrals and area plans. He shared other examples where the Commission included their comments on associated policies like Charlotte WALKS and Charlotte BIKES plans.

Mr. McKinney mentioned two areas that have been gray over the past year. One is formal information sharing with Council and the other is an avenue for two way dialogue. An example of a formal information sharing tool is the annual report. An example moving forward could be sharing information with the full Council at the Zoning dinner meeting.

Another category is a two way conversation with Council members by inviting them to the Commission's retreat. Council members have also been invited to attend some of the work sessions. The workshops this fall will also provide opportunity for dialogue, specifically around the UDO.

Staff's intent is to work with the City Manager's office to identify when to share the Commission's work with Council. Another avenue is committee meetings, specifically regularly updating the TAP Committee on the work the Planning Department and Commission are doing. Mr. McKinney said this list is a starting point for this afternoon's conversation.

Ms. Campbell thanked the Commission for inviting her to the Executive Committee meeting and the Committee for inviting her to this meeting. She and Mr. McKinney discussed the problem that we are trying to solve. She thinks it is around how this body communicates both formally and informally with elected officials. She stated that for some processes there is a real structured way that the Commission makes a recommendation to Council. Ms. Campbell reaffirmed what Mr. McKinney explained about the formal and informal ways of communicating with Council. She further discussed how formal processes such as policy documents go to Council.

She thinks the biggest challenge is informal communication which includes the Committee's desire to have a conversation with Council and to take items to Council on an interim basis. She said that Mr. McKinney has identified some opportunities where this can occur and she is at the meeting to answer any additional questions about process.

Commissioner Nelson suggested that Commissioner Fryday, who is a member of the Zoning Committee, join the Planning Committee at the table.

Chairperson Sullivan said he would like to suspend the rules to have Commissioner Fryday sit at the table. Commissioner Nelson made a motion to suspend the rules and have Commissioner Fryday join the discussion. It was seconded by Commissioner Labovitz. The vote was unanimous to suspend the rules and have Commissioner Fryday sit at the table.

Commissioner Nelson thinks the problem that the Committee is trying to solve is part communication and part impact. She questioned what happens to their insights once a scope of work is completed. She said it is not about having an ongoing conversation with Council. It has been normal for the Planning Commission to largely work with staff on insights and feedback. She said on certain scopes of work, like Transit Oriented Development (TOD), there has been some fundamental disagreement between the Planning Committee and staff on how to address some concerns. She thinks there needs to be an alternative way of making the Committee's concerns or recommendations known without them being filtered by staff.

Ms. Campbell responded that is why we may have recommendations from both the Committee and staff to give Council both perspectives. She explained that past Commission chairpersons would attend meetings with her to present an opinion from the Planning Commission.

Chairperson Sullivan asked what was the setting for that discussion. Ms. Campbell explained that it was generally during an area planning process. During the adoption process, someone from the Planning Committee would speak and represent the work of the Commission at the Council meeting.

Ms. Campbell stated that previously there have been concerns about the role of the Planning Commission as an advisory group to elected officials and what that means. She thinks that it is something that can be discussed. It is something the City Manager's office is interested in as the Commission takes on the most important work of place types and the UDO. She explained that the

Commission is the body that makes a recommendation to adopt policy. This is a dual role. The Commission helps to develop policy and serves as an advocate for action on the plan or text amendment.

Ms. Campbell acknowledged the Committee's frustration with the amount of time it is taking to accomplish some of the work. She noted that the Committee has a unique opportunity at the workshop this fall to present a compelling story on why this work is so important (in partnership with staff, even if you disagree).

Commissioner Fryday stated that the area planning and rezoning processes are clear. However, the Commission has no input on text amendments until decision time. He pointed out that the area planning process does not include a mechanism for commissioners to go to Council. He added that the mandatory referral process is very clear and that the Committee changed that process. He thinks there needs to be a policy process.

Ms. Campbell said that Commissioner Fryday is accurate in his depiction and there may not be a definitive process that mirrors some of the processes he described but she clarified that area plans are land use policy. The conversation around Livable Cities was generally a policy report. She questioned the context for the work and how to make the policy meaningful. She said the process should be similar to how other policy documents are developed. The process should include public input, TAP review, and full Council recommendation. Commissioner Fryday emphasized that if there was a formal process, the Commission would know what happens next. He stated that having a formal process would help. Garet Johnson (Planning) clarified the difference when staff develops policy versus the Commission developing policy.

Commissioner Ryan stated that the issue is when the Commission develops policy how does it move forward, particularly if staff does not view it as a priority. She said staff works for City Council, not the Commission. Ms. Campbell said staff will work with the Commission if there is an initiative they wish to undertake. Commissioner Ryan said the problem arises when there is a disagreement. She further stated that is why the Committee has been unsuccessful moving forward with the Livability Principles and TOD. Ms. Campbell asked if the issue was whether to do it. Commissioner Ryan replied that Mr. McKinney did not want things to move forward because he was concerned about disrupting the UDO process. The Committee disagreed with that and would still like to move forward.

Chairperson Sullivan asked if staff disagreed with the Committee's objectives or with the process. Commissioner Nelson said she thinks it is both. She said the Committee thought that the TOD issues were urgent and needed to be addressed via a text amendment. Staff thought that pursuing a TOD text amendment would distract from the UDO process. The Committee developed a list of issues with the intent of saying to Council that the Committee thinks these are the critical concerns and creating an opportunity for Council to decide if they wanted to roll the TOD issues into the UDO, pursue a text amendment or some other alternative. The Committee was so lost in the "no" process it was difficult to figure out how to have the conversation with someone who has the authority to make a clear decision. We certainly did not have the authority to make a clear decision or to give staff a clear directive.

Commissioner McMillan shared her frustration with the timeframe for the UDO process.

Commissioner Fryday gave an example of a commissioner who thinks that I-2 zoning is being lost in areas where it is needed. The commissioner has raised the issue several times. He asked where would the Commission go with a recommendation to carve out areas to preserve for I-2. He thinks there should be some process that allows the Planning Commission chairperson to attend a Council dinner meeting twice a year to share information.

Ms. Campbell stated that there is not a process in place but that the Commission could work through the City Manager's office. The City Manager's office is responsible for managing boards that report to Council. She explained that City Council is aligned with 40 or 50 boards and commissions. There is a desire for them to share some of their concerns with Council. It is the responsibility of the Manager's office to manage all those boards and commissions. She said the purpose of this meeting is to help with problem solving.

Commissioner Nelson said that the problem we are trying to solve is communication related to concerns and issues the Commission thinks are important. She asked how do we get better alignment between the Commission's priorities and staff's priorities. Ms. Campbell thinks the greatest opportunity afforded to this Commission and this community is the work on place types. Staff and the Commission needs to prioritize where they spend their time.

Planning Commission Chairperson Lathrop suggested developing ways to address situations like TOD. Ms. Campbell said that the TAP workshop in September is important because Council asked for it. She would like for the full Council to understand what the Planning staff and the Commission is undertaking regarding UDO and Place Types. Council wants to weigh in on whether you are headed in the right direction. There is a lot of work that has to be done educating Council.

Commissioner Ryan asked what process *The Winning City* document went through to become policy. Ms. Campbell explained that Council received information from a consultant and decided to use it to frame policy discussions and resource allocations. Commissioner Ryan said that the Committee would like to present ideas to Council in an organized way to begin a dialogue; it could be structured or not. They could let Council know their thoughts and go back later for action.

Ms. Campbell asked that the Planning Commission allow her to work with Mr. McKinney and the City's leadership on their desires. Chairperson Sullivan suggested that the Planning Committee formulate items for Ms. Campbell to present to Leadership. Chairperson Sullivan said that he thinks structure is extremely important and he would like to have a formal process in place to move items forward.

Meeting adjourned at 6:40 p.m.

MANDATORY REFERRAL-REPORT NO. 17-19
Proposed Sale of Mecklenburg ABC Property on Wilkinson Blvd. in Charlotte

PROJECT PROPOSAL AND LOCATION:

Proposed by the Mecklenburg ABC is the sale of approximately 0.863 acres of land in the City of Charlotte identified as "Lot 2" on the subdivision plat filed at Book 61, Page 61, a copy of which is attached as Exhibit A. The land currently is vacant and is the eastern portion of parcel 11701122, also known as 2915 Wilkinson Blvd, located on the south side of Wilkinson just east of Ashley Road. The land is residual from the recent construction of an ABC retail store on the western portion of the parcel. The property is zoned I-2 (Industrial) according to the Charlotte Zoning Ordinance; neighboring parcels also are zoned I-2 and are developed in industrial use.

PROJECT JUSTIFICATION:

In the exercise of the ABC Board's business judgment, sale of this excess property is appropriate. The proposed sale falls within the ABC Board's statutory authority.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The proposed sale falls within the ABC Board's statutory authority and is appropriate for property that is excess to the ABC Board's efforts to fulfill its mission.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The properties fall within the boundary of *the Westside Strategy Plan* (2000) and the *Central District Plan* (1993). The *Central District Plan* identifies this parcel for an office/industrial land use. The *Westside Strategy Plan* does not make any revisions to the previously identified future land use recommendation, but does list as goals for this area the following: (1) Market available industrial land; and (2) Improve the quality of industrial development.

PROJECT IMPACT:

The ABC Board has not identified a potential buyer and thus cannot evaluate the precise impact the sale of this property would have on traffic or other public infrastructure. A subdivision plat has been recorded, delineating the boundaries of the property that will be sold, as well as other infrastructure improvements surrounding the property.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The ABC Board is not aware of any relationship between this proposed sale and other public or private projects, aside from the ABC Board's construction of a store on "Lot 1" to the west of the subject property and as depicted on the subdivision plat. The filed subdivision plat identifies both the boundaries of the parcel the ABC Board proposes to sell, and also the internal street network and other infrastructure improvements contemplated for the site.

ESTIMATED PROJECT COMPLETION DATE:

The ABC Board hopes to identify a purchaser and to close within the next twelve (12) months. The sale and the list price have been approved by the Board, and are based on its work with professionals retained to advise it on such matters.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their June 7, 2017 meeting and no comments were offered.

Agencies in attendance were Charlotte Housing & Neighborhood Services, Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, City Engineering & Property Management, County Manager's office, Town of Matthews, Central Piedmont Community College, County Asset Management, County Finance, City Forester, County Public Health, Charlotte-Mecklenburg Police, and Mecklenburg ABC Board.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed sale of this property and below are the key findings:

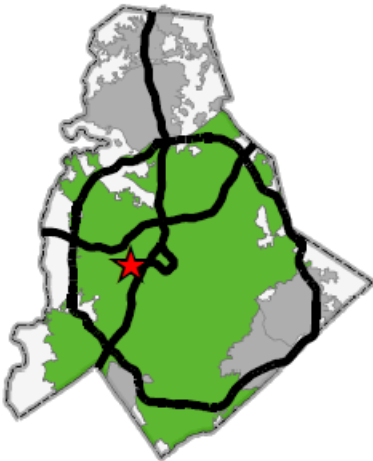
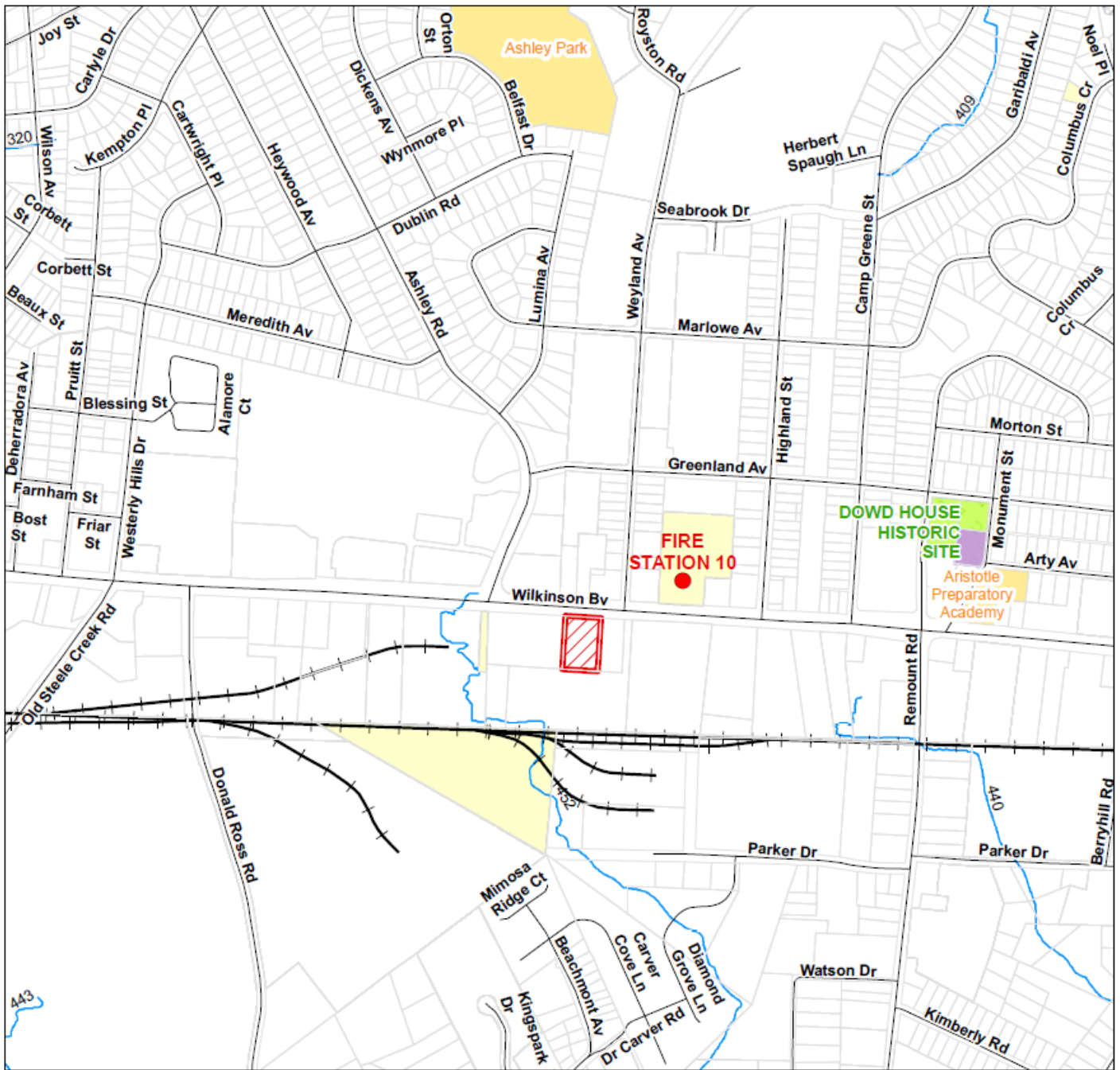
Conclusions:

- The land is residual from the recent construction of an ABC retail store on the western portion of the parcel and is in excess of the ABC Board's needs and therefore, sale of the property is appropriate.
- The current I-2 zoning and adopted future land use makes this site inappropriate for residential development.

Adopted Goals and Policies:

- The adopted area plan recommends this parcel for an office/industrial land use.
- The parcel is currently zoned I-2.

CMPC PLANNING COMMITTEE REVIEW:



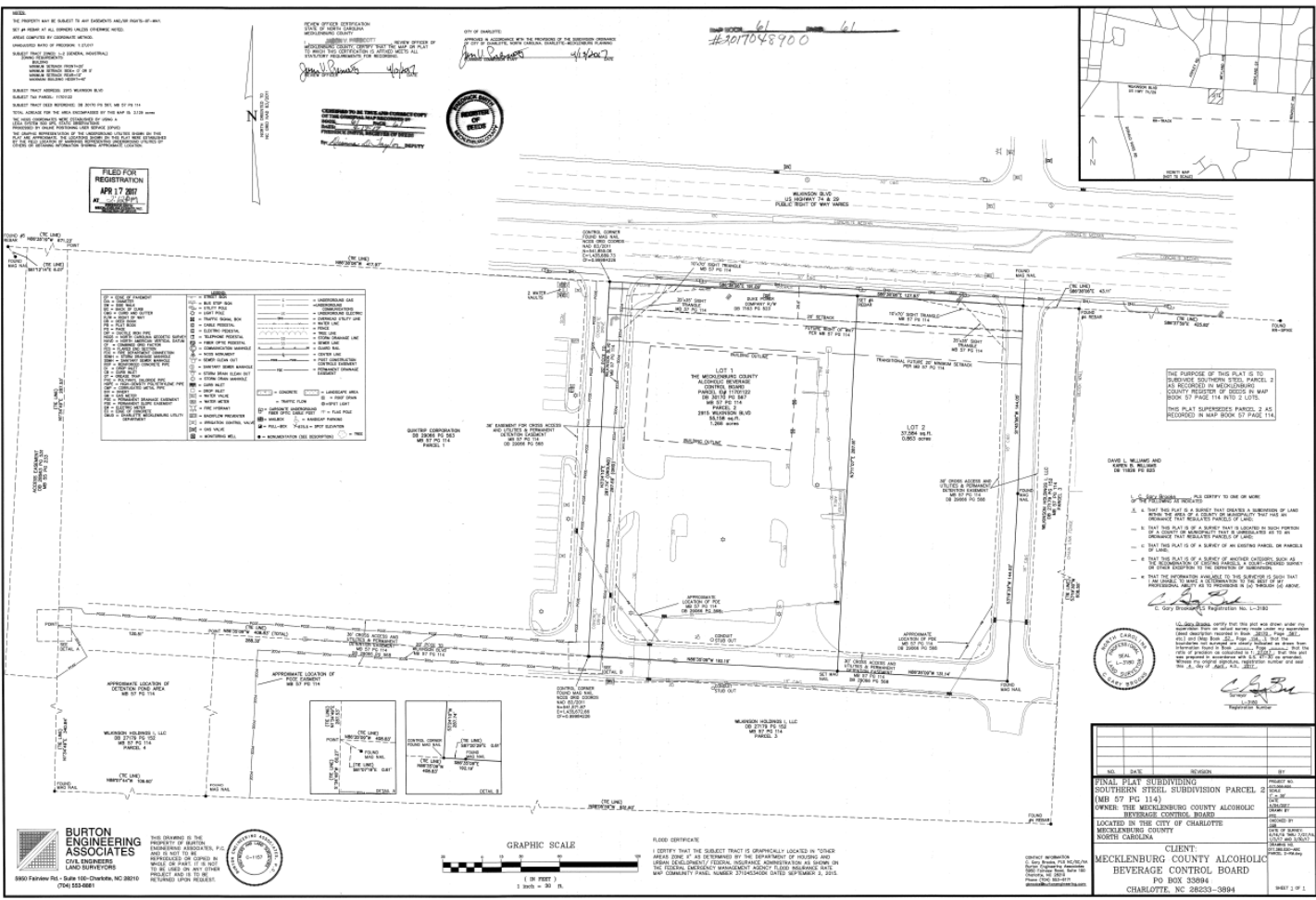
Mandatory Referral 17-19

Initiated & Submitted by:
Mecklenburg County ABC Board

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

Produced by the Charlotte-Mecklenburg Planning Department

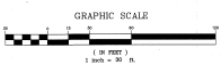




FILED FOR
REGISTRATION
APR 17 2007

SYMBOL	DESCRIPTION
(Symbol)	1. LOT CORNER
(Symbol)	2. EASEMENT CORNER
(Symbol)	3. EASEMENT LINE
(Symbol)	4. EASEMENT AREA
(Symbol)	5. EASEMENT WIDTH
(Symbol)	6. EASEMENT DEPTH
(Symbol)	7. EASEMENT AREA
(Symbol)	8. EASEMENT WIDTH
(Symbol)	9. EASEMENT DEPTH
(Symbol)	10. EASEMENT AREA
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(Symbol)	12. EASEMENT DEPTH
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(Symbol)	25. EASEMENT AREA
(Symbol)	26. EASEMENT WIDTH
(Symbol)	27. EASEMENT DEPTH
(Symbol)	28. EASEMENT AREA
(Symbol)	29. EASEMENT WIDTH
(Symbol)	30. EASEMENT DEPTH

BURTON ENGINEERING ASSOCIATES
CIVIL ENGINEERS
LAND SURVEYORS
3900 Parkway 101 Suite 100 Charlotte, NC 28210
(704) 555-6661



1. I CERTIFY THAT THE SUBJECT TRACT IS PHYSICALLY LOCATED IN THE
AREAS SHOWN ON THE ATTACHED MAP AND THAT THE INFORMATION CONTAINED
HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
2. I CERTIFY THAT THE SUBJECT TRACT IS NOT SUBJECT TO ANY EASEMENTS OR
OTHER INTERESTS NOT SHOWN ON THE ATTACHED MAP.

NO.	DATE	REVISION	BY
FINAL PLAT SUBDIVISION			
SOUTHERN STEEL SUBDIVISION PARCEL 2			
(MB 57 PG 114)			
OWNER: THE MECKLENBURG COUNTY ALCOHOLIC			
BEVERAGE CONTROL BOARD			
LOCATED IN THE CITY OF CHARLOTTE			
MECKLENBURG COUNTY			
NORTH CAROLINA			
CLIENT:			
MECKLENBURG COUNTY ALCOHOLIC			
BEVERAGE CONTROL BOARD			
PO BOX 33094			
CHARLOTTE, NC 28233-3894			
SHEET 1 OF 1			

MANDATORY REFERRAL REPORT NO. 17-20
Proposed Sale of Portions of 27 City-Owned Lots Located in Genesis Park to
NCDOT for the Interstate-77 Express Lanes Project

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte owns 27 parcels of land located along Genesis Park Place (adjacent to and immediately east of Interstate 77) in the Genesis Park neighborhood of Charlotte. The NC Department of Transportation (NCDOT) has identified portions of these parcels that will be necessary for the construction of the additional road infrastructure as part of the I-77 Express Lanes Project. NCDOT has offered to purchase these properties and it is the recommendation of the City's Real Estate Division to accept the NCDOT offer to expedite the project and avoid condemnation proceedings.

All of the parcels are vacant, except for a Duke Energy transmission line that runs overhead, and several towers. Three of the parcels - 075-095-18 through -20 – are currently planted with a community garden. The properties are crossed by a Duke transmission easement intended to remain in place after the NCDOT acquires the property. The properties are zoned R-8 Residential under the Charlotte Zoning Ordinance. All lots back up to I-77 and border residential areas to the east.

The properties involved are parcels 075-094-01, 075-094-10, 075-098-06 through -09, 075-097-12 through -18, and 075-096-11 through -22. It is proposed that the NCDOT acquire portions of these properties, totaling 3.623 acres, with the City retaining 1.336 acres of these properties. The City has pledged to work with the community to ensure the impact on the garden is minimized.

Mecklenburg County Park & Recreation staff has reiterated their interest (initially expressed in 2007) in integrating parts of these lots into an overland connection to serve as a portion of Irwin Creek greenway. The residual portions of these lots (not acquired by the NCDOT) that would be approximately an average 40 feet in depth would therefore be used for a combination of overland greenway connection and community garden.

As part of the I-77 project, the NC Department of Transportation will construct new noise barriers to mitigate traffic noise experienced by the neighborhood. The barriers are planned to be 20 to 22 feet in height and will provide better sound insulation between the highway and the neighborhood than did the previous barriers. Additionally, the barriers are planned to be built about 40 feet from the edge of the new property line, thereby preserving open space on the neighborhood side of the barriers.

PROJECT JUSTIFICATION:

The properties were originally acquired by the City from Duke Power Company in two transactions that took place in 1994 and 1996 for the purpose of developing affordable housing on these parcels. Because the housing project was ultimately unable to secure funding, the properties remained in the City real estate inventory. In 2007, Mecklenburg County expressed interest in acquiring the properties to serve as a portion of a greenway network, but the properties were never transferred.

Duke Energy has a perpetual easement and right-of-way on the properties which renders them unbuildable and therefore not usable for housing purposes.

- The parcels are currently incurring maintenance expenses to Neighborhood Development at a rate of \$900 per month.
- In 2007, the Charlotte Department of Transportation initiated the "FAST Lanes" study to identify where express lanes could help manage congestion during peak travel periods. A second, more detailed phase of the study showed that this I-77 corridor would highly benefit from the implementation of express lanes.
- Funding for the project consists of approximately \$90 million from the State and \$655 million from I-77 Mobility Partners (Cintra US) with no additional funding from the City.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The I-77 Express Lanes Project is consistent with the *Transportation Action Plan* (TAP) adopted by City Council on February 27, 2017. The TAP update is designed to address Charlotte's tremendous growth and the addition of express lanes to the City's regional road network will accommodate a greater volume of traffic more efficiently. The project is also consistent with the *2016-2025 Transportation Improvement Program* (TIP) and *2040 Metropolitan Transportation Plan* (MTP) both adopted by the Charlotte Regional Transportation Planning Organization (CRTPO).

Additionally, the City's Housing & Neighborhood Services Department recently assessed these lots' potential to support affordable housing and their determination was that – given the Duke Energy easements – they were unbuildable and unsuitable for affordable housing.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Central District Plan* (1993) recommends residential uses at a density of up to 8 units per acre.

PROJECT IMPACT:

- Building express lanes will increase trip reliability, accommodate long-term future demand, reduce traffic congestion, and increase the people-moving capacity of Charlotte's regional road system.
- Disposition of a portion of the vacant, unbuildable parcels will reduce Housing & Neighborhood Services' monthly grounds maintenance cost.
- The loss of acreage in parcels 075-096-17 through 19 will require a reconfiguration of the community garden located on those lots.
- County interest in residual portions of the property will serve to help the County meet its greenway goals.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

- Mecklenburg County greenway plans may be affected due to the potential availability for overland connection of acreage along Genesis Park Place.
- The joint use opportunities at this site consist of the Irwin Creek greenway overland connection and the community garden.

ESTIMATED PROJECT COMPLETION DATE:

The I-77 Express Lanes project is scheduled for completion in 2018.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their June 7, 2017 meeting and City Real Estate staff provided clarification: these are on average 100-foot deep lots which the NCDOT will be taking 65 feet (leaving 35-foot depth remaining). Park & Recreation staff said that this property appears as Irwin Creek Greenway east on the County's *Greenway Master Plan*. Greenways ideally want to be 40 feet in width so the 35-foot strip is a bit tight. Real Estate staff replied that the proposed sound walls will be set well back from the right-of-way edge, giving the County an opportunity to work with the state on sharing five feet of right-of-way to assemble the full 40 feet desired. No other joint use comments were offered.

Agencies represented at the June 7, 2017 meeting: Charlotte Housing & Neighborhood Services, Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, City Engineering & Property Management, County Manager's office, Town of Matthews, Central Piedmont Community College, County Asset Management, County Finance, City Forester, County Public Health, Charlotte-Mecklenburg Police, and Mecklenburg ABC Board.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed the sale of the properties and below is the key findings:

Conclusions:

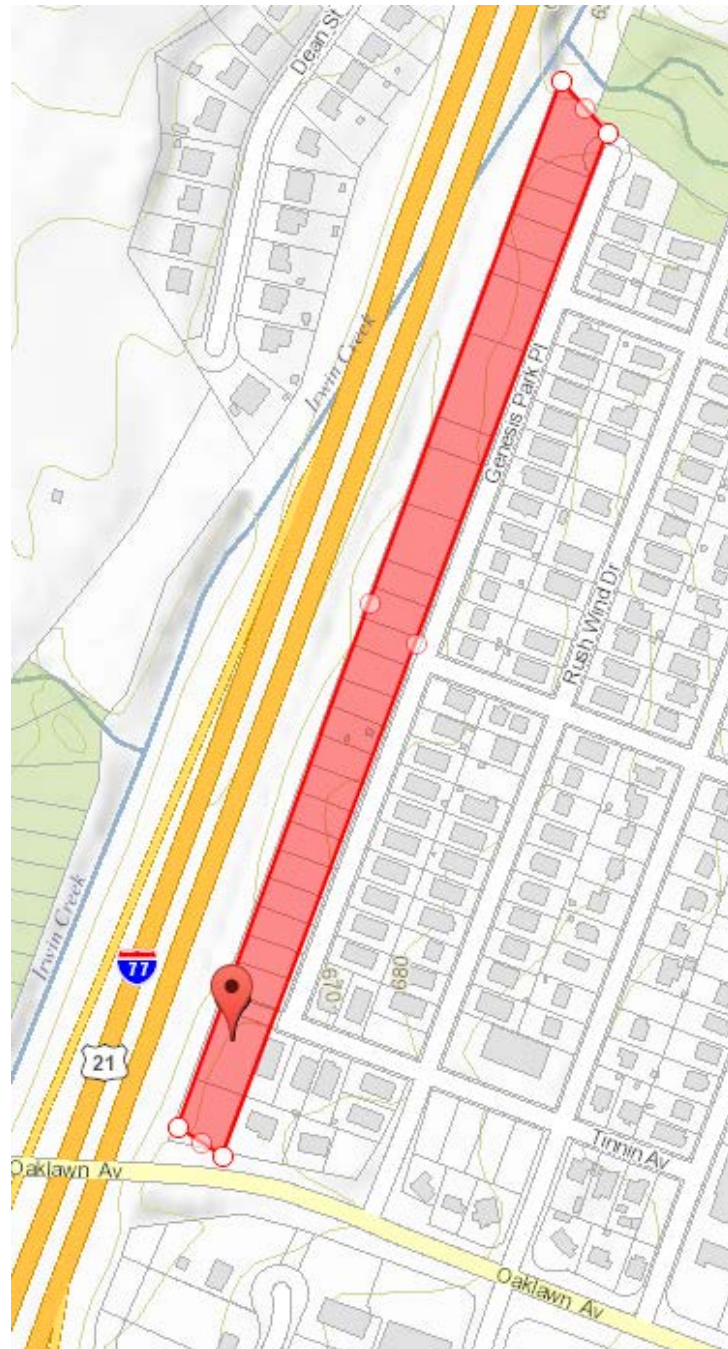
- The I-77 Express Lane Project is under construction and is scheduled for completion in 2018.
- Construction and long term impacts of the I-77 project on the Genesis Park neighborhood are key concerns and NCDOT and the City are working to mitigate impacts. In particular, construction of a noise barrier in the right-of-way will help mitigate impacts upon the adjacent residential properties. Additionally, the continuation of the community garden and the potential addition of an overland greenway connector will benefit the neighborhood.

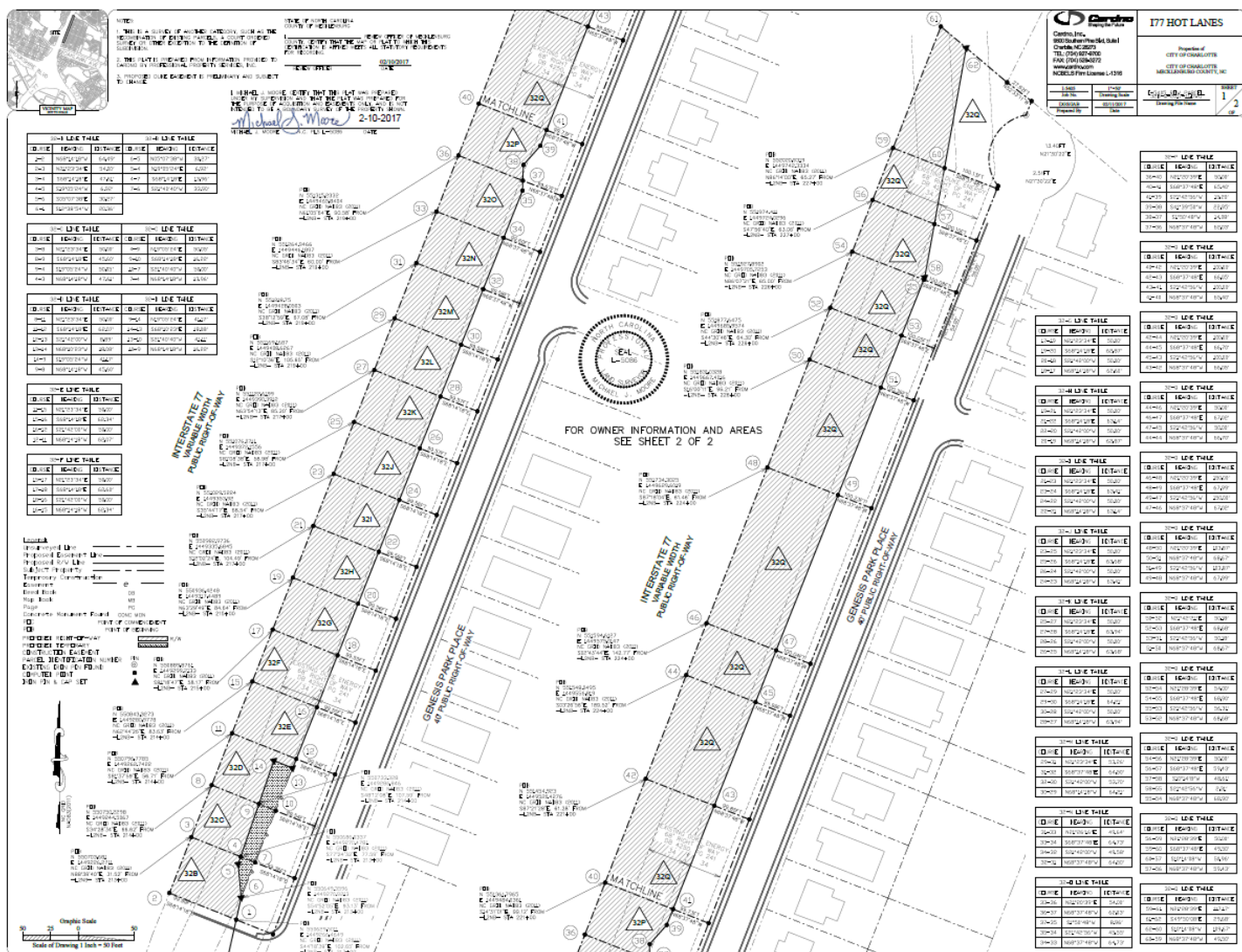
Adopted Goals and Policies:

- The I-77 Express Lanes Project is consistent with the *Transportation Action Plan* (TAP) adopted by City Council on February 27, 2017.
- The project is also consistent with the *2016-2025 Transportation Improvement Program* (TIP) and *2040 Metropolitan Transportation Plan* (MTP) both adopted by the Charlotte Regional Transportation Planning Organization (CRTPO).
- The *Mecklenburg County Greenway Master Plan* (2008) recommends that Irwin Creek Greenway be located within this vicinity.
- The *Central District Plan* (1993) recommends residential up to 8 units per acre, although Duke Energy's perpetual easement and right-of-way on the properties renders them unbuildable and therefore not usable for residential development.

CMPC PLANNING COMMITTEE REVIEW:

Map of Parcels





MANDATORY REFERRAL-REPORT NO. 17-21
Proposed Development of an ABC Store on US21 in Huntersville

PROJECT PROPOSAL AND LOCATION:

Mecklenburg ABC Board proposes to purchase approximately 1.03 acres of land in Mecklenburg County located on North Statesville Road (U.S. Hwy. 21) in Huntersville. This property is more particularly identified as Tax Parcel No. 01715303, is currently vacant, and located on the west side of US 21 about 600 feet north of its intersection with Gilead Road. The Mecklenburg County ABC Board proposes to construct and operate an ABC Store on the site.

The property is zoned Highway Commercial (HC) with Conditions (CD) applied through the rezoning process; neighboring parcels are zoned HC (CD) and HC, according to the Town of Huntersville Zoning Ordinance. The Highway Commercial District is established to provide primarily for auto-dependent uses in areas not amenable to easy pedestrian access and a comfortable pedestrian environment. It is located within a larger commercial district consisting of office buildings, convenience restaurants, a retail center and a hotel.

PROJECT JUSTIFICATION:

In the exercise of the ABC Board's business judgment, this is an appropriate location for an ABC Store. The project falls within the ABC Board's statutory authority.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The purchase falls within the ABC Board's statutory authority and is consistent with its mission to manage the sale of distilled spirits in compliance with laws that govern the sale and use of alcoholic beverages. The proposed use is consistent with the approved zoning of the parcel.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The [Gilead Rd/US 21 Small Area Plan](#) (adopted by the Town of Huntersville in 2006), within which this property is located, calls for a mix of land uses to include different retail types and recommends extension of public streets through commercial properties to encourage such mix of retail/commercial establishments. The establishment of an ABC retail store is considered by Huntersville planning staff to be consistent with this plan.

PROJECT IMPACT:

The ABC Board's proposed use of this site, if properly designed, will not have a significant negative impact on traffic or other public infrastructure beyond that which would be created by any retail use, which is permitted on this site under the approved zoning. The intended design of the site would offer the opportunity to significantly improve future transportation operations, as described more fully below under "Relationship to Other Public or Private Projects". A plat has been recorded, delineating the boundaries of the property being purchased, and identifying other infrastructure improvements surrounding the property.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The property is an undeveloped outparcel of an existing retail development. The ABC Board understands that the plat that has been recorded identifies both the boundaries of the parcel it is purchasing, and also identifies the internal street network and other infrastructure improvements that are planned on the site.

The NC Department of Transportation and the Town of Huntersville are jointly undertaking an intersection improvement project at and in the vicinity of [US 21 and Gilead Road](#) that will impact existing access to the subject property. The proposed intersection improvement project calls for elimination of access from US 21 at Wilmington Street immediately south of the site and the creation of a new access point to US 21 through the northern edge of the site. This concept has been communicated with the Huntersville Gateway Association who represents businesses/land owners in the area. Town staff sees an opportunity to work with the ABC board to create new access from US 21 which will provide significantly better access to the ABC store, as without this new connection, the only future access to the site will be from Compass Street which will be signalized as part of the US 21/Gilead Intersection project. Under this proposal, part of the existing right-of-way of Wilmington Street could be combined with this parcel.

ESTIMATED PROJECT COMPLETION DATE:

The proposed purchase likely will close in the next twelve months.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their June 7, 2017 meeting and representatives from the ABC Board clarified that this was to be a replacement for a leased store located on Gilead Road. No other comments were offered.

Agencies represented at the June 7, 2017 meeting: Charlotte Housing & Neighborhood Services, Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, City Engineering & Property Management, County Manager's office, Town of Matthews, Central Piedmont Community College, County Asset Management, County Finance, City Forester, County Public Health, Charlotte-Mecklenburg Police, and Mecklenburg ABC Board.

TOWN OF HUNTERSVILLE PLANNING STAFF REVIEW:

Huntersville Planning staff has reviewed the proposed location of the ABC store and below are the key findings:

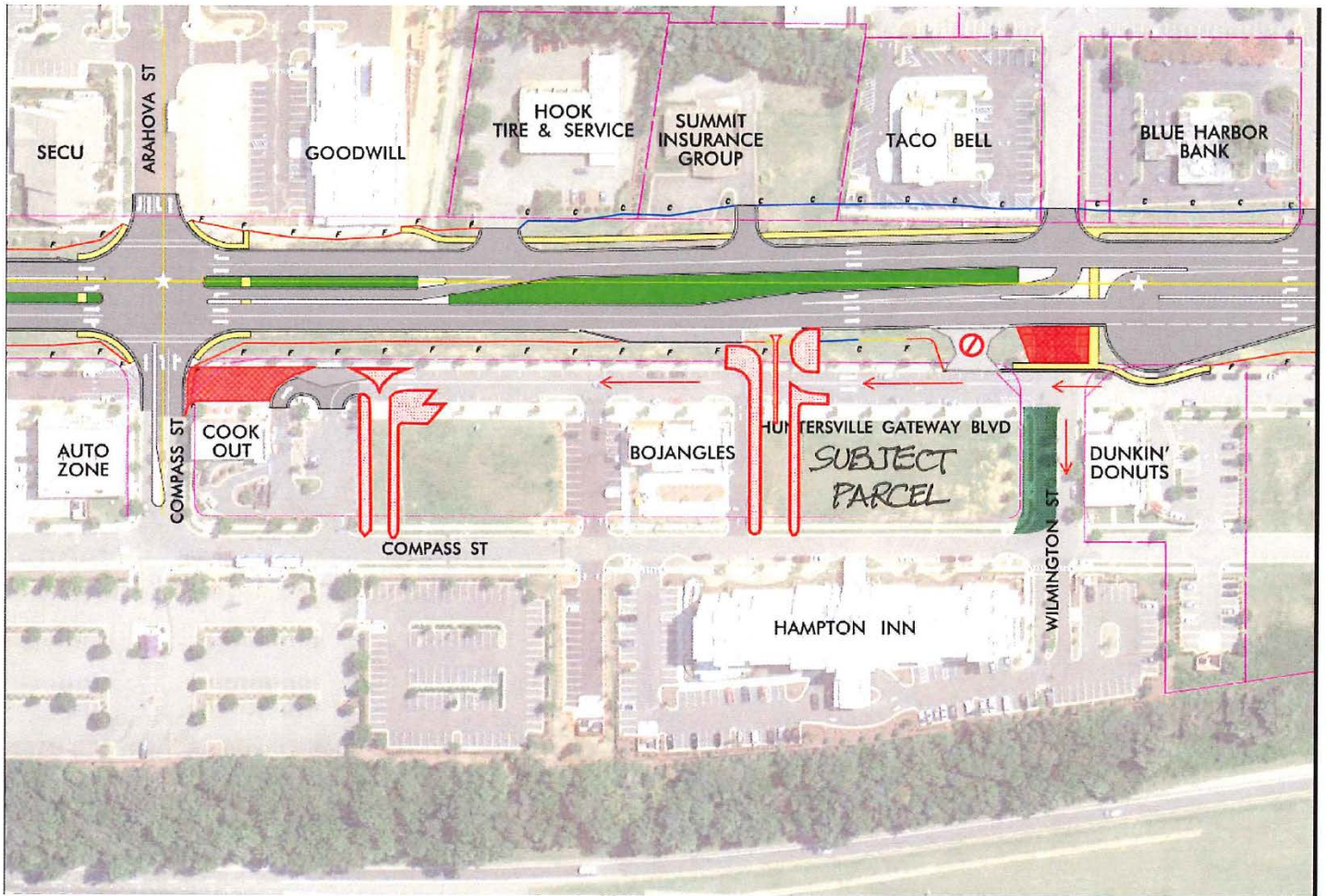
Conclusions:

- The site is located within the [Gilead Rd/US 21 Small Area Plan](#) area, which prescribes a mix of land uses to include different retail types.
- The Plan also recommends extension of public streets through commercial properties to encourage a mix of retail/commercial establishments.
- The site is currently zoned Highway Commercial (HC) with Conditions (CD), which will allow the establishment of the ABC store.

Adopted Goals and Policies:

- The proposed land use is consistent with the Town's adopted goals and policies for this property and the area, as specified in the [Gilead Rd/US 21 Small Area Plan](#).
- Appropriate design of the project and the right of way through the property for additional access to US 21 could significantly improve connectivity and dispersal of traffic from Huntersville Gateway in compliance with the Town's transportation policies as articulated in the Town's [2030 Community Plan](#), specifically with regard to street connectivity.
- The Mecklenburg ABC Board has pledged to work with the Town on site design associated with successful implementation of the roadway project in concert with design and development of the subject parcel, in order to achieve both ABC and Town goals for the site.

CMPC PLANNING COMMITTEE REVIEW:



MANDATORY REFERRAL-REPORT NO. 17-22
Proposed Sale of Two City-Owned Properties in the Town of Matthews

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Water Department proposes to sell or dispose of two parcels, both within the Town of Matthews. See below:

	PARCEL ID	ADDRESS	ZONING	CURRENT USE	LOT SIZE (AC.)
1	193-461-22	3025 Windsor Chase Drive	R-9	Well lot, not in use	.555
2	193-461-99	2823 Windsor Chase Drive	R-9	Well lot, not in use	1.677

These two properties – which are contiguous - are located at the end of a cul-de-sac within an established single family residential development located off Williams Road in Matthews. Parcel #1 has street frontage while Parcel #2 is land-locked.

PROJECT JUSTIFICATION:

Both of these parcels were former 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 use. 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 *Matthews Land Use Plan* (2012) 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 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 capping and abandonment of the wells and removal of any improvements on these sites prior to disposition. These two, 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 (and ultimately their future use).

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their June 7, 2017 meeting and no comments were offered.

Agencies represented at the June 7, 2017 meeting: Charlotte Housing & Neighborhood Services, Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, City Engineering & Property Management, County Manager's office, Town of Matthews, Central Piedmont Community College, County Asset Management, County Finance, City Forester, County Public Health, Charlotte-Mecklenburg Police, and Mecklenburg ABC Board.

MATTHEWS PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed sale and has determined the following:

Conclusions:

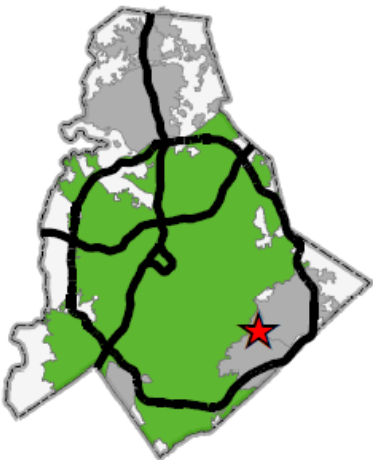
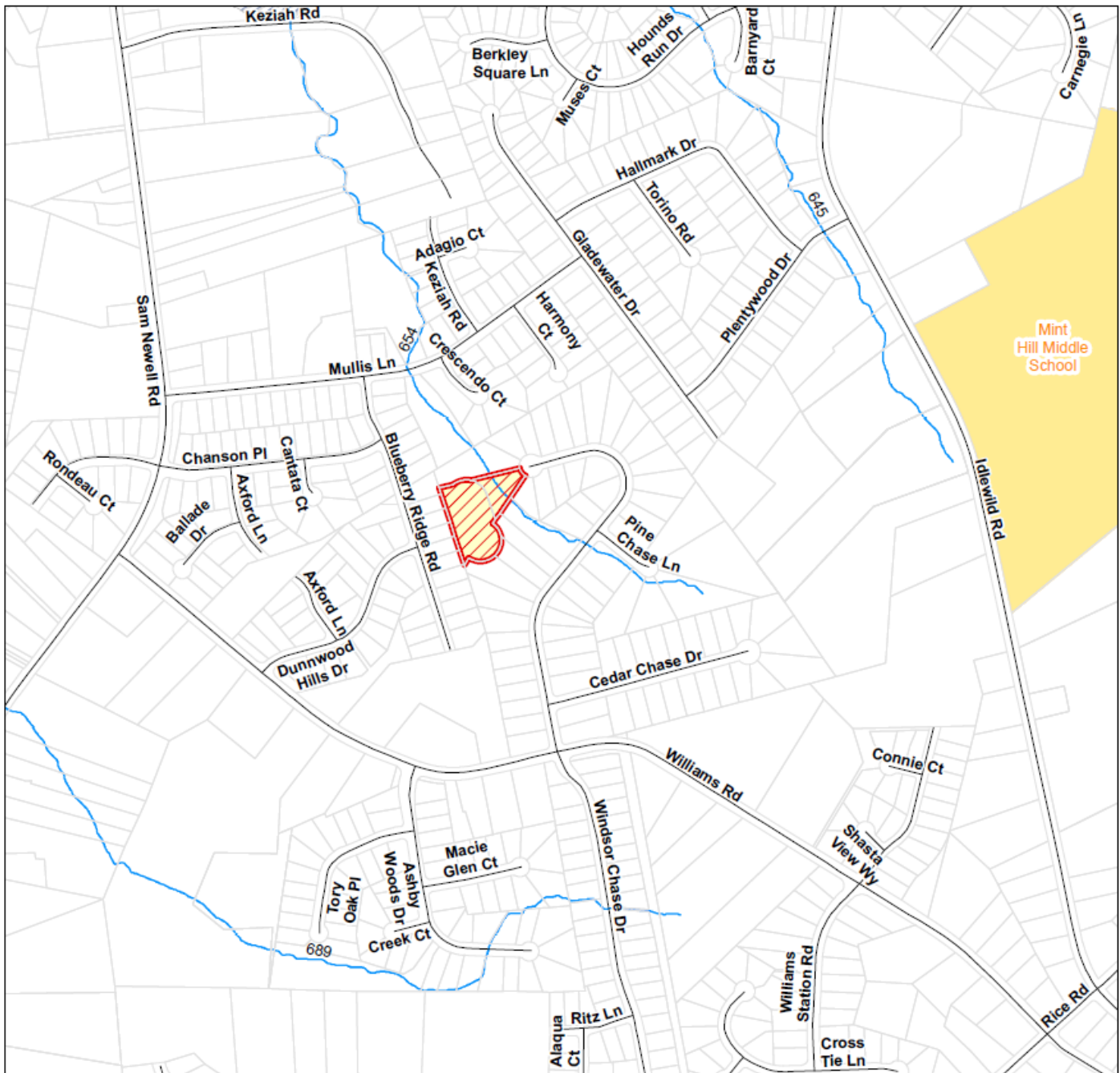
- Since one of subject parcels lack road frontage and is not a minimum of 2 acres, it is recommended that they be combined before being sold.
- The parcels would be appropriate for single family residential development provided they are able to meet the minimum development ordinance requirements.

Adopted Goals and Policies:

- The *Matthews Land Use Plan* (2012) identifies this location as appropriate for single family residential.
- The subject parcels are part of an approved development plan and originally intended to be used for private utilities and to generally remain as vacant, natural areas.
- One of the parcels does not currently meet minimum ordinance requirements for development unless combined with an abutting parcel.
- The parcels proposed for disposition are located outside Charlotte city limits, and therefore outside the City's Housing and Neighborhood Services scope of work for affordable housing assistance.

CMPC PLANNING COMMITTEE REVIEW:

At their June 20, 2017 meeting, the Planning Committee recommended



Mandatory Referral 17-22

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management



Mandatory Referral



City Property



Schools



Produced by the Charlotte-Mecklenburg Planning Department

MANDATORY REFERRAL-REPORT NO. 17-23
Proposed Sale of Three City-Owned Properties in the Town of Mint Hill

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Charlotte Water Department proposes to sell or dispose of three parcels, all within the Town of Mint Hill. See below:

	PARCEL ID	ADDRESS	ZONING	CURRENT USE	LOT SIZE (AC.)
1	197-163-23	8310 Quarters Lane	R	Well lot, not in use	.709
2	197-172-51	8212 White Ash Court	R	Well lot, not in use	.732
3	197-172-52	8398 Silver Maple Lane	R	Well lot, not in use	.715

These three properties are located in established single family residential communities and are land-locked.

PROJECT JUSTIFICATION:

These parcels were former well sites acquired through a private water system purchase. Charlotte Water staff has determined that there is not a need to retain these parcels for Charlotte Water purposes. 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 *Mint Hill Comprehensive Land Use Plan* (2010) 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 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 capping and abandonment of the wells and removal of any improvements on these sites prior to conveyance. These parcels will be marketed and sold. The properties will be advertised for sale or upset bid, based on appraised value, 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 June 7, 2017 meeting and no comments were offered.

Agencies represented at the June 7, 2017 meeting: Charlotte Housing & Neighborhood Services, Charlotte-Mecklenburg Library, County Park & Recreation, City Real Estate, City Engineering & Property Management, County Manager's office, Town of Matthews, Central Piedmont Community College, County Asset Management, County Finance, City Forester, County Public Health, Charlotte-Mecklenburg Police, and Mecklenburg ABC Board.

MINT HILL PLANNING STAFF REVIEW:

Planning staff has reviewed the proposed sale and has determined the following:

Conclusions:

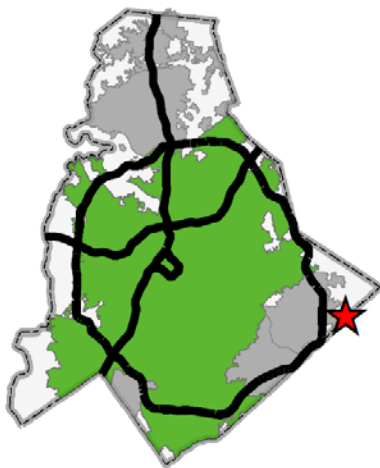
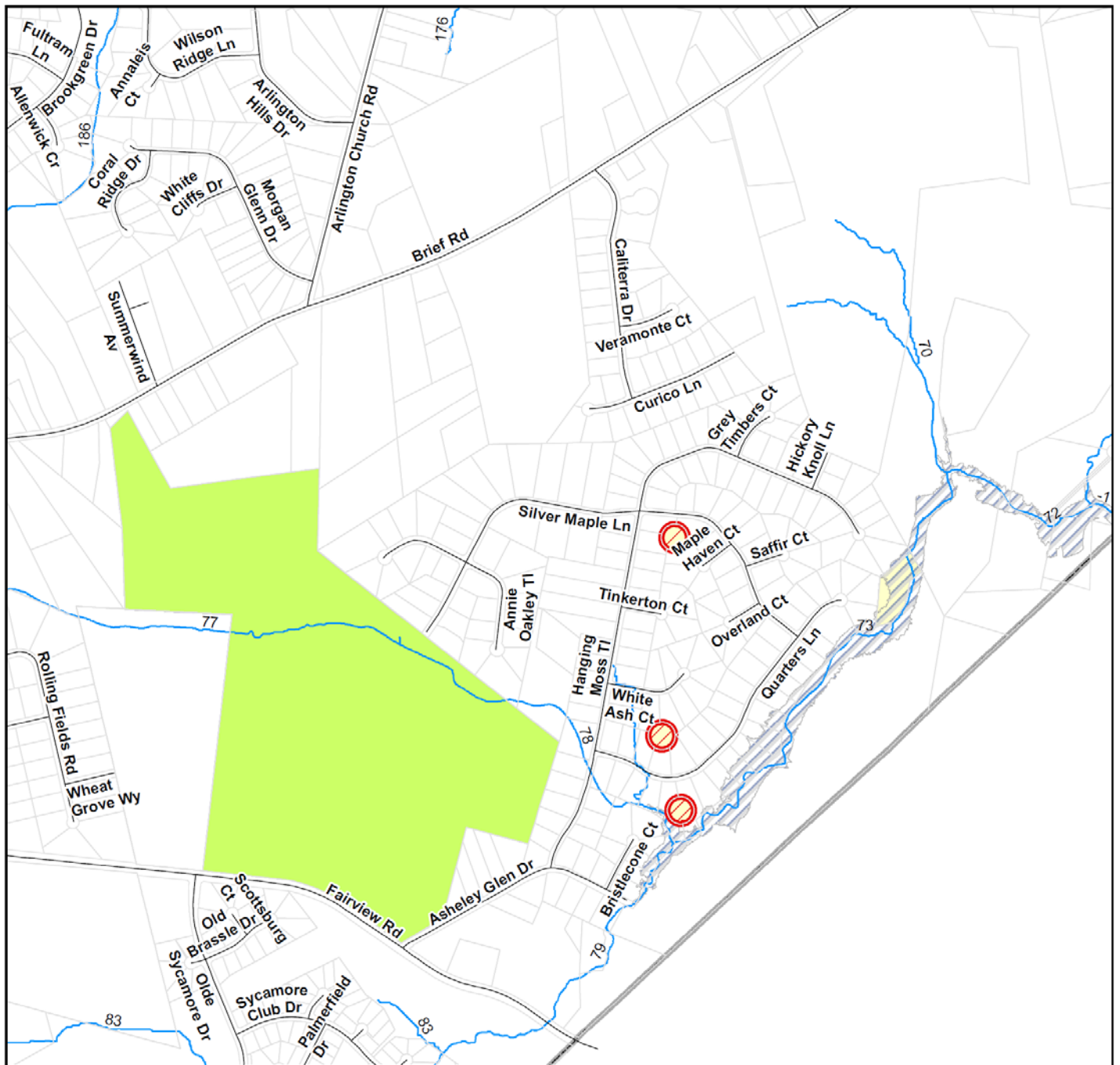
- The subject parcels lack road frontage and are too small to be buildable.
- The subdivision is currently built out, but the subject parcels would be appropriate for single family residential development provided they are able to meet the minimum development ordinance requirements.

Adopted Goals and Policies:

- The *Mint Hill Generalized Land Use Plan* (2000) identifies this location as appropriate for single family residential.
- The subject parcels are part of an approved development plan and originally intended to be used for private utilities and to generally remain as vacant, natural areas.
- The parcels do not currently meet minimum ordinance requirements for developments unless combined with an abutting parcel having the minimum required road frontage. However, all abutting parcels are currently developed.

CMPC PLANNING COMMITTEE REVIEW:

At their June 20, 2017 meeting, the Planning Committee recommended



Mandatory Referral 17-23

Initiated by: Charlotte Water

Submitted by: Engineering & Property Management



Mandatory Referral



City Property



County Property



FEMA 100 Year Floodplain



Produced by the Charlotte-Mecklenburg Planning Department