

Planning Committee

Agenda Packet

February 19, 2019 |
Room 280
5:00 p.m. |

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Agenda

February 19, 2019 | 5 p.m.

CMGC – 2nd Floor, Room 280

1. Call to Order and Introductions

2. Approval of January 8, 2019 and January 15, 2019 Minutes. Attachments 1 & 2

3. M.R. #19-01 | Proposal by Charlotte-Mecklenburg Schools (CMS) to Acquire Land Located in Southeast Charlotte for a New School Site

CMS proposes to acquire seven parcels totaling approximately 37 acres located at the intersection of Ardrey Kell and Wade Ardrey roads; directly across from Ardrey Kell High School (Tax Parcels 229-021-03, 05, 13, 14, 19, 22, & 87) for a future school campus. **Attachment 3**

Staff Resources: Scott Correll - Planning, Design & Development
 Dennis Rorie - CMS Facility Planning & Management

4. M.R. #19-02 | Proposal by CMS to Acquire Land Located in North Mecklenburg For Future School Planning

CMS proposes to acquire approximately 0.60 acres of land located on the northwest corner of the Old Statesville Road and Alexandriana Road intersection (Tax Parcel 017-051-09). This acquisition will protect long-term facility planning interest if the opportunity arises to replace North Mecklenburg High School on the existing campus. **Attachment 4**

Staff Resources: Jack Simoneau - Huntersville Planning Department
 Dennis Rorie - CMS Facility Planning & Management

5. M.R. #19-03 | Proposal by Mecklenburg County ABC Board to Acquire Land Located in East Charlotte for an ABC Store

Mecklenburg County ABC Board proposes to acquire approximately 0.84 acres of vacant land bounded by East Independence Blvd, Zeus Street, and Connection Point Boulevard (Tax Parcel 163-032-49) to operate an ABC Store. **Attachment 5**

Staff Resources: Amanda Rosen - Planning, Design & Development
 Michael Tully - Mecklenburg County ABC Board

6. Transit Oriented Development Ordinance (TOD) Update

Staff will review major changes to the hearing draft of the TOD as well as additional information in preparation for public hearing on March 18th.

Staff Resources: Laura Harmon - Planning, Design & Development
 Monica Holmes

7. Adjournment

Charlotte-Mecklenburg Planning Commission

ATTACHMENT 1

Planning Committee Meeting Minutes

January 8, 2019 | 5 p.m.

CMGC – 2nd Floor, Room 280

Attendance

Planning Committee Members Present: Chairperson Victoria Nwasike, Vice-Chairperson Sam Spencer and Commissioners Rajahm Sellers, Michael Sullivan, Douglas Welton, and Nancy Wiggins

Planning Committee Absent: Dionne Nelson

Other Planning Commissioners Present: Commissioner Bolyn McClung

Planning Staff Present: Kathy Cornett, Alyson Craig, Zenia Duhaney, Nan Peterson, Alberto Gonzalez, Alan Goodwin, Laura Harmon, Monica Holmes, Taiwo Jaiyeoba (Planning Director), Garet Johnson, Charlotte Lamb, Melony McCullough, Sandy Montgomery, Candice Rorie, and Mandy Rosen

Welcome and Introductions

Chairperson Nwasike called the meeting to order at 5:12 p.m., welcomed those present and asked everyone to introduce themselves. This was a special meeting of the Planning Committee to receive an update on the Transit-Oriented Development Ordinance and review the TOD Filing Draft. The Chairperson noted that the meeting was opened to all Commissioners at the full Planning Commission meeting. She confirmed that the Committee will meet on January 15 and that there are six mandatory referrals on the agenda. At that meeting, the Committee may also discuss the Transit-Oriented Development Ordinance (TOD); depending on the outcome of this meeting.

TOD Update

Monica Holmes (Planning) reviewed the filing draft of the ordinance and the Committee discussed it at length. She said that staff is still working on the bonus structure and explained the changes being considered. She requested that any additional comments from Committee members be submitted by January 24. Please click [here](#) to view the presentation. Next, Ms. Holmes reviewed the adoption timeline. She stated that the Committee should attend the February 25 Council Meeting.

Adjournment

The meeting adjourned at 7:05 pm.

Charlotte-Mecklenburg Planning Commission

Planning Committee Meeting Minutes

ATTACHMENT 2

January 15, 2019 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

Attendance

Planning Committee Members Present: Chairperson Victoria Nwasike, Vice-Chairperson Sam Spencer and Commissioners Dionne Nelson, Rajahm Sellers, Michael Sullivan, Douglas Welton, and Nancy Wiggins

Other Planning Commissioners Present: Commissioner Bolyn McClung

Planning Staff Present: Kathy Cornett, Zenia Duhaney, Alberto Gonzalez, Laura Harmon, Monica Holmes, Taiwo Jaiyeoba (Planning Director), Garet Johnson, Charlotte Lamb, Melony McCullough, and Candice Rorie

Other Staff Present: Amanda Byrum, Charlotte Engineering & Property Management and Katie Daughtry and Jennifer Morell, Mecklenburg County Asset & Facility Management

Welcome and Introductions

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

Approval of Minutes

A motion was made by Commissioner Wiggins and seconded by Commissioner Sellers to approve the November 20, 2018 minutes. The minutes were unanimously approved with the correction noted below.

Commissioner Welton requested a correction to the November 2018 minutes for M.R. #18-21 from: *“Commissioner Welton stated that he is president of Madison Park Homeowner’s Association and that the HOA **owns** several parcels that are included in M.R. #18-21”* to *“Commissioner Welton stated that he is president of Madison Park Homeowner’s Association and that the HOA **boundaries include** several parcels that are contained within M.R. #18-21”*.

Mandatory Referrals

M.R. #18-24 | Charlotte’s Engineering & Property Management Department (E&PM) proposal to Accept the Donation of Property in NODA for the Cross-Charlotte Trail

The City of Charlotte’s Engineering and Property Management Department proposes to accept the donation of approximately 6.1 acres of vacant property located off Chick Godley Road and Matheson Avenue (portion of Tax Parcels 083-021-01 and 083-031-15) for the Cross-Charlotte Trail and Tree Canopy Preservation Program.

M.R. #18-25 | Mecklenburg County Proposes to Acquire Land in the Town of Pineville for Expansion of Sugar Creek Greenway

Mecklenburg County proposes to acquire approximately 6 acres of vacant land located slightly south of Highway 51 and north of Jack D. Hughes Park, between Main Street and McCullough Branch (Tax Parcel 221-021-14 p/o) for expansion of the greenway along Sugar Creek.

M.R. #18-26 | Mecklenburg County Proposes to Acquire Land in the Town of Huntersville for Expansion of Auten Nature Preserve

Mecklenburg County proposes to acquire approximately 1.5 acres of vacant land surrounded by the existing Auten Nature Preserve and within close proximity to McDowell Creek Greenway (Tax Parcels 013-024-12 & 36-39) for expansion of the Preserve.

M.R. #18-28 | Mecklenburg County Proposes to Acquire Land Adjacent to Harry L. Jones, Sr. Golf Course for Expansion of Sugar Creek Greenway

Mecklenburg County proposes to acquire vacant land located along both sides of South Tryon Street east of Shopton Road and adjacent to Harry L. Jones, Sr. Golf Course (Tax Parcels 143-221-05 & 167- 081-10) for expansion of Sugar Creek Greenway.

M.R. #18-29 | Mecklenburg County Proposes to Acquire Land for the Expansion of Yorkmont Park

Mecklenburg County proposes to acquire vacant land located on the northerly side of Tyvola Road at Vickers Lane, adjacent to Yorkmont Park (Tax Parcel 167-051-31) for expansion of the Park.

Chairperson Nwasike stated that M.R. #18-24 will be deferred. She asked if the Committee would like to discuss any of the other mandatory referrals. M.R. #18-27 was pulled for discussion.

A motion was made by Commissioner Welton and seconded by Commissioner Wiggins to state that the Planning Committee reviewed M.R. #18-25, M.R. #18-26, M.R. #18-28, and M.R. #18-29 on January 15, 2019 and has no additional comments for the submitting agency. The motion was unanimously approved.

M.R. #18-27 | Mecklenburg County Proposes to Dispose of the Historic Dowd House and Old Fire Station #10

Mecklenburg County proposes to dispose of the Historic Dowd House bounded by Remount Road, Greenland Avenue and Monument Street (Tax Parcel 067-061-02) and Old Fire Station #10 located on the northwest corner of Wilkinson Boulevard and Highland Street (Tax Parcels 067-061-05 & 06 p/o) for redevelopment and purchase in the private market.

Commissioners asked questions about the parcel's disposition, structures on the parcels, the future of nearby vacant parcels, and the parcel's historic designation.

Chairperson Nelson stated that parcel numbers referenced in the parenthesis on the report are misrepresented. Chairperson Nwasike asked for a correction to the parcel numbers. Melony McCullough (Planning) stated that staff will make the necessary corrections to the parcel numbers and map.

In response to Chairperson Nelson's questions, Alberto Gonzalez (Planning) and Katie Daughtry (Asset & Facility Management) confirmed that 067-061-05 (not 06) is the correct parcel number for the Historic Dowd House. Mr. Gonzalez also verified that the Dowd House and Fire Station are to be sold. The vacant parcels will remain as open space. Ms. Daughtry indicated the two vacant parcels along Greenland Avenue will remain under the county's control.

Commissioner Wiggins suggested using the vacant properties as open space. Ms. Daughtry indicated that the two vacant properties will remain as open space. Commissioner Wiggins asked if these parcels could serve as potential "pocket parks". Ms. Daughtry replied, yes, the potential is there for that type of use. Also, Commissioner Wiggins asked about merging vacant properties to make it easier for the community to use. Ms. Daughtry stated that the county tries to avoid combining parcels because of problems that arise when researching the history of a parcel.

Vice-Chairperson Spencer asked if a covenant exists to prevent demolition of the historic structure or if someone could apply for a Certificate of Demolition once the sale is complete. Ms. Daughtry responded that she was unsure. However, she stated that the historic designation restrictions would still apply. Vice-Chairperson Spencer shared his concern about maintaining a piece of Charlotte's history, especially, if nothing is in place to prevent someone from applying for a certificate of demolition. He expressed his unreadiness to vote for this mandatory referral due to this concern.

Commissioner Sullivan asked if the Charlotte-Mecklenburg Historic Landmarks Commission (HLC) owns the property and if there is a designation. Ms. Daughtry explained that a historic designation exists. The parcels are owned by the property owners and managed by the HLC.

Commissioners asked additional questions around the historic designation of the affected parcels. Ms. Daughtry emphasized the HLC's involvement with the sale of the property. Committee members expressed their high regard for any recommendation given by the HLC.

Chairperson Nelson said as a follow up to Vice-Chairperson Spencer's comments, she suggests adding a comment regarding the deed restriction. This could allow the transaction to move forward subject to any recommendation by the HLC. She further explained that the neighborhood is changing rapidly. She suggested that some effort should exist between the county and the city's real estate departments to protect the residual parcel. She questioned if the county could do something to protect properties when an area is changing and subject to gentrification.

Jacqueline McNeil (Asset & Facility Management) answered several questions about the parcels. Vice-Chairperson Spencer voiced his concern about the historic district status and the deed restrictions. He questioned how ownership would transfer from Mecklenburg county to the buyer. Ms. McNeil confirmed the historic designation and restrictions on the Dowd House. She said that the fire station has no historic designation. However, restrictions could be placed on that property as well. She noted that current discussions are underway around the designation of the fire station. Vice-Chairperson Spencer asked if there are any restrictions on the Dowd house that go beyond its historic status. Ms. McNeil advised that the designation is attached to the land and would be there regardless.

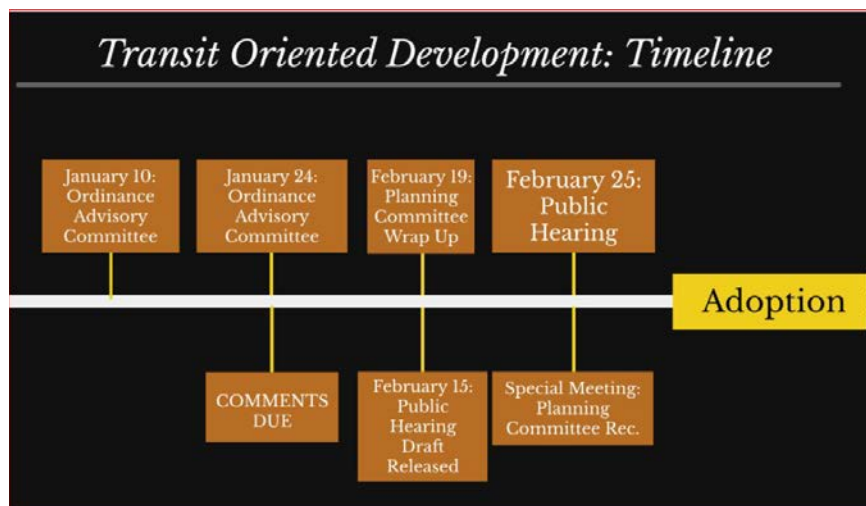
The Chairperson restated her comment about gentrification and asked if the Real Estate Department uses parcels for affordable housing. Ms. McNeil answered, yes of course, but the discussions with the community are for the property to remain designated for parkland use. The goal is not to diminish the amount of parkland owned. She added that her group always evaluates whether the property is being used for an intended purpose and is viable for its intended use. Ms. McNeil emphasized that currently, the HLC is working on keeping the Dowd house designated as a historic property.

A motion was made by Commissioner Welton and seconded by Commissioner Wiggins to state that the Planning Committee reviewed M.R. #18-27 on January 15, 2019 and makes the following comments to the Mecklenburg County Board of Commissioners: residual parcels should be investigated for an affordable housing use and consideration should be given to deed restrictions that go above and beyond the one-year guarantee against demolition of the historic district designation. The motion was unanimously approved.

Transit Oriented Development (TOD) Update

The Chairperson informed the Committee that Planning staff would provide an overview of the TOD Height Bonus and Affordable Housing amendments.

Laura Harmon and Monica Holmes (Planning Staff) provided a brief update on the TOD Height Bonus and Affordable Housing amendments. Ms. Holmes discussed the new menu for the bonus structure options and the reasons behind it. After a period of discussion and questions about applicable changes, Ms. Holmes stated that a public meeting is scheduled for Tuesday, February 5, 2019 at the Belmont Community Center. She also reviewed the timeline below.



Adjournment

The meeting adjourned at 7:05 pm.

MANDATORY REFERRAL | REPORT NO. 19-01

Proposal to acquire land in Southeast Charlotte for a new School Site

PROJECT PROPOSAL AND LOCATION:

Charlotte-Mecklenburg Schools (CMS) intends to acquire a +/-37ac assemblage (aka "site") of seven parcels for a future school campus. The site is located at the intersection of Ardrey Kell Road and Wade Ardrey Road; directly across Ardrey Kell Road from Ardrey Kell High School. The tax parcels for the assemblage are the following; 22902119, 22902114, 22902105, 22902113, 22902187, 22902103, 22902122. Six of the seven parcels have existing improvements/structures on the properties, and one property is vacant. On April 4, 2018, the entire +/-37ac assemblage was rezoned from R-3 to MX-2 (Innov) via rezoning petition [2017-171](#).

PROJECT JUSTIFICATION:

Acquisition of this site supports and aligns with [CMS' 2017 Bond](#), whereby \$922M of bond projects were approved by the voters of Mecklenburg County for new school construction, and capital level renovation projects throughout the County.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

This acquisition is consistent with CMS' 2016 Capital Needs Assessment, and the 2017 \$922M approved bond.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The South District Plan (1992), as amended by Petition 2017-171, recommends residential development at or below 6 DUA. The plan acknowledges the need for additional school sites as the area's population continues to grow, and it does not identify specific school locations.

PROJECT IMPACT:

Acquisition of the property is imperative to keeping the promises made to the Mecklenburg County voters for a new elementary school in Southeast Charlotte.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known public projects.

ESTIMATED PROJECT COMPLETION DATE:

Acquisition of the property is anticipated to occur by the end of February 2019.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed the proposed transaction over email on February 4, 2019 and the following comments were offered:

- Charlotte Department of Transportation: *As a part of any future rezoning process, the Charlotte Department of Transportation will request various site improvements pertaining to access and connectivity.*
- Housing and Neighborhood Services: *Should there be any residual land once the school campus site plan is finalized, CMS should consider making the residual land available for the development of affordable housing.*

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposal and has the following comments:

Conclusions:

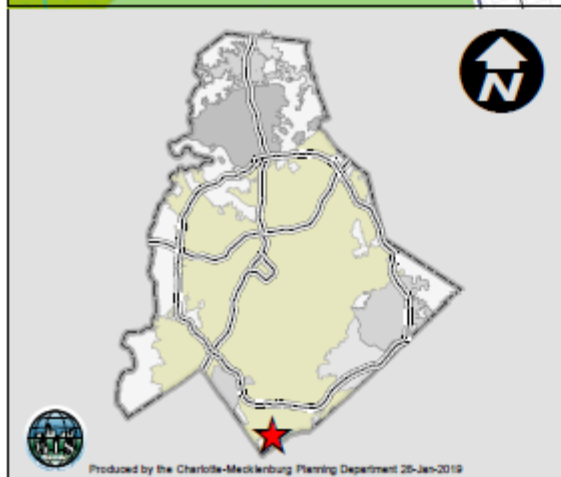
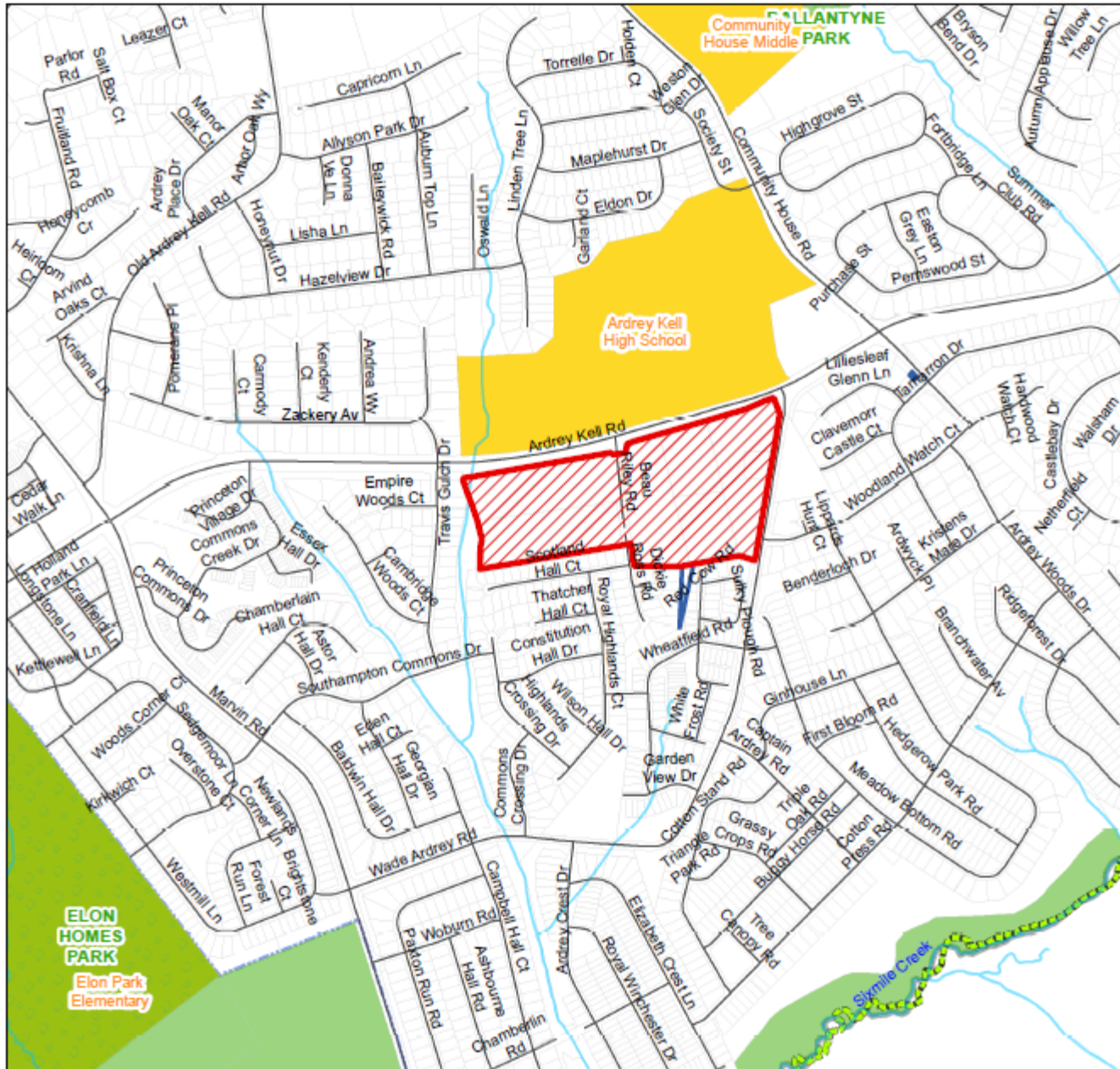
- The site will need to be rezoned to accommodate a school.
- The 2017 rezoning included several transportation improvements: Beau Riley Road would be extended across the site to Dickie Ross Road, a new traffic signal or pedestrian crossing signal would be considered by CDOT at the intersection of Ardrey Kell Road and Beau Riley Road to improve access to the school based on traffic impacts, and sidewalk gaps would be completed on Wade Ardrey Road.
- This site is located across Ardrey Kell Road from Ardrey Kell High School.
- Schools are generally considered compatible land uses in residential areas.

Adopted Goals and Policies:

- The *South District Plan (1992)* supports the addition of new schools in the area.






CMPC PLANNING COMMITTEE REVIEW:

At their February 19th, 2019 meeting, the Planning Committee ...



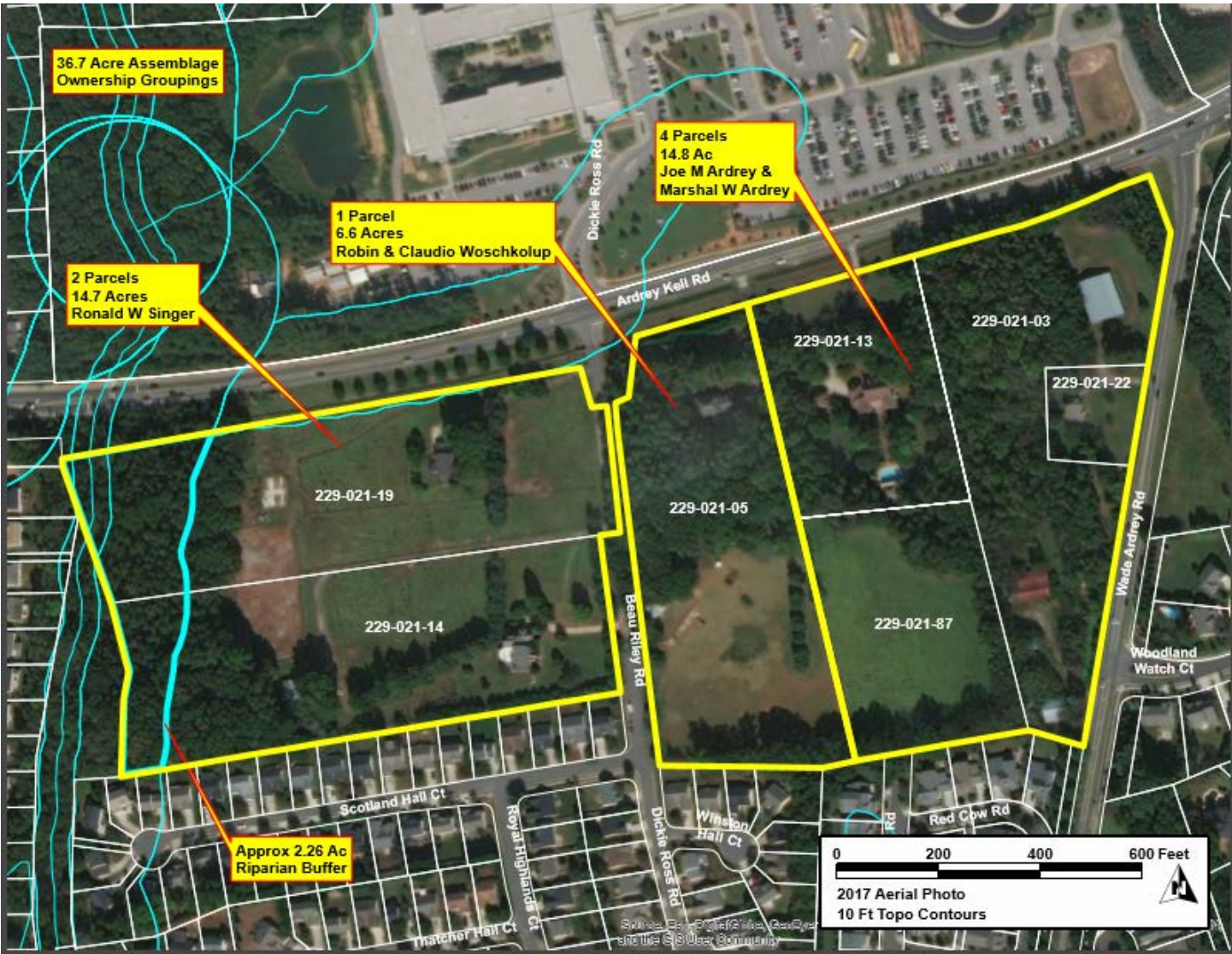
Mandatory Referral 19-01

Initiated By:
Submitted By: CMS

-  Mandatory Referral
-  County Property
-  Schools
-  Greenway - Proposed
-  Overhead Electrical Transmission Lines



Produced by the Charlotte-Mecklenburg Planning Department 28-Jan-2019



MANDATORY REFERRAL | REPORT NO. 19-02

Proposal to acquire land in North Mecklenburg for future planning

PROJECT PROPOSAL AND LOCATION:

Charlotte-Mecklenburg Schools (CMS) intends to acquire a +/-0.59ac site located at the northwest corner of the Old Statesville Road and Alexandriana Road intersection. The tax parcel for the site is 01705109. The site currently has a +/- 2,300 sf unoccupied single-family house on the property. The property is zoned NR based on zoning information obtained from Mecklenburg County Polaris.

PROJECT JUSTIFICATION:

Acquisition of this site will protect a long-term facility planning interest by completely controlling the northwest corner of the intersection noted above, and allows for long-term flexibility if the opportunity to replace North Mecklenburg High School on the existing campus arises.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

This acquisition is consistent with adding to the needed site acreage for new High School construction.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The Huntersville 2030 Community Plan supports continued access to public facility needs to meet demand generated by existing, as well as future growth and development.

PROJECT IMPACT:

Acquisition of the property will allow for planning, design, and construction flexibility if North Mecklenburg High School were to be rebuilt on the existing campus.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no known public projects.

ESTIMATED PROJECT COMPLETION DATE:

Acquisition of the property is anticipated to occur 2nd quarter 2019.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed the proposed transaction over email on February 4th, 2019 and no comments were offered.

PLANNING STAFF REVIEW:

Town of Huntersville staff has reviewed the proposal and has the following comments:

Conclusions:

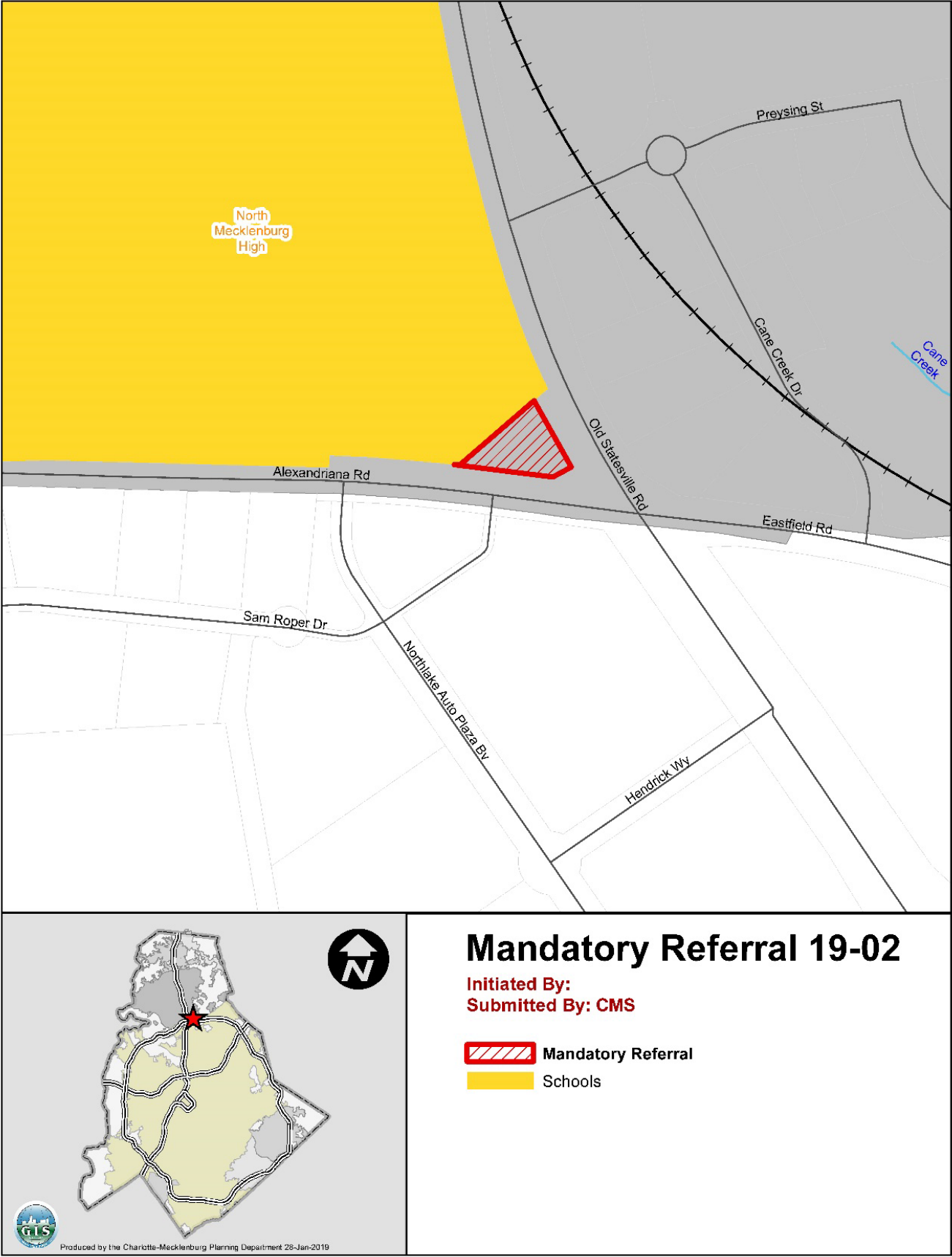
- This parcel is a residual single-family lot adjacent to the North Mecklenburg High School.
- The acquisition of the parcel provides for the opportunity of future school expansion.

Adopted Goals and Policies:

- The Huntersville 2030 Community Plan supports continued access to public facility needs to meet demand generated by existing, as well as future growth and development.

CMPC PLANNING COMMITTEE REVIEW:

At their February 19th, 2019 meeting, the Planning Committee...





MANDATORY REFERRAL | REPORT NO. 19-03

Proposal to acquire land in East Charlotte for an ABC Store

PROJECT PROPOSAL AND LOCATION:

Purchase from Eastside Connections JV, LLC of approximately 0.839 acres of land in Mecklenburg County, Parcel 16303249, as preliminarily shown on the attached map. The boundaries of the land include Independence Blvd to the NE, Zeus Street to the southeast, and Connection Point Blvd. to the south. The land currently is vacant. The Mecklenburg County ABC Board proposes to operate an ABC Store on the site. The property is zoned B-2. The site is part of a larger development, MoRA Point.

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 B-2 zoning district, and consistent with encouraging retail uses along the Independence Corridor (see Independence Boulevard Area Plan, 2011).

The site is within the Metropolitan Transit Commission (MTC) adopted Silver Line light rail corridor. The project is currently unfunded but conceptual plans indicate significant impacts to the site upon construction of the alignment.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Independence Boulevard Area Plan* (2011) recommends office and retail uses for this parcel. The policy specifies that existing retail and office uses may remain, however due to parcel depths, increased development intensity is not recommended. Residential land uses are appropriate and should be integrated within the neighborhood and oriented away from Independence Boulevard toward the surrounding neighborhood. Development of parcels in this sub area should be oriented such that they do not preclude the extension of the proposed new street to the Long Avenue connections on the south and Glendora Drive on the north.

PROJECT IMPACT:

The ABC Board's proposed use of this site 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.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The ABC Board understands that its project will be part of a larger private retail development by Selwyn Property Group and will complement the overall retail project. The ABC Board understands that the internal street network and other infrastructure improvements will be constructed by Selwyn Property Group.

The site is within the Metropolitan Transit Commission (MTC) adopted Silver Line light rail corridor. The project is currently unfunded but conceptual plans indicate significant impacts to the site upon construction of the alignment. The applicant is aware of this project and its potential impacts on the subject site.

ESTIMATED PROJECT COMPLETION DATE:

The proposed purchase will close in the first quarter of 2019. The intended opening of the business is estimated to be the first quarter of 2020. The Board intends for this location to replace the current store located at Village Lake Dr. The purchase has been approved by the Board and funded.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed the proposed transaction over email on February 4th, 2019 and no comments were offered.

PLANNING STAFF REVIEW:

Planning staff has reviewed the proposal and has the following comments:

Conclusions:

- Since the site is currently proposed to be developed under the existing B-2 zoning, the use currently is permitted. However, over time this site may be impacted by the proposed Silver Line light rail alignment and access management strategies of NCDOT related to the Independence Boulevard improvement project(s).
- The site should be designed to be integrated in the proposed development along Connection Point Boulevard.

MANDATORY REFERRAL | REPORT NO. 19-03

- The adopted future land use will be reevaluated through the Charlotte Future 2040 comprehensive plan process that considers the adopted Silver Line light rail alignment.

Adopted Goals and Policies:

- This site may be impacted by the proposed Silver Line light rail alignment that was adopted by the Metropolitan Transit Commission in November 2016.

CMPC PLANNING COMMITTEE REVIEW:

At their February 19th, 2019 meeting, the Planning Committee...

