



November 10, 2010

Chairperson Yolanda Johnson
Planning Committee Members

Dear Committee Members:

Attached for your review are the agenda and attachments for your regular meeting to be held on **Tuesday, November 16, 2010 at 5:00 p.m.** in **Room 280** located on the 2nd Floor of the Charlotte-Mecklenburg Government Center.

At the November 16th meeting, the Committee will be asked to make a recommendation on the draft *Plaza-Central Pedscape Plan Amendment* and two mandatory referrals. The Committee will also discuss the review and adoption process for the draft *Independence Boulevard Area Plan*.

Included in this packet are the following attachments:

1. October 19, 2010 Meeting Minutes
2. Mandatory Referral #10-010
3. Mandatory Referral #10-019
4. May 18, 2010 Meeting Minutes
(Draft *Independence Boulevard Area Plan* Public Comment Meeting)

If you cannot attend the November 16th meeting, please contact me at (704) 336-5993 or mmcullough@ci.charlotte.nc.us at your earliest convenience.

Sincerely,

Melony C. McCullough,
Planning Coordinator
Charlotte-Mecklenburg Planning Department

c. Planning Staff
Tim O'Brien, City Real Estate

AGENDA

I. Introductions and Call to Order

II. Approve October 19, 2010 Meeting Minutes. *Attachment 1.*

III. Recommend adoption of the draft *Plaza-Central Plan Amendment*

Background: The property owner at 1508 Central Avenue has requested an amendment to the *Plaza-Central Pedscape Plan*. This plan amendment allows for a reduction in the 400' distance from residential required for alcohol sales to 225'.

Staff Resources: Michelle Jones, Planning

Action Requested: Recommend adoption of the draft *Plaza-Central Plan Amendment*

IV. M.R. #10-10: Proposed Sale of City Owned Property Located on W. Todd Lane

Background: City of Charlotte Real Estate proposes to sell an 8,000 square foot parcel (0.184 acres) located off of Old Mt. Holly Road on the west side of West Todd Lane to New Zion Baptist Church. ***Attachment 2.***

Staff Resources: Marci Sigmon, Planning
Robert W. Drayton, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #10-10

V. M.R. #10-19: Proposed Land Exchange between Mecklenburg County, City of Charlotte, and a Developer in the Metropolitan Area

Background: The Metropolitan development located in the Midtown section of Charlotte is a partnership between the County, City and Pappas Properties. This land exchange allows for infrastructure improvements in the area. ***Attachment 3.***

Staff Resources: John Howard, Planning
Jacqueline McNeil, Mecklenburg County Real Estate Services

Action Requested: Approve Planning staff recommendation for M.R. #10-19

VI. Draft Independence Boulevard Area Plan Review and Adoption Process
 (For Committee Discussion Only) **Attachment 4.**

VII. Area Plan Status and Meeting Report

Background: Committee members assigned to area plans will provide a report on any meetings that have occurred since the last report.

Committee Resources and Upcoming Meetings:

Area Plan	Assigned Commissioner	Scheduled Meeting Date & Time	Meeting Location
Elizabeth Area Plan	Commissioners Griffith and Johnson	Citizen Advisory Group November 17 5:30 pm	CMGC – 8 th Floor Innovation Station
Midtown, Morehead and Cherry Area Plan	Commissioner Zoutewelle	Public Kick-off Meeting November 30 6:00 – 8:00 pm	Pleasant Hill Baptist Church 517 Baldwin Avenue
Steele Creek Area Plan	Commissioner Zoutewelle	Plan Area Tour December 6 2:00 p.m.	CMGC – 1 st Floor Lobby

Action Requested: None, for information only.

VIII. Adjourn

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Innovation Station, 8th Floor
October 19, 2010**

DRAFT

Commissioners Present: Yolanda Johnson (Chairperson), Andy Zoutewelle (Vice-Chairperson), Eric Locher, Joel Randolph, and Lucia Griffith

Commissioners Absent: Margaret Nealon and Emma Allen

Planning Staff Present: Alberto Gonzalez, John Howard, Sonda Kennedy, Michelle Jones, Kent Main, Melony McCullough, Bryman Suttle, and Jonathan Wells

Staff Resources Present: Tim O'Brien and Robert W. Drayton, City Real Estate and Jacqueline McNeil, Mecklenburg County Real Estate Services

Call to Order

Chairperson Johnson called the meeting to order at 5:25 p.m.

Approval of Meeting Minutes

A motion was made by Commissioner Griffith and seconded by Commissioner Randolph to approve the September 21, 2010 minutes with the change below recommended by Commissioner Zoutewelle:

Commissioner Zoutewelle stated that he would like all Planning Committee members to be included in meeting notices for all area plans, text amendments, and other Citizen Advisory Groups. The Committee agreed and clarified that although all Committee members will be notified of meetings, a commissioner and a substitute will be assigned to each area plan.

The vote was unanimous (5-0) to approve the minutes with the change noted above.

Receive Public Comments on the draft Plaza-Central Pedscape Plan Amendment

Michelle Jones (Planning staff) gave a brief overview of the *Plaza-Central Pedscape Plan* (2003). The plan amendment allows a reduction in the 400-foot separation required between residential uses and nightclubs to 225 feet within the plan area. She reminded the Committee that she shared detailed information about the plan at their previous meeting. This included information about how the plan guides land use and public investment decisions. She noted that the pedscape plan focuses on enhancing the pedestrian environment and that the Pedestrian Overlay Zoning District (PED) provides standards for form and design but does not change land use.

Commissioner Griffith asked if the character of Central Avenue differs from that of other parts of the plan area and if staff has received feedback from area residents. Ms. Jones stated that area residents support the plan amendment. Commissioner Randolph asked about the origin of the 225 foot distance. Ms. Jones stated that this is the distance that the property owner requested. Kent Main (Planning staff) added that the 225 foot distance works well for the area. Commissioner Randolph inquired about the notification process. Mr. Main stated that all property owners within 400 feet of the plan area receive notification letters two weeks prior to meetings.

Ms. Jones outlined the next steps in the process. Commissioner Zoutewelle asked why the Planning Committee is being asked to make a recommendation prior to City Council receiving public comments. Chairperson Johnson added that this was mentioned at the last meeting. Mr. Main explained to the Committee that the process for plan amendments is essentially the same as the area plan adoption process. Both Ms. McCullough and Mr. Main explained how the steps in the plan adoption process may vary.

Public Comments

Brian Horton (area resident) spoke briefly in support of the plan. He stated that he lives within 100 feet of the plan amendment area and that he purchased a home in this area because of the vibrant activity as well as the potential future development. Allyson Speakes, one of the property owners who requested the plan amendment, stated that she totally supports the project.

M.R. #10-016: Proposal to Transfer City-Owned Properties to Various Non-Profit Corporations

John Howard (Planning Staff) presented the mandatory referral for the City of Charlotte's Neighborhood and Business Services Key Business Unit's (NBS) proposal to transfer 22 city-owned parcels to various nonprofit organizations. Some of the parcels are located in urban areas while others are located in more suburban areas. The land use and zoning of the parcels range from residential to business and thirteen of the parcels have houses and nine are vacant.

Planning staff recommends the transfer of the majority of the parcels zoned for single family use but notes that the any improvements should adhere to the single family residential design guidelines outlined in the area plan for the subject parcel or *General Development Policies (GDP)*, adopted by City Council in 2003. However, three vacant parcels on North Summit Avenue, near Johnson C. Smith University (JCSU), are within the *West End Land Use and Pedscape Plan* (2005). The plan recommends a master planned mixed use of multi-family development in conjunction with the nearby Charlotte Housing Authority property. Planning staff recommends delaying the sale of these properties until a credible master plan for the larger area is developed.

Commissioner Griffith asked how close the property is to JCSU. Mr. Howard replied that it is within one-half mile. Commissioner Griffith asked if JCSU should be contacted to find out if they are interested in the homes for student housing. Mr. Howard replied that the school is aware of the proposed transfer and participates in a group that includes representatives from several agencies that have initiatives in the area.

The vacant parcels on Avant Street are located within the Midtown, Morehead, Cherry Area Plan boundary. The future land use for these parcels will be discussed during the plan development process. Planning staff recommends delaying the transfer or sale of these properties until the draft plan is developed.

Mr. Howard stated that the property located on West Boulevard is zoned for business. Planning staff does not support the transfer of the dwelling located at 2409 West Boulevard and recommends the site be reconsidered for non-residential use due to the commercial character of the block. Also, the Central District Plan recommends commercial land uses for the site. Commissioner Griffith asked if NBS is working with small businesses that may have an interest. Tim O'Brien (City Real Estate) stated that the property that is zoned for business will likely be sold.

Commissioner Zoutewelle asked for feedback from NBS about Planning staff's modification of their original request. Denice Beteta, (NBS) stated that the changes are acceptable.

A motion was made by Commissioner Griffith to approve Planning Staff's recommendation as modified for M.R. #10-016, The motion was seconded by Commissioner Randolph. The vote was 5-0 to approve.

M. R. #10-017: Proposed Sale of City-Owned Land located at 922 Louise Avenue

Melony McCullough (Planning Staff) presented the mandatory referral for the City's proposal to sale a .72 acre site located at 922 Louise Avenue, behind The Salvation Army located on Central Avenue. The Salvation Army approached the City about purchasing the surplus land to create a wooded outdoor environment for counseling those struggling with addictions. Commissioner Griffith asked if consideration was given to transferring this property to The Salvation Army, a non-profit organization. Tim O'Brien (City Real Estate) explained that The Salvation Army is willing to purchase the property and that this is an economic generator for the city.

A motion was made by Commissioner Randolph to approve Planning Staff's recommendation for M.R. #10-017 and seconded by Commissioner Zoutewelle. The vote was 5-0 to approve.

M.R. #10-018: Proposal to Purchase Land for a New Police Station in Steele Creek

Alberto Gonzalez (Planning Staff) presented the proposal to purchase land for a new Steele Creek Division headquarters. Commissioner Randolph asked about the location of the nearest police station. Mr. Gonzalez explained that this facility will replace the current facility located at 1790 Shopton Road, Charlotte Police and Fire Training Academy. Commissioner Randolph also asked if there is a station close to Nations Ford Road or Arrowood Road. He expressed interest in the police response time for the area and stated that he would like to see new stations located in areas that are blighted, economically challenged, and crime ridden. Bryman Suttle (Planning Staff) shared that a feasibility study considered a number of sites before this site was selected. Commissioner Randolph said that it would be good to have maps similar to those presented by the Fire Department for their mandatory referrals. Commissioner Zoutewelle asked if the design of the facility takes the road right of way and road location into consideration. Mr. Gonzalez replied that the design does consider the street. Commissioner Randolph stated he does not think this is the best location for this facility and another use is better suited for this site.

A motion was made by Commissioner Locher to approve Planning Staff's recommendation for M.R. #10-018 and seconded by Commissioner Griffith. The vote was 4-1 to approve. Commissioner Randolph voted not to approve.

M.R. #10-019: Proposed Land Exchange between Mecklenburg County, City of Charlotte, and a Developer in the Metropolitan Area

Commissioner Zoutewelle recused himself from this mandatory referral after disclosing that his survey company provided the survey and recorded the plat for this proposal. There was not a quorum present and the Committee voted to defer this mandatory referral.

Commissioner Zoutewelle left at 6:15

Area Plan Status and Meeting Report

Steele Creek Area Plan – A Citizen Advisory Group meeting is planned for November 9, 2010.

November and December Meeting Schedule

The Planning Committee will meet as scheduled on November 16th. The meeting scheduled for December 21st has been tentatively rescheduled to December 14th. Ms. McCullough will notify Chairperson Johnson if there are mandatory referrals or other agenda items that require action in December. If there are none, the December 14th meeting will be cancelled.

Area Plan Information and Tours

The Committee will have an information session on the draft *Independence Boulevard Area Plan* at 2:00 p.m. on November 1st followed by a tour of the area at 3:00 p.m. The draft *Steele Creek Area Plan* tour has been rescheduled for 2:00 p.m. on Monday, December 6th.

Adjourn

The meeting adjourned at 6:30 p.m.

Initiated & Submitted by: Robert W. Drayton, City E&PM Real Estate

MANDATORY REFERRAL REPORT NO. 10-10
Proposed Sale of City Owned Property on W. Todd Lane in Charlotte

PROJECT PROPOSAL AND LOCATION:

City of Charlotte Real Estate received an offer from the New Zion Baptist Church and is proposing to sell PID 057-101-55 to them via the private sale process. The property is located on the west side of West Todd Lane and consists of approximately 8,000 SF (0.184 acres) of land currently being used as parking by the church (located across West Todd Lane from the subject parcel). The property is zoned R-5 (Residential) according to the Charlotte Zoning Ordinance and the surrounding properties are institutional (churches) and residential, with an industrial park immediately to the west. The intended use of the property is to continue to meet the church's parking need.

PROJECT JUSTIFICATION:

Departmental Polling was conducted in May 2010 on this property. No replies were received that indicated interest by any City departments or other participating entities.

The property was acquired from New Zion Baptist Church December 20, 2002 for the Southwest Water Main project. The water line was installed and the property is fully encumbered by the 50-foot easement for the 72-inch water main. The easement will be retained after the sale. The property is currently being used by New Zion Baptist Church for parking.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

It is the City Real Estate policy to maximize the City's return from its current and future asset portfolio and minimize the maintenance and liability costs. The City will aggressively manage these assets. Maximizing the City's return will include alternative ownership / management strategies to optimize the benefits of private ownership (property tax revenue streams and public costs associated with ownership) while meeting the City's public policy objectives.

The value of the property will be determined by an independent appraisal and will be sold via the upset bid process as outlined in the State of North Carolina General Statutes.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Northwest District Plan* (1990) recommends single family residential for this site. The intended primary use for this site will be a parking lot. While institutional uses (churches, schools, etc.) are generally considered compatible with residential land uses, the fact that parking would be the use on the site (as opposed to being integrated into the church campus) makes the intended use not compatible in a residential area, thus inconsistent with the *Northwest District Plan*.

PROJECT IMPACT:

The transfer of this property would eliminate any potential maintenance and liability costs that could be incurred by the City.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The transfer of this parcel is not related to any other known public or private projects.

ESTIMATED PROJECT COMPLETION DATE:

Completion of the process to obtain Council approval and complete the transfer should be complete by the end of 2010.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their June 2, 2010 meeting and the advisability of selling the lot for parking when it is not permitted under existing zoning was discussed. Further, were the property to be re-zoned to legalize the parking, virtually the entire lot would be occupied by required buffering rendering the parcel useless for parking. The group felt that the only way sale to the church for parking should proceed would be on condition that the church pledge to acquire adjacent parcel(s), combine them, and legally develop them (including re-zoning them) into parking. If the decision is made to proceed with the sale, it should be conditional to ensure that the situation will not result in a zoning code enforcement problem in the future and that if conditions are not met that the City could invalidate the transaction.

PLANNING STAFF RECOMMENDATION:

Planning Staff does not recommend approval of this property transfer for the intended land use. However, were the City to convey the parcel to either or both of the adjoining residential properties (for the purpose of enlargement of their residential lots), staff could recommend approval.

CMPC PLANNING COMMITTEE RECOMMENDATION:

At their June 15, 2010 meeting the Planning Committee in a 7-0 vote recommended deferral until the church is notified that they can't legally use the subject parcel for parking.

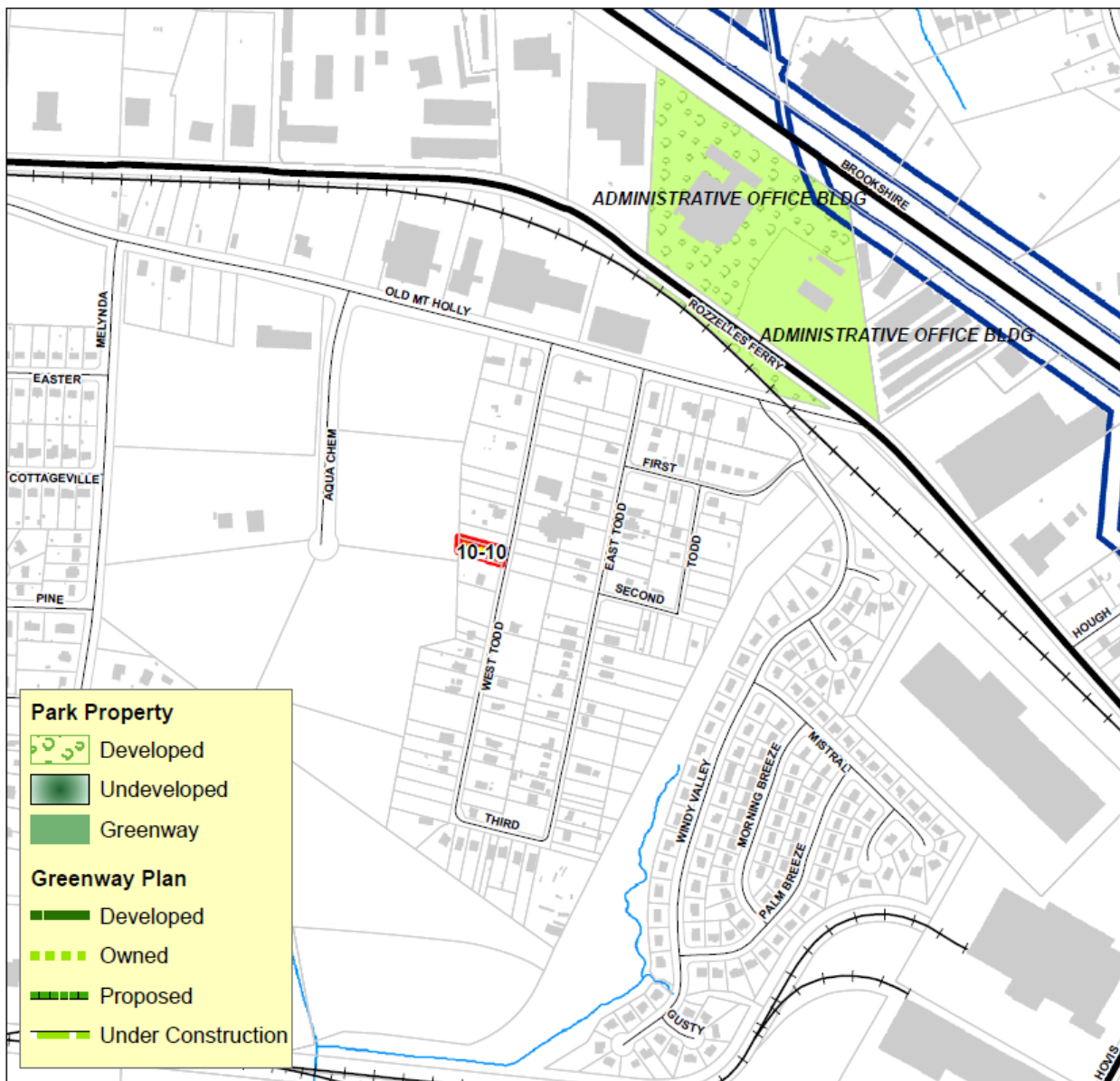
UPDATE:

Following the June 15, 2010 Planning Committee meeting, City Real Estate staff contacted representatives from the New Zion Baptist Church and discussed the zoning restriction that would effectively prevent the church from using the single lot for parking. The church representative acknowledged that they were aware of the restriction, and that their strategy was to acquire additional adjoining lot(s) on the west side of W. Todd Lane (as well as the City-owned lot), combine the lots, and then seek and obtain zoning approval to construct church parking on the west side of W. Todd Lane. They reportedly do not plan on using the single City-owned lot for parking until additional land is acquired and approvals subsequently obtained.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of this proposed transfer for the intended land use, on condition that the property NOT be used for parking unless and until the parcel is brought into zoning compliance for the intended parking use.

CMPC PLANNING COMMITTEE RECOMMENDATION:

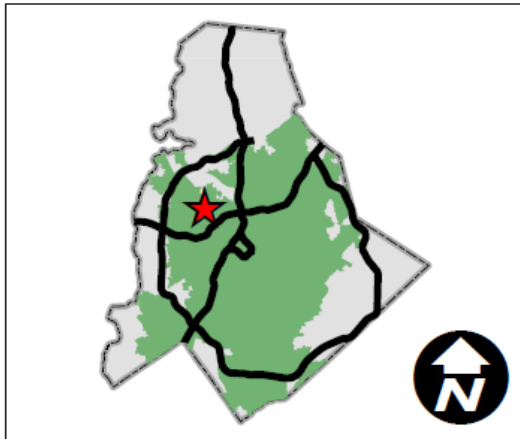


Park Property

- Developed
- Undeveloped
- Greenway

Greenway Plan

- Developed
- Owned
- Proposed
- Under Construction



Mandatory Referral 10-10

Submitted & Initiated by: City Real Estate

- Mandatory Referral
- City Property
- Overhead Electrical Transmission Lines



Submitted by: Jacqueline McNeil, Mecklenburg County Real Estate Services **Initiated by:** Mark Hahn, Mecklenburg County Real Estate Services

MANDATORY REFERRAL REPORT NO. 10-19
Proposed Land Exchange Among Mecklenburg County, City of Charlotte,
and a Developer in the Metropolitan Area of Charlotte

PROJECT PROPOSAL AND LOCATION:

The Metropolitan development project is a partnership among Mecklenburg County, the City of Charlotte, and Pappas Properties in the mid-town section of Charlotte. Metropolitan is a mixed-use development that consists of mid-rise condominiums, restaurants, and other retail uses along with public open space. Mecklenburg County and the City of Charlotte are party to an Economic Development Grant Agreement with Pappas Properties that will result in major infrastructure and community development improvements in this area of the city and along Little Sugar Creek that runs parallel to Kenilworth Drive. Infrastructure improvements and real estate transactions that have or will take place per the agreement include:

- Little Sugar Creek Greenway/Stream Restoration – The County uncovered the portion of Little Sugar Creek that was capped and restored the natural elements of the Creek, including its flow. The County envisions this section of Little Sugar Creek becoming the signature section the greenway. The County added additional greenway trail that can be used for recreation and open space purposes
- Old Baxter Street Bridge – The County removed the Old Baxter Street Bridge to make way for a new bridge. The County was also responsible for the removal of overhead power lines in the vicinity of the old bridge. The City was responsible for moving water and sewer lines that ran under the old bridge.
- New “Baxter Street” Bridge (Pearle Street Parkway) – With contributions from the County and the developer, the City constructed the new bridge that replaced the Old Baxter Street Bridge. The new bridge is functionally superior to the bridge it replaced as it is at a height that allows the greenway trail to pass under the bridge. The new bridge is out of the flood zone and has four traffic lanes with six foot sidewalks which is an improvement over the previous bridge.
- Independence Boulevard Bridge – The Independence Boulevard Bridge was replaced. The new bridge was raised and the lanes were widened. The improvements included alignment of the bridge with improvements that were made to the Kenilworth/Independence intersection.
- Transfer of Right-of-Way from County to City – To accomplish the above bridge/road improvements, the County is to transfer right-of-way to the City along Independence Blvd, Pearle Street Park, and additional right-of-way for the new Baxter Street Bridge (Pearle Street Parkway). At a later date, the City will widen Kenilworth Avenue.
- Right-of-Way Abandonment – The City agreed to abandon property at the intersection of the reconfigured S. Independence/Kenilworth. Residual property from the ROW abandonment is to be transferred from the City to the County. The property will be incorporated into Little Sugar Creek Greenway.

Categorically, the transactions involve:

- Acquisition from private parties of land by the City of Charlotte to serve as street right-of-way (e.g. re-aligned Baxter Street)
- Transfer from County to City to serve as street right-of-way (e.g. new Pearle Street Parkway)
- Transfer of former right-of-way from City to private parties (e.g. old Baxter Street)
- Transfer of former right-of-way from City to County (e.g. old S. Independence Blvd./Kenilworth Ave. intersection)
- Transfer of right-of-way from County to City to enable widening of existing streets

PROJECT JUSTIFICATION:

This project will accomplish the following objectives:

- Improvement to creek/floodplain quality at Little Sugar Creek by restoring the creek to its natural state
- Replace the Independence Boulevard and Baxter Street bridges that serve traffic in this area of town, and elevate the bridges out of the flood zone.
- Allow for extension of the greenway trail at Little Sugar Creek, and improve connectivity and pedestrian access to the trail
- Facilitate development in the mid-town area
- Improve traffic flow to and from the mid-town area

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Little Sugar Creek is identified as a priority greenway corridor in the *10-Year Park and Recreation Master Plan* (adopted by the County Commission in 2008). Participation in the Metropolitan project is consistent with the *Master Plan*.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Central District Plan* (1993) does not identify new street or greenway connections. However, the General Development Policies (2003) recommends interconnected pedestrian and street networks.

PROJECT IMPACT:

This project will have a positive impact on the community by increasing public accessibility to the greenway system, improving the quality of the creek, revitalizing this portion of the community, and improving the traffic network.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

Eventually, this section of Little Sugar Creek will connect to Alexander Street Park. It currently connects to Freedom Park, and extends beyond Park Road Shopping Center. This project will inject energy into this area of town, and will complement the private mixed use development (Metropolitan).

ESTIMATED PROJECT COMPLETION DATE:

Most land transactions are expected to be completed by Fall, 2010 with design and construction plans finalized for future roadway work shortly thereafter.

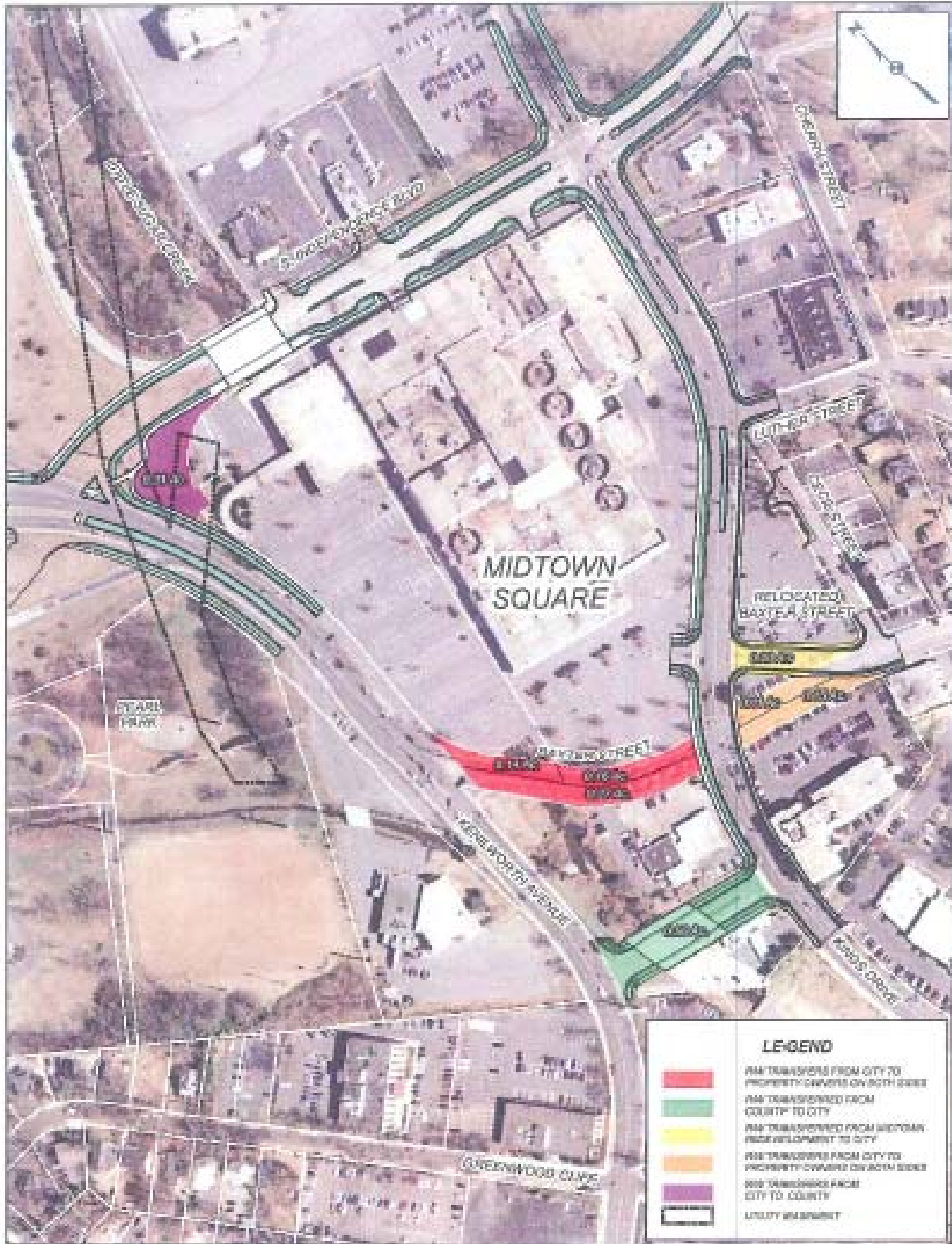
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their October 6, 2010 meeting and no comments were offered.

PLANNING STAFF RECOMMENDATION:

Planning staff recommends approval of the land exchange among the listed entities.

CMPC PLANNING COMMITTEE RECOMMENDATION:



LEGEND FOR MAP ABOVE

- Red = Property proposed for transfer from City to private entity (Metropolitan developer)
- Green = Property proposed for transfer from County to City
- Yellow = Property proposed for transfer from private entity to City
- Orange = Property proposed for transfer from City to adjoining property owner(s)
- Purple = Property proposed for transfer from City to County

Approved
June 15, 2010

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Innovation Station, 8th Floor
May 18, 2010 – 5:00 p.m.
Revised**

Commissioners Present: Yolanda Johnson (Chairperson), Eric Locher (Vice-Chairperson), Claire Green Fallon, Steve Firestone, Nina Lipton, Greg Phipps, and Andrew Zoutewelle

Planning Staff Present: Kathy Cornett, Alberto Gonzalez, Garet Johnson, Sonda Kennedy, Kent Main, Melony McCullough, Alysia Osborne, Bryman Suttle, and Jonathan Wells

Other Staff Present: Brian Horton (CDOT), Robert Drayton (City Real Estate), and Steve Law (Mecklenburg County Real Estate Services)

Call to Order

Chairperson Johnson called the meeting to order at 5:05 p.m.

Approval of Meeting Minutes

A motion was made by Commissioner Zoutewelle and seconded by Commissioner Locher to approve the April 20, 2010 meeting minutes. The vote was 7-0 to approve the minutes.

Receive Public Comments on the Draft Independence Boulevard Area Plan

Alysia Osborne (Planning Staff) gave a brief overview of the draft *Independence Boulevard Area Plan* and reminded the Committee that she shared detailed information about the plan at their previous meeting. Information shared at this meeting included the plan area boundaries, process to date, plan purpose, key recommendations, and next steps. Next steps in the process include giving Council Committee an overview of the plan and requesting that Council receive public comments on the draft plan. Chairperson Johnson recognized Council Member Nancy Carter. Council Member Carter shared her interest and concern about the Independence Boulevard Corridor. She stated that she was pleased that citizens' concerns about preserving the community were heard during the planning process. She added that through this process, staff and citizens have worked together to address multiple issues. Council Member Carter spoke of her support for light rail along the corridor, cutouts for small businesses, and access to the rear of businesses as a vital part of the plan. She stated that "We looked at transitional setbacks; we've deleted 150 feet within a certain parameter in the Conference Drive area so that businesses can develop using that designated setback for undesignated parking"; and noted the importance of signage, connecting roads between shopping centers and streets, well marked access, CATS involvement, and sharing information.

Ron and Kathy McManus own a building on Independence Boulevard which is leased to the Olive Garden Restaurant. They would like to have access to this business, especially during construction, and expressed a need for parking. The McManus' contract/lease may not be renewed because of access issues. The State will not purchase the property because it will still have access. The owners believe the access is unsafe because it is between two ramps.

Brian Horton, CDOT staff, confirmed that it is the State's view that the property is accessible, even if it is right-in and right-out only. Ms. McManus reiterated their concern that their business will have to relocate and leave an empty building.

Commissioner Lipton asked Ms. Osborne how the State's road improvements plans fit into the area plan. Ms. Osborne replied that area plan recommends property acquisition. Brian Horton (CDOT) added that an acquisition program is recommended for the entire corridor.

Walter Fields, Urban Resource Group, represents several area property owners. He shared concerns about several of the plan recommendations: the frontage road - how will it connect and where will it go, green space, and how will stream openings occur and how property owners will be compensated.

Commissioner Zoutewelle asked Mr. Fields to speak on the transitional setback issues. Mr. Fields is interested in how it will affect the new road right-of-way. City Council approved a portion of the transitional setback along Independence Boulevard. He noted that he thought the transitional setback would be addressed in the plan but it is barely mentioned. Commissioner Zoutewelle asked Mr. Horton to explain the transitional setbacks width. Mr. Horton stated that transitional setback is on every thoroughfare and explained the dimensions. A portion of the transitional setback along Independence Boulevard (between Briar Creek and Harris Boulevard) has been reduced to 250 feet.

Commissioner Lipton asked about increasing parking near Conference Drive which is a station area. Ms. Osborne noted that the plan recommends Transit Oriented Development for this area.

Due to time constraints, Commissioner Phipps asked Mr. Fields to provide his comments in writing. Mr. Fields agreed to send committee members a copy of his comments.

The next speaker was Frank Rader, 2401 N. Sharon Road, who shared concerns about access.

The next speaker, Chris Bakis shared that he has lived in the area for 48 years and has watched the area decline over the years. He thinks the decline of the business corridor is the problem. He doesn't think transit will work in the area and suggests a parallel overpass with toll booths, restoration of left turns, and improved connectivity. Commissioner Lipton asked Mr. Bakis to explain the concept of a parallel over path. Mr. Bakis explained that the concept is used in Tampa for connectivity.

Chairperson Johnson thanked everyone for coming out and gave them information on how to contact Planning Committee members.

Commissioner Fallon was excused from the meeting at 6:00 p.m.

Receive Public Comments on the Draft *University Research Park Area Plan*

Kathy Cornett (Planning Staff) gave an overview of the *University Research Area Plan*. She summarized the plan's purpose and plan development process, highlighted the area boundaries, and discussed key recommendations.

Mary Hopper (University City Partners Executive Director) and Rhett Crocker (Land Design Consultants) were present for public comments. Ms. Hopper explained the plan purpose and added that the area is faced with several opportunities and challenges. She stated that the University Research Park will bring new jobs to the area. Commissioner Zoutewelle inquired about the area's topography and homes proposed in the park area. Mr. Rhett Crockett (Land Design) stated that the area is very unique and has many opportunities for growth. Commissioner Lipton shared concerns about residential heights that exceed twelve stories and asked if signage has been worked out. Ms. Hopper answered that the state has been contacted about a way finding system.

Catawba Area Plan

Commissioner Zoutewelle recused himself because of a conflict of interest.

Alberto Gonzalez (Planning Staff) gave a brief overview of the draft *Catawba Area Plan* which included a description of the plan boundaries, purpose, and key recommendations. Barry Shearin, Charlotte-Mecklenburg Utilities (CMU), discussed issues concerning the proposed waste water treatment plant. Commissioner Locher asked what impact the facility will have on the area. Mr. Shearin replied that no one will know the facility is there and that the sewage plant will use the latest odor tracking technology. Commissioner Lipton asked what will happen if the permit is not granted. Mr. Shearin stated that the option to purchase the land is based on securing the necessary permits. Mr. Gonzalez added that the land use recommendation is for utilities; however, the property is zoned I-2 (CD).

Commissioner Firestone made a motion to recommend approval of the draft Catawba Area Plan and Commissioner Locher seconded. The vote was 6-0 to recommend approval of the draft Catawba Area Plan.

M.R. #10-05: Proposed Acquisition of Property at 3501 Reid Avenue for Irwin Creek Greenway

Jonathan Wells (Planning Staff) presented the mandatory referral for Mecklenburg County to purchase a vacant parcel located at 3501 Reid Avenue in the Reid Park Neighborhood. Proposed acquisition of this property is part of the land assemblage for the Irwin Creek Greenway and the entire parcel is located within the 100-year floodplain.

A motion was made by Commissioner Phipps to approve staff's recommendation for M.R. #10-05 and seconded by Commissioner Lipton. The vote was 6-0 to approve staff's recommendation for the mandatory referral.

M.R. #10-06: Proposed Land Acquisition to allow expansion of Metrolina Recycling Facility

Greg Burnham (Planning Staff) presented the mandatory referral for Mecklenburg County to acquire a one acre site located at 926 West Craighead Road to provide alternate access to the adjacent County-operated Metrolina Recycling Facility. Currently, the only access to the recycling facility is from Amble Drive. A future access from West Craighead Road will help reduce truck traffic on Amble Drive and enhance vehicular circulation at the facility. This additional property will also support expansion of the facility in the future, if needed.

A motion was made by Commissioner Phipps to approve staff's recommendation for M.R. #10-06 and seconded by Commissioner Locher. The vote was 6-0 to approve staff's recommendation for the mandatory referral.

M.R. #10-07: Proposed Holbrooks Road Landfill Buffer Acquisition

Jonathan Wells (Planning Staff) presented the mandatory referral for Mecklenburg County to purchase a 200 foot wide strip of land totaling approximately 5.5 acres located off of Old Statesville Road on the northerly side of Holbrooks Road. The property is located in the Town of Huntersville's extraterritorial jurisdiction. The purpose of this acquisition is to buffer the adjacent County-owned Holbrooks Road Landfill/Waymer Flying Field from future encroaching development.

A motion was made by Commissioner Lipton and seconded by Commissioner Phipps to approve staff's recommendation for M.R. #10-07. The vote was 6-0 to approve staff's recommendation for the mandatory referral.

Area Plan Status and Meeting Report

Elizabeth Area Plan

Commissioner Lipton stated that the plan is moving along and may be ready for the adoption process in the fall. There are questions concerning transportation recommendations.

Steele Creek Area Plan

Ms. McCullough shared that staff is working on preliminary land use polices and that the next Citizen's Advisory Group Meeting is scheduled for May 20th.

Independence Boulevard Area Plan

Ms. McCullough reminded the Committee that they are scheduled to tour the Independence Boulevard plan area after the full Planning Commission meeting on Monday, June 7th. The plan will be on the next meeting Planning Committee agenda for a recommendation and on City Council's June 24th agenda for action. Commissioner Lipton would like more information on the road project and Commissioner Zoutewelle is interested in the nodes.

Executive Committee Update

Chairperson Johnson asked the Committee to think about for the upcoming full commission retreat which is tentatively scheduled for the end of July.

Adjourn

The meeting adjourned at 7:20 p.m.