



February 9, 2011

Chairperson Yolanda Johnson
Planning Committee Members

Dear Committee Members:

Attached for your review are the agenda and attachment for your regular meeting to be held on **Tuesday, February 15, 2011 at 5:00 p.m. in Room 280** located on the 2nd Floor of the Charlotte-Mecklenburg Government Center. At this meeting, the Committee will receive an update on the ULI – Rose Fellowship and the draft *Independence Boulevard Area Plan*.

The ULI - Daniel Rose Fellowship, January 14th presentation and the draft *Independence Boulevard Area Plan* are available on the Planning Department's ftp site. Instructions to access this information are provided below:

1. Copy and paste the following link to your web browser to access the ftp site:
<ftp://ftp-city-public.ci.charlotte.nc.us/sharelarge/planning/Alysia/>
2. Insert the following username and password:
(username: planning and password: charlotte)

If you cannot attend the February 15th meeting, please contact me at (704) 336-5993 or mmcullough@charlottenc.gov at your earliest convenience.

Sincerely,

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

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

**Charlotte-Mecklenburg Planning Committee Meeting
February 15, 2011
CMGC – 2nd Floor, Conference Room 280, 5:00 p.m.**

AGENDA

I. Introductions and Call to Order

II. Approve December 14, 2010 Meeting Minutes. *Attachment 1.*

III. Update on the ULI – Rose Fellowship and the draft *Independence Boulevard Area Plan*

Background: The Urban Land Institute (ULI) Daniel Rose Center for Public Leadership in Land Use has named Charlotte Mayor Anthony Foxx and three other community leaders to serve in fellowships for the Center through 2011. During the next year, the Charlotte team will work with leading experts in the real estate development, finance, and land use fields to identify the initial steps to implement the community’s vision in the draft *Independence Boulevard Area Plan*.

Staff Resources: Alysia Osborne, Planning
Brian Horton, Charlotte Department of Transportation

Action Requested: None, for information only.

IV. Area Plan Status and Meeting Report

Background: Committee members will provide an update on area plans.

Committee Resources and Upcoming Area Plan Meetings:

Area Plan	Assigned Commissioner(s)	Scheduled Meetings
Elizabeth Area Plan	Commissioners Griffith and Johnson	None at this time
Midtown, Morehead and Cherry Area Plan	Commissioner Zoutewelle	CAG Meeting Thursday, March 3 rd at 6:00 p.m. (tentative) Pleasant Hill Baptist Church 517 Baldwin Avenue
Steele Creek Area Plan	Commissioner Zoutewelle	None at this time

Action Requested: None, for information only.

V. Adjourn

DRAFT

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Conference Room 280, 2nd Floor
December 14, 2010**

Commissioners Present: Andy Zoutewelle (Vice-Chairperson), Emma Allen, Eric Locher, Margaret Nealon, and Joel Randolph. Nina Lipton, Zoning Committee, attended to satisfy the requirements for a quorum. Lucia Griffith joined the group at 5:45 p.m.

Commissioner Absent: Commissioner Yolanda Johnson (Chairperson)

Planning Staff Present: Alberto Gonzalez, Sonda Kennedy, Melony McCullough, Alysia Osborne, Bryman Suttle, Jonathan Wells, and Brent Wilkinson

Other Staff Present: Brian Horton (Transportation), Robert W. Drayton (City Real Estate), and Jacqueline McNeil, Mecklenburg County Real Estate Services

Call to Order

Vice-Chairperson Zoutewelle called the meeting to order at 5:05 p.m. and thanked Commissioner Lipton for attending the meeting.

Approval of Meeting Minutes

A motion was made by Commissioner Allen and seconded by Commissioner Nealon to approve the November 16, 2010 minutes. The vote was unanimous (6-0) to approve the minutes.

M.R. #10-20: Proposed Land Acquisition of Flood-Prone Structures by Mecklenburg County

Bryman Suttle (Planning Staff) presented the mandatory referral for Mecklenburg County's Storm Water Services Program proposal to acquire eight parcels located along Briar Creek, Little Sugar Creek, and McMullen Creek. These parcels are located in the County's most flood prone areas. Mr. Suttle stated that periodically each of the parcels are subject to severe flooding. Mecklenburg County received grant funding to acquire the properties through the Federal Emergency Management Administration (FEMA)/ Pre-Disaster Mitigation (PDM) program.

After the staff overview, Commissioner Zoutewelle asked commissioners for their comments. Commissioner Nealon stated that she supports this project but is curious about public access to the greenways. Commissioner Locher asked what will take place in the area and who will maintain it. Ms. Jackie McNeil (County Real Estate) replied that the structures will be demolished and the area will remain as open space. The land will be owned and maintained by the County. Commissioner Locher was recused from participating in this presentation after disclosing that he lives adjacent to one of the parcels. Commissioner Lipton made the motion to recuse Commissioner Locher and Commissioner Allen seconded the motion. The vote was unanimous. Commissioner Locher left the room and the hearing resumed.

Commissioner Lipton asked where will the greenways be located and if FEMA is involved. Ms. McNeil stated that the purpose of this land acquisition is to remove flood prone structures and not to designate greenways. Commissioner Zoutewelle asked if there is an opportunity to purchase additional property. Ms. McNeil answered yes and stated that only open space will be added to the inventory at this time. Commissioner Randolph asked about demolishing the buildings. Ms. McNeil stated that all structures purchased through the flood mitigation plan are demolished. Commissioner Randolph was concerned about access from the street. Ms. McNeil stated that City Real Estate does not have a design process. Commissioners Allen and Nealon expressed interest in how property is selected. Ms. McNeil stated that agencies look at the history of flooding in an area. Commissioner Lipton thinks it is a good idea to convey the process to the public.

A motion was made by Commissioner Randolph and seconded by Commissioner Allen to approve staff's recommendation for Mandatory Referral #10-20. The vote was 5-0 to approve.

Commissioner Locher rejoined the meeting at 5:30 p.m.

M.R. #10-21: Proposed Exchange of Property Owned by Mecklenburg County located in the Rockwell Park Neighborhood for Property Owned by Habitat for Humanity located in the Reid Park Neighborhood

Mr. Jonathan Wells (Planning Staff) presented an overview of the proposed exchange of property between Mecklenburg County and Habitat for Humanity. Habitat for Humanity would like to acquire a .34 acre site located at 6012 Carver Boulevard in exchange for seven parcels totaling approximately 13.5 acres located throughout the Reid Park neighborhood. The property will be used to expand Amay James Community Park or to develop a linear park.

Commissioner Nealon asked about the size of the parcel on which the single family home is to be built. Mr. Wells stated that it is one-third of an acre. Commissioner Locher stated that he thinks having a partnership of this nature is a great idea. Commissioner Lipton asked what is the surrounding property zoned and Mr. Wells replied that it is zoned R-5. The Committee discussed placing conditions on the approval. Commissioner Zoutewelle asked if the Committee has the authority to place conditions on staff's recommendations. Mr. Wells stated that Planning staff's recommendation includes conditions that will be placed on the property.

A motion was made by Commissioner Lipton and seconded by Commissioner Allen to approve Planning staff's recommendation for Mandatory Referral #10-21. The vote was 6-0 to approve.

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

The Planning Committee recommended deferral of this mandatory referral in November because there was not a quorum present. Because of conflicts of interest, Commissioners Zoutewelle and Nealon recused themselves from the discussion. Commissioner Zoutewelle appointed Commissioner Randolph to serve as chairperson.

Mr. Wells gave a copy of the legislation policy concerning the consequences of postponing mandatory referrals for more than 30 days to Commissioner Randolph. Mr. Wells read the information to the Committee and stated that this is for information only and to answer questions from the previous Planning Committee meeting about deferring mandatory referrals.

Mr. Wells presented the overview for the Metropolitan development. This development is a partnership between the County, City, and Pappas Properties. This land exchange allows for infrastructure improvements in the area that will increase public accessibility to the greenway and improve the transportation network. At the conclusion of the presentation, Commissioner Locher asked who will own the road after demolition and the extension of the bridge. Ms. McNeil stated that the City will widen Kenilworth Avenue. Mr. Brian Horton (Transportation) explained the impact of the turn lanes and the line that was negotiated with Duke Energy. Commissioner Lipton was concerned about better pedestrian access.

A motion was made by Commissioner Griffith and seconded by Commissioner Lipton to approve staff's recommendation for Mandatory Referral #10-19. The vote was 5-0 to approve.

Commissioner Zoutewelle and Commissioner Nealon returned to the meeting at 6:00 p.m.

Overview of the Steele Creek Area Planning Process

Commissioner Zoutewelle, who is assigned to this area plan, reported that there was no tour on December 6 as previously planned. He explained that this agenda item is for staff to provide background information on the Steele Creek Area planning process. It will also give Committee members an opportunity to ask questions and become familiar with the plan area and the planning process. Commissioner Locher stated that he should recuse himself because his family owns property in this area. His statement prompted a lengthy discussion about when a Committee member should be "recused" from a discussing an item. Commissioner Zoutewelle stated that he has been advised by Assistant City Attorney Terrie Hagler-Gray that you should leave the room if you are recused. Commissioner Lipton asked how does owning property in an area impact discussing the plan. She suggested that if a Committee member has a question; it may be a good idea to talk with Ms. Hagler-Gray. Commissioner Griffith stated that this is a public hearing and anyone can hear public meetings. Commissioner Zoutewelle said that there are two ways to be recused – (1) disclosure of potential conflict by the member, after which the Planning Committee will discuss and vote and (2) a member can make a self determination and recuse one's self. The Committee decided that Commissioner Locher should hear the overview since there will not be any deliberations at this meeting.

Ms. Melony McCullough (Planning Staff) and Mr. Brent Wilkinson (Planning Staff) gave the overview. Ms. McCullough began by recognizing other staff members present who are working on this project. She stated that the Steele Creek plan area is approximately 27,000 acres and generally bounded by Shopton Road West on the north, the State Line on the south, I-485 on the east, and the Catawba River on the west. The area includes a diverse mixture of residential, office, retail, and industrial land uses. The most intense development in the area is primarily

located within the Rivergate and Whitehall / Ayrley Mixed Use Activity Centers as well as the Westinghouse Industrial Center. The plan generally focuses on land use, community design, transportation, and the natural environment. A public meeting to receive comments on draft plan recommendations is tentatively scheduled for January 13, 2011.

Commissioner Zoutewelle asked Committee members for their thoughts. Commissioner Griffith commented that she values this innovative way to look at a diverse plan. Commissioner Allen stated that the plan looks good at this point. Commissioner Randolph said that his hot-spot is the traffic on Steele Creek Road. Commissioner Lipton commented that if you develop the land, you should encourage growth which is extremely important in this area. She asked if the plan is asking RiverGate to be mixed use and will there be an increase in size for the centers. Ms. McCullough stated that the plan allows for intensification of development in the RiverGate Mixed Use Activity Center. Commissioner Zoutewelle stated that he attended several Citizen Advisory Group meetings and that the planning process has gone smoothly. He thanked staff for doing a good job communicating with everyone involved. Commissioner Locher stated that the plan looks great to him but commented that a lot of people in this area do not want change. He thinks this plan will be a challenge. Commissioner Nealon is really interested in the plan and likes its size. She also noted that the area provides a challenge for transportation to make improvements. She also expressed curiosity about the community's involvement in the process. Commissioner Griffith asked if the public meeting can be broadcasted. Ms. McCullough talked about the different ways of communicating with citizens and indicated that staff will consider other suggestions.

Elizabeth Area Plan

Commissioner Griffith reported there has been not been any activity since the last Committee meeting. There has been a lot of concern about CPCC.

Midtown, Morehead and Cherry Area Plan

Commissioner Zoutewelle reported that a public kick-off meeting will take place in January.

Steele Creek Area Plan

The tour is scheduled for Monday, January 10 immediately after the full Commission meeting.

Meeting Adjourned

Commissioner Zoutewelle thanked everyone for attending and the meeting adjourned at 6:50 p.m.