

Charlotte-Mecklenburg Planning Committee Meeting

May 17, 2011

CMGC – 2nd Floor, Room 280, 5:00 p.m.

Meeting Agenda

I. Introductions and Call to Order

II. Approve April 19, 2011 Meeting Minutes. *Attachment 1*

III. Overview of the draft *Charlotte Center City 2020 Vision Plan*

The *Charlotte Center City 2020 Vision Plan* is a joint effort between the City of Charlotte, Mecklenburg County, and Charlotte Center City Partners. The plan area extends beyond the boundaries of previous planning efforts and includes adjacent neighborhoods outside of the I-277 / I-77 Freeway Loop. This plan provides a “big picture” framework and unifying vision for Center City growth and development.

Staff Resources: Debra Campbell, Planning

Action Requested: None, for information only.

IV. Receive Public Comment on the draft *Elizabeth Area Plan*

The Elizabeth plan area is comprised of approximately 630 acres bounded by I-277 and Independence Boulevard on the north, the Seaboard Coastal Railroad on the east, Briar Creek on the south, and Randolph Road/Fourth Street, South Laurel Avenue, and Providence Road on the west. The plan defines the vision and land use policies to provide guidance for the preservation of historic neighborhoods, and future growth and development in the plan area.

Copies of the draft plan are available at www.charlotteplanning.org or by contacting the staff resources below.

Staff Resources: Alan Goodwin, Planning
Kathy Cornett, Planning

Action Requested: Receive public comment on the draft *Elizabeth Area Plan*.

V. Recommend the draft *Independence Boulevard Area Plan*

The Independence Boulevard plan area is comprised of approximately 5,856 acres generally located between Briar Creek and Sardis Road North. The plan area includes a large part of the Southeast Growth Corridor as well as six proposed transit station areas identified in the *2030 Transit Corridor System Plan*. The Planning Committee deferred action on this item at the April 19, 2011 meeting. City Council Economic Development Committee is scheduled to recommend action on the draft plan on May 12th and City Council is scheduled to take action on the plan on May 23rd. *Attachment 2*

Copies of the draft plan are available at www.charlotteplanning.org or by contacting the staff resource below.

Staff Resource: Alysia Osborne, Planning

Action Requested: Make a recommendation on the draft *Independence Boulevard Area Plan*.

VI. M.R. #10-15: Real Estate Acquisition for LYNX Blue Line Extension (BLE)

Background: City of Charlotte Area Transit System (CATS) is implementing a Right-of-Way (ROW) Acquisition and Relocation Program for the LYNX BLE Light Rail Project. The Project includes the construction of a light rail system between Center City and the University of North Carolina Charlotte. The corridor will be approximately 9.35 miles in length with 11 station locations and four park and ride facilities to accommodate the commuting public. **Attachment 3**

Staff Resources: Kathy Cornett, Planning
Andy Mock, CATS

Action Requested: Approve Planning staff recommendation for M.R. #10-15.

VII. M.R. #11-04: Sale of City Owned Property Located on Otts Street

Background: City of Charlotte Real Estate has received an offer to purchase approximately 1.84 acres located at 1000 - 1200 Otts Street, part of the former Central Yard property. The property has been used by various departments including Solid Waste Services, Transportation, and Business Support Services. Although, there are no immediate plans for redeveloping the property, a number of City and County departments are interested in using the property in the future. **Attachment 4**

Staff Resources: Melony McCullough, Planning
Robert Drayton, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #11-04.

VIII. M.R. #11-05: Sale of Two Homes Located on Lila Wood Circle

Background: Charlotte-Mecklenburg Utility Department (CMU) proposes to sale two improved single family homes (5309 and 5335 Lila Wood Circle) purchased as part of the Briar Creek Relief Sewer Project. The project is complete and the City would like to place both vacant houses on the market. **Attachment 5**

Staff Resources: Kent Main, Planning
Timothy O'Brien, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #11-05.

IX. M.R. #11-06: Transfer of Six City-Owned Properties to Various Nonprofit Corporations

Background: The City of Charlotte’s Neighborhood and Business Services Department (N&BS) proposes to transfer six vacant parcels located throughout the City to various nonprofit organizations to create affordable housing opportunities. The City acquired the parcels as a result of non-payment of mortgages generated from N&BS. **Attachment 6**

Staff Resources: John Howard, Planning
Robert Drayton, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #11-06.

X. M.R. #11-07: Construction of New Eastway Division Police Station

Background: City of Charlotte Real Estate proposes to construct a new Charlotte-Mecklenburg Police Department (CMPD) Eastway Division Station on approximately 3.25 acres located on the northeast corner of Central Avenue and Merry Oaks Road. This new 12,500 square foot building would replace the existing facility in the Eastway Crossing Shopping Center. **Attachment 7**

Staff Resources: John Howard, Planning
Timothy O’Brien, City Real Estate

Action Requested: Approve Planning staff recommendation for M.R. #11-07.

XI. 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 | Meeting Location |
|--|-------------------------------------|--|---|
| Elizabeth Area Plan | Commissioners Griffith and Johnson | Citizen Advisory Group June 15 th 5:30 p.m. | CMGC 2 nd Floor - Room 280 |
| Midtown, Morehead and Cherry Area Plan | Commissioners Locher and Zoutewelle | Citizen Advisory Group May 24, 2011 6:00 p.m. | Pleasant Hill Baptist Church 517 Baldwin Avenue |
| Steele Creek Area Plan | Commissioner Zoutewelle | Citizen Advisory Group June 9, 2011 6:00 p.m. | Carolinas Medical Center (Steele Creek) 13640 Steelescrot Parkway |

Action Requested: None, for information only.

XII. Adjourn

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Innovation Station, 8th Floor
April 19, 2011**

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

Commissioners Absent: Emma Allen

Planning Staff Present: Stuart Basham, John Howard, Garet Johnson, Sonda Kennedy, Melony McCullough, Alysia Osborne, Bryman Suttle, Jonathan Wells, and Brent Wilkinson

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 Nealon to approve the March 15, 2011 minutes. The vote was unanimous (6-0) to approve the minutes.

Public Comment on the *Draft Steele Creek Area Plan*

Melony McCullough (Planning Staff) gave an overview of the plan and summarized the plan's policies which focus on land use, community design, transportation, and the natural environment. She stated that a community meeting to receive public comments on the draft plan policies was held on March 31, 2011.

Below is a brief summary of comments received.

Ann Voortmans shared that she learned a lot and was pleased with the process.

James Baysinger expressed concern about widening Steele Creek Road (NC 160) and that policies are followed when the road is widened. He also noted that sidewalks and bike lanes are needed.

Walter Fields commented on Palisades not being addressed as a mixed use center and the lack of an analysis of where future development might occur. He also asked about the plan not being available earlier for the public to review.

Karla Knotts expressed concern about incorrect references in the document to York Road as S. Tryon Street and the City changing the name of York Road to S. Tryon Street as areas are annexed. She also stated concern about the General Development Policies (GDP) being incorrectly referenced in the plan, not having enough time to review the plan, and staff not allowing the CAG to edit the document. She stated that she has 17 pages of comments on the

plan and would like for there to be more Citizen Advisory Group meetings to make changes to the plan.

Chairperson Johnson asked for specifics on the improper use of the GDP and asked staff how information is communicated to the public. Commissioner Zoutewelle asked Ms. McCullough if there will be revisions. Ms. McCullough replied that comments are tracked during the review and adoption process and revisions are often made. Commissioner Locher asked Karla Knotts to provide the seventeen pages of comments.

Commissioner Zoutewelle said that comments that he received during the plan development process were positive and thanked staff. Walter Fields asked the Committee how the public will be informed of the comments and staff's responses. Ms. McCullough told him that comments will be published on the website and there will be minutes from this meeting. Commissioner Randolph asked how participants are allowed to review the area plan. He stated that in his past experiences citizens were allowed to edit plan documents. Ms. McCullough answered that the CAG generally do not wordsmith plans. Commissioner Johnson thanked everyone for coming and encouraged those present to view the website for updates.

Independence Area Plan

Commissioner Nealon recused herself from the discussion on this plan. Commissioners Johnson, Griffith, Locher, Randolph, and Zoutewelle were present. Alysia Osborne (Planning Staff) gave a brief overview. Commissioner Griffith asked about the public comments. Ms. Osborne gave a summary of the public comments.

Commissioner Randolph asked if Stuart Basham (Planning Staff) could answer questions about the North Carolina Department of Transportation (NCDOT) project including the start and finish date. Mr. Basham said that the starting point is at the former Olive Garden Restaurant and Sharon Amity ending at Margaret Wallace Road, east of Sharon Forest. NCDOT is purchasing property now and utility relocation is scheduled for this summer. This process will take 12 to 15 months. The projected completion date is late 2014 or early 2015. The estimated cost is roughly 70 million dollars. It is a TIP project that is State funded. Commissioner Randolph commented that he does not agree with the six nodes and stations.

Commissioner Zoutewelle asked about their options for taking action either, up or down. Commissioner Johnson asked if the Committee could defer. Ms. McCullough told her it that is up to the Committee. Ms. Osborne asked the Committee to provide specific questions. Commissioner Zoutewelle commented on concern about commuter traffic along Monroe Road. He thinks the plan is needed and should move forward. Other comments were about beefing up the Monroe Road Corridor in the plan, underutilizing commuter bus lanes and that better use should be made of the center lanes, modifying TOD, and forcing green space.

The Committee questioned deferring the action on the plan or recommending it with conditions. Commissioner Randolph said that the Committee needs to be fair to staff. Chairperson Johnson talked about the different concepts. Commissioner Griffith asked is if a portion of the corridor could be removed. Ms. Osborne asked her if she is suggesting that Independence Boulevard be extracted. Commissioner Griffith suggested that this may need to be tabled. Commissioner Locher questioned the three nodes versus six nodes and where will the people come from. He asked if there are plans for parking lots.

Chairperson Johnson thanked staff for the tours, meetings, and information. She stated that she wants to support the plan but has concern about the three versus six stations. Ms. Osborne shared options in case the stations go away, noting that the mixture of uses is still appropriate. Commissioner Randolph thinks Independence Boulevard will ultimately be an interstate and does not think nodes are appropriate. Commissioner Zoutewelle moved to approve with comments. Commissioner Griffith said she is grateful for the ULI Study and wants a short deferral. Chairperson asked for a second to Commissioner Zoutewelle's motion. There was none. Commissioner Randolph stated that consideration should be given to the change of Planning Committee members and that the Committee should be very specific with any directions to staff. Commissioner Zoutewelle amended his motion. He moved to defer and provide conditions. The Committee will reconsider the plan in 30 days. Committee members should e-mail staff any questions about the plan within three days. Commissioner Griffith seconded the motion. It was approved to defer for thirty days. Garet Johnson (Planning Staff) spoke of ways that the Committee has handled this type of situation in the past; scheduling a special meeting is one option.

A motion was made by Commissioner Zoutewelle to defer for 30 days and to provide comments to staff within three days. Commissioner Griffith seconded. The vote was 5-0 to defer for 30 days.

Commissioner Nealon returned to the meeting.

M.R. #11-02: Proposed Sale of City Owned Property Located on Statesville Avenue and Jessie Street

Melony McCullough (Planning Staff) presented the mandatory referral for the City's proposal to purchase three City-owned parcels, totaling approximately 1.11 acres, bounded by Statesville Avenue and Jessie Street south of Hickory Lane. The interested buyer owns adjacent property and would like to combine the three parcels with his property for future development.

A motion was made by Commissioner Randolph to approve Planning Staff's recommendation for M.R. #11-02 and seconded by Commissioner Griffith. The vote was 6-0 to approve.

M.R. #11-03: Proposed Transfer of 13 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 Department (N&BS) proposal to transfer thirteen parcels located throughout the City to various nonprofit organizations to create affordable housing opportunities. The City acquired the parcels as a result of non-payment of mortgages generated from N&BS. Commissioner Griffith asked to whom are the parcels being transferred? Commissioner Nealon asked about the guidelines for porches and recommends that porches have a depth of at least eight feet. Mr. Howard answered that the reference is from the *General Development Policies*.

A motion was made by Commissioner Griffith to approve Planning Staff's recommendation for M.R. #11-03 and seconded by Commissioner Zoutewelle. The vote was 6-0 to approve.

M.R. #11-04: Proposed Sale of City Owned Property Located on Otts Street

Melony McCullough (Planning Staff) presented the mandatory referral for the City's proposal to purchase approximately 1.84 acres located at 1000 - 1200 Otts Street, part of the former Central Yard property. The property has been used by various departments including Solid Waste Services, Transportation, and Business Support Services. Planning Staff recommends deferral to do further research on interest in use of the property by other City and County departments. Commissioner Zoutewelle asked about the future use of Seigle Avenue Presbyterian Church. Ms. McCullough will get an answer.

A motion was made by Commissioner Griffith to defer a recommendation on M.R. #11-04 and seconded by Commissioner Randolph. The vote was 6-0 to defer.

Area Plan Status and Meeting Report

Elizabeth Area Plan

Commissioner Griffith stated that there are no updates.

Midtown, Morehead and Cherry Area Plan

Commissioner Zoutewelle stated that a CAG meeting occurred last week and that there is good interaction among representatives from the three areas. Commissioner Locher has attended three of their meetings.

Adjourn

Chairperson Johnson requested that a reminder be sent for the timeline for comments on the draft *Independence Boulevard Area Plan*. The meeting adjourned at 7:30 p.m.

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

The following table summarizes comments received from the Planning Committee of the Charlotte-Mecklenburg Planning Commission and comments received from citizens during Council Public Comment Sessions held on March 28 and April 11, 2011.

| Comment | Staff Response | Action Taken |
|---|--|--|
| Planning Committee Comment | | |
| <p>1. ISSUE: The 6 TOD type development areas.</p> <p>SOLUTION: No TOD type development areas. Treat the interchange areas like other interstate interchanges.</p> <p>RATIONAL: Independence Boulevard is functioning as an interstate today and has for a long time. The traffic counts are the same as I-77 and I-85.</p> | <p>Transit-oriented development is the long-term land use vision for transit station areas proposed along the Southeast Transit Corridor. Station location and quantity were defined within the 2030 Corridor System Plan adopted by the Metropolitan Transit Commission (MTC) in 2006. The plan provides flexibility for a mixture of retail, office and residential land uses with community design characteristics inherent in transit station area principles which are appropriate for these locations even without rapid transit in place.</p> | <p>None</p> |
| <p>2. Executive Summary, Page iv: Add a bullet to “Key Implementation Strategies”: “The MTC should decide on the specific transit technology for the Independence Silver Line, whether Bus-Rapid-Transit or Light-Rail-Transit.</p> <p>Add a bullet to “Key Implementation Strategies”: “The MTC should explore transit along the Monroe Road and Sharon Amity Road corridors.”</p> | <p>Staff will work with the Metropolitan Transit Commission to clarify and improve transit infrastructure in the Southeast Growth Corridor.</p> | <p>Proposed change in document to add language that recommends staff to work with the Metropolitan Transit Commission to clarify and improve transit investments in the Southeast Growth Corridor.</p> |
| <p>3. Include language in the Plan for “Modified” TOD Land uses and Community Design at Independence Transit Corridor Nodes.</p> | <p><u>Transit-Oriented Development</u> The transit-oriented development land use category indicated on the Recommended Future Land Use Map does not prescribe a specific zoning classification to implement the land use vision within the proposed transit station areas.</p> | <p>Proposed change in document to add language that emphasizes the strategy for implementing the land use vision for the transit station areas.</p> |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|--|---|--|
| Planning Committee Comment | | |
| 3. <i>(continued)</i> | <p>No areas will be pre-zoned for TOD. TOD zoning will be applied on a case by case basis if and when requested by the property owner. Additionally, zoning districts other than Transit-Oriented Development (TOD) are appropriate to implement the land use vision. In response to market challenges in the plan area, the Plan provides flexibility for implementation to respond to market demands.</p> <p>The Transit Station Area Principles were adopted by Council in 2003 as part of the General Development Policies (GDPs). Amendments to the GDPs require a separate process.</p> | <i>(continued)</i> |
| 4. Plan should allow more flexibility specific to what are key outstanding issues related to the Independence corridor: transit technology, node quantity and placement, and TOD zoning. | <p><u>Flexibility for Transit Decision:</u> The 2030 Transit Corridor System Plan, approved in November 2006 by the Metropolitan Transit Commission (MTC), sets the course for rapid transit in Mecklenburg County. The MTC selected Bus Rapid Transit (BRT) as the transit mode for the Southeast Transit Corridor, which extends 13.5 miles from Charlotte’s Center City to I-485 in Matthews. Six of the thirteen stations proposed are located within the Independence Boulevard Area Plan boundary.</p> <p>The Area Plan provides flexibility to respond to either LRT or BRT by providing a cross-section that accommodates both technologies. If the MTC revises its transit plans for Southeast Transit Corridor, the area plan can be amended, if needed, much like actions taken for the other transit corridors (ie. the University City Area Plan will be amended to respond to changes in the number and location of station areas).</p> | Proposed change in document to add language that emphasizes the strategy for implementing the land use vision for the transit station areas. |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|---|---|--|
| Planning Committee Comment | | |
| <p>4. <i>(continued)</i></p> | <p><u>Transit-Oriented Development</u> The transit-oriented development land use category indicated on the Recommended Future Land Use Map does not prescribe a specific zoning classification to implement the land use vision within the proposed transit station areas.</p> <p><u>No areas will be pre-zoned for TOD.</u> TOD zoning will be applied on a case by case basis if and when requested by the property owner. Additionally, zoning districts other than Transit-Oriented Development (TOD) are appropriate to implement the land use vision. In response to market challenges in the plan area, the Plan provides flexibility for implementation to respond to market demands.</p> | <p><i>(continued)</i></p> |
| <p>5. Add language to accommodate Monroe Road Transit Corridor:</p> <p>Avenue-B Cross-Section, Page 53: Add a 3rd bullet: “This cross-section should be modified to accommodate trolley transit, if a trolley line is recommended for Monroe Road by the MTC.”</p> <p>Avenue-C Cross-Section, Page 55: Add a 4th bullet: “This cross-section should be modified to accommodate trolley transit, if a trolley line is recommended for Monroe Road or Sharon Amity Road by the MTC.”</p> <p>Monroe Road PED District Cross-Section, Page 58: Add 4th bullet: “This cross-section should be modified to accommodate trolley transit, if a trolley line is recommended for Monroe Road by the MTC.”</p> | <p>The Metropolitan Transit Commission (MTC) sets the course for rapid transit in Mecklenburg County and has not identified Monroe Road, a corridor maintained by the North Carolina Department of Transportation (NCDOT), as a rapid transit corridor. If the MTC adds Monroe Road to the Transit Corridor System Plan, Staff will coordinate with the MTC and NCDOT to develop a cross-section with the appropriate dimensions to accommodate rapid transit.</p> <p>When this area plan is adopted, the streetscape standards specified in the document will become the official “Streetscape Plan” for the Plan Area, as referenced in the City Zoning Ordinance. As such, all new development on sites zoned TOD, TS, PED, UMUD, MUDD, NS, UR, or other urban zoning districts that may be established must be designed in accordance with these standards.</p> | <p>Proposed change to document to include language about future transit investments in the Southeast Growth Corridor which includes Monroe Road.</p> |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|--|---|--|
| Planning Committee Comment | | |
| <p>6. The plan should address the peripheral areas of Independence Boulevard and establish parameters for the location of nodes/transit stations. We can indicate that the standards listed for the intense traffic at the center of the road are to be considered a plan in progress until the final decisions are made by DOT.</p> | <p>Independence Boulevard is experiencing significant deterioration and abandonment of its commercial buildings as the corridor transforms a major arterial to a limited access expressway with plans for a proposed transit line. In addition, neighborhoods along the corridor are also being negatively impacted.</p> <p>The Plan seeks to provide:</p> <ul style="list-style-type: none"> a. A clear vision and predictable future for Independence Boulevard which is critical to reinvestment along the corridor; b. Strategies that focus on encouraging land uses that respond to the roadway’s future condition; and c. Protection and enhancement of the existing neighborhoods. | None |
| <p>7. Executive Summary, Page iii: Add a bullet to “Transportation Policies”: “The investment in the existing center lanes of Independence Boulevard should be more fully utilized.”</p> <p>Freeway Cross-Section, Page 51: Add a bullet to “Proposed Roadway Facility”: “The existing center lanes within the barrier should be more fully utilized in the interim period prior to construction of the recommended cross-sections.”</p> | <p>CATS currently provides Express Bus Service that uses the exclusive bus lanes along Independence Boulevard during peak hours of the day. As the area grows and transit demands increases, staff will work to provide additional transit services.</p> <p>Existing and future widening projects along Independence Boulevard will not construct the proposed transit station platforms or managed lanes; however, the widening project will construct the exclusive bus travel lanes and reserve the right-of-way needed for proposed rapid transit facilities.</p> | Proposed change to document includes language that encourages expansion of local transit services. |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|---|---|---|
| Planning Committee Comment | | |
| <p>8. Plan recommends public infrastructure that requires significant allocation of private land for connector streets, creek openings, regional stormwater facilities, park-and-ride lots and other public infrastructure.</p> <p>Add the following language. Executive Summary, Page iv: Add bullet “Key Implementation Strategies”: “Exploring alternatives for acquiring the purchase or dedication of necessary connector streets, creek openings, regional stormwater facilities, park-and-ride lots and other public infrastructure that requires the use of significant private land.” General Transportation Policy T-13, Page 47: Delete this policy. This is an implementation strategy, not a policy. The City may need to participate in some of the more intensive road networks, particularly involving channel crossings and off-site connections, such as the Edwards Branch channel crossing to Eastway Drive on the North side of Independence. Infrastructure Policy IF-3, Page 61: Add the following to IF-3: “Alternatives for acquiring the purchase of key parcels for the construction of these regional systems should be explored.” Natural Environment Policy NE-1, Page 65: Add the following to Policy NE-1: “Certain restorations of covered and/or piped creeks within the Plan Area, including the associated new PCCO buffers, will require the use of significant portions of private land. Alternatives for acquiring the purchase of key parcels for these restorations should be explored.”</p> | <p>The <i>Independence Boulevard Area Plan</i> is a policy document that provides guidance for future growth and development. The future land uses adopted as part of this area plan are policy, not regulations or legal requirements for development. As a result, every parcel within the area plan boundary has a future land use recommendation. Only those parcels owned or proposed for ownership by the City, State or County are recommended for public facilities.</p> <p>Public facilities and infrastructure improvements identified in the plan are purely conceptual in nature and are illustrated to provide desired, but general locations to support the overall plan vision. The Implementation Guide provides specific strategies for public and private investments in the area and will require future action by elected officials and will be presented to them for approval as needed on a case-by-case basis.</p> | <p>Proposed change to document moves Map 16, Potential Locations for Regional Stormwater Facilities, to the Implementation Guide to serve as a reference as development occurs.</p> |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|---|--|---|
| Citizen Comment | | |
| <p>9. Now that the transitional setback is gone, the Plan will impose new development standards and halt development.</p> <p>The Plan does not include revisions to the transitional setback.</p> | <p>Area plans are policy documents. They address land use issues and define how land should be used in the future. The future land uses adopted as part of an area plan are policy, not regulatory.</p> <p>The transitional setback is a zoning regulation within the City Zoning Ordinance that provides setback requirements for buildings along thoroughfares. Council modified the transitional setback in April 2009 which is reflected in the current draft of the area plan. In March 2011, Council voted to eliminate portions of the transitional setback along Independence Boulevard which is after the draft plan was completed.</p> | <p>Proposed change to document that reflects the March 2011 text amendment to the transitional setback.</p> |
| <p>10. Market Analysis provides an unrealistic basis for the plan.</p> | <p>A market analysis is one of many sources of information considered in developing area plans. Other resources include community input, environmental features and adopted City policies, such as the General Development Policies (GDPs), Transportation Action Plan (TAP) and Centers, Corridors, and Wedges (CCW).</p> <p>The market analysis for the plan area revealed the need for neighborhood serving retail, an opportunity to focus regional retail at nodes, the potential for multifamily along Independence and the opportunity to reinvest in the existing neighborhoods.</p> | <p>None</p> |

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Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|--|---|--|
| Citizen Comment | | |
| 11. The Plan will rezone station areas to Transit Oriented Development (TOD) zoning districts when there's no market to develop TOD. | No areas will be pre-zoned for TOD. TOD zoning will be applied on a case by case basis if and when requested by the property owner. Additionally, zoning districts other than Transit-Oriented Development (TOD) are appropriate to implement the land use vision. In response to market challenges in the plan area, the Plan provides flexibility for implementation to respond to market demands. | Proposed change to document includes language to clarify strategy for implementing the land use vision at transit station areas. |
| 12. TOD along Independence will be different than South Boulevard. | The Southeast Corridor (Silver Line) transit stations will be located within the middle of an expressway which is much different than the location of the stations along the South Corridor (Blue Line). Therefore, the surrounding land uses for Independence Boulevard will rely on access and connections from supporting network streets to flourish. The development character of each station area will vary based on its surrounding connections to a greater extent than the transit station areas along the South Corridor. | None |
| 13. Future street connections will reroute traffic into neighborhoods. | New street connections, particularly those parallel to Independence Boulevard, are proposed to support the land use vision and to facilitate redevelopment of vacant and underutilized properties along Independence. The access these new connections provide is critical to the long-term viability of the adjacent properties, and the corridor overall. The connections are not intended to reroute traffic through single-family neighborhoods; however, it will be important to design these connections so they do not have unintended impacts. The goal of the Independence Boulevard Area Plan is to develop a comprehensive transportation network that addresses the more localized travel needs, improves the livability of local streets and provides for the long-term sustainability of area neighborhoods and businesses. | None |

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| Comment | Staff Response | Action Taken |
|--|--|---|
| Citizen Comment | | |
| 14. Finalize transit decision and then finalize land use plan. | <p>A transit decision for the Southeast Transit Corridor was made with the adoption of the 2030 Transit Corridor System Plan, approved in November 2006 by the Metropolitan Transit Commission (MTC). The MTC sets the course for rapid transit in Mecklenburg County and selected Bus Rapid Transit (BRT) as the transit mode for the Southeast Transit Corridor, which extends 13.5 miles from Charlotte’s Center City to I-485 in Matthews. Six of these stations are located within the Independence Boulevard Area Plan boundary. The MTC also delayed implementation for a minimum of five years to allow a reconsideration of light rail transit for this corridor. Sixteen stations were identified along the Southeast Corridor, seven with park and ride facilities. The Area Plan provides flexibility to respond to either LRT or BRT. If the MTC revises its transit plans for Independence, the Area Plan can be amended, if needed, much like will be done for the other transit corridors (ie. the University City Area Plan will be amended to respond to changes in the number and location of station areas).</p> | None |
| 15. Plan inconsistent with ULI –Rose Fellowship Observations and Concepts. | <p>The Independence Boulevard Area Plan provided the framework for the implementation ideas shared by the Urban Land Institute (ULI)- Daniel Rose Fellowship Panel. The three main ideas were:</p> <ul style="list-style-type: none"> a. BRT/Express bus on Independence in HOT lanes with 3 Regional Nodes/Transit Stations along Independence Boulevard at Sardis Road, Conference Drive and Briar Creek Road; b. Streetcars on Central Avenue and Monroe Road; and c. Promote auto-oriented retail on Independence and neighborhood serving, mixed-use development on streetcar lines. | Proposed change to document includes language that provides a land use strategy that responds to ULI concept. |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|---|--|--------------------|
| Citizen Comment | | |
| 16. <i>(continued)</i> | <p>The Independence Boulevard Area Plan land use recommendations for six development nodes along Independence in response to the six proposed transit stations adopted within the 2030 Transit Corridor System Plan. Three of these are also nodes suggested by the ULI Panel. Any change in the transit technology (BRT, LRT or Express Bus) along Independence Boulevard or the number of transit stations requires a decision by the Metropolitan Transit Commission (MTC).</p> <p>The Area Plan calls for mixed use, pedestrian-oriented development along Monroe road that would be very supportive of a future streetcar. However, a decision about streetcar would need to come from the MTC.</p> <p>The Independence Boulevard Area Plan also supports auto-oriented retail on Independence Boulevard, particularly at some key locations where it could best be supported by existing or proposed street network.</p> | <i>(continued)</i> |
| 17. Need clarification on recommendation for the bridge at Farmingdale Road/Glendora. Why aren't we doing this now? | <p>As NCDOT's road widening project progresses, it could potentially create a barrier between neighborhoods and within station areas by limiting locations where it will be possible to cross Independence Boulevard.</p> <p>The Implementation Guide, which is not adopted by Council, recommends a study for a bridge at Farmingdale/Glendora Roads to assess connectivity between neighborhoods. Similar to Hawthorne Lane and Pecan Avenue, these crossings would not have ramp connections to Independence Boulevard, but would connect neighborhoods and development on either side of the evolving freeway.</p> | None |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|--|---|------------------------------|
| Citizen Comment | | |
| 18. Need clarification on recommendations for future park/greenway designations. What do I tell property owners? | Every parcel within the area plan boundary has a future land use recommendation. Only those parcels owned or proposed for ownership by Mecklenburg County are recommended as park/open space or greenway. | None |
| 19. Need clarification on recommendations for Potential Stormwater locations. What do I tell property owners? | The Independence Boulevard Area Plan identifies, in general, potential locations for new regional stormwater facilities that may be needed for redevelopment under the stormwater regulations in the Post-Construction Controls Ordinance (PCCO). The redevelopment of small parcels—such as those found in the western portion of the plan area—is sometimes difficult under the PCCO, due to the amount of land needed to accommodate the buildings, parking, and stormwater facilities required. The locations provided were only meant as possible locations given topography and hydrology of the area, as well as in places where existing streams could be restored to serve stormwater as well as recreational functions. | Proposed change to document. |
| 20. Needs clarification on recommendations for the Property Acquisition Program. | <p>The Implementation Guide, which is not adopted by Council, includes a strategy to develop and evaluate a process to purchase parcels where existing or proposed Independence Boulevard road improvements have impacted parcel viability.</p> <p>Staff has had preliminary discussions to develop a process, prioritization methodology and cost estimates. However, a comprehensive analysis is not intended until after Council adopts the area plan and provides further guidance for this implementation strategy.</p> | None |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|---|---|--------------|
| Citizen Comment | | |
| 21. Plan should decide the future transportation conditions along Independence Boulevard. | <p>The purpose of the area plan is not to reevaluate existing transportation decisions, but to provide a land use vision that is responds to those decisions.</p> <p>This document establishes a vision for the Independence Boulevard Plan Area and provides policies to guide future growth, development and reinvestment along Independence Boulevard as it continues to undergo transformation from a major arterial to a limited access expressway with plans for bus rapid transit or light rail transit.</p> | None |
| 22. Does Charlotte Planning, Charlotte Economic Development or CDOT; BELIEVE OR KNOW that approaching the Federal Transit Administration (FTA); to ask for Federal Grants for the Blue Line and/or the Red Line, WITHOUT having FINALIZED Land Use Plans in place where Transit Corridors are designated; will deter the FTA from Approving those Grants? | Land Use Planning is one of many criteria to qualify for federal funding for local transit projects. The New Starts and Small Starts programs, established in Section 5309(d) and (e) of Title 49, U.S. Code, are FTA’s primary capital funding programs for new or extended transit systems across the country, including rapid rail, light rail, commuter rail, bus rapid transit, and ferries. Details on how projects are evaluated and rated are set forth in the FTA regulations at 49 CFR Part 611. | None |
| 23. Which has Priority, the MTC’s “2030 Corridor System Plan” or the “CATS System Corridor Plan” Figure 11-7 from the MUMPO 2035 LRTP? | The two documents are prepared for vastly different reasons and therefore cannot be seen as one having priority over the other. The Metropolitan Transit Commission’s 2030 Corridor System Plan represents a long term transit vision plan for Mecklenburg County. By contrast the 2035 Long Range Transportation Plan (L RTP) is a multimodal, federally required document that must be financially constrained. It covers Mecklenburg and Union counties and is required by federal law. | None |

Independence Boulevard Area Plan – Summary of Comments

Updated May 6, 2011

| Comment | Staff Response | Action Taken |
|---|--|--------------|
| Citizen Comment | | |
| <p>24. Why is the IBAP being Rushed? Why Now? There is NO LOGICAL REASON WHATSOEVER to not wait for the ULI to present their COMPLETED STUDY. Absolutely NONE!</p> | <p>Independence Boulevard is experiencing significant deterioration and abandonment of its commercial buildings as the corridor transforms a major arterial to a limited access expressway with plans for a proposed transit line. Neighborhoods along the corridor are also being negatively impacted. In May 2008, the City of Charlotte began working with the community to develop the <i>Independence Boulevard Area Plan</i> which seeks to provide:</p> <ul style="list-style-type: none"> a. A clear vision and predictable future for Independence Boulevard which is critical to reinvestment along the corridor; b. Strategies that focus on encouraging land uses that respond to the roadway’s future condition; and c. Protection and enhancement of the existing neighborhoods. <p>The purpose of the Urban Land Institute (ULI)-Daniel Rose Fellowship Program is to identify the initial <u>implementation steps</u> within the <i>Independence Boulevard Area Plan</i> to re-energize, reposition and ensure long-term viability of development within the plan area. In January 2011, the ULI-Rose Fellowship Program – Expert Panel, which included City staff, shared their findings/ideas during a three (3) day land use visit. The remainder of the ULI- Rose Fellowship Program, which ends in October 2011, will not produce additional findings/ideas for implementation of the area plan; however, the Charlotte – ULI Daniel Rose Fellows have begun and will continue exploring the feasibility of those ideas.</p> | <p>None</p> |

**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

| # | Recommendation and Location | Purpose of Change | Current Text, Map or Graphic in Draft Plan | Proposed Revision (BOLD TEXT) |
|----|---|--|--|---|
| 1. | Page iii, First bullet, Transportation | Revise reference to the proposed future right-of-way for Independence Boulevard to reflect the March 21, 2011 text amendment that eliminated the transitional setback along portions of Independence Boulevard. | Independence Boulevard should be developed within a 250 feet envelope west of WT Harris Boulevard and a 280 feet envelope east of WT Harris to the Plan Area boundary. | Independence Boulevard should be developed within a 250 feet envelope east of Sharon Forest Drive to WT Harris Boulevard and a 280 feet envelope east of WT Harris to the Plan Area boundary. |
| 2. | Page iv, Executive Summary, Implementation Strategies , Pages 23 and 75 | Add language that encourages City staff to continue working with the Metropolitan Transit Commission (MTC) to develop implementation strategies for rapid transit within the Southeast Growth Corridor. This change responds to citizen and Planning Committee comments. | | <p>Page iv, Executive Summary, Key Implementation Strategies: “Working with the Metropolitan Transit Commission to explore implementation strategies to clarify and advance rapid transit in the Southeast Growth Corridor.</p> <p>Add New Policy to Page 23, TSA -1: Continue to support multi-modal transportation infrastructure investments for the Southeast Growth Corridor. The rapid transit plans identified and recommended within the plan area help define the framework for future investments.</p> <p>Add New Implementation Strategy to Page 75, TSA-1: Coordinate transportation planning efforts with the Metropolitan Transit Commission to clarify and advance transit improvements in the Southeast Growth Corridor.</p> |

**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

| # | Recommendation and Location | Purpose of Change | Current Text, Map or Graphic in Draft Plan | Proposed Revision (Bold Text) |
|----|-----------------------------|---|---|--|
| 3. | Pages 50 and 51 | Revise Figure 8 - Freeway Cross-section and text describing the proposed future right-of-way for Independence Boulevard to reflect the March 21, 2011 text amendment that eliminated the transitional setback along portions of Independence Boulevard. | <p>Existing Condition: Independence Boulevard in this section has three lanes in each direction and auxiliary lanes in various locations. Rights-of-way vary between locations along the corridor. The adopted right-of-way envelope for the roadway is 250 feet west of WT Harris Boulevard, and 280 feet east of WT Harris Boulevard.</p> <p>Proposed Roadway Facility: Recommended width includes allowance for:</p> <ul style="list-style-type: none"> • Three travel lanes in each direction • HOV lanes on inside of travel lane • Transit facility (BRT/LRT) in median • Additional widening for right turn lane may be required in some circumstances in accordance with CDOT standards. • Paved shoulders. <p>Tree planting is required with spacing, irrigation, subdrainage, and adequate soil space for roots per the Charlotte Tree Ordinance within a landscaped buffer.</p> | <p>See Revised Proposed Cross-section for Independence Boulevard - Attachment #1.</p> <p>Existing Conditions: Independence Boulevard in this section has three lanes in each direction and auxiliary lanes in various locations. Rights-of-way vary between locations along the corridor</p> <p>Constrained Section: NCDOT has already converted Independence Boulevard to an expressway west of Albemarle Road and will soon extend this conversion to Sharon Forest Drive. Given these recent and committed highway improvements, no additional right-of-way will be reserved for properties west of Sharon Forest Drive or east of Sharon Forest after NCDOT completes right-of-way acquisition for the next widening project southeast to the Charlotte City limits. However, future transportation projects, such as transit stations and/or managed lanes, may require additional right-of-way acquisition.</p> <p>Future Section: The adopted right-of-way envelope is 250 feet east of Sharon Forest Drive to WT Harris and 280 feet east of WT Harris to the City limits.</p> <p>Proposed Regional Transportation Corridor:</p> <p>Recommended width includes allowance for:</p> <ul style="list-style-type: none"> – Three travel lanes in each direction. – HOV lanes on inside of travel lanes. – Transit facility (BRT/LRT) in median. <p>Additional widening for right turn lanes maybe required in some circumstances in accordance with CDOT standards.</p> |

**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

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|----|-----------------------------|--|--|---|
| 4. | <i>(continued)</i> | <i>(continued)</i> | <i>(continued)</i> | <ul style="list-style-type: none"> - Paved shoulders Tree planting is required with spacing, irrigation, subdrainage, and adequate soil space for roots per the Charlotte Tree Ordinance within a landscaped buffer. |
| 5. | Page 45, Map 14 | Replace Map 14 with Attachment #2 which includes modifications to the future transportation network. Specific changes to the map are illustrated on the attachment. | Map 14 – Future Transportation Network | Attachment #2 – Future Transportation Network (Specific changes from the original map are noted.) |
| 6. | Page 4 | Revise document image and language for Centers, Corridors and Wedges to include recent definitions from the August 2010 updated document. | | Add Text that updates definitions for Mixed Use Centers and Corridors. |
| 7. | Pages 14 and 16 | Modify Future Land Use Recommendation for Parcel Identification Number 19106121. The land use policy in the current draft has the parcel split with institutional and retail/office land uses. The recommended future land use should be retail/office which is consistent with the existing land use and zoning. This change responds to property owner concerns. | | Modify Recommended Future Land Use for Parcel Identification Number 19106121 from retail/office and institutional to retail/office. |

**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

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|-----|-----------------------------|--|--|---|
| 8. | Page 19, LU-5 | Add language to encourage use of existing residential structures along Monroe Road to maintain residential character in areas between proposed nodes. | | Add Text: Adaptive reuse of existing residential structures is strongly encouraged. |
| 9. | Page 20, LU-9 | Add language to specify recommended residential density when retail redevelops. | | Add Text: Residential densities up to 8 DUA with townhome type development will be considered appropriate at this location. |
| 10. | Pages 23 and 75 | Add language to clarify implementation of the land use vision for the transit oriented development (TOD) vision. Staff will not correctively rezone to TOD at the proposed transit station areas. This change responds to citizen and Planning Committee comments. | In addition to the recommended future land use policies for each transit station area, the Implementation Guide provides land development guidance on achieving the transit-oriented development vision. | <p>Add New Policy to Page 23 TEXT: TSA –2, Zoning districts other than Transit-Oriented Development (TOD) are appropriate to implement the land use vision. Additionally, Transit-Oriented Development (TOD) zoning should only be applied if requested by the property owner.</p> <p>Add New Implementation Strategy to Page 75, TSA -2 Support development proposals consistent with the land use, community design, transportation and other policy guidance specified within the document. Zoning Districts other than Transit-Oriented Development (TOD) are appropriate to implement the land use vision, but should stress pedestrian oriented design.</p> |

**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

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|-----|--------------------------------|--|---|--|
| 11. | Pages 25 - 35, Maps 8 – 13 | Add language to clarify that the future land use recommendations are for transit-oriented land uses which do <u>not</u> prescribe a specific zoning classification to implement the land use vision. This change responds to citizen and Planning Committee comments. | | <p>Add Text: “Land Uses” after each transit-oriented development land use category identified in the future land use map legend. Example: TOD-R Land Uses TOD-M Land Uses</p> <p>ADD TEXT: The recommended future land uses can be achieved in a variety of zoning districts if the development is designed to focus on the pedestrian and the proposal is consistent with the land use, community design, transportation and other policy guidance specified within the document.</p> |
| 12. | Pages 50, 56 and 57- Figure 16 | Delete Local Residential Street cross-section reference, graphic and supporting language. This cross-section was initially included to illustrate side street requirements within the proposed PED overlay district. PED side street specifications are provided on Page 59. | <p>Figure 16 – Local Residential Street Cross-section.</p> <p>Local Residential Street Description: Local streets provide access to residential neighborhoods or mixed-use development. The majority of Charlotte’s streets are classified as local streets and are typically built through the land development process.</p> <p>Proposed Curb to Curb: The recommended width for these streets is 27 feet from back of curb to back of curb for streets with moderate levels of traffic. For streets with higher levels of traffic, 35 feet from back of curb to back of curb may be required. The preferred right-of-way width is 50 to 60 feet, depending on the travel lane requirement.</p> <ul style="list-style-type: none"> • One travel lane in each direction shared | <p>Delete Figure 16 – Local Residential Street cross-section and language on Page 56.</p> |

**Independence Boulevard Area Plan
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May 6, 2011**

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|-----|-----------------------------|--|---|---|
| 13. | <i>(continued)</i> | <i>(continued)</i> | <p>with bicyclists.</p> <ul style="list-style-type: none"> • On-street parking on both sides. Curb extensions may be used to narrow street width at intersections and other locations where on street parking is not appropriate. • Widening for left turn lanes onto thoroughfares may be required in accordance with CDOT standards. <p>Proposed Behind the Curb: Minimum building setback is determined by zoning classification. A planting strip and sidewalk is required behind the curblines in accordance with the Urban Street Design Guidelines. The planting strip provides buffer from traffic to pedestrians on the sidewalk, and tree planting is required with spacing, irrigation, subdrainage, and adequate soil space for roots per the Charlotte Tree Ordinance. The minimum sidewalk width for local residential streets is six feet, unless located within ¼ mile of a transit station, then the minimum sidewalk width is eight feet.</p> | <i>(continued)</i> |
| 14. | Pages 79 and 80 | Revise proposed PED Overlay boundary for Area #6 to remove Parcel Identification Number 16110712. This change responds to property owner concerns. | Proposed PED Overlay Map #18 , Area #6 | Remove Parcel Identification Number 16110712 from Area #6, Proposed PED Overlay Map #18, Area #6 |

**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

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|-----|-----------------------------|---|--|---|
| 15. | Pages 48 and 75 | Add language to address the increasing need for local transit within the plan area. This change responds to citizen and Planning Committee comments. | | <p>Add New Policy to Page 48, T-27, Encourage expansion of local transit to major nodes of activity. As new nodes result from development, CATS is encouraged to expand service. Additionally, the development community is encouraged to create enhanced stops for expanded transit service, as well as park-and-ride opportunities, within new development projects.</p> <p>Add New Implementation Strategy to Page 75, T-27, Staff will work with CATS to expand transit services and facilities.</p> |
| 16. | Page 23 | Add language to address the Urban Land Institute (ULI) recommendations for nodal development along Independence Boulevard. This change responds to citizen and Planning Committee comments. | | <p>Add Text: The ULI –Fellowship Panel recently conducted a study that recommended reducing the number of transit stations along Independence Boulevard between Briar Creek and Sardis Road North. The Metropolitan Transit Commission has begun considering those recommendations. In the event that the Metropolitan Transit Commission decides to revise the 2030 Corridor System Plan to reduce the number of transit stations within the plan area, the future land use policies for the stations that are eliminated should include a mixture of retail, office and residential land uses with community design characteristics inherent in transit station area principles which are appropriate for these locations even without rapid transit in place.</p> |

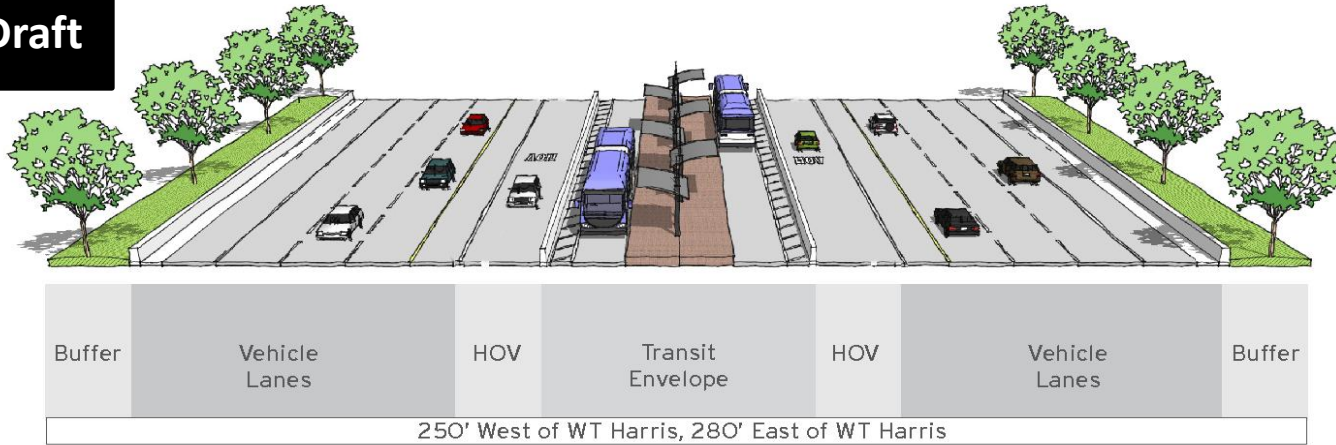
**Independence Boulevard Area Plan
Proposed Changes to April 2010 Draft
May 6, 2011**

| # | Recommendation and Location | Purpose of Change | Current Text, Map or Graphic in Draft Plan | Proposed Revision (Bold Text) |
|-----|-----------------------------|--|--|---|
| 17. | Page 61 | Move Map -16, Potential Locations for Regional Stormwater Facilities, to the Implementation Guide (which is not adopted by Council). The change responds to citizen and Planning Committee comments. | | Move Map 16 – Potential Locations for Regional Stormwater Facilities to the Implementation Guide to serve as a reference as development occurs in the plan area. |

*General note: In addition, minor typographical changes that do not impact the intent of the plan will be made.

Future Cross-section for Independence Boulevard

Current Draft



Proposed Revision



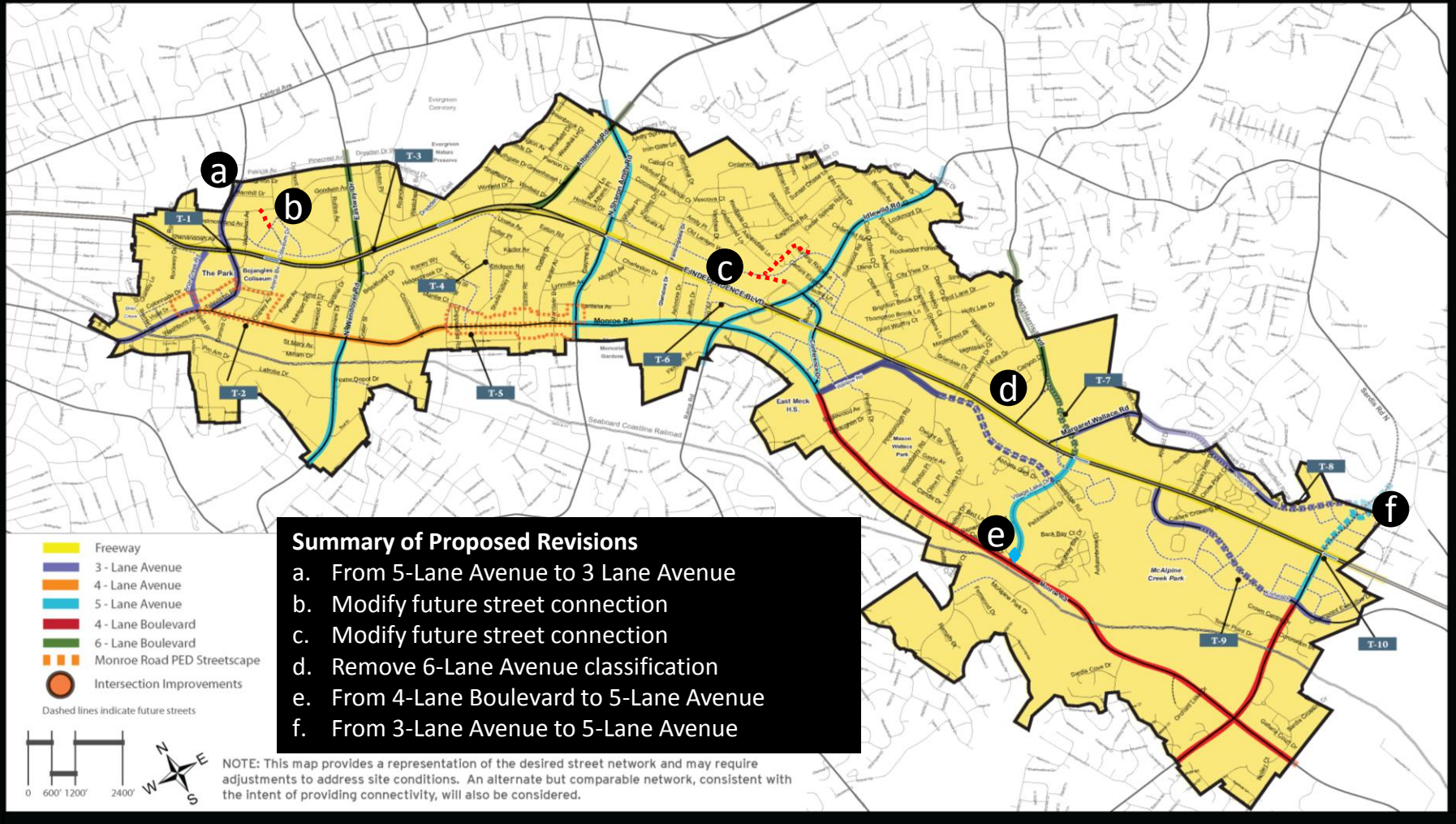
* Indicates the proposed changes to the *Independence Boulevard Area Plan* to reflect the March 21, 2011 text amendments to eliminate the transitional setback along portions of Independence Boulevard.

Independence Boulevard Area Plan

Proposed Revisions

Independence Boulevard - Future Transportation Network

Map 14



Submitted by: Andy Mock- Charlotte Area Transit System (CATS)

Initiated by: Charlotte Area Transit System (CATS)

MANDATORY REFERRAL REPORT NO. 10-15
Proposed Real Estate Acquisition for LYNX Blue Line Extension (BLE)

PROJECT PROPOSAL AND LOCATION:

The Charlotte Area Transit System (CATS) is implementing a Right-Of-Way (ROW) Acquisition and Relocation Program for the LYNX BLE Light Rail Project. The Project includes the construction of a light rail system between Uptown Charlotte and University of North Carolina Charlotte. The corridor will be approximately 9.35 miles in length with 11 station locations. The Project alignment will primarily be within or along North Carolina Railroad (NCR), Norfolk Southern Railroad (NSRR), North Carolina Department of Transportation (NCDOT), and University of North Carolina at Charlotte (UNCC) right-of-way. Also included in the project are four park and ride facilities to accommodate the commuting public. Implementation of the Northeast Corridor Light Rail Project will facilitate the following improvements:

- Reduced vehicular traffic and congestion in the Charlotte-Mecklenburg County area;
- Increased transit travel options;
- Improved air quality in the metropolitan area.

The Project is anticipated to include approximately 221 parcels for track alignment, stations, and other light rail facilities. Current parcel uses include vacant land and land adjacent to or contiguous with existing street or railroad right of way, industrial and commercial uses and residential properties. The project may also include a lease with (or the partial acquisition of) NCR, NCDOT, UNCC and NSRR right of way.

PROJECT JUSTIFICATION:

The purpose of the proposed LYNX Blue Line Extension is to ensure future mobility by providing a transportation alternative in a highly congested travel corridor and to support the region's land use policies and goals for a sustainable growth and development pattern. The proposed project would provide high-capacity, fixed guideway transit service in the corridor. This new service would offer a convenient, time-competitive travel alternative and reduce dependence on single occupant automobiles. As an extension of the LYNX Blue Line, the proposed project would enhance the operating effectiveness of CATS' light rail service and leverage the public investment already made in the South Corridor.

The project would also support the *Centers, Corridors and Wedges Growth Framework (2010)* for the Charlotte-Mecklenburg region. As envisioned in the region's combined transit and land use plans, future development would be focused into areas that can support new development or are in need of redevelopment and away from areas that cannot support new growth. The highest density development would be encouraged around rapid transit stations. By focusing future growth in corridors with multiple travel alternatives, the region would be able to grow in a manner that promotes continued access and mobility and that enhances the quality of life for residents and employees.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

In 1994, the City of Charlotte and Mecklenburg County adopted the *Centers and Corridors Concept Plan*, a vision of how the region should grow over the long-term. The Concept Plan, updated in 2010, and now called the *Centers, Corridors and Wedges Growth Framework*, builds on the region's existing framework of centers and corridors, focusing future development in these areas and preserving lower density development and open space between corridors. The original document focused on "Centers" and "Corridors" as the key to integrating land uses and transportation. The updated document includes recommendations for areas that exist between the corridors known as "Wedges" and expands the focus to include public facilities, infrastructure and the environment. Plan recommendations include a future, fixed guideway transit system in the region's five primary

transportation corridors. This new rapid transit system would provide travel choices for residents and employees, improve regional and corridor connectivity, reduce dependence on single-occupant vehicles, and ensure future mobility. The Northeast Corridor (LYNX BLE) is one of the five corridors identified in the *Centers, Corridors and Wedges Growth Framework*.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The BLE lies within several adopted land use plans including the *Northeast District Plan* (1996), the *Central District Plan* (1993) and the *University City Area Plan (UCAP)* (2007). Concept plans for the proposed stations have been completed and station area plans have been adopted for four stations in the *UCAP*. The district plans did not reference the transit project and the concept plans are used to determine appropriate land uses within station areas. Within the coming months, transit station area plans will be completed for the remaining proposed stations and plan amendments will be completed for the stations that have been modified within the *UCAP*.

PROJECT IMPACT:

This transit project will provide new transit choices and development options. Construction of this project will provide additional opportunities for transit oriented development within the Northeast Corridor.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The LYNX BLE is well coordinated with several public (City, County and State) and private projects. The following is a list of those projects and their sponsors:

- 29/49 Weave Project- CDOT
- Greenways- County Park & Rec.
- Charlotte Railroad Improvement & Safety Program (CRISP)- NCDOT Rail Div.
 - Sugar Creek Grade Separation
 - 36th Street Grade Separation
 - AC&W Relocation
 - Freight Railroad Double Tracking
 - Northend Bypass
- UNC Charlotte Masterplan
- First Ward Park Masterplan- Private Development

ESTIMATED PROJECT COMPLETION DATE:

The LYNX BLE is funded through Preliminary Engineering and Final Design. However, the completion of construction and beginning of Light Rail operations is dependent on local sales tax revenue.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their July 7, 2010 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the proposed land acquisition for the intended purpose.

CMPC PLANNING COMMITTEE RECOMMENDATION:

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

Initiated by: Robert W. Drayton, E&PM

MANDATORY REFERRAL REPORT NO. 11-04
Proposed Sale of City Owned Property Located on Otts Street

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte Real Estate received an offer to purchase approximately 1.84 acres located at 1000-1200 Otts Street (PID 081-114-53 p/o), part of the former Central Yard property. This property was acquired by the City in 1962. It has been used by various departments including Solid Waste Services, Transportation, and Business Support Services. Replacement facilities have been constructed for each of these departments; however, there are several City and County departments interested in using the property.

The property is currently vacant and zoned I-2 (Heavy Industrial), according to the Charlotte Zoning Ordinance, which is consistent with the surrounding businesses and land uses. The prospective buyer would like to acquire adjoining property located at 832 Seigle Avenue and purchase the subject property to combine with the Seigle Avenue parcel for parking and future development. Future development of the site could include office and retail land uses which may require rezoning.

PROJECT JUSTIFICATION:

Departmental Polling was conducted on these parcels in March 2011. No interest was expressed by any City departments or other participating entity in using or retaining ownership of these properties. However, there are two stormwater projects underway in the area: the Louise Avenue CIP Stormwater Project, and the Central Yard Washout Facility. Since the department polling, additional interest in this property has been expressed by several departments.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Based on the interest expressed by several City and County Departments, this property is no longer considered surplus property.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The Central District Plan (1993) recommends industrial land uses for this property.

PROJECT IMPACT:

The sale of this property would impact the availability of land in an area where several City and County Departments have identified a need for the land.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This property is a portion of the former City's Central Yard property. It is in close proximity to Solid Waste Services, Piedmont Middle School, Louise Avenue CIP Stormwater Project, and the Sugar Creek Greenway.

ESTIMATED PROJECT COMPLETION DATE:

The completion date would have to be determined, if property is to be sold.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed this matter at their April 6, 2011 meeting. A representative from the Charlotte Housing Authority expressed concern with the properties on the east side of Seigle Avenue, including the former Seigle Avenue Presbyterian Church. The new owners of the church reportedly wish to acquire this City-owned land to provide parking for the retail/office development planned for the former church property. Additionally, it was pointed out that Piedmont Middle School is in need of parking/campus expansion and that Mecklenburg County Park & Recreation may be interested in developing a greenway branch along the unnamed tributary of Little Sugar Creek that runs through the property. Finally, it was mentioned that there is a stormwater enhancement project that involves the culvert under Seigle Avenue. The consensus of the Joint Use Task Force was that re-use of all the portions of the site should be determined prior to making any decisions to sub-divide and convey the property (a practice which could end up leaving the City with undevelopable segments of the parcel).

PLANNING STAFF RECOMMENDATION:

Although there are no firm development plans in place for the use of this property at this time, Planning staff does not recommend the sale of this property due to the amount of interest by many City and County agencies in the future use of the property.

CMPC PLANNING COMMITTEE RECOMMENDATION:

Submitted by: Timothy J. O'Brien E & PM Department

Initiated by: Chuck Bliss, CMU

**MANDATORY REFERRAL-REPORT NO. 11-05
Proposed Sale of Two Homes Located on Lila Wood Circle**

PROJECT PROPOSAL AND LOCATION:

The Charlotte-Mecklenburg Utility Department (CMU) needed to install a larger sewer line along Briar Creek through the Selwyn Grove subdivision, located off Selwyn Avenue a couple of miles northwest of the SouthPark area, approximately 3.5 miles south of Charlotte's central business district. Approximately five years ago, CMU purchased two improved single family residential properties (5309 and 5335 Lila Wood Circle - PID 17511338 and 17511340), as part of the Briar Creek Relief Sewer Project. A forty-foot wide sewer easement was needed along Briar Creek involving much of the back yards of these two houses, thereby justifying the acquisition.

Blasting was needed to be undertaken in order to construct the sewer line, which was to occur within several feet of the two houses on the two lots, and the Selwyn Grove subdivision was platted and developed prior to the platting of the new FEMA and SWIM flood buffers. The new flood buffers placed both houses almost entirely within the two restricted flood plain zones causing both houses to be grandfathered within the two flood zones and requiring flood insurance to be obtained by buyers. Prior to the sale of these properties to CMU, the property owners met with City Council, voicing their concern about the structural integrity of their houses after the blasting and the fact that their houses were within the flood plain zones (and the corresponding effect that the two issues would have on their property values).

City Council agreed to purchase the two properties with the intention to re-sell the two houses after completion of the sewer line project. The project is now complete and the City is now ready to place both houses (now vacant) on the market.

PROJECT JUSTIFICATION:

City Staff felt fairly confident that the sewer project could be constructed with little if any structural impact to the two houses and that the City could therefore recoup most, if not all of their money back from the resale of the two houses. In the unlikely event that the houses were indeed impacted during construction, City ownership of the properties during construction would have held the property owners harmless from any physical or financial burden caused by the construction.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The purchase of the two houses is a very unusual circumstance and is not likely to occur very often. Nevertheless, the affected property owners' concerns were relieved by the purchase of the two properties.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *South District Plan* (1993) prescribes the majority of these parcels for greenway development, with very small segments of the parcels (essentially the "high ground" nearest the street) for single family (3 units/acre) development.

PROJECT IMPACT:

During the period of City ownership (five years), it was discovered that the houses have experienced mold problems that appear in one instance to have been caused by the previous owner piling soil against a bare wall, and in the other instance by poor kitchen ventilation. The plan therefore is to sell the houses "as-is" and disclose the existence of the mold, thereby relieving the City of any claim for any future mold or structural issues.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This proposed transaction has no relationship to any other projects.

ESTIMATED PROJECT COMPLETION DATE:

The Briar Creek Relief Sewer Project is now complete. The intent is to sell the houses as soon as possible by way of the upset bid process.

JOINT USE TASK FORCE REVIEW COMMENTS:

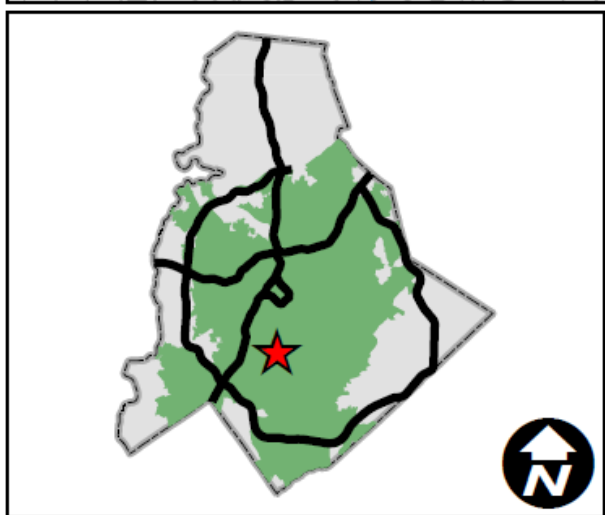
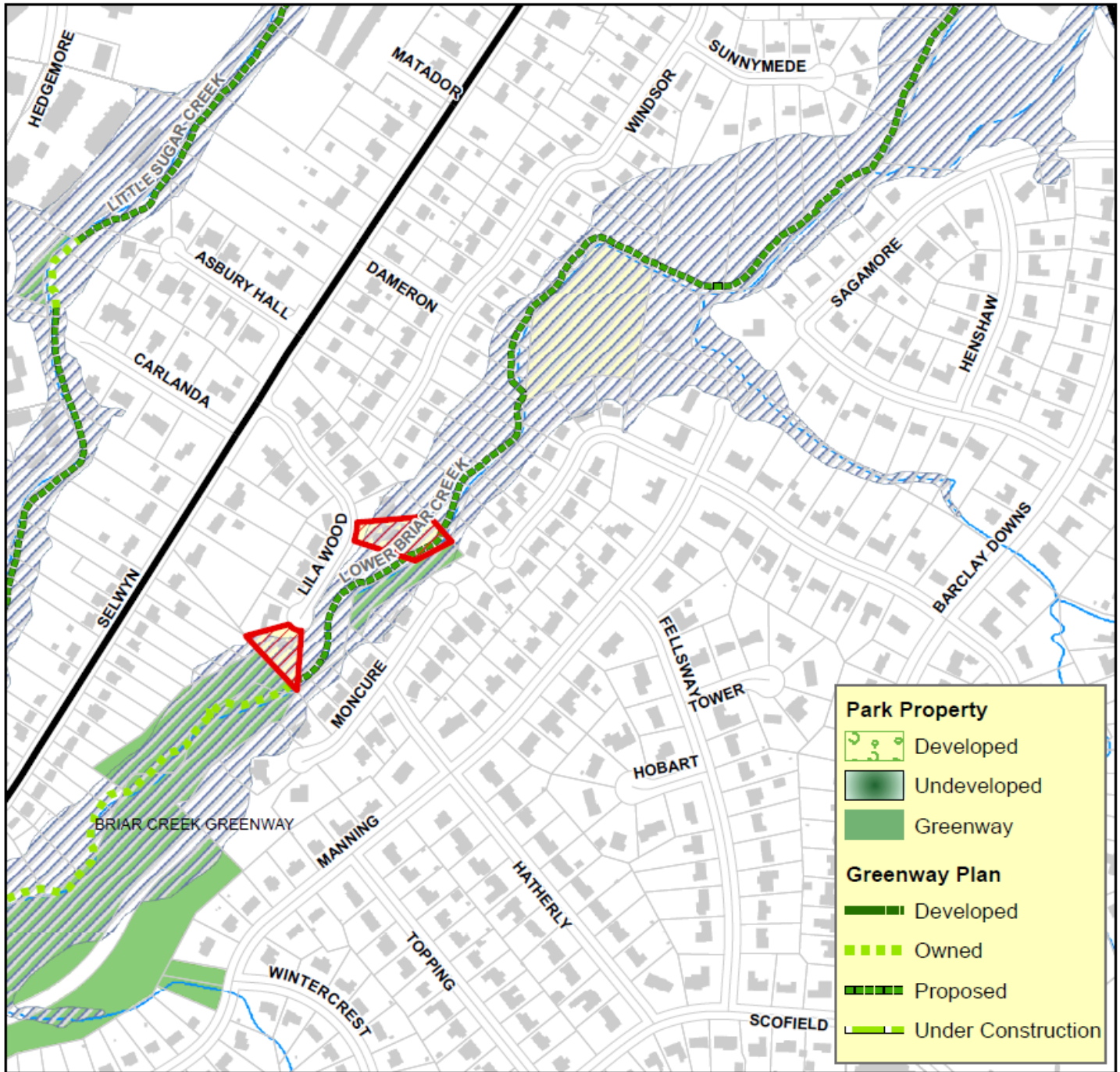
The Joint Use Task Force discussed the matter at their May 4, 2011 meeting and it was suggested that County Park & Recreation be contacted to ascertain whether they wished to have greenway easements established across the parcels prior to sale of the properties. (It should be noted that no representative from Park & Recreation was in attendance at the meeting)

PLANNING STAFF RECOMMENDATION:

The subject properties are along Mecklenburg County Park & Recreation's planned Briar Creek Greenway. Acquisition of ownership or easements for a greenway is necessarily a long-term proposition. The County owns property extending northward from Park Road as far as 5335 Lila Wood (the southerly house). The property at 5335 is a missing link to a strip of open space owned by Selwyn Grove Homeowners Association, which in turn is connected to another sliver owned by the County. The property at 5309 (the northerly house) is another needed link to other property along the creek still in private hands. The County is expected to request provision of easements on these two properties sufficient to construct and operate a greenway in the future. Such a request is consistent with the *South District Plan* land use recommendation of greenway and residential uses, and is consistent with the County's Greenway Master Plan. As such, staff recommends approval of the request to sell the two subject residential properties, subject to provision of suitable easements for future Greenway construction and operation.

CMPC PLANNING COMMITTEE RECOMMENDATION:


Staff resource: Kent Main





Mandatory Referral 11-05

Submitted by: City Real Estate, E&PM

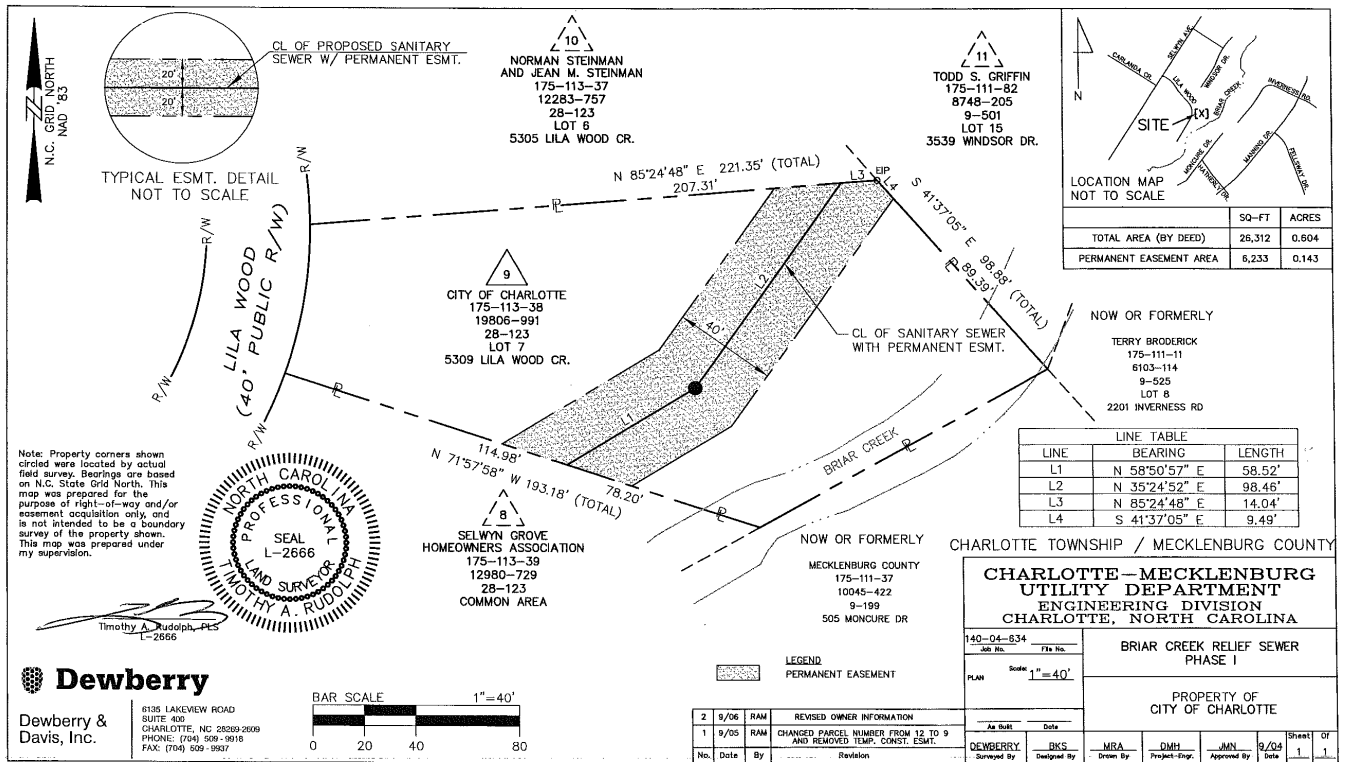
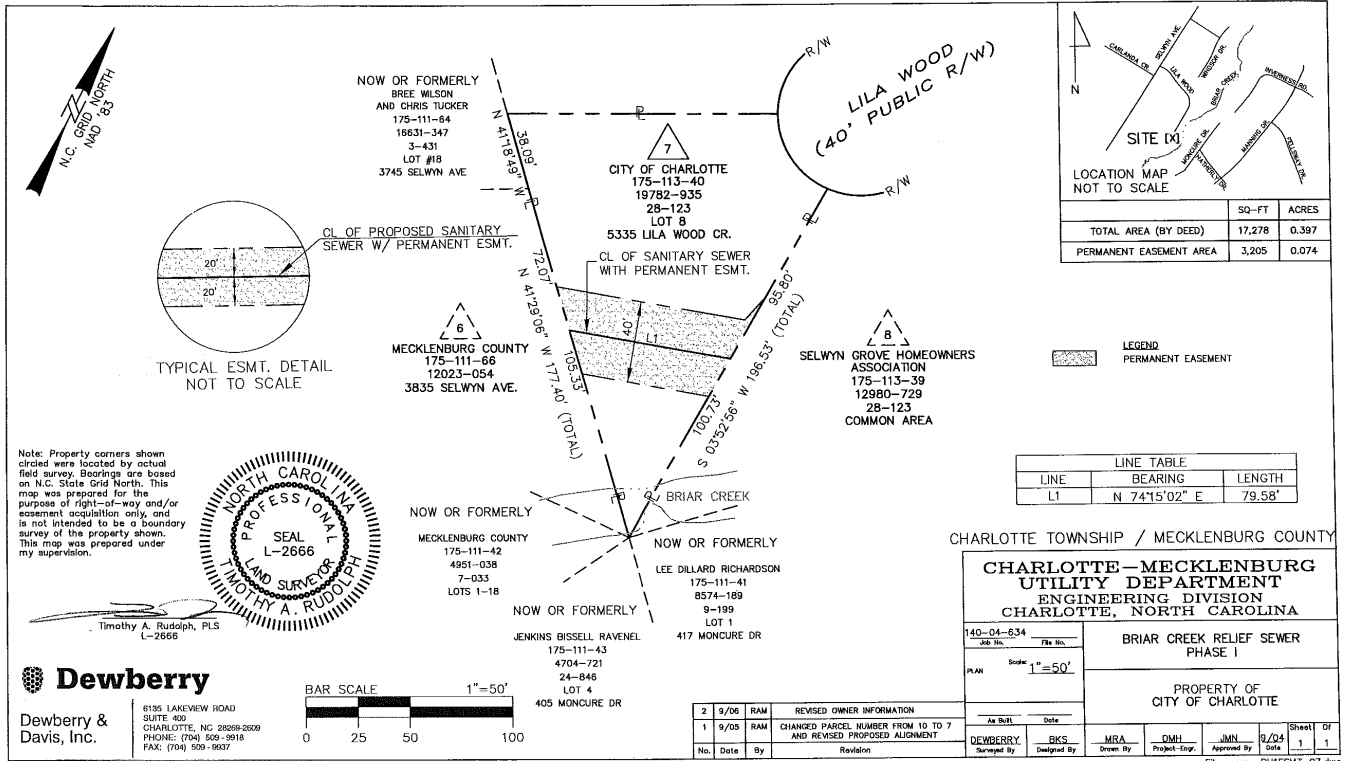
Initiated by: CMU

 Mandatory Referral

 City Property

 FEMA 100 Year Floodplain





UTILITY EASEMENTS

Submitted by: Robert W. Drayton, City of Charlotte Real Estate Division

Initiated by: Denice Beteta, Neighborhood & Business Services

MANDATORY REFERRAL REPORT NO. 11-06
Proposal to Transfer Six City-Owned Properties to Various Nonprofit Corporations

PROJECT PROPOSAL AND LOCATION:

The City of Charlotte's Neighborhood and Business Services Department (N&BS) proposes to transfer six parcels to various nonprofit organizations. All six parcels are vacant residentially-zoned lots and came to the City as a result of non-payment of mortgages that were generated from N&BS.

The intent of this Mandatory Referral proposal is to have these parcels ready for City Council approval for their transfer, individually or in groups, to a Community Development Corporation (CDC) or Habitat for Humanity as soon as the selection process has concluded. The vacant lots will be transferred to these nonprofit(s) so that they can construct affordable houses for purchase by owner-occupants. The properties are as follows:

| PARCEL SUMMARY | | | | | |
|----------------|------------|--------------------|--------|------------------------|----------------|
| | PARCEL NO. | ADDRESS | ZONING | CURRENT USE | LOT SIZE (AC.) |
| 1 | 157-052-13 | 3528 Jonquil St. | R-5 | Residential Vacant Lot | 0.16 |
| 2 | 119-034-27 | 2559 Brentwood Pl. | R-4 | Residential Vacant Lot | 0.27 |
| 3 | 069-013-14 | 201 Solomon St. | R-22MF | Residential Vacant Lot | 0.16 |
| 4 | 069-013-15 | 209 Solomon St. | R-22MF | Residential Vacant Lot | 0.12 |
| 5 | 069-013-16 | 215 Solomon St. | R-22MF | Residential Vacant Lot | 0.14 |
| 6 | 055-041-09 | 336 Kirby Dr. | R-5 | Residential Vacant Lot | 0.44 |

PROJECT JUSTIFICATION:

These properties were acquired by Substitute Trustee's Deeds as a result of foreclosures.

Because they are properties that are not needed for City operations, they incur year-round maintenance and liability expenses as well as additional clean-up costs due to occasional dumping. N&BS is working in conjunction with several CDC's and Habitat for Humanity to provide affordable housing opportunities in Charlotte as well as to help revitalize some of the neighborhoods in which these houses are located.

N&BS maintains a list of City-approved, experienced nonprofit development organizations and CDC's with which they partner in developing affordable housing. These organizations are provided lists of potentially-available properties to solicit their interest. Once interest in the properties is expressed, the properties are reserved for the interested organization. Once the City approval process is complete, the properties are transferred for development and subsequent sale as affordable housing

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The transfer of these parcels to the nonprofit organizations supports the recommendation to develop affordable housing as outlined in the *FY2006-2010 Consolidated Action Plan* (approved by City Council on June 23, 2005).

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The intended use of the subject parcels are consistent with adopted district land use plans.

New infill housing should adhere to the following design recommendations:

1. Front doors should be visible from the street and connected to existing sidewalk
3. Front porches, if provided, should be at least 8 feet in depth but no less than 6 feet
4. Above ground utilities should be located behind the principal structure or screened with landscaping
5. Preserve healthy, maturing trees when feasible
6. Attached front loading garages should not extend beyond the front wall plane of the principal structure
7. The setback should be consistent with the established setback on the same block
8. Development on a corner lot should have architectural details on sides facing the street.

PROJECT IMPACT:

The project provides for additional home ownership opportunities and supports revitalization efforts within the associated neighborhoods.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

No other known projects are planned or underway in these areas.

ESTIMATED PROJECT COMPLETION DATE:

The vacant lots invite dumping. Therefore, the intent is to transfer these parcels by the end of 2011.

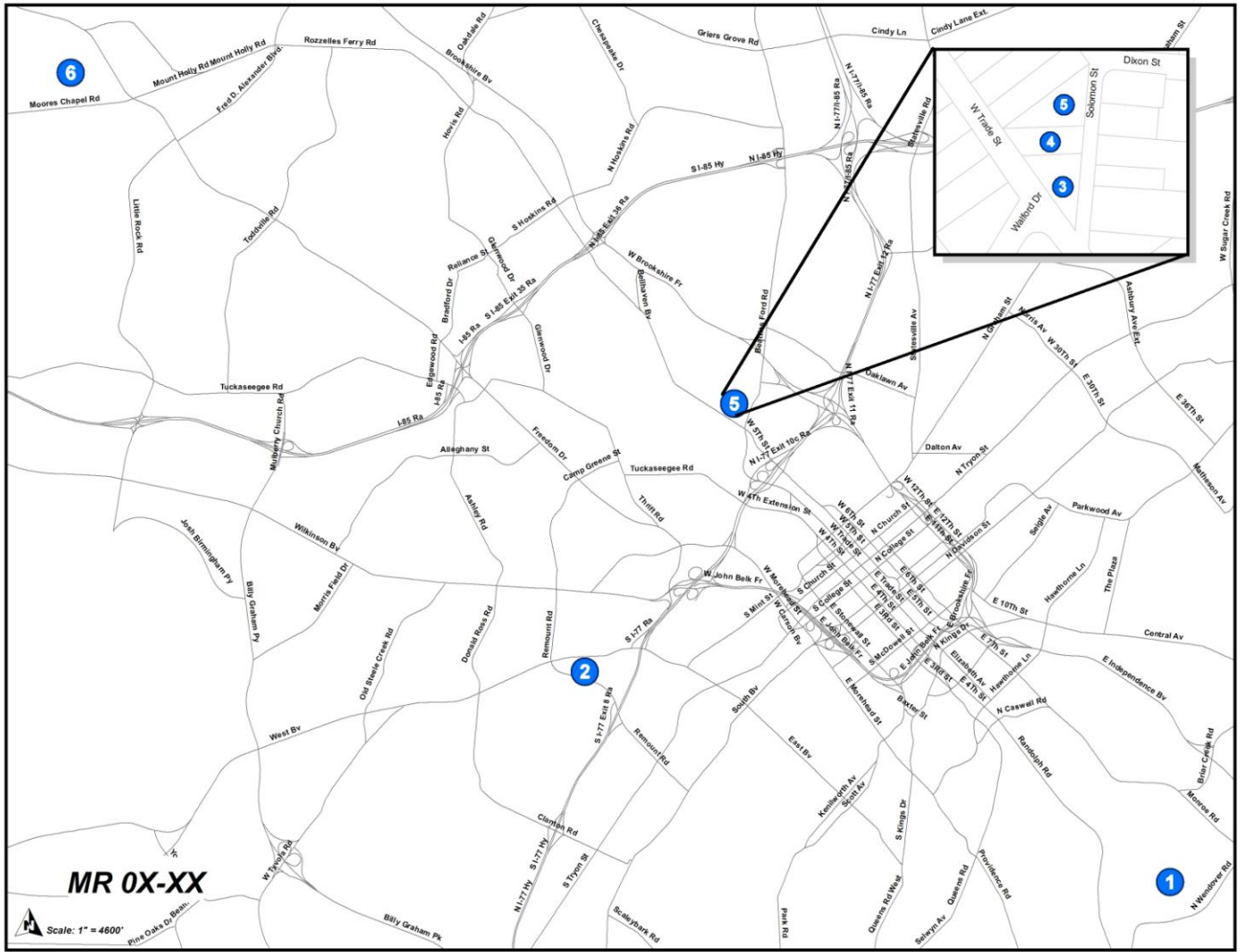
JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force discussed the matter at their May 4, 2011 meeting and a representative from the Charlotte Department of Transportation expressed interest in having a portion of parcel 15705213 (parcel #1, above) reserved (either via right-of-way or easement) for a bicycle/pedestrian connection. CDOT staff offered to work with the buyer of the property in developing the dimensions of the easement, which would not likely prevent the remainder of the parcel from being developed for affordable housing.

PLANNING STAFF RECOMMENDATION:

Staff supports the transfer of the subject parcels to approved affordable housing providers.

CMPC PLANNING COMMITTEE RECOMMENDATION:



MR11-06

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

Initiated by: Mike Bedard, CMPD

MANDATORY REFERRAL REPORT NO. 11-07
Proposed New Police Station Location for Eastway Division of Charlotte-Mecklenburg Police

PROJECT PROPOSAL AND LOCATION:

City of Charlotte Real Estate proposes that a facility be designed and constructed to meet the specifications for a new Charlotte-Mecklenburg Police Department (CMPD) Eastway Division headquarters that would replace the current 7,800 square foot leased facility at 3024 Eastway Drive in the Eastway Crossing Shopping Center. The new 12,500 square foot facility would be constructed and owned by the City of Charlotte. The proposed site is approximately 3.25 acres at the northeast corner of Central Avenue and Merry Oaks Road in the Merry Oaks Neighborhood of East Charlotte (consisting of parcels 095-132-06, 095-132-07, 095-132-08, 095-132-09, 095-132-10, and 095-132-11).

The current land use is residential and includes four single family structures and two duplex structures and the site is zoned R-22 multi-family residential and R-4 single family residential according to the Charlotte Zoning Ordinance. Land uses in the area include a mix of residential and commercial.

It is the intent of Real Estate to seek rezoning of the property from R-22 and R-4 to NS (Neighborhood Services) to accommodate the proposed land use and minimize setbacks. This would minimize community impact, site size, and property acquisition costs. The schedule includes submitting a rezoning petition later this year.

PROJECT JUSTIFICATION:

The current Eastway Division is located in 7,800 square feet of leased space in a shopping center on Eastway Drive. The CMPD wants to have highly visible and easily accessible division offices, with 12,500 square feet of space. The current Eastway Drive location is too small, has minimal visibility and does not offer the level of security required.

The search for a replacement facility for the Eastway Division was initiated in early 2010. The following criteria were developed by an inter-departmental team assisting CMPD as part of a strategic planning process undertaken in 2010. This criteria was used to identify a site suitable for this facility:

- Site must to be highly visible
- Site must be easily accessible from patrol division area.
- Site must be sufficient to accommodate a facility containing a minimum of 12,000 square feet of floor area, secured parking for 95 vehicles and public parking for at least 10 vehicles.
- Site must be centrally-located within the patrol division boundaries

Approximately 30 sites were included in the initial search with several sites being considered viable alternatives, however this location was selected for a number of reasons including site size, location near the center of the division, access to public transportation, topography and development costs.

Several alternate sites were considered before selecting the Central Avenue at Merry Oaks site, but these sites did not meet the above criteria to the extent the selected site does. Specifically, the other sites exhibited relatively:

- poor accessibility/visibility,
- higher acquisition costs,
- greater distance from core response area,
- significantly higher development costs,
- poor development conditions (e.g. located in floodplains, bad topography, etc.), and
- difficulty locating minimum acreage needed.

By having the building designed and constructed specifically to be a police station, the efficiency of the space will be improved over the existing facility (initially designed as retail/flex space), while avoiding the potential need to spend a significant amount of funding in renovation of the existing leased facilities.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Policies governing facility placement are contained in the criteria listed above. Additionally, priority is given to owning (as opposed to leasing) station locations as it is over time more cost-effective.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Central District Plan (1993)* recommends multi-family residential development on the subject parcel. Though the *Central District Plan* recommends multi-family land uses institutional developments are typically considered complementary uses in residential districts. In addition, staff rarely identifies institutional land uses in adopted plans unless the site is developed or zoned as such.

PROJECT IMPACT:

The development group that currently owns the property has an adequate number of vacancies in the housing immediately adjacent to the land to be used for the CMPD station so the tenants currently occupying units to be displaced by the proposed station will have suitable replacement housing available to them. Approximately six of the eight dwellings are occupied and occupants will be offered relocation assistance.

The redevelopment of this site has the potential to be a catalyst for reinvestment along Central Avenue and Eastway Drive and will be designed to complement existing development.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

There are no other public or private projects currently planned in this area.

ESTIMATED PROJECT COMPLETION DATE:

The project would be completed by December 2012.

JOINT USE TASK FORCE REVIEW COMMENTS:

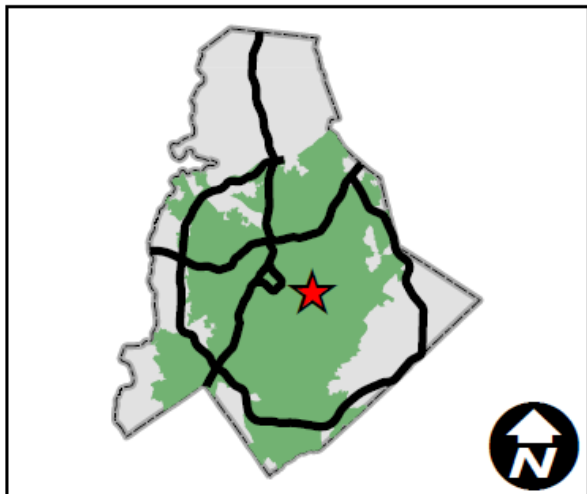
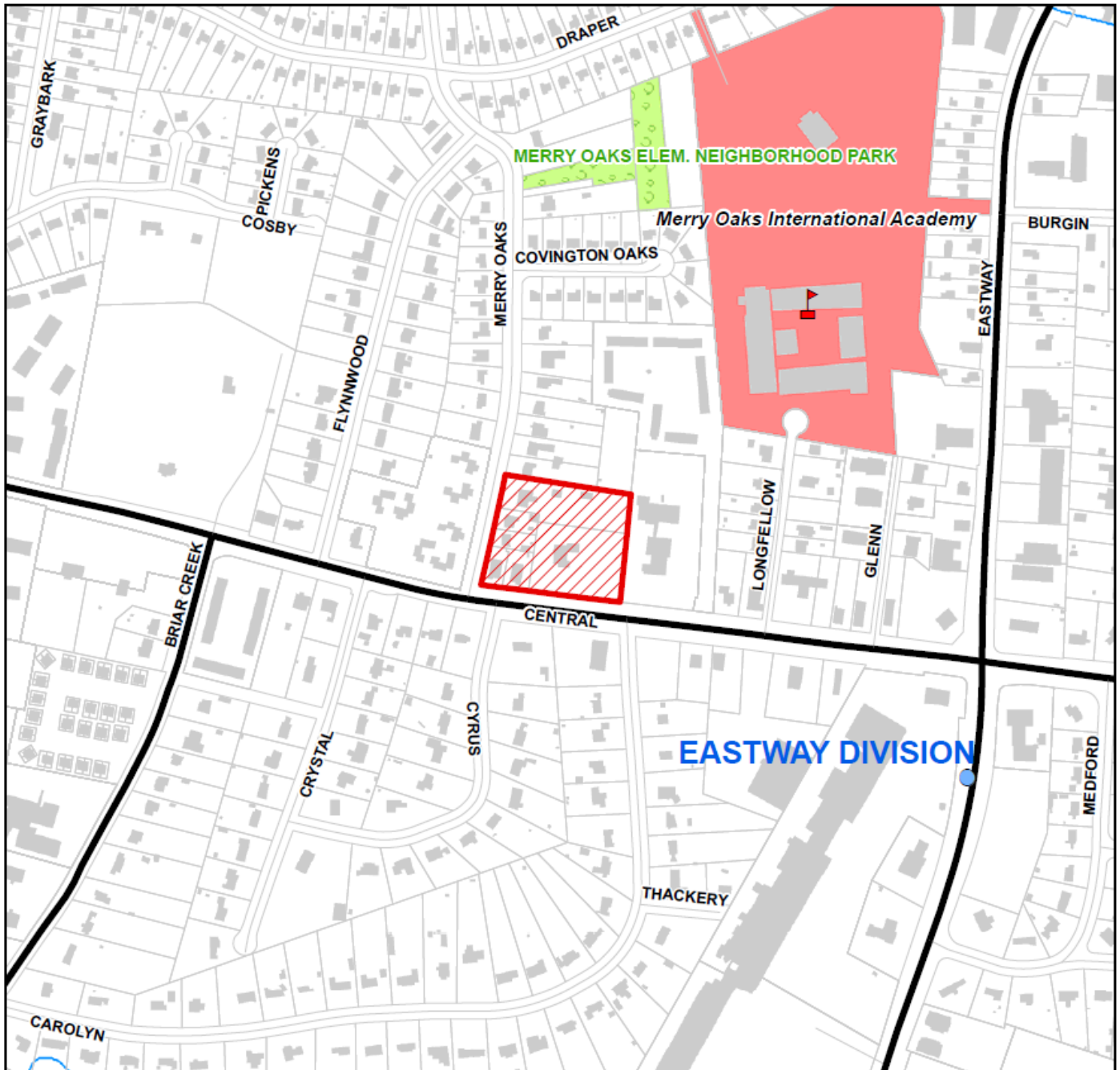
The Joint Use Task Force discussed this matter at their May 4, 2011 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

Based on the potential of the police station to improve the quality of life in the community staff supports the recommendation to construct the Eastway Division police station at this location. The following conditions are placed on this recommendation:

- The new facility should provide streetscape and façade design suitable for the surrounding context, i.e. building fronting the streets, high quality façade materials, decorative fencing, native landscaping, etc.
- Mature trees should be integrated into the site design where feasible.


CMPC PLANNING COMMITTEE RECOMMENDATION:




Mandatory Referral 11-07

Submitted by: City Real Estate, E&PM

Initiated by: CMPD

 Mandatory Referral

 Police Stations

