

Planning Committee  

---

Agenda Packet

November 20, 2012 |  
Room 280  
CMGC – 2<sup>nd</sup> Floor



# Charlotte-Mecklenburg Planning Commission

## Planning Committee Meeting Agenda

November 20, 2012 – 5:00 p.m.

CMGC – 2<sup>nd</sup> Floor, Room 280

---

**1. Call to Order and Introductions**

**2. Approve October 16, 2012 Minutes. *Attachment 1***

**3. M.R. #12-20: Proposal by Central Piedmont Community College to purchase property located at 1422 E. Fourth Street and 1230 Charlottetown Avenue**

*Background:* Central Piedmont Community College proposes to purchase two existing office buildings for College operations. ***Attachment 2***

*Staff Resources:* Alan Goodwin and Kent Main, Planning  
Rich Rosenthal, Central Piedmont Community College

*Action Requested:* Approve Planning staff's recommendation for M.R. #12-20.

**4. M.R. #12-21: Proposal by Mecklenburg County to Acquire Land Located on Winget Road south of Shopton Road West to Serve as a Natural Heritage Site**

*Background:* Mecklenburg County proposes the acquisition of approximately 11 acres of vacant land located adjacent to Winget Park to protect an endangered sunflower. ***Attachment 3***

*Staff Resources:* Melony McCullough and Stuart Basham, Planning  
Jacqueline McNeil, County Asset and Facility Management

*Action Requested:* Approve Planning staff's recommendation for M.R. #12-21.

**5. M.R. #12-22 Proposal by Mecklenburg County to Acquire Mountain Island Lake Property for Watershed Protection and Park Land**

*Background:* Mecklenburg County proposes the acquisition of approximately 4.5 acres of land located along Mountain Island Lake in Northwest Mecklenburg County to protect the water quality.

***Attachment 4***

*Staff Resource:* Marci Sigmon, Planning

*Action Requested:* Approve Planning staff's recommendation for M.R. #12-22.

**6. Area Plan Status and Meeting Report**

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

Area Plans	Assigned Commissioners	Scheduled Meetings
<b>Blue Line Extension Station Area Plans</b>	Commissioners Low, Nealon and Ryan	<b>Final Public Meeting</b> (Present draft plan recommendations) Thursday, January 31 - 6:00 p.m.  Sugaw Creek Presbyterian Church 101 W. Sugar Creek Road
<b>Park Woodlawn Area Plan</b>	Commissioner Labovitz	<b>Community Workshop</b> (Present draft plan recommendations) Tuesday, December 4 - 6:00 p.m.  Park Road Baptist Church 3900 Park Road
<b>Prosperity Hucks Area Plan</b>	To be assigned.	<b>Community Workshop</b> Thursday, December 6 - 6:00 p.m.  Crossway Community Church 6400 Prosperity Church Road

*Action Requested:* None, for information only.

**7. Adjourn**

# Charlotte-Mecklenburg Planning Commission

## Planning Committee Meeting Minutes (DRAFT)

Attachment 1

October 16, 2012 – 5:00 p.m.  
CMGC – 2<sup>nd</sup> Floor, Room 280

---

### **Attendance**

**Commissioners Present:** Andy Zoutewelle (Chairperson), Tracy Finch Dodson (Vice Chairperson), Deb Ryan, Steven Firestone, Dwayne Walker and Greg Phipps

*Due to the absence of two commissioners, Commissioner Phipps was present to ensure a quorum in case of a conflict of interest on an agenda item.*

**Commissioners Absent:** Thomas Low and Margaret Nealon

**Planning Staff Present:** Alberto Gonzalez, Sonda Kennedy, Melony McCullough, Alysia Osborne and Jonathan Wells

**Other Staff Present:** Denise Beteta (Neighborhood and Business Service), Gwendolyn Cook (Mecklenburg County Park & Recreation), Robert Drayton (City Real Estate), Tim O'Brien (City Real Estate), Jacqueline O'Neil (Mecklenburg County Asset Management) and Brad Richardson (Neighborhood and Business Service)

### **Call to Order and Introductions**

Chairperson Andy Zoutewelle called the meeting to order at 5:00 p.m. and those present introduced themselves.

### **Approval of Meeting Minutes**

*A motion was made by Commissioner Finch Dodson and seconded by Commissioner Firestone to approve the July 17, 2012 minutes. The vote was 6-0 to approve the minutes.*

### **M.R. #12-12: Proposal by the City of Charlotte's Neighborhood and Business Services Department (N&BS) to Transfer 21 Properties to Various Non-profit Organizations**

Mr. Alberto Gonzalez (Planning) provided an overview of Mandatory Referral #12-12 which is a proposal to transfer 21 City-owned scattered site residential properties to various non-profit organizations. The Committee deferred this Mandatory Referral at the July 17<sup>th</sup> meeting and requested additional information about the selection of non-profit organizations to participate in the City's Housing program.

Mr. Gonzalez introduced Ms. Denise Beteta (Neighborhood and Business Services) who explained the process used to select Non-for-profit (NFP) entities and the Certified Housing Development Organization (CHDO) process. Ms. Beteta described the information that is required and examined during the certification process. An organization's certification must be up to date to participate in the City's program. She also shared the history and experience of some of the organizations.

Chairperson Zoutewelle opened the floor for questions. Commissioner Ryan thanked Ms. Beteta for sharing the information and stated that she learned a lot. Commissioner Ryan expressed concern about Parcel #3, 6048 Johnnette Drive. This parcel does not have road frontage. Mr. Tim O'Brien (City Real Estate) stated that this is City owned property and there has always been a problem with access to this lot. He further stated that the City is aware of the need to address this issue. Ms. Beteta added that the next door neighbor owns all of the surrounding property and granted the former property owner access rights to Parcel #3. Ms. Beteta explained that the owner of Parcel #3 died and that is how the City regained ownership. Chairperson Zoutewelle asked if the house is being sold without road access and if it is a legally nonconforming lot. Mr. O'Brien stated that the City has to address this issue and will not sell or deed property until all challenges have been addressed.

Commissioner Ryan referenced Parcel #21 (3146 Amay James Avenue) and stated that she is concerned about moving affordable housing into a potential floodplain. She noted that the parcel is not in the 100 year floodplain now. However, it looks like it could be in the future and the City may have to buy the property back. Chairperson Zoutewelle asked if there is a flood certificate which identifies flood areas. Mr. O'Brien explained that an elevation survey would answer any questions concerning flooding and could be done to determine if a structure could or could not be built on the parcel.

Commissioner Firestone asked if there are notification requirements for mandatory referrals. Ms. Melony McCullough (Planning) said there are none. Commissioner Firestone also asked if a lot of Habitat homes have been developed in these areas. Ms. Beteta answered yes. Commissioner Phipps asked if there are any outstanding code violations. Ms. Beteta stated that there are none. Commissioner Phipps asked if the City sells the houses "as is". Ms. Beteta stated that the houses must be in good condition. Commissioner Zoutewelle asked staff about criteria for the Committee when considering mandatory referrals and if the Committee should consider due diligence on behalf of the buyer. Mr. Jonathan Wells (Planning) stated that consideration should be given to policy context such as area plans recommendations.

Commissioner Ryan emphasized that Parcel #3 is not appropriate for affordable housing. Commissioner Walker asked what will happen to this parcel. Mr. O'Brien answered that the City will sell it to the private sector if it is not sold for affordable housing. Commissioner Zoutewelle asked if consideration could be given to selling to the adjoining property owner. Mr. O'Brien replied yes.

*A motion was made by Commissioner Ryan to approve Planning staff's recommendation for Mandatory Referral #12-12 with the exception of parcel #3 and also with the understanding that staff has intentionally pulled item #8. Commissioner Walker seconded the motion. The vote was 6-0 to approve staff's recommendation for Mandatory Referral #12-12 with the exception of Item #3.*

**M.R. #12-19: Proposal by the City of Charlotte to Acquire Charlotte Inn Hotel and Adjoining Properties Located on Independence Boulevard**

Ms. Alysia Osborne presented this proposal by the City to acquire three properties totaling approximately 7.84 acres and seek the County's participation in acquisition of the Charlotte Inn portion of the property. The properties are located adjacent to the Commonwealth Park Neighborhood and across Independence Boulevard from Bojangles' Coliseum and Owens Auditorium. Portions of the property are located in the 100-year floodplain for Briar Creek. Acquisition of these parcels is consistent with adopted public policies and land use plans. This acquisition will help improve community safety, address problems resulting from abandoned and blighted structures, provide right-of-way for a future sewer line and reduce the amount of impervious surface in an area that floods frequently.

Commissioner Firestone asked about parking provisions in the *Greenway Master Plan*. Ms. Gwen Cook (County Park and Recreation) said that this project is not included in the plan. She stated that the land floods often and needs to be in a green corridor. Commissioner Ryan is concerned about labeling land open space because a decision has not been made about what to do with it. She acknowledged the need to cleanup areas along Independence Boulevard. Ms. Cook stated that the creeks need to be protected and that Land Use and Environmental Services (LUESA) wants to preserve the land for forest use. She added that open space protects creeks and water quality and forestry is an important part of open space. Brad Richardson (Economic Development) stated that the City will eventually assume ownership and maintain the land.

*A motion was made by Commissioner Firestone and seconded by Vice-Chairperson Finch Dodson to approve Planning staff's recommendation for Mandatory Referral #12-19. The vote was 6-0 to approve staff's recommendation for Mandatory Referral #12-19.*

**M.R. #12-11: Update on a Proposal by the City of Charlotte to Convey a Parcel Located at 1201 Pegram Street to the Belmont Community Development Corporation (CDC) to Construct a House for a Veteran**

Mr. Wells gave an update on a previous Mandatory Referral. He noted the City's involvement in an unusual approach to build an affordable dwelling unit for a veteran. One half of the house was built in Tampa, Florida during the Republican National Convention and the other half was built in Charlotte during the Democratic National Convention.

Mr. O'Brien gave an overview of the project and shared photos of the nearly completed house. He reminded the Committee that the City donated land for the house and that the L-shaped lot needed to be subdivided. Letters have been sent to adjoining property owners about the land division. This presentation was for information only.

**Blue Line Extension Station Area Plans**

Ms. Osborne gave a brief overview of the Blue Line Extension planning process. She provided information on the six transit stations areas and discussed the plan development process. Chairperson Zoutewelle stated that Vice-Chairperson Yolanda Johnson and Commissioner Nealon attended the kick-off meeting. He explained that there is not a Citizen Advisory Group but a series of public meetings and advised each Committee member to follow the process.

### **Meeting Attendance**

Chairperson Zoutewelle discussed the City's policy that governs commissioners' attendance. He stated that each commissioner is required to attend a certain percentage of meetings per year. A member cannot miss three consecutive meetings. It was made clear that with the area planning process, it is not the intent for each member to attend each meeting. Since there is no Citizen Advisory Group associated with the *Blue Line Extension Station Area Plans*, each member is required to attend at least one of the three public meetings

Commissioner Finch Dodson and Commissioner Ryan will attend the next meeting. Also, Commissioner Johnson and Cheryl Neely (Planning staff) are creating an assignment matrix that will be helpful to all commissioners. Vice-Chairperson Finch Dodson asked that commissioners take notes at public meetings. This will make reporting to the full Planning Commission easier.

### **Area Plan Status and Meeting Report**

The Park Woodlawn Area Plan recommendations will be presented to the public in November.

The Prosperity Hucks Area Plan kick-off meeting is November 15. Commissioner Low has been assigned to the Historic District Committee. Another commissioner is needed for this plan.

### **Adjourn**

Meeting adjourned at 6:15 p.m.



Initiated and Submitted by: Rich Rosenthal, Assoc VP for Facilities, Central Piedmont Community College

**MANDATORY REFERRAL REPORT NO. 12-20**  
**Proposed Purchase of 1422 E. Fourth Street and 1230 Charlottetown Avenue by CPCC**

**PROJECT PROPOSAL AND LOCATION:**

It is proposed to purchase two existing office buildings for intended use by Central Piedmont Community College. The properties are: Parcel ID # 125-104-12 (a two-story office building with approximately 4,400 square feet located on 0.18 acres of land at 1422 E. 4<sup>th</sup> Street in Charlotte and zoned B-2 / Business according to the Charlotte Zoning Ordinance), and Parcel ID # 080-193-02 (a two-story office building with approximately 5,076 square feet located on 0.27 acres of land at 1230 Charlottetown Avenue in Charlotte and zoned O-2 / Office according to the Charlotte Zoning Ordinance).

**PROJECT JUSTIFICATION:**

As outlined in the *Central Piedmont Community College Six Campus Facilities Master Plan* (2008-2016) and the *Central Piedmont Community College Long Range Capital Plan* (2013-2017), one of the critical needs to support the educational mission of the College is the acquisition of additional land contiguous to the existing campuses. The purchase of these two properties will provide additional office space for College operations in the short term and land for longer-term future campus expansion.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

North Carolina General Statute 115D-32 outlines the requirement of counties to financially support their community colleges in property acquisition, construction, repair and maintenance of facilities.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

1422 East Fourth Street (Parcel ID # 125-104-12): This property is located within the area of the *Midtown Morehead Cherry Area Plan* (2012). The plan recommends mixed-use (Residential/Office/Retail) in any combination or as a single use, and specifically notes institutional use by Central Piedmont Community College as an element. The proposed use is consistent with this area plan land use recommendation.

1230 Charlottetown Avenue (Parcel ID # 080-193-02): This property is located within the *Elizabeth Area Plan* (2011) boundaries. The recommended land use is mixed-use (Residential/Office/Retail) in any combination or as a single use. The proposed use is consistent with this area plan land use recommendation.

**PROJECT IMPACT:**

The purchase of these two properties will provide additional office space for College operations in the short term and land for future campus expansion. In view of the fact that these two properties are currently, have been for years and will continue to be used as office space, no change in land use or negative impacts are anticipated on the surrounding area.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

No impact is projected for other public or private projects in close proximity. This use is consistent with the *Elizabeth Area Plan* and the *Midtown Morehead Cherry Area Plan*. Future buildings on the two sites may present opportunities for joint use projects.

**ESTIMATED PROJECT COMPLETION DATE:**

The purchase closing date of 1230 Charlottetown Avenue is projected for December 12, 2012. The purchase closing date of 1422 E. 4<sup>th</sup> Street is projected for February 26, 2013. The source of funding for the purchase will be either, or a combination of, Mecklenburg County Land Banking funds or CPCC Institutional Funds reserves.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

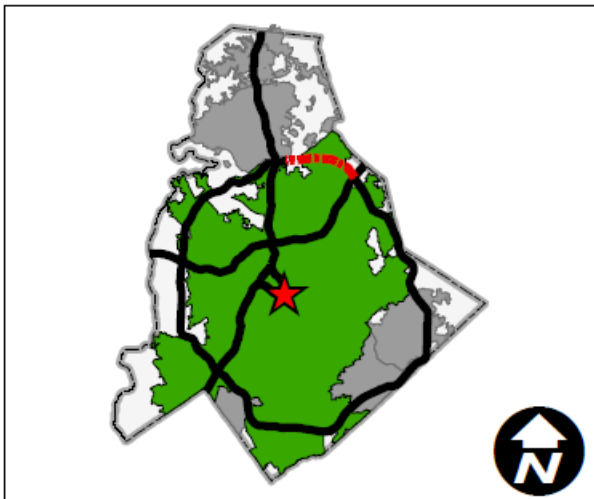
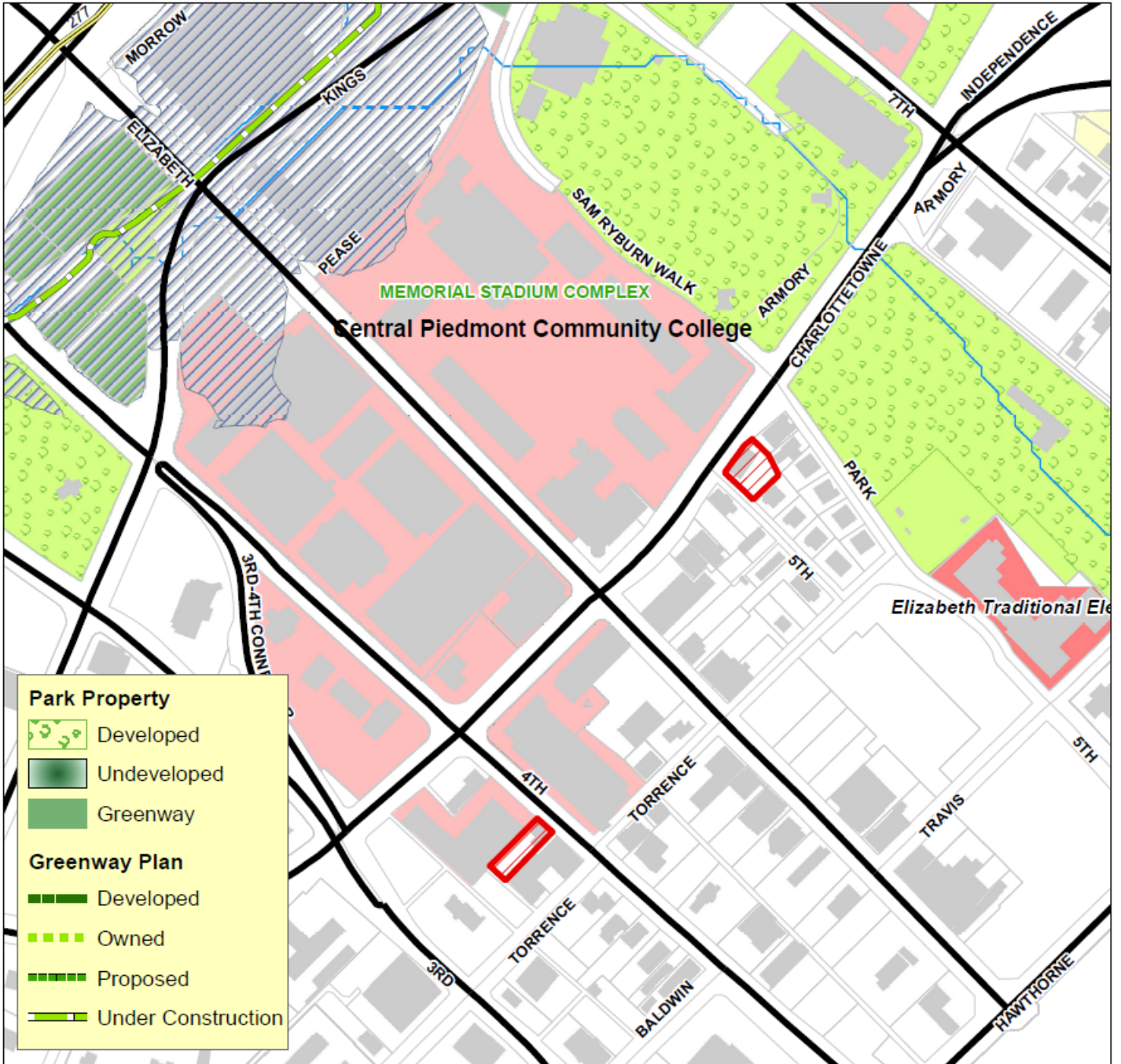
The Joint Use Task Force reviewed this matter at their November 7, 2012 meeting and no comments were offered.

**PLANNING STAFF RECOMMENDATION:**

The purchase, short-term use, and long-term redevelopment of both sites by Central Piedmont Community College is supported by the applicable area plans, and will facilitate the continuing educational mission of the college in the surrounding community. As such, staff recommends approval of both purchases.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**

**Staff resource: Alan Goodwin and Kent Main**



# Mandatory Referral 12-20

Submitted & Initiated by: CPCC

- County Property
- City Property
- FEMA 100 Year Floodplain







Front ¾ view of subject improvements looking northeast from Charlottetowne Avenue.



Side view of subject improvements taken from East 5<sup>th</sup> Street.



**Submitted by:** Jacqueline McNeil, BSSA-County Asset and Facility Management

**Initiated by:** Jim Garges, Director, Park & Recreation Dept.

**MANDATORY REFERRAL REPORT NO. 12-21**  
**Proposed Acquisition of Land on Winget Road to Serve as a Natural Heritage Site**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County proposes the acquisition of Tax Parcel 199-151-06 (+/- 11.399 acres) in southwest Mecklenburg County in Charlotte's extraterritorial jurisdiction. The property is currently vacant and is adjacent to the County's Winget Park (Mandatory Referral MR08-36). Adjoining areas are generally rural, with a residential subdivision (Chapel Cove) under development to the north and a CMS elementary school (Winget Elementary) to the east.

The subject property is home to the Schweinitzii sunflower, a federally endangered species, found only within a 75 mile radius of Charlotte and discovered on the property by the NC Natural Heritage Program in the late 1980's. The Natural Heritage survey of Mecklenburg County reconfirmed the existence of the sunflower in 1993 and again in 1995. The Park & Recreation Department has since monitored and maintained this sunflower, much of which is currently on adjoining County-owned land.

The property is zoned R-3/LLW-CA (Single family residential/Lower Lake Wylie Critical Watershed Area) under the City of Charlotte's Zoning Ordinance. The adjacent County owned Winget Park (parcels 199-151-07 and 199-151-08) contains Piedmont Prairie grass that is native to this area and used to exist in greater quantities prior to European settlement and today exist only in very small pockets of the community. It is proposed that application be made for the subject parcel along with the Winget Park site to receive the natural heritage site designation at a later date and then undergo a restoration of its natural Piedmont Prairie grass lands. The "natural heritage" designation is made by the NC State Division of Environment and Natural Resources when properties contain important plant life, water bodies, or physical features. Other County-owned properties that have received this designation are portions of Latta Nature Preserve, McDowell Nature Preserve, and Shuffletown Nature Preserve.

**PROJECT JUSTIFICATION:**

This project is consistent with the *2008 Mecklenburg County Parks Master Plan* objectives which identified the need for preservation of natural habitats and natural heritage sites. The NC Department of Environment and Natural Resources (DENR) designated this property as a natural heritage site of national significance through its field work to identify and support conservation of the rarest and most outstanding form in the state of North Carolina. Failure to protect this property will mean the loss of this plant life to development.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

This acquisition is consistent with the County's *2008 Parks Master Plan* which identified the need to preserve significant natural habitats and natural heritage sites. The NC Natural Heritage Program also identified the need to protect the Schweinitzii sunflower during its 1998 field survey of Mecklenburg County.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *Steele Creek Area Plan (2012)* recommends residential land uses at a density of up to one dwelling unit per acre. Open space is generally considered to be an appropriate use in areas prescribed for residential land uses.

**PROJECT IMPACT:**

Acquisition of this property expands Mecklenburg County's effort to protect significant and endangered natural habitats.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

This property is to be utilized as nature preserve and habitat restoration land. It is within the area of the proposed extension of Carowinds Blvd (Winget Road). County staff will work with the Charlotte Department of Transportation to determine the extent of its impact to the sunflower population and an appropriate response to the proposed road extension.

**ESTIMATED PROJECT COMPLETION DATE:**

This project is for land acquisition only and is expected to be completed by December 31, 2012.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

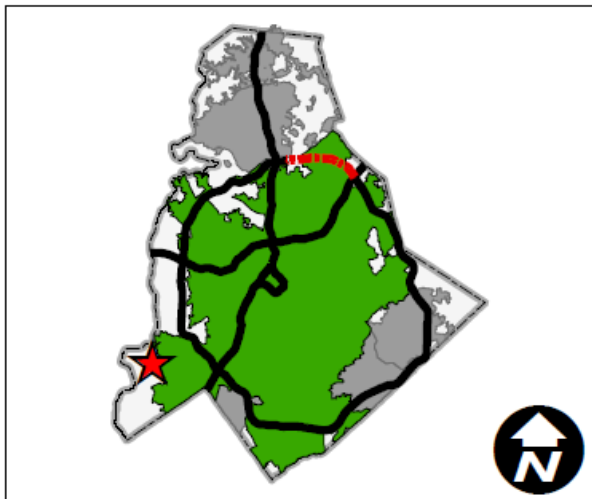
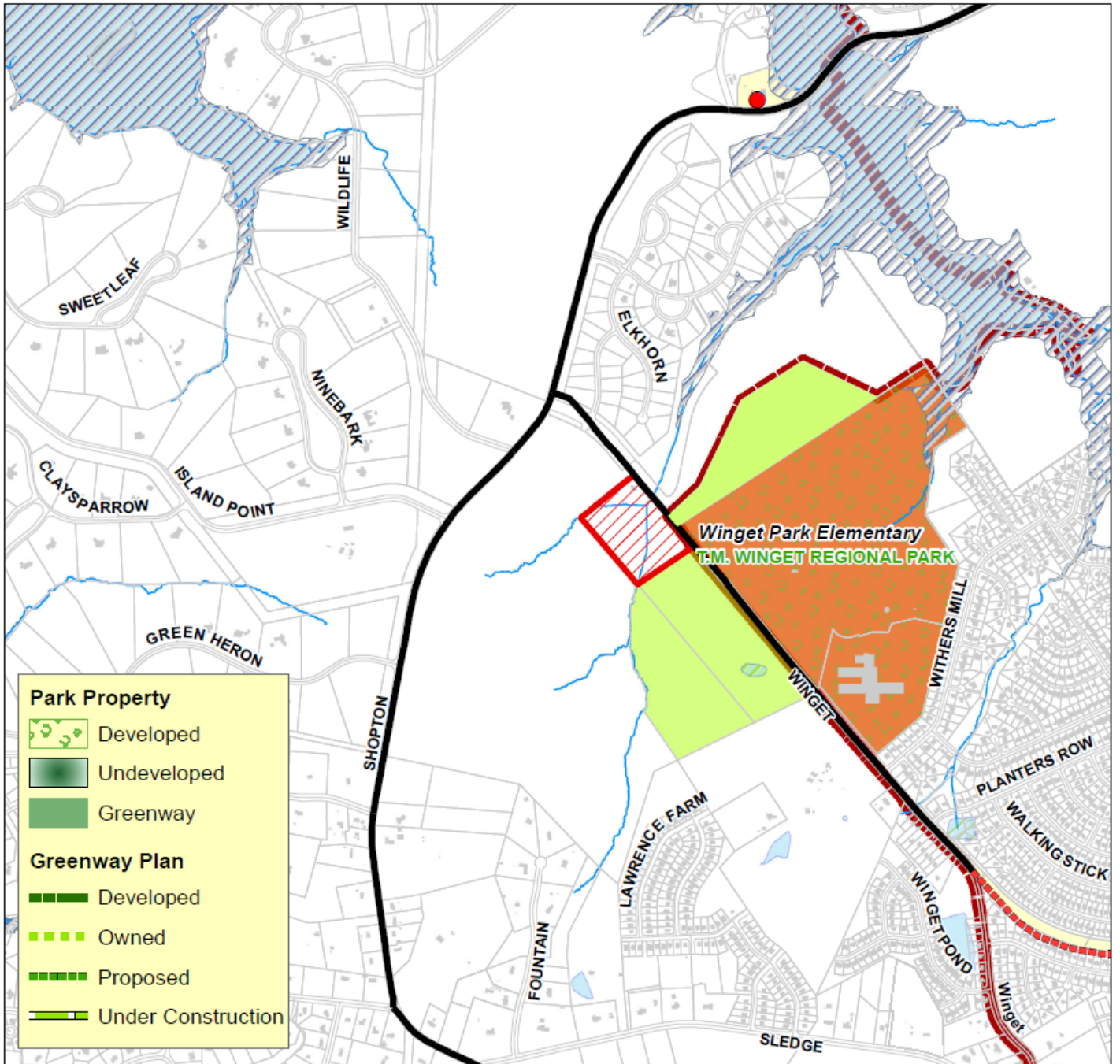
The Joint Use Task Force discussed the matter at their November 7, 2012 meeting and MUMPO staff noted that there is a planned major thoroughfare that will impact the property. This project will require relocation of rare sunflowers on the site. (Park and Recreation staff has indicated that the sunflowers can be relocated elsewhere on the site to accommodate the road project.) The original plan was to build four lanes for Carowinds Blvd Extension; however, current plans only call for two lanes.

**PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of Mandatory Referral #12-21 with the condition that property along the front of the site be reserved for the Carowinds Boulevard Extension road project.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**





# Mandatory Referral 12-21

Submitted by: County Asset & Fac Mgt

Initiated by: Park & Recreation

- County Property
- City Property
- FEMA 100 Year Floodplain







**Submitted by:** Jacqueline McNeil, BSSA- County Asset and Facility Management

**Initiated by:** Jim Garges, Director, Park & Recreation Dept.

**MANDATORY REFERRAL REPORT NO. 12-22**  
**Proposed Mountain Island Lake Property Acquisition for Watershed Protection and Park Land**

**PROJECT PROPOSAL AND LOCATION:**

Mecklenburg County proposes acquisition of Tax Parcels 023-301-01 (+/- 3.572 acres) and 023-301-02 (+/- 0.947 acres) along Mountain Island Lake in northwest Mecklenburg County within Charlotte's extraterritorial jurisdiction. The larger of the two parcels is the site of several tenant-occupied mobile homes that will eventually be discontinued and removed from the property. The smaller parcel is vacant. The properties are bordered by Mountain Island Lake, NC 16 (Brookshire Boulevard), and a mix of low-density residential and commercial properties. Both of the parcels are zoned R-3/MIL-CA (Single family residential/Mountain Island Lake Critical Area Overlay) under the City of Charlotte's zoning ordinance.

The parcels will continue Mecklenburg County's efforts at water quality protection for Mountain Island Lake which is the drinking water source for Mecklenburg County and portions of Gaston County. Additionally, the County envisions using the property as a passive, low impact waterfront park.

This property is within close proximity to the County's +/- 100-acre Haymarket Nature Preserve (parcels 023-151-05 and 023-151-18) acquired in 2000 for watershed protection.

**PROJECT JUSTIFICATION:**

This project is consistent with the *Mountain Island Lake Memorandum of Understanding* (MOU) – signed in 2004 by officials from ten jurisdictions who agreed to work together to proactively address protecting this area's drinking water source and to prevent its future degradation. Mecklenburg, Lincoln and Gaston counties, the cities of Mount Holly, Gastonia, and Charlotte, the towns of Cornelius and Huntersville, the Centralina Council of Governments and the Mountain Island Lake Marine Commission are all party to the agreement. A Watershed Management Plan was developed and approved by these entities in support of this MOU. The MOU and Watershed Management Plan support the public acquisition of land for water quality protection along the lake. Additionally, the *2008 Mecklenburg County Parks Master Plan* includes as one of its objectives the expansion of passive recreation opportunities along bodies of water that also contribute to protection of water quality through public ownership and/or property interest.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

This acquisition is consistent with several Mecklenburg County adopted policies and plans such as the *2008 Park and Recreation Master Plan*, the *Mountain Island Lake Memorandum of Understanding*, the *Charlotte-Mecklenburg Water Quality Buffer Implementation Guidelines* as well as several other water improvement and floodplain development ordinances.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *Northwest District Plan* (adopted in 1990) recommends single family residential development up to 3 dwelling units per acre. While the proposed use would not be consistent with the adopted land use plan, open space uses are generally considered to be compatible with residential areas.

**PROJECT IMPACT:**

Acquisition of this property takes this tract out of play for future residential development and expands Mecklenburg County's effort to protect Charlotte-Mecklenburg's drinking water supply.

**RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:**

There no other known public or private projects that will be impacted by this project.

**ESTIMATED PROJECT COMPLETION DATE:**

This project is for land acquisition only and is expected to be completed by December 31, 2012.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

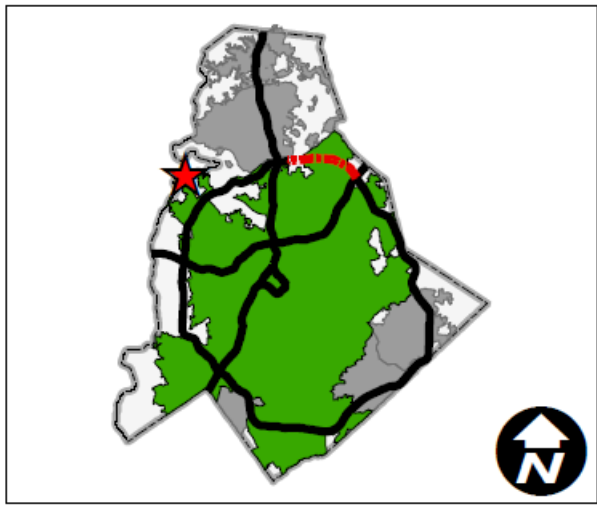
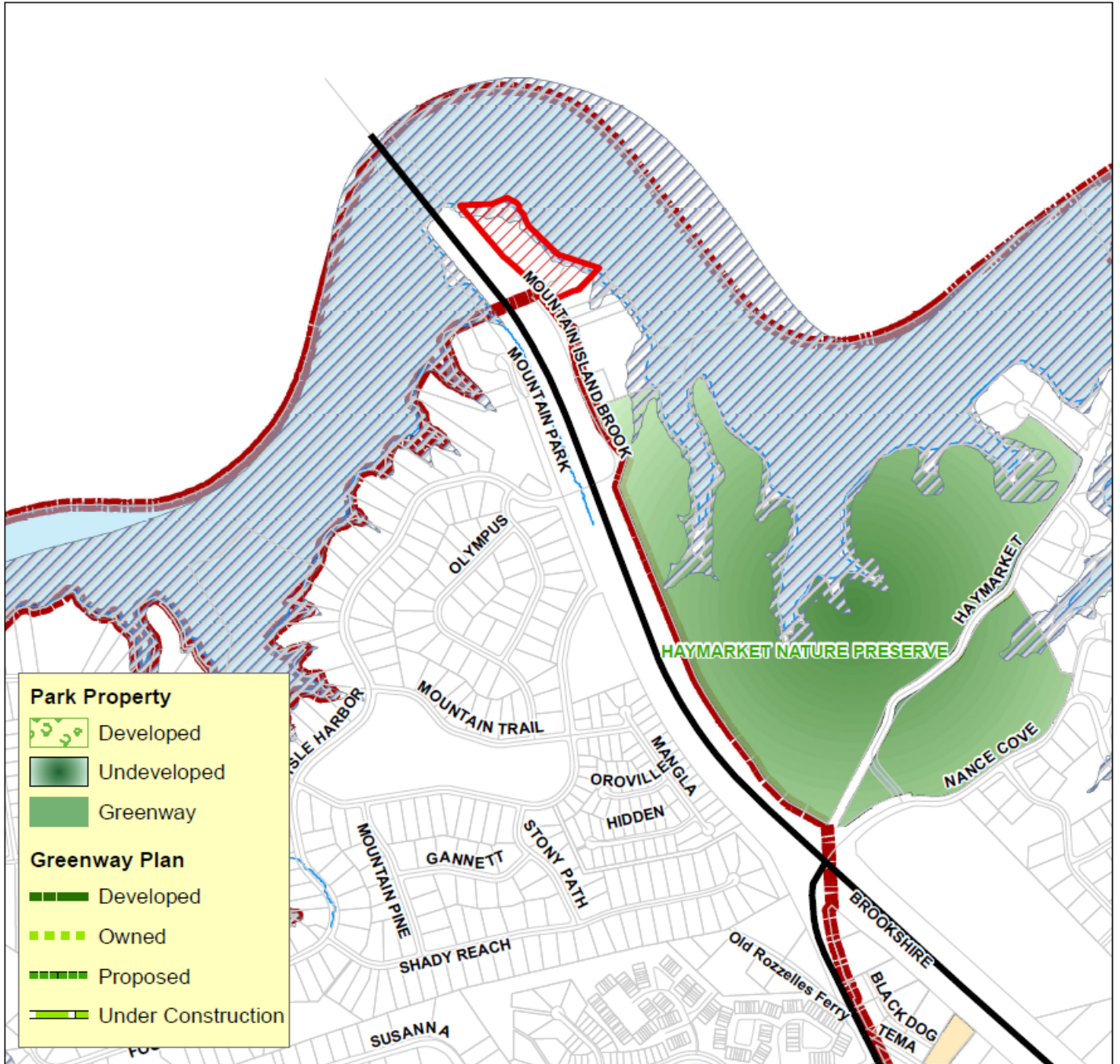
The Joint Use Task Force discussed the matter at their November 7, 2012 meeting and no comments were received.

**PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of the proposed transaction due to the proposed land use contributing to the protection of the area's drinking water and water quality preservation along the lake.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**

**Staff resource:** Marci Sigmon



# Mandatory Referral 12-22

Submitted by: County Asset & Facility Mgt  
 Initiated by: Park & Recreation

- County Property
- FEMA 100 Year Floodplain
- Charlotte City Limits

