



December 8, 2010

Chairperson Yolanda Johnson
Planning Committee Members

Dear Committee Members:

Attached for your review are the agenda and attachments for your regular meeting to be held on **Tuesday, December 14, 2010 at 5:00 p.m.** in **Room 280** located on the 2nd Floor of the Charlotte-Mecklenburg Government Center.

At the December 14th meeting, the Committee will receive an overview of the draft *Steele Creek Area Plan* and make recommendations on three mandatory referrals.

Included in this packet are the following attachments:

1. November 16, 2010 Meeting Minutes
2. Mandatory Referral #10-019
3. Mandatory Referral #10-020
4. Mandatory Referral #10-021

If you cannot attend the December 14th meeting, please contact me at (704) 336-5993 or mmcullough@ci.charlotte.nc.us at your earliest convenience.

Sincerely,

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

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

Charlotte-Mecklenburg Planning Committee Meeting
December 14, 2010
CMGC – 2nd Floor, Conference Room 280, 5:00 p.m.

AGENDA

I. Introductions and Call to Order

II. Approve November 16, 2010 Meeting Minutes. **Attachment 1.**

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

Background: The Metropolitan development located in the Midtown section of Charlotte is a partnership between the County, City and Pappas Properties. This land exchange allows for infrastructure improvements in the area. **Attachment 2.**

Staff Resources: Jonathan Wells, Planning
Jacqueline McNeil, Mecklenburg County Real Estate Services

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

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

Background: Mecklenburg County's Storm Water Services Program proposes to acquire eight parcels located along Briar Creek, Little Sugar Creek and McMullen Creek. These parcels are located in the County's most flood prone areas. **Attachment 3.**

Staff Resources: Bryman Suttle, Planning
Jacqueline McNeil, Mecklenburg County Real Estate Services

Action Requested: Approve Planning staff recommendation for M.R. #10-20

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

Habitat for Humanity would like to acquire a .34 acre site located at 6012 Carver Boulevard in exchange for seven parcels totaling approximately 13.5 acres located throughout the Reid Park neighborhood. The property would be used to expand Amay James Community Park or to develop a linear park. **Attachment 4.**

Staff Resources: Jonathan Wells, Planning
Jacqueline McNeil, Mecklenburg County Real Estate Services

Action Requested: Approve Planning staff recommendation for M.R. #10-21

VI. Overview of the Draft Steele Creek Area Plan

Background: The Steele Creek plan area is approximately 27,000 acres and generally bounded by Shopton Road West on the north, the State Line on the south, I-485 on the east, and the Catawba River on the west. The area encompasses a diverse mixture of residential, office, retail and industrial land uses. A large portion of the area, particularly closer to I-485, I-77 and South Tryon, includes more intense development primarily located within four Activity Centers—Rivergate and Whitehall / Ayrnsley Mixed Use Activity Centers; the Westinghouse Industrial Center; and the portion of the Shopton Road Industrial Center that is included within the plan area boundary. The plan generally focuses on land use, community design, transportation, and the natural environment. A public meeting to receive comments on draft plan recommendation is tentatively scheduled for January 13, 2011.

Staff Resources: Melony McCullough, Planning
Brent Wilkinson, Planning

Action Requested: None, for information only.

VII. 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	None at this time	NA
Midtown, Morehead and Cherry Area Plan	Commissioner Zoutewelle	None at this time	NA
Steele Creek Area Plan	Commissioner Zoutewelle	<ul style="list-style-type: none"> • Community Meeting (Receive Public Input) January 13, 2011 6:00 p.m. • Planning Committee (Receive Public Comment) January 18, 2011 5:00 p.m. 	Charlotte Police and Fire Academy 1770 Shopton Road CMGC – 2 nd Floor, Conference Room 280,

Action Requested: None, for information only.

VIII. Adjourn

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Innovation Station, 8th Floor
November 16, 2010**

DRAFT

Planning Committee Members Present: Andy Zoutewelle (Vice-Chairperson), Eric Locher, Lucia Griffith, and Margaret Nealon

Planning Committee Members Absent: Yolanda Johnson, Emma Allen, and Joel Randolph

Zoning Committee Members Present: Claire Fallon and Greg Phipps (Attended to satisfy the requirements for a quorum)

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

Other Staff Present: Brian Horton (Transportation) and Robert W. Drayton (City Real Estate)

Call to Order

Vice-Chairperson Zoutewelle called the meeting to order at 5:05 p.m. He thanked Commissioners Claire Fallon and Gregg Phipps for attending the meeting.

Approval of Meeting Minutes

A motion was made by Commissioner Locher and seconded by Commissioner Nealon to approve the October 19, 2010 minutes. The vote was unanimous (6-0) to approve the minutes.

Recommend Adoption of the draft Plaza-Central Pedscape Plan Amendment

Commissioner Zoutewelle stated that the Committee is being asked to make a recommendation on the draft plan amendment request to reduce the 400' separation required between residential districts and bars/nightclubs to 225'. This reduction would apply to all properties located within the *Plaza-Central Pedscape Plan* boundaries.

Commissioner Zoutewelle attended the Transportation and Planning Committee (TAP) meeting and heard Committee members voice concern about public participation during the planning process. He contacted three local area business leaders via e-mail and received one response in support of the plan. Michelle Jones (Planning staff) confirmed that although proper notification took place, there was not much participation in the Citizen Advisory Group (CAG) meetings.

The Committee continued their discussion and Commissioner Fallon stated that if the plan amendment is not approved, it may place a hardship on some businesses in the area. Commissioner Griffith added that Charlotte should become more urbanized and cautioned the City about being too strict with buffers. Commissioner Locher thinks it is important to recognize the community's needs and changes that are taking place in the neighborhood. Commissioner Nealon attended a neighborhood meeting and supports the request. Commissioner Phipps is supportive of the request since all of the affected property owners were properly notified and have not voiced any concerns.

A motion was made by Commissioner Griffith and seconded by Commissioner Fallon to approve the draft Plaza-Central Plan Amendment. The vote was 6-0 to approve.

M.R. #10-010 Proposed Sale of City Owned Property Located on West Todd Lane

The Planning Committee recommended deferral of this mandatory referral in June to allow City Real Estate to notify the interested buyer, New Zion Baptist Church, that the property has to be rezoned before it can be used as a parking lot.

Bryman Suttle (Planning staff) presented the mandatory referral for the City of Charlotte's Real Estate proposal to sale an 8,000 square foot parcel located off of Old Mt. Holly Road on the west side of West Todd Lane to New Zion Baptist Church. The church intends to use this parcel for parking. Mr. Suttle stated that the church has purchased other properties in the area since this item was discussed at the June Committee meeting. He emphasized that parking is not permitted on the subject property unless it is rezoned. Commissioner Locher asked if no parking signs should be posted on the subject site. Mr. Suttle stated that parking violations are a code enforcement issue. Commissioner Fallon asked if the church will use the property for parking. Mr. Kelly (New Zion Baptist Church trustee) stated that the church has already purchased the property needed for parking. However, they are still interested in purchasing the subject property to combine with other parcels that the church has purchased. Commissioner Phipps questioned the size of the lots that the church has purchased and if they are adequate for parking. Mr. Kelly said he is not sure because of buffer requirements. Commissioner Nealon had questions about the water main line, on the subject property. Mr. Kelly stated that the water main does run through the property and there are no plans to pave the lot.

The Committee discussed the potential use of this site by the church. Commissioner Phipps stated that nothing can be done with the property until it is rezoned. Commissioner Zoutewelle commented that this purchase is a risk to the church since it needs to be rezoned for parking. He asked Mr. Kennedy if he understands that he has to apply for and be granted a rezoning to use the property for parking. Mr. Kennedy replied that he understands. Commissioners Fallon and Griffith cautioned Mr. Kennedy that there is no guarantee that a rezoning will be approved. Commissioner Nealon supports removing the City's liability and transferring this property to the church. Commissioner Locher stated he thinks the church is doing the right thing. Commissioner Phipps noted that the church is aware of the risk so he supports the mandatory referral

A motion was made by Commissioner Phipps and seconded by Commissioner Locher to approve staff's recommendation for Mandatory Referral #10-010. The vote was 6-0 to approve.

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

This item was deferred in October because there was not a quorum present to take action on this mandatory referral. Commissioner Zoutewelle has a conflict of interest and was recused. At the November meeting, Commissioner Nealon shared that she also has a conflict of interest, leaving only four commissioners eligible to vote. Therefore, Mandatory Referral #10-019 was deferred until December.

Commissioner Griffith asked if a member has to be physically present at the meeting to have a quorum. Commissioner Zoutewelle replied that this is a question for the City Attorney to answer. Also, Commissioner Zoutewelle was concerned about the time limits that are placed on hearing a mandatory referral. He questioned whether any consequences or hardships will be imposed on the Committee if the request is delayed for a second time. Jonathan Wells (Planning Staff) stated that the law requires a hearing within 30 days of submittal for mandatory referrals but does not specify penalties. It was stated that the City or County can proceed with action on this item without a recommendation from the Committee. Commissioner Griffith suggested that the Committee take action on this mandatory referral at the next full Planning Commission meeting. Ms. McCullough reminded the Committee that the next Planning Committee meeting is scheduled for December 14th.

The Committee deferred Mandatory Referral #10-019 until December 14th due to lack of a quorum.

Draft Independence Boulevard Area Plan Review and Adoption Process

Committee members discussed the plan review and adoption process. Ms. Alysia Osborne (Planning staff) and Mr. Brian Horton (Transportation staff) were present to answer questions and respond to Committee members' concerns. It was noted that Commissioners Zoutewelle and Johnson requested that this item be placed on the agenda. Their desire is to have an official record of the Committee's approach to reviewing and making a recommendation on the draft *Independence Boulevard Area Plan*.

Commissioner Zoutewelle began the discussion by asking the Commissioners present if they had an opportunity to review the public comments on the draft plan that were summarized in the Committee's May minutes. The Committee discussed concerns about the transitional setback and its impact on the draft plan. Commissioner Locher asked if the transitional setback discussion pertains to all state roads or is it specific to Independence Boulevard. Ms. Osborne said she has not seen the legislation that is being drafted. Commissioner Zoutewelle asked staff if the draft plan had changed recently. Ms. Osborne stated the draft plan document has not changed since the public review and adoption process began in April.

Commissioner Zoutewelle asked about the status of possible property owner buyouts. Ms. Osborne said implementation of the plan will not begin until the plan is adopted.

Commissioner Phipps asked when will the plan go before City Council for approval. Ms. Osborne stated that the plan is on hold indefinitely by City leadership. Commissioner Zoutewelle stated that the Committee needs to follow the plan review and adoption process. Commissioner Griffith thinks that the Independence Boulevard area is critical and whatever decision is made will have a direct impact on the downtown area because of its close proximity. She said that the plan should not be rushed and more time may be necessary. She also mentioned that Council Member Carter has been discussing light rail plans for the Independence Boulevard Corridor. Mr. Horton explained rapid transit and the transportation envelope and that the land use recommendations are the same for both. Commissioner Nealon agreed that the process has been slow but thinks that delaying plan adoption of the plan will not help developer confidence in the area's future. Commissioner Griffith requested that the Committee be given information used during the plan development process in order to better understand what property owners envision for their property. Commissioner Fallon asked who decides what type of rapid transportation we should have along this corridor and if we received any monies from the State. Commissioner Phipps expressed his concern about the ability of property owners to file rezoning petitions in areas where a draft plan is pending adoption. He thinks this process diminishes the value of the draft plan document. Commissioner Nealon will draft an email to Commissioner Zoutewelle stating her questions and concerns. Ms. McCullough informed the group that Planning Staff is waiting to hear from City leadership on the next steps. Commissioner Zoutewelle thanked everyone for their comments and asked if this item should be taken to the Executive Committee for further instructions.

Area Plan Status and Meeting Report

Elizabeth Area Plan – Commissioner Griffith stated that there was a CAG meeting on October 20 and participants voiced concern about the draft plan recommendations. The next CAG meeting is scheduled for November 17.

Midtown, Morehead and Cherry Area Plan – A public meeting to kick off the planning process is scheduled for November 30.

Steele Creek Area Plan – Commissioner Zoutewelle shared that a CAG meeting was held in November to wrap up the planning process. The Committee is scheduled to tour the plan area on December 6 following the Planning Commission work session.

Ms. McCullough stated that next month the Planning Committee will meet on December 14.

Meeting Adjourned

Commissioner Zoutewelle thanked everyone for attending and the meeting adjourned at 6:25 p.m.

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

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

PROJECT PROPOSAL AND LOCATION:

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

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

Categorically, the transactions involve:

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

PROJECT JUSTIFICATION:

This project will accomplish the following objectives:

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

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

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

CONSISTENCY WITH ADOPTED LAND USE PLANS:

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

PROJECT IMPACT:

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

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

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

ESTIMATED PROJECT COMPLETION DATE:

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

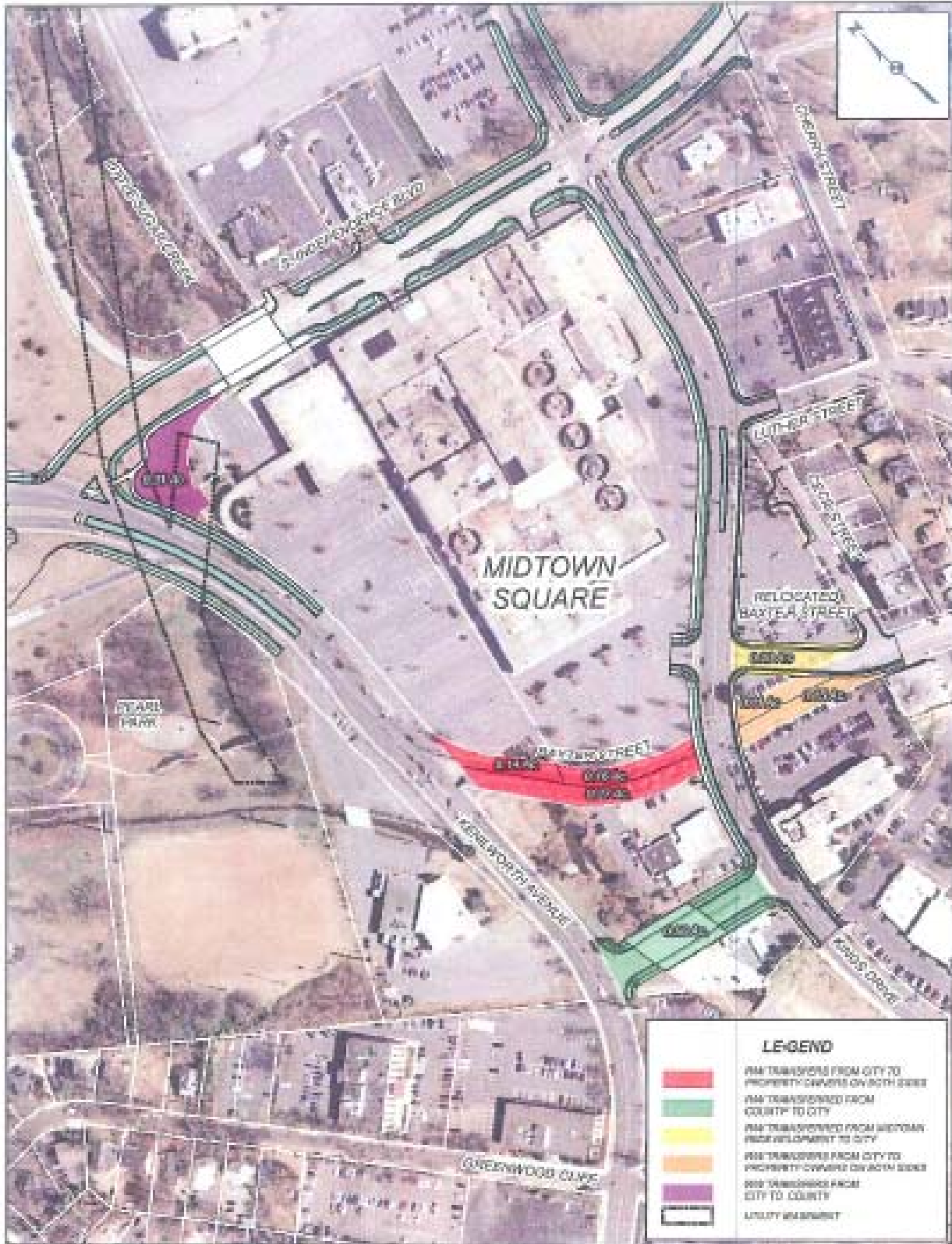
JOINT USE TASK FORCE REVIEW COMMENTS:

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

PLANNING STAFF RECOMMENDATION:

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

CMPC PLANNING COMMITTEE RECOMMENDATION:



LEGEND FOR MAP ABOVE

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

Submitted by: Jacqueline McNeil, County Real Estate Services

Initiated by: David Love, County Storm Water Services

MANDATORY REFERRAL REPORT NO. 10-20
Proposed Acquisition by Mecklenburg County of Flood-prone Structures
along Briar Creek, Little Sugar Creek, and McMullen Creek

PROJECT PROPOSAL AND LOCATION:

Mecklenburg County's Storm Water Services Program proposes to acquire the following eight parcels in Charlotte along Briar Creek, Little Sugar Creek and McMullen Creek:

Briar Creek

Tax Parcel #093-131-25: 2964 Dunlavin Way, zoned R-4 single family residential

Tax Parcel #155-123-01: 1727 Providence Road, zoned R-3 single family residential

Little Sugar Creek

Tax Parcel #083-031-27: 240 E. 36th Street, zoned I-1 Industrial

Tax Parcel #083-031-16: 3103 Cullman Avenue, zoned I-1 Industrial

Tax Parcel #083-031-27: 3215 Cullman Avenue, zoned I-1 Industrial

McMullen Creek

Tax Parcel #183-092-12: 2422 Cloister Drive, zoned R-3 single family residential

Tax Parcel #185-111-17: 1100 Wilhaven Drive, zoned R-3 single family residential

Tax Parcel #185-111-29: 1110 Wilhaven Drive, zoned R-3 single family residential

Each of the eight parcels is improved with a single family dwelling or commercial building. In one instance (parcel 155-123-01) an institutional use (private school) also occupies the property. The properties are located in some of Mecklenburg County's most flood prone areas and as such are subject to periodic and severe flooding. The current funding availability will allow the acquisition of these eight properties, whose owners have expressed a willingness to participate (participation in the program is voluntary).

To promote public health, safety, and welfare by reducing the risk of future flood damages, Mecklenburg County applied for and received grant funding to acquire the properties through the Federal Emergency Management Administration (FEMA) Pre-Disaster Mitigation (PDM) program. The grant will cover 75% of the purchase price with Mecklenburg County covering 25% of the purchase price and related closing costs (including relocation if necessary) through the use of local storm water fees.

Following acquisition, all improvements on the properties will be removed and the property will be added to the County's open space/greenway system and maintained in a natural state. At a future date, Storm Water Services may consider stream improvements along the creeks, and County Park and Recreation may consider making greenway-related improvements.

PROJECT JUSTIFICATION:

The proposed acquisitions are located within a FEMA-designated floodplain and are at continued risk of life and property damage and/or loss from future floods. The proposed acquisitions are intended to eliminate potential future losses by removing the improvements and restricting future development. Additionally, acquisition of these parcels will add to greenway connectivity and assemblage along each of the creeks.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

Acquisition of these parcels is consistent with the *Mecklenburg County Floodplain Management Guidance Document* (adopted by County Commission on December 3, 1997) which aimed to 1) prevent and reduce the loss of life, property damage, and service disruptions and 2) restore natural and beneficial functions of the floodplain.

Greenway property assemblage along the creeks is also supported by and consistent with the *2008 Greenway Master Plan*, a component of the *2008 Park and Recreation 10-Year Master Plan* adopted by the County Commission on May 7, 2008.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

This proposal is generally consistent with applicable land use plans consisting of the *Central District Plan* (1993), *Eastside Strategy Plan* (2001), and *South District Plan* (1993). All plans recommend open space since the parcels in question lie mostly in the FEMA 100 year floodplain.

PROJECT IMPACT:

Acquisition of these parcels will contribute to a reduction in property damage and potential loss of life for the affected communities as well as adding to the water quality/open space needs of the community.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

The purpose of these acquisitions is the protection of life and property. Additionally, Storm Water Services has worked with the Charlotte-Mecklenburg Police Department and the Charlotte Fire Department to provide training opportunities for police and fire personnel prior to the demolition of these structures. County Storm Water Services also works with Habitat for Humanity of Charlotte to reuse any usable materials in the structures prior to demolition.

ESTIMATED PROJECT COMPLETION DATE:

Mecklenburg County anticipates acquiring this property by Fall 2011.

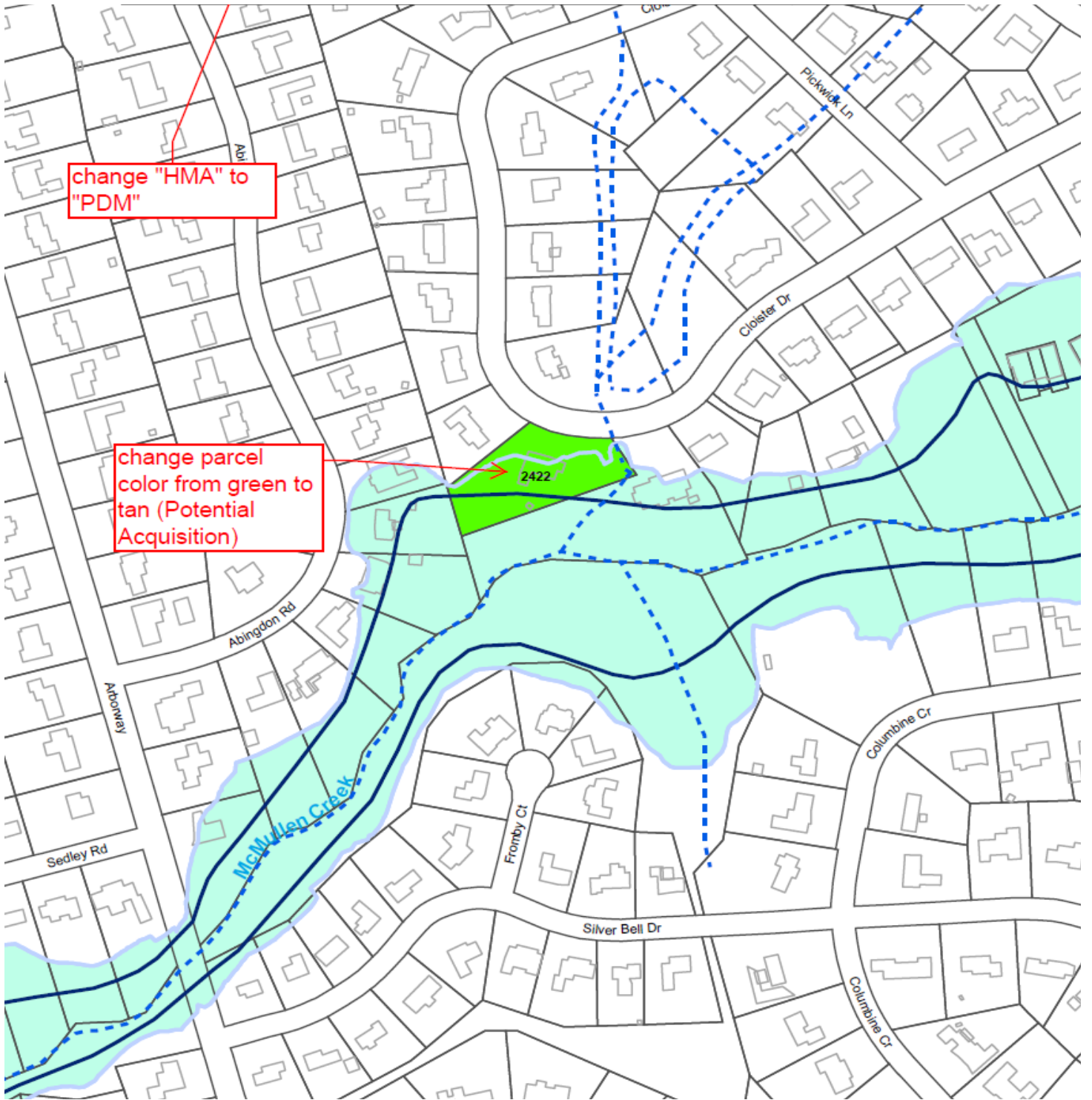
JOINT USE TASK FORCE REVIEW COMMENTS:

This Mandatory Referral was discussed at the December 1 JUTF meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

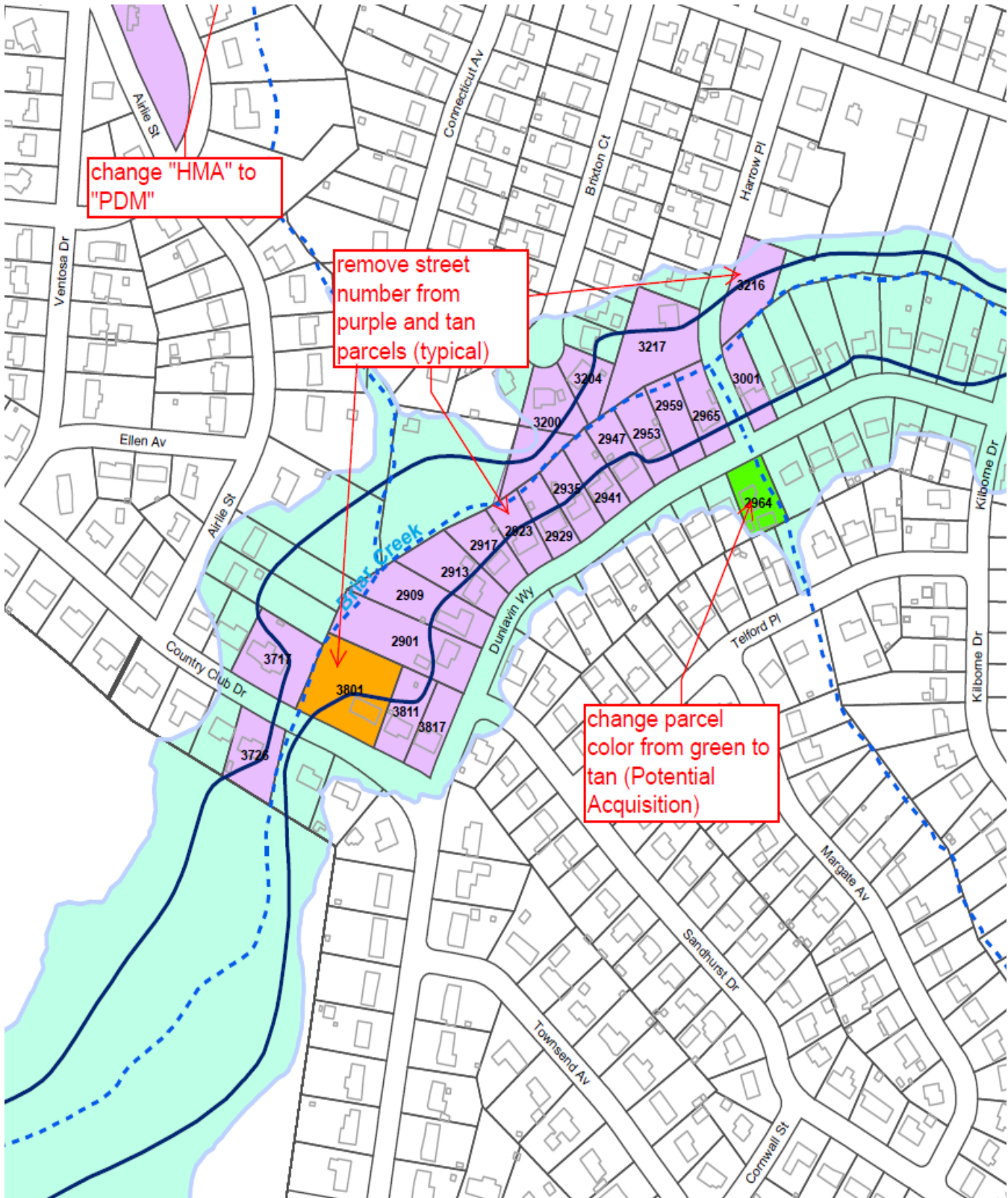
CMPC PLANNING COMMITTEE RECOMMENDATION:



change "HMA" to "PDM"

change parcel color from green to tan (Potential Acquisition)

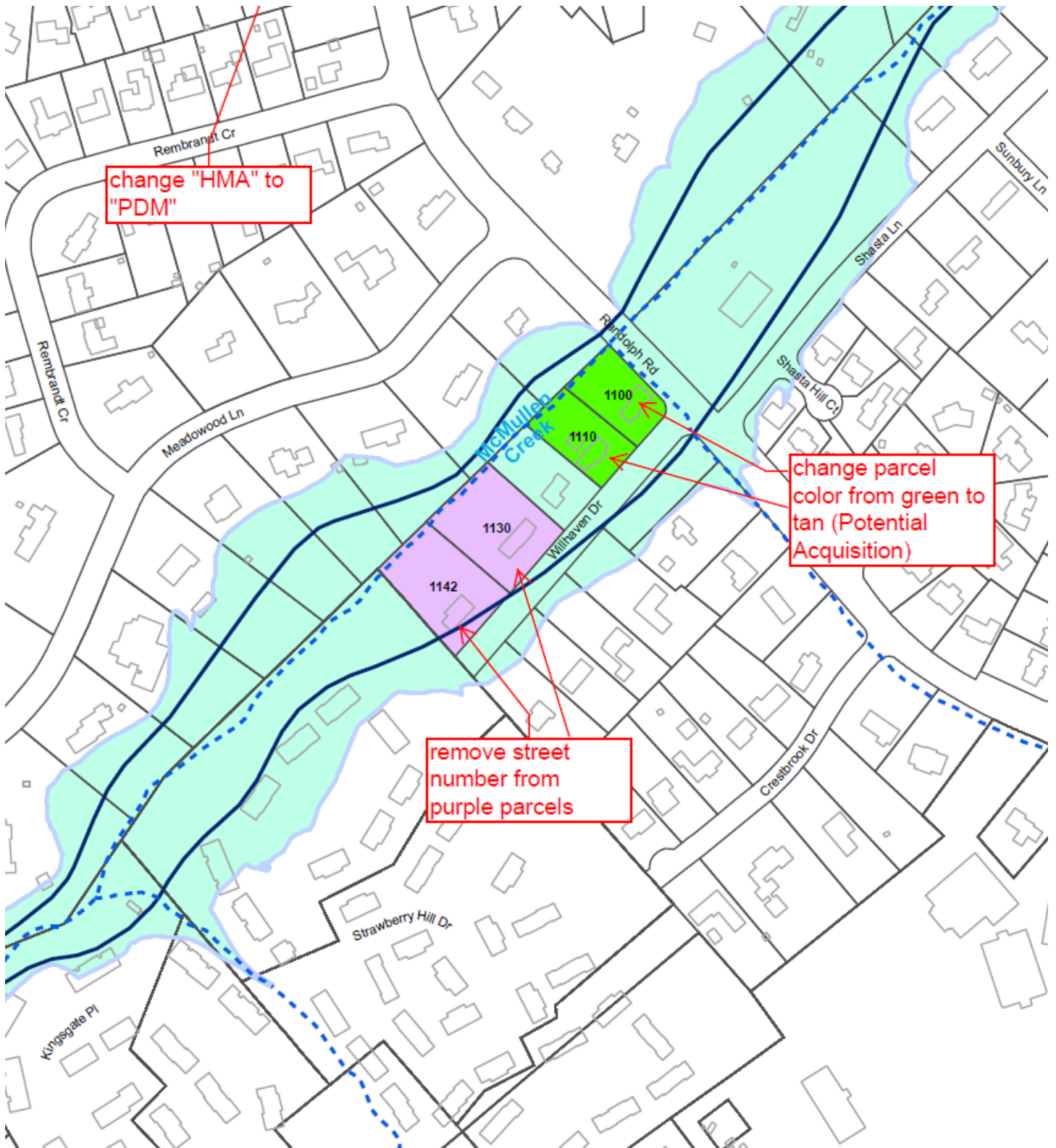
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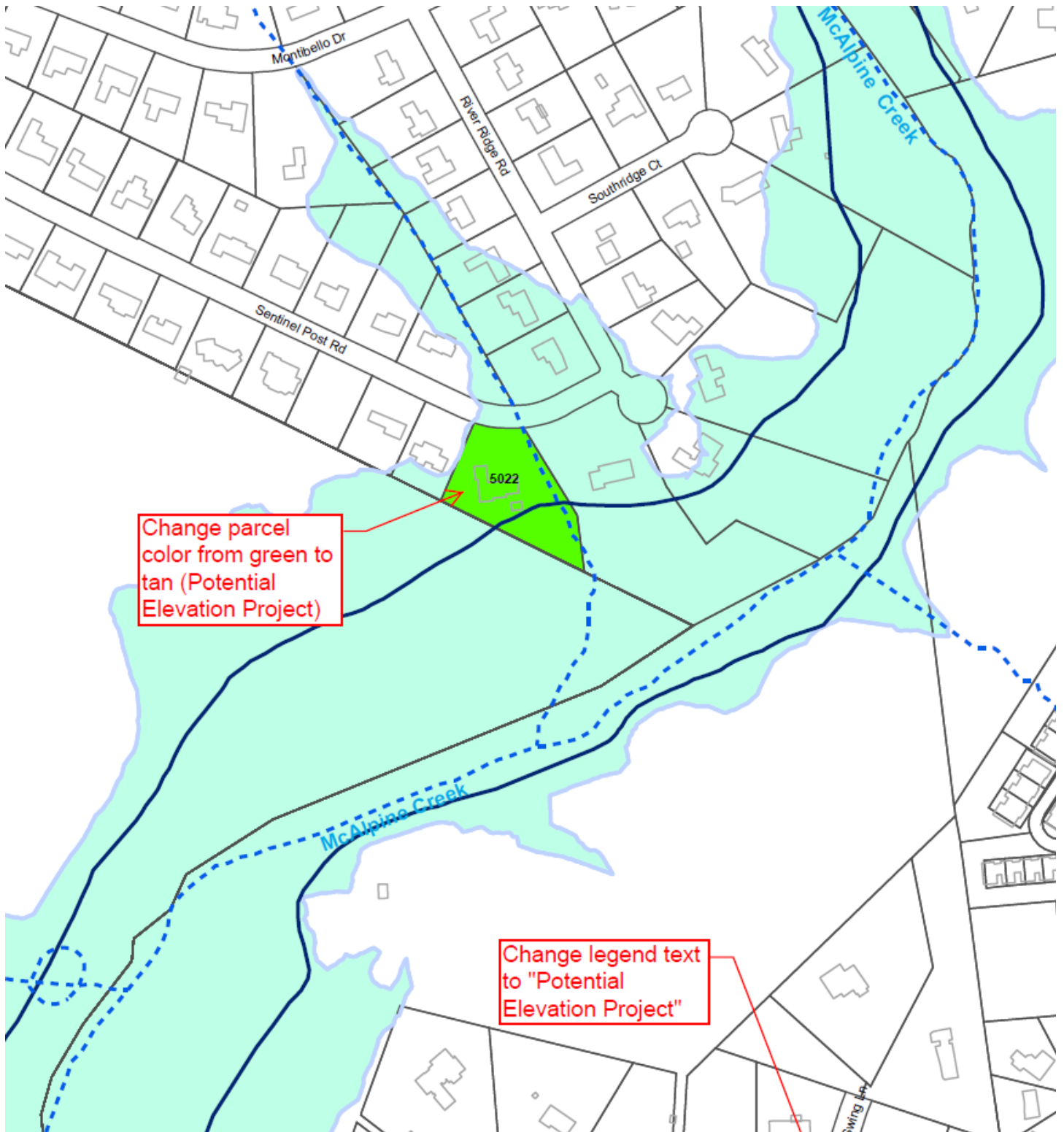


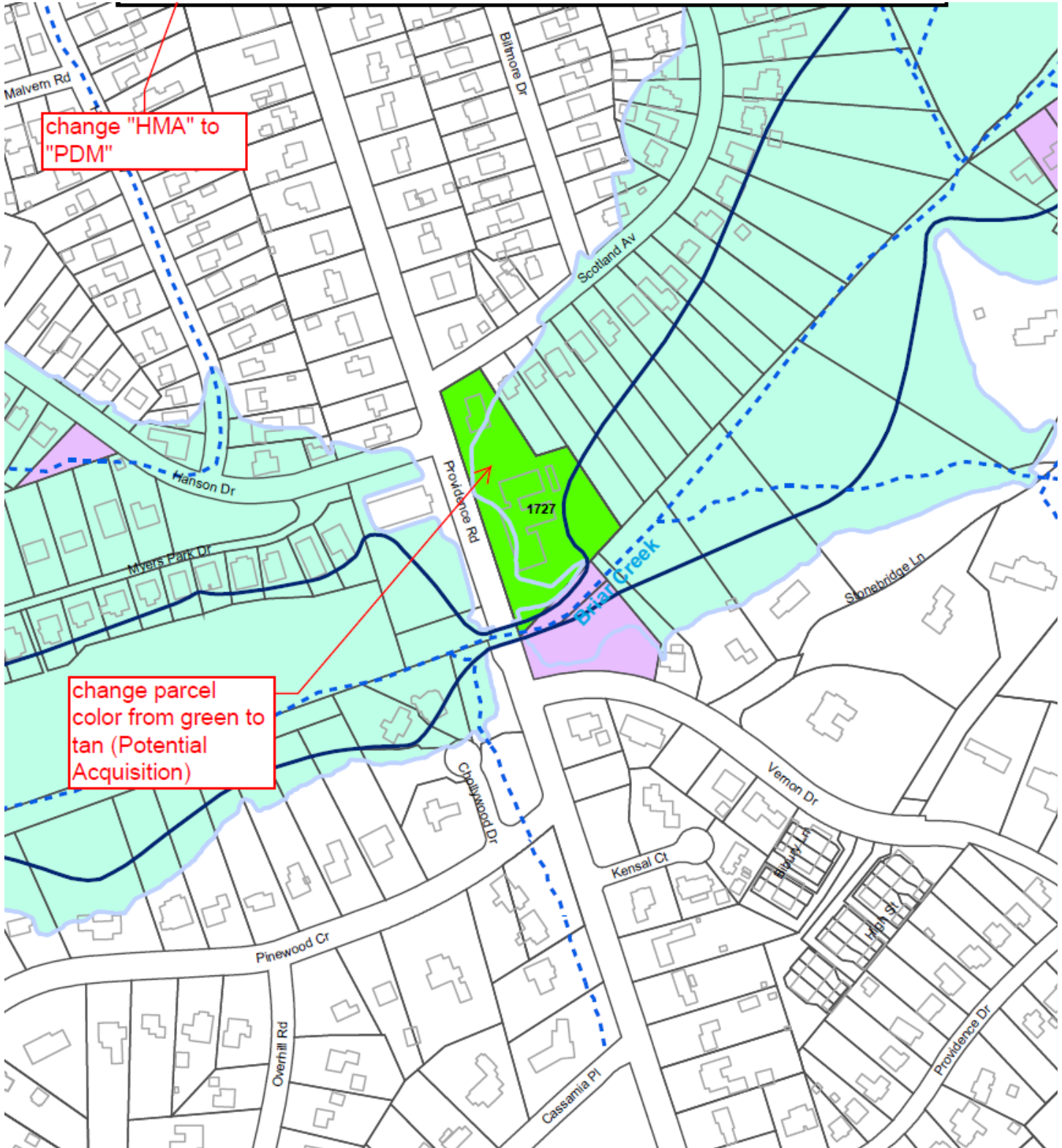
change "HMA" to "PDM"

remove street number from purple and tan parcels (typical)

change parcel color from green to tan (Potential Acquisition)

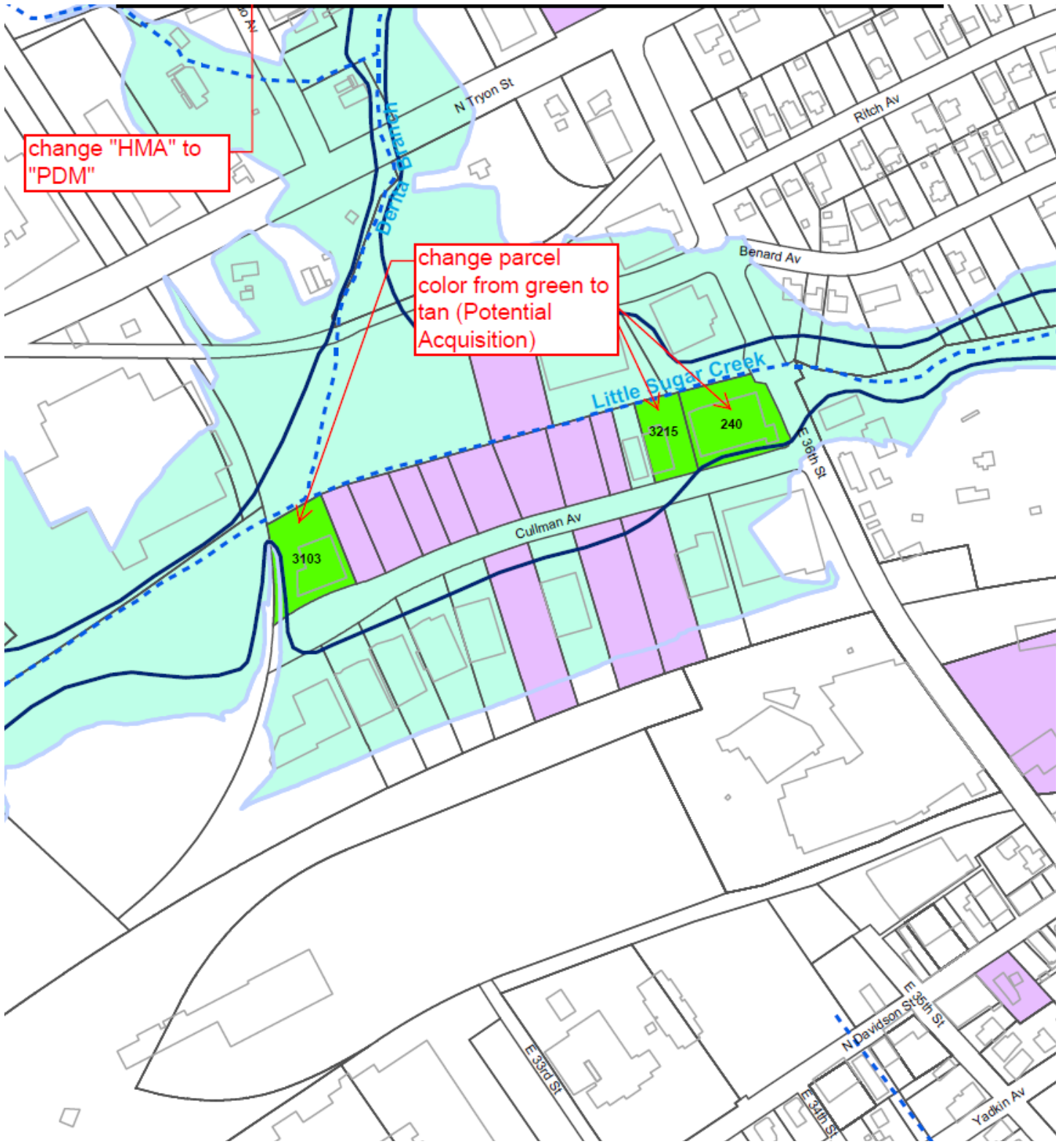






change "HMA" to "PDM"

change parcel color from green to tan (Potential Acquisition)



change "HMA" to "PDM"

change parcel color from green to tan (Potential Acquisition)

3103

3215

240

N Tryon St

Ritch Av

Benard Av

Little Sugar Creek

Cullman Av

E 36th St

E 33rd St

N Davidson St

E 26th St

Yackin Av

Submitted by: Jacqueline McNeil, County Real Estate Services Dept.

Initiated by: Lee Jones, County Park and Recreation Department

MANDATORY REFERRAL REPORT NO. 10-21
Proposed Land Exchange of County Owned Property in Rockwell Park
for Habitat for Humanity Owned Property in Reid Park

PROJECT PROPOSAL AND LOCATION:

This project is a proposed land exchange between Mecklenburg County and Habitat for Humanity of Charlotte, Inc.. The County acquired Tax Parcel #043-011-23 (+/- 0.344 acres) in 2003 through a tax auction. The nearby Theresa Elder Park does not contain any indoor facilities and the intent of the above acquisition was (1) to provide residential access to the nearby Rockwell A.M.E. Zion Church Family Life Center (that was to be constructed on West Sugar Creek Road) where public activities could take place (including the option of Park and Recreation sponsored activities) and (2) to function as a pedestrian corridor for residents of the Rockwell Park neighborhood to access the proposed Family Life Center.

Habitat for Humanity would like to acquire Tax Parcel #043-011-23 in exchange for seven parcels it owns in the Reid Park neighborhood (totaling +/- 13.456 acres) that could cumulatively serve as a stand-alone linear neighborhood park or an expansion of the Amay James Community Park at a later date. Habitat for Humanity would plan on erecting a house on the Rockwell Park property following transfer. To fulfill the County's intent to provide pedestrian access to the Rockwell A.M.E. Zion Church Family Life Center (if and when it is constructed), the County will retain a 15-foot wide easement on the property. The parcels that Mecklenburg County will gain through this exchange consist of:

Tax Parcel #145-172-04, +/- 0.30 acres, R-5 zoned single family residential
 Tax Parcel #145-172-10, +/- 8.163 acres, R-5 zoned single family residential
 Tax Parcel #145-173-08, +/- 0.233 acres, R-5 zoned single family residential
 Tax Parcel #145-173-11, +/- 0.79 acres, R-5 zoned single family residential
 Tax Parcel #145-174-08, +/- 1.97 acres, R-5 zoned single family residential
 Tax Parcel #145-186-04, +/- 1.2 acres, R-5 zoned single family residential
 Tax Parcel #145-186-06, +/- 0.80 acres, R-5 zoned single family residential

Habitat for Humanity originally acquired the surplus property that it deemed unbuildable in Reid Park (due to difficult topography) in a purchase that also included multiple other lots that were suitable for development. They never had any intention of building on this surplus property. The hope all along has been that a deal with the County could be reached wherein the property could be conveyed to the County so that the County could ultimately develop a lateral park in the area. Both the County and Habitat for Humanity feel that this will ultimately benefit the existing neighborhood as well as the new neighbors who will be moving in as a result of Habitat's efforts to construct affordable houses on the aforementioned buildable lots.

All the subject properties are vacant.

PROJECT JUSTIFICATION:

Acquisition of the above parcels will allow the County to either expand Amay James Community Park or develop a linear neighborhood park in the area at a future date. Development of small parks within easy walking distance of residential neighborhoods was identified as a top priority in the community needs assessment and is, therefore, reflected as a high priority in the 2008 *10-Year Park and Recreation Master Plan*. Additionally, the 2008 *10-Year Park and Recreation Master Plan* also identified a need for additional community parks that are no more than a 15 minute drive of residents.

CONSISTENCY WITH ADOPTED PUBLIC POLICIES:

The 2008 *10-Year Park and Recreation Master Plan* identified the need for additional neighborhood parks (2 – 20 acres in size) and community parks (20-100 acres in size) based on a community needs assessment and “best practices” of similar-sized cities and counties across the nation. Acquisition of properties for future park development is based on specific criteria including: property size (acres), proximity to existing park facilities, schools and libraries, population served within a certain radius, and opportunity of available property.

CONSISTENCY WITH ADOPTED LAND USE PLANS:

The *Central District Plan* (1993) recommends single family development up to 5 dwelling units per acre on the Reid Park properties. Park development in areas prescribed for residential development in area plans is generally considered consistent with plan recommendations, so that the recommended use is considered to be consistent with the *Central District Plan*.

The *Northeast District Plan* (1996) recommends single family development of up to 8 dwelling units per acre on the Rockwell Park property; the proposed development of a single family structure on this parcel is therefore consistent with the *Northeast District Plan*. Additionally, the Rockwell Park property lies within ½ mile of the proposed Derita Station of the North Corridor commuter rail line. Consequently, development activity is to be guided by the *Transit Station Area Principles*, adopted by City Council in 2001. The *Principles* address development character in proximity to proposed transit stations, and include mixture of land uses, intensity, pedestrian, bicycle, and street networks, and building/site design. Inclusion of a pedestrian easement on the Rockwell park site following development will help recognize the enhancement of bicycle and pedestrian mobility.

PROJECT IMPACT:

This project will have a positive impact on the community. Upon future funding for park development, this project will provide additional open space/recreational opportunities for residents in this area of the City.

RELATIONSHIP TO OTHER PUBLIC OR PRIVATE PROJECTS:

This project has no relationship with, nor is it anticipated to impact, other public or private development projects in the vicinity, with the following exceptions:

- The Reid Park properties are in proximity to Amay James elementary school, scheduled to close in May, 2011.
- As noted elsewhere, the Rockwell Park property is located within ½ mile of the proposed Derita transit station. Financial uncertainties make it impossible to estimate the development timeline.

ESTIMATED PROJECT COMPLETION DATE:

The County has not estimated the project completion timeline.

JOINT USE TASK FORCE REVIEW COMMENTS:

The Joint Use Task Force reviewed this matter at their December 1, 2010 meeting and no joint use comments were offered.

PLANNING STAFF RECOMMENDATION:

Staff recommends that Mecklenburg County convey the Rockwell park property to Habitat for Humanity for the purpose of developing a single family home. Given its location in a transit station area, it is recommended that community design elements be taken into account in the design of the structure and its site, such as:

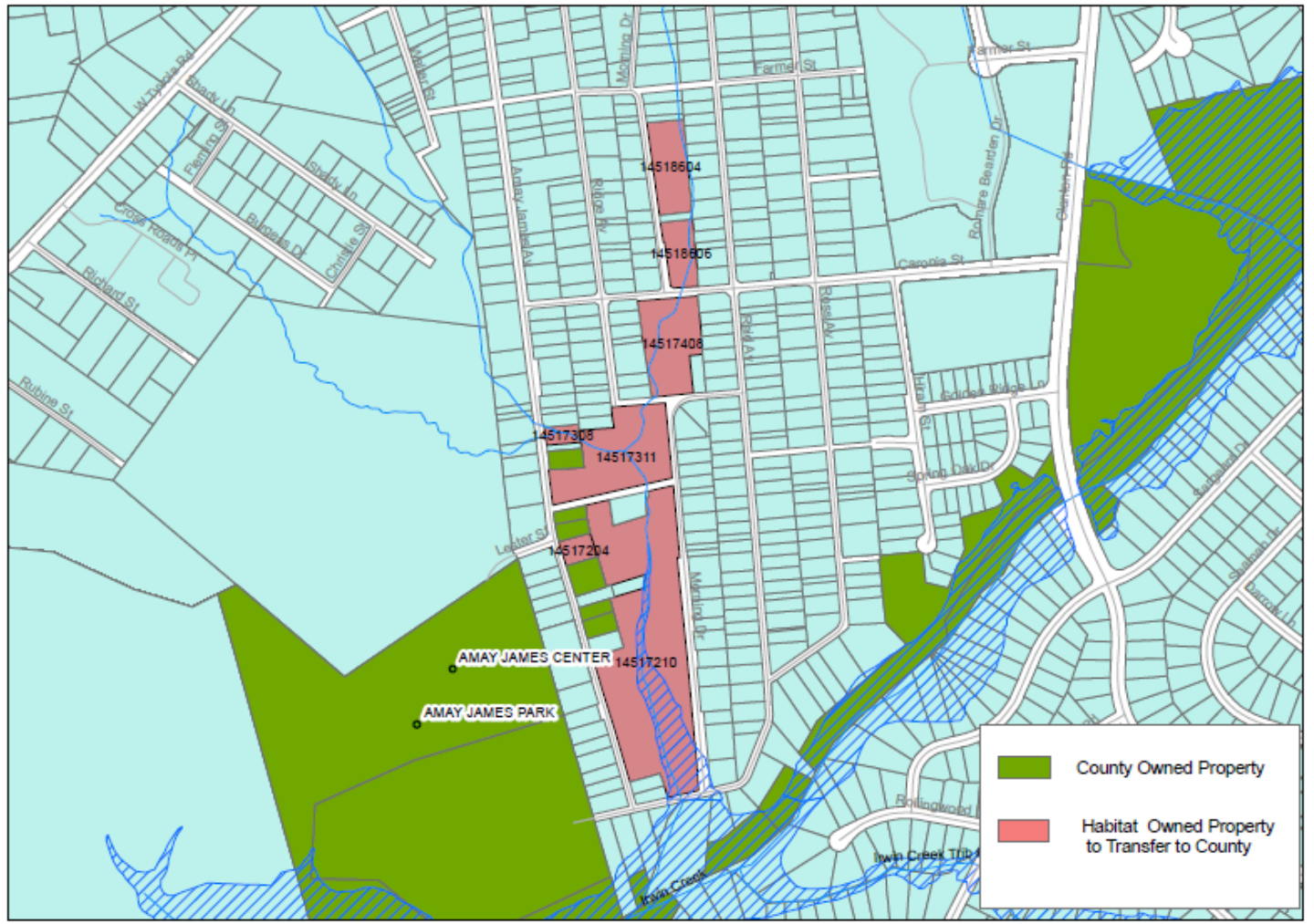
- Locate parking to the rear of the building
- Front porch – if provided – should be 6 to 8 feet in depth
- Home should be constructed on raised foundations as opposed to slab-on-grade

It is further recommended that the Reid Park properties (except for one parcel) should be conveyed to Mecklenburg County for the purpose of developing a future neighborhood linear park, given the topographical challenges rendering major portions of these properties impossible to develop. Staff recognizes that it might be possible to subdivide a limited number of relatively level portions of the Habitat holdings and designate them for residential development, but by doing so it would negatively impact the ability of the County to create (along with property already owned by the County) a linear park. Staff also suggests that design of this future linear park NOT include severing of Reid Avenue and Caronia Street that both bisect the Habitat properties. In this fashion, neighborhood connectivity may be maintained.

Finally, it is recommended that Mecklenburg County and Habitat for Humanity re-think the proposed use for parcel 145-173-08. This property appears to be relatively level and therefore potentially capable of supporting new residential development, while (unlike other level areas on the Habitat holdings), its location - relative to the other Habitat and County properties - would not preclude development of the linear park concept were it to be excluded from the park plan.

CMPC PLANNING COMMITTEE RECOMMENDATION:

Habitat for Humanity Property to Transfer to Mecklenburg County



Mecklenburg County Property to Transfer to Habitat for Humanity

