



January 11, 2012

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, January 17, 2012 at 5:00 p.m. in Room 280** located on the Second Floor of the Charlotte-Mecklenburg Government Center. At this meeting, the Committee will be asked to continue to receive public comment and make a recommendation on the draft *Midtown Morehead Cherry Area Plan* as well as Mandatory Referral #11-15.

Attached are copies of the minutes from the December 20, 2011 meeting and Mandatory Referral #11-15. The draft *Midtown Morehead Cherry Area Plan*, proposed revisions to the plan, and historical information on the plan area are available on the Planning Department's website and by pressing control and clicking the following links:

- [Midtown Morehead Cherry Area Plan \(Draft\)](#)
- [Historical Background](#) (to be added to Existing Conditions Section)
- [Proposed Revisions to Draft Document as of November 21, 2011](#)
- [Proposed Revisions to Draft Plan - January 5, 2012](#)

If you cannot attend the January 17<sup>th</sup> meeting, please contact me at (704) 336-5993 or [mmcullough@charlottenc.gov](mailto:mmcullough@charlottenc.gov) at your earliest convenience.

Sincerely,

Melony C. McCullough  
Planning Coordinator  
Charlotte-Mecklenburg Planning Department

c. Planning Staff  
Dennis LaCaria, CMS Real Estate  
Tim O'Brien, City Real Estate  
Jacqueline O'Neil, County Real Estate

**Charlotte-Mecklenburg Planning Committee Meeting**  
**January 17, 2012**  
**CMGC – 2<sup>nd</sup> Floor, Room 280, 5:00 p.m.**  
**Meeting Agenda**

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**I. Call to Order and Introductions**

**II. Approve December 20, 2011 Meeting Minutes. *Attachment 1***

**III. Continue Public Comment and Make a Recommendation on the Draft *Midtown Morehead Cherry Area Plan***

*Background:* The plan establishes a vision for the area and provides policy direction to guide future growth and development while preserving historic and natural features that are important to the community.

Copies of the draft plan are available by clicking the following link: [Midtown Morehead Cherry Area Plan \(Draft\)](#) or contacting the staff resource below.

*Staff Resources:* Kent Main, Planning

*Action Requested:* Continue to receive public comment and make a recommendation on the draft *Midtown Morehead and Cherry Area Plan*.

**IV. M.R. #11-15: Proposal to Accept Donated Land near J. T. Williams School**

*Background:* Charlotte-Mecklenburg Schools proposes to accept a 2.8 acre parcel of vacant land located on Tipton Drive, adjacent to J. T. Williams School. CMS has no plans to develop the land; however, its acquisition could serve a number of purposes in the future. ***Attachment 2***

*Staff Resources:* Jonathan Wells, Planning  
Dennis K. LaCaria, CMS Real Estate.

*Action Requested:* Approve Planning staff’s recommendation for M.R. #11-15.

**V. 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 Meeting(s)	Meeting Location
Park Woodlawn	Karen Labovitz	CAG – February 16 6:00 p.m.	YWCA – Central Carolinas 3420 Park Road

*Action Requested:* None, for information only.

**VI. Adjourn**

**Charlotte-Mecklenburg Planning Commission**  
**Planning Committee Meeting Minutes**  
**CMGC – Conference Room 280, 2nd Floor**  
**December 20, 2011**

**Commissioners Present:** Chairperson Yolanda Johnson, Vice-Chairperson Margaret Nealon, Commissioners Karen Labovitz, Dwayne Walker, and Andy Zoutewelle

**Commissioners Absent:** Tony Lathrop

**Planning Staff Present:** Sonda Kennedy, Melony McCullough, Kent Main, Bryman Suttle, and Jonathan Wells

**Others Staff Present:** Brian Horton (Transportation)

**Call to Order**

Chairperson Johnson called the meeting to order at 5:00 p.m. and everyone present introduced themselves.

**Approval of Meeting Minutes**

*A motion was made by Commissioner Labovitz and seconded by Commissioner Walker to approve the November 15, 2011 minutes. The vote was unanimous (5-0) to approve the November 15, 2011 minutes.*

**Continue Public Comment and Make a Recommendation on the draft *Midtown Morehead Cherry Area Plan***

Chairperson Johnson noted that this agenda item was continued from the November meeting. Kent Main (Planning Staff) distributed a list of revisions to the draft plan. He stated that staff has been working with representatives from the Cherry community all day on changes to the draft plan. He added that while staff is not asking for a recommendation at this meeting, they would like to conclude public comments on the draft plan. Chairperson Johnson said that she would like for the Committee to have time to review the revisions received at this meeting and continue public comment at the January meeting.

Ms. Sylvia Bittle-Patton spoke on behalf of the Cherry Neighborhood Association and Cherry Community Organization. She expressed the community's appreciation to City staff for allowing their input on the draft plan. The community is pleased with the progress that has been made and is confident that one or two additional changes will address their remaining concerns. Ms. Bittle referenced street connections as an example of their remaining concerns about the draft plan recommendations.

Kent Main (Planning Staff) briefly summarized the most recent changes to the plan. He stated that staff will continue to work with the Cherry Community and report back to the Committee in January. Commissioner Zoutewelle said that he was the Planning Committee's representative for this area plan. He described the neighborhood as very diverse; old, new, and changing. He added that there was good participation from the neighborhood during the planning process.

Commissioner Walker asked about parking for Myers Tabernacle A.M.E. Zion Church. Mr. Main stated that a parking lot was built and removed. He added that there is no proposal to expand the church parking. Commissioner Walker asked what will the church do about parking. Mr. Main stated that church members park on neighborhood streets. Ms. Bittle-Patton added that the community has an amicable relationship with Myers Tabernacle Church and there are no unresolved tensions and working relations with them. Chairperson Johnson asked the Committee if they would like to continue public comment until January.

*A motion was made by Vice-Chairperson Nealon and seconded by Commissioner Walker to continue public comment on the draft plan at the January meeting. The vote was unanimous (5-0) to continue public comment.*

**M.R. #11-15 Proposal to Accept Donated Land Near J. T. Williams School**

Jonathan Wells (Planning staff) informed the Committee that a staff representative from Charlotte-Mecklenburg Schools (CMS) is not present. Chairperson Johnson asked if the presentation should be reviewed. Commissioner Walker recommended that the Committee listen to the presentation. Jonathan Wells (Planning Staff) gave a brief overview. He stated that a property owner in the vicinity of the J. T. Williams school campus proposes to donate a 2.8 acre parcel of land to CMS. The parcel is landlocked, has never been developed, and there are no specific development plans for the parcel.

Chairperson Johnson asked about the minimum cost to taxpayers. Mr. Wells said that costs include the currently due real estate taxes (approximately \$2,000), closing costs, and legal fees.

Commissioner Zoutewelle asked if the potential greenway would be affected by this parcel. Mr. Wells stated that there is potential for extension of the greenway in close proximity to the school. Commissioner Zoutewelle also asked if the middle school students and faculty will have direct access to the property. Mr. Wells stated that a land swap could potentially take place in the future to allow CMS to acquire the small piece of land that separates the subject property and the school. Vice-Chairperson Nealon asked if the person who donated the property is the same owner of the property located to the north. Mr. Wells answered that it is not the same owner. Commissioner Labovitz asked if staff is aware of any reasons to not accept this land donation. Mr. Wells replied that he is not aware of any. Vice-Chairperson Nealon expressed that her only hesitation is how the property will be maintained. Mr. Wells answered that the property consists of mostly natural areas.

Commissioner Zoutewelle asked if the school district has taken steps to evaluate the property. Mr. Wells stated that there would be an environmental assessment as a prerequisite to closing. Commissioner Zoutewelle asked if the Committee recommends the acquisition, what the repercussions are if the environmental assessment reveals any issues with the property. Mr. Wells replied that CMS will decide whether to accept the property. Mr. Wells suggested that the Committee consider deferring action on the mandatory referral until January when a representative from CMS is present to answer questions.

*A motion was made by Commissioner Walker and seconded by Commissioner Zoutewelle to defer M.R. #11-015 until the January meeting. The vote was unanimous (5-0) to defer.*

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

Commissioner Labovitz reported that the Park Woodlawn Area Plan kick-off meeting was held in November and there was good participation. She shared one concern that citizens had about the lack of a sound system and that some citizens requested that the meeting be held again. Commissioner Zoutewelle added that everyone at the meeting had the opportunity to sign in and give their contact information. A CAG meeting will be on January 12, 2012 and an open invitation has been extended.

### **Adjourn**

Chairperson Johnson adjourned the meeting at 5:38 p.m.

**Submitted by:** Katherine Bowen, CMS Real Estate Dept.

**Initiated by:** Katherine Bowen, CMS Real Estate Dept.

**MANDATORY REFERRAL REPORT NO. 11-15  
Charlotte Mecklenburg Schools Proposal to Accept Donated Land Near J.T. Williams School**

**PROJECT PROPOSAL AND LOCATION:**

Charlotte-Mecklenburg Schools has been approached by a property owner in the vicinity of the J.T. Williams school campus in Charlotte with a proposal to donate a 2.8 acre parcel of land to the school district. The parcel (PID 077-031-01) has a Tipton Drive address although it lacks access frontage on Tipton. Zoning of the property according to the Charlotte Zoning Ordinance is I-1(CD) – Light Industrial with conditions (petition #94-96). The majority of the parcel lies within a floodplain. The real estate taxes currently due on the property total \$1,949; while the donor has requested no funds for the value of the property, assistance from CMS with taxes and other costs associated with the proposed transfer has been requested.

J.T. Williams School has for many years served as a middle school, housing grades 6 through 8. In spring 2011, facing fiscal challenges, the Board of Education voted to close J.T. Williams and to move the Right Choices Program into the building. The Right Choices Program provides a constructive intervention and early support program for students who have violated the CMS Code of Student Conduct. Right Choices is a six weeks placement that provides a more structured alternative setting with support services from various human services agencies for aggressive students.

While CMS has no specific or immediate plans to develop this parcel, its acquisition could serve a number of purposes:

- The parcel could serve as a buffer between the school campus and the I-77/I-85 interchange that is immediately adjacent to the parcel
- Land banking the property has the potential of securing the property either for future school district site development (or other public purpose) or for redevelopment opportunities at very little cost to the taxpayer
- The parcel has limited development potential without combining it with adjoining parcel(s) inasmuch as it has no direct street frontage.
- Public ownership of the property could serve to protect portions of the floodplain from development.

**PROJECT JUSTIFICATION:**

The proposed action would add real estate to an existing school site for future development or expansion at little cost.

**CONSISTENCY WITH ADOPTED PUBLIC POLICIES:**

No existing policies specifically apply to the proposed acquisition.

**CONSISTENCY WITH ADOPTED LAND USE PLANS:**

The *Central District Plan* (1993) recommends Greenway use for the portion of the parcel (majority of the parcel) that is within the floodplain and Light Industrial land uses for the remainder of the parcel. A greenway use is considered consistent with use of the property as a school campus.

**PROJECT IMPACT:**

The proposed action should have no impact inasmuch as no development is anticipated at this time.

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

Given the frequency of rollover accidents on ramps in the I-77/I-85 interchange, the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) is proposing that an interchange redesign study be undertaken (which likely would be completed within the next 24 months). Eventual reconstruction of this interchange could potentially involve the need for additional interstate right-of-way. Since the subject parcel shares a boundary with the current interstate right-of-way, it could be impacted by a potential road project.

**ESTIMATED PROJECT COMPLETION DATE:**

The goal is to complete this transaction by December 31, 2011.

**JOINT USE TASK FORCE REVIEW COMMENTS:**

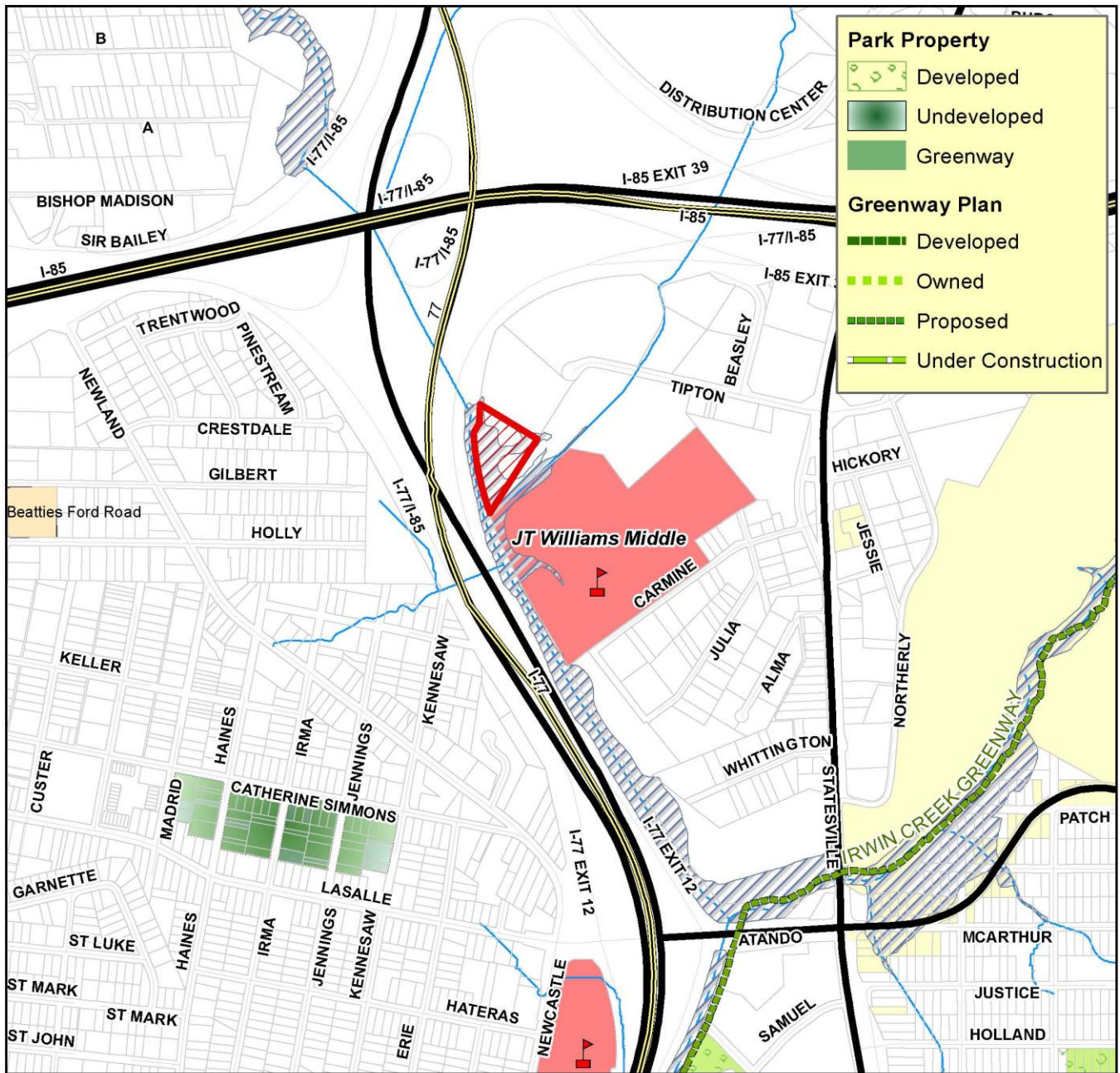
The Joint Use Task Force reviewed this matter at their December 7, 2011 meeting. The Park & Recreation representative stated interest in collaboratively examining greenway opportunities in the future.

**PLANNING STAFF RECOMMENDATION:**

Planning staff recommends approval of the proposed land donation to Charlotte-Mecklenburg Schools.

**CMPC PLANNING COMMITTEE RECOMMENDATION:**

At their December 20, 2011 meeting, the Planning Committee recommended

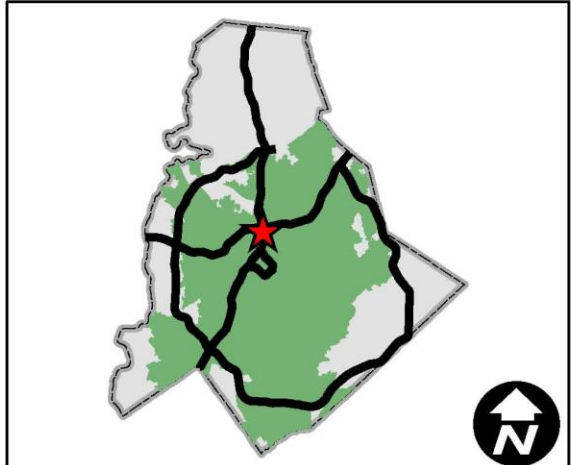


**Park Property**

- Developed
- Undeveloped
- Greenway

**Greenway Plan**

- Developed
- Owned
- Proposed
- Under Construction



# Mandatory Referral 11-15

Submitted & Initiated by: CMS Real Estate

- Mandatory Referral
- County Property
- City Property
- FEMA 100 Year Floodplain



