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## INFORMATION:

### **Final State Legislative Report**

*Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, [dfenton@charlottenc.gov](mailto:dfenton@charlottenc.gov)*

**Attached (SEE BOOKMARKS ON LEFT)** is the final State Legislative Report for 2011.

The 2011 "long session" of the General Assembly convened on January 26 and recessed on June 18. The General Assembly will return on Wednesday, July 13 for its redistricting session. While redistricting will be front and center before the General Assembly, the joint resolution governing the session, which was adopted by both chambers, authorizes the General Assembly to consider other matters including: gubernatorial vetoes; filling of vacancies on State Board of Community Colleges; General Assembly appointments; bills relating to election laws; joint procedural resolution adjourning the 2011 session to a date certain; and adoption of conference reports.

Among the conference reports of interest to the City that may be considered are:

1. Omnibus Transportation Act (HB 652)
2. Studies Act of 2011 (HB 773)
3. Sale of Alcohol Beverages (HB 796)
4. Roadside Campaign Signs (SB 315)

Further developments will be communicated to Mayor and Council as appropriate.

### **Dion Avenue Barricade Safety Redesign**

*Staff Resource: Ken Tippette, CDOT, 704-336-2278, [ktippette@charlottenc.gov](mailto:ktippette@charlottenc.gov)*

The Charlotte Department of Transportation plans to modify a road closure barricade on Dion Avenue. The barricade extends onto adjoining properties and completely blocks the street. The new barricade design will allow pedestrians and cyclists to pass through more comfortably and safely. Currently there is a well-worn path on private property to go around the barricade.

Dion Avenue is the only bicycle-suitable through street in the area, and was identified in the 2008 Bicycle Plan as a needed cycling connection. The other alternatives for cyclists are unsuitable routes such as Independence Boulevard or Harris Boulevard. The redesign of the barricade will provide a gap that is wide enough for pedestrians and bicyclists to pass through, but remains too narrow to permit automobile use. Also, the redesigned barricade will reduce trespassing on adjacent properties.

CMPD has no objections to the barricade redesign, and the Bicycle Advisory Committee supports the project as well since they originated the request for access, and identified this route as an essential connection for the eastside. The barricade retrofit is expected to begin within two weeks and will take two days to complete the work. CDOT will notify area residents

beginning July 1.

**Runnymede Lane Emergency Water Main and Street Repairs**

*Staff Resources: Angela Berry, CDOT, 704-432-5259, [aberry@charlottenc.gov](mailto:aberry@charlottenc.gov)*

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*Don McSween, E&PM, 704-336-5752, [dmcsween@charlottenc.gov](mailto:dmcsween@charlottenc.gov)*

Runnymede Lane, between Barclay Downs Drive and Michael Baker Place, continues to be closed for repairs. Contractors have finished laying the replacement water main. It was put into service the evening of Tuesday, June 28. Roadway repair work is continuing. CDOT signal timing staff continues to monitor traffic flow. Currently, the work is on schedule to reopen two lanes by the end of the day Friday, July 1. The weather forecast this week calls for afternoon and evening storms each day. All parties are monitoring the situation and working diligently.

However, weather could play a factor in preventing the work from being completed as scheduled, and make it unsafe to reopen the lanes as planned.

The work will require the removal of approximately 16 Bald Cypress street trees from the state-maintained roadway. To comply with NCDOT requirements in restoring the roadway, trees will not be replanted in the two-foot-wide planting strip due to potential root damage to the curb, gutter and sidewalk. Staff is looking at potential tree plantings in the project vicinity to mitigate the loss.

**ATTACHMENTS (SEE BOOKMARKS ON LEFT):**

May 9 Transportation and Planning Committee Summary

May 12 Economic Development Committee Summary



CHARLOTTE

CITY MANAGER'S OFFICE  
M E M O R A N D U M

June 28, 2011

**TO:** Curt Walton, City Manager  
Ron Kimble, Deputy City Manager

**FROM:** Dana Fenton, Intergovernmental Relations Manager

**SUBJECT:** 2011 Final State Legislative Report

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**HOT TOPIC**

House and Senate overrode gubernatorial veto of budget bill (HB 200) on June 15. House and Senate passed budget technical corrections bill (HB 22) and presented to Governor on June 20. Provisions in the State budget, with amendments thereto from the technical corrections bill include:

- Funding was appropriated for NCDOT to commit to state share of Blue Line Extension, and furthermore budget does not include any provisos that create any additional conditions prior to NCDOT entering into Full Funding Grant Agreements with City for Blue Line Extension and Red Line Commuter Rail projects; Speaker of the House was instrumental in conforming the final budget bill to this desired outcome
- Funding appropriated for Garden Parkway as follows: \$0 in FY 12; \$17.5 million in FY 13; and \$35 million in FY 14 and thereafter
- Powell Bill funds to be paid to cities in two equal installments on October 1 and January 1 instead of one payment on October 1
- Reduces funding for Statewide Maintenance Assistance Program (SMAP) payments to CATS and all other transit properties by 6%
- The NCGA did not provide additional funding for the Mobility Fund as was requested in the 2011 State Legislative Agenda. While the transfer to the Mobility Fund will occur as planned for in FY 12, FY 13 funding has been redirected to a DOT Prioritization Reserve Fund while criteria for the program is reformulated due to concerns expressed by legislators. The adopted budget strikes language in the enabling legislation favoring projects for funding that also qualify for the Congestion Relief and Intermodal Transportation 21<sup>st</sup> Century Fund that was enacted in 2009. The NCGA is now requiring NCDOT to develop new criteria for funding, without previously required input from stakeholder's group, and take the new formula to the Joint Legislative Transportation Oversight Committee by October 15, 2011.

- Requires NCDOT before accepting federal rail funds if the required state matching funds or future annual maintenance costs are reasonably expected to exceed \$3 million to consult with the Joint Legislative Transportation Oversight Committee if the General Assembly is not in session and the House and Senate Appropriations Subcommittees on Transportation if the General Assembly is in session, and seek approval of the General Assembly if costs are expected to exceed \$5 million annually; caveat allows NCDOT to accept funds if 30 days have passed since consultation and General Assembly has not acted upon request
- Trial Court Administrator positions in 10 districts including Mecklenburg are funded

## **LEGISLATIVE AGENDA**

### **Design-Build (HB 422 – T. Moore)**

City's design-build legislation added to legislation for Town of Cornelius. Legislation allows City to contract for up to three design-build projects annually for water and sewer lines and mains, pump stations, storage tanks and buildings ancillary to water and wastewater treatment plants, stormwater management facilities, roads, bridges, and parking garages, stream mitigation projects, heavy rail transportation facilities, airport facilities, public safety facilities, and local government buildings (City may only contract for one local government building per fiscal year). The authority to use Design-Build for such projects expires on June 30, 2016. Senators Rucho and Clodfelter were instrumental in amending HB 422 on final reading in the Senate to include the City's request.

### **Withdrawal of Offers of Right-of-Way Dedication**

No action on this request

### **Nuisance Abatement (SB 170 – Hartsell / HB 433 – Bordsen)**

Legislation faced fierce opposition from associations representing apartment owners, retail merchants and night clubs fearing that law would be used against their clients for most minimal of violations. The result was that the Senate legislation was sent back to committee from the Senate floor and the House legislation was taken off of the House calendar. Representative Rodney Moore was co-sponsor of HB 433.

### **E-Mail Subscribers (SB 182 - Jenkins)**

Statewide legislation extending exemption to all localities in the State, while preserving privilege of public to inspect lists was signed into law by Governor on April 28. Representatives Samuelson and Earle were instrumental in securing needed amendment to make this statewide legislation.

### **Energy**

No action on this request

### **Business Privilege License Tax**

No legislation was considered that impacted Business Privilege License Tax, although tax reform legislation (SB 58 – Clodfelter) was introduced that would have replaced tax with other sources of revenue. While the Business Privilege License Tax was not specifically cited, the Studies Act of 2011 does contain two sections that would have the Revenue Laws Study Committee examine state tax code modernization and state tax reform.

### **Annexation**

HB 845 (LaRoque), the annexation reform package, was passed by House and Senate and sent to the Governor. If the property owners of a majority of the parcels to be annexed request free water and sewer hook-ups, then the annexing local government must pay full cost of such hook-ups. Veto petition provides that upon 60% of the property owners' signatures, the annexation would be stopped and municipality would not have the opportunity to adopt a resolution of consideration for 36 months. While the bill is extremely restrictive, it is likely better than an extended moratorium that would of course allow for no annexations whatsoever. Bill allows 2011 City annexations to take effect on June 30. The Speaker of the House was instrumental in engaging the two sides to sit down and negotiate a compromise in lieu of the annexation moratorium legislation.

### **Courts Funding**

The General Assembly did not provide additional funding for the Courts system. Budget funds Trial Court Administrator positions in ten districts including Mecklenburg. Representative Martha Alexander was instrumental in securing House amendment to provide method for districts to retain their Administrator position, which set in motion final action on this issue.

### **Mobility Fund**

The General Assembly did not provide additional funding for the Mobility Fund as was requested in the 2011 State Legislative Agenda. While the transfer to the Mobility Fund will occur as planned for in FY 12, FY 13 funding has been redirected to a DOT Prioritization Reserve Fund while criteria for the program is reformulated due to concerns expressed by legislators. The adopted budget strikes language in the enabling legislation favoring projects for funding that also qualify for the Congestion Relief and Intermodal Transportation 21<sup>st</sup> Century Fund that was enacted in 2009. The NCGA is now requiring NCDOT to develop new criteria for funding, without previously required input from stakeholder's group, and take the new formula to the Joint Legislative Transportation Oversight Committee by October 15, 2011.

### **Local Revenue Sources for Roads and Transit**

No action on this issue

## **DEVELOPING ISSUES**

### **General**

#### **Eminent Domain / Economic Development (HB 8 – Stam)**

Proposed constitutional amendment would ban most uses of eminent domain for economic development purposes. Passed House and will be considered at future session for proposed constitutional amendments.

#### **State Law to Provide for Acceptable Identifications (HB 33 – Cleveland)**

Legislation specifying forms of identification that all governmental entities, including local governments, are authorized to use to determine actual identity for government services was amended to prohibit only use of consular or embassy documents. Passed House but not considered by Senate.

#### **E-Verify (HB 36 – Cleveland)**

Legislation requires private entities employing more than 25 people and all counties and cities to use the federal E-Verify program to ensure that illegal immigrants are not hired. Passed House and Senate and sent to Governor.

#### **Municipal Broadband (HB 129 – Avila)**

Bill imposes additional requirements for municipalities to follow when establishing broadband systems for use by the general public. Legislation exempts governmental uses from legislation, thus protecting public safety broadband system funded by the stimulus grant to serve regional public safety assets which will be operated by the City. Bill was signed into law by the Governor. Representative Carney was instrumental in securing City's exemption.

#### **Admissions Ticket Reform Act (HB 308 – LaRoque)**

Legislation sought by ticket resellers StubHub and Ticket Network to gain entry into North Carolina market; in process, would impose additional costs on current ticket office operations, including those venues operated by Charlotte Regional Visitors Authority, without corresponding offsetting benefit. Bill also raises competitive barrier to acts booking in North Carolina by requiring disclosure of proprietary information not required in other states. CRVA opposes legislation. Legislation might be studied by the Legislative Research Commission, assuming current version of Studies Act of 2011 is enacted into law.

#### **Taxpayer Information Act (HB 315 – Pridgen)**

Legislation requiring information concerning estimated total amount of principal and interest of proposed general obligation bonds to be included in ballot questions of local general obligation bond referenda not reported out of House Finance Committee.

#### **Electronic Notices (HB 472 – McGrady)**

Legislation allowing municipalities to adopt ordinances to move selected newspaper notices to electronic notice failed to report out of House Government Committee.

**Property Owner's Protection Act (HB 652 – Moffitt)**

Legislation requiring all statutes, rules, ordinances and regulations to be 'construed against the government' and 'liberally construed in favor of the property owner' will be studied in the 2011 interim if the current version of the Studies Act of 2011 is enacted into law.

**Attorneys Fees (HB 687 – Brawley)**

Allows courts to require payment of reasonable attorneys fees when it finds municipality acted outside of its legal authority for any ordinance, resolution, or administrative action, and requires payments of attorneys' fees and costs if court found local action was abuse of its discretion.  
Passed House and Senate and sent to Governor.

**Workers Compensation (HB 709 – Folwell)**

Reforms current system by capping number of weeks injured workers may obtain compensation, defines suitable employment, and makes changes to the process of how the industrial commission decides cases. Passed House and Senate and sent to Governor.

**Partisan Elections (SB 47 – Tillman)**

Bill restoring partisan elections for Supreme Court, Court of Appeals, Superior and District Courts was considered by Senate and House but differences in legislation remain. Legislation might be considered at July 13 Redistricting Session.

**Filling Vacancies in Local Offices (SB 266 – Clodfelter)**

No action taken on legislation to standardize how vacancies in offices of mayor and city council, board of commissioners, coroners, register of deeds would be filled.

**Government Transparency Act (SB 344 – Clary)**

Legislation requiring disclosure of reasons for each employee promotion, demotion, transfer, suspension, separation, or other change in position classification, and performance evaluations not considered by Senate committee.

**Technical Changes to 2010 Personnel Records Law (SB 554 – Brunstetter)**

No action taken on bill that would bring clarity to the issue of the effective date of the 2010 personnel records law requiring release of notices of dismissal, suspensions and demotions for disciplinary reasons and information on changes to salary and disclosure of promotions, demotions, transfers, suspensions, separations and changes in position classification.

**Joint Legislative Study Commission / Banking Laws (SB 555 – Brown)**

Study will concentrate upon whether and to what extent North Carolina banking laws needs to be updated. Passed House and Senate and sent to Governor.

## Public Safety

### **Firearms in Locked Vehicles (HB 63 – Shepard)**

### **Handgun Permit Valid in Parks and Restaurants (HB 111 – Hilton)**

### **Amend Various Gun Laws / Castle Doctrine (HB 650 – Hilton)**

HB 63 would have withdrawn the privilege of most employers to regulate whether employees can store firearms in personal vehicles on employer owned premises, and HB 111 would have extended the right of concealed weapons holder to carry concealed weapons into parks and restaurants. While HB 63 and HB 111 did not pass, omnibus gun legislation, HB 650 was signed into law allowing local governments to prohibit the carrying of a concealed handgun in “recreational facilities” (section 21.b) which is defined as a playground, an athletic field, a swimming pool, and an athletic facility. If a local government does prohibit concealed handguns in these areas, then it must also allow the permittee to secure the handgun in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle

### **Sunshine Amendment (HB 87 – LaRoque)**

As introduced, bill would approve constitutional questions to be put before the voters in 2012 to amend the North Carolina Constitution to make it more difficult for the General Assembly to amend public records and open meetings laws by requiring three-fifths vote for passage instead of majority vote. Bill later modified to entirely new bill entitled “AN ACT TO STUDY COMMUNICATIONS WITH ACCIDENT VICTIMS AND PERSONS CHARGED WITH INFRACTIONS FOR MOVING VIOLATIONS UNDER CHAPTER 20 OF THE GENERAL STATUTES.” Bill did not pass the House.

### **County Law Enforcement Service Districts (HB 280 – Brawley)**

Legislation amends the statute authorizing Mecklenburg County to contract with Charlotte-Mecklenburg Police Department to provide law enforcement services in the unincorporated areas of the County by allowing the County to contract with more than one law enforcement agency. Signed by Governor into law.

### **Support Law Enforcement / Safe Neighborhoods (HB 343 – Cleveland)**

Comprehensive legislation prohibiting local policies limiting enforcement of federal immigration laws, including adoption of so-called “Sanctuary” policies; requiring use of federal E-Verify program for local government and public contractor employment; citing specific forms of identification governments can accept to receive public benefits; and prohibiting admission of students who are not lawfully present in the United States from enrollment at community colleges and state universities not considered by House.

### **Law Enforcement Officers’ Disability Changes (HB 538 – Randleman)**

Legislation removes the one-year service requirement before law enforcement officers are eligible for disability benefits. Passed House and Senate and sent to Governor.

**Law Enforcement Officers Fairness Act (HB 602 – Justice / SB 664 - Rouzer)**

Legislation requiring changes to the dismissal procedure for a municipal police officer, including just cause for dismissal, establishment of a review board, and other procedures not considered by either chamber.

**Sale of Alcoholic Beverages (HB 796 – Substitute)**

Legislation originally calling for study of property tax valuation process was changed to make changes to ABS system providing for longer hours of sale on and off-premises, and to allow sales on certain campuses of the UNC system and certain facilities of the UNC system seating less than 2,000 persons without local referendum. Currently in conference committee and any resulting conference report can be considered at July 13 Redistricting Session.

**Fire Separation Allowance (SB 350 – Hartsell)**

Legislation requiring the Local Government Employees' Retirement System to provide an annual separation allowance to eligible retired firefighters was not considered.

**Out of State Law Enforcement Officers / Special Events (SB 600 – Clodfelter)**

Legislation authorizes the City of Charlotte to secure law enforcement resources from outside State of North Carolina for the DNC. Passed House and Senate and sent to Governor. Senator Clodfelter and Representative Earle was instrumental in securing passage of this legislation.

**Residential Building Inspections (SB 683 - Hunt)**

Legislation place restrictions on how cities and counties may conduct rental building inspection programs including prohibiting levying of special taxes and fees on owners of residential rental properties unless the property exceeds the disorder risk index established by local ordinance, and allows localities to revoke permission to lease or rent such property if the property exceeds the disorder risk index established by the ordinance. Fees charged must not exceed the reasonable cost of operating the program. Passed House and Senate and sent to Governor. The Speaker of the House and Representatives Samuelson and Kelly Alexander were instrumental in securing the needed amendments for the City of Charlotte.

**Amend Bail Laws/Pretrial Services (SB 756 – Clary)**

Legislation substantially amending bail laws and pretrial services operated in 20 counties including Mecklenburg passed Senate but was not acted upon by House Judiciary Subcommittee C due to potential conflicts with Justice Reinvestment Act (HB 642).

## **Environmental & Planning**

### **Water Use Efficiency (HB 609 – McGrady)**

Legislation requiring education program from Department of Natural Resources emphasizing water efficiency and conservation was merged into comprehensive water supply and efficiency legislation to promote the development of water supply reservoirs and enable one or more water systems to establish water supply organizations. Legislation does require local governments to incorporate into their water supply plans reductions in long-term per capita demand for potable water. Passed House and Senate and sent to Governor.

### **Temporary Family Health Care Structures (HB 887 – Moffitt)**

Legislation allows on a by-right basis in any single family detached residential district zone, the placement of temporary family health care structures. The purpose of a temporary family health care structure is to provide shelter for a mentally or physically impaired person to live in adjacent to the home of their caregiver, who must be a blood relative or a legal guardian. Passed House but was unable to make it through two Senate committees last week of session.

### **Billboards / Trees and Vegetation Removal (SB 183 – Brown)**

Legislation extends billboard view zones in cities and their ETJs from 250 feet to 340 feet along interstate and limited access highways, and in counties from 250 feet to 380 feet. View zones along non-interstate and limited access highways remain at 250 feet. Final conference report preserves local control over vegetation cutting and maintenance in state rights-of-way. The Speaker of the House and Representative Brawley were instrumental in the final outcome of this bill. While the conference report was approved by both the House and Senate, the bill has yet to be ratified and sent to the Governor. There was apparently a proofing error that prevented ratification from taking place. The scheduled date for ratification is July 13, the first day of the Redistricting Session.

### **Interconnection of Water/Wastewater Systems (SB 231 – Hartsell)**

Legislation requiring different water and wastewater systems to interconnect modified to apply only to systems in the same sub-basin passed Senate to meet the crossover deadline but was not considered in the House.

### **Roadside Campaign Signs (SB 315 – Daniel)**

Proposal to enact statewide standards for placement of campaign signs in state rights-of-way from 30 days before start of “one-stop” early voting to 10 days after the election is still in conference committee. House inserted amendment at request of local governments to allow cities to prohibit placement of such signs along state rights-of-way within municipality limits. Senate rejected the amendment and conference committees were appointed. Any resulting conference report can be considered at July 13 Redistricting Session. Representative Carney was instrumental in securing House amendment in House Transportation Committee.

### **Ecosystem Enhancement Program Changes (SB 425 – Hunt)**

Makes a number of changes to the Ecosystem Enhancement Program (EEP) administered by the Department of Environmental and Natural Resources (DENR) that favor the purchase of wetland mitigation credits from privately owned mitigation banks over publicly owned mitigation banks, such as the one owned by the City of Charlotte. Staff was able to secure amendment authorizing EEP to purchase from local government compensatory mitigation banks established prior to July 1, 2011 only after unsuccessfully purchasing credits from private compensatory mitigation banks. Passed House and Senate and sent to Governor. Representative Samuelson was instrumental in securing a final technical amendment for the City.

### **Energy Jobs Act (SB 709 – Rucho)**

Legislation sets out distribution of royalties from potential offshore and onshore energy production, with the first \$500 million going to an emergency response fund to respond to an emergency declared by the Governor due to the release of liquid hydrocarbons or fluids associated with offshore or onshore energy. Passed House and Senate and sent to Governor.

### **Zoning / Aesthetic Controls (SB 731 – Clodfelter)**

Legislation prohibiting cities and counties from requiring certain "building design elements" being applied in either traditional zoning districts or parallel conditional districts passed Senate but not considered by House Commerce and Job Development Committee.

## **Annexation / Extraterritorial Jurisdiction**

### **Local Annexations Subject to 60% Recall Petition (HB 56 – Collins / SB 27 – Brock)**

Local legislation subjects nine municipalities with lawfully adopted annexations to the 60 percent veto petition process in HB845 – Annexation Reform Act of 2011. These two bills set perhaps the worst precedent yet by creating significant uncertainty for municipalities and citizens regarding their ability to rely on the law. In the case of Goldsboro, for example, the annexation area has been part of the city for nearly three years, and the city has issued general obligation bonds to serve it. The cities and towns impacted by this legislation include Asheville, Fayetteville, Goldsboro, Kinston, Lexington, Marvin, Rocky Mount, Southport and Wilmington. Passed House and Senate and by virtue of being a local bill, is now law.

### **Extraterritorial Jurisdiction / Farms (HB 168 – Cleveland)**

Legislation altering long-standing land use control authority over bona fide farms was amended to eliminate potential significant zoning issues. Passed House and Senate and sent to Governor.

### **Extraterritorial Jurisdiction Restrictions (HB 281 – LaRoque)**

Legislation allowing residents of ETJ areas to vote in municipal elections is recommended for inclusion in Studies Act of 2011. Other legislation amending ETJs, including HB 797, SB 622, SB 530, and SB 380 were not passed by the House and Senate.

## Transportation

### **Capping Motor Fuels Excise Tax, aka “Gas” Tax (HB 399 – McElraft / SB 666 – Forrester)**

Legislation that would have capped motor fuels excise tax (aka gas tax) collections at 32.5 cents per gallon and according to NCDOT would require reduction in expenditures over next ten years of \$1.2 billion were not considered by the General Assembly. The Metropolitan Transit Commission adopted position of opposition to both bills. The legislation would have required a \$250 million reduction in the 2011-2012 transportation budget recently enacted into law. Reportedly, this legislation will be considered at the Constitutional Amendments Session later this year.

### **No High Speed Rail (HB 422 - Killian, Frye)**

Legislation that would have placed additional requirements on NCDOT prior to the acceptance of federal high speed rail funds was incorporated into the State budget. While HB 422 passed the House and was referred to Senate Transportation, the State budget (HB 200) included most of the provisions in the bill.

### **Highway Equity Formula (HB 635 – Murry)**

Legislation that would have stricken language from statute related to completion of the intrastate system, which has the effect of changing the equity distribution formula to 66% population and 33% equal share among the highway divisions, and removes the federal funds for metropolitan planning organizations over 200,000 in size (STP-DA funds) from the State’s transportation equity formula, was not considered by the House Transportation Committee.

### **Eliminate Passenger Rail Fare Subsidy (HB 865 – Steen)**

Legislation that would have eliminated the current State subsidy of \$11 for each ticket sold on AMTRAK service in North Carolina was not considered. According to NCDOT the required price increase of each ticket would have negatively impacted ticket sales. Legislation might be studied by the Joint Legislative Transportation Oversight Committee, assuming current version of Studies Act of 2011 is enacted into law.

### **Federal and Local Funding for Local Mass Transit (Section 4.5 – HB 773)**

Provision included in Studies Act of 2011 calls for Joint Legislative Transportation Oversight committee to study issues related to the utilization of federal and local funding sources for local mass transit projects and the elimination of State funding for such projects. At this point, the Studies Act of 2011 has not been enacted but is expected to be considered at the July 13 Redistricting Session.

### **Legislative Commission / Public-Private Partnerships (HB320 – McGee / SB 278 – Jenkins)**

Legislation to continue the study of Public-Private Partnerships (P3) was not approved. However, the continuation of the P3 Study was included in the Studies Act of 2011 which will be considered at the July 13 Redistricting Session.



Charlotte City Council  
**Transportation & Planning Committee**  
Meeting Summary for May 09, 2011

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## COMMITTEE AGENDA TOPICS

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- I. **Subject:** TAP 5-year update  
Action: Motion to recommend policy to Council (passed unanimously)
- II. **Subject:** Update on Street Connectivity Program  
Action: None
- III. **Subject:** Steele Creek Area Plan  
Action: None

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## COMMITTEE INFORMATION

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Present: David Howard, Warren Cooksey, Patsy Kinsey, Nancy Carter  
Time: 2:36 pm – 3:46 pm

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## ATTACHMENTS

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1. Agenda Package
2. TAP 5-year Update Presentation

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## DISCUSSION HIGHLIGHTS

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Chairman David Howard called the meeting to order and asked everyone in the room to introduce themselves.

I. **TAP 5-year Update**

Chairman Howard asked Danny Pleasant to introduce this presentation before turning it over to Dan Gallagher. Mr. Pleasant said there is continuing conversation and referral of public input to City Council.

Gallagher: This is a short presentation; first, a reminder of where we left off. I'm going to wrap up some loose items and ask you to refer this for public hearing. At our last meeting, I was able

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# Transportation & Planning Committee

Meeting Summary for May 09, 2011

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to provide a draft policy document and I got some good feedback. We'll discuss that in a little bit. We talked about giving an overall summary of the TAP Update and walked through some of the key changes and revisions from the original TAP. Also, we talked about the transportation investments and walked through some of the items that can be envisioned in the TAP update. We also talked about the schedule. We were getting ready to head out to our last public meeting workshop, which we did in April. We opened up a comment period and received comments on the plan. Where we are today is to ask you to advance this to a public hearing, and then ultimately, to consider it for Council adoption.

Just a reminder on funding, since we spent a lot of time working with you on funding over the last five or six months. If you recall, the original TAP was an aspirational plan that landed on a \$140M per year mark, and we developed a comprehensive transportation plan around that in 2006. Since that time, the City made great strides with a lot of projects in the last six years, but where we were able to fund the TAP was at approximately the \$80M per year mark. There is a bit of a gap there and a lot has changed since 2006. With your input and with updated numbers that we have, we developed this updated plan at a \$100M per year mark. The 2011 TAP that you'll be seeing is the 25-year plan and assumes about \$100M per year in transportation funding. And with that, we developed a plan that focused on that \$100M per year allotment. If you'll remember, figure 4 from the TAP Policy document tells how that \$100M per year would be spent. This is a comprehensive plan that covers a lot of different elements. This is a good plan, and even though it's a lower dollar amount than the original plan was, it's still a very comprehensive, robust plan.

Mr. Gallagher highlighted key components from slide 4 of the presentation.

Kinsey: I've asked this before. Are we still double checking before we automatically resurface a street? If it just comes up on the list, do we double check it to make sure that it really does need resurfacing?

Pleasant: We are doing a better job. We're not perfect yet. We are looking ahead to make sure there are no water, sewer projects or other utilities that need to be completed prior to resurfacing. We are giving it extra effort.

Kinsey: With our budgets the way they are, we have to.

Mr. Gallagher resumed talking through slide 4.

Carter: Do we have same amount of traffic calming requests as we used to?

Gallagher: I don't know that I can honestly answer that. That's a good question. Let me follow up on that because I don't know the answer.

Carter: I'm not hearing as many complaints.

Gallagher: We'll take a look into that.

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# Transportation & Planning Committee

Meeting Summary for May 09, 2011

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Mr. Gallagher: Continued with the presentation regarding funding (see slide 5).

Kinsey: Give me an example of an activity center improvement.

Gallagher: An example of an activity center improvement could be something at one of our designated activity centers, like the South Park mall area. We go in trying to make it a live-work-play area, which it's becoming. Another example is when we go in and infill some projects, whether it be sidewalk gaps, a street connection, or a mid-block crossing. We would use that program to help fund those types of improvements.

Kinsey: Thank you.

Carter: Regarding the sidewalk projects, I am still concerned about the reactions that we have from our neighbors. And I hope that we set priorities like congestion and safety high in that area as we go out to the neighborhoods within that priority listing to choose the ones that really want the sidewalks. We need to have that as one of those major factors as we make our decision on sidewalks.

Gallagher: Council member Carter, I think you just gave me a softball pitch that I can hopefully knock out of the park. You are actually going to be having a dinner workshop this evening and the Sidewalk Retrofit Policy will be discussed there. What you just said is included in some of the changes that Vivian Coleman will be discussing with you this evening. I think we're right on target, and hopefully you will get those answers tonight.

Mr. Gallagher continued to slide 7 of the presentation.

Gallagher: Since March 24, we have been pretty busy. After meeting with you, we posted the draft TAP policy document on the internet for comment. We hosted our last public workshop and began to receive specific feedback as people had a chance to peruse the document. We posted the comment forum on the internet and have received comments. We're going through each of the comments we received. We had almost sixty. We are preparing responses to the individual comments, and we plan on posting the comments with responses on CDOT's webpage in May, prior to the public hearing, which we are hoping will occur in June.

Howard: Was there any one central subject that came up in those sixty comments? Did you see a trend?

Gallagher: We had seven people that provided specific policy comments. There was generally strong support for the TAP. There were some folks that were interested in us making a stronger connection to vehicle miles of travel and environmental issues. There were some word choices that were focused on. There were also some general philosophical items that we will need to peruse through. There was interest from a representative of the health community making a stronger connection than the TAP between the built environment and how transportation plays such a big role in that, and how that creates more healthy, livable communities. We are going to take a look at that and see maybe where we didn't make that connection as strong as we could

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# Transportation & Planning Committee

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have. The health community is an emerging partner just getting interested in issues like transportation. Those are the ones that come to me. We will post these prior to the public hearing. We would like to ask the Committee to forward the item to a public hearing in June. We would bring it back to you in July for your final recommendation and then a possible Council decision in August. The action requested today is that you advance this to City Council to receive public comments at the June 13 meeting.

Carter: I've served on this Committee for a long time and what I've seen is more responsiveness to the environmental issues, more responsiveness to our citizens and an increasing regional thought process, and I really want to compliment the staff on moving forward with these issues; being realistic in looking at the funding, being realistic and yet pushing for what we can accomplish. I'm grateful and I think what you're doing is moving the City in the right direction.

Howard: Does that sound like a motion?

Carter: Yes, it is.

Kinsey seconded the motion and Cooksey concurred.

Howard: One thing I wanted to add, Dan, is when I talked to the environmental folks, they talked about ways that we could facilitate lowering our carbon emissions and putting that in some type of measurement as a part of TAP. Is that addressed in this or is that something that would come later?

Gallagher: It was. We have actually added some expanded language in one of the policies on that. Shannon Binns of *Sustain Charlotte* was interested in us going a little bit further, so we have been perusing how we do that and what can we measure and what can't we measure. We will be bringing some ideas on how we might be able to expand that.

Howard: Can you share the parts that have changed with us? Not now, but if you could send it to us; I'd like to know what changed from the last time I talked to them.

Gallagher: Let me follow up and I'll send you the specific language that changed. We actually added a new policy that tried to speak to that, and I think there are a number of people interested in expanding that a bit more. I'll show you what policy was identified and then what their request was.

Howard: My next question is for you, Jim. Would the FAP be the appropriate place to share these recommendations on a yearly basis? Once the TAP is adopted, would that become something that we would try to measure in the FAP next year?

Schumacher: It certainly can be. We must keep in mind the balance between what we're tracking as part of that plan versus what we track otherwise.

Gallagher: We track things that are not in the FAP.

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Howard: It just seems like the first step is some type of policy direction with that and I'd like to see where that goes. I'd like to challenge you to find examples in other cities and bring it to us so that we don't have to try and recreate the wheel.

Gallagher: We didn't want to presume that it would go into the FAP, so we said that we would track and not only add the VMT and the emissions component to it, but we would track that and place it in the TAP annual report, which is something that comes to you each year. That was at least the first step that we thought we could control.

Howard: That's all I'm really asking about; an appropriate place to measure, but if it's okay there I trust you guys on that. Alright, we have a motion on the floor - all in favor let it be known by saying, "I."

The motion carried unanimously.

CM Howard introduced the next item on the agenda and asked Danny Pleasant if he wanted to introduce it.

## **II. Update on Street Connectivity Program**

Pleasant: It's a nice transition between the TAP update and the Connectivity Program. As you know, we talked many times about how connectivity is one of our chief ways of creating robustness and redundancy and is a good way to manage capacity. Matt is going to update us on some of the work that he and others have done in the connectivity program over the last five years. We'll move you through the process and show you some opportunistic events we've had that allowed us to bridge some additional connections. He's going to cover a pretty good gamut. You may remember that you approved a connectivity policy through last year at the Committee and Council level called the Five Ps Policy (Five Connectivity Policy Statements, shown on slide 7).

Magnasco: One purpose of this is to bring everyone up to speed with what has gone on with the program since it was created, but also to say that we've been going about our business very well with minimal issues. We've got two topics, and time permitting, we can get to a third. First, a few slides summarize the Connectivity Program, and then, rather than just looking at it from the typical where we've been, where we are and where we're going perspective, I'd like to start you off with the five Connectivity Policy Statements. I'll go into more detail into what those are. We have a couple of slides for each and I'll try to give a couple of examples for each. I'm trying to keep the presentation at a fairly high level, not getting down too much into the policy weeds. We've got the policies as they are and we're accepting them, moving forward, and will defer delving into the policies for future presentations.

The Street Connectivity Program is a capital program created as a direct result of the first TAP, and it is being reiterated in the current draft TAP as well (see slide 3).

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A good case as to why connectivity is important is a little street up in Highland Creek (Shelley Ave.) that up until 2009 did not exist (see slide 5). It was next to Fire Station 31, and at the time, the service area of the fire station was eight square miles. We partnered with CMS when they built an adjacent school and this opened up a whole new area of Highland Creek to the fire station within their effective service time, and in this particular case, it added 17% to the coverage area of the station by building 800 feet of street.

Mr. Magnasco continued to slide 6 regarding the Capital Program Status, the 5 Connectivity Policy Statements (see slide 7), Connectivity Policy Statement 1 (see slide 8), What Is a Strategic Connector (see slide 9), Protecting Rights-of-Way: Westpark Drive Extension on (see slide 10), Future Policy Work (see slide 11) and introduced Connectivity Policy Statement 2: Preserve (see slide 12).

Magnasco: We strive to preserve existing opportunities for connectivity, recognizing that city right-of-way, the dedicated right-of-way (city property), are assets. Let's preserve them for future use. There are two cases where we are doing that. In one case, there is a specific affirmative statement on the abandonment RCAs (abandoning the right-of-way) where it states that abandoning the right-of-way will have no negative impact on present or future use for connectivity. The other case is, we review the property disposal list that is published periodically by City Real Estate. We look at this the same way. We look at the parcels and decide if we need it for future street use.

Carter: Who reviews the abandonments?

Magnasco: The abandonment petition is submitted to CDOT and then it is disseminated to a whole litany of agencies. CDOT looks at it, Planning and all the utilities. I forget who is on the distribution list.

Carter: Economic Development, I hope.

Magnasco: Danny, do you know if Economic Development is on the abandonment list?

Pleasant: I believe so. If it's not, it will be.

Carter: CATS as well?

Magnasco: Yes.

Carter: Thank you.

Steinman: The thing that has changed in the last two years or so is that now there is a specific statement in the packet that says, we reviewed this potential abandonment and confirm that it doesn't prevent future use for connectivity.

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Howard: If for some reason you had a right-of-way reserved, because we have a whole bunch of phantom streets all over Charlotte, and you didn't use it, do you go back and let developers know you don't need it anymore? (Used the Westpark Dr. example).

Magnasco: Yes.

Steinman: In the case of the Westpark Dr. Extension, that has been negotiated with the property owners so that it's of mutual benefit. They'll know where the street will be and we can make sure the street gets built.

Howard: I just want to make sure that if we've been having people sit for a while, waiting for us to put a road in, that we tell them that we don't need it if we don't. Some of these streets have been on the books since the turn of the century.

Carter: With that 15 year caveat that's in this, are we aware of when these rights-of-way are up?

Magnasco: The current policy that is in the City's 2011 agenda packet was (see slide 14) actually an amendment to the Withdrawal Statute, which is the 15 years that you were referencing. What we are proposing to do is, not change the 15 year premise, but at least change the process involved. Unfortunately, the bill went nowhere. We would like to try again in 2012 or 2013. We do have an inventory of unopened rights-of-way.

Steinman: The abandonment we were seeking would have required people to inform the City that somebody is about to withdraw the paper street.

Carter: When that was presented to the delegation, there was an immediate reaction from Representative Samuelson and Senator Clodfelter, so there is going to have to be some education from our point of view with our delegation. It was an immediate reaction.

Steinman: I think this is not intended to change the 15 year time frame or to do anything other than to inform the city or any other local government that somebody is seeking to withdraw the declaration.

Carter: They believe that 15 years is long enough and they don't believe the property owner needs to take the initiative. So, those were the two objections that I heard. Warren, did you hear something else?

Howard: That's exactly what I heard too.

Carter: And it's bipartisan.

Steinman: Yes.

Carter: Thank you.

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Steinman: Maybe we need to combine that with making sure that the City does inform property owners that we don't need certain paper streets and try to get this in a more comprehensive format.

Carter: That would probably be more appealing. Thank you.

Mr. Magnasco continued with the presentation with Future Policy Work slide 15, Connectivity Policy Statement 3: Partner (see slide 16), Brookside Lane (see slide 17) and Edinmeadow Drive: I-485 Connector Street (see slides 18 & 19), Future Policy Work (see slide 20) and Connectivity Policy Statement 4: Protect (see slide 21).

Magnasco: The first way we see protecting neighborhoods is a change that has been in the Land Development Standards Manual for a year or two, which is a disclosure sign on the stub streets saying, this street at some point is going to be extended. Huntersville uses this sign, Davidson does, Virginia DOT does; many jurisdictions use this. We are joining the crowd in saying, if you are not a cul-de-sac, and at some point this street will be extended.

Chairman Howard left the meeting

Carter: Are you having responses to these signs?

Magnasco: I haven't gotten any and my guess on that is the change was made to the Land Development Standards Manual right as the real estate market tanked. So, this probably hasn't been implemented in too many places.

Carter: There is no number or no person to contact. That might be a good addition to that sign for information.

Steinman: That's a valid point.

Cooksey: That's a fair point, but we need to be very consistent about what message is at the other end of it. My general experience with folks who don't understand or haven't followed the planning process when the planning process comes along is to think that whatever is being said about the future will be happening at some defined point in time. The answer that someone is going to get if they call the number on this sign to find out when is it going to happen will be "well, we don't know," and that is not a satisfactory answer.

Steinman: I think these inquiries will need to go to a special phone number. Otherwise, there will be no consistency in the responses that people will get.

Cooksey: 311 is exactly where it should go, but that script will need some work.

Chairman Howard returned to the meeting.

Mr. Magnasco continued the presentation with the Grier Heights Connectivity slide 23, and

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Working With Neighborhoods (see slide 24), Future Policy Work (see slide 25), and Connectivity Policy Statement 5: Prioritize (see slide 26).

Carter: Are there any mitigation formulas or projects that are new? We went through a period where they were really messing up the roundabouts, lessening the widths. Is there anything new on the horizon?

Magnasco: It is part of a whole toolbox of things we can do and it needs to be case by case. Because, what would work for neighborhood A may not necessarily work for neighborhood B.

Steinman: What we're doing is expanding people's awareness that there is more than speed humps. It could be traffic circles, it could be bump outs, or it could be some combination. The reason we do this case by case is because it's the only way they are going to be accepted.

Carter: I was just wondering if there is anything new on the horizon that we haven't heard about.

Steinman: Probably, in another year or so, you'll start to see some new implementations but not necessarily new ideas. There will be some projects that have been completed with new types of solutions for this area.

Carter: Is there a problem that our staff is not traveling and not going to national conferences and seeing what's new?

Steinman: No, actually it's that we are trying to be relatively careful with proceeding on some of these. In one case, a neighborhood came to us and asked us if we can help them get a new connection. In another case, we believe the neighborhood might be interested in what might be the third connection, but it may not be something they will support. So, we are being relatively slow and deliberate by making sure we can identify projects that people want.

Mr. Magnasco: Continued the presentation with Street Connectivity Feasibility Studies (see slides 27 & 28).

Magnasco: In looking at the feasible projects, just because they are feasible doesn't mean we will do them tomorrow; it's just something that we have at least taken a step of engineering toward.

Howard: Number five (see slide 28); where would you extend Overlook?

Magnasco: South of Mt. Holly-Huntersville.

Howard: So, there's a developer interested in building the other side?

Magnasco: There was a rezoning for about 150 acres.

Howard: A shopping center.

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Magnasco: Right. But there was a little gap between where the particular piece of property would be and where Overlook currently stops at Mt. Holly-Huntersville. This would have filled in that little gap.

Carter: Could we have maps of these, please?

Magnasco: I can provide those.

Mr. Magnasco: continued with the presentation with the Lawing School Road Connectivity Project (see slide 29).

Magnasco: One project we completed, which residents had pretty much already completed themselves, is Lawing School Rd. off of Mt. Holly-Huntersville and Rozzelles Ferry. There is a stub street where people just went around the barricade and make the connection themselves. We completed this project just a couple of months ago and to date, we have not received any complaints about it.

Howard: Those houses that are further down that road (Lawing School Rd.), were they there already?

Magnasco: All of these houses were existing.

Howard: Even the one where the car is?

Magnasco: Even that one, yes.

Howard: So, there was a house down that road?

Magnasco: There are landlocked houses way back in the trees (see slide 29), and where you see the minivan, there is a driveway.

Howard: Ok.

Mr. Magnasco continued with the Policy Topics and Suggested Schedule (see slide 30).

Magnasco: I can stop here or continue with additional examples. I'll leave that up to you all.

Howard: I think we have a few more minutes if you want to see some examples. Go through them real quick.

Mr. Magnasco continued with the Important Research Study slide 33, More about Shelley Avenue (see slide 34), Lawing School Road (see slide 35), and Strategic Connector Example: Shopping Center Drive (see slide 36).

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Magnasco: Here's the strategic connector that I mentioned at the very beginning that probably touched on all of the areas; it's called Shopping Center Drive. It's near IKEA and Martin Middle School up in University City.

Howard: So that's that bridge that goes across I-85 that's needed?

Magnasco: Which does not yet exist, but is a recommendation of two area plans. The alignment is constrained because you've got a school on one side, you've got creeks, and you've got Duke Power lines. University City is in a rapidly developing area and provides key links to land use on either side of I-85 and also to the Blue Line Extension. There will be a couple of stations where the eastern terminus is off of Tryon St.

Howard: That wouldn't have to be a public/private, right? You would have to do that with NCDOT. So, they would build the bridge and we would build the roads up to the bridge?

Magnasco: The project is currently in planning. It is not yet funded for construction, but the way we are currently proceeding, the City would do everything.

Howard: The bridge as well?

Magnasco: The bridge as well. Unlike the one on I-485, it made logical sense for NCDOT to build the bridge because they were building the road. Here, I-85 already exists.

Steinman: But in the one we mentioned for I-485, Edinmeadow Dr., the City is still paying for a bridge.

Howard: What is the one down in your area, Warren?

Cooksey: Community House Road.

Howard: Is that us, or is that the State?

Steinman: There will probably be some combination; mostly the City. But, we do mention in negotiations that they are beneficiaries of these kinds of projects. We reduce the demand on the interchanges that people would try to get through otherwise.

Howard: But, we would give this to them too when they finish so they would maintain it?

Magnasco: The state would maintain the bridge itself, we would maintain the road.

Howard: Thank you.

Mr. Magnasco continued with the Partnering Projects and Creek Crossings, slide 37, Working With Neighborhoods: Shamrock Gardens Paper Streets (see slide 38).

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Magnasco: There are two projects in Mrs. Kinsey's district we are implementing as part of the Shamrock Gardens neighborhood improvement project; this is another one where the neighborhood came to us and said, "Please, do something about the paper streets."

Mr. Magnasco presented slides 39 & 40, showing existing paper streets and the photo shopped images of what the streets would look like after construction.

Kinsey: Are those the only two projects? We talked about a bunch of projects.

Magnasco: There are a couple of other paper streets in this neighborhood. For several reasons, we have chosen not to do anything with those, not the least of which being neighborhood opposition on those blocks.

Kinsey: Okay. Thanks.

Mr. Magnasco finished with slide 41, 2 more Strategic Connectors: Scaleybark Rd., Dewitt Ln. Extns.

Howard: What about the train tracks through there?

Steinman: One of the things that would be going on with this project is we would rationalize the crossing of the LRT tracks with the streets.

Howard: I don't want to know any more. That's good.

Magnasco: That is my last example. Any questions or comments?

Howard: Thank you all very much. Let's turn to our last matter, which is the Steele Creek Area Plan. Mr. Howard introduced Melony McCullough.

### **III. Steele Creek Area Plan**

Garet Johnson: Staff was at your last meeting and gave an overview of the Steele Creek Plan, and shared with you that we were getting some comments from some of the folks in the neighborhood in the plan areas. One of the concerns was that we were moving too fast and we needed more time to review the issues and work through them, and at that time we mentioned there were two meetings coming up. Melony is going to go over a little bit about what we heard as well as our next steps in the process. We do want to have time to work through all of the comments we are hearing and make sure we have a chance for people to come out to meet and talk to us and resolve any issues we have. That may take a little time.

McCullough: I will be a little repetitive with what Garet said, and I do have a power point if you need more detail or more information. I also have a summary list of the comments that we have received to date. There are about 110 items and if you would like a copy, I have some available that we will pass out to you. We met with the Citizen Advisory Group this past Thursday to

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begin discussing some of the comments that we have received to date. There were approximately five Citizen Advisory Group members present at that meeting, and a part of that may be because the meeting was in this building. We were trying to meet between the April 28 TAP Committee meeting and today's meeting, so we didn't have a lot of time to schedule a meeting and then also find a location within the community. We generally try to meet within the Steele Creek Community. There were also a couple of other meetings that were taking place this past Thursday, so that may have contributed to the low attendance at the meeting.

To jump to the next steps, we are in the process of scheduling a meeting. We were looking at scheduling a follow-up meeting in late May or early June. It looks like the earliest we will be able to meet in the community is June 9, and we have not placed that date on our website or communicated with the Citizen Advisory Group about that date yet. We're still trying to see if we can find another location. We will firm that date up by tomorrow.

We also informed those who attended the meeting, that we've had discussions with CM Howard, and that he has asked us to slow the planning process down. We are in the process of working with the citizens to address the concerns that we've heard to date. We also explained the review and adoption process at Thursday's meeting to help the citizens to understand the direction that we're going in by conveying how an area plan is adopted. The issues that we discussed in that meeting generally centered on transportation. We did briefly talk about the Moss Rd. connection. Nothing about that has been finalized so I'll just mention that we are in the process of discussing that. We are not ready to report back on the resolution of any issues at this time.

We also spent time clarifying information in the document for attendees. We talked about the land use intensities as well as land use recommendations in general. There are some recommendations for modifying the boundaries of the activity centers as well as the wedge area. We discussed the Community Design policies and the Market Analysis. Staff has also offered to meet with citizens outside of the Citizen Advisory Group if needed.

Howard: I am interested in seeing the comments. I would like to know what their concerns are.

Carter: Can we get them electronically?

Melony: You certainly can.

Johnson: Just one comment about the Citizen Advisory Group meeting on Thursday. The comments were generated mainly due to the different interpretations between citizens and staff. Face to face communication will be very helpful. Thursday's meeting was about 3 hours long and a lot of good work was done.

Howard: If no one has anything else, I want to make a few closing comments.

Carter: There was a comment about intensity. I'm learning things about that area, in that it is very close to a huge employment area. When we are looking at intensity, if we could service this with CATS, I would be very interested to see an increase in intensity there. Because, living close to where you work is a key issue for us in Charlotte as we look at air quality and congestion. So, I'd love to see how people react to that suggestion of intensity as long as we can serve by getting some sort of transit in there that is very appealing to folks.

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Howard: It's a much larger employment center than downtown. There are a range of jobs; everything from corporate to Time Warner Cable to manufacturing, so it is a special place. One of the things that Garet mentioned is that I got a phone call about a meeting with the Steele Creek Community Association. They have a development team. To their credit, they have been strong advocates over the years to make sure that great things happen in Steele Creek. I explained to them that it's the process that produces that plan. It goes to professional staff, and we have one of the best, then it goes to a stakeholders group who we trust to have the best interest of the community, and then it goes to the public for comment before it comes back to Council yet again when we chime in. It's the process that produces the plan. What I encouraged the neighborhood people to do is to meet one on one and not to wait on the stakeholders meeting. I think Melony and anybody else would be more than happy if they came up here to meet and share concerns one on one. That's what I suggested they do so we can get through this. At the last meeting, we voted not to move forward to public comment because we wanted to give them more time to work on it. I'm really saying this for the record and for the public, not just you guys. We understood and staff understood that there were issues that still needed to be taken care of, and that's what they're doing. A plan this size will need some time to catch every typo. One of the reasons that I've been hesitant to meet with anybody about it is because I wanted the process to get to us first before we started chiming in and making it go in a different direction, because that's often what happens when we chime in. People take that to mean, "Well that's the way they are going to vote, and we should just do it that way." I don't want to do that to this process.

Even at this point I think the earliest we would see it if we pushed is in July. You are not asking us to send this for public comment yet, are you?

Melony: No, we're not requesting that yet.

Howard: So, it's going to be August or September before it even gets to Council for a final vote, just for the record.

Melony: Depending on the outcome of the June 9 meeting, we may ask at your June 20 meeting to ask Council to schedule public input. But again, it depends on the outcome of the meeting with the citizens.

Howard: But even then, it's public comment. And that's what you want. You want to move forward so you can get the people who disagree with it to come and tell us about it. Anything else on the Steel Creek Plan before we move forward?

Cooksey: Did I hear that you expect us to have a June 9 meeting?

Melony: June 20.

Cooksey: Alright. Sorry. I misheard.

Melony: June 9 is the tentative date of the community meeting.

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Howard: One other thing. I would really like to say that I don't think that the public's questions should lessen the hard work that staff has put into this plan. I want you to know we know how hard you guys have been working on it. I'm just asking us to push a little bit more so we can all come together. I made it clear to the community that they may not get them (staff) to agree on everything because they are professionals, so you should come talk to us, the politicians, when the time comes.

Howard: We are going to end early today. We are going to one meeting a month for a while because of the summer and the elections. We are all going to be a little busy. We'll go back to two meetings a month, but it will be once a month for a while. Anything else?

Meeting ended at 3:46

**Transportation & Planning Committee**  
**Monday, May 9; 2:30 – 4:00 PM**  
**Charlotte-Mecklenburg Government Center**  
**Room 280**

**Committee Members:** David Howard, Chair  
Michael Barnes, Vice Chair  
Nancy Carter  
Warren Cooksey  
Patsy Kinsey

**Staff Resource:** Jim Schumacher

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**AGENDA**

**I. TAP 5-year update – 30 minutes**

*Staff Resource: Dan Gallagher*

Staff presented the Committee with a draft of the Transportation Action Plan (TAP) 5-year update at the March 24 Transportation & Planning Committee meeting. Staff hosted a final public workshop on April 27 and received public feedback regarding the TAP. A copy of the TAP Policy Document and Technical Document can be found at the following link:

<http://charmeck.org/city/charlotte/Transportation/PlansProjects/Pages/Transportation%20Action%20Plan.aspx>

*Action: Recommend that City Council receive public comment on the draft TAP 5-year Update.*

**II. Update on Street Connectivity Program - 30 minutes**

*Staff Resource: Matt Magnasco*

To update the committee on the efforts and accomplishments of the City's Street Connectivity Program and to preview potential policy work that staff would like to develop over the next 18 months.

*Action: For information only at this time*

Attachment: Connectivity Program Update .ppt

**III. Steele Creek Area Plan – 30minutes**

*Staff Resource: Melony McCullough*

Planning staff will provide an update from the May 5 meeting with the Steele Creek Area Plan Citizen Advisory Group (CAG). Staff will also discuss the public comments received to date and will continue to work with CAG to address any outstanding issues.

*Action: None at this time*

**Next Scheduled Meeting:** Monday, June 20; 3:30 – 5:00 pm in Room 280

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Distribution:	Mayor & City Council Transportation Cabinet Matt Magnasco	Curt Walton, City Manager Melony McCullough	Leadership Team Dan Gallagher
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**CHARLOTTE**  
CHARLOTTE DEPARTMENT  
OF TRANSPORTATION

# Transportation Action Plan (TAP) 5-Year Update

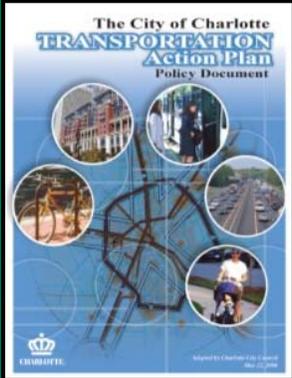
Dan Gallagher, AICP  
CDOT  
May 9, 2011

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 CITY OF CHARLOTTE

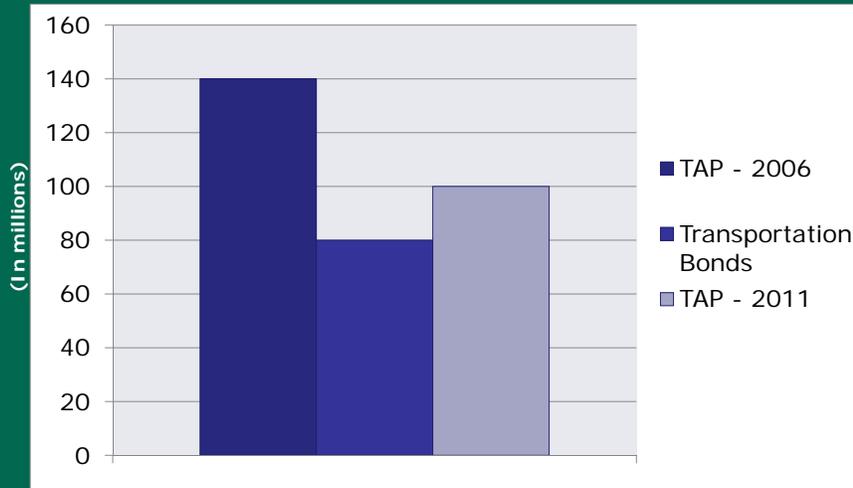
## Items Discussed on 3/24

- “Draft” TAP Policy Document
- Summary of TAP 5-Year Update
  - Key changes and revisions from 2006 TAP
  - Policy refinements
  - Pace of transportation investments
- Schedule - Public workshop, comment period, public hearing and Council adoption



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## Annual Funding Amounts



## Funding & Transportation Investments

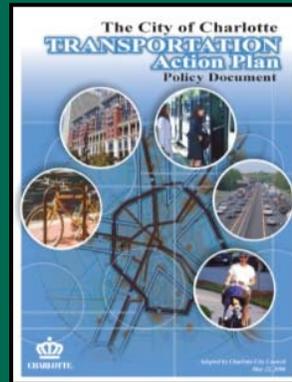
- At \$100M per year for (non-transit) transportation funding (Figure 4), TAP would include:
  - Bridge repairs/replacements
  - 50 thoroughfare improvements
  - 60 miles of Farm to Market Roads
  - 50 major intersection improvements
  - 250 minor roadway improvements
  - Street resurfacing at 12-14 year levels
  - 50 street connections and 25 stream crossings
  - Signal systems maintained and upgraded
  - 150 miles of new sidewalks/sidewalk maintenance
  - Implement the Bicycle Plan network of trails, bike lanes and signed routes
  - Continue traffic calming at current levels





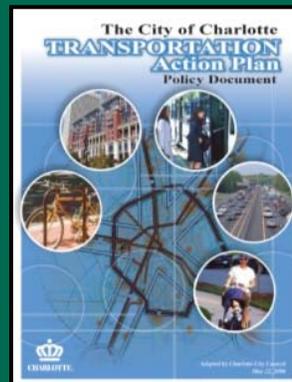
## Since 3/24

- Posted "Draft" TAP Policy & Tech Documents on internet for comment
- Hosted public workshop on 4/27 to receive feedback
- Receiving specific feedback on TAP

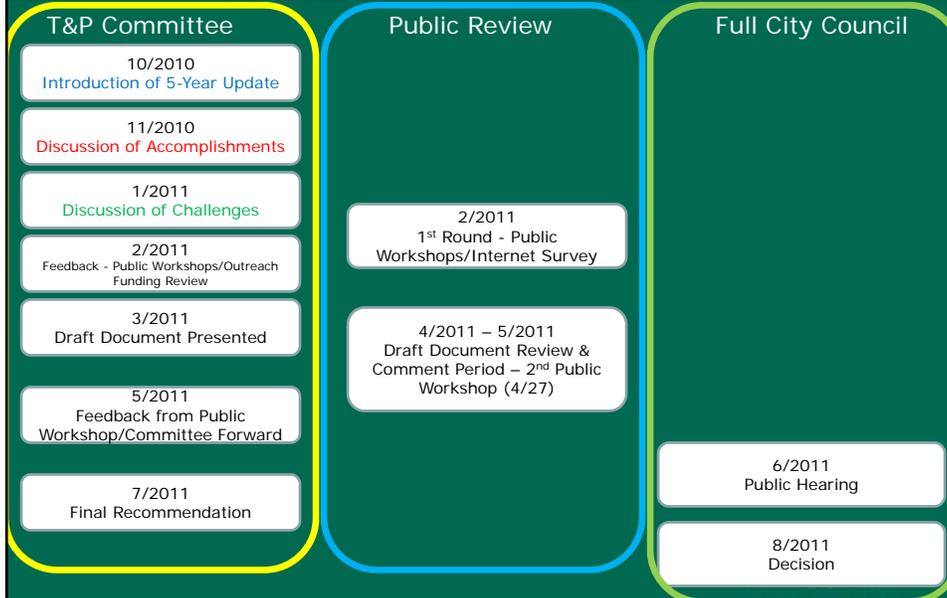


## Internet Comment form Feedback

- Reviewing comments received
- Staff is preparing responses to individual comments
- Responses to be posted on TAP web-page in May, prior to public hearing



## Proposed Schedule



## Action Requested

- Recommend that City Council receive public comment on the draft Transportation Action Plan 5-year Update – *June 13<sup>th</sup> tentative*





Dan Gallagher, AICP  
CDOT Planning Section Manager  
dgallagher@ci.charlotte.nc.us



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# Street Connectivity Program Status Update

Presentation to Transportation & Planning Committee

May 9, 2011

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## Topics

- Review of Street Connectivity Program
- Program Achievements and Policy Direction (by Connectivity Policy Statement)
  1. PLAN
  2. PRESERVE
  3. PARTNER
  4. PROTECT
  5. PRIORITIZE
- Detailed examples (time permitting)



Connecting Charlotte

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## Review of the Street Connectivity Program

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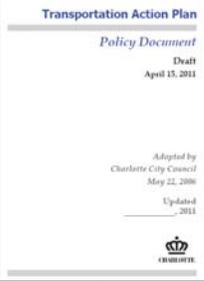
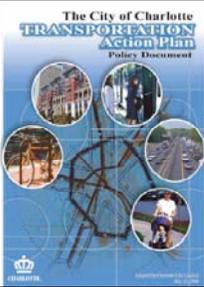
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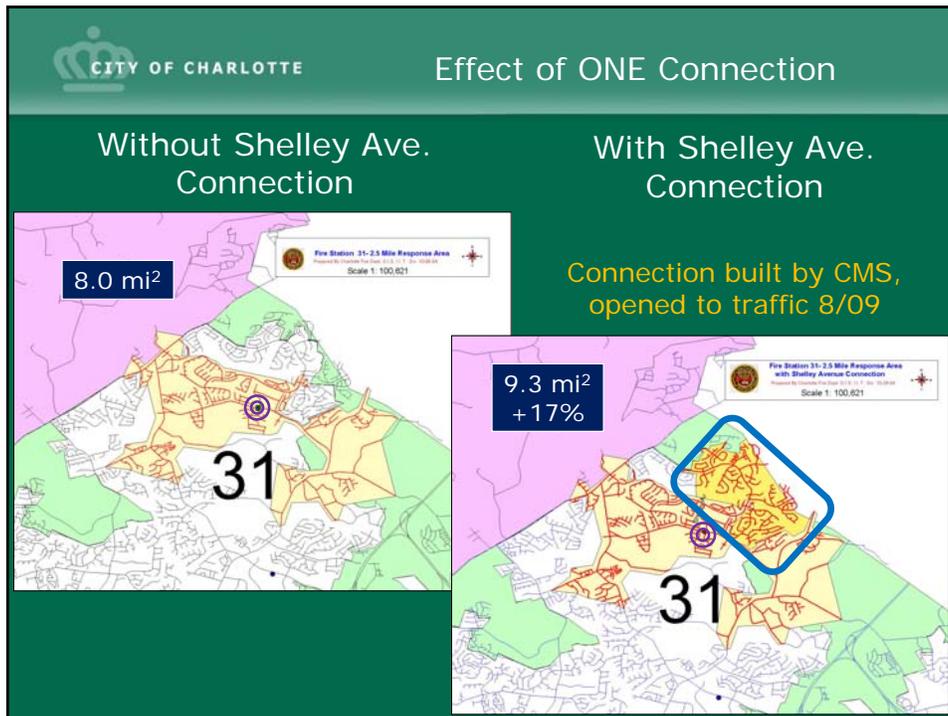
## Review of Street Connectivity Program

- CIP program started in 2007
- Specific recommendation of the Transportation Action Plan (2006)

*Objective 2.9: By 2015, the City will have maintained its connectivity ratio of 1.45 inside Route 4 and will have increased its connectivity ratio outside Route 4 from 1.19 to 1.35.*

- Reiterated in 2011 TAP Update





 **CITY OF CHARLOTTE** Capital Program Status

- 32 projects have been started
- 13 feasibility studies
  - More info later in the presentation
- 8 in planning or design
- 1 under construction
- 6 completed

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 The Five  
Connectivity Policy Statements

- 5 Connectivity Policy Statements adopted by Council 11/9/09
  - **PLAN** – *Develop and implement a plan of strategic connections*
  - **PRESERVE** – *Strive to preserve existing opportunities for connectivity*
  - **PARTNER** – *Seek the optimum form of connection and seek cost-sharing partnerships*
  - **PROTECT** – *Identify when mitigation is appropriate and determine funding*
  - **PRIORITIZE** – *Prioritize the use of CIP funds*

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 Connectivity Policy Statement 1:

**PLAN**  
*Develop and implement a plan of strategic connections*

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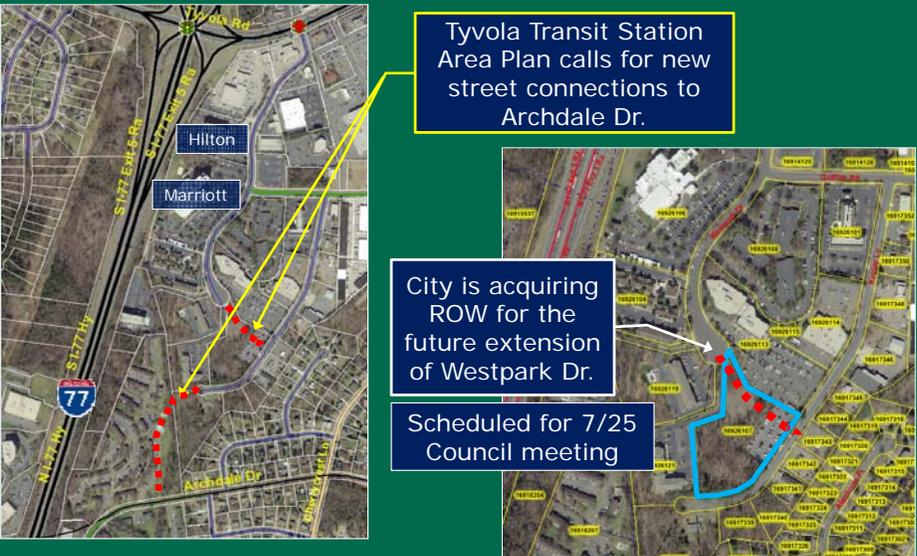
## What Is a Strategic Connector

- A street for which ROW needs to be protected, or else the ability to build it is lost
- Typically a non-thoroughfare (but not always)
- Likely to occur in or between:
  - Rapidly developing areas with by-right development
  - Areas with topographical or environmental constraints
  - Defined (self-evident) land-use relationships
  - Defined (self-evident) network need to facilitate movement

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## Protecting Rights-of-Way: Westpark Drive Extension



Tyvola Transit Station Area Plan calls for new street connections to Archdale Dr.

City is acquiring ROW for the future extension of Westpark Dr.

Scheduled for 7/25 Council meeting



## Future Policy Work

- Collector plan update/strategic connections
  - Introduced topic to Committee in December 2008
  - Draft TAP policy 2.10.2\*
  - To be implemented as part of Comprehensive Transportation Plan (CTP) implementation
  
  - May resume discussions with T&P Committee later this year (TBD)
  - No Council action expected before 2012

\* Also a current (2006) TAP policy

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## Connectivity Policy Statement 2:

### **PRESERVE**

*Strive to preserve existing opportunities for connectivity*

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## ROW Abandonments and Disposals of City Property

- Abandonment RCA's specifically comment on connectivity
  - Petitions need to have no negative effects on connectivity
  
- CDOT reviews City Property Disposal list
  - Retain property for future street or ped/bike connections
  - Retain ROW for future road improvements

ENGINEERING AND PROPERTY MANAGEMENT  
REAL ESTATE DIVISION  
MEMORANDUM

**TO:** Key Business Executives and Other Interested Parties

**FROM:** Robert Drayton, Special Projects Manager, Real Estate Division

**DATE:** April 21, 2011

**SUBJECT:** Proposed Real Estate Activity (Department Polling)  
CITY-OWNED PROPERTIES BEING CONSIDERED FOR DISPOSAL

The following is the Real Estate Division's disclosure of proposed real estate sales and marketing activity for the City of Charlotte for April 2011. Please save paper by indicating any interest your KBU has in each parcel by checking the appropriate response at the end of each group and entering any comments in the text boxes provided.

Aerial photographs of the properties are included for your reference. Please return your response to me prior to **May 2, 2011**. If I do not receive a response by this date, I will assume that your KBU has no interest or comments.

---

**Departmental Polling**

**CHECK ONE:**     **INTERESTED**     **NOT INTERESTED**

List the parcel IDs of any parcels you are interested in: 157-052-13

---

**Comments:** Retain for future street or ped/bike connection between Jonquil St. and Ellington. May be able to enter into public/private venture to build connection at the same time that a developer wants to build houses on the surrounding vacant lots.

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## Current Policy Work

- Amendment to NCGS Withdrawal Statute submitted as part of City's 2011 legislative agenda packet
  
- No action occurred on bill before deadline
  
- Will retry in 2012 or 2013

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## Future Policy Work

- Other than Withdrawal Statute, none expected
- Policy continues to be implemented through internal procedures

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## Connectivity Policy Statement 3:

### **PARTNER**

*Seek the optimum form of connection  
and seek cost-sharing partnerships*

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## Brookside Lane



29/49 Weave



Constructed by Crescent Resources in 2010

50-50 public/private cost split

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## Edinmeadow Drive: I-485 Connector Street



Fire Station #31

2 miles

Prosperity Church Rd. Interchange Network

Johnston-Oehler Rd.

Mallard Creek Rd.

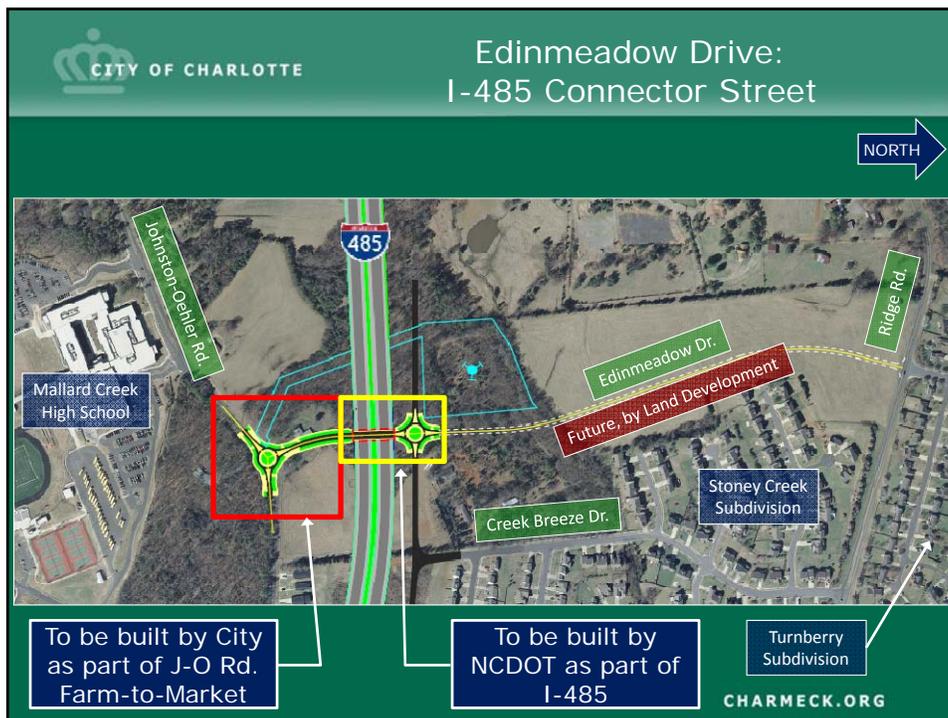
Traffic must go through an interchange to get across I-485

485

485

↑ NORTH

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**CITY OF CHARLOTTE** Future Policy Work

- Creek crossings
  - Some preliminary discussions with Committee in 2008-09
  - Unresolved item from USDG Subdivision Ordinance amendment
  - Draft TAP policy 2.9.5\*
  - May begin discussions with T&P Committee later this year (TBD)
  - No Council action expected before 2012

\* Also a current (2006) TAP policy

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## Connectivity Policy Statement 4:

### **PROTECT**

*Identify when mitigation is appropriate and determine methods for funding*

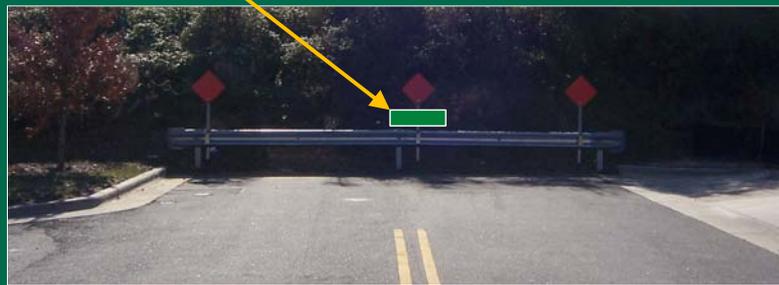
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## Revision to Land Development Standards Manual



- "Future connectivity" sign now required on stub streets
- Discloses intent
- Similar signs used in:
  - Huntersville, Davidson, VDOT, other jurisdictions





**CITY OF CHARLOTTE** Working With Neighborhoods

- Pete Brown Road extension (Oakbrooke 2<sup>nd</sup> Entrance)
  - Currently 1 right-in/right-out access for 550 homes
  - Neighborhood requested a 2<sup>nd</sup> entrance
  - Public meeting scheduled for 5/10
  
- Harburn Forest Drive extension (Highland Creek)
  - Construct 3<sup>rd</sup> entrance for 650 homes
  - Land graded and ROW dedicated in 1995
  - Public meeting not yet scheduled; probably July/August

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## Future Policy Work

- No policy activity likely before 2013
- Staff will continue to implement connectivity mitigation on capital projects on case-by-case basis

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## Connectivity Policy Statement 5:

### **PRIORITIZE**

*Prioritize the use of City funds for capital connectivity projects and cost-share projects*

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## Street Connectivity Feasibility Studies

- Engineering study of potential connectivity projects
- Transportation Committee endorsement of project list 6/22/09
- Council approval of contracts (13 studies) 7/27/09
- Results
  - 3 projects studied for corridor protection/alignment
  - 3 projects determined to be infeasible
  - 7 projects feasible

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## Street Connectivity Feasibility Studies

- Feasible Projects
  1. McCullough Drive Extension
  2. Orr Road Extension, North
  3. Orr Road Extension, South
  4. Southpoint Business Park/Moss Road\*
    - \* Subject to the phasing recommendations of Steele Creek Area Plan
  5. Overlook Mtn. Drive Extension – to be built as public/private joint venture
  6. Doncaster Drive Bridge (feasible but low benefit/cost)
  7. Shady Bluff Drive Bridge (feasible but low benefit/cost)

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## Lawing School Road Connectivity Project



Spring 2008



March 2011

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## Policy Topics and Suggested Schedule

- Change method to measure connectivity
  - Draft TAP policy 2.9.10
  - Detailed presentation to Committee in summer/fall 2011
  - Council action expected early 2012

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# Questions?



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CHARLOTTE DEPARTMENT  
OF TRANSPORTATION

# OTHER EXAMPLES

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## Important Research Study

- Fire Department Connectivity Study (2008-09)
  - Better connectivity = larger service area
  - Presented to
    - Congress for the New Urbanism
    - Institute of Transportation Engineers, district meeting
    - American Public Works Association, NC chapter
    - American Planning Association, NC chapter
- Results of study gaining national attention
  - Used by Virginia DOT in 2009 subdivision regulations
  - Partial justification to amend International Fire Code (to allow increased street network to substitute for street width)

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## More about Shelley Avenue



But there's an 800' gap!

The only route  
1½ miles

The logical route  
½ mile

The fire truck has to go 1 mile out of its way to get to the same place... all because 800 feet of road is missing!

**CITY OF CHARLOTTE** Lawing School Road

People invented their own connectivity

Mt. Holly-Huntersville Rd.

Bellhaven Blvd.

Lawing School Rd.

Northwoods Forest Dr.

DO NOT ENTER

485

**CITY OF CHARLOTTE** Strategic Connector Example: Shopping Center Drive

IBM Dr.

N. Tryon St.

CMS

IKEA

85

Sidewalk	Planting Strip	Bike Lane	Travel Lane	Center Turn Lane	Travel Lane	Bike Lane	Planting Strip	Sidewalk
2'	6'	8'	5'	11'	11'	5'	6'	2'

Constrained geometry and topography

Specific recommendation of Univ. City, Univ. Research Park area plans

Rapidly developing area (Univ. City)

Provides key links to land use and CATS Blue Line Extension

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### Partnering Projects and Creek Crossings

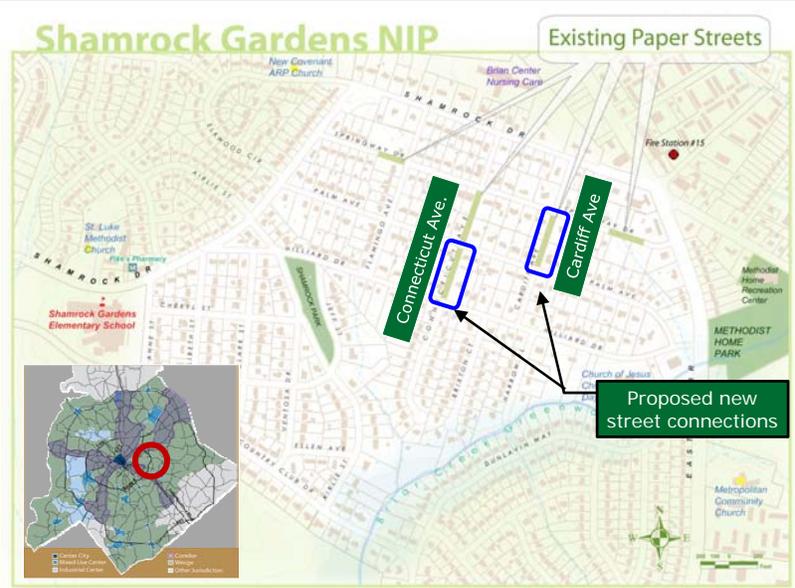
- Wright Avenue, Phase II (bike/ped connection across a creek)
- Land-development projects
  - CPCC Harris Campus/ Boulevard Homes connector
  - Toddville Rd. assisted living
  - Willow Falls Dr.



Wright Ave., May 5, 2011

 CITY OF CHARLOTTE

### Working With Neighborhoods: Shamrock Gardens Paper Streets



Shamrock Gardens NIP

Existing Paper Streets

Proposed new street connections

Connecticut Ave.

Cardiff Ave.

Shamrock Gardens Elementary School

St. Luke's Methodist Church

New Government ARP Church

Brian Center Nursing Care

Fire Station #15

Methodist Home Recreation Center

METHODIST HOME PARK

Church of Jesus Christ

Metropolitan Community Church





## 2 more Strategic Connectors: Scaleybark Rd., Dewitt Ln. Extns.

- Scaleybark Station Area Plan calls for extension of Scaleybark across South Blvd. & light rail
- ROW needs to be protected



## Steele Creek Draft Area Plan

### Public Comments

May 5, 2011

Below is a draft summary of public comments and staff's preliminary response to comments.

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
<b>Executive Summary</b>				
1.	Page ii: Vision Statement	Based on discussion at November CAG meeting, the first bullet should read "Protecting the Catawba River <u>access</u> , McDowell Nature Center and Preserve, natural features and historic places."	<p>The meeting agendas and meeting highlights do not indicate that the vision was discussed at the November 19, 2009 CAG Meeting. Charlotte-Mecklenburg Schools and the market analysis were discussed at this meeting. Staff presented two draft vision statements to the CAG for their consideration at the September 3, 2009 meeting and gave participants the option to review and edit the vision statements as they choose or develop a completely vision statement. Those present selected the vision statement below and requested that it be revised to include a statement about quality schools. Staff presented the revised visioning confirming this change at the following CAG meeting on September 17.</p> <p>Staff thinks that "protecting the Catawba River" includes <u>access</u> to the river.</p> <p style="text-align: center;"><b><i>Draft Vision Statement presented at September 3, 2009 CAG Meeting</i></b></p> <p><i>The vision for the Steele Creek area is to create a unique and sustainable community that is a great place to live, work, and recreate, while preserving the community's character by incorporating natural and historic features into new development. The community will implement this vision through the following actions:</i></p> <ul style="list-style-type: none"> <li>• <i>Protecting the Catawba River, McDowell Nature Preserve, natural features, and historic places;</i></li> <li>• <i>Providing a balanced mixture of land uses with enhanced public facilities;</i></li> <li>• <i>Developing a safe, accessible and efficient transportation system for pedestrians, bicyclists, transit users, and motorists</i></li> <li>• <i>Encouraging community design that recognizes the natural environment; and</i></li> <li>• <i>Creating an interconnected network of parks, greenways and open space amenities.</i></li> </ul>	Change
2.	Page iii Activity Centers.	<u>Add: as well as employment serving retail uses in strategic locations</u> after "While this area is developed with over 20 million square feet of industrial development, additional industrial development is appropriate for the area," it is correct on page 19 of the Concept Plan.	The Executive Summary provides a summary of some of the key points in the Concept Plan. The Concept Plan should be referenced for more detail information.	Change
3.	Page iii Community Design and Concept Plan Page 23	Reword to read "Encourage <del>sustainable</del> development that promotes accessibility for pedestrians and cyclists while integrating green amenities and <u>protecting</u> environmentally sensitive features."	Plan will be modified to reflect comment.	Change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
<b>Part 1: Concept Plan</b>				
4.		<p>Misused references to South Tryon and York Road throughout the document. This road name has historical significance and is important to the Area.</p> <ol style="list-style-type: none"> <li>1. Page iii. The last bullet refers to both roads so it should be S. Tryon/York Rd</li> <li>2. Page 12 bottom of 2<sup>nd</sup> column should read S. Tryon St /York Rd</li> <li>3. Page 15 at 4b and 6g: these are both York Rd (not S. Tryon) since its at the river and Youngblood</li> <li>4. Page 24 – It’s York at Shopton &amp; York at Palisades</li> <li>5. Page 26 and 36: Do you mean no curb cuts on York Rd also?</li> <li>6. Page 41 the water line is in York Rd</li> <li>7. Page 44 fire station is on York Rd</li> </ol>	All references to York Road as South Tryon Street throughout the plan will be reviewed and corrected. CDOT staff will be asked to review this policy the policy of changing the street name upon annexation.	Ongoing
5.	Page 16	2 <sup>nd</sup> paragraph of Activity Center Steelescrot Shopping is on the north <u>west</u> (not northeast) corner of Steele Creek Rd and York Rd	Text will be modified.	Changed
6.	Page 15 Wedge Area	The map and text do not call out the 19 acre Kennel Club on Choate Circle. This conditional use is likely to be redeveloped and if not developed as R-3 (adjacent to an apartment complex) what is the appropriate use?	The property is zoned R-3 with a Special Use Permit. The draft plan recommends residential up to four dwelling units per acre for the property. The adjacent multi-family is not oriented toward Choate Circle but South Tryon Street. Also, the site is located within the Wedge area. Changing this land use recommendation was not discussed during the planning process.	Discuss at CAG meeting.

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
7.	Page 15 Wedge Area 6a and 8	The additional square footage retail added is only 150,000 sq ft. This is not enough to meet the demands called out in the market study. Logical places to add it (not in activity centers) would be in 6a Palisades Center, and a corner of the Bartlett Tree property (#8) if redeveloped.	In response to an inquiry about a plan amendment during the planning process, staff reviewed this site and recommended the additional 100,000 square feet of retail. Further intensifying the square footage at this location was not discussed during the planning process. Also, changing the land use recommendation for the Bartlett Tree Farm was not discussed. The plan recognizes this institutional use which also provides the opportunity for preserving a significant environmental feature.	No change
8.	Pages 16 and 17 RiverGate Mixed Use Activity Center	<p>Odd that you would assume a redevelopment here – at this mixed use center - but not elsewhere.</p> <p>Top of page 17: As the center is currently very biker, walker, and car friendly this sentence makes no sense: “Street connections within the center should reduce block sizes and provide interconnectivity for not only automobile drivers but transit riders, cyclists and pedestrians.” Was it copied from another document?</p> <p>At the top of the 2<sup>nd</sup> column you say ‘developed’ not ‘redeveloped’ so there is a disconnect. Please revisit the whole intro to better align with the future intensification you are suggesting. I also note that the description in 10(g) does a better job and this whole intro could be eliminated.</p>	The Plan recognizes that all of the Activity Centers could Intensify over time with infill development. As new streets are built to accommodate the increase in land use intensity, streets will be with shorter block lengths to improve walkability, connectivity, and to accommodate all users – pedestrians, cyclists, transit users and motorists.	Discuss at CAG meeting.
9.	Page 17 Graphic 1	Do not delete parcels that front Steele Creek Rd on the north end of the Activity Center boundary up to Sledge Rd. These parcels are appropriate for non-residential and higher density residential because of their depth, traffic counts and proximity to the school and library. Also, the two parcels on the south end of the boundary fronting Steele Creek, at their widest point are 500 feet deep and should be office or non-residential.	The land use recommendation for these parcels was always shown as residential up to four dwelling units per acre, throughout the planning process. The parcels are oriented toward the existing residential development and better relate to the Wedge.	No change
10.	10c	Why limit building height here? The area is surrounded by non-residential uses, taller offices are appropriate near hospital.	In general, this area is recommended for office development and located on the edge of the Activity Center. In addition, consideration was given to the amount and intensity of office development throughout the plan area.	Discuss with CAG

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
11.	10d	Parking is not appropriate in Steele Creek. That sentence should be removed.	The reference in the plan is to “on-street parking” which is considered appropriate if the area develops with a mixture of uses and buildings that front the street as recommended in the plan. This reference will be clarified in the document.	Change
12.	10e	Without extending the RiverGate Activity Center boundaries, the suggestion for structured parking wrapped with active uses is too dense for the edge of an activity center. The site is zoned for multi-family. If not multi-family, then office or retail is appropriate.	The land use recommendation is for residential, office and retail land uses if this area does not develop within the existing zoning. As the development in the Activity Center intensifies over time, structured parking may be needed, especially to free up space for infill development.	No change
13.	10f	Adding the parcel located on the southerly side of Walker Branch Greenway into RiverGate by parcel lines is gerrymandered. The Activity Center Boundary should match the proposed future road network.	The land use recommendation for residential up to eight duu matches the parcel lines. This property was included in the Center because of its orientation toward the greenway and the mixed use. Typically, property that is not recommended for single family is included within Centers.	No change
14.	10f	With a corrected boundary line, the portion of the parcel fronting the creek is appropriate for continued non-residential uses. This would tie the two sides of the Activity Center together.	Residential land uses are appropriate along the greenway with higher density oriented toward the RiverGate Shopping Center transitioning to lower density near the Wedge area.	No change
15.	10h	Extending the mixed use to the ‘finger’ of this parcel (only 90 ft wide) is odd. That ‘finger” should stay MF as is the adjacent tract.	The land use recommendation is for the entire parcel, the “finger” is a part of the larger parcel that is recommended for mixed use.	No change
16.	10i	Because of parcel depth, proximity to retail, school and library everything south of Huntington Meadow Ln is appropriate for the Activity Center.	The land use recommendation for this area was residential up to four dwelling units per acre throughout the planning process. Therefore, the plan recommends that these parcels be included in the Wedge area.	No change
17.	10j	The Steele Creek Athletic Association fields could redevelop. Alternative Activity Center uses should be listed.	The conditional rezoning approved for this site recognizes the ball fields. Therefore, the draft plan recommends park/open space for the site.	No change
18.	Page 21 Whitehall / Ayrslley Mixed Use Center	Between 12 (d) and (f), a parcel zoned MUDD is colored for residential. If not developed for residential, this is a good location for employment or retail.	The subject property is zoned R-17MF(CD).	No change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
19.	Page 22 Graphic 4	Shopton Rd Graphic #4 shows the parcels on Steele Creek south of I-485 as mixed use. The parcel shapes are incorrect from the stakeholder meetings. The neighborhood at the freeway is deed restricted for residential and was not included in the Activity Center. The mixed use designation should follow the proposed road plan not the parcel lines.	Although property owners are legally required to adhere to deed restrictions, when developing this land use recommendation, consideration was given to the Berewick Center which is proposed to be located across the street from this property.	Discuss with CAG
20.	Page 24	Residential Design Guidelines - The bullets on single family for 14A and B are not in the Council approved GDP's. These GDP's apply to multi-family only. I do not support the application of these standards in excess of what Council previously approved.	Very similar policies were adopted by City Council in 2003 as part of the GDP, however, 14B (blank walls) only applied to multi-family development. Design policies in area plans build on what is included in the GDP to best address the issues and concerns of the specific area that the plan covers. Staff believes that both policies are appropriate for the Steele Creek area to help ensure quality design.	No change
21.	14e	14e is poorly worded staff goal – never articulated by stakeholders – we said a variety of types of houses. Floor plans, exterior materials, massing and roof forms are not variety in TYPES. Residential design standards are not approved by Council and are not appropriate for this document. If approved and upheld by the courts, then all will be subject to them regardless of the insertion buried in this document and never discussed with stakeholders. To require porches, garages placement and massing changes would make new development stand out inappropriately from existing development. Our goal is for harmony not contrast.	The community design policies provide guidance for future development. Design policies are a standard part of all our area plans and are intended to help address the issues and concerns that were brought up during the planning process. However, staff will reconsider and modify text.	Change
22.	14F, 14G, 14H	Remove – Residential design standards are not approved by Council and are not appropriate for this document. If approved and upheld by the courts, then all will be subject to them regardless of the insertion buried in this document and never discussed with stakeholders.	The community design policies provide guidance for future development. Design policies are a standard part of all our area plans and are intended to help address the issues and concerns that were brought up during the planning process. However, staff will reconsider and modify text	Change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
23.	Page 25 15A	Residential Natural Environment: The Council approved GDP's does not require single family open space to be common. Remove the last sentence of 15A.	The community design policies provide guidance for future development. Design policies are a standard part of all our area plans and are intended to help address the issues and concerns that were brought up during the planning process. However, staff will reconsider and modify text	Change
24.	15D	15D would be better worded to say 'comply with Tree Ordinance' – as it is subject to change.	Staff agrees with this change.	Change
25.	15I	Policy 15I is nonsensical. The open space is the transition. You can't transition from open space to built environment. What would that be – pervious houses?	Staff agrees with removing text.	Change
26.	15K	Policy 15K was never discussed and is currently not defined – thus the policy can never be met. Items A through H define the goal making K unnecessary	Staff agrees with removing text.	Change
27.	Page 26 16G, 16 J	Residential Pedestrian and Vehicular network: 16(g) and (j) do not match verbiage in USDG's. USDG will rule so these two need correction or elimination.	Planning and CDOT staff will review and update this policy.	Ongoing
28.	16M	16M is covered in Tree Ordinance in better detail and wording appears to be tree related not pedestrian related. This should be removed.	Staff will modify text.	Change
29.	Page 26	The pictures from Baxter in Fort Mill are not representative of our built-environment. Please use appropriate pictures.	These pictures are not from Baxter and are intended to illustrate certain design features. However, staff is willing to consider any pictures that you would like to suggest.	Discuss with CAG
30.	Page 28 17K	What is the purpose of 17k – the requirement to distinguish the first floor from the upper floor? What people don't know which is the first floor? 17k needs to be eliminated.	Staff thinks this architectural design feature is worth noting in the plan	No change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
31.	Page 29 18C , 18G	How does the Policy document “Encourage” green roofs/ the group never discussed this and there are more global issues that affect the implementation of those roof structures. You should eliminate this very specific item and reword 18C ) to say to minimize impervious area.	The design policies provide options that may be considered when developing in the plan area. Green roofs are not a requirement.	Discuss with CAG
32.	Page 30 19A-E	Non residential Pedestrian and Vehicular network: Items 19A-E are the generic way of saying use the USDG’s – except that now that the USDG’s are Council approved this wording is not entirely correct. One sentence about conformity would be sufficient.	Planning and CDOT staff will review and update this policy.	Ongoing
33.	19F	19F should include the phrase ‘where appropriate’ as outdoor dining (for example) is not appropriate in industrial.	Staff supports this change.	Change
34.	19K	19K should also say ‘where appropriate.’ Seating on the rear of building is a safety issue.	Staff supports this change.	Change
35.	19H	How do you make a ‘secure’ transit stop. Safe yes, but secure?	Staff supports this change.	Change
36.	19Q and 19R	19Q and R are the same thing.	Staff will combine 19Q and R.	Change
37.		There are only 2 small non-residential areas on the river (both existing) so 19N should be removed.	Discuss with CAG.	Ongoing
38.	Page 36 27	The ‘old’ proposed alignment of Youngblood at Hamilton doesn’t show on map 4 so this paragraph is unnecessary.	This policy was included in the plan because the Thoroughfare Plan still has an adopted re-alignment. Including this in the plan, provides staff some framework to work with MUMPO in amending the Thoroughfare Plan. Policy guidance from the Steele Creek Area Plan will assist staff with pursuing an amendment to the LRTP.	No change
39.	28	Do not reference sidewalk width – refer to USDG’s - as that document allows for flexibility relative to land use and road type.	Policy states minimum width (5’).	No change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
40.	29	This is misleading. Not all roads will end up with sidewalks.	Replace “eliminate” with “reduce” on Policy 29.	Change
41.	30	Policy should read “ as <u>Infrastructure</u> development occurs.....” to be clear when residents can expect bike lanes.	Staff supports this change.	Change
42.	31	is a greenway improvement and should not be located in this sections titled “Transportation / street design policies” (on page 32).	Greenways provide transportation options for pedestrians and cyclists.	No change
43.	Page 37 33	The shared-use path on Shopton is inappropriate because there is not now nor planned access to the Nature preserve (which is required to not be developed based on the funding source).	Existing trails in Nature Preserve come very close to Shopton Road West. Developer-built Palisades Parkway was the model for an innovative cross-section for Shopton Road West.	No change
44.		Street cross sections are informative but misleading. As these cross sections have flexibility, the public would be better served by just referencing the other document and eliminating the details.	The cross-sections included in this plan are used to illustrate typical street elements for each street type. Many of the policies and content of area plans reference other documents, but the overall intent is to create a plan that is comprehensive in understanding the vision for the area. Note at bottom of cross-sections explains that dimensions may be flexible in terms of topography, operations or other conditions discovered during subsequent phases.	No change
45.	Page 41	Water and Sewer and Storm Water: The paragraph ignores the pump station on Palisades Parkway.	Staff will modify text.	Change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
46.	36	Policy needs to be deleted: City has no legislative authority for an Adequate Public Facilities ordinance; and rezonings are based on land use, not water line / sewer line size. Those issues are addressed at building construction.	An area plan 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.  Public facilities and infrastructure improvement policies are identified in the plan 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.	No Change
47.	37	I support #37 but note that every time you call for alleys you are increasing the runoff and increasing the speed of the runoff. All references to alleys should be deleted to achieve this Policy. As it continues on page 42 the 5 <sup>th</sup> full sentence should read: "Therefore, preservation of the tree canopy, open space, limited <u>impervious area</u> , grading and compact development contribute to the protection of the area's natural resources and reduce storm water runoff.	Staff will modify text.	Change
48.	Page 42 40	the Red Fez club if redeveloped is an appropriate location and topography. This should be noted in the Wedge section.	Discuss with CAG.	Ongoing
49.	Page 43	Rumors of the 2-story Urban design Police station are circulating. The York Rd Fire Station is out of character architecturally. We residents hope more appropriate architecture is used for the Police station.	The design of this facility is not addressed in the plan document.	NA
50.	Page 44	The detail on Natural Heritage is interesting but never mentioned again – indicating that we have no natural Heritage sites in the Area plan (except the road name York Rd.). This paragraph should be removed.	See Map 17 in the Appendix.	No change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
51.	Page 45	The discussion on the Nature Preserve should mention the funding that does not allow development, as it is an important characteristic in the area.	Staff will modify text.	Change
52.	49	Sentence should be changed: "Development practices that utilize minimal clearing, grading, <u>paving, impervious areas</u> and soil compaction have less impact on the water quality."	Staff will modify text.	Change
53.	49	References the area's water supply. We fixed that at the November meeting. We do not get our water from Lake Wylie. That last sentence should be removed.	Throughout the planning process, residents expressed the importance of protecting the Catawba River.	Discuss with CAG
<b>Part II: Implementation Guide</b>				
54.	Page 50 21	Upgrade to what standard?	Typical improvements are described on Page 33; however, cross-sections will be selected per the Urban Street Design Guidelines.	Change
55.	Pages 50 – 51 22, 28, & 30	These are thoroughfares and not usually privately funded.	In some instances, thoroughfares may be privately funded as development occurs. The timeframe will be changed to long term / ongoing.	Change
56.		What does 'as development occurs' mean?	Roads may be constructed as part of a development project	No change
57.	24	What does enhance mean?	These Intersection improvements will require NCDOT involvement, such that some features, like turn lanes, may be added, while others, like a signal, may not.	No change
58.	24	Choate at Carowinds is in South Carolina.	Staff has confirmed that Choate Circle at Carowinds Boulevard is in North Carolina.	No change
59.	33	No access to this private park, so shared-use paths not needed.	Existing trails in Nature Preserve come very close to Shopton Road West. Developer-built Palisades Parkway was the model for an innovative cross-section for Shopton Road West.	Ongoing
60.	46-50	Subdivision process is by Ordinance not Area Plan. This cut and paste insertion is not correct and should be removed.	Discuss with CAG.	Ongoing

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
61.	48	How does Planning Dept 'limit development' around contaminated sites? This is county process.	Implementation of the plan is the responsibility of multiple public agencies as well as the private sector. However, if a development proposal is submitted near a contaminated site, the site plan will be reviewed and recommendations on site design should consider this information.	No change
62.	Page 54 18	The connection to Moss Road is specifically prohibited in a Conditional rezoning plan. The connection was discussed and sentiment made clear that the City can no more violate a Conditional Plan than the property owners can. To take the connection out of Part 1 but bury it with a note in part 3 is disingenuous.	<p>A street would not violate the rezoning conditional plan, as streets may bisect buffers. However, in response to the community's concerns heard during planning process, the connection is no longer recommended in the Concept Plan. The connection is still listed in the Implementation Guide, in order to be transparent and recognize the Feasibility Study that Council approved in 2008. The <i>Implementation Guide</i> notes that this connection will only be considered if property in the area is redeveloped at a greater intensity than the current plan recommendation for residential up to 4 dwelling units per acre.</p> <p>To further clarify this, text may be added to the plan stating that "consideration would only be given to this connection if existing houses fronting Moss Road were to redevelop at a greater density than recommended in the Concept Plan."</p>	Discuss with CAG
63.		What is the reason or the "short time frame?" There seems to be a rush to get this approved very quickly. Are you under some deadline? Growth has slowed to a trickle in Steele Creek, and there are no outstanding rezoning applications in the plan area, so it's unclear why there's an urgency to get the area plan approved in the next couple of months.	<p>In response to public comments shared at the April 19<sup>th</sup> Planning Committee Meeting, Planning staff requested that the Transportation and Planning Committee receive an overview of the draft <i>Steele Creek Area Plan</i> at their April 28<sup>th</sup> meeting. (Previously, staff planned to request that the Committee recommend City Council schedule a meeting to receive public comment on the draft plan.) As a result, The Transportation and Planning Committee (TAP) delayed recommending City Council receive public comment on the draft plan. The TAP Committee meets on May 9<sup>th</sup> and will consider recommending City Council receive public comment on the draft plan. Staff scheduled a Citizen Advisory Group (CAG) meeting to discuss comments on the draft plan for Thursday, May 5<sup>th</sup>. The results of the CAG meeting will be shared at the May 9<sup>th</sup> TAP Committee meeting.</p> <p>The plan adoption process generally takes at least a few months and there are a number of Council and Committee meeting dates that have to be considered. The earliest that this plan will likely be adopted is July.</p>	Ongoing

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
64.		Is it correct that the CAG will not be able to see, review, and comment on a revised draft of the plan before it is presented to the Planning Committee for approval? That all we'll see are the staff responses to the comments?	I understand the desire of the CAG to have input on the wording of text in the document. However, it is the Planning Department's practice to release one draft document and track all comments received throughout the plan review and adoption process. As the plan moves through the adoption process, staff will provide a detailed list of comments received and proposed changes to the document to the Planning Committee, Transportation and Planning Committee, and City Council.	Ongoing
65.		The Land Use Committee of the Steele Creek Residents Association will be meeting on Tuesday May 3 and would like to discuss the staff responses to the comments. The Citizen Comments posted on the Steele Creek Area Plan web page appear to include only the written comments provided at the March 31 meeting. Do you plan to post additional comments before May 5 so that we will have an opportunity to review them before the CAG meeting?	A list of all comments on the draft plan received to date along with staff's response will be provided to the CAG before the May 5 <sup>th</sup> CAG meeting.	Ongoing
66.	Page iii Executive Summary	The second paragraph under Activity Centers says that "additional industrial development is appropriate for the area." This suggests more industry is appropriate for Steele Creek in general. This should say "additional industrial development is appropriate within this center."	Staff supports this change.	Change
67.	Page 10 Concept Map	<p>The Concept Map (Map 2) shows two greenways labeled "Future Greenway" north and west of the RiverGate corner, one continuing north towards the intersection of Steele Creek Road and the other crossing Steele Creek Road north of Southwest Middle School and continuing west to Shopton Road West and McDowell Nature Preserve. I don't see these on any other maps, and they should be, especially Map 4, Map 16, and Map 17.</p> <p>These do not appear to be on the Master Greenway Plan, but they will eventually be greenways. The county already owns most of the route leading up to Sledge Road and the owner of the property along the creek towards Shopton Road West has committed to donate land.</p>	The Concept Map is conceptual illustration that shows greenways and overland connectors. These do not appear on other maps. Mecklenburg County Park and Recreation requested that the maps only show what is on the approved <i>Greenway Master Plan</i> . Consideration will be given to the greenways and overland connectors that are shown on the Concept Map when the <i>Greenway Master Plan</i> is updated.	No change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
68.	Page 42 39	This policy refers to overland connection to Winget Park, but this is not on the maps. Maps 4 and 16 should show an overland route from the Steele Creek Road/Sledge Road intersection up Sledge Road and Winget Road to Winget Park.	The Concept Map is conceptual illustration that shows greenways and overland connectors. These do not appear on other maps. Mecklenburg County Park and Recreation requested that the maps only show what is on the approved <i>Greenway Master Plan</i> . Consideration will be given to the greenways and overland connectors that are shown on the Concept Map when the <i>Greenway Master Plan</i> is updated.	No change
69.	Page 35 Map 4	There should be a circle on Map 4 at the intersection of Steele Creek Road and Erwin Road. Even though the state doesn't want a traffic signal there, there should be one eventually, even if it's in 30 years.	Recommend adding to enhanced intersections in Transportation Policies. However, actual enhancements will require NCDOT involvement, such that some features, like turn lanes, may be added, while others, like a signal, may not.	Change
70.	Page 20 11a	Par. 11a on Page 20 says that the Siemens property west of Armour Creek "is more appropriate for industrial development." Although it is owned by Siemens and is zoned industrial, it is not "more appropriate" for industrial development. It's on the lake adjacent to Winget Park and residential area. A road would have to be built from the main Siemens plant across Armour Creek. It's likely that Siemens will never develop it. It's more appropriate for residential or open space. I think this area should not be added to the Westinghouse Blvd Industrial Center, but if it is because it's already Siemens owned and industrial zoned, the statement that industrial is "more appropriate" should be removed.	The property is zoned I-2, located adjacent to the Industrial center, and part of a larger industrial parcel.	No change
71.	Page 16	On Page 16 the description of CMC-Steele Creek says it "primarily provides outpatient and overnight emergency care." I believe that the majority of the building actually is used for doctors' offices, and it does not have overnight rooms.	Staff will modify text.	Change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
72.	Page 13	Map 3 on Page 13 shows an area 6c, but there is no description of this on Page 15. It's actually pretty significant since this area is currently old residential and is being identified as mixed use.	Staff will add text.	Change
73.	Page 22 12e	Map 21 has a label of "Whitehall Technology Center" in area 12e, but the text refers to "Whitehall Technology Park" in area 12f. I don't believe there is any industrial area in area 12f. Where is this, and what is the correct name?	Staff will modify text to say "Whitehall Technology Center".	Change
74.	Page 32	On Page 32 it talks about upgrades to farm-to-market roads. These appear to be the blue roads on Map 4. John Price Road, Nations Ford Road, and Downs Road are blue on the map but not mentioned in the text. The relationship between the text and map should be clearer.	Blue color on Map 4 indicates an "Avenue," not a Farm-to-Market Road. John Price Road and Nations Ford Road are each Avenues, but not Farm-to-Market Roads.	No change
75.	Page 33	Map 4 shows Brown Grier Road as a 4-lane boulevard, but it's not mentioned in the text in Par. 22 on Page 33. This is on the chart on Page 56.	Add bullet of "Widen Brown-Grier Road" under Policy 22.	Change
76.	Page 43	Par. 44 on Page 43, add Fire Station #26.	Staff will modify text.	Change
77.	Page 45	Par. 49 on Page 45 should mention drinking water. Even though CMUD doesn't use Lake Wylie for drinking water, Rock Hill does. We all live on the same little blue marble.	Discuss with CAG.	Discuss with CAG
78.	Page 49	The last box on Page 49 refers to "Heighs in Residential Districts." I understand this should be "Heights," but it should be described in the text somewhere in Par 14 through 20	Will correct misspelling.	Change
79.	Page 36 31	Par. 31 on Page 36 should include the completion of Walker Branch Greenway Trail as a goal. (Also, is there a difference between "greenway" and "greenway trail?" Can greenways exist without trails?)	Staff will modify text to read "greenways in the Steele Creek area".	Change
80.	Page 59	In the chart on Page 59, is Continental Tire still out here?	No. Staff will modify text.	Change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
81.	Page 65	On Page 65, the description of Steele Creek Commons includes Kerr Drugs. This is now Dollar Tree.	Staff will modify text.	
82.	Page 73	On Page 73 it describes Sam Neely Road and Winget Roads as thoroughfares. It's in the plan to extend Carowinds Blvd through here, but it's not thoroughfare yet.	Adopted Thoroughfare Plan shows these streets as Major Thoroughfares.	No change
83.	Page 78	I believe the Robinson House is gone. The William Grier and Hayes Byrum houses have been moved to Robbie Cir. However, these, plus John Douglas House, James Coffey House and Hayes-Byrum General Store are outside the boundary.	Staff will modify plan.	Change
84.	Page 20	I'm pleased that area 11b was added as retail on Page 20, but I also think this could be enlarged to the other side of S Tryon St.	Discuss at CAG meeting.	Ongoing
85.		Is there any mention of encouraging park and ride lots?	Charlotte Area Transit will address park and ride lots as transit is extended into the area.	No change
86.		Carowinds is a prominent feature in Steele Creek (at least half of it), but it isn't mentioned too much.	The plan recognizes Carowinds as a retail use in the area.	None.
87.		I was pleased to see that the presentation provided an updated population of 41,000 from the 2010 census. However, the area has had little growth since 2008. The 2008 estimate was probably too low. Other data also should be available from the American Community Survey.	The 2008 population estimate for the Steele Creek area plan was based on our Regional Transportation Model. However we did look at the 2008 Quality of Life Report estimates for the area and there number was even lower than the model number. So we decided to go with the higher number. There were a total of 2,277 residential permits issued within the plan area in 2007 and 2008 which is an indication of continuing growth in the region beyond 2008. Since the ACS data was not available in 2008 we had to rely on 2000 census, but we can certainly take a look at the ACS data now.	Ongoing
88.		York County is developing a plan for Carowinds Blvd. Has that been examined for compatibility with the Steele Creek Area Plan? Has other development and development plans across the SC border been examined? Would it be appropriate to mention this in the Steele Creek Area Plan?	Planning staff met with York County Planners and reviewed the York County Plan. York County Planners were also included on the interdepartmental team.	Ongoing

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
89.		When does this draft plan change to an implementation plan?	<p>The draft <i>Steele Creek Area Plan</i> document is organized into three parts: Part I: <i>The Concept Plan</i> includes the Purpose, Vision Statement, Plan Goals and Policies. Only Part I will become adopted City policy. Part II, <i>Implementation Guide</i>, contains action steps to carry out plan policies, and will be used primarily to guide staff work. Part III, <i>Appendix</i>, provides supporting information and data used to develop the plan.</p> <p>The <i>Implementation Guide</i> is primarily a staff document that outlines steps that can be taken by various public and private bodies so that the future envisioned in this plan may be realized. These strategies, the lead responsible agency, and tentative time frame are listed in the <i>Implementation Guide</i>.</p>	No change
90.		There are too many Mixed Use Activity Centers.	The update to the <i>Centers, Corridors and Wedges Growth Framework (CCW)</i> was adopted by Charlotte City Council in 2010. It defines Activity Centers as focal points of economic activity typically with concentrations of compact development. There are 22 designated Activity Centers in Charlotte’s sphere of influence. Currently, there are 2 Mixed Use Activity Centers and 2 Industrial Centers within the Steele Creek Area Plan boundaries. See page 16 of the draft <i>Steele Creek Area Plan</i> document for more information.	No change
91.		Does mixed use activity mean apartments?	The draft Steele Creek Area Plan recommends higher density and more intense development that incorporate a mix of retail, office, civic, residential, and / or industrial land uses in the Mixed Use Activity Centers consistent with CCW. Residential development may include single family homes, townhomes, apartments, condominiums, or other types of residential development.	
92.		The plan recommendations allow for too many people and the roads cannot handle the traffic and noise.	According to Noell Consulting Group, who conducted the Market Assessment of the Steele Creek Area. There will be demand for an additional 3,000 multi-family units and over 13,000 single family units in the plan area over the next 20 years. The plan recommendations take into consideration the Market Assessment and numerous other factors including the plan’s vision and goals. The plan recognizes the need for transportation improvements within the area and recommends more intense development in the Activity Centers and along S. Tryon Street where the infrastructure can best support it.	Ongoing
<b>Transportation</b>				
93.		The turn lane at Rivergate is inadequate and requires traffic to stop in the thru lane. Two turn lanes or a longer lane is needed to accommodate turning traffic. The problem occurs with the timing of the Carowinds Boulevard traffic signal which holds up outbound traffic.	This is a short-term operational concern that does not have to be addressed by the area plan. The turn lane was recently extended and Charlotte Department of Transportation staff will re-evaluate timing of the traffic signal. Any intensification of the Rivergate Shopping Center site that requires rezoning may trigger a Traffic Impact Study that could result in dual left turns.	No change
94.		A traffic signal is needed at Sam Neely Road and sidewalks are needed along Steele Creek Road.	The draft Steele Creek Area Plan shows Sam Neely Road and Steele Creek Road as having an enhanced intersection. Also, Steele Creek Road is shown as a Boulevard with sidewalks.	No change

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
95.		It would have been helpful to have more information concerning plans for traffic lights and sidewalks down Steele Creek.	This is a short-term operational concern that does not have to be addressed in the area plan. Citizens can request traffic signals and sidewalks at any time by contacting the Charlotte Department of Transportation at 704.336.4119.	
96.		The concept map still shows a road through the Siemens building.	The Concept Map still shows a key connection going through the property, while the Future Transportation Network map does not. Recommend changing lines on Concept Map to better reflect Future Transportation.	
97.		Is the Moss road connector still hidden under a letter? It needs to go away.	In response to prior comments, the Moss Road connection is no longer included in the Concept Plan. However, in response to past Council action that supported a feasibility study, the connection is recognized in the <i>Implementation Guide</i> of the plan on page 54, project #18. Council does not adopt the Implementation Strategy but considers projects on a case by case basis. In response to citizen concerns, project #18 is noted as only advancing if homes fronting Moss Road are redeveloped.	
98.		Will roads be provided for Steele Creek residents before being annexed? Many near Lake Wylie currently do not have paved roads and have to cross Crescent's land to access their homes. When will these roads be provided?	Roads outside City limits are generally maintained by the State.	
99.		Erwin and Steele Creek roads should be evaluated. It is very bad when making a left off Erwin Road to Steele Creek Road, vision is blocked.	The draft plan can respond to this comment by recommending an enhanced intersection at Erwin and Steele Creek roads.	
100		There is only one traffic light at Brown-Grier / Arrowood Road and Sandy Porter. There are three schools back to back and increased traffic at certain times makes it difficult to safely turn left out of our neighborhood.	The existing signal at Gallant/Brown-Grier serves the schools.	
101		There is a lot of traffic on Steele Creek Road. Will it be expanded? Traffic bottlenecks severely on Steele Creek Road between S. Tryon Street and Gold Hill.	Draft plan generally addresses comment. Steele Creek Road is shown as a 4-lane Boulevard. However, the timing for widening this road is beyond the scope of an Area Plan.	
102		Discussion of funding for road improvements would be helpful.	This is beyond the scope of the plan. However, the <i>Implementation Guide</i> , page 56, includes estimated costs of major roadway projects.	
103		Bicycle lanes are desperately needed on Youngblood and Steele Creek roads.	In the draft plan, Youngblood Road is shown as an Avenue with bicycle lanes. Steele Creek Road is shown as a Boulevard with bicycle lanes.	
104		Plan lacks official transportation design and bike lanes.	Numerous streets in the plan area are shown as Avenues and Boulevards, both street types include bicycle lanes.	

#	Document Reference	Public Comments	Staff Responses	Proposed Change to Draft Plan
105		Who is the NCDOT contact for the traffic lights on state roads?	Scott Cole. Scott can be reached at 704.982.0101.	
<b>Transit</b>				
106		Are there future plans to extend bus services in the Steele Creek area?	There are no current plans to extend bus service in this area. However, as the area continues to develop and the bus service will be expanded. The last service change for the area was in February 2011, 41x Steele Creek Express, service was extended to the Steelecreek area. In addition, 56 Arrowood, service was extended to Carolinas Medical Center – Steele Creek. However, as the area continues to develop CATS will look for ways to efficiently add service to the area.	
<b>Greenways</b>				
107		Are bike paths and walking trails planned for the new greenway areas? Need more greenways as identified.	Greenway amenities will be determined by Mecklenburg County Park and Recreation Department as a part of the planning process for developing the greenway.	
<b>Schools</b>				
108		Should schools be more centrally located?	Charlotte-Mecklenburg Schools utilizes a site selection process to determine where future schools are needed. New schools are located as close as possible to the students that they are intended to serve, and must be sited within the boundaries of the school or schools that the new school is relieving. Additional criteria that are considered include parcel sizes and the cost of available land.	
109		Why build more schools when schools are being closed?	Schools in certain areas of the county are more overcrowded than in others. The moves to close and consolidate schools were primarily focused in areas where additional capacity existed.	
<b>Airport</b>				
110		The plan appears to ignore the change in airport operating procedure that is concentrating air traffic on the same flight path (previously disbursed).	Several residents voiced concerns about airplane noise and recent changes in flight patterns. Planning staff shared the names and numbers of persons who provided this information at the meeting and requested that Airport staff contact them.	

## COMMITTEE AGENDA TOPICS

- I. Subject: Independence Boulevard Area Plan**  
Action: Further discuss citizen and Council feedback on the Plan, and if ready, consider recommending the adoption of the draft Independence Boulevard Area Plan, Volume I: The Concept Plan with recommended changes, and receive Volume II: The Implementation Plan as information.
- II. Subject: Processing Historic Landmarks**  
Action: Receive information on a proposal for processing Historic Landmarks and make a recommendation to City Council.
- III. Subject: Business Corridor Revitalization Strategy Update**  
Action: Receive a presentation of the 2007 Business Corridor Strategic Plan and an overview of the approach for updating the Plan.
- IV. Subject: Business Advisory Committee Annual Report**  
Action: No action required information only.

## COMMITTEE INFORMATION

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Present: James Mitchell, Patrick Cannon, Jason Burgess, Andy Dulin and Patsy Kinsey  
Others: Nancy Carter  
Time: 3:30pm– 5:00pm

## ATTACHMENTS

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1. Independence Boulevard Area Plan Handout & Presentation
2. Historic Landmarks Commission Process Recommendations
3. Business Corridor Revitalization Strategic Plan Update Presentation
4. Business Advisory Committee Annual Report

## DISCUSSION HIGHLIGHTS

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Mitchell: Good afternoon to you all. Thank you for joining us for the E.D. Committee meeting. Today will have an update on the Independence Boulevard Area Plan from Alysia Osborne with Planning and Brian Horton with CDOT. Ron, can you help us to get this started? Is Ms. Carter going to join us today?

Kimble: She knows it's on the agenda; we have not heard if she is coming or not. The Independence Boulevard Area Plan has been in Committee for a couple of years, lots of conversation. Brian, Alysia and Debra Campbell are here today to walk you through the Plan and answer some of the questions that were raised at recent public comments period as well as provide additional information to you. If you are ready as a Committee then it would be up to you to take a vote on what you would recommend to City Council.

**I. Subject: Independence Boulevard Area Plan**

Osborne: We would like to focus on the input from the public that we heard during the series of public comment sessions ending in April 2011. This provided some staff responses to those comments. We also received questions and comments about next steps. Before we begin, I just want to orient you to the Plan area. Independence Boulevard Area Plan is along Independence Boulevard. The western boundary is Briar Creek, the actual creek, and goes southeast to Sardis Road North. It's approximately 5,800 acres and includes major roadways such as Wendover, Eastway, Albemarle Road, Sharon Amity, W.T. Harris, Idlewild and Margaret Wallace Road. There are 10,000 property owners and over 20 neighborhoods within the Plan area from uptown to the west and Matthews to the east. During the series of public comments, the draft Plan has been available to the public since April 2010. The public has had quite a bit of time to look at the Plan document and provide some comments. Since that time, we have had public meetings and three public comment sessions: two before the Planning Committee and one before City Council. The comments we heard can be categorized into two groups; uncertainty/unclear about Plan vision in terms of Transit-Oriented Development (TOD) and how the market perceives that TOD in the short-term versus the long-term as well. Some clarity about how the Plan is to be implemented in terms of the transit station decision and those issues. There are two main categories that those issues are consolidated in. Before we talk more about those issues, a lot of our responses will talk about how flexible the Plan is. The Plan responds to a wide range of transportation and land use issues. In terms of the transit decision, the Area Plan doesn't reevaluate those plans; instead it provides a cross section that accommodates light rail or bus traffic, vehicle lanes or managed lanes. So it provides a range of transportation elements to accommodate transportation elements that are planned for the corridor. Expecting those decisions that have been made in terms of transit and transportation. It gives us the opportunity to provide a clear land use decision on how those land uses and what type of land uses should be in the area. What form of development and how those uses will orient toward or away from Independence Boulevard or other local streets? This gives some idea of how the land use should respond to the transportation decisions. In that vision, there are a lot of street connections and greenway amenities that are provided to accommodate the Plan vision. That provides an opportunity for public and private partnerships to help revitalizations within this Plan area. The Plan also responds to environmental concerns, open space and local transportation needs for pedestrian and cycling. A lot of responses will have these reoccurring themes as we go through the three main issue areas. A lot of what we heard from the public was about the market analysis that to expect TOD in this market is probably elusive and that

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the Plan will rezone the transit stations or the nodes. These areas are identified along the transit station area as TOD or Transit-Oriented Development zoning district automatically.

Dulin: It's interesting that all three of those pictures were from what we would know as the Coliseum area and that is a big deal here. The middle building is already down; that is where the Wal-Mart site is. We are concentrating on that and that is in the middle of this Plan section. Have you worked this Plan for starting there and working in both directions or have you started at Briar Creek and just worked it all the way out? We have been working on this issue for five years now.

Osborne: We started at Briar Creek and worked all the way down and then going away from Independence Boulevard back toward the neighborhoods; we addressed those as well. The Plan area includes not only the properties along Independence Boulevard but also the neighborhoods back to Monroe Road.

Dulin: 5,800 acres was a very interesting number that I have not heard before. 10,000 residences and you mentioned the number of businesses.

Osborne: Twenty neighborhood and 170 businesses within the Plan area, so the Plan goes beyond Independence Boulevard and addresses the neighborhoods as well. A lot of the issues were about the market analysis that it is driving the Plan. Actually the market analysis is only one of 20 considerations in developing the Area Plan. There are a range of different things that we considered. What the market analysis did tell us about the Plan Area is what type of uses should be provided for the residences or to help support and revitalize the neighborhoods and the corridors. We need a different development form and a mixed-use form to support the neighborhood uses. The market analysis just didn't talk about how much the area could absorb but what kind of land use pattern should we expect as Independence Boulevard changes.

Mitchell: Give me an example of A & B office?

Osborne: Maybe like a small dental office; something more like neighborhood services which is limited in this area because it is so close to uptown. The citizen concerns were that the market analysis provides an unrealistic basis for the Plan and the Area Plan will rezone station areas to TOD zoning districts when there's no market to develop TOD. The Plan will not rezone or prezone any of the transit station areas to TOD as what we have done along the south corridor. We believe that the vision of the Plan can be achieved by considering other zoning districts to implement the land use vision. As we are seeing with the Silver Oaks Street development at Conference Drive and Idlewild Drive, they are not using TOD zoning. They are using a vision that allows them to get that walk able development that would support transit should and if it occurs in that corridor. Essentially the Plan is flexible in terms of how we include language that will help clarify how to achieve that short and long-term vision as development occurs within the corridor. We also heard some concerns about TOD along Independence Boulevard being different along South Boulevard, and we agreed. It will be different; it's a different concept and the Plan talks about how the context will require how land use is done. As you can see, transit is expected to be along the middle of Independence Boulevard so the land use response would be most different than what is used along a transit corridor. Development would happen something like this with the transit whether it be LRT (Light Rail Transit) or BRT (Bus Rapid Transit) down the middle with bridges that connect on the sides. The development would orient away from Independence Boulevard and provide connections back to the land uses along Independence Boulevard. So it's expected in the Plan to include language that will clarify how that land use should happen.

Mitchell: Independence Boulevard has the number one ridership, so we have more traffic and population development on Independence Boulevard than we would have on the South Transit Corridor, right?

Osborne: It's a different type of corridor in terms of its regional connection. Independence Boulevard goes from the mountains all the way to the beach so the corridor would serve the region and the local needs in terms of transportation. The land use is a little bit closer to the neighborhoods and a little bit closer as well to the train station area. So it's a very different concept so that the land use vision is very

different from what we would see along the South Corridor. This is just an example; the Briar Creek Station the vision from the north side is very different than the south side. From the north side you have a transit station or development node that backs up to the neighborhood, so there is an opportunity for green amenities here that are much different than what you would find along the South Corridor in relation to the transit station area. On the south side of this development node, you have the entertainment venue; Bojangles Coliseum and opportunities to have infield development and to transition to a more neighborhood node along Monroe Road which is located behind the Coliseum. Development will respond a little bit differently within the node along Independence Boulevard in comparison to what has happen along the South Corridor. The other category for responses was about the implementation of the Plan. How does transit happen and what are we doing to respond to the Urban Land Institute (ULI) Fellowship? We have heard a lot about making a decision about transit. There is a transit decision within the 2020-2030 Transit System Plan. The preferred alternative was for Bus Rapid Transit although they left themselves an option to review for Light Rail Transit in a minimum of five years. The Plan does accommodate both modes but to change that decision the Metropolitan Transit Commission (MTC) has to make that decision. The Area Plan accommodates whatever the decision is for transit on that corridor. We had some help when we talked about the implementation of the Area Plan from the Urban Land Institute and this was an opportunity for Charlotte to identify land use and get expert help in identifying implementation land use strategies for the Area Plan. These are some of the observations that the Panel came up with that the Area Plan does a good job of expressing the needs of the area. However, there is a little bit of uncertainty in the agreement about what the transit and highways role project should be in the future. They made it very clear that they would be very clear about what do we want to do and what the transit mode should be. So the ULI provided broad concepts to expedite implementation of the Area Plan vision. General observations by the ULI Panel included a draft area plan consensus of needs such as; start implementing, stop just planning, we need more highway capacity, we need more transit and more local economic development. But the lack of agreement on details of key issues is creating uncertainty, such as BRT versus LRT and roadway planning and design trying to preserve options such as transit and managed lanes are slowing progress and funding. Key concepts from ULI were be clear about the difference between solutions for regional challenges versus local challenges and build on what you know has worked. Three main ideas are BRT/express bus on Independence in HOT lanes with three regional nodes or stations. They suggested streetcars on Central and Monroe and promoting auto-oriented retain on Independence and neighborhood serving mixed-use development on streetcar lines. This is how that concept is visualized. These are the three regional nodes along the BRT express lines within HOT lanes along Independence Boulevard. Explore the options for streetcar along Monroe Road with pedestrian-oriented development. There was also the idea that we should provide highway oriented use along Independence Boulevard. The ULI concept will combine BRT and HOT in the center of Independence Boulevard. To change the middle, the MTC would have to make that decision. The other thing that is important is that the Area Plan provides or accommodates whatever these elements are so it doesn't change the width or whatever ULI is recommending. The Area Plan recognizes those elements.

Dulin: On these two concepts the bottom one, Independence Boulevard with combined BRT and HOT lanes. We have to get permission to change it to the top illustration which is the Independence Boulevard with exclusive bus way in the center?

Osborne: Yes, this is what is current in the Plan, Independence Boulevard with exclusive bus way. The ULI Panel is suggesting Independence Boulevard with combined BRT and HOT. That means we would remove the exclusive guide way and move those and mix in both rapid transit and managed lanes.

Dulin: So the public would be on those lanes as well instead of just buses?

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- Osborne: Right.
- Dulin: In both concepts, do they rely on center road transit stops?
- Horton: Not necessarily, ULI suggested off-line stations and that would require MTC input. Eventually if an implementation strategy and that is what ULI is recommending to get transit sooner. They are suggesting HOT lanes as the means of building a transit guide way.
- Burgess: What are you recommending to us today?
- Osborne: What is adopted by the MTC within the corridor plan; the one that is adopted within the Plan. The Area Plan doesn't reevaluate that. If there is a decision to move toward this, the Plan will accommodate it.
- Dulin: Is there any difference not HOT lanes, non-transit traffic that can move on either one of those? In other words, just some dad like me going out to City Chevrolet to drop off my car.
- Horton: The concept that ULI is pushing with HOT lanes would price the lanes such as the lanes keep moving with tolls and congestion pricing the lanes keep moving. The tolls just go up during peak period when it is more congested.
- Dulin: Which one of those moves regular traffic?
- Osborne: They both do.
- Dulin: They are about the same? What are we now about 86,000 cars out there every day?
- Horton: You are closer to 120,000 at Barclays, but out past where the expressway ends now you are closer to that number.
- Dulin: Do most of these concepts have 2030–2050 in mind?
- Osborne: This one has been studied.
- Horton: The Area Plan is a policy document and either one is transit implemented as an exclusive facility as is currently adopted by the MTC, the Area Plan responds to that. But if it ends up being a shared HOT lane the Area Plan is just covering the envelope and the edges and that is consistent with either vision. It is just important to note that currently MTC has adopted the above view which uses the exclusive bus way.
- Burgess: Both have HOT lanes?
- Horton: Correct, but in a separate space.
- Osborne: It's different from the guide way in that respect and that makes it exclusive.
- Carter: Irrespective of the design of the freeway in terms of the land use, the development pattern doesn't change the policy. It is consistent with either of those designs.
- Mitchell: That reflects a better use.
- Carter: The bottom slide shows two lanes that are exclusive in the center there is a barrier so that cars cannot cross into there?
- Osborne: On the bottom it won't be that; but we don't know.
- Horton: It could be just like I-77 and just be painted pavement or like other cities and be pylons or barriers. There will at least be a barrier in the middle for opposing traffic.
- Carter: But the lanes will be reversible so having that barrier in the center may not be the ideal thing?
- Horton: The basic concept is just to share the space between HOT lanes and transit; but it could be done at a lower cost for limitation by keeping the barriers where they are and built on a section by the Coliseum and designed as a reversible system.
- Carter: That is the flexibility that we need to guard because having that flexibility; not investing funds in retrofitting, waiting for the ultimate design, which I hope and pray for the BRT. Still because I think that longer distance and longer possibilities and more economic development despite what people are saying it's twice the development of a bus traffic but not the four times that it is projected for streetcar. Those are national statistics and how the economic development was reached. I do understand that having that light rail does not lead to the optimum economic development, but it is a

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quality and it is the most efficient move I think. There are several things here such as having access for those express buses within the City limits and I do mean buses moving on to the guide way so that our local residents can have access to that expressway. I think that is a very important concept because that gets the stations out on the side and provides that Park-n-Ride complex that everyone would appreciate. That would mean access from the north and the south as well. We would have vacant land now, I don't think that is represented in the study that we have before us large as it could or should be.

Campbell: I think that this conversation just reflects the difficulty for the community even the difficulty for the staff to even try to develop this Plan. There were so many transportation questions that were still out there that have not been revived. I think the ULI observations reaffirm the fact that we need to get on and make some of these types of decisions. We feel strongly that the decisions about the transportation have been made almost solely about transportation. We think that a comprehensive vision and a plan for the area begins to give us context for making these kinds of decisions. That is why the market study and all the things that come before this actual Plan keep telling us that we needed a vision. You have to have a context in your framework for some of these decisions. The really important decisions that we are making with regard to transportation; we don't have that now and that is what we feel is the value of the Area Plan.

Carter: I thoroughly concur with what Ms. Campbell is saying; the springboard there is how many stops and how we develop those stops. They are defined and delineated in what we have in the Independence Boulevard Area Plan. Consequently focusing on the three that we know are actual in any plan putting our efforts there but still saving and conserving the other three areas, recognizing their importance to the neighborhood and making those neighborhood centers. I think that is embedded in the Plan that has been presented that I think is the key point for these neighborhoods to see the reflection of their hopes and dreams not ovulated but endorsed and enhanced by what we do. Looking at what the current and what action we can do on that; do something now and make that investment now. Making sure that we regard the future. I think that you all have done that and ULI is really taking it further and we have the responsibility to show that we can move forward both in the near term and in the farther term and not lean and not lose our perspective of the long-term goal.

Osborne: The regional node that ULI identified the whole conversation; ULI identified three major regional nodes. In the Area Plan we identified those nodes as well. We also identified the other three nodes along the corridor that are in the 2030 Transit Corridor System Plan. The thing that is most important is that they are regional nodes and they are all transit stations areas but they are treated differently. The regional nodes will have more development intensity where the other nodes are more neighborhood service. We still want that node in development to respond to what is happening to the roadway.

Dulin: Those regional nodes, like Independence Boulevard, will be different from the South Transit line. Would they be in the development like there is not development currently at Scaleybark? Would it be that kind of vision that you would see across the street from BoJangles?

Osborne: Yes. There is a difference between the regional nodes and the non-regional nodes. These nodes have larger parcels and large parcel ownership and they have the ability for infill development and greenway amenities. Where the smaller non-regional nodes are more neighborhood in character, they orient toward the neighborhood by uses that would serve the neighborhood. So these are the two different nodes, but still recognizing the opportunity to transform to a transit station area.

Carter: I have fought for sometime the designation of Independence Boulevard as an economic development by the State. We have all said we should not do this because of the uncertain future. I think we need to expand our concept of economic development by the State and then enhance it by what we are doing as well. That is something that I would like to put on the table; in time we will have something

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like the partnership that exists at University City, Center City and Southend. I think as we get more prosperous and look forward to transportation and transit planning and particularly Independence Boulevard and Eastway and Eastland development, the potential of that partnership really will be significant as you look down Central Avenue. It has to be a block and we did not want to exclude Presbyterian Hospital and CPCC from the eastside. They would be significant partners in what you are doing is looking at your streetcar development loop. That to me makes tremendous sense, once we get an economic base, get to the neighborhoods let them understand what their investment would mean parallel to the University City paradigm. We have to get some prosperity along there first.

Osborne: You have heard a lot about streetcar development or a streetcar line along Monroe Road; which is proposed by the expert panel. The premise of that recommendation is to sponsor more of a pedestrian-oriented development along Monroe Road that support streetcar. The Area Plan provides a vision for a walk able pedestrian-oriented development already on Monroe Road. There are two pedestrian nodes recommended along Monroe Road and this is the type of development that we envision happening along the corridor.

Carter: The development that is proposed at Silver Oaks I think is very consonant about what you are talking about for Monroe Road. It's going to come before us. I am curious to see how staff is reacting because I need some direction in that area. Looking at the reactions it's easy to see and these are important things to have on the table to discuss.

Osborne: You also received in your packet, a list of proposed changes to the draft document. Those changes will include the revisions to the Transitional Setback that occurred in March of this year and April of last year. These were done after the draft plan was completed and will also provide policies for staff to work with the Metropolitan Transit Commission (MTC) as we move forward with rapid transit and transit planning in the Southeast Corridor. The Plan will also include some language that acknowledges what the ULI has proposed within the study area, general statements about the context and how to move forward. We also wanted to add a separate sheet that has a lot of language on it, but what it does is clarify short and long-term vision for the transit station areas. There is a lot of concern about the how the TOD or node development happens in the short-term and how it transitions to that long-term vision of Transit-Oriented Development. There is some language that talks about that for each transit station, clarifying the title of it as Transit/Regional Node. The Independence Boulevard Area Plan provides flexibility to respond to future changes in roadway or transit plans, creates a new vision for land use and development, provides policy context to make investments and to begin revitalization process and addresses environmental, open space, community design, local mobility such as cars, pedestrians, cyclist and transit users. The next steps will include the Planning Committee requesting a recommendation on May 17<sup>th</sup> and if you are ready to make a recommendation today, we will be going to City Council to take Action on May 23<sup>rd</sup>.

Mitchell: This has been a long, long process, so staff thank you for your hard work. Staff, do you have any comments or questions? No?

Dulin: This is all good planning but Council has to remember that we have to make sure that businesses are not going to come back to Independence Boulevard until we make it affordable for somebody to do lease space and hire people. This a good Plan and I am going to vote to move it forward today, but we have to remain diligent that we don't price the small business man out of being able to get into business. Council is doing that in a lot of other ways, we are all over that too.

Carter: Just like you Mr. Mitchell, I want to say thank you to staff but also thank you to the citizens out there as well; 127 people on that Advisory Committee, you all have managed to grow. I think the interaction at the District 5 meeting, there were questions and answers. It was well attended and well done. Thank you to staff as well. They are continuing to do leadership meetings on this issue. We have a Transportation Meeting on June 2<sup>nd</sup> for the Mayor of Mint Hill and Matthews. There will be

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continued interaction I am sure, but to me this provided a skeleton and this is the skeleton that is going to be fleshed out. The nervous system is there, the bones are there. We need to flesh. I think you all provided that conduit to grow. There is still some resistance on the eastside; we never have a united opinion on the eastside. There will be healthy opposition that will bring things to the table that are created. We will be listening to everyone and that is a key point.

Dulin: I want to make a motion but first I want to talk to Ms. Campbell or Mr. Kimble first before I make that motion. Today, we were talking about the Independence Boulevard Area Plan Volume I and Volume II?

Campbell: Volume I for adoption and Volume II as information.

Kimble: There are changes to Volume I.

*VOTE: Recommend to City Council to adopt the draft Independence Boulevard Area Plan, Volume I: The Concept Plan with recommended changes, and receive Volume II: The Implementation Plan as information. Motion was made by Dulin and seconded by Burgess. Vote was unanimous with Kinsey absent for the vote.*

Mitchell: The vote is unanimous.

Mitchell: The next item is what I call the Kinsey Amendment, and of course, I am speaking of the Historic Landmarks item. Unfortunately Ms. Kinsey had a prior commitment and will not be here today. Ron will you start this item?

## **Subject II. Processing Historic Landmarks**

Kimble: There is a staff write-up with Recommendation I and Recommendation II attached in your agenda. As you know, this is not a paper. This was referred to the E.D. Committee on October 19, 2009 and what has precipitated this referral was the number of citizens initiated Historic Landmark designation requests that were coming from the community. Ms. Kinsey was the one that asked Council for this referral and that is why Mr. Mitchell lovingly refers to this as the Kinsey Amendment. We have worked on this for quite a while with the Landmarks Commission. One recommendation which you received at this Committee and we said go ahead and implement it because later it would be sent to City Council. We did not think that they would oppose, which was to begin every time we have a citizen initiated Historic Landmark designation request. A letter is written to the County Commissioners and the County Manager. The letter is delivered to the Mayor, the City Council and to the City Manager informing all of those persons that if that property was to achieve Historic Landmark designation that this would be the property tax implication of such a designation. As I understand it is a 50% deferral of property taxes and it lasts indefinitely unless and until that property changes its character and loses its designation status. The three years property tax deferrals are due and payable when it loses that designation status. The 50% property tax deferral continues for as long as the property is designated, that is my understanding. All of that for any particular property would be written in the letter and the actual property taxes based on the current rate would be identified in that letter. The Landmarks Commission has already implemented that recommendation so anyone coming forward they will put forth for those kinds of properties the property tax implications for the City and the County for such a designation. I think the second recommendation, given the statutes which indicated that there can be no differentiation in the law on whether the citizen who is offering up to the Landmarks Commission whether it's property is historic. Or those that are the Historic Landmarks Commission reviews to the community then they make a list of the properties that they think are historic. The statutes don't differentiate between those two. It doesn't say those initiated by citizens and those initiate by the

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Landmarks Commission, so we don't have a way statutorily to make a different set of rules for those different kinds of properties as they are offered up. The Landmarks Commission needs to evaluate each of those properties on the basis of their historic characteristic and then they make the recommendation to the Charlotte City Council to determine if you also believe with their recommendation that they should be designated a historic property. So what we have tried to do is work within those existing statutes and listening to Ms. Kinsey and you on the Economic Development Committee try and find an earlier time at which those properties that come forward can have a discussion at the full City Council level. It is the full governing board that has to have that discussion earlier in the process determining if the Council is going to be favorably inclined to let these properties proceed to public hearing and then an official vote at the Council. Or whether there is heartburn with a particular property and it's better to let the Historic Landmarks Commission know that earlier rather than later so that you don't expend money in terms of advertising. It's getting a read and one of the ways we found to get that read is to put an extra step in the process. Putting a resolution, setting a public hearing date for some time in the future and the Council can have a discussion at the time the resolution comes to you to determine if you feel that you want to move it to public hearing or you have so much heartburn that you don't believe, given what you see that it should move to public hearing. We discussed this with the Historic Landmarks Commission. We have discussed it with Ms. Kinsey and we are discussing it with the Committee. Ms. Kinsey still has heartburn and doesn't have support from her for this particular resolution process. I think given everything we have evaluated for the past year and a half, this is probably the strongest that we can come up with that lives within the existing statutes to give the full Council an earlier bit at the apple to determine that you want these properties to move to public hearing. This would come to the Committee with staff recommendation that this is the best that we can think of and the Historic Landmarks Commission also supports this and feels that they can get by with this if the full City Council were to approve Recommendation II.

Mitchell: The public hearing would be heard before full City Council, is that right?

Kimble: That requirement is already in the statutes. Historic Landmarks Commission makes the recommendation then it comes to a public hearing of Council then the Council votes on it. This would be the Landmarks Commission probably votes on it, it comes in the form of a resolution to the Council as an extra step. You have to favorably vote for the resolution for the property to move to public hearing. Once it moves to public hearing, then it moves to full Council vote. The statutes require that the full governing board has to vote on the process and the procedure to get the property to a designation status. It can't be the E.D. Committee, it can't be a sub-committee, it has to be a full governing board that takes that action.

Dulin: Did I miss the first part as to why this gets back to us?

Mitchell: The Kinsey Amendment comes back to us to get some kind of comfort level for Patsy, but as Ron said based on the policy, this is probably the best that we can do.

Dulin: We are certainly adding another step to the process.

Mitchell: That's correct.

Dulin: We are adding more time. How much more work is this for staff? I know it will be more work for the Historic Landmarks Commission to set it up and bring it to us and back to them.

Kimble: An extra month in the process because it won't go to public hearing unless the Council favorably approves the resolution.

Dulin: If this were a regular real estate or development issue then I would not be in favor of adding another month. Historical Landmarks Commission they are not paying or anything before we o.k. it, is that right?

Kimble: That is correct. They are o.k. with this additional step as well.

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- Dulin: O.K. but whoever owns it is trying to get it designated so that they can keep it and continue owning it or the issue is those citizen initiated, those single homeowner occupied homes that the owner is offering up for historic designation. The houses may be 50 years old or 40 years old. They are in that marginal historical or not and the Historical Landmarks Commission reviewing those then if they make a recommendation that it should be designated historic, there is a property tax hit that the City and the County take. It is beneficial to the property owner if you then approve it for historic designation.
- Dulin: O.k., thank you. So it's not super time consuming except for the single property owner kind of thing?
- Kimble: I think the extra step does not interfere with a sensitive timeframe of historic designation.
- Dulin: The Kinsey Amendment is trying to give us a little more of a filter after what comes to Council in the end.
- Kimble: Quite candidly Ms. Kinsey would probably like to stop some of them from even coming to Council but the statutes will not allow them not coming to Council. We are just trying to get them to Council at an earlier phase if you want to have that debate.
- Burgess: My comment is that the longer it takes for someone to get their house designated is actually more beneficial for the City; we get an extra month of taxes. If the Historic Landmarks Commission suggestion is that it should not feel it should be designated as a historic landmark then it would not even come to us.
- Kimble: Correct.
- Mitchell: Is there a motion to accept staff's recommendation on this writing?
- Burgess: Yes, I like this writing. I will make a motion to accept recommendation number two.
- Dulin: Second that motion.

*VOTE: Recommend to City Council that a Resolution calling for a future public hearing on the proposed property (including a report on the historic characteristics of that property) be considered by City Council. If the Resolution is approved, the property proceeds to public hearing. If the Resolution is not approved, then the Historic Landmarks Commission would act to either provide more information to achieve future support for the Resolution, or not proceed forward with the property. The motion was made by Burgess and seconded by Dulin. The vote was unanimous with Cannon and Kinsey absent for the vote.*

- Kimble: Knowing full well that when this gets to Council that Ms. Kinsey may well vote against it.
- Mitchell: I will just let the Committee know that I think that this is a very important issue about our corridor. Ron will you introduce this next item?

### **Subject III. Business Corridor Revitalization Strategy Update**

- Kimble: This is the beginning of the process to revise your nearly five year old Business Corridor Revitalization. This is your first orientation of some of the issues and some of the successes and the direction that we might be heading with your input. I will turn this over to Brad Richardson.
- Richardson: Let me just introduce two folks that are instrumental in this process; Chris Hemans and Gail Whitcomb both are involved and have been historically in the Business Corridor Plan since 2007. Chris's position with the City was a new one a couple of years ago was to help provide some context and contact between the City and the area. Thank you for the chance to talk today. I am pinch hitting for Peter Zeiler. The first thing that I would tell you is that we are working in context with policy. The Focus Area Plan was approved back on April 11<sup>th</sup> so we are not waiting until July 1<sup>st</sup> to get moving. The

Focus Area Plan, and I have it verbatim, you will recall that we talked about it here in this Committee was to revise and implement the current strategy including an examination of those five priority corridors and the improvement plan for Independence Boulevard. We wanted to do a two year plan instead of a three year plan. A two year plan would have half of it done in one year. We were going on the premise that we can take action and do some things and not wait on a long plan. We will revise and implement it again in two years. Specifically these are the things we are going to be addressing in the plan update. We will take a look at the accomplishments and we are going to have a lot of talk about geography. Mr. Mitchell, I recall that you wanted us to specifically add goal setting. Take a look at image building around these corridors. To me that means business district and the neighborhoods that surround them. They are special places and can be a little bit different. So how do you build some image around these distressed areas of our town? Workforce Development, this speaks to the broadness of the review that we are going to do. We realize that there are citizens and young people in these corridors connecting them to employment opportunities, particularly the youth that we are referencing here will be a part of the review. Input from business owners, community leaders and developers as well as benchmarking of similar programs in peer cities. This is all verbatim from the Focus Area Plan. That is our marching orders and the path that we are traveling.

Mitchell: Just some background information; I know UNCC helped us identify the five corridors (Rozzelles Ferry, West Trade, Beatties Ford Road, Central Avenue/Eastland, North Tryon and Freedom Drive/Wilkinson).

Richardson: That may be a place to jump to real quick; we will be taking a look at this just for background information. The blue area that we are talking about here is a portion of our town that goes from the airport area to South Boulevard around to Independence Boulevard/Eastland area. That is what we call the Business Corridor Revitalization Geography. The programs, blight removal, security grants and those types of things apply in this area. It's a real thing and an important thing so some of our programs can't be enacted outside of the blue area. Within the blue area the Plan identified those five areas and those are highlighted in green. Let me backup to where we were; the point here is that we didn't start corridor redevelopment programming in 2006 with this plan. From 1998 to 2006, the City had targeted redevelopment programs in distressed areas. During that time, the City made cumulative investments of \$170 million in infrastructure and \$47 million in Housing Trust Fund initiatives. The City created grant programs to remove blight with the Façade Program, decrease crime with Security Grant Programs, clean up contaminated sites with the Brownfields Program and support corridor business associations. There were some matching grant programs for the grassroots folks that are actually out there on the ground. However, there was no dedicated funding source for large redevelopment programs. In June 2006, Council appropriated \$8.9 million for targeted corridor revitalization effort and directed staff to develop a business corridor strategy and report back and that is what we are doing today. That included input from property owners, developers and businesses. In April 2007, Council adopted its first formal Business Corridor Strategic Plan and identified the five priority areas inside an area called Business Corridor Revitalization Geography & Priority Corridors shown in blue and green on that map. Four specific objectives were outlined in that plan; reduce or eliminate blight, create strong local economies through corridor research, assessment and marketing. Align policies and programs to encourage development and promote environmentally sustainable development. Let me share some selected numbers to give you a flavor of what we do and what we have done. We have some matching grant programs clean up contaminated sites, improve the look of buildings and improve security of building in partnership with the Police Department. And I mentioned supporting business district organizations; two that we currently work with are FreeMoreWest and the North Tryon or the North End Partners. I will point out a couple of things, the volume of the grants the amount and then the leverage. I don't ever want to show a grant with showing what it leveraged in private investment and that is how we operate. We spent about \$1

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million in those three years on these grant programs and leveraged about \$6.2 million. Some selected achievements or differences in those areas; this picture is of the Greenway Business Park former Belvedere Homes. These front buildings along Rozzelles Ferry are being remodeled now and renovated. This is in partnership with the Charlotte-Mecklenburg Development Corporation (CMDC). Tenants are moving in. They include a dental clinic in the old theater site later this year. The City put in \$1.45 million in land acquisition and development loans. Boulevard Homes was demolished. Bryant Park, you will notice road network improvements (pending) funded through \$3.2 million in land sales and synthetic tax increment financing. The first phase of infrastructure is completed with the Charlotte School of Law opened as first tenant is the landmark in that area today. This is the first time you have seen synthetic tax increment financing. Remember you allocated some money to us, \$8.6 million. Around that time we also started using this tool so that became a way that we funded some of these improvements and reimburse the developer for public infrastructure over time. The fund probably did not drop as quickly if we had not had the Synthetic TIF model working at the same time, and I will point that out. Wesley Village, \$1.36 million synthetic TIF for infrastructure that has leveraged \$33 million in private investment with 301 new residential delivered. The Double Oaks/Statesville Road heading up to the interstate with \$25 million in Section 108 loans, synthetic TIF, grants and infrastructure. First phases of 985 new affordable housing units delivered. This is in partnership with Charlotte-Mecklenburg Housing Partnership & County Park and Recreation Department, so these are selected highlights of things we have done in the last three or four years. We will do a more comprehensive review when you approve the plan later in the summer. Here is the funding stream of the numbers we have been talking about that will help us to enact the plan. Over this time, \$17.5 million was approved by Council sitting in the budget; we spent about \$1.3 million. That includes several larger items such as the Greenway Business Center was an amendment to renovate two front buildings; \$500,000 for Grameen Bank that came through this Committee. We recommended a potential funding source with Grameen. A small web portal was part of that \$1.3 million and other small projects. Spending that money in the corridors has not been easy, particularly in a recessionary economy. We wanted to take this time to show you the money. Its good news and its bad news. The good news is that we do have money to do some things and invest in this program. That will help fund the work that we are talking about.

Dulin: Why have we not been able to spend more money?

Richardson: One reason is the general economic climate another was we spent some money on a land use plan for North Tryon Street that calls for some catalyst sites. We spent some money on prepping that for development but then the development went away. We had some plans to work with developers to pull together some sites that we thought would be catalytic in that particular one corridor but no interest in the last couple of years. The loan programs are somewhat funded or capitalized out of this; the loan activity has tanked in the last few years.

Dulin: In a lot of these things are we waiting for them to come to us or are we pursuing opportunity? When somebody comes to us obviously we are welcoming to them.

Richardson: Yes and no, I will answer that in this way. The tendency in the last couple of years with exception to the work that Chris Hemans does which is out on the ground knocking on doors, meeting developers, showing sites. That's about the extent of the pursuing or aggressive outreach. In the last year or so the position of this office under Pat Mumford's direction and leadership is that we think the time is right to be a little more aggressive. Little more involved in making deals happen, may not be huge multimillion dollar deals but small improvements in infrastructure working with neighborhoods. We define neighborhoods differently now as homes, businesses and amenities. It's a town center kind of concept so we are going to be a little more aggressive.

Burgess: Is there a checking account with \$16,000,000 in it and is it gaining interest?

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Economic Development Committee  
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- Kimble: Yes, all of our funds are invested across the City by our Finance Department. I heard today we have \$1,763,000,000 invested in one point in time right now, so it is collected and collectively pooled.
- Burgess: Those numbers don't quite add up. It should be \$17.6 million.
- Richardson: I will fix that. Another thing I will point out on the Synthetic Tax Increment Financing was a way to do some of the deals in the last couple of years. Instead of cash up front, its cash reimbursing over time.
- Mitchell: I am glad to see we are operating in a different mode. The community is requiring us to get more aggressive. It's tough out there with access to capital. The vendors are not getting any funds. I'm glad we are getting more aggressive. I almost want to say that we need to be aggressive to give advice to people and give them guidance on deals before they present the plan. I think sometimes these plans put so much strain on staff to work with them because they are coming with preconceived expectations. So instead of letting people get their hopes too high that this is the deal, at the end of the day, we want to remove blight, increase the tax base and create jobs. I think engaging with staff earlier before they submit the plans will help us in the long run. I would like one piece of information; can you provide the use of Synthetic TIF, how many times we have used it and on what projects? Particularly, the overall total development. Here is an example. I think we need to have a threshold. If the project is \$10,000,000, we don't need to be in a position to TIF it; to me is "but for" and not to do a whole entire project. I don't think that we have ever gotten to the point where we have capped the TIF involvement. We have just looked at the "but for". I am afraid that some people think that we have a project and we need to TIF it. I don't think that is the true meaning of Synthetic TIF. Projects like Midtown and Third Ward; it would be helpful for us to see the TIF amount in total dollars so that we can educate the public on how we are going to use TIF.
- Dulin: And the project results too; Midtown was a great project.
- Kimble: Music Factory is another one. City Park and Elizabeth Avenue have not happened because of the economy.
- Mitchell: Andy, can you share new information about Grameen?
- Dulin: I was on I-85 and just drove through Rozzelles Ferry and Tuckaseegee and Freedom driving all over the streets in those neighborhoods. I wanted to reacquaint myself with all those roads back in there.
- Mitchell: If we have a groundbreaking that would be a perfect model. We stole that concept from Wilkinson when Crosland did theirs. Hard times in the economy took place and to your comment on why we have not done more. I think the economy has a lot to do with it.
- Dulin: I prefer for us to be patient, and being good stewards, money is not our cash. We are in a good position to butt out now as we start around the corner.
- Kimble: There is a statement that I could make and it's a simple one. We shouldn't be the funder of the project we should be the gap taker for the project, in certain situations.
- Mumford: And I would add to that the way that we are helping the community is being engaged. We are not out in the community to drum up business in development projects but we are out there trying to understand the needs of the community. It isn't just us as Brad mentioned some of the security projects and façade improvement projects support public safety measures. We are working with the Police; it's not our own financial goal, but the broader community goals. The only way to do that is to be on the ground and working with folks. We are working with folks that have projects that you haven't even seen because those projects are not our projects. We have been talking with them for years and trying to guide them and help them make it come to fruition and at the appropriate point. To Ron's point, we will figure out how our gap financing can help get them across the hurdle. We don't just sit back and wait; we are also very sensitive to being so aggressive that someone says "oh great, the City is coming to do my project for me". So we have to balance that but the bottom line is that we are working very diligently and collectively across disciplines to understand the community and be there to support these projects when they do become viable.

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Meeting Summary for May 12, 2011  
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Richardson: The final slide is a simple one just talking about our draft schedule going forward and when we might be back in front of you with something to do and see. We plan to be out listening and talking to developers and property owners, business owners, neighborhood groups and business associations during the month of June and July. That is the time we list these recommendations. We will talk about the geography. Are we still talking about the same contiguous area? Are the five priority corridors still the way to go, are there parts of our community that are distressed but are disconnected from that area? Can we have pockets of distressed areas? We will have that conversation and we will keep you updated along the way. We plan to come back to you hard in the month of September on a couple of your meeting dates preparing for Council review and adoption later in the year, hopefully by October.

Mitchell: I would like to make one suggestion if you don't mind. At the first meeting with the stakeholders and with property owners, if you could have one meeting to set the tone and lay out expectations. People out on West Trade Street heard it differently from Wilkinson/Freedom and Central Avenue. It was their thought that we were not telling the same things. So if at that first joint meeting to say here is why we are here and here is what we are trying to accomplish; you can then have those individual meetings. At least that first initial meeting to explain what and why the City is doing it will educate the citizens so that everyone is on the same page at the first meeting.

Richardson: Yes, that makes sense.

Mitchell: Doctor, Andy any further comments or questions? Staff, thank you. Ron what's next?

**Subject: IV Business Advisory Committee Annual Report**

Kimble: The new policy is that reports come to you as information. The Business Advisory Committee report then is for information.

Mitchell: Thank you for continuing the discussion for the June/July joint City/County E.D. meeting. Committee, I hope you are still open to that. I think that would be great to have dialog with the County. I still think there are some opportunities out there that we could have some discussion about.

Dulin: Yes, I am glad to be getting together as a prelude. My summer schedule is always hectic. More than likely I'll be gone in July and I will work June in if I can. I am just trying to give you a heads up.

Kimble: The first item on that joint City/County E.D. meeting is the Business Investment Grant, which has been referred for a joint discussion with them because you are both in that program.

Mitchell: After June 16<sup>th</sup> it is hard for me. I will be back in July.

Dulin: Mid to late July is o.k., but not from late June to mid-July.

Burgess: I am out leaving on June 14<sup>th</sup> and returning on the 18<sup>th</sup> and leaving again on July 2<sup>nd</sup> and coming back on the 18<sup>th</sup>.

Mitchell: So before June 9<sup>th</sup> is good for all of us right? If that stresses you guys out, let us know.

Richardson: Our next meeting is May 26<sup>th</sup>; we are all good on that. That is the weekend of Memorial Day holiday but you guys are here.

Mitchell: Yes, that is fine. The meeting is adjourned.

Adjourned: 5:00p.m.

**Economic Development Council Committee**  
Thursday, May 12, 2011 at 3:30pm  
Charlotte-Mecklenburg Government Center  
Room 280

Committee Members: James Mitchell, Chair  
Patrick Cannon, Vice Chair  
Jason Burgess  
Andy Dulin  
Patsy Kinsey

Staff Resource: Ron Kimble, Deputy City Manager

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**AGENDA**

- I. **INDEPENDENCE BOULEVARD AREA PLAN – 30 minutes**  
*Staff: Alysia Osborne, Planning & Brian Horton, CDOT*  
Action: Further discuss citizen and Council feedback on the Plan, and if ready, consider recommending the adoption of the draft *Independence Boulevard Area Plan*, Volume I: The Concept Plan with recommended changes, and receive Volume II: The Implementation Plan as information.  
**Attachments**
  
- II. **PROCESSING HISTORIC LANDMARKS – 15 minutes**  
*Staff: Ron Kimble, City Manager's Office*  
Action: Receive information on a proposal for processing Historic Landmarks and make a recommendation to City Council. **Attachment**
  
- III. **BUSINESS CORRIDOR REVITALIZATION STRATEGY UPDATE – 15 minutes**  
*Staff: Peter Zeiler, Neighborhood & Business Services*  
Action: Receive a presentation of the 2007 Business Corridor Strategic Plan and an overview of the approach for updating the Plan.
  
- IV. **BUSINESS ADVISORY COMMITTEE ANNUAL REPORT (Information Only - Attachments)**
  
- V. **NEXT MEETING: Thursday, May 26, 2011 at 3:30pm, Room 280**  
Possible Topics: Mosaic Village Student Housing  
Discussion of June/July Joint City County ED Meeting

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Distribution: Mayor/City Council   Curt Walton, City Manager   Leadership Team   Executive Team

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 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.	<b>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.</b>
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><b>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.</b></p> <p><b>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.</b></p> <p><b>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.</b></p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 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"> <li>• Three travel lanes in each direction</li> <li>• HOV lanes on inside of travel lane</li> <li>• Transit facility (BRT/LRT) in median</li> <li>• Additional widening for right turn lane</li> </ul> <p>may be required in some circumstances in accordance with CDOT standards.</p> <ul style="list-style-type: none"> <li>• Paved shoulders.</li> </ul> <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><b>See Revised Proposed Cross-section for Independence Boulevard - Attachment #1.</b></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><b>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. 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.</b></p> <p>Proposed <b>Regional Transportation</b> Corridor:  Recommended width includes allowance for:</p> <ul style="list-style-type: none"> <li>– Three travel lanes in each direction.</li> <li>– HOV lanes on inside of travel lanes.</li> <li>– Transit facility (BRT/LRT) in median.</li> </ul> <p>Additional widening for right turn lanes maybe required in some circumstances in accordance with CDOT standards.</p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision ( <b>Bold Text</b> )
4.	<i>(continued)</i>	<i>(continued)</i>	<i>(continued)</i>	- 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	<b>Attachment #2 – Future Transportation Network</b> (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.		<b>Add Text that updates definitions for Mixed Use Centers and Corridors.</b>
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.		<b>Modify Recommended Future Land Use for Parcel Identification Number 19106121 from retail/office and institutional to retail/office.</b>

**Independence Boulevard Area Plan  
Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision (Bold Text)
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.		<b>Add Text: Adaptive reuse of existing residential structures is strongly encouraged.</b>
9.	Page 20, LU-9	Add language to specify recommended residential density when retail redevelops.		<b>Add Text: Residential densities up to 8 DUA with townhome type development will be considered appropriate at this location.</b>
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><b>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.</b></p> <p><b>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.</b></p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision (Bold Text)
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 not prescribe a specific zoning classification to implement the land use vision. This change responds to citizen and Planning Committee comments.		<p><b>Add Text: “Land Uses”</b> 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><b>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.</b></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"> <li>• One travel lane in each direction shared</li> </ul>	<p><b>Delete Figure 16 – Local Residential Street cross-section and language on Page 56.</b></p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision (Bold Text)
13.	<i>(continued)</i>	<i>(continued)</i>	<p>with bicyclists.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Widening for left turn lanes onto thoroughfares may be required in accordance with CDOT standards.</li> </ul> <p>Proposed Behind the Curb: Minimum building setback is determined by zoning classification. A planting strip and sidewalk is required behind the curblin 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	<b>Remove Parcel Identification Number 16110712 from Area #6, Proposed PED Overlay Map #18, Area #6</b>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision (Bold Text)
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><b>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.</b></p> <p><b>Add New Implementation Strategy to Page 75, T-27, Staff will work with CATS to expand transit services and facilities.</b></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><b>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.</b></p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 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.		<b>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.</b>
18.	Page 23	Add Text to Transit Station Areas to Clarify Short and Long Term Land Use Vision		<p><b>Add Text: The Southeast Transit Corridor is not likely to be completed within the next 20 years and much can change during that time, including transit technology. However, these areas are recognized as key development nodes even absent an operational rapid transit line. As such, the mix of uses and community design characteristics inherent in transit-oriented development are appropriate for these locations. The transition to this mix and intensity of uses, as well as the focus on transit supportive design is expected to occur gradually.</b></p> <p><b>Until rapid transit plans become more solidified (i.e., mode determined, station locations refined, funding identified), development proposals should facilitate this transition, but not be expected to meet the Transit Station Area Principles (p. 42). Rather, development proposals in this “interim” timeframe should rely on the guidance provided in the Community Design Polices section of this document. In particular, development will likely need to make greater accommodation for vehicular accessibility than is typical in a transit station area.</b></p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision (Bold Text)
18.	<i>(continued)</i>	<i>(continued)</i>	<i>(continued)</i>	<p><b>Add Text: The land use recommendations for transit station areas may be translated as follows during this “interim” timeframe while rapid transit plans are being refined/defined:</b>  <b>TOD-M – Mixed Use (office, retail and/or residential)</b>  <b>TOD-R – Predominantly residential, but some non-residential also appropriate</b>  <b>TOD-E – Predominantly employment (office, industrial) with some residential and or retail also appropriate.</b></p>
19.	Pages 24-35	Modify title and supporting text for each proposed transit station area to clarify the short and long term vision for each transit station area.		<p><b>Add Text: Transit Station/Regional Nodes are located at the most highly-connected locations in the Plan Area, where Independence Boulevard is crossed by major regional access streets with future rapid transit stations. These occur at Briar Creek, Conference Drive and Sardis Road North Transit Station Areas.</b></p> <p><b>Transit Station/Regional Nodes should be characterized by a mix of residential and commercial uses re-oriented away from Independence Boulevard towards a regional road corridor (i.e., Briar Creek, Conference, Sardis Road North) or internal street. The transit/regional node maintains its pedestrian scale with connected streets and walkable block sizes even when building footprints are larger. These nodes may also include mixed-use buildings or mixed-use blocks of apartments, townhomes, ground-floor retail and office uses which primarily serve the surrounding</b></p>

**Independence Boulevard Area Plan**  
**Council Economic Development Committee - Recommend Changes to the April 2010 Draft**

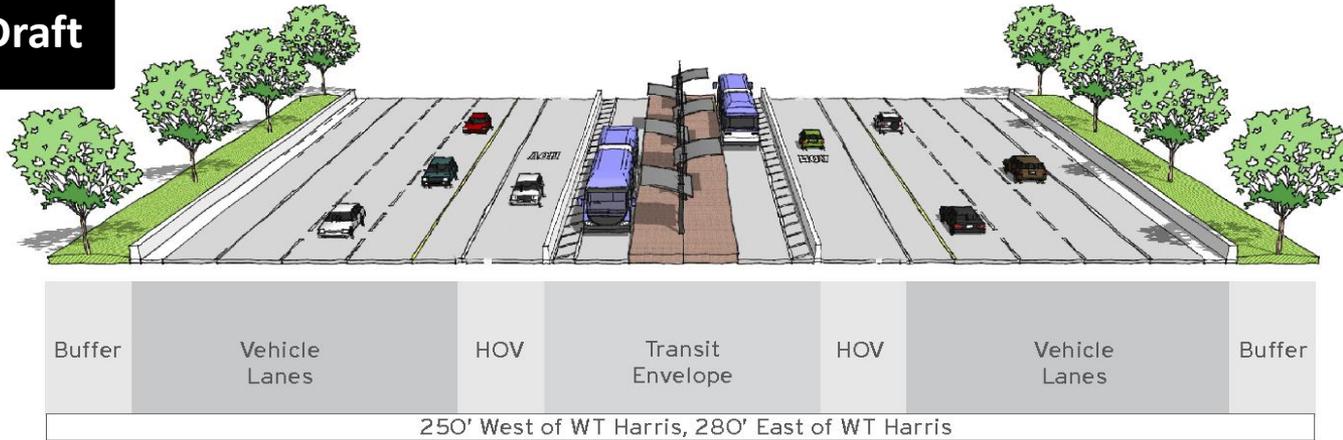
*Updated May 13, 2011*

#	Recommendation and Location	Purpose of Change	Current Text, Map or Graphic in Draft Plan	Proposed Revision (Bold Text)
19.	<i>(continued)</i>	<i>(continued)</i>	<i>(continued)</i>	<p><b>area with a high level of internal and external connectivity.</b></p> <p><b>Transit Station/Neighborhood Nodes are limited to access directly along Independence Boulevard and with very little regional connectivity. These occur at Amity Garden, Sharon Amity and Village Lake Transit Station Areas.</b></p> <p><b>Transit Station/Neighborhood Nodes are characterized by predominantly automobile-oriented commercial uses, but are also appropriate for a smaller, local serving uses which should re-orient away from Independence Boulevard and toward a new side street connection. The appropriate uses include a mixture of moderate intensity residential such as apartments or townhomes, and small scale retail and office with a high level of internal and external connectivity. When building footprints are larger, the transit/neighborhood node should maintain its pedestrian scale with connected streets and walkable block sizes.</b></p>

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

# Future Cross-section for Independence Boulevard

## Current Draft



## Proposed Revision



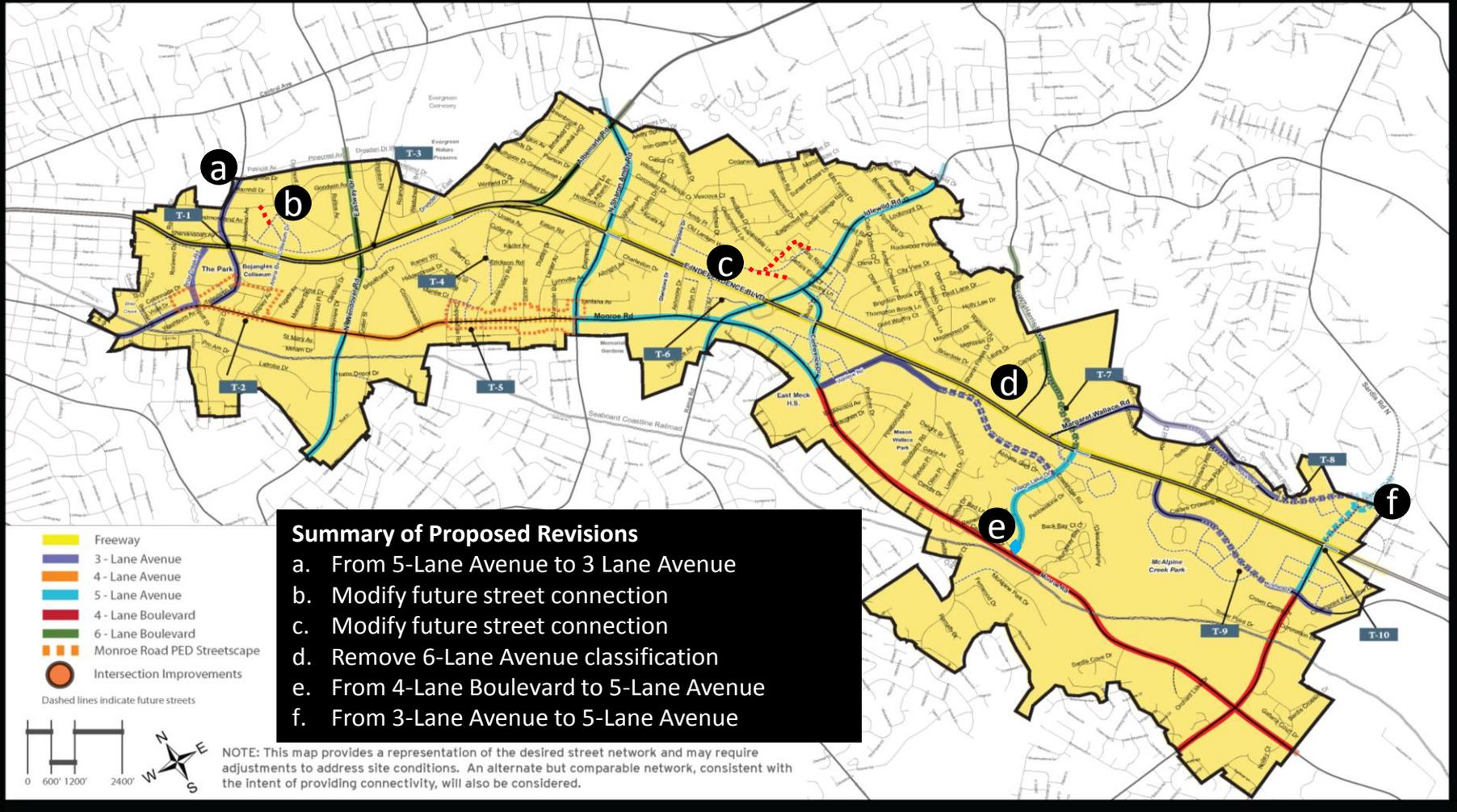
\* Indicates the proposed changes to the *Independence Boulevard Area Plan* to reflect the March 21, 2011 text amendments to eliminate the transitional setback along portions of Independence Boulevard.

# Independence Boulevard Area Plan

## Proposed Revisions

*Independence Boulevard - Future Transportation Network*

Map 14





**INDEPENDENCE BOULEVARD AREA PLAN**  
Economic Development Committee Meeting  
May 12, 2011

CHARMECK.ORG



## Presentation Outline

**Purpose:**  
To share information in response to public comments

- **Summary of Public Comments and Staff Response**
- **Questions and Next Steps**



Document can be found at [www.charlotteplanning.org](http://www.charlotteplanning.org)  
or call (704) 336-2205





# Summary of Citizen Concerns

## Plan Vision



## Implementation



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## PLAN VISION

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### The Independence Boulevard Area Plan:

- Provides flexibility to respond to future changes in roadway or transit plans
- Creates a new vision for land use and development
- Provides policy context to make investments and to begin revitalization process
- Addresses environmental, open space, community design, local mobility (car, pedestrians, cyclist and transit users )



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### Citizen Concern:

- Market Analysis provides an unrealistic basis for the plan.
- Area Plan will rezone station areas to TOD zoning districts when there's no market to develop TOD.



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## Staff Response

### Market Analysis is ONE consideration in Plan Development.

#### Plan Development Considerations

##### Adopted City Policies

- Centers, Corridors & Wedges
- General Development Policies (GDP)
- Transportation Action Plan (TAP)
- Urban Street Design Guidelines (USDG)
- 2030 Long Range Transportation Plan (LRTP)

##### Public Input Process

- Surveys, Public & Advisory Group Meetings

##### Land Use

- Existing Land Use & Existing Zoning
- Adopted Future Land Use
- Land Use Accessibility
- **Market Analysis**

##### Transportation Network

- Motorists / Pedestrians / Bicyclists/Transit
- Streets, LOS & Capacity
- Traffic Counts & Congestion, Planned

##### Environmental Considerations

- Watershed Overlay
- SWIM Buffers
- Flood Plain
- Heritage Sites
- Open Space / Greenways
- Critical Habitats
- Topography

##### Public Facilities / Infrastructure

- Water & Sewer
- Public Safety (Police & Fire stations)
- Parks & Recreation
- Library & Schools

##### Other Government Agencies

- City & County Departments
- Town of Matthews

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## Staff Response

### Market Analysis Provided Context:

#### Retail:

- Cycle of disinvestment
- Neighborhood retail dollars spent elsewhere
- Opportunity to focus regional retail at nodes

#### Office

- Little demand for a new office core
- Some opportunity for Class A/B office

#### Residential

- Potential for multifamily along Independence
- Opportunity to reinvest in neighborhoods

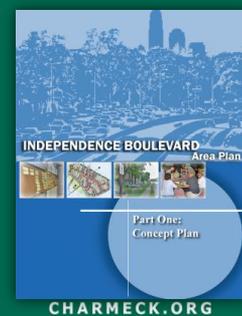


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- **Plan provides flexibility for implementation to respond to market demands.**
- **Zoning Districts other than Transit-Oriented Development (TOD) may be appropriate to implement the land use vision.**
- **No areas will be pre-zoned for TOD. TOD will be applied on a case by case basis if and when requested**

### Citizen Concerns:

- **TOD along Independence will be different than South Boulevard.**



**Southeast Transit Corridor will have different land use context than South Corridor transit development.**



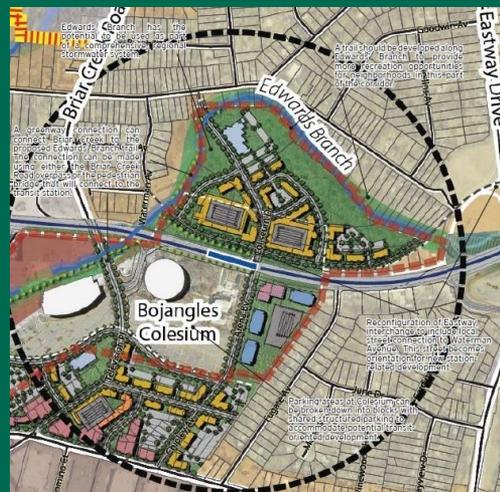
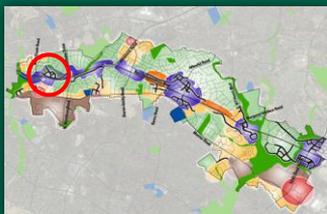
Southeast Transit Corridor



South Transit Corridor

**Briar Creek - Transit Station Area Concept**

- Located between interchanges
- Located at stations
- Reverse frontage along US 74
- Access from new local streets (frontage or parallel)





## PLAN IMPLEMENTATION

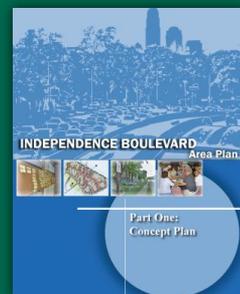
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## Citizen Concerns

### Citizen Concerns:

- **Finalize transit decision and then finalize land use plan.**
- **Plan inconsistent with ULI –Rose Fellowship Observations and Concepts.**



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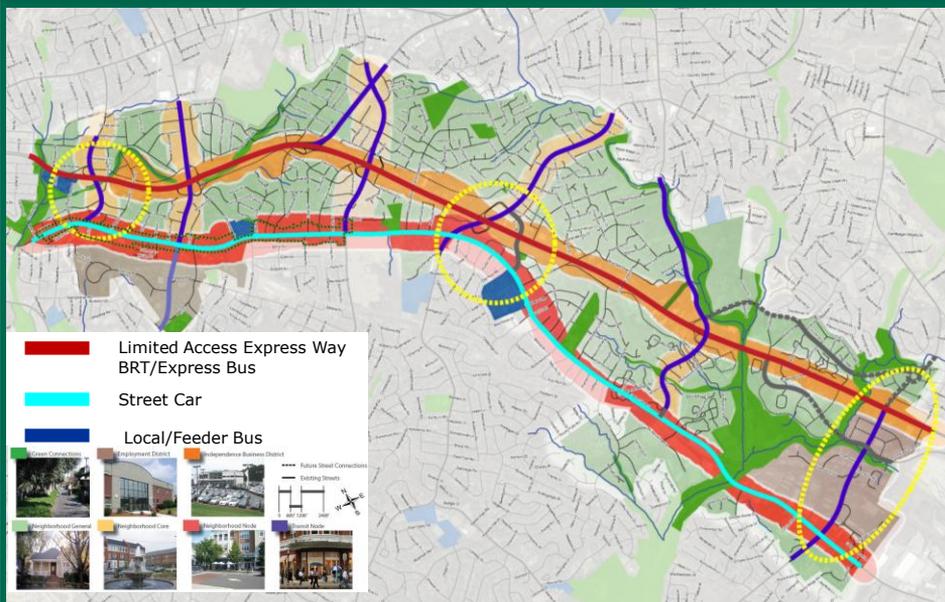
## ULI - Key Concepts

- Be clear about difference between solutions for regional challenges vs local challenges
- Build on what you know has worked
- Three main ideas
  1. BRT/Express bus on Independence in HOT lanes with 3 Regional Nodes/Stations
  2. Streetcars on Central and Monroe
  3. Promote auto-oriented retail on Independence and neighborhood serving, mixed-use development on streetcar lines



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## ULI-Rose Panel Concepts





## ULI – Concept Combine BRT and HOT

### Independence Boulevard with Exclusive Busway



### ULI Concept Independence Boulevard with Combined BRT and HOT



## Staff Response

ULI Recommends 3 Major Development Nodes along Independence.  
Plan recognizes nodes with regional development potential.





# Staff Response

## Briar Creek Area Concept Regional Node



## Sharon Amity Area Concept Non-regional Node



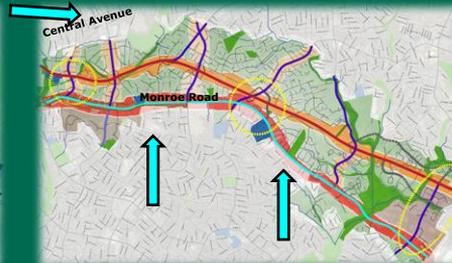
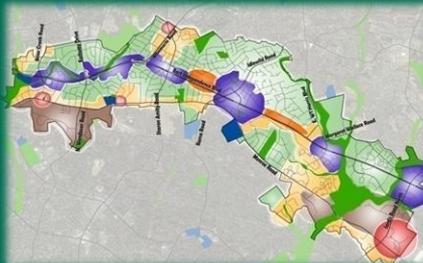
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# Staff Response

ULI recommends streetcar Along Monroe Road and Central Avenue to support local trips and pedestrian oriented development.

**Plan provides land use vision for walkable, pedestrian-oriented development on Monroe Road that would support street car.**



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## Staff Response

### Monroe Road Proposed Pedestrian Improvements




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## Summary of Proposed Changes to Draft Document

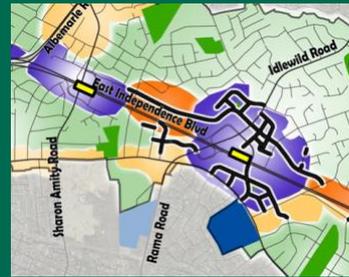
### Proposed Changes to Draft Plan will:

- Include revisions to transitional setback
- Provide policy for staff to work with MTC on future rapid transit planning for SE Corridor
- Add language that acknowledges the ULI – Rose Fellowship work
- **Clarify Short and Long Term Vision for Nodes along Independence – (development intensity)**
  - Transit Station/Regional Nodes
  - Transit Station/Neighborhood Nodes
- **Clarify Appropriate Land Uses**
  - Mix of Uses
  - Development Form



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- Planning Committee Recommendation  
**May 17, 2011**
- City Council Action  
**May 23, 2011**



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# Questions?

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## Station Area Bridge Treatments

Section 2 - Bridge Treatments Cross Section - Option 2 at Sharon Amity, Conference, and Sardis Station



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## Concluding Thoughts

### The Independence Boulevard Area Plan:

- Provides **flexibility** to respond to future changes in roadway or transit plans
- Creates a **new vision** for land use and development
- Provides **policy context** to make investments and to begin revitalization process
- Addresses environmental, open space, community design, local mobility (car, pedestrians, cyclist and transit users )



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## **Historic Landmarks Commission (HLC) Process Recommendations (Item Referred to ED Committee on October 19, 2009)**

### **Recommendation 1 (Completed)**

Implement an official letter from the HLC to the Mayor, City Council, City Manager County Commissioners, and County Manager (in advance of the public hearing on properties considered for designation) informing the City and County leaders of the property tax implications if properties achieve designation status.

### **Recommendation 2**

Recommend that a Resolution calling for a future public hearing on the proposed property (including a report on the historic characteristics of that property) be considered by City Council. If the Resolution is approved, the property proceeds to public hearing. If the Resolution is not approved, then the HLC would act to either provide more information to achieve future support for the Resolution, or not proceed forward with the property.



  
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NEIGHBORHOOD & BUSINESS  
SERVICES

## Business Corridor Revitalization Strategic Plan Update

May 12, 2011

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### FY12 Focus Area Plan

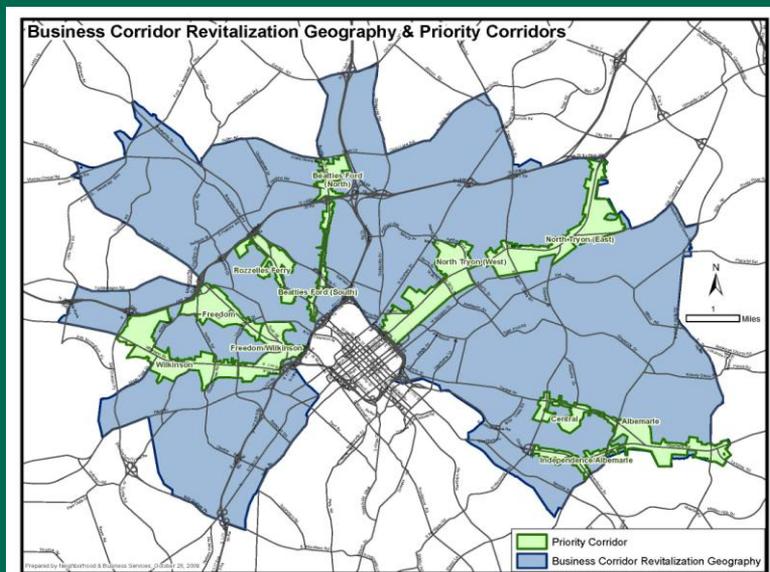
- **FY12 Objective:**  
Revise and implement the City's Business Corridor Strategy, including an examination of the five priority corridors along with the improvements planned for Independence Boulevard.
- **FY12 Target:**  
Adopt a new Business Corridor Strategy and implement 50% of recommendations.

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- The review will include the following elements:
  - Review of accomplishments
  - Review of current geography
  - Prioritization of goals, with a focus on image building for distressed corridors
  - Establishment of roles for the City and its partners.
  - Workforce development, including training and employment for youth in adjacent neighborhoods
  - Input from business owners, community leaders and developers
  - Benchmarking of similar programs in peer cities

- From 1998 to 2006, the City had targeted redevelopment programs in distressed areas
- During that time, the City made cumulative investments of \$170 million in infrastructure and \$47 million in Housing Trust Fund initiatives.
- The City created grant programs to:
  - Remove blight (i.e. façade improvement program)
  - Decrease crime (i.e., security grant program)
  - Clean up contaminated sites (i.e., brownfield program)
  - Support corridor business associations (i.e. BDOP)

- However, there was no dedicated funding source for large redevelopment projects
- In June 2006, Council appropriated \$8.9 million for targeted corridor revitalization effort and directed staff to develop a business corridor strategy.
  - Included input from property owners, developers and businesses
- In April 2007, Council adopted its first formal Business Corridor Strategic Plan
  - Identified 5 priority areas inside an updated geography
  - Updated existing grant programs



- Outlined four specific objectives:
  - Reduce or eliminate blight
  - Create strong local economies through corridor research, assessment and marketing
  - Align policies and programs to encourage development
  - Promote environmentally sustainable development

 Grant Programs  
 FY08 – FY11

<u>Program</u>	<u>#</u>	<u>Grant</u>	<u>Leverage</u>
Brownfield	7	\$106,709	\$531,381
Façade	25	\$691,001	\$5,395,051
Security	25	\$130,260	\$276,615
BDOP	2*	\$69,011	\$47,708
<b>TOTAL</b>		<b>\$996,983</b>	<b>\$6,250,756</b>

\* FreeMoreWest and North End Partners annual awards

### Greenway Business Park

- \$1.45 million of City money in land acquisition and development loans
- Boulevard Homes demolished
- 14 acre business park; link to County Greenway
- First tenants in place, more pending



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### Bryant Park

- Road network improvements (pending) funded through \$3.2 million in land sales and synthetic tax increment financing
- First phase of infrastructure completed
- Charlotte School of Law opened as first tenant



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## Selected Outcomes

### Wesley Village

- \$1.36 million synthetic TIF for infrastructure
- Leveraged \$33 million private investment
- 301 new residential delivered



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## Selected Outcomes

### Double Oaks

- \$25 million in Section 108 loans, synthetic TIF, grants and infrastructure
- First phases of 950 new affordable housing units delivered
- Partnership with Charlotte Mecklenburg Housing Partnership & County Park and Rec Department



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## Business Corridor Fund

	<b>Amount</b>
FY07-FY11 appropriations	\$17.5 million
Expenditures & Encumbrances	\$ 1.3 million
Current Balance	\$16.3 million

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## FY 2012 Plan Update

## Preliminary Schedule

- June 15                      Complete review of accomplishments
- June 15 – August 1      Seek stakeholder input
  - » Developers & Property owners
  - » Business & Neighborhood Associations
  - » Business Advisory Committee
- August 31 -                Draft recommendations complete
- September 8 & 22-      ED Committee Discussion
- October 24-                Adoption by City Council

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**M E M O R A N D U M  
FROM THE  
OFFICE OF THE CITY CLERK**

---

**DATE:** April 29, 2011  
**TO:** Economic Development Committee Members  
**FROM:** Stephanie C. Kelly, CMC, City Clerk  
**SUBJECT:** **Business Advisory Committee Annual Report**

The attached report of Business Advisory Committee is being sent to you pursuant to the Resolution related to Boards and Commissions adopted by City Council at the November 23, 2009 meeting. This resolution requires annual reports from City Council Boards and Commissions to be distributed by the City Clerk to both City Council and to the appropriate Committee for review.

If you have questions or comments for the board, please convey those to staff support for a response and/or follow-up.

Section 6. **REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS**

The City Council finds it appropriate to periodically review each standing board, committee, and commission to which they make appointments for the purpose of assessing whether said board, committee, or commission should be renewed, dismantled, expanded or its charge redefined. To this end, each board, committee, and commission that is part of the City, or that was established by the City Council, whether acting alone or in conjunction with one or more other local governments, is required to submit annual written reports that must contain in depth reviews of the body's activities, including goals, objectives, successes, problems, and/or the need for City Council assistance. These reports shall be submitted to the City Clerk and will be staggered through the year according to a schedule established by the City Clerk. The City Clerk shall then provide the Mayor and City Council with copies of the reports and refer the reports to the appropriate Council Committee for the Committee's information.

Boards, committees, and commissions that are not part of the City shall submit reports in accordance with the reporting requirements set forth in their contract, if any, with the City.

In addition to required written reports, the City Council may request on a case-by-case basis that an oral report be made to the Council.



**M E M O R A N D U M  
FROM THE  
OFFICE OF THE CITY CLERK**

---

**DATE:** April 29, 2011  
**TO:** City Council  
**FROM:** Stephanie C. Kelly, CMC, City Clerk  
**SUBJECT:** **Attached Annual Report: Business Advisory Committee**

The attached report of the Business Advisory Committee is being sent to you pursuant to the Resolution related to Boards and Commissions adopted by City Council at the November 23, 2009 meeting. This resolution requires annual reports from City Council Boards and Commissions to be distributed by the City Clerk to both City Council and to the appropriate Committee for review. This report is also being sent to the Council committee aligned with this board, Economic Development.

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In addition to required written reports, the City Council may request on a case-by-case basis that an oral report be made to the Council.



## MEMORANDUM

**TO:** Mayor and City Council

**FROM:** Stoney Sellars, Chair  
Business Advisory Committee

**DATE:** April 28, 2011

**RE:** Annual Report of the Business Advisory Committee

---

As required by the Charlotte City Charter and City Council's current policy for Boards and Commissions, the Business Advisory Committee (BAC) is hereby submitting a report of its activities for the period from May 1, 2010 to May 1, 2011.

### **Committee Charge:**

The Business Advisory Committee is charged to:

- Provide recommendations and advice to Council on ways the City can help business in Charlotte, with a particular emphasis on small businesses.
- Provide a forum for businesses to raise issues, discuss and have input into City policy responses to these issues.
- Provide input and recommendations on the City's Economic Development Strategic Plan, with a particular emphasis on the development of the small business web portal; business recruitment, retention and expansion efforts; public/private partnership projects, and business customer service.
- Keep City Council and Key Business Executives abreast of conditions in the business community, and how these conditions might affect business-government relations and needs for public services.

### **Members, Attendance Requirements, Meeting Schedule:**

The BAC is composed of 20 members. The members are appointed as follows:

- One (1) Chairperson by the Mayor from the body of the Committee;
- Two (2) members by the Mayor;
- Six (6) members by the Charlotte City Council representing the following business sectors: Manufacturing, Transportation/Logistics, Financial Services, Technology, Energy, and Healthcare;
- Five (5) members by the Charlotte Chamber of Commerce representing the Chamber Area Chapters and/or business alliances;

## Annual Report of the Business Advisory Committee

- One (1) member who is a Certified Small Business Enterprise (SBE) recommended by the Metrolina Minority Contractors Association (MMCA);
- One (1) member who is a Certified Small Business Enterprise (SBE) recommended by the Hispanic Contractors Association (HCA);
- One (1) member who is a small business owner recommended by the Charlotte chapter of the National Association of Women Business Owners (NAWBO);
- One (1) member who is a small business owner recommended by the Charlotte-Mecklenburg Black Chamber of Commerce;
- One (1) member who is a small business owner recommended by the Charlotte-Mecklenburg Latin American Chamber of Commerce;
- One (1) member who is a small business owner recommended by the Carolinas Asian-American Chamber of Commerce;
- One (1) member who is a small business owner recommended by the Metrolina Native American Association

All seats on the BAC are currently filled and the current committee members are:

<b>Mayor Appointments</b>	<b>Charlotte Chamber</b>
Stoney Sellars, Chairman	Terri DeBoo
Robert Miller	G. Wesley Jones
<b>Charlotte City Council</b>	Michael Orzech
Robert Barkman	Todd Paris
Tariq Bokhari	Tunis Hunt
Gary LaBrosse	<b>Charlotte Mecklenburg Black Chamber</b>
Nalan Karakaya-Mulder	Veronica Giles
Linda Daniel	<b>Latin American Chamber</b>
Dr. Wesley Carter	Julio Colmenares
<b>NAWBO</b>	<b>Carolinas Asian-American Chamber</b>
Colleen Brannan	Nimish Bhatt
<b>Hispanic Contractors Association</b>	<b>Metrolina Minority Contractors Association</b>
Julio Barriga	Michael High
<b>Metrolina Native American Association</b>	
Walter Baucom III	

In 2010, one member was removed for failing to meet the attendance policy and three members resigned from the committee. All other members have met attendance requirements. All members serve without compensation. The BAC meets once a month on the third Friday at 8:00am in the Charlotte Mecklenburg Government Center.

### **Key Accomplishments**

- The majority of the committee's work in 2010 was focused on the development of the City's Small Business Strategy, and the BAC was pleased to endorse the City Council's approval of this strategy in June, 2010.
- In a related measure, the BAC assisted with the development of the RFP for the small business web portal, and it continues to provide input into the development of the portal. We are pleased that the web portal will be launched during Small Business Week in May.

## Annual Report of the Business Advisory Committee

- In December 2010, City Council revised the BAC charge to include providing advice on the City's Small Business Opportunity (SBO) Program. Council also changed the membership structure to more accurately reflect the growing diversity in the community. I am pleased to report that since that time, we have increased the number of committee members from 15 to 20, and included members from a diverse group of community business associations. A complete description of the revised charge and membership is attached to this report.

### 2011 Work Plan

In January, the BAC approved our work plan for the year, which supports several key initiatives from the Council's Economic Development Focus Area Plan, including:

- Small Business Development
- Business Corridor Revitalization Strategy
- Entrepreneur Strategy
- Business Retention, Expansion and Attraction
- Business Friendly Government

A copy of the BAC 2011 Work Plan is attached to this report.

In closing, the Business Advisory Committee continues to support the work of City Council and the City's Neighborhood & Business Services Department. Please feel free to contact me directly with any questions related to this report.

Respectfully,



Stoney Sellars  
BAC Chair

Cc: City Clerk  
Business Advisory Committee  
Brad Richardson, Economic Development Manager  
Emily Cantrell, Economic Development Specialist

#### Attachments:

BAC Revised Charge and Membership  
BAC 2011 Work Plan