Council-Manager Memo #70
Wednesday, September 21, 2011

CHARLOTTE.

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AGENDA NOTES:

Agenda Item #8 – Elizabeth Area Plan
Staff Resource: Alan Goodwin, Planning, 704-432-3418, agoodwin@charlottenc.gov

Charlotte-Mecklenburg Planning Department staff has worked with a stakeholder group to develop an area plan for the Elizabeth community. The plan area comprises approximately 630 acres and is bound by I-277 and Independence Boulevard to the north, the Seaboard Coastal Railroad to the east, Briar Creek to the south and Randolph Road/Fourth Street, South Laurel Avenue and Providence Road on the west. The plan will update the 1993 *Central District Plan.* The proposed *Elizabeth Area Plan* will be the guiding policy document for the Elizabeth community in making land use, capital investment and zoning decisions.

The Plan is on the agenda for public comment at the September 26 business meeting. The document is included in Council's Wednesday mail packets.

Agenda Item #9 – Steele Creek Area Plan
Staff Resource: Melony McCullough, Planning, 704-336-5993, mmccullough@charlottenc.gov

Charlotte-Mecklenburg Planning Department staff has worked with a stakeholder group to develop a draft plan for approximately 27,000 acres located in the southwestern portion of Mecklenburg County. The plan area is generally bounded by Shopton Road on the north, South Carolina state line on the south, I-485 on the east, and the Catawba River (Lake Wylie) on the west. The plan was developed in collaboration with a citizen advisory group, Charlotte Department of Transportation as well as other City and County Departments. The draft *Steele Creek Area Plan* updates previously adopted land use plans and provides policy guidance for future land use, capital investment and zoning decisions in the plan area.

The Plan is on the agenda for public comment at the September 26 business meeting. The document is included in Council's Wednesday mail packets.

Agenda Item #41 I – Property Transactions (Thompson Brook Homeowners' Association Condemnation)
Staff Resource: Charles Anzalone, E&PM, 704-621-1093, canzelone@charlottenc.gov
Becky Chambers, E&PM, 704-336-3280, rchambers@charlottenc.gov

On August 22, Mr. Justin Stringfellow spoke to the City Council concerning the acquisition of a storm drainage easement from Thompson Brook Homeowners' Association. He explained that he does not have any issues with the storm drainage easement, but has withheld approval seeking action from the City at a property he owns on Tuckaseegee Road.

A recent City project constructed sidewalk along the frontage of a property Mr. Stringfellow owns on Tuckaseegee Road. He described that the City's construction placed fill dirt outside

the sidewalk easement into his property and installed a handrail behind the sidewalk that inhibits access to his property via a future driveway.

Mr. Stringfellow's property sloped down from Tuckaseegee Road prior to the installation of the sidewalk. The City placed fill dirt for the sidewalk and sloped the fill behind the walk in a temporary easement which Mr. Stringfellow signed. In effect, the sidewalk simply moved the slope condition that previously existed further into the property **(see attached sketch, "2. Stringfellow Parcel Sketch.pdf")**.

Mr. Stringfellow is entitled to seek a permit for a driveway connection to Tuckaseegee Road as part of any future development plan. The driveway permit will allow removal/modification of the handrail as needed for access. The fill necessary to install the driveway will be similar to what would have been required in the original condition, perhaps less since it will be a shorter distance.

Mr. Stringfellow's attorney has outlined claims to the City Attorney's Office that the placement of the handrail amounts to a "taking" of access and causes the property to be unmarketable, and that the "steep slope" makes the property more expensive to develop in the future. The City's attorney believes that both arguments are without merit. As part of the negotiations to resolve the issue, City staff has offered to pay Mr. Stringfellow the market value of $800 for a slope easement where the new slope exists. However, the easement would encumber the property and prohibit future use of the slope area.

Mr. Stringfellow is entitled to continue negotiating for a resolution of the issues at the Tuckaseegee Road property, file a claim or take some other legal action. However, those issues are unrelated to the storm drainage easement being sought from the Thompson Homeowners' Association.

INFORMATION:

Committee of 21 Transportation Funding Recommended to Budget Committee
Staff Resource: Dan Gallagher, CDOT 704-336-4984, dgallagher@charlottenc.gov

On June 13, 2011, at the recommendation of Council member David Howard, City Council referred a re-examination of the Committee of 21 transportation funding recommendations to the Transportation & Planning Committee. Committee of 21 members representing the City of Charlotte, Mecklenburg County and the Chamber of Commerce, developed a series of transportation funding options during their deliberations, which concluded in 2009.

On September 12, 2011, Ned Curran, the Chair of the Committee of 21, and Danny Pleasant, the CDOT Key Business Executive, summarized the recommendations for the Transportation & Planning Committee. That presentation focused on the transportation challenges facing our community and possible funding sources that could be dedicated to build and maintain local transportation facilities. After discussion of the topic, the Transportation & Planning

Committee voted to include the Budget Committee in further discussion of transportation funding issues concurrent with the FY13 capital budget retreats in Spring 2012.

ITS Video Challenge

Staff Resource: Debbie Self, Transportation, 704-336-3935, drself@charlottenc.gov

The US Department of Transportation's Research and Innovative Technology Administration (RITA) has announced that the Charlotte Department of Transportation submitted the winning entry for the Intelligent Transportation Systems (ITS) Video Challenge. The ITS Video Challenge was a national competition to highlight innovative ways that local communities use smart technology to improve safety, mobility and the environment for all transportation users.

There were a total of 24 entries representing 19 different state departments of transportation, local transportation agencies, universities, and private firms. CDOT's winning video highlighted bicycle detection at signalized intersection. The CDOT team will be featured during the Eighteenth World Congress event on Intelligent Transportation Systems in Orlando, Florida from October 16 – 20, 2011.

All of the ITS Video entries can be viewed online at the following web address: www.youtube.com/user/ITSChallenge?feature=mhsn

ATTACHMENTS:

City Council Follow-Up Report **(see "3. Follow Up Report 9.21.11.pdf")**

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--Sign Language Interpreter