Charlotte City Council
Housing and Neighborhood Development Committee
Summary
January 23, 2013

COMMITTEE AGENDA TOPICS

I. **Comprehensive Neighborhood Improvement Program Follow-Up**

II. **Brooklyn Village Development Update**

COMMITTEE INFORMATION

Council Members Present:	Patsy Kinsey, Michael Barnes, John Autry, Warren Cooksey, LaWana Mayfield
Staff Resources:	Eric Campbell, Assistant City Manager Pat Mumford, Neighborhood & Business Services Tom Warshauer, Neighborhood & Business Services Cindy White, City Attorney's Office Pamela Wideman, Neighborhood & Business Services
Meeting Duration:	12:11 PM – 1:07 PM

ATTACHMENTS

1. Agenda Packet – January 23, 2013
2. Presentation – Affordable Housing and CNIP
3. Presentation – Brooklyn Village

DISCUSSION HIGHLIGHTS

Kinsey: Welcomed attendees.

Campbell: The first item is a continuation of the discussion we had on the Comprehensive Neighborhood Improvement Program. These were the capital programs referred to all the committees based on the CIP review.

Comprehensive Neighborhood Improvement Program Follow-up

Warshauer: We have responses to questions from the last meeting. There was a comprehensive listing of all the projects compiled from the small area plans, capital needs assessment, and conversations with Charlotte-Mecklenburg Schools and County Parks & Recreation. Some of the projects are essential. Others need private sector involvement. We have crunched numbers and because there is not enough to do all the projects, we will need to select projects that are the best use of our funds.

Presentation

We don't have an established methodology to estimate the increase in property values from our investments. We have seen that work done on past projects have changed the outcomes in those communities with higher than average return on investment. We can't say without the investments this wouldn't have occurred, but it does appear that these investments do matter to the private sector. We will work to enhance methodology to track correlation between investments and where we see stabilization and/or change in the community.

Autry: The private sector is interested in knowing where the City is making investments in communities. They follow in with their own projects and are making investments in those targeted communities.

Barnes: What types of investments are the private sectors making as a result of what we are doing?

Warshauer: Along Rozzelles Ferry Road there are new houses being built, around JCSU you will see houses being renovated, in NoDa the growth of retail business, galleries and restaurants. We have been major investors in that area, not just infrastructure but with loans for businesses and facade and security grants.

Cooksey: I appreciate the potential difficulty in trying to track the correlation between city investment and the changes in property values. Are you tracking the investment to see the leverage point?

Warshauer: We have had some antidotal reports. We have been more successful when we have been more coordinated. There are a number of areas we went into because without our investment no one would have gone in there.

Mayfield: When thinking about the calls you receive from the business community wanting to know where we are going to invest, is there a way you could update the district representative on what is happening? It would be helpful to have that information in order to strengthen those relationships.

Warshauer: I am sure there is more opportunity for us to do this.

Autry: Are these calls logged? Is a CRM tool used to look at these?

Mumford: We have acknowledged we haven't done that in the past and we know now we need to get some data in the future.

Warshauer: The next is an update on Parks & Recreation participation. They have really been involved as we developed this concept. The City does not plan to pay for parks; it is really about coordinating with Parks & Recreation on where their investments are and how we can best leverage the investments and strengthen our relationships. It is acknowledging that parks and greenways are valuable assets for communities.

Presentation

There was a question regarding opportunities for cost shifting. We think there may be some opportunities for us to do this. Where the market is weak, you see less opportunity to shift cost. There are five areas that we are looking at and there may be opportunities to make some partnerships and it could be a mechanism to help us.

Brooklyn Village Development Update

Campbell: This is informational, not a formal referral to Committee. This item came through in 2007, but we have an amendment to the agreement and we wanted to brief the Committee on the background and purpose of the amendment before it came to the full Council.

White: This is really about jumping through legal hoops that are necessary to preserve the Brooklyn Village affordable housing component that was agreed to in 2007. I will walk you through the history. Council is being asked to extend what was previously agreed to.

Presentation

Mayfield: Do you know if that was a total of 30 units serving 80% or below or was it 30 units serving 30% or below? Do you have a breakdown of how many units are in this development and how many are going to be affordable and is it going to be a range of percentages?

White: They were planning a large condo and large apartment units. These 30 affordable housing rental units are going to be in whichever one gets done first. Each of those 30 has to be for 30% or below AMI. If condo units are built first they will have to include 30 rental units for affordable housing.

Wideman: We realize the development concept probably has changed since 2007, but we will get you the total number of units in the entire development.

White: In December 2007, at the time the affordable housing agreement was completed we had the filing of the Jerry Reese lawsuits. All the parties agreed that instead of having a deadline of May 2009, they would extend it to December 2012 because of the lawsuits. The interlocal and affordable housing agreements were extended so that if the County

did not sell Brooklyn Village to developers by December 1, 2012, the County would convey Marshall Park back to the City and the affordable housing would only be effective on a sale prior to that date. If it got conveyed back to the City we did not want to have restricted what we could do with it in the future.

Presentation

Kinsey: Who gets the $100,000 if the developer has to go beyond March 1, 2013?

White: The County.

Presentation

White: The County approved this on January 15, 2013. This has been discussed with the Charlotte Housing Authority and Spectrum.

Barnes: Why is there not a similar provision for the City to receive a percentage of the $100,000?

White: The only reason we were retaining an interest is to enforce that affordable housing component. The County was the one entering into the sales agreement.

Wideman: Cindy mentioned that the City has committed $1.25 million from the Housing Trust Fund (HTF) and the Housing Authority has also committed $1.25 million. We are not requesting new money from the HTF that money is already set aside.

Consolidated Neighborhood Improvement Plan (CNIP)

Barnes: What are we going to do with the CNIP? Can we say we are happy with it and move on?

Kinsey: I would like to see it all listed in front of me before I can say yes. I haven't seen it since last summer.

Barnes: I am familiar with all parts of the CNIP, so for me, there was only one issue is the street car financing methodology. I haven't had a problem with any other parts of that package. I move to say that we are happy with it and support it and move forward.

Mayfield: I second that.

Barnes: The motion has passed and the Committee urges its' passage by the full Council.

Cooksey: One thing that may still be relevant for our review would be the last line from Tom's presentation about opportunities for different funding mechanisms for some projects within the CNIP. As a Committee, we could include in a recommendation over and above what the CNIP had last year with staff guidance and some clarification about what possibilities may exist to get things done with some private partnership instead of property tax money. This is an element of refinement that we have an opportunity to do while it is in Committee.

Barnes: I think you are making a good point Mr. Cooksey. What I heard Mr. Warshauer say was that it would be a small amount, probably negligible. At $3 million dollars that is something, but in terms of the rate it would be tenths of a penny. I think there should be a placeholder if there is an opportunity for public-private partnership.

Mumford: I would add that supporting the package that has been delivered, doesn't preclude the City from this point on trying to find other ways to bring in additional funding resources. To be able to give some definitive source and amount, to Mr. Barnes point, between now and March 20 is next to impossible.

Barnes: I make the motion that the Housing and Neighborhood Development Committee would recommend the CNIP in its full content to the full Council for consideration of passage.

Campbell: As we move toward the March 20th date there may be formal packaging of the motion to the Board.

Cooksey: Would you be interested in changing that wording to "inclusion in the CIP for consideration by Council?"

Barnes: That would be fine. Regardless of what we do today and on March 20th it could all fall apart in June.

Motion Housing and Neighborhood Development Committee would recommend inclusion of the CNIP in its full content for consideration by Council.

Unanimous vote of the motion.

<u>Coalition for Housing - Foundation for the Carolinas Survey</u>

Wideman: We haven't lost sight of the conversations you had late last year regarding the composition of the Coalition. We heard you say that it should include more neighborhood representatives. The Foundation for the Carolinas (the Foundation) is funding a survey that will be conducted by the Lee Institute to get some feedback on the composition of the Coalition and its role. You will be part of that survey and if you want particular people in your districts to be included in the survey, please forward those names to us so they can be included. We will send a Council-Manager Memo to the full Council so they will know this work is going on.

Kinsey: When we established the Coalition, we didn't do anything like this did we?

Wideman: No. The thought was that they would assume the role of the HTF Advisory Board. We are doing this in consideration that some terms are ending for current members on the Board and we have a vacancy, so we thought it would be a good exercise before we went on.

Autrey: Who should we direct constituents to for the survey?

Wideman: You can send those names and emails to me and I will get them to the Lee Institute.

Mayfield: Do we already have a list of the community leaders they are reaching out to? I would be easier to plug in holes instead of us giving a list.

Wideman: They have not reached out to anyone at this point; we have said broadly that it would be philanthropic, faith, business and neighborhood representatives. That is why we are looking for your help of who that should be. The timeline for the survey is mid-February and I will bring specifics back at the next meeting.

Mumford: The Coalition has been working diligently on housing issues and there has been frustration. This is an opportunity for the community to look at how can we better address housing issues. How do we have this umbrella organization that was called out in the original 10-year plan? Do we continue to need this umbrella organization? It is fine to try something, but not to keep doing something that isn't working well. It isn't to push this model; it is to get honest feedback. This is a group of people who really want to get engaged, but there is no formal authority that is vested in this board. Is there a different construct that would allow you to have the responsibility for the money that is trusted on your behalf to put toward housing that doesn't get constrained with a broader community goal for housing? The only motive is to make it better and work better for us.

Barnes: Remember that the confusion was whether the mission of the Coalition was purely to address the homeless issue or to address affordable housing. It seemed to me that its mission had been to solely deal with homelessness. I fully support dealing with the homelessness issue, but felt that once the Coalition replaced the HTF Board the mission essentially changed. I was hoping that we would have a Coalition do both and it seemed it wasn't doing that. I had a great meeting with Mike Rizer and he understood and appreciated some of the confusion that existed. I hope there is a way to move the Coalition along, perhaps by clarifying their mission.

Kinsey: I have concern about the survey, because neighborhood leaders might not understand the HTF like others in the community. They perhaps haven't dealt with this and won't understand what we have dealt with in the past. Is there an education component as part of this?

Wideman: As we design we can certainly include an educational component at the front end.

Autry: How are we leveraging the Noell study? Looking at costs, targeting certain groups, need for services at 30% and below AMI, need for assisted living services, and crisis costs of jails and hospitals. How are we planning that?

Mumford: That is a great transition to the discussion around rental subsidy. This is part of the strategy that was presented to you as a part of the CIP and also in giving us direction on how to use the remaining $13 million in housing money ($10 million HTF and $3 million leftover CDBG money). The five-part strategy talks about supportive service housing, the ability to support tax credit deals which predominantly have been for senior housing. The Noell study said that between 30 to 50 percent of AMI is where people are

really burdened to pay rent. They are spending more money than we believe they should of their disposable income for rent. The Rental Subsidy is the strongest aspect of the Noell study that we haven't been able to get our hands around.

Vi Lyles have been contracted by the Foundation for the Carolinas (the Foundation) and has embarked on an effort to see if an endowment could support a rental subsidy program. They sent a letter to the City Manager, County Manager and CEO of the Housing Authority asking if they would support looking at an endowment. We said we would support it. Rental subsidy is a big component that speaks to issues you have raised and brought forward in the community like building new developments that often times don't raise the values of the surrounding properties. A rental subsidy isn't about brand new development; it is about a three-year rental subsidy that puts people back in self-sufficiency. It can be something that supports families.

We are intrigued and although we have a solid program today, if we could scale that up it could address that component and strategy leaving the capital piece for other strategic efforts. I bring it up now because this is an operating budget issue. If an endowment is something that the City would like to support, then that would be a discussion for your operating debates coming up.

Barnes: What sort of number are you thinking?

Mumford: The Foundation would like to have a $20 million endowment; half through the philanthropic private sector and half through public sector. You would have proceeds, with some going to the program and the other back to build up the endowment. The idea is that over a period of time the endowment would be large enough to be self-supporting. This is an investment in an endowment, not an investment in a capital project. There are dollars associated with supportive services that are critical to the inhabitants of these apartments.

Barnes: You recognize that working with our operating and capital budget, a $10 million item is fairly significant.

Mumford: We have had conversations to help people understand the difference between the bond capacities, versus cash. You all do appropriate general fund money of $2 million a year to corridor fund. The corridor fund has a balance of $13 million today, that is one option for money that is not new, at your discretion. I have let the Foundation know that there is not great opportunity to find new money.

Kinsey: I am very leery of using corridor funds for something like this. It seems we keep robbing the corridor funds.

Mumford: You put $2 million into the corridor fund year. I am asking whether you want to take that $2 million of general fund money and redirect. The corridor fund stays intact.

Mayfield: The ask for the $10 million is coming forward when? Right now, until the ask for the $10 million over a period of time, we haven't identified where the money will be coming from, they will not be starting this survey until we set up the funding? I am trying to

figure out why we would allocate this $10 million to an endowment, instead of using it for implementation.

Mumford: The survey is underway right now so we have good information on how best to manage, operate and structure a rental subsidy program. We feel you need that before you would say "we will fund it."

Barnes: We had talked about the idea of a family needing $300 in order to not be homeless or live in a better area. This fund would kick off enough money to provide for a number of the families in our community to afford to live in a rental property with assistance from the public sector so they wouldn't be homeless. I am looking forward to hearing what Ms. Lyles comes back with because it could be a good way to get started, although with sensitivity to the budget issue.

Kinsey: I like the concept very much and it addresses something I am concerned about, families with children. It gives them an opportunity to get into a decent place to live and become self-supporting.

Council Appointments

Cooksey: Why do we have a Council vacancy in the Housing Appeals Board? We are normally pretty good at filling these positions.

Kinsey: The one that is open is a resignation, it just happened. We have a number of people that will be rolling off?

Mumford: That is for the Coalition for Housing. We have one individual that resigned, David Furman, so there is a vacancy and in June there are a number of them that will come up for renewal.

Kinsey: The next meeting will be February 13 at 1:00 p.m. Lunch will be served.

Adjourned 1:10 p.m.

City Council
Housing and Neighborhood Development Committee

Wednesday, January 23, 2013
12:00 p.m.
Charlotte-Mecklenburg Government Center
Room – CH14

Committee Members: Patsy Kinsey, Chair
LaWana Mayfield, Vice-Chair
John Autry
Michael Barnes
Warren Cooksey

Staff Resource: Eric Campbell, Assistant City Manager

AGENDA

I. Comprehensive Neighborhood Improvement Program Follow-Up
Staff will provide follow-up to several questions from the January 9, 2013 Committee Meeting about the proposed Comprehensive Neighborhood Improvement Program.

II. Brooklyn Village Development Update
Staff will provide an update on the Brooklyn Village Development.

Attachment: Housing Appeals Board FY12 Annual Report – *For Information Only*

Next Committee Meeting: February 13, 2013 at 1:00 p.m.

Distribution:

Mayor/Council
Julie Burch, *Interim City Manager*
City Leadership Team
Corporate Communications
Debra Campbell – *Planning Department*
Anna Schleunes- *City Attorney's Office*
Charlotte-Mecklenburg Coalition for Housing
Randy Harrington
Phyllis Heath
Fulton Meachem
Fred Dodson
Pat Garrett
Kim Graham
Chief Rodney Monroe
Willie Ratchford
Ledger Morrissette
Patrick Mumford
Steve Allen
Jamie Banks
Brad Richardson
Pamela Wideman
Tom Warshauer

CIP Project Review
Affordable Housing and Comprehensive Neighborhood Improvement Programs
Housing and Neighborhood Development Committee Meeting
January 23, 2013

Committee Discussion:
Continue the discussion on the Affordable Housing and Comprehensive Neighborhood Improvement Program proposals that were referred to Committee as part of the CIP process. The Committee is not being asked to take any action on January 23, 2013.

Explanation:
- At the December 17, 2012 Special CIP meeting, the Mayor and Council did not reach agreement on a new General CIP funding proposal. Therefore, the Mayor and Council unanimously voted to defer any capital budget actions until their spring budget workshops.
- In the meantime, each of the projects in the City Manager's recommended General CIP have been referred to Council Committees for review and consideration of funding options.
- The Housing & Neighborhood Development Committee is tasked with reviewing the proposed Affordable Housing Strategies, presented to the Council on October 10, 2012, and the proposed Comprehensive Neighborhood Improvement Program.
- Staff will provide any necessary information on the Affordable Housing Strategies and provide feedback on the following questions from the January 9, 2013 Committee meeting related to the Comprehensive Neighborhood Improvement Program.
  1. Are there specified projects outlined in the proposed CNIP geographies? If not, how were the costs determined?
  2. What is the estimated increase in property values of the five areas based upon our investments?
  3. Why are we discussing parks and greenways when they are not under our jurisdiction? How can we be assured the County will do what we are asking?
  4. Provide a list of the County's greenways and parks with timelines and funding status (See Attachment #1).
  5. What opportunities are there to shift costs of infrastructure to the five areas? (i.e.: TIF - Ballantyne Model)

Committee Referral Review Timeline:
- January – March 2013 - Council Committees review assigned General CIP Projects
- March 20, 2013 - Council Committee's report out at Budget Workshop

Capital Planning Parks & Greenways Project Management Division (Attachment #1)			
1/17/2013			
Park and Recreation Projects			
Project Name	Location	Anticipated Completion	
1st Ward Park	Brevard/7th Streets	December-14	
2nd Ward Park	3rd/Stonewall/McDowell/Alexander Streets	December-18	
Alexander Street Neighborhood Park Trinity Restrooms	739 East 12th Street	December-13	
Ballantyne Park, Phase 3 (YMCA)	Community House/Bryant Farms Roads	October-13	
Barton Creek Gwy	J.W. Clay Blvd to North Tryon Street	December-14	
Baxter-Pearle St Parks- road and land issues	Baxter/Pearle Streets	June-16	
Beatty Regional Park (Improv.)	4330 Weddington Road	December-18	
Berewick Park Rec Center	Dixie River Road/I-485	December-17	
Bradford Park Syn. Turf Fields(3)	Hwy 73, Huntersville	December-16	
Briar Creek Gwy	Randolph Road to Meadowbrook Lane	December-18	
Briar Creek Gwy	Bay St to Monroe St	December-21	
Briar Creek Gwy	Central Ave to Commonwealth Ave	December-21	
Briar Creek Tributrary Gwy	Iris Drive to Morningside Drive (developer)	December-18	
Briar/Little Hope Creek GWY	Manning Dr to Marion Diehl Park	December-20	
Bryant Park	1701 West Morehead Street	December-17	
Campbell Creek Gwy	Lockmont Drive to WT Harris Blvd	December-18	
Charles Picnic Shelter	800 Charles Ave	December-14	
Clark Creek Nature Preserve	Hucks Road	December-16	
Clarks Creek Gwy	Creek Crossing at Hampton Place	December-14	
Cordelia Park Shelter	2100 North Davidson Street	December-14	
Crossridge Neighborhood Park (New)	Crossridge Road	December-17	
Davidson Rec. Center-Improv.-	Davidson	December-18	
Double Oaks Pool	2605 Double Oaks Road	December-16	
Druid Hills Park	2801 Lucena Street	December-17	
Eagles Landing Park	Freedom Drive - west of I-85	December-16	
Eastfield Regional Park (New)	Eastfield Road	December-20	
Evergreen Nature Preserve	1300 Tarrington Ave	December-15	
Ezell Farms Community Park (New)	Matthews Mint Hill Road, Mint Hill	December-16	
Flat Branch Nature Preserve	Tom Short Road	December-15	
Four Mile Creek Gwy	Tunnel under S Trade Street (Matthews)	December-18	
Freedom Park Shelter	1900 East Blvd	December-15	
Friendship Baptist Church Partnership	Cindy Lane/McAlister Drive	December-14	
Gateway Regional Park (New)	Lake Wylie at Wilkerson Blvd	December-18	
Historic Holly Bend House	4431 Neck Road	December-17	
Hornet's Nest Shelter	6301 Beatties Ford Road	December-16	
Hucks Road Regional Park (New)	Hucks Road	December-18	
Huntersville Rec. Center-Improv.-	Huntersville	December-19	
I-485 NCDOT Property	Brookshire Blvd/I-485	December-13	
Independence Park Master Plan	300 Hawthorne Lane	December-16	
Irvins Creek Gwy	Idlewild Rd to Lakeview Circle	December-19	
Irwin Creek Gwy	West Blvd to Barringer Dr	December-18	
Irwin Creek Gwy	Hamilton St to Rays Splash Planet	December-18	
Irwin Creek Gwy	Connection to Walton Rd (Barringer Academic Center)	December-17	
Irwin Creek Gwy	Old Statesville Rd to Allen Hills Park	December-21	
Jetton Picnic Shelter	19000 Jetton Road	December-14	

Capital Planning Parks & Greenways Project Management Division (Attachment #1)		
1/17/2013		
Park and Recreation Projects		
Project Name	Location	Anticipated Completion
Lakewood Master Plan and land acquisition, Stewart Creek Gwy to Whitewater Park	3131 Kalynne Street	December-15
Latta Nature Preserve, Accessible Kayak Launch	5225 Sample Road	December-14
Latta Nature Preserve/Center-Improv.	5225 Sample Road	December-16
Lincoln Heights Park - Phase II	Catherine Ave/Madrid Street/Kennesaw Drive	December-14
Linda Lake Neighborhood Park (New)		December-16
Long Creek Gwy	I-77 to Primm Road	December-19
LSCGwy	I-277 ped bridge schematics/feasibility study	December-15
LSCGwy	Huntingtowne Farms Park to I-485	December-18
LSCGwy	Tyvola Road to Huntingtowne Farms Park	December-18
LSCGwy Alex. To 7th Street Greenway (CHA Prop.) Restroom Project	739 East 12th Street	April-14
LSC Gwy	Charlottetowne to Elizabeth	December-13
LSC Gwy Hidden Valley (Mr. Hare's Nature Walk)	Mallow Street/Holloway Street/Burroughs Street	December-14
LSC Gwy Liz Hair Trail Repair	East Blvd to Morehead Street	December-13
LSC Gwy Morrison Gardens	West Morehead/Harding Place	June-14
LSC Gwy- Steps at East Blvd	East Blvd.	December-13
LSC Gwy (construct 1 mile)	Briar Creek to Cadillac Street	December-18
LSC Gwy (design only grant)	Briar Creek to Cadillac Street	December-14
Mallard Creek Gwy	Mallard Creek Road to David Taylor Dr	December-18
Mallard Creek Rec. Center-Improv.-	2530 Johnston-Oehler Road	December-17
Marion Diehl Center	2219 Tyvola Road	December-17
Mayerling Dr. Neighborhood Park (New)	Mayerling Drive	December-15
McAlpine Creek Gwy	Green Rea Rd. to Hwy 51 (Extention of 2008 Bond Project - Hwy 51 to Johnston Rd.)	December-19
McAlpine Creek Gwy	Bridge Connection to Ballantyne	December-18
McAlpine Creek Gwy	Hwy 51 to Johnston Rd	December-19
McAlpine Creek Gwy	Sardis to Providence	December-17
McAlpine Creek Gwy - Upper	Greenway improvements- new bridges	December-14
McAlpine Creek Gwy - Upper	Independence to Sardis Road- design only	December-13
McAlpine Creek Gwy - Upper	Independence to Sardis Road- new trail	December-15
McDowell Creek Gwy- Alexander Chase Neighborhood Entrance	Alexander Chase - Westmoreland Road	December-13
McDowell Creek Gwy, Lower Section	Gilead Road to Beatties Ford Road	December-20
McDowell Creek Gwy	Taybrook Dr (Wynfield) to Baylis Dr (Gilead Village)	December-18
McDowell Park, Camp at Copperhead Island	15222 York Road	December-17
McIntyre Creek Gwy	Beatties Ford Rd to Clarencefield Dr	December-20
Mecklenburg Aquatic Center	800 MLK Blvd	December-15
Mecklenburg County Regional Sportsplex (Matthews) Phase 1	Tanktown Road/Independence Blvd	December-13
Mecklenburg County Regional Sportsplex (Matthews) Phase 2	Tanktown Road/Independence Blvd	December-15
Memorial Stadium Phase 2	310 North Kings Drive	December-18

Capital Planning Parks & Greenways Project Management Division (Attachment #1)			
1/17/2013			
Park and Recreation Projects			
Project Name	Location	Anticipated Completion	
Mooresville to Charlotte Trail	Mooresville to Charlotte (Redline Trail)	July-13	
Naomi Drenan Rec. Center-Improv.-	950 Beal Street	December-18	
Northern Towns Rec. Center (New)	site to be determined	December-19	
Palisades Park	York Road	December-14	
Park Road Park Shelter	6215 Park Road	December-15	
Pine Valley Neighborhood Park (New)	Long Leaf Drive	December-15	
Pineville (New)Project TBD-	Pineville - site to be determined	December-19	
Progress Picnic Shelter	1301 Parkwood Ave	December-15	
Providence Plantation- Land for Greenway	4 Mile Creek/Providence Plantation Neighborhood - Matthews; Citizen request	December-20	
Ramsey Creek Park, Swim Beach	18333 Nantz Road	June-14	
Reid Park Neighborhood Park	Reid Ave	December-15	
Renaissance Park Synthetic Fields	1200 West Tyvola Road	December-15	
Romare Bearden Park	3rd/MLK/Church/Mint Streets	August-13	
S. Prong Rocky River Gwy	South St Park (Davidson) to N Main St (Cornelius)	December-19	
Southwest District Park	Yorkmont Road	December-15	
Stevens Creek Nature Preserve/Center-New	Thompson Road, Mint Hill	December-18	
Stewart Creek Gwy	W. Trade St to MLK Park	December-19	
Sugar Creek Gwy	Billy Graham Pkwy to South Tryon St	December-19	
Sugaw Creek Rec. Center-Improv.-	943 West Sugar Creek Road	December-17	
Teddington Park	Freedom Drive - west of I-85	December-14	
Toby Creek Gwy (Toby II)	Rockland Drive to Hwy 49	December-16	
Torrence Creek Gwy (Phase III)	Rosemeadow Lane to existing Torrence Creek Greenway	March-14	
Veterans Park Indoor Shelter-Improv	2136 Central Ave	December-14	
W. Branch Rocky River GWY, Fisher Farm Park Trail	Shearer Road, Davidson	December-19	
Walker Branch Gwy	Sledge Rd. to S.Tryon St.(Extention of 2008 Bond Project - Sledge Rd to Smith Rd.)	December-18	
Walker Branch Gwy	S Tryon St to Smith Rd	December-18	
Wesley Heights Gwy	Cedar Street to Bruns Ave	June-14	
West Charlotte Rec. Center-Improv.	2400 Kendall Ave	September-14	
Wilmore Neighborhood Park	900 Spruce Street road - Railroad project may result in additional land for Wilmore Nbhd Park (depends on property owner)	December-18	
Wilmore Parcels (PID #123-06-115,14,13,03,04)	New neighborhood park at Kingston St and Tryon St	December-14	
Winget Regional Park (Improv.)	12025 Winget Road	December-16	

Brooklyn Village Development Update
Housing and Neighborhood Development Committee Meeting
January 23, 2013

Committee Action:
Review the contract amendments to preserve the affordable housing requirements for the Brooklyn Village Mixed Use Development.

Policy:
Adopt a resolution ratifying amendments to (a) the 2007 Brooklyn Village/Knights Baseball Stadium Interlocal Agreement and (b) the Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants to preserve the affordable housing requirements agreed to in 2007 by the City, Mecklenburg County, the Developer and Charlotte Housing Authority.

Explanation:

- In 2007, the City conveyed Marshall Park to Mecklenburg County under a May 14, 2007 inter-local agreement requiring that the site be sold for construction of Brooklyn Village, a mixed use development that would include affordable housing (the "Interlocal"). The Interlocal required that the County sell the site by May 1, 2009, and gave the City a reversion option to take Marshall Park back if the sale did not occur by that date.

- Due to the Jerry Reese lawsuits, City Council and the Board of County Commissioners voted to amend the Interlocal as of December 7, 2007 to extend the date for the County to sell the Brooklyn Village site to December 1, 2012. As amended, the reversion option provided that if the County did not sell the Brooklyn Village site by December 1, 2012 the City could within 60 days following that date require the County to convey the Marshall Park property back to the City.

- To implement the affordable housing requirements set forth in the Interlocal, the parties executed the December 7, 2007 Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants ("Declaration of Restrictive Covenants"). The Declaration of Restrictive Covenants, as written, is not effective except for a sale prior to December 1, 2012.

- Pursuant to the Interlocal and Declaration of Restrictive Covenants, the County entered into a contract to sell the Brooklyn Village site to Brooklyn Village LLC on January 17, 2008 (the "Sales Agreement"). Brooklyn Village LLC subsequently assigned its rights under the Sales Agreement to Spectrum Investment Services, Inc. ("Spectrum").

- On November 7, 2012, Spectrum requested that the County extend the time for closing under the Sales Agreement from December 1, 2012 to June 1, 2013. A copy of Spectrum's letter requesting the extension is attached. (See Attachment #2)

- On November 20, 2012, the Board of County Commissioners approved an amendment to the Sales Agreement extending the deadline for Spectrum to purchase the Brooklyn Village Site from December 1, 2012 until June 1, 2013.

- In order to preserve the affordable housing provisions that were agreed to in 2007, it is necessary to amend the Interlocal Agreement and the Declaration of Restrictive Covenants to match the extension granted under the Sales Agreement. Specifically, the amendments will:

  - Revise the Interlocal to extend the time for Spectrum to close on purchase of the Brooklyn Village site until June 1, 2013 and preserve the City's ability to have the Marshall Park property revert back to the City if the sales does not occur by that date; and
  - Extend the Declaration of Restrictive Covenants to cover any sale of the Brooklyn Village site that occurs on or before June 1, 2013.

- The amendments were approved by the Board of County Commissioners at its January 15, 2013 meeting.

SPECTRUM
WE DEVELOP RELATIONSHIPS

November 7, 2012

Mr. Bobbie Shields
General Manager – Development and Planning
600 East Fourth Street
Charlotte, NC 28202

Dear Bobbie:

The cooperation of the City, County, Spectrum Properties and Mass Mutual over the past five years has resulted in two of the pieces of the land swap being in place. Romare Bearden Park is in the right place, and baseball is a part of downtown.

Spectrum is very close to putting the final piece of the land swap in place for Charlotte – the development of Brooklyn Village on the current Marshall Park site. This project has affordable housing, a wonderful park, and embraces the history of the old Brooklyn Neighborhood. It also includes significant minority participation in the overall project.

For the majority of the last five years, this last piece was not achievable due to the Jerry Reese lawsuits. The County simply could not deliver clean title to the property until these lawsuits were resolved. When they were resolved, we were still in a recessionary environment with negative financial services news filling the newspapers.

During the last six months, the news on the economy is better and job growth is happening. We have been working hard to raise the capital for Brooklyn Village and we are very close, but will not be able to make our current deadline to close by December 1, 2012.

Respectfully, and in the same spirit of cooperation and vision that made the other two pieces of the land swap happen – we are requesting a six month extension of our closing deadline. This extension would have two pieces:

South Tryon Square
201 South Tryon Street, Suite 550
Charlotte, North Carolina 28202
P 704.338.3223 F 704.358.9099

spectrum-properties.com

Spectrum Cares
We Print Unbleached Paper

A) Spectrum let its $10,000 become non-refundable in November as a sign of good faith. We hope to be able to close the transaction in the first three months of the extension.
B) In the event we have a signed LOI with our joint venture partner, but need additional time to sign full documents, we are prepared to put up $100,000 of non-refundable money for an additional three months to close.

Thanks very much for your consideration and cooperation. We look forward to Brooklyn Village being a wonderful part of our downtown fabric and history.

Respectfully,

Jim Dulin

Jim Dulin
Chairman
Spectrum Investment Services

Housing Appeals Board

FY12 Annual Report

As required by the Charlotte City Charter and City Council's current policy for Boards and Commissions, the Housing Appeals Board is hereby submitting a report of its activities for the period from January 1, 2012 until December 31, 2012.

Charge to the Board

The Housing Appeals Board hears appeals taken from decisions or orders of a City of Charlotte Neighborhood & Business Services Code Enforcement official. The Board hears appeals from cases arising out of chapter 11 of the City code (Minimum Housing Code) and cases arising from chapter 5 (Non-Residential Building Code). Any citizen aggrieved by an order issued by Code Enforcement may file an appeal to the Board within 10 calendar days of service. Once heard, the Board may uphold, modify, or set aside the order.

Members & Attendance Requirements

There are five Board members, all of which are either appointed by City Council or the Mayor. Board members have a three year term with a two term limit and include:

Name	Code Requirement	Appointed By:
Charles L. Assenco	At Large	City Council
Christopher Dennis	Homeowner within CWAC	Mayor
James Guntrum	Tenant within CWAC	City Council
Katina Stavrakas (Chair)	At Large	Mayor
Vacant Seat	**Housing Industry Representative**	**City Council**

Two members are appointed by the Mayor:

1. One member shall be a homeowner from a City Within A City neighborhood
2. One member shall be an at large member

Three members are appointed by Council:

1. One member shall be a tenant from a City Within A City neighborhood
2. One member shall represent the Housing Industry
3. One member shall be an at large member

All Housing Appeals Board members are subject to a criminal background check and must be registered to vote in Mecklenburg County.

Meeting Schedule

Meetings are held the second Tuesday of each month, starting at 1 p.m. in the Old City Hall building located at 600 E. Trade Street. The Board typically hears one to four cases per month.

Intent of Hearings

The nature of the cases usually involves disagreements due to an issued demolition order and the appellant wants a repair order; the appellant wants more time to respond to an order; or the appellant disagrees with one or more of the cited violations. The Board is charged with hearing any aggrieved party's appeal and either upholding the Order to Repair or Demolish issued by the Code Enforcement Division or allow the property owner more time to bring the property into compliance. The Board may also modify or set aside an order. A quorum of three is required to hear any Minimum Housing ordinance cases and a quorum of four is required for all Non-Residential Building Code cases.

Hearings Held

The Board heard a total of 7 (seven) appeal cases out of 2,333 code cases generated in the year 2012, with 1 (one) referred to Superior Court.

Challenges

Staff would like to fill the vacant City Council appointed position as well as the expired Mayoral appointed position as soon as possible. We can only afford one absence per month due to the quorum requirements/state statute to hear Minimum Housing code cases and can afford no absences for Non-Residential Building Code Cases.

CHARLOTTE.
NEIGHBORHOOD & BUSINESS SERVICES

Comprehensive Neighborhood Improvement Program

January 23, 2013

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CITY OF CHARLOTTE

Committee Questions

- Are there specific projects? If not, how did we determine costs.
  - Inventoried projects from:
    - Area Plans
    - Transportation Action Plan
    - Capital Needs Assessments
    - CMS
    - County
  - Some projects essential
  - Others to be identified after public and stakeholder input

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CITY OF CHARLOTTE

Committee Questions

- Estimated increase in property values from investments.
  - Past projects on Wilkinson, Freedom, Plaza Central, NoDa, Beatties Ford and others have lead to stabilized and increased values in areas that were not thriving.
  - We are examining methodologies for study, but accurate predictive measures are not available to us at this time.

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CITY OF CHARLOTTE

Committee Questions

- Will Parks and Recreation participate?
  - Parks and Rec was an active participant in the development of the CNIP concept.
  - CNIP does not propose funding Parks and Rec work.
  - We do propose to work with Parks and Rec to leverage their park and greenway investments where possible.
- County funding for Parks and Recreation projects
  - Project listing was included in the memo

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CITY OF CHARLOTTE

Committee Questions

- Opportunities for cost shifting via TIF or STIF like mechanisms
  - These areas were selected in part due to weak market conditions that need public sector assistance.
  - There may be limited opportunities to shift some infrastructure projects costs, if the market becomes strong enough.
  - We do plan to leverage investment through strategic public, private, and non-profit partnerships.

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NEIGHBORHOOD & BUSINESS SERVICES

Brooklyn Village Contract Amendments
January 23, 2013

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CITY OF CHARLOTTE

Committee Questions

- In 2007 the City conveyed Marshall Park to Mecklenburg County under an Interlocal Agreement requiring that the site be sold for construction of Brooklyn Village.
- The Interlocal required that Brooklyn Village include affordable housing, and gave the City a reversion option to take Marshall Park back if not sold to the developer by May 1, 2009

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CITY OF CHARLOTTE

Committee Questions

In December 2007, to implement the affordable housing requirements set forth in the Interlocal, the City, the County, Charlotte Housing Authority and Brooklyn Village LLC. executed the Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants (the "Affordable Housing Agreement").

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CITY OF CHARLOTTE

Committee Questions

- The Affordable Housing Agreement required that Brooklyn Village include 30 units of affordable housing serving households earning 30% ($19,550) and below the area median income.
- The Affordable Housing Agreement also required that the City and Charlotte Housing Authority each make a one-time public subsidy of $1.25 million, with the City's portion to be funded from the Housing Trust Fund.

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CITY OF CHARLOTTE

Committee Questions

Also in December 2007, due to the Jerry Reese lawsuits, City Council and the Board of County Commissioners voted to amend the Interlocal to extend the date for the County to sell the Brooklyn Village site to the developer to December 1, 2012.

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CITY OF CHARLOTTE

Committee Questions

To be consistent with this extension, the reversion option in the Interlocal and the Affordable Housing Agreement were also extended, so that:

- If the County did not sell the Brooklyn Village site to the by December 1, 2012 the City could within 60 days require the County to convey the Marshall Park property back to the City, and
- The Affordable Housing Agreement would only be effective for a sale prior to December 1, 2012.

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CITY OF CHARLOTTE

- In 2008, pursuant to the Interlocal, the County entered into a contract to sell the Brooklyn Village site to Brooklyn Village LLC.
- Brooklyn Village LLC subsequently assigned its rights under the Sales Agreement to Spectrum Investment Services, Inc.

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CITY OF CHARLOTTE

- On November 7, 2012, Spectrum requested that the County extend the time for closing under the Sales Agreement from December 1, 2012 to June 1, 2013.
- Reason: To allow Spectrum adequate time to finish raising the capital to proceed with development, given the economy and how long it took to resolve the Jerry Reese lawsuits.

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CITY OF CHARLOTTE

- On November 20, 2012, the Board of County Commissioners approved an amendment to the Sales Agreement extending the deadline for Spectrum to purchase the Brooklyn Village Site from December 1, 2012 until June 1, 2013.
- However, to go beyond March 1, 2013, Spectrum must put pay a non-refundable earnest money deposit of $100,000.

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CITY OF CHARLOTTE

- To preserve the affordable housing provisions that were agreed to in 2007, it is necessary to:
  - Revise the Interlocal to extend the time for Spectrum to close on purchase of the Brooklyn Village site until June 1, 2013 and preserve the City's ability to have the Marshall Park property revert back to the City if the sales does not occur by that date; and
  - Extend the Affordable Housing Agreement to cover any sale of the Brooklyn Village site that occurs on or before June 1, 2013.

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CITY OF CHARLOTTE

The amendments were approved by the Board of County Commissioners at its January 15, 2013 meeting.

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