

*a City-County
agency providing public Planning
services to the City of Charlotte and
the unincorporated areas of
Mecklenburg County*

Planning Commission

May 2, 2016
work session

Charlotte-Mecklenburg
Government Center

Room 267
Noon

Charlotte-Mecklenburg Planning Commission

Work Session Agenda

May 2, 2016 - Noon

CMGC - Conference Room 267

Call to Order & Introductions

Dionne Nelson

Administration

Approval of Planning Commission Minutes

Approve the April 4, 2016 minutes.

Dionne Nelson

Attachment 1

City Employee of the Year

Recognition of John Howard, Administrator for the Charlotte Historic District Commission, as the City's Employee of the Year.

John Lewis, CATS - Chief Executive Officer

Introduction of CATS' new CEO to the Planning Commission.

Information

Planning Director's Report

- Development Ordinance Update
- Planning Department's Public Outreach Presentations

Ed McKinney

Attachment 2

May & June 2016 Meeting Schedules

Attachment 3

Committee Reports

- **Executive Committee**
 - February 15, 2016 Approved Minutes
 - Future Work Session Agenda Items

Dionne Nelson

Attachment 4

Future Work Session Agenda Items	Work Session
1. Development Ordinance Update	Ongoing
2. Place Types	June
3. Charlotte Bike Plan/Uptown Urban Trails Connection Study	June
4. Mayor & City Council Discussion	July
5. CATS Countywide Transit Services Plan	July

- **Zoning Committee**
 - Upcoming Rezoning Petitions
 - March 30, 2016 Agenda

Mike Sullivan
Tammie Keplinger

Attachment 5

- **Planning Committee**
 - March 15, 2016 Approved Minutes
 - TOD Discussion Update

Dionne Nelson

Attachment 6

Attachment 7

- **Historic District Commission (HDC)**
 - April 12, 2016 Meeting Update

Nasif Majeed

Attachment 8

- **Charlotte Regional Transportation Planning Organization (CRTPO)** Cozzie Watkins
- **City Council's Transportation & Planning Committee (TAP)** John Fryday

Communication from Chairperson

- City Council Communication Dionne Nelson
- Nominating Committee Tracy Dodson
 - Slate of Officers
- Stakeholder Panel Follow-up Discussion

Work Session

April 4, 2016 - 12:00 pm

CMGC - Room 267

Minutes

Attendance

Commissioners Present: Tony Lathrop (Chairperson), Dionne Nelson (Vice-Chairperson), Tracy Dodson, Ray Eschert, Karen Labovitz, Nasif Majeed, Bolyn McClung, Deb Ryan, Sam Spencer, Mike Sullivan, Cozzie Watkins, and Nancy Wiggins

Commissioners Absent: Emma Allen and John Fryday

Commissioner Majeed arrived at 12:23 pm

Commissioner Eschert left at 1:37 pm and returned at 1:47 pm

Planning Staff Present: Kathy Cornett, Ed McKinney (Interim Planning Director), Laura Harmon, Garet Johnson, Tammie Keplinger, Melony McCullough, Grant Meacci, Sandra Montgomery, Cheryl Neely, and Jennifer Ryan

Guests Present: Darrell Bonapart (Charlotte East Community Partners), John Carmichael (Robinson, Bradshaw & Hinson, PA), Darlene Heater & Tobe Holmes (University City Partners), Jim Merrifield (MVP Properties), Joe Padilla (REBIC), and Darrel Williams (Neighboring Concepts)

Welcome & Introductions

The Chairperson called the meeting to order at 12:11 pm, welcomed those present, and asked everyone to introduce themselves.

Approval of Minutes

Commissioner Wiggins made a motion to approve the March 7, 2016 minutes, seconded by Commissioner Dodson. The minutes were approved unanimously.

Information

Planning Director's Report

Development Ordinance Update

Mr. McKinney gave an update on the Development Ordinance process. He said the consultant will be in town next week and will meet with interdepartmental work groups and technical staff to help shape the process for the UDO. Staff and the consultant will present to Council's Transportation and Planning Committee (TAP) on April 11th. Staff will also continue the Place Types discussion with the Planning Committee at their April meeting.

Mr. McKinney further explained that staff is attending numerous meetings that are hosted by different departments, organizations or groups to share Place Types information with the public. He displayed a webpage (CharlotteUDO.org) that provides information about the project team, schedule, presentations, assessment reports, and public involvement. The webpage also includes a link for public comments.

Chairperson Lathrop asked the Commission if they had any comments on Mr. McKinney's update. Commissioner Spencer asked if they could Tweet about the UDO. Mr. McKinney replied that he could not stop anyone from Tweeting.

The Chairperson thanked Mr. McKinney and staff for their work on the UDO process.

Development Ordinance Stakeholder's Discussion

Chairperson Lathrop said that the Commission thinks it is important to begin hearing from some of the stakeholders, since the rewrite process is in the early stages. Therefore, he invited stakeholder representatives to this meeting to share information (in a panel discussion format). The Chairperson explained that the main goal is to receive input on the substance and process of the ordinance update.

Chairperson Lathrop introduced the guest panelists:

- **Darrel Williams** (Neighboring Concepts) - a former County Commissioner, has an architecture and design development firm and has been involved in land use issues in Charlotte for a number of years.
- **Joe Padilla** (Real Estate and Building Industry Coalition) - a very effective spokesperson for the building industry who is rooted in development and land use and regularly attends Planning Commission meetings.
- **Jim Merrifield** (MVP Properties) - a long time Charlotte developer who has been involved in a lot of important developments in the city.
- **Tobe Holmes** (University City Partners) - experience with land use and development issues and was formerly with Center City Partners.
- **John Carmichael** (Robinson, Bradshaw & Hinson, PA) - an attorney who represents property owners, developers, and others on rezoning petitions.
- **Darrell Bonapart** (Charlotte East Community Partners) - an active eastside resident/representative with strong neighborhood values and experience with land use and development issues.

The Chairperson asked each panelist to respond to two questions. Below is a summary of the responses:

Question 1: What needs to be improved with the current Zoning Ordinance? What have you heard about different zoning and land use trends?

Darrel Williams:

- Form based codes have pros and cons. They allow flexibility but this can cause issues when working with developers and others to make decisions.
- Creating a balance with developers and the community is challenging while trying to protect the community and allow for economic development. It is difficult to meet the Tree Ordinance requirements and promote economic development.
- It should be clear when a rezoning is needed versus an administrative approval.
- The ordinance should encourage affordable housing without inclusionary zoning.

Joe Padilla:

- A form based approach may be appropriate in some areas.
- There is a disconnect between approved conditional plans and interpretation/enforcement.
- Staff and Council need to allow the community and developers more flexibility in meeting the TOD and PED standards (trust the developer and the market).
- Zoning should be about appropriate land uses and not aesthetics, etc.
- The City should have a vision for desired development, make it easy to build, and have an administrative (not public) review process.
- Prior to the rewrite, Council should be clear about the desired development for the community.

Jim Merrifield:

- Great development in Charlotte indicates that the current ordinance is effective, it just needs tweaking. TOD/form based zoning has been successful.
- Be careful not to layer on new regulations that do not add value.
- There is not much by right zoning in NODA.
- Should not put energy into developing a form based code if it will not be used.
- Should learn more about place types and make sure this is desirable before moving forward.

Tobe Holmes:

- \$2 Billion investment in SouthEnd shows that TOD was helpful in getting investments in the area and that light rail works. TOD can be a development engine.
- Charlotte is not ready for a 100% form based ordinance.
- This is a large undertaking and it will not be perfect. Text amendments will be needed.
- Should consider a hybrid ordinance that has worked in other places.
- TOD may not work in the University area because conditional site plans are often required.
- Conditional zoning is an incredibly good tool when used appropriately.
- Ordinance should allow for development of great places in all areas.
- It is important to engage the community for a variety of input.

John Carmichael:

- It can be challenging to write conditional site plan notes that are consistent with the desired development and that allow for the issuance of a building permit (it is difficult for those who issue permits to read the notes, determine compliance and issue permits).
- The obligation to protect the community and make sure the client can develop the property as desired can be challenging.
- The ordinance works but it needs to be reorganized, clarified, and updated to include new uses.
- There is a distrust of the TOD district and what it can do (from Council and the community).
- Consideration should be given to a hybrid approach with performance standards, form based elements and less conditions.
- The community has expectations about the process and outcome so it may be difficult to get their buy-in.
- Important to follow-up on commitments.
- Form based zoning would allow for less reliance on conditions and more on the ordinance.
- Affordable housing cannot be adequately addressed through the rezoning process (need a task force to work on this).
- The rezoning process is not the problem; the conditions have become more complicated.

Darrell Bonapart:

- Use social media and the Government Channel to communicate information about the process.
- Use video to explain the rewrite and rezoning processes.
- Involve citizens early in the process.
- Concerned about protest petitions.
- Create partnerships with media outlets for different nationalities to disseminate information.
- Encourage developers to embrace the diversity of east Charlotte.
- Neighborhoods that do not have HOAs often depend on code enforcement to maintain their neighborhoods.

Question 2: What you think about the community engagement process for the ordinance update?

Darrel Williams:

- Outdated area plans create a challenge when making rezoning decisions. Can something be done to address area plans?
- Use churches for community outreach.
- Communication is very important and should be different based on the audience.
- It may be challenging to get input on the new ordinance when citizens do not understand the current ordinance.

Joe Padilla:

- Need a manageable sized steering committee that is appointed by area leaders and the development community.
- There should be public engagement opportunities; however, the heavy lifting should be done by the steering committee (appointed representatives and alternates) for continuity.

Jim Merrifield:

- Community engagement should occur in Phases 1 & 2.
- Input should not go into the “black hole”. Phase 1 should focus on input and Phase 2 on action.
- Keep the focus on zoning and do not allow the process to evolve into a forum on growth policy and planning issues.
- Need a framework in Phases 1 & 2 to deal with area plans.

Tobe Holmes:

- It is important to get input from all. There are different types of people and the level of input they can provide is different. There may be a huge learning curve for those who are not familiar with zoning and the rezoning process.
- Cater the information to the audience and be thoughtful about the desired outcome.
- Present at neighborhood, rotary club, bridge club and other meetings in the community.

John Carmichael:

- Public input should occur early in the process.
- Hold initial community meeting with area leaders and development community. Get their assistance to hold geographically based community meetings. Form core stakeholders group to help with process and develop the ordinance but provide regular updates to the community.
- Use the website to provide project updates.

Darrell Bonapart:

- Need to embrace the “new” Charlotte and consider diversity when planning for the future
- New development will be more vertical and dense and all residents should be a part of the discussion for this development strategy.

Chairperson Lathrop thanked the panelists for their time and input. The information they shared will be very helpful during the rewrite. He said it is important to get input on the big picture process questions and suggested that they stay in contact with the Commission and staff as the process moves forward.

April and May 2016 Meeting Schedules

The Chairperson referred the Commission to Attachment 3, the April and May 2016 meeting calendars.

Committee Reports

Executive Committee

Chairperson Lathrop said the Executive Committee will meet within the next two weeks. He referred the Committee to the future work session agenda topics and asked Commissioners to submit potential work session agenda topics to a committee member.

Zoning Ordinance Ad Hoc Committee

The Chairperson stated that this information was included in the earlier discussions related to the ordinance.

Zoning Committee

Ms. Keplinger reported that there are 14 cases on the upcoming April 18th public hearing agenda. She said this will be a light month.

Planning Committee

Vice-Chairperson Nelson said the Planning Committee will continue its conversations on TOD and Place Types. The Committee intends to complete these discussions in the next couple of months so that they can be on the Commission’s agenda in May and June for subsequent conversation with the entire Commission.

Historic District Commission

Commissioner Majeed did not provide an HDC report.

CRTPO

Commissioner Watkins said there will be substantial information to share next month.

TAP

In Commissioner Fryday’s absence, Chairperson Lathrop said that Commissioner Fryday has been attending these meetings. There will be a discussion about the UDO concept at TAP’s April 11th meeting. Mr. McKinney added that the agenda items are being finalized for this discussion. The Chairperson will also share the Commission’s Livable Cities recommendations at this meeting, including how it fits into Council’s overall policy framework.

Commissioner Ryan said that listening to the conversation today about community engagement made her think about how sometimes “processes go off rail because somebody is talking into the ear of a City Council member”. She wondered if the Commission or staff could somehow find out “who Council listens to”. As part of the UDO discussions, get Council to name the people they listen to outside of the formal network and invite those people to participate in the process. The Chairperson said it is worth a try because the Council will have input on the key stakeholders. He asked Mr. McKinney for his opinion. Mr. McKinney stated that there needs to be different perspectives from stakeholders and Council will be involved.

Commissioner Spencer said there could be value added by inviting members of City Council to a future work session to hear the Commission’s perspective and to strengthen the relationship with Council. The Chairperson agreed and said this is in line with the discussions that came from the Commission’s retreat.

Commissioner Wiggins stated that as round table and stakeholder discussions are held, it is imperative to have either a Planning Commissioner or Council Member at each table.

Vice-Chairperson Nelson stated this reemphasizes that the Commission needs to schedule the Mayor/City Council discussion to close the loop from the retreat discussion. Commissioner Watkins reminded the Commission that there is a new Council with a tremendous learning curve because they are learning everything new. It may make things easier if the Commission offers to be an expert or at least a filter for them.

Commissioner Spencer said many of the guests today mentioned that there is a chasm between what people think they know about the development standards, how development works, what the actual code is, and how it actually works.

Communication from Chairperson

Chairperson Lathrop stated that the items for this portion of the agenda have already been covered. He will be on the next TAP Committee agenda and would like to continue to communicate with Council as they move forward.

Commissioner Watkins suggested that the Commission stay focused on the ordinance update and not get into Planning (except how it is important to Zoning) and other areas so that they can ensure the objectives are met.

Commissioner Sullivan expressed his concern about trust. He mentioned a development in Plaza-Midwood where citizens thought the PED overlay allows for development of certain building types that they do not think are aesthetically pleasing. Sometimes the public confuses design review with what the Planning Commission does. It will be important to explain to the community how this process benefits them because they may perceive this process as an opportunity to allow developers to continue to get what they want. Chairperson Lathrop stated that it is important to make sure public involvement is on the front end and reach out to people where they are.

Commissioner Watkins asked if other media sources will be used to communicate about the rewrite process. Mr. McKinney stated that Spanish radio stations have been used and Planning has staff members who speak Spanish. There will be a very diverse strategy for communication that uses every

available outlet. Commissioner Watkins added that the Napoli community is enormous and the Russian community is growing. She asked about communicating with them. Mr. McKinney stated that we definitely need to strive to reach as many people as we can and that is our goal.

Commissioner McClung stated that Jim Merrifield warned the Commission of the “black hole”. He asked when the Commission will discuss what they heard today and what will they do with the information. The Chairperson stated that it depends on the Commission’s authority. They have the ability to highlight and call attention to issues. It can be the will of the Commission to call attention to any of the themes that they heard today and ask that certain things be done. Chairperson Lathrop suggested that Commissioners sift through the priorities for discussion at the next work session.

Commissioner Watkins stated that she is concerned about affordable housing and would like to hear more from stakeholders about affordability. Chairperson Lathrop agreed that it is important to discuss this issue. He asked Commissioners to identify other areas and priorities for follow-up discussion so the Executive Committee can prepare appropriately for the next work session agenda.

Commissioner Ryan addressed civic engagement. She asked if the consultant will take a targeted approach to getting input. There are a lot of citizens who may not have interest, experience, and knowledge. Targeting organizations may be more beneficial. Commissioner Ryan thinks a topic of conversation for the Commission is to figure out where the labor will be best served. Chairperson Lathrop agreed.

Adjournment

The meeting adjourned at 1:56 p.m.

Charlotte-Mecklenburg Planning Department

Community Outreach Presentations

Date	Presentation	Staff
05/03/16	BLE Public Meeting - Sugaw Creek Presbyterian Church	Meacci
05/03/16	Community Planning Academy - Mahlon Adams Pavilion 6 p.m.	Mahoney
05/05/16	BLE Public Meeting - Oasis Shriner's Temple 6 p.m.	Vari

Meeting Schedule

May 2016

Date	Time	Purpose	Location
Full Planning Commission			
05-02-16	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Executive Committee			
05-16-16	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
05-17-16	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Committee			
05-16-16	5:00 p.m.	Dinner w/ City Council	Conference Room CH-14 Basement – CMGC
05-16-16	5:30 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
05-23-16	6:30 p.m.	City Rezoning (continued) ¹	Meeting Chamber Lobby Level- CMGC
05-25-16	4:30 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Other Committee(s)			
05-09-16	2:00 p.m.	City Council Transportation & Planning Committee (TAP)	Conference Room 280 2 nd Floor - CMGC
05-11-16	12:00 p.m.	Historic District Commission Workshop	Conference Room 267 2 nd Floor – CMGC
05-11-16	1:00 p.m.	Historic District Commission	Conference Room 280 2 nd Floor – CMGC
05-18-16	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 nd Floor – CMGC

Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.

¹ Due to the increased number of rezoning cases, this meeting was scheduled to continue the City Council May16, 2016 Rezoning meeting.

Charlotte-Mecklenburg Planning Commission

Meeting Schedule

June 2016

Date	Time	Purpose	Location
Full Planning Commission			
06-06-16	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Executive Committee			
06-20-16	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
06-21-16	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Committee			
06-20-16	5:00 p.m.	Dinner w/ City Council	Conference Room CH-14 Basement – CMGC
06-20-16	5:30 p.m.	City Rezoning	Meeting Chamber Lobby Level– CMGC
06-29-16	4:30 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Ordinance Ad Hoc Committee			
06-06-16	11:15 a.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committee(s)			
06-08-16	12:00 p.m.	Historic District Commission Workshop	Conference Room 267 2 nd Floor – CMGC
06-08-16	1:00 p.m.	Historic District Commission	Conference Room 280 2 nd Floor – CMGC
06-13-16	2:00 p.m.	City Council Transportation & Planning Committee (TAP)	Conference Room 280 2 nd Floor - CMGC
06-15-16	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 nd Floor – CMGC
06-17-16	10:00 a.m.	Historic District Commission Retreat	Conference Room 280 2 nd Floor - CMGC

Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.

Charlotte-Mecklenburg Planning Commission Executive Committee Meeting

February 15, 2016 - 4:00 p.m.
CMGC - Conference Room 266
Summary Minutes

Attachment 4

Approved April 18, 2016

Call to Order & Introductions

Chairperson Lathrop called the meeting to order at 4:06 p.m.

Attendance

Commissioners Present: Tony Lathrop (Chairperson), Dionne Nelson (Vice-Chairperson) and Mike Sullivan

Commissioners Absent: Cozzie Watkins

Vice-Chairperson Nelson arrived at 4:11 p.m.

Commissioner Sullivan arrived at 4:18 p.m.

Planning Staff Present: Ed McKinney (Interim Director), Cheryl Neely and Jennifer Ryan

Approval of Minutes

A motion was made by Vice-Chairperson Nelson and seconded by Commissioner Sullivan to approve the January 19, 2016 minutes. The vote was unanimous to approve the minutes.

Follow-up Assignments

Raleigh Planning Department Visit

Ed McKinney stated that Travis Crane, Assistant Planning Director with the City of Raleigh's Planning Department agreed to come to the March Planning Commission work session. Mr. Crane will share information about Raleigh's experience with their recent zoning ordinance rewrite. Mr. McKinney said the Commission can revisit the idea of taking a trip to Raleigh if more information is needed after this presentation.

Planning Commission Dropbox

Cheryl Neely explained that it is best for staff to set up the Dropbox so that it is maintained properly because of the public records requests, etc. Mrs. Neely also explained that the City does not recommend using a cloud based system such as Dropbox. Staff is working on a solution and it will be resolved before the next work session.

Livable Communities

The Chairperson asked about the status of the Livable Communities Principles. Vice-Chairperson Nelson indicated that staff will send the principles to the full Commission this week and ask for any comments. The document will then be sent to Council. The goal is to get this to Council prior to the March work session.

Zoning Ordinance Rewrite

Chairperson Lathrop said that the Commission had talked about establishing a stakeholders group at the work session. He asked Mr. McKinney to provide an update. Mr. McKinney replied that staff provided a detailed presentation to Council's TAP Committee last week. He said that since there were a number of items on the TAP Committee's upcoming agendas, Chairwoman Lyles asked if Committee members were interested in volunteering to serve on a subcommittee to have more intermediate conversations with the Planning Commission. Mr. McKinney reported that Councilwoman Kinsey expressed an interest in working on this.

Chairperson Lathrop asked if nothing would be done in relation to creating a stakeholder group and developing a community engagement strategy unless the TAP Committee provides direction. Mr. McKinney replied that staff will continue to consider how this could be structured and have conversations with both the Planning Commission and the TAP Committee. The Chairperson asked if this could be discussed further at the March work session. Mr. McKinney replied yes.

Vice-Chairperson Nelson stated that based on the Planning Commission conversation and the feedback from the Zoning Ordinance Rewrite, the Planning Committee can engage in the first phase of the process, specifically work with staff and provide input and feedback on the Community Character and Place Types. The Chairperson agreed that this would be an appropriate role for the Planning Committee.

Future Work Session Agenda Items

The Executive Committee discussed the future work session agenda items. Chairperson Lathrop stated that the presentation from Travis Crane, Raleigh Assistant Planning Director is scheduled for the March work session. Ed McKinney stated that the Commission should take advantage of his time and may need to devote the majority of the meeting to this discussion.

The Chairperson asked about scheduling a presentation on the Uptown Urban Trails Connection Study. Cheryl Neely replied that she had contacted Vivian Coleman with CDOT who indicated that it would be best to present on this item in the spring. CDOT is in the process of hiring a consultant and will have more information to present later. The Committee tentatively decided to have this presentation in April or May.

Chairperson Lathrop asked if the Mayor and City Council Discussion agenda item is a follow-up to the retreat discussion. Mr. McKinney explained that there has been an ongoing conversation about how the Commission wants to engage/communicate with Council. Vice-Chairperson Nelson suggested that this could possibly be an April work session agenda item. It may be beneficial to have a conversation with Councilwoman Lyles after the livable communities principles are sent to Council. Commissioner Sullivan stated that sending the principles will provide an outline of what the Commission has been discussing. Vice-Chairperson Nelson agreed and stated that the Commission could ask for feedback on the principles and any other items they may find productive.

Approval of the March 7, 2016 Work Session Agenda

The Committee reviewed the draft March work session agenda. Vice-Chairperson Nelson asked staff to reorder the future work session agenda items in the following order:

1. Zoning Ordinance Update
2. Mayor & City Council Discussion
3. Uptown Urban Trails Connection Study
4. CATS Countywide Transit Services Plan

The Committee approved the draft March work session agenda with the modifications to the future work session agenda items list.

Approval of the March and April 2016 Meeting Schedules

The Chairperson asked staff if the Easter Holiday conflicted with any Planning Commission meetings. Cheryl Neely replied no. She explained that staff looked at all of the holidays when creating the March calendar but unfortunately did not take Election Day (March 15th) into consideration. She

said this date conflicts with the March Planning Committee meeting and was brought to staff's attention at the February work session. The Chairperson asked Vice-Chairperson Nelson if she thought the meeting should be rescheduled. The Vice-Chairperson said that during the work session, they decided not to reschedule this meeting. She asked staff to confirm Planning Committee members' attendance early so that if there is a quorum issue there will be enough time to reach out to Zoning Committee members.

Commissioner Sullivan mentioned that there have been issues with the meeting room location for the Zoning Ordinance Ad Hoc Committee meetings. Cheryl Neely said that all meetings were scheduled in Room 278. Ed McKinney stated that the Committee has been meeting in Room 266. The Committee asked staff if the meeting location could be permanently changed to Room 266. The Committee approved the March and April 2016 meeting schedules.

Adjournment

The meeting adjourned at 4:35 p.m.

AGENDA
 CHARLOTTE-MECKLENBURG PLANNING COMMISSION
 ZONING COMMITTEE WORK SESSION
 Charlotte-Mecklenburg Government Center, RM 280
 March 30, 2016
 4:30 P.M.

Attachment 5

Called to order: 4:32pm

Adjourned: 6:15pm

Commissioners:

Tracy Dodson✓ Ray Eschert✓ ~~Karen Labovitz~~ Nancy Wiggins✓
 Tony Lathrop✓ Nasif Majeed✓ Mike Sullivan✓

Requesting deferral to April 27, 2016	<p>1. Petition No. 2015-037 (Council District 3-Mayfield) by Dominick Ristaino for a change in zoning for approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place from R-5 (HD-O) (single family residential, historic district overlay) to O-1(CD) (HD-O) (office, historic district overlay).</p> <p>Defer: <u>As indicated on left.</u> Motion: <u>Wiggins/ Sullivan</u> Vote: <u>6-0</u></p>
Requesting Deferral to April 27, 2016	<p>2. Petition No. 2015-093 (Council District 1- Kinsey) by 1351 Woodlawn (Melrose), LLC for a change in zoning for Approximately 2.9 acres located on the south side of Drexel Place and north side of Woodlawn Road near the intersection of Park Road and Drexel Place and Park Road and Woodlawn Road from R-4 (single family residential) and UR-3(CD) (urban residential, conditional) to MUDD-O (mixed use development, conditional).</p> <p>Defer: <u>As indicated on left.</u> Motion: <u>Wiggins/ Sullivan</u> Vote: <u>6-0</u></p>
Recommended for Approval	<p>3. Petition No. 2015-111 (Council District 1 -Kinsey) by North Wendover Partners, LLC for a change in zoning for approximately 2.48 acres located on the southwest corner at the intersection of North Wendover Road and Melchor Avenue from R-3 (single family residential) to UR-2(CD) to (urban residential, conditional).</p> <p>Consistency: Maker: Wiggins 2nd: Majeed Vote: 6-0</p> <p>Recommendation: Maker: Eschert 2nd: Dodson Vote: 6-0</p>

<p>Recommended for Approval subject to the confirmation to resolve tree save issue.</p>	<p>4. Petition No. 2016-026 (Council District 2 - Austin) by Hopper Communities for a change in zoning for approximately 4.56 acres located on the north side of Wesley Heights Way and generally bounded by Sumter Avenue, Auten Street, Duckworth Avenue and Wesley Heights Way from R-8 (single family residential) & UR-3(CD) PED-O (urban residential conditional, pedestrian overlay, optional) to UR-3(CD) PED-O (urban residential conditional, pedestrian overlay, optional) & UR-3(CD) SPA PED-O (urban residential conditional, site plan amendment, pedestrian overlay).</p> <p>Consistency: Maker: Majeed 2nd: Dodson Vote: 6-0</p> <p>Recommendation: Maker: Eschert 2nd: Dodson Vote: 6-0</p>
<p>Recommended for Approval subject to commitment resolving outstanding issues.</p>	<p>5. Petition No. 2016-017 (Council District 1-Kinsey) by Rockwell Capital, LLC for a change in zoning for approximately 2.71 acres located on the southeast corner at the intersection of Euclid Avenue and Atherton Street, also abutting Marshall Place from R-5 (single family residential) & B-2 (general business) to UR-3(CD) (urban residential, conditional).</p> <p>Consistency: Maker: Dodson 2nd: Wiggins Vote: 6-0</p> <p>Recommendation: Maker: Wiggins 2nd: Sullivan Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>6. Petition No. 2016-007 (Council District 5 – Autry) by City of Charlotte for a change in zoning for approximately 12.5 acres located on the east side of Wilora Lake Road between Justin Forest Drive and Hollyfield Drive from B-1SCD (business shopping center), O-15(CD) (office, conditional) & MUDD-O (mixed use development, optional) to R-4 (single family residential).</p> <p>Consistency: Maker: Eschert 2nd: Majeed Vote: 6-0</p> <p>Recommendation: Maker: Eschert 2nd: Sullivan Vote: 6-0</p>
<p>Recommended for Approval subject to commitment resolving outstanding issues.</p>	<p>7. Petition No. 2016-014 (Council District 6- Smith) by Blanchard Family (NC) LLC for a change in zoning approximately 4.5 acres located on the east side of Carmel Road between Shadowlake Drive and Carmel Hills Drive from R-3 (single-family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Consistency: Maker: Eschert 2nd: Dodson Vote: 5-0 Lathrop recused</p> <p>Recommendation: Maker: Eschert 2nd: Dodson Vote: 5-0 Lathrop recused</p>

<p>Recommended for Approval subject to commitment resolving outstanding issues.</p>	<p>8. Petition No. 2016-018 (Council District 6- Smith) by Chen Development, LLC for a change in zoning approximately 1.45 acres located on the southwest corner at the intersection of South Sharon Amity Road and Woodlark Lane from R-17MF (multi-family residential) to UR-2(CD) (urban residential, conditional).</p> <p>Consistency: Maker: Majeed 2nd: Dodson Vote: 6-0</p> <p>Recommendation: Maker: Dodson 2nd: Eschert Vote: 6-0</p>
<p>Recommended for Approval subject to commitment removing accessory uses for the BD(CD) portion.</p>	<p>9. Petition No. 2016-025 (Council District 3- Mayfield) by BNA Homes, LLC for a change in zoning approximately 9.52 acres located on the east side of Wright's Ferry Road near the intersection of South Tryon Street and Wright's Ferry Road from R-3 (single family residential) to R-12MF (CD) (multi-family residential, conditional) & BD (CD) (distributive business, conditional).</p> <p>Consistency: Maker: Wiggins 2nd: Majeed Vote: 5-0 Lathrop recused</p> <p>Recommendation: Maker: Majeed 2nd: Wiggins Vote: 5-0 Lathrop recused</p>
<p>Recommended for Approval subject to commitment addressing architectural issues.</p>	<p>10. Petition No. 2016-028 (Council District 3-Mayfield) by Stor-All Properties, Inc. for a change in zoning approximately 4.09 acres located on the north side of South Tryon Street between Wright's Ferry Road and Grandiflora Drive from R-3 (single family residential) to BD (CD) (distributive business, conditional) 5-year Vested Rights.</p> <p>Consistency: Maker: Majeed, Lathrop supplemented 2nd: Wiggins Vote: 6-0</p> <p>Recommendation: Maker: Wiggins 2nd: Sullivan Vote: 6-0</p>
<p>Recommended for Approval subject to commitment resolving outstanding issues.</p>	<p>11. Petition No. 2016-030 (Council District 3 – Mayfield) by Johnson Development Associates, Inc. for a change in zoning approximately 5.0 acres located on the south side of Mockingbird Lane between Park Road and Hedgemore Drive from MUDD (CD) (mixed use development, conditional) to MUDD-O (mixed use development, optional) 5-Year Vested rights.</p> <p>Consistency: Maker: Wiggins 2nd: Dodson Vote: 5-0 Lathrop recused</p> <p>Recommendation: Maker: Eschert 2nd: Wiggins Vote: 5-0 Lathrop recused</p>

<p>Recommended for Approval</p>	<p>12. Petition No. 2016-037 (Council District 1 – Kinsey) by Dr. Michael Berglass, DDS for a change in zoning approximately 0.44 acres located on the south side of Central Avenue between Crystal Road and Cyrus Drive from UR-C (CD) (urban residential-commercial, conditional) to UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment).</p> <p>Consistency: Maker: Eschert 2nd: Wiggins Vote: 5-0 Dodson absent</p> <p>Recommendation: Maker: Majeed 2nd: Sullivan Vote: 5-0 Dodson absent</p>
<p>Recommended for Approval</p>	<p>12. Petition No. 2015-094 by Charlotte Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) extend the validity period for a Historic District Certificate of Appropriateness from six months to 12 months; 2) allow a 12-month renewal of the Certificate of Appropriateness; and 3) add a new provision allowing the Zoning Administrator to grant an administrative approval for the restoration/replacement of documented historic features on an existing Historic Landmark structure, or a structure located in a historic district, if the feature would encroach into a required yard, setback or buffer.</p> <p>Consistency: Maker: Majeed 2nd: Dodson Vote: 6-0</p> <p>Recommendation: Maker: Sullivan 2nd: Dodson Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>13. Petition No. 2016-035 (Council District 4-Phipps) by City of Charlotte for a change in zoning approximately 0.1 acres located on the east side of North Tryon Street at the intersection of North Tryon Street and J W Clay Boulevard from INST (institutional) to TOD-M (O) (transit oriented development-mixed-use, optional).</p> <p>Consistency: Maker: Wiggins 2nd: Eschert Vote: 6-0</p> <p>Recommendation: Maker: Wiggins 2nd: Eschert Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>14. Petition No. 2016-054 (Council District 1-Kinsey) by Aldersgate UMRC Inc. for a change in zoning approximately 91.31 acres located on the south side of Shamrock Drive across from Glenville avenue and Eastway Drive across from Dunlavin Way from INST (CD) (institutional, conditional) to INST (CD) SPA (institutional, conditional, site plan amendment).</p> <p>Consistency: Maker: Wiggins 2nd: Sullivan Vote: 6-0</p> <p>Recommendation: Maker: Wiggins 2nd: Sullivan Vote: 6-0</p>

<p>Recommended for Approval</p>	<p>15. <u>Petition No. 2016-033</u> (Council District 2-Austin) by Randall C. Voyles & Brian Yow for a change in zoning approximately 0.30 acres located on the north side of West 5th Street between Flint Street and Frazier Avenue from UR-1(CD) (urban residential, conditional) to UR-1 (urban residential).</p> <p>Consistency: Maker: Dodson 2nd: Eschert Vote: 6-0</p> <p>Recommendation: Maker: Dodson 2nd: Wiggins Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>16. <u>Petition No. 2016-034</u> (Council District 2-Austin) by Robert Keziah for a change in zoning approximately 7.75 acres located at the end of Distribution Center Drive off Statesville Avenue near the intersection of Interstate 77 and Interstate 85 from R-4 (single-family residential) to I-1 (light industrial).</p> <p>Consistency: Maker: Dodson 2nd: Wiggins Vote: 6-0</p> <p>Recommendation: Maker: Eschert 2nd: Wiggins Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>17. <u>Petition No. 2016-036</u> (Council District 3-Mayfield) by ESC Fitness, LLC or a change in zoning approximately 0.45 acres located on the southeast corner at the intersection of Clanton Road and Dewitt lane from I-2 (general industrial) to TOD-M (transit oriented development-mixed use).</p> <p>Consistency: Maker: Majeed 2nd: Wiggins Vote: 6-0</p> <p>Recommendation: Maker: Dodson 2nd: Sullivan Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>18. <u>Petition No. 2016-042</u> (Council District 3-Mayfield) by GriffBrew Investments, LLC for a change in zoning approximately 0.37 acres located on the east side of Griffith Street between New Bern Street and Poindexter Drive from I-2 (general industrial) to TOD-M (transit oriented development-mixed use).</p> <p>Consistency: Maker: Wiggins 2nd: Dodson Vote: 6-0</p> <p>Recommendation: Maker: Dodson 2nd: Sullivan Vote: 6-0</p>

<p>Recommended for Approval</p>	<p>19. <u>Petition No. 2016-048</u> (Council District 3-Mayfield) by DCC Parcel B Plus, LLC for a change in zoning approximately 0.29 acres located on the northeast corner at the intersection of West Worthington Avenue and Hawkins Street from I-2 (general industrial) to TOD-M (transit oriented development – mixed use).</p> <p>Consistency: Maker: Sullivan 2nd: Eschert Vote: 6-0</p> <p>Recommendation: Maker: Sullivan 2nd: Eschert Vote: 6-0</p>
<p>Recommended for Approval</p>	<p>20. <u>Petition No. 2016-052</u> (Council District 3-Mayfield) by Rollins Leasing, LLC for a change in zoning approximately 8.32 acres located at the end of Keeter Drive near the intersection of Little Rock Road and Keeter Drive from I-2(LLWPA) (Airport Noise Overlay) (general industrial, Lower Lake Wylie Protected Area, Airport Noise Overlay to I-1(LLWPA) (Airport Noise Overlay) (light industrial, Lower Lake Wylie Protected Area, Airport Noise Overlay).</p> <p>Consistency: Maker: Dodson 2nd: Eschert Vote: 6-0</p> <p>Recommendation: Maker: Wiggins 2nd: Sullivan Vote: 6-0</p>

Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
March 15, 2016 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

ATTACHMENT 6

APPROVED

April 19, 2016

Attendance

Commissioners Present: Planning Commission Chairperson Tony Lathrop, Planning Committee Chairperson Dionne Nelson, Planning Committee Vice-Chairperson Cozzie Watkins and Commissioners Emma Allen, John Fryday, Bolyn McClung, and Sam Spencer

Commissioner Absent: Commissioner Deborah Ryan

Planning Staff Present: Pontip Aphayarath, Alberto Gonzalez, Garet Johnson, Sonda Kennedy, Melony McCullough, Grant Meacci, Ed McKinney, Cheryl Neely, Bryman Suttle, and Johnathan Wells

Other Staff Present: Jacqueline McNeil, County Asset and Facility Management and Peggy Hey, Charlotte-Mecklenburg Schools Facility Planning and Management

Call to Order and Introductions

Planning Committee Chairperson Nelson called the meeting to order at 5:07 pm, welcomed those present and asked everyone to introduce themselves.

Approve February 16, 2016 Minutes

A motion was made by Commissioner McClung and seconded by Commissioner Allen to approve the February 16, 2016 minutes. The vote was unanimous to approve the minutes.

M.R. #16-11: Proposal by Charlotte-Mecklenburg Schools (CMS) to Sell Four Surplus Parcels

Charlotte-Mecklenburg Schools proposes to sell four surplus properties located throughout the City of Charlotte at the following locations:

1. Approximately 3.8 acres located at 1546 Walton Road (Tax Parcel 145-103-23 p/o) adjacent to Barringer Academy.
2. Approximately 8.4 acres located at 4911 Hucks Road (Tax Parcel 027-153-18 p/o) adjacent to Croft Elementary School.
3. Approximately 14 acres located at 19801 Mallard Creek Road (Tax Parcel 027-264-31 p/o) adjacent to Mallard Creek Elementary School.
4. Approximately 2.7 acres located on Alleghany Street (Tax Parcel 067-113-42) near Phillip O. Berry Academy of Technology.

The properties were declared as surplus by Charlotte-Mecklenburg Board of Education on October 13, 2015.

A motion was made by Commissioner Fryday and seconded by Planning Committee Vice-Chairperson Watkins to approve Planning staff's recommendations for M.R. #16-11. The vote was unanimous to approve staff's recommendation for M.R. #16-11.

M.R. #16-12: Proposal by Charlotte-Mecklenburg Schools (CMS) to Sell Twelve Surplus Parcels

Charlotte-Mecklenburg Schools proposes to sell twelve surplus properties located in the City of Charlotte, Matthews and Mint Hill at the following locations:

1. Approximately 34.5 acres located at 3301/3401 Stafford Drive (Tax Parcel 061-266-01) near Charlotte-Mecklenburg Schools Auxiliary Services facility.
2. Approximately 0.13 acres located at 1425 Tenth Street (Tax Parcel 081-114-23) adjoining Piedmont Middle School.
3. Approximately 0.39 acres located on Rumble Road (Tax Parcel 047-361-05) adjoining Derita School.
4. Approximately 11.62 acres located at 10801 Plaza Road Extension (Tax Parcel 105-142-34) adjoining Reedy Creek Elementary School.
5. Approximately 0.43 located at 7400 Harrisburg (Tax Parcel 108-031-14) adjoining J. H. Gunn Elementary School.
6. Approximately 6.4 acres located at 7242 Highland Creek Parkway (Tax Parcel 029-281-09) adjoining Highland Creek Elementary School.
7. Approximately 3.7 acres located at 2700 Dorchester Place (Tax Parcel 147-081-78) adjoining Sedgefield Middle School.
8. Approximately 0.78 acres located on Belmeade Road (Tax Parcel 053-061-12) near Whitewater Middle School.
9. Approximately 19 acres located at 3335 Sam Newell Road in Matthews (Tax Parcel 193-062-04) adjoining Crown Point Elementary School.
10. Approximately 6 acres located at 121 Elizabeth Lane in Matthews (Tax Parcel 227-034-91) adjoining Elizabeth Lane Elementary School.
11. Approximately 2 acres located at 7800 Lebanon Road in Mint Hill (Tax Parcel 135-221-08) adjoining Lebanon Road Elementary School.
12. Approximately 20 acres located at 11501 Idlewild Road in Mint Hill (Tax Parcel 135-321-07) adjoining Mint Hill Middle School.

The properties were declared as surplus by the Charlotte-Mecklenburg Board of Education on October 13, 2015.

Commissioner Fryday requested that the Committee discuss portions of M.R. #16-12 before voting. He had questions concerning #2 and #9 - 12 (as listed on the mandatory referral). The Committee voted unanimously to allow Ms. Peggy Hey, Charlotte-Mecklenburg Schools, to explain the mandatory referrals.

Commissioner Fryday asked Ms. Hey why would CMS sell the property adjacent to Piedmont Middle School since the parcel is so small. Ms. Hey said that it is a separate parcel from the school site that is used by a business for parking. In addition, CMS has no plans to use the property. Commissioner Spencer asked if this sell will save CMS money. Ms. Hey explained that CMS is trying to use their assets in the best way possible and that this will save on maintenance as well as place the property back on the tax rolls.

Commissioner Fryday asked if M.R. 16-12, #9 - 12 (as listed on the mandatory referral) all came with restrictions. Planning Committee Chairperson Nelson asked staff to give a presentation on these items for clarification.

Bryman Suttle (Planning) gave an overview of M.R. 16-12, #12 (as listed on the mandatory referral) for property located in Mint Hill. He explained that the property is conditionally zoned and the buyer would have to develop the property as currently zoned or file a rezoning to request that the conditions be removed.

Mr. Suttle stated that the property near Matthews - Crown Point Elementary School, #9 (as listed on the mandatory referral) is located in the flood zone and the Town of Matthews staff would like for the County to purchase the property for greenway. Commissioner Fryday asked if the current owner is required to sell for that purpose. Mr. Suttle answered that there are constraints due to the flood plain ordinance and the only viable use is greenway.

Commissioner Spencer asked Ms. Hey her thoughts. Ms. Hey gave a brief history of the process to date and suggested that the property could be purchased for soccer fields that connect to the greenway. She added that Park and Recreation has not expressed an interest in the property. Ms. Hey said that a developer could also purchase the property and use its tree canopy in exchange for development rights. Commissioner McClung asked Mr. Suttle if he was aware of CMS' position and Mr. Suttle replied yes.

Ms. Garet Johnson (Planning) reminded the Committee that their recommendation will go to the elected officials for a final decision and they can still choose to sell the property. However, staff would like make sure that the seller and buyer are aware of different circumstances or development restrictions.

Mr. Suttle gave an overview of property near Elizabeth Lane Elementary School, #10 (as listed on the mandatory referral). The Town of Matthews does not support selling the parcel because of current conditional zoning on the site. The site includes a tree buffer and there will have to be a reduction or elimination of the buffer which can only be accomplished by rezoning the property.

Planning Committee Chairperson Nelson asked if the proposed sell has been discussed with the Town of Matthews. Ms. Hey said that she was not sure but stressed that CMS has been consistent with being open to buyers. She also said that CMS does not advocate for the use of property; that is between the Town and the buyer.

Planning Committee Chairperson Nelson asked if the towns participate in the Joint Use Task Force and if they have an opportunity for input. Mr. Suttle answered yes.

Staff recommends deferring action to allow staff from CMS and Matthews to develop a means of marketing the property to result in a development suitable to town plans and policies. Planning Committee Chairperson Nelson asked if CMS would sell the property or donate it to the Town of Matthews. Ms. Hey stated that CMS cannot give property away.

Commissioner Fryday shared his concerns about #9 - 10 (as listed on the mandatory referral). He stated that he is concerned that CMS cannot sell the property because the town does not wish to see it developed. He also does not think that the buffer requirement should limit the property sale for #10 (as listed on the mandatory referral). Commissioner McClung said that he thinks it would be best to defer.

Planning Committee Chairperson Nelson asked Kathi Ingrish, Planning Director, Town of Matthews if a cell tower would require a rezoning. Ms. Ingrish stated that she is concerned about offering the property for sell prior to zoning approval. She suggested that CMS rezone the property to allow it to be subdivided prior to the sale.

Planning Committee Chairperson Nelson asked if CMS could offer the land for sell and then go through the rezoning and subdivision processes. Ms. Ingrish said that the property cannot be offered for sell prior to being subdivided. Ms. Hey said that the state statues stipulate that deeds cannot be recorded or transferred. The property can be sold and then subdivided.

A motion was made by Commissioner Spencer and seconded by Commissioner Fryday to approve by consent Planning staff's recommendations for M.R. #16-12, #1 – 8 (as listed on the mandatory referral). The vote was unanimous to approve staff's recommendation for M.R. #16-12, #1 – 8 (as listed on the mandatory referral).

A motion was made by Commissioner Fryday and seconded by Commissioner Allen to approve the sale as requested by CMS for M.R. #16-12, #9 (as listed on the mandatory referral). The vote was unanimous to approve the sale as requested by CMS for M.R. #16-12, #9 (as listed on the mandatory referral).

A motion was made by Commissioner McClung and seconded by Commissioner Allen to approve Planning Staff's recommendation for M.R. #16-12, #10 (as listed on the mandatory referral). Commissioner Allen later withdrew her second and the motion failed.

Planning Committee Chairperson Nelson asked Ms. Hey to summarize the opportunities for additional input and the process for notification of a proposed sale. Ms. Hay explained the process. Commissioner Allen said it seems that people in the community have not been notified. Ms. Hey stated that CMS has been very public about the proposal but the community was not notified. The proposal was discussed at School Board meetings, principals were notified, articles were placed in the Charlotte Observer and the Mecklenburg Times, and information was posted on CMS' website.

Planning Committee Chairperson Nelson asked if signage was posted on the property about the sale. Ms. Hey said that post cards were not mailed and signs were not placed on the property. After hearing Ms. Hey's remarks, Commissioner Allen withdrew her second on the motion made by Commissioner McClung.

A motion was made by Commissioner Spencer and seconded by Commissioner Allen to approve the sale as requested by CMS for M.R. #16-12, #10 (as listed on the mandatory referral). The vote was unanimous to approve the sale as requested by CMS for M.R. #16-12, #10 (as listed on the mandatory referral).

A motion was made by Commissioner McClung to approve Planning staff's recommendations for M.R. #16-12, #11 - 12 (as listed on the mandatory referral). The motion failed for lack of a second.

A motion was made by Commissioner Fryday and seconded by Commissioner Spencer to approve the sale as requested by CMS for M.R. #16-12, #11 - 12 (as listed on the mandatory referral). The vote was unanimous to approve the sale as requested by CMS for M.R. #16-12, #11 - 12 (as listed on the mandatory referral).

M.R. #16-13: Proposal by Mecklenburg County to Acquire Land for the Expansion of Cowan's Ford Wildlife Refuge

Mecklenburg County proposes to purchase approximately 10 acres of vacant land located on Neck Road in Huntersville's Extraterritorial Jurisdiction (Tax Parcel 013-041-02) to expand Cowan's Ford Wildlife Refuge.

A motion was made by Commissioner Spencer and seconded by Commissioner Fryday to approve by consent Planning staff's recommendations for M.R. #16-13. The vote was unanimous to approve staff's recommendation for M.R. #16-13.

Place Types

Grant Meacci (Planning) shared a slide presentation about Place Types that was recently presented to Council's Transportation and Planning Committee. In his presentation, he talked about Charlotte's vision, place types, elements of place types, and the zoning ordinance rewrite. Planning Committee Chairperson Nelson asked how the Planning Committee can more actively engage in these processes. Planning Committee Vice-Chairperson Watkins said that the presentation was great and that the information is simple enough for anyone to understand. Mr. Meacci thanked the Committee for their feedback.

Commissioner McClung asked how landfills are addressed. Mr. Meacci said that landfills fall under industrial place types. Commissioner McClung asked if staff has talked to the towns. Mr. Meacci said that will happen as staff goes into the community.

Commissioner Spencer is interested in making sure that there is representation from a variety of groups (age, income, etc.).

Planning Committee Vice-Chairperson Watkins asked what is being done about utility poles. Mr. Meacci said the *Urban Street Design Guidelines* may specify street types for underground utilities. Also, there may be street types in the ordinance that address this issue.

Commissioner Fryday shared that he liked the visuals and suggested staff go into the community to test place types. He also asked if you can determine the amount of traffic that place types will generate. Mr. Meacci answered yes, you can get transportation estimates. The tool uses the same data that goes into the transportation model.

Planning Commission Chairperson Lathrop asked what is the plan for stakeholder input. Ed McKinney (Interim Planning Director) explained the process and timeline for public involvement for Place Types and the Zoning Ordinance Rewrite. Also, staff is working to determine how to use different committees as well as the Planning Commission to develop a strategy. Staff will develop a strategic plan that will be considered through consensus with the TAP Committee and the Planning Commission. Staff will work with the consultants to develop the community engagement process.

Planning Committee Chairperson Nelson said strategic planning on key options should be discussed in Executive Committee or the Zoning Ordinance Rewrite Task Force group meetings. She said It may be helpful to discuss this on a future agenda.

Commissioner McClung said that the information presented addresses a previous request and is easy to understand. He thinks that public comment is needed urgently and would like to hear from stakeholders. Commissioner Spencer said that he thinks that staff should determine the best time to release information to the public so that it is not premature. Chairperson Nelson emphasized the need to place this item on a future agenda for discussion.

A motion was made by Planning Committee Vice-Chairperson Watkins and seconded by Commissioner Spencer to place this on an agenda. The vote was unanimous to approve this motion.

Transit Oriented Development (TOD)

Mr. McKinney gave a quick overview of the Transit Oriented Development (TOD) handout. He explained that it was prepared using the information that committee members provided at last month's meeting.

Staff agreed to add the presentations from today's meeting to the Planning Commission's Resources page on the department's website.

Adjourned: 7:30 pm

Charlotte-Mecklenburg Planning Commission
Transit Oriented Development Priorities

April 25, 2016

The Charlotte-Mecklenburg Planning Commission has adopted a Livable City Policy Statement and Guiding Principles to articulate the Commission’s priorities for Charlotte’s growth and development and guide the Commission’s work in advising the governing bodies it serves. This policy statement is founded in the City’s adopted *Centers, Corridors and Wedges Growth Framework, General Development Policies* and area plans, and serves to focus and prioritize the Commission’s work and recommendations. In particular, the Commission is using this policy statement to guide the development of the City’s Unified Development (Zoning) Ordinance, Community Character Policies and area plans, and inform the Commission’s recommendation of zoning petitions and mandatory referrals.

Using its “livable cities lens”, the Planning Committee began discussing Transit Oriented Development (TOD) at their January 2016 meeting, focusing on recent development in the South End area. At the February and April 2016 meeting, the Committee identified their top priorities for TOD and reviewed the current TOD zoning districts. The Committee identified areas of the current TOD regulations that needed to be strengthened to fulfill the purpose set out in the ordinance: “to require compact urban growth, opportunities for increased choice of transportation modes, and a safe and pleasant pedestrian environment

by ensuring an attractive streetscape, a functional mix of complementary uses, and the provision of facilities that support transit use, bicycling, and walking.”

The accompanying table identifies the Commission’s specific priorities and linkages to the livability principles, along with references to the current ordinance language.

The Commission’s priorities for improving the TOD zoning ordinance are organized into nine categories:

TOD Standards

1. Street Level and Pedestrian Activation
2. Parking Design and Street Treatment
3. Rail Trail
4. Architectural Design and Density
5. Parking Standards

Overall Design Standards

6. Buffers
7. Dumpsters
8. Lighting

Other Concerns

9. Related, Non-Zoning Ordinance

In general, the Commission believes that the current TOD standards need to be clarified to better communicate expectations and provide more certainty for all involved in the process.

Street Level & Pedestrian Activation

Livable City Guiding Principle: Build vibrant and activity-filled public streets and open spaces that promote community engagement so that Charlotteans of all ages and abilities can participate in a public life.

Priority: Strengthening requirements to activate pedestrian oriented streets.

Commission Discussion:

- Require more in Code Section 9.1209 to activate streets in contact with pedestrians.
- Require designs that allow for future activity when demand occurs (need minimum dimensions) and also require some percent of space to be active immediately.
- Require the first floor of residential units facing the street to physically connect to it.
- Require development to have true, honest, walkable, pedestrian scaled connections(s) to the street, leading to where we want activity and pedestrians.

Existing TOD Ordinance

- Retail and office buildings fronting directly on a public or private street or fronting on a public multi-use path along a transit line and identified in an area plan shall be designed so that the first floor façade of the building(s) along all streets and pathways includes clear glass windows and doors to increase pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street and/or pathway on at least 50% of the length of the first floor street level frontage. **[9.1209(1)(a)]**
- For all other uses, buildings shall be designed so that the first floor street façade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least 25% of the length of the first floor street frontage. When this approach is not feasible, a combination of design elements shall be used on the building façade, or included into the site design, to animate and enliven the streetscape. These design elements may include but are not limited to the following: ornamentation; molding; string courses; changes in material or color; architectural lighting; works of art; fountains and pools; street furniture; stoops, landscaping and garden areas; and display areas. **[9.1209(1)(b)]**
- The first floor façade of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian-scale, interest, and activity. **[9.1209(1)(c)]**
- The first floor of any new building on a street identified as a retail street or site identified for ground floor retail by a Council adopted plan must have at least 50% of the linear street frontage developed to accommodate non-residential uses but may be occupied with residential uses. **[9.1209(1)(l)]**
- Internal sidewalk connections are required between buildings and from buildings to all on site facilities (parking areas, bicycle facilities, urban open space, etc.) in addition to the sidewalk requirements of Section 9.1209(8)(e). All internal sidewalks shall be hard surfaced and at least 6' in width. **[9.1208(11)(a)(1)]**
- External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system, and to adjacent multi-use trails, parks and greenways. **[9.1208(11)(a)(2)]**

Parking Design & Street Treatment

Livable City Guiding Principle: Build vibrant and activity-filled public streets and open spaces that promote community engagement so that Charlotteans of all ages and abilities can participate in a public life.

Priority: Requiring parking to be designed and located to support walkability.

Commission Discussion:

- Prohibit parking, blank walls, “cars behind bars”, wide roll up doors, fake windows or only wall recesses along streets.
- Hide parking lots from view along a public street, rather than screening them.
- Locate all parking behind a use with access and entrances directly to street.
- Provide pedestrian access through the parking lot to all entrances.
- Prohibit no front door, exiting through the parking deck, and totally walled off compounds.

Existing TOD Ordinance

- The ground floor of parking structures that are across the street from single family zoning or that abut single family zoning on the same side of the street shall be wrapped with active uses such as residential, office and retail uses. **[9.1209(1)(k)]**
- Expanses of blank wall shall not exceed 20 continuous feet in length. A blank wall is a facade that does not add to the character of the streetscape and does not contain clear glass windows or doors or sufficient ornamentation, decoration or articulation. **[9.1209(1)(d)]**
- No surface parking or maneuvering space shall be permitted within any required or established setback, and no surface parking or maneuvering space is allowed between the permitted use and the required setback (exception may be made for driveways). **[9.1208(6)(c)]**
- Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than 35% of the total lot width. **[9.1208(6)(g)]**
- At least fifty (50%) of the linear street level frontage of the facility shall be devoted to retail, office, civic, institutional, or residential uses. If 75% or more of the linear street frontage is devoted to such uses, then the total square footage of the uses shall be credited at 200% toward the required FAR minimums. **[9.1208(6)(l)(1)]**
- Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity, and shall be designed so that motorized vehicles parked on all levels of the facility inside are screened from the street, the transitway, and/or from adjacent residentially zoned and/or used property. Decorative elements such as grillwork or louvers may be utilized to accomplish this objective. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design. **[9.1209(5)]**

Rail Trail

Livable City Guiding Principle: Create a state-of-the-art transportation system that equally provides for the health and safety of pedestrians, bicyclists, transit riders, and motorists and is accessible to people of all ages and abilities.

Priority: Requiring development to consider rail trail a front that it must respect and enhance.

Commission Discussion:

- Treat trail as though it were a street – orient towards it, connect to it.
- Make requirements for streets applicable to this pedestrian/bicycle oriented street.
- Develop prototype designs and/or guidelines to demonstrate appropriate design of open space, especially rail trail.

Existing TOD Ordinance

- Retail and office buildings fronting directly on a public or private street or fronting on a public multi-use path along a transit line and identified in an area plan shall be designed so that the first floor façade of the building(s) along all streets and pathways includes clear glass windows and doors to increase pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street and/or pathway on at least 50% of the length of the first floor street level frontage. **[9.1209(1)(a)]**
- When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to public open space, multi-use trail, or greenway. **[9.1209(4)(a)(2)]**
- Sidewalks shall be located and constructed as specified in the approved station area plan. This may include sidewalks along transit corridor right-of-ways. **[9.1209(8)(e)(partial)]**
- External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system, and to adjacent multi-use trails, parks and greenways. **[9.1208(11)(a)(2)]**

Architectural Design & Density

Livable City Guiding Principle: Promote a mix of land uses within a close proximity so that Charlotteans can live, work, play, shop and worship in a neighborhood without the need for an automobile;

Priority: Requiring development to be more diverse, enhancing the pedestrian environment and contributing to a unique sense of place.

Commission Discussion

- Break up large buildings with architectural elements.
- Raise minimum density to existing conditions and require a mix of density across the site.
- Require architectural diversification in a development so the buildings do not all look alike, especially relative to adjacent property.

Existing TOD Ordinance

- Minimum density within ¼ mile walk of the transit stations is 20 DUA for residential or .75 FAR for non-residential or mixed use. These densities are 15 DUA and .50 FAR respectively outside of the ¼ mile walk distance.
- For buildings across from single family zoning or abutting single family zoning on the same side of the street, roof line variation every 30 feet is required. This can be accomplished by using vertical offsets in ridge lines, gables, exaggerated cornices, dormers, roof top patios, material changes, and/or other architectural features such as trellises, portals or porches.
[9.1209(1)(g)]
- For buildings across from single family zoning or abutting single family zoning on the same side of the street, façade variations shall be provided that visually separate individual units. This can be accomplished through measures such as window arrangement and size variation, unit entrance design, roof variation, material changes, and/or offset wall planes.
[9.1209(1)(j)]

Buildings exceeding 5 stories in height: **[9.1209(2)(a,b,c)]**

- The first 3 floors above street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment. Such elements as cornices, corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting and other sculpturing of the base as are appropriate shall be provided to add special interest to the base.
- In the design of the building façade, attention shall be paid to the appearance both during the day and at night. Material and color changes alone do not meet the requirements of this section and design elements, which are used to meet the requirements of this section, shall be visually continuous around the building. In the event that a building façade is not visible from a public street or right-of-way then the Planning Director has the option of waiving this requirement.
- Special attention shall be given to the design of windows in the base. Band windows are prohibited. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are permitted.

Parking Standards

Livable City Guiding Principle: Create a state-of-the-art transportation system that equally provides for the health and safety of pedestrians, bicyclists, transit riders, and motorists and is accessible to people of all ages and abilities.

Priority: Revisiting the amount of allowed parking to ensure an appropriate balance between supporting walkability/transit use and negatively impacting surrounding neighborhoods.

Commission Discussion:

- Require freely accessible “minimum visitor parking” for residential developments adjacent to single family and count it towards the maximum parking allowed in the Ordinance.
- Ensure parking standards minimize conflicts between residents (amount, size of spaces and location).
- Provide ride sharing locations, bays, pickup areas.

Existing TOD Ordinance

Residential Minimum:

- Minimum: 1 space per unit (on blocks with single family zoning), No minimum for all other properties
- Maximum: 1.6 spaces per unit

Office:

- Minimum: none
- Maximum: 1 space per 300 s.f. of office space

Eating, Drinking & Entertainment Establishments

- Minimum 1 space per 150 s.f (within 800 feet of single family zoning)
- Maximum 1 space per 75 s.f.

Retail:

- Minimum: None
- Maximum: 1 space per 250 s.f.

- A 25% parking reduction in the minimum number of parking spaces required is allowed if the principal use is located within 800 feet of a parking facility with parking spaces available to the general public, or within 800 feet of public transit park and ride facilities with an approved joint use agreement. This section in combination with [Section 12.202\(2\)](#) allows for no more than a total of 25% parking reduction of the minimum requirements.

Buffers

Clarify that required buffer plantings be at the same or higher site elevation than the adjacent property required to be screened. Section 12.302(9)

Existing TOD Zoning Ordinance

- All uses, other than single-family detached units, shall provide landscaping along all property lines abutting residentially zoned property (single-family, multi-family and urban residential zoning districts) located adjacent to the Transit Oriented zoning district. This requirement also applies in situations where an alley with a right-of-way width of 25 feet or less separates uses in a TOD zoning district from non-TOD zoned residential property. Landscaping shall be provided along all property lines abutting the alley. However, multi-family developments zoned TOD are exempt from this landscaping requirement when they abut other multi-family uses or undeveloped multi-family zoning districts. **[9.1208(9)(a)]**
- Such landscaping shall consist of a 10' wide planting strip. The planting strip shall consist of a combination of evergreen trees and evergreen shrubs. Plant materials shall be provided at a minimum of 6 trees and 20 shrubs per 100 linear feet in accordance with [Section 12.302\(9\) \(b\), \(c\), \(d\) and \(e\)](#). The 10' planting strip may be reduced to 8' and the shrubs need not be planted if a masonry wall with a height of between 6' to 8' in a side yard, or between 8' to 10' in a rear yard is installed. No more than 25% of the wall surface shall be left open. Shrubs and walls may be reduced in height to 30 inches within sight triangles as required by the Charlotte Department of Transportation (CDOT). This landscaping area may be interrupted with a gate/pedestrian access way to an adjacent site, or a driveway to an adjacent alley. **[9.1208(9)(b)]**

Dumpsters

Address trash and dumpster locations, screening and impacts of on-street trash pickup.

Lighting

Address “spillover” lighting.

Commission Discussion

- Modify Section 9.1208.10 to prevent outdoor and parking deck lighting from spilling over into/onto other properties.
- Screen light inside a deck or rooftop from adjacent properties. Parking lot lighting should be screened from adjacent development/have a cut-off requirement.

Existing TOD Zoning Ordinance

- Dumpsters, recycling containers, compactors, large above-ground utility structures and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a minimum 6-foot high solid and finished masonry wall, with closeable gate that shall be 40% - 50% open for safety and security purposes. In no instance shall a chain link fence or a barbed wire fence be permitted. Dumpsters are not permitted in any required setback or yard space. **[9.1208(8)(b)]**

Existing TOD Zoning Ordinance

- All outdoor lighting fixtures for parking lots, and pedestrian activity areas shall be classified as full cut-off, cutoff or semi-cutoff. In addition, any building light fixtures used to illuminate parking and pedestrian areas, and service areas shall be classified as full cutoff, cutoff or semi-cutoff. **[9.1208(10)(a)]**
- No outdoor lighting fixture or building light fixtures shall cause glare on public travel lanes or on adjacent residentially used or zoned property. All fixtures shall be screened in such a way that the light source shall not cast light directly on public travel lanes or on adjacent residentially used or zoned property. **[9.1208(10)(b)]**

Non-Zoning Ordinance

Transit

- Do more to promote bus ridership, better signage for rail to bus and bus to rail connections.

Street Design

- Add painted crosswalks, create speed tables, and install slate signs in middle of streets.
- Narrow roads to decrease automobile speeds and make safer for pedestrians and cyclists and use leftover space to build separated bike lanes.

Tree Ordinance

- Require bigger street trees at shorter intervals to provide shade sooner rather than later.
- Require trees on both sides of the sidewalk.

Affordable Housing

Address affordable housing options within our legal authority.

- There are two types of street trees required by the Tree Ordinance, large maturing trees and small maturing trees. Large trees are normally required at 40' intervals unless there are overhead utility lines. Under overhead utilities, small maturing trees are required at 30' intervals.

**CHARLOTTE HISTORIC DISTRICT COMMISSION
MEETING AGENDA – APRIL 13, 2016, ROOM 267 ON THE 2ND FLOOR.
HDC WORKSHOP – 12:00 PM THE PUBLIC IS WELCOME TO ATTEND**

ATTACHMENT 8

HDC WORKSHOP – 12:00 PM

HDC MEETING: 1:00 – 7:00

- CALL TO ORDER
- APPROVAL OF FEBRUARY MINUTES
- APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

NEW APPLICATIONS

PLAZA MIDWOOD

1. 1609 BELVEDERE AVENUE **DID NOT HEAR**
CASE NO. [HDC 2016-067](#)
PAINTED BRICK FOUNDATION AND CHIMNEY
JAMES O'BOYLE, OWNER
ROBERT TREVEILER

WILMORE

2. 525 SPRUCE STREET **CONTINUED**
CASE NO. [HDC 2016-045](#)
ADDITION
RICHARD VAN DYKE, OWNER
3. 1529 MERRIMAN AVENUE **CONTINUED**
CASE NO. [HDC 2016-065](#)
GARAGE
MEGAN & PABLO AYCINENA, OWNER

DILWORTH

4. 1912 PARK ROAD **APPROVED**
CASE NO. [HDC 2016-053](#)
REAR ADDITION
JOHN PHARES, APPLICANT
5. 1914 LENNOX AVENUE **CONTINUED**
CASE NO. [HDC 2016-057](#)
REAR ADDITION
TONY E. WARD, APPLICANT

DILWORTH CONTINUED

6. 1910 EWING AVENUE **APPROVED**
CASE NO. [HDC 2016-058](#)
FRONT PORCH & DORMER ADDITION
BJ SMITH, OWNER
7. 823 LEXINGTON AVENUE **CONTINUED**
CASE NO. [HDC 2016-062](#)
ADDITION
JOHN ZUCKER, APPLICANT
8. 2000 PARK ROAD **CONTINUED**
CASE NO. [HDC 2016-063](#)
ADDITION
ROB SARLE, APPLICANT
9. 512 EAST TREMONT AVENUE **CONTINUED**
CASE NO. [HDC 2016-064](#)
NEW CONSTRUCTION
ALLEN BROOKS, APPLICANT
10. 1922 LENNOX AVENUE **CONTINUED**
CASE NO. [HDC 2016-066](#)
ADDITION
ALLEN BROOKS, APPLICANT