

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

Planning Commission

May 2, 2011
work session

Charlotte-Mecklenburg
Government Center

Room 267
Noon



Agenda

Charlotte-Mecklenburg Planning Commission

May 2, 2011 - Noon

CMGC - Conference Room 267

Work Session Agenda

Call to Order & Introductions

Stephen Rosenburgh

Administration

Approval of Planning Commission Minutes

Approve the April 4, 2011 work session minutes

Attachment 1

Policy

ULI Rose Fellowship Program

Debra Campbell

Background: Staff to provide information on the ULI Rose Fellowship Program and its relationship to the Independence Area Plan.

Action: Receive as information.

Operating Agreement

Yolanda Johnson & Tracy Finch Dodson

Background: The Retreat Follow-up Committee to present the recommendations for the Operating Agreement to the Commission.

Action: Review and provide input on the Operating Agreement.

Conflict of Interest

Terrie Hagler-Gray

Background: Commission to review and discuss the Conflict of Interest policies for appointed boards.

Action: Receive as information.

Information

Planning Director's Report

- Planning Department Monthly Report

Attachment 2

May & June Meeting Schedules

Attachment 3

Planning Department's Public Outreach Presentations

Attachment 4

Committee Reports

Executive Committee

Stephen Rosenburgh

- March 21, 2011 Approved Minutes
- April 25, 2011 Agenda Topics

Attachment 5

Independence Area Plan: Jim Schumacher, Assistant City Manager explained that City staff is working with NCDOT to address any concerns. The Chairperson will contact Barry Moose to see if he still has concerns. If so, the Planning Director would like to make sure that Jim Schumacher is included in any future discussions.

Conflict of Interest: Terrie Hagler-Gray presented conflict of interest information. The Chairperson asked Vice-Chairperson Johnson to continue to work on this item. Ms. Hagler-Gray will present at the May work session.

Charlotte's Housing Market Study: The Chairperson indicated that there was nothing to add for this item.

Operating Agreement: The Operating Agreement will be presented at the May work session.

Economic Development: The Committee agreed that an Economic Development Committee update will be listed under the Committee Report section of the work session agenda. The Chairperson asked Cheryl Neely to inform Commissioner Griffith of this request for a general overview of her expectations at the May work session agenda.

Design Review Board: The Chairperson stated that Commissioner Meg Nealon would need to resign from HDC to serve on the Design Review Board. The Commission needs to appoint a replacement for Commissioner Nealon on the HDC.

Notifications of CAG/Stakeholder Meetings: The Chairperson acknowledged that staff has been asked to include Commissioners in notifications of all stakeholder meetings.

Nominating Committee: The full Commission will be asked to vote to suspend the Rules of Procedure to allow for both the submittal of the slate of officers and elections at the June work session. The Chairperson also asked staff to remove slate of officers from the agenda. He will discuss this as part of the Communication from Chairperson portion of the agenda.

HIRD Text Amendment Update: The Chairperson noted that HIRD will be dealt with in the Zoning Committee process.

Stakeholder's Input at Work Sessions: The Chairperson asked if stakeholders should be allowed to provide input at work session. The Planning Director shared that the Commission has gone back and forth about whether to allow public comment at the beginning of full Commission meetings and this had been done before. Commissioner Finch Dodson thought the concern was more related to the Commission understanding who the stakeholders are. The Chairperson asked staff to help determine how the Commission can meet the objectives of making sure that everyone who wants to have input as a stakeholder has provided input and make the Commission aware of who the stakeholders are.

Executive Committee Minutes: The Chairperson will present an overview of the March 25th Executive Committee agenda items at the May work session.

Approval of the May 2, 2011 Work Session Agenda: The Committee agreed that the ULI Rose Fellowship Program, Operating Agreement, and Conflict of Interest will be on the May work session agenda. The Nominating Committee slate of officers was removed from the agenda.

Approval of the June 2011 Meeting Schedule: The Committee agreed to add a Zoning Committee meeting on May 18th at Noon to discuss the five cases that the Charlotte Observer failed to advertise for the April 25th Zoning Hearing. The Committee changed the time of the June 29th Zoning Committee meeting to Noon. Due to the July 4th Holiday, the July Planning Commission work session was rescheduled to July 11th. There are no meetings in August, except for the Executive Committee.

- Future Agenda Items
 - Charlotte's Housing Market Study
 - Capital Improvement Plan
 - Center City Presentation
 - Planning Commission's Role in the Rezoning Process

Zoning Committee

- Public Hearings
- Zoning Committee Agenda

Stephen Rosenburgh

Attachment 6

Attachment 7

Planning Committee

- March 15, 2011 Approved Minutes

Yolanda Johnson

Attachment 8

Historic District Commission

- April 13, 2011 Meeting Update

Meg Nealon

Attachment 9

Economic Development Committee

Lucia Griffith

Communication from Chairperson

Stephen Rosenburgh



Administration

Charlotte-Mecklenburg Planning Commission

Attachment 1

April 4, 2011 - Noon

CMGC - Conference Room 267

Minutes

Attendance

Commissioners Present: Stephen Rosenburgh (Chairperson), Emma Allen, Tracy Finch Dodson, Steven Firestone, Lucia Griffith, Claire Green Fallon, Nina Lipton, Eric Locher, Meg Nealon, Greg Phipps, Joel Randolph, and Andy Zoutewelle

Commissioner Tracy Finch Dodson arrived at 12:20 pm, Commissioner Lucia Griffith arrived at 12:30 pm.

Commissioners Absent: Yolanda Johnson (Vice-Chairperson) and Dwayne Walker

Staff Present: Debra Campbell, Pontip Aphayarath, Laura Harmon, John Howard, Crissy Huffstickler, Gareth Johnson, Tammie Keplinger, Kent Main, Sandy Montgomery, Cheryl Neely, Jan Whitesell, and Katrina Young

Call to Order & Introductions

The Chairperson called the meeting to order at 12:10 pm.

Administration

Approval of Planning Commission Minutes

Commissioner Zoutewelle made a motion to approve the March 7, 2011 minutes, seconded by Commissioner Phipps. The vote was 10 to 0 to approve.

Policy

Text Amendments

Heights in Residential Districts (HIRD) Text Amendment

The Planning Director introduced this agenda item and explained that staff will request permission to file the HIRD Text Amendment on behalf of the Planning Commission. She also informed the Commission that since this a Council directive, staff will file the text amendment if the Commission does not grant permission to file on its behalf.

Commissioner Lipton asked if the petition is filed when would it go to public hearing. The Planning Director responded that the schedule is included in the presentation. The Chairperson reminded Commissioners that they had previously agreed to hold questions to the end of each presentation.

Commissioner Randolph asked if staff had ever filed a petition before. Ms. Campbell responded yes, staff has filed petitions several times.

Katrina Young (Planning Staff) provided an overview of the concerns that were raised at the last meeting and indicated that no comments have been received from the stakeholders. She also provided responses to the concerns. Following her presentation, she asked the Commission for permission to file the HIRD text amendment on behalf of the Commission.

Commissioner Green Fallon asked why an individual wouldn't go to the Zoning Board of Adjustment (ZBA) rather than rezoning to MX-1. Katrina Young responded that there would have to be a zoning hardship to get a variance from the ZBA.

Commissioner Randolph stated he does not agree with the text amendment, but the Commission is not voting on whether they agree with the text amendment. He suggested that they file the text amendment and let the Zoning Committee and Council deliberate and decide on the text amendment. The process should take its course. The Chairperson agreed and encouraged Commissioners to attend the Zoning Committee meeting to express their opinion.

Commissioner Meg Nealon acknowledged the hard work on this project, but had concerns with 40 feet being so close to the adjacent property lines. She stated that the focus should be on mitigation rather than the design guidelines.

Commissioner Lipton thanked Ms. Young for all of the hard work. She stated that she may schedule a meeting with Laura Harmon and Katrina Young to get a better understanding of the average grade. Commissioner Lipton thought fitting non residential or multifamily structures within residential districts, in particular the setbacks and side yards play a major role in what can be done with the existing properties. She also expressed concern about how the final chapters will look and work with the existing tables, given the proposed changes. Ms. Young stated that this has been going on for many years, but due to the rezoning case in Myers Parks only then was staff directed by Council to look into this.

Commissioner Lipton asked whether these changes will allow the proposed development in Myers Park. Ms. Young stated that it will not, due to a maximum height and previously there were no maximum heights. Commissioner Lipton asked if Myers Park would need to change their requested zoning to R-8. Ms. Young stated that if the issue was about density it would not be impacted. If the issue was about height, it would be impacted. Commissioner Lipton asked if staff had heard if Myers Park will withdraw the rezoning petition if this text amendment is adopted. Ms. Young stated that the staff has not heard anything from Myers Park. Commissioner Lipton asked whether they were in consensus with this at the time of their filing. Ms. Young stated that at the time of filing they had agreed to these requirements.

Ms. Campbell stated that heights in residential districts is a problem that staff knew needed to be addressed but didn't have resources, but since Council directed staff to look at this we had to make it a priority. Staff has worked with the stakeholders, had Commission input, come up with a good balance and is ready to move the text amendment forward. She reiterated that if the Commission does not approve the filing, staff will still file due to the directive from Council.

The Chairperson stated that he didn't want to downplay the right of this body, but Ms. Campbell made it very clear that staff will file no matter what the Commission decides. It is a very difficult decision, but it is something that the Commission must do.

Commissioner Griffith stated that the Commission is currently discussing three text amendments; however they have no idea who the stakeholders are. She indicated that the Commission was not informed and may have not been as involved as they should have. She would like for the Commission to be more involved in the Residential Design Standards text amendment.

Commissioner Finch Dodson questioned whether Commissioners were assigned to these text amendment stakeholder groups. John Howard (Planning Staff) stated that to his knowledge no one was really assigned. Ms. Young stated that the Commissioners attended stakeholder meetings to listen, but did not speak.

Commissioner Lipton stated some people feel as though they really have no say due to the restriction of speaking at stakeholder meetings. Commissioner Lipton stated that she would like to receive information about who attended the stakeholder meetings. She noted that this is a very critical question and would like to see how we got here. She mentioned the Subdivision Ordinance as an example of a process where a matrix was used to track questions and how they were resolved. Commissioner Lipton stated that she is supportive of the amendment being filed and would like to be able to have more of a say as it moves forward.

Ms. Campbell stated that the staff has come to the Commission multiple times and she was upset to hear the assertion that staff has not informed the Commission. Staff has kept the Commission as informed as they have with all of the other processes brought before the Commission. In fact, approximately a year ago staff was ready to file the text amendment and slowed down the process at the direction of the Commission.

The Chairperson stressed how important individual decisions are to the City and that they certainly affect the community for decades to come. He noted that the Commission has not been comfortable with this text amendment and have a fundamental concern with it. He asked Commissioners to put their concerns in writing and forward it to him or Vice-Chairperson Johnson.

Commissioner Fallon stated that while serving on the Residential Design Standards stakeholders group, she noticed that the stakeholders were primarily home owner groups. She indicated that there is a need for height standards; otherwise taller homes will continue to be built and overwhelm existing smaller homes.

Commissioner Randolph made a motion to approve the Planning Commission's filing of this text amendment, seconded by Commissioner Lipton. The vote was 8 to 3 to approve filing of the text amendment on behalf of the Planning Commission.

Pedestrian Overlay Districts (PED) Text Amendment

John Howard (Planning Staff) gave an overview of the text amendment to reorganize and update the PED standards to align with other urban districts and to add flexibility. Commissioner Griffith stated that she is pleased to see that this is an amendment that is economic based and not complaint based. Commissioner Lipton made a motion to approve, seconded by Commissioner Randolph. The vote was unanimous to approve filing of the text amendment on behalf of the Commission.

Residential Design Standards Text Amendment

Mr. Howard gave an overview of the Residential Design Standards Text Amendment. He stated that the purpose of the design standards is to:

- Enhance the public realm (high visibility areas)
- Encourage visual variety and architectural styles
- Provide design flexibility in certain conditions
- Protect and enhance the character of established neighborhoods

He also presented the proposed recommendations for:

Setbacks	Blank Walls
Side Yards	Garages
Streetscape	Breezeways
Utility Structures	

The next steps in the process include a final stakeholder meeting, followed by the adoption process this summer, and a Council decision this fall.

Commissioner Firestone stated that the Zoning Committee looked at a parking lot on East Boulevard, which had issues with the sidewalk. He asked how it would be handled if the text amendment is approved. Commissioner Lipton asked if PED or another streetscape plan was in place if this would allow for other administrative changes. Laura Harmon (Planning Staff) stated that this change would only affect the UR districts for single family housing.

Commissioner Lipton asked how the Neighborhood Conservation Overlay will be determined, i.e., the boundaries of the district and has the process been flushed out. Mr. Howard stated that each incident will be different; however it will be similar to the PED process.

Commissioner Randolph asked if it would be safe to say that the residential design standards will only apply to starter homes in the \$90,000 to \$130,000 price range, due to the lack of homeowner associations (HOAs) in some of these neighborhoods. He stated that higher end neighborhoods generally have HOAs that already have design guidelines. Chairperson Rosenburgh stated that this item supersedes HOAs.

Commissioner Randolph noted that Karla Hammer Knotts, an industry representative was in the audience and asked the Commission if she could respond to this question. The Commission agreed and Ms. Knotts stated that her company currently builds homes that are in the \$110,000 to \$460,000 range and they have these issues exist throughout all of these properties.

Information

Planning Director's Report

Ms. Campbell directed the Commission to the Planning Department's March Monthly Report (Attachment 4). The Chairperson suggested that Commissioners contact the Department if they had questions about the information presented.

April and May Meeting Schedules

Chairperson Rosenburgh stated that the April and May Calendars are attached.

Nominating Committee

The Chairperson stated that the nominating committee will be chaired by Commissioner Allen and also includes Commissioners Phipps and Nealon. The Committee will submit a slate of officers at the May work session.

Zoning Committee

The Chairperson mentioned that the Ballantyne Zoning was not approved and this will address more complex multi use issues in the future. He indicated that there are also long term implications about updating the Park Road Shopping Center and the drive thru restaurants in the area.

Planning Committee

Commissioner Zoutewelle stated that the Planning Committee is looking at the Independence Boulevard and Steele Creek area plans, as well as kicking off the Midtown Morehead Cherry Area Plan. The Center City 2020 Vision is also underway.

Historic District Commission (HDC)

Commissioner Meg Nealon noted that Greater Gallilee Church application is currently going through design review.

Communication from Chairperson

The Chairperson shared that the Planning Coordinating Committee Joint Luncheon on Friday April 1st was a success and thanked Cheryl Neely and staff for all of their hard work on this event. The Chairperson also stated that due to information received at this meeting he would like for Commissioner Griffith to make Economic Development an ongoing topic with the Executive Committee each month.

The Chairperson also reminded the Commission that there are no meetings in August.

Commissioner Griffith stated that there is a disconnection with the information that staff brings from the stakeholder meetings and would like to invite stakeholders to speak at work sessions. The Chairperson suggested looking into this, but cautioned that it should not become a Public Comment session. He also asked the Commission to consider that this could extend the meeting time and everyone may not have the time during the workday to support this type of lengthy meeting. He suggested that this item be placed on the Executive Committee agenda for discussion.

Adjournment

The meeting adjourned at 1:55 pm





CHARLOTTE

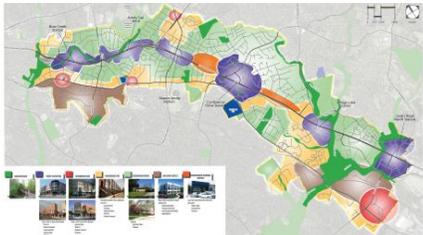
CHARLOTTE-MECKLENBURG
PLANNING DEPARTMENT

**Planning Department Monthly Report
April 2011**

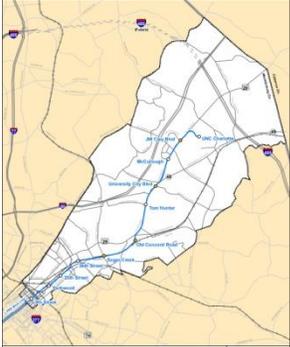
This report highlights key activities the Planning Department was involved in related to advancing the City of Charlotte's corporate strategies.

Serve the Customer

Strengthen Neighborhoods

<p>Center City 2020 Vision Plan</p> 	<p>MIG Inc., the consultant team, is presently working on deliverables for the draft plan. The Planning Committee is scheduled to receive an overview of the Plan on May 17th. Information about the plan is available at http://www.centercity2020.info/.</p>	<p>Dan Thilo Ext. 68321</p>
<p>Elizabeth Area Plan</p> 	<p>The initial draft area plan was completed on March 1st and forwarded to the CAG for its review. This draft has subsequently been modified based on input and feedback from the CAG and staff. The draft plan will be presented at a public meeting on May 12th. The Planning Committee will receive public comments on May 17th.</p> <p>For more information or to review the draft plan, visit www.charlotteplanning.org.</p>	<p>Alan Goodwin Ext. 23418</p>
<p>Independence Boulevard Area Plan</p> 	<p>City Council received additional public comments at their April 11th business meeting. The Planning Committee discussed the draft plan on April 15th.</p> <p>Council's Economic Development Committee and the Planning Committee are scheduled to make a recommendation for adoption in May. Council is scheduled to adopt the area plan on May 23rd.</p> <p>To review the draft document and other plan information, please visit our website at www.charlotteplanning.org.</p>	<p>Alysia Osborne Ext. 63910</p>

<p>Steele Creek Area Plan</p> 	<p>The Department held two public meetings to receive comments on the draft <i>Steele Creek Area Plan</i> on March 31st. The same information was presented at both meetings.</p> <p>The Planning Committee received public comment on the draft Steele Creek Area Plan on April 19th. One couple spoke in support of the plan and one CAG member requested that the adoption process be delayed one month to allow additional review and discussion of the draft document.</p> <p>The TAP Committee received an overview of the plan at their April 28th meeting.</p> <p>For more information or to review the draft plan, visit www.charlotteplanning.org.</p>	<p>Melony McCullough Ext. 65993</p>
<p>Midtown Morehead Cherry Area Plan</p> 	<p>The Midtown Morehead Cherry Area Plan includes three adjoining neighborhoods just outside of Uptown. The Citizen Advisory Group is meeting on a 3-week schedule at Pleasant Hill Baptist Church in Cherry. Upcoming meetings are May 5th (Community Design) and May 26th (Parks, Environment). Draft plan preparation and public input will begin this summer, with the approval process tentatively targeted for fall/winter.</p>	<p>Kent Main Ext. 65721</p>
<p>Area Plan Implementation Capital Programs</p> 	<p><u>Brookshire/I-485 Area Plan Improvements</u> The project includes sidewalks, crosswalks, planting strip, and other infrastructure improvements as recommended by the Brookshire/I-485 Area Plan (2002). Council approved the construction bid on February 14th and EPM is awaiting execution of the construction contract. Upon receipt of the contract, the preconstruction conference will be scheduled.</p> <p><u>Bryant Park Area Plan</u> Project includes pedestrian improvements along Morehead St. from Wilkinson Blvd. to Freedom Dr., as recommended in the Bryant Park Land Use and Streetscape Plan (2007). Real Estate phase for all parcels continues. Project schedule may be delayed due to issues associated with all County acquisitions.</p> <p><u>Fifth Street Streetscape</u> Project will include streetscape improvements along 5th St. from Johnson C. Smith University to Sycamore St. as reflected in the West End Land Use and Pedscape Plan (2005). Project is temporarily on hold until Streetcar Project Team decides how to proceed with Trade Street and until all traffic analysis is complete.</p>	<p>Bryman Suttle Ext. 68325</p>

<p>Historic District Commission (HDC)</p> 	<p>The HDC reviewed eleven project proposals at their April 13th meeting. Four projects were approved outright, and two were approved in concept with staff having authority to grant final approval. One project, for a new house in the Wilmore Local Historic District, was approved in concept, and the Commission will review final construction plans for this project in May. A request for demolition of an existing house in Dilworth that was constructed in 1900 had a delay of demolition of 365 days imposed, which is the maximum allowed under state and city codes. Subsequent to this action, a buyer has come forward to purchase the house and renovate it as a single family home. Three minor projects were deferred for additional design work.</p>	<p>John Rogers Ext. 65994</p>
<p>Mecklenburg-Union Metropolitan Planning Organization (MUMPO)</p> 	<p>Charlotte Streetcar Project The MPO took action on March 16th to amend the 2009-2015 TIP and the 2035 LRTP to include the Charlotte Streetcar project.</p> <p>High Speed Rail The MPO adopted a resolution at its March 16th meeting supporting the use of ARRA funds for high speed rail projects in North Carolina.</p> <p>2012-2018 Transportation Improvement Program The MPO took action on April 27th to release the draft 2012-2018 for public review. Also released for review were the required amendments to the 2035 LRTP (required due to proposed TIP project schedule changes) and the air quality conformity determination report. The MPO is scheduled to take final action in July on the TIP and associated documents.</p>	<p>Bob Cook Ext. 68643</p>
<p>Blue Line Extension (BLE)</p> 	<p>Planning has continued working with CATS and other departments to revise the BLE station site plans based on the revised alignment. Detailed discussion has focused on the University City Boulevard station, which now has a much larger park and ride component, and the J.W. Clay station. Planning has also continued to participate in a bicycle corridor study as part of the NECI program and is working on the 2011 Land Use portion of the New Starts application for submittal to the FTA this summer.</p>	<p>Kathy Cornett Ext. 64845</p>
<p>Red Line (North Corridor)</p> 	<p>In response to a request made by the Red Line Task Force (a sub-committee of the MTC), a team composed of Planning and CATS staff (with assistance from a consultant and input from Huntersville, Cornelius, Davidson, and Mooresville) is developing a corridor land use report that would be suitable to serve as land use and policy documentation in the event that the Red Line becomes available for federal funding. This product will also be useful for a variety of other informational efforts as well. 2010 Census data is being used to furnish updated demographic information for the report, and a first draft has been prepared by the consultant.</p>	<p>Jonathan Wells Ext. 64090</p>

<p>Heights In Residential Districts (HIRD)</p> 	<p>Staff received feedback from the proposed changes to the text amendment and presented updated information to the Planning Commission. The Commission voted to approve the filing of the text amendment at their April 4th meeting and the text amendment is scheduled for a June public hearing.</p>	<p>Katrina Young Ext. 63571</p>
<p>Pedestrian Overlay District (PED)</p> 	<p>Staff provided an update of the PED text amendment to the Planning Commission on March 7th and requested permission to file the text amendment on behalf of the Planning Commission at their April 4th meeting. The Commission voted to approve the filing of the text amendment and a public hearing is scheduled in June.</p>	<p>John Howard Ext. 30198</p>
<p>Other Text Amendments</p> 	<p>Several additional text amendments are in the adoption process:</p> <ul style="list-style-type: none"> ▪ The fresh produce text amendment public hearing was held January 18th. On April 27th the Zoning Committee made a recommendation for a new public hearing, based on updated text. The Council will make a decision on the new public hearing in May. ▪ The Zoning Committee voted to indefinitely defer the eco-industrial text amendment at their April 27th meeting. Staff will provide progress updates to the Zoning Committee every three (3) months. ▪ On April 27th the Zoning Committee voted to defer the information pillar text amendment until May 25th. This will allow time for a revised version of the amendment to circulate among concerned citizens. ▪ The single-room occupancy text amendment is scheduled for a June public hearing. 	<p>Sandra Montgomery Ext. 65722</p>
<p>Upcoming Rezoning Petitions</p> 	<p>There are ten public hearings and five decisions scheduled for the upcoming May City Council rezoning agenda. Information on several cases of special interest are provided below:</p> <ul style="list-style-type: none"> ▪ 2011-017 by Goode Development Corp. and Goode Properties for 20.0 acres located on the east side of Monroe Road between Idlewild Road and Conference Drive. The proposed rezoning from R-17MF to NS and MUDD-O will allow the development of multi-family residential, office and retail uses. There are multiple issues with this petition including inconsistency with the draft Independence Area Plan, connectivity policies and urban design standards. Staff continues to work with the petitioner on these and other concerns. Significant public interest is anticipated. May public hearing. ▪ 2011-020 by Percival McGuire Commercial Real Estate Development for 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road. The proposed rezoning from R-3 to NS will allow the development of a 62,000 square foot mixed use commercial center. Significant public interest is anticipated. May public hearing. 	<p>Tammie Keplinger Ext. 65967</p>

<p>Upcoming Rezoning Petitions</p> <p><i>(continued)</i></p>	<ul style="list-style-type: none"> ▪ 2011-021 by Singh Development LLC for 14.49 acres located on the east side of Providence Road across from Providence Country Club Drive. The proposed rezoning from R-3 to INST (CD) will allow the development of a senior living community. The property is located within the area of the Providence Road / I-485 Area Plan Developer Response for which a charrette was held in September 2010. Significant public interest is anticipated. May public hearing. ▪ 2011-023 by Vulcan Construction Materials, LP for approximately 106.90 acres near the north side of the intersection of Brooks Mill Road and Albemarle Road. The proposed rezoning from R-3, R-3 (CD) and O-1 to I-2 (CD) will allow the inclusion of the property in the Clear Creek Quarry. Significant public interest is anticipated. May public hearing. ▪ 2011-027 by Blakeney Heath, LLP for 9.0 acres located on the southeast corner of the intersection of Rea Road and Ardrey Kell Road. The proposed rezoning from CC to NS will allow an increase in the square footage and the number of permitted buildings. It will also add automobile care and general retail to the permitted uses. Significant public interest is anticipated. May public hearing. ▪ 2011-029 by Harris Teeter, Inc. for approximately 3.90 acres located at the intersection of Providence Road and Queens Road. The proposed rezoning from R-4 and B-1 to MUDD-O with five year vested rights, will allow the redevelopment of the existing grocery store which is located within the Myers Park Shopping Mall. Significant public interest is anticipated. May public hearing. 	
<p>Subdivision Administration</p> 	<p>In April, staff received 3 applications for subdivision approval, The submittals consists of 1 new multi-family apartment project and revisions to 2 previously approved single family developments. Additionally, 2 multi-family sketch plans were submitted. Two approvals were issued for revisions to approved plans.</p> <p>Staff continues to coordinate the formation of the Development Review Board (DRB) with the City Clerk's Office. City Council appointments are scheduled for the May 9th City Council meeting. The Mayoral appointments will be requested in late May or early June as additional qualified applications are received.</p>	<p>Shannon Frye Ext. 68322</p>

2012-2016 Capital Investment Program (CIP)



Enhancements to the Joint Use Task Force SharePoint site serve the CIP development process in the absence of a specific geo-spatial capital investment planning tool.

Staff continues work with the County Manager's office in advancing the County's Consolidated Capital Planning initiative. Presentations were made to City Council on April 11th, the Planning Coordinating Committee on April 1st, and the Joint Use Task Force on April 6th. City Council adopted a Resolution of Support for the County's initiative at their April 25th business meeting.

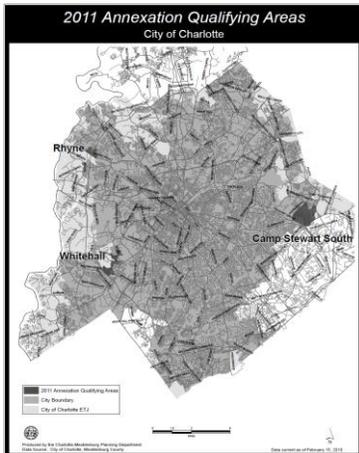
The JUTF SharePoint can be viewed at <http://cityspaces/charmack/jointuse/default.aspx> or through C-Net under City Spaces.

Jonathan Wells
Ext. 64090

Manage Resources

Expand Tax Base & Revenues

2011 Annexation



The NC General Assembly continues to debate the merits of annexation, state-wide, and considers several bills that would reduce cities' annexation authority. Requests for information continue to be received (and responded to) from the City Manager's and City Attorney's Offices with regard to the merits of annexation to Charlotte within the context of specific bills being introduced and debated in Raleigh.

More annexation information is available at <http://charmack.org/CITY/CHARLOTTE/PLANNING/ANNEXATION/Pages/Home.aspx>

Jonathan Wells
Ext. 64090

Planning Department Community Outreach Opportunities

Project	Meeting Type	Date & Time	Location
Policy Document(s)			
Midtown Morehead Cherry Area Plan	Citizen Advisory Group Meeting (Community Design)	May 5, 2011 6:00 pm	Pleasant Hill Baptist Church 517 Baldwin Avenue
	Citizen Advisory Group Meeting (Parks, Environment)	May 26, 2011 6:00 pm	Pleasant Hill Baptist Church 517 Baldwin Avenue
Elizabeth Area Plan	Public Meeting	May 12, 2011 5:30 pm	St. John's Baptist Church (Fellowship Hall) 1300 Hawthorne Lane
	Planning Committee (Public Comment)	May 17, 2011 5:00 pm	CMGC 2 nd Floor Room 280
Center City 2020 Vision Plan	Planning Committee (Overview)	May 17, 2011 5:00 pm	CMGC 2 nd Floor Room 280
Independence Boulevard Area Plan	City Council (Decision)	May 23, 2011 7:00 pm	CMGC Meeting Chamber

Charlotte-Mecklenburg Planning Commission

Attachment 3

Meeting Schedule

May 2011

Date	Time	Purpose	Location
Full Planning Commission			
05-02-11	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Planning Committee			
05-17-11	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor - CMGC
Zoning Committee			
05-16-11	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
05-16-11	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
05-18-11	Noon	Zoning Work Session ¹	Innovation Station 8 th Floor – CMGC
05-25-11	4:30 p.m.	Zoning Work Session	Conference Room 280 2 nd Floor – CMGC
Executive Committee			
05-16-11	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committee(s)			
05-11-11	3:00 p.m.	Historic District Commission	Conference Room 267 2 nd Floor – CMGC
05-18-11	7:00 p.m.	MUMPO	Innovation Station 8 th Floor – CMGC

¹ Please note, this meeting was added so that the Zoning Committee can deliberate on the 5 petitions that the Charlotte Observer failed to advertise for the April 25, 2011 Zoning Hearing and were consequently moved to the May 16, 2011 Zoning Hearing.

Charlotte-Mecklenburg Planning Commission

Meeting Schedule

June 2011

Date	Time	Purpose	Location
Full Planning Commission			
06-06-11	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Planning Committee			
06-21-11	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor - CMGC
Zoning Committee			
06-20-11	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
06-20-11	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
06-29-11	Noon ¹	Zoning Work Session	Conference Room 280 2 nd Floor – CMGC
Executive Committee			
06-20-11	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committee(s)			
06-08-11	3:00 p.m.	Historic District Commission	Conference Room 267 2 nd Floor – CMGC

¹ Please note the meeting time was changed from 4:30 pm to Noon.

Charlotte-Mecklenburg Planning Department

FY2011 Community Outreach Presentations

#	Date	Presentation	Staff
1	01/13/11	ULI Rose Fellowship - South Corridor Light Rail Tour	K. Main/A. Osborne
2	01/27/11	Cedarbrook Acres Residents - Annexation	J. Wells
3	02/03/11	New Partners for Smart Growth Conference - Planning for Transit Oriented Development	L. Harmon
4	02/03/11	New Partners for Smart Growth Conference - South Corridor Light Rail Tour	K. Main/A. Osborne
5	02/09/11	Lake Norman Transportation Commission - MUMPO Project Ranking Process	B. Cook
6	02/09-10/11	Transportation Action Plan Meetings - Centers, Corridors & Wedges	M. McCullough
7	02/22/11	CMS Academic Internship Program - Overview of Engineering Profession	S. Basham
8	02/23/11	Mecklenburg County Bar Leadership Institute	D. Campbell
9	02/28/11	Matthews Town Council - MUMPO 101	B. Cook
10	03/01/11	Charlotte Area Bicycle Alliance (CABA) - Transit Station Area Planning & the BLE	K. Cornett
11	03/02/11	Steele Creek Residents Assoc. Annual Meeting - Draft Steele Creek Area Plan	M. McCullough
12	03/10/11	NAIOP Commercial Real Estate Development Assoc. - Planning Initiatives	D. Campbell
13	04/05/11	California Department of Public Health's Project Leaders Encouraging Activity and Nutrition (LEAN) - Webnair on Joint Use & Strategic Placement of New Schools	J. Wells
14	04/10/11	American Planning Association's County Planning Division Annual Meeting (Boston) - Area Plan Implementation Program	G. Johnson
15	04/16/11	Neighborhood Symposium - NW District Project Update (Beatties Ford Road)	J. Howard
16	04/16/11	Neighborhood Symposium - Central Avenue at Eastland Streetscape	K. Main
17	04/26/11	ULI Partnership Forum - The Met Part II	D. Campbell
18	04/28/11	City Council District 5 Meeting	D. Campbell

Charlotte-Mecklenburg Planning Commission

Executive Committee Meeting

March 21, 2011 - 4:00 pm

Action Minutes

Attachment 5

Approved March 25, 2011

Attendance

Executive Committee Members Present: Stephen Rosenburgh (Chairperson), Yolanda Johnson (Vice-Chairperson), Tracy Finch Dodson, and Andy Zoutewelle

Chairperson Rosenburgh arrived at 4:43 pm.

Other Planning Commissioner(s) Present: Nina Lipton and Meg Nealon

Planning Staff Present: Debra Campbell, John Howard, Sandy Montgomery, Cheryl Neely, and Katrina Young

Call to Order

The Vice-Chairperson called the meeting to order at 4:05 pm and informed the Committee that the Chairperson would arrive later.

Approval of Executive Committee Minutes

A motion was made by Commissioner Zoutewelle and seconded by Commissioner Finch Dodson to approve the February 21, 2011 Executive Committee minutes. The vote was 3 to 0 to approve the minutes.

February 21, 2011 Executive Committee Meeting Follow-up Assignments

Charlotte's Housing Market Study

The Vice-Chairperson acknowledged that the Chairperson is waiting to receive confirmation in writing from the author before releasing the report to the Commission.

Operating Agreement

Vice-Chairperson Johnson stated that the Retreat Follow up Committee has a recommendation for the Operating Agreement. Commissioner Finch Dodson suggested presenting the Operating Agreement to the full Commission for input. The Vice-Chairperson suggested that this agenda item be placed on hold and revisited when the Chairperson arrived at the meeting.

March 7, 2011 Work Session Follow-up Assignments

Executive Committee Minutes

The Vice-Chairperson reminded the Committee that Commissioner Lipton expressed concern about the Executive Committee minutes in the work session agenda packets being a month behind and not reflecting the most recent Executive Committee discussion. Vice-Chairperson Johnson asked staff if there were any updates for this issue. The Planning Director responded that the Executive Committee should discuss this matter and explained that draft minutes aren't included in the work session agenda packet because they have not been acted upon by the Executive Committee. She suggested that staff could draft a meeting summary and include it in the agenda packet, but it would not allow enough turnaround time for staff. Commissioner Zoutewelle stated that the Executive Committee would prefer to have adopted minutes presented; however, he understood the Commission's point of view. He asked if minutes could be produced within a couple of weeks after the meeting and sent to the Executive Committee members via e-mail to review and act upon. The Planning Director replied that

this could be an option, but it would be complicated to track proposed changes. She reiterated that the concern was the full Commission was not privy to current Executive Committee discussion and recommended that agenda items be listed on the work session agenda. Staff can prepare bullet points for the agenda and the Chairperson can provide a more detailed explanation of the discussion as part of the Executive Committee Report. Commissioner Finch Dodson agreed that the full Commission should receive information sooner, but was concerned about approving minutes via e-mail. Vice-Chairperson Johnson agreed with the Planning Director's recommendation, but cautioned the Committee that this may extend the work session beyond 2:00 pm. Commissioner Finch Dodson stated that the Commission should be cognizant of the time allotted for presentations. The Planning Director agreed and reminded the Committee that the Residential Design Text Amendment presentation had been rescheduled several times due to time constraints. Commissioner Lipton suggested that the draft information be accessed privately through a special link for Commissioners only. Vice-Chairperson Johnson suggested that this could be risky and may lead to misunderstandings. She thought the burden should be placed on the Executive Committee. Commissioner Finch Dodson agreed that a draft document could potentially have unintentional consequences. She suggested that the Committee implement the Planning Director's recommendation on a trial basis. If there is a disconnection between what is being reported at the work session and the minutes, the Committee will revisit this item. Commissioner Zoutewelle expressed concern about the Executive Committee's discussion of issues. He stated that the Executive Committee's role is to identify agenda items and detailed discussions should take place with the full Commission. Commissioner Finch Dodson and the Planning Director agreed. Commissioner Lipton added that the full Commission should make decisions. The Vice-Chairperson asked if staff needed a final recommendation of how the Executive Committee will handle this issue. The Planning Director suggested that the Committee provide staff with the action for this item as well as other agenda items so that staff can accurately capture the path forward. This will also help alleviate conflicts with the information reported at the work session and in the Executive Committee minutes. Vice-Chairperson Johnson asked Commissioner Finch Dodson to provide a summary statement. Commissioner Finch Dodson confirmed that Executive Committee agenda items will be listed on the work session agenda and the Committee will provide an accurate, detailed Executive Committee Report to the full Commission. The Executive Committee will determine who will provide the detailed report. This will be done on a trial basis and the Commission will determine if it works. The Vice-Chairperson added that decisions should be made at the Commission level.

HIRD Text Amendment Update

The Planning Director stated that the HIRD Text Amendment had been on the work session agenda for the past two months. As requested, the presentation was e-mailed to the full Commission. She noted that staff will send the proposed text amendment prior to the work session agenda packet to allow sufficient review time of the material. Staff had received comments from Commissioners Griffith and Nealon, but had not received any additional information from Commissioner Zoutewelle since the March work session.

Ms. Campbell explained that this text amendment was a directive from City Council and staff will request permission to file on behalf of the Planning Commission at the April work session. She clarified that filing in the Commission's name does not imply that the Commission does not have issues with the text amendment. Vice-Chairperson Johnson asked the Director to explain the request and how the Commission's concerns would be addressed. The Planning Director reiterated that staff will ask the Commission for permission to file the text amendment in the Commission's name. If the Commission does not grant permission to file, the Department will file the text amendment in its

name. Outstanding issues identified by the Commission will be discussed during the normal adoption process for text amendments, as part of the Zoning Committee review process. Staff will bring Commission and citizen issues to the Zoning Committee. The Vice-Chairperson asked if staff has ever filed a text amendment in the Department's name. The Planning Director responded yes, because it is a courtesy to ask the Commission to file on their behalf. City and County Departments can file petitions and since this is a Council directive, staff thinks it is appropriate to file in the Department's name (if the Commission does not grant permission to file on their behalf). She further explained that the text amendment has been in the works for a while and staff has been responsive to the issues and it is time to start deliberating the merits of the petition. Commissioner Zoutewelle stated that he intended to have a conference call with Commissioners Griffith and Nealon, but it fell through. He informed staff that he had not planned to submit any additional comments until he received and reviewed the proposed text amendment. He received the text in the Executive Committee agenda packet and identified two issues the Commission needed to evaluate:

1. Staff has come a long way since last summer and there are a couple of minor outstanding issues with the text, assuming that HIRD moves forward.
2. The other point of view which he is hearing and trying to reconcile is the notion that the whole heights ordinance may be adequate as is, fundamentally in principle. It may be that it is interpreted and administered differently than written. He has not taken a firm position on this. He has heard some stakeholders comment that the current ordinance is adequate. He would be happy to discuss this further if necessary.

If the Commission decides the change in direction to amend the current ordinance is appropriate, Commissioner Zoutewelle thought the proposed text is close to being something that he, Commissioner Griffith and others might recommend. The fundamental difference is unclear in his mind.

The Vice-Chairperson asked Commissioner Nealon to share her concern with the text amendment. Commissioner Nealon explained that Commissioner Zoutewelle had characterized the way designers had interpreted the language for many years. The language described increased setbacks, rear and side yards. Commissioner Zoutewelle clarified that the increased setback was for the footprint, not just the portion above 40 feet. Commissioner Nealon acknowledged that a lot of work went into the text amendment before she became a Commissioner and understands that it is late in the process, but suggested that the text amendment reserve an option to allow building above the maximum. She provided the example of subdivisions that were developed around a large farmhouse. Land was retained around the larger structure. Providing an option to increase setbacks and side yards could mitigate the impact of the height.

Commissioner Zoutewelle stated that the current draft is less restrictive for many situations in existing neighborhoods. In the past houses have been capped at 40' at the ridgeline and the proposed text allows for an increase above the 40' base height. The proposed text will not prohibit many of the mansions which have been controversial. In fact, he thought the proposed text may not be too restrictive, it may allow too much.

Commissioner Lipton stated that not enough details are required when a building permit for a single family house is issued and there are many instances where houses do not meet the zoning requirements. She was also concerned about Commissioner Zoutewelle's interpretation that the proposed regulations will allow for larger houses.

Commissioner Zoutewelle asked if the Commission would be giving a stamp of approval of the proposed text amendment if they voted to sponsor the petition. The Planning Director clarified that the Commission would only be filing the petition on behalf of the Planning Commission. It does not mean that the Commission supports the text amendment.

Commissioner Finch Dodson recapped the discussion by stating that staff has done all that they can with the text amendment and needs to move it forward. She suggested that it be presented at the April work session for a recommendation to file on behalf of the Commission. Commissioners will have the opportunity to discuss and identify any additional issues. The list of issues will be maintained and forwarded to the Zoning Committee for discussion.

The Vice-Chairperson asked what the next steps are after the petition is filed. The Planning Director responded that the petition would go through the normal zoning process which includes a public meeting before Council, Zoning Committee recommendation, and a final decision by Council. The Zoning Committee can recommend deferral, approval with outstanding issues or denial of the text amendment. She further explained that it is very difficult to write a text amendment which fits all situations within the community. There are other tools to address height, such as rezoning and residential design standards. Staff will respond to any outstanding issues at the upcoming Commission meeting and during the Zoning Committee process.

Commissioner Zoutewelle asked if the Commission supports filing the text amendment, will it mean that eight Commissioners are generally in favor of the text, understanding that modifications are coming forward; or will it mean that eight Commissioners think the text amendment is worthy of further discussion and support moving it to the next level in the Commission's name. He asked what standards the Commission should use to determine whether or not to file in their name. Commissioner Finch Dodson responded that it is a discussion for the full Commission. They need to determine if they are comfortable with the text amendment to support it going to the next step. Vice-Chairperson Johnson recommended that any motion should be specific and include outstanding issues if necessary.

Commissioner Finch Dodson thought the Commission wants to be relevant and may not appreciate being told that the text amendment will be filed with or without their consent. She suggested that the process be explained to the Commission and time be allowed for discussion. The Planning Director responded that this is less about the Commission. This text amendment is a directive from Council. There has been a process which involved a constituency of stakeholders, property owners, and industry representatives who have worked on the text amendment for a long time. Staff believes they have come to a middle ground and are ready to move forward.

Vice-Chairperson Johnson stated that staff has done an excellent job of meeting with Commissioners one on one. She asked if this would continue to be an option. The Planning Director responded that staff would be willing to meet with Commissioners to further discuss the proposed text amendment. However, if there are enough Commissioners for a quorum, it would be considered a meeting and staff would need to advertise as such.

The Planning Director asked Katrina Young if she had anything to add to the discussion. Ms. Young stated that the major difference from the current ordinance is that there are some maximums in the proposed text and the current text does not have maximums. A goal is to put a cap on structures in

residential districts. Other districts can be used to go above the maximum. The Planning Director added that once it gets over the maximum, public dialogue will occur so that those who are potentially impacted can provide input.

Commissioner Zoutewelle made a motion to move this item to the April work session agenda. Commissioner Finch Dodson seconded the motion and the vote was 3 to 0 to approve.

PED Text Amendment Update

The Planning Director explained that staff will request permission to file this text amendment on behalf of the Planning Commission at the April work session. Commissioner Finch Dodson asked if this would be filed by the Planning Department if the Commission did not grant permission to file on its behalf. The Planning Director responded no, because this is not a City Council directive; however, staff would like to file this text amendment as soon as possible because the stakeholder process has been longer than the HIRD process. The Executive Committee agreed to place this on the April work session agenda.

Residential Design Standards Text Amendment Update

Chairperson Rosenburgh asked the Planning Director if staff is prepared to present the Residential Design Standards Text Amendment at the April work session. The Planning Director responded that staff is prepared. As mentioned earlier, this item has been rescheduled several times, due to time constraints. The Chairperson asked the Planning Director if this should be the first agenda item. The Planning Director stated that it was up to the Executive Committee. The Executive Committee agreed to place it on the April work session agenda in the order as submitted.

Conflict of Interest

The Chairperson discussed Commissioner Walker's concern that conflict of interest does not always have financial impacts. He suggested that a conflict of interest could be residential or social. He asked the Planning Director for her thoughts. The Planning Director stated that staff had copies of City Council and County Commission's current conflict of interest policies. Staff distributed the policies and the Chairperson asked if the County's policy was current. Cheryl Neely indicated that she recently received the information from the County Clerk's office. The Chairperson stated that the policy was recently revised and updated. The Planning Director indicated that the new policy was for the County Commission. Commissioner Zoutewelle stated that the revised policy was for the appointed board members as well. The Planning Director stated that Planning staff would follow up with the County Clerk's office.

Commissioner Zoutewelle stated that he had thoroughly reviewed the Conflict of Interest Policies and there are two tiers for Conflict of Interest. Tier 1 - each Commissioner is responsible for determining if he or she has a conflict of interest and should not participate in the discussions or be in the room when the items are being discussed. Tier 2 - if a Commissioner is not sure if there is a conflict of interest or does not think an item is a conflict of interest, they should disclose it to the Commission. The Commission should ask questions, discuss, and vote/decide whether there is a conflict of interest.

The Chairperson stated that he understood Commissioner Zoutewelle's interpretation, but was more concerned about the non-financial conflicts of interest. Commissioner Finch Dodson added that the Commission should ask if there are any conflicts of interest during meetings.

The Chairperson asked the Planning Director if a conflict of interest exists when a Commissioner is a resident or lives in an area where the subject matter is located. The Planning Director responded that it would not be a conflict if the Commissioner has not been actively engaged in advocating a position on the subject matter. She added that one Commissioner represents an umbrella community organization in the Northeast and all projects in the Northeast would be a conflict of interest for the Commissioner if that were the case. Ms. Campbell does not believe there is a conflict of interest simply because one lives in an area. Similarly, City Council votes on issues that are located in districts they represent and it is not considered a conflict of interest. The Chairperson noted that Council is different because they represent a district. Commissioner Zoutewelle stated that if a conflict is ascertained, the Commissioner should excuse himself from the discussion and vote. The Planning Director stated that most people use common sense when determining if there is a conflict of interest. Financial conflicts are blatant and direct, but other conflicts are not as obvious. If a Commissioner is uncomfortable and uncertain as to whether there is a conflict, he or she should not vote.

Vice-Chairperson Johnson shared that the Conflict of Interest policies state pecuniary or material benefit. She noted that, as suggested by Commissioner Zoutewelle, before any decision is made by the Planning Committee, Commissioners are asked to disclose whether they have a conflict of interest. The Chairperson asked Vice-Chairperson Johnson to work with Terrie Hagler-Gray to get clarification on the Conflict of Interest Policy and consolidate the current policy and present it to the Commission. The Planning Director reminded Commissioners that if there is ever doubt about a conflict of interest, they can defer to the City Attorney's office.

Training for Commissioners

The Chairperson reminded the Committee that the Commission will work with Planning staff to develop a plan for training the Commission.

Communications Committee

The Communications Committee was formed at the last Executive Committee meeting. Chairperson Rosenburgh stated that he, Commissioners Lipton and Green Fallon will schedule a meeting to discuss. He will follow up with Cheryl Neely to schedule.

Economic Development

The Chairperson asked that this item be placed on the April or May work session. He asked if Commissioner Griffith had communicated with staff about the April 1st Joint Luncheon. Cheryl Neely indicated that Commissioner Griffith will attend the Joint Luncheon.

Center City Presentation

Chairperson Rosenburgh asked staff to remove this item from the April work session agenda.

Design Review Board

The Chairperson stated that City Council will ask for a Commission representative for the Design Review Board on April 11. He suggested that Commissioner Meg Nealon be the Commission's representative on this Board. Commissioner Zoutewelle thought she had a good understanding of the material and would be a good representative. The Executive Committee

agreed. The Planning Director suggested that the Chairperson announce the appointment at the April work session. He responded that he would and asked Cheryl Neely to convey the appointment to the City Manager's office or appropriate staff.

Independence Area Plan

The Chairperson stated that NCDOT would look favorably at meeting with him and the Planning Director to discuss the Independence Boulevard Area Plan. He spoke with Barry Moose (NCDOT) who shared that they are not pleased with the Plan. The Chairperson suggested that he and the Planning Director meet with Mr. Moose to discuss. The Planning Director responded that she was surprised because she and others met with Secretary Conti last Tuesday and he seemed very pleased. The Chairperson stated that it may be false information and he would follow up with Barry Moose.

Notifications of CAG/Stakeholder Meetings

Commissioner Zoutewelle shared that he and other Planning Committee members did not receive notification of the Independence Boulevard Area Plan Citizen Advisory Group (CAG) meeting. The Planning Director explained that notifications are mailed to Commissioners who are assigned to specific area plans. Vice-Chairperson Johnson clarified that the Planning Committee members had previously requested to receive notification of all area plan CAG meetings. The Planning Director and Cheryl Neely indicated that they were not aware of this request for a change in the notification process. The Vice-Chairperson stated that this was discussed with Melony McCullough (Planning staff) and she thought it was something that could be done. Cheryl Neely asked the Vice-Chairperson to confirm that the request is for all Planning Committee Members to receive notices of all stakeholder and CAG meetings for area plans and text amendments. Vice-Chairperson Johnson confirmed. Commissioner Lipton recommended that the full Commission be notified of these meetings. The Executive Committee agreed and the Committee decided that the full Planning Commission should be notified of all stakeholder and citizen advisory group meetings.

Nominating Committee

The Chairperson stated that he asked Commissioner Allen to chair the Nominating Committee. The Executive Committee agreed with this recommendation. The nominating committee will be established in April and announced at the work session. The slate of officers will be presented in May and elections will occur in June. The Chairperson will remind the Commission of the election process at the April work session. Cheryl Neely reminded the Chairperson that the rotation schedule should also be submitted in April.

Approval of the April 4, 2011 Work Session Agenda

The Chairperson asked if the Planning Director will give an update of the ReVenture rezoning at the April work session. Cheryl Neely indicated that this would be included in the Planning Commission's Role in the Rezoning Process presentation.

The Chairperson acknowledged the following items for the April 4, 2011 work session agenda:

- HIRD Text Amendment
- PED Text Amendment
- RDS Text Amendment
- Planning Commission's Role in the Rezoning Process (ReVenture Rezoning)

The Committee agreed with the agenda items.

Future Work Session Agenda Items

The Chairperson identified the following as future work session agenda items:

- Charlotte's Housing Market Study
- Capital Improvement Plan
- ULI Rose Fellowship Study Update
- Conflict of Interest
- Center City Update
- Economic Development

Approval of the April 2011 Meeting Schedule

Cheryl Neely asked the Committee to review the calendars. The Committee approved the April and May meeting schedules as presented.

Adjournment

The meeting adjourned at 5:10 pm.

**NOTICE OF PUBLIC HEARINGS ON PETITIONS
FOR ZONING CHANGES BY CITY COUNCIL
OF THE CITY OF CHARLOTTE, N.C.**

NOTICE is hereby given that public hearings will be held by the City Council in the Meeting Chamber located in the Charlotte-Mecklenburg Government Center, 600 East Fourth Street beginning at 6:00 P.M. on **Monday, the 16th day of May, 2011** on the following petitions that propose changes to the Official Zoning Maps of the City of Charlotte, North Carolina:

Petition No. 2011-017 by Goode Development Corp. and Goode Properties for a change in zoning for approximately 20 acres located on the east side of Monroe Road between Idlewild Road and Conference Drive from R-17MF to NS and MUDD-O.

Petition No. 2011-020 by Percival McGuire Commercial Real Estate Development for a change in zoning for approximately 23.96 acres located on the south side of West W.T. Harris Boulevard between Interstate 485 and Reames Road from R-3 to NS.

Petition No. 2011-021 by Singh Development, LLC for a change in zoning for approximately 22.65 acres located on the east side of Providence Road and across from Providence Country Club Drive from R-3 to R-3(CD) and INST(CD).

Petition No. 2011-022 by Cambridge-Eastfield, LLC for a NS site plan amendment for approximately 0.55 acres located on the southeast corner of Prosperity Church Road and Arbor Creek Drive.

Petition No. 2011-023 by Vulcan Construction Materials, for a change in zoning for approximately 106.90 acres located near the north side of the intersection of Brooks Mill Road and Albemarle Road from R-3, R-3(CD), and O-1 to I-2(CD).

Petition No. 2011-025 by Charlotte-Mecklenburg Housing Partnership, Inc. for a UR-3(CD)PED-O site plan amendment for approximately 1.6 acres located on the northwest corner at the intersection of Wesley Heights Way and Duckworth Avenue.

Petition No. 2011-026 by Robert D. Smith, for a change in zoning for approximately 4.83 acres located on Browne Road and across from Amber Glen Drive from R-3 to INST(CD).

Petition No. 2011-027 by Blakeney Heath, LLP for a change in zoning for approximately 9.0 acres located on the southeast corner at the intersection of Rea Road and Ardrey Kell Road from CC to NS.

Petition No. 2011-029 by Harris Teeter, Inc. for a change in zoning for approximately 3.90 acres located at the intersection of Providence Road and Queens Road and generally bounded by Huntley Place and Bolling Road from R-4 and B-1 to MUDD-O and five year vested rights.

The City Council may change the existing zoning classification of the entire area covered by each petition, or any part or parts of such area, to the classification requested, or to a higher classification or classifications without withdrawing or modifying the petition.

Interested parties and citizens have an opportunity to be heard and may obtain further information on the proposed changes from the Charlotte-Mecklenburg Planning Department Office, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, 704-336-2205. www.rezoning.org

To file a written petition of protest which if valid will invoke the 3/4 majority vote rule (General Statute 160A-385) the petition must be filed with the City Clerk no later than the close of business on **Wednesday, May 11, 2011.**

**NOTICE OF PUBLIC HEARINGS ON PETITIONS
FOR ZONING ORDINANCE CHANGES BY CITY COUNCIL
OF THE CITY OF CHARLOTTE, N.C.**

NOTICE is hereby given that public hearings will be held by the City Council in the Meeting Chamber located in the Charlotte-Mecklenburg Government Center, 600 East Fourth Street beginning at 6:00 P.M. on **Monday, the 16th day of May, 2011** on the following petitions that propose changes to the City of Charlotte Zoning Ordinance:

Petition 2011-018 Text Amendment to the City of Charlotte Zoning Ordinance to modify the Uses permitted and the design and development standards in the Research Districts.
Petitioner: University City Partners.

Interested parties and citizens have an opportunity to be heard and may obtain further information on the proposed changes from the Charlotte-Mecklenburg Planning Department Office, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, 704-336-2205. www.rezoning.org

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm 280
April 27, 2011
4:30 P.M.

1. Petition No. 2010-045 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify and clarify the regulations for pedestrian oriented information pillars and information pillar signs.

2. Petition No. 2010-079 by Charlotte-Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to add a new use, definition, and prescribed conditions for an eco-industrial facility.

3. Petition No. 2010-080 by Charlotte Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to replace the regulations for "outdoor seasonal fresh produce sales" with a new definition and regulations for "fresh produce markets".

4. Petition No. 2011-002 by 521 Partners, LLC for an O-1 (CD) site plan amendment for approximately 12.54 acres located on the southwest corner at the intersection of Providence Road West and Johnston Road.

APPROVED
April 19, 2011

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Conference Room 280, 2nd Floor
March 15, 2011**

Commissioners Present: Yolanda Johnson (Chairperson), Andy Zoutewelle (Vice-Chairperson), Tracy Finch Dodson (arrived at 5:20 p.m.), Lucia Griffith, Nina Lipton, Margaret Nealon, and Joel Randolph. Joel Randolph left at 6:30 p.m. and Andy Zoutewelle left at 6:40 p.m.

Commissioners Absent: Emma Allen and Eric Locher

Planning Staff Present: Kathy Cornett, Alan Goodwin, John Howard, Garet Johnson, Linda Keich, Sonda Kennedy, Melony McCullough, Alysia Osborne, and Bryman Suttle

Other Staff Present: Brian Horton (Transportation)

Call to Order

Chairperson Johnson called the meeting to order at 5:05 p.m.

Approval of Meeting Minutes

A motion was made by Commissioner Zoutewelle and seconded by Commissioner Nealon to approve the February 15, 2011 minutes. The vote was unanimous (5-0) to approve the minutes.

M.R. #11-01: Proposed Co-Location of Future Communications Center on N. Graham Street

Chairperson Johnson revealed that she owns an adjacent parcel to the subject site and recused herself from hearing Mandatory Referral #11-01. Vice-Chairperson Zoutewelle presided over the meeting during the discussion of this item. He thanked Commissioner Lipton for attending the meeting to ensure a quorum during the discussion of this agenda item.

John Howard (Planning Staff) presented the mandatory referral to locate a communications facility on approximately seven acres on North Graham Street behind the future Fire Administration Headquarters at 500 Dalton Avenue. This communications facility is to be shared by Police, Fire, Medic, and the Emergency Operations Center.

A motion was made by Commissioner Randolph and seconded by Commissioner Griffith to approve staff's recommendation for Mandatory Referral #11-01. The vote was 5-0 to approve.

Receive Public Input on the Draft Independence Boulevard Area Plan

Prior to public comments, Commissioner Nealon who disclosed that she may have a conflict with the draft *Independence Boulevard Area Plan*. She revealed that the firm with which she is employed prepared some of the illustrations in the plan. However, she was not involved in the project. Commissioner Randolph felt that she should recuse herself from the hearing.

Commissioner Griffith suggested that she remain in the room because a vote would not take place at this meeting. Commissioner Lipton suggested that if there is a potential conflict, Commissioner Nealon follow protocol and leave the room. Commissioner Zoutewelle asked Commissioner Nealon if her firm's illustrations prejudice her view of the plan. Commissioner Nealon answered no and added that she was not involved in any activities, meetings, or discussion in her office on this item. Commissioner Randolph stated that she can vote but it's up to her to decide. Commissioner Lipton added that in the past, if there was a monetary issue, commissioners were recused. Commissioner Randolph encouraged Commissioner Nealon to recuse herself and moved to recuse Commissioner Nealon recuse from hearing the Independence Boulevard Area Plan public comments. Commissioner Lipton seconded. Commissioner Griffith opposed. Commissioner Nealon recused herself. Commissioners hearing the public comments on the draft *Independence Boulevard Area Plan* were Commissioners Johnson, Zoutewelle, Randolph, Griffith, and Lipton.

Alysia Osborne (Planning Staff) gave an overview of the plan and summarized the concept plan, key draft plan policies, and implementation strategies. She clarified that the area plan does not reevaluate the transportation and transit planning decisions made for Independence Boulevard, but provides a vision for future growth in the plan area. Key plan policies seek to protect and strengthen the neighborhoods by providing neighborhood serving land uses in strategic locations and to recreate investment within the plan area by providing nodal development at the proposed transit stations and along Monroe Road. The area plan also provides the opportunity for highway oriented uses between the transit stations along Independence Boulevard and maintains the employment centers in the plan area. Ms. Osborne also shared key implementation strategies which include recommendations from the Urban Land Institute (ULI) - Daniel Rose Fellowship Program.

Brian Horton (Transportation) explained the future transportation network and responded to questions about the North Carolina Department of Transportation project along the Independence Boulevard Corridor and questions about rapid transit, pedestrian, bicycle, and greenway facilities proposed for the area.

Ms. Osborne explained the next steps are to request that City Council receive public comments on the draft plan on March 28th and for the Planning Commission to make a recommendation on April 19th.

Due to the volume of transportation questions from the audience, the Planning Committee agreed to have Mr. Horton answer questions in a separate room after the public comments. Commissioner Johnson thanked both Ms. Osborne and Mr. Horton for their presentation.

Public Comments

Comments on the draft plan are summarized below:

- Revitalization and growth in the area should be reoriented toward Central Avenue and Monroe Road.
- Wal-mart development will have an adverse impact on existing neighborhoods.
- Plan provides a new vision for the community and needs to move forward.
- Previous Independence Road Project has and continues to have a negative impact on the properties along Independence Boulevard.
- Area plan does not solve problems from Briar Creek to Sharon Amity.
- Plan should be put on hold to allow staff to work with the Urban Land Institute (ULI) on studying Independence Boulevard.
- Current draft plan does not reflect revisions to the transitional setback.
- Poor communication about the area plan purpose and intent as it relates to the NCDOT road project and rapid transit planning for the Independence corridor.

Commissioner Johnson thanked everyone for coming and encouraged those present to view the website for updates.

Overview of the draft Elizabeth Area Plan

Alan Goodwin (Planning Staff) and Kathy Cornett (Planning Staff) gave an overview of the draft *Elizabeth Area Plan*. Mr. Goodwin stated that the area is comprised of approximately 630 acres. The plan seeks to maintain and build upon the established character of the Elizabeth neighborhood. The plan's recommendations are for the area to remain predominantly low density, single family residential. Design guidelines in the plan help to ensure that when higher intensity uses are located nearby, they respect the low density, historic character of the established neighborhood. Both Ms. Cornett and Mr. Goodwin shared the opportunities, issues, vision, and goals for the area. It was noted that the Citizen Advisory Group was very interested and involved in the planning process.

Commissioner Lipton stated that staff has done a great job addressing the community's interest and engaging them at meetings. Commissioner Lipton also stated that the people in the area are quite diverse. Commissioner Johnson said communication has been great on this plan.

Area Plan Status and Meeting Report

Elizabeth Area Plan

Commissioner Lipton explained to the Committee that at one of the meetings, a café setting was used as a tool to encourage active participation. Also, building blocks were used in an exercise to show how building heights impact a community. She thinks these are effective tools for active citizen involvement.

Midtown, Morehead and Cherry Area Plan

Commissioner Zoutewelle told the group that this is a compilation of three areas into one plan which is quite diverse. The Cherry area consists of historical residents; the Morehead area is adjacent to Dilworth and their primary interests are trees and setbacks and the Midtown area is more of an open book. Commissioner Lipton spoke of the greenway and asked if Park and Recreation will become involved with the plan.

Steele Creek Area Plan

Commissioner Zoutewelle reminded the commissioners that they have toured the plan area. The community is preparing for the public meeting scheduled for March 31st and the Planning Committee will receive public comment next month.

Commissioner Zoutewelle recused himself from the meeting at 6:40 p.m.

Adjourn

Commissioner Johnson thanked Commissioner Lipton and Commissioner Finch for serving at tonight's meeting to ensure a quorum on all items. The meeting adjourned at 7:00 p.m.

Charlotte Historic District Commission Update

April 26, 2011

At their April 13, 2011 Regular Meeting, the Charlotte Historic District Commission made the following rulings on Applications for Certificates of Appropriateness:

A.	1824 South Mint Street, Wilmore Local Historic District Renovation Mark & Kristin Santo, Applicants	HDC 2010-104	Approved, Final to Staff
B.	816 Mt Vernon Avenue, Dilworth Local Historic District Screen Porch Addition Angie Lauer, Architect/Applicant	HDC 2011-015	Approved
C.	1715 Euclid Avenue, Dilworth Local Historic District Demolition of Existing Structure Mikael Dascenzo, Applicant	HDC 2011-022	365 Day Delay of Demolition Imposed
D.	516/520 Grandin Road, Wesley Heights Local Historic District Window Replacement Bobby Drakeford, Applicant	HDC 2011-026	Approved in Concept, Final to Staff
E.	401 East Kingston Avenue, Dilworth Local Historic District Side Porch Enclosure Rick Harris, Applicant	HDC 2011-033	Approved in Concept, Final to Staff
F.	1600 Wilmore Drive, Wilmore Local Historic District New Single Family Construction Michael Iagnemma, Applicant	HDC 2011-035	Approved in Concept
G.	1715 Wickford Place, Wilmore Local Historic District Addition of Front Porch Columns & Railings Henry Ellis, Applicant	HDC 2011-036	Deferred for Further Design Development
H.	1333 Carlton Avenue, Dilworth Local Historic District Partial Front Porch Enclosure William Patrick Burgess, Applicant	HDC 2011-038	Approved with Conditions
I.	530 Hermitage Court, Hermitage Court Local Historic District Terrace Addition & Site Alterations Lisa Yarborough, Applicant	HDC 2011-039	Deferred for Further Design Development
J.	1542 Thomas Avenue, Plaza Midwood Local Historic District Installation of Front Yard Parking Area Michael Luick, Applicant	HDC 2011-042	Deferred for Further Design Development
K.	1330 Thomas Avenue, Plaza Midwood Local Historic District Front Porch Renovation Kathleen Rooney, Applicant	HDC 2011-043	Approved with Conditions

Other than the approval of the minutes of the March 9, 2011 Commission Meeting, no other business was conducted.