

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

Planning Commission

Mar 7, 2011
work session

Charlotte-Mecklenburg
Government Center

Room 267
Noon

Charlotte-Mecklenburg Planning Commission

March 7, 2011 - Noon

CMGC - Conference Room 267

Work Session Agenda

Call to Order & Introductions

Stephen Rosenburgh

Administration

Approval of Planning Commission Minutes

Approve the February 7, 2011 work session minutes

Attachment 1

Policy

Text Amendments

Heights in Residential Districts (HIRD) Text Amendment

Katrina Young

Background: Planning staff to provide an update on the HIRD text amendment stakeholder process.

Action: Receive as information.

Pedestrian Overlay Districts (PED) Text Amendment

John Howard

Background: Planning staff to provide an update on the PED text amendment stakeholder process.

Action: Receive as information.

Center City Update

Tracy Finch Dodson

Background: Commissioner Tracy Finch Dodson to provide a presentation on Center City, including updates on development.

Action: Receive as information.

Information

Planning Director's Report

- Residential Design Standards Text Amendment
- Planning Department Monthly Report

Attachment 2

March & April Meeting Schedules

Attachment 3

Planning Department's Public Outreach Presentations

Attachment 4

Mecklenburg County Appointees

- Revised Appointment Policy & Summary of Proposed Changes
- Conflict of Interest Policy

Attachment 5

Attachment 6

Committee Reports

Executive Committee

- January 18, 2011 Approved Minutes

Stephen Rosenburgh

Attachment 7

- Future Agenda Items
 - Capital Improvement Plan
 - Charlotte's Housing Market Study
 - ULI Rose Fellowship Study Update
 - Conflict of Interest

Zoning Committee

- Public Hearings
- Zoning Committee Agenda

Stephen Rosenburgh
Attachment 8
Attachment 9

Planning Committee

- December 14, 2010 Approved Minutes

Yolanda Johnson
Attachment 10

Historic District Commission

- February 9, 2011 Meeting Update

Meg Nealon
Attachment 11

Communication from Chairperson

- Update on the Planning Commission Retreat Follow-Up

Stephen Rosenburgh

Charlotte-Mecklenburg Planning Commission

Attachment 1

February 7, 2011 - Noon

CMGC - Conference Room 267

Action Minutes

Attendance

Commissioners Present: Yolanda Johnson (Vice-Chairperson), Tracy Finch Dodson, Steven Firestone, Lucia Griffith, Claire Green Fallon, Nina Lipton, Eric Locher, Meg Nealon, Greg Phipps, Joel Randolph, Dwayne Walker, and Andy Zoutewelle,

Commissioner Walker arrived at 12:15 pm and Commission Finch Dodson arrived at 12:35 pm.

Commissioners Absent: Stephen Rosenburgh (Chairperson), and Emma Allen

Planning Staff Present: Debra Campbell, Pontip Aphayarath, Laura Harmon, John Howard, Garet Johnson, Tammie Keplinger, Kent Main, Sandy Montgomery, Cheryl Neely, Alysia Osborne, Sandra Stewart, Jonathan Wells, and Katrina Young

Guests Present: Vicki Bott & Doug Shoemaker (UNC Charlotte)

Call to Order & Introductions

Vice-Chairperson Johnson chaired the meeting in Chairperson Rosenburgh's absence. The meeting was called to order at 12:10 pm, followed by introductions. The Vice-Chairperson polled Planning Committee Members to check their availability for the Steele Creek Area Plan tour, scheduled for 2:00 pm, immediately following the work session. The Planning Committee members indicated that they were available for the tour. The Vice-Chairperson also reminded Zoning Committee members of their meeting at 2:00 pm, following the work session.

Administration

Approval of Planning Commission Minutes

Vice-Chairperson Johnson asked for a motion to approve the December 6, 2010 work session minutes.

Commissioner Zoutewelle shared that he did not attend the December 6, 2010 work session, but had a question about the second bullet on page 2 of the minutes. He stated that the minutes indicated that as the number of full service stores increases, income decreases related to the presentation on Food Deserts. He asked staff to confirm the accuracy of this statement. Commissioner Lipton responded that the report was incomplete, preliminary, and in some instances the information was unclear. Vice-Chairperson Johnson asked for a motion to approve the minutes. Commissioners Claire Green Fallon asked if the motion could indicate that there were questions about the accuracy of the minutes. The Vice-Chairperson responded that the information was recorded as presented and Commissioner Zoutewelle's question would be reflected in the February 7, 2011 work session minutes.

Commissioner Griffith made a motion to approve the minutes, seconded by Commissioner Firestone. The vote was 10 to 0 to approve the minutes.

Policy

UNCC Land Use Study

Vice-Chairperson Johnson introduced Vicki Bott and Doug Shoemaker with UNCC and noted that they would present information about the urban growth model, an analysis on historic growth since 1976 which is used to forecast growth. She asked the Planning Director to further introduce the speakers. The Planning Director added that Vicki Bott is a Senior Policy Analyst at the Urban Institute, one of the four collaborating units of the University that make up RENCI (the Renaissance Computing Institute) at UNC Charlotte. The Co-presenter, Doug Shoemaker, is Director of Research and Outreach for the Center for Applied GIScience, one of the other collaborating units.

Vicki Bott thanked the Commission for inviting them to present at the work session. Commissioner Griffith asked if the presentation could be e-mailed. Ms. Bott indicated that the presentation could be e-mailed.

Ms. Bott explained that RENCI is the Renaissance Computing Institute which is a statewide virtual network of university-based organizations that are dedicated to using advanced computer technology and multi-disciplinary experts for applied research to solve complex problems affecting the state. In addition to UNCC, the other RENCI Universities include UNC Chapel Hill, NC State, Duke, UNC Asheville, East Carolina, and UNC Coastal Studies Institute. Each site has a specific focus. RENCI at UNCC focuses on sustainable metropolitan growth. The RENCI state central office considers Charlotte a perfect laboratory for looking at metropolitan and regional growth issues. The researchers are engaged with communities and there are collaborative partnerships.

There are four partnerships at UNCC:

1. The Urban Institute
2. Center for Applied GIScience
3. The Visualization Center
4. The IDEAS Center

Current RENCI research directions at UNCC include:

- FUTURES (Future Urban-Regional Environment Simulation) regional growth model
- Visual Analytic Urban Planning Support System
- Regional Economic Forecasting
- CLUES (Charlotte Land-Use & Economic Simulation)
- Urban Facilities Location Modeling

FUTURES initiated when the Open Space Protection Collaboration came to the Applied Center for GIS in 2007. They had received funding from the Knight Foundation for growth modeling to help do a better job of looking at what is going to happen in the future with the development of open space. The initial results were incorporated in the 2008 Regional Indicators Report. The project was picked up by RENCI. The collaboration continued with the Visualization Center. The Open Space Protection Collaboration focused on 24 counties and RENCI has expanded to an additional 19 counties in western North Carolina and is working to add other counties.

Doug Shoemaker explained that FUTURES is a regional growth modeling tool. The software was designed for decision makers to use to look at future growth patterns. He presented several FUTURES generated maps from satellite imagery of the region. In 1996 twenty percent (20%) of the Mecklenburg County region was developed with impervious surfaces. In 2006 the area doubled with development. In 2030 ninety-three percent (93%) of the county's area will be developed if growth continues. Population data, historical clues, and other predictor variables such as road density were used determine where development will occur. The growth simulator is used to determine where development is likely to happen and it is much more realistic for regional growth. Mr. Shoemaker demonstrated various growth scenarios which mapped development potential for the Mecklenburg region. He stated that FUTURES could be used to map the entire state.

Commissioner Firestone asked how this relates to analyzing policy choices in development patterns. For example, if light rail is along the Northeast Corridor to UNCC next year, can the analysis factor in what development would look like. Doug Shoemaker responded that sensitivity analysis would have to be run to consider light rail since there is not much history with light rail. Commissioner Firestone asked if they could use other areas such as Portland to look at development patterns. Doug Shoemaker responded that Portland could be considered. The Planning Director suggested the South Corridor be considered and Doug Shoemaker agreed.

Commissioner Griffith asked how they define regional. Doug Shoemaker explained that regional primarily refers to counties within North Carolina. South Carolina was included at one point, but was dropped because of the lack of up to date data. He noted that an internal goal is to make a connection with Atlanta. Vicki Bott further explained that RENCI has partnered with universities in the Piedmont Alliance for Quality Growth which is looking at the Raleigh to Atlanta corridor. Georgia Tech and Clemson have urban regional growth modeling programs and one task will be to look at integrating the models to get a mega regional view.

Commissioner Green Fallon asked if they took into consideration developments that are approved, but not built due to the economy. Doug Shoemaker responded that the object was to be as real world as possible; however these developments were not considered because satellite imagery was used. Vicki Bott added that the CLUES model is parcel based and they will work to integrate it with the FUTURES model.

Commissioner Randolph asked about the funding received for the National Forest Service. Vicki Bott explained that that was for the expansion for the western part of the area, in particular for UNC Asheville.

Commissioner Randolph asked how the impervious surface is calculated when the data is not parcel specific. Doug Shoemaker replied that the satellite image pixels can get an average within a quarter of an acre. If there is at least 20% of impervious surface it is considered developed.

Commissioner Lipton asked if they can bring in data from Google Earth. Doug Shoemaker responded that sometimes Google Earth is used, but the NASA data is more inclusive than Google Earth. Commissioner Lipton asked if the CLUES model is being used. Vicki Bott responded that this model has taken two years to develop and next week the first internal vetting of the model will be done. It will be 2 to 6 months before it is brought to a stakeholders group for testing.

Commissioner Nina Lipton asked what the impervious surface percentage was in 2006. Doug Shoemaker responded that he could not respond accurately without having the numbers. Vicki Bott shared that time series maps with this data are on the RENCi website.

The Planning Director acknowledged that this tool is extremely powerful from an analytical perspective. It will allow staff to test assumptions and land use policies. Staff has tried to play out scenarios with HIRD and TOD.

Commissioner Green Fallon asked the Planning Director if staff will be able to factor in rail and developments that are approved, but not on ground due to the economy. Debra Campbell responded that we will eventually be able to do so, especially with the CLUES model.

Following the presentation, Vicki Bott and Doug Shoemaker did a demonstration of a visual representation of the growth modeling.

Vice-Chairperson Johnson, Commissioners and the Planning Director thanked Vicki Bott and Doug Shoemaker for the presentation.

Text Amendments

Zoning and Subdivision Ordinance Transitional Setback Text Amendments

The Planning Director introduced the transitional setback text amendments to the Zoning and Subdivision ordinances. She explained that Planning staff will request permission to file on behalf of the Planning Commission. The Planning Director further explained that the Independence Boulevard Area Plan is nearing the adoption process. The transitional setbacks were established as a way to prevent the development of buildings in areas that may be needed for a potential road widening. The Transitional Setbacks are a high priority for Council and they have accelerated the filing and decision for these text amendments.

Sandy Montgomery presented the amendments. She explained that the amendments modify the transitional setback requirement to eliminate the minimum right-of-way requirements along portions of US 74 between I-277 and Albemarle Road. Additionally, the minimum right-of-way requirements along US 74 will no longer apply as soon as the North Carolina Department of Transportation (NCDOT) completes right-of-way acquisition for the current project underway, TIP U-209B along US 74 that runs from Albemarle Road to Sharon Forest Drive. The Planning Director asked the Commission to review Attachment 2 in the agenda packet, which shows the current regulations, the proposed regulations, and explains the purpose for the suggested changes.

Commissioner Locher asked if this text amendment impacts Providence Road (NC 16). Debra Campbell responded that it only impacts US 74.

Steven Firestone asked when NCDOT is expected to complete their project and if this text amendment would impact property values. Debra Campbell explained that this responds to the funded portion of the project which goes to Sharon Forest Drive. This retains the 250' right-of-way requirement until the right-of-way is no longer needed. This tool is used to prevent an escalation of price for the properties.

Commissioner Randolph asked why we are doing this now. He thought it should have been done a long time ago and is not fair for property owners who have had to deal with this. This has been a hardship on the property owners. Debra Campbell clarified that the plan is mute in terms of transitional right-of-way. As part of the street cross-sections the plan recognizes that the Zoning Ordinance transitional right-of-way applies for this type of thoroughfare. It also looks at the projected type of thoroughfare that Independence will become, based upon that it talks about land use. Staff is currently trying to clarify that Independence will be a highway and there may be HOV or HOT lanes as well as some type of rapid transit. The public has made the connection that the plan is dictating transitional right-of-way. The Planning Director indicated that this not a fair correlation. The plan does not dictate transitional right-of-way, zoning has dictated this. As a result of the plan, recommendations have been made about street design and cross-sections. There is also an acknowledgment that there is no funding pending for completed portions. For example between I-277 and Briar Creek nothing will be done within this area for the next ten+ years so why have the transitional right-of-way for these areas.

Commissioner Lipton asked if the Planning Director meant federal or state funding. The Planning Director responded that there is no federal or state funding.

Commissioner Zoutewelle thought it was fair to the property owners at this point in time. It releases the transitional right-of-way in town from Albemarle Road. He stated that it alleviates stresses along Independence.

Commissioner Zoutewelle made a motion to file the text amendment, seconded by Commissioner Griffith. The vote was unanimous to approve the filing of both text amendments.

Heights in Residential Districts (HIRD)

Vice-Chairperson Johnson asked Commissioner Zoutewelle to share his comments on the HIRD text amendment. He stated that he appreciated staff's willingness to work with the Commission and be open to their suggestions. The ordinance is more permissive than the existing text with the exception of 65' of the overall height. He expressed concern that the accessory buildings 24' height limit would be a more restrictive change.

Commissioner Griffith added that it is becoming easier to understand the purpose of the standards. She noted that staff should consider that HIRD standards may not need to be a blanket city-wide text amendment.

The Planning Director explained that the update will not be as drilled down or specific as the information that Commissioner Zoutewelle had just presented. She noted that the update will remind the Commission why we are doing the text amendment, include the background and history, some revisions that have been made, and the next steps. The Commission had previously asked for graphics which illustrate what is allowed now as well as the impact of the proposed changes. Staff is continuing to work on these graphics and will provide a more detailed update at the March work session.

Katrina Young explained that rezoning petition 2008-32 by the Myers Park Homeowners Association to rezone approximately 40 acres from R-22MF to R-8MF initiated the HIRD text amendment. The petition was filed in response to a proposed development in which the community thought the height was incompatible with the neighborhood character. City Council asked staff to review heights of

developments in residential districts to determine if there were opportunities to make changes. The rezoning petition was deferred by the Zoning Committee to allow staff to review heights in residential districts. The goal is to make sure that the height of buildings in residential districts is compatible with the scale of the single family neighborhoods where they are located. The process began in September 2009. Staff gave an overview to the Planning Commission in January 2010. The Commission provided feedback, stating that the text was too complicated and asked for graphics to illustrate the proposed changes. The Commission and the stakeholders expressed concern about the impact on existing uses, nonconformancies, and the reduction of development rights. Staff tried to simplify the approach to base height, not only on the zoning district, but on the use and the adjacent single family district. Staff also minimized the creation of nonconforming structures and extended the time period for nonconforming structures to be rebuilt. Definitions were also revised for clarification.

The Planning Director asked Ms. Young to provide a little more detail about how the approach was simplified. Ms. Young explained that staff realized that height has the most impact on adjacent properties when there are small lots. Staff is suggesting a wall plane, a maximum height based on the Zoning Ordinance, and at the side yard limit what a neighbor sees when they walk out. The front will allow whatever the ordinance permits, since the impact is primarily on the sides.

Commissioner Lipton asked how to address the impacts on the side. Ms. Young responded that the wall plane would restrict what is allowed on the side. Commissioner Lipton asked if someone was to build out to the maximum of what was permitted on their lot if everyone would have the same roof line. Katrina Young replied that they would look alike if all of the lots are the same. The Planning Director stated that is exactly why staff did not want to drill down to specifics. Commissioner Lipton asked staff to consider that the existing ordinances did some work with lot sizes and maximum building coverage. However, she doesn't think that is what necessarily gets built. Some of the current ordinances aren't being complied with. Commissioner Lipton asked staff to consider relating HIRD to the maximum building coverage and the enforcement of it. Katrina Young noted that staff has brought maximum building coverage to the attention of code enforcement.

Katrina Young shared that the current ordinance states that nonconforming structures has 12 months rebuild. The proposal is to extend the time period to 24 months if the nonconformancy is height related.

Commissioner Locher asked what if there are multiple issues contributing to the nonconformance. Katrina Young responded that the proposed extension applies to height nonconformancies only. Laura Harmon clarified that if there was previously a nonconformancy due to an issue and the height creates a nonconformancy, the extension would not necessarily apply. Katrina Young further clarified that a when there are multiple nonconformancies, height trumps and there will be a two year timeframe to rebuild.

Katrina Young reminded the Commission that staff will be back next month with a more detailed update, including graphics and will request permission to file on behalf of the Planning Commission at the April work session. She acknowledged that staff heard Commissioner Zoutewelle's concerns about accessory structures and have made adjustments. Other proposed dates are the City Council Public Hearing on June 20, Zoning Committee on June 29 and Council decision on July 18.

Commissioner Griffith asked if Council is still interested in pursuing this as a priority, especially since it has been dormant for so long. Katrina Young replied that it went dormant because staff is working on other options. Although Myers Park was the most visible, it was not the only reason for this amendment. Height has come up in other areas as well.

The Planning Director stated that the Myers Park third party rezoning peaked the interest of Council. They realized that something must be systemically wrong with the ordinance and did not want to set a precedent of entertaining third party rezoning petitions on a case by case basis. Staff had realized that development outside of TOD areas can be more intense, in terms of height and was aware of the concern.

Commissioner Griffith asked that staff remember that we are an urban community. The Planning Director responded that urban doesn't always mean height; it can mean scale, livability, compatibility, in particular when we have stable communities that have a character which we want to preserve.

Commissioner Lipton stated that massing was also problematic with Myers Park and some other considerations. Debra Campbell agreed that height is not one element that addresses compatibility, but we have to consider that this is a citywide standard for all development. Staff is recommending other tools to address massing and scale, which will come to the Commission through the neighborhood conservation districts. They are more tailored to the features within certain geographies, and are more appropriate because one size does not fit all in our community.

Commissioner Lipton asked why we aren't doing this. The Planning Director responded that the current Residential Design Standards text amendment includes a recommendation for a conservation district.

Commissioner Phipps asked if Council provided a timeline when they asked Planning staff to review heights in residential districts. Debra Campbell explained that staff told Council that this would be extremely complicated and time consuming. Laura Harmon stated that staff has provided periodic updates on the rezoning petition to Council.

Commissioner Randolph asked if staff could provide research or examples from other cities. He also asked if he could become more educated on the differences in current regulations and the proposed regulations. The Planning Director explained that staff will share what other communities are doing and illustrate the current and proposed regulations at the March work session presentation.

Pedestrian Overlay Districts (PED) & Residential Design Standards

Due to time constraints the Planning Director suggested that this presentation be moved to the March 7, 2011 work session agenda.

Commissioner Locher asked how long the presentations would take. The Planning Director responded that each should take about 5 to 7 minutes. Commissioner Locher asked if there should be a special meeting for these items. The Planning Director indicated that they were not time sensitive and could wait until the March work session.

Commissioner Green Fallon made a motion to defer both presentations to the March work session, seconded by Commissioner Finch Dodson. The vote was 12 to 0 to move both items to the March work session agenda.

Commissioner Lipton asked if John Howard had received comments from the stakeholders group. Mr. Howard responded that he had received comments.

Information

Committee Reports

Zoning Committee

Commissioner Finch Dodson noted that the public hearings were included in the agenda packet. The Zoning Committee has a special meeting at 2:00 pm following the work session.

Commissioner Randolph commended the Zoning Committee members for working with the rezoning petition for Park and Recreation.

Planning Committee

Vice-Chairperson Johnson reminded Planning Committee members of the Steele Creek Area Plan tour at 2:00 pm, following the work session. She informed the committee that the Steele Creek public comment meeting would not be held in February.

Commissioner Griffith noted that the Planning Committee minutes from their last meeting were not included in the agenda packet. Cheryl Neely replied that the minutes have not been approved yet. Commissioner Zoutewelle noted that the Planning Committee did not meet in January so the minutes were not approved.

Historic District Commission

Commissioner Nealon reported that the HDC is still receiving requests for demolitions. A demolition request in Wilmore was delayed for 365 days.

Communication from Vice-Chairperson

Vice-Chairperson Johnson stated that the Operating Agreement is taking longer than expected. The Retreat Follow-up Committee is continuing to work on the agreement. The Committee is reviewing the Rules of Procedure, Education and Communication Plans, and the Commission's involvement in the Area Planning Process to make sure the Operating Agreements compliment these documents. The Retreat Follow-up Committee will make a recommendation to the Executive Committee and provide an update at a future work session.

Commissioner Locher stated that he and Chairperson Rosenburgh had discussed rotating him to the Zoning Committee. He asked if this had been discussed at the Executive Committee meeting. Vice-Chairperson Johnson indicated that this had not been discussed. The Planning Director suggested that this be placed on the February 21, 2011 Executive Committee agenda for discussion.

Adjournment

The meeting adjourned at 2:06 pm.



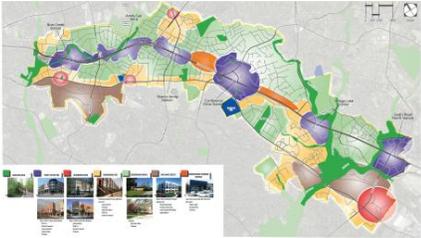
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PLANNING DEPARTMENT

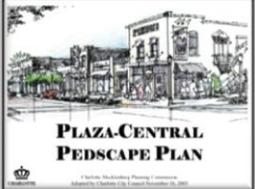
**Planning Department Monthly Report
February 2011**

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

Serve the Customer

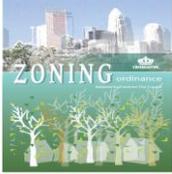
Strengthen Neighborhoods

<p>Center City 2020 Vision Plan</p> 	<p>MIG Inc., the consultant team, is presently working on deliverables for the draft plan. The target completion date for the plan is early 2011. Information about the plan is available at http://www.centercity2020.info/.</p>	<p>Dan Thilo Ext. 68321</p>
<p>Elizabeth Area Plan</p> 	<p>Completion of the draft plan for CAG review is anticipated by March 1. This draft will be modified as needed based on the CAG's input and feedback. The final draft plan will be presented at a public meeting tentatively scheduled for early-April 2011.</p>	<p>Alan Goodwin Ext. 23418</p>
<p>Independence Boulevard Area Plan</p> 	<p>Over the next few weeks, staff will be providing updates on the draft Independence Boulevard Area Plan at a series of meetings. There will be a Citizen Advisory Group meeting on March 3. City Council's Economic Development Committee will receive an overview of the draft plan on March 10. The Planning Committee of the Charlotte-Mecklenburg Planning Commission will receive public comment on March 15. Council is tentatively scheduled to receive public comment on the draft plan on March 28th.</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>A meeting to receive public input on the draft plan recommendations is tentatively scheduled for March 31, 2011 at the Police and Fire Training Academy.</p> <p>For more information, please visit our website at www.charlotteplanning.org.</p>	<p>Brent Wilkinson Ext. 68329</p>
<p>Midtown Morehead Cherry Area Plan</p> 	<p>The Midtown Morehead Cherry Area Plan includes three adjoining neighborhoods just outside of Uptown and I-277. A kickoff public meeting was held in November. The Citizen Advisory Group is meeting on a 3-week schedule at Pleasant Hill Baptist Church in Cherry. Upcoming meetings are March 3 (Market Study) and March 24 (Transportation). 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>Providence Road / I-485 Area Plan Developer Response</p> 	<p>The property is a 103-acre site on Providence Road south of I-485, plus surrounding property totaling nearly 600 acres. A rezoning for senior adult care and housing on 13 acres at Providence Country Club Drive has been filed (petition 2011-021).</p> <p>At a charrette held in September, property owners expressed desires for significantly more density and commercial use than the 2000 area plan and neighborhood preferences. A street framework was well received, and will facilitate the immediate rezoning, but a public plan amendment process will be needed prior to larger scale development.</p>	<p>Kent Main Ext. 65721</p>
<p>Plaza-Central Pedscape Plan Amendment</p> 	<p>City Council adopted the Plaza-Central Pedscape Plan Amendment on January 24. This amendment reduces the separation requirement between residential uses and nightclubs within the Plaza Central area.</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 14 and construction should be complete in April 2011.</p> <p><u>Providence/I-485 Area Plan Improvements</u> This project includes sidewalks, planting strip, pedestrian lighting, crosswalks and other infrastructure improvements recommended in the Providence/I-485 Area Plan (2002). Construction started October 6 and should be complete in March 2011. There are outstanding issues with NCDOT involving existing drainage.</p>	<p>Bryman Suttle Ext. 68325</p>

<p>Area Plan Implementation Capital Programs</p> <p><i>(continued)</i></p>	<p><u>John Kirk Dr./University Blvd. Improvements</u> Consistent with the University City Area Plan (2007), this project involves pedestrian improvements to the intersection of John Kirk Dr. and University City Blvd, including sidewalk installation along John Kirk Dr. Widening will also be done to provide for bike lanes. Project is scheduled to be complete by the end of February 2011.</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>Historic District Commission (HDC)</p> 	<p>The HDC reviewed three project proposals at their February 2011 meeting; all are located in the Dilworth Local Historic District. Two additions were approved, one on East Tremont Avenue and one on Charlotte Drive. A property owner on Dilworth Road East requested approval for raising the foundation of an existing house to accommodate a new basement level. This project was approved. The necessary architectural improvements for new front and side porches on this house were deferred for further design study.</p>	<p>John Rogers Ext. 65994</p>
<p>Mecklenburg-Union Metropolitan Planning Organization (MUMPO)</p> 	<p><u>Charlotte Streetcar Project</u> The City's receipt of the \$24.99 million FTA grant will require MPO action. The actions required include: amending the 2009-2015 TIP; amending the 2035 Long Range Transportation Plan; and making an air quality conformity determination on both documents. A public comment period was originally scheduled to take place from January 25 through February 23; however due to MUMPO's website going down on February 23, the comment period was extended to February 28. Approximately 40 comments have been received thus far. In addition to the comment period, a public meeting was held on February 16; approximately nine people attended. The Technical Coordinating Committee is scheduled to make a recommendation to the MPO on this issue at its March 3 meeting; final action by the MPO is scheduled for March 16.</p> <p><u>2012-2018 Transportation Improvement Program</u> Several significant TIP-related matters took place in February:</p> <ol style="list-style-type: none"> 1. I-77--At their January meetings, the TCC and MPO supported converting the existing HOV lanes to HOT (high occupancy toll) lanes and to extend them to exit 28. NCDOT Division 10 Engineer Barry Moose presented an alternate proposal at the February TCC 	<p>Bob Cook Ext. 68643</p>

<p>Mecklenburg-Union Metropolitan Planning Organization</p> <p><i>(continued)</i></p>	<p>meeting that, in addition to the HOV lane conversion and extension, would result in the addition of a general purpose lane in each direction to exit 28. The alternate proposal would also result in completion of TIP project I-3311E, the widening of southbound I-77 lanes from I-85 to the Brookshire Freeway. A meeting with NCDOT officials to further discuss the alternate proposal is scheduled for March 2 in Raleigh.</p> <ol style="list-style-type: none"> 2. TIP Project R-4902, I-485 widening from I-77 to Johnston Road--NCDOT recently announced that this project has been accelerated. Construction is currently programmed to start in FY 2015. The proposed start is FY 2013. The accelerated start date will require an LRTP amendment. 3. TIP Project U-5116--STP-DA funds were originally applied to this project to realign Little Rock Road in northwest Charlotte. The City, which is administering the project, now proposes to use the funds to construct a portion of the I-485/Prosperity Church Road interchange in northeast Charlotte. 4. NC 27/ Freedom Drive Improvements, Edgewood Road to Toddville Road--This project is funded by the City. Because NC 27 is classified as regionally significant, the project must be included in MUMPO's TIP. <p>Adoption of the final 2012-2018 TIP remains on schedule for June 2012.</p> <p>Regional Transportation Planning Study The Centralina Council of Governments (COG) continues to pursue work on a means by which to implement its Regional Transportation Planning Study. It has scheduled a meeting of elected officials from throughout the region, and other key players in the transportation planning process, on Monday, February 28.</p> <p>Bicycle and Pedestrian Prioritization Process A subcommittee of the TCC has been formed to develop a methodology for ranking bicycle and pedestrian projects. Information will be presented to the MPO in March, with final adoption tentatively scheduled for July 2012.</p>	
<p>Blue Line Extension (BLE)</p> 	<p>Planning has been 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 been participating in a bicycle corridor study as part of the NECI program and has begun 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 considerable input from planning staffs 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. Deliverables through the month of February have been completed.</p>	<p>Jonathan Wells Ext. 64090</p>
<p>Zoning Ordinance Reorganization</p> 	<p>Staff has completed an initial draft of the Zoning Ordinance Diagnostic Report. Staff will schedule Leadership and the Core Team meetings for review and comment on the Diagnostic Report.</p>	<p>Shannon Frye Ext. 68322</p>
<p>Heights In Residential Districts (HIRD)</p> 	<p>Staff received feedback from the proposed changes to the text amendment. A presentation will be made to the full Planning Commission on March 7.</p>	<p>Katrina Young Ext. 63571</p>
<p>Residential Design Standards</p> 	<p>A design workshop was held on January 19 to discuss solutions to the most controversial recommendations (garage design and blank walls). Based on comments from that workshop the revised and final recommendations will be presented at an upcoming stakeholder meeting in March.</p>	<p>John Howard Ext. 30198</p>
<p>Pedestrian Overlay District (PED)</p> 	<p>Comments from stakeholders on the draft text amendment have been received and responses given. Staff will present an overview of the recommendations to the Planning Commission on March 7. The text amendment will be filed in March.</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"> ▪ City Council adopted the Heating, Ventilation and Air Conditioning text amendment on February 21. ▪ The “third party rezoning” text amendment was adopted by City Council on February 21. ▪ City Council deferred the “non-discrimination in affordable housing” text amendment for several months to see if legislation might change, which would eliminate the need for the text amendment. ▪ Two text amendments to eliminate the transitional setback along portions of U.S. 74 in the Zoning and 	<p>Sandra Montgomery Ext. 65722</p>

<p>Other Text Amendments</p> <p><i>(continued)</i></p>	<p>Subdivision Ordinances had a public hearing in February.</p> <ul style="list-style-type: none"> ▪ The fresh produce text amendment public hearing was held January 18. ▪ The eco-industrial text amendment is expected to be adopted in March. <p>Other text amendments underway include those for crematoriums, single room occupancy units (SRO's), religious institutions, and customary home occupations.</p>	
<p>Upcoming Rezoning Petitions</p> 	<p>There are nine public hearings and twelve decisions scheduled for the upcoming March City Council rezoning agenda. Information on several cases of special interest are provided below:</p> <ul style="list-style-type: none"> ▪ 2011-002 by 521 Partners, LLC for 12.54 acres located on the southwest corner of the intersection of Providence Road West and Johnston Road. The proposed O-1(CD) site plan amendment will allow up to 140,000 square feet of office and accessory uses. Significant public interest is anticipated. March public hearing. ▪ 2011-009 by Crescent Resources, LLC for 7.81 acres located on Carnegie Boulevard and west of the intersection between Assembly Street and Carnegie Boulevard. The proposed rezoning MUDD-O site plan amendment includes the following: an increase in the number of residential units, a reduction in the maximum building height, right-of-way dedication for a segment of a future public street linking Carnegie Boulevard with Fairview Road, and several optional requests. A valid protest petition has been submitted. Significant public interest is anticipated. March public hearing. ▪ 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. Significant public interest is anticipated. March public hearing. 	<p>Tammie Keplinger Ext. 65967</p>
<p>Subdivision Administration</p> 	<p>To date, staff has approved 1 new single family subdivision with 39 lots and revisions to 8 previously approved subdivision plans.</p>	<p>Linda Beverly Ext. 65719</p>

2012-2016 Capital Investment Program (CIP)



Planning's CIP projects/programs were put into the new Clarity system on January 21. Enhancements to the Joint Use Task Force SharePoint site continue to serve the CIP development process in the absence of a geo-spatial capital planning tool. Virtual Charlotte (from which information on area plan and Council district boundaries can be obtained), was enhanced to include Centers Corridors and Wedges boundaries, which will better enable CIP project submitters (and evaluators) to view projects with respect to their locations within Centers, Corridors, or Wedges.

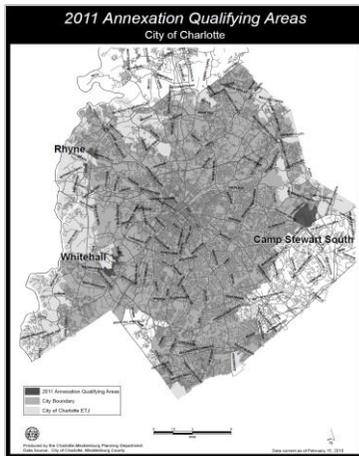
The JUTF SharePoint can be viewed at <http://cityspaces/charmec/jointuse/default.aspx> or through C-Net under City Spaces.

Jonathan Wells
X 64090

Manage Resources

Expand Tax Base & Revenues

2011 Annexation



City Council took final action on the 2011 annexations at their November 8 business meeting. The 2011 Charlotte annexation areas have been added as a viewable layer in Mecklenburg County's real estate look-up application POLARIS.

In response to a request from Councilmember Carter through the City Manager's office, a community meeting was held on January 27 with some property owners in the Camp Stewart South annexation area concerned with potential impacts of utility, roadway, and storm water construction on their community. About 25 citizens attended and asked a myriad of questions, many unrelated to the annexation.

The NC General Assembly continues to debate the merits of annexation, state-wide. Several requests for information were received (and responded to) from the City Manager's and City Attorney's Offices with regard to the merits of annexation to Charlotte.

More annexation information is available at <http://charmec.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	March 3, 2011 6:00 pm	Pleasant Hill Baptist Church 517 Baldwin Avenue
		March 24, 2011 6:00 pm	Pleasant Hill Baptist Church 517 Baldwin Avenue
Independence Boulevard Area Plan	Citizen Advisory Group Meeting	March 3, 2011 6:00 pm	CMGC Room 267
	Council Economic Development Committee Plan Overview	March 10, 2011 3:30 pm	CMGC Room 280
	Planning Committee Public Comment	March 15, 2011 5:00 pm	CMGC Room 280
	City Council Public Comment	March 28, 2011 7:00 pm <i>(tentative)</i>	CMGC Meeting Chamber
Steele Creek Area Plan	Public Meeting	March 31, 2011 6:00 pm <i>(tentative)</i>	Police & Fire Training Academy 1770 Shopton Road

Meeting Schedule

March 2011

Date	Time	Purpose	Location
Full Planning Commission			
03-07-11	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Planning Committee			
03-15-11	5:00 p.m.	Work Session	Conference Room 267 2 nd Floor - CMGC
Zoning Committee			
03-02-11	4:30 p.m.	Zoning Work Session ¹	Conference Room 280 2 nd Floor – CMGC
03-21-11	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
03-21-11	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
03-30-11	4:30 p.m.	Zoning Work Session	Conference Room 280 2 nd Floor – CMGC
Executive Committee			
03-21-11	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committees			
03-09-11	3:00 p.m.	Historic District Commission	Conference Room 280 2 nd Floor – CMGC
03-16-11	7:00 p.m.	MUMPO	Conference Room 267 2 nd Floor – CMGC

¹ Because February is a short month, the February Zoning Committee Work Session is March 2, 2011.

Charlotte-Mecklenburg Planning Commission

Meeting Schedule

April 2011

Date	Time	Purpose	Location
Full Planning Commission			
04-04-11	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Planning Committee			
04-19-11	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor - CMGC
Zoning Committee			
04-18-11	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
04-18-11	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
04-27-11	4:30 p.m.	Zoning Work Session	Conference Room 280 2 nd Floor – CMGC
Executive Committee			
04-18-11	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committee(s)			
04-01-11	Noon	Planning Coordinating Committee	Bank of America Stadium
04-13-11	3:00 p.m.	Historic District Commission	Conference Room 280 2 nd Floor – CMGC

Charlotte-Mecklenburg Planning Department

FY2010 Community Outreach Presentations

#	Date	Presentation	Staff
1	11/09/10	UNCC Institute of Transportation Engineers (Student Chapter) - MUMPO 101	B. Cook
2	11/17/10	GIS Day at Spirit Square	M. Sigmon
3	11/21/10	Dalebrook Community Meeting - Beatties Ford Road Area Update	J. Howard
4	11/23/10	Piedmont Middle School 6th Graders - City Planning Presentation	D. Campbell
5	11/23/10	Glenlea Park Neighborhood Association - Future Land Use Recommendations	M. McCullough
6	12/17/10	Floodplain Rules and Water Quality Buffers for Land Surveyors Seminar	J. Weaver
7	01/13/11	ULI Rose Fellowship - South Corridor Light Rail Tour	K. Main/A. Osborne
8	01/27/11	Cedarbrook Acres Residents - Annexation	J. Wells
9	02/03/11	New Partners for Smart Growth Conference - Planning for Transit Oriented Development	L. Harmon
10	02/03/11	New Partners for Smart Growth Conference - South Corridor Light Rail Tour	K. Main/A. Osborne
11	02/09/11	Lake Norman Transportation Commission - MUMPO Project Ranking Process	B. Cook
12	02/09-10/11	Transportation Action Plan Meetings - Centers, Corridors & Wedges	M. McCullough
13	02/22/11	CMS Academic Internship Program - Overview of Engineering Profession	S. Basham
14	02/23/11	Mecklenburg County Bar Leadership Institute	D. Campbell
15	02/28/11	Matthews Town Council - MUMPO 101	B. Cook

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
APPOINTMENT POLICY

Purpose: Citizen involvement is a key element to open government. It provides an opportunity for public input in the decision making process. The appointment policy governs the process for making appointments to boards established by the Mecklenburg County Board of Commissioners and those established by legislation or interlocal agreements requiring appointments by the Board of Commissioners. Appointments to boards established by legislation or interlocal agreements shall be done consistent with the legislation or interlocal agreements for those boards as hereby noted in the policy.

1. Eligibility for Appointment

- A. Any person appointed to a **board** must be a resident of Mecklenburg County.
- B. The general intent of the Board of Commissioners is to not appoint an individual to more than one **board** at the same time. The Board, however, reserves the right to do so under special circumstances.
- C. A person appointed to one **board** who also applied for other **boards** shall automatically be removed as an applicant for the other **boards**.
- D. To be appointed to a **board** an individual must either be nominated by a member of the Board of County Commissioners and receive the votes of at least a majority of the entire membership of the Board (five votes), or be appointed by a motion receiving the votes of at least a majority of the entire membership of the Board (five votes).
- E. Mecklenburg County employees are prohibited from serving on any **board** where appointments are made by the Board of Commissioners or where funding is provided by Mecklenburg County, including special study committees appointed for the purpose of recommending funding or policy. This policy does not prohibit County employees from serving in an ex-officio and/or non-voting capacity on any **board** when required by law, or when such service is deemed by the Board of Commissioners to be in the best interests of the County.

2. Nomination Process

- A. Nominations to boards shall appear, as appropriate, on the agenda for the second regular business meeting of each month; appointments will be made at the first regular business meeting of each month; however, the Board reserves the right to deviate from this schedule.
- B. **At the meeting when nominations are being made**, a person who is eligible for re-appointment may be re-elected by unanimous vote of all members of the Board present at the dais at the time of the vote, provided at least a majority of the entire membership of the Board (five members) is present at the dais and votes on the re-appointment.
- C. Persons may be nominated and appointed at the same meeting if the number of nominees equals the number of vacancies and by a unanimous vote of all members of the Board present at the dais at the time of the vote, provided at least a majority of the entire membership of the Board (five members) is present at the dais and votes on the re-appointment.
- D. Persons nominated for the following **boards** will go through an interview process conducted by an ad hoc committee of the Board, in each instance, appointed by the Chairman of the Board of County Commissioners. Designated staff may serve as non-voting members. The ad hoc committee shall bring a recommendation(s) for appointment back to the full board for consideration. Those **boards** are: Alcoholic Beverage Control; Central Piedmont Community College Board of Trustees; Charlotte-Mecklenburg Planning Commission; Library Board of Trustees; Board of Equalization and Review; and Board of Motor Vehicle Review.

3. Voting Procedures

- A. To be appointed to a **board**, an individual must receive the votes of at least a majority of the entire membership of the Board of County Commissioners (five votes).
- B. When a member of the Board of County Commissioners is present at a meeting, he or she must vote at least once on the nominations before the Board for each **board** being considered. The **maximum** number of times that a member of the Board of County Commissioners may vote **is the lesser of the number of vacancies or the number of nominees**.
- C. If any position remains unfilled after the first ballot vote, the voting should be repeated for that position as many times as necessary to obtain the votes of the majority of the membership for a nominee to fill the position.

When repeated voting for a position is necessary, only the names of nominees having received votes are kept on the ballot.

4. Membership Terms

- A. Except in extraordinary circumstances or where otherwise restricted by legislative authority creating or authorizing the creation of a **board**, it shall be the policy of the Board that terms of membership shall be staggered and that members serve not more than two full consecutive terms. **Therefore, any person appointed to an unexpired term would be eligible to serve two full consecutive terms after completing the unexpired term.** The preferred length of terms is three years; however, it may be more or less. A person having served two full consecutive terms must wait at least a year before being **eligible** to serve again on any **board**.
- B. Effort should be made when creating new **boards** and with present **boards** to consolidate expiration of terms for members to expire at one time during each quarter of each year.

5. Attendance Requirement

- A. Any member who fails during any calendar year to attend 75% of all regular, special and assigned subcommittee meetings from the time one's term begins until the end of that calendar year and each subsequent calendar year thereafter, shall be automatically removed from said **board**.
- B. Members must be present for 50% of a meeting in order to be counted present at that meeting.
- C. The chairman or his/or designee of each **board** shall submit to the Clerk to the Board an annual attendance report by January 31st listing any member who at the end of the previous calendar year failed to meet the attendance requirement stated above. Persons not meeting the attendance requirement are removed automatically upon receipt of the annual report by the Clerk to the Board. Vacancies resulting from members' failure to attend the required number of meetings shall be filled as provided herein.

Exceptions:

- 1) Persons appointed to boards where appointments are made by both the Board of County Commissioners and Charlotte City Council and administered by the City of Charlotte shall comply with the attendance requirement as prescribed by the Charlotte City Council. Those boards are: Charlotte-Mecklenburg Planning Commission, Charlotte-Mecklenburg Coalition for Housing, and Bicycle Committee.

- 2) Persons appointed to boards established by legislative authority shall comply with the attendance requirement as prescribed by the applicable legislation. Those boards are, but may not be limited to: Adult Care Home Community Advisory Committee, Nursing Home Community Advisory Committee, Alcoholic Beverage Control Board, Central Piedmont Community College Board of Trustees, and Library Board of Trustees.

6. Removal Of Members From Boards

- A. The Board of Commissioners reserves the right, at any time and for any reason, to remove any member of any **board** when a motion for removal receives the votes of at least a majority of the entire membership of the Board.

Exceptions:

Removal of persons appointed to boards established by legislation and/or interlocal agreements shall be done so in accordance to the legislation and/or interlocal agreement governing that board. Those boards include, but may not be limited to: Charlotte-Mecklenburg Planning Commission, Alcoholic Beverage Control Board, Central Piedmont Community College, and Library Board of Trustees.

Charlotte-Mecklenburg Planning Commission – Interlocal Cooperation Agreement, Section 3.33.3

Alcoholic Beverage Control Board – N.C.G.S. 18B-704

Central Piedmont Community College Board of Trustees – N.C.G.S. 115D-19

Library Board of Trustees - Chapter 70 of the 2007 North Carolina Session Laws

7. The Board reserves the right to deviate from any portion of this policy **not required to be followed by legislation or interlocal agreements.**

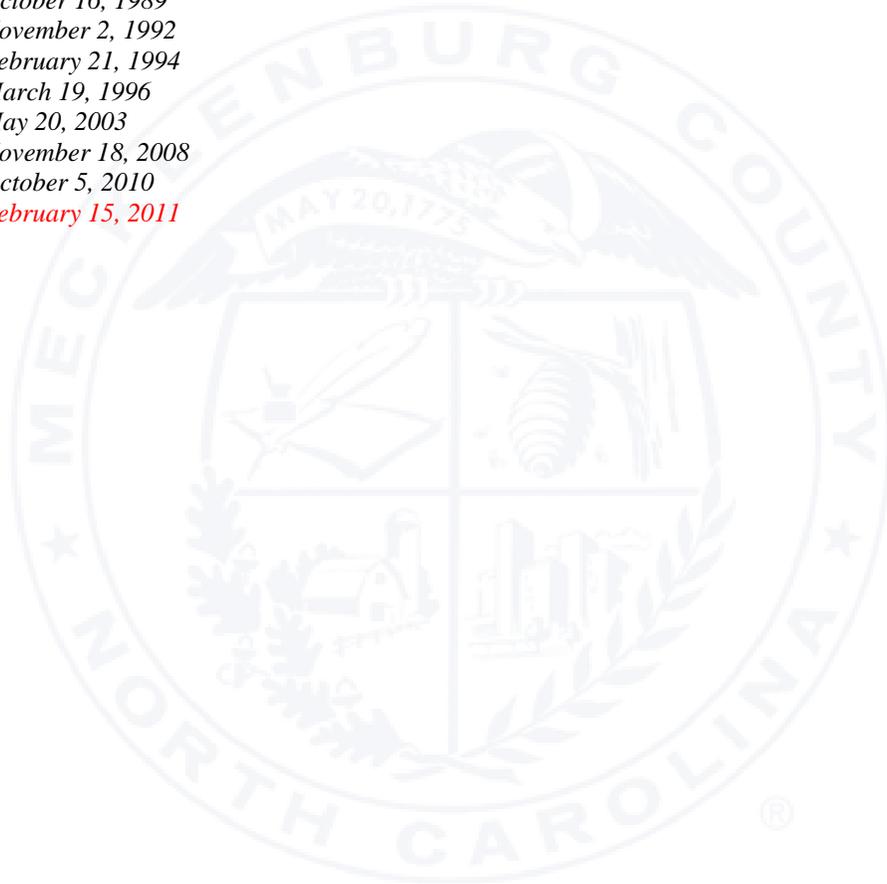
8. Administrative Procedures

- A. The agenda item for appointments to **boards** will be prepared by the Clerk to the Board and provided to the Board as part of the Board’s agenda package. The agenda item will include the name of the **board**, its purpose, membership criteria, number of vacancies, applicant information, and current membership information.

- B. The Clerk to the Board will prepare and post on-line an annual schedule of upcoming **board** appointments and revisions as they occur.
- C. The Clerk to the Board will maintain all appointment records pertaining to **boards**.
- D. Applications submitted for appointment consideration to any **board** will remain on file for one year from the date of its receipt by the Clerk to the Board.
- E. Applicants must complete an original application for each **board** of their interest.
- F. Appointments and reappointments of **board** members will be coordinated by the Clerk to the Board having direct contact with the **board** chairperson and/or staff liaison.
- G. The Clerk to the Board shall notify the **board** chairperson and the staff liaison of upcoming vacancies.
- H. The **board** chairperson and/or the staff liaison shall notify the Clerk to the Board of any discrepancies in the upcoming vacancy report received. They shall also notify the Clerk to the Board in writing of any resignations.
- I. The Clerk to the Board shall provide copies of applications to **board** chairpersons and/or staff liaisons upon request. After the chairperson and/or staff liaison have reviewed the applications, he or she will notify the Clerk to the Board, in writing (to include e-mail), of any recommendation for appointment, if they so desire.
- J. Applications received after the appointment package has been prepared for distribution to the Board of Commissioners will not be considered in that month's appointments process, but will be filed and submitted to the Board at the next appropriate time.
- K. The Clerk to the Board shall advertise, at a minimum, in a newspaper of general circulation, all upcoming appointments.
- L. Minutes of **board** meetings will be maintained by the County Agency Director with an assigned staff liaison to said **board**. Said minutes are to be kept in perpetuity. **Minutes of Boards established by legislation and/or interlocal agreements shall be maintained in accordance with the legislation or interlocal agreement governing that board.**

*Adopted March 16, 1981
Revised March 1, 1982
Revised July 19, 1982*

Revised May 20, 1985
Revised November 3, 1986
Revised April 5, 1988
Revised June 6, 1988
Revised September 5, 1989
Revised October 2, 1989
Revised October 16, 1989
Revised November 2, 1992
Revised February 21, 1994
Revised March 19, 1996
Revised May 20, 2003
Revised November 18, 2008
Revised October 5, 2010
Revised February 15, 2011



Appointment Policy Summary of Proposed Changes
February 15, 2011

1) Title Change from Procedures for Advisory Board Appointments to Board Appointment Policy

Rationale: The word advisory is being deleted, since some boards do not serve in an advisory capacity, such as, CPCC Board of Trustees, Library Board of Trustees, Industrial Facilities Pollution Control, and the Jury Commission.

2) Purpose statement was added as an introduction to the policy.

Rationale: The purpose statement addresses the importance of citizen involvement in the Board's decision-making process. It also clarifies that some boards were established by the BOCC and some were established by legislation or interlocal agreements.

3) Advisory was deleted throughout the policy wherever it read advisory board. It now reads board.

Rationale: Not all boards serve in an advisory capacity.

4) Membership Terms was amended to allow persons appointed to fill an unexpired term to serve two full consecutive terms following the completion of the unexpired term.

Rationale: Provides for continuity of service.

5) Attendance Requirement was amended to clarify that persons serving on boards established by legislation or interlocal agreements would comply with the attendance requirements outlined in the legislation or interlocal agreement establishing them, which in some instances is different from the BOCC policy.

6) Removal of Members from Boards was amended to clarify that removal of persons serving on boards established by legislation or interlocal agreements would be done in compliance with the legislation establishing them.

7) Administrative Procedures was amended to clarify that minutes of boards established by legislation or interlocal agreements shall be maintained in accordance with the legislation or interlocal agreement establishing them.

8) Minor wording changes for purposes of clarity and consistency.

Note: The following boards were established and/or authorized either through legislation or interlocal agreement: Adult Care Home Community Advisory Committee; Alcoholic Beverage Control Board; Board of Equalization and Review; Board of Motor

Vehicle Review; Central Piedmont Community College Board of Trustees; Historic Landmarks Commission; Industrial Facilities & Pollution Control Financing Authority; Jury Commission; Juvenile Crime Prevention Council; Lake Norman Marine Commission; Lake Wylie Marine Commission; Library Board of Trustees; Mountain Island Lake Marine Commission; Nursing Home Community Advisory Committee; Planning Commission; and Public Broadcasting Authority.



**A RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF
COMMISSIONERS ESTABLISHING A CONFLICT OF INTEREST POLICY
STATEMENT FOR MEMBERS OF COUNTY BOARDS, AGENCIES, COMMITTEES
AND COMMISSIONS**

WHEREAS, the proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; and

WHEREAS, it is important that the public have confidence in the integrity of its government; and

WHEREAS, any public office must not be used for personal gain; and

WHEREAS, the Mecklenburg County Board of Commissioners has previously approved a Code of Ethics which establishes guidelines for standards of conduct for the Board of Commissioners as well as other County officials; and

WHEREAS, the Board of Commissioners believes that it is equally important that standards of conduct, particularly a conflict of interest policy, be established for members of County boards, agencies, committees and commissions; now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that it hereby establishes and adopts the following standards of conduct which shall be applicable to all members of County boards, agencies, committees, and commissions regardless of their method of appointment:

Any member who has an interest in any act or action coming before the board, agency, committee or commission of which he/she is a member shall publicly disclose his or her interest and shall completely withdraw from any discussion or consideration of said act or action. For purposes of this resolution, interest means direct or indirect pecuniary or material benefit accruing to the member as a result of any contract, agreement or transaction which may be the subject of any official act or action by or before the board, agency, committee or commission. Furthermore, a member shall be deemed to have an interest in the affairs of: a) any person in his immediate household; b) any business entity in which the member is an officer or director; or c) any business entity in which the stock of, or legal or beneficial ownership of, in excess of five percent of the total stock or total legal or beneficial ownership, is controlled or owned directly or indirectly by the member.

BE IT FURTHER RESOLVED that when any member has a doubt as to the applicability of this resolution to a particular situation, he or she shall apply to the office of the County Attorney for an advisory opinion.

BE IT FURTHER RESOLVED that any member who violates the provisions of this resolution shall be subject to removal from the board, agency, committee or commission.

This the 19th day of November, 2002.

Charlotte-Mecklenburg Planning Commission

Executive Committee Meeting

January 18, 2011 - 4:00 pm

Action Minutes

Attachment 7

Approved February 21, 2011

Attendance

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

Vice-Chairperson Johnson arrived at 4:09 pm.

Planning Staff Present: Garett Johnson, Sandy Montgomery, Cheryl Neely, and Alysia Osborne

Call to Order

The Chairperson called the meeting to order at 4:07 pm.

Approval of Executive Committee Minutes

A motion was made by Commissioner Finch Dodson and seconded by Commissioner Zoutewelle to approve the December 20, 2010 Executive Committee meeting minutes. The vote was 3 to 0 to approve the minutes.

December 20, 2010 Executive Committee Meeting Follow-up Assignments

The Chairperson asked Garett Johnson to lead the discussion on the follow-up assignments.

Heights in Residential Districts (HIRD) Text Amendment

Ms. Johnson stated that Commissioner Zoutewelle had previously expressed concern with how HIRD is being applied; in particular why the Zoning Ordinance is being changed when it's not being applied according to law, but policy. She noted that staff is planning to respond at the February 7, 2011 work session.

The Chairperson asked Commissioner Zoutewelle if that was an accurate explanation of his concern. Commissioner Zoutewelle further clarified that the Zoning Administrator has a view point that we are applying the height regulations according to policy rather than the written text. His concern is if we are not applying according to the text will the problem be solved if it is applied according to the text. Sandy Montgomery responded that staff is applying according to text. Chairperson Rosenburgh asked for clarification as to how the policy is being applied. Garett Johnson responded that there is a standard in the Zoning Ordinance and there is an interpretation issue. She reminded the Committee that staff will respond at the February 7 work session. Based on this response, Chairperson Rosenburgh stated that Commissioner Zoutewelle's statement that regulations are being applied according to policy is correct. Garett Johnson replied no and reiterated that staff believes that they are applying according to text and that there is a difference in interpretation. The Chairperson agreed that this would be discussed at the February work session. Commissioner Zoutewelle expressed that the text amendment has been moving forward. There are a couple of things that are more restrictive such as the accessory building height maximum. Sandy Montgomery explained that a consultant had originally worked on this text amendment and staff wasn't pleased with their work and took over this project. Garett Johnson indicated that staff would also address the accessory building height maximum at the February work session.

The Chairperson asked Commissioner Zoutewelle if he thought the Zoning Administrator is “front running” the policy and trying to administer the policy based on where we are going before we get there. Commissioner Zoutewelle responded that the Zoning Administrator has been consistent over the last couple of years in terms of the application of the policy. He continued by explaining that as Gareth Johnson stated, the Zoning Administrator has contended that there is a difference in interpretation of the text and the Zoning Administrator has been consistent in that difference in interpretation. He thinks the text is very clear, but acknowledged that there may be a difference of interpretation. He doesn't think the Zoning Administrator is changing her interpretation based on the upcoming text amendment. Commissioner Zoutewelle further explained that the text amendment has been moving in some directions that are more permissive and staff feels like there will be a better way to get a handle on height and address some of the enforcement issues which have been coming up. He thinks these issues have been coming up in the landscape of the policy interpretations. The Chairperson acknowledged that Gareth Johnson is aware of Commissioner Zoutewelle's concerns and follow-up will occur at the February work session. He also noted that he supported Commissioner Zoutewelle's concerns.

Retreat Follow-up / Operating Agreement

The Vice-Chairperson reminded the Committee that at the previous meeting she submitted a spreadsheet type format of information that the Retreat Follow-up Committee created to use as a guide for the Operating Agreement. She stated that she received comments about the format and that the information was too detailed and looked more like a work plan. She took these comments into consideration and developed a draft Operating Agreement. She distributed a copy of the agreement for the Committee to review.

She noted that when she compared the spreadsheet to what the retreat facilitator provided, there were three major categories identified:

1. Roles and Responsibilities
2. Collaboration/Communication
3. Maintaining a Relevant Culture

Vice-Chairperson Johnson noted that she developed the handout based on input received from the previous Executive Committee meeting. She clarified that she worked solo on this since Commissioners Allen and Finch-Dodson weren't privy to the comments from the Executive Committee. The Chairperson suggested that the Executive Committee provide feedback and allow Vice-Chairperson Johnson and Commissioners Allen and Finch Dodson another month to review.

Chairperson Rosenburgh asked Cheryl Neely to place this on the February Executive Committee agenda for discussion. Commissioner Finch Dodson indicated that she had heard concerns from other Commissioners that the Operating Agreement needs to be finalized. The Chairperson agreed, but wants to make sure that this is handled properly. He is also concerned that the Commissioners are expecting something that the Operating Agreement will not meet. The Committee agreed that the Operating Agreement should be something constant and that a work plan should be more specific based on initiatives that the Commission contributes to the Strategic Operating Plan.

Commissioner Zoutewelle mentioned that he sent Vice-Chairperson Johnson some recommendations in regard to the Planning Committee. He asked how the information he submitted would fit in. The Vice-Chairperson suggested that it is a work plan and may be a part of the Rules of Procedure. She suggested that the Rules of Procedure may need to be amended. Commissioner Zoutewelle asked if the Rules of Procedure were more specific than the Operating Agreement. The Vice-Chairperson responded that the Operating Agreement is how the Commission conducts themselves and the Rules of Procedure were more specific. Commissioner Zoutewelle stated that Commissioners are not to speak at Citizen's Advisory Group meetings; however this is not in the Interlocal Agreement or Rules of Procedure. The Chairperson agreed that this is something that is asked of Commissioners, however there is not legal a structure or corporate structure to support this. Commissioner Finch Dodson asked what is required to change the Rules of Procedures. Cheryl Neely responded that the full Commission would have to vote to approve an amendment to the Rules of Procedures. Commissioner Finch Dodson suggested that the Operating Agreement be consistent with the Rules of Procedure. Vice-Chairperson Johnson suggested that a statement be included to indicate that if there is a conflict, the Rules of Procedure and Interlocal Agreement supersedes the Operating Agreement. The Executive Committee discussed that there are several documents that they have to follow – the Interlocal Agreement, Rules of Procedure, Education & Communication Plan, and the Area Plan process. Commissioner Finch Dodson asked if the Operating Agreement should be an additional document or if it should be incorporated into an existing document. The Chairperson responded that the Retreat Follow-up Committee should discuss this and make a recommendation to the Executive Committee. The Chairperson had two concerns: (1) how is conflict resolution resolved; and (2) people don't work thorough the management structure of the Commission and the Department. He wants to make sure that these issues are addressed or incorporated into the Operating Agreement. Commissioner Zoutewelle shared that he understands that it is not appropriate for Commissioners to make individual requests to staff. He asked if it is appropriate for a Commissioner to contact a staff member to share issues with an upcoming area plan. The Chairperson suggested that Commissioners not contact staff one on one because others may also be interested and questions should be asked at a Committee level. The Chairperson asked Gare Johnson to provide input. Ms. Johnson responded that the concern is more of when individual Commissioners contact staff and ask questions that require a lot of research and additional staff time.

Housing Study

The Chairperson stated that the Charlotte's Housing Market – 2010 3rd Quarter Study is in his court. He explained that he wanted to get year-end numbers before contacting the author to arrange for a presentation.

UNCC Land Use Study

Cheryl Neely informed the Commission that she had invited UNCC staff to present the information. Gare Johnson indicated that Vicki Bott would do the presentation. The Chairperson asked Cheryl Neely to inform the presenter that the Commission is allotting 30 minutes for this presentation.

Fresh Produce Markets Text Amendment

The Chairperson acknowledged that staff will inform the Commission that the business license concern is out of staff's scope of work.

Approval of the February 7, 2011 Work Session Agenda

The Chairperson noted the following February 7, 2011 work session agenda items:

- UNCC Land Use Study
- HIRD Text Amendment
- PED Text Amendment Update
- Subdivision Ordinance Transitional Setback Text Amendment
- Zoning Ordinance Transitional Setback Text Amendment

The Chairperson asked Gareth Johnson if she thought the Commission would be able to address all of these items on the agenda. Ms. Johnson responded that the Commission is very efficient and should be able to discuss all proposed agenda items.

The Chairperson asked Cheryl Neely to re-order of the agenda items so that the UNCC Land Use Study presentation would follow the text amendments. Cheryl Neely suggested that the UNCC presentation be the first agenda item so that the invited guest would not have to sit through the text amendment discussion. The Vice-Chairperson agreed.

Commissioner Zoutewelle asked if there was urgency with any of the text amendments. Sandy Montgomery indicated that the staff would come to the Executive Committee on February 21, 2011 to ask to place the HIRD text amendment on the March work session agenda for permission to file on behalf of the Commission. The public hearing for the HIRD text amendment is June 20, 2011. The PED Text Amendment public hearing is scheduled for May.

The Vice-Chairperson suggested that the agenda items be re-ordered as follows:

1. UNCC Land Use Study
2. Subdivision Ordinance Transitional Setback Text Amendment
3. Zoning Ordinance Transitional Setback Text Amendment
4. HIRD Text Amendment
5. PED Text Amendment Update

Gareth Johnson suggested that if the meeting goes too long the HIRD and PED updates can be placed on the March agenda. However, she thinks the transitional setback text amendments are straight forward and should not require much discussion.

Following discussion, the Committee agreed with Vice-Chairperson's recommendation to re-order the agenda items.

Independence Boulevard ULI Rose Fellowship Study

Commissioner Finch Dodson asked if the Rose Fellowship Study could be added to a future work session agenda. The Executive Committee agreed. Gareth Johnson responded that Alysia Osborne was in attendance to provide an update to the Executive Committee.

Ms. Osborne explained that the ULI is a group of experts that look at land use issues. Charlotte was chosen because of integration of land use and transportation. The Mayor chose Independence Boulevard as the problem statement. The Panel came up with preliminary recommendations. The fellows are Debra Campbell, Danny Pleasant, Transportation Secretary Eugene Conti, and Jim Schumacher. These recommendations confirmed what is in the Independence Boulevard Area Plan. It changes the cross sections for Independence, introduces a different transit option for Independence, and introduces streetcar for Monroe Road. Over the next year they will figure out funding sources and how to get the MTC on board with the recommendations.

Commissioner Zoutewelle stated that he was surprised to hear staff say that they did not change the plan since a different transit option is being proposed along Independence and the streetcar on Monroe Road. Alysia Osborne explained that the vision for the Area Plan works with or without transit. The plan talks about re-orienting business away from Independence. The Area Plan does not define the transit zone. They identified nodes for streetcar along Monroe Road and the Area Plan also does this.

Future Work Session Agenda Items

The Chairperson asked Commissioner Finch Dodson to provide a presentation on Center City. Commissioner Finch Dodson agreed to provide an update on development within Center City. The Executive Committee agreed to place this on the March 7, 2011 work session agenda. Future agenda items are below:

- Charlotte's Housing Market – 2010 3rd Quarter Study
- Capital Improvement Plan
- Center City Update
- ULI Rose Fellowship Study Update

Approval of the March 2011 Meeting Schedule

The Chairperson asked Cheryl Neely if there was anything else on the agenda. She responded that the meeting schedule had not been approved. The Chairperson indicated that the schedule was ok.

Adjournment

The meeting adjourned at 5:00 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 21st day of March, 2011** on the following petitions that propose changes to the Official Zoning Maps of the City of Charlotte, North Carolina:

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.

Petition No. 2011-008 by Thies Realty & Mortgage Company for a change in zoning of approximately 1.16 acres located on the west side of Providence Road between Moravian Lane and Ardsley Road from B-1 to UR-C(CD).

Petition No. 2011-009 by Crescent Resources, LLC for a MUDD-O site plan amendment for approximately 7.81 acres located on Carnegie Boulevard and west of the intersection between Assembly Street and Carnegie Boulevard.

Petition No. 2011-012 by Steve McGirt for a I-2(CD) site plan amendment for approximately 5.61 acres located along Center Park Drive near Beam Road.

Petition No. 2011-015 by Long Animal Hospital for a MUDD-O site plan amendment for approximately 1.19 acres located on the eastern corner of the intersection at South Boulevard, Ideal Way and Remount Road.

Petition No. 2011-016 by Kidane Haile for a change in zoning of approximately 0.26 acres located on the west side of Margaret Wallace Road near the intersection of Margaret Wallace Road and Idlewild Road from B-1 to NS.

Petition No. 2011-017 by Goode Development Corp. and Goode Properties for a change in zoning of approximately 20.0 acres located on the east side of Monroe Road between Idlewild Road and Conference Drive from R-17MF to NS and MUDD-O.

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, March 16, 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 21st day of March, 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 update uses and development standards in the Research District. **Petitioner: University City Partners.**

Petition 2011-019 Text Amendment to the City of Charlotte Zoning Ordinance to update reflect changes in the buffer enforcement from Mecklenburg County Department of Environmental Protection to Charlotte-Mecklenburg Storm Water Services, and to update references to the Charlotte Land Development Standards Manual and Charlotte-Mecklenburg BMP Design Manual. **Petitioner: Charlotte-Mecklenburg Storm Water Services.**

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, Room 280
March 2, 2011
4:30 P.M.

<p>1. Petition No. 2008-032 by Myers Park Home Owners Association for a change in zoning of approximately 38.79 acres located on both sides of Selwyn Avenue and Roswell Avenue from Lorene Avenue, north to Bucknell from R-22MF to R-8MF.</p>
<p>2. 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.</p>
<p>3. Petition No. 2010-067 by Mecklenburg County Park & Recreation Department for a change in zoning of approximately 1.64 acres located on the south side of Bevington Place between Elm Lane and Rea Road from R-15(CD) to NS.</p>
<p>4. Petition No. 2010-069 by Patrick N. Dillon for a change in zoning of approximately 13.98 acres located on the east side of the intersection of Mallard Creek Road and Penninger Circle and located across from Mason Drive from R-3 to INST(CD).</p>
<p>5. Petition No. 2010-072 by Quail Corners Associates, LLC for a CC site plan amendment for approximately 14.40 acres located at the southwest corner of the intersection of Park Road and Sharon Road West.</p>
<p>6. 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.</p>
<p>7. Petition 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".</p>
<p>8. Petition No. 2011-006 by Dore Academy for a change in zoning of approximately 6.078 acres located on the south side of Parkway Plaza Boulevard near Courtney Commons Lane from I-1(CD) to O-1.</p>
<p>9. Petition No. 2011-007 by Medical Facilities of North Carolina, Inc. for an INST(CD) site plan amendment for approximately 9.05 acres located on the east side of Toddville Road between Freedom Drive and Lewhaven Drive.</p>
<p>10. Petition No. 2011-010 by Hendrick Automotive Group for a B-2(CD) site plan amendment for approximately 8.08 acres located on the west side of East Independence Boulevard across from East W. T. Harris Boulevard.</p>
<p>11. Petition 2011-013 by Charlotte Mecklenburg Planning Commission for the adoption if a text amendment to the City of Charlotte Subdivision Ordinance to eliminate the transitional setback along identified sections of US Hwy. 74 upon completion of NCDOT Right-of-Way Acquisition Program.</p>
<p>12. Petition 2011-014 by Charlotte Mecklenburg Planning Commission for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to eliminate the transitional setback along identified sections of US Hwy. 74 upon completion of NCDOT Right-of-Way Acquisition Program.</p>

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Conference Room 280, 2nd Floor
December 14, 2010**

Commissioners Present: Andy Zoutewelle (Vice-Chairperson), Emma Allen, Eric Locher, Margaret Nealon, and Joel Randolph. Nina Lipton, Zoning Committee, attended to satisfy the requirements for a quorum. Lucia Griffith joined the group at 5:45 p.m.

Commissioner Absent: Commissioner Yolanda Johnson (Chairperson)

Planning Staff Present: Alberto Gonzalez, Sonda Kennedy, Melony McCullough, Alysia Osborne, Bryman Suttle, Jonathan Wells, and Brent Wilkinson

Other Staff Present: Brian Horton (Transportation), Robert W. Drayton (City Real Estate), and Jacqueline McNeil, Mecklenburg County Real Estate Services

Call to Order

Vice-Chairperson Zoutewelle called the meeting to order at 5:05 p.m. and thanked Commissioner Lipton for attending the meeting.

Approval of Meeting Minutes

A motion was made by Commissioner Allen and seconded by Commissioner Nealon to approve the November 16, 2010 minutes. The vote was unanimous (6-0) to approve the minutes.

M.R. #10-20: Proposed Land Acquisition of Flood-Prone Structures by Mecklenburg County

Bryman Suttle (Planning Staff) presented the mandatory referral for Mecklenburg County's Storm Water Services Program proposal to acquire eight parcels located along Briar Creek, Little Sugar Creek, and McMullen Creek. These parcels are located in the County's most flood prone areas. Mr. Suttle stated that periodically each of the parcels are subject to severe flooding. Mecklenburg County received grant funding to acquire the properties through the Federal Emergency Management Administration (FEMA)/ Pre-Disaster Mitigation (PDM) program.

After the staff overview, Commissioner Zoutewelle asked commissioners for their comments. Commissioner Nealon stated that she supports this project but is curious about public access to the greenways. Commissioner Locher asked what will take place in the area and who will maintain it. Ms. Jackie McNeil (County Real Estate) replied that the structures will be demolished and the area will remain as open space. The land will be owned and maintained by the County. Commissioner Locher was recused from participating in this presentation after disclosing that he lives adjacent to one of the parcels. Commissioner Lipton made the motion to recuse Commissioner Locher and Commissioner Allen seconded the motion. The vote was unanimous. Commissioner Locher left the room and the hearing resumed.

Commissioner Lipton asked where will the greenways be located and if FEMA is involved. Ms. McNeil stated that the purpose of this land acquisition is to remove flood prone structures and not to designate greenways. Commissioner Zoutewelle asked if there is an opportunity to purchase additional property. Ms. McNeil answered yes and stated that only open space will be added to the inventory at this time. Commissioner Randolph asked about demolishing the buildings. Ms. McNeil stated that all structures purchased through the flood mitigation plan are demolished. Commissioner Randolph was concerned about access from the street. Ms. McNeil stated that City Real Estate does not have a design process. Commissioners Allen and Nealon expressed interest in how property is selected. Ms. McNeil stated that agencies look at the history of flooding in an area. Commissioner Lipton thinks it is a good idea to convey the process to the public.

A motion was made by Commissioner Randolph and seconded by Commissioner Allen to approve staff's recommendation for Mandatory Referral #10-20. The vote was 5-0 to approve.

Commissioner Locher rejoined the meeting at 5:30 p.m.

M.R. #10-21: Proposed Exchange of Property Owned by Mecklenburg County located in the Rockwell Park Neighborhood for Property Owned by Habitat for Humanity located in the Reid Park Neighborhood

Mr. Jonathan Wells (Planning Staff) presented an overview of the proposed exchange of property between Mecklenburg County and Habitat for Humanity. Habitat for Humanity would like to acquire a .34 acre site located at 6012 Carver Boulevard in exchange for seven parcels totaling approximately 13.5 acres located throughout the Reid Park neighborhood. The property will be used to expand Amay James Community Park or to develop a linear park.

Commissioner Nealon asked about the size of the parcel on which the single family home is to be built. Mr. Wells stated that it is one-third of an acre. Commissioner Locher stated that he thinks having a partnership of this nature is a great idea. Commissioner Lipton asked what is the surrounding property zoned and Mr. Wells replied that it is zoned R-5. The Committee discussed placing conditions on the approval. Commissioner Zoutewelle asked if the Committee has the authority to place conditions on staff's recommendations. Mr. Wells stated that Planning staff's recommendation includes conditions that will be placed on the property.

A motion was made by Commissioner Lipton and seconded by Commissioner Allen to approve Planning staff's recommendation for Mandatory Referral #10-21. The vote was 6-0 to approve.

M.R. #10-19: Proposed Land Exchange between Mecklenburg County, City of Charlotte, and a Developer in the Metropolitan Area

The Planning Committee recommended deferral of this mandatory referral in November because there was not a quorum present. Because of conflicts of interest, Commissioners Zoutewelle and Nealon recused themselves from the discussion. Commissioner Zoutewelle appointed Commissioner Randolph to serve as chairperson.

Mr. Wells gave a copy of the legislation policy concerning the consequences of postponing mandatory referrals for more than 30 days to Commissioner Randolph. Mr. Wells read the information to the Committee and stated that this is for information only and to answer questions from the previous Planning Committee meeting about deferring mandatory referrals.

Mr. Wells presented the overview for the Metropolitan development. This development is a partnership between the County, City, and Pappas Properties. This land exchange allows for infrastructure improvements in the area that will increase public accessibility to the greenway and improve the transportation network. At the conclusion of the presentation, Commissioner Locher asked who will own the road after demolition and the extension of the bridge. Ms. McNeil stated that the City will widen Kenilworth Avenue. Mr. Brian Horton (Transportation) explained the impact of the turn lanes and the line that was negotiated with Duke Energy. Commissioner Lipton was concerned about better pedestrian access.

A motion was made by Commissioner Griffith and seconded by Commissioner Lipton to approve staff's recommendation for Mandatory Referral #10-19. The vote was 5-0 to approve.

Commissioner Zoutewelle and Commissioner Nealon returned to the meeting at 6:00 p.m.

Overview of the Steele Creek Area Planning Process

Commissioner Zoutewelle, who is assigned to this area plan, reported that there was no tour on December 6 as previously planned. He explained that this agenda item is for staff to provide background information on the Steele Creek Area planning process. It will also give Committee members an opportunity to ask questions and become familiar with the plan area and the planning process. Commissioner Locher stated that he should recuse himself because his family owns property in this area. His statement prompted a lengthy discussion about when a Committee member should be "recused" from a discussing an item. Commissioner Zoutewelle stated that he has been advised by Assistant City Attorney Terrie Hagler-Gray that you should leave the room if you are recused. Commissioner Lipton asked how does owning property in an area impact discussing the plan. She suggested that if a Committee member has a question; it may be a good idea to talk with Ms. Hagler-Gray. Commissioner Griffith stated that this is a public hearing and anyone can hear public meetings. Commissioner Zoutewelle said that there are two ways to be recused – (1) disclosure of potential conflict by the member, after which the Planning Committee will discuss and vote and (2) a member can make a self determination and recuse one's self. The Committee decided that Commissioner Locher should hear the overview since there will not be any deliberations at this meeting.

Ms. Melony McCullough (Planning Staff) and Mr. Brent Wilkinson (Planning Staff) gave the overview. Ms. McCullough began by recognizing other staff members present who are working on this project. She stated that the Steele Creek plan area is approximately 27,000 acres and generally bounded by Shopton Road West on the north, the State Line on the south, I-485 on the east, and the Catawba River on the west. The area includes a diverse mixture of residential, office, retail, and industrial land uses. The most intense development in the area is primarily

located within the Rivergate and Whitehall / Ayrley Mixed Use Activity Centers as well as the Westinghouse Industrial Center. The plan generally focuses on land use, community design, transportation, and the natural environment. A public meeting to receive comments on draft plan recommendations is tentatively scheduled for January 13, 2011.

Commissioner Zoutewelle asked Committee members for their thoughts. Commissioner Griffith commented that she values this innovative way to look at a diverse plan. Commissioner Allen stated that the plan looks good at this point. Commissioner Randolph said that his hot-spot is the traffic on Steele Creek Road. Commissioner Lipton commented that if you develop the land, you should encourage growth which is extremely important in this area. She asked if the plan is asking RiverGate to be mixed use and will there be an increase in size for the centers. Ms. McCullough stated that the plan allows for intensification of development in the RiverGate Mixed Use Activity Center. Commissioner Zoutewelle stated that he attended several Citizen Advisory Group meetings and that the planning process has gone smoothly. He thanked staff for doing a good job communicating with everyone involved. Commissioner Locher stated that the plan looks great to him but commented that a lot of people in this area do not want change. He thinks this plan will be a challenge. Commissioner Nealon is really interested in the plan and likes its size. She also noted that the area provides a challenge for transportation to make improvements. She also expressed curiosity about the community's involvement in the process. Commissioner Griffith asked if the public meeting can be broadcasted. Ms. McCullough talked about the different ways of communicating with citizens and indicated that staff will consider other suggestions.

Elizabeth Area Plan

Commissioner Griffith reported there has been not been any activity since the last Committee meeting. There has been a lot of concern about CPCC.

Midtown, Morehead and Cherry Area Plan

Commissioner Zoutewelle reported that a public kick-off meeting will take place in January.

Steele Creek Area Plan

The tour is scheduled for Monday, January 10 immediately after the full Commission meeting.

Meeting Adjourned

Commissioner Zoutewelle thanked everyone for attending and the meeting adjourned at 6:50 p.m.

Charlotte Historic District Commission Update**February 23, 2011**

At their February 9, 2011 Regular Meeting, the Charlotte Historic District Commission made the following rulings on Applications for Certificates of Appropriateness:

- | | | | |
|----|---|--------------|--|
| A. | 811 East Tremont Avenue, Dilworth Local Historic District
Addition
Allen Brooks, Architect/Applicant | HDC 2011-003 | Approved |
| B. | 1821 Dilworth Road East, Dilworth Local Historic District
Raising of Foundation, Porch Additions, Engaged Garage, Driveway
Charles Weatherly, Applicant | HDC 2011-009 | Foundation Work
Approved, Other
Work Deferred |
| C. | 2218 Charlotte Drive, Dilworth Local Historic District
Addition
Luis Costales, Applicant | HDC 2011-011 | Approved |

Other than the approval of the minutes of the January 12, 2011 Meeting, no other business was conducted.