

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

# Planning Commission

Feb 6, 2012  
work session

Charlotte-Mecklenburg  
Government Center

Room 267  
Noon



A stylized graphic consisting of several overlapping, wavy bands in shades of blue and green. The word "Agenda" is written in a white, cursive font in the center of the blue band.

# Agenda



# Charlotte-Mecklenburg Planning Commission

February 6, 2012 - Noon

CMGC - Conference Room 267

Work Session Agenda

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## Call to Order & Introductions

Stephen Rosenburgh

### Administration

#### Approval of Planning Commission Minutes

Approve the January 9, 2012 work session minutes.

*Attachment 1*

### Policy

#### Zoning Ordinance Policy Assessment

Laura Harmon

**Background:** Planning staff will present information about the Zoning Ordinance Policy Assessment Initiative.

**Action:** Receive as information.

### Text Amendment

#### Residential Design Standards Phase II

John Rogers

**Background:** Planning staff will provide an overview of the Residential Design Standards Phase II Text Amendment process.

**Action:** Receive as information.

### Information

#### Planning Director's Report

Debra Campbell

- Planning Department's Public Outreach Presentations

*Attachment 2*

#### February & March 2012 Meeting Schedules

*Attachment 3*

## Committee Reports

### Executive Committee

Stephen Rosenburgh

- December 12, 2011 Approved Minutes
- Future Agenda Items

*Attachment 4*

Agenda Items	Work Session
1. Mobile Food Vendors Text Amendment	TBD
2. Alternative Energy/Eco Industrial	TBD
3. Land Development 101 Brochure	TBD

### Zoning Committee

Stephen Rosenburgh

- Upcoming Rezoning Petitions
- Zoning Committee Agenda
- Public Hearings

Tammie Keplinger

*Attachment 5*

*Attachment 6*

### Planning Committee

Yolanda Johnson

- December 20, 2011 Approved Minutes

*Attachment 7*

**Historic District Commission**

- January 11, 2012 Meeting Update

Steven Firestone  
*Attachment 8*

**Economic Development Committee**

Lucia Zapata Griffith

**Communication from Chairperson**

Stephen Rosenburgh

**Discussion with Raleigh Planning Commission**

A stylized graphic featuring the word "Administration" in a white, cursive font. The text is centered within a blue, wavy, brush-stroke-like shape. This blue shape is layered over a green, wavy shape, which is in turn layered over a brownish-green, wavy shape. The overall effect is that of layered, flowing paper or fabric. The word "Administration" is the central focus, written in a clean, white, cursive script.

*Administration*



# Charlotte-Mecklenburg Planning Commission

Attachment 1

January 9, 2012 - Noon

CMGC - Conference Room 267

Minutes

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## Attendance

**Commissioners Present:** Stephen Rosenburgh (Chairperson), Yolanda Johnson (Vice-Chairperson), Karen Labovitz, Tony Lathrop, Meg Nealon, Greg Phipps, Tracy Finch Dodson, Steven Firestone and Andy Zoutewelle

Commissioner Phipps arrived at 12:48 p.m.

**Commissioner Absent:** Emma Allen, Lucia Zapata Griffith, and Dwayne Walker

**Staff Present:** Debra Campbell (Planning Director), Robert Cook, Crissy Huffstickler, Tammie Keplinger, Cheryl Neely, Bryman Suttle, Jonathan Wells and Katrina Young

## Call to Order & Introductions

The Chairperson called the meeting to order at 12:14 p.m., followed by introductions.

## Administration

### **Approval of Planning Commission Minutes**

Commissioner Dodson made a motion to approve the November 7, 2011 & December 5, 2011 minutes, seconded by Vice-Chairperson Johnson. The vote was 8 to 0 to approve the minutes.

## Policy

### **Transportation Update**

Robert Cook provided an overview of the Mecklenburg-Union Metropolitan Planning Organization (MUMPO). Core responsibilities for the MPO is to allocate federal transportation funds and make sure that federal policy and regulations are implemented in the allocation of those federal funds. MUMPO is also tasked with the preparation and updating of the Transportation Improvement Programs and the Long Range Transportation Plans, as well as ensuring that programs and plans do not result in air quality violations. Mr. Cook noted that the MUMPO region is currently in a non-attainment air quality status for ozone. MUMPO represents 22 jurisdictions with 17 voting members and 2 nonvoting members. The voting members consist of 14 cities and towns, 2 counties and the NC Board of Transportation.

A key transportation project for MUMPO is the I-77 HOT (High Occupancy Toll) lanes proposal. This proposal is to convert the current HOV lanes to HOT lanes and extend these to Exit 28 in Cornelius. The proposal also recommends adding two lanes in each direction along this portion of I-77. The MPO will make a decision on the proposal this year.

There is also a current proposal for one new lane in each direction on I-485 from I-77 to Johnston Road, with consideration for express toll lanes which require users to pay a fee. This is different from the HOT lane concept. MPO is looking to expand the current project to Rea Road and an analysis is being done with adding additional lanes to Hwy 74. MPO is to make a decision on this later this year.

Improvements in the Ballantyne area include the extension of North Community House Road across I-485 via a new bridge. This \$11 million project is to be built in conjunction with the future widening of I-485. These improvements are to be financed by The Bissell Company. The City will reimburse

The Bissell Company. The source of the loan payment is 45% of new incremental taxes in the Ballantyne area. Bissell will cover the cost of \$11 million; however, they have no recourse if sufficient taxes are not generated to pay back the loan.

Mr. Cook also mentioned the possible expansion of the MPO based upon the census designated urbanized area. The MPO's planning areas must include the entire urbanized area as well as areas that are expected to be urban in 20 years. Based on the 2010 Census, the Charlotte Urbanized Area could expand further east into Union County, north into Mooresville/South Iredell County, west into Eastern Lincoln County and into the Lancaster County panhandle. The updated urbanized area maps will be released this year.

The Chairperson asked about the final report from the HOT lanes study which was done approximately two years ago. Mr. Cook stated that the report indicated that I-77 North scored as being the most in need and having the ability to house an HOT lane area. The Chairperson asked if the report addressed the viability and concept. Mr. Cook replied that the City and MPO received a grant from the Federal Highway Administration for Phase III, which includes testing public opinion and support for the concept.

Commissioner Lathrop stated that the HOT lanes will help change commuter behavior and asked if the funds from this project will help to finance other projects. Mr. Cook stated that there is a need to educate people on this concept. He also noted that the concept is designed to manage traffic and the fares do not create a windfall of funding for other projects.

Commissioner Labovitz asked where have HOT lanes been successfully implemented and about the toll amounts. Mr. Cook replied that tolls are successful in Southern California, Minnesota and Denver. Tolls are coming on board in Virginia and Atlanta, where unfortunately the experience has not been positive. Toll amounts are market driven, based on the location and general cost of living.

Commissioner Labovitz also asked if the HOV lanes along I-77 have been successful. Mr. Cook explained that the southbound HOV lane has been more successful than the northbound lane because the northbound lane ends rather early and results in no time savings. He also noted that usage of the HOV lanes has not been strongly enforced.

Commissioner Zoutewelle asked how we compare to other MPOs in North Carolina in the area of non attainment with regards to the ozone. Mr. Cook responded that all communities in this region have the same ozone status and equally share the problem. Commissioner Zoutewelle asked about the ozone status for the City of Raleigh. Mr. Cook stated that Raleigh may be at attainment. Raleigh and the Triad are slightly better than Charlotte, which has more ozone issues than any other areas in the state.

Commissioner Nealon asked how the toll rates will be established. Mr. Cook stated that the rates will be included in Phase II of the fast lane study and are generally based on the cost of living and the location.

The Chairperson thanked Mr. Cook for the presentation.

## **Text Amendments**

### **Incentive Based Inclusionary Zoning**

Ms. Campbell introduced the presentation by explaining that the issue of affordable housing has been at the forefront of our elected officials for several years. Last year, as part of Council's focus area plan, they identified the need to increase affordable housing by looking at their existing policies related to affordable housing and also creating new tools that may be used to encourage private sector participation in the delivery of affordable housing. During the past several months, Planning staff, in coordination with the City's Neighborhood and Business Services Department has been looking at an Incentive Based Inclusionary Zoning concept. She also explained that this initiative will come through the Planning Commission by way of the Zoning Committee because this is a text amendment.

Bryman Suttle provided an update on the Incentive Based Inclusionary Housing Text Amendment Citizen Advisory Group (CAG) process. He shared the following background information:

- On May 25, 2011, the Housing & Neighborhood Development (H&ND) Committee recommended to Council a list of regulatory and financial incentives to create affordable housing
- On June 27, 2011, Council approved a proposed action plan directing staff to pursue 11 regulatory and financial incentives that could work for Charlotte
- Of the 11 Action Plan recommendations, the 6 financial initiatives are ongoing and should be continued
- The remaining 5 regulatory initiatives needed further action through text amendments, user fee adjustments, or additional Committee discussion
- Council also asked staff to work with a citizen advisory group throughout this process

The initial public meeting was on September 15, 2011. Staff solicited people to join the CAG. The CAG has met five times and discussions focused on density bonuses for single family development, allowances of duplexes on any lot, and allowance of accessory dwelling units (ADUs) to include non-relatives.

Mr. Suttle reviewed the proposed regulatory strategies:

1. Single family & Multi-family density bonus
2. Fee waivers/reductions
3. Expedited review
4. Allowance of duplexes on any lot
5. Allowance of accessory dwelling units (ADUs) to include non-relatives

Mr. Suttle also presented the following financial incentives:

1. Create local rent subsidy program
2. Increase Housing Trust Fund commitments for federal low income housing tax credits
3. Lobby NCHFA for changes to its Qualified Application process to allow urban projects to score higher
4. Develop a program to make available government owned land at a reduced cost in exchange for affordable housing
5. Establish aggressive acquisition program for existing apartments currently in financial difficulty or underutilized
6. Cash subsidies

The single family density bonus goals are to 1) increase the number of affordable units and 2) insure affordable units are built. Initial staff recommendations include allowing a density bonus of one unit above base for all single family districts; a minimum of 50% of all units be affordable; affordable units not to exceed 25% of total housing units in the development; reduced yards; reduced lot sizes and lot widths; units must externally blend in architecturally with other units; affordable units must be dispersed within the development; and the perimeter of the development must reflect the character of adjacent neighborhoods.

The CAG is concerned that the density increase of one unit is not enough and the locations need to be targeted to areas with little to no affordable units. They also want assurances that affordable units blend in with other units. Other CAG concerns include the program eligibility being too low at 60% AMI, development standards can't achieve bonus when other development standards are applied, and mixed housing types are needed to achieve bonus.

Mr. Suttle continued by presenting the following draft recommendations for single family density bonuses:

1. Apply architectural design standards to building material, roof pitch, window type and the foundation.
2. Allow a mix of dwelling units - duplex, triplex, and quadraplex buildings to be integrated and located internal to the subdivision.

Mr. Suttle then discussed the remaining recommendations:

1. Allow duplex dwellings on all lots within the R-3, R-4, R-5, and R-6 single family zoning districts per prescribed conditions.
2. Allow accessory dwelling units (ADUs) without any tenant restrictions per prescribed conditions.
3. Fee waivers (to be discussed)
4. Expedited Review (to be discussed)

The next steps in the CAG process include:

- Working to establish best practices that can be applied to all of the recommended strategies/programs
- Reaching out to UNC School of Government for additional insight
- January 19 CAG meeting will be a work session to discuss program administration
- Updating H&ND Committee on January 11<sup>th</sup>
- Continuing the citizen input process through March 2012
- H&ND Committee Action April 2012
- Council Action June 2012

The Planning Director added that these efforts are all voluntary. Essentially what is being done is increasing from a regulatory prospective, the number of tools that a developer has in order to make affordable housing a part of their development. This is both incentive based and voluntary. It is not mandatory.

Commissioner Firestone asked if this applies to rentals or owner occupied housing. Ms. Campbell stated that this applies to the type of structure not the usage or whether it is rental or owner occupied. One of the most challenging aspects of the single family density program in terms of ownership is how to share or divide any equity or financial appreciation of the property when the owner may have received assistance from the City to purchase the property.

Commissioner Zoutewelle acknowledged that he is the Commissioner assigned to this CAG. He noted that this question has come up at CAG meetings and advised staff to be careful on how affordable housing is defined.

Commissioner Nealon stated that she had talked to someone from Chapel Hill since they have a voluntary process. Ms. Campbell stated that staff will be contacting representatives from Chapel Hill within the next week or so.

Commissioner Phipps asked if the goal is to have affordable housing throughout the City. The Planning Director stated it is a goal of the City's to have affordable housing distributed throughout the community.

Commissioner Phipps asked if this process is something that has always been voluntary for developers who wanted to pursue it or are we giving them some additional tools and flexibility. He thought this was always available. Bryman Suttle responded that we have not had a program of this nature before.

Commissioner Zoutewelle asked other Commissioners to contact him if they had concerns about the text amendment. The Chairperson thanked Commissioner Zoutewelle for his service, and asked that he keep the entire Commission informed of any issues or concerns.

### **Information**

#### **Planning Director's Report**

Ms. Campbell directed the Commissioners to Attachments 2 & 3, overviews of the Zoning Board of Adjustment and the Development Review Board. The Executive Committee requested this information be included as handouts instead of formal presentations.

The Chairperson asked the Planning Director to give an overview of the recent changes in the Planning Department's staff. Ms. Campbell stated that as part of the Department's reorganization efforts, the Leadership Team worked with the Human Resources and Budget Departments to reclassify several staff and to adjust salaries to be more aligned with market rates. She also noted that the Leadership Team will continue work on the reorganization and other career development opportunities will become available.

#### **Executive Committee**

The Chairperson informed the Commission that the County Commission will appoint two new Commissioners on January 22, 2012. He also stated that he and Vice-Chairperson Johnson will attend a County Commission meeting in February to provide an overview of the Planning Commission.

The Chairperson asked Ms. Neely to provide a list of upcoming Planning Commission vacancies so that the Commissioners can solicit interested and experienced applicants for the Commission.

#### **Zoning Committee**

The Chairperson noted that rezoning information was included in Attachment 5 of the agenda packet. Ms. Keplinger gave a brief overview of various upcoming rezoning petitions. There are ten public hearings and eleven decisions, with one being deferred, scheduled for the January 17<sup>th</sup> City Council Zoning Meeting.

### **Planning Committee**

Vice-Chairperson Johnson stated that the Planning Committee continued public comment on the Midtown, Morehead, Cherry Area Plan at their December meeting. Commissioner Zoutewelle attended the meeting in order to meet the quorum requirement.

### **Historic District Committee**

Commissioner Firestone stated that the HDC hasn't received any applications for dramatic changes or developments in the last couple of months. If this changes, he will inform the Commission.

### **Economic Development Committee**

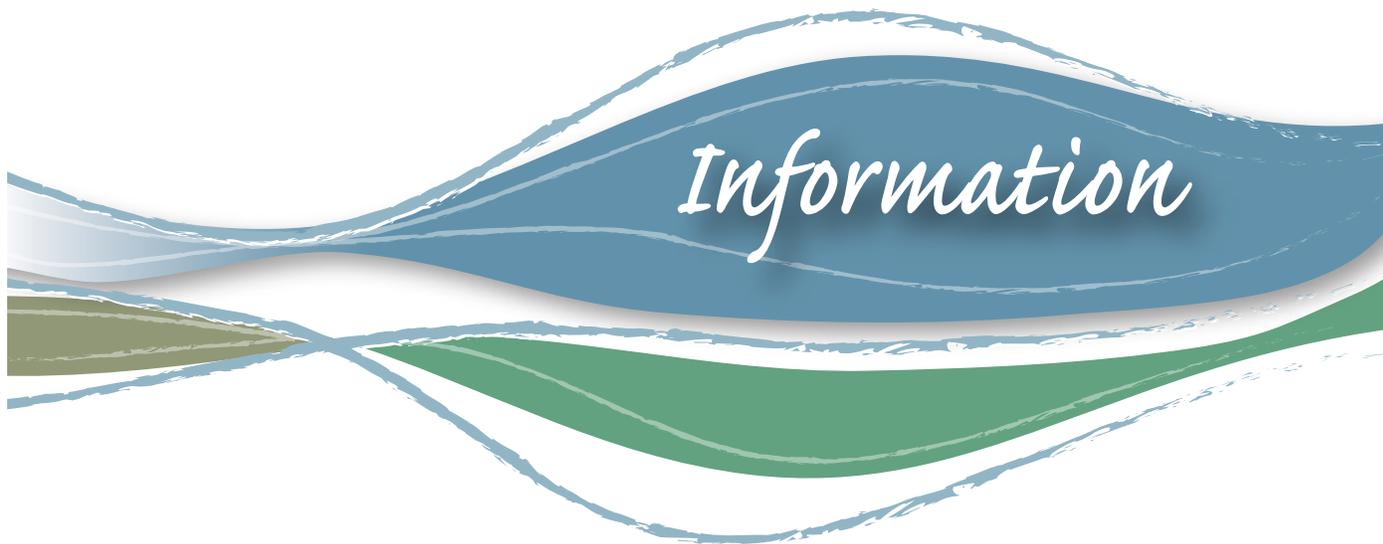
Vice-Chairperson Johnson stated that she had spoken to Commissioner Griffith and she informed her that the Economic Development Committee held its initial meeting with Ms. Campbell before the holiday.

### **Communication from Chairperson**

Chairperson Rosenburgh reminded the Commissioners that the joint meeting with the Raleigh Planning Commission is scheduled for tomorrow. The Raleigh Planning Commission will attend the February 6<sup>th</sup> work session to continue discussion from the meeting in Raleigh.

### **Adjournment**

The meeting adjourned at 1:53 pm.





# Charlotte-Mecklenburg Planning Department

## FY2012 Community Outreach Presentations

#	Date	Presentation	Staff
1	10/05/11	NCAPA Conference - Independence Boulevard Mobile Tour	A. Osborne
2	10/05/11	NCAPA Conference - Integrating Transit & Land Use with Light Rail - LYNX Blue Line Mobile Tour	K. Main
3	10/06/11	NCAPA Conference - Center City Walking Tour	D. Thilo/J. Dhindaw
4	10/07/11	NCAPA Conference - Area Plan Implementation	G. Johnson/L. Quinn
5	10/18/11	Rockwell Park Neighborhood Association Community Forum - Adopted Area Plans	M. McCullough
6	10/25/11	Association of Pedestrian & Bicycle Professionals - Urban Design Workshop	D. Thilo/J. Dhindaw/M. Jones
7	10/26/11	Association of Pedestrian & Bicycle Professionals - LYNX Blue Line Mobile Tour	K. Main
8	11/08/11	Charlotte Regional Commercial Board of Realtors Legislative Committee	D. Campbell
9	11/10/11	Cherry Neigh. Assoc. & Community Org. Joint Board Mtg. - Midtown Morehead Cherry Area Plan Update	D. Campbell/K. Main
10	11/16/11	GIS Day	M. Sigmon/L. Quinn/C. Lyte-Graham
11	11/22/11	Langfang China Delegation - Centers, Corridors & Wedges	G. Johnson
12	12/01/11	Webinar - "Opportunity-rich Schools and Sustainable Communities"	J. Wells
13	01/13/12	Providence Day School. The topic was Charlotte's Growth Framework	G. Johnson



## Meeting Schedule

February 2012

Date	Time	Purpose	Location
<b>Full Planning Commission</b>			
02-06-12	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<i>(Raleigh Planning Commission Visit)</i>			
<b>Executive Committee</b>			
02-20-12	4:00 p.m.	Work Session	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
02-21-12	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Zoning Committee</b>			
02-20-12	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
02-20-12	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
02-29-12	4:30 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Other Committee(s)</b>			
02-08-12	3:00 p.m.	Historic District Commission	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<b>Charlotte-Mecklenburg Planning Department Meetings</b>			
<b>Incentive Based Inclusionary Housing Text Amendment</b>			
02-09-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
02-23-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Midtown Morehead Cherry Area Plan</b>			
02-13-12	7:00 p.m.	Public Comment	Meeting Chamber Lobby Level – CMGC
<b>Park Woodlawn Area Plan</b>			
02-16-12	6:00 p.m.	Citizen Advisory Group	YWCA – Meeting Room 3420 Park Road



# Charlotte-Mecklenburg Planning Commission

## Meeting Schedule

March 2012

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<b>Date</b>	<b>Time</b>	<b>Purpose</b>	<b>Location</b>
<b>Full Planning Commission</b>			
03-05-12	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<b>Executive Committee</b>			
03-19-12	4:00 p.m.	Work Session	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
03-20-12	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Zoning Committee</b>			
03-19-12	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
03-19-12	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
03-28-12	4:30 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Other Committee(s)</b>			
03-14-12	3:00 p.m.	Historic District Commission	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
03-21-12	7:00 p.m.	MUMPO	Conference Room 267 2 <sup>nd</sup> Floor – CMGC

### Charlotte-Mecklenburg Planning Department Meetings

#### Incentive Based Inclusionary Housing Text Amendment

03-15-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
03-29-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 <sup>nd</sup> Floor – CMGC

#### Park Woodlawn Area Plan

03-08-12	6:00 p.m.	Citizen Advisory Group	YWCA – Meeting Room 3420 Park Road
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#### MUMPO

03-01-12	4:00 p.m.	Regional Freight Study	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
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# Charlotte-Mecklenburg Planning Commission

Executive Committee Meeting

December 12, 2011

Action Minutes

Attachment 4

Approved January 17, 2012

## Attendance

**Executive Committee Members Present:** Stephen Rosenburgh (Chairperson) Yolanda Johnson (Vice-Chairperson), Emma Allen and Meg Nealon

Commissioner Allen arrived at 4:15 pm.

**Other Commissioners Present:** Steven Firestone

**Staff Present:** Debra Campbell (Planning Director), Crissy Huffstickler and Cheryl Neely

## Call to Order

The Chairperson called the meeting to order at 4:06 pm.

## Approval of November 14, 2011 Executive Committee Minutes

A motion was made by Vice-Chairperson Johnson and seconded by Commissioner Nealon to approve the November 14, 2011 Executive Committee minutes. The vote was 3 to 0 to approve the minutes.

## November 14, 2011 Executive Committee Meeting

### **Planning Commission Annual Holiday Party**

The Chairperson stated that the holiday party will be held in January or February, after the two new Commissioners have been appointed.

The Chairperson also stated that the Board of County Commission Chairperson had asked him for a recommendation for the Planning Commission appointment, which is scheduled for January. Vice-Chairperson Johnson stated that several people are interested in this appointment. The Planning Director asked if the Executive Committee was asked to recommend a person or characteristics. The Chairperson replied that the Executive Committee was asked to recommend a person. The Vice-Chairperson stated that was the first time the Executive Committee was asked to recommend a person for appointment to the Commission. The Chairperson stated that he had been contacted by three people who are interested in the appointment. He asked how many had applied for this appointment. Ms. Campbell responded that the applications are on file with the County Clerk. The Chairperson asked staff to contact the County Clerk's office to get the names of all applicants. Cheryl Neely stated that both vacancies on the Commission are County positions. She agreed to get the applicant's names from the County Clerk and ask if both vacancies are scheduled to be filled in January.

## Communication Committee

The Chairperson stated that he asked both Commissioners Zoutewelle and Lathrop to serve on the Communication Committee and both agreed. He also stated that he would schedule a meeting with the Communication Committee in January, preferably following the work session on January 9<sup>th</sup>.

## December 5, 2011 Work Session

### **Approval of Planning Commission Minutes**

The Chairperson reminded the Committee that approval of the November 7, 2011 work session minutes was moved to the January 9, 2012 meeting, due to a lack of quorum at the December 5, 2011 work session.

### **Planning Commission Field Trip to Raleigh**

Chairperson Rosenburgh stated that the purpose of the meeting with the Raleigh Planning Commission is to share issues and learn from one another. The Commission will attend the Raleigh Planning Commission meeting on January 10<sup>th</sup> to initiate discussion. The Raleigh Planning Commission will attend the February 6<sup>th</sup> work session to continue the discussion from the January 10<sup>th</sup> meeting. The Chairperson indicated that he would confirm the meeting location, get copies of the meeting agenda and find hotel accommodations for those who prefer to stay overnight.

### **Future Work Session Agenda Items**

The Chairperson suggested that the regular portion of the February work session agenda be abbreviated to allow time for the discussion with the Raleigh Planning Commission.

Chairperson Rosenburgh asked the Planning Director for an update on the status of the Residential Design Standards Phase II and Alternative Energy/Eco-Industrial text amendments. Ms. Campbell stated that the Department had received approval from Council's Transportation and Planning Committee to move forward with Phase II of the Residential Design Standards Text Amendment. The project was previously placed on hold because of Senate Bill 731, which impacts the ability of local governments to address aesthetic concerns in local zoning ordinances.

The Planning Director stated that staff is several months away from having a recommendation on the Alternative Energy/Eco-industrial Text Amendment. Although there is no sense of urgency on this item, staff can provide an update at the February work session.

Ms. Campbell continued to provide updates on other future agenda topics. She reported that the Mobile Food Venders Text Amendment was requested by former Council Member Nancy Carter to primarily address concerns in Council District 5. City Council does not necessarily want to revisit the regulations which were adopted approximately one year ago. Therefore, staff will not likely move the text amendment forward unless the new members of Council want to proceed with this project.

Staff is scheduled to meet with the Economic Development Committee in December to discuss the Land Development 101 Brochure.

Chairperson Rosenburgh asked about the Zoning Ordinance Policy Assessment. He thought it may be an appropriate agenda item for the meeting with the Raleigh Planning Commission in February.

The Committee agreed on the following future agenda items:

<b>Agenda Items</b>	<b>Work Session</b>
1. Transportation Update	January 2012
2. Incentive Based Inclusionary Zoning Text Amendment	January 2012
3. Residential Design Standards Phase II Text Amendment	February 2012
4. Zoning Ordinance Policy Assessment	February 2012
5. Alternative Energy/Eco-Industrial Text Amendment	TBD
6. Mobile Food Vendors Text Amendment	TBD
7. Land Development 101 Brochure	TBD

### **Approval of the January 9, 2012 Work Session Agenda**

The Committee reviewed the January 9, 2012 work session agenda. The Chairperson shared that MUMPO had recently undergone a recertification and mentioned that there are a number of upcoming significant transportation projects which may be of interest to the Commission. In particular he referenced a public/private venture by the Bissell Company to build a bridge over I-485 in the Ballentyne community. He asked if staff could provide a transportation update at the January work session, including details about the Bissell project. The Planning Director recommended that Bob Cook provide a general transportation update and Peter Zeiler (Neighborhood and Business Services) provide information about the Bissell project, if needed.

The Development Review Board and Zoning Board of Adjustment Overviews were removed from the agenda to allow enough time for the Transportation presentation. The Chairperson asked staff to provide information about these boards as handouts. The agenda was approved as modified.

### **Approval of the February 2012 Meeting Schedule**

The Chairperson asked that the Planning Commission trip to Raleigh on January 10<sup>th</sup> be added to the January calendar. He also asked that the Raleigh Planning Commission visit scheduled for February 6<sup>th</sup> be added to the February calendar.

### **Adjournment**

The meeting adjourned at 4:50 pm.



**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, Rm 280**  
**January 25, 2012**  
**4:30 P.M.**

<p>1. <a href="#"><u>Petition No. 2010-080</u></a> by <b>Charlotte-Mecklenburg Planning Commission</b> for the adoption of a text amendment to the City of Charlotte Zoning Ordinance to modify the regulations for "Outdoor Seasonal Fresh Produce Sales" by 1) renaming them to "Outdoor Fresh Produce Stands", 2) expanding the zoning districts in which they are permitted with prescribed conditions, and 3) modifying the prescribed conditions.</p>
<p>2. <a href="#"><u>Petition No. 2011-073</u></a> by <b>Wells Property Number One, LLC</b> for a change in zoning for approximately 2.81 acres located on the south side of East 3rd Street and surrounded by South Kings Drive, Charlottetowne Avenue, and Cherry Street from B-2 to MUDD-O.</p>
<p>3. <a href="#"><u>Petition No. 2011-078</u></a> by <b>Sami Nafisi</b> for a change in zoning for approximately 0.91 acres located on the southwest corner of Central Avenue and Westover Street from R-5 and B-1 to NS.</p>
<p>4. <a href="#"><u>Petition No. 2011-082</u></a> by <b>Steele Creek 1997 Limited Partnership</b> for a change in zoning for approximately 11.0 acres located on the southwest corner of the intersection of South Tryon Street and Steele Creek Road from R-17MF(CD) and CC to CC and CC SPA.</p>
<p>5. <a href="#"><u>Petition No. 2011-083</u></a> by <b>Steele Creek 1997 Limited Partnership</b> for a change in zoning for approximately 22.0 acres located on the southern corner of the intersection of Steele Creek Road and Walker Branch Drive from R-17MF(CD) to CC.</p>
<p>6. <a href="#"><u>Petition No. 2012-002</u></a> by <b>Charlotte-Mecklenburg Planning Department</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to remove the duplicate language regarding Outdoor Storage.</p>
<p>7. <a href="#"><u>Petition No. 2012-003</u></a> by <b>Charlotte-Mecklenburg Planning Department</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to modify the definition of marquee signs, modify the regulations and add marquee signs to the MUDD Zoning District.</p>
<p>8. <a href="#"><u>Petition No. 2012-004</u></a> by <b>Charlotte-Mecklenburg Planning Department</b> for a Text Amendment to the City of Charlotte Zoning Ordinance to correct a section reference in the Urban Industrial Zoning District.</p>
<p>9. <a href="#"><u>Petition No. 2010-079</u></a> by <b>Charlotte-Mecklenburg Planning Commission</b> for a text amendment to the City of Charlotte Zoning Ordinance regarding eco-industrial facilities.</p>



**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 20th day of February, 2012** on the following petitions that propose changes to the Official Zoning Maps of the City of Charlotte, North Carolina:

**Petition No. 2008-039 by Charlotte-Mecklenburg Historic Landmarks Commission** for a change in zoning for approximately 1.55 acres located on the southeast corner of Providence Road and Alexander Road from R-3 to O-1(CD).

**Petition No. 2011-065 by Chapel Cove at Glengate, LLC** for a MX-1 INNOV site plan amendment and 5-Year Vested Rights, for approximately 319.91 acres located on the east and west side of Shopton Road West generally surrounded by Winget Road, Elkhorn Drive, Limehurst Place, and Hatfield Road.

**Petition No. 2011-068 by Morehead Property Investments, LLC** for a change in zoning for approximately 1.50 acres located on East Morehead Street between Kenilworth Avenue and Monticello Trail from O-2 to MUDD(CD).

**Petition No. 2011-072 by University Investment Groups, LLC** for a change in zoning for approximately 6.0 acres located on the northwest corner at the intersection of University City Boulevard and East Mallard Creek Church Road from NS to MUDD(CD).

**Petition No. 2011-079 by Sami Nafisi** for a B-1(CD)(LLWPA) site plan amendment for approximately 1.21 acres located on the northeast corner of the intersection at Tuckaseegee Road and Little Rock Road.

**Petition No. 2012-001 by Mercury NoDa, LLC** for a MUDD-O site plan amendment and 5-Year Vested Rights, for approximately 3.87 acres located on the northeast corner of North Davidson Street and East 36th Street.

**Petition No. 2012-006 by Lomax Properties** for a change in zoning for approximately 5.75 acres located on the north side of Millerton Avenue near the intersection of West Morehead Street and Julian Price Place from MUDD-O to MUDD(CD).

**Petition No. 2012-007 by Rainier Builders** for a change in zoning for approximately 0.62 acres located on the north side of Yadkin Avenue between East 35th Street and East 36th Street from R-5 and O-2 to MUDD-O.

**Petition No. 2012-008 by NLCM, LLC** for a change in zoning for approximately 30.21 acres located on the southwest corner at the intersection of Reames Road and Bayview Parkway from R-3 and R-8MF(CD) to R-8MF(CD) and R-8MF(CD) site plan amendment.

**Petition No. 2012-010 by Crescent Resources** for a change in zoning for approximately 4.701 acres located on the south side of University City Boulevard between Mark Twain Road and Suther Road from R-17MF to MUDD-O 5-Year Vested Rights.

**Petition No. 2012-011 by Singh Development, LLC** for a change in zoning for approximately 8.41 acres located on the east side of Randolph Road between Wonderwood Drive and Shasta Lane from UR-2(CD) to INST(CD).

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](http://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, February 15, 2012.**

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**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 20th day of February, 2012** on the following petitions that propose changes to the City of Charlotte Zoning Ordinance:

**Petition 2012-012 by Charlotte-Mecklenburg Planning Department** for a Text Amendment to the City of Charlotte Zoning Ordinance to Update the Zoning Districts in which Crematory facilities are allowed with prescribed conditions.

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](http://www.rezoning.org)

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**Charlotte-Mecklenburg Planning Commission  
Planning Committee Meeting Minutes  
CMGC – Conference Room 280, 2nd Floor  
December 20, 2011**

**Commissioners Present:** Chairperson Yolanda Johnson, Vice-Chairperson Margaret Nealon, Commissioners Karen Labovitz, Dwayne Walker, and Andy Zoutewelle

**Commissioners Absent:** Tony Lathrop

**Planning Staff Present:** Sonda Kennedy, Melony McCullough, Kent Main, Bryman Suttle, and Jonathan Wells

**Others Staff Present:** Brian Horton (Transportation)

**Call to Order**

Chairperson Johnson called the meeting to order at 5:00 p.m. and everyone present introduced themselves.

**Approval of Meeting Minutes**

*A motion was made by Commissioner Labovitz and seconded by Commissioner Walker to approve the November 15, 2011 minutes. The vote was unanimous (5-0) to approve the November 15, 2011 minutes.*

**Continue Public Comment and Make a Recommendation on the draft *Midtown Morehead Cherry Area Plan***

Chairperson Johnson noted that this agenda item was continued from the November meeting. Kent Main (Planning Staff) distributed a list of revisions to the draft plan. He stated that staff has been working with representatives from the Cherry community all day on changes to the draft plan. He added that while staff is not asking for a recommendation at this meeting, they would like to conclude public comments on the draft plan. Chairperson Johnson said that she would like for the Committee to have time to review the revisions received at this meeting and continue public comment at the January meeting.

Ms. Sylvia Bittle-Patton spoke on behalf of the Cherry Neighborhood Association and Cherry Community Organization. She expressed the community's appreciation to City staff for allowing their input on the draft plan. The community is pleased with the progress that has been made and is confident that one or two additional changes will address their remaining concerns. Ms. Bittle referenced street connections as an example of their remaining concerns about the draft plan recommendations.

Kent Main (Planning Staff) briefly summarized the most recent changes to the plan. He stated that staff will continue to work with the Cherry Community and report back to the Committee in January. Commissioner Zoutewelle said that he was the Planning Committee's representative for this area plan. He described the neighborhood as very diverse; old, new, and changing. He added that there was good participation from the neighborhood during the planning process.

Commissioner Walker asked about parking for Myers Tabernacle A.M.E. Zion Church. Mr. Main stated that a parking lot was built and removed. He added that there is no proposal to expand the church parking. Commissioner Walker asked what will the church do about parking. Mr. Main stated that church members park on neighborhood streets. Ms. Bittle-Patton added that the community has an amicable relationship with Myers Tabernacle Church and there are no unresolved tensions and working relations with them. Chairperson Johnson asked the Committee if they would like to continue public comment until January.

*A motion was made by Vice-Chairperson Nealon and seconded by Commissioner Walker to continue public comment on the draft plan at the January meeting. The vote was unanimous (5-0) to continue public comment.*

**M.R. #11-15 Proposal to Accept Donated Land Near J. T. Williams School**

Jonathan Wells (Planning staff) informed the Committee that a staff representative from Charlotte-Mecklenburg Schools (CMS) is not present. Chairperson Johnson asked if the presentation should be reviewed. Commissioner Walker recommended that the Committee listen to the presentation. Jonathan Wells (Planning Staff) gave a brief overview. He stated that a property owner in the vicinity of the J. T. Williams school campus proposes to donate a 2.8 acre parcel of land to CMS. The parcel is landlocked, has never been developed, and there are no specific development plans for the parcel.

Chairperson Johnson asked about the minimum cost to taxpayers. Mr. Wells said that costs include the currently due real estate taxes (approximately \$2,000), closing costs, and legal fees.

Commissioner Zoutewelle asked if the potential greenway would be affected by this parcel. Mr. Wells stated that there is potential for extension of the greenway in close proximity to the school. Commissioner Zoutewelle also asked if the middle school students and faculty will have direct access to the property. Mr. Wells stated that a land swap could potentially take place in the future to allow CMS to acquire the small piece of land that separates the subject property and the school. Vice-Chairperson Nealon asked if the person who donated the property is the same owner of the property located to the north. Mr. Wells answered that it is not the same owner. Commissioner Labovitz asked if staff is aware of any reasons to not accept this land donation. Mr. Wells replied that he is not aware of any. Vice-Chairperson Nealon expressed that her only hesitation is how the property will be maintained. Mr. Wells answered that the property consists of mostly natural areas.

Commissioner Zoutewelle asked if the school district has taken steps to evaluate the property. Mr. Wells stated that there would be an environmental assessment as a prerequisite to closing. Commissioner Zoutewelle asked if the Committee recommends the acquisition, what the repercussions are if the environmental assessment reveals any issues with the property. Mr. Wells replied that CMS will decide whether to accept the property. Mr. Wells suggested that the Committee consider deferring action on the mandatory referral until January when a representative from CMS is present to answer questions.

*A motion was made by Commissioner Walker and seconded by Commissioner Zoutewelle to defer M.R. #11-015 until the January meeting. The vote was unanimous (5-0) to defer.*

### **Area Plan Status and Meeting Report**

Commissioner Labovitz reported that the Park Woodlawn Area Plan kick-off meeting was held in November and there was good participation. She shared one concern that citizens had about the lack of a sound system and that some citizens requested that the meeting be held again. Commissioner Zoutewelle added that everyone at the meeting had the opportunity to sign in and give their contact information. A CAG meeting will be on January 12, 2012 and an open invitation has been extended.

### **Adjourn**

Chairperson Johnson adjourned the meeting at 5:38 p.m.



**Charlotte Historic District Commission Update****January 30, 2012**

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At their January 11, 2012 Regular Meeting, the Charlotte Historic District Commission made the following rulings on Applications for Certificates of Appropriateness:

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|----|---|--------------|--|
| A. | 1615 Lela Avenue, Wesley Heights Local Historic District<br>Slate Installation on Front Porch & Steps<br>James P Sturdivant, Applicant  | HDC 2011-117 | <i>Approved with conditions</i>                              |
| B. | 400 W. Kingston Avenue, Wilmore Local Historic District<br>Rear Yard Patio<br>Mark Sroka, Applicant                                     | HDC 2011-133 | <i>Approved with conditions</i>                              |
| C. | 2100 The Plaza, Plaza Midwood Local Historic District<br>Installation of Retaining Wall & Brick Planter<br>Donald R. Rawlins, Applicant | HDC 2012-001 | <i>Approved</i>  |
| D. | 901 East Boulevard, Dilworth Local Historic District<br>Signage<br>Bill Spena of Instant Signs Solutions, Applicant                     | HDC 2012-003 | <i>Approved in Concept, Final by Design Review Committee</i> |

In addition, the Historic District Commission welcomed back Vice Chair Dominick Ristaino. He had been removed from the HDC as a result of excessive absences in violation of City Council policy in the latter part of 2011. These absences were due to the illness and subsequent passing of his father. After appealing to City Council, he was reinstated to the Commission by Council in December of 2011 to complete the remainder of his current term.

The vacant Wesley Heights Representative seat on the Historic District Commission is scheduled for nominations and appointments by City Council in February.