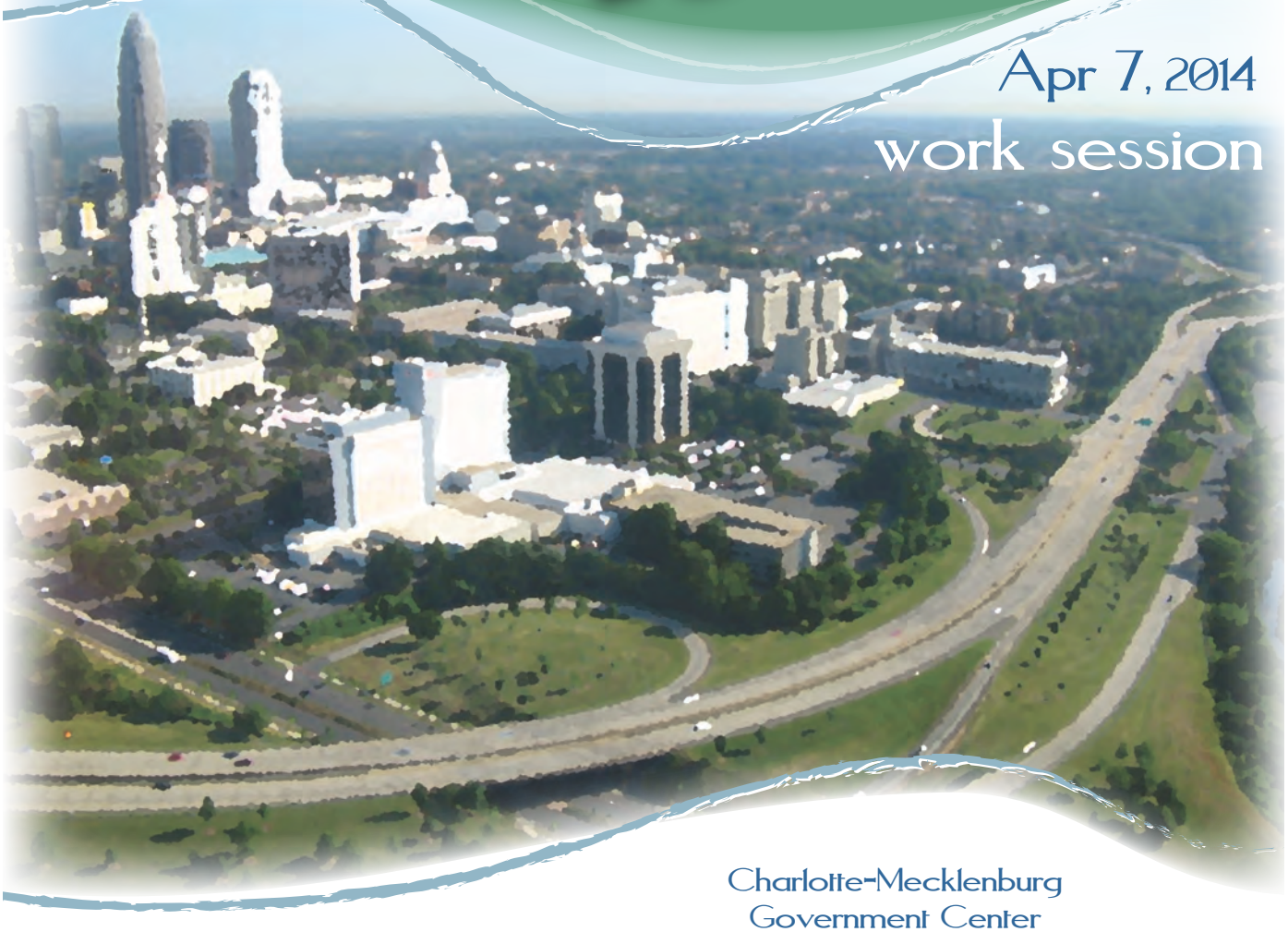
a City-County agency providing public Planning Services to the City of Charlotte and the unincorporated areas of Mecklenburg County

Planning Commission

Apr 7, 2014

work session



Charlotte-Mecklenburg Government Center

Room 267

Noon

Charlotte-Mecklenburg Planning Commission

Work Session Agenda
April 7, 2014 – Noon
CMGC – Conference Room 267

Call to Order & Introductions Tracy Dodson

Administration

Approval of Planning Commission Minutes
Approve the March 3, 2014 minutes. *Attachment 1*

Policy

Community Investment Plan Bill Parks
Background: Staff will provide an overview of the Community Investment Plan.
Action: No action required.

Planning Commission Involvement in Public Input Processes Tracy Dodson
Background: The Commission will discuss the proposed changes to the Involvement in Public Input Processes document.
Action: Adopt the revised document.

Information

Planning Director's Report Debra Campbell

- Planning Department's FY15 Budget Request
- Planning Department's Public Outreach Presentations *Attachment 2*

April & May 2014 Meeting Schedules *Attachment 3*

Committee Reports

- **Executive Committee** Tracy Dodson
  - February 17, 2014 Approved Minutes *Attachment 4*
  - Future Work Session Agenda Items

Future Work Session Agenda Item(s)	Work Session
Mecklenburg Livable Communities Plan	May

- **Zoning Committee** Tracy Dodson
  - Upcoming Rezoning Petitions Tammie Keplinger
  - Zoning Committee Agenda *Attachment 5*
  - Zoning Committee Public Hearings *Attachment 6*

- **Planning Committee** Tony Lathrop
  - February 18, 2014 Approved Minutes *Attachment 7*

- **Historic District Commission (HDC)** Karen Labovitz
  - March 12, 2014 Meeting Update *Attachment 8*

- **Charlotte Regional Transportation Planning Organization (CRTPO)**

Communication from Chairperson Tracy Dodson

- Communication Committee
- Nominating Committee

Charlotte-Mecklenburg Planning Commission

Attachment 1

March 3, 2014 – Noon
CMGC – Innovation Station, 8th Floor
Action Minutes

Call to Order & Introductions

Chairperson Dodson called the meeting to order at 12:11 p.m., followed by introductions.

Attendance

Commissioners Present: Tracy Dodson (Chairperson), Randy Fink, Karen Labovitz, Tony Lathrop (Vice-Chairperson), Tom Low, Dionne Nelson, Deb Ryan, Mike Sullivan, Dwayne Walker, Cozzie Watkins and Andy Zoutewelle

Commissioner Zoutewelle arrived at 12:18 p.m. Commissioners Walker and Commissioner Watkins arrived at 12:43 p.m.

Commissioners Absent: Emma Allen and Raymond Eschert

Planning Staff Present: Debra Campbell (Director), Laura Harmon, Tammie Keplinger, Melony McCullough, Ed McKinney, Sandy Montgomery, Cheryl Neely, Katrina Young and Michelle Barber (temporary employee)

Guests: Former Commissioners Steven Firestone and Council Member Gregg Phipps

Administration

Certificates of Appreciation

Former Commissioners Steven Firestone and Council Member Gregg Phipps were presented with Certificates of Appreciation for their years of service to the Planning Commission.

Approval of Planning Commission Minutes

Commissioner Ryan made a motion to approve the February 3, 2014 work session minutes. The motion was seconded by Commissioner Labovitz. The vote was 8-0 to approve the minutes.

Policy

Mobile Farmers' Market Text Amendment

Director Campbell introduced the presentation. She stated that there were two somewhat related text amendment agenda items. These amendments are an effort to address the issue of access to fresh produce throughout the community. The intention is to remove as many regulatory obstacles as possible in order to provide access to fresh produce, particularly for low and moderate income communities which are where we think this issue is most prevalent.

Chairperson Dodson thanked the Planning Director and welcomed Katrina Young.

Ms. Young reported that the Mecklenburg County Food Council conducted an assessment which addressed the absence of food stores throughout the County. The study found the following:

1. There are food deserts where there is limited access to affordable and nutritious food, particularly in low income areas.
2. A statistical analysis, controlled for income, race and population density, found that adding a limited or full service food store to a census block group results in a lower number of premature deaths due to heart disease.

City Council directed staff to research how other cities regulate mobile grocery stores and explore how mobile grocery stores can be permitted for longer periods of time as a viable way of providing fresh fruits and vegetables to areas lacking access to full-service grocery stores.

Staff formed a Citizen Advisory Group (CAG) which met on January 29 and February 27. Issues and concerns about this use centered on the definition of the use, secondary impacts, permit and enforcement. The CAG provided the following feedback pertaining to the use:

- Need a clear definition
- Need longer time period for length of stay
- Need flexibility in permitting
- Clarify type of goods to be sold and vehicle that can be used
- Expand (locations and time) where use can be located

Ms. Young presented a proposed definition as well as several draft recommendations for the text amendment. She reported that the next steps in the process include:

- City Council Public Hearing - March 17
- Zoning Committee Recommendation - March 26
- City Council Decision - April 28

The entire Mobile Farmers' Market presentation can be accessed by clicking on the following **link**.

Below is a summary of the discussion which followed the presentation:

- Commissioner Ryan asked if deliberation would be in the Zoning Committee and if this presentation was for information only. Chairperson Dodson replied yes, the Zoning Committee will deliberate; however, she recommended that Commissioners share any comments or questions with Ms. Young.

- Commissioner Labovitz asked if the vendors could have two permits and six locations. Katrina Young said that they could. Commissioner Labovitz also asked if a vendor could apply for another permit within the year and add it on to what they already have. Katrina Young said that a vendor could. Lastly, Commissioner Labovitz asked if a different vendor could get a permit for the same location, provided their permits are for different days. Katrina Young responded yes.

- Commissioner Sullivan asked who would be responsible for enforcement and how the community will be notified of times and locations. Katrina Young explained that the Neighborhood and Business Services Department would issue permits and enforce the code. She also stated that some of the CAG members are from the Food Policy Council and they will be coordinating with farmers in both North Carolina and South Carolina. The Health Department will also assist with notification. The Planning Director added that operating hours will be explained as part of the permit application process. Commissioner Sullivan asked if vendors could display advertisement signs. Ms. Young explained that vendors could not post signs other than those on their trucks. Commissioner Sullivan continued to express concern about notification. Katrina Young acknowledged that had been discussed and asked Commissioners to let her know if they had any recommendations.

- Commissioner Ryan thought some of these requirements were a little onerous. She wondered if there could be more flexibility with locating in the food dessert and if there could be no cost or minimal cost for permitting. Katrina Young said the CAG discussed this issue and the challenge is that there are similar uses, such as outdoor fruit stands which are regulated. The consensus was that if they could get more use out of the permit, then it would be worth it, as opposed to paying for each location separately. The Planning Director explained that when staff did the fresh produce text amendment we tried to be very flexible, but received significant pushback from neighborhood organizations. They were concerned that there would be different types of vendors on every corner in their neighborhoods. The intent now is to take it slow, allow these uses to demonstrate goodwill, show that they can be a good neighbor. Allowing a broad definition could give the opportunity for more secondary impacts which could give the use a negative reputation.

- Commissioner Fink said he dealt with food deserts in Washington D.C. and they used different strategies. One strategy was abating real estate taxes. He added that the system for delivering inexpensive groceries, particularly produce is a difficult system. He asked if any thought had been given to allowing large grocers to service these areas instead of vendors who have a higher cost per transaction. Katrina Young answered no and added that staff looked at how we can make it easy for vendors to get food to the areas. She also stated that they did not look at it from a real estate perspective. Director Campbell added that what staff heard from the Council member advocating for these changes is that there is a market for small business entrepreneurs who are interested in providing this type of service in the Charlotte market and our regulations are prohibiting them from operating their business. Their concerns focused on the length of time they could be at these sites and the number of sites where they can locate. Those were the hurdles in terms of a business model and that is what staff tried to respond to and address. Commissioner Fink said he thinks that staff should look at whether this approach will take away some of the spending power in a particular area and result in a higher cost of delivering produce or whatever it is; as a result, are you are going to decrease the ability of affordable producers to be able to enter that market?

- Commissioner Nelson wanted to know how private property owners would participate in the approval of vendors locating on their property. Katrina Young explained that vendors have to get property owner's permission. Commissioner Nelson asked if it would be easy for vendors to change their permits and if there would be a charge to do so. Katrina Young said vendors can submit an amendment to Code Enforcement. There will not be a charge for time changes, but a new permit would need to be issued if there is a location change, so there would be a charge.

- Commissioner Low asked if there was a map showing the food desert locations. Director Campbell said there is a map from the study that the University of North Carolina, the Food Council and others developed for Mecklenburg County. Campbell stated that staff would send the map to the Commission. She also reminded them that this group presented the findings of the study to the Commission about a year and a half ago.

The Chairperson encouraged the Commission to contact Ms. Young if they had additional questions.

Mobile Food Vendors' Text Amendment
Ms. Young stated that the purpose of the presentation is to provide Planning Commissioners with an update of an effort to explore current mobile food vendor regulations and possibly modify the regulations that allow the use. She provided background information and explained that in 2006 mobile food vendors and City Code Enforcement staff raised concerns about current standards regulating the use. Issues identified included:

- Vendor could locate at a site for up to 12 times a year for no longer than five day periods at a time. Each permit required two inspections – one to locate on site and one to verify use was removed from the site.
- Inspection resources required to enforce the regulations were strained.
- Repacking and moving every five days was burdensome and costly for the vendors.

There was no definition of a mobile food vendor in the Zoning Ordinance. Staff received complaints from Charlotte Mecklenburg Police Department and community groups about trash, traffic, safety, robberies, noise, drinking and loitering. In August 2007, a stakeholders group was formed to discuss these issues and updated regulations were developed.

City Council approved the regulations for mobile food vendors on November 24, 2008. Since that time, the department has received requests to revisit the regulations for mobile food vendors. There is now a desire to have the use clustered in some locations and to expand the locations. A Citizen Advisory Group convened in January 2014 to review current regulations.

Ms. Young reviewed the current regulations for mobile food vending services and the following issues and concerns with these uses:

1. **Locations** – The current restrictions on where a mobile food vendor should be allowed to locate are too limiting.
2. **Operating Hours** – The hours of operation should be longer and permits should be valid for longer periods and different locations.
3. **Separation** – There should be no separation between uses.

The next steps in the text amendment process include:

- Citizen Advisory Group Feedback and Discussion on March 11, 2014
- Draft Recommendation by March 26, 2014
- Final Recommendation by April 10, 2014
- City Council Public Hearing on May 19, 2014
- Zoning Committee Recommendation on May 28, 2014
- City Council Decision on June 16, 2014

The entire Mobile Food Vendor's presentation can be accessed by clicking on the following **link**.

Following the presentation, Commissioner Zoutewelle asked if the existing Food Truck Friday is a non-conforming use. Ms. Young replied that it is an illegal use and that is a reason why staff is working on the text amendment to address this issue.

The Chairperson thanked Ms. Young for the presentations.

Information

Planning Director's Report
Director Campbell referred the Commission to Attachments 2 and 3.

Committee Reports

Executive Committee
Chairperson Dodson referred the Commission to Attachment 4, the minutes from January Executive Committee meeting.

Zoning Committee
Ms. Keplinger reported that are 12 decisions for the March meeting. There are 10 public hearings, three deferrals and one withdrawal. Cases of special interest include submittals by Providence Farms/Matthews Property, Hawthorn Retirement Center (located on Providence Road) at Kuykendall, and Stonehunt (located in the Cherry community).

Planning Committee
Vice-Chairperson Lathrop reported that the Planning Committee has three mandatory referrals this month, as well as a Blue Line Extension update from staff. He then referred the Commission to the minutes from their February meeting (Attachment 7).

Historic District Commission (HDC)
Commissioner Labovitz said that case loads are increasing. She also reported that staff and the Commission are working to streamline the process.

Charlotte Regional Transportation Planning Organization (CRTPO)
Commissioner Zoutewelle reported that CRTPO is in a 30-day public notice and comment period for the Comprehensive Transportation Plan. This Plan is a compellation of several maps and will replace the 2004 Long Range Transportation Plan. The Comprehensive Plan includes a highway map, a bike and pedestrian map, as well as a freight and rail component map. CRTPO is also working hard on Prioritization 3.0.

Communication from Chairperson

Planning Commission Involvement in Public Input Processes Initiated by Planning Staff
Chairperson Dodson mentioned that the Planning Commission Involvement in Public Input Processes Initiated by Planning Staff document that was included in the agenda packet. She said that the Executive Committee has proposed changes to the document and the document needs to be approved by the full Commission. She asked Commissioners to review it and sated that it would be voted on at the April meeting. She mentioned that since Commissioners are assigned to track text amendments and area plans, the Executive Committee wants to make sure this document is accurate. She asked Commissioners to contact her if they had any questions.

Communications Committee
Chairperson Dodson stated that each year the Communication Committee is responsible for developing a mid-year communication statement to City Council outlining its recommendations for planning priorities in the upcoming fiscal year. She noted that the Commission is behind this year, but Vice-Chairperson Lathrop is chairing the Communication Committee and will be working to draft the statement to Council by next month.

Lastly, Chairperson Dodson reminded Commissioners that they were scheduled to have lunch with staff immediately following the meeting. She explained that it is an opportunity for Commissioners and staff to communicate and become acquainted. She mentioned that there will be time to interact with staff before lunch and there will be questions displayed on the screen to help stimulate conversation. Cheryl Neely explained that Commissioners are assigned to tables so that they can interact with staff.

Adjournment

The meeting adjourned at 1:05 p.m.

Charlotte-Mecklenburg Planning Department

Community Outreach Presentations

#	Date	Presentation	Staff
1	01/08/14	Charlotte Regional Transportation Planning Organization (CRTPO) - Orientation	Cook/Landa/Basham/ Bridges/McCullough
2	01/21/14	RE/MAX Executive Company Meeting - *Transportation Planning & Projects in the Charlotte Region*	Bridges
3	01/22/14	Greater Catawba River District Neighbors Meeting	McCullough
4	02/19/14	Charlotte-Mecklenburg Schools Academic Internship Day	Basham
5	02/19/14	Home Builders Association Land Development Council - The Planning Department and Development Approvals	Harmon/Weaver
6	03/03/14	Mecklenburg County Chapter of the North Carolina Surveyors Association - Digital Review of Subdivision Submittals & Proposed Text Amendment for Setback Measurements	Weaver
7	03/03/14	Graham Heights Neighborhood Association - 2040 Metropolitan Transportation Plan	Cook
8	03/04/14	Radio Interview on 102.3 - 2040 Metropolitan Transportation Plan	Gonzalez
9	03/04/14	Public Meeting (Charlotte) - 2040 Metropolitan Transportation Plan	Cook/Bridges/Burke
10	03/06/14	Public Meeting (Indian Trail) - 2040 Metropolitan Transportation Plan	Cook/Bridges/Burke/ Basham
11	03/07/14	Public Meeting (Charlotte) - 2040 Metropolitan Transportation Plan	Cook/Burke
12	03/17/14	Environmental Justice Communities (Statesville) - 2040 Metropolitan Transportation Plan	Bridges
13	03/18/14	Mecklenburg Livable Communities-Built Environment Work Group - 2040 Metropolitan Transportation Plan	Cook
14	03/20/14	New City of Charlotte Council Members - Blue Line Extension Tour	Campbell/Cornett
15	03/27/14	Mallard Creek Community Organization - Prosperity Hucks Area Plan	Main

Charlotte-Mecklenburg Planning Commission

Attachment 3

Meeting Schedule
April 2014

Date	Time	Purpose	Location
Full Planning Commission			
04-07-14	Noon	Work Session	Conference Room 267 2nd Floor - CMGC
Executive Committee			
04-28-14	3:30 p.m.	Work Session[1]	Conference Room 266 2nd Floor – CMGC
Planning Committee			
04-15-14	5:00 p.m.	Work Session	Conference Room 267 2nd Floor - CMGC
Zoning Committee			
04-28-14	4:00 p.m.	Combined Business/ Zoning Meeting[2]	Meeting Chamber Lobby Level – CMGC
05-05-14	2:00 p.m.	Work Session[3]	Conference Room CH-14 Basement - CMGC
Other Committee(s)			
04-04-14	Noon	Planning Coordinating Committee	Atrium Corporate Center 4421 Stuart Andrew Blvd., Suite 311
04-09-14	3:00 p.m.	Historic District Commission	Conference Room 280 2nd Floor - CMGC
04-16-14	5:00 p.m.	MPO Education Session	Conference Room 267 2nd Floor – CMGC
04-16-14	6:00 p.m.	CRTPO Meeting	Conference Room 267 2nd Floor – CMGC

Charlotte-Mecklenburg Planning Department Meetings

Mobile Food Vendors Text Amendment			
04-03-14	6:00 p.m.	Citizen Advisory Group	Conference Room 267 2nd Floor - CMGC
Land Use Policy Assessment			
04-10-14	6:00-8:00 p.m.	Public Workshop	Conference Room 267 2nd Floor – CMGC

[1] The regularly scheduled April 21, 2014 Executive Committee meeting has been rescheduled to April 28, 2014.
[2] The Council dinner meeting begins at 4:00 pm, the Citizen's Forum begins at 5:30 pm, and the Zoning portion of the meeting begins at 6:00 pm.
[3] The April Zoning Committee work session was rescheduled to May 5, 2014.

Charlotte-Mecklenburg Planning Commission
Meeting Schedule
May 2014

Date	Time	Purpose	Location
Full Planning Commission			
05-05-14	Noon	Work Session	Conference Room 267 2nd Floor - CMGC
Executive Committee			
05-19-14	4:00 p.m.	Work Session	Conference Room 266 2nd Floor – CMGC
Planning Committee			
05-20-14	5:00 p.m.	Work Session	Conference Room 280 2nd Floor - CMGC
Zoning Committee			
05-05-14	2:00 p.m.	Work Session[1]	Conference Room 280 2nd Floor - CMGC
05-19-14	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
05-19-14	6:00 p.m.	City Rezonings	Meeting Chamber Lobby Level – CMGC
05-28-14	4:30 p.m.	Work Session	Conference Room 280 2nd Floor – CMGC
Other Committee(s)			
05-14-14	3:00 p.m.	Historic District Commission	Conference Room 280 2nd Floor - CMGC
05-21-14	6:00 p.m.	CRTPO Meeting	Conference Room 267 2nd Floor – CMGC

Charlotte-Mecklenburg Planning Department Meetings

PED Text Amendment *(Formerly Midtown Morehead Cherry Pedestrian Overlay)*

05-01-14	6:00 p.m.	Public Meeting	Conference Room 280 2nd Floor - CMGC

[1] The regularly scheduled April Zoning Committee work session was rescheduled to May 5, 2014.

Charlotte-Mecklenburg Planning Commission
Executive Committee

Attachment 4

Approved
March 17, 2014

February 17, 2014 – 4:00 p.m.
CMGC – Conference Room 266
Minutes

Call to Order & Introductions

The meeting was called to order at 4:02 p.m.

Attendance

Commissioners Present: Tracy Dodson (Chairperson), Tony Lathrop (Vice-Chairperson), Emma Allen and Ray Eschert

Commissioner Allen arrived at 4:15 p.m.

Commissioner(s) Absent: None

Planning Staff Present: Debra Campbell (Planning Director) Cheryl Neely and Michelle Barber (temporary staff)

Approval of Minutes

A motion was made by Commissioner Eschert and seconded by Vice-Chairperson Lathrop to approve the January 21, 2014 Executive Committee minutes. The vote was 3 to 0 to approve the minutes.

Follow-up Assignments

Planning Commission Involvement in Public Input Processes

Chairperson Dodson asked if the Planning Commission Involvement in Public Input Processes document is ready for review by the full Commission. Cheryl Neely responded that she sent the revised document, with the proposed changes to the Executive Committee for review and did not receive any additional comments. Vice-Chairperson Lathrop stated that he had previously provided comments on the document. The Chairperson said that she will discuss the document with the full Commission at their March work session.

Communication Committee – January Communication to Council

Chairperson Dodson reminded the Committee that the Rules of Procedure require that the Commission provide a mid-year communication statement to City Council about the Commission's priorities. She asked the Planning Director about the status of the FY15 budget process. The Director replied that the budget process has begun and the Budget Committee met today and will be meeting every other week from now until June. The Director also noted that staff will meet with the City Manager and Budget Director tomorrow to review the department's FY15 budget submittal. She indicated that it may be challenging to get on Council's agenda and suggested that the Commission send a formal written communication statement to Council this year. Chairperson Dodson agreed and stated that she preferred a written statement this year since the Commission will be showing their support of the Department's budget request for the Zoning Ordinance update.

Director Campbell said that she will inform the City Manager that the Planning Commission will possibly advocate for the Department's budget request. Vice-Chairperson Lathrop asked when he should start preparing the communication statement. Chairperson Dodson replied that additional Commissioners needed to be assigned to the Communication Committee. She indicated that the

Communication Committee could coordinate with the Planning Director after the meeting with the City Manager and Budget Director. Cheryl Neely clarified that the Communication Committee should consist of three Commissioners, with the Chairperson being from the Executive Committee.

Vice-Chairperson Lathrop asked if the communication statement to Council should be a summary/ mid-year status report from the Commission. Chairperson Dodson replied yes and stated that this year there is an opportunity for the Commission to inform Council of their support of critical Planning initiatives. The Chairperson stated that she would like to have a draft of the statement to Council by the next Executive Committee meeting. Vice-Chairperson Lathrop offered to circulate the document among the full Commission as part of the process. Chairperson Dodson thinks that the document should be brief and update Council of the Commission's priorities and particularly their support of the Zoning Ordinance update.

Commissioner Eschert asked if Vice-Chairperson Lathrop was looking for volunteers for the Communication Committee or if assignments will be made. Vice-Chairperson Lathrop said that it would be easier to assign Commissioners, but he thought it would be best to ask for volunteers. Chairperson Dodson agreed. Commissioner Eschert volunteered to be a member of the Communication Committee. Vice-Chairperson Lathrop thanked Commissioner Eschert for volunteering and stated that he did not have another Commissioner in mind for this Committee.

Future Work Session Agenda Items

Chairperson Dodson asked about the timing of the Community Investment Plan (CIP) presentation and stated that the March meeting would be shortened to one hour to allow for the Commission and staff luncheon afterwards. She suggested that the CIP presentation be scheduled for a later date since the Mobile Food Vendors and Mobile Farmers' Market text amendments are on the March agenda. The Planning Director suggested that the CIP presentation be placed on the April work session agenda.

Future Work Session Agenda Items	Work Session
1. Community Investment Plan	April

Approval of the March 3 Work Session Agenda

The Committee reviewed the March work session draft agenda. The Director stated that the Mobile Farmers' Market Text Amendment public hearing was deferred until March because the Citizen Advisory Group (CAG) meeting had to be rescheduled due to inclement weather. (The CAG meeting was rescheduled to February 27th.)

Cheryl Neely informed the committee that the next Mobile Food Vendors' CAG meeting is scheduled for March 11th. The Director added that the presentations will include updates from the CAG meetings.

Cheryl Neely expressed concern about the number of agenda items since the March meeting will be shortened to allow for the luncheon with staff afterwards. Chairperson Dodson stated that most of the agenda items should not take long. The only potential time consuming items are the text amendments. Vice-Chairperson Lathrop agreed and said that the question and discussion sessions for the text amendment presentations could impact the meeting time. The Director stated that the text amendment presentations will be limited to 10 minutes each and suggested that the Chairperson facilitate the

questions and discussions following these presentations. Chairperson Dodson said she would monitor the time and end the discussions if time becomes an issue. Vice-Chairperson Lathrop said that he would support Chairperson Dodson so that the meeting can end by 1:00 p.m. The Chairperson asked Cheryl Neely to place the Communication Committee and the Planning Commission Involvement in Public Input Processes items under the Communication from Chairperson section of the agenda.

Vice-Chairperson Lathrop made a motion to approve the work session agenda with the modifications. The motion was seconded by Commissioner Eschert. The vote to approve was 3 to 0 to approve.

Approval of the March and April 2014 Meeting Schedules

The Committee reviewed the March and April meeting schedules. Cheryl Neely stated that the City Council zoning meeting is on April 28th and it is a combined Business/Zoning meeting. Ms. Neely asked if the Executive Committee wanted to reschedule their April meeting from the 21st to the 28th to be consistent with the date of the Council zoning meeting. The Director stated that the Executive Committee meeting would have to start prior to 4:00 p.m. because the Council meeting is at 4:00 p.m. The Committee agreed to reschedule the April Executive Committee meeting to April 28th at 3:30 p.m.

Chairperson Dodson asked when the April Zoning Committee meeting would be scheduled. The Director stated that it would definitely be held in May. Cheryl Neely added that she had talked to Assistant Director Laura Harmon about the date of the meeting and Ms. Harmon had indicated that the Zoning Committee would decide on an April meeting date at their upcoming February meeting.

The Chairperson asked for a motion to approve the meeting schedules. Vice-Chairperson Lathrop made a motion to approve the March and April 2014 meeting schedules with the changes discussed. The motion was seconded by Commissioner Eschert. The vote was 4 to 0 to approve.

Chairperson Dodson reminded the Committee that she will not be able to attend the March 17th City Council zoning meeting or the Executive Committee meeting.

Adjournment

The meeting adjourned at 4:20 p.m.

Attachment 5

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, Rm. 280
March 26, 2014
4:30 P.M.

1.	**Petition No. 2013-072** (Council District 4 – Phipps) **by Full Moon of Union, LLC** for a change in zoning for approximately 5.94 acres located at the intersection of Eastfield Road and Prosperity Church Road from R-3 (single family residential) to NS (neighborhood services).
2.	**Petition No. 2013-085** (Outside City Limits) **by Providence Road Farms, LLC / Crosland Southeast / Childress Klein Properties** for a change in zoning for approximately 89.5 acres located on the east side of Providence Road between Golf Links Drive and Chancelot Lane from R-3 (single family residential) & R-3(CD) (single family residential, conditional) to MUDD-O (mixed use development, optional) & MX-2(Innov.), 5 year vested rights (mixed use, innovative, 5 year vested rights).
3.	**Petition No. 2013-090 by Charlotte-Mecklenburg Planning Department** for a Text Amendment to the City of Charlotte Zoning Ordinance to create new definitions and regulations for eating, drinking and entertainment establishments by replacing definitions and regulations for restaurants, nightclubs, bars and lounges. Allows eating, drinking and entertainment establishments by right or with prescribed conditions in the following zoning districts: multi-family, UR-2, urban residential, UR-3, urban residential, UR-C, urban residential, commercial, institutional, research, office, business, MX-1, mixed use, MX-2, mixed use, MX-3, mixed use, MUDD, mixed use development, UMUD, uptown mixed use development, CC, commercial center, NS, neighborhood services, TOD, transit oriented development, U-I, urban industrial, industrial, PED, pedestrian overlay and TS, transit supportive overlay.
4.	**Petition No. 2013-102** (Council District 1 – Kinsey) **by Wajahat & Ferah Syed** for a change in zoning for approximately 0.40 acres located on the south side of North Davidson Street between East 33rd Street and East 35th Street from R-5 (single family residential) & MUDD-O (mixed use development, optional) to TOD-MO (transit oriented development, mixed, optional) & MUDD-O SPA (mixed use development, optional, site plan amendment).
5.	**Petition No. 2014-001** (Council District 1 – Kinsey) **by Weekley Homes, LP** for a change in zoning for approximately 1.02 acres located on the northeast corner at the intersection of Ideal Way and Euclid Avenue from R-5, single-family residential and MUDD(CD), mixed use development, conditional to UR-2(CD), urban residential, conditional.
6.	**Petition No. 2014-013** (Council District 7 - Driggs) **by Hawthorn Retirement, LLC** for a change in zoning for approximately 10.01 acres located on the east side of Providence Road between Lakeside Drive and Kuykendall Road from R-3 (single family residential) to INST(CD) (institutional, conditional).
7.	**Petition No. 2014-014** (Council District 2 - Austin) **by Sam's Real Estate Holdings, Georgia, LLC** for a change in zoning for approximately 1.9 acres located on the north corner at the intersection of Northlake Centre Parkway and Point O'Woods Drive from R-3, single family residential to NS, neighborhood services.
8.	**Petition No. 2014-015** (Council District 2 - Austin) **by St. Michael & All Angels** for a change in zoning for approximately 5.73 acres located on the southeast corner at the intersection of West Sugar Creek Road and David Cox Road from NS (neighborhood services) to R-3 (single family residential).

9.	**Petition No. 2014-021** **by Charlotte-Mecklenburg Planning Department** for a Text Amendment to the City of Charlotte Zoning Ordinance adding a new definition for mobile farmer's markets and allowing it with prescribed conditions in a variety of zoning districts.
10.	**Petition No. 2014-023** (Council District 1 – Kinsey) **by Edgeline Residential, LLC** for a change in zoning for approximately 2.15 acres located on the south corner at the intersection of North Caldwell Street and East 16th Street and generally surrounded by East 16th Street, North Davidson Street, and East 16th Street from MUDD(CD) (mixed use development, conditional) to MUDD(CD) SPA (mixed use development, conditional, site plan amendment).
11.	**Petition No. 2014-024** (Council District 12 – Kinsey) **by Stonehunt, LLC** for a change in zoning for approximately 5.71 acres located on the west side of Luther Street generally surrounded by Cherry Street, Main Street, Baxter Street and Eli Street from UR-2(CD) (urban residential, conditional) to UR-2(CD) SPA (urban residential, conditional, site plan amendment).
12.	**Petition No. 2014-025** (Council District 7 – Driggs) **by Trinity Capital Advisors, LLC** for a change in zoning for approximately 8.50 acres located on the north side of Interstate 485 between Johnston Road, Toringdon Way, and North Community House Road from CC (commercial center) to CC SPA (commercial center, site plan amendment).
13.	**Petition No. 2014-027** (Council District 3 – Mayfield) **by Charlotte-Mecklenburg Planning Department** for a change in zoning for two parcels approximately 0.81 acres located on the west side of Dunavant Street between Remount Road and Merve Place from I-2 (general industrial) to TOD-M (transit oriented development, mixed).

Attachment 6

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 4:00 P.M. on **Monday, the 28th day of April, 2014** on the following petitions that propose changes to the Official Zoning Maps of the City of Charlotte, North Carolina:

Petition No. 2014-003 by George M. Macon for a change in zoning for approximately 4.65 acres located on the southeast corner at the intersection of Ardrey Kell Road and Marvin Road from R-3 to O-1(CD).

Petition No. 2014-028 by Lat Purser & Associates for a change in zoning for approximately 1.68 acres located on the southeast corner at the intersection of Abbey Place and Hedgemore Drive from O-1 to MUDD-O.

Petition No. 2014-030 by Golden Triangle # 2 for a change in zoning for approximately 1.3 acres located on the southeast corner at the intersection of Metropolitan Avenue, South Kings Drive, and Baxter Street from MUDD-O to MUDD-O SPA.

Petition No. 2014-031 by Wilkison Partners, LLC for a change in zoning for approximately 5.9 acres located on the southeast corner at the intersection of Youngblood Road and Shelburne Farms Drive from MX-3(LLWCA) to MX-3 SPA(LLWCA).

Petition No. 2014-032 by The Affordable Housing Group of North Carolina, Inc. / The Drakeford Company for a change in zoning for approximately 3.72 acres located on the west side of Beatties Ford Road between Pauline Lane and Sunset Road from R-4 to UR-2(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

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, April 23rd, 2014**.

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 4:00 P.M. on **Monday, the 28th day of April, 2014** on the following petition that propose changes to the City of Charlotte Zoning Ordinance:

Petition No. 2014-38 by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to add stadiums, coliseums, and arenas as uses permitted

under prescribed conditions in the MUDD district, and to correct the use table to indicate stadiums and coliseums are currently permitted, under prescribed conditions, in the UMUD district.

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

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Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
February 18, 2014 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

Attachment 7
Approved
March 18, 2014

Attendance
Commissioners Present: Chairperson Tony Lathrop, Vice-Chairperson Raymond Eschert, Randy Fink, Dionne Nelson, Michael Sullivan, Andy Zoutewelle and Cozzie Watkins

Planning Staff Present: Alberto Gonzalez, Sonda Kennedy, Melony McCullough, Ed McKinney. Kent Main, Bryman Suttle and Jonathan Wells

Other Staff Present: Katie Daughtry (County Asset and Facility Management) and Susan Cannella (Charlotte-Mecklenburg Schools)

Call to Order and Introductions
Chairperson Lathrop called the meeting to order at 5:10 p.m. and welcomed new Planning Commissioner, Cozzie Watkins, to the Planning Committee. He also thanked Commissioners Nelson and Sullivan for their support and service to the Planning Committee. Both will be rotating to the Zoning Committee.

Approve January 21, 2014 Minutes
A motion was made by Vice-Chairperson Eschert and seconded by Commissioner Sullivan to approve the January 21, 2014 minutes. The vote was unanimous to approve.

Recommendation on the draft *Prosperity Hucks Area Plan*
Chairperson Lathrop stated that the Committee will make a recommendation on the draft plan at this meeting. He commended staff on their good work. He added that the tour of the area was helpful and provided better insight on the project.

Kent Main (Planning) gave a brief overview of the planning process for the *Prosperity Hucks Area Plan.* The process began in November 2012. The plan area covers approximately 6,200 acres located in the northeastern portion of the County. He talked about the street name changes, the three bridges over I-485 and the need for a fourth bridge to provide additional connections. The Planning Committee received public comment on the draft plan at their January 21 meeting. City Council's Transportation and Planning Committee received an overview of the plan at their February 10 meeting and voted unanimously to forward the plan to Council for public comment on February 24.

Mr. Main passed out copies of the market analysis for the area plan that was developed by Noell Consulting Group. He said this document will help answer questions that were raised at last month's meeting concerning the market analysis.

Vice-Chairperson Eschert thanked staff for their work on the plan. He acknowledged that there were some uncomfortable issues but he thinks that overall it is an excellent plan. Commissioner Zoutewelle asked a question about the recommended land use at Eastfield and Prosperity Church roads (Policy L-9). Mr. Main replied that there is a pending rezoning application for mixed used development in this area. Commissioner Zoutewelle's other question was about the construction of a bridge at 2nd Street and I-485 (Policy T-14). Mr. Main stated that there is a proposal for a connection which is not in this plan.

Commissioner Zoutewelle stated that Michael O'Hara (one of the speaker at the January Planning Committee meeting) contacted him to express his concerns about the Hucks Road Extension project. Mr. Main explained that the section of Hucks Road that was previously planned to go through the nature preserve has been rerouted. He further explained that 100' right-of-way was reserved for the section of Hucks Road that extends from Browne Road to Prosperity Church Road prior to the area developing. This road improvement is still needed to make the street network function long term.

Commissioner Fink said this was his introduction to the planning process and he was impressed. He thinks the plan's efforts to organize planning for the community was great. He further stated that he was impressed with the methodology, the meeting setup, and the way staff made the community feel as though they owned this plan. He agreed with others that this was a very good plan and that there was a lot of leadership from staff.

A motion was made by Vice-Chairperson Eschert and seconded by Commissioner Zoutewelle to recommend that City Council adopt the draft Prosperity Hucks Area Plan. The vote was unanimous to recommend adoption of the draft Prosperity Hucks Area Plan.

M.R. #14-05: Proposal by Charlotte-Mecklenburg Schools to Purchase the Atrium Corporate Center for use as Administrative Offices

Alberto Gonzalez (Planning) presented this proposal by Charlotte-Mecklenburg Schools (CMS) to acquire approximately 9 acres located on Stuart Andrew Boulevard and Pressley Road (PIDs 145-331-11 and 07), also known as Atrium Corporate Center. The purchase of these properties will provide permanent office space for CMS administrative staff. He noted that some former school buildings are used for administrative office space. However, that space is needed for students. This project is consistent with adopted public policies and adopted land use plans. Commissioner Fink stated that this was clearly an office park and asked about the inconsistencies with land use and should the property be used for industrial land uses. Mr. Gonzalez replied that the *Central District Plan* (1993) recommends retail and industrial land uses for this parcel and that an employment center is considered to be consistent with the intent of the plan.

A motion was made by Commissioner Zoutewelle and seconded by Commissioner Nelson to approve Planning staff's recommendation for Mandatory Referral #14-05. The vote was unanimous to approve staff's recommendation for Mandatory Referral #14-05.

M.R. #14-06: Proposal by Mecklenburg County Park and Recreation Department to Acquire Property Located on Holloway Street in the Hidden Valley Neighborhood

Commissioner Zoutewelle disclosed to the Committee that his land surveying firm does work for Mecklenburg County but was not involved with this parcel. The Committee decided that there was no conflict of interest.

Jonathan Wells (Planning) presented the proposal from Mecklenburg County Park and Recreation Department to acquire approximately 0.76 acres located at 4715 Holloway Street (PID 089-022-06) for the expansion of Little Sugar Creek Greenway. The property is currently occupied by a vacant house. This proposal would provide park land for the Hidden Valley neighborhood near Martin Luther King Jr. Middle School and the community's ecological garden. It will also improve connections between the school, park and garden.

The acquisition of this property is consistent with recommendations in the County's *2008 Parks Master Plan* as well as the *Northeast District Plan* (1996). This property is to be utilized as greenway and a neighborhood park. Commissioner Sullivan asked if the property is in the floodplain. Ms. Katie Daughtery (County Asset and facility Management) stated that the structure is but not the property. He also asked about the location of the main trail. Ms. Daughtery answered that it is west of this location. Chairperson Lathrop asked if the plan is to extend the open space area toward Martin Luther King Drive. She said yes. Commissioner Nelson asked if the shaded green area on the map is already a part of the greenway. Ms. Daughtery replied yes. Chairperson Lathrop asked if the plan will acquire the whole trapezoid shaped area and staff answered yes. Commissioner Sullivan asked if neighborhoods had any input. Ms. Daughtery said that the neighborhood and NorthEnd Partners are very involved and are excited about the project.

A motion was made by Commissioner Nelson and seconded by Vice-Chairperson Eschert to approve Planning staff's recommendation for Mandatory Referral #14-06. The vote was unanimous to approve staff's recommendation for Mandatory Referral #14-06.

Area Plan Status and Meeting Report

Commissioner Nelson reported that she did not have an update on the University City Area Plan - Blue Line Extension Transit Station Area planning process latest workshop. She stated that there is an upcoming workshop in March that will focus on transportation and design guidelines.

Ms. Melony McCullough gave a brief overview of the planning process for the new committee member, Commissioner Watkins. She said that there is a community meeting tonight. The meeting was rescheduled to this date because of inclement weather. There will be another meeting March 11 for public comment.

Chairperson Lathrop will consult with Commissioner Finch-Dodson concerning another appointee to the University City Area Plan - Blue Line Extension Transit Station Area planning process. Ms. McCullough also mentioned that staff is available to provide a tour of this area, if anyone is interested. Chairperson Lathrop said that more than one commissioner can attend these meetings. The Committee agreed that Ms. McCullough should send a reminder of the March 11 meeting to all of the committee members.

Adjourn

RECOMMENDATION AGENDA

1. 2309 Dilworth Road W, Dilworth Local Historic District **Porch/Rear Addition** **Aaron Elrod, Applicant**	**HDC 2013-184**	**APPROVED**
2. 2218 Charlotte Drive, Dilworth Local Historic District **Plan Revision** **Chris Scorcone, Applicant**	**HDC 2011-011**	**APPROVED**

APPLICATIONS FOR A CERTIFICATE OF APPROPRIATENESS

3. 1923 Dilworth Road E, Dilworth Local Historic District **Fence/Retaining Wall** **Joelle & Carl Jacobs, Owner**	**HDC 2012-029**	**APPROVED**
4. 1003 Romany Road, Dilworth Local Historic District **COA Amendment** **Angie Lauer, ALB Architecture, Applicant**	**HDC 2013-026**	**APPROVED**

NOTE: The cases listed below will not be heard prior to 5:00 PM.

5. 2004 Charlotte Drive, Dilworth Local Historic District **Second Story/Dormer Addition** **Peter Vasseur, Vasseur Home Design, Applicant**	**HDC 2014-002**	**DEFERRED**
6. 816 Brookside Avenue, Dilworth Local Historic District **Second Story Dormer/Rear 2-Floor Addition/Tree Removal** **Matthew & Jennifer Orso, Applicant**	**HDC 2014-008**	**APPROVED**
7. 325 East Boulevard, Dilworth Local Historic District **Demolition** **Ladd Ackerman, trustee, Applicant**	**HDC 2014-021**	**365 DAY STAY**
8. 311 East Boulevard, Dilworth Local Historic District **Roof Replacement** **Jack Apple, Owner**	**HDC 2014-027**	**DROPPED OFF AGENDA**