

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

Planning Commission

Nov 2, 2015
work session

Charlotte-Mecklenburg
Government Center

Room 267
Noon

Charlotte-Mecklenburg Planning Commission

Work Session Agenda

November 2, 2015 – Noon

CMGC – Conference Room 267

Call to Order & Introductions

Tony Lathrop

Administration

Tony Lathrop

Certificates of Appreciation

Present Certificate of Appreciation to former Commissioner Dwayne Walker.

Approval of Planning Commission Minutes

Approve the October 5, 2015 minutes.

Attachment 1

Information

Planning Director's Report

Ed McKinney

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

Attachment 2

November & December 2015 Meeting Schedules

Attachment 3

Committee Reports

- **Executive Committee**
 - September 21, 2015 Approved Minutes
 - Future Work Session Agenda Items

Tony Lathrop
Attachment 4

- **Zoning Ordinance Ad Hoc Committee**

Tony Lathrop

- **Zoning Committee**
 - Upcoming Rezoning Petitions
 - September 30, 2015 Agenda

Tony Lathrop
Tammie Keplinger
Attachment 5

- **Planning Committee**
 - September 15, 2015 Approved Minutes

Cozzie Watkins
Attachment 6

- **Historic District Commission (HDC)**
 - October 14, 2015 Meeting Update

Nasif Majeed
Attachment 7

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

Cozzie Watkins

Communication from Chairperson

Tony Lathrop

- Knight Foundation - Copenhagen Study Tour Video
- Vice-Chairperson Vacancy

- **FY16 Action Plan Follow-up**

Attachment 8

The Planning Commission will receive updates and discuss the FY16 Action Plan items.

Charlotte-Mecklenburg Planning Commission

Attachment 1

Work Session

October 5, 2015 12:00 pm

CMGC- Room 267

Summary Minutes

Attendance

Commissioners Present: Tony Lathrop (Chairperson), Randy Fink (Vice-Chairperson), Emma Allen, Ray Eschert, John Fryday, Karen Labovitz, Nasif Majeed, Bolyn McClung, Dionne Nelson, Deb Ryan, Mike Sullivan and Cozzie Watkins

Commissioner Wiggins arrived at 1:25pm

Commissioner Watkins left at 1:27 pm

Commissioners Absent: Tracy Dodson

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

Welcome & Introductions

Chairperson Lathrop called the meeting to order at 12:13 p.m., welcomed those present and asked everyone to introduce themselves.

Approval of Minutes

Commissioner Fink made a motion to approve the September 11, 2015 work session/retreat minutes. Commissioner Allen seconded the motion. Commissioner Fryday stated that Joe Padilla with the Real Estate and Building Industry Coalition (REBIC) attended the retreat, but was not listed as an attendee in the minutes. The Commission asked staff to modify the minutes to include Mr. Padilla. The motion was amended to include the modification and the minutes were approved unanimously.

Information

Planning Director's Report

Ed McKinney (Interim Director) stated that the Zoning Ordinance Ad Hoc Committee meeting was held prior to the work session. He reported that over the next couple of months staff will coordinate with the consultant (Camiros) to define an approach for working with the Planning Commission, Council's Transportation and Planning (TAP) Committee and City Council in order to clarify the goals and get consensus on the fundamental outcomes of the Zoning Ordinance Update.

Staff will also work with the Executive Committee to get a better understanding of what type of information would be most useful to include in Attachment 2 so that Commissioners can become engaged in some of the Department's community outreach efforts.

Committee Reports

Chairperson Lathrop explained that the main purpose of the meeting is to discuss follow-up items from the retreat. The Committee Reports were first on the agenda so that there would be sufficient time to discuss the retreat follow-up items.

Executive Committee

The Chairperson directed the Commission to Attachment 4, the June 15 and July 20 Executive Committee minutes. He also asked Commissioners to be thinking about future work session agenda items in relation to the Zoning Ordinance Update and the retreat follow-up items.

Zoning Ordinance Ad Hoc Committee

Chairperson Lathrop stated that Mr. McKinney had already provided an update from the Zoning Ordinance Ad Hoc Committee meeting.

Zoning Committee

Laura Harmon stated that there are 15 cases scheduled for public hearing in October and approximately 30 cases for December. Due to the Christmas Holiday, the December meeting is a joint Council Business and Zoning meeting on the second Monday in December. Since there are so many petitions in December, staff is looking at making adjustments to the schedule (possibly scheduling additional meetings) to make the meetings more manageable and to prevent lengthy, late night meetings.

Planning Committee

Vice-Chairperson Fink stated that the Planning Committee had a very productive meeting. He explained that Commissioner McClung suggested a procedural recommendation for the mandatory referrals to be handled by one vote, except for those mandatory referrals that the Committee would like to discuss. The Committee agreed to this suggestion and it allowed for more time to discuss other items. The Committee had a “white board” conversation around policy and big picture planning for the future. Commissioner Ryan added that the procedural change in the meeting format for mandatory referrals worked well. She suggested that perhaps the Zoning Committee could use a similar procedure for rezoning petitions.

Historic District Commission (HDC)

There was not an HDC report at this meeting.

Charlotte Regional Planning Transportation Organization (CRPTO)

Commissioner Watkins stated there are still concerns about toll lanes as well as funding for future road projects.

Retreat Follow-Up

Commissioners discussed and provided updates to the Action Steps which were identified at their September 11, 2015 retreat. Below are the action items from the discussion:

Action Step	Assignment
<p>1. Receive staff input on rezoning cases prior to the zoning public hearing.</p> <p>Action: Commissioners Nelson and Dodson will discuss this and coordinate with Laura Harmon. They will place this on the October Zoning Committee agenda for discussion and report back at the November work session or at another time as directed by the Executive Committee.</p>	<p><i>Dionne Nelson & Tracy Dodson</i></p>

<p>2. Investigate whether a smaller or alternative group can review and make recommendations on Mandatory Referrals.</p> <p>Action: Vice-Chairperson Fink suggested that there be a resolution for Council to remove mandatory referrals (as part of their legislative agenda) from the Planning Committee this fiscal year. He will research this for further discussion at the next work session. In the meantime, the Committee decided to take action by consent on Mandatory Referrals that Commissioners do not wish to discuss.</p>	<p><i>Randy Fink & Planning Director</i></p>
<p>3. Focus the Planning Commission Work Sessions on discussions between Commissioners, which result in actions, rather than presentations. Also, Commissioners should receive advance notice of any presentations and a summary of the goals and actions required by the Commissioners regarding any presentations.</p> <p>Action: The Chairperson indicated that the Executive Committee will identify work session agenda items.</p>	<p><i>Executive Committee & Planning Director</i></p>
<p>4. Inform the Planning Commission of the Department's work program areas where the Planning Staff needs the Commission's assistance.</p> <p>Action: Ed McKinney will identify these areas and coordinate with the Executive Committee throughout the year. Staff will bring critical issues to the Commission, for input, as part of the Zoning Ordinance Update.</p>	<p><i>Planning Director</i></p>
<p>5. Assign a Planning Commissioner and an alternate to attend the City Council's Transportation and Planning Committee meetings.</p> <p>Action: Commissioner Ryan volunteered to attend the TAP Committee meetings.</p>	<p><i>Executive Committee</i></p>
<p>6. Develop an annual Work Plan for the Planning Commission and share it with Elected Officials.</p> <p>Action: The Planning Committee will continue to discuss this and bring it back to the full Commission for input.</p>	<p><i>Planning Committee</i></p>
<p>7. Review the Planning Liaison/Planning Coordinating Committee's history and structure and determine if another planning liaison type committee should be formed to better coordinate planning policies and projects with the City, County and Charlotte-Mecklenburg Schools.</p> <p>Action: Vice-Chairperson Fink researched this and will get more feedback. He preliminarily suggested that the Commission could facilitate the elected officials coming together to make sure they are discussing planning related policies and projects.</p>	<p><i>Randy Fink</i></p>

8. Hold periodic meetings with Elected Officials to discuss goals and priorities. Action: The Commission agreed to periodically invite Elected Officials to the work sessions. They mentioned inviting some City Council members and County Commissioners to the January work session.	<i>Executive Committee</i>
9. Explore options for Planning Commissioners to join the American Planning Association (APA). Action: Commissioner Wiggins suggested that Commissioners join the APA group for Planning Commissioners. Staff will follow-up and report back at the November work session.	<i>Planning Director</i>

The Chairperson thanked everyone for being engaged in the discussion and for providing input. Time will be allotted at the next work session for follow-up and continued discussion of the Action Steps.

Adjournment

The meeting adjourned at 1:55 p.m.

Charlotte-Mecklenburg Planning Department

Community Outreach Presentations

Date	Presentation	Staff
10/07/15	UNC Charlotte Transportation Festival	Mahoney/Vari
10/07/15	Monroe Road Community Association	Vari
10/13/15	Blue Line Extension Public Meeting	Vari
10/14/15	Blue Line Extension Public Meeting	Vari
10/15/15	Blue Line Extension Public Meeting	Vari
11/04/15	Sorting out the New South (with Tom Hanchett), Providence Baptist Church 6 pm	Howard
11/07/15	Community Building Initiative Neighborhood Bus Tour, First Presbyterian Church 9 am	Howard
11/12/15	Goodwill Industries, Crowder Construction Institute - Careers in Architecture, Planning and Construction 10 am	Howard
11/16/15	Community Building Initiative Neighborhood Bus Tour, Foundation for the Carolinas - Charlotte Beyond the Bridge 11 am	Howard
11/18/15	Women in Transportation Seminar (WTS) - Comprehensive Transportation Plan 12 pm	Cook

Charlotte-Mecklenburg Planning Commission

Attachment 3

Meeting Schedule

November 2015

Date	Time	Purpose	Location
Full Planning Commission			
11-02-15	Noon	Work Session	Conference Room 267 2 nd Floor-CMGC
Executive Committee			
11-16-15	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
11-17-15	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor - CMGC
Zoning Committee			
11-16-15	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
11-16-15	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
11-18-15	4:30 p.m.	Work Session ¹	Conference Room 280 2 nd Floor - CMGC
Zoning Ordinance Ad Hoc Committee			
11-02-15	11:15 a.m.	Work Session	Conference Room 278 2 nd Floor-CMGC
Other Meetings			
11-03-15	9:00 a.m.	Historic District Commission Retreat	Mahlon Adams Pavilion-Freedom Park 2435 Cumberland Avenue
11-11-15	Noon	Historic District Commission Workshop	Innovation Station 8th Floor – CMGC
11-11-15	1:00 p.m.	Historic District Commission Meeting	Innovation Station 8th Floor – CMGC
11-18-15	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 nd Floor – CMGC
11-09-15	3:00 p.m.	City Council Transportation & Planning Committee (TAP)	Conference Room 280 2 nd Floor - CMGC
11-20-15	11:30 a.m.	Planning Coordinating Committee	Huntersville Town Hall 101 Huntersville-Concord Road

Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.

¹ Due to the Thanksgiving holiday, the regularly scheduled November 25 Zoning Committee meeting was rescheduled to November 18.

Charlotte-Mecklenburg Planning Commission

Meeting Schedule

December 2015

Date	Time	Purpose	Location
Full Planning Commission			
12-07-15	Noon	Work Session	Conference Room 267 2 nd Floor-CMGC
Executive Committee			
12-21-15	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
12-15-15	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor - CMGC
Zoning Committee			
12-14-15	4:00 p.m.	Combined Zoning & Council Business Meeting ¹	Meeting Chamber Lobby - CMGC
01-04-16	2:00 p.m.	Work Session ²	Conference Room 280 2 nd Floor - CMGC
Zoning Ordinance Ad Hoc Committee			
12-07-15	11:15 a.m.	Work Session	Conference Room 278 2 nd Floor-CMGC
Other Meetings			
12-09-15	Noon	Historic District Commission Workshop	Conference Room 267 2 nd Floor – CMGC
12-09-15	1:00 p.m.	Historic District Commission Meeting	Conference Room 267 2 nd Floor – CMGC
12-16-15	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 nd Floor – CMGC

Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.

¹ Due to the Holidays, the December City Council Rezoning meeting was rescheduled to a combined Zoning & City Council Business meeting on December 14, 2015 at 4:00 pm.

² Due to the Holidays, the December Zoning Committee meeting was rescheduled to January 4, 2016 at 2:00 pm.

Charlotte-Mecklenburg Planning Commission

Executive Committee Meeting

Attachment 4

Approved October 19, 2015

September 21, 2015 – 4:00 p.m.

CMGC – Conference Room 266

Summary Minutes

Call to Order & Introductions

Vice-Chairperson Randy Fink called the meeting to order at 4:14 p.m.

Attendance

Commissioners Present: Randy Fink (Vice-Chairperson), Mike Sullivan and Cozzie Watkins

Commissioners Absent: Tony Lathrop (Chairperson)

The Chairperson participated in the discussion via teleconference.

Planning Staff Present: Ed McKinney (Interim Planning Director), Melony McCullough and Jennifer Ryan

Approval of Minutes

A motion was made by Vice-Chairperson Fink and seconded by Commissioner Sullivan to approve the July 20, 2015 Executive Committee minutes. The vote was 3 to 0 to approve the minutes.

Future Work Session Agenda Items

Planning Commission Annual Retreat Follow-up

Chairperson Lathrop discussed the Planning Commission's FY16 Action Plan items. He also stated that the Commission should do a quick follow up on items and respond to the Mayor. The Planning Commission wants to prioritize items to take to City Council. Commissioner Watkins said that the Mayor and Council will expect something because they challenged the Commission at the retreat. Commissioner Sullivan stated that he does not want the Planning Commission to lose momentum for the items that were discussed at the retreat.

Vice-Chairperson Fink stated that the retreat notes which were included in the Executive Committee agenda packet were excellent in outlining the big picture, policy and goals for the Commission. He suggested that Commissioners be prepared to provide updates on their action plan assignments at the October 5 work session.

Vice-Chairperson Fink suggested that the retreat follow-up discussion be moved to the end of the work session agenda. The Committee Reports will be quick and the major portion of the meeting should be devoted to the retreat follow-up/discussion of the action items.

Vice-Chairperson Fink mentioned that he would like to see the City Council Transportation and Planning Committee (TAP) meetings listed on the Planning Commission's calendars. However, Chairperson Lathrop and Vice-Chairperson Fink do not want to burden Commissioners with additional meeting attendance requirements.

Commissioner Sullivan stated that he would like to have a list of all upcoming planning related meetings. Commissioner Sullivan and Vice-Chairperson Fink would also like to receive notice of the community rezoning meetings. Commissioner Watkins agreed that it would be helpful to have this information, but she does not want to burden staff.

Ed McKinney stated that a list of upcoming meetings would be helpful, but explained that two lists may be confusing. He stated that he will coordinate with staff and decide the best way to implement this. Mr. McKinney also said that staff will add the TAP Committee meetings to the Planning Commission calendar.

Approval of the October 2015 Work Session Agenda

The draft October 5, 2015 work session agenda was approved by the Executive Committee.

Approval of the October and November 2015 Meeting Schedules

The Executive Committee approved the October and November 2015 meeting schedules as submitted.

Adjournment

The meeting adjourned at 4:35 p.m.

AGENDA -RESULTS
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
Charlotte-Mecklenburg Government Center, RM 280
September 30, 2015
4:30 P.M.

Commissioners:**Tony Lathrop✓****Ray Eschert✓****Karen Labovitz✓****Nancy Wiggins✓****Tracy Finch****Dionne Nelson✓****Mike Sullivan✓****Dodson✓**

Approved	<p>1. <u>Petition No. 2014-110</u> (Council District 1 – Kinsey) by Unique Southern Estates, LLC for a change in zoning for approximately 4.54 acres located at the southeast corner of the intersection of The Plaza and Belvedere Avenue from R-5 (single family residential), R-5 (HD-O) (single family residential, historic district overlay) and B-2(CD)(HD-O) (general business, conditional, historic district overlay) to MUDD-O (mixed use development, optional) and MUDD-O(HD-O) (mixed use development, optional, historic district overlay).</p> <p>Consistency Motion: Maker: Wiggins 2nd: Eschert Vote: 7-0</p> <p>Recommendation Motion: Maker: Nelson 2nd: Labovitz Vote: 7-0</p>
Deferred (to October 28, 2015)	<p>2. <u>Petition No. 2015-037</u> (Council District 3-Mayfield) by Dominick Ristaino for a change in zoning for approximately 0.46 acres located on the north side of West Boulevard between South Tryon Street and Wickford Place from R-5 (HD-O) (single family residential, historic district overlay) to O-1(CD) (HD-O) (office, historic district overlay).</p> <p>Recommendation Motion: Maker: Dobson 2nd: Sullivan Vote: 7-0</p>
Approved	<p>3. <u>Petition No. 2015-046</u> (Council District 6-Smith) by Mallard Creek Associates #1, LLC for a change in zoning for approximately 10.8 acres located on the northwest corner at the intersection of Providence Road, Fairview Road, and Sardis Road from R-12MF (multi-family residential) and B-1(CD) (neighborhood business, conditional) to MUDD-O (mixed use development, optional).</p> <p>Consistency Motion: Maker: Dodson 2nd: Labovitz Vote: 5-0 Lathrop – Recused</p> <p>Recommendation Motion: Maker: Dodson 2nd: Labovitz Vote: 5-0 Lathrop – Recused</p>
Deferred (to October 5, 2015 ZC Special Meeting)	<p>4. <u>Petition No. 2015-047</u> (Council District 4-Phipps) by Carolina States Regional Center, LLC for a change in zoning for approximately 22 acres located on the east side of Macfarlane Boulevard near the intersection of North US 29 By-Pass Highway and North Tryon Street from I-1 (light industrial) to TOD-M(CD) (transit oriented development - mixed-use, conditional).</p> <p>Vote to defer to October 5, 2015 Special Meeting: Maker: Sullivan 2nd: Wiggins Vote: 7-0</p>

Approved	<p>5. <u>Petition No. 2015-066</u> (Council District 3- Mayfield) by Whitehall Corporate Center Development Limited Partnership for a change in zoning for approximately 15.16 acres located on the southeast corner at the intersection of West Arrowood Road and Interstate 485 from BP (CD) (business park, conditional) and MUDD-O (mixed use development, optional) to MUDD-O (mixed use development, optional) and MUDD-O SPA (mixed use development, optional site plan amendment).</p> <p>Consistency Motion: Maker: Sullivan 2nd: Nelson Vote: 7-0</p> <p>Recommendation Motion: Maker: Wiggins 2nd: Sullivan Vote: 7-0</p>
Approved	<p>6. <u>Petition No. 2015-073</u> (Council District 3-Mayfield) by The Meyers Y. Cooper Company for a change in zoning for approximately 5.89 acres located on the west side of Archdale Drive also abutting Interstate 77 near the intersection of Archdale Drive and High Meadow Lane from MUDD-O (mixed use development, optional) to B-1(CD) (neighborhood business, conditional).</p> <p>Consistency Motion: Maker: Dodson 2nd: Labovitz Vote: 6-0</p> <p>Recommendation Motion: Maker: Wiggins 2nd: Dodson Vote: 6-0</p>
Denied	<p>7. <u>Petition No. 2015-077</u> by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance adding a new definition for a temporary health care structure and allowing it in prescribed conditions, as an accessory use to a single family detached dwelling located on the same lot.</p> <p>Consistency Motion: Maker: Nelson 2nd: Eschert Vote: 6-1 Dissenting vote: Lathrop</p> <p>Recommendation Motion: Maker: Wiggins 2nd: Nelson Vote: 6-1 Dissenting voter: Lathrop</p>
Approved	<p>8. <u>Petition No. 2015-079</u> (Council District 1-Kinsey) by Royden Goode for a change in zoning for approximately 0.30 acres located on the southeast corner at the intersection of South Kings Drive, Metropolitan Avenue, and Baxter Street from UR-C(CD) (urban residential - commercial, conditional) and B-1 (neighborhood business) to B-1(CD) (PED) (neighborhood business conditional, pedestrian overlay).</p> <p>Consistency Motion: Maker: Dodson 2nd: Sullivan Vote: 6-0 Nelson- Recused</p> <p>Recommendation Motion: Maker: Eschert 2nd: Dodson Vote: 6-0 Nelson – Recused</p>

Approved	<p>9. <u>Petition No. 2015-082</u> (Council District 2-Austin) by Charlotte-Mecklenburg Housing Partnership, Inc. for a change in zoning for approximately 64.33 acres located on the north side of Cindy Lane and south of Cochrane Drive between Interstate 77 and Statesville Road from R-4 (single family residential) and B-2(CD) (general business, conditional) to UR-2(CD) (urban residential, conditional) with 5-year vested rights.</p> <p>Consistency Motion: Maker: Eschert 2nd: Labovitz Vote: 6-0 Lathrop - Recused</p> <p>Recommendation Motion: Maker: Wiggins 2nd: Labovitz Vote: 6-0 Lathrop - Recused</p>
Approve	<p>10. <u>Petition No. 2015-087</u> (Outside City Limits) by Crescent Communities, LLC for a change in zoning for approximately 72.2 acres located on the east side of Providence Road between Interstate 485 and Providence Country Club Drive from R-3 (single family residential) to MUDD-O (mixed use development, optional) and MX-2(INNOV) (mixed use, innovative standards).</p> <p>Consistency Motion: Maker: Nelson 2nd: Dodson Vote: 6-0 Lathrop - Recused</p> <p>Recommendation Motion: Maker: Nelson 2nd: Dodson Vote: 6-0 Lathrop - Recused</p>
Approved	<p>11. <u>Petition No. 2015-091</u> (Council District 1-Kinsey) by 300 Parkwood, LLC for a change in zoning for approximately 0.99 acres located on the northeast corner at the intersection of Parkwood Avenue and East 17th Street from R-8 (single family residential) and B-1 (neighborhood business) to TOD-R(O) (transit oriented development-residential, optional).</p> <p>Consistency Motion: Maker: Labovitz 2nd: Eschert Vote: 7-0</p> <p>Recommendation Motion: Maker: Eschert 2nd: Labovitz Vote: 7-0</p>
Approved	<p>12. <u>Petition No. 2015-097</u> (Council District 6-Smith) by Harris Teeter for a change in zoning for approximately 2.25 acres located on west side of Randolph Road between Woodlark Lane and South Sharon Amity Road from CC (commercial center) to CC SPA (commercial center, site plan amendment).</p> <p>Consistency Motion: Maker: Eschert 2nd: Labovitz Vote: 7-0</p> <p>Recommendation Motion: Maker: Eschert 2nd: Labovitz Vote: 7-0</p>

Approved	<p>13. Petition No. 2015-098 (Council District 6-Smith) by Land Growth, LLC for a change in zoning for approximately 1.9 acres located on the southwest corner at the intersection of East Independence Boulevard and Crownpoint Executive Drive from BD (distributive business) to B-2(CD) (general business, conditional).</p> <p>Consistency Motion: Maker: Labovitz 2nd: Eschert Vote: 7-0</p> <p>Recommendation Motion: Maker: Labovitz 2nd: Eschert Vote: 7-0</p>
Approved	<p>14. Petition No. 2015-102 (Council District 3-Mayfield) by Lennar Multifamily Communities for a change in zoning for approximately 4.69 acres located on the northwest corner at the intersection of South Boulevard and New Bern Street from I-2 (general industrial) to TOD-M (transit oriented development- mixed use).</p> <p>Consistency Motion: Maker: Dodson 2nd: Nelson Vote: 7-0</p> <p>Recommendation Motion: Maker: Dodson 2nd: Wiggins Vote: 7-0</p>
Deferred (to October 5, 2015 ZC Special Meeting)	<p>15. Petition No. 2015-104 (Council District 3-Mayfield) by Murphy Oil USA, Inc. for a change in zoning for approximately 0.81 acres located on the northwest corner at the intersection of Wilkinson Boulevard and Ashley Road from CC (commercial center) to CC SPA (commercial center site plan amendment).</p> <p>Vote to defer to October 5, 2015 Special Meeting: Maker: Wiggins 2nd: Eschert Vote: 6-0</p>

Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
September 15, 2015 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

Attachment 6
APPROVED October 20, 2015

Attendance:

Commissioners Present: Chairperson Randy Fink, Commissioners John Fryday, Nasif Majeed, Bolyn McClung and Deborah Ryan

Commissioners Absent: Commissioners Emma Allen and Cozzie Watkins

Planning Staff Present: Ed McKinney (Interim Planning Director), Alberto Gonzalez, Garet Johnson, Sonda Kennedy, Kent Main, Catherine Mahoney, Melony McCullough, Amanda Vari and Jonathan Wells

Other Staff Present: Peggy Hey, Charlotte Mecklenburg Schools; Jennifer Morrell, County Asset and Facility Management; Tim O'Brien, City Real Estate and Dennis LaCaria and Amanda Byrum, County Real Estate

Call to Order and Introductions

Chairperson Randy Fink called the meeting to order at 5 p.m., welcomed those present and asked everyone to introduce themselves.

The chairperson stated that the agenda will be amended, as a follow up to the Planning Commission Retreat, to add a discussion about the Planning Commission's work plan.

Approve July 21, 2015 Minutes

A motion was made by Commissioner Majeed and seconded by Commissioner McClung to approve the July 21, 2015 minutes. The vote was unanimous to approve the minutes.

Overview of the Mandatory Referral Process

Johnathan Wells gave a brief overview of the mandatory referral process for the benefit of new committee members. He explained that mandatory referrals are required by a state law passed in 1973 when city, county or sub-entities propose capital investments that involve real estate transactions.

Proposed land acquisitions intended for landfills, incidental acquisitions (e.g. rights-of-way, easements, etc.) and acquisitions associated with the land development process (e.g. streets, open space, etc.) are not subject to the mandatory referral process.

Important considerations include consistency with publicly adopted plans and policies, compatibility with surrounding land uses, impact on existing infrastructure and joint use opportunities. The Committee generally does not consider costs or alternative locations. The elected officials usually discuss these factors.

The Committee's recommendation is advisory and is not binding. Committee action is required within 30 days of the submittal deadline.

The Planning Department processes an average of 25 to 30 mandatory referrals annually. This year 45 mandatory referrals have been processed to date.

Commissioner Ryan asked what value does the Planning Commission add to the mandatory referral process. Mr. Wells answered that this is delegated by state law and that the Planning Commission brings a different perspective than staff. The Planning Committee's recommendation also helps the elected officials make their decision.

Commissioner Fryday asked if the mandatory referral reports are online. Ms. McCullough stated that the agenda packet, which includes the mandatory referral reports, is placed on the website a few days before the meeting.

Commissioner McClung asked how did the mandatory referral for Sterling Elementary School make it more successful. Mr. Wells gave an example of a mandatory referral that came in several years ago for a fire station on Beatties Ford Road. The fire station would have been in the right-of-way for Fred Alexander Road; therefore, the location was changed. Commissioner McClung asked if staff addressed this issue or the Committee. Mr. Wells did not recall exactly. He stated that staff may have shared this information with the Committee to consider including in their recommendation.

Commissioner McClung asked Mr. Wells to clarify if cost can be considered. Commissioner Ryan asked where is it mandated that cost cannot be considered as a part of the mandatory referral decision making process. Mr. Wells explained that this is not in the legislation but stated examples where cost overshadowed planning issues.

Commissioner Majeed asked if the Planning Committee has ever recommended a mandatory referral and the elected officials voted no. Mr. Wells stated that staff does not track the outcome of mandatory referrals.

Mandatory Referrals

Prior to discussing the mandatory referrals, Chairperson Fink explained that Commissioner McClung contacted him to ask if action on the mandatory referrals could be handled by one vote, except for those mandatory referrals that the Committee would like to discuss. The Committee agreed to this suggestion.

Commissioner Fryday revealed that as an architect he does work for the City, County and Charlotte-Mecklenburg Schools but has no direct connection to any of the mandatory referrals. The Committee ruled he does not have a conflict.

M.R. #15-34: Proposal by Mecklenburg County to Acquire Land Located in the Hidden Valley Neighborhood for Little Sugar Creek Greenway

Mecklenburg County proposes to acquire a portion of a 0.27 acre site located off Burroughs Street (Tax Parcel 089-022-10) in Hidden Valley for construction of a neighborhood trail along Little Sugar Creek

M.R. #15-37: Proposal by the City of Charlotte to Sale Land Located on Idlewild Road near Cresthill Drive
The City of Charlotte proposes to sale two vacant parcels located along Idlewild Road, near Cresthill Drive (Tax Parcels 165-101-02 and 03). The parcels were acquired in 2012 for the Idlewild Road Widening Project and are no longer needed for City use.

M.R. #15-38: Proposal by the City of Charlotte to Sale Land Located at 2905 Whiting Avenue
The City of Charlotte proposes to sale a 0.34 acre vacant parcel of land located at 2905 Whiting Avenue along Matheson Avenue (Tax Parcel 083-156-16). The parcel was purchased in 1968 for the 30th Street Extension project and is no longer needed for City use.

M.R. #15-39: Proposal by the City of Charlotte to Transfer Land Located at 1337 Bells Knox Road
The City of Charlotte's Neighborhood and Business Services Department (N&BS) proposes to transfer a City-owned property located at 1337 Bells Knox Road (Tax Parcel 031-413-31) out of the City's inventory for re-occupancy by a non-profit organization. The property was acquired by the City as the result of foreclosure of a loan generated by N&BS.

M.R. #15-41: Proposal by Mecklenburg County to Acquire Land for Addition to Wilmore Centennial Park at South End
Mecklenburg County proposes to acquire 0.172 acres located at 201 West Kingston Avenue (Tax Parcel 123-062-10) for the development of a neighborhood park, Wilmore Centennial Park at South End.

M.R. #15-42: Proposal by Mecklenburg County to Dispose of a Portion of Westmoreland Regional Park in Cornelius
Mecklenburg County proposes to dispose of 3,802 square feet of property located on Robbins Pond Road (Tax Parcel 005-071-21 p/o) to construct storm drainage infrastructure for The Preserve at Robbins Park, a single-family residential neighborhood.

M.R. #15-43: Proposal by Mecklenburg County to Acquire Several Flood Prone Structures Located along McMullen Creek and Edwards Branch
Mecklenburg County proposes to acquire several parcels (see Mandatory Referral for addresses and tax parcel numbers) located along McMullen Creek and Edwards Branch to eliminate potential future losses by removing the improvements.

M.R. #15-44: Proposal by Mecklenburg County to Acquire Land for Addition to Future Linda Lake Neighborhood Park
Mecklenburg County proposes to acquire a 0.91 acre parcel (Tax Parcel 107-181-10) located east of W.T. Harris Boulevard for the future development of Linda Lake Neighborhood Park.

M.R. #15-45: Proposal by Mecklenburg County to Acquire Land Located on Wilkinson Boulevard to Serve as the Future Site of Medic
Mecklenburg County proposes to acquire a 5.6 acre parcel located at 4423 Wilkinson Boulevard (Tax Parcel 115-091-05), a former warehouse facility, to relocate Medic. This parcel will be combined with other Tax Parcels 115-091-01, 02 and 04 (4301 - 4403 Wilkinson Boulevard) presented in March 2015 as M.R. #15-06.

A motion was made by Commissioner McClung and seconded by Commissioner Ryan to approve by consent Planning Staff's recommendation for the following Mandatory Referrals: M.R. #15-34, M.R. #15-37, M.R. #15-38, M.R. #15-39, M.R. #15-41, M.R. #15-42, M.R. #15-43, M.R. #15-44, and M.R. #15-45. The vote was unanimous to approve staff's recommendation for all nine of these mandatory referrals.

M.R. #15-33: Proposal by Charlotte-Mecklenburg Schools (CMS) to Lease Portions of Several School Sites for Cell Towers

Mecklenburg County proposes to lease portions of Barnette Elementary and Bradley Middle schools (jointly), Hough High School, Hawthorne High School (former Derita School) and Eastway Middle School (see Mandatory Referral for addresses and tax parcel numbers) for cell tower construction, operation and maintenance.

Commissioner Fryday asked for clarification of staff's recommendation for the school site in Cornelius. Mr. Wells clarified that the comments are from the Town of Cornelius' Planning Director.

A motion was made by Commissioner Fryday and seconded by Commissioner McClung to approve Planning staff's recommendation for Mandatory Referral #15-33. The vote was unanimous to approve staff's recommendation for Mandatory Referral #15-33.

M.R. #15-35: Proposal by the City of Charlotte to Sale Land Located on Toomey Avenue

The City of Charlotte proposes to sale 0.76 acres of vacant land located on Toomey Avenue (Tax Parcel 145-016-12). The parcel was purchased in 1929 for a former trash incinerator and is no longer needed for City use.

Chairperson Fink asked about the recommendation for open space land uses for the site in the transit plan. Catherine Mahoney (Planning) explained that the proposal is not literally consistent with the area plan but the intent is. Commissioner Ryan asked what is the zoning designation and how close is the parcel to the transit station. Ms. Mahoney said the plan recommends open space land uses; however, the property is zoned R-22MF. This proposal recommends moderate land uses up to 22 dwelling units per acre.

Commissioner Ryan asked why doesn't the County want this parcel for park land. Ms. Mahoney stated that there is an open space land use within a half mile.

Chairperson Fink said that he will vote against this mandatory referral because the plan recommends open space. Tim O'Brien (City Real Estate) said that the land is of no value to the City and because the parcel is so small, the County cannot use it as a park. Commissioner Ryan thinks that a minority opinion should be offered on this proposal and in future situation of this nature. She thinks that a single family use similar to land uses down the street is appropriate.

A motion was made by Commissioner Majeed and seconded by Commissioner McClung to approve Planning staff's recommendation for Mandatory Referral #15-35. The vote was 3 to 2 to approve Mandatory Referral #15-35.

Yeas: Commissioners Fryday, Majeed and McClung

Nays: Chairperson Fink and Commissioner Ryan

Minority Opinion: The adopted area plan recommends open space land uses and because the site is not within one-half mile of transit station, there is no need to intensify development on the site.

M.R. #15-36: Proposal by the City of Charlotte to Sale Land Located on Old Pineville Road Near East Arrowood Road

The City of Charlotte proposes to sale two vacant parcels located along Old Pineville Road near the intersection of East Arrowood Road (Tax Parcels 205-231-12 and 15). The parcels were acquired in 2006 for the Old Pineville Road Extension project and are no longer needed for City use.

Kent Main (Planning) explained the mandatory referral and answered questions.

A motion was made by Commissioner Ryan and seconded by Commissioner Fryday to approve Planning staff's recommendation for Mandatory Referral #15-36. The vote was 4 to 1 to approve staff's recommendation for Mandatory Referral #15-36.

Yeas: Commissioners Fryday, Majeed, McClung and Ryan

Nays: Chairperson Fink

Minority Opinion: The use is not specified; therefore, there is no way of knowing if the mandatory referral is consistent with the adopted area plan, regardless of the age of the planning document.

M.R. #15-40: Proposal by the City of Charlotte to Acquire Six Parcels in the Coulwood Area for Tree Canopy Preservation

The City of Charlotte's Engineering and Property Management Department (E&PM) proposes to acquire six parcels located between Valleydale Road and Brookshire Boulevard (see Mandatory Referral for addresses and tax parcel numbers) in the Coulwood area of Charlotte for tree canopy preservation.

Commissioner Fryday asked about road connectivity and the tree save area remaining undisturbed. Tim Porter (Arborist) explained that topography is an issue in this area but options are being considered that do not impact the tree save area.

A motion was made by Commissioner McClung and seconded by Commissioner Fryday to approve Planning staff's recommendation for Mandatory Referral #15-40. The vote was unanimous to approve staff's recommendation for Mandatory Referral #15-40.

Planning Commission Work Plan

Chairperson Fink said that the remainder of the meeting will be devoted to discussing some of the items from the Planning Commission Retreat. He asked Ed McKinney, Interim Planning Director to share his thoughts.

Mr. McKinney referenced what staff heard at the retreat. He explained that the Zoning Ordinance rewrite is a big effort and the need to define policy on the front end, including goals and values is important. He also stressed the importance of continuing to identify gaps and thinking holistically about a vision. The place type effort has not been well defined and the opportunity exists to use the dialogue from the Retreat to help shape it in a meaningful way. He suggested that the Committee think about what they would like for their role to be and to discuss their role with the Commission.

Commissioner Ryan mentioned that she can recall the Planning Committee not meeting because there were no mandatory referrals. She asked what kind of plans will come before the Committee in the next year. Mr. McKinney answered that the main policy effort will be the front end piece of the zoning ordinance and suggested that the Planning Committee think about their role in the process.

Commissioner Fryday asked about the purpose and role of the Zoning Ordinance Ad Hoc Committee. Chairperson Fink stated that the ad hoc committee meets monthly and everyone is welcomed to attend.

Commissioner McClung commented on the rewrite of the zoning ordinance and Mayor Clodfelter's suggestion that the Commission be more involved. He thinks the new process to vote on mandatory referrals by consent will give the Committee more time for other issues.

Commissioner Majeed asked if the zoning ordinance rewrite is the Planning Committee's responsibility. Chairperson Fink said that has not been determined. It has been discussed.

Commissioner Ryan said she received an email from a reporter asking who said Commissioners should be silent. She replied that it is an understanding that is communicated by the Executive Committee. This was also of interest to the Mayor and Council Member Vi Lyles who had a different perspective on this. Commissioner Ryan also said she understands that City Council is not necessarily receptive to the Planning Commission getting out of their lane. She questioned how to have a voice without Council thinking they are getting out of their lane and without creating more work for staff. She said staff's activities are in the weeds and the Commission should think about big items.

Commissioner Ryan noted that the City's vision is limited and she thinks health, safety and welfare are important. She is not interested in creating a new vision but expanding on the existing vision. Commissioner Ryan said the vision can be independent but complementary of staff. She would like to have a conversation with City Council about this subject matter. Chairperson Fink reiterated Commissioner Ryan's comments about making sure the vision matches our values.

Commissioner Fryday cautioned that the entire Council may not agree with the Mayor and Council member Lyles. He noted that change will not happen overnight.

Commissioner McClung agrees with Commissioner Ryan. He shared that the City has vision statements for their five focus areas: 1) Community Safety, 2) Housing and Neighborhood Development, 3) Environment, 4) Transportation and 5) Economic Development.

Commissioner Fryday asked how development meets neighborhoods, how we decide to go into certain areas and how to reach out to areas in need of assistance. The Planning Commission can present to staff and consultant.

The Committee noted that it is important to work with staff and that the Planning Committee can go to City Council in a way that staff cannot.

Commissioner Majeed mentioned the comprehensive neighborhood plans and stated that the Planning Committee can be proactive and help Council. He also spoke of affordable housing being disproportionate in some areas, the need for locational criteria and how the Planning Commission can assist with this issue. He is concerned about balanced growth and being equitable.

Commissioner McClung stated this was excellent but asked if more affordable housing is needed. He said people need to understand affordable housing and where it goes. We need to make sure that it is not driven to where it is not wanted.

Commissioner Fryday said that communities should be developed where you can live in a starter home and move to a more expensive home. Commissioner Ryan added that a healthy community has mixed incomes. Commissioner Fryday asked if we will share this information with the zoning ordinance consultant. Mr. McKinney suggested having dialogue around this topic and the importance of input from the community.

Commissioner Fryday asked what happens with existing plans with place making. Mr. McKinney replied that he does not have an answer yet and this may be a topic for the Commission.

Ms. McCullough asked the Committee if they would like for staff to provide background information on any of the items discussed. It was decided that Chairperson Fink and Ms. McCullough will work together to determine if background information is needed on any discussion items.

Adjourn: 7:02 pm

HDC WORKSHOP – 12:00 PM

1. ARCHITECTURAL SURVEY PHASE II –
MATTSON, ALEXANDER & ASSOC.
2. POLICY AND DESIGN GUIDELINES PROJECT

HDC MEETING: 1:00 – 7:00

CALL TO ORDER
APPROVAL OF AUGUST AND SEPTEMBER MINUTES
APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

CONTINUED APPLICATIONS

1. 1708 THOMAS AVENUE **APPROVED**
CASE NO. [HDC 2015-145](#)
ADDITION
CRAIG ISAAC, APPLICANT

NEW APPLICATIONS**WILMORE**

2. 1508/1510 S. MINT STREET **CONTINUED**
CASE NO. [HDC 2015-208](#)
RENOVATION/ADDITION
DONALD PEADON, APPLICANT

PLAZA MIDWOOD

3. 1465 HAYWOOD COURT **DENIED**
CASE NO. [HDC 2015-211](#)
NEW CONSTRUCTION
TIM MCCOLLUM, APPLICANT

DILWORTH

4. 715 E. WORTHINGTON AVENUE **APPROVED**
CASE NO. [HDC 2015-209](#)
SECOND FLOOR ADDITION
ALLEN BROOKS, APPLICANT
5. 1224 EAST BOULEVARD **APPROVED**
CASE NO. [HDC 2015-214](#)
FRONT DORMER ADDITION/FRONT FAÇADE CHANGES
BRANDY M. GAISER, APPLICANT

Charlotte-Mecklenburg Planning Commission

FY 2016 Action Plan

At the September 11, 2015 Retreat, the Planning Commission identified nine priorities to work on during FY16 and made assignments for follow-up. The Commission discussed these priorities at the October 5 work session. Below are the action items from the discussion:

Action Step	Assignment
<p>1. Receive staff input on rezoning cases prior to the zoning public hearing.</p> <p>Action: Commissioners Nelson and Dodson will discuss this and coordinate with Laura Harmon. They will place this on the October Zoning Committee agenda for discussion and report back at the November work session or at another time as directed by the Executive Committee.</p>	<p><i>Dionne Nelson & Tracy Dodson</i></p>
<p>2. Investigate whether a smaller or alternative group can review and make recommendations on Mandatory Referrals.</p> <p>Action: Vice-Chairperson Fink suggested that there be a resolution for Council to remove mandatory referrals (as part of their legislative agenda) from the Planning Committee this fiscal year. He will research this for further discussion at the next work session. In the meantime, the Committee decided to take action by consent on Mandatory Referrals that Commissioners do not wish to discuss.</p>	<p><i>Randy Fink & Planning Director</i></p>
<p>3. Focus the Planning Commission Work Sessions on discussions between Commissioners, which result in actions, rather than presentations. Also, Commissioners should receive advance notice of any presentations and a summary of the goals and actions required by the Commissioners regarding any presentations.</p> <p>Action: The Chairperson indicated that the Executive Committee will identify work session agenda items.</p>	<p><i>Executive Committee & Planning Director</i></p>
<p>4. Inform the Planning Commission of the Department's work program areas where the Planning Staff needs the Commission's assistance.</p> <p>Action: Ed McKinney will identify these areas and coordinate with the Executive Committee throughout the year. Staff will bring critical issues to the Commission, for input, as part of the Zoning Ordinance Update.</p>	<p><i>Planning Director</i></p>
<p>5. Assign a Planning Commissioner and an alternate to attend the City Council's Transportation and Planning Committee meetings.</p> <p>Action: Commissioner Ryan volunteered to attend the TAP Committee meetings.</p>	<p><i>Executive Committee</i></p>

<p>6. Develop an annual Work Plan for the Planning Commission and share it with Elected Officials.</p> <p>Action: The Planning Committee will continue to discuss this and bring it back to the full Commission for input.</p>	<p><i>Planning Committee</i></p>
<p>7. Review the Planning Liaison/Planning Coordinating Committee's history and structure and determine if another planning liaison type committee should be formed to better coordinate planning policies and projects with the City, County and Charlotte-Mecklenburg Schools.</p> <p>Action: Vice-Chairperson Fink researched this and will get more feedback. He preliminarily suggested that the Commission could facilitate the elected officials coming together to make sure they are discussing planning related policies and projects.</p> <p>At the October 19 Executive Committee meeting, Tony Lathrop stated that he would be assigned to this item.</p>	<p><i>Tony Lathrop</i></p>
<p>8. Hold periodic meetings with Elected Officials to discuss goals and priorities.</p> <p>Action: The Commission agreed to periodically invite Elected Officials to the work sessions. They mentioned inviting some City Council members and County Commissioners to the January work session.</p>	<p><i>Executive Committee</i></p>
<p>9. Explore options for Planning Commissioners to join the American Planning Association (APA).</p> <p>Action: Commissioner Wiggins suggested that Commissioners join the APA group for Planning Commissioners. Staff will follow-up and report back at the November work session.</p>	<p><i>Planning Director</i></p>