

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

# Planning Commission

Dec 7, 2015  
work session

Charlotte-Mecklenburg  
Government Center

Room 267  
Noon



# Charlotte-Mecklenburg Planning Commission

## Work Session Agenda

December 7, 2015 - Noon

CMGC - Conference Room 267

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### Call to Order & Introductions

Tony Lathrop

### Administration

Tony Lathrop

#### **Certificate of Appreciation**

Present Certificate of Appreciation to former Commissioner Tom Low.

#### **Vice-Chairperson Election**

Elect a Vice-Chairperson for the Planning Commission.

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

Approve the October 5 and November 2, 2015 minutes.

*Attachment 1*

### Information

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

Ed McKinney

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

*Attachment 2*

#### **December 2015 & January 2016 Meeting Schedules**

*Attachment 3*

### **Committee Reports**

- **Executive Committee**
  - Future Work Session Agenda Items

Tony Lathrop

Future Work Session Agenda Items	Work Session
1. Action Plan Continued Discussion	January
2. Community Outreach Presentations Overview	TBD
3. CATS Countywide Transit Services Plan (CTSP)	TBD
4. Cross Charlotte Trail (XCLT)	TBD

- **Zoning Ordinance Ad Hoc Committee**

Tony Lathrop

- **Zoning Committee**
  - Upcoming Rezoning Petitions
  - November 18, 2015 Agenda

Tony Lathrop  
Tammie Keplinger  
*Attachment 4*

- **Planning Committee**
  - October 20, 2015 Approved Minutes

Tony Lathrop  
*Attachment 5*

- **Historic District Commission (HDC)**
  - November 11, 2015 Meeting Update

Nasif Majeed  
*Attachment 6*

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

Cozzie Watkins

## **Communication from Chairperson**

Tony Lathrop

- **FY16 Action Plan Follow-up**

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

- Livable Communities Presentation

Deb Ryan

# Charlotte-Mecklenburg Planning Commission

Attachment 1

## Work Session

October 5, 2015 12:00 pm

CMGC- Room 267

## Minutes

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### 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 1:25 p.m.

Commissioner Watkins left at 1:27 p.m.

**Commissioners Absent:** Tracy Dodson

**Planning Staff Present:** Ed McKinney (Interim Planning Director), Laura Harmon, Gareth 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 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 a Historic District Commission 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 Items which were identified at their September 11, 2015 retreat. Below is a summary of the discussion:

#### **Action Items**

##### **1. Receive staff input on rezoning cases prior to the zoning public hearing.**

**Assignment:** Dionne Nelson & Tracy Dodson

Commissioner Nelson stated that she and Commissioner Dodson will follow up on this. They will need to coordinate with staff to figure out how the zoning caseload works. However, she does not want this effort to become more burdensome for staff. She would like for the Zoning Committee to consider taking an approach similar to the Planning Committee’s new way of discussing and reviewing and mandatory referrals (by consent). Perhaps there are some rezoning cases and text amendments that do not require a detailed presentation. Chairperson Lathrop stated that while the Commission is looking at ways to enhance this process, they should also consider what Council needs from the Commission.

Commissioner McClung asked if staff meets with other planning staffs in the state or region. Ed McKinney replied that staff has frequent conversations with other local and national planning staffs and this is what is driving some of the adjustments.

Commissioner Watkins reminded the Commission that at the retreat, the Mayor said the Planning Commission's value has diminished. She thinks the Mayor wants to see a collaborative integrated approach from staff. He also does not want the Commission to "rubber stamp" everything or be afraid to challenge Council. Chairperson Lathrop stated that the Commission needs to be more proactive in engaging with the Council. Commissioner Ryan stated that everyone evaluates projects from their own perspectives, which brings a lot of strength, but they do not share the criteria used to make decisions. The Commission brings an additional perspective to the zoning cases, but has struggled because they did not have good criteria. The Zoning Committee can add more value to the discussion.

Commissioner Ryan does not think there is a vision for the City. Big picture thinking would be helpful for framing a vision discussion. Chairperson Lathrop questioned the existing policy framework and criteria to use when making decisions. Commissioner Nelson thinks some of the policy framework is explicit, but other areas are vague and the Commission is challenged to do what is reasonable and in the public's best interest. She said the framework could be strengthened if a few additional priority points were added to the framework.

Commissioner Sullivan said he noticed that the rezoning caseload has increased since the Mayor was on the Commission. In the past, Commissioners may have known the neighborhoods and areas better because there was a much smaller caseload. Although Commissioners receive input from citizens, they may not necessarily be familiar with the area. He thinks they need to have opportunities to receive more information to help with making their decisions.

Vice-Chairperson Fink stated there were two things coming out of the retreat: (1) looking at the governing documents and updating the Interlocal Agreement; and (2) looking at zoning strategically. He thinks the Commission should also have time frames for completing each of the nine action items.

Commissioner Labovitz wants to know a practical way of reviewing the rezoning cases earlier. Since Council members are very involved with cases in their districts, she thinks it could be a good idea for Commissioners to be assigned to rezoning cases by districts. That way each Commissioner could gather information on specific cases and meet to present and discuss the cases with other Commissioners prior to the regular meetings. Chairperson Lathrop said that this could be considered and suggested talking to staff to determine if it can be done. Commissioner Watkins mentioned that Commissioners could periodically have dinner in neighborhoods to discuss rezonings and development proposals. Commissioner Labovitz also said since the Commission is divided into the Planning and Zoning sub-committees, the committee members do not know much about each committee.

Commissioner Ryan said that staff does a good job holding public meetings, but she is not in favor of having public meetings. She is not in favor of canvassing neighbors and getting heavily involved in community engagement. This duplicates what planning staff does. The Commission should add value in other ways and not replicate something that is working well. The Commission should provide vision and help neighborhoods understand what their choices are and the ramifications of

those choices. Commissioner Watkins said she is opposed to anyone telling her what they want in her neighborhood. As a homeowner, she can decide what she wants. She stated the Commission has opportunities to have a lot of input in the community. She appreciates Commissioner Ryan's approach. Chairperson Lathrop said the Commission has to decide what they are about. They may not get to a consensus, but certainly can get everyone's ideas on the table. Commissioner Ryan stated that she and Commissioner Watkins' ideas are not far apart. She thinks the Commission should understand a neighborhood's character and make decisions that enhance and build upon it.

The Chairperson suggested that the Commission move forward with the other action items. Commissioner Nelson asked if Action Item 1 could be revisited near the end of the meeting so that she can get clear direction to allow her to work on the deliverable and draft a response.

**2. Investigate whether a smaller or alternative group can review and make recommendations on Mandatory Referrals.**

**Assignment:** Randy Fink & Planning Director

Vice-Chairperson Fink stated that the Planning Committee decided to take action by consent on mandatory referrals that Commissioners do not wish to discuss. He thinks this change in the mandatory referral review process is an example of how a difference of opinion/perspective can ultimately result in a better process or outcome.

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.

**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.

**Assignment:** Executive Committee & Planning Director

Chairperson Lathrop likes the idea of having policy ideas the Commission can vote on. Commissioner Nelson asked if potential changes to the Interlocal Agreement, other governing documents or zoning policy ideas fit in this area (Action Step #3) and would be placed on a work session agenda for discussion. The Chairperson explained that this is where the Commission would review and discuss proposed changes to those documents. He further explained that the Executive Committee makes the final decision on the work session agenda items.

**4. Inform the Planning Commission of the Department's work program areas where the Planning Staff needs the Commission's assistance.**

**Assignment:** Planning Director

Ed McKinney stated that he 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. Mr. McKinney appreciates the dialogue and conversation because it brings ideas to the Department.



Commissioner Fink stated that he is aware that the School Board works with the Planning Department to provide input, but he was concerned that sometimes this is not always effective. He would like an opportunity to share ways to improve input with the Planning Department and Schools.

**5. Assign a Planning Commissioner and an alternate to attend the City Council's Transportation and Planning (TAP) Committee meetings.**

**Assignment:** Executive Committee

Commissioner Lathrop stated that he wanted to be respectful of Commissioners time and did not want to necessarily assign a Commissioner to attend the TAP Committee meetings. Since these meetings are open to the public, all Commissioners are welcome to attend. Ed McKinney informed the Commission that the meeting schedule can change based on the agenda topics. He also anticipates that the schedule may change due to the upcoming holidays. Commissioner McClung asked if the calendars on the Char-Meck website are accurate. Mr. McKinney explained that the Council Committee meeting schedules and agendas are on the City's website under the City Council Focus Areas.

Chairperson Lathrop asked Commissioners to contact him if they are interested in attending these meetings for the Commission. Vice-Chairperson Fink stated that he would like to have a representative attend TAP Committee meetings to get information and share feedback with other Commissioners, but was concerned about having an additional meeting which could impact attendance records. Cheryl Neely explained that attendance would not be taken for these meetings. Commissioner Ryan volunteered to attend the TAP Committee meetings which are held on Thursdays.

**6. Develop an annual Work Plan for the Planning Commission and share it with Elected Officials.**

**Assignment:** Planning Committee

Vice-Chairperson Fink stated that the Commission should develop a very detail work plan. Commissioner Ryan stated that some of this came from the discussion about sustainability in terms of health, safety and welfare. What does sustainability mean in terms of welfare - a thriving city and how does the Planning Department play a role in that. As far as health - the ability to live a healthy lifestyle, as well as mental health and how do Planning Department policies affect this. Safety - police safety, including how Planning affects safety in neighborhoods. Commissioner Ryan thinks this should be linked to the Zoning Ordinance Update. Chairperson Lathrop agreed that this is a big picture policy item to put on the agenda and plug it in different places, including Action Item 1. He also stated when he was in Copenhagen one of the themes was "people first". Commissioner Ryan said people first and creating places ties together. The Commission agreed that the Planning Committee will continue to discuss this and bring it back to the full Commission for input.

**7. Review the Planning Liaison/Planning Coordinating Committee's (PCC) 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.**

**Assignment:** Randy Fink

Vice-Chairperson Fink stated that he 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. He explained that the PCC is an intergovernmental group. The group's purpose is to coordinate capital planning initiatives. The members meet in the fall to decide on an agenda topic for their spring meeting. Their next meeting is in November. The spring meeting is for all elected officials in Mecklenburg County (including the small towns) to come together to problem solve and potentially impact capital planning decisions of each body.

Commissioner Nelson stated that receiving input from elected officials at the retreat was insightful and helpful, but cautioned that the Commission should consider that things may have changed since the original Planning Liaison Committee was formed. The prior approach that they used to capital planning may not be the right approach at this time. However, it may be possible that what worked then to allow them to be more effective may work today. If not, the Commission should discuss what approach would be more appropriate now. Commissioner Nelson said that the Commission should get another perspective before they "go chasing down a path" because there will be a new Council in place in a few months. Commissioner Labovitz stated that she would like to have more communication with Council and was thrilled about having feedback from the retreat. She suggested that a committee be formed to meet on a regular basis with one or two Council members to get their feedback. Commissioner Sullivan suggested that instead of being so formal, Commissioners should reach out to Council members by email to receive input. He contacted County Commissioners and received four emails from County Commissioners who were very interested in what the Commission is doing and receiving information about upcoming zoning items. Commissioner McClung stated in 2011, the County Commission refused to support CMS construction because the CMS was not forthcoming with information. He said that if you want to get something done you have to talk to people who control the money.

**8. Hold periodic meetings with Elected Officials to discuss goals and priorities.**

**Assignment:** Executive Committee

Commissioner Nelson stated that this can tie into the work session discussions from time to time. Commissioner Sullivan suggested that Elected Officials be invited to the January work session so they can meet Commissioners and get an understanding of what the Commission is doing. Commissioner Nelson suggested inviting those on the TAP Committee. Commissioner Eschert thinks it is a great idea to invite Council in January because there will be new members. He also mentioned that there will be a learning curve for the new members. Commissioner Labovitz stated that the dialogue with Council members at the retreat was beneficial and suggested inviting them to every other work session. Commissioner Wiggins wants to extend the invitation to the Board of County Commissioners so they can find the relevance to their appointment process.

## **9. Explore options for Planning Commissioners to join the American Planning Association (APA).**

**Assignment:** Planning Director

**Action:** Cheryl Neely indicated that she will follow-up and report back at the November work session. Commissioner Wiggins suggested that Commissioners join the APA. They offer workshops about all types of planning related issues and have round table meetings. The fee to join is approximately \$100 and she will pay her own dues.

Following the action item discussion, the Chairperson Lathrop stated that some Commissioners had previously expressed an interest in having additional discussions about policy ideas. He asked what time the meeting is scheduled to end. Cheryl Neely stated the Commission is scheduled to meet until 2:00 p.m. The Chairperson asked if Commissioners wanted to discuss policy ideas at this time. Commissioner Fink suggested the Planning Committee could begin these discussions. Commissioner Ryan stated that she gets anxious when sees the many cranes outside while work is beginning on the Zoning Ordinance Update.

Commissioner McClung asked if the Commission is discussing future agenda items. If so, he would like to see vision and big policy ideas and thinks this should be the starting point.

Commissioner Lathrop said he would like to have a follow-up discussion on “people first”. He informed the Commission that he was inspired by his trip to Copenhagen and had ridden a bike from the bike share program to the meeting.

Commissioner Wiggins is concerned about the legislative initiatives, especially the \$500,000 contribution limit the State is placing on mass transit projects, as well as other issues that impact the Commission’s work. Commissioner Majeed stated there is a coalition fighting this and it did not pass.

Commissioner Fryday stated that he would like to revisit Action Item 1. The Chairperson said, in relation to Action Item 1, citizens expect the Commission to do the homework relative to area plans, CDOT, Charlotte Water, etc., when reviewing rezoning cases. Therefore, he thinks there needs to be a structure to allow the Commission to provide input into every rezoning petition sooner. Commissioner Allen suggested that a few Commissioners be assigned to work on this. Commissioner Nelson stated that she and Commissioner Dodson can discuss this with staff and then place this on the Zoning Committee’s October 28<sup>th</sup> agenda for discussion and input and then report back to the full Commission. Commissioner Sullivan suggested that other departments such as CDOT be included in these discussions. Commissioner Eschert stated that traffic and road connectivity is an issue and at the last Zoning Committee meeting CDOT presented information on connectivity which was very helpful. Commissioner Ryan agreed that CDOT can be very helpful.

Commissioner Eschert stated there will be a traffic circle installed on Tilley Morris Road, but it will not happen until the Marsh property gets connected with Ardrey Kell Road. He also mentioned the I-485 widening and the Weddington Road interchange. Commissioner Eschert asked if the Zoning Committee can meet with CDOT before the construction starts. There are a lot of moving parts and they do not show up in a specific rezoning. When the Zoning Committee is reviewing rezoning petitions, more definitive information is needed and the Planning Department needs to get more

information from other departments. Commissioner Eschert said he was not able to get information for a project on Providence Road. He wants to know the cost and capacity going forward. Ed McKinney stated staff is hearing loud and clear about capacity issues for schools and storm water. They are in the process of getting factual information in order to provide context. Having more informed decisions and working with different departments is the goal. Commissioner Eschert stated this is a sensitive issue, with all of the growth and increased safety needs. He thinks the district

representative should bring these needs to the budget meetings. Commissioner Eschert said trips per day counts are helpful and it is important to know what the traffic flow is on Providence Road. Chairperson Lathrop asked if additional information was needed for Action Item 1. Commissioner Nelson stated that she had enough information. Chairperson Lathrop thanked everyone for being engaged in the discussion.

### **Adjournment**

The meeting adjourned at 1:55 p.m.

# Charlotte-Mecklenburg Planning Commission

## Work Session

November 2, 2015 12:00 pm

CMGC- Room 267

## Minutes

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### Attendance

**Commissioners Present:** Tony Lathrop (Chairperson), Emma Allen, Tracy Dodson, Ray Eschert, John Fryday, Karen Labovitz, Nasif Majeed, Bolyn McClung, Dionne Nelson, Deb Ryan, Mike Sullivan and Nancy Wiggins

**Commissioner Absent:** Cozzie Watkins

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

### Welcome & Introductions

Tony Lathrop (Chairperson) called the meeting to order at 12:16 p.m., welcomed those present and asked everyone to introduce themselves.

### Certificate of Appreciation

Chairperson Lathrop welcomed former Commissioner Dwayne Walker to the meeting and presented him with a certificate of appreciation for more than six years of service to the Planning Commission. He stated that Rev. Walker is a very highly regarded pastor in the community who brought a lot of wisdom to the Planning Commission and was often a calm voice of reason. He also stated that he thinks Rev. Walker is on the way to becoming a bishop in the A.M.E. Zion Church and that they have become great friends.

Rev. Walker responded by saying this is a very high honor and he has the highest regards for the Planning Commission. He also stated that it was a privilege to serve in this capacity and expressed his gratefulness for the opportunity. This was a meaningful experience that helped him to appreciate this great city. He closed by extending his well wishes and sharing information about his campaign for bishop of the A.M.E. Zion Church.

### Approval of Minutes

Commissioner Ryan clarified that she agreed to attend the City Council Transportation and Planning Committee (TAP) Committee meetings on Thursdays. However, The TAP committee meets on the second Monday and the fourth Thursday of each month. She is not available to attend Monday meetings.

Commissioner Ryan also shared that in reviewing the October 5, 2015 work session minutes, she thinks they stopped at a certain point in the meeting and do not reflect a lot of good discussion that took place. Chairperson Lathrop asked Commissioner Ryan if she would like to request that the Commission delay taking action on the minutes at this time. Commissioner Ryan asked Cheryl Neely (Planning staff) her thoughts.

Ms. Neely explained that in the past it was decided that the minutes would be summary minutes. The minutes would not include a lot of discussion and would primarily reflect action items. However, Ms. Neely stated that she understands the Commission's concerns and said that staff is willing to take direction from the Planning Commission on the minutes.

Commissioner Ryan said that it important to list many of the items discussed. In some instances, items have been discussed for a long time and this should be reflected in the minutes.

Chairperson Lathrop suggested that the Commission delay action on the minutes at this time and allow staff to revise the minutes to include additional information from the October 5 work session. Commissioner Nelson shared examples of how staff could summarize the discussion without providing too much information.

Commissioner Ryan made a motion to defer action on the October 5, 2015 work session minutes because of the need for substantial changes to the minutes. Commissioner McClung seconded the motion. The vote was unanimous to defer action on the minutes until the December work session.

## **Information**

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

Ed McKinney (Interim Planning Director) gave an update on the zoning ordinance rewrite and stated that he hopes to execute the contract for the first phase and the project scope in the next few weeks. Staff will work with the Planning Commission, Transportation and Planning Committee and full City Council for clarity and direction on big issues as well as to determine expectations, to discuss the scope and to affirm the overall process.

Before getting into details about the overall process and the long term development of the ordinance, a presentation will be given to the full Council on the project scope, expectations, goals, public involvement and the overall process.

## **Committee Reports**

### **Executive Committee Meeting**

Chairperson Lathrop noted that the minutes are in the packet from the September meeting. Future work session agenda items include a presentation on "Livable Cities" from Commissioner Ryan and zoning ordinance discussions.

### **Planning Commission Vice-Chairperson Position**

Chairperson Lathrop stated that Randy Fink (Vice-Chairperson) has resigned from the Planning Commission. Mr. Fink received a promotion on his job and has relocated to Atlanta. The Chairperson stated that he is opening the floor for nominations today and a vote next month on the vice-chairperson. Commissioner Wiggins asked if there will be a nominating committee. The Chairpersons stated that the rules do not provide for a nominating committee because this is not a normal election, it is a mid-term election. However, if the Commission desires, they may select a nominating committee.

Ms. Neely stated that according to the Rules of Procedure, you can elect from the current vice-chairs of the Commission or nominations can be taken from the floor. Chairperson Lathrop clarified that there are no provisions for a nominating committee but there is nothing saying that we cannot have one.

The Chairperson opened the floor for nominations. Commissioner Allen nominated Commissioner Nelson as vice-chairperson. Commissioner Eschert seconded the motion. Chairperson Lathrop asked if the Commission would like to form a nominating committee. Commissioner Labovitz stated that the purpose of a nominating committee is to make nominations and there may not be a need for a committee since we have received a nomination. Chairperson Lathrop clarified that the purpose of the nominating committee is to make recommendations and not necessarily nominations.

Commissioner Wiggins suggested a nominating committee because this is the first time the full Commission has formally heard that Mr. Fink resigned. Ms. Neely explained that the Rules of Procedure state that vacancies are announced at the first full meeting following the vacancy (which is today's meeting) and the election takes place at the next meeting (December meeting) after the vacancy is announced. The Rules do not state when nominations can be received. They do state that nominations can be taken from the floor. Chairperson Lathrop added that nominations can be received over the next thirty days and even at the next meeting.

### **Meeting Schedule**

Ms. Neely pointed out a few changes on the November calendar, she particularly noted that the Zoning Committee work session was rescheduled due to the Thanksgiving Holiday. There are also changes to the December calendar. Commissioner Nelson asked about Council hearing schedules. Ms. Laura Harmon stated that hearings in December will be on both December 14 and 17. The calendar will be revised to reflect these meeting dates.

### **Public Outreach**

Chairperson Lathrop directed Commissioners to look at the Public Outreach Report in the agenda packet for a list of upcoming meetings.

### **Zoning Ordinance Ad Hoc Committee**

Chairperson Lathrop stated that the Zoning Ordinance Ad Hoc Committee meets monthly prior to the full Commission work session to discuss where we are in the zoning ordinance process and what the Commission would like to do. He stated that he is interested in an open, transparent and inclusive process with a good end result. He further stated that the Commission has the opportunity to make their views known consistent with the charge given to them by elected officials at the retreat. Chairperson Lathrop recognized Commissioner Ryan for sharing principles needed to create a “Livable City”. This information should be considered during the zoning ordinance update.

Commissioner McClung asked when will the public begin to see something so that people will know that it is a transparent process. Mr. McKinney stated that staff will make sure that the process is transparent and that the consultant will use the website as one vehicle to inform the public. Commissioner Nelson asked if consideration will be given to taking a detailed look at a small area of the city as a “test drive” of the zoning ordinance rewrite as previously discussed. She stated that she will join the Zoning Ordinance Ad Hoc Committee to get a better understanding of what is going on. She has been hearing concerns from the community and thinks it is important to give the public something tangible.

Commissioner Sullivan asked if there is a timeframe for completing this process. He thinks people may be wondering why the process is not moving forward. He noted that this process has been underway much longer than a year. Mr. McKinney said that he understands the anxiety about this issue and stated that staff needs to engage with the consultant, Commission and City Council to

determine the best phasing approach. He reminded the Commission that the Zoning Ordinance Assessment was done a few years ago and Council had to approve the resources to move forward. A lot of discussion has taken place since that time. These discussions focused on the right way to do the rewrite, type of ordinance, phasing, implementation and community engagement. These questions require a significant amount of dialogue and will define the first phase. It is important to define the timeframe, product, public engagement and receive approval from City Council. This will be a three to four month exercise. Once that takes place, everyone will know the timeline and how they can be engaged.

Commissioner McClung stated that there needs to be more transparency about what is to come. Mr. McKinney agreed that there needs to be more transparency about the process and noted that the website will be used as a vehicle to share information for everyone to stay engaged. He explained that working with City Council, Transportation and Planning Committee and the Planning Commission will result in all being able to define expectations as well as the process.

Commissioner Fryday would like to know if the scope of work has been defined, if there is a contract and if there is a list of priorities. He shared that if he was agreeing to participate in the process as a citizen, he would want to know the number of meetings, length of meetings, number of hours and similar details prior to committing to the process. Mr. McKinney said that the scope will provide the answers to many of these types of questions.

Commissioner Ryan stated many of the commissioners share the need for urgency. She thinks about all of the missed opportunities that have occurred by not having some principles in place while development continues. She cautioned everyone about waiting for the consultant to provide direction. She thinks staff can provide the consultant with a lot of direction about where we would like to go. She wants to know how we can get ahead of the process and what we can do in the meantime. Commissioner McClung agreed with Commissioner Ryan. He asked if there are any budgetary constraints on the process.

Mr. McKinney stated that the intent is to shape the scope, prepare key goals and timeframes with the Commission in a very short timeframe. There are a lot of topics that have not been discussed with City Council. It is important to have those discussions and to receive clear direction from City Council. Commissioner Eschert stated that he wants to know if we are going to have any speed bumps with new council members and possibly a new city manager. He stated that to proceed to quickly before everybody coalesces may be a handicap. Mr. McKinney replied that a new Council will have to be brought up to speed. However, there is a long time commitment from Council that this is a need.

Commissioner Ryan stated a philosophical position on whether to wait on City Council or provide leadership to City Council. This body can deliberate and provide some direction to Council as elected officials charged the Commission to do at the retreat.

Chairperson Lathrop is interested in getting items before the Commission to decide what they would like to focus on presenting to City Council. The Chairperson thanked Commissioner Ryan for what she is working on from a policy standpoint. He thinks this is a step in the right direction.

Commissioner Wiggins said she admires the job that Mr. McKinney is doing. She thinks that one of the things that hampered this process moving forward is that we expected Mr. McKinney to be our

director. The change at the top of City Government and the Planning Department has caused our mandate to change and undue postponement of items.

Commissioner Labovitz is concerned about the lack of understanding about timeframes. She would like for the Commission to come up with their own thoughts on a timeframe and discuss it with Mr. McKinney. For example, complete phase one by a certain date and the same for phase two. There needs to be some sort of framework in place to guide the process.

Mr. McKinney stated that the first step is to share options with the Commission and to have informed discussion with the consultants. Commissioner Labovitz reiterated that at least this gives us a goal.

Chairperson Lathrop stated that we need to know the schedule and process.

Commissioner Nelson said that the Commission needs a draft ordinance schedule in our packet at every Commission meeting that highlights integral points where the Planning Commission is expected to check in to see how the process is going. Commissioner Majeed asked if there is a problem with a finite schedule and can it be developed within a specified time period. Mr. McKinney stated that he will put together a draft schedule.

Commissioner Sullivan suggested reaching out to other cities in North Carolina that have gone through this process to not reinvent the wheel. He asked if staff can invite someone from Raleigh to give the Commission a short presentation on their process. Commissioner Wiggins stated that she has been through this process before and volunteered her services.

### **Zoning Committee**

Laura Harmon stated that there will be decisions on 3 hearings in November.



### **Planning Committee**

Commissioner Fink (Planning Committee Chairperson) has resigned and Commissioner Watkins (Planning Committee Vice-Chairperson) is absent. The minutes are in the packet. Chairperson Lathrop shared that Commissioner Ryan gave a presentation on “Livable Cities” at the last meeting and will share this presentation at the next work session. He noted the Committee has streamlined the mandatory referral process and it seems to work well. Ms. Neely added that there are 6 mandatory referrals on the agenda for November.

### **Historic District Commission (HDC)**

Commissioner Majeed stated that the HDC was briefed on the architectural survey taken by Mecklenburg County and policy design guidelines are coming. He also mentioned that there were 3 approvals, 1 denial and 1 item continued at the last meeting. The HDC retreat is coming up soon.

### **Charlotte Regional Planning Transportation Organization (CRPTO)**

Commissioner Watkins was absent and information was deferred until the next meeting.

### **Communications from Chairperson - Knight Foundation Copenhagen Tour**

Chairperson Lathrop shared that he went on a tour of Copenhagen in September that was sponsored by the Knight Foundation. The tour group included 30 others with varying backgrounds that ranged from

planning directors, mayors, city managers, college professors and others from a number of cities throughout the Country.

Chairperson Lathrop showed a short video highlighting some of the changes that Copenhagen has made. Copenhagen is a “Livable City” that is almost the same size as Charlotte. About half of the people commute to work on bikes. The city has tremendous infrastructure for bikes. He stated that this shows that people will not commute on bike unless it is cheaper, easier and feels safe. Research shows that painted lanes on streets do not accomplish this. Physical separation is needed.

### **FY16 Action Plan Follow Up**

#### **Action Items**

#### **1. Receive staff input on rezoning cases prior to the zoning public hearing.**

**Assignment:** Tracy Dodson & Dionne Nelson

Commissioner Nelson stated that there has not been a lot of activity on this item due to schedule conflicts. However, Commissioners Dodson and Nelson agree that the discussion should go to the Zoning Committee first. On November 18<sup>th</sup>, they will discuss this item with the Zoning Committee. Commissioner Nelson also shared that staff is working on changes to the zoning process and they have not been briefed on these changes. She noted the need to fully understand what staff is proposing before they can suggest changes.

#### **2. Investigate whether a smaller or alternative group can review and make recommendations on Mandatory Referrals.**

**Assignment:** Randy Fink & Planning Director

Commissioner Fryday stated that Commissioner McClung came up with a way to streamline the mandatory referral process that is working well. He stated that the solution is to have a consent agenda and only spend time on an issue when warranted. Commissioner Wiggins stated that some mandatory referrals may need more discussion than others. Commissioner McClung explained that City Council has a different way of

handling mandatory referrals all together. Commissioner Ryan stated that the consent agenda works well and allows for good discussion on some of the mandatory referrals.

Commissioner McClung stated that once an Action Item is completed, it should be viewed as an accomplishment. The Commission agreed that action on this item has been completed.

**3. Focus the Planning Commission work sessions on discussions between Commissioners, which result in actions, rather than presentations.**

**Assignment:** Executive Committee & Planning Director

Chairperson Lathrop said that at the next work session, Commissioner Ryan's presentation will help the Commission to decide what action to take and what recommendations to make to City Council on "Livable Cities". Especially as the zoning ordinance update process gets underway.

Commissioner Labovitz asked how will the Commission present their decisions to City Council. Chairperson Lathrop said he is not sure yet but thinks there is a precedence for how you share this information. He thinks something will be included in Council's packet. However, he is open to the best way to do this. Commissioner Fryday suggested a presentation at a Council dinner meeting.

Commissioner Ryan stated that dinner meetings are really fast and there is not much time to make a presentation. The retreat idea is good but it is so far off and it needs to be more than once a year.

Commissioner Labovitz explained that we need to have the Mayor and Council member Vi Lyles at another retreat type event. She said that Mayor Clodfelter and Council member Lyles were receptive to the ideas shared at the retreat and she wonders if the Commission could nominate a specific council member to present to Council on the Commission's behalf. She suggested Council member Lyles. Commissioner Wiggins suggested that the Commissioners and the Planning Director go to City Council's retreat to give them an update on how the Commission would like to engage with Council in the future. She thinks the retreat will offer a more relaxed atmosphere with all council members together.

Commissioner Nelson said she likes the idea of going to the TAP Committee and getting their input. She thinks that the Commission needs to get on the TAP Committee's agenda to get feedback from the Committee. She suggests that the Commission needs to be careful and not get ahead of themselves. The Commission discussed ways to get dialogue going with Council. Others suggestions included council members coming to Commission meetings, and being aggressive about getting a few council members to engage with the Commission to provide more direction than what was given at the retreat.

Ms. Neely reminded the Planning Commission that in the past there was a Communications Committee. This Committee is also included in the Operating Agreement. One of the responsibilities of this Committee was to communicate with Council. In the past, the Commission presented an annual report to Council in July. The Commission also gave a written report to Council in January. This has not taken place in recent years. Commissioner Labovitz stated that she remembers this but does not think it was effective because it only took place once a year. She thinks communication has to take place monthly or quarterly to be successful.

**4. Inform the Planning Commission of the Department's work program areas where the Planning Staff needs the Commission's assistance.**

**Assignment:** Planning Director

Mr. McKinney reported that there are ongoing conversations specific to the zoning ordinance rewrite.

**5. Assign a Planning Commissioner and an alternate to attend the City Council's Transportation and Planning Committee meetings.**

**Assignment:** Executive Committee

Commissioner Ryan stated that she can only attend Thursday meetings and she needs someone to attend Monday meetings. Commissioner Fryday agreed to attend the Monday meetings.

**6. Develop an Annual Work Plan for the Planning Commission and share it with Elected Officials.**

**Assignment:** Planning Committee

Commissioner McClung stated that the zoning ordinance rewrite will keep the Planning Committee busy. Commissioner Nelson agreed with Commissioner McClung and said that actions should focus on how we are communicating about the rewrite and how can we add value. This discussion also ties back to Action Items 3 and 4.

Chairperson Lathrop stated that this will be discussed further at the Executive Committee meeting. Also, he will look to Cheryl and Ed for guidance on whether a formal work plan document is needed or if consensus is enough. Commissioner Nelson thinks that the Commission needs to be realistic about the magnitude of this task. She thinks the work plan should link to Action Item 3 - what are the actions and how do we communicate them and Action Item 4 - although staff provides updates, she thinks staff needs more direction.

**7. Review the Planning Liaison/Planning Coordinating Committee's (PCC) history.**

**Assignment:** Randy Fink

Chairperson Lathrop explained that the PCC meets twice per year and the next meeting is on November 20<sup>th</sup>. He chairs this committee and said that anyone may attend the meetings. He thinks that the PCC is a great vehicle for communication with other municipalities.

Commissioner Ryan asked who serves on the PCC and what is their role. She questioned if this is where the discussion about schools, school site designs and how schools fit into the community could occur. Commissioner Majeed stated he spoke to the school board Chairperson about school site design considerations.

Commissioner Sullivan stated that at Ardrey Kell Road there is never any input from the schools about surrounding development. It is solely from the neighborhoods. Development in the Cotswold area impacted a school; however, they only asked neighbors and one doctor's office for input. The school was never approached. Are schools just islands that exist or do they have any input? Is communication with schools a problem? Commissioner Wiggins stated that the CMS hires statisticians to provide input on growth and development. Commissioner Nelson explained that CDOT changed the information provided on rezoning proposals and now the Commission is receiving the right feedback and better understands information. Is that conversation happening with schools? Consideration should be given to zoning, site layout and design, student population, and other issues. Are we receiving the information prior to making decisions. Is it on the zoning and policy side at the right point and time? Mr. McKinney stated that those conversations occur on both sides. There is extensive coordination that takes place as a part of the rezoning process.

Commissioner Nelson stated that rather than create a new committee this should be handled at the committee level first. Some issues may be handled differently on a case by case basis.

**8. Hold periodic meetings with Elected Officials to discuss goals and priorities.**

**Assignment:** Executive Committee

Chairperson Lathrop stated that this was discussed earlier in the meeting. Consideration will be given to asking Council member Lyles to attend the next meeting.

**9. Explore options for Planning Commissioners to join the American Planning Association (APA).**

**Assignment:** Planning Director

Ms. Neely stated that she is handling this action item and will follow up with the Commission.

**Adjournment**

The meeting was adjourned at 2:04 p.m.

# Charlotte-Mecklenburg Planning Department

## Community Outreach Presentations

Date	Presentation	Staff
11/04/15	Sorting out the New South (with Tom Hanchett), Providence Baptist Church 6pm	Howard
11/07/15	Community Building Initiative Neighborhood Bus Tour, First Presbyterian Church 9am	Howard
11/12/15	Goodwill Industries, Crowder Construction Institute - Careers in Architecture, Planning and Construction 10 am	Howard
11/12/15	NECI - Tom Hunter Streetscape, Sugaw Presbyterian Church	Cornett
11/16/15	Community Building Initiative Neighborhood Bus Tour, Foundation for the Carolinas - Charlotte Beyond the Bridge 11am	Howard
11/18/15	Women in Transportation Seminar (WTS) - Comprehensive Transportation Plan 12pm	Cook
12/01/15	Northeast Corridor Infrastructure McCullough Extension and Streetscape Project, Holiday Inn, University Park 11:30am	Vari
12/03/15	Creative Solutions for Thriving Communities, Gastonia Conference Center 11:30am	Cook/Wells



# Charlotte-Mecklenburg Planning Commission

Attachment 3

## Meeting Schedule

December 2015

Date	Time	Purpose	Location
<b>Full Planning Commission</b>			
12-07-15	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor-CMGC
<b>Executive Committee</b>			
12-14-15	3:30 p.m.	Work Session <sup>1</sup>	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
12-15-15	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Committee</b>			
12-14-15	4:00 p.m. – 10:00 p.m.	Combined Zoning & Council Business Meeting <sup>2</sup>	Meeting Chamber Lobby - CMGC
12-17-15	4:00 p.m.	Combined Zoning & Council Business Meeting (continued) <sup>3</sup>	Meeting Chamber Lobby - CMGC
01-04-16	2:00 p.m.	Work Session <sup>4</sup>	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Ordinance Ad Hoc Committee</b>			
12-07-15	11:15 a.m.	Work Session	Conference Room 278 2 <sup>nd</sup> Floor-CMGC
<b>Other Meetings</b>			
12-09-15	Noon	Historic District Commission Workshop	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
12-09-15	1:00 p.m.	Historic District Commission Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
12-16-15	6:00 p.m.	CRTPO Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<b>Charlotte-Mecklenburg Planning Department Meetings</b>			
12-10-15	6:30 p.m.	Proposed 8 <sup>th</sup> Street Extension Informational Meeting	Hawthorne Ln. United Methodist Church 501 Hawthorne Lane, Charlotte

<sup>1</sup> Due to the Holidays, the regularly scheduled December 21, 2015 Executive Committee meeting was rescheduled to December 14, 2015 at 3:30 pm.

<sup>2</sup> 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. This meeting will recess at 10:00 pm and will continue on December 17, 2015 at 4:00 pm.

<sup>3</sup> Due to the increased number of rezoning cases, this meeting was scheduled to continue the December 14, 2015 City Council Zoning meeting.

<sup>4</sup> Due to the Holidays, the December 2015 Zoning Committee work session was rescheduled to January 4, 2016 at 2:00 pm.





# Charlotte-Mecklenburg Planning Commission

**DRAFT**

## Meeting Schedule

January 2016

Date	Time	Purpose	Location
<b>Full Planning Commission</b>			
01-04-16	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<b>Executive Committee</b>			
01-19-16	4:00 p.m.	Work Session <sup>1</sup>	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
01-19-16	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Zoning Committee</b>			
01-04-16	2:00 p.m.	Work Session <sup>2</sup>	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
01-19-16	5:00 p.m.	Dinner w/ City Council <sup>3</sup>	Conference Room CH-14 Basement – CMGC
01-19-16	6:00 p.m.	City Rezoning <sup>3</sup>	Meeting Chamber Lobby Level – CMGC
01-27-16	4:30 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Zoning Ad Hoc Committee</b>			
01-04-16	11:15 a.m.	Work Session	Conference Room 278 2 <sup>nd</sup> Floor – CMGC
<b>Other Meetings</b>			
01-13-16	12:00 p.m.	Historic District Commission Workshop	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
01-13-16	1:00 p.m.	Historic District Commission Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
01-13-16	5:00 p.m.	CRTPO Bi-Annual Orientation	Conference Room 267
01-20-16	6:00 p.m.	CRTPO Meeting	Conference Room 267

### Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.

<sup>1</sup> Due to the MLK Holiday, the January 18, 2016 Executive Committee meeting was rescheduled to Tuesday, January 19, 2016.

<sup>2</sup> Due to the Holidays, the December 2015 Zoning Committee work session was rescheduled to January 4, 2016.

<sup>3</sup> Due to the MLK Holiday, the City Council Dinner and Rezoning meetings were rescheduled to Tuesday, January 19, 2016.



**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, CH-14**  
**November 18, 2015**  
**4:30 P.M.**

Called to order: 4:42pm

Adjourned: 6:30pm

**Commissioners:**

Tracy Dodson✓

Ray Eschert✓

Karen Labovitz✓

Nancy Wiggins✓

Tony Lathrop✓

Dionne Nelson✓

Mike Sullivan✓

<p><b>Approved</b></p>	<p>1. <a href="#"><u>Petition No. 2015-054</u></a> (Council District 3 – Mayfield) by <b>PMT Partners V, LLC</b> for a change in zoning for approximately 1.56 acres located on the northeast corner at the intersection of South Tryon Street and Moss Road from B-1SCD (business shopping center) to B-1(CD) (neighborhood business, conditional).</p> <p><b>Consistency Motion:</b>  <b>Maker: Wiggins 2nd: Nelson</b>  <b>Vote: 6-0</b>  <b>Lathrop - Recused</b></p> <p><b>Recommendation Motion:</b>  <b>Maker: Wiggins 2nd: Eschert</b>  <b>Vote: 6-0</b>  <b>Lathrop - Recused</b></p>
<p><b>Approved</b></p>	<p>2. <a href="#"><u>Petition No. 2015-109</u></a> (Council District 4 - Phipps) by <b>WaterWalk Redevelopment Services, LLC</b> for a change in zoning for approximately 5.05 acres located on the west side of University Executive Park Drive near the intersection of West W.T. Harris Boulevard and University Executive Park Drive from O-2(CD)(office district, conditional) to MUDD-O (mixed use development district, optional).</p> <p><b>Consistency Motion:</b>  <b>Maker: Labovitz 2nd: Eschert</b>  <b>Vote: 6-0</b>  <b>Lathrop - Recused</b></p> <p><b>Recommendation Motion:</b>  <b>Maker: Labovitz 2nd: Eschert</b>  <b>Vote: 6-0</b>  <b>Lathrop - Recused</b></p>
<p><b>Approved</b></p>	<p>3. <a href="#"><u>Petition No. 2015-119</u></a> (Council District 3- Mayfield) by <b>Mary Cuthbertson</b> for a change in zoning for approximately 0.338 acres located on the east side of China Grove Church Road between Aileen Circle and Ervin Lane from R-4 (single-family residential) to R-8 (single-family residential).</p> <p><b>Consistency Motion:</b>  <b>Maker: Nelson 2nd: Wiggins</b>  <b>Vote: 7-0</b></p> <p><b>Recommendation Motion:</b>  <b>Maker: Nelson 2nd: Eschert</b>  <b>Vote: 7-0</b></p>

<p>Approved</p>	<p>4. <a href="#"><u>Petition No. 2015-127</u></a> (Council District 3-Mayfield) <b>by Roger and Kathe Ball</b> for a change in zoning for approximately 0.17 acres located on the northwest corner at the intersection of Winnifred Street and West Bland Street from I-2 (general industrial) to TOD-M (transit oriented development – mixed use).</p> <p><b>Consistency Motion:</b>  <b>Maker: Wiggins 2nd: Labovitz</b>  <b>Vote: 7-0</b></p> <p><b>Recommendation Motion:</b>  <b>Maker: Wiggins 2nd: Labovitz</b>  <b>Vote: 7-0</b></p>
<p>Approved</p>	<p>5. <b>Innovative Request for Rezoning Petition 2001-016(C)</b> Marc Houle with Yarbrough Williams is requesting approval of innovative provisions for a portion of the Palisades Development associated with rezoning petition 2001-016C. The site is located on the west side of Grand Palisades Parkway south of York Road.</p> <p><b>Maker: Wiggins 2nd: Dodson</b>  <b>Vote: 7-0</b></p>

**Charlotte-Mecklenburg Planning Commission**  
**Planning Committee Meeting Minutes**  
**October 20, 2015 – 5:00 p.m.**  
**CMGC – 2<sup>nd</sup> Floor, Room 280**

**Attendance:**

**Commissioners Present:** Chairperson Randy Fink and Vice-Chairperson Cozzie Watkins  
Commissioners Emma Allen, John Fryday, Nasif Majeed, Bolyn McClung and Deborah Ryan

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

**Other Staff Present:** Robert Drayton, City Engineering and Property Management, Real Estate; Todd DeLong, Neighborhood and Business Services, Economic Development; Katie Daughtry, County Asset and Facility Management; and Peggy Hey, Charlotte Mecklenburg Schools; Frank Blair, Charlotte Mecklenburg Library

**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 gave a brief overview of the agenda and stated that Commissioner McClung will move that the agenda items be handled by consent and that Commissioner Ryan will give a presentation for Agenda Item #8 (Discussion of the Planning Commission Work Plan).

**Approve September 15, 2015 Minutes**

Commissioner Fryday pointed out that the minutes incorrectly identify Dennis LaCaria, who is a county employee, as a city employee. A motion was made by Vice-chair Watkins and seconded by Commissioner McClung to approve the September 15, 2015 minutes with this correction. The vote was unanimous to approve the minutes as revised.

**Consent Items**

*A motion was made by Commissioner McClung to consider the mandatory referrals by consent. Commissioner Ryan seconded the motion and asked to discuss M.R. #15-47 and M.R. #15-50. The vote was unanimous to approve M.R. #15-46, M.R. #15-48 and M.R. #15-49 by consent.*

**M.R. #15-46: Proposal by Mecklenburg County to Acquire Land Located off of the Westerly Side of Providence Road along McAlpine Creek for Greenway Expansion**

Mecklenburg County proposes to acquire approximately 3 acres of vacant land located along McAlpine Creek (Tax Parcel 211-011-15 p/o). The property will be assembled with other properties along the creek for construction of the McAlpine Creek Greenway trail from Sardis Road to Providence Road.

**M.R. #15-48: Proposal by Mecklenburg County to Acquire Land for the Expansion of Reedy Creek Nature Preserve**

Mecklenburg County proposes to acquire approximately 97 acres of vacant land located on the easterly side of Reedy Creek Nature Preserve (Tax Parcels 105-111-07, 105-154-01 and 10) to expand the nature preserve.

**M.R. #15-49: Proposal by Mecklenburg County to Acquire Land to Expand McIlwaine Regional Park and McDowell Creek Greenway in the Town of Huntersville**

Mecklenburg County proposes to acquire approximately 53 acres of vacant land located between Gilead and McIlwaine roads (Tax Parcel 015-081-03) to expand McIlwaine Regional Park, fill gaps along McDowell Creek Greenway and protect high quality natural areas.

*A motion was made by Commissioner Ryan and seconded by Vice-chair Watkins to approve by consent Planning Staff's recommendation for Mandatory Referrals: M.R. #15-46, M.R. #15-48 and M.R. #15-49. The vote was unanimous to approve staff's recommendation for all three mandatory referrals.*

**M.R. #15-47: Proposal by Mecklenburg County to Exchange Land with Dixie River Land Company, LLC for a Future Library in Southwest Charlotte.**

The Public Library of Charlotte and Mecklenburg County proposes to exchange approximately 5 acres of land located in the southwest quadrant of the intersection of Shopton Road and Steele Creek Place Drive (Tax Parcel 201-072-27) with Dixie River Land Company, LLC for approximately 5 acres of land located on the north side of Dixie River Road west of Shopton Road (Tax Parcels 141-171-29 and 04 p/o) to construct a branch library.

*Chairperson Fink recused himself due to a potential conflict. Vice-chair Watkins chaired the meeting during the discussion of M.R. #15-47.*

Alberto Gonzalez (Planning) gave a brief overview of this mandatory referral. Commissioner Fryday asked if the subject property is part of a larger parcel. He also asked for clarification on the land swap. Mr. Frank Blair (Charlotte Mecklenburg Library) explained the proposal and said that the library could spill onto the adjoining parcel. Commissioner McClung asked if this library was included in the 2007 bond package. Mr. Blair said that it was not.

*A motion was made by Commissioner Ryan and seconded by Commissioner Fryday to approve Planning staff's recommendation for Mandatory Referral #15-47. The vote was unanimous to approve Planning staff's recommendation for Mandatory Referral #15-47.*

*Chairperson Fink returned to the meeting.*

**M.R. #15-50: Proposal by the City of Charlotte to Sell a Portion of the Former Eastland Mall Site to Charlotte Mecklenburg Schools (CMS)**

The City of Charlotte proposes to sell approximately 11 acres of the former Eastland Mall property; located between Wilora Lake Road, Central Avenue and N. Sharon Amity Road (Tax Parcel 103-041-99) to Charlotte Mecklenburg Schools for the construction of a 54-classroom, K-8 magnet school.

Ed McKinney, Interim Planning Director, shared background information on the Eastland Mall site. He explained that the City purchased the mall in 2012 and the mall was demolished in 2013. He gave a brief history of previous plans to develop the site. He shared that meetings have been held with staff from various city and county departments as well as Charlotte-Mecklenburg Schools, developers and others to try and get a sense of how the property can be developed.

Commissioner Majeed stated that Wilora Lake Road will not be able to handle the additional traffic generated by a school and that the roads will need to be improved. He asked what kind of school is being proposed. Mr. McKinney said that it will be a school for grades K-8 and a partial magnet school. He stated that transportation discussions are underway with Charlotte Department of Transportation. Also, the site will have access to Central Avenue.

Chairperson Fink shared concerns about a school being located at this site. He referenced goals in the *Eastland Area Plan* (2003) and making this a vibrant town center. He noted that the plan makes reference to entertainment uses at this location. He is also concerned about the school not being attractive and being located here as an anchor.

Commissioner Ryan agreed with the Chairperson. She said the area needs economic development and the adopted area plan tries to make that happen. This proposal does not speak to a town center.

Vice-chair Watkins asked to hear from Peggy Hey (Charlotte-Mecklenburg Schools (CMS)) on school overcrowding and the need for additional schools in the area. Vice-chair Watkins would like to see development in the area and thinks locating a school here could increase interest in the area. Commissioner Majeed asked how does a school help economic development in this area and where the students will come from.

Ms. Hey explained that the school was approved in the 2013 bond package to relieve crowding at Albemarle Elementary School. She stated that people like to be next to a school and compared this site to the Golf Links plan which includes a school. Also, there could be commercial synergy between the school and retail.

Todd DeLong (Neighborhood and Business Services) added that a number of development concepts have been tested over the last several months and he has heard that schools and parks are positives and can entice residential development.

Commissioner McClung asked if this is a wise decision for the community. He thinks the site is too small. He asked if this is an example of a good use of land, if there is room for the school to grow at this location and if consideration has been given to where trailers will be located when the school becomes overcrowded. Commissioner Majeed asked how many students will attend the school. Ms. Hey answered 54 classrooms which can accommodate approximately 1,000 students. Commissioner Ryan asked if the building will be one story and Ms. Hey replied that it will be two stories.

Commissioner Ryan shared her concern about the site design and parking out front. She does not think that it is a good site design. A school should be a neighborhood center that children can walk to. The site design should be more pedestrian friendly. Ms. Hey explained that it is a preliminary design. Commissioner Ryan said that CMS has not done a very good job because this design does not contribute to the urbanization of the site. She also said that this is not a good design or a good site plan. Ms. Hey explained that this is not a site plan yet because the city does not have a contract. Commissioner Ryan stated that it does not cost any more to design an acceptable plan and this plan is not acceptable to her. There are no pedestrian connections and there is so much more to be done.

Commissioner Allen said that she is conflicted about this recommendation because something needs to happen at this location. However, development on the site should be walkable and connected. Vice-chair Watkins stated that this should not be a plan to just put something in place and asked if the site design can change. Commissioner Fryday asked if Planning staff will review development plans for the site. Mr. McKinney said that negotiations with CMS have not been finalized. The City is the land owner and as part of negotiations can discuss design. He added that City Council will receive information that includes funding and final design prior to Council action. Mr. McKinney also said that the Planning Committee's comments will be helpful when discussing the development with CMS and thinking through the site development. Commissioner Fryday clarified that there is not an official review process for the proposed development.

Commissioner McClung asked if the city makes demands on schools about the use of certain materials and design. Commissioner Ryan said CMS can do what they want. Commissioner Fryday asked why the retaining wall was depicted on the drawings. Ms. Hey replied that the wall was left after the mall was demolished and is not a retaining wall. Commissioner Fryday asked if the retaining wall will be removed. Ms. Hey said that it is being discussed. Commissioner Fryday asked if the site can be massaged to allow more urban type uses. Ms. Hey said that this is a hard boundary and changes will impact cost

Commissioner Allen asked if the Committee recommends approval of this mandatory referral tonight, is there a design review. Mr. McKinney said yes but not through the Planning Committee. This will go to City Council for final action. Chairperson Fink said the Committee can ask City Council to accept the Committee's position. Mr. McKinney stated that the plans can be modified. Chairperson Fink commented that he thinks this is an opportunity to do something good at this location. He also stated that CMS should not be viewed as the leader in revitalizing this area. Someone needs to step back and look at the overall area. Commissioner Ryan stated that once the property is sold, CMS can do what they choose.

Commissioner Ryan moved to not approve staff's recommendation for M.R. #15-50 and the motion was seconded by Commissioner Allen. Vice-chair Watkins would like for the Committee to defer their recommendation because she thinks there are things that can be done to improve the proposal. Commissioner Ryan said that they cannot come back with a site plan that is good enough and questioned if a school should lead economic development in the area. Commissioner Fryday said that our job is to decide if the city should sell the property for a school to be placed on the site.

Vice-chair Watkins said that she is in favor of this proposal but has questions and asked if this mandatory referral can be decided on later. She added that the Committee needs to be very careful with their power. She asked if their job is strictly to say "put a school on the site". Mr. McKinney said that the Committee can defer action and request more information. Commissioner Allen said that the Planning Committee's job is to make land use recommendations. She asked what will change about the design if this agenda item is deferred. She is not comfortable deferring this recommendation and stated that she wished negotiations had taken place before now. Commissioner McClung said that if we defer, we can give a list of recommendations. He questioned if the city is making a fair deal by selling a small amount of land because more space will be needed. Commissioner McClung pointed out that he is a CMS School Board appointee.

*A motion was made by Commissioner Ryan and seconded by Commissioner Allen to deny Planning Staff's recommendation for Mandatory Referral #15-50. The vote was 6 to 1 to deny staff's recommendation for Mandatory Referral #15-50.*

*Yeas: Chairperson Fink, Commissioners Allen, Fryday, Majeed, McClung and Ryan*

*Nays: Vice- chairperson Watkins*

Commissioner Allen suggested that Chairperson Fink draft a letter to City Council explaining why the Planning Committee could not support staff's recommendation. The chairperson agreed to this.

### **Planning Commission Work Plan Discussion**

The Committee agreed to receive a presentation from Commissioner Ryan at the next Committee meeting.

**Adjourn:** 6:15 pm



**CHARLOTTE HISTORIC DISTRICT COMMISSION**  
**MEETING AGENDA – NOVEMBER 11, 2015, INNOVATION STATION**  
**HDC WORKSHOP – 12:00 PM THE PUBLIC IS WELCOME TO ATTEND**

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Attachment 6

**HDC WORKSHOP – 12:00 PM**

1. ZONING ENFORCEMENT UPDATE
2. QUASI-JUDICIAL WORKSHOP REPORT

**HDC MEETING: 1:00 – 7:00**

3. CALL TO ORDER
4. APPROVAL OF AUGUST AND SEPTEMBER MINUTES
5. APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

**CONTINUED APPLICATIONS**

1. 1508/1510 S. MINT STREET  
CASE No. [HDC 2015-208](#) **APPROVED**  
RENOVATION/ADDITION  
DONALD PEADON, APPLICANT

**NEW APPLICATIONS**

**DILWORTH**

2. 1716 WINTHROP AVENUE  
CASE No. [HDC 2015-226](#) **CONTINUED**  
NON-TRADITIONAL SIDING (GARAGE)  
ALLEN WEST, APPLICANT
3. 1830 EWING AVENUE  
CASE No. [HDC 2015-232](#) **APPROVED**  
PAINTING BRICK  
BILL FOSTER, APPLICANT
4. 229 EAST WORTHINGTON AVENUE  
CASE No. [HDC 2015-235](#) **APPROVED**  
REAR ADDITION  
ALLEN BROOKS, APPLICANT

5. 1914 LENNOX AVENUE  
CASE No. [HDC 2015-236](#) **APPROVED**  
FRONT FAÇADE CHANGES  
TONY WARD, APPLICANT
6. 804 EAST KINGSTON AVENUE  
CASE No. [HDC 2015-238](#) **CONTINUED**  
REAR ADDITION  
KEITH WESOLOWSKI, APPLICANT
7. 1308 LEXINGTON AVENUE  
CASE No. [HDC 2015-239](#) **APPROVED**  
SIDE ADDITION  
DON DUFFY, APPLICANT

