

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

Planning Commission

April 4, 2016
work session

Charlotte-Mecklenburg
Government Center

Room 267
Noon

Charlotte-Mecklenburg Planning Commission

Work Session Agenda

April 4, 2016 – Noon

CMGC – Conference Room 267

Call to Order & Introductions

Tony Lathrop

Administration

Approval of Planning Commission Minutes

Approve the March 7, 2016 minutes.

Tony Lathrop

Attachment 1

Information

Planning Director's Report

Ed McKinney

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

Attachment 2

April & May 2016 Meeting Schedules

Attachment 3

Committee Reports

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

Tony Lathrop

Future Work Session Agenda Items	Work Session
1. Place Types	May / June
2. TOD	May / June
3. Mayor & City Council Discussion	July
4. Zoning Ordinance Update	Ongoing
5. Uptown Urban Trails Connection Study	TBD
6. CATS Countywide Transit Services Plan	TBD

- **Zoning Ordinance Ad Hoc Committee**

Tony Lathrop

- **Zoning Committee**
 - Upcoming Rezoning Petitions
 - March 7, 2016 Agenda

Tony Lathrop
Tammie Keplinger
Attachment 4

- **Planning Committee**
 - February 16, 2016 Approved Minutes

Dionne Nelson
Attachment 5

- **Historic District Commission (HDC)**
 - March 9, 2016 Meeting Update

Nasif Majeed
Attachment 6

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

Cozzie Watkins

- **City Council's Transportation & Planning Committee**

John Fryday

Communication from Chairperson

- City Council Communication
- Zoning Ordinance Stakeholder's Discussion

Tony Lathrop

Charlotte-Mecklenburg Planning Commission

Attachment 1

Work Session

March 7, 2016 - 12:00 pm

CMGC- Room 267

Minutes

Attendance

Commissioners Present: Tony Lathrop (Chairperson), Dionne Nelson (Vice-Chairperson), Tracy Dodson, Ray Eschert, John Fryday, Karen Labovitz, Nasif Majeed, Bolyn McClung, Sam Spencer, Mike Sullivan, Cozzie Watkins, and Nancy Wiggins

Commissioners Absent: Emma Allen and Deb Ryan

Commissioner Majeed arrived at 12:20 p.m.

Commissioner Watkins arrived at 12:51 p.m.

Commissioner Dodson left at 12:55 p.m. and returned at 1:24 p.m.

Chairperson Lathrop left at 1:08 and returned at 1:24 p.m.

Planning Staff Present: Ed McKinney (Interim Planning Director), Alan Goodwin, Laura Harmon, Garett Johnson, Tammie Keplinger, Catherine Mahoney, Kent Main, Melony McCullough, Grant Meacci, Sandra Montgomery, Cheryl Neely, Jennifer Ryan, and Katrina Young

Guest Present: Travis Crane, City of Raleigh Assistant Planning Director

Welcome & Introductions

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

Approval of Minutes

Commissioner Dodson made a motion to approve the February 1, 2016 minutes, seconded by Commissioner Sullivan. The minutes were approved unanimously.

Raleigh Zoning Ordinance

Chairperson Lathrop stated that Travis Crane, from the Raleigh Planning Department, will share information about Raleigh's Zoning Ordinance rewrite process. Mr. McKinney reminded the Commission that some Commissioners had discussed visiting Raleigh to learn from their experience. The Executive Committee and staff thought the entire Commission could benefit from the discussion, so they invited Mr. Crane to attend today's meeting. Mr. McKinney introduced Mr. Crane.

Mr. Crane presented an overview of Raleigh's Zoning Ordinance rewrite process. He explained that Raleigh began by discussing the types of buildings that should be located in the city as a foundation for the zoning code. They also addressed transitions between residential and mixed use commercial developments. This process resulted in the creation of new mixed use zoning districts. Mr. Crane said it was challenging to educate the public, City Council and Planning Commission on the new districts.

Mr. Crane presented a sample page from their new Unified Development Ordinance (UDO) and explained that it had more graphics than the previous zoning code. He further explained that the developer chooses the building type and each type has standards associated with them. Once the building type is chosen (by the developer), they are required to build to those standards. Building types are not always associated with a use.

Mr. Crane also stated that the new ordinance provides residential protections. The City of Raleigh was experiencing a residential phenomenon of tear downs and rebuilds, so they thought it was appropriate to create residential infill standards to address this. These standards were reduced as they went through the adoption process because the development community did not respond favorably to them. These standards address items such as street setbacks and building heights.

Mr. Crane continued by sharing information about other sections of the code. He reiterated that the new code is much more graphically richer than the previous code. Sections of the previous code also conflicted with each other and had not been updated in quite sometime. They decided to take a different approach and draft a code that is understandable by all – elected officials, appointed officials, Planning Commission, planning professionals, and the public at large.

Mr. Crane explained how Raleigh drafted the code and how the Planning Commission, as well as an advisory committee was involved in the process. Click [here](#) to view the presentation.

Following the presentation, Chairperson Lathrop asked Commissioners if they had questions.

Commissioner Wiggins asked if the UDO addresses accessibility standards above and beyond the ADA guidelines, for curb cuts, etc. Mr. Crane explained that they did not place any greater standards in the code in excess of ADA requirements because they rely on the federal laws.

Chairperson Lathrop asked who chose the advisory committee and how soon were they engaged in the process. Mr. Crane explained that they were appointed by City Council. The advisory committee was involved on the front end of the process and worked with the consultants to draft the standards.

Chairperson Lathrop asked if the advisory committee weighed in early on the fundamentals of the process, policy, and direction. Mr. Crane stated that there were a number of developers on the committee and they wanted to dive into the details of development. They did not have broader conversations about the policy but he wishes they had done so.

Commissioner McClung asked if the roles of the Council, Planning Commission, advisory committee, and staff changed after the ordinance was adopted. Mr. Crane responded that the Planning Commission's role changed because they previously reviewed site plans and they no longer review them. He said the Commission is now engaged in the area planning process. Previously staff worked with the community and took plans to Council for adoption. The Planning Commission now plays a larger role on the front end. They help shape the scope of area plans, have regular check-ins, and make recommendations to Council. They are also involved in lots of text changes and reserved one of their committees to serve as a text change committee.

Commissioner Majeed asked about the time frame for Charlotte's Zoning Ordinance rewrite. Mr. McKinney said the drafting of the ordinance will kick off in June. He anticipates it will take approximately a year and a half to draft the ordinance and then the adoption process will begin.

Commissioner Majeed asked Mr. Crane if it took Raleigh three years because they had so many groups participating in the process. Mr. Crane responded not necessarily. The delay was due to a number of factors. Staff's indecision about whether or not to include the map contributed to the delay. They decided half way through the drafting of the text to split the map and text apart because the consultant advised them it would be a four year process to adopt both the text and map together.

Commissioner Spencer asked how Raleigh incorporated other ordinances, such as the Tree Ordinance into their UDO. Mr. Crane explained that Raleigh has special enabling legislation that allows for a different type of tree conservation ordinance. All of those standards were brought into the UDO. The benefit of having a unified document is that all regulations can be bundled into one document. Staff had previously struggled with administering regulations in different places.

Commissioner Spencer asked if Raleigh had to go to the legislature and get local bills passed in order to coordinate the individual ordinances into the UDO. Mr. Crane responded that local enabling authority was given to Raleigh by the State years ago. Commissioner Spencer asked if they had to go to the legislature for anything regarding the UDO. Mr. Crane replied no.

Commissioner Labovitz asked when the process was completed. Mr. Crane said the entire city is regulated by the UDO and the map was adopted in November 2015. Commissioner Labovitz asked if the Council and Planning Commissioners are comfortable using the new zoning code when making recommendations and decisions. Mr. Crane said they worked hard to educate the elected and appointed officials. When the adoption process started they provided each Council and Commission member opportunities for discussion with staff. He had several one-on-one meetings to talk about the general structure and philosophy of the UDO. He said the officials still do not necessarily understand the entire document and that is expected.

Commissioner Fryday asked about the roles of the different consultants and staff during the process. Mr. Crane said the primary consultant that led the process is from Texas. The urban form consultant and the engineering firm only worked on a small piece, such as the street cross sections. By contrast, the primary consultant was in constant contact with staff throughout the entire the process. There was also a core group of staff members.

Commissioner Fryday asked if the historic district, including the guidelines and process, is in the UDO. Mr. Crane responded that the guidelines were not in the UDO. They are a standalone document but are referenced in the code. They did not want to bog down the UDO with technical specifications.

Vice-Chairperson Nelson asked if there has been a change in the number of conditional rezonings since the adoption of the UDO. Mr. Crane said there has been a slight increase in general rezonings. The original goal was to get rid of conditional rezonings. He acknowledged that although general rezonings have increased, there will always be conditional rezonings.

Vice-Chairperson Nelson asked if the UDO addresses affordable housing. Mr. Crane said they intentionally did not address affordable housing. An ULI technical advisory panel held a two day forum on affordable housing. They concluded that including a bonus or incentive did not make sense because a bonus structure does not provide the desired amount of affordable housing. Instead, they rely on their Community Development Department and traditional tax credit programs. Vice-Chairperson Nelson asked if Raleigh has an affordable housing locational policy. Mr. Crane answered yes but it is being refined.

Vice-Chairperson Nelson asked if it would be advisable for Charlotte to update the Ordinance incrementally or be patient and go through the process at once. Mr. Crane explained that Raleigh chose to be patient. They did not want to choose an area to zone first because it did not seem beneficial. This could have also caused issues with the general public if they had chosen a certain area to zone first. They preferred a unified zoning map that was adopted at once. He further explained that there is a risk that all areas may not be zoned if it is done incrementally.

Commissioner Labovitz asked about the difference in the advisory committee and the Planning Commission's roles and if they overlapped. Mr. Crane said the intention was for the advisory committee to look at the broad topics in the UDO and help shape it as it was being drafted. However, this was not executed very well. They went to a more detailed level and started reviewing regulations. The original plan was for the Planning Commission to do this. Mr. Crane said unfortunately their roles were somewhat duplicative. The only difference was the Planning Commission was speaking directly to citizen comments but both groups were talking about the same content.

Commissioner Spencer asked how they were able to get disparate groups to create an UDO that works for all the different areas in Raleigh and how have they seen it take form since adoption. Mr. Crane said initially they did not receive many conflicting comments from different areas of the city. Generally, the citizenry did not care about the regulations until it was applied to their specific property. Since the adoption of the UDO there has been an increase in residential infill development. The old code required a public process which included Planning Commission review when subdividing one lot into two. This is now done administratively.

Commissioner Sullivan asked if the reason for creating the street side historic district was it to get more desired results or correct an unexpected issue. Mr. Crane explained that it was an action item from their comprehensive plan. This district came about because certain residential subdivisions wanted protection. Staff suggested an historic overlay district but the property owners did not want an overlay. They continued to ask for protection so staff thought it was a novel idea to overlay their neighborhood with an historic district and only regulate what is seen from the street. Commissioner Sullivan asked if the overlay focuses on aesthetics. Mr. Crane replied yes.

Commissioner Fryday asked Mr. Crane to expand on the appearance committee and community lunch and learns that he had mentioned. Mr. Crane said the lunch and learns were primarily hosted by the Urban Design Center. Third party speakers were brought in once a month to discuss the benefits of form based codes and code standards. Raleigh did not adopt a form based code but included elements of form in the UDO. The lunch and learn conversations, on the front end, were very beneficial. The Appearance Commission is a separate appointed and advisory body that is involved in administrative alternates. They review design standards and advise staff. Staff coordinated with the attorney's office to make sure it was legal.

Commissioner Labovitz asked for advice and what could have been done differently. Mr. Crane said to be patient, vigilant, and know that it is a long process. Although this is an important project, the code is not set in stone and will change over time. Also, it is impossible to address every problem - there will always be an issue that was not thought of when the code was written. Looking back, he wished they had made up their minds sooner on the zoning map. In addition to slowing down the process, it ultimately impacted staff resources. Mr. Crane advised staff to make sure their goals and objectives are identified early and to focus on big picture issues. The details will be worked out through the public comment process with City Council and the Planning Commission.

Commissioner Eschert asked why they did not address accessory dwelling units. Mr. Crane explained that it became a political issue. Although staff had drafted the standards they could not regulate who lived in the accessory dwelling units.

Commissioner Eschert asked if the UDO is helping to manage the gentrification of neighborhoods. Mr. Crane explained that gentrification is market driven. The zoning of the property does not impact whether a structure is purchased at a lower price, redeveloped, and sold at a higher price.

Commissioner Wiggins stated that Raleigh has a stronger economic base because of the government and the universities, while Charlotte is more of an entrepreneurial city. She asked if he would look at the code differently if Raleigh was an entrepreneurial city. Mr. Crane responded that he would not look at it differently and their Council supports the entrepreneurial spirit.

Commissioner Spencer asked what was done in relation to having more density near NC State University. Mr. Crane explained that the University is not building anymore housing on campus. Over time students have begun to filter into the surrounding single family neighborhoods. Since the UDO removed density caps in the mixed use districts, the biggest constraint is providing parking for student housing units. The location of student housing is dictated by the market; however, some argue that more density should not be allowed in the downtown corridor near the University.

Chairperson Lathrop and the Commissioners thanked Mr. Crane for the presentation.

Information

Planning Director's Report

Zoning Ordinance Update

Mr. McKinney reminded the Commission that staff is in the first phase which defines the approach. Staff wants to have a clear sense of the components and the process when they present the approach report, including the scope to Council in June.

Staff will present information about place types and policy framework, including how it relates to transportation planning efforts to the TAP Committee next week. Staff will also share this information at the March Planning Committee meeting. In April staff will discuss the details and the components of the UDO, policy framework, place types and the role of the advisory committee to TAP and the Planning Commission.

Dropbox Update

Mr. McKinney said the Commission had previously asked staff to set up a Dropbox for Commissioners to share information. He informed the Commission that staff created a "Commission Resources" webpage on the Planning Department's website for the Commission to access presentations, resources, articles, and other information. Staff suggested that this be used instead of a Dropbox because it is accessible and publically transparent. This will be tested for a while to see if it serves the purpose of sharing information. Mr. McKinney demonstrated the webpage. He asked Commissioners to send information to Cheryl Neely for posting on the webpage.

Commissioner Watkins asked if archive and search mechanisms (by topic) can be added in the future so that the webpage does not become too cluttered and items can be easily found as the information on the webpage increases. Ed McKinney said staff will continue to work to improve the page based on the topics and amount of information.

Commissioner Sullivan asked Mrs. Neely to add Mr. Crane's presentation to the webpage.

Commissioner Fryday said he would close the Dropbox that he had set up and will send the information to staff to post on this new webpage.

February and March 2016 Meeting Schedules

Due to lack of time, the Commission did not review the meeting schedules.

Committee Reports

Executive Committee

There was not an Executive Committee report.

TAP Committee

Commissioner Fryday said that at the last TAP Committee meeting, Councilmember Lyles mentioned that the TAP Committee could establish a subcommittee to work on the Zoning Ordinance rewrite. She suggested that perhaps the subcommittee could work with the Zoning Ordinance Ad Hoc Committee to oversee or monitor the rewrite. In light of the discussion with Travis Crane, Commissioner Fryday thinks the Commission should coordinate with Councilmember Lyles to establish this committee. Chairperson Lathrop asked if it would be an advisory committee. Commissioner Fryday thinks they should follow up with Councilmember Lyles because this could possibly lead to the development of an advisory committee.

Zoning Ordinance Ad Hoc Committee

Chairperson Lathrop asked Mr. McKinney if there is a way to hear from a modest size group of key stakeholders about fundamental and big picture questions at the onset. Mr. McKinney acknowledged the concern about getting community input early; however, staff is in the process of establishing an approach and this will need to be finalized so the conversation with the public can be meaningful. He said that based on the information Mr. Crane shared, it seems best to establish the approach and then engage the community in discussions with the specifics of the approach. Staff also needs clarity from the TAP Committee, as well as the Commission, on the process before engaging the community.

Commissioner Fryday said there seems to be different kinds of community engagement. Mr. Crane referred to an advisory group that looks at very broad issues. At the last work session, Laura Harmon asked the Commission about specific questions that staff should be asking neighborhoods about the process. He asked Chairperson Lathrop if he was referring to a group that deals with broad issues or more details about the process. Chairperson Lathrop explained that he was thinking about community engagement over the next few months to help frame big picture issues about the process and substance. He thinks this is important because the Commission has not been asked questions about the process, engaging stakeholders, or for direction on some issues such as conditional zoning. Commissioner Fryday said he thinks this is different than the long term public engagement process that Mr. McKinney referenced.

Mr. McKinney clarified that staff is in the process of framing those kinds of questions and will use the TAP Committee, Council and Planning Commission to test those questions, as well as identify the right structure for an advisory committee. This advisory committee could possibly transition into a role in the long term which can get into the real substantive issues of the code. He explained that he is being hesitant because staff wants to have a clear sense of direction and articulate the appropriate questions to Council and the Commission. In June, once the basic approach and scope have been defined, there will be lots of conversations about this with stakeholders.

Chairperson Lathrop asked if stakeholders would not be engaged prior to the end of the first phase in June. Mr. McKinney said it is likely. He hopes to discuss the structure with both the TAP Committee and Commission in the next couple of months. There needs to be conversations about how the group should be established, its membership, and role before moving forward.

Chairperson Lathrop said he personally prefers to get input from a select group of stakeholders before the end of the first phase. He thinks it could be beneficial.

Commissioner Labovitz stated that she was concerned about the overlapping roles of an advisory committee and the Planning Commission. The Planning Commission is charged with providing zoning recommendations to City Council. If they are not involved in the development of the new zoning code, it may difficult for the Zoning Committee to make recommendations on zoning petitions. She is concerned that an advisory committee may consist of a lot of developers and others who may influence the new ordinance to benefit them. If the Planning Commission does not serve as the advisory committee, they should have several members represented on this committee.

Commissioner Watkins stated that the general public may not provide input because sometimes they are disenfranchised. She would like to see a paradigm shift so that the general public is represented on the stakeholder group, as well as developers and others who have experience with the rezoning process. Commissioner Labovitz agreed and thinks there should be developers, business and neighborhood leaders, and some Zoning Committee members on the advisory committee.

Commissioner Fryday is concerned about the timeframe for the remainder of the first phase. The Commission has two meetings before the end of the first phase in June. He thinks the Commission should establish a committee that is willing to meet more than once a month and report back to the full Commission.

Commissioner Dodson suggested that Chairperson Lathrop, Mr. McKinney, and the TAP Committee Chair (Councilmember Lyles) meet to discuss this concern. Maybe there could be a smaller stakeholder's group that includes some Planning Commissioners and others between now and June. Perhaps the membership of this group could increase and later become the advisory committee. Chairperson Lathrop thinks this is a good recommendation. Commissioner Fryday asked if the Commission should vote on this recommendation. The Chairperson stated that they did not need to vote and he would follow up on this.

Zoning Committee

Tammie Keplinger reminded the Commission that the Zoning Committee meeting is scheduled at 2:00 p.m., immediately follow this meeting. Staff has informed those who have already arrived for the Zoning Committee meeting that the Planning Commission meeting is running late and as a result the Zoning Committee meeting may start a few minutes late. Ms. Keplinger reported that there are nine cases on the Zoning Committee's agenda.

Planning Committee

Due to the lack of time, the Chairperson asked the Commission if they wanted to discuss the Livable Cities Policy Statement (Attachment 7) at their next meeting. Commissioner Wiggins asked if the intent is to approve Attachment 7. Chairperson Lathrop replied yes. Commissioner Wiggins made a motion to approve Attachment 7 as amended.

Vice-Chairperson Nelson asked if Attachment 7 included the feedback received from Commissioners since their last meeting. Commissioner Wiggins and Chairperson Lathrop replied that all the proposed changes are included in Attachment 7. The motion was seconded by Commissioner Fryday and the Commission voted unanimously to approve the Livable Cities Policy Statement as amended.

Adjournment

The meeting adjourned at 2:03 p.m.

Charlotte-Mecklenburg Planning Department

Community Outreach Presentations

Date	Presentation	Staff
04/08/16	Clemson University MCRP Student Tour - Tour of the Blue Line and other Uptown Locations - 9 a.m.	Cornett
04/18/16	Transportation Planning in the Charlotte Region - UNC Charlotte - 10 a.m.	Cook
04/21/16	North Charlotte Neighborhood Meeting - Introduction to Charlotte Historic Districts Commission - 6 p.m.	Howard
04/22/16	Community Building Initiative - Bus Tour - 11 a.m.	Howard

Meeting Schedule

April 2016

Date	Time	Purpose	Location
Full Planning Commission			
04-04-16	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Executive Committee			
04-18-16	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
04-19-16	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Committee			
04-18-16	5:00 p.m.	Dinner w/ City Council	Conference Room CH-14 Basement – CMGC
04-18-16	5:30 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
04-27-16	4:30 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Ordinance Ad Hoc Committee			
04-04-16	11:15 a.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committee(s)			
04-11-16	2:00 p.m.	City Council Transportation & Planning Committee (TAP)	Conference Room 280 2 nd Floor - CMGC
04-13-16	12:00 p.m.	Historic District Commission Workshop	Conference Room 267 2 nd Floor – CMGC
04-13-16	1:00 p.m.	Historic District Commission	Conference Room 280 2 nd Floor – CMGC
04-20-16	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.

Charlotte-Mecklenburg Planning Commission

Meeting Schedule

May 2016

Date	Time	Purpose	Location
Full Planning Commission			
05-02-16	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Executive Committee			
05-16-16	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
05-17-16	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Committee			
05-16-16	5:00 p.m.	Dinner w/ City Council	Conference Room CH-14 Basement – CMGC
05-16-16	5:30 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
05-25-16	4:30 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Ordinance Ad Hoc Committee			
05-02-16	11:15 a.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Other Committee(s)			
05-09-16	2:00 p.m.	City Council Transportation & Planning Committee (TAP)	Conference Room 280 2 nd Floor - CMGC
05-11-16	12:00 p.m.	Historic District Commission Workshop	Conference Room 267 2 nd Floor – CMGC
05-11-16	1:00 p.m.	Historic District Commission	Conference Room 280 2 nd Floor – CMGC
05-18-16	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.

AGENDA
CHARLOTTE-MECKLENBURG PLANNING COMMISSION
ZONING COMMITTEE WORK SESSION
 Charlotte-Mecklenburg Government Center, RM 280
 March 07, 2016
 2:00 P.M.

Called to order: 2:10pm

Adjourned: 2:55pm

Commissioners:

Tracy Dodson✓

Ray Eschert✓

Karen Labovitz✓

Nancy Wiggins✓

Tony Lathrop✓

Nasif Majeed✓

Mike Sullivan✓

<p>Recommended for Approval</p>	<p>1. <u>Petition No. 2016-008</u> (Council District 4-Phipps) by City Center Hotel, Inc. for a change in zoning for approximately 8.64 acres located on the west side of Collins Aikman Drive between McCullough Drive and West W.T. Harris Boulevard from O-2 (CD) (office district, conditional) & B-2 (CD) (general business, conditional) to B-2 (CD) (general business, conditional) 5-Year Vested Rights & B-2 (CD) SPA (general business, conditional site plan amendment) 5-Year Vested Rights.</p> <p>Consistency Motion: Maker: Majeed 2nd: Labovitz Vote: 7-0 Recommendation: Maker: Majeed 2nd: Labovitz Vote: 7-0</p>
<p>Recommended for Approval</p>	<p>2. <u>Petition No. 2015-116</u> (Council District 7-Driggs) by Hwy. 521 Partners, LLC for a change in zoning for approximately 13.22 acres located on the southwest corner at the intersection of Providence Road West and Johnston Road from O-1 (CD) (office, conditional) to CC (commercial center).</p> <p>Consistency Motion: Maker: Wiggins 2nd: Labovitz Vote: 6-0 Recused: Lathrop Recommendation: Maker: Dodson 2nd: Eschert Vote: 6-0 Recused: Lathrop</p>
<p>Recommended for Approval</p>	<p>3. <u>Petition No. 2016-019</u> (Council District 2- Austin) by Johnson C. Smith University for a change in zoning for approximately 1.61 acres located on the northeast corner at the intersection of Campus Street and Mill Road from B-1(PED) (neighborhood business, pedestrian overlay), R-22MF (multi-family residential), & R-22MF (PED) (multi-family residential, pedestrian overlay) to MUDD-O (mixed use development, optional) & MUDD-O (PED) (mixed use development, optional, pedestrian overlay).</p> <p>Consistency Motion: Maker: Labovitz 2nd: Wiggins Vote: 7-0 Recommendation: Maker: Labovitz 2nd: Wiggins Vote: 7-0</p>
<p>Recommended for Approval</p>	<p>4. <u>Petition No. 2016-022</u> (Council District 1 -Kinsey) by Philip W. McLamb for a change in zoning for approximately 1.02 acres located on the north side of Central Avenue near the intersection of Landis Avenue and Central Avenue from B-1 (neighborhood business) to MUDD-O (mixed use development, optional).</p> <p>Consistency Motion: Maker: Majeed 2nd: Wiggins Vote: 7-0 Recommendation:</p>

	<p>Maker: Wiggins 2nd: Sullivan Vote: 7-0</p>
Deferred to (March 30, 2016)	<p>5. <u>Petition No. 2016-026</u> (Council District 2 - Austin) by Hopper Communities for a change in zoning for approximately 4.56 acres located on the north side of Wesley Heights Way and generally bounded by Sumter Avenue, Auten Street, Duckworth Avenue and Wesley Heights Way from R-8 (single family residential) & UR-3(CD) PED-O (urban residential conditional, pedestrian overlay, optional) to UR-3(CD) PED-O (urban residential conditional, pedestrian overlay, optional) & UR-3(CD) SPA PED-O (urban residential conditional, site plan amendment, pedestrian overlay).</p> <p>Motion: Maker: Sullivan 2nd: Dodson Vote: 7-0</p>
Recommended for Approval	<p>6. <u>Petition No. 2016-032</u> (Council District 6-Smith) by NR Pinehurst Owner, LLC for a change in zoning for approximately 36.1 acres located on the west side of Providence Road between Cloister Drive and Knob Oak Lane from R-17MF (CD) (multi-family residential, conditional) to MUDD-O (mixed use development, optional) 5-Year Vested Rights.</p> <p>Consistency Motion: Maker: Eschert 2nd: Dodson Vote: 7-0 Recommendation: Maker: Dodson 2nd: Majeed Vote: 7-0</p>
Recommended for Approval	<p>7. <u>Petition No. 2016-023</u> (Council District 4 – Phipps) by American Towers, LLC for a change in zoning for approximately 2.8 acres located on the east side of Newell Farm Road near the intersection of Old Concord Road and Newell Farm Road from I-1 (CD) (light industrial, conditional) to I-1(CD) SPA (light industrial, conditional, site plan amendment).</p> <p>Consistency Motion: Maker: Majeed 2nd: Eschert Vote: 7-0 Recommendation: Maker: Labovitz 2nd: Majeed Vote: 7-0</p>
Recommended for Approval	<p>8. <u>Petition No. 2016-027</u> – (Council District 2-Austin) by Linda Pistone for a change in zoning for approximately 95.67 acres located on the east side of Statesville Road and west side of Old Statesville Road near the intersection of Statesville Road and Old Statesville Road from I-1 (CD) (light industrial, conditional) to I-1 (light industrial).</p> <p>Consistency Motion: Maker: Wiggins 2nd: Eschert Vote: 7-0 Recommendation: Maker: Eschert 2nd: Sullivan Vote: 7-0</p>
Recommended for Approval	<p>9. <u>Petition No. 2016-031</u> – (Council District 4- Phipps) by Domenic Polzella for a change in zoning for approximately 7 acres located on the east side of Bob Beatty Road near the intersection of Old Statesville Road and Bob Beatty Road from I-1 (light industrial) to B-2 (general business).</p> <p>Consistency Motion: Maker: Dodson 2nd: Wiggins Vote: 7-0 Recommendation: Maker: Labovitz 2nd: Majeed Vote: 7-0</p>
Recommended for Approval	<p>10. <u>Petition No. 2016-021</u> – (Council District 3 – Mayfield) by Charlotte-Douglas International Airport for a change in zoning approximately 2.02 acres located on the southeast corner at the intersection of Boyer Street and Withrow Road near Billy Graham Parkway from R-17MF (multi-family residential) to I-2 (general industrial).</p>

	<div>Consistency Motion:</div> <div>Maker: Wiggins 2nd: Eschert</div> <div>Vote: 6-0</div> <div>Absent: Dodson</div> <div>Recommendation:</div> <div>Maker: Wiggins 2nd: Sullivan</div> <div>Vote: 6-0</div> <div>Absent: Dodson</div>
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Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
February 16, 2016 – 5:00 p.m.
CMGC – 2nd Floor, Room 280

APPROVED **Attachment 5**
March 15, 2016

Attendance

Commissioners Present: Planning Commission Chairperson Tony Lathrop, Planning Committee Chairperson Dionne Nelson, Planning Committee Vice-Chairperson Cozzie Watkins; Commissioners John Fryday, Bolyn McClung, Deborah Ryan and Sam Spencer

Commissioner Absent: Commissioner Emma Allen

Planning Staff Present: Laura Harmon, Monica Holmes, Garet Johnson, Sonda Kennedy, Catherine Mahoney, Melony McCullough, Grant Meacci, Ed McKinney, Cheryl Neely and Jonathan Wells

Other Staff Present: Katie Daughtry and Jacqueline McNeil, County Asset and Facility Management and Brian Nadolny, CATS

Call to Order and Introductions

Planning Committee Chairperson Nelson called the meeting to order at 5:02 pm, welcomed those present and asked everyone to introduce themselves.

Approve January 19, 2015 Minutes

A motion was made by Commissioner Spencer and seconded by Planning Committee Vice-Chairperson Watkins to approve the January 19, 2015 minutes. The vote was unanimous to approve the minutes.

M.R. #16-03: Proposal by Mecklenburg County to Acquire Land Located in the Wilmore Neighborhood for Wilmore Centennial Park

Mecklenburg County proposes to acquire a 0.124 acre parcel located at 1712 Hawkins Street (Tax Parcel 123-062-09) to assemble with other properties in the area for Wilmore Centennial Park at South End.

M.R. #16-04: Proposal by Mecklenburg County to Accept the Donation of Land Located on Bilmark Avenue for Hidden Valley Neighborhood Park Expansion

Mecklenburg County proposes to accept the donation of a 1.5 acre parcel located at 726 Bilmark Avenue (Tax Parcel 089-103-04), next to Hidden Valley Neighborhood Park, to allow for expansion of the park and an increase in the buffer.

M.R. #16-05: Proposal by Mecklenburg County to Accept the Donation of Land Located off of Brooktree Drive for Paw Creek Greenway Expansion

Mecklenburg County proposes to acquire the rear portion of a 0.45 acre parcel located off of Brooktree Drive (Tax Parcel 057-061-25) adjacent to previously assembled property for Paw Creek Greenway.

M.R. #16-07: Proposal by Mecklenburg County to Acquire Land Located on McCoy Road (Huntersville) for the expansion of Gar Creek Nature Preserve

Mecklenburg County proposes to acquire 47 acres located on McCoy Road in the Town of Huntersville (Tax Parcels 015-461-10 and 015-252-27) for the expansion of Gar Creek Nature Preserve.

M.R. #16-08: Proposal by Mecklenburg County to Acquire Land Located on Riverside and Lake Drives for Catawba River Park/Nature Preserve

Mecklenburg County proposes to acquire 85 acres located on Riverside and Lake drives near the Catawba River (Tax Parcels 031-471-09 and 031-163-03) to provide park and nature preserve type amenities to this area of the County

A motion was made by Commissioner McClung and seconded by Commissioner Fryday to approve by consent Planning staff's recommendations for M.R. #16-03, M.R. #16-04, M.R. #16-05, M.R. #16-07, and M.R. #16-08. The vote was unanimous to approve staff's recommendation for M.R. #16-03, M.R. #16-04, M.R. #16-05, M.R. #16-07, and M.R. #16-08.

M.R. #16-06: Proposal by the City of Charlotte to Sale Two Properties Located on Harrill Street and Belmont Avenue in the Belmont Neighborhood

The City of Charlotte proposes to sell a 0.52 acre parcel property located at 1025 and 1035 Harrill Street (Tax Parcel 081-124-10) and a 0.32 acre parcel located at 919 and 923 Belmont Avenue (Tax Parcel 081-129-02) for redevelopment.

Catherine Mahoney (Planning) explained the request and described what is located on the parcels. The parcels were acquired by the City in 2013; however, plans have changed and Neighborhood & Business Services (N&BS) desires to sell the parcels for redevelopment. Commissioner Fryday asked if this mandatory referral will come back to the Committee since there is not a buyer. Ms. Mahoney answered that the mandatory referral is for the sale of the property and is not for the Request for Proposals (RFP). Jonathan Wells (Planning) explained that the City intends to advertise the parcels for redevelopment through the RFP process and not the upset bid process. N&BS will include a Planning Department representative on the RFP selection committee.

A motion was made by Commissioner Fryday and seconded by Commissioner McClung to approve staff's recommendations for M.R. #16-06. The vote was unanimous to approve staff's recommendation for M.R. #16-06.

M.R. #16-09: Proposal by Charlotte Area Transit System (CATS) to Acquire Land for the CityLYNX Gold Line Phase 2 Project

CATS is implementing a Right-Of-Way (ROW) Acquisition Program for the CityLYNX Gold Line Phase 2 Project. The Gold Line Phase 2 project will extend west from Charlotte Transportation Center along Trade Street to Johnson C. Smith University. It will also extend northeast along Hawthorne Lane to Sunnyside Avenue.

Ms. Mahoney explained the assemblage of parcels for the Gold Line Extension. Publicly adopted plans recognize plans for the street car. Acquisition of this property is consistent with area plans. Commissioner McClung asked if taking the property leaves any land unusable. Brian Nadolny (CATS) said that 20 of the 27 parcels are for easements and utilities. There are no partial takes. Planning Commission Chairperson Lathrop asked if the Committee is approving condemnation of the parcels. Mr. Nadolny explained that CATS is acquiring temporary construction easements, with the exception of two parcels. CATS is working with those two property owners to negotiate the purchase of their

land. Mr. Ed McKinney (Planning) added that the charge is for the Committee to recommend approval or denial based on consistency with land use policies. After further discussion, Planning Committee Chairperson Nelson clarified that the request is for temporary construction easements for property located in the City right-of-way. Mr. Nadolny added that other parcels will come forth later.

A motion was made by Planning Committee Vice-Chairperson Watkins and seconded by Planning Commission Chairperson Lathrop to approve Planning staff's recommendations for M.R. #16-09. The vote was unanimous to approve staff's recommendation for M.R. #16-09.

Transit Oriented Development (TOD).

Planning Committee Chairperson Nelson said that the Committee will continue to discuss TOD. At this meeting, the Committee agreed to share a list of their *"Top 5 Transit Oriented Development Priorities"* and then follow up with discussion.

Below is a combined list of the "Top 5 Transit Oriented Development Priorities" that were shared by Committee members.

Design

1. Promote a mix of land uses.
2. Build welcoming, vibrant and activity-filled public streets and open spaces.
3. Construct active uses at street level - prohibit parking and blank walls (minimum dimensions, usability, and a certain % of active uses).
4. Require building fronts to be located along the rail trail and consider prototype or preferred design guidelines for development.
5. Allow diversity in the types of building materials used.
6. Increase minimum densities and require a mixture of density types.
7. Use architectural features to break up large buildings.
8. Diversify architectural styles within and adjacent to other developments.
9. Give more consideration to the public realm and architectural form.

Connections

10. Create a state of the art transportation system.
11. Provide pedestrian access to buildings and amenities.
12. Require pedestrian enhancements such as painted crosswalks, better signage, speed tables, narrow roads and space for bike lanes.
13. Improve rail to bus and bus to rail connections.
14. Improve transit connections between ride share, rail, bus and trails through better signage.
15. Increase the number of ride share locations – bays and pickup areas.

Parking

16. Allow visitor parking, near single family, to count toward parking maximums.
17. Develop parking lot lighting cutoff requirements to reduce spillover onto adjacent property.
18. Develop parking standards that minimize conflicts between residents (size, quantity and location).
19. Locate all parking behind buildings and provide access and entrances directly to the street.

Buffers and Streetscape

20. Require larger street trees that are planted closer together and located on both sides of the street.
21. Add evergreen planting (f) to buffer requirements option 12.302(9)(b).

Other

22. Regulate trash and dumpster locations. Also, review the impact of screening and on-street pickup.
23. Determine ways to increase affordable housing options; within legal authority.

Planning Committee Vice-Chairperson Watkins reemphasized that most development projects look alike. Planning Committee Chairperson Nelson asked staff for their suggestions. Mr. McKinney stated that the Committee covered most things. Grant Meacci (Planning) mentioned some of staff's concerns such as on street activity and parking.

Commissioner Ryan asked what is keeping the Committee from making changes. Commissioner Fryday stated that two years ago a stakeholders group was formed to modify the TOD ordinance. He asked about an update to that process and if the process can be rejuvenated. Mr. McKinney responded that the list of recommendations from the process are to be combined with the zoning ordinance rewrite and will require a broad discussion with the community. Council's Transportation and Planning Committee (TAP) agreed that the process should be included in the rewrite of the ordinance. Mr. McKinney also noted that that the process to review and update the TOD ordinance only, would likely take 12 to 18 months. This could take away from broader efforts.

Planning Commission Chairperson Lathrop asked if it is feasible to form a parallel track for a smaller effort. Mr. McKinney explained that the dialogue for approval could take at least a year. The guidelines make be easy to write but the dialogue required for adoption takes time.

Commissioner McClung told the Committee that he and Commissioner Spencer represent Charlotte-Mecklenburg Schools (CMS). CMS has a problem keeping up with the population. He would like for schools, police, fire, churches and others to be included and informed of plans for future growth.

Mr. Meacci mentioned the *Centers, Corridors and Wedges Growth Framework* and *Long Range Transportation Plan* as tools to plan for growth. He added planning for place types will help this and noted that CONNECT is a useful tool. Mr. McKinney said the zoning ordinance is not the tool to solve this but other tools such as area plans address this issue.

Commissioner Ryan said the Committee needs to determine how to move forward. She is concerned about waiting and suggested that there be activist commissioners who would move this forward. Commissioner Fryday agreed and said that maybe as activist they can go to Council to get their buy-in.

Commissioner Spencer cautioned the Committee that activism requires a lot of work and asked for clarification on what's being proposed. Commissioner Ryan stated that a response can be made in two ways. Six months is better than three years and questioned if it is possible to adopt urban activation that address street life as a separate document and take it to City Council. Commissioner Fryday said the Commission does not know if it is going to be an activist commission yet. Commissioner McClung said the Commission should not fear failure.

Planning Commission Chairperson Lathrop stated that there are two points that really need immediate attention and asked how to get the resources to address them. Commissioner Fryday stated that staff could list three things that they would get fixed if they could, but clarify that they are not volunteering to fix them. The Commission could then rally behind those three things. Planning Committee Chairperson Nelson stated that it needs to be decided what should be addressed next. Planning Commission Chairperson Lathrop said that it appears that TOD has been rolled into the rewrite by default. Commissioner Fryday stated that could be three or four years out. Planning Committee Chairperson Nelson clarified that it was a decision to roll TOD into the zoning ordinance rewrite and said that if that was the right decision at the time; is it still the right decision. She further said that she sensed a clear desire from the Committee not to lose momentum. It needs to be decided what, if anything can be done to move forward. Planning Committee Chairperson Nelson asked staff what can be done to move the ball forward quickly. She also asked staff to organize the list of TOD priorities and suggest what can be accomplished from the list. Mr. McKinney said that staff will take the list categorize and organize it. Staff will identify what may be a short term or long term efforts and if it falls under the zoning ordinance or another process. He advised that if this is not handled correctly, it could derail other efforts and emphasized the importance of staying on track.

Adjourn: 7:02 pm

CHARLOTTE HISTORIC DISTRICT COMMISSION
MEETING AGENDA – MARCH 9, 2016, ROOM 280 ON THE 2ND FLOOR.
HDC WORKSHOP – 12:00 PM THE PUBLIC IS WELCOME TO ATTEND

ATTACHMENT 6

HDC WORKSHOP – 12:00 PM

1. Cherry v. Wiesner Decision (Raleigh)
2. POLICY AND DESIGN GUIDELINES UPDATE

HDC MEETING: 1:00 – 7:00

- CALL TO ORDER
- APPROVAL OF FEBRUARY MINUTES
- APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

APPLICATIONS CARRIED OVER FROM DECEMBER

- | | | |
|----|---|-----------------|
| 1. | 804 E. KINGSTON AVENUE
CASE NO. HDC 2015-281
ADDITION
KEITH WESOLOWSKI, APPLICANT | APPROVED |
| 2. | 715 EAST WORTHINGTON AVENUE
CASE NO. HDC 2015-290
ADDITION
ALLEN BROOKS, APPLICANT | APPROVED |

NEW APPLICATIONS

WILMORE

- | | | |
|----|--|---------------|
| 3. | 2112 WILMORE DRIVE
CASE NO. HDC 2016-032
SECOND STORY ADDITION
CHRIS GOODWIN, APPLICANT | DENIED |
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WESLEY HEIGHTS

- | | | |
|----|---|--|
| 4. | 632 GRANDIN ROAD
CASE NO. HDC 2016-020
PAINTED BRICK
CLEMENT R. ASHFORD, OWNER | DENIED PAINTED CHIMINEY
APPROVED PAINTED
FOUNDATION |
| 5. | 408 WALNUT AVENUE
CASE NO. HDC 2016-034
PARGE FOUNDATION
ELLA DREVINA, OWNER | DENIED |
| 6. | 404 WALNUT AVENUE
CASE NO. HDC 2016-038
REAR ADDITION
MICHELLE SUTTON, APPLICANT | APPROVED |