

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

Planning Commission

June 11, 2012
work session

Charlotte-Mecklenburg
Government Center

Room 267
Noon

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

Agenda

Charlotte-Mecklenburg Planning Commission

June 11, 2012 - Noon

CMGC - Conference Room 267

Work Session Agenda

Call to Order & Introductions

Stephen Rosenburgh

Administration

Approval of Planning Commission Minutes

Approve the May 7, 2012 work session minutes.

Attachment 1

Policy

Zoning Ordinance Assessment

Alan Goodwin & Sandy Montgomery

Background: Planning staff to provide an update on the Zoning Ordinance Assessment process.

Action: Receive as information.

Text Amendments

Internet Sweepstakes Text Amendment

Barry Mosley & Terrie Hagler-Gray

Background: Planning and City Attorney staff to provide follow-up to the Planning Commissions' concerns about the proposed text amendment.

Action: Receive as information.

Information

Planning Director's Report

Debra Campbell

- Planning Department's Public Outreach Presentations

Attachment 2

June & July 2012 Meeting Schedules

Attachment 3

Committee Reports

Executive Committee

Stephen Rosenburgh

- May 7, 2012 Approved Minutes
- Future Agenda Items

Attachment 4

Agenda Items	Work Session
1. Surface Parking in MUDD/UMUD Text Amendment	July
2. HUD Regional Grant	July
3. Nightclubs, Bars, Lounges and Restaurants Text Amendment	July
4. Residential Design Standards Text Amendment	August
5. Land Development 101 Brochure	TBD
6. Alternative Energy/Eco Industrial Text Amendment	TBD
7. State Sustainability Task Force	TBD

Zoning Committee

- Upcoming Rezoning Petitions
- Zoning Committee Agenda
- Public Hearings

Stephen Rosenburgh
Tammie Keplinger
Attachment 5
Attachment 6

Planning Committee

- March 20 & May 7, 2012 Approved Minutes

Yolanda Johnson
Attachment 7

Historic District Commission

- May 9, 2012 Meeting Update

Steven Firestone
Attachment 8

Economic Development Committee

Lucia Zapata Griffith

Nominating Committee

- Election of Officers

Greg Phipps

Communication from Chairperson

Stephen Rosenburgh

A stylized graphic featuring the word "Administration" in a white, cursive font. The text is centered within a blue, wavy, brush-stroke-like shape. This shape is part of a larger composition that includes a green wavy shape below it and a brownish-green shape to the left. The overall effect is that of layered, torn paper or a dynamic, flowing design.

Administration

Charlotte-Mecklenburg Planning Commission

Attachment 1

May 7, 2012 - Noon

CMGC - Conference Room 267

Action Minutes

Attendance

Commissioners Present: Stephen Rosenburgh (Chairperson), Yolanda Johnson (Vice-Chairperson), Ray Eschert, Lucia Zapata Griffith, Karen Labovitz, Tony Lathrop, Greg Phipps, Meg Nealon, Deb Ryan, Dwayne Walker and Andy Zoutewelle

Commissioners Absent: Emma Allen, Tracy Finch Dodson and Steven Firestone

Staff Present: Laura Harmon (Assistant Director), Solomon Fortune, Garet Johnson, Tammie Keplinger, Cheryl Neely, Jonathan Wells, and Denise Williams (Temporary Staff)

Other Staff Present: Barry Shearin (Charlotte-Mecklenburg Utilities Department)

Call to Order & Introductions

Chairperson Rosenburgh called the meeting to order at 12:10 p.m.

Approval of Minutes

The Chairperson stated that the April 2, 2012 minutes listed Andy Zoutewelle as a Nominating Committee member. The minutes should have listed Tony Lathrop. Commissioner Zoutewelle made a motion to approve the minutes with the modification. The motion was seconded by Commissioner Zapata Griffith. The vote was 11-0 to approve the minutes as modified.

Policy

Charlotte-Mecklenburg Utilities (CMU)

Barry Shearin presented information on CMU's Wastewater and Water Systems. The presentation specifically focused on:

1. Wastewater Facilities
2. Water Production
3. Water Usage & Capital Planning
4. Redevelopment Impacts
5. Rates & Revenues

Following a question and answer session, the Chairperson thanked Mr. Shearin for the presentation.

Text Amendments

Outdoor Fresh Produce Stand Text Amendment Update

Solomon Fortune provided an update on the Outdoor Fresh Produce Stands Text Amendment. The presentation included information about:

- Purpose for Text Amendment
- History
- Issues Raised by Council
- Revised Regulations (which are more flexible and less restrictive)

Mr. Fortune provided comparisons between the current and proposed regulations. He also reported that the Zoning Committee recommended approval of the text amendment on April 25 and City Council could make a decision as early as May 14. Chairperson Rosenburgh asked staff to inform the Commission if City Council recommends any changes to the proposed text amendment.

Information

Director's Report

In Director Campbell's absence, Laura Harmon provided the Director's Report. She referred the Commission to Attachments 2, 3 and 4.

Committee Reports

Executive Committee

The Chairperson announced that the Executive Committee changed the date of the June 4 work session to June 11 at Noon. He encouraged Commissioners to bring any concerns or issues to the Executive Committee's attention so they may be added to the future work session agenda items list.

Chairperson Rosenburgh stated that the Executive Committee had discussed Internet Sweepstakes/Cafés at length. As part of those discussions, Director Campbell previously explained, from a Planning perspective, Internet Sweepstake/Café establishments are a land use issue, not a social or moral issue and should be viewed similar to a video arcade establishment. Chairperson Rosenburgh acknowledged that he agreed with this perspective. He thanked Commissioner Lathrop for the work that he had done on the Commissions' recommendations.

Commissioner Ryan had questions about the three PowerPoint presentations from the April work session. She had concerns about the Citizen Advisory Group (CAG) public input process. Two of the presentations included the CAG members and their relationship to the project; however, that information was not provided in the third PowerPoint. Commissioner Ryan thought representation on some of the advisory groups was not "broad enough". Commissioners suggested that in the future staff should ask the Commission for assistance if they are having problems recruiting a broad community representation for any CAG members.

Commissioner Ryan also asked if the Police Department was consulted during the Internet Sweepstakes/Cafés Text Amendment CAG process. Chairperson Rosenburgh explained that Police were involved and indicated that these establishments do not bring crime to the area. Commissioner Ryan expressed additional concern about the areas where these establishments are allowed. Chairperson Rosenburgh asked Commissioner Ryan to work with Commissioner Lathrop and Vice-Chairperson Johnson on developing the Commissions' recommendations for these establishments.

The Chairperson reiterated that Internet Sweepstake/Café establishments should be considered the same as a video arcade store. Commissioner Lathrop asked if staff could provide documentation or supporting information to Commissioner Ryan, Vice-Chairperson Johnson and himself which explains why these establishments are similar to video arcade stores. Chairperson Rosenburgh asked that the Planning Director provide an explanation why this use should be viewed similar to a video arcade establishment.

Commissioner Walker expressed concern about these establishments being located in African American communities. He also did not understand why the City is being so accommodating of these uses. Commissioner Ryan suggested that these uses may be so well accommodated because the community is not adequately represented by the CAG members.

Ms. Harmon clarified that staff does not develop a CAG recommendation. Staff considers the information received during the CAG process and develops a staff recommendation. Staff wants to be true to the process and not change because they are instructed to change.

Vice-Chairperson Johnson mentioned another concern with the name of the Text Amendment being misrepresented. Perhaps a different name would have prompted more interest. She thought that most citizens do not really understand what Internet Sweepstakes/Cafés are. Some Commissioners expressed concern about the term “Café” being included in the name of the text amendment. Ms. Harmon clarified that “Café” had been eliminated from the name. The text amendment has been changed to Internet Sweepstakes.

Commissioner Phipps stated he was assigned to the CAG and noted that there was good community participation at the CAG meetings and they expressed their concern about the proliferation of the uses in the community. There was not a lack of concern about these uses being located throughout the community. The Police were also involved in the CAG process and there has not been an increase in criminal activity in areas where these establishments are located. Commissioner Phipps informed the Commission that other municipalities are trying a different approach – some communities are making it very expensive for these facilities to register their businesses. This may be a more effective approach for limiting these uses, than challenging the permitted locations.

Commissioner Eschert asked if the text amendment/establishments could be renamed to “Internet Sweepstakes Parlor” because Parlor denotes that patrons are going to be there for a while. Chairperson Rosenburgh asked that this suggestion be submitted to staff. He asked Commissioners to provide any additional concerns the Commission sub-committee.

Commissioner Ryan asked if the Commission will have additional opportunities for follow-up discussion on the two other presentations from the April work session (Incentive Based Inclusionary Housing Text Amendment and Multi-Family Housing at Transit Station Areas). Due to time constraints, the Chairperson asked that Commissioner Ryan forward any questions or concerns about the presentations to the Planning Director and any committee related concerns to Vice-Chairperson Johnson.

Zoning Committee

Tammie Keplinger informed the Commission that the Zoning Public Hearing will be a joint Business/Zoning Council meeting and will begin at 4:00 p.m. on May 14. She provided a brief overview of the Public Hearing and May 30 Zoning Committee meeting agendas. Ms. Keplinger also reminded Zoning Committee members of the special meeting, immediately following the work session at 2:00 pm. Since there were only four Zoning Committee members present, Commissioner Lathrop was asked to attend in order to meet the Zoning Committee quorum requirement.

Planning Committee

Vice-Chairperson Johnson reported that the Planning Committee did not meet in April, but will meet in May to review mandatory referrals. The Planning Committee also had a special meeting scheduled immediately following the work session at 2:00 pm.

Economic Development Committee

Commissioner Zapata Griffith stated that the Economic Development Committee is planning to meet with local groups to promote economic development. Target audiences include designers, architects, engineers, contractors the general public. There is a lot of information available and the Committee will work with the Chamber and other groups to disseminate information. Commissioner Finch Dodson will lead this initiative.

Historic District Committee

Commissioner Firestone was absent and there was not a committee report.

Nominating Committee

Commissioner Phipps reported that the Nominating Committee includes Commissioners Lathrop, Nealon and himself. He presented the names of all Commissioners who were considered for the FY 2013 Slate of Officers.

Chairperson

- Commissioner Steven Firestone
- Vice-Chairperson Yolanda Johnson

Vice-Chairperson

- Commissioner Emma Allen
- Commissioner Andy Zoutewelle

The Nominating Committee respectfully submitted the following Slate of Officers for FY2013:

Chairperson

- Vice-Chairperson Yolanda Johnson

Vice-Chairperson

- Commissioner Andy Zoutewelle

The Chairperson asked staff to prepare a ballot for the June 11 elections.

Chairperson's Comments

Chairperson Rosenburgh shared that while at the American Planning Association National Conference in Los Angeles, he learned that most communities present the Planning Commissions' recommendations to elected officials before staff's recommendations are presented. He suggested that the current process be changed so that the Commissions' recommendations are presented first. He asked that the Executive Committee discuss this change in meeting format.

Chairperson Rosenburgh reminded everyone of the social event on May 22. Staff will send an email with details including the location and time, prior to the event.

Adjournment

The meeting adjourned at 1:50 pm.



Charlotte-Mecklenburg Planning Department

FY2012 Community Outreach Presentations

#	Date	Presentation	Staff
1	03/07/12	Mecklenburg County Bar Leadership Institute - Charlotte, Past and Present	D. Campbell
2	03/15/12	Charlotte East Community Partners - Independence Boulevard Area Plan	A. Osborne
3	03/20/12	Prosperity Church Road Community - Prosperity Church Road Alternatives & I-485 Project	S. Basham/K. Cornett
4	03/21/12	Charlotte-Mecklenburg Coalition for Housing - Incentive Based Inclusionary Housing	B. Suttle
5	03/28/12	South End - Community's Vision	D. Campbell
6	03/31/12	The 2nd Annual Inaba: Panel - Land Use Planning/Smart Growth and the Soul of the Northwest Corridor	D. Campbell
7	04/25/12	UNCC Transportation Engineering Class - MUMPO 101	R. Cook
8	04/26/12	NODA Community - Local Historic District Designation	J. Rogers/W. Birmingham
9	05/04/12	Quality of Life Project - Planning for Neighborhoods	D. Campbell
10	05/09/12	ULI Inner City Council Mixed Use That Has Transformed a City	D. Campbell
11	05/10/12	ULI Public Development and Infrastructure Council - South Corridor Light Rail Tour	K. Main
12	05/10/12	ULI Mixed Use Product Council - Bus Tour of South End and Midtown	K. Main
13	05/15/12	East Chapter of the Charlotte Chamber - Independence Area Plan	G. Johnson
14	05/15/12	Joint Use of Public Facilities - Healthy Weight Healthy Child Community Summit	J. Wells
15	05/21/12	Charlotte Regional Realtor Association Diversity Council - Eastland Mall/Independence Corridor	A. Osborne
16	05/24/12	CondoCanDo.com Podcast - Zoning	T. Keplinger

Meeting Schedule

June 2012

Date	Time	Purpose	Location
Full Planning Commission			
06-11-12	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Executive Committee			
06-18-12	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
06-19-12	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor - CMGC
Zoning Committee			
06-18-12	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
06-18-12	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
06-27-12	4:30 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Other Committee(s)			
06-13-12	3:00 p.m.	Historic District Commission	Conference Room 267 2 nd Floor – CMGC

Charlotte-Mecklenburg Planning Department Meetings

Incentive Based Inclusionary Housing Text Amendment

06-21-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 nd Floor – CMGC
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Park Woodlawn Area Plan

06-05-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 nd Floor – CMGC
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06-06-12	8:00 a.m. – 5:00 p.m.	Charette	Innovation Station 8 th Floor - CMGC
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Charlotte-Mecklenburg Planning Commission

Meeting Schedule

July 2012

Date	Time	Purpose	Location
Full Planning Commission			
07-02-12	Noon	Work Session	Conference Room 267 2 nd Floor – CMGC
Executive Committee			
07-16-12	4:00 p.m.	Work Session	Conference Room 266 2 nd Floor – CMGC
Planning Committee			
07-17-12	5:00 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Zoning Committee			
07-16-12	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
07-16-12	6:00 p.m.	City Rezonings	Meeting Chamber Lobby Level – CMGC
07-25-12	4:30 p.m.	Work Session	Conference Room 280 2 nd Floor – CMGC
Other Committee(s)			
07-11-12	3:00 p.m.	Historic District Commission	Conference Room 267 2 nd Floor – CMGC
07-18-12	7:00 p.m.	MUMPO	Conference Room 267 2 nd Floor – CMGC
Charlotte-Mecklenburg Planning Department Meetings			
Incentive Based Inclusionary Housing Text Amendment			
07-12-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 nd Floor – CMGC
07-26-12	6:00 p.m.	Citizen Advisory Group	Conference Room 280 2 nd Floor – CMGC

Charlotte-Mecklenburg Planning Commission

Executive Committee Meeting

May 7, 2012

Action Minutes

Attachment 4

Approved May 14, 2012

Attendance

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

Commissioner(s) Absent: Emma Allen

Staff Present: Debra Campbell (Planning Director), Cheryl Neely, Jonathan Wells, and Denise Williams (temporary employee)

Call to Order

The Chairperson called the meeting to order at 11:10 a.m.

Approval of March 19, 2012 Executive Committee Minutes

A motion was made by Vice-Chairperson Johnson and seconded by Commissioner Nealon to approve the March 19, 2012 minutes. The vote was 3 to 0 to approve the minutes.

March 2012 Executive Committee Meeting Follow-up

Social Gathering

The Commission is considering holding the event at the Aria restaurant Uptown. Chairperson Rosenburgh asked if anyone has been to the restaurant before. Cheryl Neely noted that the Planning Director attended a function there and suggested that we reserve the area upstairs. The Chairperson suggested that someone to go to Aria see if it is appropriate for this type event. Vice-Chairperson Johnson volunteered to do so. Chairperson Rosenburgh asked her to make sure we have a private room. Chairperson Rosenburgh recommended holding the event at the Ritz-Carlton on the 15th floor. Vice-Chairperson Johnson stated she would check that location as well. Ms. Neely informed the Committee that the City cannot provide alcoholic beverages. Chairperson Rosenburgh asked Ms. Neely to send a reminder about the social gathering to staff.

Raleigh Planning Commission Follow-up

The Commission plans to coordinate with the Raleigh Planning Commission to have a reception with State Legislators and a meeting with the Legislative Committee. Chairperson Rosenburgh will follow-up with the Raleigh Planning Commission Chairperson.

Mecklenburg County Commission Presentation

Discussion focused on the unincorporated portion of Mecklenburg County located near Pineville. Jonathan Wells reported that he met with Kevin Icard, Pineville Planning Director, on the history of the annexation. The area was studied two years ago, but it was not cost effective for Pineville to annex this area. Chairperson Rosenburgh asked why Charlotte has not annexed this area. Mr. Wells explained that in 1984 Charlotte entered into a series of annexation agreements with each of the six Mecklenburg towns which established geographic limits for annexation. Charlotte would be in violation of this agreement by annexing the subject area. The Chairperson thanked Mr. Wells for providing this information and added that Mr. Wells did an excellent job at the Planning Coordinating Joint Luncheon.

Charlotte-Mecklenburg School (CMS) Board Presentation

Ms. Neely explained that CMS asked that this presentation be postponed because the School Board agenda items focused on the budget and the search for a superintendent. The Chairperson asked Ms. Neely to contact CMS to secure a date that they are available to make a presentation. He asked Vice-Chairperson Johnson if she will assist with the presentation.

Planning 101

Commissioner Nealon informed the Committee that she and Ms. Neely have been working on the Planning 101 Agenda and have received input from Vice-Chairperson Johnson. They would like to recruit two Planning Committee members to critique the agenda, offer suggestions for potential venues, and select a date. Once the agenda and presentation is finalized it can serve a model for future Planning 101 meetings.

Voting Requirements

Ms. Neely distributed information from the Interlocal Agreement regarding the duty to vote. *Section 3.65 of the Interlocal Agreement indicates that Commissioners must vote unless they are excused from voting for a cause. To be excused, Commissioners must inform the Chairperson and the remaining members will vote to approve the request. If a Commissioner is not excused and does not vote, it shall be recorded as an Affirmative vote.* Chairperson Rosenburgh asked Ms. Neely to make sure that other staff members that work with the Commission are aware of this.

Incentive Based Inclusionary Zoning Text Amendment

The Planning Director informed the Committee that Barry Shearin, Charlotte-Mecklenburg Utility Department, is scheduled to present utility information to the Full Commission at the May work session. Mr. Shearin will address questions on how water/sewer capacity is calculated in the area where intensification of density is recommended as well as how water/sewer rate increases are calculated.

Internet Sweepstakes Text Amendment

Director Campbell explained that the Internet Sweepstakes agenda item was moved to the June work session agenda. This item was rescheduled because the City Attorney's office staff representative, Terrie Hagler-Gray, could not attend the May work session. Ms. Hagler-Gray was invited because of the potential legal ramifications with the recommendations for this text amendment.

The Planning Director asked for clarification on what the Commission would like to see happen with the action taken at their last meeting. Chairperson Rosenburgh stated that they were registering their concern about the proliferation of these facilities. Although these facilities have won a court decision, the Commission would like to know what else can be done to regulate these uses.

Vice-Chairperson Johnson asked if their concerns can officially go on record. Director Campbell explained that when this information is presented to the full Commission, is the appropriate time to discuss and make sure that their concerns are on record. Director Campbell stated that based on the Interlocal Agreement; it appears that either the Zoning or Planning Committee will need to make the recommendation on the text amendment to City Council. However, the full Commission can make a recommendation to the Committee that makes the recommendation to Council. Chairperson Rosenburgh asked Vice-Chairperson Johnson to work with Commissioner Lathrop to develop the Commission's recommendation.

Nominating Committee

Commissioner Nealon stated that Commissioner Phipps will present the slate of officers at the work session today.

Future Work Session Agenda Items

Director Campbell noted that she would like to add the Zoning Ordinance Assessment update to the June work session agenda. She also reiterated that follow-up discussion in relation to the Commission's concerns with the Internet Sweepstakes text amendment will be on the June work session agenda.

The Committee reviewed the future agenda items list and tentatively agreed on the following:

Agenda Items	Work Session
1. Zoning Ordinance Assessment	June
2. Internet Sweepstakes Text Amendment	June
3. Surface Parking in MUDD/UMUD Text Amendment	June
4. HUD Regional Grant	June
5. Nightclubs, Bars, Lounges and Restaurants Text Amendment	July
6. Residential Design Standards Text Amendment	August
7. Land Development 101 Brochure	TBD
8. Alternative Energy/Eco Industrial Text Amendment	TBD
9. State Sustainability Task Force	TBD

Approval of April/May 2012 Meeting Schedule

Chairperson Rosenburgh noted that the June 4, 2012 work session was rescheduled to June 11, 2012. The Committee agreed with the change to the meeting schedule.

Director Campbell informed the group that she will not attend the work session today; however, Laura Harmon will attend in her absence.

Adjournment

The meeting adjourned at 11:45 a.m.

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

1. Petition No. 2011-068 by Morehead Property Investments, LLC for a change in zoning for approximately 1.50 acres located on East Morehead Street between Kenilworth Avenue and Monticello Trail from O-2 to MUDD(CD).
2. Petition No. 2012-024 by NRP Properties/ Northlake Seniors for a change in zoning for approximately 1.72 acres located on the northeast corner at the intersection of West W.T. Harris Boulevard and Forest Drive from CC to MUDD-O.
3. Petition No. 2012-030 by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 3.5 acres located along East Independence Boulevard between Pierson Drive and North Sharon Amity Road from B-2 to R-4.
4. Petition No. 2012-035 by Charlotte Housing Authority for a change in zoning for approximately 1.99 acres located along on the north side of North Caldwell Street and generally bounded by North Brevard Street, New Calvine Street and East Brookshire Freeway from MUDD and MUDD(CD) to MUDD-O.
5. Petition No. 2012-036 by Michael C. Drossos for a Text Amendment to the City of Charlotte Zoning Ordinance to 1) add tattoo parlors as a permitted use with prescribed conditions in the UMUD zoning district, 2) add tattoo parlors as a use permitted by right in the B-D, and U-I zoning districts, and 3) clarify that tattoo parlors are permitted by right in the UR-C, B-1, B-2, B-P, TOD, I-1, and I-2 zoning districts.
6. Petition No. 2012-038 by Charlotte Pipe & Foundry Company for a change in zoning for approximately 17.91 acres located on the south side of West Morehead Street near the intersection of Interstate 77 and Interstate 277 from MUDD to MUDD-O and I-2(CD).
7. Petition No. 2012-039 Michael T. Whitehead and Elizabeth M. Whitehead for an INST(CD) site plan amendment, for approximately 2.7 acres located on the southeast corner of the intersection at Rama Road and Sardis Road.
8. Petition No. 2012-040 by K & P Development, LLC for a change in zoning for approximately 0.65 acres located on the west side of Park South Drive between Fairview Road and Royal Crest Drive from R-3 to MUDD(CD).
9. Petition No. 2012-041 by True Homes, LLC for a R-3(CD) site plan amendment, for approximately 28.31 acres located on the east side of Steele Creek Road between Sledge Road and Huntington Meadow Lane.
10. Petition No. 2012-044 by The Duke Endowment for a change in zoning for approximately 1.76 acres located on the west side of East Morehead Street between Myrtle Avenue and Oriole Avenue from B-1 to MUDD-O.
11. Petition No. 2012-046 by SunCap Property Group for a change in zoning for approximately 3.5 acres located on the east side of Red Oak Boulevard near the intersection of Interstate 77 and West Arrowood Road from B-D to B-2.
12. Petition No. 2012-047 by O'Leary Resource Recovery Center for a change in zoning for approximately 6.30 acres located on the west side of Idaho Drive and generally surrounded by Centre Street and Odum Avenue from I-1 to I-2(CD).
13. Petition No. 2012-066 by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to add definitions and regulations to allow bicycle-sharing service and stations as new uses allowed with prescribed conditions in all zoning districts.
14. Innovative request - Palisades Tract 2 Toll Brothers, Inc. is requesting an innovative site plan approval for Palisades Tract 2. This tract consists of 139 acres zoned MX-3 by rezoning petition 2001-16(C). The following innovative are requested:

**NOTICE OF PUBLIC HEARINGS ON PETITIONS
FOR ZONING CHANGES BY CITY COUNCIL
OF THE CITY OF CHARLOTTE, N.C.**

NOTICE is hereby given that public hearings will be held by the City Council in the Meeting Chamber located in the Charlotte-Mecklenburg Government Center, 600 East Fourth Street beginning at 4:00 P.M. on **Monday, the 18th day of June, 2012** on the following petitions that propose changes to the Official Zoning Maps of the City of Charlotte, North Carolina:

Petition No. 2012-043 by Seaboard Street Condominiums, LLC for a change in zoning for approximately 3.62 acres located on the north and south sides of NC Music Factory Boulevard near the intersection of Interstate 277 and North Graham Street from I-1, I-1(CD), and I-2 to MUDD-O.

Petition No. 2012-045 by Woodfield Acquisitions, LLC for a change in zoning for approximately 3.20 acres located on the northeast corner of Barclay Downs Drive and Morrison Boulevard across from Carnegie Boulevard from O-2(CD) to MUDD-O.

Petition No. 2012-048 by GCI Acquisitions, LLC for a change in zoning for approximately 16.20 acres located on the west side of Lancaster Highway between Springwell Street and Johnston Road from MX-2 to R-17MF(CD).

Petition No. 2012-049 by Faison-Hollow, LLC for a change in zoning for approximately 34.0 acres located on the west side of Carmel Road between Quail Hollow Road and Bridgewood Lane from MX-2 to R-12MF(CD).

Petition No. 2012-050 by Charlotte-Mecklenburg Planning Department for the establishment of the Pedestrian Overlay District for approximately 374 acres located on the southwest side of I-277 beginning at Caldwell Street following south along Morehead Street then continuing north along North Kings Drive to East 3rd Street ending at Queens Road (underlying zoning will not change).

Petition No. 2012-051 by Charlotte-Mecklenburg Planning Department for a change in zoning for approximately 2.3 acres located on the north side of South Torrence Street between Luther Street and East 3rd Street from R-22MF to R-8.

Petition No. 2012-052 by EVP Properties, LLC for a change in zoning for approximately 2.24 acres located on the west side of Kenley Lane near the intersection of Griffith Road and Westpark Drive from I-2 to I-1.

Petition No. 2012-053 by Joy Greear for a MUDD-O site plan amendment, for approximately 0.90 acres located on the west corner of the intersection of East 4th Street, South Caswell Road, Randolph Road, and North Caswell Road.

Petition No. 2012-056 by Selwyn Property Group Investments, LLC for a change in zoning for approximately 1.13 acres located on the southwest corner at the intersection of Park Road and Drexel Place from MUDD(CD) to MUDD-O.

Petition No. 2012-057 by Aspen Heights for a change in zoning for approximately 22.27 acres located on the north side of East W.T. Harris Boulevard between Old Concord Road and Rose Heather Court from R-17MF(CD) to MX-2(Innovative).

Petition No. 2012-059 by SBG Properties, Inc for a change in zoning for approximately 5.46 acres located on the east side of Steele Creek Road at the intersection of Dixie River Road and Steele Creek Road from R-3 to NS.

Petition No. 2012-060 by Lincoln Harris for a UMUD-O site plan amendment, for approximately 2.60 acres located on the east corner at the intersection of South Tryon Street and East Trade Street.

Petition No. 2012-061 by Gateway West-FCA, LLC for a UMUD-O site plan amendment, for approximately 2.80 acres located on the north side of West 4th Street Extension at the intersection of Johnson and Wales Way and West 4th Street Extension.

Petition No. 2012-063 by Francis Obeng for a change in zoning for approximately 0.54 acres located on the south side of Monroe Road between Ross Moore Avenue and Summey Avenue from B-1(CD) to O-2(CD).

Petition No. 2012-065 by City of Charlotte for a change in zoning for approximately 4.02 acres located on the north side of Central Avenue between Merry Oaks Road and Saint Andrews Home Place from R-4 and R-22MF to NS.

The City Council may change the existing zoning classification of the entire area covered by each petition, or any part or parts of such area, to the classification requested, or to a higher classification or classifications without withdrawing or modifying the petition.

Interested parties and citizens have an opportunity to be heard and may obtain further information on the proposed changes from the Charlotte-Mecklenburg Planning Department Office, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, 704-336-2205. www.rezoning.org

To file a written petition of protest which if valid will invoke the 3/4 majority vote rule (General Statute 160A-385) the petition must be filed with the City Clerk no later than the close of business on **Wednesday, June 13, 2012**.

**NOTICE OF PUBLIC HEARINGS ON PETITIONS
FOR ZONING ORDINANCE CHANGES BY CITY COUNCIL
OF THE CITY OF CHARLOTTE, N.C.**

NOTICE is hereby given that public hearings will be held by the City Council in the Meeting Chamber located in the Charlotte-Mecklenburg Government Center, 600 East Fourth Street beginning at 4:00 P.M. on **Monday, the 18th day of June, 2012** on the following petitions that propose changes to the City of Charlotte Zoning Ordinance:

Petition 2012-054 by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to clarify regulations in the Pedestrian Overlay District.

Petition 2012-055 by CIP Real Estate for a Text Amendment to the City of Charlotte Zoning Ordinance to allow vocational schools as an allowed use in the BD Zoning District.

Petition 2012-058 by Aspen Heights for a Text Amendment to the City of Charlotte Zoning Ordinance to allow "multiple rooming cottages" as an allowed use in the MX-2 Zoning District.

Petition 2012-062 by Carolina Sporting Arms Company, Inc for a Text Amendment to the City of Charlotte Zoning Ordinance to allow "indoor Training and Shooting Facility as an allowed use in the B-2 Zoning District.

Petition 2012-067 by Charlotte-Mecklenburg Planning Department for a Text Amendment to the City of Charlotte Zoning Ordinance to allow duplex dwellings on all single family lots per prescribed conditions and to allow accessory dwelling units without tenant restrictions.

Interested parties and citizens have an opportunity to be heard and may obtain further information on the proposed changes from the Charlotte-Mecklenburg Planning Department Office, Charlotte-Mecklenburg Government Center, 600 East Fourth Street, 704-336-2205. www.rezoning.org

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Conference Room 280, 2nd Floor
March 20, 2012**

Commissioners Present: Chairperson Yolanda Johnson, Vice-Chairperson Margaret Nealon, Commissioners Raymond Eschert, Karen Labovitz, Tony Lathrop, Deb Ryan, and Dwayne Walker

Planning Staff Present: Alberto Gonzalez, Sonda Kennedy, Melony McCullough, Kent Main, Alysia Osborne, Bryman Suttle, and Jonathan Wells

Other Staff Present: Jacqueline O’Neil (County Real Estate)

Call to Order

Chairperson Johnson called the meeting to order at 5:10 p.m.

Approval of Meeting Minutes

A motion was made by Commissioner Labovitz and seconded by Commissioner Walker to approve the February 21, 2012 minutes with the following modifications: Under Mandatory Referral #11-15, change the arrival time of Commissioner Walker from 5:28 p.m. to 5:27 p.m. and under Mandatory Referral #12-01, change Chairperson Ryan to Commissioner Ryan. The vote was 6-0 to approve the February 21, 2012 minutes as modified.

Review of the Mandatory Referral Process

Mr. Jonathan Wells (Planning) gave a brief overview of the Mandatory Referral process. Mandatory referrals are required when the City or County propose real estate transactions involving capital investments. The Planning Committee must take action on mandatory referrals within 30 days of submittal of a request to Planning staff. City Council or the Board of County Commissioners makes the final decision.

When considering mandatory referrals, consideration should be given to the consistency of the proposed use with adopted plans and policies, compatibility with surrounding land uses, potential impact on existing infrastructure, and opportunities for joint use. Factors that should not be considered include project costs, better use of public resources, and alternative locations. Transactions that are not subject to the mandatory referral process include land acquisitions for landfills, projects proposed by Mecklenburg towns, and acquisition of rights of way and easements. Commissioner Lathrop inquired about the authority that governs mandatory referrals. Mr. Wells replied that mandatory referrals are governed by state law. The Committee received Mr. Wells report as information.

M.R. #12-03: Proposed Acquisition of Property in the Wilmore Neighborhood for a Park

Mr. Kent Main (Planning) gave a presentation for the proposed acquisition of property in the Wilmore Community for a neighborhood park. Mecklenburg County proposes to purchase three parcels, totaling approximately one acre, located at the intersection of South Tryon Street and West Kingston Avenue. He stated that this proposal serves a critical need in an area underserved by park facilities and will be part of an evolving network of small urban open spaces. Commissioner Ryan asked if the parcels are contiguous. Ms. Jacqueline McNeil (County Real Estate) stated that one of the parcels is separated from the other two by a paper alley. The County will work with Charlotte Department of Transportation on how to address the alley. Commissioner Eschert added that this is a defined alley and the property is vacant. Commissioner Labovitz asked about the surrounding land uses. Mr. Main explained that there are houses and offices which will likely redevelop in the future to Transit Oriented Development – Residential (TOD-R).

A motion was made by Commissioner Walker and seconded by Vice-Chairperson Nealon to approve Planning staff's recommendation for Mandatory Referral #12-03. The vote was 7-0 to approve Planning staff's recommendation for Mandatory Referral #12-03.

Overview of the Area Planning Process

Ms. Melony McCullough (Planning) provided background information on the area plan development process. The outline of her presentation included defining an area plan, the policy framework, the plan development process, and plan implementation. She stated that an area plan is the framework for future growth and development that updates the broader, more general district plans.

Commissioner Eschert asked how the community is notified of planning processes. Ms. McCullough explained that notifications are sent to all property owners within the plan area as well as neighborhood leaders within one mile of the plan area boundaries. Commissioner Eschert inquired about the number of meetings held. Ms. McCullough answered that the number of meetings varies. However, staff attempts to limit the number to around nine. After further discussion, the Committee received the presentation as information.

Park Woodlawn Area Plan Update

Vice-Chairperson Nealon recused herself because of a conflict of interest involving her company.

Mr. Alberto Gonzalez gave an update on the Park Woodlawn Area planning process. The area is comprised of approximately 2,000 acres and includes established neighborhoods such as Madison Park and Sedgefield as well as the Park Road / Woodlawn Road Mixed-Use Activity. He shared the development history of the area and discussed the planning process. Vice-Chair Nealon asked why the neighborhood is not growing. Mr. Gonzalez stated that the neighborhood is stable and new development is often in the form of redevelopment. Commissioner Eschert stated that one factor may be the age of single family homes. Commissioner Labovitz said that she thinks the area's success can be attributed to its housing stock and the fact that it is a good place to buy a less expensive home. Commissioner Ryan asked about the aging population. Mr. Gonzalez stated that consideration of the aging population has been discussed. He continued with information on the area's walkability, connections, and increases in density. After further discussion, the Committee received the presentation as information.

Vice-Chairperson Nealon returned to the meeting.

Area Plan Status and Meeting Report

Park Woodlawn Area Plan Update

Commissioner Labovitz stated that the next Citizens Advisory Group meeting will be held on April 12, 2012. Commissioner Lathrop was appointed as back-up for Commissioner Labovitz on this plan.

Adjourn

Chairperson Johnson adjourned the meeting at 5:55 p.m.

**Charlotte-Mecklenburg Planning Commission
Planning Committee Meeting Minutes
CMGC – Conference Room 267, 2nd Floor
May 7, 2012**

Commissioners Present: Chairperson Yolanda Johnson, Vice-Chairperson Margaret Nealon, Commissioners Raymond Eschert, Karen Labovitz, Deb Ryan, and Dwayne Walker

Planning Staff Present: Alberto Gonzalez, Sonda Kennedy, Melony McCullough, and Jonathan Wells

Other Staff Present: Jacqueline O'Neil (County Real Estate) and Michelle Lancaster (County Manager's Office)

Call to Order

Chairperson Johnson called the meeting to order at 1:55 p.m.

M.R. #12-05: Proposed Conveyance of Mecklenburg County Owned Property to Charlotte-Mecklenburg Hospital Authority

Mr. Alberto Gonzalez (Planning) gave an overview of the mandatory referral to convey a County owned facility and approximately eight acres of land surrounding the building located at 501 Billingsley Road (CMC Randolph/Behavioral Health Center) to the Charlotte-Mecklenburg Hospital Authority for the continued operation of a behavioral health center. The *Central District Plan* and *Grier Heights Special Project Plan* recognize the institutional and office land uses in the area.

Commissioner Walker asked what measures are in place to ensure the continued operation of the Behavioral Health Center. Jacqueline O'Neil (County Real Estate) referred to Michelle Lancaster (County Manager's Office). Michelle explained that the County is in talks with the Hospital to determine the restrictions that will be placed on the site. Chairperson Johnson asked if it is normal to receive a Mandatory Referral before the contracts are finalized. Jonathan Wells (Planning) replied that staff doesn't usually get copies of the contract and each mandatory referral is unique. Commissioner Walker stated that given the parameters to keep designation on a property purchase in which he was involved, he wants to know if this is standard practice.

Commissioner Walker had concerns that it remain a behavioral health center and was opposed to approving mandatory referral #12-05.

A motion was made by Commissioner Ryan and seconded by Vice-Chairperson Nealon to approve Planning staff's recommendation for Mandatory Referral #12-05. The vote was 5-1 to approve Planning staff's recommendation for Mandatory Referral #12-05.

Yeas: Eschert, Johnson, Labovitz, Nealon, and Ryan

Nays: Walker

Adjourn

Chairperson Johnson adjourned the meeting at 2:07 p.m.

Charlotte Historic District Commission Update

May 24, 2012

At their May 9, 2012 Regular Meeting, the Charlotte Historic District Commission made the following rulings on Applications for Certificates of Appropriateness:

A.	<i>922 East Park Avenue, Dilworth Local Historic District New Construction – Single Family House Luke Ullman, Applicant</i>	<i>HDC 2012-035</i>	<i>Approved with conditions</i>
B.	<i>1926 Ewing Avenue, Dilworth Local Historic District Front Porch Renovation Richard M McDermott, Applicant</i>	<i>HDC 2012-042</i>	<i>Approved</i>
C.	<i>530 Hermitage Court, Hermitage Court Local Historic District Change in Previously Approved Plans Lisa Yarbrough, Applicant</i>	<i>HDC 2012-050</i>	<i>Approved with conditions</i>
D.	<i>1111 East Boulevard, Dilworth Local Historic District Change in Existing Signage Jeffery Brent Hoston, Applicant</i>	<i>HDC 2012-052</i>	<i>Approved</i>
E.	<i>300 North Poplar Street, Fourth Ward Local Historic District Removal of Two Trees Dennis Terry, Applicant</i>	<i>HDC 2012-053</i>	<i>Approved</i>
F.	<i>300 East Park Avenue, Dilworth Local Historic District Construction of Brick Wall Dennis Terry, Applicant</i>	<i>HDC 2012-054</i>	<i>Approved</i>
G.	<i>2128 The Plaza, Plaza Midwood Local Historic District Second Story Addition Christopher Stigliano and Brandy Hayslett, Applicants</i>	<i>HDC 2012-055</i>	<i>Approved</i>
H.	<i>1230 East Worthington Avenue, Dilworth Local Historic District Dormer Additions Andrew Woodruff, Applicant</i>	<i>HDC 2012-056</i>	<i>Approved</i>
I.	<i>930 East Boulevard, Dilworth Local Historic District Signage William Maxwell, Applicant</i>	<i>HDC 2012-057</i>	<i>Deferred</i>
J.	<i>1513 Kennon Street, Plaza Midwood Local Historic District Relocation of House into the Plaza Midwood Local Historic District Magnolia Properties of Charlotte, Applicant</i>	<i>HDC 2012-058</i>	<i>Approved relocation only details to follow</i>
K.	<i>423 South Summit Avenue, Wesley Heights Local Historic District Front Porch Addition Eckuche Creative Group, Applicant</i>	<i>HDC 2012-060</i>	<i>Approved with conditions</i>