

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

# Planning Commission

Oct 7, 2013

work session

Charlotte-Mecklenburg  
Government Center

Room 267  
Noon



# Charlotte-Mecklenburg Planning Commission

## Work Session Agenda

October 7, 2013 - Noon

CMGC - Conference Room 267

### Call to Order & Introductions

Tracy Finch Dodson

### Administration

#### Approval of Planning Commission Minutes

Approve the July 1, July 25 and September 11, 2013 minutes.

*Attachment 1*

### Policy

#### Planning Commission Potential Impact Areas & Impact Priorities

**Background:** At their annual retreat, the Commission agreed to examine its organization structure to improve information flow and communications between the various committees. The Commission also selected these areas as their priority projects over the next 2 to 3 years:

1. Add Value to Zoning Ordinance Assessment Process
2. Communicate with Stakeholders to Improve the Understanding of Planning Processes (i.e., area plan and rezoning processes)
3. Policy Alignment Relative to Growth and Changing Face of the Region

**Action:** The Commission will discuss implementation of these priority initiatives.

### Information

#### Planning Director's Report

- Planning Department's Public Outreach Presentations
- Nightclubs, Bars and Restaurants Text Amendment
- Student Housing and Parking Text Amendment

Debra Campbell

*Attachment 2*

Katrina Young

Barry Mosley

#### October & November 2013 Meeting Schedules

*Attachment 3*

### Committee Reports

#### Executive Committee

- June 17, 2013 Approved Minutes
- Future Work Session Agenda Items

Tracy Finch Dodson

*Attachment 4*

Future Work Session Agenda Items	Work Session
1. Prosperity Hucks Area Plan	Nov
2. University City Area Plan - BLE Transit Station Area Plans	Nov
3. Area Plan Policy Assessment	TBD

#### Zoning Committee

- Upcoming Rezoning Petitions
- Zoning Committee Agenda
- Zoning Committee Public Hearings

Tracy Finch Dodson

Tammie Keplinger

*Attachment 5*

*Attachment 6*

**Planning Committee**

- May 21, 2013 Approved Minutes

Tony Lathrop  
*Attachment 7*

**Historic District Commission (HDC)**

- September 11, 2013 Meeting Update

Karen Labovitz  
*Attachment 8*

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

Greg Phipps

**Communication from Chairperson**

Tracy Finch Dodson

# Charlotte-Mecklenburg Planning Commission

Attachment 1

July 1, 2013 - Noon

CMGC - Conference Room 267

Action Minutes

---

## Call to Order & Introductions

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

## Attendance

**Commissioners Present:** Tracy Finch Dodson (Chairperson), Tony Lathrop (Vice-Chairperson), Emma Allen, Ray Eschert, Randy Fink, Steven Firestone, Karen Labovitz, Tom Low, Dionne Nelson, Greg Phipps, Deb Ryan and Dwayne Walker.

Commissioner Walker arrived at 12:15 p.m. and left at 1:26 p.m.

**Commissioner Absent:** Commissioner Zoutewelle

**Planning Staff Present:** Debra Campbell (Director), Linda Keich, Tammie Keplinger, Cheryl Neely and Chandler Wilkins (MYEP Intern)

**Guests:** Police Chief Rodney Monroe and Deputy Fire Chief Rob Kinniburgh

## Administration

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

Commissioner Allen made a motion to approve the June 3, 2013 work session minutes, seconded by Commissioner Ryan. The vote was 11-0 to approve the minutes.

## Policy

### **Community Safety**

Director Campbell introduced this agenda item and explained that the purpose of the presentation is to bring awareness to the relationship between planning and community safety.

### ***Charlotte-Mecklenburg Police Department***

Police Chief Monroe provided a brief overview of the Charlotte-Mecklenburg Police Department (CMPD). He began by explaining that the City and County police departments merged in the 1990's into one department which is the one law enforcement entity for the City of Charlotte and the unincorporated areas of Mecklenburg County. The department is divided into six distinct work groups:

1. Office of the Chief
2. Field Services
3. North Investigative Services
4. South Investigative Services
5. Support Services
6. Administrative Services

There are approximately 1,791 sworn officers and 473 non-sworn officers. The department has over 572 volunteers ranging from Animal Control to Property and Evidence positions. There are 13 patrol divisions geographically located throughout the City and County.

Most of the divisions were previously located in warehouse or commercial areas, but the department is now building divisions in areas that are more accessible to the public and with enough square footage for public meeting space. The focus is to place resources in the community and meet people at the neighborhood level.

During the Democratic National Convention (DNC) and prior to the DNC the department started focusing on technology enhancements such as video, shot spotter (which detects gun shots fired), license plate readers and other mechanisms to allow police to better manage community activities.

CMPD has initiated a strong partnership with the business community, whereby they are trying to work with businesses that have video capabilities in and around their business establishments and have a view into public areas. Use of the video will allow police to manage some of the activities around their businesses. CMPD has also entered into agreements with businesses and apartment complexes along certain corridors to focus on the main corridors which feed into communities to take precautions to prevent the crimes which are occurring along the corridors from feeding into the adjacent communities. In some instances, CMPD is able to stream live video in parking lots and act on suspicious activity prior to criminal activity occurring.

There is also a major focus on communication with citizens. There are over 200 civic associations throughout the City and County and CMPD representatives attend their meetings on a regular basis so the department can work in partnership with the community to address issues.

The Police Department coordinates with the Planning Department's planning and development processes. CMPD does an analysis related to lighting, shrubbery, walkways/pathways to add the public safety element to the planning and development processes.

CMPD has also been engaged in the Student Housing Text Amendment process because there has been a big push around the universities to rent by the room. The intent is to rent to college students, but there is not a regulation to enforce who can rent these rooms. This has resulted in a mixture of students and other individuals living together. Sometimes students have fallen prey to some criminal activity as it relates to having those mixtures inside the complexes.

The Chairperson thanked Chief Monroe for the presentation.

### ***Charlotte Fire Department***

Deputy Chief Kinniburgh provided an overview of the Charlotte Fire Department (CFD). He reported that there are 1,166 members of the department, 42 stations, 41 engine companies, 15 ladders, two heavy rescues, four cross-command hazmats. There are four companies that provide aircraft rescue and firefighting services at the Airport and a whole array of equipment to support their mission. On the support side, there is administration, emergency management, fire prevention, investigation and public education. Mecklenburg County is different from all 100 counties in North Carolina, in that emergency management for the County is under the Charlotte Fire Department. In all other counties, it is either a separate agency or the county fire service is under emergency management.

The biggest problem with fires in Charlotte is due to residential kitchen fires caused by unattended cooking. The primary goal of the CFD is to have the first truck on location within six minutes of the moment the call for service is made. This is measured with an 80% success rate. From the time 911 is dialed and dispatched, responders have approximately 15 seconds to get out the door and four minutes travel time.

Deputy Chief Kinniburgh shared that CFD and CMPD work together and interact on a daily basis. Coordinating efforts during the DNC brought the two departments even closer together. One of the Capital Improvement Plan (CIP) projects that they hope to get funded is a consolidated communications system between CMPD and Medic. About \$6M has been invested in the last seven years in infrastructure that cuts out the first two minutes of response time. The intent is to be on the same dispatch system. Currently the 911 operator answers the call and then they forward it to medic, the fire department or the police dispatcher.

The second goal is to have an effective fire-fighting force on the scene. On average, there is about a mile and a half to three miles between fire stations. In the 1980's it took about 20 minutes for a fire to become a structure fire (go from room and contents to structure to degradation of the physical structure). That number is now down to approximately eight minutes, due to new construction building materials and light weight building construction.

CFD has identified five places where new fire stations are needed and funding was requested in the CIP to buy the land to systematically build fire stations to address these areas:

1. Cochran Middle School
2. Colony Road
3. North Tryon Street
4. Boulevard Homes
5. Clanton Park

The Deputy Chief continued by explaining how CFD is involved in the development process. When he became the Fire Marshall in 2008 he met with the Planning Department's Subdivision Administrator because Charlotte was growing by subdivisions. At that time most of the subdivisions included cul-de-sacs, which negatively impact response times. The Department became involved in the area planning process and was involved in the development of the *Steele Creek, Elizabeth* and *Northlake* area plans. CFD was also involved in text amendment processes. For instance, Fire worked on the Heights in Residential Districts Text Amendment to make sure the fire code, which is state law and the Zoning Ordinance coordinated. CFD has plan reviewers who are responsible for reviewing site plans as part of the land development process. CFD is likewise heavily involved with CDOT, especially with new roads, road redevelopment and traffic calming devices. Deputy Kinnebaugh mentioned that each road hump adds about 25 seconds to their response time and they also negatively impact the truck's maintenance.

The Chairperson thanked the Deputy Chief for the presentation.

## **Information**

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

Debra Campbell directed the Commission to Attachment 2. She also congratulated the Chairperson and Vice-Chairperson on their election to office, as well as welcomed new Commissioners Nelson and Fink to the Commission.

The Planning Director announced that she and staff had attended two community meetings to present the proposed recommendations for the Nightclubs, Bars and Lounges Text Amendment. They will continue to meet with other neighborhood groups, and individual business owners and operators.

Lastly, Director Campbell reminded the Commission of the special meeting on July 25 to discuss the Zoning Ordinance Assessment project with the consultants. The consultants will present to the Commission, the Transportation and Planning Committee and hold a public meeting to present the findings.

## **Committee Reports**

### **Executive Committee**

Chairperson Dodson referred the Commission to the agenda attachments. She stated that there will not be an Executive Committee meeting in July since the officers will not be in place. The Planning Committee will not meet in July, which is when their Vice-Chairperson is supposed to be elected.

### **Zoning Committee**

Tammie Keplinger stated that the City Council Public Hearing is on July 15. There are 10 hearings and six decisions on the agenda. She noted that the auto mall at Belgate will probably have the most questions / public interest.

### **Planning Committee**

The Chairperson stated that the Planning Committee did not meet in June and will not meet in July, since there are not any mandatory referrals. The Committee does not meet in August, so it will be September before the Committee meets again.

### **Planning 101/Choosing Charlotte Committee**

Chairperson Dodson stated that she wants to make Planning 101 a big part of the retreat. The full Commission will discuss how to move forward with this initiative.

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

Commissioner Low reported that the last HDC meeting was a marathon meeting. He indicated that the Commission expects the process to improve with the hiring of John Howard, the new HDC Coordinator.

The Chairperson thanked Commissioner Low for serving on the HDC. She announced that Commissioner Labovitz will be the HDC Planning Commission representative for FY14.

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

Commissioner Phipps reported that they reviewed the Strategic Mobility Formula that was recently adopted and signed into law by the Governor.

There was also a lot of consternation over the ethics requirements that certain members of the TCC had to adopt; however, the Chairperson reached out to the legislators who in turn revisited the stringent requirements so that they are now more conducive to serving on the TCC.

### **Communication from Chairperson**

Chairperson Dodson announced that the rotation schedule will be distributed by Tuesday. She reminded new Commissioners Nelson and Fink that they are on the Planning Committee.

The Chairperson also informed the Commission that the retreat will be held in September and Cheryl Neely will poll Commissioners with possible retreat dates. She asked Commissioners to contact her if they had any suggested retreat agenda items.

### **Other Business**

Commissioner Ryan announced that she had sent the Commissioners an invitation to a breakfast meeting / workshop which will focus on transit oriented development, economic development and urban design. The workshop is scheduled for July 8 at 7:30 a.m. at UNCC's Center City campus.

Commissioner Phipps stated that the Student Parking and Housing CAG met on June 20. At this meeting staff basically informed the CAG that zoning could not regulate leasing arrangements because the Fair Housing Act restricts limitations on leasing arrangements. Commissioner Phipps thought the CAG process seemed to have been an exercise in futility.

Director Campbell stated that she hoped staff did not portray the text amendment process as "gloom and doom". Staff is adamant and will continue to investigate regulatory options to solve this problem with these uses being exclusively for students. Staff will meet with representatives from all the major universities. One solution may be to define these uses as private dormitories. Staff does not want to open up the possibility of rent by room for the general population.

### **Adjournment**

The meeting adjourned at 1:44 p.m.



# Charlotte-Mecklenburg Planning Commission

## Special Meeting

July 25, 2013 - 4:30 pm

CMGC - Conference Room 280

## Minutes

---

### Call to Order & Introductions

Tracy Finch Dodson called the meeting to order at 4:37 p.m., followed by introductions.

### Attendance

**Commissioners Present:** Michael Sullivan, Tom Low, Tony Lathrop, Tracy Finch Dodson, Karen Labovitz, Steve Firestone, Greg Phipps, Dionne Nelson, Randy Fink and Andy Zoutewelle

**Commissioners Absent:** Emma Allen, Ray Eschert, Deb Ryan and Dwayne Walker

**Staff Present:** Laura Harmon, Alan Goodwin, Cheryl Neely, Garet Johnson, Alysia Osborne, Brent Wilkinson, Jason Prescott, Nan Peterson (Engineering), Tom Ferguson (Engineering), Sandra Montgomery and Michelle Barber

**Guests:** Matt Goebel and Craig Richardson of Clarion Associates, LLC

Chairperson Dodson welcomed new Commissioner Michael Sullivan to his first meeting. She stated that the purpose of the meeting is to receive Clarion's report regarding the Zoning Ordinance. She then introduced Laura Harmon.

Laura Harmon apologized on the Planning Director's behalf for not being able to attend the meeting. Ms. Harmon provided background information and explained that the last major update to the Zoning Ordinance was in 1992. Since that time text amendments have been used to update the ordinance. The current ordinance is no longer consistent with the community's vision and there is a sense of urgency to move into updating it.

About a year ago the department hired Clarion Associates, a national land use and real estate consulting firm, who have offices in seven cities. They are particularly well known for working on land use regulations and zoning ordinances.

Ms. Harmon clarified that we are not at the point of rewriting the ordinance. We are assessing options and choices on how we can move forward. She informed the Commission that Clarion presented to Council's Transportation and Planning Committee earlier that day and received some really good feedback and support. She also explained that staff and the Consultant are also interested in hearing from the Commission as to whether or not they think Clarion has hit the mark or if there are things that need more study. The Consultants will also present their findings to the public at 6:30 pm. She invited Commissioners to attend the public meeting.

Laura Harmon introduced Craig Richardson who is a director with the firm. He is a planner and attorney out of the Chapel Hill office and Matt Goebel is the Project Manager for this effort. He is also a director with the firm and is a planner and attorney out of the Denver office.

Matt Goebel and Craig Richardson presented a PowerPoint presentation.

Mr. Goebel began the presentation by stating that Charlotte asked them to focus on a couple of things:

1. How well is the existing ordinance equipped to implement the plans and policies that have been adopted by the City?
2. If we decide that the ordinance is not well-equipped and needs to be updated and revised, how should we approach updating the ordinance?

The Consultant responded to these requests in two reports. The first is the *Assessment Report* and the second is the *Approach Report*.

***Assessment Report – How well is the ordinance equipped to implement plans & policies?***

Matt Goebel continued by sharing that they cast a broad net to determine what is working well and what is not working well. They did an in-depth analysis of a number of plans and the ordinance. They held public meetings, as well as special stakeholder meetings with people that know and use the ordinance on a frequent basis. They talked with people that have actually used the code either in applying it to make recommendations and decisions or those who have submitted applications for project approval. There was an online public questionnaire as well.

For the purposes of this project, staff selected six area plans that they thought represented the breadth and diversity of the planning work that is being done in the area plans. The focus was on the land use piece and community design portions of the plans.

The *Assessment Report* describes a system that makes it very challenging to draw a clear connection between the plans and the zoning tools. In terms of land use, the menu of tools that Charlotte has is primarily the zone districts that are in the current ordinance. Sometimes it is easy to link these districts with the land use classifications in the plan and sometimes that is more difficult. From a design perspective, Charlotte also has some tools in the ordinance to implement the area plans, but not the full suite of tools that are needed. There are a tremendous amount of conditional rezonings in Charlotte and there is a need for some new zoning tools to implement plans.

Some of the things in the ordinance are good; however, they could be stricter to more effectively implement the plans. People that use the ordinance find it incredibly challenging to use primarily because it is poorly organized and lacks illustrations. It is also very difficult to understand what the City's development goals are from the document.

In conclusion, the area plans contain some very thoughtful, progressive ideas and they are very well-tailored to the issues and challenges of the city. The current ordinance is a very flat tool and does not help make fine grain zoning decisions that are needed to implement the plans. It is lagging behind the plans and policies.

***Approach Report – How should we approach updating the ordinance?***

Craig Richardson explained that the *Approach Report* highlights several issues that are important and need to be considered before a community starts to update or rewrite their ordinance. The report also includes several case studies of large cities that have updated their zoning ordinances and all their codes over the last 4-5 years.

Below are some of the important issues Charlotte should think about before starting an ordinance update:

- Public Involvement - there needs to be an active and aggressive community outreach initiative as part of the process, working with a cross representative CAG; also need to use public outreach mechanisms such as a project web site, brochures, etc.
- Interdepartmental Input and Coordination – it is very important to have all departments that are involved in the development review process to participate.
- Unified Development Ordinance – should discuss whether it is feasible to have a unified development ordinance versus just updating the current Zoning Ordinance.
- General Approach - what is the type of zoning regulatory ordinance approach that you want to take? Use the opportunity to rethink how you are regulating development in the community and can reorganize the code to focus on those planning policy issues that are most important and how you're going to do it. There are five basic types of typologies:
  1. Euclidean - the traditional zoning ordinance that has been in place in most communities in this country since the 1920s. The emphasis in the traditional Euclidean ordinance is on uses and the separation of uses. In terms of regulating development form, it was very minimal.
  2. Transactional Zoning - a response to the Euclidean zoning initiated in the early sixties. In response to the Euclidean ordinance, the inflexibility of the Euclidean Ordinance in situations where developers in the community recognized that they couldn't achieve some of the types of development that they wanted to achieve under the Euclidean Ordinance. It is a negotiated process. A site plan was required.
  3. Performance Zoning - another response to Euclidean zoning that was initiated in the 1980s. The idea here was Euclidean Zoning is too inflexible and there is too great an emphasis on uses. What really matters is not too much what use is next door, but whether or not there is a potential adverse impact, and then whether or not you mitigate it.
  4. Form-based codes - one of the big ideas in planning in the last 10-15 years, was another reaction or pushback to the traditional Euclidean Zoning due to its inflexibility and the fact that in most of these traditional Euclidean codes wouldn't allow for the type of desired or preferred development, especially compact, higher density, mixed-use, walkable development.
  5. Hybrid Codes – simple concept to embrace the desirable elements in all of these different typologies in our community to achieve the goals that we want to achieve in our community.

Mr. Richardson also highlighted other considerations for the ordinance. He suggested that the ordinance be organized and formatted so that is more user-friendly. The integration of more graphics will also help make the ordinance more user-friendly. Lastly, Mr. Richardson recommended “simplifying and modernizing” the ordinance. For instance some districts can potentially be combined or consolidated to help simplify the ordinance and the ordinance can be modernized by removing obsolete districts.

In conclusion, Mr. Richardson suggested that staff consider streamlining procedures, clarifying responsibilities and establishing a set of common procedures that would apply to all development applications. If there are exemptions or exceptions to the procedures, identify those exceptions. The consultants also suggested that Charlotte expand the provision for granting administrative modifications. A lot of communities throughout North Carolina and around the country actually are allowing as much as 10% - 20% for administrative modifications. Charlotte's current rate is approximately 5%.

Chairperson Dodson thanked Matt Goebel and Craig Richardson for the comprehensive presentation and asked the Commissioners if they had any questions. Below is a summary of this discussion:

Vice-Chairperson Lathrop: From your perspective, what were the big difficulties in the process?

Matt Goebel: Cities often underestimate the amount of internal staff time it takes to get these done. There is an expectation that there are some really bright consultants out there and we can just up the budget and kind of get a turnkey project. You can rely on consultants for best practices and for good fresh strategic thinking. You can rely on them because they're not tied down with local politics, but in the end the local staff has to play a key role in projects like this, because they know the culture and traditions and are going to be responsible for owning this code in the future.

Vice-Chairperson Lathrop: Did they solve that by repurposing existing staff or hiring more staff?

Matt Goebel: The City of Denver devoted more staff. The staff they originally thought was going to work on the project part-time ended up being full-time. The project took longer than they thought it would. Denver has a very active set of neighborhood councils. It's a very active community that really pays attention to land use, so they had a lot more public involvement than they were expecting and they had to manage that. Denver did a map so that also pushed that process out; they devoted more staff.

Craig Richardson: Raleigh hired more staff than they contemplated. Once changes are drafted, there is a need to conduct testing to evaluate the differences between the old and new. The testing of the new ordinance extended the process in Raleigh longer than they originally contemplated.

Karen Labovitz: How long ago were these done in the case study cities? How much time has elapsed since then and now that some time has elapsed, what are their feelings about the new versus the old ordinance?

Matt Goebel: Denver's ordinance was adopted in 2010 and since then they have done about 14 amendments. They had to do some omnibus clean-up amendments to deal with technical changes. Denver is an unusual case because they decided to create a new set of neighborhood contexts. So there was a general urban neighborhood, a suburban neighborhood and for each of those contexts they came up with a new set of rules. They basically added some new context after they adopted the codes, so that was a big change. They generally think it is working well. It does not address urban design as well as they originally thought it might. They ended up backing off quite a bit on that, based on the political process, to get the code adopted. They ended up pulling back on the zoning.

Raleigh has adopted their code and they are working on the map now. They are in the transition phase between the code adoption and the effective date of the code, which I think is September 1<sup>st</sup>. So it is brand new and they have not done any edits to it yet.

Philadelphia was adopted in 2012 and I think they have done some minor clean-up. They are an example of a community that did a code update at the same time as they were doing a big plan update. This was a big success; both projects were able to feed off each other and they received a national award from APA.

Los Angeles just started their process. It will be a five-year process and they have allocated \$5M, of which \$1M is for the website. It is going to be a new state of the art kind of online interactive system.

All zoning ordinance updates are all different and usually take about 4-5 years. More details are included in the case studies.

Craig Richardson: When a community goes through a comprehensive development code update and test, there will be follow-up changes. Typically there are a set of “clean-up” amendments six months later, but they are always tweaking and making revisions. It is an organic process.

Steven Firestone: What have other cities done to stimulate growth along corridors that are perhaps not transit-oriented?

Matt Goebel: A lot of cities have realized it is not just a matter of saying what we do not want, but it is clarifying the vision of what we want and then trying to make the codes streamlined enough to make that easy to do – make it “by right”. One of your council members this morning said that very well. Charlotte needs to move to a system where we make it easier to do the development we said we wanted – make it more “by right”. Do not make people jump through hoops. Do not make it more expensive. A lot of communities have learned that lesson. A lot of communities have built more incentives into their code to encourage developers to create the types of corridor redevelopment projects that you are talking about. You know you can do that a lot of ways: you can save time and money; you can get the projects approved faster; you can give them greater densities, greater heights or some other types of benefits that they might want to see. There are a lot of tools out there.

Craig Richardson: Typically, communities where we have worked with that had more intense mixed use development and greater heights are usually backed by residential neighborhoods. and there is a transition area in residential neighborhoods. One of the other important components is to develop a set of measurable standards that the neighborhood will be comfortable with to address the transition issue.

Matt Goebel: Zoning is not going to be the only answer in those situations. The zoning code can help and it can streamline the process, but sometimes other public improvements can be really important as catalysts. Austin, Texas has done a good job of targeting corridors where they really need to encourage new activity. They revamped the streetscape with new furniture, new streetscape lighting, to create a more inviting environment for investment by small businesses. Their Public Works folks came to the table with planners to coordinate their thinking. It is important that Business Services, Public Works and other departments are coordinating with whatever is done with the zoning regulations, so everyone is working towards the same ultimate goals.

Dionne Nelson: Four to five years is a long time. Once you receive feedback as to exactly what parts of the ordinance we want to tackle and how we want to change it, will there ultimately be a recommendation on the process and ways to possibly break it down into more reasonable pieces.

Tracy Dodson: In term of overall funding, how does it look if it is a multiple step process?

Matt Goebel: You absolutely can design a process that is broken into manageable pieces. The most important thing to do in the next six months to a year is to get feedback from the public and the stakeholders on some of those key questions we talked about: incremental change versus comprehensive change, organizing approach and develop an annotated outline for what that new code should look like, and then you can actually complete that process over an extended period. You do not have to do the whole thing at once. We have done a lot of codes for cities in 18 months to two years; it does not have to be 4-5 years. The ones that we have highlighted are large cities like Charlotte. Also, if you were to just look at a new set of standards for your corridors or a new set of mixed-use districts to help implement the centers, that is a different exercise. That would be a lot faster and cheaper than potentially rewriting the whole ordinance.

Laura Harmon: We do not have funding. It did come up at our Noon session with the Transportation and Planning Committee. We would have to ask for a substantial amount of funding and possibly staff or reallocate staff to get this done. Our goal is to have a pretty good idea of at least what a staff recommendation for funding and staffing would be so that we could do that in the upcoming fiscal year.

Matt Goebel: There are a lot of pros to doing an incremental approach and breaking it down into manageable pieces, but each piece needs to be adopted. This means politics are being injected into each of the incremental pieces and the benefit of a single approach is that you can package all of those political considerations together.

Dionne Nelson: I agree with the concern of incremental and the politics along the way to get to the finish line. However, Charlotte is a city that turns over politically every two years. If it takes four years, we could start an effort with one Council and possibly change direction with a new Council. It seems like we could forever be shifting gears in order to get consensus between the community, neighborhoods, staff and the political support necessary to get it approved.

Matt Goebel: One of the mistakes I was involved in earlier in my career is when we worked on the Anchorage, Alaska code. It was a major comprehensive update and we did a lot of great stuff in that code and I am very proud of the document, but we did not move it along quite fast enough and we ended up getting caught in a major turnover on the City Council. The new Council came in and decided to form a committee to review the draft code page by page and line by line at a Council level and this slowed the process down by over five years, and they did not really change the code all that much.

Michael Sullivan: What prompted this need to address the ordinance at this particular time? Why was this not done before or why not in the future?

Laura Harmon: I think it really came to a matter of having the Planning Director, staff and other people working with the ordinance being comfortable and ready to just say “we have got to do this”. This is a huge task from a staff perspective. It has taken a while for us to know the ordinance well enough and to really understand, from our perspective, how much it needed to be changed. We did

have a staff team that began an effort to at least make it readable. Also, staff has been bringing text amendments forward on a regular basis and we have realized that we cannot continue to update the ordinance incrementally. We are having problems supporting some of the projects that we would like to get into place because the ordinance is outdated.

Tom Low: I think this is a great start and a great company. Charlotte is different from all of these case studies/big cities because they started at the center. They started by themselves with no precedent around them and had to start from scratch. It was \$5M, five years and five feet of red tape and that is kind of the standard of how to do things, but maybe there is more hope here if we look at the precedence set by the small towns around us. The development industry has been operating for a large extent outside of Charlotte and surrounding counties, because that is where Greenfield development has been occurring. There is a culture out there that the development industry is actually comfortable with having to use these types of ordinances that have been adopted there. Maybe we can lean on that and really think about Charlotte as being the next step. You're going from outward in and the development industry, which pretty much is in charge of a lot of things in our region, are comfortable at this point. There is a whole history; the real estate magazines documented this evolution of extreme resistance and fighting over these ordinances to embracing them and seeing them as a way to actually reposition them in the new market and actually be more profitable. I really encourage us to look into that and see how we can build on that as being unique to Charlotte. It may not take \$5M, five years and five years of red tape.

Greg Phipps: Did the Transportation and Planning Committee give any indication that says this is so crucial that we have to do something and not put this off? Were they more or less conducive to being amenable to entertaining a budget request or staff resource request? It seems like the consensus is something needs to be done, but at the same time I think if you weigh variables, how far can we continue to muddle on with what we have and still make it work without additional resources?

Matt Goebel: I thought there was general agreement that the City should move forward and build on the momentum that has already been started. I thought they generally agreed that with our assessment report that the ordinance is lagging behind with all of the planning work that has been done and that improvement could be made in the system. I think they were just starting to get their head around the whole issue of the budget numbers and what that would mean. I think the Assistant City Manager clearly said that he needed to caucus with staff and come back with a staff recommendation. So, it was very early in the conversation, but there seemed to be support for the idea.

Laura Harmon: That was my feeling too. Now when we get down to exactly what it is and how, I think we'll have more discussion, but there were four Council members there today and none of them said "no, you need to keep working with this longer; you can make it work." Everyone seemed to think it is time for change, but again we did not get into the details of what it would take to change.

Dionne Nelson: Can you also provide insight as to what were the benefits, even at the staff level, after this work was done - both in terms of things cities were able to accomplish, in terms of being able to deliver projects? So there is time and effort being spent on text amendments and working with developers to figure out how to navigate the current code, but I am thinking we can translate that into something that says "you got to spend this amount to do the update." In terms of time and money, it needs to translate into something that, at least on some level, is quantifiable after the fact.

Matt Goebel: That has not been done so far. We do talk generally and anecdotally about Philadelphia before their code was updated. They were doing over 3,000 variances and conditional use requests per year, and that has gone down significantly. The next step would be to try and quantify that into time-savings, cost-savings. Just to clarify, we are at the end of our current contract with the City, so that would be part of future work which could be done by staff or others.

Craig Richardson: I think in any of the code updates that we have been involved in one of the important things is at the beginning of the project we think it is very important to identify specifically some goals that you want to achieve. Use those as benchmarks, sort of measurements, at the end of the day. I think as the process would start you would want to go through and say “okay, what are some of these goals that we want to achieve?” You can measure them at the end in most cases.

Andy Zoutewelle: Would it be practical to include all exterior ordinances – street design ordinances, Storm Water ordinances, like our post-construction control ordinances – would that go into it (a unified ordinance)?

Craig Richardson: I think that is the trend. For example, Raleigh has a unified development ordinance, where they have included at least the types of ordinances that you have talked about.

Andy Zoutewelle: So everything outside the building?

Craig Richardson: No buildings are in there, but they have incorporated their subdivision ordinance in their UDO. Florida actually mandated that every community in that state develop basically what is called a Land Development Code, but it is a unified development code. There are some huge jurisdictions in Florida, but the challenge with any large city is not whether you can draft a set of regulations to integrate procedurally, substantively and sort of clean everything up; the challenge is on the administrative side. Whether you are going to have to change some of your departmental structure or whether there is sufficient coordination among the departments. Another option – and we do not have an answer for that, for your particular situation right now – would be maybe there are two or three of these ordinances that are important to integrate. Maybe it is the subdivision ordinance, maybe it is tree protection, but most communities that have done it have done it all.

Michael Sullivan: Has the County been involved with this consideration or would there be any need to have them involved?

Laura Harmon: We have not involved the County largely because they are involved with the vertical elements as opposed to the horizontal. We are coordinating with them on some issues like process. We certainly want to touch base with them as we move forward. We are at a high level now and wanted to hold off until we got into some details that would really impact them.

Chairperson Dodson stated that the Commission may need time to digest the information and could perhaps discuss it at the retreat. She thanked the consultants and staff. She suggested that she and Ms. Harmon meet with the Planning Director to discuss the best way to move forward. She also asked Commissioners to forward any additional comments to her.

Laura Harmon thanked the Commissioners for attending this special meeting.

### Adjournment

The meeting adjourned at 6:10 p.m.

# Charlotte-Mecklenburg Planning Commission

## Retreat

September 11, 2013 – 9:30 am

ImaginOn – 300 E. 7<sup>th</sup> Street

## Minutes

---

### Attendance

**Commissioners Present:** Tracy Dodson (Chairperson), Tony Lathrop (Vice-Chairperson), Emma Allen, Randy Fink, Steven Firestone, Karen Labovitz, Tom Low, Dionne Nelson, Greg Phipps, Deb Ryan, Mike Sullivan and Andy Zoutewelle

**Commissioners Absent:** Ray Eschert and Dwayne Walker

**Staff Present:** Debra Campbell (Planning Director), Pontip Aphayarath, Laura Harmon, Gareth Johnson, Tammie Keplinger, Melony McCullough, Ed McKinney, Cheryl Neely and Karen Robinson

**Facilitator:** Stanley Watkins, City Strata Consulting

### Welcome & Introductions

Chairperson Dodson welcomed everyone to the retreat and shared the goal of the retreat, which was to identify priority planning areas where Commissioners felt they could have the most impact over the next 2 to 3 years. The retreat provided an opportunity for the Commission to help steer the community planning agenda.

### What Interests You About Planning

Commissioners were asked to share their most important area of planning interest. Below is a summary of their comments:

- Emma Allen Making sure the community has a voice in planning decisions
- Tracy Dodson How all the pieces fit together to create a great community
- Randy Fink How planning impacts people's lives
- Steven Firestone This is where the "rubber hits road" ... how planning transforms into actual development
- Karen Labovitz Charlotte is a well-organized town and how can we keep it that way
- Tony Lathrop Developing the big picture for the community and making sure key decisions are a win/win for everyone
- Tom Low Potential of form based zoning to create a great community
- Dionne Nelson Engaging and contributing to great things for Charlotte
- Greg Phipps How planning affects neighborhoods and the overall city
- Deb Ryan How we can create a more pedestrian oriented city
- Mike Sullivan How planning affects the community
- Andy Zoutewelle The process of bringing all stakeholders together to create the best decision

**Planning Work Program Overview**

The Planning Director and Assistant Directors provided a *Charlotte Planning: FY2014 Work Outlook* presentation, which highlighted key community trends, the Planning Commissioners’ current projects involvement, and critical projects for the current fiscal year. The Department’s Leadership suggested goals, critical project areas and potential roles for the Planning Commission’s consideration. The three recommendations were as follows:

Summary of Key Areas of Change		
Goals	Critical Project	Potential Commission Role
Leading With Vision	Land Use Assessment Policy	Interviews – Provide “Reviewers” Perspective
Engaging Our Partners	Rezoning Process Update	Feedback on current process and recommendations for changes
Building A Great City	Zoning Ordinance Policy Assessment	Input on process and ordinance approach

Following are questions from the Commission and staff’s responses:

- 1. *Questions:*** How can we be more assertive on executing area plans? How quickly are they being implemented? Can we get a status report of area plan implementation?

***Response:*** Several factors affect the timely implementation of area plans – market demand, available funding and local priorities. A number of our plans are several years old. Staff will provide an updated report.
- 2. *Question:*** Where is the Planning Staff’s work being critiqued?

***Response:*** Staff does a lot self-critiquing to ensure that best products and service are being put forward. Ultimately, the Planning Commission, the governing bodies and citizens critique the work through legislative actions and feedback.
- 3. *Question:*** What is the timing relative to the next step in the Zoning Assessment Report?

***Response:*** The Zoning Assessment Report has been completed. The next steps are to determine the best approach for developing a new zoning ordinance, identify staffing needs for the project, and create a cost proposal for the Elected Officials consideration. Staff plans to complete this work before the end of the fiscal year (June 30, 2014).

**Planning Commission Potential Impact Areas & Impact Priorities**

The Facilitator guided the Planning Commissioners through a discussion to identify areas where they could have the most impact over the next 3 to 5 years considering the current planning work program and their areas of interest. After identifying and consolidating the important impact areas, the Planning Commissioners prioritized the potential impact areas through a limited multiple choice (3 dots) selection process.

Below is a listing of the potential impact areas, cumulative votes and ranking:

Rank	Potential Impact Area	Votes
1	Add value to Zoning Ordinance Assessment Process - Including Form-Based Zoning	10
2	Communicate with stakeholders to improve the understanding of planning processes (i.e., area plans and rezoning processes)	9
3	Policy alignment relative to growth and changing face of the region	6
4	Advocacy of Planning	3
4	Examine the Planning Commission's Structure / Organization and improve the communications between the Commission's committees	3
4	Succession planning for the Planning Commission to provide input to the Elected Officials	3
7	Coordinate/justify rezonings in an area which have just had a plan adopted	2
8	Make more of an effort to continue the history of an area	1
9	Continue to move the planning agenda forward	0
10	Develop framework for plan rezonings	0
11	Get more involved in the CONNECT Initiative	0

After further discussion and deliberations, the Commissioners decided to select the three top impact areas as the Commission's priority initiatives for the next 2 to 3 years:

1. Add Value to Zoning Ordinance Assessment Process
2. Communicate with Stakeholders to Improve the Understanding of Planning Processes (i.e., area plan and rezoning processes)
3. Policy Alignment Relative to Growth and Changing Face of the Region

In FY2014 the Commission will also examine its organization structure to improve information flow and communications between the various committees.

### **Wrap-Up and Next Steps**

Staff will compile the results from the retreat and meet with the Executive Committee, which will bring a final recommendation back to the full Planning Commission at its next meeting.

The Commission's Chairperson and Vice-Chairperson thanked the Commissioners for their attendance and participation and thanked staff and the facilitator for organizing a successful retreat.

### **Adjournment**

The retreat adjourned at 3:10 p.m.



# Charlotte-Mecklenburg Planning Department

## Community Outreach Presentations

#	Date	Presentation	Staff
1	06/04/13	Thomasboro Academy Career Day - Planning Career	B. Mosley
2	06/05/13	China Delegation - Charlotte Planning & CCW	G. Johnson/B. Dixon
3	06/08/13	Urban Community Leadership Summit at JCSU - Rezoning Process	T. Keplinger/G. Phipps
4	06/18/13	PED Neighborhood Leaders & Property Owners - PED District Standards/Proposed Text Amendment	M. Jones/L. Harmon
5	06/24/13	MPO's 2040 Metropolitan Transportation Plan - Stallings	N. Landa
6	06/26/13	MPO's 2040 Metropolitan Transportation Plan - Charlotte	N. Landa
7	06/27/13	PED Neighborhood Leaders & Property Owners - PED District Standards/Proposed Text Amendment	S. Montgomery/L. Harmon
8	06/27/13	MPO's 2040 Metropolitan Transportation Plan - Mooresville	N. Landa
9	08/14/13	MPO's 2040 Metropolitan Transportation Plan - Lake Norman Transportation Commission	N. Landa
10	08/16/13	Children in Planning Day	A. Gonzalez/A. Osborne/ M. McCullough/B. Suttle
11	09/12/13	UNCC Master of Science in Real Estate Program - Planning 101	T. Keplinger
12	09/20/13	NCAPA Annual Conference - BLE Station Area Plan	K. Cornett
13	09/27/13	Regional Transportation Committee - Metropolitan Transportation Plan Development	N. Landa
14	09/27/13	S. E. Society of Architectural Historians Conference - Mid Century African American Neighborhoods	J. Howard



## Meeting Schedule

October 2013

Date	Time	Purpose	Location
<b>Full Planning Commission</b>			
10-07-13	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor - CMGC
<b>Executive Committee</b>			
10-21-13	4:00 p.m.	Work Session	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
10-07-13	10:00 a.m.	Prosperity-Hucks Area Plan Tour	CMGC- Lobby
10-15-13	5:00 p.m.	Work Session	Conference Room 267 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Committee</b>			
10-07-13	10:00 a.m.	Work Session <sup>1</sup>	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
10-21-13	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
10-21-13	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
10-30-13	4:30 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor – CMGC
<b>Other Committee(s)</b>			
10-09-13	3:00 p.m.	Historic District Commission	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
10-16-13	6:00 p.m.	CRPTO Education Session	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
10-16-13	7:00 p.m.	CRPTO Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC

**Charlotte-Mecklenburg Planning Department Meetings**

There are no Planning Department meetings scheduled at this time.

<sup>1</sup> The Zoning Committee will make recommendations on rezoning petitions 2013-52, 2013-60, 2013-65, 2013-66 and 2013-67 at this special called meeting.



# Charlotte-Mecklenburg Planning Commission

## Meeting Schedule

November 2013

---

<b>Date</b>	<b>Time</b>	<b>Purpose</b>	<b>Location</b>
<b>Full Planning Commission</b>			
11-04-13	Noon	Work Session	Conference Room 267 2 <sup>nd</sup> Floor - CMGC
<b>Executive Committee</b>			
11-18-13	4:00 p.m.	Work Session	Conference Room 266 2 <sup>nd</sup> Floor – CMGC
<b>Planning Committee</b>			
11-19-13	5:00 p.m.	Work Session	Conference Room 280 2 <sup>nd</sup> Floor - CMGC
<b>Zoning Committee</b>			
11-18-13	5:00 p.m.	Dinner with City Council	Conference Room CH-14 Basement – CMGC
11-18-13	6:00 p.m.	City Rezoning	Meeting Chamber Lobby Level – CMGC
12-04-13	4:30 p.m.	Work Session <sup>1</sup>	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
<b>Other Committee(s)</b>			
11-13-13	3:00 p.m.	Historic District Commission	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
11-20-13	6:00 p.m.	CRTPO Education Session	Conference Room 267 2 <sup>nd</sup> Floor – CMGC
11-20-13	7:00 p.m.	CRTPO Meeting	Conference Room 267 2 <sup>nd</sup> Floor – CMGC

### Charlotte-Mecklenburg Planning Department Meetings

There are no Planning Department meetings scheduled at this time.

<sup>1</sup> Due to the Thanksgiving Holiday, the regularly scheduled November 27 Zoning Committee Work Session was rescheduled to December 4.



## Attendance

**Commissioners Present:** Yolanda Johnson (Chairperson), Andy Zoutewelle (Vice-Chairperson), Tracy Finch Dodson and Emma Allen.

**Staff Present:** Ed McKinney, Melony McCullough and Cheryl Neely

## Call to Order

Chairperson Johnson called the meeting to order at 4:10 p.m.

## Approval of April 15, 2013 Executive Committee Minutes

A motion was made by Commissioner Finch Dodson and seconded by Commissioner Allen to approve the April 15, 2013 Executive Committee minutes. The vote was 4-0 to approve the minutes.

## May 20, 2013 Executive Committee Meeting Follow-up

### **Commission Input / Area Plan Process**

Chairperson Johnson explained that some Commissioners had expressed concern about their opportunities to provide input during the area plan process, especially since they have been asked not to speak at CAG meetings, while they are monitoring the process. In particular, they want to know when they can provide input prior to the public hearing. The Chairperson acknowledged that staff had informed her there are a number of opportunities for input and asked staff to share this information with the Committee.

Cheryl Neely shared that staff is in the process of developing a matrix which lists the current area plans and how frequently staff and Commissioners presented information about individual plans to both the full Commission and the Planning Committee. She suggested that once the matrix is finalized, it could be presented to the Commission. Staff can also clarify that Commissioners can provide input when status reports are given. Melony McCullough suggested that when staff makes presentations to the Commission, they can include a timeline slide which illustrates when status reports were given to the Commission.

Chairperson Johnson asked if there were any concerns or follow-up. Vice-Chairperson Zoutewelle and Commissioner Allen thought the matrix was a good reminder to show Commissioners that plans come before them quite frequently. Commissioner Dodson agreed and asked if the matrix could indicate which Commissioner is assigned to track the plan. Cheryl Neely responded that the matrix includes Commissioner assignments. She asked how the Committee would like staff to proceed with introducing the matrix to the full Commission. Commissioner Dodson suggested that there was no need to rush with moving this forward. Once staff finalizes the matrix, they can bring it back to the Executive Committee in July or August and possibly to the full Commission at the retreat. Chairperson Johnson thanked Cheryl Neely for working on the matrix.

## Future Work Session Agenda Items

Vice-Chairperson Zoutewelle asked if the Updated Area Plan Process future agenda item is a result of staff revising the area planning process and if additional plans would be initiated this summer. Melony McCullough responded that the presentation will focus on staff revisiting the area plan process. She also indicated that staff will begin work on the next set of Blue Line Extension plans this summer. These plans are for the stations in the University area.

### **Approval of July 1, 2013 Work Session Agenda**

Chairperson Johnson asked if there were any questions about the July work session agenda items. Commissioner Dodson asked if the Community Safety presentation will focus on CEPTED or if there are other specific issues. Cheryl Neely responded that the presentation will include an overview of the Police and Fire departments as well as focus on areas that are planning related. For instance, Police may discuss the student housing issue and Fire may discuss street widths and traffic calming devices.

The Chairperson asked for a motion to approve the agenda. Commissioner Dodson made motion to approve, seconded by Commissioner Allen. The vote was 4-0 to approve the July work session agenda.

### **July and August Meeting Schedules**

Commissioner Dodson made a motion, seconded by Vice-Chairperson Zoutewelle to approve the meeting schedules as submitted. The vote was 4-0 to approve the July and August meeting schedules.

Commissioner Dodson asked if the Committee could start looking at retreat dates. Cheryl Neely reminded the group that the September work session is usually rescheduled and combined with the retreat, due to the Labor Day holiday. Vice-Chairperson Zoutewelle reminded the Committee of the Jewish holiday in September. Commissioner Dodson asked Cheryl Neely to look at the calendar and the Planning Director's schedule and identify potential retreat dates.

Chairperson Johnson informed the Committee that City Council had appointed Dionne Nelson to replace her on the Commission. She asked Cheryl Neely if the County had appointed someone to replace Commissioner Griffith. Cheryl Neely responded that the County is in the process of interviewing applicants and will make the appointment next week. The Chairperson also noted that the School Board had recommended a new Commissioner be appointed to replace Commissioner Nealon.

Chairperson Johnson indicated that the new Commissioners should be taken into consideration when working on the rotations. Cheryl Neely agreed and stated that she would like to meet with Chairperson Johnson and Chairperson Elect Dodson immediately following the meeting to discuss rotations. Vice-Chairperson Zoutewelle asked when the rotations will be announced. Commissioner Dodson replied that she will make the announcement as soon as the rotations are finalized, hopefully by the end of the week.

Vice-Chairperson Zoutewelle announced that the Planning Committee will not meet in June because there were not any mandatory referrals.

The Chairperson thanked the Committee and staff for working with her as a team while she served as Chairperson. The Committee and staff thanked Chairperson Johnson for her leadership.

### **Adjournment**

The meeting adjourned at 4:27 p.m.

**AGENDA**  
**CHARLOTTE-MECKLENBURG PLANNING COMMISSION**  
**ZONING COMMITTEE WORK SESSION**  
**Charlotte-Mecklenburg Government Center, Rm 280**  
**September 25, 2013**  
**4:30 P.M.**

1. <a href="#">Petition No. 2013-052</a> (Council District 4 - Barnes) <b>by Arden Group</b> for a change in zoning for approximately 39.06 acres located on the southeast corner at the intersection of Interstate 85 and University City Boulevard across from IKEA Boulevard from CC to B-2(CD).
2. <a href="#">Petition No. 2013-055</a> (Council District 1 – Maddalon) <b>by Marsh Realty Co.</b> for a change in zoning for approximately 2.47 acres located on the north side of Euclid Avenue between Templeton Avenue and Lexington Avenue from O-2 to TOD-MO.
3. <a href="#">Petition No. 2013-060</a> (Council District 3 – Mayfield) <b>by LandNet, LLC</b> for a change in zoning for approximately 3.56 acres located on the southeast corner at the intersection of South Tryon Street and Steelescroft Parkway from R-3 to NS.
4. <a href="#">Petition No. 2013-064</a> (Council District 4 - Barnes) <b>by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 14.44 acres located on the southwest corner at the intersection of North Tryon Street and Tom Hunter Road from B-2 to TOD-M.
5. <a href="#">Petition No. 2013-065</a> (Council District 1 – Maddalon) <b>by Weekley Homes LP</b> for a change in zoning for approximately 1.24 acres located on the south side of Iverson Way between South Boulevard and Lyndhurst Avenue from R-5, B-2 and O-2 to UR-2(CD).
6. <a href="#">Petition No. 2013-066</a> (Council District 6 - Dulin) <b>by Weekley Homes LP</b> for a change in zoning for approximately 5.22 acres located on the north side of Sharon View Road near the intersection of Sharon View Road and Mountainbrook Road from R-3 to UR-2(CD).
7. <a href="#">Petition No. 2013-067</a> (Outside City Limits) <b>by Withrow Capital</b> for a change in zoning for approximately 18.95 acres located on the west side of Northlake Centre Parkway near the intersection of Madison Square Place, Northlake Mall Drive and Northlake Centre Parkway from R-3 and BP to UR-3(CD).
8. <a href="#">Petition No. 2013-068</a> (Council District 1 – Maddalon) <b>by WFG Associates, LLC</b> for a change in zoning for approximately 1.15 acres located on the west corner at the intersection of East Worthington Avenue and Cleveland Avenue from TOD-R(CD) to TOD-R(CD) SPA.
9. <a href="#">Petition No. 2013-070</a> (Council District 7 - Cooksey) <b>by Liberty Healthcare Properties of Mecklenburg County</b> for a change in zoning for approximately 17.48 acres located on the south side of Providence Road West between Old Ardrey Kell Road and Community House Road from INST(CD) to INST(CD) SPA.
10. <a href="#">Petition No. 2013-073</a> (Council District 1 – Maddalon) <b>by Eastway II Holdings, LLC</b> for a change in zoning for approximately 3.74 acres located on the west side of Eastway Drive at the intersection of Eastway Drive and Biscayne Drive from B-1SCD to B-D(CD).
11. <a href="#">Petition No. 2013-074</a> (Council District 1 – Maddalon) <b>by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 0.24 acres located on the east side of South Boulevard near the intersection of Rensselaer Avenue and South Boulevard from B-1 to TOD-M.
12. <a href="#">Petition No. 2013-076</a> (Council District 3 – Mayfield) <b>by Charlotte-Mecklenburg Planning Department</b> for a change in zoning for approximately 0.19 acres located on the west corner at the intersection of South Church Street and West Palmer Street from I-2 to TOD-M.

13. [Petition No. 2013-078](#) (Council District 3 – Mayfield) **by Charlotte Douglas International Airport** for a change in zoning for approximately 60 acres generally surrounded by Wilkinson Boulevard, Marshall Drive, Shoreline Drive, Interstate 85, and Virginia Circle from R-3 & B-2 to I-2.

14. **Innovative Request for Rezoning Petition 2001-016C** Marc Houle with Yarbrough Williams is requesting approval of innovative provisions for a portion of the Palisades Development associated with rezoning petition 2001-016C. The site is located on the west side of Grand Palisades Parkway south of Oleander Drive (Tract2) and the east and west side of Snug harbor Drive South of Kalabash Road (Tract 3, 5 ,& 6).

15. **Discuss the November and December Calendars**

**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 6:00 P.M. on **Monday, the 21st day of October, 2013** on the following petitions that propose changes to the Official Zoning Maps of the City of Charlotte, North Carolina:

**Petition No. 2013-024 by Cambridge-Davis Lake, LLC** for a change in zoning for approximately 16.56 acres located on the northwest corner of the intersection at West W.T. Harris Boulevard and Davis Lake Parkway from CC to CC SPA.

**Petition No. 2013-069 by James Lawrence** for a change in zoning for approximately 5.0 acres located on the north side of Providence Road West near the intersection of Tolliver Drive and Providence Road West from R-3 to UR-1(CD).

**Petition No. 2013-072 by Aventine Development, Inc** for a change in zoning for approximately 5.94 acres located on the southwest corner at the intersection of Eastfield Road and Prosperity Church Road from R-3 to NS.

**Petition No. 2013-079 by Joseph Okoye & Sylvia Okoye** for a change in zoning for approximately 1.59 acres located on the west side of Eastway Drive near the intersection of Audrey Street and Eastway Drive from R-17MF to INST.

**Petition No. 2013-080 by LightWay Properties, LLC** for a change in zoning for approximately 6.5 acres located on the north side of Ballantyne Commons Parkway between Annalexa Lane and Providence Promenade Drive North from O-1 and O-1(CD) to UR-2 and UR-2(CD).

**Petition No. 2013-081 by Joanna Andrinopoulos** for a change in zoning for approximately 0.45 acres located on the west side of South Boulevard between East Kingston Avenue and East Boulevard from B-1 to MUDD(O).

**Petition No. 2013-082 by Grubb Properties, Inc** for a change in zoning for approximately 7.95 acres located on the west side of Sharon Road between Morrocroft Lane and Sharon Township Lane from MUDD(O) to MUDD(O) SPA.

**Petition No. 2013-083 by Dilworth Center** for a change in zoning for approximately 0.50 acres located on the west side of Park Road across from Charlotte Drive from B-1(CD) to B-1(CD) SPA.

**Petition No. 2013-084 by Charles C. Davis, Jr.** for a change in zoning for approximately 1.54 acres located on the south side of The Plaza near the intersection of East W.T. Harris Boulevard and The Plaza from R-3 to B-1(CD).

**Petition No. 2013-086 by Grandfather Homes** for a change in zoning for approximately 3.61 acres located on the west side of Little Hope Road between Marsh Road and Paddock Circle from UR-1(CD) to UR-1(CD) SPA.

**Petition No. 2013-087 by Beacon #30, LLC** for a change in zoning for approximately 20.47 acres located on the west side of Twin Lakes Parkway between Vance Davis Drive and Statesville Road from BP to I-1.

**Petition No. 2013-088 by Charlotte-Mecklenburg Planning Department** for a change in zoning for approximately 0.60 acres located on the southeast corner at the intersection of South Tryon Street and East Carson Boulevard from I-2 to TOD-M.

**Petition No. 2013-089 by Charlotte-Mecklenburg Planning Department** for a change in zoning for approximately 11.44 acres located on the north side of North Tryon Street and I-85 Service Road, between Macfarlane Boulevard and Stetson Drive from I-1 to TOD-M.

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](http://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, October 16, 2013**.

---

**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 6:00 P.M. on **Monday, the 21st day of October, 2013** on the following petition that propose changes to the City of Charlotte Zoning Ordinance:

**Petition No. 2013-061 by Charlotte-Mecklenburg Planning Department** for a Text Amendment to the City of Charlotte Zoning Ordinance to add exposition centers as a use permitted under prescribed conditions in B-2 and I-1 zoning districts.

**Petition No. 2013-090 by Charlotte-Mecklenburg Planning Department** for a Text Amendment to the City of Charlotte Zoning Ordinance to create new definitions and regulations for eating, drinking and entertainment establishments by replacing definitions and regulations for restaurants, nightclubs, bars and lounges. Allows eating, drinking and entertainment establishments by right or with prescribed conditions in the following zoning districts: multi-family, UR-2, UR-3, UR-C, institutional, research, office, business, MX-1, MX-2, MX-3, MUDD, UMUD, CC, NS, TOD, U-I, industrial, PED and TS.

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](http://www.rezoning.org)

---

**Charlotte-Mecklenburg Planning Commission  
Planning Committee Meeting Minutes**

**May 21, 2013 – 5:00 p.m.  
CMGC – 2<sup>nd</sup> Floor, Room 280**

**Attachment 7**

Approved

September 17, 2013

**Attendance**

**Commissioners Present:** Chairperson Andy Zoutewelle, Vice-Chairperson Tracy Finch Dodson, Steven Firestone, Lucia Zapata Griffith (in at 5:15 p.m.), Deborah Ryan, Greg Phipps (in 5:10 p.m.) and Thomas Low

**Planning Staff Present:** Melony McCullough, Alberto Gonzalez, Garet Johnson, Sonda Kennedy, Kent Main, Catherine Stutts, Bryman Suttle and Jonathan Wells

**Other Staff Present:** Timothy J. O'Brien, City Real Estate, Mark Hahn (County Real Estate Director), Jacqueline O'Neil (Mecklenburg County Asset Management) and Katie Ross (Real Estate Coordinator)

**Call to Order and Introductions**

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

**Approval of Meeting Minutes**

*A motion was made by Commissioner Griffith and seconded by Commissioner Dodson to approve the March 19, 2013 minutes. The vote was 6-0 to approve the minutes.*

**M.R. #13-05: Proposal by the City of Charlotte to Convey Land Located on Spratt Street to Mecklenburg County for Second Harvest Food Bank Expansion**

Alberto Gonzalez (Planning) presented the Mandatory Referral for the City to convey approximately 1.5 acres of land located at 500-B Spratt Street to Mecklenburg County for the expansion of Second Harvest Food Bank. The County, in turn, will amend its existing lease with Second Harvest Food Bank to include the additional land area.

Chairperson Zoutewelle disclosed that his firm has done survey work in the area. The Committee did not think that Chairperson Zoutewelle had a conflict.

*A motion was made by Commissioner Ryan and seconded by Commissioner Dodson to approve Planning staff's recommendation for Mandatory Referral #13-05. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-05.*

**M.R. #13-06: Proposal by Mecklenburg County to Acquire Land Located on Shopton Road West for McDowell Nature Preserve Expansion**

Catherine Stutts (Planning) presented the County's proposal to purchase approximately 2 acres of land located at 14816 Shopton Road West for the expansion of McDowell Nature Preserve. The proposed land use is consistent with the *Steele Creek Area Plan* (2012).

*A motion was made by Commissioner Ryan and seconded by Commissioner Griffith to approve Planning staff's recommendation for Mandatory Referral #13-06. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-06.*

**M.R. #13-07: Proposal by Mecklenburg County to Acquire Land on McCoy Road for Gar Creek Nature Preserve Expansion**

Jonathan Wells (Planning) presented the County's proposal to purchase approximately 3 acres of land located off McCoy Road (Tax Parcel 015-223-12) in Huntersville to expand Gar Creek Nature Preserve. This property will provide a buffer from existing development and give water quality protection to portions along both sides of a tributary to Gar Creek.

*A motion was made by Commissioner Griffith and seconded by Commissioner Phipps to approve Planning staff's recommendation for Mandatory Referral #13-07. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-07.*

**M.R. #13-08: Proposal by Mecklenburg County to Acquire Land on Frew Road for Derita Neighborhood Park Expansion**

Jonathan Wells (Planning) presented Mecklenburg County's proposal to purchase approximately 5.5 acres (Tax Parcel 085-061-26) and approximately 3 acres (Tax Parcel 085-061-27) located on Frew Road for the expansion of Derita Neighborhood Park. Mr. Wells stated that the *Central District Plan* recommends multi-family residential land uses for the subject property and that a park use is considered appropriate in areas designated for multi-family land uses. Also, the acquisition is consistent with the County's *2008 Parks Master Plan* which encourages the expansion of existing parks. Mr. Wells explained that the Park and Recreation's master plan includes provisions that allow for the purchase of land when there are opportunities for future neighborhood parks. Commissioner Griffith asked if the park will extend into the industrial area. Mr. Wells answered that it would not extend into the industrial area.

Mr. Wells noted that the site is adjacent to a future thoroughfare for which the right-of-way has not been clearly defined. Planning staff's recommendation is for approval with the caveat that the County will work with the Metropolitan–Union Metropolitan Planning Organization (MUMPO) on the road alignment. Commissioner Phipps asked if there is a timeline for construction of the thoroughfare. Mr. Wells stated that this project is not funded at this time.

*A motion was made by Commissioner Griffith and seconded by Commissioner Firestone to approve Planning staff's recommendation for Mandatory Referral #13-08. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-08.*

**M.R. #13-09: Proposal by Mecklenburg County to Acquire Land on York Road for McDowell Nature Preserve Expansion**

Catherine Stutts (Planning) presented Mecklenburg County's proposal to purchase approximately 6.4 acres of land located on York Road (Tax Parcel 199-311-04) to expand McDowell Nature Preserve. This acquisition is consistent with the County's *2008 Parks Master Plan* which encourages the expansion of existing nature preserves.

*A motion was made by Commissioner Ryan and seconded by Commissioner Dodson to approve Planning staff's recommendation for Mandatory Referral #13-09. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-09.*

**M.R. #13-10: Proposal by Mecklenburg County to Acquire Land Located off Beam Road for Sugar Creek Greenway Expansion**

Alberto Gonzalez (Planning) presented the County's proposal to purchase approximately 10 acres of land located at 3140 Beam Road (Tax Parcel 143-221-02) to expand Sugar Creek Greenway. This acquisition is consistent with the County's 2008 Parks Master Plan which encourages expansion of the greenway system.

Commissioner Low asked who provides parking. Mark Hahn (County Real Estate) answered that there have not been any parking lots constructed along the greenway and that sustainable design practices are used in parks whenever possible.

*A motion was made by Commissioner Ryan and seconded by Commissioner Firestone to approve Planning staff's recommendation for Mandatory Referral #13-10. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-10.*

**M.R. #13-11: Proposal by Mecklenburg County to Acquire Land Located off Northcross Center Court for Caldwell Station Creek Greenway Expansion**

Jonathan Wells (Planning) presented the County's proposal to purchase approximately 2 acres of land located off Northcross Center Court (Tax Parcel 005-042-98) in Huntersville to expand Caldwell Station Creek Greenway. The proposed use of this parcel is to serve as a trailhead/parking lot to serve the Caldwell Station Creek Greenway. This proposed use is consistent with the Town of Huntersville's 2030 Community Plan. Planning staff recommends approval of the proposed transaction subject to the conditions imposed by the Town of Huntersville.

Commissioner Firestone asked Mr. Wells to explain the odd configuration of the parcel. Mr. Wells stated that the parcel includes public access through an adjoining parcel. Commissioner Ryan shared concerned about access being a legal issue and stated that it seems premature to bring this request before the Planning Committee at this time. Jacqueline McNeil (County Asset and Facility Management) said that the County's attorneys will ensure that roads and access are legal. Commissioner Ryan asked if waiting to resolve this issue is a problem. Ms. McNeil reiterated that County staff will do their due diligence on this project.

*A motion was made by Commissioner Firestone and seconded by Commissioner Dodson to approve Planning staff's recommendation for Mandatory Referral #13-11. The vote was unanimous to approve staff's recommendation for Mandatory Referral #13-11.*

**Prosperity Hucks Area Plan Update**

Mr. Kent Main gave an update on the draft Prosperity Hucks planning process. The plan development process for the Prosperity Hucks area began last fall. Staff held a kick-off meeting and two community workshops to share information and receive public input on the plan area. Staff is in the process of developing the draft plan and will hold a community meeting to present the draft plan this summer.

Commissioner Zoutewelle told the Committee that he and Commissioners Low and Phipps have toured the area with staff. Commissioner Ryan said that it would be helpful to know more about future plans for open space in the area. She also asked if there is a proposed density in the *Center Corridor Wedges document*. Mr. Main answered no. Commissioner Ryan then asked questions about the village's center. Mr. Main replied that this plan will probably have less blocks and more open space. Mr. Main furthered summarized the input received from the community to date.

Mr. Main explained that this gives the Planning Committee an opportunity to share and discuss any concerns about the area plan. Commissioner Ryan stated that there is a difference between discussion and deliberation. She would like a discussion, not just comments or public summary. Ms. McCullough encouraged Committee members to share any concerns or questions with staff. She also noted that staff is considering changes to the area planning process and will provide the Committee with an update at the appropriate time.

### **Adjourn**

Meeting adjourned 7:05 p.m.

## CHARLOTTE HISTORIC DISTRICT COMMISSION

**MEETING AGENDA****SEPTEMBER 11, 2013****3:00 PM****Applications for a Certificate of Appropriateness**

A.	814 East Boulevard, Dilworth Local Historic District Siding ALB Architecture, Applicant	<a href="#">HDC 2012-071</a>	Approved
B.	Tremont/Euclid Redevelopment, Dilworth Local Historic District New Construction Matt Majors, Applicant	<a href="#">HDC 2013-124</a>	Denied
C.	327 E Worthington Avenue, Dilworth Local Historic District Second Floor Addition Vinod Jindal, Owner	<a href="#">HDC 2013-121</a>	Deferred
D.	1915 Lyndhurst Avenue, Dilworth Local Historic District Rear and Second Floor Addition Janice Finein, Applicant	<a href="#">HDC 2013-126</a>	Approved
E.	1909 Wilmore Drive, Wilmore Local Historic District Addition Bob McGivern, Applicant	<a href="#">HDC 2013-119</a>	Approved

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

F.	405 East Tremont Avenue, Dilworth Local Historic District Demolition/New Construction Osama Esmail, Applicant	<a href="#">HDC 2013-130</a>	Deferred
G.	1223 Belgrave Place, Dilworth Local Historic District Addition Lee Mynhardt, Owners	<a href="#">HDC 2013-135</a>	Deferred
H.	420 E Park Avenue, Dilworth Local Historic District New Construction RAM Construction, Applicant	<a href="#">HDC 2013-137</a>	Deferred
I.	601 Mount Vernon Avenue, Dilworth Local Historic District Addition/Garage Ray Sheedy, Applicant	<a href="#">HDC 2013-138</a>	Denied
J.	523 Hermitage Court, Hermitage Court Local Historic District Addition Don Duffy, Applicant	<a href="#">HDC 2013-134</a>	Deferred