

Attendance

Commissioners Present: Sam Spencer (Chairperson), Keba Samuel (Vice Chairperson), John Fryday, John Ham, Phillip Gussman, Douglas Welton, Cozzie Watkins, Victoria Nwasike, Erin Barbee, Peter Kelly, Andrew Blumenthal, Astrid Chirinos, and Courtney Rhodes

Planning Staff Present: Taiwo Jaiyeoba (*Planning Director*), Candice Rorie, Shavon Davis, Alysia Osborne, and Kathy Cornett

Call to Order & Introductions

The Chairperson called the meeting to order at 12:00 pm, welcomed those present and went over the protocols of the virtual meeting.

Minutes and Reports

Approval April 5 Work Session Minutes

A motion was made by Commissioner Gussman and seconded by Commissioner Blumenthal to approve the April 5, 2021 minutes. Vice Chairperson Samuel requested an amendment to the minutes on page 2. The sentence should read "Chairperson Spencer determined that to be an amendment from Commissioner Gussman and seconded by Commissioner Kelly." The vote was unanimous to approve the minutes with the amendment.

New Business

Nominations for Planning Commission Leadership

Chairperson Spencer introduced the members of the Nominating Committee which he appointed at the April work session. Before he allowed the Nominating Committee to present their slate, he reminded the Commissioners that the floor is still open for nominations at this meeting, so any member of the Planning Commission can be nominated for chair or vice chair. Additionally, before the vote at the June meeting, typically, it is done by secret ballots, there could also be nominations done from the floor for chair or vice chair. He explained this is just a set of recommendations from the Nominating Committee, reviewing the resumes and qualifications from those who applied.

Commissioner Fryday announced that he, Commissioner Watkins, and Commissioner Chirinos were honored to be the Nominating Committee for this year. The first nominee is the current Vice Chair Keba Samuel to be Chairperson and Phillip Gussman for Vice Chairperson of the Planning Commission. Commissioner Chirinos expressed her gratitude to be a part of the Nominating Committee and Commissioner Watkins shared that there were unanimous with their decision.

Chairperson Spencer allowed the two nominees to verbally accept their nominations and address the full Commission. He opened the floor for any other nominations, hearing none, he suspended the nominations until the next meeting, reminding them that there is one more opportunity.

Charlotte Future 2040 Comprehensive Plan Update and Comment Review

Ms. Alysia Osborne shared key dates that are coming up and advised the Commissioners of the upcoming small group sessions. May 10th will be Council Committee report-outs and there will be a

special meeting the following day with the Planning Committee to continue the discussions around revisions and feedback. She advised if there are any revisions to the schedule, they will be available on the website and she will make sure the Commission is notified by email as well.

Chairperson Spencer asked about possible revisions to goal 2.1 and if she could go into a little more detail about what is proposed there or is anything written in stone. Ms. Osborne replied that she thinks Director Jaiyeoba will share some direction at the Great Neighborhoods meeting and the direction that had been given to them around goal 2.1; what to look for, take back and shop around, or do some technical analysis in terms of is it feasible. The biggest recommendation was around changing all lots to place types and what does that mean, and what does it look like. Other recommendations from Council to staff were to consider anti-displacement strategies or some structure around how might they develop some of those. She went on to explain that the other direction was to talk about the relationship between 2.1, the policy around including duplexes, triplexes, quads, and lots; making sure they are clear about the connection to that policy to place types and the UDO.

Chairperson Spencer commented that Raleigh has been a buzz about some legislation that have been introduced that if passed, would make this entire conversation mute. In terms of thinking about the 2040 plan and what their next revision looks like, he asked, how do they address the potential for changes to the code in Raleigh that will basically eliminate exclusionary zoning statewide without them doing anything. Ms. Osborne replied that they are aware of that legislation but until it passes, there is not a lot they can do in terms of responding in policy today but if there is something that happens in terms of adoption of that prior to the final adoption of the plan, then they will propose that revision and bring it before the Committee to make a decision or recommendation, then ultimately Council. She added, that the adoption of the Comprehensive Plan means that they will be monitoring, tracking, and making suggested revisions on an annual basis and an update within 5 years, but if there is something major of a policy shift amongst the state, then they will make that policy revision when that time comes.

Vice Chairperson Samuel referenced the May 10th Committee report outs, May 11th Planning Committee, and May release of the 2nd draft. She asked Ms. Osborne to speak more of how this might happen in terms distribution. Ms. Osborne replied, right now, it would be a redline version of the current draft only highlighting the changes; making sure people understand or can reference the larger document but if they want the full context, it will be an electronic version. The electronic version will be shared through email, social website, media blast; similar to how the first draft was released.

Vice Chairperson Samuel mentioned, as a gentle reminder, that the process by which plans get adopted is that they come through Planning Commission and Planning Committee specifically as a recommendation to Council. She is a bit concerned and want to make sure that their recommendations will not be in vain.

Chairperson Spencer advised that he shares Vice Chairperson Samuel's concerns as she expressed that they want to make sure that this process not get hijacked from its intended direction as outlined in the Interlocal Agreement. He said time and time again, he has heard from fellow Commissioners, in the past, they have sort of rolled over and played dead in situations like this and

they do not want to do that. He would look favorably if there was a member of the Commission that wanted to authorize the chair and vice chair of the Planning Commission to communicate with City Council, especially on some of these important points.

A motion was made by Commissioner Gussman to authorize the Chairperson and Vice Chairperson of the Planning Commission to communicate with City Council. Commissioner Gussman asked should they define what the topic would be or would it be to address the Comprehensive Plan as a whole. Chairperson Spencer interpreted the motion stating, to ask the chair and vice chairperson to communicate with the City Council, reminding them of the process and communicate any priorities of the Planning Commission that you would like to include in this motion. Vice Chairperson Samuel wanted to add that the communication should go to the manager of the Planning Department as well.

Commissioner Gussman asked the floor for any specific points that they would like to include. He would like them to address the single family zoning, the elimination of the exclusionary zoning, and the adherence to the process as it's outlined but he would welcome any friendly amendment to that list if anyone has anything that they would like to contribute.

Chairperson Spencer asked Vice Chairperson Samuel if he should interpret her comments as a seconded to the motion and she agreed.

Commissioner Kelly said that he was a little confused as to what the concern is. He said that City Council has always given the direction of where the plan should come from with the draft being the details around those policy ideas that goes through the formal process that Ms. Osborne just mentioned. He thinks they as a group for the last year have played a pretty passive role on this and have pretty much taken what was given to them by staff and he has raised this issue before.

Vice Chairperson Samuel shared where her concern is coming from. She said this process by design started with a fairly robust community engagement process that was followed step by step, outlined to Council several times, updates to TAP Committee several times, special meetings with Council members several times, Advisory Committee, and Strategic Advisors. Now, they get to the final hour and as Council has reviewed the document, now wanting to, based on her impression of their last business meeting, seemingly wanting to dictate what the changes will be. Her fear is that, because this process was primarily led by Strategic Advisors and those involved in the process over the past going on 3 years now; so that they do not uproot that process, do not discount the feedback that they have gotten already through the intended process. In the last meeting, she got the message that Planning Commission does not play a role in anything; these are the changes that Council wants to make, then staff bring this back to us and have it look like this. This was fairly alarming because it does violate the Interlocal Agreement. The process of adopting these types of plans comes to Council through the recommendation of the Planning Committee of the Charlotte Mecklenburg Planning Commission. She believes intentional or not, that was overlooked in the last meeting, so she felt a strong need to kind of reiterate that as they try to figure out what the next steps are in pushing out this next iteration of the plan that they not hijack this process. Lastly, she said of course they will take recommendation from Council and they are ultimately thumbs up or thumbs down, but what they recommend to them, she does not want the Commission to hijack the

process by giving it to Council first because it comes from the people to the Planning Committee then to Council; that was the concern. She feels if changes as dictated by Council get baked into the plan without following the proper process, it makes it a lot less transparent and a lot like Council is going to do what it wants to do regardless of what the people say or Planning Committee, etc.

Chairperson Spencer commented that there is not anything that Vice Chairperson Samuel just said that he disagrees with.

Commissioner Fryday said what he thought he heard earlier is Ms. Osborne outlining a process where the changes that they are recommending or the wording that they have come up with to implement a direction that they have gotten from the Commission and lots of other people, that is going to go through the Planning Committee or the Commission itself for comment before it goes to Council and Council will have that recommendation much like they do on anything else that comes through the Commission. Ms. Osborne replied that Commissioner Fryday described it accurately and the process is within the Interlocal Agreement. Commissioner Fryday went on to say he is not sure from what he has heard that they are not doing their normal routine; review and recommendation which they may not follow, but hopefully they will because they know it came from citizens, it came from them and they are recommending edit or not edit. He said it seems like the normal process that they have done with the TOD and probably with the UDO; unless he is missing something. He does not see a motion to ask the chair and vice chair to go talk to Council unless they actually see that they are missing the boat on the fact that the comment they are actually are talking about did not come from anyone but inhouse and he has not heard that.

Commissioner Gussman said that his interest in the motion really was focused on comments during the business meeting last week where it was specifically asked of Director Jaiyeoba would they have more chances to weigh in on specific edits; and the conversation really was more so of will they be able to still effect this and have the input on this. He agreed that their input in this process is where it is supposed to be, it sounded like they were setting up to pick Director Jaiyeoba and Ms. Osborne apart a little bit on individual language. This is what interested him in enabling the chair and vice chair to support the process and not let this veer off near the end.

Commissioner Kelly commented that he is still having a hard time understanding where the violation is if the process is being followed in the mechanics of producing the document. Commissioner Gussman stated "the perceived violation" and at this point, they have wondered into the theoretical and he understands that. Commissioner Gussman went on to further explain his interpretation of what he heard.

Chairperson Spencer explained one way to simplify what Vice Chairperson Samuel and Commissioner Gussman was saying is they are getting the impression, if this were in a rezoning, Council would be adding or subtracting conditions from the rezoning from the dais which of course is not how this works and is not a good process for anyone involved. This is where he shares concern with Vice Chairperson Samuel and Commissioner Gussman.

Commissioner Welton said that he agrees with Commissioner Fryday and Commissioner Kelly on this and wonders for those that have a concern, is there anything stopping those people from

addressing this as individuals to Council and not as representatives of the entire Planning Commission. He does not see a roadblock in the way of Chairperson Spencer going in and talking to anybody on this as Sam or Vice Chairperson Samuel going in and talking on this as Keba. He cannot go with the theoretical possibility.

Commissioner Fryday verified with Ms. Osborne that there will be a final document; the Planning Commission sends a recommendation to Council to adopt and then Council will vote to adopt or not. Ms. Osborne explained the process and said the Committee sends the recommendation for approval with the suggested or proposed revisions and they can be in-line or not with where Council is because it is their recommendation. Ultimately, Commissioner Fryday thinks that the motion is not necessary.

Commissioner Gussman thinks that they have relatively few ways of officially reaching out to City Council and this is one of the things that they can do and he was looking to use this to reinforce the process that they have all been working under in good faith and with the community over the years, that is why he still supports the motion.

Chairperson Spencer asked Commissioner Gussman to reinstate the motion as he understands it. A motion was made by Commissioner Gussman and Vice Chairperson Samuel to instruct the chair and vice person of the Planning Commission to reach out to City Council and City leadership, copying the manager, in support of the process as it is stated in the Interlocal Agreement on how they adopt the Comprehensive Plan; specifically addressing the single family zoning, and exclusionary aspect.

Commissioner Chirinos asked if the chair and vice chair will be representing the Commission. Commissioner Gussman advised the motion is yes, they will be carrying the weight of their body to go lobby, basically, in support of the process.

Commissioner Kelly commented that he agreed with everything up to the specifics addressing single family zonings. He went on to say that they have never had a discussion or debate on that subject as a Planning Commission and that has not been something that has been thoroughly vetted through the Commission as a group. He thinks they are overstepping the role if they go through without having any formal feedback from the community.

Commissioner Gussman replied that he thinks it will be misspeaking to say that they have never had a debate about it, but he understands his point and the core of what he is saying is fair. He said this was the only area that he saw particular concern of picking apart from the dais. He will accept that as an amendment in the interest of making sure the process continues, which is his real concern, so he will remove that from the motion.

Chairperson Spencer added to address that, the Planning Commission has voted as a whole to endorse a group of comments that included support for eliminating exclusionary zoning, so he would consider the last comment a mischaracterization.

Commissioner Blumenthal addressed the chair and vice chairperson and said as they send this letter, he feels like the Commission would like to at least see the letter after it has been sent so that they could be made aware of what exactly has been put forward.

Chairperson Spencer feels that the debate has been exhausted and moved to a roll call vote on the original motion. The vote was approved with a 10-2 vote. Commissioners Nwasike and McMillan were not present to vote.

Connect Beyond: A Regional Mobility Initiative

Ms. Michelle Nance and Mr. Jason Lawrence shared a slide presentation briefing the Commission of the joint effort by the Centrolina Regional Council and the Metropolitan Transit Commission, a project called Connect Beyond.

Vice Chairperson Samuel asked in an effort for the Commissioners to become champions for Connect Beyond with sharing information, was there was something more condensed or consolidated similar to the Ambassadors Toolkit used in the 2040 Comprehensive Plan. She also asked if they could share a timeline of their next steps for Connect Beyond. Ms. Nance replied that they have a toolkit of sorts that they are spreading around to the MPO's and other agencies which includes some talking points and slides. She said they are open to presenting to groups, have asked people to like and retweet on social media, and if they would like to be more involved, she will work with Ms. Rorie and provide some things to her. In terms of next steps, she shared that they will have Advisory Committee meetings, draft recommendations ready in July, and the full plan will be put out for endorsement in September or October timeframe.

Commissioner Gussman asked if Ms. Nance could share any examples of projects that they are working on now. Ms. Nance replied they would like to start with their Transportation Demand Management System. She explained that right now, they have different programs, CATS, and other agencies, and what they are seeing in this state is they can get more resources if they have a regional coordinated TDM system. This involves working with the universities, community colleges, and employment centers to see what employees might need to entice their employees to use transit or other modes. This is something that they can do right out of the gate and other things they can do is work with CATS and other agencies about where those systems meet and what can they do to make sure that mobility hub is conducive to the rider. Mr. Lawrence added as far as different services, they already have a model for that with the MTC and they think these are the sort of things that they can do quickly with these service agreements.

Other Business

Vice Chairperson Samuel pointed out that June 1st Zoning Committee meeting was missing from the calendar.

Adjournment

The meeting adjourned at 1:44 pm.