



CHARLOTTE MECKLENBURG

**January 10, 2022
Work Session**

PLANNING COMMISSION

A City-County Agency providing public planning services to the City of Charlotte and the unincorporated areas of Mecklenburg County

CHARLOTTE-MECKLENBURG PLANNING COMMISSION

Work Session Agenda

January 10, 2022, 12-2pm

Hybrid Meeting

1. **Call to Order & Introductions** (12:00 – 12:05pm)
 - Virtual meeting protocols

2. **Minutes and Reports** (12:05 – 12:10pm)
 - Approve December 6th Work Session Minutes – *Attachment 1*
 - Discussion on Information in Review Packet
 - Executive Committee Minutes (November 19th) – *Attachment 2*
 - Zoning Committee Agenda Results (December 1st) – *Attachment 3*
 - Planning Committee Minutes (November 16th & November 30th) – *Attachments 4*
 - Charlotte Regional Transportation Planning Organization – *December Meeting Cancelled*
 - Historic District Commission Meeting Results (December 8th) – *Attachment 5*
 - Upcoming Meeting Dates – *Attachment 6*

3. **New Business** (12:10 – 2:00pm)
 - 2040 Policy Map Update, *Kathy Cornett, PD&D Long Range and Strategic Planning* (45 minutes)
 - Unified Development Ordinance (UDO) Update, *Laura Harmon, PD&D Division Manager of Entitlement Services* (45 minutes)

4. **Future Work Session Agenda Topics**

Agenda Topic		Meeting Date
Planning Commission	<ul style="list-style-type: none">• University City Vision Plan (Tentative)• UDO Update• Charlotte Future 2040 Policy Map	<i>February 7</i>
Planning Committee	<ul style="list-style-type: none">• January Mandatory Referrals• Charlotte Future 2040 Policy Map	January 18

Work Session Summary Minutes

December 6, 2021

Hybrid Meeting

Attendance

Commissioners Present: Keba Samuel (Chairperson), Phillip Gussman (Vice Chairperson), Douglas Welton, Sam Spencer, John Ham, Elizabeth McMillan, Erin Barbee, Peter Kelly, Andrew Blumenthal, Astrid Chirinos, Courtney Rhodes, Ronnie Harvey, and Wil Russell

Commissioner Absent: Melissa Gaston

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

Call to Order & Introductions

The Chairperson called the meeting to order at 12:07 pm, welcomed those present and went over the protocols of the hybrid meeting.

Minutes and Reports

Approval November 8 Work Session Minutes

A motion was made by Commissioner Barbee and seconded by Commissioner Blumenthal to approve the November 8, 2021 minutes. The vote was unanimous to approve the minutes.

New Business

The Role of Planning Commission

Director Jaiyeoba addressed the Planning Commission stating that he believes they are at a very important moment of evolution, especially because our city has not had a Comprehensive Plan like this in a while and an associated policy map, perhaps even more importantly is the Unified Development Ordinance that will be coming up. He noted that no one on the Commission has operated in that space in terms of where you have a Comprehensive Plan and you have a Unified Development Ordinance so he reached out to the UNC School of Government. The Director went on to explain that this is just the start of conversations and introduced Mr. Adam Lovelady who presented a slide presentation.

Commissioner Barbee commented as a member of the Planning Committee, part of those conversations as they make decisions is around equity and displacement and a lot of that is wrapped up in race in a lot of spaces. When talking about the out of bounds areas in making those decisions, she considered race to be one that, for her, feels a little problematic because if it is removed from their conversation and decision making; she asked Mr. Lovelady if he could help distinguish how they balance equity/displacement of minority people as they talk through zoning and other decisions.

Mr. Lovelady replied that there is no simple or easy way to answer. He mentioned the history of exclusion through development regulations as well as the impacts of planning and local government decisions and federal and state government decisions over the last 50 years. He said it is also true in our current communities and country, the economic standing of many communities are closely aligned with the race of the community so there can be some blurring of the lines between, are we

talking about economics or are we talking about race. He went on to say there is a whole mix of different pushes and pulls that are at play that every community is grappling with, there is not an easy or straight away answer and zoning is just one piece of that puzzle and one of the really important things to keep in mind as they are talking about planning and zoning is recognizing it as one piece of the complex puzzle. Lastly, he said to one extent that zoning might be used to prevent displacement or prevent development specifically to benefit a certain race or community, that may be challenging, but he thinks there is a much broader discussion that communities are having around what are the many tools they might bring to prevent displacement and gentrification because it is a very complicated issue.

Commissioner Kelly followed up on the previous question and asked if they have to avoid race, as he mentioned there is a high correlation between economic inequality and racial situations to the extent that, could they be talking openly about economic inequality for some of the reasons for zoning. Mr. Lovelady replied that economic status is not a protected class the way that race is for equal protection purposes and legal challenge purposes. He said one of the real challenges and one of the real balances at play when you think about using regulations to limit new developments is the broader economic forces at play. He went on to say when you begin thinking about displacement, when you think about affordability, zoning is one piece of it; there are an awful lot of levers within development regulations that you have to think about and that's just one piece of the puzzle. Lastly, he said they have to think about a broader way of addressing inclusion, affordability, economic opportunity as a community and as a region.

Commissioner Kelly asked Mr. Lovelady if he could cover the topic of how the roles and accountability are done between internal staff and the Planning Commission. Mr. Lovelady replied it's one of those topics that really depends on the local policies and procedures. He explained that commonly the Planning Commission is serving in an advisory capacity to the governing board and is supported by planning staff to provide administration, record keeping, and sending out notices but that planning staff is also serving under the City Manager's office to the governing board. It is the governing board through the City Manager that is setting the priorities in how they are splitting that limited time and money because the planning department falls under the City Manager and the governing board.

Chairperson Samuel commented as there are multiple initiatives that are currently being planned and tacked through their body, she asked Mr. Lovelady has he seen, advised, or partnered with any jurisdictions, planning boards or planning commissions that are doing the same, juggling multiple initiatives with this big of a magnitude. Mr. Lovelady replied that he has not partnered with any planning commissions or groups that are dealing with this big of a magnitude partly because this is an exciting, unique, and challenging time for the Commission.

The Path to the next Capital Improvement Plan

Mr. Dennis LaCaria shared a slide presentation and provided the Commission with an update on the 2022 Capital Needs Assessment and the Path to the 2023 Capital Investment Plan.

Commissioner Barbee thanked Mr. LaCaria for bringing the information forward but expressed that it does leave her little unsatisfied with how they can be a partner in this situation. When she was on

zoning, what she struggled with was approval for large density, new apartments that were going to come forward for families that were going to increase the capacity of schools that seemly was already busting at the seams. She asked was it a recommendation to just say no, don't build that when we have a housing crisis and we need more units when it is going to suffer on the CMS side. She wanted to know how they can better partner with CMS because it seems like, even with the work they are doing now, they are behind the eight ball.

Mr. LaCaria agreed they are behind the eight ball and said that is sort of the tension that is baked into the process because the city could fund schools, there's been a change in local law that would allow that, but ultimately the county does the funding. He explained they have this joint city/county planning and zoning body and then the city is taking action, and the towns are taking action on their individual things and the county is outside of that providing funding. He went on to say they don't ever want to say don't build or bring people here, they understand and they want to be a key component of that economic development and the things that is an attractant for people to come in to this area; the other side of this is how do they all figure out a way to ensure the funding is available to provide the school capacity to meet the needs that are brought to bear by bringing these other developments online. Lastly, he said it is up to the community to say this is happening so just like with roads, sewer, and water, this is infrastructure, and we need to provide this infrastructure. Commissioner Barbee encouraged the Commission to continue this discussion and truly advocate.

Chairperson Samuel advised Mr. LaCaria that she would reserve her questions for follow up via email but as a heads up, they will include inquiry on LEED certification for certain schools, she wants to know a little more about that for their transportation system, the significance of the word "planning" being underlined in the Assumptions slide for number of students, and pandemic related impacts to their projections, have there been any to the detriment.

2040 Policy Map Update

Ms. Osborne shared a slide presentation and provided a brief update of the 2040 Policy Map and engagement process. Director Jaiyeoba asked Ms. Osborne to inform the Commission of the engagement scheduled for later that day and Ms. Osborne shared they would be having a workshop upon Council's request around the policy map today at 3:00 pm.

Commissioner Barbee asked if it was possible, at the next Planning Committee, they could get the highlights of what comes out of that meeting. She thinks it would help them understand what Council is feeling.

Unified Development Ordinance (UDO) Update

Ms. Harmon shared a slide presentation and briefed the Commission on where they are with the community engagement and shared key UDO schedule dates.

Chairperson Samuel asked the Commission to share the engagement sessions with their networks and to try to attend a session or two saying they might learn a lot just from some of the comments. She publicly thanked Commissioner Chirinos for helping to facilitate some of the engagement sessions and partnering with staff on that regard to this very important initiative.

Director Jaiyeoba also thanked Commissioner Chirinos on behalf of staff for helping to open the door not just for the UDO but also to the Policy Map engagement with the community benefits workshop. Chairperson Samuel added the YMCA has a very broad reach and that probably was very priceless.

Commissioner Chirinos replied it was a pleasure to open their doors to this level of engagement, the team was incredible and everyone at her YMCA was so appreciative of the team from the city.

Commissioner Kelly complimented Ms. Harmon on the reference guide and said one of the things they've talked about in the past is potentially trying to summarize the key impacts and what the new UDO will mean to the public. He thinks as early as they can start drafting those and putting them out would help the public in furthering their understanding. He also asked where the policy map change is to the zoning map within their timetable.

Ms. Harmon advised the policy map will move to zoning in two different ways. One way will be at the City Council decision; any conventional rezoned property will translate to a new zoning district and this could be found in article 2 of the ordinance. Commissioner Kelly commented from a zoning perspective, the zoning map will affect their future lives much more so than the policy map. Ms. Harmon then explained the public should be participating in the policy map because they will make zoning decisions and come back in after the UDO is adopted and go through like they did with TOD, alignment rezonings; where they will recommend on numerous properties a rezoning to bring them into alignment. She continued by saying this is why the policy map is so important with the place types on it, this is where the policy map will eventually become or lead to the zoning map. The discussion continued on helping people understand the impact and Ms. Harmon advised they are putting out some videos that talk about some of the highlights of what's happening in neighborhoods and what would happen to the established businesses to try to make that clear as well.

Commissioner Chirinos wondered if they could put the policy map with the UDO so people could get that connection, otherwise the UDO is so technical that people get disconnected. Ms. Harmon replied that they do have some slides in the presentation that includes that information and they can bring those out again.

Other Business

Chairperson Samuel asked the members of the Zoning Committee if there are attendance lapses, please inform her right away, when they know, she should know. In the last 2 or 3 meetings they have not had that one person to do the tiebreaker or just things that could have counted. She went on to say if there are attendance issues, she may ask for a Planning Committee member to step in as these cases may become more frequent.

Adjournment

The meeting adjourned at 2:21 pm.

Executive Committee Minutes

November 15, 2021

Virtual meeting

Attendance

Commissioners Present: Keba Samuel (*Chairperson*), Phillip Gussman (*Vice Chairperson*), and Douglas Welton

Commissioner Barbee arrived at 4:15pm

Planning Staff Present: Taiwo Jaiyeoba (*Planning Director*), Alyson Craig (*Deputy Planning Director*), Shavon Davis, Candice Rorie, and Kathy Cornett

Call to Order

Vice Chairperson Gussman called the meeting to order at 4:07 pm and welcomed those present.

Approval of Minutes

A motion was made by Commissioner Welton and seconded by Vice Chairperson Gussman to approve the October 18, 2021 minutes. The vote was unanimous to approve the minutes.

New Business

Chairperson Samuel reviewed the future work session agenda topics and Ms. Rorie confirmed that Mr. LaCaria from CMS will present at the December work session. Vice Chairperson Gussman feels getting an update from CMS would be very pertinent as there are so many planning efforts underway.

Chairperson Samuel said she believes it was Ms. Alysia Osborne who brought up in the last Planning Commission meeting about potentially having a policy one-on-one type meeting with Commissioners. She explained as they were discussing the work program for 2022, there were some items that came up that don't necessarily align with the charge of the Planning Commission or might not be under their purview directly. There were a couple of initiatives mentioned that might touch the 2040 plan or somehow be connected to the 2040 plan but maybe planning staff does not necessarily own them outright, so to speak or it doesn't fall under the purview of the Planning Commission. She went on to conclude, in hashing that out with Ms. Osborne and subsequently Director Jaiyeoba over the last couple of weeks, they are thinking of doing some sort of refresher, an update, several points of clarification in terms of what exactly the Commission is charged with and how does it align directly with the initiatives that are underway.

Commissioner Welton commented that they did have the small group meetings a few months ago and he thought that they worked relatively nicely, and it worked effectively for him in terms of just getting in where you have a short period of time, they get an update, and everybody gets on the same page. He thinks those would be very useful for everybody and mentioned previously in one meeting, they've asked for a one-sheet bullet type outlining the things that are important. Vice Chairperson Gussman agrees that an update is needed.

Chairperson Samuel replied what she had in mind is a little more than an update. She said it would be a little more for Commissioners to really have an opportunity to submit serious inquiry, to get clarity and an understanding of all of the efforts that are underway. She further explained that they

have not hashed out all of the details but just wanted to give the committee a heads up of what might be coming down the pipeline and think it's necessary that it happens within the next 30 to 60 days all while being cognizant of pulling resources from staff which is why group meetings might not be her first direction.

The Committee discussed their support of in-person meetings to share ideas and form relationships as there are several new Commissioners that have joined over the last several months. Vice Chairperson Gussman thinks it would be a huge plus to have a mini-retreat where they could cover just a few topics and dig further into them. Commissioner Barbee suggested a hybrid within the in-person meeting where possibly half of the meeting in a large group and half of the meeting in smaller pockets with staff members so that people could get those detailed questions asked and the more introverted people would be more comfortable. Chairperson Samuel thinks it's very important that they entertain a separate meeting because their windows are very tight.

Chairperson Samuel offered Director Jaiyeoba an opportunity to add to the items mentioned and also asked if he had information on when the University City Plan might come to the Commission or Planning Committee.

Director Jaiyeoba shared that he reached out to the University of North Carolina Chapel Hill School of Government because they have expertise in understanding the role of the Planning Commission in the development space, especially since they've worked with other Commissions across the state, ones that have launched Comprehensive Plans and ones that have UDO and Zoning Ordinances. The Director thinks this will help answer some questions in terms of their role as they have this policy map coming up to adoption by Council in the next 3 or 4 months and they will be having the UDO piece as well. He went on to say, bearing in mind there is an Interlocal Agreement as well between Mecklenburg County and the City of Charlotte, at some point, they are going to have to revisit that Interlocal Agreement because the last time that it was signed was 2013 and they need to take a very good look at that. He does not think now would be the time but listening to the School of Government speaking to them about the role of the Planning Commission would help start those conversations. Secondly, the University City Plan, he knows they had it at TAP last month, but they should definitely be bringing it to the Commission. They are in transition right now with the board and will be doing a national search for the next Executive Director, but that does not stop the Interim Director Toby Holmes from coming to speak to the Commission. He said that he and Ms. Rorie will work with University City Plan to discuss when they can come to the Planning Commission in the near future.

Ms. Rorie added that the UDO may present in the December meeting as well, she is awaiting confirmation from Ms. Harmon. For the Planning Committee, their update will not just focus on engagement, but will be a full update as a whole.

Deputy Director Craig confirmed that she did speak with Ms. Harmon so the UDO update should be added to the December agenda if the Commission would allow it. Chairperson Samuel agreed and reminded the committee that they have a standing UDO topic every month; sometimes only 5 to 10 minutes, other times more in-depth. Commissioner Welton confirmed that they did agree on that either late last year or earlier this year. Deputy Director Craig thinks that would be great.

Vice Chairperson Gussman said it would be key to bring everybody along as they are going through this process; they don't want anyone to think that they are not paying attention to it every month at this point.

Approval of Calendars

Chairperson Samuel reviewed the November and December calendar as well as the 2022 Work Session Calendar. She would like a correction to the calendar; the November 30th Zoning Committee Work Session has been moved to December 1st.

Vice Chairperson Gussman mentioned the potential voting impact in March 2022 and Commissioner Welton said the city elections could be on March 8th and he knows that we have some Commissioners that are involved in political things. He explained in previous years when they have had an election that falls the day after a meeting, they have usually moved that meeting by a week so he does not know if we would want to consider doing that for the March 7th meeting.

A motion was made by Commissioner Welton and seconded by Commissioner Barbee to move the March 7th meeting to March 14th. The vote was unanimous to amend the 2022 Work Session calendar.

Other Business

Chairperson Samuel asked Ms. Rorie if she had an update on whether or not staff will be prepared for a hybrid December Planning Commission Work Session. Ms. Rorie replied that conference room 267 is equipped for a hybrid meeting and we will have access to hold the meeting there.

Commissioner Barbee asked the chair if there will be a disclaimer about it someone does not feel well or did they talk through vaccination status, Covid, or anything like that as many places are struggling through right now.

Chairperson Samuel replied as an Advisory Board, she thinks there will not be a mandate for vaccination status, but she will definitely work to get this clarified, however, the mask mandate would still be in effect. Director Jaiyeoba thinks it's a question they will have to ask the attorney, but his answer would probably be that if the mandate for a vaccine requirement were to apply to Council, its likely going to apply to advisory boards.

Adjournment

The meeting adjourned at 4:39 pm.

City of Charlotte

*Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202*



Zoning Agenda

RESULTS

Wednesday, December 1, 2021

**Charlotte-Mecklenburg Government Center - Virtual
Meeting**

Zoning Committee Work Session

Keba Samuel - Chairperson

Andrew Blumenthal

Astrid Chirinos

John Ham

Courtney Rhodes

Sam Spencer

Douglas Welton

Zoning Committee Work Session

Call to Order: 5:32 pm

Adjourned: 8:15 pm

Zoning Committee Members

<i>Keba Samuel</i> ✓	<i>Douglas Welton</i> ✓	<i>Andrew Blumenthal</i> ✓
<i>Astrid Chirinos</i> ✓	<i>John Ham</i> ✕	<i>Courtney Rhodes</i> ✓
<i>Sam Spencer</i> ✓		

Zoning Items

1. Rezoning Petition: 2020-181 by Albemarle Property Investors, LLC
Zoning Committee recommends denial of this petition

Location: Approximately 11.24 acres located at the NW intersection of Rocky River Church Road and Albemarle Road in Unincorporated Mecklenburg County. (ETJ nearest CC: 5-Newton)

Current Zoning: NS, R-3 (neighborhood services, residential)

Proposed Zoning: NS (SPA), NS (neighborhood services, site plan amendment, neighborhood services) with 5-year vested rights

Motion: Spencer

2nd: Rhodes

Vote: 6:0

2. Rezoning Petition: 2021-019 by Fifth Third Bank
Recommendation to approve or deny did not result in the necessary four votes in order to pass that motion, therefore the item is deferred to the January 4 meeting

Location: Approximately 0.976 acre located on the north side of Woodlawn Road, east of Tryon Street, and west of South boulevard. (Council District 3 - Watlington)

Current Zoning: TOD-CC (transit-oriented development-community center)

Proposed Zoning: TOD-TR (transit-oriented development-transitional)

3. Rezoning Petition: 2021-028 by Childress Klein Properties
Recommended for Approval

Location: Approximately 287.71 acres located northwest of Highway 85, south of Mallard Creek Road, and east of Ridge Road. (ETJ-BOCC: 3-Dunlap, nearest CC: 4-Johnson)

Current Zoning: CC (commercial center), R-8MF (CD) (multi-family residential, conditional)

Proposed Zoning: I-1 (CD) (light industrial, conditional), R-22MF (CD) (multi-family residential, conditional) with 5-year vested rights

Motion: Blumenthal

2nd: Welton

Vote: 6:0

**4. Rezoning Petition: 2021-033 by Charlotte Pipe & Foundry Co.
Recommended for Approval**

Location: Approximately 55 acres located along the north and south side of John Belk Freeway, east of Interstate 77, and northwest of South Mint Street. (Council District 2 - Graham, and Council District 3 - Watlington)

Current Zoning: MUDD-O (mixed-use development, optional) I-2 (general industrial), and I-2 (CD) (general industrial, conditional)

Proposed Zoning: UMUD-O (uptown mixed use, optional), with 5-year vested rights

Motion: Welton

2nd: Blumenthal

Vote: 5:1

**5. Rezoning Petition: 2021-087 by Novant Health
Recommended for Approval**

Location: Approximately 1.91 acres located at the intersection of Amherst Place and Lillington Avenue, west of East 3rd Street, and northwest of Queens Road. (Council District 1 - Egleston)

Current Zoning: O-6 (CD) PED (office, conditional, pedscape overlay)

Proposed Zoning: MUDD (CD) PED (mixed-use development, conditional, pedscape overlay)

Motion: Welton

2nd: Chirinos

Vote: 6:0

**6. Rezoning Petition: 2021-092 by The Charlotte-Mecklenburg Hospital
Authority
Recommended for Approval**

Location: Approximately 14.28 acres located on the south side of South McDowell Street, east of East Morehead Street, and west of Interstate 277. (Council District 1 - Egleston)

Current Zoning: MUDD-O PED (mixed-use development, optional, pedestrian overlay), B-2 PED (general business, pedestrian overlay), B-1 PED (neighborhood business, pedestrian overlay), and O-2 PED (office, pedestrian overlay)

Proposed Zoning: MUDD-O PED with 5-year vested rights (mixed-use development district, optional, pedestrian overlay)

Motion: Welton

2nd: Chirinos

Vote: 6:0

**7. Rezoning Petition: 2021-095 by Kenjoh Outdoor
Recommended for Approval**

Location: Approximately 2.85 acres located along the southeast interchange of Interstate 77 and Interstate 85, west of Statesville Avenue. (Council District 1 - Egleston)

Current Zoning: I-1 (CD) (light industrial, conditional)
Proposed Zoning: I-1 (light industrial)

Motion: Welton **2nd: Blumenthal** **Vote: 5:1**

**8. Rezoning Petition: 2021-097 by Mattamy Homes
Recommended for Approval**

Location: Approximately 56.98 acres located near SE intersection of The Plaza and E. W.T. Harris Boulevard in the Hickory Grove community. (Council District 5 - Newton)

Current Zoning: R-3 (single-family residential) & MX-2 (mixed-use)
Proposed Zoning: R-8MF (CD) (multi-family residential, conditional)

Motion: Welton **2nd: Blumenthal** **Vote: 6:0**

**9. Rezoning Petition: 2021-102 by Ardent Acquisitions, LLC
Recommended for Approval**

Location: Approximately 6.96 acres located along the south side of Hamilton Street, northeast of Brookshire Freeway, and west of Statesville Avenue. (Council District 2 - Graham)

Current Zoning: R-5 (single-family residential)
Proposed Zoning: UR-2 (CD) (urban residential, conditional)

Motion: Welton **2nd: Chirinos** **Vote: 6:0**

**10. Rezoning Petition: 2021-103 by Providence Group Capital, LLC
Recommended for Approval**

Location: Approximately 2.25 acres located on the north side of Blairhill Road, south of Clanton Road, and west of South Tryon Street. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)
Proposed Zoning: TOD-UC (transit-oriented development - urban center)

Motion: Spencer **2nd: Blumenthal** **Vote: 5:1**

11. Rezoning Petition: 2021-108 by Enquor Construction, LLC
Recommended for Approval

Location: Approximately 7.4 acres located west of Korniv Drive between Lauren Kay Court and Coppola Drive. (Council District 2 - Graham)

Current Zoning: R-3, R-4 (single-family residential)

Proposed Zoning: R-6 (single-family residential)

Motion: Welton

2nd: Rhodes

Vote: 6:0

12. Rezoning Petition: 2021-114 by Appaloosa Real Estate Partners
Recommended for Approval

Location: Approximately 3.55 acres located on the southwest side of Ridge Road and northeast side of Interstate 485, west of Mallard Creek Road. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: B-D (CD) (business distribution, conditional)

Motion: Welton

2nd: Chirinos

Vote: 6:0

13. Rezoning Petition: 2021-115 by Ram Realty Acquisitions V, LLC
Recommended for Approval

Location: Approximately 8.7 acres located on both the north and south side of State Street at the intersection of Gesco Street. (Council District 2 - Graham)

Current Zoning: I-2 (general industrial)

Proposed Zoning: MUDD-O (mixed-use development - optional)

Motion: Welton

2nd: Blumenthal

Vote: 6:0

14. Rezoning Petition: 2021-116 by Kevin Boyd
Recommended for Approval

Location: Approximately 0.05 acres located at the intersection of East 35th Street and Whiting Avenue, southeast of North McDowell Street. (Council District 1 - Egleston)

Current Zoning: R-5 (single-family residential)

Proposed Zoning: MUDD-O (mixed-use development - optional)

Motion: Welton

2nd: Chirinos

Vote: 6:0

15. Rezoning Petition: 2021-117 by Jeffrey Weiskopf
Recommended for Approval

Location: Approximately 21.4 acres located west of the intersection of Moss Road and Yorkridge Drive. (Council District 3 - Watlington)

Current Zoning: R-9MF (CD) & R-15MF (CD) (multi-family residential, conditional)
Proposed Zoning: R-17MF (multi-family residential)

Motion: Blumenthal **2nd: Welton** **Vote: 6:0**

16. Rezoning Petition: 2021-121 by Anthony Fox
Recommended for Approval

Location: Approximately 1.69 acres located on the east side of North Tryon Street, north of University City Boulevard, and west of East W.T. Harris Boulevard. (Council District 4 - Johnson)

Current Zoning: B-2 (general business)
Proposed Zoning: TOD-CC (transit-oriented development - community center)

Motion: Welton **2nd: Rhodes** **Vote: 6:0**

17. Rezoning Petition: 2021-122 by Kairol Residential
Recommended for Approval

Location: Approximately 7.20 acres located along the south side of Clanton Road, north side of Blairhill Road, east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: B-1 (neighborhood business)
Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Motion: Welton **2nd: Blumenthal** **Vote: 6:0**

18. Rezoning Petition: 2021-123 by Mill Creek Residential Trust
Recommended for Approval

Location: Approximately 3.03 acres located on the east side of South Tryon Street, north of Clanton Road, and west of South Boulevard. (Council District 3 - Watlington)

Current Zoning: TOD-TR (transit-oriented development - transition)
Proposed Zoning: TOD-NC (transit-oriented development - neighborhood center)

Motion: Welton **2nd: Rhodes** **Vote: 6:0**

19. Rezoning Petition: 2021-124 by Judson Stringfellow; JDSI, LLC
Recommended for Approval

Location: Approximately 7.53 acres located on the west side of East W.T. Harris Boulevard, north of Albemarle Road, and south of Hickory Grove Road. (Council District 5 - Newton)

Current Zoning: R-12MF (CD) (multi-family residential, conditional)

Proposed Zoning: R-8 (single-family residential)

Motion: Blumenthal

2nd: Chirinos

Vote: 6:0

20. Rezoning Petition: 2021-126 by North Carolina Kenworth, Inc. dba. MHC Kenworth
Recommended for Approval

Location: Approximately 5.57 acres located on the south side of east Westinghouse Boulevard, east of Nations Ford Road, and west of Downs Road. (Council District 3 - Watlington)

Current Zoning: I-2 (CD) (general industrial, conditional)

Proposed Zoning: I-1 (CD) (light industrial, conditional)

Motion: Welton

2nd: Blumenthal

Vote: 6:0

21. Rezoning Petition: 2021-130 by DRB Group
Recommended for Approval

Location: Approximately 5.6 acres located on Rozzelles Ferry Road between Coronet Way and Bungalow Road. (Council District 2 - Graham)

Current Zoning: I-1 (CD) (light industrial, conditional) and R-22MF (multi-family residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional)

Motion: Welton

2nd: Blumenthal

Vote: 6:0

22. Rezoning Petition: 2021-131 by West Morehead Ventures, LLC
Recommended for Approval

Location: Approximately 0.48 acres located on the eastern quadrant of the intersection of Harding Place and Kenilworth Avenue, west of South Kings Drive. (Council District 1 - Egleston)

Current Zoning: MUDD-O PED (mixed-use development, optional, pedestrian overlay)

Proposed Zoning: O-2 PED (office, pedestrian overlay)

Motion: Welton

2nd: Rhodes

Vote: 6:0

23. Rezoning Petition: 2021-132 by EEA-Wildwood, LLC
Recommended for Approval

Location: Approximately 16.58 acres located on the west side of Scaleybark Road, north of East Woodlawn Road, and east of Murrayhill Road. (Council District 1 - Egleston)

Current Zoning: R-12MF (CD) (multi-family residential, conditional)

Proposed Zoning: R-17MF (CD) (multi-family residential, conditional)

Motion: Welton

2nd: Chirinos

Vote: 6:0

24. Rezoning Petition: 2021-134 by Greg Finnican
Recommended for Approval

Location: Approximately 1.41 acres located at the southwest intersection of Statesville Road and Motorsports Lane, south of Cindy Lane, and east of Interstate 77. (Council District 2 - Graham)

Current Zoning: B-2 (general business)

Proposed Zoning: I-1 (light industrial)

Motion: Welton

2nd: Blumenthal

Vote: 5:1

25. Rezoning Petition: 2021-187 by Dowell Finch
Recommended for Approval

Location: Approximately 27.34 acres located east of Pavilion Boulevard, north of Harris Houston Road, and south of North Tryon Street. (Council District 4 - Johnson)

Current Zoning: MX-2 (CD) (mixed-use district, conditional)

Proposed Zoning: R-3 (single-family residential)

Motion: Blumenthal

2nd: Welton

Vote: 6:0

Charlotte-Mecklenburg Planning Commission**Planning Committee Meeting – Virtual Zoom****Approved Minutes**

November 16, 2021 – 5:00 p.m.

Attendance

Planning Committee Members Present: Chairperson Phillip Gussman, Vice Chairperson Erin Barbee; and Commissioners Melissa Gaston, Peter Kelly, Elizabeth McMillan (arrived for M.R. vote), and Wil Russell

Planning Committee Members Absent: Commissioner Ronnie Harvey

Planning Staff Present: Andrew Ausel, Kathy Cornett, Zenia Duhaney, Alberto Gonzalez, Laura Harmon, Gretchen Flores, Alysia Osborne, Candice Rorie and Mariah Wozniak

Other Staff Present: Racheal Baker, Charlotte Area Transit System (CATS), John Howard, Charlotte Area Transit System, and Caroline Sawyer, Asset and Facility Management

Welcome and Introductions

Chairperson Gussman called the meeting to order at 5:02 p.m., welcomed everyone, and introduced each commissioner and staff member.

Virtual Meeting Rules and Guidelines

Chairperson Gussman explained the virtual meeting rules and guidelines. The meeting was livestreamed on Facebook Live. A link for the public to view the meeting's livestream is posted on the Planning, Design & Development Department's webpage.

Approval of Minutes

A motion was made by Vice Chairperson Barbee and seconded by Commissioner Russell to approve the October 19, 2021 minutes with the following correction to page 2: change the word performance to "proformas". The minutes were unanimously approved as amended. 5-0

Mandatory Referrals

Chairperson Gussman asked whether commissioners would like any of the mandatory referrals pulled for discussion. The Chairperson requested an explanation about the land swap for M.R. #21-32. He asked if it means that we needed extra room adjacent to the tracks near the rail trail. John Howard responded, when CATS built the Lynx Blueline, they bought additional right-of-way consisting of approximately 150 feet or so from Norfolk Southern. Throughout the Lynx Blueline there are a lot of land swaps and or land exchanges; when they don't need the additional right-away it can go back to the developer.

Vice Chairperson Barbee commented as we are building policy, looking at the UDO and the Charlotte Future 2040 Plan, how can commissioners from an environmental perspective learn more about protecting our wildlife species. Alberto Gonzalez responded that a bigger picture conversation about the Nature Preserves may need to happen with Park & Recreation. Kathy Cornett could inquire about what the overall strategy is for protection of open space/species and coordinate a conversation. Following discussion, the Chairperson entertained a motion to approve the mandatory referrals.

M.R. #21-30 | Mecklenburg County Park and Recreation proposed to acquire approximately 1.81 acres of vacant land (PID 019-34-109) adjacent to the Ferrelltown Nature Preserve (undeveloped), in Huntersville.

M.R. #21-32 | The City of Charlotte proposes a land exchange of right-of-way between the Charlotte Area Transit System (CATS) and East West Station LP. The exchange will consist of disposing approximately 8,276.4 SF of City owned property (located on PID 121-015-04) and acquiring approximately 13,503.6 SF to allow for retail development and reconstruction of a portion of the Rail Trail.

A motion was made by Vice Chairperson Barbee and seconded by Commissioner Russell stating that the Planning Committee reviewed M.R. #21-30 and M.R. #21-32 on November 16, 2021 and has no additional comments for the submitting agencies. The motion was unanimously approved. 6-0

Charlotte Future Implementation Update: 2040 Policy Map

Alysia Osborne, Project Manager of the Charlotte Future 2040 Plan provided an update on the 2040 Policy Map adoption schedule. Ms. Osborne detailed the efforts to improve the process based on feedback received, i.e., the accuracy of the map, additions to improve alignment with the 2040 Comprehensive Plan, the policy map approach and the purpose and application of Place Types. She also explained the overall steps taken to engage the public and to gain the public's input.

Next Steps

- The Second 2040 Draft Policy Map – January 2022
- Phase 3 to begin January 2022
- Review and Adoption Process – Council Adoption

Commissioners asked several questions after update.

- Commissioner Kelly asked about the step, from Place Types to actual zoning districts. Do the citizens understand the subtleties? Ms. Osborne responded that most people asking that question really want to know how this relates to their property and their existing and future development rights. So, the conversation is had in terms of what is existing in policy development and what is proposed and its impact to them in the future.
- Commissioner Russell thanked Laura Harmon and Mariah Wozniak for coming out to Prosperity Village Movie Night and talking with the residents. He asked whether planning staff will educate the City Council in manageable chunks prior to adoption about the 2040 Policy Map and what education is being provided to prime the pump for adoption by City Council. Ms. Osborne responded, the approach taken with the policy map is similar to the approach used with the Comprehensive Plan. Information is provided in chunks, the process has a set approach, and there is a Briefing Book for the Policy Map. The briefing book breaks down the process, where we are as it relates to engagement. It is provided to council approximately every two weeks. Staff is also available to meet with City Council members upon requests. Several opportunities have been taken to keep the work in front of the City Council before adoption.
- Laura Harmon added that staff has begun educating council on the UDO, particularly on areas of interest that have been brought to staff's attention. UDO staff has also presented regularly to the Transportation Planning and Environment Committee which is the lead Council committee for the UDO. Staff will also present the UDO Economic Analysis to the Workforce and Business Committee and additional information to full Council on a regular basis. The UDO staff will keep council abreast as to what they are hearing from the community, how engagement is going, and what are the important questions.
- The Chairperson asked about how staff feels City Council is coming along in the conversation? Laura Harmon responded that the Council has been engaged much earlier. They have been engaged in the UDO process for a long time and have been awaiting it. Ms. Osborne noted that it is the same for the 2040

Policy Map. Council has been involved earlier and has a shorter time frame to focus. It is easier to see the linkage between the 2040 Policy Map and the UDO.

- Chairperson Gussman questioned how early in January will the second 2040 Policy Map draft be rolled-out. Ms. Osborne responded that it will be rolled out as early as possible to get it in front of our elected officials in preparation for review and adoption.

UDO Update

Mariah Wozniak and Andrew Ausel gave commissioners an update on the UDO engagement process and strategy. Ms. Wozniak reviewed key project dates to include the public engagement/comment periods, release of the first and second UDO draft, up to the adoption of the UDO in July 2022. The team has participated in scheduled community pop-up, open house events and will participate in scheduled in person/virtual meeting events. Chairperson Gussman thanked Commissioner Chirinos for being a driving force in partnering with the team to secure YMCA venues. The Chairperson requested that commissioners attend at least one scheduled UDO event. He noted that it would be informative and help in understanding the community's reactions to the information presented. As the team shared their engagement schedule, Andrew Ausel asked commissioners if they could help spread the word about their events. The Chairperson asked commissioners to begin to familiarize themselves as much as possible with the UDO document so all can be well informed. In this way, the committee will be well versed to answer questions and to know what they are voting on. Laura Harmon noted that the team will have available a user guide to help assist in interpreting the full document.

After additional discussion, the Chairperson stated that the next Planning Committee meeting scheduled in December will be an in-person meeting with a hybrid option.

Adjourn

The meeting adjourned at 6:36 pm

**Charlotte-Mecklenburg Planning Commission
Special Planning Committee Meeting – Virtual Zoom**

Approved Minutes

November 30, 2021 – 5:00 p.m.

Attendance

Planning Committee Members Present: Chairperson Phillip Gussman, Vice Chairperson Erin Barbee; and Commissioners Melissa Gaston, Ronnie Harvey, Peter Kelly, Elizabeth McMillan, and Wil Russell

Planning Staff Present: Lorna Allen, Kathy Cornett, Zenia Duhaney, Gretchen Flores, Taiwo Jaiyeoba, Alberto Gonzalez, Monica Holmes, Alysia Osborne, and Candice Rorie

Charlotte Center City Partner’s Staff Present: Klint Mullis, Assistant Vice President Planning & Development, Cheryl Myers, Chief Planning & Development Officer – Senior Vice President, and Michael Smith, President & CEO

Welcome and Introductions

Chairperson Gussman called the meeting to order at 5:02 p.m., welcomed everyone, and introduced each commissioner and staff member.

Virtual Meeting Rules and Guidelines

Chairperson Gussman explained the virtual meeting rules and guidelines. The meeting was livestreamed on Facebook Live. A link for the public to view the meeting’s livestream is posted on the Planning, Design & Development Department’s webpage.

Receive additional information and consider making a recommendation on the Draft Center City Vision Plan

Monica Holmes, Urban Design Division Manager, shared that the goal of the meeting is to make a recommendation for council to act on the Center City Vision Plan. Michael Smith, Center City Partners, provided a recap of who has been presented with the Center City Vision Plan updates. The goal is to have the City Council adopt the plan on Monday, December 13, 2021.

Chairperson Gussman thanked Mr. Smith for his update and for delivering a high-quality updated document. The comments, and concerns have been arranged in a way that makes sense. Commissioner McMillan asked about the adjustment of parking maximums aligning with the UDO draft. Mr. Smith responded that there was debate over this issue and as a team, the Planning Department and Center City Partners determined that parking maximums will be resolved by the UDO. This planning document is intended to inspire and shape policy. It does not carry a budget with it. The decision was made to include language within the document that the UDO will regulate the parking maximums. Commissioner McMillan thanked Mr. Smith for his response. Monica Holmes added that this conversation needs to happen around the UDO. We do not want to adopt two documents which are conflicting. The goal is for the documents to align. Commissioner McMillan indicated that the expectation isn’t to approve something in the Center City Plan which conflicts with the UDO. She added that she likes the approach and is interested in following the discussion as it continues with Uptown constituents and staff.

Vice Chairperson Barbee complimented Center City on the work done. She applauded the process used to engage the community, the authenticity/openness of the process, and the pivot in 2020 towards the emphasis on equity while ensuring the plan’s focus is on the people. Vice Chairperson Barbee stated her endorsement of the Center City Plan. She mentioned not voting on the plan due to a conflict of interest.

Commissioner Harvey asked about the choice to use the Neighborhood Real Estate Investment Trust (REIT) approach. He commented he would like to provide feedback to the community members who are asking why that path was chosen over others. Mr. Smith respond that this was the recommendation and asked Ms. Myers to respond. Cheryl Myers answered that in some communities, it is like having a neighborhood land bank; and instead of calling it a neighborhood investment nonprofit company, they are called Neighborhood REITs. Mr. Smith added that the vision plan captures aspirations and big ideas. Often tools are added that might be used, but are not intended to mandate how to do it. This is another tool that can be used to evaluated any of the policies moved forward on into an ordinance or investment programs. The Chairperson asked if commissioners had any additional questions. Hearing none, Chairperson Gussman opened the floor for a motion. Vice Chairperson Barbee was recused from the vote due to a conflict of interest.

Planning Committee Recommendation on the Draft Center City Vision Plan

A motion was made by Commissioner Kelly and seconded by Commissioner Russell to recommend to the Charlotte City Council the adoption of the “All In 2040 Center City Vision Plan”, on November 30, 2021. The motion to recommend the “All In 2040 Center City Vision Plan” was unanimously approved. 6-0

The Chairperson thanked Michael Smith for his presentation and commented that he looks forward to observing the vote in a few weeks. Mr. Smith thanked committee members for their support of this hard work. He thanked Taiwo Jaiyeoba and Monica Holmes for being incredible partners. Chairperson Gussman moved the meeting to a close having no other commentary.

Adjourn

The meeting adjourned at 6:36 pm



CHARLOTTE HISTORIC DISTRICT COMMISSION AGENDA

December 8, 2021

REMOTE ONLINE MEETING

HDC WORKSHOP 12:00 PM

Design Standards Adoption/Vote

HDC MEETING: 1:00 – 7:00

- Call to Order
- Approve Minutes
- Applications for Certificates of Appropriateness
- Adjourn

NOT HEARD AT THE NOVEMBER 10 MEETING

PAINTED BRICK

1. 704 Templeton Av (PID: 12305618)
HDCADMRM-[2021-00052](#)
Dilworth
Macy Chalkley, Applicant
DENIED

ADDITION

2. 2200 Charlotte Dr (PID: 12112410)
HDCRMA-[2021-00507](#)
Dilworth
Angie Lauer, Applicant
CONTINUED
3. 2115 Dilworth Rd W (PID: 12112103)
HDCRMI-[2021-00598](#)
Dilworth
Richard Cuebas/Duc Tang, Applicants
APPROVED WITH CONDITIONS

RETAINING WALL/SITE WORK

4. 2107 Dilworth Rd E (PID: 12112516)
HDCRMI-[2021-00553](#)
Dilworth
Sarah Clabaugh, Applicant
APPROVED WITH CONDITIONS

ACCESSORY BUILDING

5. 712 Mt Vernon Av (PID: 12309415)
HDCRMI-[2021-00385](#)
Dilworth
Lisabeth Ellis, Applicant
APPROVED WITH CONDITIONS

FRONT PORCH ADDITION

6. 1610 Thomas Av (PID: (PID: 08118713))
HDCRMI-[2021-00512](#)
Plaza Midwood
Erica Cice/Christopher Mann, Applicants
APPROVED WITH CONDITIONS

CONSENT AGENDA

7. 625 Walnut Av (PID: 07102210)
HDCRMA-[2021-00623](#)
Wesley Heights
Raymond Fumo, Applicant
APPROVED WITH CONDITIONS
8. 1911 S Mint St (PID: 11907603)
HDCRMA-[2021-00606](#)
Wilmore
Angie Lauer, Applicant
APPROVED WITH CONDITIONS

CONSENT AGENDA (cont.)

9. 1433 Thomas Ave (PID: 08117223)
HDCRMI-[2021-01026](#)
Plaza Midwood
Angie Lauer/Thomas Keaveny, Applicants
APPROVED WITH CONDITIONS

CONTINUED FROM NOVEMBER 10 MEETING

10. 2221 Ledgewood Ln (PID: 12112416)
HDCRMI-[2021-00147](#)
Dilworth
Allen Brooks, Applicant
CONTINUED
11. 1913 Cleveland Av (PID: 12105619)
HDCRMA-[2021-00235](#)
Dilworth
Jennifer Rea, Applicant
APPROVED WITH CONDITIONS
12. 1836 The Plaza (PID: 09506132)
HDCRMA-[2021-00451](#)
Plaza Midwood
Tim Cooper, Applicant

CONTINUED

NOT HEARD

NEW CASES

WINDOW/DOOR REPLACEMENT/FRONT PORCH CHANGES

13. 313-315 W Kingston Av (PID: 11907915)
HDCRMI-[2021-00508](#)
Wilmore
Eric Bowman, Applicant

ADDITION

14. 1927 The Plaza (PID: 08119706)
HDCRMI-[2021-00608](#)
Plaza Midwood
Shaun Atkinson/Zack Alsentzer, Applicants

ARTIFICIAL TURF

15. 2128 The Plaza (PID: 09503501)
HDCRMI-[2021-00609](#)
Plaza Midwood
Christopher & Brandy Stigliano, Applicants

Planning Commission

Calendar: January 1, 2022 – February 28, 2022

January 2022

Tue January 4

5:30pm - 7:30pm

Zoning Committee Work Session - Virtual OR Charlotte-Mecklenburg Government Center, 600 East Fourth Street, CH14(Planning)

Mon January 10

12:00pm – 2:00pm

Planning Commission Work Session – Virtual OR Charlotte-Mecklenburg Government Center, 600 East Fourth Street Conference Room 267 (Shavon Davis)

Tue January 18

5:00pm - 7:00pm

Planning Committee Meeting - Virtual OR Charlotte-Mecklenburg Government Center, 600 East Fourth Street Conference Room 280 (Planning)

Thurs January 20

4:00pm – 4:30pm

Planning Commission Executive Committee Meeting - Virtual (Shavon Davis)

February 2022

Tue February 1

5:30pm - 7:30pm

Zoning Committee Work Session - Virtual OR Charlotte-Mecklenburg Government Center, 600 East Fourth Street, CH14 (Planning)

Mon February 7

12:00pm – 2:00pm

Planning Commission Work Session – Virtual OR Charlotte-Mecklenburg Government Center, 600 East Fourth Street Conference Room 267 (Shavon Davis)

Tue February 15

5:00pm - 7:00pm

Planning Committee Meeting – Virtual OR Charlotte-Mecklenburg Government Center, 600 East Fourth Street Conference Room 280 (Planning)

Mon February 21

4:00pm – 4:30pm

Planning Commission Executive Committee Meeting - Virtual (Shavon Davis)