

**PLANNING COMMISSION MINUTES**

**Regular Meeting**

**July 5, 2016**

**CALL TO ORDER:** The July 5, 2016 Planning Commission meeting was called to order by Chairman Conway at 7:00 p.m.

**PRESENT:** Chairman Conway, Commissioners Bly, Brummette, Wirt, Snyder, Rosier, Clarke and Councilmember Bahmer.

**ABSENT:** Commissioner Leeser and Harag.

**ALSO PRESENT:** Community Development Director Myrkle and City Clerk Terpstra.

**APPROVAL OF MINUTES:**

Motion by Snyder, second by Bly to approve the minutes of June 7, 2016 as presented. Carried. 7 Yes. 0 No. 2 Absent (Leeser, Harag)

**APPROVAL OF AGENDA:**

Motion by Commissioner Bly, second by Snyder to approve the agenda as presented. Carried. 7 Yes. 0 No. 2 Absent (Leeser, Harag)

Chairman Conway welcomed new Commissioner Wirt to the board.

**EARLY PUBLIC COMMENT:** Jason Strotheide, 3121 Benton Rd., spoke in favor of allowing food trucks in the city. He feels that this type of business would bring more people to the area for local business owners and bring strength to the community.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**A. PUBLIC HEARING - MASTER PLAN**

**AMENDMENT – 815 W. SHEPHERD:**

**Public Hearing Opened: 7:09 P.M.**

Community Development Director Myrkle explained that Mr. Keyton, representing Capital Area Partnership, was present to answer any questions the commission would have on the project.

Mr. Keyton explained that it will be several businesses under one roof.

**P.H. Closed: 7:11 P.M.**

**B. ACTION – MASTER PLAN AMENDMENT – 815 W.**

**SHEPHERD:**

Discussion was held by the commission on the project.

Commissioner Bly moved, supported by Rosier to approve the Master Plan Amendment for 815 W. Shepherd Street from I-2 General Industrial District to B-2 Community Business District as presented. Carried. 7 Yes. 0 No. Absent (Leeser, Harag)

**C. PUBLIC HEARING – CONDITIONAL REZONE**

**AMENDMENT – 815 W. SHEPHERD:**

**Public Hearing Opened: 7:19 P.M.**

No Public Comment.

**P.H. Closed: 7:19 P.M.**

**D. ACTION – CONDITIONAL REZONE  
AMENDMENT – 815 W. SHEPHERD:**

Commissioner Bly moved, second by Snyder to recommend to City Council the approval of a Conditional Rezoning Request for 815 W. Shepherd Street from I-2 General Industrial District to B-2 Community Business District. Carried. 7 Yes. 0 No. Absent (Leeser, Harag)

**E. PUBLIC HEARING – CLASS A NON-  
CONFORMING USE – 123 N. LINCOLN:**  
Public Hearing opened: 7:20 P.M.

Community Development Director Myrkle explained the resolution prepared for the commissions use to approve or change.

**P.H. Closed: 7:25 P.M.**

**F. ACTION– CLASS A NON-CONFORMING USE –  
123 N. LINCOLN:**

Resolution No. 2016-PC01 was presented as follows:

**WHEREAS**, the City of Charlotte Planning Commission has received a request to grant Class “A” Non-Conforming Use status to the property located at 123 North Lincoln Street; and

**WHEREAS**, after considering the matter, the Planning Commission makes the following affirmative findings:

- The present use was lawful at the time of its inception.
- Continuance of the present use does not significantly depress property values of nearby properties.

- Continuance of the present is not contrary to the public health, safety or welfare, nor the spirit of the ordinance.
- An improvement to the existing non-conforming condition will result.
- No useful purpose would be served by strict application of the rules with which this use does not conform.

**THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Charlotte does hereby grant Class “A” Non-Conforming Use status to the property located at 123 North Lincoln Street.

**Commissioner Snyder moved, supported by Brummette to approve Resolution No. 2016-PC01 to grant Class A Non-Conforming Use for 123 N. Lincoln Street as written. Carried. 7 Yes. 0 No. Absent (Leeser, Harag)**

**G. DISCUSSION ON FOOD TRUCKS:**

Commissioner Rosier is concerned that allowing food trucks will disrupt some local businesses and that it will not improve the downtown.

Commissioner Synder stated that food trucks are on the rise. She feels that maybe a sunset provision would be good to try for a while.

Commissioner Brummette is in favor of giving food trucks a try.

Commissioner Wirt feels that it is unfair to the business owners who have the overhead to pay.

Commissioner Clarke feels that it is worth trying.

Chairman Conway would like to see limits such as licensing fees and location specifications.

**Commissioner Snyder moved, supported by Brummette to add agenda item 7 h) to allow for public comment on the food truck issue.**

**Melissa Strotheide**, 3121 Benton Rd., stated that the food trucks would not be in competition with the sit down restaurants. It would be more fast paced than a sit down dining experience.

**Jason Strotheide**, 3121 Benton Rd., suggested that they impose some sort of aesthetic appeal to an ordinance if adopted. He stated that a lot of the businesses have changed the way they are doing things to bring people to town. He feels that this would also help.

**Commissioner Brummette moved, supported by Snyder to have staff draft guidelines on locations to be permitted, quantity of trucks allowed, fee to be assessed and appearance.**

**Commissioner Brummette moved, supported by Snyder to remove the previous motion. Carried. 7 Yes. 0 No. Absent (Leeser, Harag)**

**Commissioner Bly moved, to vote yes on allowing food trucks in the City of Charlotte. No second.**

It was the consensus of the commission to have City staff draft a proposal for discussion at the next meeting.

**REPORTS, COMMENTS, CORRESPONDENCE:**

**A. STAFF REPORT:** Community Development Director Myrkle reported that ice cream trucks are registered through the Clerk's office and treated the same as solicitors. They are required to have a police background check in the process.

**LATE PUBLIC COMMENT: None.**

There being no further business, Commissioner Snyder moved to adjourn at 8:15 p.m.

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Ginger Terpstra, City Clerk, CMMC