

City of Charlotte

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



Zoning Agenda

Monday, November 20, 2023

Council Chamber

City Council Zoning Meeting

Mayor Vi Lyles

Mayor Pro Tem Braxton Winston II

Council Member Dimple Ajmera

Council Member Danté Anderson

Council Member Tariq Scott Bokhari

Council Member Ed Driggs

Council Member Malcolm Graham

Council Member Reneé Johnson

Council Member LaWana Mayfield

Council Member James Mitchell

Council Member Marjorie Molina

Council Member Victoria Watlington

**1. 5:00 P.M. CITY COUNCIL ZONING MEETING
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
REGULAR MEETING HOSTED FROM COUNCIL CHAMBERS**

This meeting will also be accessible via the Government Channel, the City's Facebook page, and the City's YouTube channel.

Call to Order

Introduction

Invocation

Pledge of Allegiance

Explanation of Zoning Meeting

Deferrals / Withdrawals

CONSENT**2. Consent agenda items 3 through 14 may be considered in one motion except for those items pulled by a Council member. Items are pulled by notifying the City Clerk.**

- A. Items included on the consent agenda are rezoning petitions that meet the following criteria:
- a. Had no public opposition at their public hearing
 - b. Received an approval recommendation from the Zoning Committee
 - c. Have no changes after Zoning Committee
 - d. Staff recommends approval

3. Rezoning Petition: 2022-096 by Kairoi Residential

Location: Approximately 33.03 acres located along the west side of John Adams Road, south side of Galloway Road, north of West Mallard Creek Church Road, and east of Interstate 85. (Council District 4 - Johnson)

Current Zoning: N1-A (neighborhood 1-A), RE-3(CD) (research, conditional), OFC (office), CG (general commercial), B-1(CD) (neighborhood business, conditional)

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

Zoning Committee Recommendation: The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_096_ZCR](#)

[2022_096_FSA](#)

[2022_096_RevSitePlan_2023_10_18](#)

4. Rezoning Petition: 2022-148 by Third & Urban LLC

Location: Approximately 15 acres located on the south side of State Street, north of Tuckaseegee Road, and east of Berryhill Road. (Council District 2 - Graham)

Current Zoning: ML-2 (manufacturing and logistics - 2) and MUDD-O (mixed-use development district - optional)

Proposed Zoning: IMU (innovative mixed use)

Zoning Committee Recommendation: The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_148_ZCR](#)

[2022_148_FSA](#)

5. Rezoning Petition: 2022-161 by Pulte Group

Location: Approximately 29.33 acres located at the southwest intersection of Steele Creek Road and Parkside Crossing Drive, south of Sledge Road. (ETJ - BOCC: 2-Leake; Closest CC: 3-Watlington)

Current Zoning: N1-A (neighborhood 1 - A)

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

Zoning Committee Recommendation: The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_161_ZCR](#)

[2022_161_FSA](#)

[2022_161_SitePlanRev_2023_7_14](#)

6. Rezoning Petition: 2023-011 by Brian Foushee

Location: Approximately 24.96 acres located on the south side of Allen Road East and east side of Citadel Place, west of Allen Road South. (Council District 1- Anderson)

Current Zoning: N1-A (neighborhood 1-A)

Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_011_ZCR](#)

[2023_011_FSA](#)

[2023_011_RevSitePlan_2023_10_19](#)

7. Rezoning Petition: 2023-028 by Childress Klein Properties

Location: Approximately 48.21 acres located west of Quay Road, south of Mallard Creek Road, and northeast of Ridge Road. (ETJ - BOCC: 3-Dunlap; Closet CC 4-Johnson)

Current Zoning: R-22MF(CD) (multi-family residential- up to 22dua, conditional) and C-2 for the City of Concord portion

Proposed Zoning: R-22MF(CD) SPA (multi-family residential- up to 22dua, conditional, site plan amendment) and R-22MF(CD) with 5-year vested rights (multi-family residential- up to 22dua, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 5-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_028_ZCR](#)

[2023_028_FSA](#)

[2023_028_RevSitePlan_2023_11_08](#)

8. Rezoning Petition: 2023-052 by Providence Group Capital

Location: Approximately 0.447 acres located on the east side of West Summit Avenue, north of South Mint Street, and west of Winona Street. (Council District 3 - Watlington)

Current Zoning: ML-2 (manufacturing and logistics-2)

Proposed Zoning: TOD-UC (transit oriented development-urban center)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_052_ZCR](#)

[2023_052_FSA](#)

9. Rezoning Petition: 2023-054 by Smith Chelsi Bjorklund Hendric

Location: Approximately 0.79 acres located at the southwest intersection of Sardis Road North and Nolley Court, west of Monroe Road. (Council District 6 - Bokhari)

Current Zoning: N1-A (neighborhood 1-A)

Proposed Zoning: N1-D (neighborhood 1-D)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_054_ZCR](#)

[2023_054_FSA](#)

10. Rezoning Petition: 2023-059 by Queen City Airstream, LLC

Location: Approximately 6.85 acres located on the northeast side of West W.T. Harris Boulevard and south side of Hendry Road, north of Lakeview Road. (Council District 4 - Johnson)

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

Proposed Zoning: ML-1 (manufacturing and logistics - 1)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_059_ZCR](#)

[2023_059_FSA](#)

11. Rezoning Petition: 2023-061 by Couchell/Tsahakis Properties, LLC

Location: Approximately 35.03 acres located on the north and south side of East Arrowhead Drive, east side of North Tryon Street, and south side of Heathway Drive. (Council District 4 - Johnson)

Current Zoning: ML-1 (manufacturing and logistics-1) and ML-2 (manufacturing and logistics-2)

Proposed Zoning: TOD-CC (transit oriented development - community center), TOD-NC (transit oriented development - neighborhood center), and TOD-UC (transit oriented development - urban center)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 061 ZCR](#)

[2023 061 FSA](#)

[2023 061 Zoning Boundary Map](#)

12. Rezoning Petition: 2023-063 by BMPI-EM801 LLC

Location: Approximately 0.998 acres located at the southeast intersection of East Morehead Street and Royal Court, west of Interstate 277, and north of South McDowell Street. (Council District 1 - Anderson)

Current Zoning: NC (neighborhood center)

Proposed Zoning: UE (uptown edge)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 063 ZCR](#)

[2023 063 FSA](#)

13. Rezoning Petition: 2023-065 by ATC Properties & Management, LLC

Location: Approximately 3.89 acres located at the southeast intersection of Statesville Avenue and Sylvania Avenue, west of North Graham Street. (Council District 1 - Anderson)

Current Zoning: ML-2 (manufacturing and logistics - 2)

Proposed Zoning: CAC-2 (community activity center - 2)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_065_ZCR](#)

[2023_065_FSA](#)

14. Rezoning Petition: 2023-067 by Childress Klein Properties

Location: Approximately 2.28 acres located on the east side of Apex Drive and north side of Coltsgate Road, west of Cameron Valley Parkway. (Council District 6 - Bokhari)

Current Zoning: MUDD-O (mixed use development district, optional) and N1-A (neighborhood 1 - A)

Proposed Zoning: RAC(CD) (regional activity center, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_067_ZCR](#)

[2023_067_FSA](#)

[2023_067_RevSitePlan_2023_11_09](#)

DECISIONS**15. Rezoning Petition: 2022-193 by Brown Group, Inc.**

Update: Petitioner has withdrawn this petition

Location: Approximately 19.79 acres located on the east side of Legranger Road and west side of Interstate 85, south of West Mallard Creek Church Road. (Council District 4 - Johnson)

Current Zoning: RC (research campus) and N1-B (neighborhood 1 - B)

Proposed Zoning: RE-3(CD) (research, conditional)

16. Rezoning Petition: 2022-134 by Muhsin Muhammad II

Update: Petitioner is requesting deferral to December 18, 2023

Location: Approximately 15.48 acres located along the northeast side of Trojan Drive and east side of Outlets Boulevard, west of Steele Creek Road. (Council District 3 - Watlington)

Current Zoning: O-2 (CD) (office, conditional), NS (neighborhood services)

Proposed Zoning: O-2 (CD) SPA (office, conditional, site plan amendment), NS SPA (neighborhood services, site plan amendment)

17. Rezoning Petition: 2023-013 by Toll Brothers Apartment Living

Update: Petitioner is requesting deferral to December 18, 2023

Location: Approximately 19.75 acres located on the north side of Choate Circle between Legree Lane and Freshwell Road. (Council District 3- Watlington)

Current Zoning: N1-A (neighborhood 1-A)

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

18. Rezoning Petition: 2022-147 by SouthPark Towers PropCo, LLC

Location: Approximately 9.94 acres bound by the south side of Fairview Road, east side of Piedmont Row Drive South, and the north and west side of Barclay Downs Drive. (Council District 6 - Bokhari)

Current Zoning: OFC (office flex campus)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2022_147_ZCR](#)

[2022_147_FSA](#)

[2022_147_RevSitePlan_2023_11_16](#)

19. Rezoning Petition: 2023-043 by Drakeford Communities

Location: Approximately 7.01 acres located south of Alleghany Street, west of Ashley Road, and north of Bullard Street. (Council District 3 - Watlington)

Current Zoning: UR-2(CD) (urban residential, conditional) and N2-B (neighborhood 2 - B)

Proposed Zoning: UR-2(CD) (urban residential, conditional) and UR-2(CD) SPA (urban residential, conditional, site plan amendment)

Zoning Committee Recommendation: The Zoning Committee voted 5-1 to recommend DENIAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_043_ZCR](#)

[2023_043_FSA](#)

[2023_043_SitePlanRev_2023_11_16](#)

20. Rezoning Petition: 2022-048 by Tribute Companies, Inc.

Location: Approximately 182.71 acres located along the south side of Interstate 485 South interchange, east of John Adams Road, and north of North Tryon Street. (Council District 4 - Johnson)

Current Zoning: N1-A (neighborhood 1-A)

Proposed Zoning: MX-2 (mixed use) with 5-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 4-3 to recommend DENIAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_048_ZCR](#)

[2022_048_FSA](#)

[2022_048_RevSitePlan_2023_10_16](#)

HEARINGS**21. Rezoning Petition: 2023-033 by CRD Elizabeth LLC**

Update: Petitioner is requesting deferral to December 18, 2023

Location: Approximately 1.63 acres located along the northeast side of East 7th Street, south of Lamar Avenue, and north of Clement Avenue. (Council District 1 - Anderson)

Current Zoning: CG (general commercial)

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

22. Rezoning Petition: 2023-037 by Shinnville Ridge Partners LLC/Courtney Sloan

Update: Petitioner is requesting deferral to December 18, 2023

Location: Approximately 1.21 acres located on the north side of Fairview Road, west of Wintercrest Lane, and east of Park Road. (Council District 6 - Bokhari)

Current Zoning: N1-A (neighborhood 1 - A)

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

23. Rezoning Petition: 2023-080 by True Homes, LLC

Update: Petitioner is requesting deferral to December 18, 2023

Location: Approximately 19.16 acres located west of Nations Ford Road, south of Forest Point Boulevard, and north of Short Hills Drive. (Council District 3 - Watlington)

Current Zoning: R-9 (CD) (single family residential, conditional)

Proposed Zoning: N2-A (CD) (neighborhood 2, conditional)

24. Rezoning Petition: 2019-109 by Miriam E. Franco

Location: Approximately 8.15 acres located on the south side of Park Drive, west of Remount Road and north of Watson Drive. (Council District 3 - Watlington)

Current Zoning: N2-B (neighborhood 2-B zoning district)

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

Staff Recommendation:

Staff does not recommend approval of this petition.

[2019_109_PHS_A_DONE](#)

[2019_109_DevelopmentStandards](#)

25. Rezoning Petition: 2021-277 by Buildom LLC

Location: Approximately 0.40 acres located on the east side of Providence Road, north side of Phil Aull Place, south of South Colonial Avenue. (Council District 6 - Bokhari)

Current Zoning: OFC (office flex campus)

Proposed Zoning: NC (CD) (neighborhood center, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_277_PHSА_DONE](#)

[2021_277_siteplanRev_23_10_16](#)

26. Rezoning Petition: 2023-001 by Kairoi Residential

Location: Approximately 6.075 acres located on the north side of State Street, east of Ambassador Street, and west of Turner Avenue. (Council District 2 - Graham)

Current Zoning: I-2 (general industrial)

Proposed Zoning: MUDD(CD) (mixed-use development district, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation.

[2023_001_PHSА_DONE](#)

[2023_001_SitePlanRev_2023_10_16](#)

27. Rezoning Petition: 2023-032 by The Keith Corporation

Location: Approximately 2.43 acres bound by the south side of Lamar Avenue, west side of Park Drive, north side of Clement Avenue, and east side of East 5th Street. (Council District 1 - Anderson)

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

Proposed Zoning: MUDD-O SPA (mixed use development-optional, site plan amendment)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

[2023_032_PHSА_DONE](#)

[2023_032_RevSitePlan_2023_08_14](#)

28. Rezoning Petition: 2023-036 by Leon & Jennifer Chisolm

Location: Approximately 9.23 acres located on the east side of Mallard Creek Road, north of Galloway Road, and west of Tavernay Parkway. (Council District 4 - Johnson)

Current Zoning: N1-A (neighborhood 1-A)

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

Staff Recommendation:

Staff does not recommend approval of this petition in its current form.

[2023_036_PHSА_DONE](#)

[2023_036_RevSitePlan_2023_10_16](#)

29. Rezoning Petition: 2023-064 by Southend Walk, LLC

Location: Approximately 9.072 acres located on the west side of South Tryon Street and south side of Orchard Circle, east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: N1-D (neighborhood 1-D), CG (general commercial), and I-1(CD) (light industrial, conditional)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_064_PHSА_DONE](#)

30. Rezoning Petition: 2023-077 by BPR Properties, LLC

Location: Approximately 2.782 acres located along the east side of Sanctuary Place, the north side of Twitter Lane, and the south side of University City Boulevard. (Council District 4 - Johnson)

Current Zoning: TOD-TR (transit oriented development - transition)

Proposed Zoning: CAC-1(communіty activity center-1)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_077_PHSА_DONE](#)

31. Rezoning Petition: 2023-078 by Citisculpt, LLC

Location: Approximately 1.26 acres located along the southeast side of Kenilworth Avenue, the southwest side Greenwood Cliff and the northeast side of Harding Place. (Council District 1 - Anderson)

Current Zoning: NC (neighborhood center)

Proposed Zoning: CAC-2 (community activity center - 2)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_078_PHSА_DONE](#)

32. Rezoning Petition: 2023-081 by M Industrial Property - Charlotte II, LLC

Location: Approximately 8.869 acres located along the east side of Yorkmont Road, south of Byrum Drive, and north of Oak Lake Boulevard. (Council District 3 - Watlington)

Current Zoning: ML-1 ANDO (manufacturing and logistics 1, airport noise disclosure overlay)

Proposed Zoning: ML-2 ANDO (manufacturing and logistics 2, airport noise disclosure overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_081_PHSА DONE](#)

33. Rezoning Petition: 2023-082 by Metrolina Storage, LLC

Location: Approximately 8.6 acres located along the east side of Statesville Road, northwest of Old Statesville Road. (Council District 2 - Graham)

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

Proposed Zoning: ML-1 (manufacturing and logistics - 1)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_082_PHSА DONE](#)

34. Rezoning Petition: 2023-085 by Rhyno Partners Coffee, LLC

Location: Approximately 0.241 acres located along the west side of The Plaza, north of Commonwealth Avenue, and south of Central Avenue. (Council District 1 - Anderson)

Current Zoning: B-2(CD) PED-O (general business, conditional, pedestrian - overlay)

Proposed Zoning: NC (neighborhood center)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_085_PHSА DONE](#)

35. Rezoning Petition: 2023-090 by West Boulevard Neighborhood Coalition

Location: Approximately 3.544 acres located along the south side of West Boulevard, the west side of Clanton Road, and the east side of Romare Bearden Drive. (Council District 3 - Watlington)

Current Zoning: O-2(CD) (office, conditional)

Proposed Zoning: NC (neighborhood center)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_090_PHSА DONE](#)

36. Rezoning Petition: 2023-091 by Mecklenburg County

Location: Approximately 3.23 acres located along the northwest side of North College Street and both the east and west sides of East 7th Street. (Council District 1 - Anderson)

Current Zoning: UMUD-O (uptown mixed use development, optional)

Proposed Zoning: UMUD-O SPA (uptown mixed use development, optional, site plan amendment)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and requested technical revisions.

[2023_091_PHSА_DONE](#)

[2023_091_RevSitePlan_2023_10_16](#)

37. Rezoning Petition: 2023-094 by Josh Jolley, Rosegate Holdings, LLC

Location: Approximately 3.52 acres located along the north side Johnston Oehler Road and south of Barrow Road. (Council District 4 - Johnson)

Current Zoning: N1-A (neighborhood 1-A)

Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

[2023_094_PHSА_DONE](#)

[2023_094_RevSitePlan_2023_10_16](#)

38. Rezoning Petition: 2023-096 by Conformity Corp

Location: Approximately 1.00 acre located in the northeastern corner of the intersection of Ashley Road and Greenland Avenue. (Council District 3 - Watlington)

Current Zoning: OFC (Office Flex Campus), N1-B (Neighborhood 1-B)

Proposed Zoning: N2-B (Neighborhood 2-B)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_096_PHSА_DONE](#)

39. Rezoning Petition: 2023-097 by Drakeford Communities

Location: Approximately 0.64 acres located along the east side of Ashley Road, south of Alleghany Street. (Council District 2 - Graham)

Current Zoning: R-22MF(CD) (multi-family, conditional)

Proposed Zoning: N2-B (neighborhood 2)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_097_PHSА_DONE](#)

40. Rezoning Petition: 2023-123 by Charlotte 212, LLC

Location: Approximately 4.26 acres located along the east side of West Sugar Creek Road, south of The Roman Road, and north of Equipment Drive. (Council District 4 - Johnson)

Current Zoning: CG (general commercial)

Proposed Zoning: N2-C (neighborhood 2-C)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_123_PHSА_DONE](#)