

# City of Charlotte

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



## Zoning Minutes

**Monday, September 16, 2019**

**5:30 PM**

**Council Chambers**

## **City Council Zoning Meeting**

*Mayor Vi Lyles  
Mayor Pro Tem Julie Eiselt  
Council Member Dimple Ajmera  
Council Member Tariq Scott Bokhari  
Council Member Ed Driggs  
Council Member Larken Egleston  
Council Member Justin Harlow  
Council Member LaWana Mayfield  
Council Member James Mitchell  
Council Member Matt Newton  
Council Member Greg Phipps  
Council Member Braxton Winston II*

**DINNER AGENDA**

1.     [15-11532](#)     Meeting Agenda  
                    This agenda item was for information only.
2.     [15-11533](#)     Dinner Meeting Agenda  
                    This agenda item was for information only.
3.     [15-11534](#)     Follow Up Report  
                    This item was for information only.

**ZONING MEETING****CALL TO ORDER**

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday, September 16, 2019 at 5:04 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding.

**Present:** 12 - Mayor Vi Lyles, Council Member Dimple Ajmera, Council Member Tariq Scott Bokhari, Council Member Ed Driggs, Council Member Larken Egleston, Mayor Pro Tem Julie Eiselt, Council Member Justin Harlow, Council Member LaWana Mayfield, Council Member James Mitchell, Council Member Matt Newton, Council Member Greg Phipps, and Council Member Braxton Winston II

**INTRODUCTIONS****INVOCATION**

Council Member Driggs led the invocation.

**PLEDGE OF ALLEGIANCE****EXPLANATION OF A ZONING MEETING**

Mayor Lyles explained the rules and procedures of the Zoning Meeting.

**INTRODUCTION OF THE ZONING COMMITTEE**

Sam Spencer, Chairperson, introduced the members of the Zoning Committee. He said the Zoning Committee will meet Tuesday, October 1, 2019 at 5:30 p.m. in the Charlotte Mecklenburg Government Center to discuss the petitions that have public hearings tonight.

**DEFERRALS/ WITHDRAWALS**

7.     [15-11565](#)     Rezoning Petition: 2018-147 by Laurel Street Residential
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Withdraw this Rezoning Petition. The motion carried unanimously.
8.     [15-11782](#)     Rezoning Petition: 2018-167 by Verde Homes, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Withdraw this Rezoning Petition. The motion carried unanimously.
9.     [15-11568](#)     Rezoning Petition: 2019-006 by Amerco Real Estate Company
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Decision to October 21, 2019. The motion carried unanimously.
10.    [15-11583](#)     Rezoning Petition: 2019-030 by Continental 475 Fund, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Decision to October 21, 2019. The motion carried unanimously.
15.    [15-11581](#)     Rezoning Petition: 2019-009 by Joseph Rhodes
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Decision to October 21, 2019. The motion carried unanimously.
17.    [15-11582](#)     Rezoning Petition: 2019-028 by HHHunt
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Decision to October 21, 2019. The motion carried unanimously.
18.    [15-11621](#)     Rezoning Petition: 2019-029 by Crescent Communities
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Decision to October 21, 2019. The motion carried unanimously.
19.    [15-11699](#)     Rezoning Petition: 2019-032 by US Developments, Inc
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Decision to October 21, 2019. The motion carried unanimously.
33.    [15-11624](#)     Rezoning Petition: 2018-117 by Hopper Communities, Inc.
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion

carried unanimously.

34. [15-11753](#) Rezoning Petition: 2019-037 by Jay Kamdar  
  
A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion carried unanimously.
35. [15-11760](#) Rezoning Petition: 2019-072 by Ardent Acquisitions, LLC  
  
A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion carried unanimously.
44. [15-11763](#) Rezoning Petition: 2019-078 by Charter Properties  
  
A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion carried unanimously.
45. [15-11768](#) Rezoning Petition: 2019-084 by Lake Mather, LLC  
  
A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion carried unanimously.
49. [15-11698](#) Rezoning Petition: 2019-049 by Apollo Holding Company  
  
A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion carried unanimously.
52. [15-11757](#) Rezoning Petition: 2019-068 by Chelsea Building Group, LLC  
  
A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Defer this Zoning Hearing to October 21, 2019. The motion carried unanimously.

## **AWARDS AND RECOGNITIONS**

4. [15-11531](#) National Suicide Prevention Month  
  
Council member Newton read a proclamation recognizing September 2019 as National Suicide Prevention Month.
5. [15-11638](#) Charlotte Women's Small Business Month Proclamation  
  
Council member Mitchell read a proclamation recognizing October 2019 as Charlotte Women's Small Business Month.
6. [15-11690](#) Museum Day Proclamation  
  
Council Member Winston read a proclamation recognizing September 21, 2019, as Museum Day.

**DECISIONS**

11.     [15-11580](#)     Rezoning Petition: 2018-128 by James Pouitier
- A motion was made by Council Member Harlow and seconded by Council Member Mitchell to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**
12.     [15-11775](#)     Rezoning Petition: 2018-142 by Proffitt Dixon Partners
- A motion was made by Council Member Driggs and seconded by Council Member Bokhari to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried by the following vote:**
- Yea:** 10 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Council Member Harlow, Council Member Mayfield, Council Member Mitchell, Council Member Newton, Council Member Phipps, and Council Member Winston II
- Nay:** 1 - Mayor Pro Tem Eiselt
13.     [15-11700](#)     Rezoning Petition: 2018-163 by SunCap Property Group, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Newton Not to Refer this rezoning petition back to the Zoning Committee for review. The motion carried unanimously.**
- A motion was made by Council Member Egleston and seconded by Council Member Mayfield to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition, as modified. The motion carried unanimously.**
14.     [15-11749](#)     Rezoning Petition: 2019-008 by CoHab, LLC
- A motion was made by Council Member Egleston and seconded by Council Member Driggs Not to Refer this rezoning petition back to the Zoning Committee for review. The motion carried unanimously.**
- A motion was made by Council Member Egleston and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition, as modified. The motion carried by the following vote:**
- Yea:** 9 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mitchell, Council Member Newton, and Council Member Winston II
- Nay:** 2 - Council Member Mayfield, and Council Member Phipps
16.     [15-11588](#)     Rezoning Petition: 2019-022 by Metrolina Builders, Inc.
- A motion was made by Council Member Mitchell and seconded by Council Member Newton to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried**

unanimously.

20. [15-11569](#) Rezoning Petition: 2019-038 by Dave Hegnauer

**A motion was made by Council Member Eiselt and seconded by Council Member Ajmera to Defer the decision on this rezoning petition. The motion carried by the following vote:**

**Yea:** 6 - Council Member Ajmera, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Mitchell, and Council Member Newton

**Nay:** 5 - Council Member Scott Bokhari, Council Member Harlow, Council Member Mayfield, Council Member Phipps, and Council Member Winston II

21. [15-11605](#) Rezoning Petition: 2019-039 by Dependable Development, Inc.

**A motion was made by Council Member Mitchell and seconded by Council Member Phipps to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

22. [15-11606](#) Rezoning Petition: 2019-050 by Land Growth, LLC

**A motion was made by Council Member Scott Bokhari and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

23. [15-11607](#) Rezoning Petition: 2019-053 by Hopper Communities

**A motion was made by Council Member Mayfield and seconded by Council Member Mitchell to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

24. [15-11616](#) Rezoning Petition: 2019-054 by Cebron W. Hester

**A motion was made by Council Member Mitchell and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

25. [15-11584](#) Rezoning Petition: 2019-055 by Movement Resources

**A substitute motion was made by Council Member Winston and seconded by Council Member Egleston to Defer the decision on this rezoning petition. The motion failed by the following vote:**

**Yea:** 1 - Council Member Winston II

**Nay:** 10 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mayfield, Council Member Mitchell, Council Member Newton, and Council Member Phipps

**A motion was made by Council Member Newton and seconded by Council Member Mayfield to Deny this rezoning petition. The motion failed by the**

following vote:

**Yea:** 3 - Council Member Ajmera, Council Member Mayfield, and Council Member Newton

**Nay:** 8 - Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mitchell, Council Member Phipps, and Council Member Winston II

**A motion was made by Council Member Mitchell and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried by the following vote:**

**Yea:** 8 - Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mitchell, Council Member Phipps, and Council Member Winston II

**Nay:** 3 - Council Member Ajmera, Council Member Mayfield, and Council Member Newton

26. [15-11585](#) Rezoning Petition: 2019-058 by Housing Authority of the City of Charlotte

**A motion was made by Council Member Egleston and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

27. [15-11617](#) Rezoning Petition: 2019-060 by 4400 Park Road, LLC

**A motion was made by Council Member Scott Bokhari and seconded by Council Member Egleston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried by the following vote:**

**Yea:** 10 - Council Member Ajmera, Council Member Scott Bokhari, Council Member Driggs, Council Member Egleston, Mayor Pro Tem Eiselt, Council Member Harlow, Council Member Mayfield, Council Member Mitchell, Council Member Newton, and Council Member Phipps

**Nay:** 1 - Council Member Winston II

28. [15-11586](#) Rezoning Petition: 2019-063 by VLE Partners, LLC

**A motion was made by Council Member Egleston and seconded by Council Member Harlow to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

29. [15-11587](#) Rezoning Petition: 2019-064 by Novant Health

**A motion was made by Council Member Mitchell and seconded by Council Member Egleston to Recuse Mayor Lyles from this agenda item. The motion carried unanimously.**

**A motion was made by Council Member Harlow and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.**

30. [15-11618](#) Rezoning Petition: 2019-065 by Charlotte Douglas International Airport

A motion was made by Council Member Mayfield and seconded by Council Member Winston to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.

31. [15-11619](#) Rezoning Petition: 2019-066 by FCP

A motion was made by Council Member Egleston and seconded by Council Member Driggs to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.

32. [15-11620](#) Rezoning Petition: 2019-067 by JD Brooks

A motion was made by Council Member Egleston and seconded by Council Member Newton to Adopt the Zoning Committee's Statement of Consistency as Council's own and to Approve this Rezoning Petition. The motion carried unanimously.

## HEARINGS

36. [15-11773](#) Rezoning Petition: 2019-103 by Charlotte Planning, Design & Development Department

The following speaker(s) addressed City Council regarding this petition:

Tony Lathrop

A motion was made by Council Member Egleston and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.

37. [15-11774](#) Rezoning Petition: 2019-104 by Charlotte Planning, Design & Development Department

The following speaker(s) addressed City Council regarding this petition:

Tony Lathrop  
Eric Zaverl  
Matt Langston  
Jon Morris  
Kim Hombs  
Hermes Goudes  
Sarah Hart  
Rosemary Peduzzi

A motion was made by Council Member Ajmera and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.

38. [15-11622](#) Rezoning Petition: 2018-073 by Moores Chapel Retail, LLC

The following speaker(s) addressed City Council regarding this petition:

Walter Fields



Sarah Massoud  
Ken Davies

A motion was made by Council Member Mayfield and seconded by Council Member Harlow to Close the Public Hearing. The motion carried unanimously.

39. [15-11750](#) Rezoning Petition: 2018-092 by Contravest Development Partners, LLC

The following speaker(s) addressed City Council regarding this petition:

Walter Fields  
Baldeep Mac  
Mark Ogier

A motion was made by Council Member Harlow and seconded by Council Member Driggs to Close the Public Hearing. The motion carried unanimously.

40. [15-11751](#) Rezoning Petition: 2018-160 by K Sade Ventures

The following speaker(s) addressed City Council regarding this petition:

Ty Shaffer

A motion was made by Council Member Phipps and seconded by Council Member Ajmera to Close the Public Hearing. The motion carried unanimously.

41. [15-11625](#) Rezoning Petition: 2019-027 by Liberty Property Trust

The following speaker(s) addressed City Council regarding this petition:

John Carmichael  
Todd Marlow

A motion was made by Council Member Bokhari and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.

42. [15-11697](#) Rezoning Petition: 2019-047 by NR Pinehurst Property Owner, LLC

The following speaker(s) addressed City Council regarding this petition:

Keith MacVean  
Ben Shwartz

A motion was made by Council Member Egleston and seconded by Council Member Newton to Close the Public Hearing. The motion carried unanimously.

## **OPEN AND CONTINUATION OF REMAINING PUBLIC HEARINGS**

43. [15-11761](#) Rezoning Petition: 2019-074 by Josh Jolley

A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.

46. [15-11755](#) Rezoning Petition: 2019-061 by Davis Development
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
47. [15-11769](#) Rezoning Petition: 2019-118 by Beacon Development Company
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
48. [15-11752](#) Rezoning Petition: 2019-036 by BSL Galbreath, Inc.
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
50. [15-11754](#) Rezoning Petition: 2019-056 by White Point Partners, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
51. [15-11756](#) Rezoning Petition: 2019-062 by Suncrest Real Estate & Land
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
53. [15-11758](#) Rezoning Petition: 2019-070 by RENC CH, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
54. [15-11759](#) Rezoning Petition: 2019-071 by FH 1524 Sunset Road, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
55. [15-11762](#) Rezoning Petition: 2019-076 by Hopper Communities
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.

56. [15-11764](#) Rezoning Petition: 2019-079 by Sankofa Development, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
57. [15-11765](#) Rezoning Petition: 2019-081 by Tyvola Station Partners, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
58. [15-11766](#) Rezoning Petition: 2019-082 by Pacific National Group, LLC
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.
59. [15-11767](#) Rezoning Petition: 2019-083 by James M. Howell
- A motion was made by Council Member Mayfield and seconded by Council Member Newton to Open and Continue this Zoning Hearing at the City Council Business Meeting on Monday, September 23, 2019. The motion carried unanimously.

## ADJOURNMENT

The meeting adjourned at 10:03 p.m.