

City of Charlotte

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



Zoning Agenda

Monday, March 18, 2019

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 MEETING

1. Meeting Agenda

- 1. Meeting Agenda**
- 2. Dinner Meeting Agenda**
 - 1. Agenda Review - Dave Pettine**
- 3. Follow-Up Report**

2. Dinner Meeting Agenda

- 1. Agenda Review - Dave Pettine**

[Dinner Agenda March](#)

3. Follow Up Report

[March Follow-Up Report Final](#)

HISTORIC LANDMARKS**4. Reginald Armistice Hawkins House**

A decision to be made by the City Council on the Question of adopting an ordinance for the property known as the "Reginald Armistice Hawkins House" (listed under Tax Parcel Number 07839808 including the interior and the exterior of the house, the land, and all landscape features associated with tax parcel) as an Historic Landmark.

Property Owner: Jeffrey Michael Neff and Samantha C. Taylor

Location: 1703 Madison Avenue in Charlotte, North Carolina

[Hawkins House PH Cover](#)

[Hawkins Ord](#)

[Hawkins House S&R](#)

DECISIONS**5. Rezoning Petition: 2018-144 by Portman Holdings**

Update: Staff is requesting deferral to April 15, 2019

Location: Approximately 2.21 acres located on the east side of Hawkins Street, south of West Tremont Avenue. (Council District 3 - Mayfield)

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

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to **DEFER** this petition to their April 2, 2019 meeting.

6. Rezoning Petition: 2017-186 by Drakeford Co.

Location: Approximately 0.87 acres located on the north side of West Kingston Avenue, west of South Tryon Street. (Council District 3 - Mayfield)

Current Zoning: R-22MF, HD (multi-family residential, historic district overlay)

Proposed Zoning: UR-2(CD), HD (urban residential, conditional, historic district overlay), with five-year vested rights

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2017-186 Reco 03-05-2019 km0307 done](#)

[2017-186 Final 03-18-2019 km0307 done](#)

[2017-186 RevSitePlan 03-01-2019](#)

7. Rezoning Petition: 2018-012 by Harrison Tucker & John Perovich

Update: Petitioner is requesting deferral to April 15, 2019

Location: Approximately 0.16 acres located at the intersection of North Davidson Street and East 17th Street. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 4-3 to recommend **DENIAL** of this petition; however, changes to the site plan have been made and will be referred back to the Zoning Committee for additional consideration.

8. Rezoning Petition: 2018-097 by Stamatis Tsilimos

Location: Approximately 1.04 acres located on the north side of Central Avenue between Tippah Park Court and Landis Avenue. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business) and O-2 (office)

Proposed Zoning: NS (neighborhood services)

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2018-97 Reco 030519 km0307 if done](#)

[2018-97 Final staff 031819 km0307 done](#)

[2018-097 RevSitePlan 02-26-2019](#)

9. Rezoning Petition: 2018-123 by Topgolf International, Inc.

Location: Approximately 14.20 acres located along McFarlane Boulevard, and south of University City Boulevard. (Council District 4 - Phipps)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-123 Reco 030519 km0307 done](#)

[2018-123 final staff 031819 km0307 done](#)

[2018-123 RevSitePlan 02-26-2019](#)

10. Rezoning Petition: 2018-133 by City of Charlotte

Location: Approximately 4.28 acres located at the intersection of Providence Road West and Ballancroft Parkway, west of Johnston Road. (Council District 7 - Driggs)

Current Zoning: R-3 (single family residential)

Proposed Zoning: NS (neighborhood services)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-133 reco 3-5-19 km0307 done](#)

[2018-133 Finalstaff 3-18-19 km0307 done](#)

[2018-133 RevSitePlan 02-26-2019](#)

11. Rezoning Petition: 2018-134 by HHHunt

Location: Approximately 20.03 acres located at the intersection of Old Statesville Road and Independence Road, south of I-485. (Outside City Limits)

Current Zoning: R-4 (single family residential)

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.

[2018-134 Reco 03-05-2019 CLG3-6 km0307 done](#)

[2018-134 Final 3-18-2019 CLG3-6 km0307 done](#)

[2018-134 RevSitePlan 03-12-2019](#)

12. Rezoning Petition: 2018-135 by Woodlawn Station Holdings, LLC

Location: Approximately 1.49 acres located on the west side of Old Pineville Road, north of Springbrook Road and south of Woodlawn Road. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-R(O) (transit oriented development - residential, optional)

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to recommend **APPROVAL** of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2018-135 reco 3-5-19 km0307 done](#)

[2018-135 Finalstaff 3-18-19 km0307 done](#)

[2018-135 RevSitePlan 02-26-2019](#)

13. Rezoning Petition: 2018-139 by DavidLand, LLC

Location: Approximately 2.44 acres located on the west side of Statesville Road, south of I-485 and east of I-77 (Outside City Limits)

Current Zoning: B-D(CD) (distributive business, conditional)

Proposed Zoning: I-1 (light industrial)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-139 reco km0307 done](#)

[2018-139 Final km0307 done](#)

14. Rezoning Petition: 2018-140 by Profile Management, LLC

Location: Approximately 11.87 acres located on the north side of Ridge Road, west of I-85. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-8MF(CD) (multi-family 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 upon resolution of outstanding issues related to site and building design.

[2018-140 Reco 3-5-2019 CLG3-6 km0307 done](#)

[2018-140 Final 03-18-2019 CLG3-06 km0307 done](#)

[2018-140 RevSitePlan 02-26-2019](#)

15. Rezoning Petition: 2018-141 by Broadstreet Homes, Inc.

Location: Approximately 17.90 acres located on the west side of Harrisburg Road, north of Camp Stewart Road west of Mecklenburg Shrine Club Road. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-4 (single family residential)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-141 Reco 030519 km0307 done](#)

[2018-141 final 031819 km0307 done](#)

HEARINGS**16. Rezoning Petition: 2019-002 by Laurel Street Residential, LLC**

Update: Petitioner is requesting deferral to April 15, 2019

Location: Approximately 1.45 acres located at the corner of East 7th Street and North Alexander Street. (Council District 1 - Egleston)

Current Zoning: UR-2 (urban residential)

Proposed Zoning: TOD-R (transit oriented development - residential)

17. Rezoning Petition: 2019-003 by Laurel Street Residential, LLC

Update: Petitioner is requesting deferral to April 15, 2019

Location: Approximately 4.03 acres located on the west side of North Tryon Street between University City Boulevard and Brookside Lane. (Council District 4 - Phipps)

Current Zoning: I-1 (light industrial) and I-2 (general industrial)

Proposed Zoning: TOD-R (transit oriented development - residential)

18. Rezoning Petition: 2018-169 by Charlotte Planning, Design and Development Department**Summary of petition:**

- 1) Create four new Transit Oriented Development zoning districts with allowed uses and new regulations, dimensional and design standards, public realm standards, vehicle and bicycle parking standards, loading standards, landscape and screening standards, and sign standards to replace the three transit oriented development zoning districts and regulations in the current ordinance
- 2) Translate the three existing, conventional transit oriented development districts to the new zoning district designation of TOD-CC (transit oriented development - community center)
- 3) Create a Transit Oriented Development Exception zoning district with standards and an approval process
- 4) Establish an Alternative Compliance Review Board with powers and duties
- 5) Modify the administrative adjustment process for the new zoning districts
- 6) Update the ordinance to align references to the new zoning districts and regulations
- 7) Relocate the Appendices and Subject Index

Staff Recommendation:

Staff recommends approval of this petition.

[2018-169 PH 3-18-19 km0308 SM3-11 LH3-12 SM3-13 SM3-13PM done](#)

[2018-169 Text Amendment rev5 3-12-19](#)

[2018-169 Transit Oriented Development Regulations Rev](#)

[2018-169-PC](#)

[EconomicAnalysisReport-updated](#)

19. Rezoning Petition: 2018-147 by Laurel Street Residential

Location: Approximately 3.31 acres located on the north side of Mallard Creek Road, east of Prosperity Church Road, west of Galloway Road. (Council District 4 - Phipps)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

[2018-147 PH 3-18-2019 CLG2-28 SM3-6 km0311 LH3-12 km0313](#)

[2018-147 RevSitePlan 02-11-2019](#)

20. Rezoning Petition: 2018-149 by West End Investments, LLC/ Mosaic Village Holdings, LLC/ Paul Edwin Clouer

Location: Approximately 4.13 acres located on the west side of West Trade Street, south of South Bruns Avenue. (Council District 2 - Harlow)

Current Zoning: R-8 (single family residential), R-8(CD) (single family residential, conditional), B-1 (neighborhood business), B-1 PED (neighborhood business, pedestrian overlay)

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

Staff Recommendation:

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

[2018-149 PHstaff 3-18-2019 CLG2-26 km0227 SM3-7 LH3-11 DP0314](#)

[2018-149 RevSitePlan 01-14-2019](#)

[Previously Approved Cover Page](#)

[2018-149 Approved 2016-002](#)

21. Rezoning Petition: 2018-152 by Kyle Short

Update: Petitioner is requesting deferral to April 15, 2019

Location: Approximately 0.56 acres located at the southwest corner of North Sharon Amity Road and Emory Lane, east of Randolph Road. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-1(CD) (urban residential, conditional)

22. Rezoning Petition: 2018-154 by Charlotte-Mecklenburg Housing Partnership, Inc.

Location: Approximately 4.48 acres located on the east side of West Sugar Creek Road, south of Munsee Street and west of Yuma Street. (Council District 4 - Phipps)

Current Zoning: R-4 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional) and MUDD(O) (mixed use development, optional)

Staff Recommendation:

Staff recommends

[2018-154 PHstaff FINAL](#)

[2018-154 RevSitePlan 02-11-2019](#)

23. Rezoning Petition: 2018-110 by Mattamy Homes

Update: Petitioner is requesting deferral to April 15, 2019

Location: Approximately 38.40 acres located on the east side of Shopton Road West, north of South Tryon Street. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-8MF(CD) (multi-family residential, conditional), with five-year vested rights

24. Rezoning Petition: 2018-121 by Steele Creek 1997

Location: Approximately 264.93 acres located off West Arrowood Road, east of I-485. (Council District 3 - Mayfield)

Current Zoning: R-3 AIR (single family residential, airport noise overlay), O-1(CD) AIR (office, conditional, airport noise overlay), and I-1(CD) AIR (light industrial, conditional, airport noise overlay)

Proposed Zoning: MUDD-O AIR (mixed use development, optional, airport noise overlay) and I-1 (CD) AIR (light industrial, conditional, airport noise overlay), with five-year vested rights.

Staff Recommendation:

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

[2018-121 PH staff CLG3-7 CLG3-13 lh3-13 km0314done](#)

[2018-121 Rev 2-14-2019](#)

[Previously Approved Cover Page](#)

[2018-121 Approved 2013-002 \(1\)](#)

25. Rezoning Petition: 2018-126 by Exeter Meadow Oak, LLC

Location: Approximately 47.46 acres located at west side of the intersection of Billy Graham Parkway and West Tyvola Road. (Council District 3 - Mayfield)

Current Zoning: R-22MF AIR (multi-family residential, airport noise overlay)

Proposed Zoning: I-1(CD) AIR (light industrial, conditional, airport noise overlay)

Staff Recommendation:

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

[2018-126 PH 03-18-2019 CLG3-4 SM3-7 km0308 DP 0311done](#)

[2018-126 RevSitePlan 12-18-2018](#)

26. Rezoning Petition: 2018-128 by James Pouitier

Update: Petitioner is requesting deferral to April 15, 2019

Location: Approximately 5.5 acres located on the south side of Mt. Holly-Huntersville Road, east of Brookshire Boulevard. (Council District 2 - Harlow)

Current Zoning: R-3 LWPA (single family residential, Lake Wylie protected area)

Proposed Zoning: UR-2(CD) LWPA (urban residential, conditional, Lake Wylie protected area), with five-year vested rights

27. Rezoning Petition: 2018-143 by LIV Development, LLC

Location: Approximately 8.5 acres located on the east side of North Tryon Street, across from Orchard Trace Lane, south of Sandy Avenue. (Council District 4 - Phipps)

Current Zoning: B-2(CD) (general business, conditional) and B-2 (general business)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, site and building design, environment, and technical revisions.

[2018-143 PHstaff km0301 SM3-6 DP0311 LH3-11 km0312 SSS0313 kmdone](#)

[2018-143 RevSitePlan 02-20-2019](#)

28. Rezoning Petition: 2018-156 by Doug Dunaway

Location: Approximately 0.66 acres located on the south side of the intersection Randolph Road, South Dotger Avenue and Montrose Court. (Council District 1 - Egleston)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

[2018-156 PHstaff 03-18-2019 km0204 SM3-7 DP3-11 sf0311 km0312done](#)

[2018-156 RevSitePlan 02-11-2019](#)

29. Rezoning Petition: 2018-157 by O'Leary Group Business Park, LLC

Location: Approximately 9.05 acres located at the intersection of Odum Avenue and Centre Street, southeast of Brookshire Boulevard. (Council District 2 - Harlow)

Current Zoning: I-1 (light industrial), I-2 (general industrial), I-2(CD) (general industrial, conditional) and B-2 (general business)

Proposed Zoning: I-2 (general industrial)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-157 PH 03-18-2019 CLG3-1 SM 3-7 km0308 lh3-9 DP0311 km0313 DP0314 done](#)

[Previously Approved Cover Page](#)

[2018-157 Approved 2012-047 Approved](#)

30. Rezoning Petition: 2018-159 by Mary Ann & Charles Mauldwin

Location: Approximately 1.85 acres located on the southwest corner of Derita Avenue and Maple Street, west of West Sugar Creek Road. (Council District 4 - Phipps)

Current Zoning: R-3 (single family residential)

Proposed Zoning: INST(CD) (institutional, conditional)

Staff Recommendation:

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

[2018-159 PH 3-18-2019 CLG3-1 km0306 AG 03-07 SM3-8 DP0311 km done](#)

[2018-159 RevSitePlan 02-11-2019](#)

31. Rezoning Petition: 2018-165 by NRP Properties, LLC

Location: Approximately 16.6 acres located on the west side of Forest Point Boulevard, off of Nations Ford Road, east of I-77. (Council District 3 - Mayfield)

Current Zoning: B-2(CD) (general business, conditional)

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

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to landscaping and pedestrian improvements.

[2018-165 PHstaff sc301 km0301 SM3-8 LH 3-9 JK3-11 DP0312 done](#)

[2018-165 RevSitePlan 02-11-2019](#)

[Previously Approved Cover Page](#)

[2018-165 prev approved 2006-135](#)

32. Rezoning Petition: 2018-166 by Camden Development, Inc.

Location: Approximately 0.43 acres located on the south side of Charles Avenue, west of Matheson Avenue. (Council District 1 - Egleston)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-M (transit oriented development - mixed use)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-166 PHstaff km0228 SM3-8 DP0311 LH3-11 done](#)

33. Rezoning Petition: 2018-167 by Verde Homes, LLC

Location: Approximately 1.74 acres located on the east side of Sardis Road, between Oak Creek Drive and Creek Valley Drive. (Council District 6 - Bokhari)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

[2018-167 PHstaff km0226 DP0311 LH3-11 km0312 DP0314](#)

[2018-167 RevSitePlan 02-11-2019](#)

34. Rezoning Petition: 2019-004 by C4 Investments, LLC

Location: Approximately 10.54 acres located on the southeast corner of West Arrowood Road and West Hebron Street. (Council District 3 - Mayfield)

Current Zoning: INST (institutional)

Proposed Zoning: R-22MF (multi-family residential)

Staff Recommendation:

Staff recommends approval of this petition.

[2019-004 PHstaff sc 226 km0301 SM3-8 JK3-11 SM3-11 DP0312 done](#)

35. Rezoning Petition: 2019-010 by JDSI, LLC

Location: Approximately 33.48 acres located on the east side of Brookshire Boulevard at the intersection of Old Plank Road. (Council District 2 - Harlow)

Current Zoning: R-3 LWPA (single family residential, Lower Lake Wylie protected area) and I-1 LWPA (light industrial, Lower Lake Wylie protected area)

Proposed Zoning: R-6 LWPA (single family residential, Lower Lake Wylie protected area) and R-8 LWPA (single family residential, Lower Lake Wylie protected area)

Staff Recommendation:

Staff recommends approval of this petition.

[2019-010-PHstaff km0228 lh3-11 SM3-12 km0312 CL0313 kmdone](#)

