

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday, February 19, 2024, at 5:05 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Danté Anderson, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, and Victoria Watlington.

ABSENT UNTIL NOTED: Councilmembers Dimple Ajmera and Marjorie Molina

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Mayor Lyles said I want to call the Zoning meeting to order.

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ITEM NO. 1: CLOSED SESSION

Motion was made by Councilmember Driggs, seconded by Councilmember Mayfield, and carried unanimously to go into closed session to instruct City staff concerning the position taken by the City in negotiating material terms of the contract for the acquisition of real property interest under NC General Statute § 143-318.11 (a) (5).

The meeting was recessed at 5:06 p.m. to go into closed session in Room 267.

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The City Council of the City of Charlotte, North Carolina reconvened for a Zoning Meeting on Monday, February 19, 2024, at 6:01 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

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Mayor Lyles said thank you for your patience. We have to say that sometimes our conversations go a little bit longer than we all expect. So, we are grateful that you actually stayed to listen to the remainder of this meeting. We will begin with a welcome to all of you, those who are present as well as those who are watching us virtually or on our channel for the City Business meetings.

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INVOCATION AND PLEDGE

Councilmember Driggs gave the Invocation and the Pledge of Allegiance to the Flag was recited by everyone in attendance.

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EXPLANATION OF THE ZONING MEETING PROCESS

Mayor Lyles explained the Zoning Meeting rules and procedures.

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INTRODUCTION OF THE ZONING COMMITTEE

Douglas Welton, Chairman of the Zoning Committee said thank you Madam Mayor and thank you Council. My name is Douglas A. Welton, and I serve as the Chairman of the Zoning Committee of the Planning Commission. Allow me to introduce my fellow

members of the Committee. Will Russell, Shana Neeley, Rick Winiker, Terry Lansdell, Rebekah Whilden and Clayton Sealey. The Zoning Committee will meet on Tuesday March 5, 2024, at 5:30 p.m. here at the Governmental Center and at that meeting the Zoning Committee will meet to discuss and make recommendations on the petitions that have a public hearing here tonight. The public is welcome to that meeting but please note it is not a continuation of the public hearing that is being held here tonight. Prior to that meeting, you are welcome to contact us and provide input. You can find contact information and information on each one of the petitions at the City's website at charlotteplanning.org.

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DEFERRALS/WITHDRAWALS

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to defer a decision on Item No. 5, Petition No. 2023-034 by Cambridge Properties, Inc. to March 18, 2024; a decision on Item No. 19, Petition No. 2020-071 by 3G Investments and Developments, LLC to March 18, 2024; a decision on Item No. 20, Petition No. 2022-216 by QuikTrip Corporation to March 18, 2024; a decision on Item No. 21, Petition No. 2022-224 by SLR Central Avenue Properties, LLC; a decision on Item No. 22, Petition No. 2023-015 by Tribek Properties to March 18, 2024; a decision on Item No. 23, Petition No. 2023-047 by Gustafson Partners Commercial Real Estate to March 18, 2024; a decision on Item No. 24, Petition No. 2023-091 by Mecklenburg County to March 18, 2024; a decision on Item No. 25, Petition No. 2023-134 by Park South Townhome Community, LLC to March 18, 2024; a decision on Item No. 26, Petition No. 2021-085 by Raven Property Group, LLC to March 18, 2024; a hearing on Item No. 33, Petition No. 2022-121 by RK Investments Charlotte LLC to March 18, 2024; a hearing on Item No. 34, Petition No. 2023-033 by CRD Elizabeth LLC to March 18, 2024; a hearing on Item No. 35, Petition No. 2023-107 by Penmith Holdings, LLC to March 18, 2024; and a hearing on Item No. 55, Petition No. 2023-154 by UNC Capital LLC to March 18, 2024.

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CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 3 THROUGH 18 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS PULLED BY A COUNCIL MEMBER. ITEMS ARE PULLED BY NOTIFYING THE CITY CLERK.

Mayor Lyles said the next item that we have for you is consent agenda items. Council has approved the policy of rezoning petitions that may be considered in one motion except for those items that a Council asked for a separate vote. In addition to that, these petitions must meet the following criteria. They've had no public opposition to the petition at the hearing, the Zoning Committee recommended approval and there were not changes after the Zoning Committee's recommendation, and staff recommends approval. Is there any consent item that the Council would like to hear separately?

Councilmember Johnson said No. 7 please.

Mayor Lyles said Item No. 7, alright.

Councilmember Mayfield said Item No. 6, 13 and 17.

Mayor Lyles said alright. So, we have Item No. 6, No. 7, 13 and 17.

Councilmember Watlington said 11.

Mayor Lyles said item 11. Okay, any others?

Motion was made by Councilmember Mitchell, seconded by Councilmember Driggs, and carried unanimously to approve the consent agenda as presented with the exception of Item No. 6, Item No. 7, Item No. 11, Item No. 13 and Item No. 17, which were pulled for a separate vote.

The following items were approved:

Item No. 3: Ordinance No. 723-Z, Petition No. 2021-209 by Coastal Acquisition Entity, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.99 acres located at the southeastern corner of the intersection of Steele Creek Road and Rigsby Road from (Neighborhood 1 - A) to NS (Neighborhood Services).

The Zoning Committee voted 5-2 (motion by Neeley, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Community Activity Center place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is adjacent to Commercial place type to the north and east as well as to the west across Steele Creek Road. There are several existing and entitled drive-through establishments along this segment of Steele Creek Road. The petition commits to improving pedestrian infrastructure on the site's public street frontage with a 12-foot multi-use path along Steele Creek Road and an eight-foot planting strip and eight-foot sidewalk along Rigsby Road. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Community Activity Center place type to Commercial place type for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 568-569.

Item No. 4: Ordinance No. 724-Z, Petition No. 2023-017 by Liberty Healthcare Properties of North Carolina, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 7.04 acres located on the north side of Providence Road West, west of Community House Road, and east of Old Ardrey Kell Road from N1-A (Neighborhood 1 - A) to INST (CD) (Institutional, Conditional).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Whilden) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed senior living community would provide an additional housing and care option for seniors in south Charlotte. The petition would complement the existing senior living community to the south of the site across Providence Road West. The petition would provide transportation improvements along Providence Road West that would benefit the larger community. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 1 Place Type to Campus Place Type for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 570-571.

Item No. 8: Ordinance No. 727-Z, Petition No. 2023-092 by Great American Storage, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 4.85 acres located west of Steele Creek Road and north of the Interstate 485 ramp from N1-A (Neighborhood 1-A) to CR (CD) (Regional Commercial, Conditional).

The Zoning Committee voted 7-0 (motion by Russell, seconded by Neeley) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Given the site's adjacency to Interstate 485 and Commercial and Manufacturing & Logistics place types, the proposed commercial use is more appropriate than the existing residential zoning. The outdoor storage area will be to the rear of the site and buffered from street view. The proposed self-storage use is a low traffic generator with access limited to right in, right out, making it an appropriate use adjacent to an interstate interchange. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Neighborhood 1 place type to Commercial place type for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 576-577.

Item No. 9: Ordinance No. 728-Z, Petition No. 2023-098 by Queen City Hotel Investors, LLC by amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.91 acres located along the west side of Hawthorne Lane, the east side of Heath Court, north of Central Avenue from TOD-CC (EX) (Transit Oriented Development - Community Center, Exception) to TOD-CC (Transit Oriented Development - Community Center).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Community Activity Center. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is within a quarter mile walk of the existing Sunnyside Station on the LYNX Gold Line. The TOD-CC district may be applied to parcels within a quarter-mile walking distance of an existing streetcar stop. This site will also front along the Gold Line's next phase of development along Hawthorne Lane. The site was previously rezoned to TOD-CC EX to allow the modification of quantitative TOD-CC standards. The exceptions requested in that rezoning are no longer necessary for the petitioner. The use of conventional TOD-CC zoning applies standards and regulations to create the desired form and intensity of transit supportive development, and a conditional rezoning is not necessary. TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 578-579.

Item No. 10: Ordinance No. 729-Z, Petition No. 2023-103 by RangeWater Development, LLC by amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 12.75 acres located along the east side of Atando Avenue, the south side of Robinson Crest, north of North Tryon Street from ML-2 (Manufacturing and Logistics, 2) to IMU (Innovation Mixed-Use).

The Zoning Committee voted 7-0 (motion by Sealey, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Manufacturing & Logistics. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Located along Atando Avenue, this site is between North Graham Street and North Tryon Street, two parallel corridors that make up the North Graham Street/North Tryon Street Corridor of Opportunity (NGNT). The NGNT is one of six identified corridors in the Corridors of Opportunity (COO) program which aims to revitalize areas with a mix of uses that provide critical resources and businesses to its neighbors, creating more prosperous and safe communities. This rezoning would allow the site's entitlements to be shifted away from industrial uses to a more balanced mix of uses that could better align with the goals of the NGNT Corridor. Establishing this site as innovation mixed-use creates a preferred transition between the area's persisting industrial and commercial uses north of the site and the redeveloping transit supportive projects south of the site along North Tryon Street. Although inconsistent with the recommendation for Manufacturing and Logistics, this petition better reflects the changing nature of the area while demarcating a separation between the industrial uses along Atando and the TOD redevelopment projects along North Tryon Street. The innovation mixed-use zoning district is intended for sites such as these that currently have or had industrial developments but are situated in areas that are transitioning to an array of commercial, residential, and artisan industrial uses. Atando Avenue is being targeted for a street conversion that will add curb and sidewalk, bike lanes, and pavement markings. This project will help service any future uses on the site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Manufacturing and Logistics to Innovation Mixed-Use for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 580-581.

Item No. 12: Ordinance No. 731-Z, Petition No. 2023-127 by D-P Partners by amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.29 acres locate along the north side of South McDowell Street and the southwest side of Baxter Street, east of East Morehead Street from NC (Neighborhood Center) to UE (Urban Edge).

The Zoning Committee voted 7-0 (motion by Russell, seconded by Whilden) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Regional Activity Center Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Regional Activity Centers are typically large, high density mixed-use areas, typically along transit corridors or major roadways, that provide access to goods, services, dining, offices, entertainment, and residential uses. This petition falls within an area of transition between the high-intensity environment of the Uptown core and adjacent smaller-scale mixed-use areas and urban neighborhoods. This petition will include walkable, pedestrian-orientated mixed-use development that focuses on compatibility with adjacent development. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 8: Diverse & Resilient Economic Opportunity, 9: Retain Our Identity & Charm.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 584-585.

Item No. 14: Ordinance No. 733-Z, Petition No. 2023-133 by Cambridge Properties, Inc. by amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 8.5 acres located along the west side of

MacFarlane Boulevard, north of Regan Drive, and south of University City Boulevard from ML-1 (Manufacturing and Logistics-1) to IMU (Innovation Mixed Use).

The Zoning Committee voted 7-0 (motion by Neeley, seconded by Whilden) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Innovation Mixed Use Place Type for this site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: This petition is consistent with the recommended land use for the site. The requested district is aligned with the mixed-use sites in the surrounding area. The proposed uses could contribute to access to goods, services, and amenities and has the potential to contribute to access to employment. The proposed site would be well supported by transit with a CATS bus line and bus stops within a half mile of the site as well as a LYNX Blue Line stop within a half mile of the site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 588-589.

Item No. 15: Ordinance No. 734-Z, Petition No. 2023-136 by William L. Simmons amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 2.26 acres located along the north side of Dupree Street, west of Rozzelles Ferry Road, and south of I-85 from ML-2 (Manufacturing and Logistics-2) to ML-2(CD) (Manufacturing and Logistics-2, Conditional).

The Zoning Committee voted 7-0 (motion by Neeley, seconded by Sealey) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Innovation MixedUse. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The area between Dupree Street and Rozzelles Ferry Road includes many parcels zoned for Commercial, Manufacturing & Logistics, and Light Industrial uses. Across from this site on Rozzelles Ferry Road, past Odum Ave are CSX railroad tracks supporting the site's suitability for an industrial use. The site backs up to interstate 85 with additional light industrial uses to the east and west. With this requested zoning and the conditional notes, repair of vehicles is prohibited outdoors. Storage of all merchandise, auto parts, and supplies shall be within an enclosed structure. Vehicle repair facilities shall be screened along interior side and rear lot lines with a Class C landscape yard, unless a higher class of landscape yard is required by Article 20. The landscape yard is not required where such side or rear lot abuts a Manufacturing and Logistics Place Type. No partially dismantled, wrecked, junked, or discarded vehicles may be stored outdoors on the premises. This standard does not apply to vehicles under repair. No vehicles may be stored on site for more than 90 days. The sale of new or used vehicles is prohibited unless it is a permitted use in the zoning district. No motor vehicles may be stored, and no repair work may be conducted in any public or network-required private street. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Innovation Mixed-Use Place Type to Manufacturing and Logistics.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 590-591.

Item No. 16: Ordinance No. 735-Z, Petition No. 2023-139 by Lincoln Harris amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.621 acres located along the southwest side of West Brooklyn Village Avenue, the northwest side of South Tryon Street, and the

southeast side of South Church Street from UMUD-O (Uptown Mixed-Use District, Optional) to UMUD-O SPA (Uptown Mixed-Use District, Optional, Site Plan Amendment).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Sealey) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent based on the information from the final staff analysis and the public hearing, and because: The Charlotte Center City 2040 Vision Plan (2021) encourages future development and contributes to the overall viability and livability of Center City. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition is an optional request to increase the allowed exterior signage for an existing uptown building. The petition could facilitate Goal 8 of the Charlotte Center City 2040 Vision Plan specially contributing to make the Tryon Street corridor a distinctive destination by increasing visual interest along the street. Similar signs have been requested in uptown through the same process, with the largest being 650 square feet located on the Convention Center. The Zoning Ordinance limits wall mounted signs to 10% of the wall area per tenant or 300 square feet, whichever is less. However, approved optional provisions could permit more intense signage.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 592-593.

Item No. 18: Ordinance No. 737-Z, Petition No. 2023-144 by Atrium Health, Inc. by amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 14.28 acres located on the north and south side of Baxter Street, east side of East Morehead Street, west of Pearl Park Way from MUDD-O (Mixed-Use Development District, Optional) to MUDD-O SPA (Mixed-Use Development District, Optional, Site Plan Amendment) with 5-years vested rights.

The Zoning Committee voted 6-1 (motion by Sealey, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Regional Activity Center and Community Activity Center. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The modifications presented in this petition to the previously approved conditional plan are minor and would not significantly change the nature of development that was originally approved in petition 2021-092. The intent of this site plan amendment is to allow revisions to the parking minimums, setbacks, and proposed signage. No changes to the allowable uses on the site are being proposed. This petition's requested changes to the proposed signage would allow flexibility from the sign ordinance for signs located in Development Area A. These signs would not face East Morehead Street and the greater Dilworth neighborhood. Proposed changes to setbacks in this petition would not hinder pedestrian connectivity throughout the site. The reduction in the required setback to the new proposed street designated as Section H-H would maintain the minimum 12-foot setback on the ground level but modify the setback for all other floors to zero feet. This site has access to multiple forms of transportation that alleviate the need for personal automobile usage. Sequentially, a slight reduction in the minimum parking standards with this petition is appropriate. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 596-597.

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ITEM NO. 6: ORDINANCE NO. 725-Z, PETITION NO. 2023-080 BY TRUE HOMES, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO

AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 19.16 ACRES LOCATED WEST OF NATIONS FORD ROAD, SOUTH OF FOREST POINT BOULEVARD, AND NORTH OF SHORT HILLS DRIVE FROM R-9 (CD) (SINGLE FAMILY RESIDENTIAL, CONDITIONAL) TO N2-A (CD) (NEIGHBORHOOD 2 - A, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Neeley, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The proposed development would provide additional housing options in the area in the form of multi-family attached dwellings. The petition is proposing to dedicate 2.2 acres to Mecklenburg County for future park development. The petition is committing to filling offsite sidewalk gaps at Fawn Drive and Short Hills Drive and at the southern end of Short Hills Drive where adjacent to Mecklenburg County owned property. The petition site is in proximity to a school, goods, and services and is located on a CATS bus route. The multi-family attached dwellings proposed would provide an appropriate transition between the single family uses to the south and light manufacturing and logistics use to the north. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 7: Integrated Natural & Built Environments. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Neighborhood 1 place type to Neighborhood 2 place type for the site.

Councilmember Mayfield said I have a question for staff. I read in the comments that the Zoning Committee voted seven to zero. I'm trying to still get a handle on our items that are inconsistent but yet are being supported by staff and Commission. This is a sliver of a space and on that particular area off of Nations Ford near Forest Point Boulevard. If you cut through Forest Point, it drops you right onto Arrowood. There are a number of multi-family projects that have been approved, but there are very few amenities in that immediate area. So, I'm trying to understand the logic of a 72 multi-family attached unit in this sliver. If staff's in support of it, help me get it.

David Pettine, Planning, Design & Development said yes, no problem. So, we did take into consideration the context of development in the area. We do have some multi-family a little bit further down Forest Point. The primary location for this project is more fronted on Nations Ford with a lot of the skinnier portion of that parcel being slated for both open space and an almost 2½ acre park to the County. We've got proximity near some Activity Centers and goods and services. So, we felt that it was a reasonable request to go to 72 units there. It comes out to about 3.79 units to the acre. So, it's a fairly low density even though there's a decent number of units but stretched out over those 72 acres. That's like 3.75 DUA (Dwelling Units Per Acre). So, the form of it was fairly consistent with what we would like to see with some general infill there, but we didn't have any real specific concerns. There's transit in the area as well, it's proximate to goods and services and a school and along that CATS (Charlotte Area Transit System). So, all of those are things that we factor in when we're looking at Neighborhood 1 requests that may jump to Neighborhood 2. So, we felt that that was a reasonable request in support of that location.

Ms. Mayfield said so, Mayor and Council, I would like for us to consider giving clearer language to staff when they look at goods and services. It's nothing but gas stations over there. Even if you don't personally have a vehicle, if you were attempting to walk, it is extremely dangerous, which former District Three representatives are aware. To try to cross Nations Ford Road of which we have a lot of people that are physically walking and the challenges that go along with that, but when we say that there's goods and services, I don't think that a gas station or a convenience store should be considered in that category when there aren't any true food options in the immediate proximity without having your own personal transportation. To catch the bus from there, that's an hour plus just to go up the street to go to the grocery store and it's not necessarily in walking

distance. That could easily be a 30, 45-minute walk from where this location is to where the grocery store is across Arrowood and back into the cut going across the parking lot. So, when we're talking about goods and services, it would be helpful for me, and I'm not going to speak for my colleagues, it would be helpful for me to get a better understanding of what both our Committee as well as staff is looking at to classify, yes, adding another 72 units of housing in an area that has seen not as much infrastructure investment as other areas. One, I will always push back on overcrowding Arrowood, but that makes a little bit more sense versus here on Nations Ford Road. I personally will not be supporting this petition. I have concerns over what this development would do to an area that has seen a lot of changes and displacement, even as far as CMS (Charlotte Mecklenburg Schools) and the school that was formerly a CMS school that is now something other than, for this particular area.

Mayor Lyles said Ms. Mayfield, would you like to make a motion?

Ms. Mayfield said I am trying to be nice by not making a motion to deny. I'm going to let one of my colleagues make a motion, but I will not be supporting it.

Motion was made by Councilmember Brown, and seconded by Councilmember Driggs to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed development would provide additional housing options in the area in the form of multi-family attached dwellings. The petition is proposing to dedicate 2.2 acres to Mecklenburg County for future park development. The petition is committing to filling offsite sidewalk gaps at Fawn Drive and Short Hills Drive and at the southern end of Short Hills Drive where adjacent to Mecklenburg County owned property. The petition site is in proximity to a school, goods, and services and is located on a CATS bus route. The multi-family attached dwellings proposed would provide an appropriate transition between the single family uses to the south and light manufacturing and logistics use to the north. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 7: Integrated Natural & Built Environments. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Neighborhood 1 place type to Neighborhood 2 place type for the site.

Councilmember Ajmera said I understand the concerns that Councilmember Mayfield had raised, but I also want to highlight some of the benefits as part of this rezoning petition that dedicating 2.2 acres for a future park in their neighborhood as well as addressing the sidewalk gaps. So, that's the reason I think those are the community benefits that we need to look into as we look at overall petitions. I'll be supporting this.

Councilmember Watlington said I just want to speak to this one real briefly. For me, while absolutely there are certain things that Councilmember Mayfield just mentioned that certainly I agree with as a former District Three Rep, for me I think this is one of the opportunities that we have to actually increase density without impacting an existing neighborhood. I think these are the kinds of things that we need to look for when we're talking about trying to create more density. It's about how do we leverage land that's not being utilized more smartly versus going into an existing area and then trying to piece meal redevelop it. So, for me, this is an opportunity to meet the intent of what the UDO (Unified Development Ordinance) should've said. Thank you. I'll be supporting.

Councilmember Brown said so, I'm the District Rep now and I will be supporting it and I did look through the proposed development for it. I know the Nations Ford area, lived in that area before and there's a lot of activity that goes on in that area. I think it'll be good in that area. So, I am going to support it.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mitchell, Molina, and Watlington

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 572-573.

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ITEM NO. 7: ORDINANCE NO. 726-Z, PETITION NO. 2023-089 BY TRUE HOMES, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.78 ACRES LOCATED ALONG THE SOUTHWEST SIDE OF POINT O'WOODS DRIVE, WEST OF NORTHLAKE CENTRE PARKWAY FROM N1-A (NEIGHBORHOOD 1-A) AND CC (COMMERCIAL CENTER) TO N2-A (CD) (NEIGHBORHOOD 2 - A, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Sealey, seconded by Neeley) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Regional Activity Center Place Type for this site. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: This petition proposes to add to the variety of housing options in the area. Though inconsistent with the 2040 Policy Map, the proposed uses align with the multi-family and mixed-use sites in the area. The proposed site is within a quarter mile walk, bike or transit of a Regional Activity Center that would support the proposed residential uses. The petition proposes streetscape improvements along its frontage on Point Woods Drive including an eight-foot sidewalk and eight-foot planting strip. The proposed site would be well supported by bus transit with a CATS bus stop less than a quarter mile from the site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Regional Activity Center Place Type to Neighborhood 2 Place Type for the site.

Councilmember Johnson said I'll be making a motion to approve, but I just wanted to acknowledge this petition. I talked about it during the hearing. These are attainable, for sale properties that are being developed by True Homes and Prosperity Alliance. During the hearing I said that our City needs more of this. Again, it's attainable, for sale units. We know that rents are increasing and not a lot of people can afford the rent and this is an opportunity along with our wonderful down payment assistance that we offer through the City to be able to have an opportunity at homeownership we hope. So, I'm looking forward to supporting this. Welcome to District Four, and I hope that we see a lot more of this throughout the City.

Motion was made by Councilmember Johnson, and seconded by Councilmember Bokhari to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Regional Activity Center Place Type for this site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: This petition proposes to add to the variety of housing options in the area. Though inconsistent with the 2040 Policy Map, the proposed uses align with the multi-family and mixed-use sites in the area. The proposed site is within a quarter mile walk, bike or transit of a Regional Activity Center that would support the proposed residential uses. The petition proposes streetscape improvements along its frontage on Point Woods Drive including an eight-foot sidewalk and eight-foot planting strip. The proposed site would be well supported by bus transit with a CATS bus stop less than a quarter mile from the site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Regional Activity Center Place Type to Neighborhood 2 Place Type for the site.

Councilmember Mayfield said since Councilmember Johnson had already pulled this one, I did not add this into my list. For staff, I would like for us to be very clear in the language of the expectation of completion. Although I recognize that this is a developer partner that has worked with some of our nonprofit partners to create something more affordable, I am concerned regarding the quality of the development. I have a community now; they already are aware of it. It has been mentioned more than once. I have been working with Nan Peterson and others because this community is only four years old, and there have been multiple challenges. We nor the State has specific language to protect homeowners when they go into a new build construction. It's not like the State of North Carolina has a lemon law. We have language that is out there regarding HOA (Homeowner Association) and the ability of HOAs when it comes to the owners of residents. I do not want us to mistake just because you're bringing a quality development, that a development that may be at a price that is less than what we're seeing in the market today, because the reality is the City of Charlotte is affordable. Your affordable rate isn't necessarily mine, but we have a level of affordability here which is why we keep having people move here every day. I'm more concerned with the quality of the development. For a brand new community that's four years old still not to have the roads completed and for there to be multiple construction that is now tearing up sidewalks in the neighborhood creating damage to some of the properties because the grading was not done correctly, I want to make sure that we're going to stay on top not only for this developer, but for all developers to make sure that what we're approving is a quality development because a home is going to be one of the few large purchases outside of education and having a child period, that an individual is going to make.

We need to make sure that we're approving projects and developers are creating developments that are above the bare minimums of our code standards because North Carolina code standards, bare minimums, are horrendous. Doing just the bare minimum or maybe a little bit above the bare minimum is creating a lot of challenges in brand new communities with individuals having to come out of pocket for costs that they might not be expecting whether that is HVAC (Heating, Ventilation and Air Conditioning) related. I've had three residents recently reach out to me over the last week and a half. They've been in their home two years. Air conditioning unit completely went out. There's a challenge. So, it would be helpful to have a very clear understanding, the timeline and the full expectation of product design and materials that are being used and making sure that there is some type of way for these future homeowners to have some protections if they do run into any challenges. Yes, that's a deeper conversation, but we are the ones that are approving these developments, and we have to figure out a way to have some accountability for these developers, opposed to you going on to build the

next five or six developments, when you have developments out there that are incomplete. We have to figure out a balance.

Ms. Johnson said thank you for that Councilmember Mayfield. I just want to be clear that there's no correlation between this current developer and this current builder.

Ms. Mayfield said on no it's True Homes. So, that we're very clear that it is the developer. I was just being very nice, but since you chose to clarify, yes.

Ms. Johnson said well I know Prosperity Alliance. I have spoken to you. So, in this model, and it's not simply because it's an affordable housing model or attainable housing model, we hear from residents adjacent to new construction all of the time that are market rate also. I've talked to Ms. Craig about this, about keeping track when we get these types of complaints about developers so that we as Council can consider that as we're approving future developments. So, I think that's a great idea that we track when we're getting these kinds of complaints so that there is some accountability for the developers. So, I agree but as far as Prosperity Alliance, this is an opportunity for them and I don't want District Four residents to fear that we're just placing anything in that neighborhood. I trust the quality of this model, and I know you won't let me down, right? If there's an issue that we have with these developers, then we need to address that. Thank you.

Mayor Lyles said thank you. So, the staff will give comments back regarding this issue as a follow up.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mitchell, Molina, and Watlington

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 574-575.

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ITEM NO. 11: ORDINANCE NO. 730-Z, PETITION NO. 2023-126 BY COMMONWEALTH DEVELOPMENT CORPORATION AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.41 ACRES LOCATED ON THE EAST SIDE OF NATIONS FORD ROAD SOUTH OF FARMHURST DRIVE AND NORTH OF DEANNA LANE FROM N1-B (NEIGHBORHOOD 1-B) AND R-20MF (MULTI-FAMILY RESIDENTIAL) TO N2-A (NEIGHBORHOOD 2-A).

The Zoning Committee voted 7-0 (motion by Neeley, seconded by Sealey) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition site is surrounded on two sides by property zoned R-20MF, recommended for Neighborhood 2 place type, and developed with multifamily residential use. The petition site fronts on Nations Ford Road, a thoroughfare, is across Nations Ford Road from a K-8 school and is within a half mile of neighborhood commercial establishments. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods. The approval of this petition will revise the recommended place type for the majority of the site as specified by the 2040 Policy Map, from Neighborhood 1 Place Type to Neighborhood 2 Place Type for the site.

Councilmember Watlington said I just had a question Madam Mayor just for the record. I wanted to understand the rationale a little bit more deeply about N1-A right here in the middle between R20-MF and N1-B. I'm trying to understand what the thought process is for this and future development in this spot.

David Pettine, Planning, Design & Development said from what I understand on the Policy Map, when we had a single family resident on a lot of a certain size that essentially gave that Place Type designation as a Neighborhood 1 just to try to retain the single family home that was there, at least to the homeowner, let them know that we recognize that that's where their house is and that's what the zoning is, but certainly when we look at it for a potential change in Place Type like this through the rezoning process, we do take into account all that zoning around it that is more Neighborhood 2, but because this is a lot of a certain size with an existing single family home, most of those got designated as Neighborhood 1. If they were vacant, we'd probably be looking at it as a Neighborhood 2 Place Type, but the existence of that home did translate that Place Type to a Neighborhood 1 on the Policy Map.

Ms. Watlington said so, I would imagine that what I see immediately north of this parcel, that that's a line of demarcation?

Mr. Pettine said yes.

Ms. Watlington said we can talk about this offline maybe but, I'd like to understand how we define that transition there.

Mr. Pettine said from the Neighborhood 2 to the Neighborhood 1?

Ms. Watlington said yes.

Mr. Pettine said so, there will be certainly separation of uses through just setbacks, landscape yards depending on the type of use. There's also height transitions that are built into the Neighborhood 2 Place Type once you're abutting a Neighborhood 1 Place Type. You can only have heights of a certain distance within 100 to 200 feet. So, we tried to look at how those height transitions would be made and then just those separations of either a multi-family use to a single family, similar to how we've done in the past with either a buffer or some type of increased setback.

Ms. Watlington said thank you. Just want to say that when we have these kinds of parcels that are immediately next to something this a different density, yes, we've got these particular things in place in the policy, I just think that we've got to be very mindful about what that means for future development in that area and what it is that we're intending because certainly I've seen many of these that have come through where we say, "Oh the ones right next to it are this or we should move it to this next one," and that makes sense sometimes. I would be more comfortable if we had something a little bit more prescriptive about when that was appropriate versus when it wasn't. That's all. Thank you.

Motion was made by Councilmember Brown, seconded by Councilmember Bokhari, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition site is surrounded on two sides by property zoned R-20MF, recommended for Neighborhood 2 place type, and developed with multifamily residential use. The petition site fronts on Nations Ford Road, a thoroughfare, is across Nations Ford Road from a K-8 school and is within a half mile of neighborhood commercial establishments. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods. The approval of this petition will revise the recommended place type for the majority of the site as specified by the 2040 Policy Map, from Neighborhood 1 Place Type to Neighborhood 2 Place Type for the site.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 582-583.

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ITEM NO. 13: ORDINANCE NO. 732-Z, PETITION NO. 2023-128 BY SYNCO PROPERTIES AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 27 ACRES LOCATED ALONG THE SOUTHEAST SIDE OF ROXBOROUGH ROAD, THE SOUTHWEST SIDE OF COLONY ROAD, AND THE NORTHWEST SIDE OF SHARON ROAD FROM MUDD-O (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL) TO MUDD-O SPA (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Whilden) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Regional Activity Center Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition is a site plan amendment with the single request to increase the maximum height allowed in Development Area C of the previously approved rezoning petition 2015-131. The site is designated as the Regional Activity Center (RAC) Place Type by the 2040 Comprehensive Plan. The RAC Place Type recommends mid-rise and high-rise building as the predominate building type. The RAC zoning district is the most applicable district for the RAC Place Type and the Unified Development Ordinance (UDO) permits buildings up to 150 feet in height by-right and up to 275 feet with bonuses. The petition has previously committed to conditions that would qualify the site for height bonuses under the UDO such as a commitment to affordable housing, open space, and construction of the SouthPark Loop trail through the site. The site is surrounded by existing and entitled nonresidential and mixed-use residential developments and therefore the requested height increase would not have negative impacts on established Neighborhood 1 type residential developments. The site is served by the number 20 CATS local bus providing service between the Charlotte Transit Center and Quail Corners Shopping Center. The site is also located within walking distance of the SouthPark Community Transportation Center providing service to the 19, 28, 30, 57 CATS buses. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 3: Housing Access for All, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

Councilmember Mayfield said I believe all of Council we all received an email on this particular petition, 2023-128 in regard to the height. So, I want to get a better understanding because according to the Committee meeting comments, and my apologies on not being able to ask David these questions. Mr. Pettine, earlier I didn't have access to everything on iPad like I would normally. So, help me understand the support when this height is considerably higher in that immediate area.

David Pettine, Planning, Design & Development said so, the initial project overall had some heights that were getting up to 160 feet. This particular location did have some reduced height transitions heading towards Roxboro Road. I think it went down to about 85 feet for the first 100 plus feet or so in that parcel off of Roxboro, but overall, the project could get up to 160. The petitioner is essentially at this point asking for 190 feet to be permitted which is consistent with the Regional Activity Center Place Type there. So, that is the type of height that the Regional Activity Center would support and it's fairly well in line with some of the height transitions that we saw on the previous petition approved across the street on Roxboro and Rexford that had some increased height requests that were generally consistent with that Place Type as well. So, it's not an increase in unit, they're just asking to have that height transition that was kind of baked into the plan back in 2015 removed so they could get some different unit types throughout that building and with it being consistent like I said with that Regional Activity Center height we didn't have a lot of concern because that is again what the outcomes you'd likely see around SouthPark and that general area being Regional Activity Center which could get upwards of 200, 300 feet.

Ms. Mayfield said so, even though they're asking for an additional 30 square feet over what was presented to the community and that the community initially supported if I'm understanding you correctly because there are other buildings in the immediate area that can go as high as 200 feet, you all are comfortable with this 190?

Mr. Pettine said yes, we're comfortable with it there and we will likely continue to see some increased height within that SouthPark Activity Center.

Ms. Mayfield said thank you.

Councilmember Bokhari said I want to make a motion to approve, but I just wanted to say that for knowledge on this, some of the things that happened, happened a long time ago in this space. The UDO passed which changed the game for it and then we had the entire Trianon experience which was a much more questionable site compared to a Regional Activity Center which this is. When you look at the new rules of the road, a great developer in Synco, with a track record of working with the community there paired with this petition which touches on great commitments to affordable housing, open space, the loop and several other things, I think everyone's recommendation is aligned here.

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be consistent based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Regional Activity Center Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition is a site plan amendment with the single request to increase the maximum height allowed in Development Area C of the previously approved rezoning petition 2015-131. The site is designated as the Regional Activity Center (RAC) Place Type by the 2040 Comprehensive Plan. The RAC Place Type recommends mid-rise and high-rise building as the predominate building type. The RAC zoning district is the most applicable district for the RAC Place Type and the Unified Development Ordinance (UDO) permits buildings up to 150 feet in height by-right and up to 275 feet with bonuses. The petition has previously committed to conditions that would qualify the site for height bonuses under the UDO such as a commitment to affordable housing, open space, and construction of the SouthPark Loop trail through the site. The site is surrounded by existing and entitled nonresidential and mixed-use residential developments and therefore the requested height increase would not have negative impacts on established Neighborhood 1 type residential developments. The site is served by the number 20 CATS local bus providing service between the Charlotte Transit Center and Quail Corners Shopping Center. The site is also located within walking distance of the SouthPark Community Transportation Center providing service to the 19, 28, 30, 57 CATS buses. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 3: Housing Access for All, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 586-587.

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ITEM NO. 17: ORDINANCE NO. 736-Z, PETITION NO. 2023-140 BY JOHN PATEL AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.54 ACRES LOCATED ALONG THE SOUTH SIDE OF THOMASBORO DRIVE AND THE WEST SIDE OF LUCKY PENNY STREET, EAST OF EDDLEMAN ROAD FROM CG ANDO (GENERAL COMMERCIAL, AIRPORT NOISE DISCLOSURE OVERLAY) TO N2-B ANDO (NEIGHBORHOOD 2-B, AIRPORT NOISE DISCLOSURE OVERLAY).

The Zoning Committee voted 7-0 (motion by Sealey, seconded by Whilden) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Commercial Place Type for this site. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: This petition proposes to add to the variety of housing options and increase access to housing in the area. The proposed residential uses would be supported by the Commercial uses adjacent to the site. The proposed site would be well served by bus transit with a CATS bus stop within a quarter mile of the site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 9: Retain Our Identity & Charm. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Commercial Place Type to the Neighborhood 2 Place Type for the site.

Councilmember Mayfield said for this petition, it proposals to allow all uses permitted by right and under the prescribed conditions in N2-B, what I'm trying to understand is this area is in an airport noise overlay. The City and the airport have spent millions purchasing homes on the backside of West Boulevard going towards Steele Creek

going towards out by the outlet. Help me understand between Committee and staff, support of building new housing in the area when we're going through these community discussions right now regarding our disbursement of flights that's going to impact SouthPark and some other areas of the City why we would approve a housing development that potentially in 15, 20 years we're going to be looking at trying to buy out?

David Pettine, Planning, Design & Development said so, this isn't a conditional petition, but our understanding of this request is to allow some flexibility in the potential to redevelop the existing hotels into a long-term residential use which is something we've seen in some of these areas. This is really at the end of one of the Corridors of Opportunities as well and we've seen a few in that Sugar Creek area. This is part of that trend that we've seen on some of those petitions where folks need to rezone out of the commercial district that allows the hotel into a Neighborhood 2 district so they can have the flexibility to convert those units into residential, more for long term stay. So, that's what we're essentially looking at and how we evaluate it. Potentially this petition in Neighborhood 2, if they even went with those buildings and redeveloped the site into some Neighborhood 2, we still think it would make for a reasonable transition on that spot given some of the other uses in the area residentially and it would again help us to get that site transitioned out of its current use into something that's a little more permanent from a residential standpoint. I understand what you're saying about the airport noise disclosure. Certainly, something we looked at but the opportunity to transition some of those existing hotel uses to something different long term was something we felt was a good outcome.

Ms. Mayfield said so, here's the challenge. A hotel will probably be better for this location because the average stay is only a day to maybe seven days. That is not where you're making a permanent investment. Nine to 10 chances, what we have seen historically, the communities that have been built near airports, where train tracks have decided land that they are going to gain control of have been historically in working class, working poor communities. We know that there is an environmental noise impact on individuals, on children, on elders. So, for us as a Council to approve a housing project to say, "Well, we may get affordable housing over there." Who is the individual nine to 10 chances that will be purchasing over there and what really would their quality of life be if you can't even step out on your front porch or utilize your backyard if you have a backyard? We have an amazing airport. We're what, number five, number six in the nation. Our airport has constant traffic 24/7. Imagine being that individual that purchased that home because that home was shown to you at the right time of day when we had less air traffic and then after you move in realizing that's what you constantly have going. So, you cannot enjoy, again the inside or even the outside of your home. I need us to not jump on a bandwagon of, "Oh this may give us some housing that may be more affordable," if we're allowing it to be built in an area that's going to cause a lot of challenges where government is going to have to come back in within a decade to create additional investments to help offset the impact. This is not an ideal location for housing. It is a great location for what it currently houses, which is hotel, especially as we continue to grow, and we continue to have events in this City. We need more hotel spaces in proximity. It's right off the highway, it's close to other things. This is a hard sell to want to put housing here, especially trying to put it under the disguise of this is something that may be more financially attainable to people if we're not going to think about their quality of life once this is built and they're living there. It is going to be a challenge with the flight patterns that we have and that we will have for a while if we were to allow housing to be built in this particular area. I'm going to move for this petition to be denied. It'll either get a second or not.

Mayor Lyles said alright, we have a motion. Is there a second for denial of this petition?
I do not see a second.

Motion was made by Councilmember Ajmera, and seconded by Councilmember Bokhari, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Commercial Place Type for this site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: This petition proposes to add to the variety of housing options and increase access to housing in the area. The proposed residential uses would be supported by the Commercial uses adjacent to the site. The proposed site would be well served by bus transit with a CATS bus stop within a quarter mile of the site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 9: Retain Our Identity & Charm. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Commercial Place Type to the Neighborhood 2 Place Type for the site.

Councilmember Ajmera said often times we get concerns around traffic and congestion. If you look at this rezoning petition, this is one of very few rezoning petitions where you look at the entitlement and proposed, it actually is significantly less trip generator than what it would have been. So, this actually helps us alleviate congestion and traffic because if you look at the retail use which is almost 3,600 to 800 residential use, I think this is a good use of this site. On top of that, it also helps us increase our housing access that's very much needed. So, I'll be supporting it.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Ajmera, Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mitchell, Molina, and Watlington

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 594-595.

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DECISIONS

ITEM NO. 27: ORDINANCE NO. 738-Z, PETITION NO. 2022-099 BY LEVINE PROPERTIES, INC. AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.94 ACRES LOCATED AT THE SOUTHEAST INTERSECTION OF COMMONWEALTH AVENUE AND THE PLAZA, NORTH OF EAST INDEPENDENCE BOULEVARD FROM NC (NEIGHBORHOOD CENTER) TO MUDD-O (MIXED USE DEVELOPMENT DISTRICT, OPTIONAL).

The Zoning Committee voted 4-3 (motion by Sealey, seconded by Whilden) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Community Activity Center. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition is located at the former site of the Charlotte Fire Credit Union along the major pedestrian corridor, Commonwealth Avenue. This site is surrounded by a thriving mix of uses in low to mid-rise structures that often inhabit Plaza Midwood's former single-family homes, and

where new construction exists, the projects often complement the design of neighboring, long-standing structures while still recognizing the need for densification. The Community Activity Center Place Type envisions local street networks that prioritize highly-walkable and connections with robust pedestrian infrastructure, which is echoed by the Pedestrian Overlay that was over the majority of the area. The proposal builds in a number of provisions to improve the area's pedscape, furthering the goal of a 10-minute neighborhood. As is, the site is underutilized for surface parking and does not contribute to the services or housing offered in the area. A proposal to redevelop the site with the residential and commercial uses described in this petition is appropriate and could add value to the community. Along Central Avenue, near the intersection with Pecan Avenue, greater densification is expected at a level that is consistent with the goals of Community Activity Center. As you travel east through Plaza Midwood the development shifts to low and mid-rise commercial buildings and then single-family residences. The subject site sits in a transitional space between the more intense development being seen along Central Avenue near the Pecan Avenue intersection and the single-family neighborhoods to the east. Redevelopment at this site that introduces denser building forms and uses should be justified through appropriate community benefits that speak to the goals of the 2040 Comprehensive Plan as well as the neighborhood's needs. This project commits to providing community benefits consistent with Article 16 of the UDO to achieve any building height above 80 feet. This height bonus condition aligns with the less dense Community Activity Center zoning district, CAC-1. Additionally, the petitioner in collaboration with neighborhood organizations identified a number of financial and infrastructural commitments on the plan that address pedestrian improvements and communal open space among other provisions that speak to local concerns. This proposal would allow for an internal drive-through on the site as an accessory use to a financial institution. Such a use existed on the site but was removed a few years ago. The historical aspect of this accessory drive-through provides grounds for the request that is bolstered by the limitation of the use to a financial institution, orientation that is internal to the building, and screening of the facility from the street. The current adopted Silver Line route will run along the backside of this property and is projected to have a transit station, approximately a quarter mile away from this site near the intersection of Pecan and Central Avenue. The adjacency to forthcoming transit infrastructure gives credence to intensification on parcels that are not directly abutting single family uses, such as this site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments.

The petitioner made the following changes to the petition after the Zoning Committee vote. Therefore, the City Council must determine if the changes are substantial and if the petition should be referred back to the Zoning Committee for review.

1. Modified the community benefit notes to specify that, "multi-family residential facility entity becoming a dues-paying member of the Plaza Midwood Merchants Association and the Commonwealth Morningside Neighborhood Association for a minimum of fifteen (15) years, as mutually determined between the Petitioner and the Plaza Midwood Merchants Association and Commonwealth Morningside Neighborhood Association. A \$15,000 dues payment for such membership term shall be made to the Plaza Midwood Merchants Association prior to the issuance of the first building certificate of occupancy for the Site."
2. Modified the proposed sidewalk along the east side of The Plaza to be located behind the eight-foot planting strip.

Mr. Pettine said staff doesn't believe that the changes warrant additional review by the Zoning Committee. We do recommend they move forward as is. Thank you.

Motion was made by Councilmember Anderson, seconded by Councilmember Bokhari, and carried unanimously not to refer back to the Zoning Committee.

Motion was made by Councilmember Anderson, and seconded by Councilmember Bokhari, to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Community Activity Center. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition is located at the former site of the Charlotte Fire Credit Union along the major pedestrian corridor, Commonwealth Avenue. This site is surrounded by a thriving mix of uses in low to mid-rise structures that often inhabit Plaza Midwood's former single family homes, and where new construction exists, the projects often complement the design of neighboring, long-standing structures while still recognizing the need for densification. The Community Activity Center Place Type envisions local street networks that prioritize highly-walkable and connections with robust pedestrian infrastructure, which is echoed by the Pedestrian Overlay that was over the majority of the area. The proposal builds in a number of provisions to improve the area's pedscape, furthering the goal of a 10-minute neighborhood. As is, the site is underutilized for surface parking and does not contribute to the services or housing offered in the area. A proposal to redevelop the site with the residential and commercial uses described in this petition is appropriate and could add value to the community. Along Central Avenue, near the intersection with Pecan Avenue, greater densification is expected at a level that is consistent with the goals of Community Activity Center. As you travel east through Plaza Midwood the development shifts to low and mid-rise commercial buildings and then single-family residences. The subject site sits in a transitional space between the more intense development being seen along Central Avenue near the Pecan Avenue intersection and the single-family neighborhoods to the east. Redevelopment at this site that introduces denser building forms and uses should be justified through appropriate community benefits that speak to the goals of the 2040 Comprehensive Plan as well as the neighborhood's needs. This project commits to providing community benefits consistent with Article 16 of the UDO to achieve any building height above 80 feet. This height bonus condition aligns with the less dense Community Activity Center zoning district, CAC-1. Additionally, the petitioner in collaboration with neighborhood organizations identified a number of financial and infrastructural commitments on the plan that address pedestrian improvements and communal open space among other provisions that speak to local concerns. This proposal would allow for an internal drive-through on the site as an accessory use to a financial institution. Such a use existed on the site but was removed a few years ago. The historical aspect of this accessory drive-through provides grounds for the request that is bolstered by the limitation of the use to a financial institution, orientation that is internal to the building, and screening of the facility from the street. The current adopted Silver Line route will run along the backside of this property and is projected to have a transit station, approximately a quarter mile away from this site near the intersection of Pecan and Central Avenue. The adjacency to forthcoming transit infrastructure gives credence to intensification on parcels that are not directly abutting single family uses, such as this site. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments as modified.

Councilmember Anderson said I just would like to say that this has actually been a very collaborative process between the petitioner who has deep family roots in this area and to neighborhood associations, Commonwealth Morningside Neighborhood Association and then Plaza Midwood Merchants Association. We've been working actually over a year on collaborating and ensuring that the community is in line with the petition and how the community will look as this development is completed. I can assure you that both associations are in a good place. They're happy with where they've settled and in addition to what you've heard with the additional notes, Mr. Levine also offered the use of part of his property for a place making neighborhood park for up to four years. That really had nothing to do with this particular petition, which is why it isn't present, but that was just a gracious effort to extend a benefit to the community. So, I am very happy with where we're at. I also know that as we move forward with development in Plaza Midwood in the adjacent neighborhoods, there will be more projects that bring density and I believe this is a great example of how we can move forward and ensure that the community feels like the development fits in with the character and the overall charm of the neighborhood. So, I'm very happy with where we're at and I thank the petitioner and I also thank the two associations for sticking with this for over a year to get to a better outcome. Thank you.

Councilmember Ajmera said I want to add to what Mayor Pro Tem Anderson said. This truly has been a collaborative community effort. There were two major concerns at the hearing. The height and the drive through. I'm glad to see the community benefits that have come out of this over a year long negotiation and also the height reduction, internal drive through that now will be specific to the Charlotte Fire Credit Union. I think this addresses all the concerns that staff had, all the concerns the community had and it's a great example of how the community collaborated with the developer to have great community benefits that Councilmember Anderson has laid out. I think over the course of a year, this is a huge improvement from where we were a year ago. I'm glad to see that. I certainly give a big shout out to the petitioner, the community, the Plaza Midwood Merchant Association. I had a conversation with them over the weekend and all the effort that they have made to have good progress on this. Very great. Very good. Thank you.

The vote was taken on the motion and recorded as unanimous.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 598-599.

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ITEM NO. 28: ORDINANCE NO. 739-Z, PETITION NO. 2023-037 BY SHINNVILLE RIDGE PARTNERS LLC/COURTNEY SLOAN AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.21 ACRES LOCATED ON THE NORTH SIDE OF FAIRVIEW ROAD, WEST OF WINTERCREST LANE, AND EAST OF PARK ROAD FROM N1-A (NEIGHBORHOOD 1 - A) TO UR-2(CD) (URBAN RESIDENTIAL, CONDITIONAL).

The Zoning Committee voted 4-3 (motion by Lansdell, seconded by Russell) to recommend denial of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends N1 (neighborhood 1) Place Type. Therefore, we find this petition to not be reasonable and in the public interest based on the information from the post-hearing staff analysis and the public hearing, and because: Due to the outstanding transportation issues and insufficiencies in CDOT's compromises to move the pedestrian crossing away from bus stops and away from large community centers existing in the area, and without the signalized crossing associated with the driveway and the intersection is the reason for the denial of the petition.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Anderson, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends N1 (neighborhood 1) Place Type. Therefore, we find this petition to not be reasonable and in the public interest based on the information from the final staff analysis and the public hearing, and because: Due to the outstanding transportation issues and insufficiencies in CDOT's compromises to move the pedestrian crossing away from bus stops and away from large community centers existing in the area, and without the signalized crossing associated with the driveway and the intersection is the reason for the denial of the petition.

Councilmember Bokhari said I just want to make some comments here because this was a lot of work by the neighbors, by the petitioner, to come together and find common ground. So, we started a while back. You may recall, there was a group of neighbors who were very vocal in their opposition and concerns. I think both that neighborhood group and the petitioner came together to find middle ground on some of the things that were significant concerns. One of them was stormwater. The ordinance required the petitioner to have a 25-year storm preparation and they went in negotiation with the neighborhoods and went to a 100-year stormwater capacity as a concession which I think was a great thing for them to do even though it wasn't required. They put \$5,000 contribution to improvements for open space and construction of the new left turn lane on Fairview and a pedestrian refuge. So, while all neighbors obviously have different desires and it's hard to get everyone exactly on the same page, I think the overriding sentiment is being pleased with the level of concessions that have been made to a point where I'm comfortable with that. I think the only other item is staff supports this particularly C-DOT (Charlotte Department of Transportation) as they view the concession on the left turn lane which is important, the pedestrian refuge which is critically important. I just completely disagree with the position that the Zoning Committee came to on not having that. I think there are a lot of other reasons why that isn't the best idea. Again, a lot of folks travel with cars today and a lot of the folks that live right there have cars and this investment that the petitioner is going to make that is supported by the neighbors that had the biggest issue with their day to day lives being impacted which they are on the same page with, are willing to do it and want to do it. So, I encourage everyone to support it as well.

Councilmember Mayfield said I just wanted to find out, since this conversation has been happening for a while, the question that came from the community regarding the deed restrictions. How was that addressed Mr. Pettine or was it addressed? Just for clarification for those that are watching, some residents had concerns because the deed restrictions were for single family in the area because that is what's in that community and we say we support neighborhood continuity and staying in place. So, was that addressed?

David Pettine, Planning, Design & Development said yes, I believe that those were fully resolved and that's why the petition moved forward with the proposal at hand.

Ms. Mayfield said I didn't see any language where it said it was addressed. That's why I was wondering.

Mr. Pettine said yes, understandable. Yes, it was addressed. We don't typically get into deed restrictions on the City side. We don't enforce those. So, if they're there, that's a conversation between private parties but as far as we know they've been taken care of.

Ms. Mayfield said thank you.

Councilmember Ajmera said so, this rezoning petition, I will not be supporting it. There are pedestrian safety concerns that Zoning Committee had highlighted, and I do agree with them. If you look at the Zoning Committee's discussion those are some very valid concerns and I'm concerned about the fatalities that could happen especially for

pedestrians. So, I will not be supporting this. I would encourage my colleagues to also not support this. Thank you.

Councilmember Johnson said well I guess I wanted to hear from the Zoning Committee.

Mayor Lyles said alright, Mr. Welton, there's a request to hear from the Zoning Committee.

Douglas Welton, Chairman of the Zoning Committee said did you have a specific question?

Ms. Johnson said can you address what Councilmember Ajmera just said as far as the pedestrian safety? Are you able to do that?

Mr. Welton said I am, and I will defer to C-DOT if I get in too deep here on this one. The discussion revolved around a pedestrian crossing there and how the driveway from this particular project would interconnect with the road across which I believe is Closeburn. There was some discussion about whether or not the improvements which being a left turn lane being added and the pedestrian crossing refuge there being moved and if I recall correctly, was going to be moved to the west about 100 feet or so. So, the pedestrian crossing would have been moved there. This is one of those cases where in the meeting I referred to it as a choice between perfect and good because we get greater density by going through this route as opposed to a by-right option I believe which would've given only 10 units as opposed to 14 units. I believe the members of the Committee that were in the minority saw the option for getting greater density as the better pull and those who were in the majority saw the pedestrian crossing safety issue. We did hear from C-DOT, and I believe there had been only one incident that was involved in the intersection that was close by. I would suggest that you could get more information perhaps from C-DOT about the history of accidents in that area. Did that cover?

Ms. Johnson said it does. Thank you. Is there anyone from C-DOT that's here?

Mayor Lyles said yes. So, I have to say I live by this place and I walk it all the time. I come down Park South Drive and I have to say that there are more signal stops with pedestrians on those corners than I've seen in a number of places. They're also more crosswalks. So, I'm surprised. I know that this is a new place that's being considered, but when you come down Park South, in fact there's an Inlivan elderly community and they have a bus stop right across where the red line is on that side of the street that allows for seating, and while the buses are coming. I'm just surprised that it says that it's an issue for pedestrian access. I love walking to Closeburn as well as Panera. So it's all good. Go ahead. Let's see. There's more expertise on this than me.

Mr. Bokhari said I would add the neighbors completely agree with you and if somebody goes a different route, then they will have to deal with the months of neighbor discussions that have gone to get to a position that they, C-DOT and the petitioner all agreed to.

Mayor Lyles said I'm just surprised by that.

Jacob Carpenter, C-DOT said so, from a crash history perspective, there was one crash along this section of Fairview in the last five years that we had data, and it was actually further to the east past the intersections that we're talking about. So, just from our research it wasn't a concern along this location and the impact of the left turn lane was really shifting an existing crossing for pedestrians just slightly to the west. So, C-DOT didn't have any concerns with that and there is a signalized crossing approximately 400 to 500 feet to the east for pedestrians.

Ms. Johnson said okay, thank you.

Mayor Lyles said I was surprised by that.

Ms. Johnson said I know that the district rep would have done his due diligence in working with the residents and doing all his homework, but when you hear safety issues and pedestrian, we do want to get that information and also allow the public to hear it. Thank you.

Councilmember Brown said so, same thing with me. I want to ask a question about the data for the safety. Definitely when you hear about safety, since we want the City to be safe in all aspects, I wanted to know if there's any report. I'm sure that Councilmember Bokhari did his due diligence. When we have a Council member asks about safety, I definitely want to have that clarified. Is there any data with specifics in that area that may be alarming or raise concern?

Mayor Lyles said we're going to ask DOT (Department of Transportation) to respond again. I think the question from Ms. Brown, any data that causes you concern?

Mr. Carpenter said so, in our review that was the one crash that was present. So, we looked for evidence of pedestrian or bicycle safety issues as well as vehicular issues and we only found the one crash off to the east actually I believe at a signalized intersection to the east. So, there wasn't anything in the data that said that there was an issue at this location.

Mr. Brown said how far does that data go back? You said there was one accident when you checked. What's the range?

Mr. Carpenter said we have running five-year periods that we carry, and this was I want to say 2017 to 2022 was the five-year range we looked at. That was the most recent data.

Mr. Brown said okay, thank you.

The vote was taken on the motion and recorded as follows:

YEAS: Councilmembers Anderson, Bokhari, Brown, Driggs, Graham, Johnson, Mayfield, Mitchell, Molina, and Watlington

NAYS: Councilmember Ajmera

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 600-601.

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ITEM NO. 29: ORDINANCE NO. 740-Z, PETITION NO. 2023-069 BY RAVIN PARTNERS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 80 ACRES LOCATED ON THE EAST SIDE OF EAST INDEPENDENCE BOULEVARD, NORTH OF HAYDEN WAY, AND WEST OF SAM NEWELL ROAD FROM N1-B (NEIGHBORHOOD 1 - B) AND N2-B (NEIGHBORHOOD 2 - B) TO N1-B (NEIGHBORHOOD 1 - B) AND N2-B (NEIGHBORHOOD 2 - B) AND CG (GENERAL COMMERCIAL).

The Zoning Committee voted 7-0 (motion by Neeley, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the post-hearing staff analysis and the public hearing, and because: The proposed N1-B is consistent with the 2040 Policy Map recommendation for Neighborhood 1, but the proposed N2-B and CG are inconsistent with the recommendation for Neighborhood 1. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: A request for

Neighborhood 2 and Commercial uses is consistent with the existing character to the north and west of the site. The portion of the site fronting East Independence Boulevard is currently zoned N2-B. The northeastern portion of the site is expected to remain Neighborhood 1 and offers an appropriate transition to adjacent single family uses. The proposal commits to connections to the Mecklenburg County Irvins Creek Greenway. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments. The approval of this petition will revise the recommended place types as specified by the 2040 Policy Map, from Neighborhood 1 to Neighborhood 2 and Commercial for the site.

The petitioner made the following changes to the petition after the Zoning Committee vote. Therefore, the City Council must determine if the changes are substantial and if the petition should be referred back to the Zoning Committee for review.

1. Increased to a Class B buffer and added notes that the Class B Landscape Yard may include portions or all of storm drainage conveyance to support existing runoff storm drainage may include storm drainage easements, storm drainage pipe and structures.
2. Commitment to coordinate with City Stormwater Services and Mecklenburg County to review the existing conditions of Irvins Creek stream channel to remove debris that may lead or contribute to existing or future flooding concerns.
3. Added a note to provide a tree survey to identify all specimen trees on the property and evaluate opportunities to maintain existing specimen trees in the 30' Class B landscape yard.

David Pettine, Planning, Design & Development said those were changes that from our understanding they were made in conjunction with conversations from the community and to address some of the concerns raised. I believe they're minor in nature and don't change the overall outcome of the project and would not warrant additional review by the Zoning Committee. Thank you.

Motion was made by Councilmember Molina, seconded by Councilmember Driggs, and carried unanimously not to refer back to the Zoning Committee.

Motion was made by Councilmember Molina, seconded by Councilmember Anderson, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the final staff analysis and the public hearing, and because: The proposed N1-B is consistent with the 2040 Policy Map recommendation for Neighborhood 1, but the proposed N2-B and CG are inconsistent with the recommendation for Neighborhood 1. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: A request for Neighborhood 2 and Commercial uses is consistent with the existing character to the north and west of the site. The portion of the site fronting East Independence Boulevard is currently zoned N2-B. The northeastern portion of the site is expected to remain Neighborhood 1 and offers an appropriate transition to adjacent single family uses. The proposal commits to connections to the Mecklenburg County Irvins Creek Greenway. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural & Built Environments. The approval of this petition will revise the recommended place types as specified by the 2040 Policy Map, from Neighborhood 1 to Neighborhood 2 and Commercial for the site as modified.

Councilmember Molina said I just want to let my colleagues, the public and the community know that we had a very interesting meeting, the community members and Collin Brown joined me, Ravin Partners joined me. We spent about three hours with them. Ravin Partners walked the property. That is an amazing community. They had some concerns. Ravin Partners made some adjustments and I just want to let my colleagues and the public know that we were able to reach an amicable agreement. So, this was a win-win. So, I ask that you all support me and support this moving forward.

The vote was taken on the motion and recorded as unanimous.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 602-603.

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ITEM NO. 30: PETITION NO. 2023-095 BY MEN IN MOTION HOME RENOVATIONS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.988 ACRES LOCATED AT THE DEADEND OF PICKWAY DRIVE, WEST OF NORTH GRAHAM STREET FROM N1-A (NEIGHBORHOOD 1-A) TO N1-E (CD) (NEIGHBORHOOD 1-E, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Whilden, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for Neighborhood 1. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: This rezoning offers missing middle density housing in an area that is largely populated by single family detached neighborhoods interspersed among industrial and commercial facilities along the Graham Street corridor. Although this type of residential product does not currently exist in the area, the proposal is not incompatible with surrounding uses and the specified maximum unit count of 10 units across the approximately two acres is fairly modest in density. The Neighborhood 1, E zoning district permits the development of duplexes and triplexes by-right. The existing N1-A zoning district would also permit such uses, but the N1-E district allows for greater flexibility in dimensions such as lot size. This petition would maintain a sizeable tree save area along the site's southwestern boundary. The tree save area would buffer the proposed residential uses from the existing manufacturing and logistics zoning to the south. The proposal is consistent with the recommended Neighborhood 1 Place Type and maintains the neighborhoods single family character. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

Councilmember Molina said so, as some of you may remember, this hearing was a hearing that had strong opposition from the neighborhood. We had several neighbors come out to speak to this particular petition. I had the opportunity to go out and speak with the neighbors and walk the site. There are a variety of questions around this particular and what it would allot as it relates to easement opportunities related to Charlotte Water and stormwater and I've asked the petitioner if they would defer this particular petition so they would allow more time to work with the community to get clarity around some open questions. It wasn't accepted that they would defer, but I would like to make a motion that we defer this particular petition to next month in hopes that the petitioner would work with the neighborhood. There are many neighbors out there that are in opposition and they're some pretty hard questions. They sent me a four-page letter with signatures against this particular petition.

Motion was made by Councilmember Molina, seconded by Councilmember Driggs, and carried unanimously to defer Petition No. 2023-095 by Men in Motion Home Renovations, LLC. to March 18, 2024.
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ITEM NO. 31: ORDINANCE NO. 741-Z, PETITION NO. 2023-122 BY EHC HOMES, LP AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 9.24 ACRES LOCATED AT THE DEAD-END OF JENKINS AVENUE AND ALONG THE WEST SIDE OF WRIGHT AVENUE FROM N1-A (NEIGHBORHOOD 1 - A) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Sealey, seconded by Neeley) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map based on the information from the post-hearing staff analysis and the public hearing, and because: The petition is inconsistent with the 2040 Policy Map recommendation for Neighborhood 1. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: While inconsistent with the Neighborhood 1 Place Type, the petition is immediately surrounded by N2 zoning districts and a mix of residential housing types. Single family attached residential, like this proposal, is identified as one of the primary uses in the Neighborhood 2 Place Type. Height limitations and landscape buffering offer an appropriate buffer, given the single family uses to the south and west. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 9: Retain Our Identity & Charm. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from current recommended use to new recommended use for the site.

The petitioner made the following changes to the petition after the Zoning Committee vote. Therefore, the City Council must determine if the changes are substantial and if the petition should be referred back to the Zoning Committee for review.

1. The petitioner added a conditional note agreeing to provide 100-year stormwater peak control or a downstream analysis using the criteria specified in the SCM Design Manual.

David Pettine, Planning, Design & Development said staff believes that that change is minor, would not warrant additional review by the Zoning Committee and should help to address and work on some of the concerns that were raised over in the public hearing on this one.

Motion was made by Councilmember Molina, seconded by Councilmember Driggs, and carried unanimously not to refer back to the Zoning Committee.

Councilmember Molina said I just want to really quickly say I was on the phone this afternoon in regards to this petition, just tying it up making sure that everything was neat in a bow. I don't know if you guys remember from the hearing, but this was the one where the community members came and showed us that video of the stormwater. So, it's very important that we got this additional agreement from the petitioner to protect those residents and we have work to do as well, but I told a few of the residents on the phone today to hold me accountable so that we can follow up with our staff and make sure that we do right by them in some of those severe stormwater issues that they showed us. Actually, this particular petitioner is partnering in the resolution of that which makes me happy. With that being said, I ask that you guys support me in having this one go forward and hold me accountable to make sure I keep the public [INAUDIBLE].

Motion was made by Councilmember Molina, and seconded by Councilmember Driggs, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map based on the information from the final staff analysis and the public hearing, and because: The petition is inconsistent with the 2040 Policy Map recommendation for Neighborhood 1. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: While inconsistent with the Neighborhood 1 Place Type, the petition is immediately surrounded by N2 zoning districts and a mix of residential housing types. Single family attached residential, like this proposal, is identified as one of the primary uses in the Neighborhood 2 Place Type. Height limitations and landscape buffering offer an appropriate buffer, given the single family uses to the south and west. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 9: Retain Our Identity & Charm. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from current recommended use to new recommended use for the site as modified.

Councilmember Ajmera said so, I agree with Councilmember Molina. I remember Councilmember Molina using the word breathtaking when we looked at those videos and pictures of the stormwater runoff.

Ms. Molina said it was.

Ms. Ajmera said since then, the petitioner has been working with the neighbors and have added more commitments to provide stormwater control and that's going beyond and above of what's required and neighbors are in support. I'm sure all of us have received a letter of support from neighbors. So, I'll be supporting this but I appreciate the work that's been done to address the stormwater issue.

The vote was taken on the motion and recorded as unanimous.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 604-605.

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ITEM NO. 32: ORDINANCE NO. 742-Z, PETITION NO. 2023-129 BY WELLS FARGO BANK, NATIONAL ASSOCIATION AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.48 ACRES LOCATED AT THE EAST SIDE OF THE INTERSECTION OF SOUTH CHURCH STREET AND WEST BROOKLYN VILLAGE AVENUE, ALONG THE NORTHWEST SIDE OF SOUTH TRYON STREET FROM UMUD-O SPA (UPTOWN MIXED-USE DISTRICT, OPTIONAL, SITE PLAN AMENDMENT) TO UMUD-O SPA (UPTOWN MIXED-USE DISTRICT, OPTIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 5-2 (motion by Winiker, seconded by Welton) to recommend denial of this petition and adopt the following statement of consistency: This petition is found to be consistent with the Charlotte Center City 2040 Vision Plan (2021) based on the information from the post-hearing staff analysis and the public hearing, and because: The Charlotte Center City 2040 Vision Plan (2021) encourages future development and contributes to the overall viability and livability of Center City. However, we find this petition to not be reasonable or in the public interest based on the information from the post hearing staff analysis and the public hearing, and because: The proposed sign is approximately double the square footage of the largest existing skyline signage in Uptown. Permitting this larger signage could create a scenario where larger and larger signage is requested. The proposed signage would not increase the attractiveness of Uptown or the Tyron Street corridor.

Motion was made by Councilmember Graham, and seconded by Councilmember Mitchell, to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the Charlotte Center City 2040 Vision Plan (2021) based on the information from the final staff analysis and the public hearing, and because: The Charlotte Center City 2040 Vision Plan (2021) encourages future development and contributes to the overall viability and livability of Center City. However, we find this petition to not be reasonable or in the public interest based on the information from the final staff analysis and the public hearing, and because: The proposed sign is approximately double the square footage of the largest existing skyline signage in Uptown. Permitting this larger signage could create a scenario where larger and larger signage is requested. The proposed signage would not increase the attractiveness of Uptown or the Tyron Street corridor.

Councilmember Graham said I am fully in favor of the petition. The petition is consistent with the Charlotte 2040 Vision Plan. While this plan does not make specific land use recommendation for the site, it encourages future development and contributes to the overall viability and livability of Center City. The plan is consistent. It's an optional request to increase to allow exterior signage for any existing Uptown building. Previous sign request for skyline signs have been made in Uptown through the same process with the largest being the Truist sign at approximately 908 square feet. In addition, the letters will be the same size as Truist. Because there are more letters, the square footage will be more, and the 14-foot letter size also is consistent with the staff's recommendation. Little to no community opposition to it. It's one of the tallest buildings in Uptown Charlotte and I move for approval.

Councilmember Ajmera said at the hearing I had expressed that there is no opposition to this petition because I remember back when we did rezoning approval for Truist, there was a lot of opposition from the community. I read what Zoning Committee's are. I know that they have concerns around the size which I had expressed at the hearing. The size of the sign is almost double of what we had seen with Truist as well as the light pollution that one of the Zoning Commissioners had raised. Some of these concerns are valid but let's keep in mind that this is in accordance with our zoning ordinance. So, if there are concerns around some of the light pollution or the square footage, I think we need to revisit our zoning ordinance and have a language that applies to everyone, and we should apply that on a case-by-case basis. So, because it's in accordance with the standards I will be supporting it, but we do need to do more work on the signage and the ordinance. So, I'm sure they'll be more to come. Thank you.

The vote was taken on the motion and recorded as unanimous.

The ordinance is recorded in full in Ordinance Book 66, at Page(s) 606-607.

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HEARINGS

ITEM NO. 36: HEARING ON PETITION NO. 2022-029 BY WADE MILLER - SKYLINE TOWNES, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.32 ACRES LOCATED ALONG THE WEST SIDE OF SEIGLE AVENUE AND EAST SIDE OF VAN EVERY STREET, SOUTH OF BELMONT AVENUE FROM UR-C (CD) (URBAN RESIDENTIAL-COMMERCIAL, CONDITIONAL) TO UR-C (CD) SPA (URBAN RESIDENTIAL-COMMERCIAL, CONDITIONAL, SITE PLAN AMENDMENT).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said alright, 2022-029. It's about 1.3 acres as mentioned on Seigle Avenue just across from Van Every Street. It is currently zoned UR-C as well as some Manufacturing and Logistics 2 just along the back side up on the rail road tracks there. The proposed zoning is to continue that UR-C conditional, do a site plan amendment to that previously approved plan. The Adopted Place Type is Neighborhood 2. There's some parks and preserve back there for where some of that

open space area is which also does coincide with some of the tree save that's being proposed for the project. So, just a little background. This petition stems from a 2020 petition, 2020-105 that was approved for some townhomes as well as the retention of an existing building on the site that would've been used for nonresidential purposes. So, they went through the permitting process, had some things come up with some of the layout of the site, some of the phase lines for the site as well as on the long term actually getting some land from the railroad that's right adjacent to the property as well. So, this petition is looking to actually reduce the total number of units as well as increase the opportunity for some of that nonresidential square footage from 3,900 to 6,000 square feet and that would be in a building there just on the site in red down there in the bottom corner. They would add a phase line on the site to illustrate some future phase and initial phase boundaries of the proposed project. That should help clean up some of the challenges that are met in permitting. It does modify some of the parking area and increases the number of spaces from nine to 13. It does identify some common open space and some tree save areas. Again, some of those do coincide with that park and preserve recommendation on the Policy Map. Also, it does remove a note that had some language about coordination with the CSX corridor and the CSX railroad just for some that coordination and permitting. That again is no longer needed because they have resolved some of those challenges with CSX and that's part of the petition that we have in front of us this evening. So, again staff does recommend approval of the petition. We do have just some minor outstanding issues to work through. It is consistent with the Policy Map recommendation. We do have a little bit of inconsistency with that park and preserve but again, a lot of that is also going to be some trees save and open space. So, there is some general consistency with the overall vision for that area. Happy to take any questions following the petitioner's presentation. Thank you.

Nolan Groce, 1213 West Morehead Street, Suite 450 said Mayor Pro Tem, members of City Council and Zoning Committee. Nolan Groce joined this evening by Paul Pennell with Urban Design partners representing the petitioner Skyline Townes, LLC on Rezoning Petition 2022-029. You can see the site as it exists today with multi-family attached building and a vacant nonresidential building. As Dave mentioned, the site is located at the corner of Van Every Street and Seigle Avenue. Again, some additional aerial imagery as of January 1, 2024, showing the site as it exists today. It is partially developed with townhome units. Following with our rezoning boundaries. As Dave mentioned, this is a consistent petition noting Neighborhood 2. We'll jump ahead to our rendered site plan. So, over the past 18 months we've had ongoing coordination with CSX transportation negotiating the railroad right of way. Over those 18 months we've come to the conclusion that some of the right of way was not actually right of way, it's part of this property and it's been noted as such on the site plan and it's under the ownership of Skyline Townes, LLC. So, that's really the only change at this point from where it stood beforehand. We met with the Belmont Land Use Committee. They are in support of this petition and the option to provide additional nonresidential uses in the area. So, with that being said, I'm happy to answer any questions that you might have.

Mayor Pro Tem Anderson said thank you. You actually answered my first question, if the Belmont Land Use Organization is in alignment with this because I saw that you didn't have a lot of participation at your actual meeting, but you went to their meeting and had interaction. So, that's great.

Motion was made by Councilmember Ajmera, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.

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ITEM NO. 37: HEARING ON PETITION NO. 2023-018 BY NVR, INC. FOR A CHANGE IN ZONING FOR APPROXIMATELY 14.2 ACRES LOCATED ON THE NORTH SIDE OF RIDGE ROAD EAST OF ODELL SCHOOL ROAD AND WEST OF MOREHEAD ROAD FROM N1-A (NEIGHBORHOOD 1-A TP R-17MF(CD) (MULTIFAMILY RESIDENTIAL, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said so, 2023-018. Just a little over 14 acres on Ridge Road just east of Odell School, west of Morehead Road in the general vicinity where we had some large industrial rezonings for the Kings Grant Project and we've seen quite a few residential infill rezonings in this area as well. It is currently zoned to N1-A. Requested zoning is for R-17MF conditional. You can see we do have some R-17 in the general vicinity just to the southeast of the site. The Policy Map does recommend Neighborhood 1. You do have some manufacturing logistics. Again, that's going to be a very large employment base area. We have some Neighborhood 2 just to the east and west of this petition. We're also in close proximity to Concord Mills and some of the other. Again, recently approved petitions have gone in a similar trend for single family attached, more Neighborhood 2 type development in this location.

The proposal itself is for a community of up to 121 single family attached dwelling units. That comes in at about 8 ½ units per acre. It does illustrate two independent development areas A and B which are separated by a private drive. Also included a 50-foot Class C buffer that could be reduced to 37 ½ feet with a fence. Also includes a 50-foot Class A buffer which also can be reduced with a berm where they're adjacent to industrial zoning. It does commit to a 30-foot setback along Ridge Road which is similar to other setbacks we've seen for some additional residential communities similar to this one on either side of that corridor. It does limit the number of units to no more than five per building with no more than four units per building that would face Ridge Road. It does commit to the widening of Ridge Road to accommodate a two-way left turn lane and a right turn lane into the site and also commits to implementing an eight-foot planting strip and 12-foot multi-use path along the site's Ridge Road frontage. Again, that's also going to be in conjunction with a lot of other projects along Ridge Road that would start to build out that 12-foot multi use path along that corridor. Staff does recommend approval of the petition. While it is inconsistent with the Policy Map recommendation, as we mentioned, it's in close proximity to what is poised to be a major employment center close to Concord Mills area and just generally consistent with what we've seen from a development standpoint along that Ridge Road corridor. Really all the way back toward Prosperity Church where we've seen a lot of R8 infill throughout that corridor. So, staff again does recommend approval and we'll take any questions following the presentations by both the petitioner and the community. Thank you.

John Carmichael, 101 North Tryon Street, Suite 1900 said thank you Madam Mayor Pro Tem, members of City Council and the Zoning Committee. I'm John Carmichael here on behalf of the petitioner. With me today are Scott Munday and Tim O'Brien of the petitioner and Brent Stough who is the landscape architect for the petitioner. As Dave stated, the site contains about 14.2 acres. It's located on the north side of Ridge Road, west of the I485/I85 interchange. This is an aerial of the site. It's outlined in green. Of course, you can see 485 and 85 on the aerial. So, the site is currently zoned N1-A. The parcels to the north of the site are zoned MX-1 and N1-A. Parcels to the west of the site are also zoned MX-1 and N1-A. To the east, the parcels are zoned I-1 (CD). To the south at Cross Ridge Road, the parcels are zoned N1-A and as Mr. Pettine indicated, there's some R-17MF (CD) to the southeast of the site. Petitioner is requesting that the site be rezoned to the R-17MF(CD) zoning district to accommodate a residential community on this site that would contain up to 121 townhome units, although the district is R-17MF(CD), the overall maximum density allowed under this plan would be about 8 ½ dwelling units per acre. This is the site plan. The site is divided into two development areas. Development Area A and Development Area B. These development areas are divided by a private drive that serves the two properties to the north. The drive is not part of this rezoning petition. There'd be two access points to the site from Ridge Road here and here and there'd be future access points to the west here and to the north here. As Mr. Pettine stated, the petitioner would widen Ridge Road adjacent to the site to accommodate a two way left turn lane along the frontage of the site and a right turn lane along the frontage of the site. The site would be served by internal public streets and private streets and alleys. A minimum eight-foot-wide planting strip and 12-foot wide multi use path would be installed along the site's frontage on

Ridge Road. A 50-foot-wide Class C buffer that could be reduced in width to 37 ½ feet through the installation of a fence would be established along the western and northern boundaries of the site. A 50-foot-wide Class A buffer would be established along the majority of the eastern portion of the site. Also, tree save areas would be located along the boundaries of the site and then a 50-foot-wide Class C buffer would be established along the private drive. It could be reduced to 37 ½ feet through the installation of a fence as well. Common open space areas would be dispersed throughout the site. Each townhome unit would have a garage and architectural standards are a part of the petitioner's zoning plan. We appreciate the planning staff's recommendation of approval. There are no outstanding site plan issues and we're certainly happy to answer any questions that you may have.

Brandon Nelson, 16028 Prescott Hill Avenue said actually I probably got some bad information because I'm not opposed to this. I own this right of way and one of these triangular pieces of property and I was just trying to see how I could be part of this to get my property rezoned as well. When this gets approved, I'm going to be sandwiched between 100 plus acre industrial project and then this multi-family. So, what can I do to get my property to be part of this rezoning is what I'm asking.

Mayor Pro Tem Anderson said okay. So, I think you're asking a broader question that we can't necessarily address here in this particular meeting. This petition is already signed up and they're activated. So, it sounds like you need to jump start a process for yourself, but I would defer you to speak to one of our ACMs (Assistant City Managers) or Mr. Pettine and he can guide you in the right direction. We did have you listed as speaking against this petition.

Mr. Nelson said yes, because I spoke to somebody, maybe it was Tameka Ingram or something and she said if I didn't fully agree then it would be opposed.

Mayor Pro Tem Anderson said understood.

Mr. Nelson said I'm saying I don't oppose it, I'm just like how I could jump on this basically. Thank you.

Mayor Pro Tem Anderson said understood. So, Mr. Pettine is there, and he will help speak to this issue.

Mr. Carmichael said we're happy to talk to Mr. Nelson out in the lobby.

Mayor Pro Tem Anderson said excellent.

Mr. Pettine said yes, that was going to be my suggestion.

Mayor Pro Tem Anderson said Mr. Carmichael is here and he's happy to speak to you as well. We don't actually have any real opposition which is great.

Councilmember Johnson said how was the community meeting? Was there any opposition from the community?

Mr. Carmichael said the community meeting went very well. We had four people attend. It was a virtual meeting back on December 6, 2023. There was no opposition expressed at that meeting.

Mr. Nelson said I didn't receive that.

Mayor Pro Tem Anderson said sir, you can't speak unless you are addressed.

Ms. Johnson said so, that's interesting that Mr. Nelson said that he didn't receive the notice for a community meeting. Can you tell me why he wouldn't have received it?

Mr. Carmichael said I cannot tell you that, but what I can tell you is as I usually do when someone signs up to speak, I usually look at our mailing list to make sure to see if that person was on it. I'm not disputing what Mr. Nelson says I promise you, but he owns two parcels. So, we would've mailed two notices. I talked to my legal assistant and said, "We mailed the notices right?" I draft the notices and she mails them. She's very good and she mailed them. As to whether or not he received them, I'll have to rely on his statement there, but we mailed them out, we had participants at the meeting. We always mail them out and when we prepare a community meeting report we certify that in the reports that we mailed it out. We mailed it on November 22, 2023, but if he didn't receive them I'm sorry about that.

Ms. Johnson said okay. We can talk offline Mr. Nelson.

Mr. Carmichael said yes, we're happy to do that.

Motion was made by Councilmember Johnson, seconded by Councilmember Bokhari, and carried unanimously to close the public hearing.

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ITEM NO. 38: HEARING ON PETITION NO. 2023-162 BY NORTHWOOD RAVIN FOR A CHANGE IN ZONING FOR APPROXIMATELY 36 ACRES LOCATED ON THE WEST SIDE OF PROVIDENCE ROAD, NORTH OF FAIRVIEW ROAD, AND WEST OF COLUMBINE CIRCLE FROM MUDD-O SPA (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL, SITE PLAN AMENDMENT TO MUDD-O SPA (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL, SITE PLAN AMENDMENT)).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said okay, thank you. 2023-162, 36 acres on Providence Road. It is north of Fairview and west of Columbine Circle. Current zoning as mentioned is MUDD-O. It would retain the MUDD-O zoning and make some modifications to the previously approved site plan. The Adopted Place Type does call for Neighborhood 2 in this general area. You can also see we do have Community Activity Center at that corner of Sardis and Providence. Some background on this proposal. This site was rezoned on a couple of occasions actually. Back in 2016 it went from R-17 to MUDD-O to accommodate redevelopment of a multi-family site to allow up to 580 dwelling units. In 2019 the site plan amendment was approved for MUDD-O to increase the number of dwelling units up to 830. They also committed in that petition to no fewer than 42 units of workforce housing affordable to those making less than area median income for a period of not less than 15 years. There was an administrative amendment which is a staff approved modification to the plan in 2023 to that 2019 rezoning petition and that was approved to convert five multi-family apartment buildings into four townhome buildings. So, there was that change that was made. Now we're back with this petition in front of us under 2023-162 to make some additional tweaks to this overall site plan and project.

The proposed request for this particular petition would combine four buildings. Buildings one, two, four and five that were associated with the previously approved petition located along Private Street A. Those will be combined into two larger apartment buildings. So, we'd be again combining four of those into two larger buildings, Buildings One and Two that are on the proposed site plan. They're on kind of the plan left in orange, the L shaped and then the longer rectangular shaped orange buildings. The combination of those buildings would not increase the overall unit count of 830. That was prescribed in the previous approval under 2019-047. So, again not increasing units through this petition, just making modification to the form of the project. It does increase the height of Building Two from two stories to three stories. It does relocate the proposed amenity area for this project farther from the western property boundary adjacent to properties along Columbine Circle which you can see there in that kind of bottom left in light green highlighted as the amenity area. Also reconfigures the urban

open space which is located at the intersection of Private Street A and Private Street B. That would be relocated to another location on the project and also realigns the greenway dedication to Mecklenburg County Park and Rec through the site. Overall staff does recommend approval the petition. There's just a couple of outstanding items related to environment that need to be addressed. Nothing that should change the overall outcome of the project. It is consistent with the Policy Map recommendation, and we will take any questions following the petitioner's presentation. Thank you.

Collin Brown, 1420 East 7th Street, Suite 100 said I'll speak very quickly. I anticipated opposition but they're speaking in favor. So, I'm going to move very quickly. As Dave mentioned, this is just a modification of a previously approved plan making some sites. We're actually moving a little further way for the neighbors. As we've had our community outreach meeting, we did have feedback from neighbors with some concerns about the amenity area location. I've learned a lot about the noise that is generated from pickleball. So, as we are in the rezoning process we are happy to work with the neighbors and make some additional modifications. We expect to continue that conversation on those issues. I'll turn it over to Mr. McGeein.

Scott McGeein, 4105 Columbine Circle said thank you. I'm Scott McGeein my wife and I, Laurel are located at 4105 Columbine. We are the westernmost border of the project of the apartment building, and we are downgrade from the apartment building. So, we have stormwater issues, we have noise issues, we have height issues. So, our concerns have been, and we believe they've been addressed by the North Ridge Team, but the issues we have had concerns with have been heights of the new townhouses relative to the homes on Columbine Circle and we have been assured that those heights will be within a tolerance of where they currently are. The point is we are told there will not be regrading or additional grading such that they'll be elevated from where they are by more than 10, 15 feet. Our concern was it would be much more than that, but the commitment has been per engineering that it should be relatively where it is today. The second point has been stormwater control. We are downgrade. We have photographs that I presented to Council. They may or may not be on the screen or not, but during heavy storms we have stormwater issues. We believe these have been addressed in conversations with Collin and team provided that they adhere to the new codes so forth, but that has been a real issue for us. Again, we're hopeful. The other piece as Collin just mentioned was the amenity area. That would have backed up to our facility, to our backyard. We're very concerned about noise, very concerned about lighting at off hours. The last conversation we had was that the amenity area was going to be eliminated from the project. Learned today that it will still be in the project now, but it will be moved farther from our property closer to Providence Road. So, that may address noise issues as well as perhaps some restrictions on racket sports, pickleball, whatever it may be that would be a noise issue, and then lighting, we've been assured that we'll have input in that. Our position is we continue to support this project. The developer, Collin and team have been very communicative. We've had three meetings with the team. We've had numerous folks from Columbine Circle. So, we continue to be supportive. We look forward to the next plan that will be submitted shortly.

Councilmember Bokhari said I'm so glad you're both on the same page in support on that, but Collin, was there anything really specific that more broadly beyond the concerns that were important for us to hear, just given that you guys had to share that time?

Mr. Brown said yes, the substantive issues are very minor and I don't think any of those are an issue at the new buildings. It is some of these secondary issues which they're a part of our conditional zoning. We're happy to respond to those. We couldn't submit a new plan because those have to be done five weeks prior to the hearing. So, we'll look forward to submit that this week.

Mr. Bokhari said I'll continue to track this in the next month. Appreciate y'all's work. I will tell you when I talked to Collin on this, I told him right away the pickleball noise thing is very real. They've done a lot of 60 Minutes episodes on it. While I am a player who

loves to play, I know those sound issues are real. So, I appreciate you guys all working together on that.

Mr. Brown said thank you.

Mr. McGeein said thank you.

Councilmember Ajmera said yes, thank you. So, the height, stormwater and noise. I know that you're working with Mr. McGeein to address those. That would be part of the new plan that you will be submitting? So, there will be restrictions?

Mr. Brown said our revised plan, that's correct.

Ms. Ajmera said so, that would be part of the conditions.

Mr. Brown said certainly the amenity area. I think we'll have some clarifications on the height of those structures. The stormwater, I think that is frankly getting better regardless because we're having less pavement near them, we'll be installing improved conditions and those are in our plan.

Ms. Ajmera said okay. So, from what I hear you say, that would be part of the new plan that you're submitting.

Mr. Brown said that's correct.

Ms. Ajmera said so, I'll look for those details. Will this go under the new UDO or this is old UDO?

Mr. Brown said that's correct. Half of this project is already built. This is just modifying an old conditional plan.

Ms. Ajmera said got it. Okay. Thank you.

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.

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ITEM NO. 39: HEARING ON PETITION NO. 2022-079 BY WELL PAPPAS CORPORATE PARCEL OWNER, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 2.23 ACRES LOCATED AT THE SOUTHWEST INTERSECTION OF PEARL PARK WAY AND KENILWORTH AVENUE, EAST OF HARDING PLACE FROM OFC (OFFICE FLEX CAMPUS) AND NC (NEIGHBORHOOD CENTER) TO MUDD-O (MIXED USE DEVELOPMENT DISTRICT, OPTIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said This site is approximately 2.23 acres located in the midtown area at the intersection of Pearl Park Way and Kenilworth Avenue. It's directly adjacent to Pearl Street Park on its north and then medical offices around. The site is currently zoned neighborhood center and office flex campus, and they are proposing to go to mixed-use development district optional. The 2040 Policy Map calls for Community Activity Center at this location and the proposal itself is for a mixed-use development with up to 35,000 square feet of commercial uses, 12,000 of which must be located on the ground floor which provides some preferred ground floor activation for us, 450 multi-family residential units, 100,000 square feet of office uses and up to 150 hotel rooms. There's a request for the optional provision regarding maximum height and that is approximately one-third of the site would have a maximum height of 275 and that's in Development Area One as labeled there on the site plan.

Then the majority of the site Development Area Two would have a maximum height of 200 feet which is in alignment with what we see in the Community Activity Center zoning districts and the maximum development levels allowed in those.

This plan specifies various conversion rights between the uses. A number of environmentally friendly commitments are made in the plan including setting aside 30 percent of parking spaces as EV (electric vehicle) capable, 15 percent of parking spaces as EV ready, and six percent of parking spaces with installed EV charging stations. The buildings will also use environmentally friendly development building standards for the office and residential uses. As part of this rezoning, the petitioner also commits to contribute \$250,000 to Affordable Housing Trust Fund. There are a number of transportation and pedscape improvements that would be made including upgrading sidewalks and planting strips, installing accessible pedestrian signal push buttons and upgrading ramps to be ADA (Americans with Disabilities Act) compliant. Staff recommends approval of this petition although it is inconsistent with the Community Activity Center Place Type. Those land uses proposed in the scale of the majority of the project are compatible with what we see in Community Activity Center. The site is not situated against sensitive land uses such as single-family neighborhoods. We believe that the application of the Regional Activity Center Place Type here is supported by the site's general proximity to our City's densest urban cores and their quest is further justified by the conditions of the plan that build in several community benefits and preferred building commitments. I'll take any questions following the presentations.

Peter Pappas, 4777 Sharon Road, Suite 550 said thank you Mayor Pro Tem Anderson and members of the City Council. My name is Peter Pappas and I am the CEO (Chief Executive Officer) of Pappas Properties which is based here in Charlotte and has been in business in our community for 25 years. I'm before you tonight to ask for your consideration of our petition to rezone the final phase of the midtown development to MUDD-O which will allow for additional height compatible and consistent with other recently approved petitions in the midtown area. As a matter of background if I could digress, our company has been working in this area of Charlotte since the early 2000s when we acquired the Charlotte Town Mall. Some of you may remember the Charlotte Town Mall. It was the third enclosed mall in the country built by Jim Rouse interestingly enough, and we bought the mall in 2000 and redeveloped it in 2006 to 2009 into the metropolitan mixed-use development. A component of that redevelopment was the uncapping of Little Sugar Creek to allow for the construction of the greenway which is now part of the Cross Charlotte Trail and I think we have an aerial. So, this shows the midtown area in 2017 and now the aerial on the right shows where we are in 2024 with three of the four phases of our project complete and the new medical school and innovation district under construction. In 2017 Pappas Properties acquired the Board of Realtors site which was approximately five acres, and we added another three acres to it. After that acquisition, we spent a significant amount of time with Mecklenburg County to facilitate a very complicated land exchange between the County and Inlivan to expand Pearl Street Park and create a site for future workforce housing. As part of that exchange, we acquired 0.13 acres of property for \$1.1 million and those funds along with \$3.5 million from the County Commission were utilized to renovate Pearl Park consistent with the Cherry Midtown Area Plan. In an effort to lead this project with improved infrastructure, we extended Pearl Park Way and Berkeley Avenue, we widened Harding Place and we built a new street, Victory Garden Lane. We also improved and widened sidewalks, improved street connectivity and walkability in this area. As part of the widening of Kenilworth, we buried the power lines and installed new traffic signals at Kenilworth and Harding and a bike lane. All of those improvements were approximately \$10 million of additional infrastructure commitments to this area.

Our petition this evening is seeking consideration and approval for this increased height from 100 to 200 feet with one of our buildings a maximum of 275 feet. So, you'll see on this aerial the petitions that have been approved recently in this area, one across Kenilworth Avenue for 200 feet, one of the other side of Kenilworth at 285 feet and then the Atrium Health and Medical School in Innovation District at 325 feet. The previous slides just show the phases of our project that we have completed. This was the new building for the realtors now called Canopy. This building was built in the first phase of

the project, immediately following that we completed 300,000 feet for Atrium which these buildings house the Sanger Heart and Vascular Institute. Then we completed a phase of residential housing which has achieved both NGBS (National Green Building Standard) Silver Certification and Fitwel Certification. All three phases of the project are now open and occupied. Representatives of our company have met with the Dilworth Land Use Committee. One of their concerns were varying the height of the buildings in the final phase which we have done. Apologize for bouncing back and forth on the slides, but this shows the final phase of development and you can see three different buildings on that site, the front building being 95 feet, the building immediately behind it being 195 feet and then the building at Pearl Park Way and Berkeley, 275 feet. So, this was in response to Dilworth's concern, and we also met with representatives. Our company met with the Cherry Neighborhood Association, and they expressed concern and need for additional workforce housing and affordable housing, and we have addressed that with a financial commitment to the Housing Trust Fund. This slide just quickly shows the mix of uses on the site. You can see that all the buildings have first floor retail which was an important part of the Cherry Midtown Area Plan. The building that's 195 feet has a boutique hotel on the first four floors and then housing above. Then the building on Berkeley is planned for for sale housing and could be up to 275 feet. Mr. Pappas said then let me jump ahead here. We have a lot of slides. So, I'll skip those and just say that this project obviously has been something we've been involved in in this area for almost 25 years. It's an important part of Charlotte. I'm a native of Charlotte, I take great pride in what our company's done here over the years to work to redevelop this area. We know how important it is to continue to make community benefits to this part of the City. So, our petition that's in front of you now, and a few of these commitments have been updated in the last week. So, my apologies that we didn't get some of this information to the Council before tonight, but we have a contribution of \$375,000 to the City of Charlotte Affordable Housing Trust Fund. That has been increased in response to Cherry's concerns. We've included an MWSBE (Minority, Women, Small Business Enterprise) participation plan for construction with an overall goal of 10 percent. Again, this is a new commitment to the petition. We have a commitment to build any future phases of residential housing to meet NGBS Silver Certification with a commitment that any office space that's built in the final phase will meet LEED (Leadership in Energy and Environmental Design) Silver Certification. We will install electric vehicle charging stations per the new UDO and I would also add that our company is an investor in the Housing Opportunity Fund that works to maintain affordable housing in our community. So, these are the additional benefits that we're providing as part of this petition.

In closing, let me just say that our efforts are to continue to work with the City, the County, the neighborhoods to improve this area. It's seen a lot of change and we want to have this last phase our development to really top it off with very good design and continue to improve the framework of this area with these additional community benefits and I would add some additional retail space which I think is important to this area. The walkability of the midtown Cherry area I think's gotten better over time, and I think have an interesting retail on the first level of these buildings will be a good added plus to this final phase. So, I'll close with that. I want to thank you for letting me present this project and Jim Schumacher and I and Keith MacVean are glad to answer any questions at the appropriate time. Thank you very much.

Unknown said Brooklyn lives! Cherry lives! Blue Heaven lives! Black history lives!

Reverend Janet Garner-Mullins, 1014 Comstock Drive said good evening, Charlotte City Council and Zoning Committee members. My name is Reverend Janet Garner-Mullins and I am here on behalf of the Brooklyn Coalition in opposition to the rezoning petition as being presented. The Brooklyn Coalition consists of those who have lived experiences in Charlotte's Second Ward, Brooklyn and Blue Heaven communities formerly known as Brooklyn. The mission of the Brooklyn Coalition is to preserve the history, reclaim the story, celebrate the legacy and ensure the future of Brooklyn and Blue Heaven. We represent generations of heirs and survivors of Brooklyn and Blue Heaven. We're here this evening because these parcels of land next to Pearl Street Park are located in historic Second Ward. Yes, we attended the virtual community

meeting that was held specifically for Cherry and given the fact that the historic Second Ward experienced one of the largest land grabs in this City and the federal government in the history of Charlotte, which displaced not one but thousands of African-American families, businesses, churches, and schools, we're still waiting for the City of Charlotte to keep their promise that they made to our community. We are concerned that they're no real provisions made for affordable housing on these parcels with this rezoning petition. The petitioner is proposing to build 450 to 600 residential luxury rental units, but prior to today they had only provided 250,000, just heard that they've increased that and to the Housing Trust Fund for affordable housing. This City did not take electrical vehicles from the Black community of Second Ward. This City took housing, businesses, churches, schools instead. The community benefits of affordable housing need to happen on the land within Second Ward and have enough money for just one unit of affordable housing needs to be provided in exchange for an additional height for the proposed development. Despite the promise that this City made to us decades ago, we have yet to see the righting of those wrongs. For those of you on the dais who ran on a platform of affordable housing, this would be a missed opportunity for you if you don't raise your voices and say, "Where is the affordable housing?" Every time there is a parcel of land within the historic Second Ward up for rezoning, trust and believe we as members of the Brooklyn Coalition plan to be here and remind you, the leaders of the City of Charlotte what was taken from our Black communities and the promises yet to be honored. We hope that you will give our consideration, thoughtful consideration. Thank you for your time.

Jacqueline Stowe, 7341 Rena Mae Lane said good evening, my name is Jacqueline Stowe. I'm a native of Second Wards Brooklyn Community. I'm a member of the Brooklyn Coalition. I also oppose this rezoning petition as it is currently being proposed. As a representative of the Brooklyn Coalition, I participated in the petitioner's meeting that was held virtually for the Cherry Community in November. The developer's representatives talked about the project and the number of residential units that would be included. There will be 450 to 600 units. These will be all rental units, and none will be affordable for sale or rent. All of the units will be upscale or luxury apartments and hotel rooms. These are the last parcels of for development within this area. No consideration is being given for affordable housing within this petition. When I think about the demographics of the people who will get the opportunity to live there now in comparison to those like myself who lived there before, it really concerns me. Because of Urban Renewal, Urban Renewal, Urban Renewal our roots as native Black Charlotteans of Brooklyn and Blue Heaven were destroyed, bulldozed down, forsaken. We were erased like an error. How does this City and the federal government displace families, businesses, homes, and schools, my [inaudible] elementary school, Second Ward High School, my church Bethel A.M.E (African Methodist Episcopal) on Brevard Street, from the largest Black community in North and South Carolina never take the steps to make it right? If you are going to approve this project being twice the height of what it is allowed, then you need to expect more than \$250,000 to go towards the Housing Trust Fund for affordable housing. I will never forget the trauma that my family and other family members went through when this City decided that this land, including where we are standing right now was too valuable for Black people to live here any longer. The City's actions have resulted in generations of psychological and sociological consequences. I don't have time to tell you about it, but trust me you'll hear more about it. I know how the City, County and Park and Recreation worked with the petitioner to redevelop this area. So, public dollars and tax incentives have been used for all of this development. Sadly, I also know that the Second Ward alumni can't even use the Pearl Street Park any longer for our reunion cookouts and pre-celebration events. I can only imagine how it'll be once the 450 to 600 luxury residential hotel units have been developed. I want this City to make good on the promises that you made to our families decades ago. I want my children and my grandchildren, and I also have great grandchildren and other generations of Second Ward natives to be able to live in the area if they choose to do. The City promised to invest in the Brooklyn communities which they serve, but they didn't. No housing, jobs, schools, etc., Our communities were wiped out and made irrelevant to the master plan of others. If you're going to approve this petition, then you shouldn't do so without requesting the inclusion of affordable housing on the land where the development will be done. Help us through this petition

and others on land within historic Second Ward to reclaim our roots and make good on the City's housing promise that was made decades ago. Thank you so much for considering my comments and requests.

Barbara Rainey, 317 Baldwin Avenue said good evening. My name is Barbara Rainey and I'm here on behalf of the Cherry Community Organization. I'm also a member of the Brooklyn Coalition. Cherry has always considered the communities of Brooklyn and Blue Heaven to be sister communities. As a native of Charlotte and Cherry and a proud graduate of Second Ward High School which was located in Brooklyn, I watched as Urban Renewal was used to totally destroy our sister communities. Since 1977, the mission of the Cherry Community Organization has focused in part on advocating for affordable housing for low and moderate income families. Our mission continues even today. I stand here this evening asking that you please carefully consider this petition before rubber stamping its approval. More affordable housing is desperately needed within the area of the City. CCO (Cherry Community Organization) representatives attended other public hearings for petitions that are related to this proposed project. We remember how the City, County, Park and Rec and others all made it your business to make sure that that overall development happened. We also remember how this petitioner made a commitment to provide affordable housing during the development of metropolitan midtown and received tax incentives for doing so, but no affordable housing was ever provided. We hope that you will choose to be the City Council who begins to honor the promises that were made to so many Black families, businesses, churches and schools. Affordable housing must be a part of this plan. This is your opportunity, the time is now, the historic Second Ward communities of Brooklyn and Blue Heaven deserve your consideration. Thank you.

Mr. Pappas said let me very quick. We did develop Metropolitan. There were affordable housing commitments made and they were honored. I'd like to turn the rebuttal over to Mr. Schumacher who will just quickly walk you through the land exchange that was done to provide that site here in this area. Jim?

Jim Schumacher, 4777 Sharon Road, Suite 550 said when this project started back in 2016 and 2017, we were familiar with affordable housing issues even back then and as we worked with the City and the County to develop the land transactions and the infrastructure improvements, we provided an opportunity for Inlivan to acquire a site for affordable housing. On this map that you see sort of to the left of the picture circled with a green line, there was a land transaction between Inlivan and Mecklenburg County that made the park bigger, provided this site for Inlivan and the way that worked, the City also was involved because the cul-de-sac of Baxter Street was transferred from the City to the County. So, even though Inlivan got more land also the County got more land.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem. We appreciate Ms. Rainey's, Reverend Garner-Mullins and Ms. Stowe's comments. We also appreciate and acknowledge their passion and interest in the area particularly given the history and the significance of Brooklyn to this area and to the City of Charlotte. Like we had said earlier we'll continue to work with Cherry and neighborhoods as well as the residents that came tonight to continue to address their concerns and issues. We look forward to doing that and we're happy to answer questions.

Mayor Pro Tem Anderson said thank you. I have a couple of Council members that would like to speak on this issue. I will open it up by saying I've already met with Mr. Pappas and Mr. MacVean about a week ago to talk about this particular petition and encouraged and asked them to reach out to the Cherry community again as well as the Dilworth Community Association as it relates to land use. I will say I'm a Charlotte native as well and my family grew up in Brooklyn, they're from Brooklyn. Many of my family members graduated from Second Ward High School and so I'm very familiar with the history and the legacy of this area. I'm also very familiar with Mr. Pappas and his work that he's done within the City to build quality buildings and activate various different areas throughout this City. So, I am hopeful that both Cherry and the sister communities

as well as Dilworth can work together with the Pappas organization to come up with a solution that is ideal for this area and of course will always have a seat at the table.

Councilmember Brown said thank you so much. I really appreciate the passion and the conversation for this petition. It's near and dear to my heart. Thank y'all for coming out to speak. My mom went to Second Ward. So, I'm born and raised in Charlotte as well and from the Brooklyn area as well as Southside Homes Housing Project. When we look at the development of the City and the growth of the City, it's inevitable that we're growing but we want to make sure that we're inclusive for everybody. So, to see you all come out and stand in opposition and let your voices be heard, I admire that. I spoke to Mr. MacVean a couple of time. I worked with him on a few projects. So, I, like Danté who is my colleague, Mayor Pro Tem that we can definitely work to a resolution that is comfortable for everybody and most certainly have some units that are affordable. I have a question for you Mr. MacVean. On the Metropolitan Project, you said that it was completed. I know one your colleagues said it was completed and you had affordable units. How many did you have out there?

Mr. MacVean said Peter, I might have to turn that over to Mr. Pappas.

Ms. Brown said okay. Mr. Pappas, that's fine.

Mr. Pappas said yes ma'am. We had 12 units in what we referred to as the Met Loft Building.

Ms. Brown said the Met Loft Building?

Mr. Pappas said which is the building that Trader Joe's is on the first floor.

Ms. Brown said I'm familiar with the area.

Mr. Pappas said yes ma'am.

Ms. Brown said 12 units. What was your proposed? Did you propose some more, or did you propose the 12?

Mr. Pappas said we proposed 12 as part of that rezoning and we delivered the 12.

Ms. Brown said okay. Thank you for answering my question.

Mr. Pappas said yes ma'am.

Ms. Brown said that's all I have. Thank you.

Councilmember Johnson said thank you Mayor Pro Tem. I want to thank Reverend Garner-Mullins and Ms. Stowe and Ms. Rainey for coming out. Thank you for your passion and your advocacy and just a reminder of the promises that this City has made to you. Thank you all for coming out. Thank you for your courage. So, I look forward to working with Mayor Pro Tem and also with the developer. Mr. Pappas, I know that you're committed to the City and I hope that there can be some resolution. They're right and we know that they're right and this is something that we all talked about affordable housing during our campaign. So, thank you for that reminder to hold us accountable. This is an opportunity and we do need to take a look at this. I wish the Mayor was here. Maybe this will be an opportunity for the Racial Equity Fund or to do something and really take a look. I'm glad that Mr. Heath is here today. He's the Assistant City Manager, but also the former housing director. So, he's creative and hopefully we can have further discussion about this. Thank you. That's all I have.

Mayor Pro Tem Anderson said thank you Ms. Johnson. I will add that, one I met with Mr. Pappas and his organization. The Mayor joined me in that meeting. So, this is on her radar and she is scrubbed into it.

Ms. Brown said I want to second what Councilwoman [inaudible] did say though as far as the reminder of our platforms when we're out there in the community and we're encouraging people to vote for us and we do say that we're going to produce affordable housing. That's a charge to us as a Council as we sit here at this dais. So, we do have to get creative. We have to see where we can get those funds and how we can make those funds work for what we say we're going to make them work for. So, I look forward to working with, once again, Mayor Pro Tem and coming to the meetings and see what comes out of this. Mr. MacVean, we have a good relationship and I'm very transparent. So, I look forward to exercising and being in full throttle with this project for you guys, okay?

Councilmember Ajmera said Mr. Pappas, I appreciate the commitment you have made in terms of affordable housing, Housing Trust Fund, also commitment to MWSBEs, commitment to EV infrastructure and the green building. I appreciate all the efforts that have been made. What I would like to see is that you go a step further and include affordable housing as part of the overall development. I know that the State statute that we have, there is no mandatory affordable housing that we have, and I know Councilmember Johnson will advocate for that, but currently we don't have a State statute that allows City Council or local municipalities to mandate a certain percentage has to go to our affordable housing. So, I know Reverend Janet Garner-Mullins has advocated for affordable housing as well as for sustainability and every time I have talked to Reverend Garner-Mullins she has reminded me about the damage that Urban Renewals has had on communities of color, especially the Black community. So, the concerns that you have brought are valid and I want you to know that not just me, but the majority of the Council is passionate about affordable housing and we're using the tools that we have to tackle our affordable housing, whether it's through Housing Trust Fund or whether it's asking developers to include affordable housing without mandating it because we currently cannot mandate it or whether it's by incentivizing it through our preservation fund that we have such as NOAH (Naturally Occurring Affordable Housing) that we have used as a strategy to preserve what we have.

So, those are the tools that we have in our toolbox. Certainly, we can ask Mr. Pappas to include it, we cannot mandate it, and which we will continue to do. I appreciate the commitment that he has made and he has a huge portfolio in the City of Charlotte of the quality work that his organization has done, including affordable housing. Certainly, the 10 percent MWSB, that's voluntary. I appreciate that. That's a big commitment that I haven't seen in the past seven years since I've been on the Council on rezoning petitions where someone would have made that commitment. So, certainly that's a step in the right direction, but because of the historic wrongs that have been done, the community has asked Council to take bold steps whether it's to rezoning. I hope there will be continued conversations over the next month before this comes in front of us for a decision that we can have a common ground here. That we can potentially have a resolution with Chery community's support, because I think that would be historic where we have the community, where we have the developers and attorneys working together towards a rezoning petition seeking Council's approval. So, with that I'm sure there will be more to come, but I will sit down with you Mr. Pappas over the coming weeks to see the progress that you and your team will make. Thank you.

Mr. Pappas said thank you.

Councilmember Molina said I guess I want to start by first acknowledging what Urban Renewal is. We talk about it and actually I just held this conversation about two weeks ago. Urban Renewal is a federal act that took place in 1949 which likely precedes everyone at this dais on some level and it was an effort to demolish what the federal government at that time deemed to be slums. The impact that it had nationwide on African-American communities was detrimental and because I have people who I know and love who still are affected by those circumstances and what the residual created, I don't like to pander. I hate to pander. The realism of this situation is that we're decades away from what has been done. So, what we have in front of us is what we can do as a municipal governing body. The taxpayers through their vote allow us the opportunity to guide \$50 million by way of a municipal bond which is really a loan that we take that you

agree to pay for in return for your vote. You say we can take out the loan, we take it out, we administer it in partnership with the private sector. That's what those dollars do, but then that's where we hand the baton off and we can't guarantee you whether a native Charlottean is the recipient of that particular benefit.

So, right now there's a number of things that put those that have been traditionally disadvantaged in some cases in a deeper disadvantage because sometimes the information is not directly available to those that need it the most. That's in opportunities like this where we hear from those residents, and trust me, the human perspective of this is that your heart goes out because you know it's real. You can't be in this meatsuit and not know the realities. It doesn't matter what meatsuit you're in by the way because it's just a human perspective of some of the historic detriments that have taken place in our country, not just the City of Charlotte. What I did hear and what I'll be interested in hearing going forward is first of all, first to you brave souls that spoke in opposition, thank you for coming today. You have great representation in our Mayor Pro Tem. So, I'll be looking forward to how she continues to interact with you and meet you in the middle, find some level of equilibrium so that we can do what's within our constraints as a municipal governing body. So, to make a proper promise to you would be just that, one petition at a time and in this particular petition, we're dealing with a petition in an area that's already developing so we're trying to see how we can protect some of those historic assets so that some of the people who have been long historically disadvantaged can have at least some stake in that. So, like I said, you have great representation. I want to assure you of that and us the Council, I'm sure we'll continue to follow that.

On a plus side Mr. Pappas, I've not met you before, but it's great to hear that you're a native Charlottean. To me, what that means is that you've seen the progression of the City, you know exactly what we're talking about. You, to probably many degrees understand the detriment that's being spoken about. So, I want to commend you on some of the efforts that you're already starting to make. The increase from \$275,000 to \$375,000 for Housing Trust Fund, that's outstanding.

Mr. Pappas said thank you.

Ms. Molina said the MWSBE goal. Let me tell you, I was sitting here like, "Yeah," as I was writing because that's a big deal. That's how we strategically and together make those impacts for the traditionally disenfranchised. One petition at a time where we have responsible petitioners who realize the impacts of decades of federal, not municipal, federal disenfranchisement that has nothing to do with you specifically but now you're a man doing business in the City which you were born and some people who you probably went to school with and played with. Their family and friends have experienced this. So, working together I feel like we can make dents in that impact. So, I'm happy to see you at the table. I wrote down that you are a participant in the Housing Opportunity Fund?

Mr. Pappas said yes ma'am.

Ms. Molina said do you mind sharing to what degree or what amount that is? Do you know specifically?

Mr. Pappas said yes ma'am. We've been an investor in both fund one and fund two, \$250,000 in each fund.

Ms. Molina said okay. Fund one and fund two.

Mr. Pappas said yes ma'am. A total of \$500,000.

Ms. Molina said okay.

Ms. Ajmera said I'll follow up. I wanted to know was it CHOIF (Charlotte Housing Opportunity Investment Fund) money? CHOIF fund? When you're talking about you're investing in housing, which fund are you referring to?

Mr. Pappas said the fund that I'm referring to was started by Irskine Bowles and Nelson Schwab and is managed by Mark Ethridge at Ascent. So, I've been an investor in both their funds. They've done two funds, two separate raises.

Ms. Molina said so, this is actually what contributes directly to our NOAH opportunity?

Mr. Pappas said correct, yes ma'am. That's to maintain the affordable housing. Yes ma'am.

Ms. Molina said so, for anybody who doesn't know, for clarification, NOAH is an acronym, and it means Naturally Occurring Affordable Housing and what we do with those opportunities is those are distressed properties where it's a unique opportunity to go in and refurbish those and offer them to our community at certain area median incomes. Where it would otherwise be bought by someone who would come in, fix it up and sell it for much more, we're offered the opportunity to grant that to someone who needs it for an affordable unit. So, you already are providing great partnership.

Mr. Pappas said thank you.

Ms. Molina said so, I feel confident. A lot of the times, it's my personal opinion, I'm just as well a private citizen as I am an elected leader and being heard matters. So, that part of being heard by you, and like I said, you guys have great representation in our Mayor Pro Tem. I want to applaud you for coming to the table to the level that you have.

Mr. Pappas said thank you very much.

Ms. Molina said I look forward to the additional changes that might be made as a result of additional conversations. So, thank you very much.

Mr. Pappas said yes ma'am. Let me just to Councilmember Johnson and Molina and Brown and Ajmera, we will continue these discussions with Mayor Pro Tem Anderson. I appreciate your very nice comment you made about our company. Charlotte's very important to me and I like to think that what we have built here does add value to the community and that's why we've taken the lead on projects thinking about open space and infrastructure and housing and other things besides just the plan, but it's got to be a community building initiative as we develop. So, that's certainly what our company is about, and I appreciate your nice comments and we'll continue the discussion. Mayor Pro Tem, thank you very much for hearing us this evening and we'll look forward to having some more discussion.

Ms. Molina said that's all I have.

Mayor Pro Tem Anderson said thank you.

Mr. Pappas said thank you.

Councilmember Driggs said so, Mr. Pappas will confirm that the first time we talked about this, my first question was, "What about affordable housing?" We discussed it. I do want to address our speakers tonight. You may be able to tell I did not grow up in Brooklyn but I'm aware of history and it pains me to be reminded of basically the barbaric conditions back then and what was done to the African-American community. It's a burden that we all must bear. The difficulty for us right now is that as things stand today, we can't fix that. So, what you've heard from my colleagues is what we can do. We can't just restore that land and we can't put things back the way they were. So, what we have been doing is using the resources that you've heard about to try to address the needs of the community. You heard about our trust fund, our investments in affordable housing, you've heard about a contribution to the fund that's being offered in connection

with this current project. That location up there being where it is close to Uptown and in the middle of those other developments is actually very valuable land. So, if we try to use an investment there in order to create affordable units, we're not going to be able to create as many of them as we would be somewhere else. That's why I will certainly participate in efforts to find a creative solution that offers some relief to what you've said. I'm just telling you that it's hard for us with the resources we have to create affordable units at that location. We'll see what we're able to come up with in cooperation with the petitioner. I know he is a man of good will and will work with us, but I'm also aware of the fact that money to create affordable housing somewhere else is not necessarily much consolation to you because you're talking about that location. I get that. I just feel a little bit helpless to do anything about it, given where we are today. Thank you for coming, appreciate it.

Mayor Pro Tem Anderson said I'd like to thank the community members for coming out this evening and participating in this effort.

Motion was made by Councilmember Molina, seconded by Councilmember Ajmera, and carried unanimously to close the public hearing.

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ITEM NO. 40: HEARING ON PETITION NO. 2022-107 BY PARKMIMO, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY ONE ACRE LOCATED ON THE SOUTH SIDE OF PARKWOOD AVENUE, EAST OF HAWTHORNE LANE, NORTH OF BELVEDERE AVENUE, AND WEST OF THE PLAZA FROM N1-C (NEIGHBORHOOD 1-C) AND N2-B (NEIGHBORHOOD 2-B) TO UR-2(CD) (URBAN RESIDENTIAL, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said alright, 2022-107, an acre on Parkwood Avenue just to the east of Hawthorne and The Plaza and also just at the dead end of Mimosa Avenue. Currently zoned N1-C and N2-B. Proposed zoning is for UR-2 conditional. Adopted Place Type is Neighborhood 1 in this general area. We do have some Neighborhood Center just at the intersection as you get to Parkwood and The Plaza. This proposal would be for allowing up to 18 single family attached residential units. It does limit building heights to 35 feet and 45 feet as noted on the site plan. Illustrates a 20-foot-wide fire truck access between unit 14 and 15. It does prohibit vehicular and pedestrian access from the site from Mimosa Avenue unless emergency response is needed. It does propose ingress and egress from Parkwood Ave. via private drive. Also commits to an improved streetscape along Parkwood for an eight-foot planting strip and eight-foot sidewalk. ADA-compliant bus waiting pad would be installed along the property's Parkwood Avenue frontage. That would be coordinated with CATS. Also provides architectural standards for things like building materials, façade treatments and blank wall expanse limitations. It does allow for some combination of building materials like glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, cementitious siding and also illustrates a six-foot wood fencing and evergreen screening shrubs along the east and west property lines adjacent to single family. Just a little additional background before we jump to the next slide. This property was close to a decision for a very similar project. Just the form of the project is a little bit different. That's being proposed this evening versus what was essentially sitting on a decision with favorable recommendations from both staff and the Zoning Committee at the time. The petition was withdrawn and has sense been picked back up and after some property ownership changes by the current petitioner team.

Staff continues to not have any significant concerns. The change in form was shared with the community recently with some additional community meetings. Haven't heard any feedback critical of the changes that were made. So, just wanted to give a little bit of history, that we had looked at this petition in previous times and again, we're basically sitting on a decision for this project, but it since has changed a little bit, but staff doesn't

have any significant concerns with the change in building form on this project at this time. So, we do support it. Do recommend approval of it upon resolution of outstanding issues related to transportation and site building design. While it is inconsistent with that Neighborhood 1 Place Type, it does meet a lot of the items that we look for when we're considering that Place Type change. Access to transportation, access to Activity Centers, good pedestrian network. This also has some bike network along Parkwood that's recently installed with some road [inaudible] changes that were made to Parkwood Avenue. So, all in all, again inconsistent but staff feels it's a good location for the 18 units that are being proposed and we will take any questions following the petitioner's presentation. Thank you.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem, members of Council. Keith MacVean with Moore and Van Allen assisting PARKMIMO the petitioner on this request. Randall Bozard is here with me tonight as well and is available to answer questions. I'll be quick. We coordinated time with Tamara and Shelly. They're two of our neighbors that have been to several of the new community meetings we've had on this petition. Dave's done a good job covering where we are. This is our current plan. As Dave mentioned, up to 18 units, originally was for up to 25 units included a much larger building along Parkwood. We had a community meeting to discuss that plan. Heard a lot of comments from the residents and went back to the drawing board and came back with this plan which changes to 18 townhome style units, no multi-family units, and have addressed a number of the concerns that we heard from the residents. There is one change we will be making after the hearing tonight. To move the location of these parallel spaces and the dumpsters away from this neighbor's home and further back into the site. There will be screening along the southern edge of that and we will also work with Dave and his staff to address the remaining issues. So, again we heard a lot of input originally from the neighbors, made a lot of changes to address those comments. So, I'm going to turn it over to Tamara and Shelly and let them speak to those issues.

Tamara Fowls, 1500 Mimosa Avenue said thank you. Good evening, Council members and Madam Mayor Pro Tem. My name is Tamara Fowls and I'm one of a number of community members here on behalf of our neighborhood in voicing our support for this petition. We wanted to have the record reflect three points of neighborhood importance, which have been addressed verbally but not yet fully within the plans submitted. The first one is parking. Very important for those of us living on Mimosa which is a street behind. It's very narrow, limited parking. We appreciate that right now the plan does not reflect any street access and also that we shifted from more dense buildings into townhomes with adequate parking. The two items not reflected and therefore being highlighted for your interests are in increasing the height of the planned fence bordering Mimosa and including shrubs on both sides to ensure on a long-term basis this is not a cut through. It will help ensure parking is adequate. Secondly, making sure that the default townhome slabs support two cars with an opt out for one space that's permitting sufficient car dwelling to ratios for future residents.

The second item is water diversion. Environmental feature two indicates there will be an existing stormwater conveyance to the nearest public right of way. We would ask that the minutes reflect that we've been told this will be a connection to the sewers of Parkwood. Our entire neighborhood is highly prone to flooding. So, this is very important to us to divert the water rather than have natural runoff which we expect would exacerbate existing flooding issues in surrounding neighborhoods. Lastly, the façade. The back corner of the building is highly visible from the frontage of the street behind which is in a historic district. To maintain the character of this historic district, the petitioner has committed to upholding the front façade expectations articulated in our architectural digest design standard three, which entails more windows and decorative features for the back and sides that would be visible from the front from the Plaza Midwood historic district. Again, we're in favor of this. We appreciate the changes the petitioners have made and will make. Thank you so much.

Mayor Pro Tem Anderson said thank you. Thank you very much. I would say that I'm very familiar of course with this petition and I commend the collaboration with the

residents and the fact that you're here presently and speaking in the affirmative and working with Mr. MacVean and his client is again just a great representation of how this process should work. I would also mention that the dot points that you read off, that you would like to ensure are part of the notes, I would encourage that they become a part of the site plan notes of the petition, so it is concretely connected to the petition and where you have agreed.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

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ITEM NO. 41: HEARING ON PETITION NO. 2022-154 BY REAL ESTATE PROPERTIES HOLDING, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.5 ACRES LOCATED AT THE SOUTHEAST INTERSECTION OF SLEDGE ROAD AND SHOPTON ROAD WEST, WEST OF STEELE CREEK ROAD FROM N1-A (NEIGHBORHOOD 1-A) TO N1-D (NEIGHBORHOOD 1-D).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said alright, 2022-154. It is a 6.5-acre site on Shopton Road and Sledge Road in the Steele Creek community. Currently zoned to N1-A. The proposed zoning is to convert that to a Neighborhood 1 D. So, we'd still be consistent with the Place Type recommendation for the property in the general area of Neighborhood 1. Again, that's the only change. It's a conventional petition. So, no outstanding issues, no site plan for consideration. Staff does recommend approval. It is consistent as you mentioned with the Policy Map recommendation, and we will turn it over to the petitioner team and take any questions you may have following their brief overview. Thank you.

David Murray, 5950 Fairview Road, Suite 710 said thank you Mayor Pro Tem and Council. I'm David Murray here on behalf of the petitioner. This is a conventional rezoning. So, fully adopts staff's presentation and I'm happy to answer any questions that you may have.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

Mayor Pro Tem Anderson said before I move on to agenda Item No. 42, I just want to remind everyone that we do have a quorum here and some of my colleagues are in the back. So, as you see just a few of us here, we do have a quorum and if anyone leaves the meeting, then they are a vote in the affirmative of every single vote that we [inaudible].

Councilmember Driggs said Mayor Pro Tem, it's worth noting also we have monitors and sound in the back. So, it's possible our colleagues who are not at the dais to follow the meeting from the other room. They sometimes go back there for refreshment.

Mayor Pro Tem Anderson said they can follow along if they are not present here.

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ITEM NO. 42: HEARING ON PETITION NO. 42 BY RRPVI SEBP CHARLOTTE, LP FOR A CHANGE IN ZONING FOR APPROXIMATELY 45.67 ACRES LOCATED ON THE WEST SIDE OF SOUTH TRYON STREET, NORTH SIDE OF CLANTON ROAD, AND EAST SIDE OF INTERSTATE 77 FROM ML-1 (MANUFACTURING & LOGISTICS - 1), CG (GENERAL COMMERCIAL), B-2(CD) (GENERAL BUSINESS,

CONDITIONAL), MUDD-O (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL) TO MUDD-O (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL) AND MUDD-O SPA (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL, SITE PLAN AMENDMENT) WITH 5-YEARS VESTED RIGHTS.

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said thank you. This site is just over 45 ½ acres located on the north side of Clanton Road and the west side of South Tryon Street bound by I-77 on its western edge. The site is located in the broader Southend area which has progressively changed land uses and facilitated multimodal connectivity, that is, has subsequently spurred largely industrial character of the area to be shifted over to more transit supported and mixed-use projects. The site is largely zoned ML-1 as you can see on that graphic for everything that's in purple, but there is also a little bit of commercial and general business conditional and some mixed-use development-optional zoning on the northern edge which is from the 2004 CMS (Charlotte Mecklenburg School) rezoning.

The 2040 Policy Map calls for a Manufacturing and Logistics on this site. The proposal would allow for 760,000 square feet of office uses, 330,000 square feet of commercial uses, 290 hotel rooms and 1,560 multi-family dwelling units. There are several optional provisions with this petition that include the following. Accessory surface parking is permitted on portions of the site on an interim basis, surface parking may also be allowed on an interim basis for temporary uses. It allows surface parking and maneuvering between the established setback for the purpose of things like valet parking and ride-share services. This may be permitted for up to 50 parking spaces throughout the site, but no more than 10 of those spaces may be contiguous. It would allow up to seven loading or drop-off spaces on public streets throughout the site. It would also allow compliance for the open space and tree save requirements to be met throughout the entirety of the site rather than on a parcel by parcel basis. It allows modifications to the required streetscape to preserve existing trees. That includes things like meandering the sidewalks with so that existing trees can be saved. It allows modifications to the required network required street cross sections as indicated on the site plan. Allows encroachments in the public right of way for outdoor dining and amenity areas. It would not require doorways to be recessed into the face of the building so long as six feet of clear pedestrian zone is maintained. Would allow required long-term bike, scooter, and other parking spaces that are similar to be located within the parking decks and between buildings and streets. Allows buildings to use limited instances of wall treatments other than windows to meet fenestration standards. It would also allow maximum building height of 180 feet, and it would allow drive-in windows as an accessory to the principal uses located in Development Areas A and D which is on that western edge against I-77.

The site plan also proposes numerous pedestrian improvements including new sidewalks, construction of bike facilities, upgraded street crossings and a contribution of \$50,000 for roadway and multimodal improvements in the general Southend area. Articulation standards are provided for things like minimum ground floor heights, blank wall limitations, transparency standards, façade modulations and build-to zones among other variables. The petition would allow a gas station and specifies gas standards that mirror the prescribed conditions for gas stations that we have in our UDO. So, that includes allowing canopies to be in the build-to zone but to be located a minimum of 15 feet from the established setback. Gas stations must meet the standards of the district with the exception of minimum building length and a minimum ground floor height. The plan as I previously stated could have drive-throughs in Development Areas A and D and it specified design standards related to minimum stacking spaces, minimum dimensions for stacking spaces, stacking lanes and windows to be located at the rear and side of the building, parking lot screening and bail out capability. There are a couple of environmental commitments made in this plan including providing a minimum of 30 percent more open space than is typically required in the MUDD district. In addition to that, petitioner shall either increase open space by an additional 20 percent on top of the already stated 30 percent, for a total of 50 percent of open space that goes above

MUDD requirements, or they may donate \$250,000 towards the improvements of a park near the site. That language was worked out in collaboration with Parks and Rec. Green building standards will also be used for 50 percent of the buildings on the site. Staff recommends approval of this petition upon the resolution of outstanding issues related to transportation, site and building design and land use. The revised site plan after this public hearing, we are hoping to get greater clarity on some of the uses. Again, in particular, the design for gas stations and drive throughs. The site has close proximity to the LYNX Blue Line and other major transportation corridors. The current uses and structure design of the site is not keeping pace with the surrounding redevelopment that we see in this area. This proposal would help bring the land into alignment with the rapidly changing character of Southend.

This proposal meets some of the minor [inaudible] criteria that we look for to determine whether a Place Type change is appropriate. So, we believe modifying the designated Place Type from Manufacturing and Logistics to Community Activity Center is warranted given that the adjacent compatible Place Types to this proposal, the surrounding transportation infrastructure that's readily accessible to the site and the scale of development which is nearly 50 acres. Although the requested zoning district of MUDD-O is a legacy district, the petitioner made sure to build in conditional notes that weave in a number of our dimensional and design standards that more closely resemble requirements that we see in the UDO rather than in the legacy code. The single-story structures and vast amount of parking currently underutilize this site and denser development makes sense for the property given its context. Larger redevelopment projects such as these provide an opportunity to make significant upgrades to transportation infrastructure across the site and the broader area. This petitioner team worked closely with C-DOT as well as NCDOT (North Carolina Department of Transportation) to identify numerous improvements that they've committed to in the plan. I'll be happy to take any questions following the petitioner's presentation.

Bridget Grant, 100 North Tryon Street, Suite 4700 said I'm not sure there's much more I can say. My name is Bridget Grant, I'm a land use development consultant with Moore and Van Allen and I'm pleased to be here tonight with Jeff Brown on behalf of the petitioner, Ram Realty Advisors, Rachel [inaudible] and David Klepser are here tonight to help assist in answering any questions. Holly did a great job answering everything about the technical aspects related to this proposed rezoning as well as a very detailed staff rationale that sort of justifies why this type of change is being made. So, I'm just going to go ahead and hit on the purpose of the rezoning. The re-entitlement of this site will allow for a multi phased development that leverages the very central location and convenient access with a mix of uses and a walkable destination for all to enjoy. In a lot of way it's a technical clean-up from various zoning districts on the site down to one unified district. Our MUDD zoning aligns with the form and pattern of development in the areas as Holly mentioned and MUDD is in line with the surrounding TOD and proximity to the light rail as well as the interstate. We did only have one person attend our community meeting and that's documented in our formal submittal. However, the development team has been incredibly proactive in outreach since they purchased the site back in November of 2022 and we've been very lucky to have several community leaders convene meetings that they've invited us to attend, and they've invited the broader community to attend them as well. We've accepted every offer to meet and will continue to do so. We understand that connecting more is incredibly important to a project of this scale and size. The sessions that have been hosted again by the community have included representatives from Clanton, Freeland, West Boulevard Coalition as well as LoSo (Lower Southend) and I'm pleased to say that I think the lack of speakers tonight is indicative of our successful outreach. We know that there are further conversations to have with Council, and the team is committed to our continued outreach. We're pleased to have staff's support and have worked extensively through a significant amount of transportation improvements with NCDOT and C-DOT to get here to us tonight. We do have some outstanding issues that we're willing to work through with staff and just get some final clarification. A good bit of that came from us trying to use the old legacy district and fill it in with the strongest provisions that we could from the new UDO to make sure everything was aligned. So, we're happy to still work that out. With that, we're happy to answer any questions.

Mayor Pro Tem Anderson said thank you Ms. Grant. I will say that I had the opportunity to speak with you all on this petition and this is a huge undertaking that is a reimagining of a site that will have significant impact in that area for not only the four neighborhoods that are adjacent to this parcel, but also to those who travel through this corridor on South Tryon and Clanton Road and 77. Anyone that's been on Clanton Road or South Tryon between the hours of 3:00 p.m. and 7:00 p.m. understand that it's already a congested area. So, increasing the trips to what we're having in our book is a little under 35,000 trips per day is a significant addition to this area that's already congested, and I'll be interested to see how Ms. Brown works with you as this petition matures. The other concern that I have is I have some concerns about some of the small businesses and incubators that currently reside in these spaces and just thinking about where would those small businesses and incubators go. I hope that you're in conversation with them and talking to them and being amenable around some of their requests of how you can help them navigate through this particular time.

Councilmember Brown said hey Bridget how are you? I've worked with Bridget before. I spoke to her today. I'm transparent. I spoke to her today. She and Rachel, is that Rachel standing beside you? She and Rachel have been trying to get in contact with me. Really, really busy schedule. This started back in November 2023 as she stated for transparency. However, it's very near and dear to my heart as I told her. The community meetings are just not significant enough for me to see one person show up at a community meeting in a place that I know we could get more support out. I went to one of the meetings at Ram and didn't even know I was going to the meeting before this. It was before I was Council. It was while I was on the campaign trail. Mr. Russell was in attendance as well as some more community members, but we didn't get very far. So, I told Bridget I would love to work with her and see what specifically we could get done because when we think about Clanton Park, Southside Revolution, West Boulevard, I've lived in all those areas. So, I know a lot of people in those areas, have family members still in that area, business owners are still in that area, but my main concern was specifically what the project would be and what we would utilize that space for. Then I couldn't help but to see a large amount of traffic that's going to go through Clanton Road when it's just a two-lane road already. When they do construction, they have to reroute and do massive detours. So, I know that Rachel met with I think Councilmember Mayfield, but it's my district and I'll be more than happy to sit down with you and discuss in detail. I do want to see more community meetings generated, especially Revolution Park and Clanton Park because I know those are the two that are adjacent to the area that you're speaking of, but you did tell me that you spoke with some community members and I'm concerned because they didn't reach out to me and that's my district.

Ms. Grant said I think that sometimes happens and I'll speak to the traffic first. One of the things that happens with the traffic study, anytime we're showing an increase in number of trips, we have to work with NCDOT and C-DOT to mitigate for any of the impacts. So, I always like to say most communities don't have the money to pay for the improvements that are necessary to widen roads, add turn lanes and address the mitigation. So, it's the opportunity for us to collaborate. I think Councilmember Driggs could attest to some of the developer funded projects that we've seen happen in South Charlotte and it's very similar here. The developer will be investing in over 20 different off site improvements to help address some of the traffic in the area.

Ms. Brown said yes, it's going to have to be something because we're going from 715 to 34,890 trips per day and that's just based off the traffic impact study. So, that'll be something I'd be interested in hearing what the community members would have to say about that as well as specifically there doesn't seem to be a design for what specifically it would be used for. Is that still in progress and in work?

Ms. Grant said the uses are all specified. So, the mix of retail, residential, nonresidential, office uses are all identified and that's how they figure out how many trips are going to be identified on the site. So, envisioning it as a larger mixed-use site. When it comes to community engagement, we've actually been very lucky. When we don't have a lot of people show up at a community meeting, that's not ideal. Thankfully some of the community leaders have been willing to have some small groups. I think

you've heard that mentioned on a couple of other rezonings this evening. It's not uncommon for community members or leaders to say, "We'll gather and convene a group of people to see if there are any issues or additional opportunity for conversation." So, I think Rachel can probably describe that process a little bit more, but we've really relied on the community including Clanton and Freeland to help us reach as many people as we can.

Ms. Brown said I understand that, but I'm the district rep and so I need to be included regardless of what's going on.

Ms. Grant said yes ma'am, absolutely happy to.

Ms. Brown said there cannot be small community meetings that I don't know anything about. I'm very responsive to everybody in my email. I think I'm one of the most responsive members of Council and I wear myself down to some fault of my own. However, I want to be the best that I can be in the position that I am. So, with this, I have to circle back and see what community engagement took place and why I wasn't notified.

Ms. Grant said absolutely.

Ms. Brown said that is definitely a red flag for me if they're having community meetings that I'm not involved in, and it's my district, that's a major problem. You know you and I communicate openly and transparently. So, I would definitely like to circle back to see what community engagement happened and how it missed me, unless it happened before December 5, 2023.

Ms. Grant said absolutely [inaudible].

Ms. Brown said if it happened before December 5, 2023, I don't have anything to say, but if it happening after December 5, 2023 that is a major problem for me. So, I'll be in contact with you and Rachel and I'm very responsive and I look forward to working with you. That's all I have to say on that matter.

Ms. Grant said we appreciate your time. Thank you.

Councilmember Johnson said I'm just going through the book actually and you know I've been wanting to talk about cumulative impact. So, I'm looking at this petition and it's a large petition. So, is there 1,500 residential units? Is that what I'm looking at?

Ms. Grant said that's the maximum build out phased over time.

Ms. Johnson said okay. It looks like the impact on schools is Myers Park at 123 percent. Okay.

Ms. Cramer said I can speak to the schools if you would like.

Ms. Johnson said okay.

Ms. Cramer said so, CMS provided me with a memo and they just wanted to note that the opening of Ballantyne Ridge High School will greatly alleviate Myers Park High and that utilization number of 123 percent that's existing.

Ms. Johnson said okay. Alright. Councilmember Brown has quite a few petitions and I noticed that number 123 percent in numerous petitions. So, I'm just using that as an example that we're not actually tracking the impact on schools. Thank you. That's all I have.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

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ITEM NO. 43: HEARING ON PETITION NO. 2023-178 BY CROSLAND SE COMMUNITIES FOR A CHANGE IN ZONING FOR APPROXIMATELY 2.96 ACRES LOCATED SOUTH OF ARROWOOD ROAD, EAST OF MICROSOFT WAY, AND NORTH OF HANSON ROAD FROM OFC (OFFICE FLEX CAMPUS) TO RC(CD)EX (RESEARCH CAMPUS, CONDITIONAL, EXCEPTION DISTRICT).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2023-178 is just shy of three acres located south of Arrowood Road, east of Microsoft Way and north of Hanson Road. It's currently zoned OFC. Requested zoning is RC(CD)EX. The 2040 Policy Map recommends Campus Place Type. The proposal is for a community of up to 100 multi-family stacked residential units requesting the following EX deviations from UDO standards: to allow application of the RC zoning district on a site less than five acres, to allow a reduction of the build-to zone percentage to 60 percent, to allow an increase in the build-to zone by 20 feet and to allow surface parking and maneuvering within the established setback along the Hanson Road frontage. Proposing the following EX benefits: providing a housing program to ensure that at least 70 percent of the residential units are income restricted for households earning up to 80 percent of the area median income for a period of no less than 20 years and providing a covered bus stop along the site's frontage or across Arrowood Road from the site's frontage. Petition is committing to implementing an eight-foot planting strip and 12-foot shared use path along the site's Arrowood Road frontage. Site plan indicates a 20-foot setback from back of curb along Arrowood Road and 16-foot setback along both Microsoft Way and Hanson Road. Petition is consistent with the Policy Map recommendation for a Campus Place Type. Staff recommends approval of this petition upon resolution of outstanding issues related site and building design, infrastructure and transportation. I'll be happy to take any questions after the petitioner's presentation.

Bridget Grant, 100 North Tryon Street, Suite 4700 said Mayor Pro Tem, members of Council, members of the Zoning Committee, again Bridget Grant, Land Use Consultant with Moore and Van Allen. I'm pleased to be here tonight with my colleague Jeff Brown representing Crosland Southeast on the proposed affordable housing development. With us from the Crosland team is Tim Sittema who is here to help address any questions as well as Peter Stipicevic. Joe did a great job. So, I'm not going to spend a lot of time discussing site location and specifics, but I do want to go ahead and just remind everybody that this is consistent with the adopted land use policy. Again, we're seeing 72 residential units, and the petitioner has committed to provide affordable housing on this site. One of the reasons that we're seeking the exceptions that we're seeking is because the site has three street frontages. So, we're trying to work on how to adjust the design in light of those three frontages. We're happy to answer any questions.

Councilmember Brown said so Bridget, again I get the honor and pleasure to work with you on affordable housing. I love to hear that because we want to make sure that everybody can live where they want to live in the City and that's a great area, that's my district. I live in that area adjacent to the area that you're talking about. Do we know the units yet that we're talking and speaking of?

Ms. Grant said 72.

Ms. Brown said oh, you said 72. I missed that. One other question I had about the schools.

Ms. Grant said this is a senior housing development. So, it won't have school impacts.

Ms. Brown said okay. Alright, thank you. No further questions.

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to close the public hearing.

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ITEM NO. 44: HEARING ON PETITION NO. 2023-125 BY CLAY ROBINSON FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.88 ACRES LOCATED ALONG THE NORTH SIDE OF HENDERSON CIRCLE, WEST OF OLD STATESVILLE ROAD, AND SOUTH OF RATCLIFF LANE FROM MHP (MANUFACTURED HOME PARK) TO N1-C (NEIGHBORHOOD 1-C).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this petition is just under two acres located on the north side of Henderson Circle, west of Old Statesville Road along a street that is predominantly developed with single family homes. The site is currently zoned for manufactured home park although this property and other properties along Henderson Circle are developed with single family homes. There's an existing manufactured home park to the north of the site. The petitioner is requesting to change the district two N1-C, neighborhood 1-C which is consistent with Policy Map's recommendation for a Neighborhood 1 at this site. This is a conventional petition. So, there is no associated site plan. The petition is consistent with our adopted policy and would allow for a development that aligns with the surrounding single-family development. I'll take any questions following the petitioner's comments.

Mayor Pro Tem Anderson said thank you. Is Mr. Jetani here and present to speak?

Unknown said perhaps not.

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to close the public hearing.

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ITEM NO. 45: HEARING ON PETITION NO. 2023-125 BY CLAY ROBINSON FOR A CHANGE IN ZONING FOR APPROXIMATELY 8.035 ACRES LOCATED ALONG THE WEST SIDE OF STATESVILLE AVENUE AND THE SOUTH SIDE OF TIPTON DRIVE FROM ML-1 (MANUFACTURING AND LOGISTICS-1) AND N2-B (NEIGHBORHOOD 2-B) TO IMU (INNOVATION MIXED-USE).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said thank you. I just heard from the petitioner. Mr. Terry is sick at home. So, I'll relay any questions that you have and we can follow up offline.

Mayor Pro Tem Anderson said okay.

Ms. Cramer said this site is just over eight acres at the intersection of Tipton Drive and Statesville Avenue in an area that is largely commercial and industrial in nature. The site is currently zoned Manufacturing and Logistics 1 with a small portion along the southwestern edge zoned Neighborhood 2-B and the proposed zoning is to go to innovation mixed-use. The Policy Map's recommendation mirrors the existing zonings that I just spoke of. So, Manufacturing and Logistics is called for, for the ML 1 portion of

the site and Neighborhood 2 is called for, for the N2-B portion of the site. This is a conventional petition. So, there is no associated site plan, and staff recommends approval. The application of the IME district is intended for a site such as these that have previously had industrial uses, but are in areas that might be transitioning away to host more commercial and residential uses among artisan industrial uses. Although the petition would be inconsistent with the Adopted Place Types, the petition would establish a better transition between the commercial and industrial uses that we see to the north and east of the site and between the residential and institutional uses that are already there south and west of the site. Shifting the site away from industrial zoning would allow the site to act as more of a buffer between those more sensitive land uses it abuts on its western edge. I'll take any questions that you have.

Mayor Pro Tem Anderson said thank you. I do agree that the transition will work well as a buffer. My question is even though it's largely commercial area around this area, it doesn't seem to be a whole lot of community engagement. There was only one person at the meeting. I wonder if the petitioner has engaged the other businesses that are neighboring to this particular site? I also have a question around the vehicle generation. The proposed zoning says too many uses to determine trip generation.

Ms. Cramer said yes. So, innovation mixed-use allows for an array of uses from residential to commercial to industrial, some amount of light industrial, artisan industrial. So, anticipating what traffic it may generate is impossible at this time, but once they get into permitting, if it reaches a certain threshold certainly a comprehensive transportation review would then be required at that time.

Mayor Pro Tem Anderson said okay. Excellent.

Councilmember Molina that alarmed me. So, can you give me more context around that? If you can do whatever you want based on what comes up, what do you need us for? Like, what are we deciding?

Ms. Cramer said so, we've always had conventional petitions, general districts [inaudible].

Ms. Molina said I understand the context of a conventional, but I'm just saying this too many uses thing. Can you give me more context around that? Like what are you saying? What does that mean?

Ms. Cramer said so, districts such as these Innovation Mixed-Use or when you think of any of the Activity Center districts or any of the Transit-Oriented Development districts, those allow for an array of uses. So, it could be all residential, it could be all commercial. So, you can't anticipate the traffic that could be generated at this time because those generate different traffic amounts, different uses.

Ms. Molina said okay. I'm glad we're just at this stage. I think I'd like to know more about this one. I'll defer to the district rep and let him. He's very well versed in this. So, I'll defer.

Councilmember Johnson said what might help for Council since we are the ones that have to decide it, if there was a link to the policy so that we could review what the uses are. So, maybe that would help instead of listing too many to list, if there was just a reference so that we could look at it to make an informed decision, I think.

Ms. Cramer said sure. I can follow up with you to a link to the use table that summarizes it best in the UDO. That's in article 15 and it'll show you all the uses that are allowed by-right, all the uses that are allowed with prescribed conditions, but for the purposes of the staff analysis, we do just try to summarize it. You know, it could allow commercial, residential, office, some of those artisan industrial uses, but I'll send you the link to the use table if that's helpful.

Ms. Johnson said okay.

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to close the public hearing.

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ITEM NO. 46: HEARING ON PETITION NO. 2023-131 BY WENQIANG YE FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.764 ACRES LOCATED ALONG THE EAST SIDE OF SOUTH BOULEVARD, NORTH OF EAST WOODLAWN ROAD, AND WEST OF CONNECTING ROAD FROM ML-2 (MANUFACTURING AND LOGISTICS 2) TO TOD-NC (TRANSIT ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is approximately three-quarters of an acre along the east side of South Boulevard, north of Woodlawn Road and the lower Southend area where we've seen a lot of parcels move to transit supported zoning and transit supported projects. The site is currently zoned Manufacturing and Logistics 2 and they are proposing to go to transit-oriented development-neighborhood center which is consistent with the Policy Map's recommendation for Community Activity Center at this site that we see applied to both sides of South Boulevard here. This is a conventional petition. So, there is no associated site plan. The proposal would bring the site into consistency with our adopted policy and reflects the area's transition away from industrial uses. The TOD-NC zoning district may be applied to sites that are within a one mile walk of a transit station and this is just a half mile walk from the existing Woodlawn light rails stop. I'll take any questions.

There being no speakers, either for or against, motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to close the public hearing.

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ITEM NO. 47: HEARING ON PETITION NO. 2023-138 BY SANKOFA PARTNERS LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.28 ACRES LOCATED ALONG THE NORTH SIDE OF ROZZELLES FERRY ROAD AND THE SOUTHWEST SIDE OF WEST TRADE STREET, WEST OF BEATTIES FORD ROAD FROM NC (NEIGHBORHOOD CENTER) TO TOD-CC (TRANSIT ORIENTED DEVELOPMENT-COMMUNITY CENTER).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said This site is about a quarter of an acre located at the Five Points Plaza, more specifically between West Trade Street and Rozzelles Ferry Road directly along the Gold Line streetcar route. This general area in this corridor hosts commercial uses and transit linkages that help to directly serve as the nearby residence. The site is currently zoned Neighborhood Center which is the result of the pedestrian overlay that was over the site previously. The request is to go to Transit Oriented Development Community Center. The 2040 Policy Map calls for a Neighborhood Center. This is a conventional petition. So, we don't have a site plan. The site is within a quarter mile walk of an existing Gold Line transit stop. So, it meets those locational criteria for the TOD-CC application. We expect moderate densification here and we believe it's appropriate given that it is on a corner lot and it's located along a transit corridor and does not directly abut single family homes. The transit supportive uses that could be developed in TOD-CC would be compatible with the existing development along the corridor and they may better help to service the adjacent neighborhoods. I'll take any questions following the petitioner's comments.

Dianna Ward, 2011 Rolston Heritage Place said Holly, first of all I want to say thank you. The zoning individuals that I've worked with are really remarkable because I'm not a big developer. I own this building and one other one down the street and they were very helpful in walking through this process. So, thank you to that team. It's probably a thankless job. So, I figured I'd say thank you as my first comment. So, I do own the project at 1800 Rozzelles Ferry that has been a facelift for the community. We would like to go to TOD-CC to open up our opportunities. I've turned down anybody to rent it in that space that is not down with the cause. It's costing us money, but we would rather have something that the neighborhood could be proud of and that's been our philosophy all along. It's supported by all the neighborhood leaders. The collective of neighborhood presidents wrote a letter in support and really, we're just changing it to allow for more uses. You say a quarter of a mile to the transit stop. You can almost do a long jump to the transit stop. So, thank you to the City for that wonderful streetcar and we have a bike lane, we have buses. So, they're a lot of reasons why this should be the face of Transit-Oriented Development.

Councilmember Graham said thank you Dianna for the work that you do in the community. Of course, this is a no brainer for me and I think it should be for the Council. They'll make their own determination about that, but just wanted to thank you for the leadership you're providing in the community.

Motion was made by Councilmember Driggs, seconded by Councilmember Johnson, and carried unanimously to close the public hearing.
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ITEM NO. 48: HEARING ON PETITION NO. 2023-142 BY ABACUS CAPITAL FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.7 ACRES LOCATED ALONG THE SOUTH SIDE OF TUCKASEEGEE ROAD, NORTH OF JAY STREET, AND EAST OF THRIFT ROAD FROM ML-2 (MANUFACTURING AND LOGISTICS) TO IMU (INNOVATION MIXED-USE).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is approximately 3.7 acres along the southside of Tuckaseege Road just north of Jay Street in an area where we've seen a large amount of adoptive reuse projects converting industrial buildings to a range of commercial, office and mixed-use projects. The site is currently zoned Manufacturing and Logistics 2 and they are requesting to go to innovation mixed-use which is directly supported by the 2040 Policy Map's recommendation for Innovation Mixed-Use at this site. This is a conventional petition. So, we don't have a site plan. The Innovation Mixed-Use district is meant to be applied at parcels such as these that are in areas moving away from industrial development and have an opportunity for adaptive reuse projects. Given that the petition would bring the site into consistency with the Policy Map and allow for preferred uses that could service the nearby residents, staff recommends approval of this petition and I'll take any questions following the petitioner's presentation.

Collin Brown, 1420 East 7th Street, Suite 100 said thanks Holly, Council members, Collin Brown on behalf of the petitioner. Two in a row here and they're virtually the same. This one for Abacus in Mr. Graham's district, the next petition which I'll speak to also is in Councilmember Brown's district and I've got another one later. They're all kind of similar so I'll say it lengthily here and I'll try to have my shorter presentations later. As Holly mentioned, and this is an area lower Tuck which is seeing a lot of redevelopments, revitalization of an industrial area. Prior to June of 2023, this had Industrial zoning and property owners like Abacus could go in and they could convert an old industrial building into creative offices and do some pretty cool things. When the UDO became effective, the old Industrial zoning went away. We had this Manufacturing and Logistics zoning and we're learning some things about it. We've learned now that Manufacturing and Logistics doesn't allow you to use those entire buildings as offices. It

limits only 25 percent of your space can be offices. So, in this case and the next one, we have developers that have converted these buildings to offices and they're no longer in compliance with zoning. So, the purpose of this zoning to take it to IMU, that Innovative Mixed-Use works better, more flexible. They didn't need to do that under the old ordinance, they need to do it now. I think it's a positive that it's consistent with the City's plan. So, this is a little bit of a fix it. This one and the next one that you'll hear from in Ms. Brown's district, but that is the purpose of the rezoning to allow these cool buildings that we'd like to keep that are currently used for offices. ML doesn't allow that and maybe we ought to fix that long term, but here this is just a fix it. Happy to take any questions.

Motion was made by Councilmember Johnson, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.

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ITEM NO. 49: HEARING ON PETITION NO. 2023-143 BY ABACUS CAPITAL FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.6 ACRES LOCATED ON THE NORTHWEST SIDE OF TOOMEY AVENUE, NORTH OF WEST TREMONT AVENUE, AND EAST OF INTERSTATE 77 FROM ML-1 (MANUFACTURING AND LOGISTICS-1) TO IMU (INNOVATION MIXED USE).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2023-143. It's approximately 6.6 acres located on the northwest side of Toomey Avenue, north of West Tremont Avenue, and east of Interstate 77. Current zoning is ML-1, requested zoning is IMU. The 2040 Policy Map recommends Manufacturing and Logistics Place Type. Request is inconsistent with that Policy Map recommendation for Manufacturing and Logistics; however, the petition would allow for adaptive reuse of those buildings, more flexibility in the number of uses allowed and staff recommends approval. Happy to take any questions after the petitioner's presentation.

Collin Brown, 1420 East 7th Street, Suite 100 said exact same points. Here we have a redevelopment site in Ms. Brown's district. These have already converted to offices and we're bringing them now into a zoning that allows that conversion.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

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ITEM NO. 50: HEARING ON PETITION NO. 2023-146 BY TMP PROPERTIES, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.2 ACRES LOCATED ON THE NORTH SIDE OF TUCKASEEGEE ROAD, WEST OF GESCO STREET, AND SOUTH OF STATE STREET FROM ML-2 (MANUFACTURING AND LOGISTICS - 2) TO IMU (INNOVATION MIXED USE).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is just over an acre on the north side of Tuckaseegee Road, east of Thrift Road. This is essentially identical to the last two petitions that we just spoke on and it's actually extremely close to 2023-142 which I last spoke on which is just on the other side of Tuckaseegee. So, it is currently zoned ML-2, Manufacturing and Logistics 2 and they are requesting to go to Innovation Mixed-Use just like 142. It is consistent with the Innovation Mixed-Use Policy Map recommendation for this site. Staff recommends approval of this petition. It's a conventional petition. So, we don't have a site plan, but for the same reasons stated for

142 given the general consistency with IMU, the Place Type that we have called for in our policy and shifting away from industrial uses here and the opportunity for adaptive reuse. We're supportive of this project and I'll take any questions.

Mayor Pro Tem Anderson said thank you. Is Mr. Maxwell present?

Unknown said no.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

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ITEM NO. 51: HEARING ON PETITION NO. 2023-147 BY HENDRICK AUTOMOTIVE GROUP FOR A CHANGE IN ZONING FOR APPROXIMATELY 17.31 ACRES LOCATED ALONG THE EAST SIDE OF TWIN LAKES PARKWAY AND NORTH SIDE OF INTERSTATE 485, SOUTH OF SAM ROPER DRIVE FROM ML-1 (MANUFACTURING AND LOGISTICS-1) TO ML-1(CD) (MANUFACTURING AND LOGISTICS-1, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said alright, 2023-147. It's 17.3 acres out on Twin Lakes Parkway north of I485, south of Sam Roper Drive. We've seen a few rezonings in this general area recently. This petition is requesting Manufacturing and Logistics 1, conditional. It's currently zoned to ML-1. The Adopted Place Type as we discussed just a minute ago is for Manufacturing and Logistics as well. So, the request is consistent with the adopted Policy Map. The proposal would allow for the development of a vehicle repair facility major as well as minor, vehicle dealership, outdoor car wash which would not be open to the public, warehouse and distribution center, wholesale goods establishment office, and all other commercial and industrial uses as permitted by-right, and under prescribed conditions in ML-1. It does prohibit things like adult electronic gaming, animal shelter, adult uses, drive-through establishments, kennels, restaurant, bar, stadium, correctional facility, homeless shelter, crematorium and a cemetery. It does propose to incorporate streetscape improvements to include a six-foot sidewalk and eight-foot planting strip along the frontage on Twin Lakes and also proposes 10-foot and 50-foot landscape buffer. The 50-foot is along the frontage of I485 and then the 10 feet would be the remaining surrounding area around the property. Staff does recommend approval of this petition. It does have some outstanding issues related to transportation to work through. As mentioned, it is consistent with the Policy Map recommendation for Manufacturing and Logistics. One of the main reasons to go through the conditional request for this as well is that the vehicle repair facility, major is classified as a use that's allowed but it has to go through a conditional process. So, that's one of the main reasons that we're here with this petition in front of you this evening, because again it already is zoned ML-1. They need to go to that conditional district to unlock that vehicle repair facility aspect of the use. So, with that, we'll turn it over to the petitioner and we will take any questions you may have following their presentation. Thank you.

Greg Hartley, 601 South Cedar Street, Suite 101 said thank you. I'm Greg Hartley, a land development consultant with ACRO Development Services. I have Gene Cocchi, Vice President of Real Estate with Hendrick Automotive Group here. We do have one outstanding comment with density on transportation that we are working through. Here to answer any questions you may have.

Councilmember Johnson said I'm trying to picture where this is. Is this very close to the existing dealership?

Mr. Hartley said yes. So, the properties to the east of it are all the high line dealerships, the Mercedes, Audi, Lexus and BMW. This is directly west of it. The property that you

can see where it says existing building, that's actually I believe the Tesla facility, is that right?

Unknown said Tesla, yes.

Mr. Hartley said that's there on the corner. That's being developed now.

Ms. Johnson said so, this is just an expansion?

Mr. Hartley said it is. It's a collision center and like I said we have to come in to do the conditional district because the UDO states that. So, we're just adding that automotive repair to do a collision center there to support the existing dealerships.

Councilmember Driggs said I'm just curious. Why are we going from a conventional ML-1 to a conditional? Sorry if I missed that explanation.

Mr. Pettine said no problem. So, when we adopted the UDO, there were some conversations towards the adoption of it in August 2023 that auto oriented uses would carry the need to go through an additional step for a conditional process to have some more legislative discretion over them. We are going back currently and looking at whether we over captured some of that in things like gas stations, drive-through facilities certainly I think were the intent but automotive repair, small shops that are already zoned commercial that just want to do either heavy collision work or just an oil change facility or a dealership itself maybe shouldn't have been captured under some of that. So, we are looking at it to see if there's some changes that could be made, but right now that's the process for these types of uses. It has to go through that conditional step.

Motion was made by Councilmember Johnson, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.

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ITEM NO. 52: HEARING ON PETITION NO. 2023-148 BY THE RMR GROUP LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.52 ACRES LOCATED ON THE SOUTH SIDE OF PETERSON DRIVE, WEST OF HERIOT AVENUE, AND NORTH OF YANCEY ROAD FROM N1-D (NEIGHBORHOOD 1-D) TO TOD-NC (TRANSIT ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2023-148 is just about half an acre located on the south side of Peterson Drive, west of Heriot Avenue and north of Yancey Road, lower Southend district. The current zoning is N1-D. The property is currently occupied by a grandfathered commercial use. Requested zoning is TOD-NC. The 2040 Policy Map recommends a Neighborhood 1 Place Type. The proposal is inconsistent; however, the property is within a half mile of the Scaleybark Blue Line Station and is adjacent to Community Activity Center Place Type and other TOD zoning. Staff does recommend approval and I'll be happy to take questions after the petitioner's presentation.

Susanne Todd, 1065 East Morehead Street said good evening, Mayor Pro Tem, Council, Zoning Committee, Susanne Todd here on behalf of the petitioner, the RMR Group LLC. With me tonight is RMR's Director of Real Estate, Julie Livingstone. We have a presentation but we're going to go through this quickly. Staff did a great job presenting. This property is currently commercial but it's zoned N1-D. It is approximately a half an acre in size. I think what's most important is really that this TOD-NC is going to support the City's vision and aligns the zoning with the UDO. It allows the property within a half mile and a 10-minute walk of Scaleybark Light Rail Station. This rezoning will allow this property to be used for an abundance of uses such as retail, personal services, dining and entertainment that could support the adjacent residential property

as well as reasonable neighborhoods. It does support the complete community. Finally, this rezoning will ensure that this property is actually going to be redeveloped and compliant with TOD-NC development standards so that it's in conformity with the neighborhood. We are here available if you have any questions. Do you want to speak about RMR? We're available for any questions you might have.

Motion was made by Councilmember Driggs, and seconded by Councilmember Graham, to close the public hearing.

Mayor Pro Tem Anderson said I will say that this particular parcel's tucked into a lot of commercial activity with the Beer Gardens, old Mecklenburg, Queen Park Social and others. So, that area has been developing over the last couple of years and it will continue to develop over the next few years. So, interesting to see this transition and it is very close to transit. So, it does fall in line with the TOD-NC.

The vote was taken on the motion and recorded as unanimous.

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ITEM NO. 53: HEARING ON PETITION NO. 2023-149 BY DICKERSON REALTY FLORIDA, INC. FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.2 ACRES LOCATED ON THE SOUTH SIDE OF WEST CARSON BOULEVARD AND WEST OF SOUTH GRAHAM STREET, NORTH OF WEST PALMER STREET FROM ML-2 (MANUFACTURING AND LOGISTICS-2) TO TOD-UC (TRANSIT-ORIENTED DEVELOPMENT-URBAN CENTER).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said petition 2023-149 is 0.2 of an acre located on the south side of West Carson Boulevard, west of South Graham Street and north of West Palmer Street. Current zoning is ML-2 and requested zoning is TOD-UC. The 2040 Policy Map recommends Regional Activity Center Place Type. Petition is consistent with that Policy Map recommendation. Staff recommends approval and I'll take any questions after the petitioner's presentation.

Keith MacVean, 100 North Tryon Street, Suite 4700 said good evening, Mayor Pro Tem, members of Council, members of the Zoning Committee. Keith MacVean with Moore and Van Allen assisting Dickerson Realty Company. With me tonight representing the petitioner, John Joyner. As Joe mentioned, just a small rezoning for 0.2 of an acre. Two small parcels that are joined at another property owned by the petitioner already zoned TOD-Urban Center. The site is in very close proximity of the existing Blue Line Station at Carson. This rezoning just looks to bring that additional 0.2 of an acre into alignment with the other zoning for the parcels next to it. Consistent as Joe mentioned with the policy Place Type recommend of Regional Activity Center. Happy to answer questions.

Motion was made by Councilmember Brown, and seconded by Councilmember Driggs, to close the public hearing.

Councilmember Johnson said I have a question for staff. So, I noticed we're getting a lot of TOD rezonings. This current petition right here is owned by the same owner. What's the benefit of changing it from the current status to TOD especially when it's the same owner? I can ask you Keith. What's the benefit?

Mr. MacVean said well the benefit is the existing Manufacturing and Logistics, the old ML-2 or I-2 zoning district doesn't allow the same uses as TOD-Urban Center. So, it's really just getting the zoning to be consistent on the entire parcel so it can be developed

with a unified form of development. ML-2 is a heavy industrial district really not appropriate for this location any longer.

Ms. Johnson said is there a current tenant?

Mr. MacVean said no there's not.

Ms. Johnson said no tenant. Okay.

Mr. MacVean said it's a redevelopment at some point in time.

Ms. Johnson said okay, alright. Thank you.

The vote was taken on the motion and recorded as unanimous.

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ITEM NO. 54: HEARING ON PETITION NO. 2023-153 BY STERLING DEVELOPMENT, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.9 ACRES LOCATED ON THE WEST SIDE OF TAGGART CREEK ROAD, SOUTH OF BOYER STREET, AND EAST OF BILLY GRAHAM PARKWAY FROM ML-2(ANDO) (MANUFACTURING AND LOGISTICS-2, AIRPORT NOISE DISTRICT OVERLAY) TO ML-1(ANDO) (MANUFACTURING AND LOGISTICS-1, AIRPORT NOISE DISTRICT OVERLAY).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said petition 2023-153 is approximately 1.9 acres located on the west side of Taggart Creek Road, south of Boyer Street, and east of Billy Graham Parkway. Current zoning is ML-2. It's within the Airport Noise Disclosure Overlay. Requested zoning is ML-1 Airport Overlay. The 2040 Policy Map recommends Manufacturing and Logistics Place Type. It is consistent. The ML-1 requested zoning would allow for a few different uses than the current ML-2. Staff does recommend approval and I'll take any questions after Mr. MacVean's presentation.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem, members of Council, members of Zoning Committee. Again, Keith MacVean representing Sterling Development. Clint Patterson with Sterling Development is here and available to answer questions. As Joe mentioned, the reason for the change is really the difference in uses between ML-1 and ML-2. ML-1 provides a little bit more flexibility for the types of uses Sterling Development is looking to develop here. We have had good communications with the other owners within the business park and are working with them on the petition as well. Be happy to answer questions.

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to close the public hearing.

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ITEM NO. 56: HEARING ON PETITION NO. 2023-158 BY KINSALE PROPERTIES FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.99 ACRES LOCATED AT THE SOUTHWEST INTERSECTION OF TUCKASEEGEE ROAD AND JAY STREET, EAST OF THRIFT ROAD FROM ML-2 (MANUFACTURING AND LOGISTICS - 2) TO IMU (INNOVATION MIXED USE).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2023-158 is just shy of an acre located on the southwestern corner of the intersection of Tuckaseegee Road

and Jay Street. The Thrift Road corridor, we've seen quite a bit of adaptive reuse. The current zoning is ML-2. Requested zoning is IMU. That request does align with the Policy Map recommendation for IMU Place Type. Staff recommends approval. I'll take any questions after the petitioner's presentation.

Collin Brown, 1420 East 7th Street, Suite 100 said you've heard this story before in this exact location. So, I'll be happy to take any questions.

Motion was made by Councilmember Driggs, seconded by Councilmember Graham, and carried unanimously to close the public hearing.

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ITEM NO. 57: HEARING ON PETITION NO. 2023-159 BY PULTE HOME COMPANY, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 28.4 ACRES LOCATED ON THE WEST SIDE OF BEATTY DRIVE AND EAST SIDE OF BRICK YARD ROAD EXTENSION, SOUTH OF WILKINSON BOULEVARD FROM MHP (MANUFACTURED HOME PARK) TO N1-E (NEIGHBORHOOD 1-E).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said alright, 2023-159, about 28 and a half acres off Beatty Drive just south of Old Dowd, Wilkinson Boulevard. It's currently zoned MHP, Manufactured Home Park. It is currently vacated and requested zoning is N1-E. The Policy Map does call for the Neighborhood 1 Place Type. N1-E is an applicable district within that Place Type. So, that part of the request is consistent. This is a conventional petition as well. So, we did have one request from the County from the Park and Rec Department asking for consideration of some dedication of land for some park space. I do understand the petition and Mecklenburg County are continuing to have some conversations to try to get that resolved. The petition will provide at least five acres of open space throughout the site itself just based on some of our requirements for development under the UDO. So, there will be a substantial amount of open space. I think the County asked for about two acres and the actual open space that would be provided from the project would be about five. It may not be publicly dedicated, but just did want to point out that they would be providing at least that amount of open space just under the UDO guidelines. So, that's the only real outstanding issue and again I know the petitioner and Parks and Rec will continue to work through that and they anticipate that being resolved successfully. It is consistent with the Policy Map recommendation for Neighborhood 1. There is no site plan. Again, that outstanding item is just from Park and Rec, just their standard request for projects of this size when they see them regardless of conventional or conditional. They do ask for that consideration, but there just wasn't enough time to work through and get that resolved prior to the hearing. So, like I said, I do anticipate that being taken care. So, outside of that, we will turn it over to the petitioner and we will take any questions following their presentation. Thank you.

Bridget Grant, 100 North Tryon Street, Suite 4700 said good evening, Mayor Pro Tem, members of Council, members of the Zoning Committee. Bridget Grant, Land Use Consultant with Moore and Van Allen. I'm pleased to be here on behalf of the Pulte Team. I have Gaines Hunter here with me tonight as well as Sarah Shirley, the landscape architect that's working on the site. As Dave mentioned, the site's just over 28 acres and that's something when Park and Rec see a site that's over a certain size, they just ask for a percentage of the site. I do want to point out we have a significant amount of rail right of way along the frontage of our site and there are two nature preserves that are pretty generous in size within a half a mile of this site. So, as we worked through the concept though, this isn't a conditional plan with a site specific plan, Pulte has of course started to look at some site analysis to see what can be done and we estimate that there will be five acres of open space and tree save throughout the site, but that doesn't meet Park and Rec's specific criteria for the 1.4 acres fronting a

public street. That would be fairly impactful to a site this size with the topography on the site with a railroad right of way. So, we have asked them if they would rescind the comment and it's just a general comment that they'd like to keep out there to just see if it's possible for us to do. At this time, we don't anticipate being able to meet that request, but as Dave mentioned we do have five acres of open space and tree save throughout the site and there are two substantial nature preserves within a half a mile.

Mayor Pro Tem Anderson said thank you Ms. Grant. I know that this is a conventional rezoning, but I noticed that you had a good amount of community involvement in the public meeting. Were there any voices of opposition during the community meeting?

Ms. Grant said I was not working on the project at the time that they were doing the community meeting. I can follow back up with you, but my understanding was there were questions related to just general development in the area, traffic concerns in the area. So, we spoke to this development and the type of density you can anticipate.

Mayor Pro Tem Anderson said okay. It would be great for us to have that information in particular because it's in the ETJ (Extraterritorial Jurisdiction). So, we want to make sure that we're taking care of that.

Ms. Grant said absolutely.

Councilmember Johnson said I noticed these are manufactured homes.

Ms. Grant said that's what's on the site right now. That's the zoning that's on the site right now.

Ms. Johnson said oh okay. So, all of this will be changed potentially?

Ms. Grant said the current zoning on the site is the Manufactured Home zoning and we're contemplating and requesting a change to N1-E, which is similar in character to other zonings that have happened along the corridor.

Ms. Johnson said there are currently a couple living in these homes, right?

Ms. Grant said I would need to verify if they're currently occupied.

Ms. Johnson said okay. Is there any multi-family in that area.

Ms. Grant said my development team just confirmed the lot is vacant.

Ms. Johnson said okay. So, these manufactured homes are vacant or these are adjacent to the property?

Ms. Grant said I believe if you're looking at the staff analysis they're adjacent.

Mr. Pettine said yes, there are none on the site.

Ms. Johnson said they're not on the site, right?

Mr. Pettine said yes, no, they're not on the site. The site's vacant. They may be looking at some of the shots from around the site itself on Brick Yard to the north and then to the east. So, yes, they are not on the actual site that's involved in this current rezoning.

Ms. Johnson said okay. So, is there any multi-family in that area?

Mr. Pettine said there was an entitlement done just to the east off of Amos Smith Road that is primarily duplex, triplex and quadraplex that was approved under an MX-1 zoning district back in 2021 I believe. So, there is some similar development on that road off of Old Dowd and Amos Smith. That was the most recent entitlement in the area and then there's also some attached single family on the south side of the railroad tracks going

down Beatties Drive and Amos Smith Road that are part of the overall residential development south of this site.

Ms. Johnson said okay, thank you.

Councilmember Brown said I did. I just want to follow up with what you said Mayor Pro Tem. Thank you so much Bridget for being here and late at that. Nineteen members came out to the community meeting. I like to see that type of engagement because it shows that people are concerned but I noticed that you said that it happened before you took over the project. So, is there any way that we can get that information or can I kind of [inaudible]?

Ms. Grant said absolutely. So, I can reach out to the consultant that handled the community meeting as well as the client. We can get you some more detail.

Ms. Brown said okay. No problem at all. Then I was going to do a drive by as I often do. I see that along the south side are single family homes in that area, and I just want to go take a look at the area and get my own pictures.

Ms. Grant said there it. There's single family to the south and as Dave mentioned there's also some attached single family townhome style in this area and then the area right to the north of the railroad line is also anticipated to be townhomes.

Ms. Brown said okay.

Ms. Grant said so, that's a typical building form or common building form right in this area.

Ms. Brown said okay, but that's all on this project though, right? Multiple?

Ms. Grant said we're going to be looking at proposing any type of unit that would be allowed in the N1-E.

Ms. Brown okay. Alright. So, you and I, we will be talking then.

Ms. Grant said thank you. Look forward to it.

Motion was made by Councilmember Brown, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.
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ITEM NO. 58: HEARING ON PETITION NO. 2023-161 BY CHILDRESS KLEIN PROPERTIES FOR A CHANGE IN ZONING FOR APPROXIMATELY 9.82 ACRES LOCATED ON THE EAST SIDE OF BEAM ROAD, SOUTH OF PINE OAKS DRIVE, AND NORTH OF CROSS BEAM DRIVE FROM I-1(CD) ANDO (LIGHT INDUSTRIAL, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY), N1-A ANDO (NEIGHBORHOOD 1-A, AIRPORT NOISE DISCLOSURE OVERLAY) TO ML-1 ANDO (MANUFACTURING AND LOGISTICS-1, AIRPORT NOISE DISCLOSURE OVERLAY).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2023-161 is approximately 9.82 acres located on the east side of Beam Road, south of Pine Oaks Drive, and north of Cross Beam Drive. It's currently developed with a parking lot fronting Beam Road and there's a single-family home to the rear. Current zoning is I-1 CD along Beam Road and N1-A to the rear of the site. It is within the Airport Noise Disclosure Overlay. The requested zoning is ML-1 with the Airport Overlay carrying forward. The

2040 Policy Map recommends Campus Place Type. The petition is inconsistent with that Place Type recommendation; however, the majority of the site is already zoned I-1 CD and developed with a parking lot and is adjacent to many manufacturing and logistics uses. Staff does recommend approval and I'll take any questions following the petitioner's presentation.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem, members of Council, members of the Zoning Committee. Keith MacVean with Moore and Van Allen assisting Childress Klein Properties with this rezoning request. As Joe mentioned, a rezoning from residential and industrial, I-1 CD to ML-1. The parcel's adjacent to the Coffee Creek Business Park and the Water Ridge Business Park. Three parcels that are probably underdeveloped at this time with a surface parking lot and the two homes that have been undeveloped over a period of time. This area has really transitioned from uses that have historically been there to the more warehouse distribution uses you see just to the north of the site. Access to this site will be from Beam Road. It will front on Beam Road. There are various, as Joe mentioned, similar uses around it. The rezoning just tries to continue that form of development by using the ML-1 district. Happy to answer questions.


Motion was made by Councilmember Molina, seconded by Councilmember Brown, and carried unanimously to close the public hearing.

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ADJOURNMENT

Motion was made by Councilmember Driggs, seconded by Councilmember Molina, and carried unanimously to close the meeting.

The meeting was adjourned at 9:46 p.m.


Billie Tynes, Deputy City Clerk

Length of Meeting: 3 Hours, 46 Minutes
Minutes completed: October 28, 2024