

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday, October 20, 2025, at 5:05 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Danté Anderson presiding. Council members present were Dimple Ajmera, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, and Marjorie Molina.

ABSENT: Mayor Vi Lyles, and Councilmember Edwin Peacock III

ABSENT UNTIL NOTED: Councilmember Victoria Watlington

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Mayor Pro Tem Anderson said welcome to the October 20, 2025, Zoning Meeting. We're going to start with introductions.

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INVOCATION AND PLEDGE

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

Councilmember Watlington arrived at 5:07 p.m.

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Mayor Pro Tem Anderson said so this is our third meeting of the month, which is our Zoning Meeting, but before we continue with zoning proceedings, we have a topic that the Council would like to have a conversation around this evening. I will pass it over to Councilmember Mitchell to jump start this conversation, with the understanding that we need to have a vote to actually put this on the agenda.

Councilmember Mitchell said Mayor and Council, I would like for us to consider a unanimous vote tonight to put on a new process for our MPTA (Mecklenburg Public Transportation Authority) appointment process.

Motion was made by Councilmember Mitchell, and seconded by Councilmember Anderson to add the alternate process for the MPTA appointment process and schedule to tonight's agenda.

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

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

Councilmember Watlington said point of order.

Mayor Pro Tem Anderson said hold on, point of clarification.

Ms. Watlington said I just wanted to ask the question, because I know that Councilmember Molina is intending to request recusal. So, before we got into the discussion, I just wanted to make sure that we gave an opportunity to do that if now is the appropriate time.

Mayor Pro Tem Anderson said Mr. Fox, we just made a unanimous motion to discuss the process and procedure of the MPTA, the Transit Authority appointment, because we previously voted on that process. So, we need to vote to make those modifications. Mr. Fox, with this introduction of this topic.

Anthony Fox, Interim City Attorney said the motion was made and seconded, and a vote was called for. Ms. Molina did not acknowledge participation, but by her presence, will be deemed to have voted in the affirmative unless she chooses to ask for a recusal at this point on the appointment process. The recusal relates to the appearance of impropriety, even though as I've opined before, there is no financial pecuniary interest that would otherwise prohibit her from participating at this point in time.

Motion was made by Councilmember Mitchell, and seconded by Councilmember Ajmera, to recuse Councilmember Molina from this process and note she did not participate in the discussion.

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

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

Mr. Fox said Madam Mayor Pro Tem, I would also reflect that, and if the vote passes, to acknowledge that she did not participate in the prior action of the body, which was a vote to bring this on for consideration.

Mayor Pro Tem Anderson said alright, that is unanimous, and Ms. Molina is recused. As she exits the room, I will hand it over again to Councilmember Mitchell.

Mr. Mitchell said Mayor Pro Tem, thank you, and Council members at the dais, you should have a copy of the workgroup's new alternative schedule that we hope you will adopt this evening. So, keep in mind, we would like to encourage us not to vote tonight, and we will do our voting on November 6, 2025, when our other partners will have their appointment process completed. So, just to be in line, there's a total collaboration, I will ask that we defer us voting tonight and wait until November 6, 2025, and start our voting. As you can see before you, just for the viewers, then the interviews will take place November 12, 2025, through November 15, 2025, and we're going to try to form a normal process that then we would nominate per category November 17, 2025, and with appointments to be made on November 24, 2025. I think it was very clear, to Dr. Watlington's point, that this current Council would do all the appointments for the MPTA. So, with that, I will entertain any questions or concept a motion.

Substitute motion was made by Councilmember Mitchell, and seconded by Councilmember Mayfield to defer voting on MTPA appointments. (A) City Council will submit recommendations by Thursday, November 6, 2025, at 11:59 p.m., (B) City Clerk will provide ranking from Council input for top 27 candidates on Monday, November 10, 2025, (C) November 11, 2025 Veteran's Day, (D) November 12-15, 2025, (Thursday-Saturday), (E) Council will nominate one applicant per category on November 17, 2025, at the start of the regularly scheduled Zoning Meeting, and (F) Council will make final vote on all appointments November 24, 2025.

Councilmember Ajmera said Mr. Mitchell, we will submit our recommendation on November 6, 2025. So, are we doing the same thing where we are picking three per category?

Mr. Mitchell said yes.

Ms. Ajmera said okay, because I know there was some discussion where Council members did not want to pick three per category, depending on the results of other entities' appointments. So, are we incorporating that feedback into this new process now?

Mr. Mitchell said yes, so it will be my goal that morning, I'm having breakfast with our partners to receive their nominees, and I will send an email out to Council by 12:00 p.m. noon to inform who their nominees will be. So, you will have that information prior to you voting.

Ms. Ajmera said I understand, but what I'm saying is that I know we had discussion over the weekend about, some of us did, in terms of having 27 names versus picking three per category. I know Councilmember Watlington and Graham wanted to just give 27 names, rather than picking three per category, to ensure that there is balance, because let's say if other entities are picking certain categories, we want to make sure that we are balancing that with other categories. So, what I suggest, instead of sticking with three per category, we just submit top 27, our picks, and then follow the same process.

Ms. Watlington said just a couple of things, and maybe just for the sake of this motion, my thought is that we leave it here as it says, provide a ranking from Council input for top 27 candidates, because that doesn't prescribe that it has to be the three per category, because I agree with you there, and we talked about this, and we can talk about this more between now and then, but just ensuring that we're not x-ing people out that we would have otherwise chosen simply because we may be putting them in different categories, for example. I think that's something that can be worked out offline, because ultimately, Council, if we're saying that we're only going to use seven appointments, nine categories, we can't possibly pick one person per category. So, I just think we need to talk a little bit about how we meet the intent here. So, anyway, I say that to say that I think we can get to where everybody's trying to get if we just adjust the second to last bullet that says, Council will nominate one applicant per category. I think if we just say, Council will nominate their selections on November 17, 2025, and then we will make the final vote on all the appointments November 24, 2025. We can either strike that second to last bullet, or we can adjust it to not say one applicant per category, because we don't have enough appointments to select one applicant per category. Do you follow what I'm saying? We can talk about it offline.

Councilmember Mayfield said Interim Attorney Fox, just for clarification, the conversation that we're having now, that's beyond us identifying a new date to have submittals, one, I just want to make sure that we are in compliance with now potentially changing language, whether it's the removal of a bullet and/or the addition of a bullet, since this particular motion was to make sure that we are in alignment with the state mandated appointments through the business community and the date that they are looking at. Are we able to have these conversations on this motion?

Mr. Fox said I think so. I think the action that's before the board is the schedule and the process that's outlined in this schedule that's being presented, and what I'm hearing is some discussion from around the dais about the schedule that's a component of what is being presented to the board.

Ms. Mayfield said right, so still on the line of clarification, it was just mentioned, well, we'll talk offline. If we are going to change any of these bullets or add any additional language, now, I would believe, is the time that we need to do that in this motion, not submit what is written and then have a conversation later about it. We need to identify and make sure that everyone's on the same page, because when we, as committee, identify up to three names, and I think that's what we wrote in the language, was up to three, we didn't specify three per category, but we said up to three per category, I want to make sure that we have as much clarity on this as possible.

Mr. Fox said yes. I think the up to three dealt with the initial 27, how you got down to 27. Then, the November 17, 2025, date here reflects after you get down to that, what do you nominate then. What I understood the suggestion was, is to just edit that next to last bullet to remove the one applicant per category, and just to say the Council will nominate an applicant on the November 17, 2025, date. That's what I understood the change to be.

Ms. Watlington said yes, not preventing us from doing that if we so choose, but I just didn't want to bake it in here. Sorry, I didn't mean to cut you off.

Councilmember Driggs said I just wanted to note, we did actually vote to adopt a procedure. We have already adopted a procedure, and that's spelled out. So, all we're talking about now is a modification to these certain dates, because of the desire to align with the Alliance and to know what the Alliance appointments are before we make our decision. So, I don't see a basis for any modification to the action that we already took. I think we're simply shuffling these dates, so that we do not have to make our appointments before we know what their appointments are.

Councilmember Brown said so we've adopted the procedure, and so for the record, every time I speak, I want people to know that I'm against it. It's a no for me, but I am going to be a part of the process and make sure that it's fair for the people if it passes. You said we adopted the procedure. Even though we adopted the procedure, we still need to make sure that the process is correct. I think Watlington was trying to clarify some of the language, so that we know clear, and one, why is there a delay anyway?

Mayor Pro Tem Anderson said so, I can't answer the question, but I'm going to allow Mr. Mitchell, because he's leading this process, so he can address your question.

Ms. Brown said alright, thank you for doing that.

Mr. Mitchell said Councilmember Brown, some of our partners will not start a process until after the election. So, we want to coincide with them to make sure that we're collaborating on this process.

Ms. Brown said yes, sir, thank you for answering that. So, the process is being delayed, not because of Council, but because of partners that's supposed to get their votes into us?

Mr. Mitchell said yes, ma'am.

Ms. Brown said so, we're waiting on Alliance.

Mr. Mitchell said and Foundation For The Carolinas.

Ms. Brown said Foundation For The Carolinas, okay, thank you so much, noted. I really appreciate it.

Councilmember Graham said I don't want to approve this. I think Victoria is right, and I just hope, Councilmember Mitchell, that we understand this is going to be a fluid process, and that we're flexible while we're doing it, so that we're not boxing ourselves in a box that we can't come out of. So, I'm approving this, because I think this is what we're doing, we're demonstrating some flexibility. I think the language that Councilmember Watlington spoke about is probably accurate. We don't want to box ourselves in that box in the last bullet, that's something we can talk about amongst ourselves, doesn't have to be as formal as an amendment. Thank you.

Councilmember Johnson said thank you. I will be supporting this motion, because it's after the election, which I suggested a couple weeks ago anyway. Secondly, I want to clarify, I heard two different things. This specifically says one applicant per category, but we're saying we're not going to change it, but we're going to be flexible, because when we looked at the categories this weekend, we know that some people may not fit perfectly in a category, so there might be someone that overlaps the different categories. So, I would like that flexibility, so are we going to remove this language or not? Because I don't want to move forward and then when it's time to vote, for someone to say, well, this is what we voted on, well, their process was approved. So, I think if we are intending to be more flexible, then we should put that on record tonight. So, I don't know if that's a substitute motion, or how we proceed, but we know that we're not going to nominate one applicant per category, we already know that.

Mayor Pro Tem Anderson said I wanted to get the opportunity to speak on this. Mr. Mitchell and team, Mr. Driggs and Ms. Mayfield, I thank you for the work that you guys have done. You've put a process together for us that keeps us in line with the General Assembly language, that we make sure we have certain skill sets there and present. I am certainly flexible to amend the process a little bit by taking out that specific word, but if we do that I also just want to, again, make sure that as we submit our names that we identify which category they represent, because we do not want to have a glaring hole, as it relates to skill sets and capabilities, from our nomination pool. So, we want to make sure that we're covering the bases, and we can do that by identifying what skill sets they have. So, that would be my perspective.

Ms. Johnson said okay, but how do we codify that, Mr. Attorney?

Mayor Pro Tem Anderson said I think it's as simple as, it sounds like the chair of the Committee is flexible to adopting the scratching out of that language, and then as we nominate our individuals, identify which areas. I mean, we know the areas, but of course the Committee can share that with us again, so we're clear-eyed around how our individual nominees fit that skill set and capability. Does that make sense?

Mr. Fox said Madam Mayor Pro Tem, again, remember the focus is really to get the broadest swatch of candidates and applicants available. So, November 17, 2025, is merely an exercise of you identifying candidates that are in each category, but I hear there's some resistance about doing that. So, you may want to just say Council is encouraged to nominate one applicant per category.

Mayor Pro Tem Anderson said that's great language, yes, encouraged, alright. So, Mr. Mitchell, before we vote, this is the second to last bullet, can you read the modification so we're clear?

Amendment to the substitute motion was made by Councilmember Mitchell, and seconded by Councilmember Mayfield to defer voting on MTPA appointments. (A) City Council will submit recommendations by Thursday, November 6, 2025, at 11:59 p.m., (B) City Clerk will provide ranking from Council input for top 27 candidates on Monday, November 10, 2025, (C) November 11, 2025 Veteran's Day, (D) November 12-15, 2025, (Thursday-Saturday), (E) Council is encouraged to nominate one applicant per category on November 17, 2025, at the start of the regularly scheduled Zoning Meeting, and (F) Council will make final vote on all appointments November 24, 2025.

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

YEAS: Councilmembers Ajmera, Anderson, Driggs, Graham, Johnson, Mayfield, Mitchell, and Watlington

NAYS: Councilmember Brown

Mr. Mitchell said thank you, Council. Thank you, Mayor Pro Tem.

The following persons submitted written comments regarding this item pursuant to S.L. 2020-3, SB 704. To review comments in their entirety, contact the City Clerk's Office.

Craig Reynolds, trekkie0805@gmail.com

EXPLANATION OF THE ZONING MEETING PROCESS

Mayor Pro Tem Anderson explained the Zoning Meeting rules and procedures.

INTRODUCTION OF THE ZONING COMMITTEE

Douglas Welton, Chairman of the Zoning Committee said thank you very much, Mayor Pro Tem. My name is Douglas A. Welton, and I am the Chairman of the Zoning Committee of the Planning Commission. I'd like to introduce my fellow members of the Commission of the Zoning Committee, and they include Melissa Gaston, Erin Shaw, Theresa McDonald, Robin Stuart, Carolyn Millen, and Michael Caprioli. The Zoning Committee will meet on Wednesday, November 5, 2025, at 5:30 p.m. At that meeting, the Zoning Committee will meet and discuss and make recommendations on the petitions that have a public hearing here tonight. The public is invited to that meeting, but please note, it is not a continuation of this public hearing that is being held at this moment. Prior to that meeting, you are welcome to contact us and provide any input you would like. You can find contact information, and information on each of the petitions, at the City's website at charlotteplanning.org. Thank you, and back to you, Mayor Pro Tem.

DEFERRALS AND WITHDRAWALS

Motion was made by Councilmember Driggs, seconded by Councilmember Ajmera, and carried unanimously to defer: a decision on Item No. 12, Petition No. 2025-027 by Mission City Church and Freedom Communities to November 17, 2025; a decision on Item No. 14, Petition No. 2025-042 by Bryan Elsey to November 17, 2025; a hearing on Item No. 18, Petition No. 2025-063 by Northwood Ravin to November 17, 2025; a hearing on Item No. 19, Petition No. 2025-070 by Prosperity Alliance to November 17, 2025; and, a hearing on Item No. 23, Petition No. 2025-052 by the Charlotte-Mecklenburg Hospital Authority to November 17, 2025.

CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 3 THROUGH 11 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS PULLED BY A COUNCIL MEMBER. ITEMS ARE PULLED BY NOTIFYING THE CITY CLERK.

Mayor Pro Tem Anderson said so now we will proceed with the consent agenda items. Please note that these petitions have met the following criteria. They had no public opposition at the hearing, staff recommends approval, the Zoning Committee recommends approval, and there are no changes after the Zoning Committee's recommendations. Are there any consent agenda items that Council members would like to have pulled for a separate vote or a comment?

Councilmember Johnson said Item No. 4, please.

Mayor Pro Tem Anderson said okay.

Councilmember Mayfield said Item No. 5 and Item No. 11, thank you.

Mayor Pro Tem Anderson said Item No. 5 and Item No. 11, okay.

Motion was made by Councilmember Driggs, seconded by Councilmember Mitchell, and carried unanimously to adopt the consent agenda as presented with the exception of Item No. 4, Item No. 5, and Item No. 11 which were pulled for a separate vote.

The following items were approved:

Item No. 3: Ordinance No. 1017-Z, Petition No. 2024-113 by 410SG Partners, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.0 acre located at the southwest intersection of South Gardner Ave and Chamberlain Ave, and North of State Street from ML-2 (Manufacturing and Logistics 2) to IMU (Innovation Mixed-Use).

The Zoning Committee voted 7-0 (motion by Stuart, seconded by Gaston) 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 2040 Policy Map (2022) recommends the Innovation Mixed-Use 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 consistent with the recommended 2040 Policy Map place type of Innovation Mixed-Use (IMU). The IMU district permits a variety of uses that are in keeping with the character of the area which is rapidly diversifying from heavy industrial to a mix of light industry, office, retail, restaurant, and residential development. The petition is consistent with recent rezonings in the vicinity that include both the adaptive reuse of existing structures as well as new mixed-use developments while utilizing UDO design standards that are pedestrian oriented. The site is located within a quarter-mile walk of the Stewart Creek Greenway as well as the Seversville and Martin Luther King Parks. The site has convenient access to number 1, 8, and 34 CATS local buses as well as the LYNX Gold Line providing service between Little Rock and Scott Futrell Roads, the Callabridge Commons and Paw Creek Shopping Center, and the Charlotte Transportation Center.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 018-019.

Item No. 6: Ordinance No. 1020-Z, Petition No. 2025-051 by Bow & Arrow Properties, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.33 acres located on the east side of Parson Street, north of Parkwood Avenue, and south of Grace Street from N1-C (Neighborhood 1-C) to N1-D (Neighborhood 1-D).

The Zoning Committee voted 7-0 (motion by Shaw, seconded by Millen) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent from staff analysis based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 1 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: This petition is appropriate and compatible as the site is within an area designated by the 2040 Policy Map for the Neighborhood 1 Place Type. The petition is situated among lots with typical lot dimensions that are approximately 50 feet in width for most of the adjacent properties and lot areas that mostly range between 7,000 and 8,000 square feet. This site has a lot width of 85 feet and a lot area just under 15,000 square feet, significantly larger dimensions than the neighboring properties. The N1-C and N1-D zoning districts allow the same single family residential uses. The primary differences between the two Neighborhood 1 districts are limited to dimensional standards such as lot width. The minimum lot width in the N1-D district is 40' as opposed to 50' in the N1-C district. This petition would allow for slightly more flexibility in the dimensional standards for the site but will maintain the same single-family intent and allowed uses that currently exist under the N1-C zoning.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 024-025.

Item No. 7: Ordinance No. 1021-Z, Petition No. 2025-064 by The Rapalo Group, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.17 acres located on the west side of Highland Street, north of Wilkinson Boulevard, and south of Greenland Avenue from CG (General Commercial) to N1-C (Neighborhood 1-C).

The Zoning Committee voted 7-0 (motion by Gaston, seconded by Stuart) 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) recommends The Community 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 portion of the Ashley Park neighborhood has long been established with single family homes. Goods and services can be accessed by residents along the Wilkinson Boulevard corridor. The N1-C zoning district allows the same single family residential uses as is currently present on most of the lots surrounding the site. The N1-C zoning district is more consistent with the character of this area than the current general commercial zoning designation. 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 as specified by the 2040 Policy Map, from the Community Activity Center Place Type to the Neighborhood 1 Place Type for the site.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 026-027.

Item No. 8: Ordinance No. 1022-Z, Petition No. 2025-066 by DreamKey Partners amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 2.27 acres located on the northeast corner of Samuel Street and Newland Road, and west of Statesville Avenue from UR-2(CD) (Urban Residential-2, Conditional) to N2-B (Neighborhood 2-B).

The Zoning Committee voted 7-0 (motion by Gaston, seconded by McDonald) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent from staff analysis based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 2 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: This petition is appropriate and compatible with the surrounding land uses as the site and neighboring properties are designated as a Neighborhood 2 Place Type by the 2040 Policy Map. The site is currently entitled for 80 multi-family stacked residential dwellings under the UR-2(CD) (Urban Residential-2, conditional) zoning, petition 2013-031. The site is adjacent to a multi-family stacked and multi-family attached projects located to the northeast and southeast of the site along Samuel Street. There are a mix of uses in the area including parks and open space, multi-family stacked and attached developments, single-family residential, religious institutions, medical office, retail, and restaurants. The site is located within a quarter-mile of a designated activity center on Statesville Avenue containing retail and restaurant uses. The site is located along the route of the CATS number 3 and 21 local buses providing transit access to the LYNX Blue Line 36th Street Station and the Charlotte Transportation Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10-Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 028-029.

Item No. 9: Ordinance No. 1023-Z, Petition No. 2025-068 by PK819, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.70 acres located on the southeast corner of North McDowell Street and East 17th Street, west of Seigle Avenue, and south of East 18th Street from UR-2(CD) (Urban Residential, Conditional) to N1-C (Neighborhood 1-C).

The Zoning Committee voted 7-0 (motion by Shaw, seconded by McDonald) 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 Neighborhood 1 Place Type for the 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: Located in the Belmont neighborhood, this site is in an area that is directly surrounded by longstanding single family development that has close proximity to the LYNX Blue Line transit, a mix of retail, adaptive reuse projects, and multi-family development. The site currently has UR-2(CD) entitlements via petition 2018-011 for five attached dwelling units. The site was never built out to the plan approved in the 2018 petition and the current proposal for N1-C would bring the zoning into alignment with the site's surroundings. The N1-C zoning district allows for single family detached uses as well as duplexes, triplexes, and a limited number of other uses that would be compatible with the established and entitled development in the area. The subject property has convenient access to the Little Sugar Creek Greenway, CATS bus route 23, the Parkwood Station along the LYNX Blue Line, as well as a variety of goods and services within the Community Activity Center that follows North Davidson Street. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 030-031.

Item No. 10: Ordinance No. 1024-Z, Petition No. 2025-073 by White Lodging amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.68 acres located at the northern corner of the intersection of South Tryon Street and Bland Street from TOD-UC (Transit Oriented Development – Urban Center) to TOD-UC(EX) (Transit Oriented Development – Urban Center, Exception).

The Zoning Committee voted 7-0 (motion by McDonald, seconded by Gaston) 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 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: An exception (EX) zoning district allows for altering or modifying certain quantitative zoning standards and street cross-section standards for proposed development in exchange for a commitment to public benefits to accommodate unique zoning scenarios. The petition would maintain the site's existing TOD-UC zoning while providing flexibility regarding four specific development standards. The petition offers community benefits in the form of LEED building standards and an enhanced pedestrian drop off area. The petition would facilitate development of a site that has remained vacant while many surrounding properties have redeveloped in recent years. Development of the site would improve the streetscape in an area with high pedestrian activity. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 7: Integrated Natural & Built Environments.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 032-033.

ITEM NO. 4: ORDINANCE NO. 1018-Z, PETITION NO. 2025-033 BY BRI 1882 INNOVATION PARK DEVELOPMENT, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 40.13 ACRES LOCATED ON THE NORTHEAST SIDE OF IMB DRIVE, SOUTH OF W W.T. HARRIS BOULEVARD, AND WEST OF VINOY BOULEVARD FROM RE-3 (RESEARCH) AND RC (RESEARCH CAMPUS) TO N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Gaston, seconded by Caprioli) 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 Campus and the Community Activity Center Place Types 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: The petition proposes a total of 260 multi-family attached residential units to be built in quadruplex and townhome forms offering a variety of housing types to the area. The proposed site is located adjacent to both Community Activity Center and Campus Place Types, offering potential access to a wide range of goods, employment opportunities, healthcare, education, and essential services. Introducing residential uses at this location will enhance the area's mixed-use character, support walkability, and contribute to a more vibrant, connected community. A large portion of the site is currently underutilized as surface parking. The site is served by the number 50 CATS local bus route providing access to goods, employment, and services in the area. The site is in the UNC Charlotte adopted micro-transit zone which seeks to connect neighborhoods with key activity centers like University City, UNC-Charlotte and the greater University Research Park. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Campus and Community Activity Place Types to the Neighborhood 2 Place Type for the site.

Motion was made by Councilmember Johnson, 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 (2022) recommends the Campus and the Community Activity Center Place Types 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: The petition proposes a total of 260 multi-family attached residential units to be built in quadruplex and townhome forms offering a variety of housing types to the area. The proposed site is located adjacent to both Community Activity Center and Campus Place Types, offering potential access to a wide range of goods, employment opportunities, healthcare, education, and essential services. Introducing residential uses at this location will enhance the area's mixed-use character, support walkability, and contribute to a more vibrant, connected community. A large portion of the site is currently underutilized as surface parking. The site is served by the number 50 CATS local bus route providing access to goods, employment, and services in the area. The site is in the UNC Charlotte adopted micro-transit zone which seeks to connect neighborhoods with key activity centers like University City, UNC-Charlotte and the greater University Research Park. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Campus and Community Activity Place Types to the Neighborhood 2 Place Type for the site.

Councilmember Johnson said so, yes, I wanted to talk about this. This is a development in Innovation Park. I've heard from several people, I just talked to Councilmember Mitchell, how when this was opened it was such a big deal and so exciting in District Four, Innovation Park, because of the office space and I know there was a City office there, and this was a lot of office space outside of Uptown, but times have changed since then. So, this area is changing, and I'm happy to support this development, when you talk about innovation and innovative, and live, work and play, I'm excited to support this petition. This is supported by the District Four Coalition, by University City Partners. They're going to construct a 12-foot multi-use path. There's going to be dedicated land to the greenway. They're contributing \$75,000 in greenway funding to Mecklenburg County. There's offsite trail access. There's going to be amenities, food and drinks, and Sunday shopping and car detailing and drycleaning and walking trails and fitness center. So, this is what we want to see in District Four, and I look forward to supporting it. So, I want to thank the developers, and Collin, thank you for your leadership on this as well. Thank you. So, I will be supporting it.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 020-021.

ITEM NO. 5: ORDINANCE NO. 1019-Z, PETITION NO. 2025-041 BY CONCORD CHARLOTTE UPTOWN, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.42 ACRES LOCATED ON THE EAST CORNER OF EAST 8TH STREET AND NORTH COLLEGE STREET, AND WEST OF EAST 9TH 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 Stuart, seconded by Shaw) 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 (SPA) requesting to eliminate off-street parking requirements for the existing hotel on site. An existing hotel use is developed on the site and the site does not include off-street parking within its boundaries. The Regional Activity Center (RAC) Place Type discourages the development of parking lots in favor of shared parking arrangements and multi-modal access including public transportation, walking, and cycling. The site is located Uptown, within walking distance of a variety of office, retail, residential, institutional, and recreational uses. The area has convenient access to the LYNX Blue Line, multiple bus routes, the Rail Trail, and a comprehensive sidewalk network. The UMUD (Uptown Mixed-Use District) zoning district from the Legacy Zoning Ordinance requires 0.5 parking space per hotel room. However, the optional provisions of the UMUD-O rezoning plan, 2010-065 did not require the parking spaces to be provided onsite. The site plan amendment does not alter the number of on-site parking spaces developed under the previously approved plan.

Motion was made by Councilmember Mayfield, and seconded by Councilmember Anderson 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 (SPA) requesting to eliminate off-street parking requirements for the existing hotel on site. An existing hotel use is developed on the site and the site does not include off-street parking within its boundaries. The Regional Activity Center (RAC) Place Type discourages the development of parking lots in favor of shared parking arrangements and multi-modal access including public transportation, walking, and cycling. The site is located Uptown, within walking distance of a variety of office, retail, residential, institutional, and recreational uses. The area has convenient access to the LYNX Blue Line, multiple bus routes, the Rail Trail, and a comprehensive sidewalk network. The UMUD (Uptown Mixed-Use District) zoning district from the Legacy Zoning Ordinance requires 0.5 parking space per hotel room. However, the optional provisions of the UMUD-O rezoning plan, 2010-065 did not require the parking spaces to be provided onsite. The site plan amendment does not alter the number of on-site parking spaces developed under the previously approved plan.

Councilmember Mayfield said so I would like to share, and I appreciate, not only staff, but also the petitioner's representative, because I had a question regarding this request

to reduce the parking that we have at this particular hotel, and was happy to learn that for this particular location we don't necessarily have a lot of people driving in to the location. This is a location where rideshare is used quite often, yet there are contractual agreements that are in place if there were to come a time, say we have one of our many multiple events in the City, and people choose to drive in versus flying or using other forms of transportation. So, I am happy to hear that there is language in place, where if there's a need for additional parking, that is set up. I did want to thank the representatives of the petitioner, as well as staff, for responding to my requests that specifically look at if there are any current additional leases for parking if needed.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 022-023.

ITEM NO. 11: ORDINANCE NO. 1025-Z, PETITION NO. 2025-074 BY JINWEI PAN AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 2.58 ACRES LOCATED ALONG THE WEST SIDE OF ZOAR ROAD, EAST OF SHANAGARRY DRIVE, AND SOUTH OF HUNTING BIRDS LANE FROM N1-A (NEIGHBORHOOD 1-A) TO N1-C (NEIGHBORHOOD 1-C).

The Zoning Committee voted 7-0 (motion by Gaston, seconded by Shaw) 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) recommends the Neighborhood 1 Place Type for this site. 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 site is located outside of the City Limits near the South Carolina border along the west side of Zoar Road. The area is largely populated with single family residential development with multi-family development on the South Carolina side along Zoar Road. The proposed zoning represents a slight increase in intensity over the existing N1-A entitlements and provides an opportunity for a mix of housing types. The abutting development along the site's western edge though zoned N1-A, was developed under the legacy ordinance and more closely resembles the lot widths and lot areas permitted in N1-B. The primary difference between N1-A (current zoning) and N1-C (proposed zoning) is in dimensional standards, such as lot size and lot width. The two N1 districts permit the same uses. Because of the subject property's situational context, site access is unlikely to come through existing neighborhood streets, but rather, along Zoar Road or along the site's southern boundary. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

Motion was made by Councilmember Driggs, and seconded by Councilmember Anderson, 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 final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 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: The petition site is located outside of the City Limits near the South Carolina border along the west side of Zoar Road. The area is largely populated with single family residential development with multi-family development on the South Carolina side along Zoar Road. The proposed zoning represents a slight increase in intensity over the existing N1-A entitlements and provides an opportunity for a mix of housing types. The abutting development along the site's western edge though zoned N1-A, was developed under the legacy ordinance and more closely resembles the lot widths and lot areas permitted in N1-B. The primary difference between N1-A (current zoning) and N1-C (proposed zoning) is in dimensional standards, such as lot size and lot width. The two N1 districts permit the same uses. Because of the subject property's situational context, site access is unlikely to come

through existing neighborhood streets, but rather, along Zoar Road or along the site's southern boundary. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

Councilmember Mayfield said so, due to the potential negative impact to the surrounding residential communities, when we keep telling community that we have a desire to create the opportunity for you to age in place, to preserve neighborhood continuity, I feel this particular project is in direct contradiction to our Aging in Place goals. We're looking at the current zoning that has about 15 trips per day, the entitlement is 88, yet we're looking at potentially 144 trips with this based on the 12 multi-family dwelling units. I feel like we need to actually slow down. Just because someone says they're building multi-family, that does not mean that every part of the City, because the reality is the pricing is not dropping down in the City, in Charlotte, even though our other communities, if you build more, you'll start to see a differing price structure. You could drive around the City and see plenty of for lease signs, leasing now, get a one- and two-months' discount, but the impacts that we're having on residential community is detrimental, because that is never going to be the same for those residents. So, I, along with the concerns that were shared with all of Council, will not be supporting this and those are the reasons why.

Councilmember Brown said well, I definitely respect Councilmember Mayfield's concerns, and she addressed them openly and honestly, but I honestly don't see any concerns or any issues with it. I looked over it with staff. It's just a growing city, and I'm not opposing it.

Councilmember Watlington said do you know if SCRA (Steele Creek Residents Association) weighed in on this one at all?

Ms. Brown said Steele Creek Residents Association, they didn't send anything to me. We can double check with it. They didn't send anything opposing and against it. Normally, they're loud and clear.

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

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

NAYS: Councilmember Mayfield

Ms. Brown said thank you, Ms. Mayfield, for your comments.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 034-035.

DECISIONS

ITEM NO. 13: ORDINANCE NO. 1026-Z, PETITION NO. 2025-032 BY QUEEN CITY LAND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 15.80 ACRES LOCATED ON THE SOUTHWEST CORNER OF PLAZA ROAD EXT AND HOOD ROAD, AND EAST OF WINDRIFT ROAD FROM B-1(CD) (NEIGHBORHOOD BUSINESS, CONDITIONAL) TO NC(CD) (NEIGHBORHOOD CENTER, CONDITIONAL) AND N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Millen, seconded by Caprioli) 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 Neighborhood 1 Place Type for this site. However, we find this petition to be reasonable and in the public interest, based on the

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information from the post-hearing staff analysis and the public hearing, and because: The petition is adjacent to properties zoned N1-A and designated as the Neighborhood 1 Place Type by the 2040 Policy Map. The proposed site plan doesn't exceed building forms allowed within N1 zoning districts. This provides a transition in density from the single family detached development adjacent to the site to the non-residential uses portion of this proposal under NC zoning. The site plan includes a more substantial 20-foot landscape yard along the southern property line, exceeding ordinance requirements where it borders existing single-family uses. The Neighborhood Center portion of the petition allows access to goods and services within walking distance of nearby residential neighborhoods. The site is located within proximity to the Reedy Creek Nature Center and Preserve. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 and Neighborhood Center Place Types for the site.

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 (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 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: The petition is adjacent to properties zoned N1-A and designated as the Neighborhood 1 Place Type by the 2040 Policy Map. The proposed site plan doesn't exceed building forms allowed within N1 zoning districts. This provides a transition in density from the single family detached development adjacent to the site to the non-residential uses portion of this proposal under NC zoning. The site plan includes a more substantial 20-foot landscape yard along the southern property line, exceeding ordinance requirements where it borders existing single-family uses. The Neighborhood Center portion of the petition allows access to goods and services within walking distance of nearby residential neighborhoods. The site is located within proximity to the Reedy Creek Nature Center and Preserve. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 and Neighborhood Center Place Types for the site.

Councilmember Molina said I'll be brief. If you all remember from the public hearing there was a speaker for this particular petition last time, and there was some issue around buffering to the neighborhood. I did receive an email from Timothy Akeria, but actually the representative for the petitioner had to forward it to me, because he spelled my name wrong in the email. He basically was okay with the petition, because of some additional buffering that was agreed upon by the petitioner. This is about 15 acres, so it's a pretty large space, but it actually contains some activation for that Far East area of East Charlotte, and I've gotten favorable comments. Actually, earlier on, because of the size of this particular petition, I involved the County Commissioner responsible for the area, actually Chairman Mark Jerrell, because this is an area where he lives, and Collin, who is representing the petitioner, had us on some calls to talk about the activation, the neighbors, etc. So, the one outstanding issue, staff had some open-ended issues that you can explain, I think, and there was some additional buffering provided for the residents that came to speak to us last month that has been resolved. So, maybe you can speak to what those were, and I apologize, I'm really normally pretty good about sending you this, but I didn't get the email until today, but I'll send it to you to make sure that you have it as well. Staff, can you talk about what those additional changes were, and where you arrived from where you were as opposed to where you are now with regards to recommending the petition?

Holly Cramer, Planning, Design & Development said sure. So, our biggest point of concern was just the sensitivity to the existing single-family neighborhood. So, we asked them to consider more Neighborhood-1 building forms across the site, which they did by limiting unit counts to no more than four units per building across the site. Those are building forms allowed in a Neighborhood-1 District, and they broke up some building forms, so you can see duplexes and triplexes as well mixed in, but largely you'll see quadraplexes across the site, and increasing that landscape yard that buffers to the adjacent single-family. So, those were two of the larger changes that we saw. There were some other transportation notes and open space items getting those preferred architectural and design standards that were also addressed in the subsequent revised site plans, but it was that sensitivity to the surrounding single-family that was our point of concern that they addressed, and so, we're now at a point where we have no further outstanding issues with the site plan.

Ms. Molina said okay, and I know there are some activation for retail space.

Ms. Cramer said yes, there is a portion of the site that's dedicated to Neighborhood Center uses. So, up to 20,000 square feet could be a health and fitness facility, and 4,500 square feet of retail uses, as well, in that Neighborhood Center portion of the site, bringing in some necessary goods and services that could be activated in that area, which you know is primarily residential. I think it was a desire for some folks to certainly see something that's nonresidential come in this area that could help service those residents.

Ms. Molina said okay. So, it's for that reason that I'm actually in support of it in alignment with staff and the Zoning Committee.

Councilmember Ajmera said yes. I was going to ask staff to go over those changes. I appreciate the work that was done between the hearing and now to get us to this point, because I remember when this was at the hearing, staff wasn't recommending it. So, I appreciate the petitioner and the community for working together to get us to this point. Thank you.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 036-037.

ITEM NO. 15: ORDINANCE NO. 1027-Z, PETITION NO. 2025-055 BY PORCHA THOMAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.52 ACRES LOCATED NORTH OF PARKWOOD AVENUE, EAST OF ALLEN STREET, AND WEST OF PEGRAM STREET FROM NS (NEIGHBORHOOD SERVICES) TO NC(CD) (NEIGHBORHOOD CENTER, CONDITIONAL).

The Zoning Committee voted 6-0 (motion by McDonald, seconded by Millen) 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 Neighborhood 1 Place Type. 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 inconsistent with the 2040 Policy Map recommendation for the Neighborhood Center (NC) Place Type, the current Neighborhood Services (NS) zoning district permits a range of uses that are consistent with those allowed uses under the NC district. The Neighborhood Center Place Type promotes a variety of uses such as retail, restaurant, office, and multi-family residential. This petition is appropriate and compatible with the surrounding uses and the Neighborhood Center Place Type designation as it creates an opportunity to fill a need for access to essential amenities, goods, and services in an area that has been identified as lacking access to amenities by the 2040

Comprehensive Plan. The site is within one-third of a mile of the Little Sugar Creek Greenway within a half-mile walk of the Parkwood Lynx Blue Line station. The site is located along the route of the CATS number 4 local bus providing transit access between the Sugar Creek LYNX Blue Line station and the Charlotte Transportation Center (CTC). 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 as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood Center Place Type 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. Prohibiting new driveway access to the site from Parkwood Avenue.
- 2. Committed to streetscape improvements along Parkwood Avenue in conjunction with redevelopment of the site.

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 Johnson, seconded by Councilmember Molina, 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 (2022) recommends the Neighborhood 1 Place Type. 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 is inconsistent with the 2040 Policy Map recommendation for the Neighborhood Center (NC) Place Type, the current Neighborhood Services (NS) zoning district permits a range of uses that are consistent with those allowed uses under the NC district. The Neighborhood Center Place Type promotes a variety of uses such as retail, restaurant, office, and multi-family residential. This petition is appropriate and compatible with the surrounding uses and the Neighborhood Center Place Type designation as it creates an opportunity to fill a need for access to essential amenities, goods, and services in an area that has been identified as lacking access to amenities by the 2040 Comprehensive Plan. The site is within one-third of a mile of the Little Sugar Creek Greenway within a half-mile walk of the Parkwood Lynx Blue Line station. The site is located along the route of the CATS number 4 local bus providing transit access between the Sugar Creek LYNX Blue Line station and the Charlotte Transportation Center (CTC). 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 as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood Center Place Type for the site, as modified.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 038-039.

ITEM NO. 16: ORDINANCE NO. 1028-Z, PETITION NO. 2025-069 BY NORTHWOOD RAVIN AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.4 ACRES LOCATED NORTH OF SCALEYBARK ROAD, EAST OF SOUTH BOULEVARD, AND ALONG EITHER SIDE OF SLOAN STREET, WEONA AVENUE, AND HOLLIS ROAD FROM TOD-MO (TRANSIT ORIENTED DEVELOPMENT-MIXED-USE, OPTIONAL) AND TOD-RO (TRANSIT ORIENTED DEVELOPMENT-RESIDENTIAL, OPTIONAL) TO TOD-MO SPA (TRANSIT ORIENTED DEVELOPMENT-MIXED-USE, OPTIONAL,

SITE PLAN AMENDMENT) AND TOD-RO SPA (TRANSIT ORIENTED DEVELOPMENT-RESIDENTIAL, OPTIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 7-0 (motion by Caprioli, seconded by Millen) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent from staff analysis based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Community 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: This petition is a site plan amendment (SPA) requesting to reduce the minimum square footage of a retail building to 12,000 square feet. The subject portion of the site has not yet been redeveloped. The TOD-MO (Transit Oriented Development-Mixed-Use, optional) and TOD-RO (Transit Oriented Development-residential, optional) zoning districts from the Legacy Zoning Ordinance do not require a minimum square footage for retail buildings. The Community Activity Center (CAC) Place Type encourages retail uses like those included in the development. The site is located in a quickly developing area within walking distance of a variety of office, retail, residential, institutional, and recreational uses. The site is served by the LYNX Blue Line and is one block from Scaleybark station, two CATS bus routes including the number 12 providing service between the Charlotte Transit Center and Pineville and number 30 providing service between Scaleybark LYNX Blue Line Station and Park Road. The area is also connected through a comprehensive sidewalk network as well as the Rail Trail. Overall, the site plan amendment does not alter the previously approved design standards. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10-Minute Neighborhoods.

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 street cross-section of Scaleybark Road in coordination with CDOT.

Holly Cramer, Planning, Design & Development said that was just a note they put on the plan. Fairly minor and it’s in good standing.

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

Motion was made by Councilmember Driggs, seconded by Councilmember Ajmera, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be consistent from staff analysis based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Community 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: This petition is a site plan amendment (SPA) requesting to reduce the minimum square footage of a retail building to 12,000 square feet. The subject portion of the site has not yet been redeveloped. The TOD-MO (Transit Oriented Development-Mixed-Use, optional) and TOD-RO (Transit Oriented Development-residential, optional) zoning districts from the Legacy Zoning Ordinance do not require a minimum square footage for retail buildings. The Community Activity Center (CAC) Place Type encourages retail uses like those included in the development. The site is located in a quickly developing area within walking distance of a variety of office, retail, residential, institutional, and recreational uses. The site is served by the LYNX Blue Line and is one block from Scaleybark station, two CATS bus routes including the number 12 providing service between the Charlotte Transit Center and Pineville and number 30 providing service between Scaleybark LYNX Blue Line Station and Park Road. The area is also connected through a comprehensive sidewalk network as well as the Rail Trail. Overall, the site plan amendment does not alter the

previously approved design standards. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10-Minute Neighborhoods, as modified.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 040-041.

ITEM NO. 17: ORDINANCE NO. 1029-Z, PETITION NO. 2025-071 BY HARRIS INVESTMENT COMPANY #1, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.53 ACRES LOCATED NORTH OF CARNEGIE BOULEVARD, EAST OF COCA-COLA PLAZA, AND SOUTH OF REXFORD ROAD FROM O-15(CD) (OFFICE, CONDITIONAL) TO RAC(CD) (REGIONAL ACTIVITY CENTER, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Millen, seconded by McDonald) 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) recommends the Community Activity Center Place Type for the site. 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 conditional proposal will allow for a mix of employment, retail, and financial institutional uses that support SouthPark's role as a major regional activity center. The site is currently utilized with an office building, the proposal for a greater mix of uses better aligns with the intent of the Regional Activity Center zoning district and corresponding place type. The petition would enhance the pedestrian environment along Carnegie Boulevard through its commitment to activated ground floor uses and improved pedestrian infrastructure. Preferred open space standards to ensure areas are adequately amenitized for future users are incorporated into the plan and exceed ordinance requirements. The conditions of the plan for a mixed-use environment with robust urban design standards directly speak to the 2040 Comprehensive Plan goal for creating 10 minute neighborhoods. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 8: Diverse & Resilient Economic Opportunity.

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 open space notes to detail the enhancements that may be located within the open space with quantifications and definitions as applicable.
2. Added a note stating that the petitioner shall construct a mid-block pedestrian crossing at Coca Cola Plaza, subject to CDOT approval.

Holly Cramer, Planning, Design & Development said that was a C-DOT request, it's not a requirement by any means, it's an offsite improvement that they opted to do as part of this plan.

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

Councilmember Driggs said could I note, this is in Mr. Peacock's district. He's not here. He is in support, just so everybody knows, and therefore, I make the motion.

Motion was made by Councilmember Driggs, seconded by Councilmember Ajmera, and carried unanimously 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 final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Community Activity Center Place Type for the 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 conditional proposal will allow for a mix of employment, retail, and financial institutional uses that support SouthPark's role as a major regional activity center. The site is currently utilized with an office building, the proposal for a greater mix of uses better aligns with the intent of the Regional Activity Center zoning district and corresponding place type. The petition would enhance the pedestrian environment along Carnegie Boulevard through its commitment to activated ground floor uses and improved pedestrian infrastructure. Preferred open space standards to ensure areas are adequately amenitized for future users are incorporated into the plan and exceed ordinance requirements. The conditions of the plan for a mixed-use environment with robust urban design standards directly speak to the 2040 Comprehensive Plan goal for creating 10 minute neighborhoods. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 8: Diverse & Resilient Economic Opportunity, as modified.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 042-043.

HEARINGS

ITEM NO. 20: HEARING ON PETITION NO. 2025-025 BY ANGELO TILLMAN FOR A CHANGE IN ZONING FOR APPROXIMATELY 4.75 ACRES LOCATED WEST OF MOSS ROAD, NORTH OF SCOTTSMAN TRACE DRIVE, AND SOUTH OF QUEENWATER LANE FROM N1-A (NEIGHBORHOOD 1-A) TO N1-C(CD) (NEIGHBORHOOD 1-C, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2025-025 is approximately 4.75 acres, located on the east side of Moss Road, south of Livingston Mill Road, and north of Scottsman Trace Drive. This is a vacant parcel in the Steele Creek community that is currently zoned N-1A, with a proposed zoning of N-1C, conditional. The 2040 Policy Map recommends the Neighborhood-1 Place Type. The proposal would allow for a community of 21 triplex dwelling units in seven buildings. There'll be accessed by an extension of Loughlin Lane. Building height will be limited to 40 feet. An eight-foot planting strip and six-foot sidewalk will be provided along Loughlin Lane, with street stubs towards Moss Road and Mill River Lane. Commits to a 10-foot Class C landscape yard and opaque fence along the sites northern and southern property boundaries. Commits to preferred architectural standards for porches and stoops and garage doors. Commits to open space improvements, to include a picnic table, bench, and outdoor playground. Also, is committing to a dedication and conveyance of the 100-foot SWIM (Surface Water Improvement and Management) buffer and 50 percent of the FEMA (Federal Emergency Management Agency) flood fringe, of Polk Ditch, to Mecklenburg County for a future greenway. Would also provide a 60-foot easement for access from the dedication area to Loughlin Lane for public access.

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design. Petition is consistent with the Policy Map recommendation for the N-1 Place Type, and would allow for a modest increase in density on the site while remaining consistent with the N-1 Place Type. The proposed N-1C(CD) zoning would allow 6,000 square foot lots, as opposed to 10,000 square foot lots under the

current N-1A zoning, while maintaining the intent of the N-1 Place Type. Given the substantial area of the site dedicated to tree save, open space and future greenway, the overall density proposed is compatible with the surrounding residential development. The petition exceeds ordinance requirements in its commitment to provide a 10-foot Class C landscape yard with an opaque fence along the northern and southern property boundaries where adjacent to single-family detached dwellings. The petition commits to dedication of a minimum of 100 feet along Polk Ditch to Mecklenburg County for a future greenway, as well as a 60-foot access easement to connect to proposed Loughlin Lane extension, and I'll be happy to take questions following comments from the petitioner and the community.

Shantel Little, 13814 Moss Road said so, first of all, we want to thank you all for taking the time out to be here this evening and hearing our petition. So, we just wanted to say that the reason we were bringing these townhomes here to this community was to try to diversify some of the housing that is available in that neighborhood, since they are kind of limited on multi-family developments, but also keeping that emphasis there on homeownership in the community and the value in that. Some of the things that we were able to do from the time that we started this petition here was meet with the Steele Creek residents, as well as some of our HOA (Homeowner Association) and neighboring community members, and they've raised some of the concerns that they've had. One of the major ones that we were able to address was the construction entrance. They were really concerned about the amount of traffic that would come through their community, and of course, you know the impact that those machines would have on it. So, we did make, I guess, an adjustment there to make the main construction entrance come off of Moss Road, which would pass through the front entrance of the community there, which is by our dwelling.

Kent Little, 12424 Hampton Place Drive said I'd also like to thank you guys for your time this evening as well. We reached out after our community meeting, but to no avail, we didn't get any response. So, as far as the change we made since the community meeting, the major changes were, as she stated, the construction road, and we also considered removing a park, which we did initially intend to have, but many neighbors, they didn't agree with the park being there. They didn't want the traffic, so we did do away with the park.

Ms. Little said right, they were against the park, and just the area and the traffic that it may bring, or the parking situation behind the existing dwellings.

Onur Tastan, 11226 Scottsman Trace Drive said good evening, honorable Mayor Pro Tem, honorable members of the City Council. My name is Onur Tastan, a concerned resident of the Kingsbridge subdivision community directly impacted by the Rezoning Petition 2025-025, regarding the property at 13814 Moss Road, Charlotte. On behalf of our Kingsbridge subdivision neighborhood community, I stand before you tonight to respectfully request the denial of this petition in its current form, as it presents unaddressed issues threatening our Kingsbridge neighborhood community's safety, infrastructure and quality of life. Our opposition centers on three critical areas, the risks of developing within a sensitive floodplain, constrained access, and the strain on our existing infrastructure. First, we must address the floodplain. Mecklenburg County floodplain maps, prepared by Storm Water services, clearly show a portion of this parcel at 13814 Moss Road lies directly within a floodplain. Developing here poses immense risks, especially with the [INAUDIBLE] right within the floodplain. Construction can alter natural drainage patterns, potentially increasing flooding risks for existing homes. Beyond safety concerns, there are increased public costs associated with managing future flood risks, especially if the [INAUDIBLE] bridges during a significant storm event, like Hurricane Helene last year. We need assurances that this development does not increase flood risks for anyone in our Kingsbridge subdivision neighborhood community.

Second, regarding access, the proposal for 21 new multi-family units funnels all traffic exclusively through Loughlin Lane. What is particularly troubling is that the current property owner is restricting direct access from Moss Road, forcing all new traffic into our quiet, established residential neighborhood. We would expect an access would be

provided through Moss Road as well, and Loughlin Lane alone was not designed for this increased volume. Not only does this lack of access through Moss Road impose safety risks to Kingsbridge, it will also increase safety risks to Legacy at Moss residents, whereby they would only have one way in and one way out via Loughlin Lane. Additionally, this will lead to traffic congestion, create dangerous conditions, and safety hazards for our children and pedestrians, which could impede emergency vehicle access for all residents. Not having direct access from Moss Road for the proposed development's residents is an unnecessary and unfair burden for Kingsbridge residents.

Finally, Rezoning Petition 2025-025 presents a significant strain on our vital infrastructure, specifically our water and sewer systems. These 21 new units will connect to existing water pipelines and sewer lines, currently serving only our lower density neighborhood via Loughlin Lane. There is no clear demonstration that the existing design capacity of these lines is sufficient to handle this substantial increase without further compromising water pressure and/or increasing the risk of sewer backups. Such burden may necessitate costly and disruptive future upgrades, the cost and convenience of which should not fall on Kingsbridge residents.

If Rezoning Petition 2025-025 is considered for approval, we propose an alternative solution, such as maintaining the current entitlement of zoning for 13 single-family homes with direct access through Moss Road. Please take into consideration the attached petition to oppose the construction, signed by Kingsbridge subdivision neighborhood community members with over 100 signatures here. In addition, I would like to point out that the petitioner did not notify most of Kingsbridge community residents, specifically 179 of 204 residents were not notified, even though they notified some residents even five miles away.

In conclusion, honorable Mayor Pro Tem and Council members, approving Rezoning Petition 2025-025 in its current form sets a troubling precedent. It prioritizes development convenience, financial or otherwise, over responsible planning, environmental protection, and the quality of life for current residents. We urge you to deny this petition until a truly safe, equitable, and sustainable access point is established, such as single-family homes with direct access through Moss Road, and until comprehensive guaranteed solutions are presented for our water, sewer, and floodplain concerns in Kingsbridge. Thank you for your time and consideration.

Mr. Little said we would like to thank Mr. Tasthan for his input as well as his concerns, because we understand that those are actually very important concerns. One, I would first like to say, we did send out letters to all the residents in the area in an adequate amount of time, and we actually had about three community meetings, one with the Steele Creek Residents Association, one with the HOA of the Kingsbridge community, as well as the formal community meeting, where we sent out all the letters. Am I able to defer to my developer as far as the flood risk?

Mayor Pro Tem Anderson said if he is not signed up to speak then he cannot speak.

Mr. Little said okay. Well, from my understanding, there is a Stormwater Department that runs tests, as far as, we have a detention pond at the back of the residents, which should be able to hold this water. So, from my understanding that will be covered under the Stormwater Department.

As well as the emergency vehicle, which was an issue for him, we believe that we're actually allowing the vehicles to be able to get in to turn around, because we heard from some residents that they weren't able to actually get in and get out safely. So, actually extending this road and making a three-point turn allows them to get in and get back out.

Ms. Little said because as it currently stands, that road ends at a dead end. So, they stated in one of the previous meetings that emergency vehicles or transportation and sanitary vehicles often get stuck there trying to turn around, and they had concerns with parking on the street and not being able to get those emergency vehicles in and out. So,

we feel like we helped that by having that T-bar there at the end of our community that will allow these larger vehicles to be able to turn around.

Mr. Little said and there's currently a dwelling between Moss Road and the development, so we wouldn't be able to access that road, but we are able to get the construction road, there's enough space to get a construction road through there.

Ms. Little said but not an actual vehicle can pass.

Councilmember Watlington said thank you. A number of the things that I was going to ask about have been alluded to, at least a little bit. I just want to make sure I'm clear. I'm looking at the petition, but I see that the petitioner is Angelo Tillman?

Mr. Little said correct.

Ms. Little said our developer, he's here, yes.

Mayor Pro Tem Anderson said sorry, Mr. Tillman, but you can't speak.

Ms. Watlington said yes, I just wanted a little bit more clarity.

Ms. Little said okay, so Angelo Tillman is our developer. He's going to be heading up the project itself. He's our general contractor. We are speaking on behalf of the resident or property owner, which is Regina Cureton. We work alongside her, and we kind of navigate that. As far as our civil engineer, he's not able to be here, because he's not local. So, he wasn't signed up to speak tonight, but he has a lot more information, I guess, than we have that he'd be able to offer to you guys.

Ms. Watlington said thank you. I did have a question too about a comment that you made earlier in regards to ownership. I just want to make sure, are you saying that these triplexes are for sale?

Ms. Little said yes. So, they're going to be townhomes, but they're three a piece, each building for sale.

Ms. Watlington said okay, and maybe I need a little clarity from staff, just because I feel like I remember like duplex, triplex was something, unless it was specifically made a condominium, and it was called like a duet or whatever, that those were automatically for rent properties in the state of North Carolina?

Mr. Magnum said I'm not aware of that statute. Just to clarify, they are triplex units, so three units per building, and there's seven of those, so 21.

Ms. Watlington said okay. Yes, I'd like a little bit more information. I just remember back when we were talking about the 2040 and the UDO (Unified Development Ordinance) Plan, there was this conversation around duets could be for sale, but duplexes were, in general, a for rent kind of product. So, I just would like a little bit of education in regards to that, because I just remember there being a very high barrier to turn something into a condominium in North Carolina.

David Pettine, Planning, Design & Development said good evening. They're all treated the same from the building code standpoint. It really just comes down to how they're platted, lotted, and then offered for consumption by either a buyer or renter, but it really doesn't have any bearing for us from a zoning standpoint. You can either have them on sublots, or you can have them on just a common lot where they may be through a rental association or an HOA. So, we don't make a differentiation from the standpoint of how we term them, whether it's a duplex, triplex, duet, that's really just from a marketing standpoint, but a triplex or a townhome, whether it's on a subplot or not, is just still considered that under the residential building code.

Ms. Watlington said okay, thank you. Then, I did want to dig into this Loughlin Lane, because it does appear that it would be upwards of 63 cars twice a day going back and forth through there, and that just seems significant on that road given that it's a lane. So, I just wanted to understand staff's rationale behind supporting that.

Mr. Mangum said so, that is the only access that this parcel has. It's being subdivided from a property that fronts on Moss Road, but there are two street stubs for future connection, one directly towards Moss Road, another one to the south that would be another connection into the existing neighborhood to the south.

Ms. Watlington said but unless that particular lot is developed, they'll stay stubs?

Mr. Mangum said correct.

Ms. Watlington said okay. Then, my last question is, you all mentioned you met with the Steele Creek Residents Association. Do you have their comments or any minutes from that meeting?

Ms. Little said not that I know that we received, but they didn't have any rebuttals. They were actually in favor of it. They did like the community park, but when we later met with the actual neighbors and residents around the area, they were against it, so we made the adjustments according to them.

Ms. Watlington said okay, thank you. I think for me the biggest sticking point and point of concern is this means of entry and exit to the lot. That just feels like a significant amount of traffic without significant infrastructure improvements. So, I would love for ya'll to explore how you could maybe reach that Moss Road connection. So, yes, a concern for me. Thank you.

Councilmember Ajmera said so I agree with Councilmember Watlington. One of my concerns is also ingress and egress. I know that Mr. Tastan, he mentioned about having a direct access. There is a need for direct access from Moss Road. Can you explain why you are not able to accommodate that request?

Mr. Little said there is currently a dwelling on the property, and it is the primary residence of the owner.

Ms. Ajmera said can we look at it on the map site design, so we know exactly what you're talking about. So, can we pull up the site map? Okay, so, do you have a pointer you can point to?

Mr. Little said okay, yes. So, as you can see there, in between there and the property, there is a dwelling, and that the property south of our lot is actually where it's a shared driveway already. So, we haven't been able to really get the neighbor to cooperate with us as far as either trying to buy his property or allowing us access. He hasn't really responded. So, our only option right now is Loughlin Lane. Otherwise, the dwelling would have to be either torn down or we would have to get access to the property south of us.

Ms. Ajmera said I understand, okay. So, did you notify all the residents in the list that was provided by the staff?

Mr. Little said yes.

Ms. Ajmera said and you have a copy of that?

Mr. Little said yes.

Ms. Ajmera said if you could include that in our follow-up report that would be great. I'm sorry, I didn't catch, what's your role in the project, because you said you were representing?

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Mr. Little said yes.

Ms. Ajmera said who are you representing?

Mr. Little said we're representing the owner, which is my aunt. Regina Cureton. She's the owner of the property.

Ms. Little said she's the property owner of the existing dwelling that we're trying to sever from. So, we're representing the overall project in her name.

Ms. Ajmera said okay, so what is role in the project?

Mr. Little said we are part owners of the project.

Ms. Ajmera said okay. I do have concerns about developing on a floodplain, but I will let the District Council member address that, but that's all I have. Thank you.

Councilmember Johnson said thank you all for the presentation. I'm not familiar with the area. I just want to understand, if we can take a look at the map, is this a single-family neighborhood?

Mr. Little said yes, correct.

Ms. Johnson said all these lots around there are single-family homes?

Mr. Little said yes.

Ms. Johnson said so, I heard them say an HOA. Obviously, the HOA doesn't have the language single-family in the HOA language, or we wouldn't be in this position, as a public service announcement to all the other neighborhoods in the City. So, this is a lot in the middle of a single-family neighborhood that you all are proposing to put 21?

Mr. Little said townhomes, correct.

Ms. Johnson said okay, and that's due to the UDO that they're able to make this change to the neighborhood, is that right?

Ms. Ajmera said this is a rezoning.

Ms. Johnson said right, okay.

Councilmember Molina said but the UDO would allow it based on the rezoning.

Ms. Johnson said right.

Ms. Ajmera said it wouldn't come to rezoning.

Ms. Johnson said well, I think they said 13 will be by-right, is that what I heard, 13 units by-right? Did someone say 13 units by-right?

Mr. Mangum said I'm sorry.

Ms. Johnson said by-right what could be built there?

Mr. Mangum said duplexes and triplexes could be built by-right, limited to 25 percent triplexes under the current N-1A zoning.

Ms. Johnson said okay. I also want to ask City staff, is there anyone here from City Water, or someone that can answer the question regarding the infrastructure?

Mr. Mangum said we don't have anyone here from Charlotte Water.

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Ms. Johnson said okay, because that was one of the concerns they brought up, if this will put a drain on the current infrastructure, we want information about that. They also wanted a guarantee that their neighborhood wouldn't flood due to the new construction. I don't know if this is on a heel, but we know, we've seen this all throughout the City, when there's construction and there is additional water, the current residents suffer and they're responsible for any damage, if you will. So, I understand this is a lot of impact on an existing neighborhood, so I don't know that I would be in support of this either. I mean I can't either. I can't speak for anyone else, but that's concerning. If all of these are single-families, and I know we're a growing city, but I still believe in character and location of neighborhoods. Thank you.

Councilmember Brown said thank you for your presentation, and to the, Kingsbridge community. I have a few questions about a transparency process here, because I hear you guys loud and clear, don't think I don't hear you as far as your concern. There are a lot of concerns, a lot of things that need to be worked out before we could even consider it, and it wouldn't be me, it would be probably the next Council member coming in, but they can go back in and hear the recording for transparency purposes. So, I want to start with, there are a lot of challenges with the petition, but do you guys understand what by-right means, community members? Okay. If we get to that point, they would still be able to do something. I'd like to come to some type of common ground where we can communicate and be transparent about the process and what that looks like. The petitioners are saying that they sent out all communication to everybody, staff members saying that they did it, and then the community members are saying that they did not get notification. So, if community members are in the audience saying that they didn't get communication, then where did we fail? Where did we drop the ball at?

Mr. Mangum said well, every petition, there are the same standards for sending out community notice. So, that's every property owner within 300 feet, as well as neighborhood organization leaders within a mile. So, there were 75 individuals, as well as 20 HOA leaders who should've received the notice.

Ms. Brown said so, 75 individuals, and then 8 HOA members?

Mr. Mangum said this was organizations, 20 organizations.

Ms. Brown said yes, I know, Homeowners Association, we get that, but we've got a line of folks in here that came to represent their community that said they didn't get the communication. So, my concern is, for this particular petition, and we have in the past communicated the process of people saying they're not getting it, so that's my concern. That's a major concern, if we're saying that we're sending out 75 notices to our constituents, and then an additional 20 to HOA, but we have members of the community that are against it and have valid reasons to be against it. I'm just concerned about that. That's a major concern, and it continues to happen over and over and over again. So, moving forward, whoever sits on the Council, we've got to make sure that that process is rectified and that we try to get it cleared up, because clearly here, on October 20, 2025, we're still dealing with it, and we've had this come up reoccurring over and over and over again. So, that is something that we, as Council and City staff, really have to get together and make sure that we get that loophole figured out.

As far as the density piece, we're looking at, even just going down smaller from the 10,000 that was allotted to 6,000, which could create a different problem altogether, but we don't have anybody here, the subject matter experts, to answer the questions that we need to get answered. At this state, and again, the UDO allows certain things to happen, but for me, on record, 2025-025 Petition, there's a lot of concerns for me.

Again, I appreciate you guys presenting, and it's probably going to fall into the hands of the representative that gets elected on November 11, 2025, in the election, so you would be communicating with them, but there's a lot of things that's wrong with the petition that we really need to look at. My concern on our end would be, one, the communication piece, because we can get out our literature, if we can communicate and get it out in a timely fashion, and we can get it into the hands of our community

members, people that show up to community meetings. They get informed. They get educated. You can talk, you can work this stuff out, but that's not happening. We can say that it's happening all day every day, but I don't think community members are going to show up and tell us that they're not getting notifications about what's going on in their neighborhood. I can't ignore the fact that community members are telling me that they're not getting a notification that's being sent out, unless they're all renting. If that's the case, it's still a problem, because that means that somebody that doesn't live in Charlotte is benefitting from our residents.

Mr. Pettine said yes, I just want to touch on that for a moment, because as Joe had mentioned, we did have the 300-foot radius that we adhere to for all of our petitions. So, that captured, like he said, about 75 folks, including the HOAs. I believe one of the communities is Kingsbridge, I think that's the community just directly to the south of this, is that correct?

Mr. Little said correct.

Mr. Pettine said and that HOA was notified with two separate addresses on our mailing list. The reason I bring that up is when we have that radius of 300 feet, that does give us limitations, but the intent of capturing those community organizations and those neighborhood leaders is to also have that information disseminated by them to help us. So, is it a perfect system? No, there's obviously some work we need to do, but when we actually notify the HOA of that community as well, we do hope that that word does get out through their community meetings that they may have, and I'm not sure if that transpired or not, we'll look into that, but I did want to let everybody know that we did notify HOAs of both of those directly north and south communities from this petition.

Also, just in terms of the road connection, that we talked a little bit about that on Loughlin Lane, if this was a by-right project that connection would have to be made as well regardless. So, that rezoning tonight that's being requested wouldn't change that road connection, that's why it is stubbed to this property, so future development would get connected to it, whether it's by-right or rezoning. So, that is something that they would have to go through regardless of them being in front of you this evening.

Then, as far as the water and sewer, I know we had some questions, and we will provide you a follow-up from Charlotte Water. We did not get any capacity concerns from them, and all projects do have to go through a capacity analysis first before they can get access to Charlotte Water and Sewer. So, if there is an issue where they don't have enough capacity to serve the project, they won't be able to build all the units that they may propose. It really depends on them having the adequate service from Charlotte Water to be able to access that, and if they can't build all 21 units at once, or if they can't build any until that capacity increases, they simply wouldn't get permits for that. So, there is an analysis that happens, regardless of the rezoning being approved, that happens even in by-right projects. So, I just wanted to clear some of that up.

Ms. Brown said yes, I appreciate you coming up and definitely offering your expertise. My only concern is, and I still would have to use my voice authentically like I always do, I've worked with some of these wonderful folks over here on petitions all the time, and we have no community showing up, but then we have a community showing up that's saying that they're not getting informed, I cannot overlook that.

Mr. Pettine said yes, I fully understand, and we'll find out what transpired with that as well. Just wanted to go a little bit further in what we provided in terms of notices for this one in particular.

Ms. Brown said so, HOA, I know that you said that we reached out to the HOA, and they're supposed to disperse all the information, but the community piece is the biggest piece for me, it always has been and always will be.

With you all, I'm talking to the petitioners now, one, let me go back to community. Thank you for showing up, because when you show up it matters, your voice does echo and

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we hear it. Two, the petitioners, we're not against you, because one, I like to see diversity, I'm just going to be perfectly honest. I love to see that you're trying to build in a city where you don't always get to build, and so, I would love to support you, but I also would like for it to be on common ground, where we get to speak with the community, where it works for the community, where you can talk to the community. I live in the area, and Moss Road is already a disaster, we've got two lanes down in the [INAUDIBLE], everything. Traffic is backed up from end to the other, it takes you forever to get on [INAUDIBLE] to 160 to the other. So, if we could just somehow communicate going forward, I'll definitely have my voice into the representative, and this will be flagged for me to share my concerns, but thank you so much for coming out, and I will definitely like to see you be able to get your petition and your project approved, but it wouldn't be able to get approved in this state in this form. There's just too many things that need to be taken care of.

Ms. Little said we understand.

Ms. Brown said I'm happy to see you and hope to see you more.

Ms. Little said appreciate your time, thank you.

Mr. Little said thank you.

Ms. Brown said I mean it.

Ms. Ajmera said so in your follow-up report, if you can provide us by-right, because this property, I know that duplex and triplex can be developed, but this one is unique, because it's on floodplain. So, part of it cannot be developed, so the density might be much less than what's being proposed. So, if we can get in a follow-up report what would be the number of units by-right that would help us. I agree with District Council member, I think the neighbor's concerns are valid, and I would not be supporting this in its current form. Thank you.

Ms. Johnson said yes, just a couple questions for the follow-up as well. Thank you for asking that by-right information. I wanted some information on the infrastructure to see if there is the infrastructure for that neighborhood, and I'd like a little more information on the floodplain. Also, when you mentioned a community meeting, normally, there are community reports, if it's a formal community meeting, so if we could see that? I don't know if that's something you all had, or the City has?

Mr. Pettine said yes, it should be available on our website. We can send it out to ya'll, though.

Ms. Johnson said okay, thank you. Then, this petition is one of the concerns that I had when I voted against the UDO. I hate that this is my second time tonight saying I told you so, but sorry. So, if there were an HOA that specifically said it's limited to single-families, would that protect this neighborhood and other neighborhoods from petitions like this?

Ms. Pettine said so, as we've said in the past, the City doesn't enforce deed restrictions, but they don't supersede zoning, so it becomes a private party issue. So, if somebody in the neighborhood said, hey, we've got deed restrictions, you can only build a single-family detached dwelling, that wouldn't prevent us from providing approvals to build something different, but then it would put the onus on the folks that live in that community to take those folks that are building something that's not in compliance with the deed restrictions through their own court through that civil process.

Ms. Johnson said okay, thank you. To the nice young couples and entrepreneurs, I support small business and growth and progress, but I do believe location matters, and this seems to be implanted in a single-family neighborhood, which kind of pulls the rug from underneath the homeowners that bought in that area. When I look at the pictures

of the homes, they're very nice, and I'm sure that they didn't expect 21 units to be next door to them any time in the near future. Thank you.

Ms. Molina said I'll be quick, because a lot of what I would like to say has been said. I see this as a unique challenge. One, you've got one road in, Loughlin Road. I can see that based on the diagram that we have in front of us. I try to be very even minded with how we approach things and you guys, staff, have already arrived at approval, based on what our policy currently will allow for. I think in my mind, the way that I've always seen these exercises is that, when someone comes to this body, they bear the burden of proof of why they are asking us for an exception, and when you make the argument for an exception, that exception and that argument should be crystal clear. It should be something that, even if we have to make a concession for that exception, then it should be clear, and in this case, when we have 10-plus people who have come to say, hey, this is bad, it's going to be one way in, one way out, coming through our neighborhood, and look, this is now starting to happen across our city, and there's so many of these things that are going to continue to come to our front and back doors, even in some cases to our own neighborhoods, where we see something and we're constantly constrained. I'll agree, and for as long as I serve on this Council, I'd be interested in, first of all, with us being at the hearing, you may be making the decision if this comes back within 30 days, that's first things first. So, this may actually be your decision.

Mr. Pettine said yes, just to clear that up, because there was opposition tonight, this can't be voted on until December 2025.

Ms. Molina said okay, well, it won't be yours. So, since the current Council is not even going to have the decision to make, someone brand new, who doesn't even know where the bathroom is yet, no offense to that person, but they won't even know where the bathroom is, they're going to make a decision on this particular petition, and we're going to count on the continuity of the brain trust that's here to be able to remember that in order to do so, and that's a unique challenge for you two, you're going to be here. So, hopefully, you'll hold that for the District Three Rep and be able to pull that forward.

With the outstanding issues, with going from N-1A to a conditional rezoning, again, that's a pretty different type of ask, and so, I think the argument should be very clear as to why this Council should say yes. It should be clear, and the exception should be clear, the request for it, whether it comes from the Zoning Committee or the staff, by the time it reaches us we haven't had the opportunity to engage with these petitions as much as staff and, in some cases, even just the District Rep. So, I personally don't see this as very clear yet, and I opine that it needs more work.

I saw head nods from the community, they don't even know what by-right means, and I want to make sure that you know what that means. By-right, there was a plan adopted by a previous Council that says that based on how something is currently zoned in our city, that if someone owns that parcel, they can create density based on what that parcel currently says. If they come to this body and they ask for, like what's happening tonight by way of a petition, most of the time they're asking for us to give them an exception for additional density, because otherwise they'd do it without us, and all petitions don't come to this body. It's just like you, if you buy a house and you want to put a fence up, you don't want to have to ask somebody, can you put a fence up. So, if you buy that house and that house allows you to put a fence up, by all means put a fence up. It's the same thing for someone who buys commercial real estate. If they buy it, and the current zoning says that they can tear down a house that is just a single-family and they can put two or three residences that are stacked on top, we call that duplex and triplex, if they can put that there with the current zoning, they can and they don't need this body's permission. If they wanted to, let's say we've seen examples, I'm just going to give you one, where it's a large lot and they want to put two triplexes on there, because it's enough land, then they'd have to come to this body for an exception, and then they'd need to make the argument as to why that exception should be true for this body to grant that, and in most cases, it creates what we call a precedent, meaning that the neighbor right beside them can come to us and ask for the exact same thing and change the character of a neighborhood. So, I want to make sure that you all know

that before you walk away, that even if this is not approved, there's something called by-right, where the owner of that land has their own opportunity to be able to do something with that project that would create some sort of additional density, but maybe not this much. So, I want you to walk away with the real understanding and expectation that some additional density can happen, but it may or may not be, depending on what the decision of the Council is, they may not have the ability to do more. So, I'll say that and then I'll be done. So, thank you, Madam Mayor Pro Tem.

Ms. Brown said thank you. She's highly intelligent when it comes to explaining. I'm glad she took the opportunity to do that. Some people may not like it, but I'm glad that she did it. It's very necessary for you to know the process, but still, it lies on us. We have to do better. I'm a person that would love for everybody to be able to live wherever they want to live and be good neighbors, and that just doesn't happen, because of the UDO and some of our policies, which we around this dais make, and we have to work on it to be better stewards over that, so that we can move forward, intentionally. Some things have been done that our hands are just tied like this, where we want to help the community and we want to help the petitioners, because that's the world that we need to be able to live in, where everybody can work together in unison and be good neighbors, and that's what I'm trying to create, an atmosphere of good neighbors. It won't be my problem in December 2025, but I'll be sitting out there listening and looking, because I am a voter and I'm a taxpayer.

So, I want to make sure that you guys know that we do care, and I thank Councilmember Molina for going into detail about what that means. It took me two years to learn this stuff. It's very, very complex, very, very detailed and complicated, and you need to know. So, thank you guys so much. Thank you, community members for standing up for your community and showing up in numbers the way that you do, and using your voices to elevated, it matters. The petitioners, thank you for having the courage to come out and want to move forward with your project. Thank you, my colleague, for being highly intelligent. Like I said, some people might not like it. I don't care, you guys need to know. Thank you so much.

Mr. Little said thank you, guys.

Anthony Fox, Interim City Attorney said just a couple things. One, as the community can see, the Council is well informed on zoning matters, there's just a couple of things mentioned that I need to correct. Zoning or rezoning is a right that individuals have, and therefore, it is created through the ordinance and authorized by the General Assembly, so it is a right, and it's not an exception, it's a right, that one can pursue through land use policies adopted by local governments.

The other thing is that we are unique here in that when we look at a rezoning, that rezoning is specific to the particular parcel of land, and that comes with certain factual predicates. So, while in some situations it may establish a precedent, but it's not technically going to do so when the facts are generally different for each property, and each property under the law is deemed to be fairly unique. So, I just wanted to clarify that.

Mayor Pro Tem Anderson said okay, thank you.

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

ITEM NO. 21: HEARING ON PETITION NO. 2025-039 BY CHRISTOPHER MARTIN FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.37 ACRES LOCATED SOUTHWEST OF SCALEYBARK ROAD, EAST OF LOCHRIDGE ROAD, AND

**NORTH OF MURRAYHILL ROAD FROM N1-B (NEIGHBORHOOD 1-B) TO N1-C(CD)
(NEIGHBORHOOD 1-C, CONDITIONAL).**

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is just about a third of an acre, located southwest of Scaleybark Road, east of Lochridge Road, north of Murrayhill Road. It is currently zoned Neighborhood-1B. They are proposing to go to Neighborhood-1C, Conditional, in an area that is largely residential, as you can see, but there are some multi-family residential entitlements on the periphery here, some activity centers located further to the west, just outside of this map image. The Policy Map recommends the Neighborhood-1 Place Type. This proposal for the Neighborhood-1C, Conditional District, is consistent with that Policy Map recommendation. The proposal itself just includes some conditional notes. It proposed two single-family detached homes on what is currently one lot, and it limits the building heights for those homes to 30 feet.

Staff does recommend approval of this petition, which is consistent with the recommended Neighborhood-1 Place Type, proposes just a slight increase in the intensity allowed on this site. The Neighborhood-1B Zoning District requires a minimum lot width of 60 feet, and this parcel is just several feet short of being able to subdivide naturally under the N-1B District. The condition is committing to single-family development, no more than two single-family homes, and no more than 30 feet in height, keeping context with the single-family environment that the lot exists in. The property's particularly large lot width, relative to the surrounding properties and lot area, provides a strong basis for the proposed subdivision under the N-1C Zoning District, and I'll take questions following comments.

Christopher Martin, 9421 Ainslie Downs Street said I do have prepared remarks. I just wanted to maybe clarify something that might've been missed in the presentation. We also capped the size of the home that could be built as a part of a Conditional Tier 1. So, the homes that could be built on these lots cannot be larger than the largest home in the neighborhood, so I just wanted to clarify that.

My name is Chris Martin. I'm the owner of 4210 Murrayhill Road. Please bear with me, public speaking isn't something I enjoy, but I felt it was important for you to hear from me directly. I purchased 4210 Murrayhill Road about 18 months ago. At the time, my fiancé, Cole and I, wanted to be close to a sister who lives just a half a mile away. Earlier this year, we bought another home only four doors down from her where we plan to live after we marry in May of next year. We're excited to raise our family in Charlotte. 4210 Murrayhill Road was my first home.

I want to be clear I'm not a developer. I'm requesting a rezoning to allow me to divide the property into two single-family lots. The parcel is currently zoned N-1B, and I'm requesting N-1C. This request aligns with the City of Charlotte's 2040 Comprehensive Plan. The only zoning standard that prevents a subdivision under N-1B is the lot width. Each divided lot would be approximately 52½ feet wide from the setback, which is just under the 60-foot requirement under N-1B. All other standards are met, and importantly the neighborhood does not have an established lot width or lot size pattern, so a subdivision would not be out of step, it would keep the character of the neighborhood. I also want to share the practical side of the request. If I had to sell 4210 Murrayhill today in its current state under the current zoning, I would face about \$100,000 loss when you factor in the brokerage commissions, the improvements I've made to the home, and the gap between the rent and the mortgage. This isn't about seeking a profit as a developer. It's trying to make a reasonable use of the property in line with the City's plan with the way the neighborhood is already evolving. Because this is my first time navigating the process, I hired counsel to guide me. Together we reached out to the community in good faith. For our first community meeting, we sent out nearly 100 invitations, about 10 neighbors attended, and a few concerns were raised. One person worried that this was the beginning of a multi-family development, it was explained that was not the case. This request only allows single-family homes. Another person raised concerns about

building height. It was clarified that the proposed rezoning would actually decrease the maximum allowable building height compared to the current zoning.

Someone asked about my background and whether I was a developer. It was explained that I'm not. I'm a homeowner who purchased a home before finding the one we'll now live in and raise our family. Because I wanted to personally engage the community, I decided to host a second public meeting. Again, nearly 100 invitations were sent out, five neighbors attended and three spoke. I didn't host a second meeting because it was required, I did it because I believe it's the right thing to do, and because my fiancé and I will raise our family in the community.

I understand that change is unsettling, that's why I adjusted our request to Tier 1 rezoning, which allows site specific conditions. This was an important step to demonstrate that we truly listen. For example, we committed that any new homes on the subdivided lots cannot be larger than the largest home in the neighborhood. For comparison, the newly subdivided lots would be approximately the same size as 4221 Murrayhill Road, located almost directly across the street from our property, and it'll be larger than 4220 Murrayhill Road, which is two doors down. So, this would not be setting a new precedent, it would be consistent with the way the neighborhood has already been evolving. Several new homes have been built in the neighborhood over the past couple of years.

From the beginning, our goal has been to handle the process with transparency and respect. I've engaged the community twice, clarified misconceptions, and adjusted the rezoning request to directly address concerns. I've made site specific commitments to prevent overbuilding and ensure compatibility with the neighborhood. I believe this request is reasonable, consistent with the City's long-term vision, and reflective of the growth that's already taken place. Thank you for your time, your service to Charlotte, and your consideration of our request.

Mayor Pro Tem Anderson said excellent. Did you have any words to say?

James Younger, 9421 Ainslie Downs Street said Chris speaks better than I ever could.

Kathryn Howard, 4358 Applegate Road said good evening, Council members. My name is Kathryn Howard, and I live near the subject parcel at 4210 Murrayhill Road. I'm here tonight to voice my strong opposition to this rezoning request, which as currently presented lacks transparency and clear benefit to the surrounding community. They've made it clear in the community meetings that he no longer lives in that community, and has purchased a home nearby, and does not intend to develop the property himself, but rezone, subdivide lot, and sell both parcels to third parties. He's also claimed that in the community meetings he'd lose upwards of \$100,000 if sold, but has not made an attempt to list the home for sale. Those numbers may reflect short-term capital gain, since the property has not been lived in as his primary residence for the two of the last five years. While I understand market fluctuations, and the impact the current economy has had on individuals, zoning decisions should not be used as a mechanism to help individuals recover from personal losses or reduce their tax obligations. While some may say this supports affordable housing, each subdivided lot would have to go for around \$300,000. Tacking on a \$400,000 to \$500,000 in-home build cost for those developers, those homes would likely be selling for \$900,000, and just adding the additional traffic to the neighborhood. When we subdivide one lot what stops anyone from subdividing other lots in the neighborhood, and my concern is, we don't have the infrastructure to support that kind of transportation that would be coming through the neighborhood at that time.

Murrayhill and Collins Park is a unique corridor. It's defined by walkability, mature trees, and that cohesive single-family character. While there are some split lots, those are the corner lots that have already been approved, and don't hinder as much of the in and out traffic as would be on that Lane. So, I am asking Council to evaluate, not only the facts,

but also the precedent it's going to set for our neighborhood. It's going to split lots in the middle of the road instead of the corner lots that have already been approved.

Jeremy Howard, 4358 Applegate Road said hey, good evening, Council. I'm Jeremy Howard, Kathryn's husband. I also live on Applegate directly running parallel to Murrayhill. I'm not directly opposed to the rezoning. It's more so the lack of, there is no site plan, there is no development behind it, and I know I sound like a big NIMBY (Not In My Back Yard) because I'm up here saying, don't rezone it, I'm more concerned with the aesthetics of it. I love our community. I love our neighborhood. I would love to see some more thought put into, okay, there isn't an actual site plan or drawings on how this is going to look. So, I'm a little confused on, okay, I don't care about it being multi-family or not, you could put a duet there, but I'm more concerned with the aesthetics and how it fits in with the neighborhood. I'm a real estate broker myself, I've been in it for 10 years. The dynamics behind developing that lot are a little bit more difficult, because of that stormwater easement that runs down the right side of that property, and while the lot is wide, 15 to 20 feet of that is kind of cut out, it's really unbuildable. So, I'd like to see a little bit more effort and thought put into the development of that site versus, hey, we're just going to subdivide it, and then selfishly, I've got to walk by something that looks like it's tract built. The largest home in the neighborhood, which is actually to be built, is going to be about 4,000 square feet. So, I'm not saying no. I'm kind of like the girl when you ask her out and you go, hey, you want to go out tonight? Well, that's not very enthusiastic, but if you say, hey, I've got dinner reservations at 6:30 p.m. at Osteria LuCa, yes, that's a plan, I can get behind that.

So, that's all I've got to say about it. I'd just like to see a little bit more thought put into it. I'd say 50 percent of the neighbors are vehemently against it that I talked to. I'm not on that side. I'm more concerned with the aesthetics, how it's going to look, and if we subdivide it, and he sells it to somebody else who is going to develop that property, we've kind of lost it. We don't have any insight, there's no plans, there's no drawings, and so, hey, how is this going to look? I could give two whatevers about how big it is. I care more about the aesthetics and the planning behind it and how it's going to integrate with our neighborhood, more so than anything else.

Mayor Pro Tem Anderson said okay, thank you. Well, first, thank you for not cursing. I too could get behind a dinner plan as you laid out in your second option, so great job there. What I want to say, and I'll kick it off, because this is in my District, so I've had conversations with Mr. Martin for months on this. He proactively reached out, and he has engaged with the community above and beyond what he had to, and he wanted to ensure that, because he will be a part of that community on a continued basis, that he wanted to be good stewards. So, I appreciate the outreach of 100 residents twice and listening to the residents.

I will say, and I might ask staff to chime in here, but based on the rezoning that he filed for, the plans that you are speaking of and you have a desire to see, are not a requirement. So, we can't hold him to that, because it's not a prerequisite for this particular petition change. So, I want to be clear-eyed on that, that I hear what you're saying, but he doesn't have to present that currently. Could you speak to building to the character and aesthetic of the neighborhood and the fears around that based on our policy?

Ms. Cramer said sure. I don't know, did we do a two-minute rebuttal?

Mayor Pro Tem Anderson said oh, I'm sorry, I totally skipped over the two-minute rebuttal. Sorry about that, but Mr. Martin and Younger come down and you have two-minutes, and then I can get my question.

Ms. Cramer said I'll get back to you, yes.

Mr. Martin said thank you, Council. I want to begin by saying I respect my neighbors who came tonight, and I appreciate their perspectives. We did talk about potentially redeveloping it, and providing plans to the neighborhood, but that's a financial lift we just

don't have the capacity to do right now, so just to clarify if there were questions about that. I would just say the larger context is also important when looking at this. When the house was built in 1959, the City of Charlotte's population was around 200,000, today it's close to 900,000, and 150 people move to the region every single day. We have a housing shortage, and approving the rezoning adds another home to a desirable neighborhood while still preserving its character, and it's consistent with the City of Charlotte's 2040 Comprehensive Plan.

Finally, I want to emphasize, I'm not a developer. This was the first home I've ever purchased. My fiancée, Cole, and I will raise our family a half mile from the house. I've worked hard to be transparent, to listen, and to adjust, and I believe the rezoning request is reasonable, responsible, and reflects the way the neighborhood is already evolving. Thank you.

Ms. Cramer said so on lot character, neighborhood character, and how a rezoning plan can address this and how it applies to this rezoning, so they are requesting a Neighborhood-1 Conditional Rezoning. This is considered a Tier 1 plan, meaning we don't have a full site plan. They provided conditional notes, which are still site specific notes tied to this specific site. So, they have limited their height, they have limited the use to two single-family detached homes, and as they stated in their comments there, I don't have it up on the slide, and I apologize, they have also limited the square footage of each home to be in line with what is no greater than the largest home in the neighborhood. These are fairly typical notes, and they are more restrictive than you would see in our ordinance, I will say.

If there are additional architectural standards or designs, comments that the community would like to see incorporated into the notes, then I think that's a discussion that could easily be had between the petitioner and the community. Items such as, well, every single home in this neighborhood has an eight-foot-deep porch, for example, I would like to see that incorporated into the notes. That's something that can certainly be discussed between the petitioner and the community. Architectural renderings are not typically included in rezoning documents. It's not an appropriate location for those, but the petitioner is certainly at liberty to share those with the community if they have them and would like to share them, but we ask for those to not be submitted as part of the formal rezoning documents, it's just not part of our process. This is a Tier 1 Conditional plan, so it has those notes. They can continue adding notes as they wish to speak to some of the community concerns about design, and some of that architectural nuance to make it fit more into the character, but when we also look at character, we consider some variables with the rezoning petition and the subject site. Actually, as you all look forward to Community Area Planning here in a month's time, you'll see within every area planning document, it's called PT-5, which is part of the complete communities section of every single document, and it lists out some variables that are considered with every single rezoning that is asking for a more intense Neighborhood-1 classification, such as, what is the existing lot pattern characteristic of the neighborhood? What are the individual lot characteristics of the subject site itself? Does it exist on a unique road frontage, like a major arterial, for example? So, those are some of the characteristics that we're already taking into account on a staff analysis side. This does have a very large lot width itself that is much greater than its surrounding properties, so we took that into note as part of the justification for a potential subdivision of this site, and that speaks to character as well, because then once they do subdivide the site, it's not going to be too far out of step with what is already surrounding it.

Mayor Pro Tem Anderson said absolutely, and that was my understanding. I just wanted to make it clear that they have added additional restrictions to what could be built to complement what is actually in our policy. You all have a great neighborhood. It's a beautiful neighborhood. I cycle through there whenever I can hop on my bike, and love looking at the homes, and I'm sure that the character and aesthetic of the existing homes will be taken into account. Any additional comments?

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

ITEM NO. 22: HEARING ON PETITION NO. 2025-045 BY J&J CUSTOM HOMES FOR A CHANGE IN ZONING FOR APPROXIMATELY 9.09 ACRES LOCATED SOUTH OF MCKEE ROAD, EAST OF FRED GUTT DRIVE, AND WEST OF GLENMORE GARDEN DRIVE FROM N1-A (NEIGHBORHOOD 1-A) TO N1-D(CD) (NEIGHBORHOOD 1-D, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is just around nine acres along McKee Road, east of Fred Gutt Drive, west of Glenmore Garden Drive. As you can see, it's just to the east here of McKee Elementary. In the area, we have largely residential uses, some multi-family residential along the site's western boundary, and some single-family residential along smaller lots along the eastern boundary of the site. It is currently zoned Neighborhood-1A, and they are proposing to go to Neighborhood-1D, Conditional, which is consistent with the Policy Map's recommendation for the Neighborhood-1 Place Type. Similar to the last petition, this is a Tier 1 Conditional plan, so it doesn't have a full site plan, but it does have site specific conditional notes tied to it, and they are noting that they're limiting uses to just single-family detached uses across the site. It could also include accessory uses, that's standard language, but it would be limited to single-family detached, so you could not build duplexes and triplexes under this plan.

Staff does recommend approval of this petition. It is consistent with the Policy Map's recommendation for Neighborhood-1, and proposes an increase in intensity that is compatible with what is developed on the eastern and western boundaries of the site. The conditions of the plan commit to developing single-family detached building forms, and the lot sizes allowed in N-1D would be pretty similar to what's already developed in that MX-2 zoning to the east of the site. Existing MX-2 development, as well as the attached building forms to the west, give credence to the more intense residential district at this location. I'll take questions following petitioner comments.

John Floyd, 100 North Tryon Street, Suite 4700 said Mayor Pro Tem, members of Council, I'm John Floyd with Moore & Van Allen, and here tonight on behalf of J&J Custom Homes. I'm joined tonight by Jennifer Ream, who is the project coordinator for J&J, and Jeff McCluskey, who is J&J's design consultant, in case you have any questions that I can't answer. J&J is a local custom home builder. They've done a couple small single-family developments here in the Charlotte area. I'll be brief. The site we're talking about, again, is 9.09 acres, located off McKee Road. The site is currently zoned N-1A, and we're proposing N-1D, Conditional. A couple things to point out about the site. You've got at the south end of the site, this large pond that is going to inhibit development. You also have a relatively narrow site, and you have townhome communities on both the east and west side. The petitioner planned on developing a single-family neighborhood on this site. Given the difficulties with the pond and the narrowness of the lot, they're requesting to move from N-1A to N-1D to allow more flexibility with lot size. Our design consultant estimates that with that N-1D Zoning, and the limitations on the lot, we could probably get about 28 single-family homes there, which is about three acres per unit on a nine-acre lot. We think that's a pretty reasonable request. We did originally file this as a conventional rezoning. Some of the comments that we got back at the community meeting were just about, how can we guarantee that you're going to put single-family there, not duplexes and triplexes? So, we refiled as a Conditional Tier 1, just to include that condition that it would be limited to single-family detached. There's the conditions, nothing special, just that Section two makes clear that we're limited to single-family detached, not changing Place Type, it's Neighborhood-1, it's going to stay Neighborhood-1, so it's consistent with the comp plan, and that's really it. Happy to answer any questions that anyone has.

Councilmember Driggs said I'll just comment quickly. I've had some engagement with the neighbors and walked the site with them. They communicated, I guess, some concerns or curiosity. I think you've done well to address, one, the question about the

conditional and being more specific about it. I think there was a conversation about the preservation of trees, and the information I got was that best efforts would be used to preserve the trees. Then, of course, there's the constant problem of traffic on McKee, but I've advised them that, in fact, the impact of 28 homes on McKee, given the volume of traffic there now, is almost not measurable, so that wouldn't be a factor for us. Therefore, I don't actually have a question. I'll just tell you I'm going to follow up with them and then be back to you if there are any other issues that they want us to consider before the vote. Thank you for being here tonight, it's good to see you.

Mr. Floyd said thank you, Council member. I will say on the tree issue, if I can pull up this, it's a little hard to see. There's certainly tree lines on both sides. A lot of those particularly on the western side are not even on our lot, those are on the townhome community there, but certainly, I think the builder's view is, the trees on both sides are helpful to the communities that are there and also helpful to the new community that will come in. So, every effort will be taken to maintain the trees.

Mr. Driggs said thank you.

Mayor Pro Tem Anderson said excellent, two well-attended community meetings. It looks like you had good attendance on both.

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

ITEM NO. 24: HEARING ON PETITION NO. 2025-057 BY TRIBEK PROPERTIES FOR A CHANGE IN ZONING FOR APPROXIMATELY 2.17 ACRES LOCATED ON THE SOUTHEAST CORNER OF LANCASTER HIGHWAY AND BALLANTYNE COMMONS PARKWAY, AND WEST OF ADAIR MANOR COURT FROM B-1(CD) (NEIGHBORHOOD BUSINESS, CONDITIONAL) TO B-1(CD) SPA (NEIGHBORHOOD BUSINESS, CONDITIONAL, SITE PLAN AMENDMENT).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said Petition 2025-057 is just over two acres located at the southeastern corner of Lancaster Highway and Ballantyne Commons Parkway. The site is wooded and undeveloped. It's about a mile west of the Ballantyne Mixed-Use Center. Current zoning is B-1, Conditional, with the proposed zoning as a Site Plan Amendment to that B-1(CD) zoning. The 2040 Policy Map recommends the Commercial Place Type. The proposal would maintain entitlements to allow 22,000 square feet of retail uses on the subject site, as well as adjacent parcel, which are referred to as parcel one on the previous rezoning site plan. It would maintain all conditions and design standards of the previously approved plan. The sole change with this Site Plan Amendment request is to allow a right-in/right-out driveway access from Ballantyne Commons Parkway.

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design. It is consistent with the Policy Map recommendation for the Commercial Place Type, which supports retail use in a walkable landscape public realm that balances automobile, bicycle, and pedestrian elements. The petition would maintain the site's existing zoning, while amending the site plan to allow right-in/right-out access from Ballantyne Commons Parkway. The proposed Site Plan Amendment would not make any changes to the previously-approved entitlements, building envelope, setbacks, buffers, or landscape areas, and would facilitate development of a parcel that has remained vacant while all surrounding parcels have been developed. I'll take any questions after comments from the petitioner and the community.

Bridget Grant, 100 North Tryon Street, Suite 4700 said good evening, Mayor Pro Tem, members of Council, members of the Zoning Committee. My name is Bridget Grant, and I'm a Land Use Consultant with Moore & Van Allen. It's a pleasure to be here tonight on behalf of Blanton Hamilton and Tribek Properties. As Joe mentioned, this is a really simple site plan amendment. The limit of the request is simply to add an additional access point off of Ballantyne Commons Parkway. In doing that, it will be limited to a right-in/right-out movement, and it also changes our access off of Lancaster Highway, which will also turn into a right-in/right-out movement only. This access has been changed and reviewed by both C-DOT and NC-DOT (North Carolina Department of Transportation). What it actually does is remove some of the retail traffic that would be created by this approved development from going to the nearby residential street, Adair Manor, and give them direct access directly onto Ballantyne Commons and onto Lancaster Highway. I won't use the full 10 minutes, but I'm happy to answer any questions after the neighbors have a chance to also speak.

Anastasiia Khmelovska, 14527 Adair Manor Court said good evening, Madam Mayor Pro Tem, Council members and Planning staff. My name is Anastasiia Khmelovska, and I'm here accompanied with my husband, [INAUDIBLE]. We will in Adair neighborhood, which is directly adjacent to the site under Rezoning Petition 2025-057. First, I'd like to thank the Council and staff for the opportunity to speak. We understand that Charlotte continues to grow and a [INAUDIBLE] thoughtful, well-planned development that aligns with the surrounding community. After reviewing the materials, including the rezoning transportation analysis, and the community meeting report from July 1, 2025, where petitioner indicates that the intended use for this parcel is a fuel station.

Our neighborhood has several concerns we'd like to share. According to the City's rezoning transportation analysis for petition, a convenience store scenario was modeled, generating about 3,383 daily trips. That level of traffic aligns with a fuel station and convenience store combination, which would bring a very large increase in vehicle movements at this location. We're also aware that this property already has commercial zoning approval from 1998. However, since that time, South Charlotte and Ballantyne has experienced tremendous growth, and traffic volumes have increased significantly, especially around Ballantyne Commons Parkway and Lancaster Highway. The development patterns, population density, and traffic conditions of today are entirely different from those of nearly three decades ago. It's reasonable to reevaluate how new access or intensity changes will affect the area now, not just rely on approvals from a much quieter time. Today, traffic at the Ballantyne Commons Parkway and Lancaster Highway intersection is already heavy throughout much of the day, especially at peak hours. Increasing daily trips by this magnitude, roughly 20 times more than what currently occurs at this site, would have a serious impact on travel times, safety, and overall quality-of-life for nearby residents. Recently, the City implemented major improvements, adding new dedicated turn lanes on Ballantyne Commons Parkway and Lancaster Highway, which have helped significantly to relieve congestion. However, introducing a business generating over 3,000 new daily trips could erase benefits worsen safety and flow for everyone who uses that intersection.

We also believe there is no demonstrated need for another fuel station in this area. The area is surrounded exclusively by residential buildings as you see. Our street, Adair Manor Court, streets across Ballantyne Commons Parkway, buildings across Lancaster Highway, they all are residential. Within just one mile, there are already two full-service gas stations, a Circle K and a BP, that serve local residents and commuters. Adding another one so close by would not meaningfully improve access or convenience, but it would dramatically increase traffic lights and environmental impact. Fuel storage and pump operation poses fires, fuel and vapor hazards, especially where prevailing winds and drainage [INAUDIBLE] pollutants towards residential areas. We respectfully request a full environmental and fire safety review before any consideration of approval.

The parcel is also currently for sale, we can see sale signs on this lot, which raises the likelihood that a future buyer could quickly pursue high-intensity use, like a fuel station, once the access modification is approved.

In addition, our neighborhood pool directly faces this lot, it's less than 500 feet from this lot. If a fuel station is constructed here, families and children using pool will be directly exposed to gas fumes and [INAUDIBLE], especially during warm weather. This raises genuine concerns about both air quality and overall enjoyment of our shared outdoor space, and our concern of safety for children, as there is a school bus stop located very close to this site. During morning and afternoon pickup times, children often wait near roadside. A significant increase in vapor movements, especially with drivers turning in and out of a busy commercial entrance, poses a real safety risk for families and children in our neighborhood.

So, our primary concerns include the substantial traffic increase and related safety issues for nearby roads, potential for 24-hour operation bringing additional noise and late-night activity, lightening glare from canopy, and parking lot fixtures affecting nearby homes, and environmental and safety risks associated with fuel storage and delivery near residential areas.

We're not opposing development itself, but we ask that it be balanced and considerate of the surrounding neighborhoods that have grown up since the original zoning approval. If Council ultimately decides to approve this petition, we respectfully ask that certain conditions be added, including restricting fuel sales, limiting business hours to avoid 24-hour operation, and require a lighting buffer with downward-directed fixtures to provide lights below [INAUDIBLE] adjacent homes. These safeguards would help ensure that future development benefits both the property owner and the surrounding community. Thank you very much for your time and consideration.

Ms. Grant said good evening. We appreciate the sentiment that definitely a lot has changed since this was originally approved in 1998. I do want to note that a fuel station was noted on the original rezoning when this was adopted in 1998, and when they were laying out the townhomes adjacent to it, it was the anticipated use at the time of the original rezoning. That said, when we revisited the change in access, we did a new traffic study to take into consideration how things have changed currently, to make sure that what we were doing accounted for the level of development and intensity that's out there today, and that our access points aligned in accordance with providing the most safe option to get in and out of the site. So, we're happy to continue conversations to see if there are other changes that can be made, but we're really just trying to narrow the focus to the access point, and we'll do what we can to continue to work with community.

Councilmember Driggs said so, this is a site plan amendment, and that's not the same thing as a rezoning. So, technically the conversation we should be having now is whether the change in the driveway and the proposed traffic routing on Ballantyne Commons is acceptable or not. I'd have to talk to legal about what scope we have, but I'm not personally inclined to go back, and just because they came and asked for the site plan amendment, rescind the authority they have under the existing zoning. I mean, that's an entitlement that's in place and it hasn't changed. So, I guess what I'll do is maybe follow up with Council, and if you want, write to me. You can find my email address on the City Council website, and we'll have a further conversation, but you just need to know a site plan amendment is kind of a limited action by us. Thank you.

Councilmember Ajmera said so this question is for Mr. Attorney. This is the first I have seen in the past nine years that it's just the site amendment plan, but it still goes through the rezoning process, if you can help me understand that?

Anthony Fox, Interim City Attorney said it's my understanding the site plan amendment process does go through the rezoning process as well, and you can talk about whether or not community meetings are required or other aspects.

Mr. Mangum said it's the exact same process.

Ms. Ajmera said so, it's the exact same process. They still have to follow the same process of notifying the community, having community meetings, and having the

Council an opportunity to take a look at this again, okay. There were a couple of suggestions made by the constituent about limiting hours and others. Petitioner, if they can look into this, accommodating this request, that would be great.

Holly Cramer, Planning, Design & Development said we will look into it, thank you.

Ms. Ajmera said yes, that's all I have. Thank you.

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

ITEM NO. 25: HEARING ON PETITION NO. 2025-075 BY NORTHLAKE PAVILION CONDOMINIUM ASSOCIATION INC. FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.37 ACRES LOCATED SOUTHEAST CORNER OF METROMONT PARKWAY AND STATESVILLE ROAD, AND WEST OF METROMONT INDUSTRIAL BOULEVARD FROM ML-1 (MANUFACTURING AND LOGISTICS-1) TO IMU(CD) (INNOVATION MIXED-USE, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is just over 6.3 acres along the southeast corner of Metromont Parkway and Statesville Road, and west of Metromont Industrial Boulevard. In an area, though, it has a lot of industrial zoning on the ground, it is really a mix of office, industrial, and retail uses. It is currently zoned Manufacturing and Logistics-1, and they are proposing to go to Innovation Mixed-Use, Conditional, which is inconsistent with the Policy Map's recommendation for the Manufacturing and Logistics Place Type. The conditional notes submitted for this petition are pretty minimal. They have just noted that they are allowing for any of the nonresidential uses permitted in the Innovation Mixed-Use Zoning District. So, whereas, typically, Innovation Mixed-Use allows for office, residential, retail, some artisanal industrial uses, it is noting that any of those uses, as long as they are not residential, would be permitted on this site.

Staff recommends approval of this petition. Although it is inconsistent with the Policy Map's recommendation for the Manufacturing and Logistics Place Type, it meets a lot of the variables that we look for in a Place Type change for Innovation Mixed-Use in terms of minimum acreage, preferred Place Type adjacencies, it's not located within Uptown, and it's within an aging Manufacturing and Logistics area that may be transitioning to other and more diverse uses. That prohibition on the residential uses is really a preferred outcome given that many of the areas surrounding this site still have Manufacturing and Logistics Zoning on the ground, so you typically wouldn't want to allow for residential uses to occur directly adjacent to that anyway, and I'll take any questions following petitioner comments.

Aaron Houck, 600 South Tryon Street, Suite 2300 said good evening, Madam Mayor Pro Tem, Council members, Zoning Committee members. My name is Aaron Houck. I'm here on behalf of the petitioner, Northlake Pavilion Condominium Association, and with me tonight from the petitioner, is Mike Smith. The petitioner is seeking a rezoning of this site. It's about 6.366 acres on the southeast corner of Statesville Road and Metromont Parkway. It's a little northeast of the Interstate 77, W.T. Harris Interchange. As you can see from some photographs of the site, there's an existing development on the site that has a mix of office and commercial uses. Some of the users on the site include multiple churches, various offices, including a medical office and a dental office, there's a beauty spa, there's some light industrial uses, and there's an event space, among others on the site.

The site is currently zoned ML-1, and the site was rezoned ML-1 as a part of the adoption of the UDO in 2023. Prior to the adoption of the UDO, the site was zoned I-1

under the Legacy Zoning Ordinance. Again, the petitioner is requesting that the site be rezoned from ML-1 to IMU Conditional Zoning District, where the condition would be no residential uses on the site. The reason the petitioner is seeking this rezoning is because the site already has a lot of existing uses that were there prior to the UDO's rezoning of the site. Those uses are now not allowed on the site under the ML-1 zoning. They're legal nonconforming uses, because they were there before the rezoning occurred, but rezoning the site to IMU(CD) would allow those uses to be allowed again, and again, residential uses would not be allowed as a part of this rezoning, that's the condition. Thank you for your time, and we're glad to take any questions you may have.

Councilmember Johnson said thank you for the presentation. Have we met? Have we discussed this petition at all?

Mr. Houck said have we met about this petition? We have not.

Ms. Johnson said okay. So, I'm the District Representative, and I don't have just any details about the project. So, I know this is not a conventional, it is conditional. I'd like a list. I don't know if someone can pull up a list of what uses are allowed, if I can just see that. So, is there a reason we don't have any details about a site plan or what the proposed use would be for this?

Ms. Cramer said yes. So, we were comfortable with seeing this come through as a Tier 1 Conditional prohibiting just the residential uses, because generally the other uses allowed with Innovation Mixed-Use, whether it be office or retail or some of those artisanal industrial, I think it's something like a glassblowing studio, for example.

Ms. Johnson said I'm sorry, like what?

Ms. Cramer said like a glassblowing studio, artisanal industrial. Those uses within Innovation Mixed-Use that are allowed that are not residential, are compatible with the surrounding development and consistent with what is already on the site, and would allow the existing uses also to continue on the site, or even expand if they needed to. It's currently in a legal nonconforming status, as the petitioner noted, so they can continue the use, but if they ever needed to expand for some reason, they would be out of compliance essentially. So, this allows the uses to be brought back into compliance under the Innovation Mixed-Use District, but I can follow up with you with a more complete list of the uses allowed under the Innovation Mixed-Use District that are exclusive of those residential uses, which would not be permitted on the site.

Ms. Johnson said right, so comparing what's currently allowed and what's not allowed, and what they're proposing to be allowed. So, it is a conditional, so can we require a site plan or more specifics on what's being proposed there?

Ms. Cramer said sure, if it's the desire of Council or community, you all can request of the petitioner certain conditions be added. If there are uses that you are concerned about, I'd encourage that conversation to happen with the petitioner, certainly. From a staff's perspective, we don't have a concern with the conditions as they currently are. This is currently a Tier 1 Conditional plan, so it doesn't have a site plan, it just has the conditional notes listed with the plan, but if you are desiring a site plan, that's also a conversation to have with the petitioner, but that can certainly happen, and you can always pivot the type of rezoning petition to have a site plan if that's the desire of Council, and if the petitioner is willing to do that.

Ms. Johnson said okay, thank you. Yes, I would like more information on what the plan is.

Mr. Houck said yes, there's an existing development on this site, and the intention is to leave the development there. The uses of the site existed prior to the adoption of the UDO, which rezoned the site from I-1 to ML-1.

Ms. Johnson said and what's the current use?

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Mr. Houck said the current uses include a number of office uses, including a medical office and a dental office, there's two churches, there's a computer store, there's a beauty spa, there is a real estate office, an eye doctor. So, some of those uses, for instance, medical offices and dentist offices, are not allowed in the ML-1 Zoning District, but those offices were there prior to the adoption of the UDO and prior to the rezoning of this site to ML-1. So, they're allowed, because they're legal nonconforming uses, and this rezoning to IMU(CD) would bring those uses back. Medical office and dental offices are allowed uses in IMU, and so, the intention is to leave the development as it is, just to bring those uses that are already there back into the allowed zoning, and then to prohibit the residential uses at the site.

Ms. Johnson said okay, thank you. That's all the questions I have.

Councilmember Mitchell said just a follow-up on Councilmember Johnson. I'm familiar with the Northlake Mall area. So, are you at the perimeter of the woods, or are you closer to I-77? Where are you actually located? Give me a target.

Mr. Houck said so, with the lights, it's hard for me to see here, but the site is northeast of the 77 West, W.T. Harris Interchange. So, that's Statesville Road, you can see it where it's labeled as 21 there immediately to the west of the site. If you go down, W.T. Harris is just out of the picture at the bottom there. So, Northlake Mall is across 77, yes.

Mr. Mitchell said across the 77, right, okay. So, you're closer to Hickory Tavern?

Mr. Houck said pretty close, yes, on the other side of Harris Boulevard from Hickory Tavern.

Mr. Mitchell said got it, okay. So, you have to give me an eating location. Past Bobbee O's, so Councilmember Johnson I can understand where you're at. Okay, thank you, Mayor Pro Tem.

Motion was made by Councilmember Mitchell, seconded by Councilmember Johnson, and carried unanimously to close the public hearing.
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ITEM NO. 26: HEARING ON PETITION NO. 2025-080 BY SW DEVELOPMENT PARTNERS, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 5.00 ACRES LOCATED NORTH OF EAST W. T. HARRIS BOULEVARD, SOUTH OF BRIARDALE DRIVE, AND EAST OF EAST INDEPENDENCE BOULEVARD FROM R-9MF(CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is five acres, along E.W.T. Harris, just east of East Independence Boulevard, in an area where we have a lot of commercial uses along the Independence Boulevard corridor, some residential uses north of the site, and some multi-family residential uses in the periphery. The site is currently zoned Legacy Ordinance Conditional Zoning District of R-9 Multi-Family, Conditional. They are proposing to go to Neighborhood-2A, Conditional. This is inconsistent with the Policy Map's recommendation for the Commercial Place Type. The proposal itself is for up to 44 townhome-style units. It would limit units to a maximum of six units per building and only four of those buildings could have the six units per building, and there would be no more than 10 buildings across the site. It would provide a 10-foot landscape yard adjacent to the Single-Family zoning, sidewalk connections, 10 spaces for visitor parking, and open space areas would have our preferred open

space standards for enhancements across the site, and also provides preferred architectural design standards.

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site design. Though it's inconsistent with the current Policy Map recommendation for the Commercial Place Type, it meets some of those variables that we look for when considering a Place Type change to the Neighborhood-2 Place Type, and those include minimum acreage, frontage along an arterial road, and the fact that it's a quarter-mile walk to an existing bus stop. It has adjacency to preferred Place Types, and it has close proximity to goods and services. This rezoning could serve as a good transition between the commercial corridor along East Independence and E.W.T. Harris and the single-family area that's just to the north of the site. The proposal maintains multi-family entitlements on the site, which are already there, but brings them under preferred UDO standards, and I'll take questions following petitioner comments.

Collin Brown, 1420 East 7th Street, Suite 100 said thank you, Mayor Pro Tem, Zoning Committee members, Council members. Collin Brown on behalf of the petitioner, SW Development. Holly did a great job. This is in Councilmember Molina's district. If we do our job well, we will be back in time. We don't have any opposing speakers tonight, so we could have a vote from you next month. Again, the petition we heard before this was at one end of Harris Boulevard, this is all the way at the other end of Harris Boulevard. What's interesting, and Holly mentioned, here's the site, five acres, is it's currently zoned R-9MF. So, it has a zoning on it that is multi-family, actually for apartments, but it's a very old one that's outdated. So, if you were to look at the current zoning and overlay it on the site, it would show apartment housing at a higher density than we're requesting. So, we would like to come in and just do a kind of modern townhome approach. The one challenge, as Holly mentioned, is the land use plan in the 2040 Map calls for business. As you know, there's a lot of car dealerships here. When we had our community meeting, we only had one person show up, but she was very pleased that we are proposing residential here to transition and not have an expansion of those heavier kinds of automotive dealerships.

So, in a nutshell, as Holly mentioned, we're talking about 44 units on the five-acre site, which is a pretty good medium density project. We continue to work with the DOTs. NC-DOT has a project for some improvements, and so, our engineering team is working with them. We hope to have those issues ironed out and be back to you next month. Happy to answer any questions.

Councilmember Molina said actually, I've driven the site, and Councilwoman Johnson would be pleased to know that the zoning petition actually has a QR Code on it. When I saw it, I was tickled pink. I drove to it, and I said it has a QR Code. So, that's first thing. You did that girl. So, my challenge is, Collin, and I know we can talk about this, is that that's a pretty intense curve. What type of traffic are we?

Mr. Brown said well, I'm happy to talk with you more about this, and I'll involve our engineer. If you can see, this is setback, because NC-DOT has pretty significant plans for that area. So, let me incorporate them, we'll bring that, but this isn't just getting built out there, we're coordinating with them pretty closely on their future improvements, which are moving along.

Ms. Molina said okay. So, there are plans to improve right there?

Mr. Brown said that's correct. NC-DOT has pretty significant plans for adjusting that alignment.

Ms. Molina said oh, okay. So, driving that, I wouldn't know that, because when I saw it I was a little concerned.

Mr. Brown said yes, if you see all that frontage were set back, it's to accommodate for some for their future modifications, which I'm happy to share with you.

Ms. Molina said okay. Second, I see that there's a lot of single-family that kind of abuts this property, and you only had one person come out?

Mr. Brown said that's right, we were surprised as well when we have another property owner right here. Frankly, I was a little disappointed, because I think it's a great story. Again, it's already zoned for apartments. We're actually zoning for less than is there now, and I thought, the person from the neighborhood that comes, if we say, hey, the plan calls for business, what would you like to see? They like the residential idea. Even though no one came and complained, you can see they've kind of loaded the site, so that it has all the open space to the rear to buffer from those single-family homes. So, I think the team's done a good job. If you encounter others that would like to meet, we're happy to speak with them.

Ms. Molina said so, like you're saying, just to make sure that I'm clear, since there's no opposition, there is going to be a buffer. Do you know where I'm talking about on W.T. Harris? Have you ever driven W.T. Harris where it meets Independence? You know there's a pretty steep curve right there behind, there's a car dealership, that you meet right there at the corner. So, this is, I forgot the name of it.

Mr. Brown said I think Honda is there.

Ms. Molina said it's a Honda Dealership, it sure is. So, you hit that curve, but we're actually going to have people coming in and out right around that curve, right?

Mr. Brown said yes, and one thing I'll share with you, see that building, that's the car dealership, see how close to the curb that is? Now, if you follow it down, look how far back ours are, because some of the NC-DOT improvements are impacting here, and ours will be set even further back.

Ms. Molina said I'd like to know more about what that is, so we maybe can talk about that offline, because I may get some future questions about that. I think another question that I have with regards to this property, I love that you're not considering additional density, like more apartments behind single-family, that's normally frowned upon. I know that I made a comment, and it was attacked earlier, in that these have the burden of proof, I actually stand on that. I know that there's a right to ask for a petition change, but that's not something that's guaranteed, I want to make sure that I say that, and I'm very clear, but like I said, without any opposition, no one having emailed or called me, it's current commercial, just for clarity. You've just got to know where I live and where I represent to understand why I'm asking the questions that I ask. With the current commercial, could somebody just hypothetically have come and put like a different type of business?

Mr. Brown said so, currently it's zoned R-9MF, which has got multi-family, it's kind of got an apartment plan on it. However, it would be hard to build that by-right. The land use plan calls for commercial, that's what the 2040 Plan recommends.

Ms. Molina said that's what I mean.

Mr. Brown said so, either way, someone would have to come through the process, to your point. The point we'll make to you and we're making at the hearing tonight, is as you said earlier, "What's the justification for this?" Again, we think it's a step down from what's there. We think the community, at least the one person we've spoken to, said, "I'd rather have residential there than commercial," than seeing Honda expand back there and have another lot behind them. The way they've done a conditional plan, one, it allows us to work with the DOTs to make sure the improvements are coming in, and we'll talk about those, and also have the buffering back there in the other commitments that Holly mentioned.

Ms. Molina said I've always known you to be very good at this. So, I really appreciate your explanation, because that helps. You really kind of weigh the pros and cons, you're making the case, and that makes it easier for me when someone asks me then, well,

you didn't hear from us, but why didn't you ask X question, or why didn't you, you know what I'm saying, react on our behalf. So, I look forward to having some more conversation offline, thank you.

Mr. Brown said yes.

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

ITEM NO. 27: HEARING ON PETITION NO. 2025-087 BY NAMAN YORKMONT, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.39 ACRES LOCATED SOUTH OF OAK LAKE BOULEVARD, WEST OF WATER RIDGE PARKWAY, AND NORTH OF YORKMONT ROAD FROM ML-1 ANDO (MANUFACTURING AND LOGISTICS-1, AIRPORT NOISE DISCLOSURE OVERLAY) TO IMU(CD) ANDO (INNOVATION MIXED-USE, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said good evening. Petition 2025-087 is located on the south side of Oak Lake Boulevard, just east of the intersection with Yorkmont Road. The site's a little under 3.5 acres and is currently undeveloped. Current zoning is ML-1 ANDO, Manufacturing and Logistics, Airport Noise Disclosure Overlay. The proposed zoning is IMU(CD), Innovation Mixed-Use, Conditional. The 2040 Policy Map recommends the Manufacturing and Logistics Place Type. The IMU District is inconsistent with this Place Type, and the approval of this petition would revise the Policy Map to the IMU Place Type. This is a conditional plan, with the one primary condition being that it limits development to the site of a hotel use.

Staff recommends approval of this petition, as the site's located in an area with a mix of commercial and industrial uses, including other hotels. A hotel would support the surrounding commercial and light industrial development, and the site is near the airport. I'm happy to take any questions following the petitioner's presentation.

John Carmichael, 600 South Tryon Street, Suite 2300 said thank you, Madam Mayor Pro Tem, members of Council and the Zoning Committee. I'm John Carmichael here on behalf of the petitioner. With me tonight is Nick Patel with the petitioner. Nick's happy to answer any questions that you may have. The site's about 3.388 acres, located on the south side of Oak Lake Boulevard and north of Yorkmont Road. The site is in close proximity to the airport, and to the old Coliseum site on West Tyvola Road, and for Councilmember Mitchell, it would be north of the Jocks & Jills.

Councilmember Mitchell said my man, thank you, J.C.

Mr. Carmichael said this is the site here, and then Jocks & Jills is about here. The site is currently zoned ML-1, Airport Noise Disclosure Overlay District, and the request is to rezone it to IMU(CD), Airport Noise Disclosure Overlay District, to accommodate a hotel use on the site. If the petition were to be approved, the only permitted use would be a hotel use. The hotel would support the surrounding office, commercial, retail, light industrial uses. It's compatible with the surrounding uses. The hotel would serve the nearby airport and travellers. A hotel use was permitted on the site under the prior I-1 Zoning before the adoption of the new UDO, and a member of the petitioner bought the site back in 2022 with the intention of developing a hotel. They're now ready to move forward, therefore, they've submitted this rezoning petition, and we're happy to answer any questions that you may have.

Mayor Pro Tem Anderson said excellent, thank you.

pti:pk

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

ITEM NO. 28: HEARING ON PETITION NO. 2025-090 BY STEPHEN SILLER TUNNEL TO TOWERS FOUNDATION, A NEW YORK NOT-FOR-PROFIT CORPORATION FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.39 ACRES LOCATED SOUTH OF WEST ARROWOOD ROAD, NORTHWEST OF FOREST POINT BOULEVARD, AND EAST OF FOREST PINE DRIVE FROM B-D(CD) (DISTRIBUTIVE BUSINESS, CONDITIONAL) TO IMU(CD) (INNOVATIVE MIXED USE, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said this is also a rezoning petition proposing the IMU(CD) District. 2025-090 is located on the west side of Forest Pine Drive, just south of the intersection with West Arrowood Road, and also just shy of 3.5 acres, currently zoned B-D(CD), Distributive Business, Conditional. The 2040 Policy Map recommends the Manufacturing and Logistics Place Type. The IMU District is inconsistent with this Place Type, and approval of this petition would revise the 2040 Policy Map recommendation to the Innovation Mixed-Use Place Type. Proposal calls for the conversion of a hotel into multi-family housing utilizing the existing building. It limits the maximum number of units to 117, and the plan states that no long-term residents are currently living on site. Staff recommends approval of this petition, as the IMU District encourages adaptive reuse of buildings. The site's located in an area developed mostly with office and commercial uses, and the larger area is shifting to a greater mix of uses, including residential. The site is served by transit. Happy to take any questions following the petitioner's presentation.

Matthew Washburn, 5955 Carnegie Boulevard, Suite 350 said thank you, Mayor Pro Tem and members of the Council. My name is Matthew Washburn. I'm an Attorney for Hankin & Pack here in Charlotte, and I'm representing the petitioner. I know some of you are familiar with them from their climb they had back in August 2025, at the football stadium, but they're a not-for-profit out of New York. Stephen Siller was a firefighter. He was on his way to play golf when the towers got hit. He ran through the tunnel. He wound up perishing that day, and his family set up this nonprofit to honor his legacy. So, what they're asking for is they're trying to buy this hotel, and the current zoning designation does not allow for long-term housing. So, we're just requesting to switch it to IMU(CD) to allow for the long-term multi-family housing. There are several other hotels in the area, and like Mr. Mangum said, there is quite a bit of commercial, and there's some single-family and some multi-family also in the area. I'd be happy to take any questions that you may have.

Councilmember Johnson said so, I know it's the last petition of the night, so, I don't know if we've spoken on the phone, or I've spoken to someone about this.

Mr. Washburn said yes, they reached out quite a bit early on in the process.

Ms. Johnson said right. I'd like to hear more, so we can talk offline, but one of the concerns I have in Charlotte is that our lowest income individuals live in hotels and motels. So, I always ask, and we've kind of set a precedent by asking, for a displacement plan, if there are any long-term occupants in the hotels that you're purchasing?

Mr. Washburn said yes, ma'am. So, we are under contract, we haven't purchased it yet, but in negotiations with the seller it was contracted to be sold vacant. I don't believe that he has any long-term residents that would be displaced, and there are about five other hotels within a 100-yards of it also, should there be any issues.

Ms. Johnson said okay, can you find that out for certain?

Mr. Washburn said yes, absolutely.

Ms. Johnson said okay, yes, thank you, and if it's not vacant then we want to make sure that folks have notice as soon as possible. So, wherever this location is, if we start to talk about it, Councilmember Brown, this may be sold, so that people are aware.

Mr. Washburn said yes, ma'am.

Ms. Johnson said thank you.

Councilmember Brown said I spoke in detail to him. I had a lot of questions and was on the phone for over an hour about the process. We did speak about displacement and what would be in place, and they assured me that there would not be any, so I wanted to put that on record.

Mr. Washburn said yes, ma'am, that's the same thing I've been told as well.

Mr. Brown said okay, yes. So, I just wanted to make sure, to Councilmember Johnson's point, they're valid, but we did ask those questions. Of course, I'm going to ask those questions up front. I did ask those questions. I love the mission. I love the work that they're doing, and so, as long as we don't displace any of our current human beings, we're good, and thank you so much for considering us for this project.

Mr. Washburn said of course, thank you.

Mayor Pro Tem Anderson said thank you. I really commend the mission as well, and I was at the event earlier at the Bank of America Stadium, so absolutely.

Motion was made by Councilmember Watlington, 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 Mitchell, and carried unanimously to adjourn the meeting.
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The meeting was adjourned at 7:44 p.m.


Billie Tynes, Deputy City Clerk

Length of Meeting: 2 Hours, 39 Minutes
Minutes completed: November 17, 2025