

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday December 16, 2024, at 5:13 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem Danté Anderson presiding. Council members present were Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

ABSENT: Councilmember Dimple Ajmera

ABSENT UNTIL NOTED: Mayor Vi Lyles

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Mayor Pro Tem Anderson said welcome to the December 16, 2024, Zoning Meeting. I will call this meeting to order, and we will start with introductions.

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INVOCATION AND PLEDGE

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

Mayor Pro Tem Anderson said so we will begin in just a minute with an explanation of our zoning process, but before I do that, I just wanted to acknowledge someone who has been a part of this community for years. Some of you have gotten to a point in your life where you've been able to retire and you've been able to move on and enjoy the balance of your life and Mr. Keith MacVean has been working with us for many, many years and he's decided to go and do just that in 2025.

So, I'm going to read Keith a letter from the Mayor, Mayor Lyles that is directed to you. It reads as follows. "Dear Keith, as Mayor of Charlotte, I want to take the opportunity to congratulate you on your retirement after a total of 40 years of tireless work to enhance the lives of Charlotte residents. You began your career with the City of Charlotte and dedicated 24 years of exemplary service working in several leadership positions within the City Planning Department helping to shape for good the growth and the development of our community by promoting a balance of sound planning initiatives with a proper regard for jobs and opportunities for Charlotte citizens. During your tenure with the City, you developed a reputation for thoughtfulness, patience, management skillfulness, and a remarkable memory for the many details associated with rezonings and land use cases. Seeking new challenges, you continued this commitment to excellence in the area of planning and development with an additional 16 years of service in the private sector as a land use consultant, where you displayed the same tireless and patient work ethic culminating now in a total of 40 years of tireless work to enhance the lives of Charlotte residents. During your 40-year career, you have been recognized not only for your professional accomplishments, but also for your kindness and your warmth, the low-key determination and genuine good nature, leaving a positive impression on colleagues, clients, and community members alike. Congratulations Keith on a career that supported the creation of housing initiatives, advancement of community benefits, the promotion of economic development initiatives that have left a lasting mark on the City of Charlotte and the entire region. On behalf of the City, we are grateful to you for your many years of commendable service to the Charlotte region and we genuinely wish you the best for a long and happy retirement. Yours truly. Signed Vi Alexander Lyles." Please join me in congratulating [inaudible]. Thank you, Keith, for your commitment to the City of Charlotte.

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EXPLANATION OF THE ZONING MEETING PROCESS

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

INTRODUCTION OF THE ZONING COMMITTEE

Andrew Blumenthal, Chairman of the Zoning Committee said thank you very much Mayor Pro Tem. Good evening, everyone. My name is Andrew Blumenthal. I'm the Chairman of the Zoning Committee of the Planning Commission. Allow me to introduce my fellow Committee members. I think there's at least one still in the back but everyone's here this evening. We have, starting right next to me, Theresa McDonald, Erin Shaw, Rick Winiker, Shana Neeley, Robin Stuart and then Clayton Sealey will be joining us momentarily. The Zoning Committee will next meet on Tuesday, January 7, 2025. Please note that was pushed back a week so that we were not meeting on New Year's Eve at 5:30 p.m. At that meeting, the Zoning Committee will discuss and make recommendations on the petitions that have public hearings this evening. The public is welcome to attend that meeting' however, please note that it is not a continuation of these public hearings. Prior to that, you are welcome to contact any of us to provide input. All of our contact information and the information on each petition is on the City's website at charlotteplanning.org. Thank you, Mayor Pro Tem.

DEFERRALS / WITHDRAWALS

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to defer: a decision on Item No. 8, Petition No. 2024-121 by Charlotte Planning, Design & Development Department to January 21, 2025; a decision on Item No. 14, Petition No. 2024-083 by City of Charlotte to January 21, 2025; a hearing on Item No. 17, Petition No. 2024-109 by Charlotte Planning, Design & Development on behalf of Mary Dominick to January 21, 2025; a hearing on Item No. 18, Petition No. 2024-111 by The Presbyterian Home at Charlotte, Inc. to January 21, 2025; a hearing on Item No. 25, Petition No. 2024-102 by Drakeford Communities, to January 21, 2025; and a hearing on Item No. 29, Petition No. 2024-112 by Dreamkey Partners to January 21, 2025.

CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 3 THROUGH 7 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 please note for these petitions the following criteria has been successfully made. There has been no public oppositions for these petitions at the hearing. The Zoning Committee recommended approval and there are no changes after the Zoning Committee's recommendation as well as staff recommends the approval as well. Are there any consent agenda items that Council would like to pull for question, comment, or a separate vote?

Councilmember Mayfield said yes, I would like four and five for a separate vote.

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 4 and Item No. 5 which were pulled for a separate vote.

The following items were approved:

Item No. 3: Ordinance No. 904-Z, Petition No. 2024-002 by Fernando Rivera amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.62 acres located along the south side of Wallace Lane, west of Dorn Circle, and east of East Independence Boulevard from N1-B (Neighborhood 1-B) to N1-E (Neighborhood 1-E).

The Zoning Committee voted 7-0 (motion by Sealey, 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. 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 Idlewild South neighborhood is comprised of single family as well as multi-family developments, with Commercial and Activity Centers stationed nearby on East Independence Boulevard along the western edge of the neighborhood. The N1-B and N1-E 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 size or lot width. This petition would allow for 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-B zoning. There are densifying residential areas along this corridor, including a multi-family attached development under construction along this rezoning's western boundary. The proposed N1-E zoning would be compatible with the existing and future uses of the area and may provide a better transition from the multifamily on the west to the less intense single family zoning and uses to the east. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 544-545.

Item No. 6: Ordinance No. 907-Z, Petition No. 2024-097 by Hendrick Automotive Group, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 3.18 acres located along the east side of Twin Lakes Parkway and the south side of Sam Roper Drive, west of Northlake Auto Plaza Boulevard from OFC (Office Flex Campus) to ML-1 (Manufacturing and Logistics-1).

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 insert consistency from staff analysis based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for the Manufacturing & Logistics 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 would align the site to the Manufacturing and Logistics Place Type recommended for this parcel as well as all adjacent properties. The proposed petition is more compatible than the existing office zoning and helps to achieve what is envisioned for the Manufacturing and Logistics Place type. The current proposed zoning aligns with the existing development pattern along the east side of Twin Lakes. The ML-1 zoning district is intended to accommodate a range of warehouse/distribution and light industrial uses. The site is adjacent to a recently approved rezoning (2024-029) to the west, which permits 350 multi-family stacked units. This residential community will be separated by a 60-foot right-of-way. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 550-551.

Item No. 7: Ordinance No. 908-Z, Petition No. 2024-100 by 4000 Monroe, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 9.892 acres located along the south side of Monroe Road and the west side of North Wendover Road, north of the Norfolk Southern

Railway from ML-1 (Manufacturing and Logistics-1) to IMU (Innovation Mixed-Use).

The Zoning Committee voted 7-0 (motion by Sealey, 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 (2022) calls for Innovation Mixed-Use. 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 zoning supports Charlotte's economic growth by fostering mixed-use urban areas that offer diverse opportunities for employment, housing, and services. The buildings surrounding the site include offices, vehicle repair facilities, single family residential, and commercial uses which aligns with the IMU zoning district. This rezoning will align the site with the 2040 Policy Map, which designates the area for Innovative Mixed-Use (IMU). Currently zoned ML-1, the site is out of alignment with this designation, and the proposed rezoning will bring it into consistency with the long-term vision for the area. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 552-553.

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ITEM NO. 4: ORDINANCE NO. 905-Z, PETITION NO. 2024-051 BY EPKON, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.44 ACRES LOCATED ON THE WEST SIDE OF WESTPARK DRIVE, EAST OF INTERSTATE 77, AND SOUTH OF TYVOLA ROAD FROM ML-2 (MANUFACTURING AND LOGISTICS 2) TO IMU (CD) (INNOVATION MIXED-USE, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Shaw) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Manufacturing & Logistics place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition would upfit an aging hotel structure to provide an additional housing option in an area that is on the fringe of a housing gap. The adjacent property to the north was rezoned in 2021 to allow upfit of a hotel with multi-family residential units. The petition is contributing to the advancement of the Mecklenburg County greenway system by dedicating an easement for future Kings Branch Greenway. The petition site is adjacent to Innovation Mixed-Use place type to the east. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 3: Housing Access for All. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Manufacturing & Logistics place type to Innovation Mixed-Use place type for the site.

Motion was made by Councilmember Brown, and seconded by Councilmember Mitchell to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Manufacturing & Logistics place type for the site. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition would upfit an aging hotel structure to provide an additional housing option in an area that is on the fringe of a housing gap. The adjacent property to the north was rezoned in 2021 to allow upfit of a hotel with multi-family residential units. The petition is contributing to the advancement of the Mecklenburg County greenway system by dedicating an easement for future Kings Branch Greenway. The petition site is adjacent to Innovation Mixed-Use

place type to the east. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 3: Housing Access for All. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Manufacturing & Logistics place type to Innovation Mixed-Use place type for the site.

Councilmember Mayfield said thank you. So, for staff we had a discussion earlier, but I wanted clarification. This particular request is a petition proposing to allow either 144 multi-family residential dwelling units or 144 hotel rooms within the existing buildings on this site. So, I wanted to get clarity on if we were to rezone this to the innovation mixed-use, conditional, you cannot have both. So, they can't have a hotel that's also having space identified for rental.

David Pettine, Planning, Design & Development said correct.

Ms. Mayfield said so, exactly why this particular language versus identifying either or, hotel or multi-family?

Mr. Pettine said yes, certainly. So, you are correct. They can't have both at the same time. So, once it starts the conversion to multi-family, that's the direction it needs to go in, but the language is there in the sense to make sure that they don't create a nonconformity through the rezoning and allow the hotel to still operate while they get through the process of starting the transition to multi-family if they choose to do that. So, it just makes sure that they can make any needed improvements, do anything that they need to do while it's still a hotel before they start that transition, and they won't run into any challenges as a nonconforming use.

Ms. Mayfield said so, under innovative mixed-use, conditional, if they do choose to go multi-family versus hotel they would still be then consistent moving forward under our UDO (Unified Development Ordinance) policy? They would not need to come back before Council?

Mr. Pettine said yes, correct. So, if it operated, let's say they converted to a multi-family use sometime next year and that operated for 10, 15 years, if they decided that wasn't the direction they wanted to continue going, they could convert back to a hotel, but again they can't have both going on at the same time.

Ms. Mayfield said thank you.

Mr. Pettine said you're welcome.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 546-547.

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ITEM NO. 5: ORDINANCE NO. 906-Z, PETITION NO. 2024-095 BY TRYON ADVISORS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 6.508 ACRES LOCATED ALONG THE NORTH SIDE OF OLD BELMEADE DRIVE, EAST OF BELMEADE DRIVE, AND WEST OF SAN GABRIEL AVENUE FROM N1-A (NEIGHBORHOOD 1-A) TO N1-A CCO (NEIGHBORHOOD 1-A, COTTAGE COURT OVERLAY).

The Zoning Committee voted 7-0 (motion by McDonald, seconded by Stuart) 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 Neighborhood 1 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 appropriate and compatible as the site is within an area designated by the 2040 Policy Map for the Neighborhood 1 Place Type. The site is abutting several wooded parcels that are part of the US National Whitewater Center facility zoned MX3(INNOV) (Mixed Use, Innovative). The Cottage Court Overlay District allows for a reduction in minimum lots size and reduced setbacks to permit the development of small residential communities that are structured around common open space designed in a cohesive manner that are to be shared by all residents. The petition could help facilitate the goal of providing a variety of housing types within an area where single-family dwellings are the predominate housing type. The development pattern prescribed by the Neighborhood 1 Place Type and permitted by the Cottage Court Overlay zoning district is consistent with the character of this area. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

Motion was made by Councilmember Brown, and seconded by Councilmember Mitchell, 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 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 site is abutting several wooded parcels that are part of the US National Whitewater Center facility zoned MX3(INNOV) (Mixed Use, Innovative). The Cottage Court Overlay District allows for a reduction in minimum lots size and reduced setbacks to permit the development of small residential communities that are structured around common open space designed in a cohesive manner that are to be shared by all residents. The petition could help facilitate the goal of providing a variety of housing types within an area where single-family dwellings are the predominate housing type. The development pattern prescribed by the Neighborhood 1 Place Type and permitted by the Cottage Court Overlay zoning district is consistent with the character of this area. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

Councilmember Mayfield said so, I wanted to understand. This is a very narrow strip. It's about 6.58 acres and this is heading towards Whitewater. I want to ensure I believe my understanding is that this can be up to 30 units that can be on this particular development, but we had some language in here earlier that gave the numbers as far as the potential traffic impact, and that being 220 trips per day based on 19 dwelling units. So, if they were to go up to the 30, do we know what those potential trips would be and also do we have a traffic light or something that's going to help transition once residential is built over here?

David Pettine, Planning, Design & Development said I can't answer the traffic light question. I'll defer that to our colleagues at C-DOT (Charlotte Department of Transportation). I will say for the amount of total units, there can be 30 buildings on the site. Those buildings could contain anywhere from a single-family dwelling to a triplex. So, it could be anywhere from 30 units to 90 units. So, it's hard to gauge what the actual outcome will be given that it's a conventional petition and they've got to still go through land development. They will analyze traffic and trips once they get a plan in and they understand how many units there are, they would then do their calculations and determine if there's any mitigation that's needed. If C-DOT has anything to add, I'll certainly turn it over to them just to make any clarifications.

Jacob Carpenter, C-DOT said Jake Carpenter at C-DOT. So, for the estimates at trip generation at this stage, we don't, just because of what Dave mentioned is there could be some mix of units or a number of buildings, but based on the size of the parcel it would not be significantly higher than the 220 that was estimated for entitled, maybe 300, in that range. We don't have estimates for that without a site plan to analyze. As far as the improvements, we would analyze those in permitting. For this size of development, we wouldn't anticipate any external improvements, traffic signals, things like that, but at this point in the process we haven't looked at the network as it's a conventional rezoning. We don't have a site plan to analyze and estimate.

Ms. Mayfield said thank you.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 548-549.

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DECISIONS

ITEM NO. 9: ORDINANCE NO. 909-Z, PETITION NO. 2023-023 BY HORIZON DEVELOPMENT PROPERTIES, INC. AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 8.55 ACRES LOCATED ON THE EAST SIDE OF OLD PROVIDENCE ROAD AND WEST SIDE OF PROVIDENCE ROAD, NORTH OF RIVER OAKS LANE FROM R-20MF (MULTI-FAMILY RESIDENTIAL) TO MUDD-O (MIXED USE DEVELOPMENT DISTRICT - OPTIONAL).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by McDonald) 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 Neighborhood 2 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 site is made up of a low density, aging garden-style apartments. This site, along with two nearby rezonings, petition 2023-038 and 2023-039, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-minute neighborhood that better utilizes land on this major corridor. The proposed plan could create a variety of housing that may include rehabilitation of existing garden-style apartments, single-family attached, and multi-family units. The plan includes provisions for affordable housing attainable to households making between 30% and 80% of the area median income (AMI) to be persevered for a minimum of 30 years. The petition will also construct a 12-foot multi-use path and eight-foot planting strip along the site's frontage on Providence Road and improve sidewalk facilities and planting strip on Old Providence Road, and construct a new bus waiting pad, greatly enhancing the pedestrian and transit user experience in the area. However, the proposed maximum building heights range up to 80 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor. Pedestrian connectivity is also proposed internal to the site between this development and the proposed rezoning to the south, Petition 2023-039, but the details of this connection have not been finalized and should be detailed in both plans prior to a rezoning decision being made. The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center. The petition could

facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 3: Housing Access for All, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities.

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

1. The petitioner has shown the proposed route of an eight-foot pedestrian connection between the site and the abutting site to the south, Petition 2023-039.

David Pettine, Planning, Design & Development said they just clarified where that connection from the pedestrian standpoint would be going to that project just to the south by Northwood Ravin. So, minor change from staff's opinion, does not warrant additional review by the Zoning Committee and happy to take any questions.

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

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs, 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 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: The site is made up of a low density, aging garden-style apartments. This site, along with two nearby rezonings, petition 2023-038 and 2023-039, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-minute neighborhood that better utilizes land on this major corridor. The proposed plan could create a variety of housing that may include rehabilitation of existing garden-style apartments, single-family attached, and multi-family units. The plan includes provisions for affordable housing attainable to households making between 30% and 80% of the area median income (AMI) to be persevered for a minimum of 30 years. The petition will also construct a 12-foot multi-use path and eight-foot planting strip along the site's frontage on Providence Road and improve sidewalk facilities and planting strip on Old Providence Road, and construct a new bus waiting pad, greatly enhancing the pedestrian and transit user experience in the area. However, the proposed maximum building heights range up to 80 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor. Pedestrian connectivity is also proposed internal to the site between this development and the proposed rezoning to the south, Petition 2023-039, but the details of this connection have not been finalized and should be detailed in both plans prior to a rezoning decision being made. The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 3: Housing Access for All, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities as modified.

Councilmember Bokhari said thank you. I'll just generically have comments that I think will apply a lot to the next three rezonings you'll see as all of us are familiar with. This has been going on for a while and these three are very much part of a more macro view and approach that's happening in my district. I would start by saying that despite the fact that this has been going on for close to two years, for the size and magnitude of this, I am pleasantly surprised how little divisive kind of community uprising is against

something of this magnitude. We all know no matter how great something is, if it's big, and it's happening in someone's backyard, that's a cause for concern in a lot of cases. I think that's a testament to the three combined development teams and the petitioners who have spent the better part of two years working closely, collaborating with neighbors. Not everyone's items are always going to be able to make it in, but I will say that this is one of the better efforts that I've seen to really listen, to communicate, to stay up to date with all the neighborhoods and what's happened there. These combined three rezonings are close to 115 acres and it's a unique opportunity to revitalize an area that was developed over 60 years ago with new residential uses in mixed-use neighborhood centers. It's going to replace in most cases deteriorated older buildings and really enhance active open space around that. It's really importantly going to be not just a major catalyst for that side of town, it's going to be something that is going to increase our housing stock overall, something that's really important as we know for our City growing at the clip we are, but also their focus to the affordable housing, the park dedication, all of those things are really important, and then just final macro statement across all three. You know, this has been a substantial workload around the detailed transportation study that occurred working with C-DOT and NCDOT (North Carolina Department of Transportation), over 22 area intersections, access management improvements, this Providence Road corridor is a problem. It has been a problem for a long time and we have just been in a spot of inability to address it. So, while the problem isn't going to go away overnight and while this will add more trips to that, this is the first in my seven years being here, substantial amount of public and private investment into that corridor so the ball can get rolling down the road towards all of this and I think this is something that hopefully we can build upon. I just need to applaud everyone, particularly the neighbors who stayed engaged, stayed so positive through this process. For something of this magnitude, that is not normally seen. So, I will move forward with any other comments there and then we can go to vote.

Councilmember Mitchell said Council, in the [inaudible] say Horizon Development Properties, but I just want you all the know this is a development by INLIVIAN. So, I would like to thank INLIVIAN for your passion towards affordable housing and I know we have the CEO (Chief Executive Officer) Fulton Meachum here this evening. Thank you sir and we appreciate your commitment to affordable housing in our community.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 554-555.

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ITEM NO. 10: ORDINANCE NO. 910-Z, PETITION NO. 2023-038 BY LEVINE PROPERTIES AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 84.16 ACRES LOCATED ON THE NORTH AND SOUTH SIDE OF SARDIS LANE, AND EAST SIDE OF PROVIDENCE ROAD FROM N1-A (NEIGHBORHOOD - 1A), N2-B (NEIGHBORHOOD - 2B), R-20MF (MULTI-FAMILY), B-1SCD (NEIGHBORHOOD BUSINESS SHOPPING CENTER DISTRICT), AND B-1(CD) (NEIGHBORHOOD BUSINESS, CONDITIONAL) TO UR-2 (URBAN RESIDENTIAL - 2), MUDD(CD) (MIXED-USE DEVELOPMENT DISTRICT, CONDITIONAL), AND MUDD-O (MIXED-USE DEVELOPMENT DISTRICT, OPTIONAL) WITH 5-YEARS VESTED RIGHTS

The Zoning Committee voted 7-0 (motion by Stuart, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be both consistent and inconsistent 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, Neighborhood 2, and

Neighborhood Center 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: Much of the site is made up of a low density, mixed-use development built in the late 1960s/early 1970s consisting of several hundred garden-style apartments and a shopping center at the core of the site that once contained a full-service grocery store. This site, along with two others nearby rezonings, petition 2023-023 and 2023-039, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-Minute Neighborhood that better utilizes land on this major corridor. The proposed plan could create a variety of housing that may include rehabilitation of existing garden-style apartments, single-family attached and detached, and multi-family units as well as building a commercial center that would create a new 10-Minute Neighborhood with walkable amenities. The plan includes provisions for workforce housing attainable to households making 80% or less of the area median income (AMI) to be persevered for a minimum of 15 years. The Plan propose to dedicate a 2.5-acre park to Mecklenburg County Park and Recreation as well as providing an access easement from the site to the McAlpine Creek Greenway and constructing a 12-foot shared use path and access bridge. The plan commits to provide substantial landscape buffers adjacent to surrounding single-family development mitigating potential adverse impacts caused by the increase intensity of the development. The petition will also construct a 12-foot multi-use path and eight-foot planting strip along the site's frontage on Providence Road and improve sidewalk facilities and planting strip on other street adjacent to the site, greatly enhancing the pedestrian experience in the area. However, the proposed maximum building heights range up to 80 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor. The proposed site plan contains five Development Areas: A, B, C, D, and E. The site plan proposes two potential development scenarios for Area A, either a residential development made up of attached single-family dwelling or an outdoor recreational facility. These distinctly different development options pose different land use outcomes with certain options aligning with the 2040 Policy Map recommendations and others changing the recommendation. But the effect on the Policy Map could not be determined until the time of development. The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, for Development Area A – Option 1 from Neighborhood 1 to Neighborhood 2. Areas B and D would be changed from Neighborhood 2 to Community Activity Center. And Area C would be changed from Neighborhood Center to Community Activity Center.

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

1. The petitioner has reduced the maximum height for single-family attached dwellings to 48 feet in any development area.
2. Clarified that single-family detached units are not proposed on the site.
3. Eliminated transfer rights for single-family detached units from Development Area A to Area E.

David Pettine, Planning, Design & Development said again, staff believes these changes are minor, provided clarification and do not warrant any additional review by the Zoning Committee. We'll take any questions you may have. Thank you.

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

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs to approve this petition and adopt the following statement of consistency: This petition is found to be both consistent and inconsistent based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1, Neighborhood 2, and Neighborhood Center 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: Much of the site is made up of a low density, mixed-use development built in the late 1960s/early 1970s consisting of several hundred garden-style apartments and a shopping center at the core of the site that once contained a full-service grocery store. This site, along with two other nearby rezonings, petition 2023-023 and 2023-039, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-Minute Neighborhood that better utilizes land on this major corridor. The proposed plan could create a variety of housing that may include rehabilitation of existing garden-style apartments, single-family attached and detached, and multi-family units as well as building a commercial center that would create a new 10-Minute Neighborhood with walkable amenities. The plan includes provisions for workforce housing attainable to households making 80% or less of the area median income (AMI) to be persevered for a minimum of 15 years. The Plan propose to dedicate a 2.5-acre park to Mecklenburg County Park and Recreation as well as providing an access easement from the site to the McAlpine Creek Greenway and constructing a 12-foot shared use path and access bridge. The plan commits to provide substantial landscape buffers adjacent to surrounding single-family development mitigating potential adverse impacts caused by the increase intensity of the development. The petition will also construct a 12-foot multi-use path and eight-foot planting strip along the site's frontage on Providence Road and improve sidewalk facilities and planting strip on other street adjacent to the site, greatly enhancing the pedestrian experience in the area. However, the proposed maximum building heights range up to 80 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor. The proposed site plan contains five Development Areas: A, B, C, D, and E. The site plan proposes two potential development scenarios for Area A, either a residential development made up of attached single-family dwelling or an outdoor recreational facility. These distinctly different development options pose different land use outcomes with certain options aligning with the 2040 Policy Map recommendations and others changing the recommendation. But the effect on the Policy Map could not be determined until the time of development. The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, for Development Area A – Option 1 from Neighborhood 1 to Neighborhood 2. Areas B and D would be changed from Neighborhood 2 to Community Activity Center. Area C would be changed from Neighborhood Center to Community Activity Center as modified.

Councilmember Bokhari said the same macro comments apply to all three of these but specifically for this one, this is a major revitalization of over 85 acres to replace 60-year old deteriorated buildings. From a road improvement perspective as I've already mentioned, specifically though, new and improvements along Providence Road, Sardis Lane, Old Providence Road intersections, improved connectivity from Providence Road

to Sardis Lane. Providence Road access management improvements including new traffic signals, consolidation of accesses and aside from the generous buffers, the sidewalks and all of the great public open spaces that are going to incur with this project, it includes 108 workforce housing units and no auto oriented uses or outparcels. This is without dipping into our Housing Trust Fund. So, this is substantial in what's happening in this one and I would encourage my colleagues to support.

Councilmember Driggs said I just wanted to note quickly for one, we should appreciate the willingness of the petitioner to make this very large investment in Charlotte. It's beneficial to us and I say that particularly because there are hundreds of millions of dollars involved here and a great portion of that is going to go to hire people, many of them low income people. So, the jobs alone from this are a major benefit and personally having seen a number of large scale developments in my district, I think it's a great way to improve the City versus kind of piecemeal development. So, I look forward to supporting this. Thank you.

Mayor Pro Tem Anderson said thank you Mr. Driggs. You know, I was on an active construction site the other day and they said at their height, over 700 employees are working on those sites.

Mr. Driggs said that's a big deal.

Mayor Pro Tem Anderson said so, it is a big deal from a hiring perspective.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 556-557.

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ITEM NO. 11: ORDINANCE NO. 911-Z, PETITION NO. 2023-039 BY NORTHWOOD RAVIN AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 20.12 ACRES BOUND BY THE EAST SIDE OF OLD PROVIDENCE ROAD AND WEST SIDE OF PROVIDENCE ROAD, NORTH OF RIVER OAKS LANE FROM N1-A (NEIGHBORHOOD 1-A) TO MUDD-O (MIXED USE DEVELOPMENT DISTRICT - OPTIONAL).

The Zoning Committee voted 7-0 (motion by Welton, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the post-hearing staff analysis and the public hearing, and because: The 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 site currently contains two single-family detached dwellings but is otherwise vacant. This site, along with two other nearby rezonings, petition 2023-023 and 2023-038, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-Minute Neighborhood that better utilizes land on this major corridor. The proposed plan could create a variety of housing that may include, single-family detached and attached units as well as multi-family dwelling units. The petition will also construct a 12-foot multi-use path and eight-foot planting strip along the site's frontage on Providence Road, improve sidewalk facilities and planting strip on Old Providence Road, and construct a new bus waiting pad, greatly enhancing the pedestrian and transit user experience in the area. However, the proposed maximum building heights range up to 85 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor. At its northern boundary, the proposed development is abutting rezoning petition 2023-023. Petition 2023-023 has proposed internal pedestrian connectivity between the two developments. But this petition has not proposed to provide an internal pedestrian connection to the north. This connection should be made, and details should be finalized prior to a rezoning decision being made. The proposed site plan contains four

Development Areas: A, B, C, D. The site plan specified that Areas A, C, and D are limited to single-family attached and detached dwellings unit. But does not outline the maximum development potential for each individual area, such as the proposed number of units. The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the recommended Place Type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 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. The petitioner has specified the maximum number and type of dwelling units for each of the 4 Development Areas: A, B, C, and D.
2. Reduced the overall building height to 80 feet.

David Pettine, Planning, Design & Development said staff believes the changes are minor and do not warrant additional review by the Zoning Committee. Thank you.

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

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the final staff analysis and the public hearing, and because: The 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 site currently contains two single-family detached dwellings but is otherwise vacant. This site, along with two other nearby rezonings, petition 2023-023 and 2023-038, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-Minute Neighborhood that better utilizes land on this major corridor. The proposed plan could create a variety of housing that may include, single-family detached and attached units as well as multi-family dwelling units. The petition will also construct a 12-foot multi-use path and eight-foot planting strip along the site's frontage on Providence Road, improve sidewalk facilities and planting strip on Old Providence Road, and construct a new bus waiting pad, greatly enhancing the pedestrian and transit user experience in the area. However, the proposed maximum building heights range up to 85 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor. At its northern boundary, the proposed development is abutting rezoning petition 2023-023. Petition 2023-023 has proposed internal pedestrian connectivity between the two developments. But this petition has not proposed to provide an internal pedestrian connection to the north. This connection should be made, and details should be finalized prior to a rezoning decision being made. The proposed site plan contains four Development Areas: A, B, C, D. The site plan specified that Areas A, C, and D are limited to single-family attached and detached dwellings unit. But does not outline the maximum development potential for each individual area, such as the proposed number of units. The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy,

Safe & Active Communities. The approval of this petition will revise the recommended Place Type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site as modified.

Councilmember Bokhari said just a couple other additional comments here. Some of those benefits, relocation of Old Providence Road access points to align with the existing street network, elimination of second access point to Providence Road, landscape buffers and wall commitments along the southern property line adjacent to the River Oaks Neighborhood, proposed dedication of land for public park fronting Providence Road. So, these may seem like small things, but when you aggregate them across all three of the petitions we've just seen and you see the size and magnitude of what's happening, I'll just end my comments by saying it's not often we get an opportunity to do something of this scale and magnitude impacting all the topics I mentioned in the beginning. To the neighbors, I know this brings frustration and concern sometime. You guys have worked for the better part of two years and by in large I can say that I have never seen something this large go so well and be such a connection from the developer to the community. So, I'm just grateful for all of you developers, all you community members that have worked there. It's certainly weighing the pros and cons of everything that's new and develops and builds in our own backyards, but I think everyone did a really great job coming to consensus and as you see with what we didn't send back, making concessions even today and over the weekend for what neighbors were looking for. So, thank you.

Councilmember Driggs said I just wanted to recognize the work that Mr. Bokhari has done on all of our behalf to get us to this outcome. I know from a couple of experiences of my own what it's like and I think you've done a great job.

Mr. Bokhari said thank you, appreciate it.

Mayor Pro Tem Anderson said I too want to echo the sentiment for Mr. Bokhari's work on this. This corridor has not been touched in quite some time and the result of this combination of rezoning will really illuminate this area and bring it up to date Mr. Bokhari. So, I appreciate the work that you've done to ensure that there will be positive impact along this corridor.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 558-559.

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ITEM NO. 12: ORDINANCE NO. 912-Z, PETITION NO. 2024-059 BY VEER HOMES, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 2.67 ACRES LOCATED AT THE SOUTHEAST INTERSECTION OF SARDIS ROAD AND TIMBER LANE, EAST OF PROVIDENCE ROAD FROM N1-A (NEIGHBORHOOD 1-A) TO N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

The Zoning Committee voted 6-1 (motion by Welton, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the post-hearing staff analysis and the public hearing, and because: The 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 site is adjacent to Neighborhood 2 Place Type developed as multi-family housing to the west and to the

north across Sardis Road. The site is directly abutting a multi-family attached development. The proposed plan would continue the trend in densification along the Sardis Road Corridor. Additionally, this site, combined with the adjacent N-2 Place Types, meets the minimum area requirements for establishing a new N-2 Place Type. According to the Comprehensive Plan's EGF the site is located within an access to housing gap and the petition's proposed 31 units would add to the housing supply and diversify the housing stock. The proposed development fronts on Sardis Road, designated by the Charlotte Streets Map as a 4+ Lane Boulevard and considered an Arterial Street by the UDO. The Comprehensive Plan calls for N-2 Place Types to be located on arterial streets designed to accommodate alternative modes of transportation. The proposed plan includes a 12-foot multi-use path along the site's frontage with Sardis Road. The site is located within a half-mile of an area designated as a Community Activity Center by the 2040 Policy Map. The proposed site plan proposes a crosswalk spanning Sardis Road that would allow direct access to daily good and services found in the Community Activity Center. The site is along the route of the CATS 62X express bus and within a short walk of the 61X express bus and the number 14 and 28 local buses providing service between the Charlotte Transit Center and the Arboretum, Waverly, and Stonecrest shopping centers and the Eastland and SouthPark Community Transportation Centers. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10-Minute Neighborhoods, 2: Neighborhood diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended Place Type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 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. Vehicular access to Timber Lane was removed.
2. Driveway on Sardis Road was relocated to allow for full movement access on to Sardis Road.
3. A tree survey was submitted Actual drip line of heritage trees were determined using submitted tree survey.
4. Removed a conditional note regarding elimination of buffer requirement upon rezoning or redevelopment of adjacent site.

David Pettine, Planning, Design & Development said any buffers would be maintained regardless of any redevelopment that would occur adjacent to the project. Staff believes these changes are minor, do not warrant additional review by the Zoning Committee and we'll be happy to take any questions. Thank you.

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

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the final staff analysis and the public hearing, and because: The 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 site is adjacent to Neighborhood 2 Place Type developed as multi-family housing to the west and to the north across Sardis Road. The site is directly abutting a multi-family attached development. The proposed plan would continue the trend in densification along the Sardis Road Corridor. Additionally, this site, combined with the adjacent N-2 Place Types, meets the minimum area requirements for establishing a new N-2 Place Type. According to the Comprehensive Plan's EGF the site is located within an access to housing gap and the petition's proposed 31 units would add to the housing supply and diversify the housing stock. The proposed development fronts on Sardis Road, designated by the Charlotte Streets Map as a 4+

Lane Boulevard and considered an Arterial Street by the UDO. The Comprehensive Plan calls for N-2 Place Types to be located on arterial streets designed to accommodate alternative modes of transportation. The proposed plan includes a 12-foot multi-use path along the site's frontage with Sardis Road. The site is located within a half-mile of an area designated as a Community Activity Center by the 2040 Policy Map. The proposed site plan proposes a crosswalk spanning Sardis Road that would allow direct access to daily good and services found in the Community Activity Center. The site is along the route of the CATS 62X express bus and within a short walk of the 61X express bus and the number 14 and 28 local buses providing service between the Charlotte Transit Center and the Arboretum, Waverly, and Stonecrest shopping centers and the Eastland and SouthPark Community Transportation Centers. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10-Minute Neighborhoods, 2: Neighborhood diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended Place Type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site as modified.

Councilmember Bokhari said this will conclude the District Six portion of our evening. Everything just came together at this moment. I will comment on this one to say the opposite of what I said for the last three, which is I've never seen something that is so small be so contentious for such a long time with so much friction. This is a unique one because we had a lot of neighbors, rightly so, upset by a number of factors here but with limited ability to do anything about it because of the potential by-right opportunity of this owner and petitioner to do something otherwise that the UDO allowed now versus before. So, this was definitely one of the more unique ones and in fact probably took up almost as much time as the last three in my last year, but I am happy to relay, I thought this was one I was going to have to take a no position on. Through the creativity of Planning and C-DOT, the neighbors continuing in good faith to work and the petitioner coming together, we actually were able to figure out how to thread the needle here and make sure most importantly to our neighbors in the Timber area and Mammoth Oaks area that there wasn't a large amount of trips coming down a road that was not equipped to handle that both in the neighborhood, both from fire and trash pickup and a lot of other reasons. So, we figured that out. I appreciate everyone's work because this one seemed like there was no solution, but at the last minute we were able to come to an agreement that the neighbors came together and voiced their support, the petitioner was willing to do, staff and C-DOT was willing to allow it. So, I would appreciate if you would join me in supporting this tonight.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 560-561.

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ITEM NO. 13: ORDINANCE NO. 913-Z, PETITION NO. 2024-077 BY THE DROX GROUP, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 15.87 ACRES LOCATED ON THE EAST SIDE OF SANDY PORTER ROAD, SOUTH OF ARROWOOD ROAD, AND NORTH OF STEELECHASE DRIVE FROM N1-A ANDO (NEIGHBORHOOD 1-A, AIRPORT NOISE DISCLOSURE OVERLAY) TO N2-A(CD) ANDO (NEIGHBORHOOD 2-A, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY).

The Zoning Committee voted 7-0 (motion by Welton, seconded by McDonald) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type. 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 site is adjacent to Community Activity Center, Neighborhood 2, and Parks & Preserves place types,

preferred adjacencies for considering a change to the 2040 Policy Map to Neighborhood 2 place type. The site is less than a quarter mile from retail, services, an office park, and bus stops for CATS Route 56 along Arrowood Road. The site is adjacent to a Catawba Lands Conservancy nature preserve and across Sandy Porter Road from a future Mecklenburg County park. The proposed multi-family attached dwellings would provide an additional housing option in an area identified by the Equitable Growth Framework as being in a housing gap. The petitioner has worked with City staff to preserve a green area where adjacent to established single-family dwellings, identify the amenity area and proposed features, and to increase the setback of units facing Sandy Porter Road. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Neighborhood 1 place type to Neighborhood 2 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. The petitioner revised the site plan to comply with green area requirements.

Mr. Pettine said staff believes the change is minor, does not warrant additional review by the Zoning Committee.

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

Motion was made by Councilmember Brown, seconded by Councilmember Bokhari, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 place type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is adjacent to Community Activity Center, Neighborhood 2, and Parks & Preserves place types, preferred adjacencies for considering a change to the 2040 Policy Map to Neighborhood 2 place type. The site is less than a quarter mile from retail, services, an office park, and bus stops for CATS Route 56 along Arrowood Road. The site is adjacent to a Catawba Lands Conservancy nature preserve and across Sandy Porter Road from a future Mecklenburg County park. The proposed multi-family attached dwellings would provide an additional housing option in an area identified by the Equitable Growth Framework as being in a housing gap. The petitioner has worked with City staff to preserve a green area where adjacent to established single-family dwellings, identify the amenity area and proposed features, and to increase the setback of units facing Sandy Porter Road. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Neighborhood 1 place type to Neighborhood 2 place type for the site.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 562-563.

ITEM NO. 15: ORDINANCE NO. 914-Z, PETITION NO. 2024-089 BY TRUE HOMES AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 4.09 ACRES LOCATED ALONG THE NORTH SIDE OF HOVIS ROAD, WEST OF WILDWOOD AVENUE

FROM N1-C (NEIGHBORHOOD 1-C) TO N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

The Zoning Committee voted 7-0 (motion by Sealey, seconded by Neeley) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent 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: While the site is designated as a Neighborhood 1 (N-1) Place Type by the 2040 Policy Map, the property abuts two parcels zoned N2-B and developed with multifamily. The site is within a quarter mile of a designated Neighborhood Activity Center (NC). And the site is adjacent to several nonresidential uses such as a church, childcare center, and a commercial storefront. The proposed development would fill a need for housing in an area that has been identified as lacking Access to Housing Opportunity by the 2040 Comprehensive Plan. The plan includes provisions that the dwellings will be House Charlotte eligible. Providing attainable units in an area is located within an Access to Housing Gap according to the 2040 Comprehensive Plan. The site is directly served by transit, the number 18 CATS local bus providing service between Callabridge Commons/Riverbend shopping centers and the Rosa Parks Community Transportation Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 3: Housing Access for All. 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 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.

2. A landscape plan was added depicting the planting location of trees along Hovis Road and internal to the site.
3. Provided an updated note stating no building shall be closer than 15 feet from the property line of the adjacent homes along Pinoca.

David Pettine, Planning, Design & Development said, there's some single family there along that road. We did hear some feedback on that this afternoon from Councilmember Mayfield, and we did work with the petitioner to get those buildings moved off a little bit. So, again, no building will be closer than 15 feet from those property lines. They will provide a buffer as well within those 15 feet. Staff believes those changes are minor and would not warrant additional review by the Zoning Committee.

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

Motion was made by Councilmember Graham, and seconded by Councilmember Driggs, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent based on the information from the final staff analysis and the public hearing, and because: The 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: While the site is designated as a Neighborhood 1 (N-1) Place Type by the 2040 Policy Map, the property abuts two parcels zoned N2-B and developed with multifamily. The site is within a quarter mile of a designated Neighborhood Activity Center (NC). And the site is adjacent to several nonresidential uses such as a church, childcare center, and a commercial storefront. The proposed development would fill a need for housing in an area that has been identified as lacking Access to Housing Opportunity by the 2040 Comprehensive Plan. The plan includes

provisions that the dwellings will be House Charlotte eligible. Providing attainable units in an area is located within an Access to Housing Gap according to the 2040 Comprehensive Plan. The site is directly served by transit, the number 18 CATS local bus providing service between Callabridge Commons/Riverbend shopping centers and the Rosa Parks Community Transportation Center. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion, 3: Housing Access for All. 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 Place Type for the site as modified.

Councilmember Mayfield said I would like to take a moment to thank the petitioners for accommodating that additional 15 feet for the current residents that live in the area and appreciate their willingness to adjust that as well as the additional amendments that they made right before our meeting. Thank you.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 564-565.

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ITEM NO. 16: ORDINANCE NO. 915-Z, PETITION NO. 2024-101 BY EB ARROW CRYSTAL REAL ESTATE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 20.56 ACRES LOCATED ALONG THE EAST SIDE OF J. W. CLAY BOULEVARD, BOTH THE NORTH AND SOUTH SIDES OF WATERS EDGE VILLAGE DRIVE, WEST OF J. M KEYNES DRIVE FROM MUDD-O (MIXED USE DEVELOPMENT, OPTIONAL) TO MUDD-O SPA (MIXED USE DEVELOPMENT, OPTIONAL, SITE PLAN AMENDMENT).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Neeley) 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 a Regional Activity Center. 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 proposed development would provide the range of uses and density desired in this area of University City. The proposed project will help facilitate the continued transition of the University City area to a more urban, walkable community. The petition proposes publicly accessible multi-use and pedestrian facilities, access to pedestrian plaza and open space, and connectivity within the larger RAC site. The proposed site is within half mile of a LYNX transit stop and multiple CATS bus stops. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods 4: Trail & Transit Oriented Development.

Motion was made by Councilmember Johnson, and seconded by Councilmember Mitchell, to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 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 a Regional Activity Center. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed development would provide the range of uses and density desired in this area of University City. The proposed project will help facilitate the continued transition of the University City area to a more urban, walkable community. The petition proposes publicly accessible multi-use and pedestrian facilities, access to pedestrian plaza and open space, and connectivity within the larger RAC site. The proposed site is within half mile of a LYNX transit stop and multiple CATS bus stops. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods 4: Trail & Transit Oriented Development.

Councilmember Johnson said if you'll recall last month when this came before us for a hearing, I was somewhat concerned along with some other Council members because of the density of the development. This is near the boardwalk which is the mecca of District Four. So, I think we have to be very conscientious in its highest and best use. I've had the pleasure to speak with the developer and that developer has been truly committed to this area. Thus far they've contributed \$6.6 million dollars in site work for new utilities and a new 12-foot multi-use path. There's a donation of over \$460,000 along J.W. Clay in the cash value for improvements in infrastructure and traffic. There's an investment of \$12.6 million for the renovation of the shopping center across the street. They led the financing and construction of our beautiful new library in the district, in the University area that's going to be opening early next year. This petition and development also strengthen the customer base. It's going to strengthen the retail in that area. So, that's very important as we're growing to take this balanced approach from a commercial and residential perspective. They have University City Partners' support and if you're familiar with the novel University area, those are very high quality units and they've committed to that level of quality. So, I'm honored to support this petition. I trust the commitment and the quality is going to be invested in the area. Thank you.

Councilmember Mayfield said I think I'm pretty consistent where I have a concern with the number of multi-family that we have and full transparency, along with others I was going to be a no tonight for the fact of this request for this increase, but I will take into consideration, and I appreciate the district rep having the conversation and identifying more opportunities for the community for this much larger plan for the development. I do think as a Council we really need to have a conversation regarding what is happening with Charlotte Water, the conversations that we're having with access to water as we continue to approve these large scale multi-family developments.

Councilmember Brown said so, I wanted to say to Councilmember Johnson, I definitely will be supporting you because I know the amount of work that you put into doing your work, kind of like myself. So, I look forward to supporting you because it's hard work, it's not easy and there's always going to be some opposition depending on what you're talking about specifically, but I know that your homework and your research and your outreach is transparent and it's authentic. So, I look forward to supporting you on this.

Ms. Johnson said thank you.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 566-567.

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Mayor Pro Tem Anderson said before we move forward with our hearings, we're actually going to take an action as a Council and the Mayor's going to join us.

Mayor Lyles arrived at 5:57 p.m.

Mayor Lyles said I wanted to have an opportunity to address that the Charlotte City Council met today to discuss the appointment of an interim City attorney for the City of Charlotte, and we have reached a discussion around this.

Motion was made by Councilmember Mitchell, and seconded by Councilmember Graham to nominate Anthony Fox as our interim City attorney for the next six months.

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

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

NAYS: Councilmembers Bokhari, Driggs, and Johnson

Mayor Lyles said the new City attorney will be coming in effective January 1, 2025. We look at him as he will have a contract for six months, and we will be beginning the search and have already begun to look for a permanent person to do this job for us as well as for the City, citizens of this community. So, thank you very much for everyone. We will now move on to the next zoning items. Thank you.

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HEARINGS

ITEM NO. 19: HEARING ON PETITION NO. 2024-047 BY HEAVEN PROPERTIES FOR A CHANGE IN ZONING FOR APPROXIMATELY 12.77 ACRES LOCATED ON THE NORTH SIDE OF HARRIS HOUSTON ROAD, EAST OF KEMPSFORD ROAD, AND WEST OF ASTORIA DRIVE FROM N1-A (NEIGHBORHOOD 1-A) TO N1-D (CD) (NEIGHBORHOOD 1-D, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said 2024-047, it's just under 13 acres off Harris Houston Road. The existing zoning is N1-A and as mentioned, the proposed zoning is for N1-D, conditional. The Adopted Place Type in this area is Neighborhood 1. So, the request is consistent with the adopted land use policies. The proposal is for up to 76 duplex units. They would be located in 38 buildings. Those buildings would have a maximum building height of 40 feet. It would install an internal network of public streets with on-street parking, also connect those to Harris Houston Road and Reigate Road. Also installs a six-foot sidewalk and eight-foot planting strip along the frontage on Harris Houston. They are providing open space beyond the minimum requirements, 15.7 percent of common open space and 16.5 percent green area. Again, those requirements are at least 10 percent and 15 percent respectively. They are providing a Class B 30-foot buffer along Neighborhood 1 Place Types. So, when they are again, adjacent to those single-family neighborhoods, they are providing that Class B 30-foot landscape yard. They are providing some design requirements for recesses of garage doors and also are considering the incorporation of front porches, against some of those private streets and public streets. Also notes that all corner and end units will have a porch or a stoop that wraps around the building to provide a little bit more of a frontage and identifies the existing pond that's on the site to be converted into a stormwater pond there. So, again staff does recommend approval of this petition. I do have some outstanding issues related to site and building design, transportation, and environment to work through. It is consistent with the 2040 Policy Map recommendation for Neighborhood 1 and we'll be happy to take any questions following presentations by both the petitioner and the community. Thank you.

Rohit Patel, 9611 Brookdale Drive, Suite 100-170 said thank you for giving this opportunity to present our project. We tried to make it 76 units that can be similar to that area with a duplex building as they explained, like maximum 40 feet in height. We are looking at two story duplexes and we tried to make it an existing site, like not disturbing too much, keep the existing pond and tried to work around that pond. I'm open to answer any questions they have. Thank you.

Devona Smith, 121 Gilead Road, Huntersville said hello, I am Devona Smith, the engineer working on this project, and I will take us through the slide presentation. So, as mentioned this is located right along Harris Houston. We are proposing N1-D conditional zoning specifically using the compact development that is part of the new UDO. This is just a quick presentation of the site plan. Surrounding the area, there is a lot of single-family. So, we are looking to bring variety of housing units into this area. So,

the proposed layout is for duplex units as previously discussed. Some of the larger topics that were brought up from community members in the community meeting were regarding these following items: Density, landscape buffer and amenities. Regarding the density, we, obviously as I just expressed, we are proposing using the compact residential which has been added into the new UDO. We originally were going for the conservation district, but based on the changes that were recently made, that was not an option for us. So, we have adjusted to use the compact residential specifically to be able to make accommodations based off of the setbacks that are allowed in that zoning, and you'll see that despite us using the compact development N1-D zoning, we are exceeding the actual minimum lot widths for this area. So, it's not specifically trying to squeeze in as many as we can. We are actually exceeding some of those minimum requirements. We are also, exceeding the minimum buffer requirements. It was expressed that we are providing 30-foot landscaped yards. That is an excess of the required 25-foot landscaped yards and that is also so that we're able to use that as counted towards common open space areas in some places. Then also, you'll see that a large part of the perimeter being shown of the property is actually underserved tree lines. So, some of the concerns that community members expressed was the buffering and what that would look like for the neighboring single-family properties and you'll see that on the western property edge, majority of that property line is going to be undisturbed. It's behind that utility easement and then about 50 percent of that eastern property edge is also going to be undisturbed. Another idea that was brought up was the concern about the amenities. Just generally in this area, we are providing as you can see a central common open space that'll be in the middle of the development and we are also providing pedestrian connectivity not only to connect to the neighboring properties internal to the site, but also drawing that connection along Harris Houston Road based on the road improvements to meet the [inaudible] standard. Thank you.

Sara Uvalle, 3300 Kilbright Woods Court said good afternoon, my name is Sara Uvalle. I've lived in this area, in that area for over 20 years and my concern is traffic. It's been getting worse throughout also because of the PNC Amphitheater, but with the new developments that have been popping up. So, my concern is traffic. You're trying to build 76 units. That's around 152 vehicles on a two-lane traffic that's Harris Houston Road. So, I want to know what's going to be done for that? That's my concern.

Joseph Lewis, 1025 Reigate Road said hello. My name is Joseph Lewis and I'm representing the Houston Hills HOA (Homeowner Association) which this development is planned to connect to. I'm here to express my opposition to the proposal 2024-047. The proposal which concerns the development of the new community has raised numerous concerns among the residents of our neighborhood. First and foremost, I must highlight the lack of communication from the developer despite multiple attempts to reach out and discuss implications of this proposal, we've received no response. This lack of engagement particularly is troubling given the significant impact the development will have on our community in particular. It is also important to note that the developers failed to fill their obligation to initiate community meeting with Houston Hills HOA neighborhood. The meeting was only discovered by a contact in another community reaching out to our HOA. The new development will be directly connected to Houston Hills, yet there's a limited effort to engage with our community as required. Though the documents will note they attempted to communicate to our neighborhood, the address and contact information they used was for another community altogether. This lack of communication and transparency is unacceptable and undermines the trust we have in the planning process. One of the most pressing issues is the anticipated increase in traffic as previously mentioned. Previous traffic studies have shown that excessive speeding is a persistent problem on Chelmsford Drive, which is set for 25 miles per hour. Average speeds are approaching 40 miles per hour, yet no measures have been accepted by the City DOT (Department of Transportation) to install speed calming devices. The addition of the new community which will connect and have access to Chelmsford will only exacerbate this issue, putting the safety of our residents at greater risk. It's also important to note there's a community playground that is owned by Houston Hills HOA on Chelmsford which is directly impacted by this speeding of traffic.

Additionally, speaking of traffic, the PNC Amphitheater and the increased traffic on Houston Hills following two recent developments and the change of traffic flow from Harris Houston to 49 with a right turn only. There's often significant traffic back up on Harris Houston to Pavilion impacting residents' ability to commute freely. Adding 529 more trips from this development will only further this. In attempting to work with Charlotte DOT, the decision remains no traffic light will be installed at that intersection. Furthermore, the new community lacks its own amenities though they do discuss that there are amenities, this is not typically what a community would consider an amenity, just open play space. This would inevitably lead to increased utilization of the existing amenities in our community which includes a playground and pavilion space. Our community amenities are well used and the additional strain from new residents will diminish their availability and quality for our current residents, increasing our cost to maintain and operate them. The developer has not built any infrastructure into their plan to account for this, community amenities. Another concern is the absence of planned community signage to clearly delineate the new development from our existing neighborhood, again, referencing Reigate Road. Proper signage is crucial for maintaining the identity and cohesion of our communities and the current proposal fails to address this need. This is also an issue with the plan's structures. We are all for additional housing in the community. It is well needed. However, this is all single-family homes in this area. The only exception is one outparcel community which was built that are rental townhouses. That community does not connect to any other existing community.

Lastly, I want to express my frustration with some of the Council members in that we have tried to contact over this time where we have also not received any reply. It does compound the issues that we're experiencing and the frustration our community continues to exhibit. In conclusion, this proposal represents numerous problems that have not been adequately addressed. The increase in traffic, the strain on community amenities, the lack of communication and the absence of proper signage all contribute to my and the community's strong opposition to this proposal. I urge the Council to reconsider and to work towards a solution that truly serves the best interest of all of our community members. Thank you.

Lauren Speight, 3304 Mortemer Lane said good evening. Lauren Speight and I'm an adjoining property owner to the proposed development. So, first of all good evening. I'd like to say thank you to the City Planning staff and Councilmember Johnson for their responsiveness to my inquiries during our review process. I am speaking against the project; however, I do observe the project has implemented some recommendations and requirements from City staff and from the community meeting that I believe will improve the experience for existing residents and new residents of the proposed community. Some of these improvements included the vegetated buffers between the existing and proposed developments, an amenity area in the new development, and a buffer along Harris Houston. I understand the proposed use and structures are anticipated and encouraged by the City's 2040 Plan; however, I am against development because I believe the City should better commit through funding to improve infrastructure to serve the new development if this type of development is encouraged through the adopted plans.

I won't go over the traffic comments. I'll move ahead to other items. So, with regarding the 10-minute neighborhood requirements of the 2040 Plan, amenities such as grocery stores, restaurants, gas stations and pharmacies already exist in the area surrounding the proposed project. However, there are woefully inconsistent and insufficient pedestrian and bike facilities along Harris Houston and Pavilion. This project and the three to four most recent developments along Harris have been subject to regulations requiring the installation of sidewalk along Harris Houston. Previous developments were seemingly not required per the development requirements at the time to install ped or bike facilities leaving gaps in the current network. If dense developments are proposed, the City should allocate funds to capital improvement projects to complete pedestrian and bike facilities along Harris Houston and Pavilion. When considering rezoning petitions there should be activated green space either constructed or within relative walking proximity to the proposed project. There is no public park within a quarter mile

and the nearest section of greenway is not anticipated to be complete until the third quarter of 2028. Most specific to the plan layout, is my comment about the amenity areas previously mentioned. I believe that the details of that area are going to be evaluated during the construction plan review process, but to the extent possible, I would urge there is a condition that the amenity space is activated with specific requirements beyond that of a bench or a pergola so that this is not just a left-over patch of grass for pet relief, and that's all. Thank you.

Mr. Patel said first of all I apologize not getting back with you on the concerns. We had the neighborhood meeting and amenities concern was brought up that time, but we were not sure how the planning is going to work out with the City. So, we have plenty of space to do the amenities for our neighborhood. So, hopefully that will not impact that neighborhood. We have access from Harris Houston and the secondary access through that other neighborhood. So, I'm not a traffic expert, but we tried to give direct access to Harris Houston to avoid the challenge, and we have plenty of buffer around the existing houses to give the privacy. That was one of the concerns and we tried to address that as well. We tried to work with the City to address other concerns and the neighbors too, whatever concerns they had, how we can address those. Traffic is the one I don't think we can have control over. Thank you.

Councilmember Johnson said thank you to the residents that took the time to come out this evening. Thank you, Dave, for being at the podium. We spoke about this. Earlier this week I spoke to Dave and Alyson. One of the things I always talk about for the last several years is cumulative impact and this is one of those petitions where the residents really feel the cumulative impact of what's going on in this area. If you look at the Charlotte Mecklenburg Schools, Stoney Creek remains at 104 percent and Julius Chambers High remains at 137 percent of capacity with this petition. What we have to consider are the petitions that have been approved that are pending or recently approved. On page six in our zoning books, there are two other petitions and that's the 2021-187 and 2020-074. So, I would love to see the impact or the cumulative impact or the impact on schools as we consider those petitions along with this one. Harris Houston is a two-lane highway. Those residents suffer from the concert traffic you know. So, we have to consider those and so I've asked Dave if he has some information on infrastructure improvements in that area or traffic improvements in that area that are pending.

Mr. Pettine said yes, we certainly can see if there's any projects pending. We can look into that. I did let C-DOT know they do have to do a little bit of research to see if there's any other transportation projects. Like I said, we do have a project just south of this that may include some items just related to their own project, but we'd have to do a little bit of a deeper dive into it to see if there's any improvements on the books and we can provide that to you in a follow up.

Ms. Johnson said okay. Thank you. So, yes, I've pressed for infrastructure discussion and balanced improvement and strategic improvement, and this is one of those petitions. I understand from a petitioner perspective, you all see it from an I guess, I don't want to say a siloed approach, but you're looking at your petition, but the residents, they feel the impact of this growth. So, I'd like to take a look at this from a cumulative perspective and see what improvements can be made. Also, if there's another meeting that you all can have with the community so that they feel heard. I think that would be awesome. I can participate in the meeting. I believe your community meeting, I did have another commitment, but we certainly can have another meeting and yes, Harris Houston, you all have been over there. It's a two-lane highway. It's kind of swervy and just a lot of traffic and the concerts. I talked to Mr. Pettine and to our Planning Director, we have to do something. We can't just continue to develop and not respond. So, I hope you understand, and I look forward to meeting with the community members. Thank you for coming out.

Motion was made by Councilmember Johnson, seconded by Councilmember Mayfield, and carried unanimously to close the public hearing.
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ITEM NO. 20: HEARING ON PETITION NO. 2024-087 BY PENMITH HOLDINGS, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.8 ACRES LOCATED ALONG THE NORTH SIDE OF GRIER ROAD, THE SOUTH SIDE OF ROCKY RIVER ROAD, EAST OF LASSEN BAY PLACE FROM N1-A (NEIGHBORHOOD 1-A) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said 2024-087, it's 6.8 acres on Grier Road and Rocky River just a little bit west of Reedy Creek Nature Preserve. The property is currently zoned N1-A and the proposed zoning is for N2-A, conditional. The Policy Map does recommend Neighborhood 1 in this area, and it is across from a large area designated for parks and preserves. The site plan is for up to 70 multi-family attached dwelling units. They would provide a 12-foot multi-use path and an eight-foot landscape strip along Rocky River Road and Grier Road. Also, an eight-foot sidewalk and eight-foot planting strip along the public road that would provide access to the site. That's Public Road One. Also commits to restripe Grier Road to provide a three-lane section along the site's frontage as well as upgrades to the ramps at the corner of Grier Road and Rocky River to accommodate shared use path upgrades. Upgrades to the existing bus stop to an ADA (Americans with Disabilities Act) compliant bus pad with bench. Would also limit height of buildings to 48 feet tall as well as provides some architectural details for those residential units. Again, staff does recommend approval of this petition. We do not have any outstanding issues, and we'll be happy to take any questions following the presentations by the petitioner and members of the community. Thank you.

Nolan Groce, 1213 West Morehead Street, Suite 450 said good evening, Mayor Pro Tem, members of City Council and the Zoning Committee. Nolan Groce with Urban Design Partners representing Penmith Holdings, LLC on rezoning petition 2024-087. Dave, thank you for the thorough staff report. You can see our 6.8-acre site located at the corner, at the intersection of Grier Road and Rocky River Road. The site is directly across from the Reedy Creek Park Community Garden. As Dave mentioned, the site is currently zoned Neighborhood 1-A. We are requesting to rezone to N2-A, conditional for up to 70 townhome dwelling units. The Charlotte future 2040 Policy Map does identify the site as Neighborhood 1; however, there are policy implications that do support an Neighborhood 2 zoning on site. Here's our rezoning site plan. I'll jump ahead to our rendered version. Again, this is proposing up to 70 multi-family attached townhome dwelling units. I want to reiterate, these are for sale townhome dwelling units capped at two stories, each with a two-car garage and driveway parking space. There's also 18 visitor spaces at the northeastern corner of the site. As Dave mentioned, there are a myriad of transportation improvements be it a CATS (Charlotte Area Transit System), ADA bus stop on Rocky River Road and a 12-foot shared use path surrounding the frontages of the site along Grier Road and Rocky River Road. As part of the 12-foot shared use path expansion, we're also committed to off site improvements. So, we'll be extending the shared use path west of the site along Grier Road approximately 430 linear feet connecting to the adjacent development to ensure there's walkability and bike ability across Grier to the intersection where you can then cross to the south and access Reedy Creek Park. With that being said, I'm happy to answer any questions that you might have followed any additional commentary or opposition.

Antoinette Mingo, 13411 Ada Court said Antoinette Mingo representing the Council District Four Community Coalition. I'm speaking for this project for one reason, the 430-foot extension of sidewalk that originally there would've been a gap. So, we appreciate that. We met with Mr. Pennell and staff on December 4, 2024 at our regular meeting, and we appreciate the fact that these will not be rental housing and there will be something written in the CC&R (Covenants, Conditions and Restrictions) to limit the number of homes that any one entity can own and rent and also a limit of 20 percent rental spaces, rental housing in that area. So, I'm just here to say that I'm for the

project. It sounds like a good project. We all agreed that it was a good project as far as we're concerned. So, that's all I have to say. Thank you for the opportunity to speak.

Daisy Ramirez, 2541 Lassen Bay Place said our concern, I'm part of the HOA along with my friends here, mostly our concern is traffic. The area is very crowded, especially during rush hour. We have the school. We have the park. The intersection is always crowded. Also, the noise and privacy concerns. I've been living right across where they plan to build, where the tree area is. I've been there for about 18 years, never had any issues with anything. It feels like a community, like a neighborhood where I feel safe at. With this, it's something that I don't, and I know my neighbors don't feel that safety will be as well as it is now because it's going to be 70 houses that's, I don't know, that's 70 more people, 70 more cars just to say the least. That's another reason that we're opposed to it. Also, we're concerned about property values. They're going to be building townhomes that maybe are not going to be with good material, like an actual single house will be. That might impact our homes. Well like I said, the loss of community feel that we have as of right now. As of right now, there's no random people walking around the area. With something like this, I will feel unsafe, that somebody can just access through the woods and go through my backyard and just try to break into my home. That's about it. Just that's mostly our concerns for everyone that lives inside of the neighborhood and also the lack of communication. Like, nobody received a letter but just the five houses that are being impacted directly. That's all I have.

Mr. Groce said alright. Thank you. So, I'll start off with noise and privacy. You know, our goal and the developer's goal is to be a good neighbor. Our tree saves, the green area is located at the western edge of this site abutting the existing single-family homes. So, there's over 100 feet of existing tree foliage that will remain and there's approximately 250 feet from the nearest townhome to the nearest single-family home in the abutting neighborhood. Property values. So, these will be semicustom townhomes. This is not a run of the mill townhome community. Potential buyers will be able to come in, select higher end finishes from the builder at which point the units will be developed. Also, our goal is to bolster the community and encourage walkability and connectivity which is why we have committed to the off-site improvement of the shared use path. Happy to answer any questions.

Councilmember Johnson said thank you to both residents who came out, Ms. Ramirez and also to Ms. Mingo. Thank you. Thank you for the work that you've done in leading the District Four Coalition and I want to thank Paul Pennell also. I know he's worked closely with the Coalition and that brings me back to Ms. Mingo. Thank you for maintaining the standards and raising the bar for development in District Four, I find. So, thank you. The for sale, limiting the number of rentals in the area, the 12-foot multi-use path, the visitor parking, the walkability, the sidewalk, those are great, great concessions. I would, if you're able to, if you could meet with Ms. Ramirez again Mr. Pennell. I know you've met with her or talked to her, and also for City staff, if there were only five homes that were notified, yes, if we can find out why. Because they're rentals? I know we've spoken as a Council how are we going to improve our communication, but this is another example. So, let's make sure we address that. Thank you for bringing that to our attention, but as far as privacy, there's a tree buffer and the distance between the units. I don't know if a fence was considered. I think that there was. If there's anything that we can do for that adjoining neighborhood, I'm happy to help you work with the developer for this petition. Thank you. Move to close.

Councilmember Mayfield said for the petitioner, I do appreciate the district representative asking you to reach back out because it is concerning to know that our residential homeowners were not in communication. Did I miss what are the amenities for this development? You're going to build a townhome community that's right in between a residential neighborhood. What are the amenities for this townhome community?

Mr. Groce said yes. So, the prominent amenity is the existing Reedy Creek Park which is across the street. So, at the existing intersection of Grier Road and Rocky River Road, there is a pedestrian signalized crossing. So, people would be able to utilize the

12-foot shared use path, go to the signalized intersection and then safely cross the street to utilize the existing park. Okay. So, just for me, it was mentioned earlier in the petition. I think we have a disconnect of what we see as an actual amenity. Staff and previous Council put a lot of energy and discussion in UDO. If we talk about 10-minute neighborhoods and talk about neighborhood continuity and having walkability and accessibility. That's great if you have something to walk to, but as someone that's actually living that may be purchasing into the townhome community, when I was asking what amenities there are, because I'm just going to make an assumption it's probably going to be a market rate development which I support the idea of us having more homeownership versus rental, but also thinking about long term. I don't know, crazy thought, I just think there would come a time that people would actually want to have people over at their home or actually want to get out during spring time, summer time or actually want to have a gathering space with their neighbors if you were to try to actually build a community or have some type of gathering space for the residents when we're looking at development, looking at a comprehensive development that will be successful long term. I was just making sure I didn't miss it. Thank you.

Councilmember Brown said Ms. Ramirez and Ms. Mingo, thank you so much. You do a lot of great work in the community. I was wondering if there was some type of connection where you could work together? We are very concerned when residents come up and they are against petitions. Your voice is heard is what I'm saying. So, we just want to see if there's some type of connection that you can work with the Coalition to see if we can meet your needs at a medium, something on common ground where everybody could be okay. There may be a little bit more dissatisfaction in one area versus the other, but when residents come and they've been long term residents living in the area for 18 years, your voice matters, your concern matters. So, although we have a coalition of people that lead in that district and in that area, we also want you to know as residents that come in and maybe come in in small numbers, that your voices echo and is heard as well. So, sometimes there's tough decisions and how you come about on common ground and how we can move forward, but I've worked with Mr. Nolan Groce before, and he does amazing work. District Three is really growing at a rapid pace just like District Four, but they are open to working and making sure they can come up with some type of resolution for you. So, just know that your voice is being heard and thank you for coming out and always come out when you feel like you want to be heard, or you want to lead on the different side of the spectrum where everything is not at an equal balance. Always come out and speak to be heard. So, that's what these meetings are for, and we take it very seriously. So, I just wanted to say thank you so much for coming out.

Unknown said thank you.

Ms. Brown said you're very welcome.

Ms. Johnson said thank you Councilmember Brown. You brought up a great point about the Coalition. The Coalition is a group of neighborhoods. You're not excluded from the Coalition. So, make sure that you meet Ms. Mingo and get some information. It's a fairly new group and it's a coalition of neighborhoods and residents in District Four and it's open to all. So, make sure you get that information, so you all are engaged as well. Okay? Thank you.

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

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ITEM NO. 21: HEARING ON PETITION NO. 2024-088 BY CHILDRESS KLEIN FOR A CHANGE IN ZONING FOR APPROXIMATELY 15.98 ACRES LOCATED ALONG THE NORTH SIDE OF REXFORD ROAD, SOUTH OF WICKERSHAM ROAD, AND WEST OF COLONY ROAD FROM O-15(CD) (OFFICE, CONDITIONAL) TO RAC(EX) (REGIONAL ACTIVITY CENTER, EXCEPTION).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said Petition 2024-088 is located along the north side of Rexford Road, south of Wickersham Road, and west of Colony Road. The site's approximately 15.98 acres. It's currently developed with two office buildings. The current zoning is O-15 (CD), Office Conditional which is a legacy zoning district. The proposed zoning is RAC (EX), Regional Activity Center, Exception. The 2040 Policy Map recommends the Regional Activity Center Place Type for the site and the RAC district is consistent with the RAC Place Type. The proposal calls for up to 675 multi-family residential units and 277,000 square feet of office as well as up to 3,000 square feet of commercial uses including restaurant. The petitioner is requesting five-year vested rights. The site is divided into four Development Areas, Blocks One, Two, Three and Four. Blocks One, Two and Three may allow for up to 675 multi-family dwelling units and up to 200,000 square feet of office, and a portion of the 3,000 square feet of commercial uses. Development limitations and conversion rights are outlined in the plan. Block Four contains an existing 77,000 square foot office building which will remain on the site. Up to 200,000 square feet of office may be converted into up to 300 multi-family residential dwellings at a rate of one dwelling unit per 667 square feet of office space. Office to residential conversions shall be limited to Block One. The requested EX provisions specify requirements for public benefits and this includes sustainability and public amenity as outlined by Article 37 of the UDO. The petitioner will construct all new residential buildings to National Green Building Standards or the equivalent, and they will create a publicly accessible open space that exceeds ordinance requirements.

The following exceptions are requested: EX provision to Article 12.3.D, Block Four is bound by three frontages and these three frontages will be allowed to utilize the open space provision that may substitute for a percentage of the building width requirement along a frontage. Open space will be a minimum of 50 feet in depth along Public Street A. It will be 20 feet in depth along Rexford and Public Street B, but if there is a retaining wall placed here on Public Street B it may be reduced to 10 feet if it's accompanied by enhanced landscaping. EX provision to Article 12.3.D, a minimum ground floor height of residential buildings may be reduced from 12 feet to 10 feet eight inches and EX provision to 12.3.G.2, due to topography 15 percent of the residential ground floor entrances within 10 feet of the back of sidewalk are normally required to be between one and five feet above, or one and three feet below sidewalk grade and 85 percent of them will comply with this standard but 15 percent will not. EX provision to Article 19.6.A.2.A which is surface parking located within Block Four will be located behind open space as outlined in the first EX provision rather than behind the established setback as Block Four is an existing building site. The EX provision to Article 19.7.C.2, Block One will have 30 percent ground floor activation along the secondary frontage which is Street A. Block Three will have 30 percent ground floor activation along both the primary and a secondary frontage and the UDO requires 90 percent of ground floor activation for a primary frontage and 60 percent for a secondary. It proposes the following site and building design standards. Maximum heights of buildings are as follows: Buildings shall be limited to 65 feet within the first 200 feet of the northern property boundary, which is adjacent to N1 Place Type. Blocks Two and Three are limited to 100 feet in height and Block One and Four shall meet the standards of the ordinance. Petitioner will provide a half-acre public amenity on the site that may include retail kiosks. The number of principle buildings will not exceed four, including the existing building within Block Four. The minimum 20-foot setback with an eight-foot sidewalk and eight-foot planting strip will be provided along the site's frontage with Rexford Road. A minimum 20-foot setback will be provided along all primary frontages and a 16-foot setback along all secondary frontages internal to the street network.

A 100 foot no build zone and potential green area will be provided within 100 feet of the northern property boundary adjacent to N1. Twenty-five-foot Class B buffer yard will be provided along the site's eastern frontage adjacent to N2 Place Type. Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site building design. The site is primarily surrounded by nonresidential developments in the immediate area and relatively little housing. The

proposed plan would increase the number and variety of housing types in the area. Most of the site is currently underutilized and developed as surface parking lots. The site's within a short walk, bus or bike ride to dining, shopping and groceries within the surrounding Regional Activity Center and is adjacent to the proposed route of the SouthPark Loop trail. I'm happy to take any questions following Mrs. Grant's presentation.

Bridget Grant, 100 North Tryon Street, Suite 4700 said good evening Mayor Pro Tem, members of Council, members of the Zoning Committee. Bridget Grant, I'm a land use consultant with Moore and Van Allen. I'm pleased to be here tonight with Fred Klein and Gareth Scott with Childress Klein. Maxx did a phenomenal job on his presentation. So, I'm not going to duplicate his efforts or repeat. Councilmember Bokhari, we are happy to continue your role on positive efforts. We appreciate staff's support on this rezoning and we are pleased to come here tonight with letters of support from SPAN, the SouthPark Area Neighborhoods as well as from SouthPark Community Partners. It's been an effort that's gotten us to this point with great collaboration with the community. I think those letters of support really speak to the significant and meaningful open space on our site as well as the contact sensitive design to our adjacent neighbors. With that, I'm happy to answer any questions.

Councilmember Bokhari said I'd just say you guys have done a lot of offline work to get those collaborative letters of support. I think now that we've got this out in the open in the public hearing, let's see if we hear any one off other views and things like that from individual neighborhoods and just make sure we address those one at a time so that we can hopefully come with a singular ask from all sides.

Ms. Grant said thank you.

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.
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ITEM NO. 22: HEARING ON PETITION NO. 2024-096 BY 200E27, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.06 ACRES LOCATED ALONG THE SOUTHWEST SIDE OF EAST 27TH STREET, SOUTHEAST OF NORTH TRYON STREET, NORTH OF N BREVARD STREET FROM ML-2 (MANUFACTURING AND LOGISTICS-2) TO IMU (INNOVATION MIXED-USE).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is one acre located along 27th Street just southeast of North Tryon there. This area, if you're familiar with it, has undergone a lot of changes to convert these industrial buildings to mixed-uses similar to Camp North End that we have just to the west of this site. There are also a number of recently entitled multi-family projects in close proximity to this property. The site is currently zoned Manufacturing and Logistics-2 and the petitioner is proposing Innovation Mixed-use and that is consistent with the Policy Map's recommendation which calls for Innovation Mixed-use at this site as well as much of the surrounding area. This is a conventional petition with no associated site plan and staff recommends approval. The existing ML-2 zoning is not reflective of the area's shifting development trends as well as our policy goals to facilitate mixed-use developments in previously industrial areas and the requested IME district would bring this site into consistency with the Policy Map. It'd be well serviced by various modes of transportation, and it is in walking distance to a couple commercial areas, which helps to further support the IMU request and the IMU's district intent to blend commercial, residential and mixed-use projects that prioritize adaptive reuse of structures. I'll take any questions following the petitioner's comments.

Russell Fergusson, 933 Louise Avenue said Mayor Pro Tem, Council, Zoning Committee, Russell Fergusson here on behalf of the petitioner. It's 200E27, LLC. Proud to stand here and represent this petition. It's a conventional rezoning that's in line with the 2040 Policy Plan. It's supported by planning staff. It's without any known opposition. It speaks right with its goal to adaptively reuse the buildings there. It speaks exactly to what IMU was made for which is this transition from industrial into mixed-use environment and there's a lot going on in these blocks and we, my petitioner, look forward to being a part of it. I'll take any questions you may have.

Mayor Pro Tem Anderson said thank you Mr. Fergusson. I know you and I have spoken about this one. Anytime I see no one attended the public hearing, I get a little bit concerned about the public meeting. So, can you speak to that a little bit?

Mr. Fergusson said yes. So, this area doesn't abut any existing residential that's within the notice areas. There's really kind of a handful of developers in the area of several, whom are my clients. So, I have spoken to people that have interest in the area, they just didn't attend the meeting.

Mayor Pro Tem Anderson said okay. Okay, just want to make sure that as many people know about it as possible.

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

Mr. Fergusson said thank you.

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ITEM NO. 23: HEARING ON PETITION NO. 2024-098 BY HELIX HOLDINGS, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.375 ACRES LOCATED ALONG THE NORTH SIDE OF THE PLAZA, WEST OF E SUGAR CREEK ROAD, AND EAST OF SWEETBRIAR STREET FROM ML-2 (MANUFACTURING AND LOGISTICS-2) TO N2-B (NEIGHBORHOOD 2-B).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said located just east of [INAUDIBLE], this 0.38 acre site is along the portion of The Plaza that contains a real range of residential, commercial and institutional uses. There are adjacent areas with Industrial zoning along the railway, but generally this area is also moving away from Industrial and instead to Activity Center uses like we saw in the last petition. This property is made up of a portion of four different parcels, the most northern portion of those parcels and they are all currently zoned ML-2, though the remainder of those four parcels and the majority of those parcels are all currently zoned Neighborhood 2-B so these are split zoned properties. The petition is proposing to correct that split zoning across the four lots by rezoning the rear of the parcels that are ML-2 to Neighborhood 2-B to match the remainder of the site. Though the majority of these parcels are already zoned N2-B, they're all designated at Neighborhood 1 on the 2040 Policy Map and that's as a result of the existing single-family structures on the site. This petition is inconsistent with that Neighborhood 1 recommendation and if approved, would change the Place Type to Neighborhood 2, but again, it corrects that split zoning to bring the entire property under one designation. It is a conventional petition. So, there is no site plan. Staff recommends approval. The existing ML-2 development in zoning does not align with the residential uses and vision for this site and the rezoning may create a more preferred land development pattern and it would be compatible with surrounding uses as well as prescribed Place Types on our Policy Map. I will take any questions following the petitioner's comments.

John Carmichael, 101 North Tryon Street, Suite 1900 said thank you Madam Mayor, members of City Council and the Zoning Committee. I'm John Carmichael, here on

behalf of the petitioner. With me tonight is James Lawrence of the petitioner. Ms. Cramer did a really good job of going through the details, but I do want to show you an aerial that provides a little more context. So, the site is about four-tenths of an acre. It comprises the rear portions of four parcels of land that are near the intersection of The Plaza and East Sugar Creek Road. This is an aerial that shows the rezoning site is in purple here and then these are the four parcels located on the north side of The Plaza. It's pretty faint Mayor Pro Tem, but it's in purple. So, the rest of the site that fronts The Plaza is already zoned N2-B as is the parcel to the east that's also owned by the petitioner. There's some N2-B zoning across The Plaza from the rezoning site. There's some office and commercial general and then the church located to the west of the site is zoned N2-B but also has some ML-2 zoning as well. The request, as Holly stated is to rezone the site to N2-B so that the entirety of these parcels would be located in one zoning district, if the rezoning request is approved. We're happy to answer any questions. We appreciate the Planning staff's favorable recommendation and once again thank you for your consideration.

Mayor Pro Tem Anderson said thank you Mr. Carmichael. I can tell you that's a very active part of District One and I've not received any negative or derogatory comments. So, it's good that the community is aware of what's going on here.

Mr. Carmichael said yes and to that point if I might. We did have a neighborhood meeting. One gentleman who lives across The Plaza came, but then we went and met with the NoDa (North Davidson) community on November 5, 2024, and December 3, 2024.

Mayor Pro Tem Anderson said good.

Mr. Carmichael said so, we've gone to two of their meetings. So, they're aware of it.

Mayor Pro Tem Anderson said excellent. Thank you.

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

Mr. Carmichael said thank you.

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ITEM NO. 24: HEARING ON PETITION NO. 2024-099 BY MECHLENBURG COUNTY FOR A CHANGE IN ZONING FOR APPROXIMATELY 24.75 ACRES LOCATED AT THE EASTERN END OF CAGLE AVENUE, EAST OF SHARON AMITY ROAD AND WEST OF WT HARRIS BOULEVARD FROM ML-1 (MANUFACTURING AND LOGISTICS-1) AND ML-2 (MANUFACTURING AND LOGISTICS-2) TO IC-2(CD) (INSTITUTIONAL CAMPUS-2, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said this site is just shy of 25 acres and it's located west of Tantilla Circle, north of Kimmerly Glen Lane and east of Sharon Amity Road. The site is wooded and is surrounded by a mix of multi-family residential, single-family residential and commercial uses. Current zoning is ML-1 and ML-2. Proposed zoning is IC-2, that's Institutional Campus 2, conditional. The 2040 Policy Map recommends Manufacturing and Logistics Place Type. This is a Tier One conditional petition with just a brief set of development standards that state it will allow all uses permitted in the IC-2 zoning district while limiting building height to 80 feet. Staff recommends approval of this petition. It is inconsistent with the Policy Map recommendation for Manufacturing and Logistics Place Type. The IC-2 zoning district is intended to address the needs of large scale institutional campuses that could provide governmental, educational, medical and social services as well as supportive uses. The

petition would allow Mecklenburg County to provide public services on the site to serve eastern parts of Charlotte and Mecklenburg County. The development standards associated with the petition limits height to 80 feet to minimize visual impact to adjacent properties. I'll take any questions following the petitioner's presentation.

John Carmichael, 101 North Tryon Street, Suite 1900 said thank you Madam Mayor Pro Tem, members of Council and the Zoning Committee. I'm John Carmichael here on behalf of the petitioner Mecklenburg County. With me tonight are Steven Sweat of Mecklenburg County and Shaun Tooley with LandDesign. As Joe indicated, the site contains just under 25 acres. It's located at the eastern terminus of Cagle Avenue which is east of North Sharon Amity Road and south of the intersection of Milton Road and North Sharon Amity Road. The site is zoned ML-1 and ML-2. These are Manufacturing and Logistics zoning districts. You have ML-2 zoning to the west and south of the site and N2-B zoning to the north and east of the site. The petitioner is requesting that the site be rezoned to the IC-2 (CD) zoning district to accommodate the development of a County Resource Center which would offer governmental services to the public and contain County offices. The IC-2 zoning district is a campus zoning district. This conditional rezoning request would limit the building height to 80 feet which is consistent with the maximum height allowed in the current ML-1 and ML-2 zoning districts. The Community Resource Center would be County operated, County owned, and would provide government services to the public. It'd be a multi-story building, the large majority of which would be devoted to County offices. The lower levels of the facility are intended to provide public facing functions where the community can receive support through various governmental public assistance services. What the County is doing is bringing these resource centers out to the community and the purpose of this is to bring the County to its customers. I did have images of the recent completed Ella B. Scarborough Community Resource Center located near the intersection of North Tryon and Eastway Drive. It was completed last summer. It's a beautiful facility and provides really meaningful services and opportunities to the citizens and we appreciate your consideration of the request and we're happy to answer any questions. Once again, Mr. Sweat is here with the County and he can answer questions as well.

Councilmember Molina said I'm encouraged by the petition simply because there are people that live in the district that do need these resources.

Mr. Carmichael said right.

Ms. Molina said we have a majority of the resource centers in District Five. If you think about I think Billingsley that's District Five. Ella Scarborough, that's one more. We have the Umbrella Center that's coming to Albemarle Road and I mean, I'm looking that four members of the community came out. Did you know what their feedback was?

Mr. Carmichael said I do. I think two were from the apartment community to the north.

Ms. Molina said okay.

Mr. Carmichael said there really, as I recall, two people really spoke. A woman who lives to the east in the single-family home and then another person who I think was just involved in the community. The person who was involved in the community was very supportive. After the neighborhood meeting, I sent the proposed uses to those that attended the meeting. The individual to the east was concerned a little bit about building height, how close it'll be to her property line, but because of the natural features of the site, the stream and the stream buffers, this building would be a 150 to 200 feet from the eastern property line and that eastern edge, the trees on the eastern edge of the site would also be preserved because of the need to protect the streams and the stream buffers. That seemed to be her concern and we also told her that the lighting would be cutoff lighting so that it would not extend past any property lines, but the trees would really be I think of benefit to that community.

Ms. Molina said like I said, that sounds good. I just want to share this while I'm on this subject and I've heard from a diverse group of neighbors, and like every single district, there's a diversity of economics throughout, right?

Mr. Carmichael said right.

Ms. Molina said a lot of the times when I say aggregate numbers, it really doesn't paint the full picture of who's there and what their earning potentials are and what I see, especially for a district like District Five where the average is skewed and it's actually skewed toward the lower end of our earnings. It paints only one picture of the residents that we have in our beautiful and diverse district. We have high earners as well. Like most districts, we have high income earners and we have community members that earn below, well, well below what would be a living wage. So, although I'm excited about, like I said, any time that we can bring resources to the community members, I am absolutely going to be in favor of it. So, you won't see me have a pushback, but like I said, I want to take this moment to say out loud that we have so many opportunities to do more across this district. It shouldn't be that East Charlotte is the place where everyone comes just when they need resources. Do you understand what I'm saying?

Mr. Carmichael said right. Yes ma'am I do.

Ms. Molina said or the understanding is if I need something based on having a low income that, "Oh, I need to go to East Charlotte," or "Oh, I need to go to West Charlotte." You know what I'm saying? Right now, that's the balance of what we get largely and why we get those things because again, we paint just one picture largely of the demographics of human beings that are in those districts. I've had extensive conversation with the now Chair who is my counterpart, Commissioner Mark Jerrell, about this very exact same thing. About how do we properly, he and I working together, paint a proper diverse picture of our district that we represent, taking into consideration that our Far East residents, they earn above what the County minimum is, but we don't really have what you would say amenities out there for those humans and we're not really targeting that yet. So, in a perfect world, I'd like a both/and. Again, this is an opportunity for the community members that I represent who need those resources and actually resources for community members that are throughout our City. As we look at East Charlotte, in a perfect world like I said, taking this moment to say it out loud, the diversity of our district, I want to be exclamationated because it deserves to be exclamationated. There are human beings that are doing very well in the district that I represent, and so we have those humans that need services as well. So, I just wanted to put that out there. Again, you know, I'd love to talk to you more about this online.

Mr. Carmichael said happy to.

Ms. Molina said I think Commissioner Jerrell will be a great addition to this conversation, really just to get his perspective. So, I'm going to do that on a one off anyway.

Mr. Carmichael said okay.

Ms. Molina said I feel like, you know, he probably is already aware of this knowing that it's going to come before the Council, but I'd love for he and I to huddle and gain his enriched perspective on how he envisions our area as well.

Mr. Carmichael said we'd love the opportunity to meet with you and the Commissioner. Mr. Sweat and I would love the opportunity to do that.

Ms. Molina said okay. I would like that.

Mr. Carmichael said I'll shoot you an email.

Ms. Molina said alright. Thank you so much.

Mr. Carmichael said thank you.

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

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ITEM NO. 26: HEARING ON PETITION NO. 2024-105 BY ANGELO TILLMAN FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.99 ACRES LOCATED ALONG THE NORTH SIDE OF TOM HUNTER ROAD, WEST OF HIDDEN FOREST DRIVE, AND SOUTH OF I-85 FROM N1-B (NEIGHBORHOOD 1-B) TO N1-F(CD) (NEIGHBORHOOD 1-F, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this two-acre site is located in the Hidden Valley neighborhood where we see single-family as well as multi-family uses situated between commercial areas that can be found along West Sugar Creek Road and North Tryon. The site is currently zoned Neighborhood 1-B and the request is for a Neighborhood 1-F, Conditional which is consistent with the Policy Map's recommendation for Neighborhood 1 at this site. The proposal itself is for a multi-dwelling development which would allow for two quadraplex buildings, a total of eight attached units and the petitioner committed to a maximum building height of 40 feet which is less than what the ordinance allows for, for that district. A Class C landscape yard would be provided along the eastern boundary where the site abuts single-family zoning and uses. The majority of the site would be free of impervious surfaces as the development is primarily limited to that lower third of the parcel that fronts Tom Hunter and the middle and upper portions of this site are dedicated for open space, tree save area, and stormwater management areas. Units fronting Tom Hunter would be rear loaded via a private alley and that same alley will service the other quadraplex with front loaded garages. Staff recommends approval of this petition upon resolution of outstanding issues and technical revisions, most of which are really quite minor. The proposal for two quadraplex buildings on a two-acre property is compatible with the site's single-family and multi-family surroundings. The petitioner committed to additional conditions that are regarding preferred architectural standards, a lower maximum height and the modest [INAUDIBLE] all of which help blend single-family home characteristics into a residential product type that is a little bit denser than what we see just east of this site. This petition creates a transition between the single-family detached homes along the eastern boundary and the multi-family developments that we see to the north and west of this rezoning area. I'll take questions following the petitioner's comments.

Angelo Tillman, 3557 North Sharon Amity Road, Suite 201 said we propose to build eight townhouses on that lot, keeping with affordable housing. We plan on keeping all of the townhouses below \$300,000 and we've already talked to Bank of America about their Community Homeownership Commitment, because the biggest obstacle to homeownership is usually the down payment which is 10 percent and the closing costs. Bank of America does have a program that allows zero down payment, allows for help with closing costs and the Hidden Valley community right now is probably more rental properties in the area than homes. So, we feel like we would help the community because homeownership, it helps the community as far as people taking pride, taking a part in the community events and then also homeownership helps children coming from those homes as far as the opportunity for higher education. So, we hope that you let us build these townhouses.

Mayor Pro Tem Anderson said thank you Mr. Tillman. I'm interested in your interaction with the Hidden Valley community at all. Have you been to any of their community meetings or been in touch with Ms. Marjorie Parker?

Mr. Tillman said actually I grew up in the Hidden Valley community, went to school, Myers Park and Cochrane Junior High School and right now they have the Hidden Valley Older Gentleman's Committee. They take part in the community with Hidden

Valley Elementary, reading to the children, mentoring to the children, also having cookouts and other events. So, I know that as far as with the homeownership, when you have first, second and third generation people living in the community, they help uplift the community.

Mayor Pro Tem Anderson said absolutely. Yes, the Hidden Valley OGs (Older Gentlemen) do a lot of really good work in the community.

Mr. Tillman said right.

Mayor Pro Tem Anderson said have you had any conversation with Ms. Marjorie Parker at all, the Chair?

Mr. Tillman said I have not because we had the meeting, nobody showed up.

Mayor Pro Tem Anderson said okay, okay. I'm going to encourage you to do so and I will encourage her to reach out to you as well because they're very engaged around any development in the community. Sounds like what you're planning will be right in line with what they're looking for, but I would just still would like for her to have an opportunity to have a conversation with you.

Mr. Tillman said will definitely reach out to her.

Mayor Pro Tem Anderson said absolutely.

Councilmember Brown said I think what you're doing is amazing, but also I joined Hidden Valley Community Coalition because they're going to keep the history over there.

Ms. Tillman said yes ma'am.

Ms. Brown said if you speak with her, you'll get some support. They are very, very strong in their number. So, I can give her your number because I'm going to be talking to her.

Mr. Tillman said okay.

Ms. Brown said if you don't mind if the number is correct on the paper.

Mr. Tillmans said I have it.

Ms. Brown said I'll make sure I pass the baton because she will be interested in your [INAUDIBLE]. I went to Myers Park as well, MPHS (Myers Park High School).

Councilmember Mitchell said Angelo?

Mr. Tillman said yes.

Mr. Mitchell said did we go to [inaudible] together?

Mr. Tillman said we went to school together.

Motion was made by Councilmember Anderson, seconded by Councilmember Graham and carried unanimously to close the public hearing.
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ITEM NO. 27: HEARING ON PETITION NO. 2024-107 BY NEELKANTH HOSPITALITY, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.19 ACRES LOCATED AT THE SOUTHWEST INTERSECTION OF WEST ARROWOOD ROAD AND MICROSOFT WAY, AND EAST OF HANSON ROAD FROM B-D(CD) (DISTRIBUTIVE BUSINESS, CONDITIONAL), AND ML-1 (MANUFACTURING AND LOGISTICS-1) TO OG (OFFICE GENERAL).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said thank you. This site is approximately 3.19 acres located on the south side of Arrowood Road, west of Microsoft Way. The site is currently undeveloped and is surrounded primarily by office buildings, also some commercial and institutional uses. The current zoning, it is a split zoned site with B-D (CD) along the Arrowood Road frontage and ML-1 to the rear of the site. Proposed zoning is OG, it's Office General, conventional. The 2040 Policy Map recommends Campus Place Type. Staff recommends approval of this petition. It is consistent with the Place Type recommendation of Campus. The site's location along and near major roads including West Arrowood Road and South Tryon Street supports uses that enhance connectivity and align with the surrounding employment centers. Abutting uses are predominantly commercial and office reinforcing the designation as a Campus Place Type transitioning the site from B-D (CD) and ML-1 to OG aligns the property with Campus Place Type helping to bring a split zoned property into consistency with the area's plan and goals. I will take any questions after the petitioner's presentation.

Bridget Grant, 100 North Tryon Street, Suite 4700 said good evening, Mayor Pro Tem, members of Council. Bridget Grant, land use consultant with Moore and Van Allen. I'm happy to be here tonight on behalf of Sam Patel on this conditional rezoning and I would like to say also since I couldn't talk Mr. MacVean into sticking around until I retired, there are two other members of Moore and Van Allen's team. Lisa Thompson and John Floyd that you'll be seeing a lot of in the years to come. Thank you again for your time tonight. As Joe mentioned, this is a conventional rezoning. So, there's no site plan associated with it. Councilmember Brown, you may remember, you joined the community meeting, you were the only one there with me because no one signed up for it. So, thank you for that. We're happy to answer any questions.

Councilmember Brown said yes, I showed up for the meeting and nobody was there but me. So, it's always concerning but we talk about how we can expand and make sure that people understand that their voice, their input is very important, and I know that you and I have built a relationship over the past year and you listen and you'll go back to the table, the drawing board or whatever you need to do. So, I look forward to seeing what we can do, and I'll reach out to some community members in the area, send them your way. If they come, they do, if they don't what can we do? You know, we can put our best foot forward each and every time, that's all that we can do. So, I do appreciate you having a meeting although I was the only one there.

Ms. Grant said thank you.

Ms. Brown said again, I was there and we will try to extend the invitation to a few community leaders that I know in the area as we move forward, but that's all I have.

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

ITEM NO. 28: HEARING ON PETITION NO. 2024-108 BY OLYMPIA & WRIGHT HOMES FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.0 ACRES LOCATED ALONG THE SOUTH SIDE OF MT HOLLY-HUNTERSVILLE ROAD, ON THE WEST AND EAST SIDE OF PAWLEY DRIVE, AND NORTH OF MT HOLLY ROAD FROM N1-A (NEIGHBORHOOD 1-A) TO N2-B (CD) (NEIGHBORHOOD 2-B, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said Petition 2024-108 is located along the south side of Mt. Holly-Huntersville Road and west and east side of Pawley Drive and north of Mt. Holly Road. The site's approximately three acres in size and currently undeveloped. Current zoning is N1-A, Neighborhood 1, and proposed zoning is N2-B (CD), Neighborhood 2. The 2040 Policy Map recommends the Neighborhood 1 Place Type for this site. The N2-B district is inconsistent with the N1 Place Type and approval of this petition would revise the 2040 Policy Map recommendation to the N2 Place Type. The proposal calls for the development of up to 40 multi-family attached dwellings, townhomes. Multi-family stacked units are prohibited. The following streetscape improvements are proposed: Construct a 12-foot multi-use path and eight-foot planting strip along Mt. Holly-Huntersville Road, an eight-foot sidewalk and eight-foot planting strip along Pawley Drive. A 10-foot Class C landscape yard will be provided along the side and rear of the property lines adjacent to the N1 parcels. The trees shall be planted at a minimum spacing of 20 feet and a maximum spacing of 40 feet along internal alleyways. Sidewalks will be provided from all residential entrances to the public street. Visitor parking will be provided as generally depicted on the site plan.

The following architectural requirements are provided: Buildings are limited to no more than six attached units. Minimum slope of pitched roofs will be 5:12. Buildings fronting Mt. Holly-Huntersville Road will be oriented towards the street and rear loaded with alley fed garages. Corner end units adjacent to Pawley Drive will have blank wall limitations, usable porches and stoops, a minimum of five feet in depth will be provided. The following transportation improvements are proposed: Vehicular access to the site is via private alleys accessed from Pawley Drive. Fifty feet of right-of-way shall be dedicated along the centerline of Mt. Holly-Huntersville Road. Petitioner intends the abandonment of Kings Drive which is the south west portion of the site here. An ADA compliant bus waiting pad will be constructed along the site's frontage with Mt. Holly-Huntersville Road. Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, and site and building design. As the site is adjacent to N2 development, the Comprehensive Plan equitable growth framework identifies the site as within access to housing gap and the site is within a half mile of a commercial center containing a range of daily needs and served directly by transit. Happy to take any questions following Mr. Brown's presentation.

Collin Brown, 1420 East 7th Street, Suite 100 said Collin Brown on behalf of Olympia and Wright the petitioner. That was a pretty thorough presentation by Maxx. So, I'll just hit the high points. Again, as Maxx pointed out, this is infilled development on Mt. Holly-Huntersville Road. It is in good proximity to a commercial center, kind of just to the west of the site that includes grocery. This is in an area that's a little bit of kind of in a redevelopment phase. If you'll notice just to the west of us, if you were to drive out there today this site would be cleared. It's got a lot of red dirt. So, townhomes are coming here. We've got townhomes across the street and the question is what happens with these lots? So, the proposal is for an infilled development like this. We are proposing the N2 district, but this is not multi-family, it's not apartments. These would be kind of the duplexes, triplex townhome style development. The positive, one of the real positives, the amenities coming in would be the multi-use path that Maxx mentioned because there is great commercial down here, it's just the existing infrastructure is not there. So, not only a sidewalk, but a mixed-use path coming in that area to provide some greater connectivity down the street. Happy to have staff's support on this and happy to answer any questions that you may have.

Councilmember Mayfield said thank you. Mr. Brown, I'm going to ask you the same question that I asked the previous petitioner, as far as did I miss the amenities for this townhome community?

Mr. Brown said you did not. This is an infill site. If my client would say, he would say the amenity is the location, installing the sidewalks to take us down the street, but I did hear your comments on it sounded like the last time your point was, "Hey, let's just have some open area for people to gather." So, with those comments in mind, I'll be happy to talk with the team and see if we can find some areas in there to provide something like that on site. It didn't sound like you were saying, "Hey, you got to have a swimming pool and a clubhouse."

Ms. Mayfield said right.

Mr. Brown said maybe a pavilion to cookout so people can get together.

Ms. Mayfield said because we have a development further up that's a multi-family where they built the pool and I have yet to ever see anybody use it when I drive by. Just thinking about that gathering space as if there's an opportunity.

Mr. Brown said I will talk with them about that.

Ms. Mayfield said thank you.

Councilmember Graham said you guys are working through some of the logistics of making sure that you're on the same page?

Mr. Brown said absolutely. We're working on abandonment [inaudible] so there are a couple of moving parts. We did have attendees at our community meeting. I do owe the lady across the street who lives here, [inaudible] this development team is putting together some ideas to share with her on the product type. So, we'll get that to her and follow up with Ms. Mayfield on the open space and we'll work to get the staff issues resolved.

Mr. Graham said alright, just keep me in the loop.

Mr. Brown said okay.

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

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ITEM NO. 30: HEARING ON PETITION NO. 2024-114 BY DREAMKEY PARTNERS FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.80 ACRES LOCATED WEST OF STATESVILLE ROAD, NORTH OF OAKWOOD DRIVE, AND SOUTH OF COCHRANE DRIVE FROM UR-2(CD) (URBAN RESIDENTIAL - 2, CONDITIONAL) TO N2-B (CD) (NEIGHBORHOOD 2-B, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this 3.8-acre site is located just west of Statesville Road among several developing multi-family townhome projects as well as an established single-family area along the southern property boundary. The site is currently zoned Urban Residential 2, conditional as a result of petition 2018-015 and that was for a larger area. So, all the area you see in orange was part of that petition. Although the other phases for this project have begun, the site within 2024-114 has remained undeveloped. The request is to rezone this site from that existing Urban Residential conditional plan to Neighborhood 2-B conditional. It would allow for the same residential uses entitled in 2018-015, but this petition would differ slightly on the

proposed site and building design. This request is inconsistent with the 2040 Policy Map which does call for Campus at this area, though I will just call out, this is being proposed for a change in the revised Policy Map, we believe it was just an error and this was intended for Neighborhood 2. So, the revised Policy Map will have this entirety of that UR-2 petition site 65 acres show up as Neighborhood 2 if approved.

The proposal itself allows for up to 53 multi-family attached units and the number of principal structures may not exceed 10. All of these units will be rear-loaded via a private alley. Site would be accessed from Bowline Drive and an extension of Grasset Avenue. The petitioner commits to extend Grasset Avenue and Debut Street if not constructed by others. Ten-foot Class C landscape yard as well as a six-foot fence would be provided along the southern boundary where the site abuts single-family zoning. A minimum of 4,000 square feet of amenitized open space will be provided predominantly in those two open space areas identified. The petitioner commits to preferred architectural standards. Staff recommends approval of this petition upon resolution of outstanding issues like technical revision. This petition proposes a development that is consistent with the already entitled multi-family attached uses on this property and its surrounding area, and it's mindful of the single-family uses along the southern boundary by providing a landscaped yard and the fence that goes beyond ordinance requirements. That will help buffer the proposed development to those residents. Residents at this site and the neighboring developments would have increased access to Statesville Road via an extension of Debut Street. This road and the completed pedestrian infrastructure will significantly improve connection to the existing bus stop that's along Statesville Road. Although the petition is inconsistent with the Campus Place Type, there are no Campus uses existing on this site and the surrounding parcels and N2 generally is a more fitting Place Type and the development fits better into the broader area. I'll take questions following the petitioner's comments.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem, members of Council, members of Zoning Committee. Keith MacVean with Moore and Van Allen assisting DreamKey Partners. I want to thank Holly for her presentation and her support. We will be working with the staff to address the remaining issues. We did send the presentation in. Again, the request is for 53 townhomes for sale. This site was originally part of the Parkview neighborhood which was zoned back in 2018. This portion of the site has remained undeveloped. There is a Brownfields Agreement that is in place for this portion of Parkview that restricts the use of this portion of the site to single-family homes. So, that's the reason for the change. What was originally planned was single-family homes, but due to the Brownfields Agreement it only allows townhomes to be built on this site. We did have a good community meeting. We had several neighbors along the roads of I think it's Oak Drive along the south as well as some of the new neighbors of the Parkview neighborhood attended the community. They asked questions about open space and overflow parking and buffering and screening. The petitioner, to address those concerns did add a fence to the buffer at the rear of the site here as part of the buffer and then enhanced several open space areas here to create an amenity for the new residents. To address some of the staff concerns, we will also be adding some additional open space areas in a couple of larger areas between buildings. We'll be happy to answer questions.

Councilmember Mayfield said again, congratulations.

Mr. MacVean said thank you.

Ms. Mayfield said thank you for hearing the question that I'm asking for long term amenity and green space. It is funny though because the shape of this site is that of a submarine once you drop everything in. So, I just thought that was interesting. I appreciate developers coming with townhomes and with other offerings that are really diversifying us outside a multi-family to really give an opportunity because we're going to see some challenges coming ahead for the next few years. So, I appreciate having some diversity in what is being brought before us. Thank you.

Mr. MacVean said yes ma'am. Thank you.

Councilmember Driggs said Mr. MacVean, for 11 years I've heard you try to justify outlandish proposals, and I've enjoyed every minute.
Mr. MacVean said thank you.

Mr. Driggs said I think perhaps our finest hour was on Providence Road with the [inaudible] I believe it was, if you recall. That was quite an experience. Seriously, I wish you all the best.
Mr. MacVean said thank you sir.

Mr. Driggs said I really appreciated working with you and hope things go well for you in the future. Thank you.

Mr. MacVean said appreciate that. Same here. It's been a pleasure and an honor really to work with everybody through all these years. I do look forward to retirement, but I will miss my Monday nights with the Council and maybe I'll tune in online and see what's going on. It's been a pleasure. Thank you.

Councilmember Mitchell said I just have to add some kudos. We're going to miss you sir. Thank you, sir, for your contribution. You have put Charlotte in a better place because of your leadership. We're going to miss you, Keith.

Mr. MacVean said thank you James.

Councilmember Molina said you know what? Actually, in the time that I've been here, I've definitely known you to be a fair broker.

Mr. MacVean said thank you.

Ms. Molina said you know, brokering the interest of the community and your particular clients and that's something that is cherished from our end of the spectrum. So, thank you for your service. Enjoy yourself and many blessings to you and your family.

Mr. MacVean said appreciate that. Thank you very much.

Councilmember Brown said Mr. MacVean, the relationship that we've developed over the past year has been very professional and very astounding. So, thank you so much for your hard work and your dedication and your commitment and your desire to make things work. So, it's been an absolute pleasure to work with you and to know you the shortest amount of time, but hey, you've been amazing.

Mr. MacVean said thank you.

Ms. Brown said thank you.

Mr. MacVean said same year. Thank you everybody.

Mayor Pro Tem Anderson said of course Mr. MacVean thank you for everything that you've done. I'm reminiscing on a tough rezoning we had just a short while ago.

Mr. MacVean said yes ma'am.

Mayor Pro Tem Anderson said we had lots of meetings, lots of back and forth and actually got it to a place where the community was better off, and I appreciate you having that level of leadership throughout all of the petitions that you work on.

Mr. MacVean said thank you ma'am very much. Thank you.

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

Mayor Pro Tem Anderson said thank you.

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ITEM NO. 31: HEARING ON PETITION NO. 2024-115 BY THE VUE AT HONEYWOOD AM, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.95 ACRES LOCATED SOUTHEAST OF MONTANA DRIVE, NORTHEAST OF TENNESSEE AVENUE, AND WEST OF SOUTHWEST BOULEVARD FROM R-22MF(CD) (MULTI-FAMILY, CONDITIONAL) TO R-22MF(CD) SPA (MULTI-FAMILY, CONDITIONAL, SITE PLAN AMENDMENT).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said Petition 2024-115 is located on the southeast of Montana Drive, northeast of Tennessee Avenue and west of Southwest Boulevard. The site's approximately 6.95 acres and is currently undeveloped. The site's currently zoned R-22MF (CD), Multi-Family, Conditional, legacy district. The proposed zoning is R-22MF (CD) SPA, which is a Multi-Family District Site Plan Amendment. The 2040 Policy Map recommends the Neighborhood 2 Place Type. R-22MF (CD) SPA district is consistent with the N2 Place Type. A little background on the site plan amendment. In 2021, the site was rezoned from R-5 single-family to the R-22MF (CD) district to allow for the development of up to 150 multi-family units in not more than seven buildings. The site plan amendment calls for a reduction in the number of principal buildings from a maximum of seven to just three buildings. Proposes to increase the maximum height of principal buildings from 40 feet as measured by the zoning ordinance to 65 feet. Proposes the inclusion of an accessory structure for on site amenities, and the overall plan would not increase the number of dwelling units permitted under the previously approved conditional plan. Staff recommends approval of the petition upon resolution of outstanding issues related site and building design, transportation and the environment. As the site aligns with the Policy Map recommendation for Neighborhood 2, the site plan amendment would not increase the number of dwelling units and the site is served by transit. Happy to take any questions following Mr. Langston's presentation.

Matt Langston, 1230 West Morehead Street, Suite 304 said Mayor Pro Tem, members of Council, thanks for listening to us tonight. Hopefully I'll try to keep it really quick. Matt Langston with Landworks Design Group. Chris Ogunrinde with Urban Trends Real Estate is here [inaudible]. Like Maxx said, this project was submitted as a petition back in 2021. Y'all approved it in 2022. We got hired to do the site construction plans and as we got deeper into the site design and site permitting, it was an affordable housing project and as we got deeper into the site design, it got very expensive with walls and underground storm detention. So, the goal of the consolidation of the site is to help it work a little bit more efficiently. If you can see, this was the 2021 plan, buildings were all the way around, there's site walls on the low side and underground detention. The new plan would allow that to be constructed more affordably and the site's got about 35 feet of grade change across it. So, we're using that to help sort of conceal the additional height that we're asking for. We're here to answer any questions you may have.

Councilmember Graham said have you guys had your neighborhood meeting, and any response based on the change of the plans?

Mr. Langston said we had our neighborhood meeting. We had one attendee who had gotten a new phone and was struggling. So, I Facetimed him and held him up to my computer so he could see the screens and stuff and we had probably two other absentee property owners from out of state who reached out when they got the letter. We followed up with them separately, but we didn't have any comments that affected the site plan.

Mr. Graham said okay.

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


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ADJOURNMENT

Motion was made by Councilmember Mayfield, seconded by Councilmember Brown, and carried unanimously to adjourn the meeting.

Mayor Pro Tem Anderson said before we adjourn, I just want to say Happy Holidays and Merry Christmas to everyone in the community. I want to thank the Zoning Committee. They work tirelessly throughout the year to make sure that we are able to conduct these meetings. A lot of time and investment. So, have a wonderful holiday season and we will see you again in 2025. Thank you.

The meeting was adjourned at 7:33 p.m.


Billie F. Tyres, Deputy City Clerk

Length of Meeting: 2 Hours, 20 minutes
Minutes completed: March 10, 2025