

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday, March 23, 2026, at 5:35 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Councilmember Ed Driggs presiding. Council members present were Dimple Ajmera, Danté Anderson, J.D. Mazuera Arias, Malcolm Graham, Lawana Mayfield, Joi Mayo, James Mitchell, Kimberly Owens, and Victoria Watlington.

**ABSENT:** Mayor Vi Lyles, Councilmember Renee Johnson

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**Councilmember Driggs** said good evening. I'd like to call to order this March 23, 2026, Zoning Meeting of the Charlotte City Council. My name is Ed Driggs. I am the District Seven member of City Council and I Chair the Planning, Transportation, Development Committee, and in that capacity, I will be sitting here tonight. We start our meetings with introductions.

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### INVOCATION AND PLEDGE

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

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**Councilmember Driggs** said so, we have a couple of events tonight that are not within the normal sequence of our meeting. So, the first item is going to be a public hearing on Community Area Plans, and in particular this is a hearing on changes to the seven adopted plans that are indicated by the work that was done on the seven plans that have not yet been adopted, and the intention is that we will modify the adopted plans to conform them to the plans that we will adopt. Because there's a hearing tonight, we're not actually going to vote on that tonight. We will listen to what is said at the hearing, and our intention will be to vote on the 13<sup>th</sup> of April 2026. So, do we have speakers signed up?

**Billie Tynes, Deputy City Clerk** said yes.

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### COMMUNITY AREA PLAN HEARING

#### ITEM NO. 2: PUBLIC HEARING ON THE CHARLOTTE FUTURE 2040 COMMUNITY AREA PLANS AND REVISED POLICY MAP

**Councilmember Driggs** declared the hearing open.

**Monica Holmes, Interim Planning Director** said before the speakers, I was just going to give you a brief overview. As you are well aware, since the deferral on the 24<sup>th</sup> of November 2026, and our engagement that followed that, there has been a recommendation of several new policies that touch on neighborhood change, so how we deal with development in existing neighborhoods and how we preserve neighborhood character, policies also that speak to environmental impacts, so specifically around adjacent uses and how we are context sensitive to those adjacent uses, and then a third category, infrastructure and how we take into account our growth with our infrastructure. We also have minor additions and revisions that just clarify language, and then several map changes across several of the Area Plans. So, with that, we can go into the hearing. I was just going to give you that brief overview before we dove into the speakers.

Mr. Driggs said alright, so that was basically the staff presentation, and therefore we can proceed to the speakers.

**Terrie Hagler-Gray, Senior Assistant City Attorney** said each speaker should get three minutes.

**Erin Oliverio, 10631 Northwoods Forest Drive** said hi, I'm Erin Oliverio. I just have really quick comments. I live in the Mountain Island Lake Area, and I just wanted to come up here and let you all know how awesome the Planning NC-DOT (North Carolina Department of Transportation) staff was with our Community Alliance. They spent an incredible amount of time with us going over the plan, explaining all of the appendices, and how everything would work together. So, I just sort of want to acknowledge them, Monica, Kathy Cornett, Catherine Mahoney, and Travis Miller with C-DOT (Charlotte Department of Transportation). They were excellent, and we are very happy with the amendments and things that came out of that and the things that are important for our area. So, I just wanted to call them out by name and say thank you to them for doing that.

Mr. Driggs said that's great to hear, thank you.

**Stephanie Lasne, 7818 Douglas Drive** said alright, good evening, everybody. My name is Stephanie Lasne. I represent the Steeleberry Acres neighborhood. I come before you once again this evening to ask for your help in saving Steeleberry Acres. I'm here to speak tonight, and actually I'm very pleased to hear that the decision was made to defer the decision to adopt the remaining Community Area Plans until April 13, 2026. I believe that there is more work to do, and specifically on the West Outer.

I do want to echo what Erin said a moment ago regarding the Charlotte Planning Committee. They have been a fantastic organization to work with, great partners, but at the same time I do believe that there is some more work that needs to be done. With the amended policies that are set to be adopted within this, I very much agree with those. I think that the policies to amend the impact of Manufacturing and Logistics next to existing neighborhoods, I think those policies are fantastic and are very much needed in a lot of areas in Charlotte. However, the issue that my community has with the West Outer Plan is that it states that Manufacturing and Logistics is part of this Community Area Plan and is right across the street from our neighborhood. We just went through this with the Foundry project with the Steele Creek Presbyterian Church properties. So, on one hand we're stating that we've learned our lesson, and we recognize what's happened in Steeleberry Acres, and that Manufacturing and Logistics is not ideal next to residential, yet we stand here before you tonight set to do those same mistakes again. We are about to repeat history, and when we meet with the Charlotte Planning Committee, again fantastic people, but it's what we are adopting into policy, that's what's in writing. So, it doesn't matter what anyone's intentions are, or what we say our goal is, or what we say we're going to do down the road. What's in black and white is what matters at the end of the day. As you all know, this is going to be the footprint that's going to help you make future zoning decisions. So, it's very important that we get this right.

The residents should have a voice in this process. We have been advocating for this. You guys have seen me up here countless times advocating for Steeleberry Acres saying we do not want Manufacturing and Logistics. We are not against development by any means. We think the way that the rezoning petition 134 was handled was very fair. We think that that was a very good compromise, that we're moving forward with one area, and not with the other area that doesn't have the specific plan, that completely makes sense. What I'm asking for and what I'm advocating for is to protect the future of our neighborhood. IMU (Innovation Mixed-Use) is a much better future use, or Commercial Place Type, instead of Manufacturing and Logistics.

Mr. Driggs said thank you.

**Ernest Smith, 7715 Steele Creek Road** said good evening, Mayor and Council members and Planning staff. My name is Ernest Smith. I come to you tonight as a real estate professional. I'm not here just only to oppose, but to really advocate for the communities and families and my family, along with the long-term integrity of the growing City of Charlotte, North Carolina. So, as the West Outer Community Area Plan is currently mapped, it sets a dangerous precedent. It's proposed to extend a vision of South Charlotte Douglas Airport that transforms established residential communities into a Manufacturing and Logistics corridor. Newer areas like Berewick, and established areas like Steeleberry Acres, places where families are starting and/or have built their lives, are now facing varied possibilities of being surrounded, or worse, replaced by massive warehouse developments, and here's the issue. This directly contradicts what has already been learned. During the Southwest Middle CAP (Community Area Plan) process, the City acknowledged lessons learned, and those lessons were clear. When Manufacturing and Logistics developments are near residential communities, the intensity must be reduced. That means moving away from the most aggressive designation, the ML-2, and instead using more compatible Place Types like Innovation Mixed-Use or ML-1, but today those lessons are not being applied. Instead, the West Outer CAP leans on vague greenspace recommendations in undefined critical areas to justify placing high-intensity ML-2 zoning right next to neighborhoods, and rather establishing clear policies, responsibility and being pushed down the line to further rezoning decisions where history shows us protections do not hold.

Let's talk about the history. In 2020, despite over 1,000 petition signatures, despite being located in both a Lake Wylie Protected Area and critical area, a major industrial rezoning tied to the Keith Corporation was approved. The very safeguards we're now being asked to trust were ignored then, and there is no reason for residents to believe that they won't be ignored again. That's not planning. That's gambling and with people's houses. We are not against the growth. I've been blessed to call Charlotte home for over 25 years. We're not against economic development, but growth without consistency, without accountability, and without respect for the people already living here, is not progress. We're asking for one simple thing, consistency. If lessons were learned, then apply them, codify them, ensure the communities like Berewick and like Steeleberry Acres are protected through policy, not left vulnerable on interpretations during rezoning battles, because once the rezonings change, once warehouses come, the character of those neighborhoods are gone, and there is no reversing it.

**Kelly Pledger, 1835 Mt. Isle Harbor Drive** said hello, my name is Kelly Pledger and I, like Erin, am from the Mountain Island Lake community in northwest Charlotte. Our community spans a couple different maps on the 2040 Community Area Plans and are part of why some of the votes were delayed, so that more communication and input could occur. I'm here tonight to thank you for that extra time. Our community alliance, after being made aware of the plans in December 2025, took time to review this information, which was a lot to take in, and pulled together questions and concerns for the planning group. The planning group, not only came to a Saturday morning Councilwoman Mayfield town hall in our area, but they also hosted a followup meeting to make sure that they understood our concerns, and that we understand what could and could not be part of these plans. We did not get every concern addressed in the CAP, but our lengthy document of questions was responded to with an equally detailed response that reflected the amount of effort we put in, and that is a good thing.

As happens every time we sit down with staff, we better understand the complexities of Council's decisions that need to be made, and the tools, both in place and in progress to enhance those decisions, and this was no different. We see the Community Area Plans as something that absolutely will impact rezonings, which our area has and is continuing to see many of, but we also see that the CAPs are not the only tool.

I remember hearing a comment in January 2026 meeting about the newly approved CAPs for an area that already were having rezonings that didn't quite fit the CAP, and I can understand how that can be frustrating. In our meeting we learned about the rubric that zonings are put in when they don't quite fit the CAP, and truly they do look at many factors to determine what is best for an area. We also learned about the activity center

inventories that are in progress now to also let Council know whether an activity center that hopefully is only 10 minutes away is established or in progress or a decline, just more information to make important decisions, and through it all we also saw what we have often seen recently, that by working together constructively with residents of the community, every plan, tool, and decision can be better for all. We feel that in the CAP that this has occurred and the extra time given, and the Community Area Plans that touch our community are not the only tool that Council can use in making important decisions, but ours is a better tool given the resident input over the past months, so thank you.

Mr. Driggs said thank you.

**Samuel Spencer, 1917 Grier Avenue** said Council, staff, thank you so much for the opportunity to speak with you tonight. I want to tell a story of people looking at Charlotte from the outside in. Fifteen years ago, we had a major Hollywood crew come to the City of Charlotte to film one of the biggest productions in our City's history for Homeland on Showtime, and when they came and they did this filming, where did they look for places that they wanted to capture character or where they wanted to set the show? Most of the protagonists and their friends and family, well, they ended up living in Elizabeth, and if you look at one of the homes, I'm just going to take one example, for one of the characters that was used on the show, that house in Elizabeth was \$355,000 when it sold in 2002. Now, it's worth \$1.3 million, it's worth a million dollars more. Because when we look at a neighborhood like Elizabeth, we see character, but what you might not know is, this house is right next to a quadruplex, and the quad in no way affected the value of the home increasing a million dollars over 20 years. It didn't take away from the character. It didn't mean that people didn't want to portray Elizabeth as a desirable neighborhood, and I think that's important to remember in the context of this discussion that we're having about Community Area Plans, specifically the amendments to manage neighborhood change and ensure infrastructure can support growth.

We want to make sure that everybody has a place to live in Charlotte, and personally, as somebody who is very heavily involved in the creation of the 2040 Charlotte Future Comprehensive Plan, I think it's myopic to go against what reams of data are telling us, that we need more supply to be able to lower prices. All of us in this room, at one point or another, have talked about how important affordability is to us. We've talked about how important it is that everybody has a place that they can afford to live. We know how bad the affordability challenge is, and if we tie our hands in these Community Area Plans to make it so that we can't have more housing stock and more affordability for our residents, I don't think that that is doing our residents and our friends and our neighbors a service. Remember this plan is couched in equity and it's couched in the idea that everybody in Charlotte deserves and can have a place to live. I hope you'll consider that when considering these amendments to the Community Area Plans.

**Barbara Falcone, 8716 Douglas Drive** said hi, I'm Barbara Falcone. I'm also with the Save Steeleberry Association. I would like to firstly thank you all for hearing us out. You've been very accommodating with deferring and making sure we're able to read and interpret these plans, especially our newest representative, Joi Mayo. I'm very happy with her quick action with the airport and making sure that they are very clear with their plans and what they're planning on going forward. Stephanie did a great job of expressing basically the legality and the expectation of the CAPs program and what we want from it. So, I just kind of wanted to speak more so about how it affects our community with the mistakes that they've kind of made so far.

We have a very elderly member of our community who used to actually walk the back way to the Presbyterian Church and visit his passed wife in the cemetery, which he is no longer able to do thanks to the Foundry's creation. He has to walk along the side of the road, and almost get hit by traffic, if he wants to go visit her, and he used to do this on a daily basis. So, unfortunately, that thing has affected one member of our community, and all the other things that have occurred, as far as like cutting the entire tree line, so that the only thing we see is the back side of a giant gray building, things

like that. We want to make sure that people are more communicative and more thoughtful about these sorts of things as they move forward with the rezoning.

Again, with Manufacturing and Logistics, they don't have to really care so much about these sorts of things, the beatification of an area, and what they take away from it when they mow down acres and acres of land with a vague idea of what they might do with it. So, I again want to thank the postponement of the Area B rezoning, so that there's time to actually figure out what they want to do, and maybe it's not Manufacturing and Logistics, maybe it can be IMU or something more commercially beneficial to our community, rather than being something of an eyesore as we are being surrounded daily, and not to even mention what would happen to the 160 Road if they don't plan on actually taking the time to expand it themselves, which they probably won't, because if you don't require it, they're not going to. It's already a nightmare leaving our neighborhood at 5:00 p.m. with what they've already done construction wise, and I can't imagine it would get any better. So, I want to thank you all for taking the time to slow this process and make sure that we are hearing everything that's being planned as we go forward. So, that's my time. Thank you.

Mr. Driggs said thank you. So, Madam Clerk, that's our last speaker, yes? Okay. So, as I alluded to before, subject to a vote a little later in this meeting, we will be deferring the vote on both the adoption of the new plans and the changes to the existing plans on April 13, 2026.

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

**Jill Farber**, [farberjill99@gmail.com](mailto:farberjill99@gmail.com)

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

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#### **ITEM NO. 5: DECISION ON THE CHARLOTTE FUTURE 2040 COMMUNITY AREA PLANS AND REVISED POLICY MAP**

**Councilmember Driggs** said so, just so we're clear, we're talking about the agenda item number five, which refers to the adoption of the plans, and we're making this change because in November 2025, we committed no later than this meeting to act, like to adopt, or to take action. So, we are now basically modifying the commitment we made in November 2025.

Motion was made by Councilmember Mayfield, and seconded by Councilmember Mitchell to defer the decisions to (A) Adopt the seven proposed Charlotte Future 2040 Community Area Plans and Revised Policy Map for: East Middle & Outer, North Inner, North Middle & Outer, Northeast Middle & Outer, West Inner, West Middle, West Outer, and (B) Amend the seven adopted Charlotte Future 2040 Community Area Plans, and Revised Policy Map for: East Inner, Northeast Inner, South Inner, South Middle, South Outer, Southwest Middle, and Southwest Outer, until the April 13, 2026 Council meeting.

**Councilmember Watlington** said point of clarity. Is it April 13, 2026, or April 23, 2026?

**Mayor Pro Tem Mitchell** said April 13, 2026.

Mr. Driggs said April 13, 2026.

**Councilmember Mayfield** said April 13, 2026.

Mr. Driggs said yes, April 13, 2026. Hope I didn't misspeak there.

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

Mr. Driggs said so we now have an unusual event in a Zoning Meeting. The next item is actually for Council to go into closed session.

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### **ITEM NO. 3: CLOSED SESSION (AS NECESSARY)**

**Councilmember Mayo** said can we do zoning first?

**Councilmember Mayfield** said can we move that to the end, so that we can actually get through the work of the community, since we made them wait?

**Councilmember Driggs** said Ms. Mayfield, for reasons that are difficult to go in in detail, we kind of need to do it now, as a result of another meeting that's also taking place. So, I realize it's irregular, but maybe you could read.

**Terrie Hagler-Gray, Senior Assistant City Attorney** said yes, it's on the agenda for you to go into closed session now. The motion would be to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(4), to discuss matters relating to the location or expansion of industries, or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations.

Mr. Driggs said do I have a motion?

**Councilmember Anderson** said so moved.

Mr. Driggs said okay we have a motion. I'm sensing a revolt here, but I need to understand.

Ms. Mayo said can I make the motion that we continue.

**Councilmember Ajmera** said there is no second, so you can make a motion.

Motion was made by Councilmember Mayo, seconded by Councilmember Ajmera, and carried unanimously to defer the Closed Session until after the Zoning Meeting.
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Mr. Driggs said okay, we're not going into closed session, alright, and therefore, we will move on to our business item on the agenda tonight.

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### **ITEM NO. 4: BOPLEX IMPROVEMENT PROJECT**

Motion was made by Councilmember Anderson, and seconded by Councilmember Mitchell to (A) Approve up to \$25,000,000 in capital improvements for the BOplex entertainment complex, and (B) Adopt Budget Ordinance 1103-X appropriating \$25,000,000 in proceeds from installment financing in the Tourism tax fund for BOplex entertainment complex, and (C) Authorize the City Manager to negotiate and execute contracts associated with this project.
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**Councilmember Mitchell** said I just want to say thank you to CRVA (Charlotte Regional Visitors Authority). I think we have Steve in the back over here. Steve, thank you, and for the Workforce Development Committee, Dr. Watlington and Councilmember J.D., Councilmember Anderson, and Councilmember Mayfield, and to our DCM (Deputy City Manager), Ms. Craig, thank you. Very nice for putting this on the agenda very quickly. This was an emergency request that we knew we had to complete, and it came out of committee 5-0, and we just recommended the full Council will support this item that we need to get approved today. Thank you, Mr. Chair.

**Councilmember Ajmera** said great job to the committee for expediting this request. I just want to make sure that, as an accountant, the funding source is not property tax. The funding source is tourism, which cannot be used for safety, housing or infrastructure. So, this funding source, Tourism Fund, has to be used to attract more tourism, so I just want to make sure that we clarify that. I think this is a very critical investment, because it's embarrassing to have a roof leaking in one of our own facilities, while the game is being played. So, this is definitely a very basic critical investment that we need to make to ensure that our facility is safe, not just for our visitors, but also our residents. That's all. Thank you.

**Councilmember Anderson** said thank you, Mr. Driggs. I just want to say thank you to the committee and the entire Council for supporting this action. We already know we have to go through it again, the history of the BOplex and what it's meant to the City. They're really operating on electrical tape and some soldering here, with HVAC (heating, ventilation, and air conditioning) systems that are 70-plus years old, sometimes 50-plus years old. So, this is an investment, as my colleague just said, utilizing tourism dollars to then double down and invest in tourism, that will bring more people here to the City, to spend money in our restaurants, and spend nights in our hotels, and spend money having experiences. So, I absolutely support it, and of course it's in District One, but I absolutely support this. I think it's a wise investment. Thank you.

**Councilmember Mayfield** said I just want to add on to the comments of my colleague to encourage and remind the community where these dollars are coming from, but also I think what's very important for the community to understand is the impact of BOplex. We all think about, when we love to travel, the places that we want to go to when we travel for a weekend getaway or for a family vacation, family reunion. Just for Fiscal Year 2025, BOplex had a 73 percent increase, and what does that look like, \$60.8 million in events, concerts, entertainment, sports. So, when we have the number of individuals that we have walking through this facility, these are investments that honestly we probably needed to do a number of years ago, but the team, through CRVA, they really tried to keep things together. So, we can only duct tape it so much, so now it's an investment that's going to continue the life as we continue to grow. I am personally happy that we have the Charlotte Crown, so we have women's basketball coming back to Charlotte, and that is going to be their home. We have hockey. We have concerts. We have plays. We have comedy shows. There was a comedy show I believe just last night. So, to support this one when community hear me say no to quite a few things. The whole purpose of the Hospitality and Tourism Fund is to invest and show how we as a community want to be seen by those that come to our community, and the first way to do that is when you walk into our facilities, you need to know that you're walking into Charlotte and remember that. So, I'm happy as committee, thanks to my chair of the committee, that we were able to have this conversation and move it forward to full Council.

**Councilmember Graham** said sports and entertainment continues to be in the DNA of the City. Traveling tourism certainly is a big driver for that, and this Council has made a number of investments from the Tourism Fund over the last year and a half, whether it was Bank of America Stadium, our investment in the Spectrum Center, in the practice facility, ongoing support at the Convention Center itself, and certainly Bojangles Complex is one of those things that really brings a lot of visitors to our City, helps support all our frontline workers, and I'm very supportive of the action that we're taking tonight, but I think they probably need to come back for more. I had the opportunity really to go into the guts of the building, when a corporate client was in town looking at

the facility, and while we do need to do the mechanicals of the building, the back of the house also needs help as well, where entertainers come and their dressing rooms, the restrooms, storage facilities. There's only one access point for tractor-trailers when shows are coming, loading into the building. So, I would suspect a year or two from now that we will be having another conversation about BOplex, because it's really, really needed. The building is under constant use from visitors coming to our City, and as we get ready to host events like the Military Games, or other events where that building will be a primary building in addition to the Spectrum Center, it really needs the type of TLC that we're giving it tonight, but also taking a look at some of the customer-facing, entertainment artists facing areas of the building that probably need some help as well. So, I'm happy to support it tonight, and if I'm here two years from now, I will probably support another investment in the facility, because it's very much needed. Thank you.

**Councilmember Watlington** said I won't belabor the point, but it is critical that we continue investing in tourism as Charlotte continues to build our regional and hopefully national reputation as a destination for tourists. It's not just about the ticket sales. We understand that it's about the jobs. It's about our arts and entertainment culture. It's about small business growth, and so I look forward to supporting tonight, and I look forward to cheering the Charlotte Crown on in their inaugural season.

**Councilmember Mazuera Arias** said I'm very supportive of this, and I want to give a shoutout to CRVA and Steve Bagwell, who's in the audience right there, for the incredible work that you've done to keep this facility up and going despite the outdated HVAC units, as well as making sure that our Checkers have good ice to play on, even though when sometimes that's really hard to do that. Also, just like the cultural moment and significance of this is one of the only biggest venues surrounding black and brown communities, and they have access to this. Also, it's very personal to me, because I graduated from BOplex, go East Meck. So, we need to do this investment to make sure that we attract more visitors, as well as providing more amenities to folks in this area.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 233.

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## EXPLANATION OF THE ZONING MEETING PROCESS

**Councilmember Driggs** explained the Zoning Meeting rules and procedures.

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## INTRODUCTION OF THE ZONING COMMITTEE

**Douglas Welton, Chairman of the Zoning Committee** said thank you very much, Councilmember Driggs, and thank you, Council. My name is Douglas A. Welton. I am the Chairman of the Zoning Committee of the Planning Commission. Allow me to introduce my fellow committee members, they are Melissa Gaston, Erin Shaw, Theresa McDonald, Robin Stuart, Carolyn Millen, and Michael Caprioli. The Zoning Committee will meet on Tuesday, April 7, 2026, at 5:30 p.m. At that meeting, the Zoning Committee will meet and discuss and make recommendations on the petitions that have a public hearing here tonight. The public is welcome to that meeting, but please note it is not a continuation of the public hearing that is being held here tonight. Prior to that meeting, you are welcome to contact us and provide input. You can find contact information for each petition on the City's website at [charlotteplanning.org](http://charlotteplanning.org). Thank you very much, and back to you, Mr. Driggs.

Mr. Driggs said thank you, Mr. Welton. At this point, we will consider certain agenda items that are proposed to be deferred or withdrawn from our agenda.

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## DEFERRALS / WITHDRAWALS

Motion was made by Councilmember Mitchell, and seconded by Councilmember Watlington to defer: a decision on Item No. 10, Petition No. 2025-129 by True Homes; a decision on Item No. 12, Petition No. 2025-021 by Harold Jordan; a decision on Item No. 13, Petition No. 2025-094 by Atapco Properties, Inc.; a decision on Item No. 15, Petition No. 2025-030 by Tryon Advisors, LLC; a hearing on Item No. 19, Petition No. 2025-063 by Northwood Ravin; a hearing on Item No. 20, Petition No. 2024-143 by Panorama Development, LLC.; a hearing on Item No. 22, Petition No. 2025-077 by Short Development Group, LLC, and withdraw of Item No. 11, Petition No. 2025-085 by HK Cedarvale, LLC.

**Councilmember Driggs** said so I don't know if there's another item that we need to discuss that might be deferred or not.

**Terrie Hagler-Gray, Senior Assistant City Attorney** said I believe it was added to the list, Mr. Driggs.

Mr. Driggs said alright, so why don't we then consider the ones that we've heard about. Is there any discussion about that?

**Councilmember Mayfield** said after Item No. 15, what were the additional?

**Holly Cramer, Planning, Design & Development** said after Item No. 15, it was Item No. 19, Item No. 20, and Item No. 22.

Ms. Mayfield said all for deferral, thank you.

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

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## CONSENT AGENDA

**ITEM NO. 6: CONSENT AGENDA ITEMS 7 THROUGH 10 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS PULLED BY A COUNCIL MEMBER. ITEMS ARE PULLED BY NOTIFYING THE CITY CLERK.**

**Councilmember Driggs** said please note that these petitions meet the following criteria. They had no public opposition to the petition at hearing, the staff recommends approval, Zoning Committee recommends approval, and there were no changes after the Zoning Committee's recommendation. Are there any consent items that Council would like to pull for question or comment or a separate vote.

**Councilmember Watlington** said nine for comment.

**Councilmember Mayfield** said I'm waiting to pull Item No. 7.

Mr. Driggs said okay, so it looks like our consent consists of Item No. 8.

Motion was made by Councilmember Owens, seconded by Councilmember Ajmera and carried unanimously to approve the consent agenda as presented with the exception of Item No. 7 which was pulled for a separate vote, Item No. 9 which was pulled for comment, and Item No. 10 which was deferred.

The following item was approved:

pti:pk

**Item No. 8: Ordinance No. 1105-Z, Petition No. 2025-121 by The Huntington National Bank amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 3.67 acres located north of Ballantyne Commons Parkway, south of Conlan Circle, and west of Huffines Lane from NS (Neighborhood Services) to NS(SPA) (Neighborhood Services, Site Plan Amendment).**

The Zoning Committee voted 6-0 (motion by Caprioli, seconded by Millen) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the South Outer Community Area Plan based on information from the final staff analysis and public hearing. The petition may facilitate the following priority goals of the area plan: 1: 10 Minute Neighborhoods may be facilitated by the proposed additional square footage of up to 35,100 square feet that contributes to a concentration of goods and services within a designated 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: This site plan amendment proposes a minor change to increase the maximum allowed square footage from 30,500 square feet to 35,100 square feet. The Neighborhood Services zoning district from the legacy ordinance is intended to support mixed-use development that serves as a focal point for neighborhood retail, services, and residential uses. Emphasis is placed on strong neighborhood connections and access to transit. There is a bus station closest to the intersection of Ballantyne Medical Place & Ballantyne Corporate Parkway. The site is located within a large business park development which contains a variety of offices, restaurants, and personal service establishments. Residents adjacent to the site have access to a range of goods and services. This site plan amendment does not change the intent of the existing entitlements.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 236-237.

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**ITEM NO. 7: ORDINANCE NO. 1104-Z, PETITION NO. 2025-114 BY THE CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.56 ACRES LOCATED EAST OF LOMBARDY CIRCLE, NORTH OF EAST BOULEVARD, AND WEST OF SOUTH KINGS DRIVE FROM N2-B (NEIGHBORHOOD 2-B) TO OG(CD) (GENERAL OFFICE, CONDITIONAL).**

The Zoning Committee voted 6-0 (motion by Millen, seconded by McDonald) to recommend approval of this petition and adopt the following statement of consistency: This petition is consistent with the goals and policies of the South Inner Area Plan based on the information from the post-hearing staff analysis and the public hearing. 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 designated as the Campus Place Type on the 2040 Policy Map. The proposed rezoning to the OG(CD) (General Office, Conditional) district will align the site's zoning with this Place Type designation. The plan includes a 25-foot-wide Type B Landscape Yard along the southern and northern boundaries to buffer and mitigate potential impacts on adjacent residential properties. The proposed therapy park, part of the larger hospital campus, will provide enhanced and amenitized open space adjacent to the Little Sugar Creek Greenway, supporting the 2040 Comprehensive Plan goals to integrate natural and built environments. The petition could facilitate the following additional 2040 Comprehensive Plan Goals: 7: Integrated Natural & Built Environments may be facilitated by proposing a new amenitized open space for the medical uses on site.

Motion was made by Councilmember Anderson, and seconded by Councilmember Mayfield to approve this petition and adopt the following statement of consistency: This petition is consistent with the goals and policies of the South Inner Area Plan based on the information from the final staff analysis and the public hearing. 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 designated as the Campus Place Type on the 2040 Policy Map. The proposed rezoning to the OG(CD) (General Office, Conditional) district will align the site's zoning with this Place Type designation. The plan includes a 25-foot-wide Type B Landscape Yard along the southern and northern boundaries to buffer and mitigate potential impacts on adjacent residential properties. The proposed therapy park, part of the larger hospital campus, will provide enhanced and amenitized open space adjacent to the Little Sugar Creek Greenway, supporting the 2040 Comprehensive Plan goals to integrate natural and built environments. The petition could facilitate the following additional 2040 Comprehensive Plan Goals: 7: Integrated Natural & Built Environments may be facilitated by proposing a new amenitized open space for the medical uses on site.

**Councilmember Mayfield** said actually, I was just trying to get an understanding, and maybe staff can answer this one. It's noted in here that this petition proposes a private outdoor recreation facility that's associated with the adjacent healthcare institution, but it was also noted in the community comments, access. So, I was trying to get an understanding of what the community benefits to the residents are for this petition.

**Holly Cramer, Planning, Design & Development** said so, this is a therapeutic park. There were not specific community priorities or benefits worked out. It's not an exception petition, for example.

Ms. Mayfield said so, is it accessible to the community since this was a private outdoor facility?

Ms. Cramer said there are not notes stating that the use is limited in any regard, so I'm not aware of it being limited access, though it is associated with the healthcare institution.

Ms. Mayfield said thank you.

**Councilmember Anderson** said I just wanted to address my colleague's comment. So, the neighborhood Dilworth has been in communication of course with the hospital and the petitioner's representation, and so they're very comfortable with the park. What the petitioner has said, is they want to keep this area as open and accessible as possible, but if there become issues of loitering or things of that nature, then they will have to potentially pivot, but they're current stance is that they want to be open and accessible to the community that lives right there adjacent along Lombardy. So, that's their position.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 234-235.

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**ITEM NO. 9: ORDINANCE NO. 1106-Z, PETITION NO. 2025-122 BY UNION CHURCH AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 14.92 ACRES LOCATED SOUTH OF EAST W.T. HARRIS BOULEVARD, EAST OF OLD CONCORD ROAD, AND WEST OF UNIVERSITY EAST DRIVE FROM BP(CD) (BUSINESS PARK, CONDITIONAL) TO OFC (OFFICE FLEX CAMPUS).**

The Zoning Committee voted 6-0 (motion by Gaston, seconded by Shaw) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be 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 the Manufacturing and Logistics 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 petition is inconsistent with the recommended 2040 Policy Map Place Type of Manufacturing & Logistics, the site and surrounding properties are developed as office and campus uses. The proposed OFC (Office Flex Campus) zoning district is compatible with many of the existing uses in the business park. In accordance with the Unified Development Ordinance (UDO), the conventional Business Park (BP) zoning district was translated to the Office Flex Campus (OFC) district. However, this property is currently zoned BP(CD), a conditional district, and therefore did not automatically translate under the UDO. The OFC zoning district permits a variety of uses that are in line with keeping the character of the area, which is primarily developed with office, medical clinics and supportive uses. The petition proposes changing the site to the Campus Place Type, which is generally considered a more appropriate transition to adjacent Neighborhood Place Types than Manufacturing & Logistics which is often incompatible with residential uses. Additionally, policy encourages reducing the condition of Manufacturing & Logistics uses adjacent to residential sites. The site is in the adopted UNC Charlotte micro transit zone. The site is served by CATS bus route 29. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods may be facilitated by allowing for a potential concentration of goods and services within a 10-minute walkshed of the proposed site. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Manufacturing and Logistics Place Type to the Campus Place Type for the site.

Motion was made by Councilmember Watlington, 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 the Manufacturing and Logistics 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 petition is inconsistent with the recommended 2040 Policy Map Place Type of Manufacturing & Logistics, the site and surrounding properties are developed as office and campus uses. The proposed OFC (Office Flex Campus) zoning district is compatible with many of the existing uses in the business park. In accordance with the Unified Development Ordinance (UDO), the conventional Business Park (BP) zoning district was translated to the Office Flex Campus (OFC) district. However, this property is currently zoned BP(CD), a conditional district, and therefore did not automatically translate under the UDO. The OFC zoning district permits a variety of uses that are in line with keeping the character of the area, which is primarily developed with office, medical clinics and supportive uses. The petition proposes changing the site to the Campus Place Type, which is generally considered a more appropriate transition to adjacent Neighborhood Place Types than Manufacturing & Logistics which is often incompatible with residential uses. Additionally, policy encourages reducing the condition of Manufacturing & Logistics uses adjacent to residential sites. The site is in the adopted UNC Charlotte micro transit zone. The site is served by CATS bus route 29. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods may be facilitated by allowing for a potential concentration of goods and services within a 10-minute walkshed of the proposed site. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Manufacturing and Logistics Place Type to the Campus Place Type for the site.

**Councilmember Watlington** said I just wanted to acknowledge Pastors Brian and Karen Bullock and the whole Union Church Charlotte family that has come out to support this rezoning tonight. Yes, they've got two locations here in the area, and this marks a significant milestone, because this will be their first permanent location in the area. As we all know, faith communities are an anchor in our neighborhoods, and so we appreciate your presence and your engagement in the process. Your commitment to serving the community reflects exactly what we want to invest in the Charlotte area. So, thank you for being here tonight, and on behalf of Councilmember Renee Perkins Johnson, your District Four Representative, who's unable to be here tonight, she's tending to family, welcome to the neighborhood.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 238-239.

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### DECISIONS

The ordinance is recorded in full in Ordinance Book 69, at Page(s)

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**ITEM NO. 14: ORDINANCE NO. 1107, PETITION NO. 2025-118 BY CHARLOTTE PLANNING, DESIGN & DEVELOPMENT DEPARTMENT FOR A TEXT AMENDMENT TO UPDATE THE UDO TO IMPLEMENT AND SUPPORT THE GOALS AND POLICIES OF THE CHARLOTTE FUTURE 2040 COMPREHENSIVE PLAN. THIS INCLUDES UPDATES TO REFLECT BEST PRACTICES, ADDRESS NEW AND EMERGING TRENDS, ADDRESS IMPLEMENTATION CHALLENGES IDENTIFIED BY EXTERNAL AND INTERNAL STAKEHOLDERS, AND CORRECT SCRIVENER'S ERRORS. UPDATES ARE PROPOSED TO 25 OF THE 39 ARTICLES.**

The Zoning Committee voted 6-0 (motion by McDonald, seconded by Millen) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Comprehensive Plan based on the information from the post-hearing staff analysis and the public hearing, and because: The petition could facilitate the goals of the 2040 Comprehensive Plan. 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: A major document such as the UDO requires updates, adjustments, and revisions after adoption to address trends and best practices, add clarity, adjust use permissions and prescribed conditions, and correct minor errors. The proposed text amendment will make the UDO a more user-friendly ordinance and result in better functionality.

Motion was made by Councilmember Mitchell, seconded by Councilmember Ajmera, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Comprehensive Plan based on the information from the final staff analysis and the public hearing, and because: The petition could facilitate the goals of the 2040 Comprehensive Plan. 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: A major document such as the UDO requires updates, adjustments, and revisions after adoption to address trends and best practices, add clarity, adjust use permissions and prescribed conditions, and correct minor errors. The proposed text amendment will make the UDO a more user-friendly ordinance and result in better functionality.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 240-771.

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**ITEM NO. 16: ORDINANCE NO. 1108-Z, PETITION NO. 2025-039 BY CHRISTOPHER MARTIN AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.37 ACRES LOCATED SOUTHWEST OF SCALEYBARK ROAD, EAST OF LOCHRIDGE ROAD, AND NORTH OF MURRAYHILL ROAD FROM N1-B (NEIGHBORHOOD 1-B) TO N1-C(CD) (NEIGHBORHOOD 1-C, CONDITIONAL).**

The Zoning Committee voted 6-0 (motion by Caprioli, seconded by Stuart) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The site is designated as a Neighborhood 1 Place Type by the 2040 Policy Map. The proposed zoning of N1-C(CD) is consistent with the 2040 Policy Map recommendation. The proposed zoning represents a slight increase in intensity over the existing N1-B entitlements. The petition proposes a maximum height lower than what the district permits, to maintain a scale consistent with surrounding development. The primary difference between N1-B (current zoning) and N1-C (proposed zoning) is in dimensional standards, such as lot size and lot width. The two N1 districts permit the same uses. The subject property's particularly large lot width, relative to the surrounding context, provides a strong basis for the proposed subdivision under the N1-C zoning district. The petition proposes a single family residential building type that aligns with the surrounding single family neighborhood. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

Motion was made by Councilmember Anderson, seconded by Councilmember Owens, and carried unanimously to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type for this site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is designated as a Neighborhood 1 Place Type by the 2040 Policy Map. The proposed zoning of N1-C(CD) is consistent with the 2040 Policy Map recommendation. The proposed zoning represents a slight increase in intensity over the existing N1-B entitlements. The petition proposes a maximum height lower than what the district permits, to maintain a scale consistent with surrounding development. The primary difference between N1-B (current zoning) and N1-C (proposed zoning) is in dimensional standards, such as lot size and lot width. The two N1 districts permit the same uses. The subject property's particularly large lot width, relative to the surrounding context, provides a strong basis for the proposed subdivision under the N1-C zoning district. The petition proposes a single family residential building type that aligns with the surrounding single family neighborhood. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 772-773.

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**ITEM NO. 17: ORDINANCE NO. 1109-Z, PETITION NO. 2025-091 BY EMBARK DEVELOPMENT COMPANY LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 6.97 ACRES LOCATED EAST OF STEELE CREEK ROAD, NORTH OF BRIGHTSIDE DRIVE, AND SOUTH OF WHISPERING PINES LANE FROM O-2(CD) (OFFICE, CONDITIONAL) AND O-2(CD) ANDO (OFFICE, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY) TO N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL)**

**AND N2-A(CD) ANDO (NEIGHBORHOOD 2-A, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY).**

The Zoning Committee voted 6-0 (motion by Gaston, seconded by Millen) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the Southwest Middle Community Area Plan (2025). The petition may facilitate the following priority goals of the Area Plan: 1: 10 Minute Neighborhoods may be facilitated by the proposed townhomes being connected by sidewalk and within a quarter mile of a commercial area and employment centers. 2: Neighborhood Diversity & Inclusion may be facilitated by introducing 72 townhome-style units to the area which has predominantly single family residential development to the north and east. 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 adjacent to townhome-style residential dwellings to the south along Steele Creek Road which are similar to this project's proposal. Where closest to single family detached residential dwellings to the northeast, the petitioner has committed to a 25-foot Class B landscape yard. The petitioner has also committed a 10-foot Class C landscape yard planted to Class B standards along the remainder of the northern and eastern property boundaries. Both landscape yards exceed ordinance requirements to provide additional sensitivity to adjacent uses. The site is within a quarter mile of bus stops for CATS Route 55 and 56, providing service to the Arrowood Blue Line Station and the Charlotte Premium Outlets. The project proposes development that aligns with the 2040 Policy Map's Neighborhood 2 Place Type designation on 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. No more than 50% of the dwellings units may have a one car garage. The remainder will have a two-car garage that accommodates vehicles parked side by side.
2. All dwelling units except for the eight units on Limelight Lane will be served by a driveway that accommodates two vehicles parked side by side.
3. The eight dwelling units located on Limelight Lane shall have a two-car garage that accommodates two vehicles parked side by side.

**Holly Cramer, Planning, Design & Development** said staff believes that these changes are minor and do not warrant additional review by the Zoning Committee.

Motion was made by Councilmember Mayo, and seconded by Councilmember Mitchell not to refer back to the Zoning Committee.
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**Councilmember Mayo** said I would like to note, just for the community and Council members, also that Steele Creek Residents Association has been working closely with the petitioner. The petitioner's attorney has attended their Zoning meetings for several months in a row to kind of accommodate and make these changes with them. So, just want to thank the petitioner and Steele Creek Residents Association for doing that. This is what we're kind of always talking about, community working in collaboration with developers when applicable. So, just wanted everyone on the Council to know that Steele Creek residents have, they don't say support, but they say they do not oppose the rezoning.

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

Motion was made by Councilmember Mayo, 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 Southwest Middle Community Area Plan (2025). The petition may facilitate the following priority goals of the area plan: 1: 10 Minute Neighborhoods may be facilitated by the proposed townhomes being connected by sidewalk and within a quarter mile of a commercial area and employment centers. 2: Neighborhood Diversity & Inclusion may be facilitated by introducing 72 townhome-style units to the area which has predominantly single family residential development to the north and east. 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 adjacent to townhome-style residential dwellings to the south along Steele Creek Road which are similar to this project's proposal. Where closest to single family detached residential dwellings to the northeast, the petitioner has committed to a 25-foot Class B landscape yard. The petitioner has also committed a 10-foot Class C landscape yard planted to Class B standards along the remainder of the northern and eastern property boundaries. Both landscape yards exceed ordinance requirements to provide additional sensitivity to adjacent uses. The site is within a quarter mile of bus stops for CATS Route 55 and 56, providing service to the Arrowood Blue Line Station and the Charlotte Premium Outlets. The project proposes development that aligns with the 2040 Policy Map's Neighborhood 2 Place Type designation on the site, as modified.

**Councilmember Mayfield** said thank you for staff, since I did not have a chance to speak with the petitioner. I appreciate the additional language that they've added, but I'm trying to look at this to see if there is any possibility with this particular design if there will be any on-street parking. I believe by the petitioner adding the additional two-car garage and the rear loading for the parking, that should assist, but I want to make sure that we're not setting ourselves up where you're going to have individuals parking on a pretty busy street.

Ms. Cramer said I believe that there was some amount of on-street parking identified. C-DOT, if you could help confirm, but I think there is on the plan some identified.

Ms. Mayfield said and as you're coming up, one of the things I need for us to consider is some of the areas where individuals, the average household has more than one to two vehicles, so unfortunately a lot of homes today are not built with usable attic space, so people are using their garages more often for storage. So, that means those two-plus vehicles, if they're not going to make it in the driveway, they're blocking the sidewalk and/or they're on the street and that's causing challenges for sight with vehicles maneuvering. So, I just wanted to get a better understanding.

**Travis Miller, C-DOT** said yes. Travis Miller with C-DOT. Good evening, Council. So, currently, you can see the plan on the screen here. On Red Spring Drive and Limelight Lane, you will see bump outs on each public roadway. So, you'll see bump outs on the public roadway here, here, as well as right here, and each of those locations would accommodate on-street parking on the internal public roadways, but there is not on-street parking on your main arterial out here.

Ms. Mayfield said but this development has created a setback for that on-street parking, so they should not actually be in the street right away.

Mr. Miller said correct.

Ms. Mayfield said that's what I wanted to clarify on the drawings. Thank you.

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

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 774-775.

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**ITEM NO. 18: ORDINANCE NO. 1110-Z, PETITION NO. 2025-126 BY CROSLAND SOUTHEAST AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 6.72 ACRES LOCATED NORTH OF WILORA LAKE ROAD, EAST OF NORTH SHARON AMITY ROAD, AND WEST OF MAYBERRY LANE FROM N1-A (NEIGHBORHOOD 1-A) TO N2-B(CD) (NEIGHBORHOOD 2-B, CONDITIONAL).**

The Zoning Committee voted 4-2 (motion by Stuart, 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 calls for the Campus 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 North Sharon Amity Road corridor is located within eastern Charlotte, serving as a key connector between major thoroughfares such as Central Avenue and Albemarle Road. The surrounding area is characterized by a mix of single family neighborhoods, institutional uses, and emerging multi-family developments, reflecting a gradual transition toward more diverse housing options. The corridor benefits from proximity to local retail, community services, and transit routes, supporting a vision for increased connectivity and neighborhood-scale amenities. The proposed redevelopment at 4000 North Sharon Amity Road introduces a multi-family residential community designed to complement the evolving character of the corridor. The plan envisions up to 139 dwelling units, including 125 senior multi-family stacked units and up to 14 attached units such as duplexes or triplexes, creating a mix of housing types that responds to demographic needs and affordability goals. The petition commits to an affordability component providing a housing program ensuring that 100% of the multi-family stacked dwelling units are affordably priced for households earning up to 80% of the area median income (AMI). These units will maintain income-restricted rents for a minimum of 50 years. Ground-level design and frontage treatments will prioritize pedestrian experience through enhanced sidewalks and planting strips along North Sharon Amity Road and Wilora Lake Road. These improvements aim to foster a walkable environment and integrate the development into the surrounding neighborhood fabric. The site benefits from existing infrastructure and transit accessibility, with nearby CATS bus routes providing connections to employment centers and retail destinations. Planned streetscape improvements, including a 12-foot shared-use path along North Sharon Amity Road and internal sidewalk connections, will further enhance mobility options for residents and visitors. The proposal meets preferred variables for a place type change to the Neighborhood 2 Place Type given its frontage on an arterial, the size of the site, its close proximity to an activity center with goods and services, and its access to transit options. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods may be facilitated by including housing within a half mile of an activity center along Central Avenue that features essential goods, services, and amenities. 2: Neighborhood Diversity & Inclusion may be facilitated by including a maximum one hundred sixty-four (164) dwelling units including missing middle housing building forms in an area predominantly zoned Neighborhood 1. 3: Housing Access for All may be facilitated by committing to provide 144 affordable multi-family units for senior housing. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Campus 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. Street frontage improvements will be implemented around the church property as well as along the rezoning boundary and will be tied into the existing sidewalk.

**Holly Cramer, Planning, Design & Development** said so, just clarifying some improvements that would be triggered during permitting, and wanted to get that on the conditional notes and shown on the site plan.

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

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

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

NAYS: Councilmember Mazuera Arias

Motion was made by Councilmember Mitchell, and seconded by Councilmember Anderson to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map calls for the Campus 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 North Sharon Amity Road corridor is located within eastern Charlotte, serving as a key connector between major thoroughfares such as Central Avenue and Albemarle Road. The surrounding area is characterized by a mix of single family neighborhoods, institutional uses, and emerging multi-family developments, reflecting a gradual transition toward more diverse housing options. The corridor benefits from proximity to local retail, community services, and transit routes, supporting a vision for increased connectivity and neighborhood-scale amenities. The proposed redevelopment at 4000 North Sharon Amity Road introduces a multi-family residential community designed to complement the evolving character of the corridor. The plan envisions up to 139 dwelling units, including 125 senior multi-family stacked units and up to 14 attached units such as duplexes or triplexes, creating a mix of housing types that responds to demographic needs and affordability goals. The petition commits to an affordability component providing a housing program ensuring that 100% of the multi-family stacked dwelling units are affordably priced for households earning up to 80% of the area median income (AMI). These units will maintain income-restricted rents for a minimum of 50 years. Ground-level design and frontage treatments will prioritize pedestrian experience through enhanced sidewalks and planting strips along North Sharon Amity Road and Wilora Lake Road. These improvements aim to foster a walkable environment and integrate the development into the surrounding neighborhood fabric. The site benefits from existing infrastructure and transit accessibility, with nearby CATS bus routes providing connections to employment centers and retail destinations. Planned streetscape improvements, including a 12-foot shared-use path along North Sharon Amity Road and internal sidewalk connections, will further enhance mobility options for residents and visitors. The proposal meets preferred variables for a place type change to the Neighborhood 2 Place Type given its frontage on an arterial, the size of the site, its close proximity to an activity center with goods and services, and its access to transit options. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods may be facilitated by including housing within a half mile of an activity center along Central Avenue that features essential goods, services, and amenities. 2: Neighborhood Diversity & Inclusion may be facilitated by including a maximum one hundred sixty-four (164) dwelling units including missing middle housing building forms in an area predominantly zoned Neighborhood 1. 3: Housing Access for All may be facilitated by committing to provide 144 affordable multi-family units for senior housing. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Campus Place Type to Neighborhood 2 Place Type for the site, as modified.

**Councilmember Mazuera Arias** said thank you to the residents of District Five for coming out and being here showing your advocacy. I just want to talk to my colleagues. I will be voting no with this rezoning, and it's not because the residents or myself are against affordable housing or higher density. We deeply believe it is the wrong place for this zoning. I think it's not the proper location. It's right next to a single-family neighborhood. There's already really high traffic congestion and real traffic concerns as you can see. The signs say, say yes to safety, and you know as a Council that's committed to Vision Zero, as well as reducing traffic fatalities, I think it is imperative of us to keep that into account. There's also 90 townhomes being built just down the street from there that's going to cause more congestion coming to this area. It's an area prone to car crashes despite that that intersection will be undesignated a high-injury network, and also infrastructure gaps. Now, having conversations with the developer, they've agreed to \$250,000 of sidewalk improvements across the whole area, the rezoning area, as well as the non-rezoning area, so that is improvement. However, despite of those changes and those good faith approaches, I still will be voting no against it, because I do respect the voices of my residents who overwhelmingly do not want this, and I hope this Council takes into account that we need to just keep pursuing smart development. We are growing fast as a city, but it shouldn't be at the expense of disrupting single-family neighborhoods. So, those are all my comments. Thank you.

**Councilmember Ajmera** said so question for staff. So, this \$250,000 commitment, is that part of the conditions?

Ms. Cramer said what's being referred to is the note that states that they would be implementing the street frontage improvements across the church property as well as their site. They did not put a dollar amount in their conditional notes, but they said that they would be implementing street frontage requirements and improvements as they will be triggered with subdivision and C-DOT during the permitted process. So, they didn't have a dollar amount put into the conditional notes, but it's in the conditional notes that they would have those improvements done.

Ms. Ajmera said okay. So, in other rezonings, I haven't seen a specific dollar amount included, so does the staff recommend leaving it as is and not put a number to it?

Ms. Cramer said we're quite comfortable with it as is.

Ms. Ajmera said okay, thank you. Well, I agree with my Councilmember, Mazuera Arias. I will not be supporting this rezoning petition. However, I do appreciate the good faith efforts by the petitioner in terms of the infrastructure improvements, and I appreciate my neighbors for showing up here and making sure your voice is heard. Thank you all. That's all I have.

**Councilmember Mayfield** said I also want to share that I appreciate all of the community that has reached out to us through calls, through emails. The concern that I have, a number of them. One, we have a lot of growth happening in our City, and when we think about what the idea of smart growth could be as we continue to support projects, we also need to consider, are we contributing to reconcentrating poverty and what does that look like? So, if it's already been established that the average income in the area is just under \$50,000, and we're proposing a project that may or may not have affordability into it, because that's depending on whether Trust Fund dollars are available. If colleagues remember, two weeks ago we approved that last \$3.5 million, so that particular budget of NOAH (Naturally Occurring Affordable Housing) has been exhausted, so we have to have a different conversation. Yet, when we think about areas of growth throughout the City, areas where we have homes that are valued at \$400,000, \$500,000, \$600,000, \$700,000, \$800,000 that are near or even adjacent to homes that were valued at \$200,000, they've got a grocery store. They have retail. They have amenities. They're able to run to the store and that store is not just a Dollar Tree and/or a dollar-type store for basic needs. When we all are out advocating for our areas, and as the former District Rep of District Three for eight years, the biggest challenge was when a potential retailer would say, well, you don't have the rooftops. Well, what does that mean? You're saying we don't have the income. Well, first of all, we know we have

more expendable income. You like the numbers when you like the numbers, but when it comes to an investment, you use it as a reason not to. I could not in good faith support continuing to let that be a reason not to have the investments that we are looking for on the East Side, especially after the multiple years and millions of dollars we have invested into former Eastland Mall area, and what is happening over there. This is a beautiful project potential. I do not think that this area is the area for this particular project, and when we look at the impact to community, and to be perfectly honest, when I look out and I see my elders out here, I want your next 25 years to be some good ones why ya'll have the ability, and I don't know if this is the project that's going to help make that happen when aging in place and staying in place is something that's very important to me. Thank you. Oh, and so that it's very clear, no I will not be voting to support it.

**Councilmember Owens** said I just had a couple of questions. I want to make sure that I'm clear. I saw in two places we are up to 99 years, is that correct?

Ms. Cramer said that's right. The affordable housing commitment is for the 125 units would be maintained for their levels of affordability for at least 80 percent Area Median Income for at least 99 years. So, the petitioner has stated during the public hearing and at the community meeting that they are aiming for a lower AMI (Area Median Income), but the conditional notes state that no more than 80 percent AMI.

Ms. Owens said and then if they are unable to get Housing Trust Fund dollars after two cycles, can you explain to all of us what happens?

Ms. Cramer said so, if they're unable to secure Housing Trust Fund dollars after two cycles, the notes state that they could develop N-1A uses, and they are already zoned N-1A, so it's essentially maintaining status quo.

Ms. Owens said thank you, no further questions.

**Councilmember Watlington** said now I have a new question since she said that, but I'm going to leave it. I just wanted to comment that I appreciate the perspective that Councilmember Mazuera Arias and Councilmember Mayfield brought to the table. I'm hopeful that the development community and the neighbors, if you're not already, are able to have a broader conversation about what it will take to deliver the overall Community Area Plan, which includes amenities, grocery stores, all of those kinds of things, because I do understand that there seems to be this dichotomy between we need more rooftops, we need higher AMI, but we have this need for affordable housing right now. I can understand as a neighbor why it would feel like we're making choices to continue to compromise the future of the area, but I also understand the urgency of a particular need or opportunity when it comes to bear. So, I guess I'll leave this with you, Council member, I hopeful that the community and the development community can come together to have that broader conversation, so that when we're having these one-off discussions about individual parcels, everybody is confident about how the plan comes together overall. That's all.

**Councilmember Mayo** said thank you. I think this has been a very interesting petition. We've received all of your emails, people against and for, so first I just want to thank ya'll for taking the time to advocate for your beliefs and for your neighborhood. As I'm kind of thinking of this, and what Councilmember Watlington also talked about, I know oftentimes when we speak with advocates, particularly for affordable housing, we talk about housing first, particularly for our unhoused people. So, I personally will be voting yes as a result of that, just thinking about the broader spectrum and the needs of our community.

**Councilmember Anderson** said first, I want to just thank the community for just continued engagement. East Charlotte is always engaged and always paying attention to what's going on, so thank you. We've received all your emails, have had some phone calls, and conversations. What I also want to say is that we've watched this project in particular evolve, so going from a 20-year affordability window to a 99-year affordability window, reducing the number of dwelling units, and the addition of senior multi-family

units, in addition to for-sale townhomes. So, it's a really unique mix of housing types in one particular location, also very proximate to our Eastland Yards location, which of course the entire Council has supported. When you think about the evolution of the area plan for that space and how these residents will have increased walkability for amenities, entertainment, food, etc., it really does bode well to combine this mix of housing stock in a place that's trying to establish increased walkability and increased amenities. So, I hope that the community will continue to have a high level of engagement, and I'm certainly hopeful that the Housing Trust Fund dollars will be there, because that's what I believe makes this project particularly unique for such a long time. We talk about affordability. We talk about our seniors who want to age in place. We talk about homeownership being the opportunity to pivot out of intergenerational poverty, and there is a mix of all of that in this particular effort. So, I'm very hopeful that the Housing Trust Fund dollars will be there. Thank you, Mr. Driggs.

Mr. Mazuera Arias said I just want to say that right now East Charlotte is really at a crossroads. We have created a community that is only sustainable to live, not work or play, and we do have incredible projects coming on the horizon, but I wanted to make it very clear, we cannot continue concentrating poverty and low-income in one area, particularly areas that have always been a disadvantage. So, vote how you will, but moving forward, please consider East Charlotte. We are lacking amenities. We have folks, investors, telling us that the reason grocery stores and other things are not coming to East Charlotte is because we have low AMI levels, and if we keep concentrating that, these folks, individuals, right here are not going to have grocery stores or retail or restaurants to go play and work with.

So, take into account East Charlotte, because we have been neglected for so long, and yes, there's incredible growth happening in that area, as Eastland Yards, Sports Complex and what this Council has done previously, but also consider that we got sold out from the transportation plan. We're not getting as much investment as areas that already have existing transportation. This is a community that doesn't depend or rely much on cars, they walk or they take the bus, and we already were short sold on that plan, and the transportation referendum. So, please really consider if we want to make East Charlotte a vibrant community, as well as one that is able to work, live and play at, because right now my residents are driving a half an hour, more than an hour to go to work, to go shop at SouthPark or Cotswold or Concord or Carolina Place, and so I just want to leave that clear that I want to make sure East Charlotte gets what they desperately need, which are amenities in an area that they can work, live and play. Thank you.

**Councilmember Driggs** said so, I actually have a comment myself on this one. Mr. Mazuera Arias, I appreciate your engagement on behalf of your constituents, and your admonition in terms of how we go about this. At the same time, location has been a challenge for us for as long as I've been on Council, and I think other veterans will agree. Finding the right solution where the housing can be established at a reasonable price, and therefore, could be made available affordably, taking into account the proximity of stores and things, trying to check all the boxes, puts us often in a difficult position. On this one in particular, this actually aligns with a number of things that we really wanted to try to accomplish, partnership with a religious institution, and so I think the short story is, the Council is between a rock and a hard place here, and I think you can hear the fact that there is a diversity of opinion depending on how you weigh that. Personally, I will support this, because I do think in the grand scheme of things, this is what we are trying to accomplish. We're trying to create this kind of housing. We'd like to partner with churches, 99-years. So, I agree with my colleagues who said that we need to be thoughtful going forward, and hope that this can be accomplished, but my own vote will be in favor for those reasons, and I do appreciate you all coming tonight.

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

**Judah L. Jones, 623 Wilora Landing Road**

March 23, 2026  
Zoning Meeting  
Minute Book 162, Page 262

**Amy Jane Williams, 5828 Wilora Lake Road**

**David Barron, dbarron.designer@pm.me**

**Terry Simone, terries333@gmail.com**

**Tony Caporaletti, ajcaporaletti@gmail.com**

**Asma Khanani, akhananicap@gmail.com**

**Windsor Park Neighborhood Association, wpneighbors@gmail.com**

**Dwight & Ida Henry, 5326 Wilora Lake Road**

**Maureen Mahood, maureen@sellyourhomecharlotte.com**

**Machelle Martin, macmart118@aol.com**

**Iris Navarro, inavarr0@icloud.com**

**Mary Fletcher, 4906 Farm Pond Lane**

**Mary Traynham, mtrayn@hotmail.com**

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

YEAS: Councilmembers Anderson, Driggs, Graham, Mayo, Mitchell, and Owens

NAYS: Ajmera, Mazuera Arias, Mayfield, and Watlington

The ordinance is recorded in full in Ordinance Book 69, at Page(s) 776-777.

Mr. Driggs said okay, that carries. So, that was our last decision tonight.

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## **PUBLIC HEARINGS**

**ITEM NO. 21: HEARING ON PETITION NO. 2025-072 BY LINCOLN PROPERTY COMPARNY FOR A CHANGE IN ZONING FOR APPROXIMATELY 44.02 ACRES LOCATED WEST OF OLD STATESVILLE ROAD, SOUTH OF VANCE DAVIS DRIVE, AND NORTH OF REAMES ROAD FROM OFC (OFFICE FLEX CAMPUS) AND MUDD(CD) (MIXED USE DEVELOPMENT, CONDITIONAL) TO ML-1(CD) (MANUFACTURING AND LOGISTICS-1, CONDITIONAL).**

**Councilmember Driggs** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is just over 44 acres, located in our ETJ, though located adjacent to District Four, just along the west side of Old Statesville Road, in an area where we have predominantly industrial uses as you can see here on this map. It is currently zoned Office Flex Campus on the northern portion of the site, and has some Mixed-Use Development District Old Legacy Ordinance entitlements along the southern portion of the site, and they are requesting to go to Manufacturing and Logistics-1, Conditional. The Policy Map recommends the Community Activity Center Place Type for the site, that's really as a result of the MUDD Conditional entitlements that were put on the site years ago. The proposal itself is for up to 350,000 square feet of warehousing, warehouse distribution, manufacturing office and other light industrial uses. It prohibits some of the nonpreferred uses or other noxious uses that you wouldn't want to see in this area, such as landfills or even data centers, have a complete list of those uses up here. It commits to providing the county with a 35-foot-wide easement for a greenway. It notes several transportation and

pti:pk

streetscape improvements categorized along different access points. At Access A, you have new shared egress lane, remarking the median, adding a southbound right turn lane, providing an internal protected stern, and then at Access B, along Statesville Road and Independence Hill Road, adding an ingress lane and two egress lanes, remarking westbound right turn lane, adding northbound/southbound left turn lanes, and several other items. At Access C, providing one ingress lane and one shared egress lane, and providing minimum 100-foot internal protected stern.

In terms of staff recommendation, staff recommends approval of this petition upon resolution of an outstanding issue related to land use. The proposal is in line with the development that we have seen along this west side of Old Statesville, which is really industrial in nature in terms of its entitlements, as well as its existing uses. The conditional plan limits the uses that could occur on the site and prohibits those that we really wouldn't want to see in that area. It does facilitate potentially two comprehensive plan goals. Goal six could be facilitated through their commitment for that greenway easement, and then goal eight might be facilitated by virtue of the industrial uses, potentially adding jobs to the area. I'll be happy to take questions following petitioner comments.

**Collin Brown, 1420 East 7<sup>th</sup> Street, Suite 100** said thank you, Councilmember Driggs, Council members, Zoning Committee. Collin Brown on behalf of the petitioner, Lincoln Property Company. Scott Kurz is here as well. Holly did a very nice job on the presentation. A 44-acre site, we've got two zonings going on, Office zoning at the top and an old MUDD zoning that is a Multi-Family Zoning District. As Holly mentioned, the thing to know about this site is everything in this quadrant is kind of manufacturing, employment based, except for a part of our site, which currently has a Multi-Family Zoning plan on it, that has not come to fruition. We think a lot because of what's around it, and so Lincoln would like to come in and bring some employment uses into the area. Happy to have staff support. I will mention that I did receive a call and an email from County Commissioner, Elaine Powell, over the weekend. This is her District. This is actually an unincorporated Mecklenburg County. Her question for us is the County has a historic property here, and has asked us to look at our buffering and see if we can enhance that and include some native species, I think which will reflect the historic structure next door. We're happy to do that, and we will get that in our revised plan that we submit on Thursday. Happy to take any questions.

**Councilmember Mayo** said can you speak a little bit about that historical site? I didn't see that on [inaudible].

Mr. Brown said probably not with great expertise. It is a historic home that is a historic home place. The County is not opposed, they're just asking for some buffering in that location and we're happy to do that.

Ms. Mayo said is it on the historic commission, like has it been designated?

Mr. Brown said it's a real county owned.

Ms. Mayo said oh, it's county owned, okay, so it's official.

Mr. Brown said that's correct, you can go visit it.

Ms. Mayo said okay, thank you.

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

**Elaine M. Powell, Elaine.Powell@mecklenburgcountync.gov**

Motion was made by Councilmember Watlington, seconded by Councilmember Owens, and carried unanimously to close the public hearing.
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**ITEM NO. 23: HEARING ON PETITION NO. 2025-132 BY HOPPER COMMUNITIES, INC. FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.44 ACRES LOCATED WEST OF PROVIDENCE ROAD, NORTH OF EDMONT ROAD, AND SOUTH OF CAVENDISH COURT FROM R-8MF(CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO N1-A (NEIGHBORHOOD 1-A).**

**Councilmember Driggs** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is under half an acre, located along the west side of Providence Road in a very residential area, as you can see here, predominantly single-family residential in the immediate vicinity. It is currently zoned R-8 Multi-Family, Conditional, that's an old Legacy District for multi-family residential. That's from a 1993 zoning, though, I will say, which limited the site to Bed and Breakfast uses, and what they are requesting is Neighborhood-1A, which as you can see on this map, would put it right in line with everything that it is surrounded by. The Policy Map recommends the Neighborhood-1 Place Type, so this request would be in alignment with that. It is in one of our adopted area plans, so it is within the South Middle Community Area Plan. As I just stated, it would be in alignment with that Policy Map designation for Neighborhood-1. In terms of priority goals, we believe it could facilitate goal two for neighborhood diversity and inclusion, because it's removing those narrow entitlements on the site that were previously approved and would open up the permitted uses for anything allowed within the N-1A District, which could include diverse residential options. Staff does recommend approval of this petition in line with the area plan, and also in line with the adopted Policy Map [inaudible] for the site, and I'll take questions following petitioner comments.

**Aaron Houck, 600 South Tryon Street, Suite 2300** said good evening, Councilmember Driggs, and Council members. So, with me tonight is Jack Roberts of the petitioner, and John Carmichael who works with me at Robinson Bradshaw.

Mr. Driggs said could you introduce yourself, please?

Mr. Houck said my name is Aaron Houck, and I'm here on behalf of the petitioner, Hopper Communities. The site, as Holly said, is about 0.441 acres, on the west side of Providence Road. It's about midway between Sharon Amity and Fairview Road. Here's an aerial of the site. It contains a detached single-family house right now. Here's a Google street view of the house that is on the site. As Holly said, the current zoning is R8-MF(CD), an old Conditional District under the Legacy Ordinance. The 1993 Conditional Zoning Plan includes this site plan, which sites the existing house, so the house was there in 1993 when the Conditional Zoning Plan was adopted. There are a few development notes also with the Conditional Zoning Plan, including the one that limits any structures on the site to the structure that's already there. The petitioner is seeking rezoning to N-1A to accommodate any uses that are allowed in the N-1A Zoning District. This is a Conventional Zoning request, and as Holly said, the request is consistent with the Policy Map, which places this site in the Neighborhood-1 Place Type. Happy to take any questions.

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

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**ITEM NO. 24: HEARING ON PETITION NO. 2025-135 BY THE CHARLOTTE MECKLENBURG HOSPITAL AUTHORITY FOR A CHANGE IN ZONING FOR APPROXIMATELY 41.26 ACRES LOCATED SOUTH OF NORTH TRYON STREET, EAST OF EAST W.T. HARRIS BOULEVARD, AND NORTH OF JOHNSON ALUMNI**

**WAY FROM IC-1 (INSTITUTIONAL CAMPUS-1) TO IC-2(EX) (INSTITUTIONAL CAMPUS-2, EXCEPTION).**

**Councilmember Driggs** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is about 41 acres along North Tryon as well as East W.T. Harris Boulevard. As already stated, this is a healthcare institution that's currently on the site. It is currently zoned IC-1, Institutional Campus-1. They are proposing to go to IC-2(EX), Institutional Campus-2, Exception. So, I'll explain what an Exception Petition is here in a moment, but the Policy Map recommends the Campus Place Type. The proposal itself, which would be a continuation of healthcare institution uses and the IC-2 District that they're requesting, is in alignment with that Campus Place Type already adopted for the site. The proposal itself, we have a list of standards with this request, so we don't have a site plan, but this is an exception request, and exception conditional rezonings are a way for us to modify certain qualitative and quantitative zoning standards in exchange for public benefits, and public benefits would fall into at least two out of three categories, city improvements, public amenities, and sustainability measures. So, we like to reserve EX petitions for scenarios where extenuating circumstances make it difficult to meet ordinance standards. Healthcare institutions are difficult uses to fit into our ordinance in a neat and tidy box, so that is why it's being considered as an exception request here today. It could not be accommodated under their existing IC-1 Zoning needed to the pursue the IC-2, so that you could apply those exception provisions. The exception provisions are a list of what they are modifying in the ordinance, and they then provide public benefits, essentially as a justification for their modifications.

So, I'll go ahead and show you the list of their provisions. So, this is pretty technical in nature, so I'm not going to get into it, but I'll have it here if we want to get back to it, but some of the items that they're modifying, for example, are maximum building length along a frontage, or maximum parking for a medical office use, minimum ground floor height, and they note how they're modifying the standard and also what is the typical UDO requirement for that. The public benefits that they are providing in exchange, so under the public amenity category, they will be installing a trailhead connection to the UNC (University of North Carolina) Charlotte Fitness Trail, and that would contain bench seating, trail maps, signage, and trail lighting. Under the city improvement category, they would be providing a microtransit area on the site to include dedicated curb space for ride share waiting pad consistent with CATS (Charlotte Area Transit System) detail standards. Under the city improvement category, they'd be constructing a bus stop waiting pad and shelter at the existing bus stop along North Tryon. So, that would be exceeding the ordinance requirements, since they have a bus stop waiting pad and CATS wouldn't typically require them to upgrade that to a full waiting pad and shelter as they are specifying.

Staff recommends approval of this petition upon resolution of a minor technical revision. We believe that the exception provisions requested make sense and the public benefits offered are adequate justification given the request of this Rezoning Petition. Again, healthcare institutions don't always fit into neat and tidy boxes, so I think an exception application to this petition is logical, and I'll take questions following petitioner comments.

**John Carmichael, 600 South Tryon Street, Suite 2300** said thank you, Councilmember Driggs, members of City Council, and the Zoning Committee. I'm John Carmichael here on behalf of the petitioner, The Charlotte-Mecklenburg Hospital Authority, also known as Atrium Health. Bennett Thompson and Joe Labovitz with Atrium are here, as is Nathan Tidd with Kimley-Horn. The site's a little over 41 acres, northeast corner of North Tryon and East W.T. Harris Boulevard. UNC Charlotte is to the east and north. University Place Shoppes are to the west, and then you've got a variety of commercial and retail to the south. This is an aerial photograph of the site, got a little zoomed in aerial of the site, and I will say that the site is the home of Atrium Health University City Hospital, and it's hard to see, but this is the existing bed towers located in the central portion of the site. The site is currently zoned IC-1, as Holly

indicated. You've got IC-1 Zoning to the east and north, TODD (Transit-Oriented Development District) Zoning to the north and west, and a variety of Commercial Districts to the west and south of the site. Petitioner is requesting the site be rezoned to IC-2(EX) to accommodate the expansion of the hospital facilities. The approval of the rezoning request would increase the allowed maximum height of buildings on the site. The maximum height in IC-1 is 50 feet without a bonus, 80 feet with a bonus; in IC-2 it's 120 feet without a bonus, 250 feet with a bonus. The current expansion plan is to build a new bed tower as an addition to the existing bed tower. The new bed tower would be approximately the same height as the existing bed tower, 90 to 100 feet, and would contain six stories, so that it could connect to the existing bed tower. The new bed tower is needed to meet the healthcare requirements of the community. This rezoning request would also accommodate future expansions of the hospital facilities. This is a photograph of the existing bed tower, and then of course the addition would connect to that structure. The 2040 Policy Map places the site in the Campus Place Type. This request is consistent with the 2040 Policy Map.

I want to give you a little context here. Prior to the effective date of the UDO, this site was zoned Institutional, and under the Institutional Zoning District, you could build without going through a rezoning, by-right, the bed tower that Atrium seeks to build. When the UDO became effective, the zoning was converted from Institutional to IC-1. IC-1 has a more restrictive height than Institutional, because Institutional, you can increase the height if you increase the side yards; that's not available in IC-1. So, the UDO has really put healthcare institutions in a tough spot. So, we had to rezone to IC-2(EX) to exceed 80 feet, and we'd have to have a bonus with 80 feet, and then we need exceptions, because certain development standards are more urban in nature, and it doesn't accommodate a hospital. We're happy to answer any questions.

**Councilmember Mayo** said I had a quick question, Holly. Is this by the old University Library? Okay, thank you. I think that's an interesting topic to think about how we're reusing existing areas instead of always just cutting down trees. So, I'm excited to hear that we're thinking about reusing existing areas instead of just clear-cutting and diminishing our tree canopy.

Mr. Driggs said so, I don't want to miss an opportunity to thank Atrium Health for their role in our community and their many contributions. It's not a land use issue, but I just want to put it out. Is there a Certificate of Need issue here?

**Joseph Labovitz, 8800 North Tryon Street** said yes.

Mr. Carmichael said Joe Labovitz, President of the hospital, said yes.

Mr. Driggs said right. Again, that's not a land use consideration. I'm just interested to know whether that's pending or where you stand?

Mr. Labovitz said thank you, yes. Joe Labovitz, President of Atrium Health University City. Yes, we have a conditional Certificate of Need that was granted. It's currently in the process of being converted from conditional to full.

Mr. Driggs said great, thank you for that information.

Motion was made by Councilmember Watlington, seconded by Councilmember Owens, and carried unanimously to close the public hearing.
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**ITEM NO. 25: HEARING ON PETITION NO. 2025-138 BY CORAL REEF INVESTMENT PROPERTIES FOR A CHANGE IN ZONING FOR APPROXIMATELY 8.62 ACRES LOCATED ALONG THE EAST SIDE OF WEST TYVOLA ROAD, SOUTH OF SOUTH TRYON STREET, AND WEST OF SLEEPY HOLLOW ROAD**

**FROM R-17MF(CD) (MULTI-FAMILY, CONDITIONAL) TO R-17MF(CD) SPA (MULTI-FAMILY, CONDITIONAL, SITE PLAN AMENDMENT).**

**Councilmember Driggs** declared the hearing open.

**Maxx Oliver, Planning, Design & Development** said this is a Site Plan Amendment to an existing conditional plan under the Legacy Zoning Ordinance. It's an 8.62-acre site on the east side of West Tyvola Road, just south of South Tryon Street, and the plan proposes to change a previously approved multi-family residential plan. This site is currently undeveloped. Current zoning is R-17MF(CD) (multi-family, conditional), and proposed zoning is R-17MF(CD) SPA, which is a Site Plan Amendment to that existing plan. The plan is consistent with the goals and policies of the Southwest Middle Community Area Plan, and it is in alignment with the 2040 Policy Map recommendation for the Neighborhood-2 Place Type.

A little background. In 2022, the Petition 2021-235 was rezoned to R-17MF(CD) to allow for the development of 129 multi-family apartment dwelling units, including six workforce housing units, and that would be in three principal structures. The Site Plan Amendment calls for the reduction in the number of multi-family stacked buildings from three principal structures to two; increase the maximum number of apartment units from 129 to 134, including an increase in the workforce housing units from six to seven; the removal of a pedestrian connection between West Tyvola Road and Sleepy Hollow Road; and the modification of the site access by shifting the northern driveway on West Tyvola approximately 200 feet to the south.

Staff recommends approval of this petition, as it's a Site Plan Amendment to a previously approved plan with only minor changes, and the proposal is consistent with the 2040 Policy Map's recommendation for the Neighborhood-2 Place Type. The site is also abutting a park and is served by transit. I'm happy to take any questions following Ms. Grant's presentation.

Mr. Driggs said thank you. I'd like to note briefly, there are some empty chairs here, some colleagues go to the room behind the chamber here, and follow the hearing on a screen, because there are refreshments there and it's a comfortable place to sit, so they're definitely engaged. I would like to note for anybody who may be there, we have a closed session after this meeting, so please do not leave the building.

**Bridget Grant, 100 North Tryon Street, Suite 4700** said good evening, Councilmember Driggs, members of the board. I appreciate your time this evening. Maxx did a phenomenal job of presenting, so I'm just going to jump ahead to our summary slide. Councilmember Mayo was able to attend our community meeting, and so we were able to make some changes, not only in the response to our site changes, but also in response to community feedback, and I'm happy to answer any questions.

**Councilmember Mayo** said I just had a quick question. I think I asked Holly earlier. Have ya'll thought of helping with a crosswalk, so that people can get to the Yorkmont Park that's not far away, I think for the people on the other side of Tyvola? Is that something ya'll would think about, Bridget?

Ms. Grant said we haven't had a chance to have that conversation. I think it'll probably depend on what's feasible along that site. We've got connectivity with the sidewalks along our site that go directly up, but I understand you're asking for across the street?

Ms. Mayo said if possible, I think that will be a great opportunity just for us to think about connectivity, when we're thinking about Vision Zero as well. How are we being proactive, when we're having these rezonings, to think about our green spaces and people having access to our green spaces in a way that's safe. Thank you.

Motion was made by Councilmember Mitchell, seconded by Councilmember Watlington, and carried unanimously to close the public hearing.
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**ITEM NO. 26: HEARING ON PETITION NO. 2025-139 BY AVERITT EXPRESS FOR A CHANGE IN ZONING FOR APPROXIMATELY 53.24 ACRES LOCATED ON THE NORTH SIDE OF SHOPTON ROAD, WEST OF BEAM ROAD FROM I-1(CD) ANDO (LIGHT INDUSTRIAL, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY) TO ML-2(CD) ANDO (MANUFACTURING AND LOGISTICS-2, CONDITIONAL, AIRPORT NOISE DISCLOSURE OVERLAY).**

**Councilmember Driggs** declared the hearing open.

**Joe Magnum, Planning, Design & Development** said good evening. This site is about 53 acres, located on the north side of Shopton Road, west of Beam Road. The site is graded, was part of the 2021 rezoning that encompassed this site, as well as about 50 acres to the north, and entitled it for light industrial uses. The site's surrounded by a mix of uses, other industrial, commercial, as well as institutional uses. Closest residential uses are across Shopton Road to the south. The current zoning is I-1(CD), and it's within the Airport Noise Disclosure Overlay, with a proposed zoning of ML-2(CD) ANDO. The 2040 Policy Map recommends the Manufacturing and Logistics Place Type. The proposal would expand industrial uses permitted on the site to allow a limited number of ML-2 uses, and specifically a vehicle operations facility. It would allow for a maximum building square footage of 180,000 square feet, while prohibiting the most noxious ML-2 uses. Access would be both from Shopton Road as well as from Beam Road through a connection through the site to the north. A 100-foot Class A landscape yard, which could be reduced to 75 feet with a berm, would be adjacent to an institutional use in the southeastern corner of the site. Also, a 50-foot Class C landscape yard along the site's Shopton Road frontage, where across the street from single-family residential.

The petition commits to dedication of the floodplain to Mecklenburg County for a future Coffee Creek Greenway. The petition is consistent with the goals and policies of the Southwest Middle Community Area Plan, and is in alignment with the Policy Map recommendation for the Manufacturing and Logistics Place Type. It does not directly facilitate priority goals for Southwest Middle Community Area Plan, however, could facilitate goal eight for diverse and resilient economic opportunity from a comprehensive plan perspective.

Staff recommends approval of this petition upon resolution of a requested technical revision. The site is entitled for light industrial uses. The petition would expand the permitted industrial uses while reducing the building footprint on the site. Most of the noxious uses permitted in ML-2 would be prohibited, while allowing for a vehicle operations facility. The site is located within the airport noise disclosure overlay and provides appropriate buffering to adjacent institutional and residential uses. I'll turn it over to the development team.

**Collin Brown, 1420 East 7<sup>th</sup> Street, Suite 100** said thank you, I do have the Averitt team here. Travis Webster is here, our Regional VP (Vice President). Thank you. I've got another interesting one for you this month. As Joe has kind of hit all the details, the big takeaway is if you see this site, it's already graded. We worked on the zoning a few years ago. It is approved essentially for a massive Logistics Center Warehouse, the things that we see around. Averitt Express is a national logistics company. You may see their trucks on the road. They have been looking for years to bring a regional headquarters to Charlotte. They think this would be an ideal location.

A couple components that are I think very positive, Councilmember Mayo and I have talked about this, this actually brings a diversity of employment opportunities. They would have a headquarters facility here, bringing white collar jobs. They would still have some warehousing facilities, so we would have those jobs. The reason we're really here tonight is they would like to have a vehicle maintenance facility. So, when those trucks are coming from all over, this gives them a location to go where the trucks can be maintained and serviced. So, we're talking about jobs like diesel mechanics, and that's

something Councilmember Mayo said, hey, you know we have opportunities. We have CMS (Charlotte Mecklenburg Schools) that is doing programs like this. These are different jobs, different pay levels. So, this creates a real opportunity to have a variety of uses, jobs, employment opportunities on the same site, and it dramatically reduces the square footage of buildings that would be developed on the site.

We've met with the Steele Creek Residents Association. The traffic from the site would be about halved, going from that major logistics facility to this. So, we are talking about some slightly more intensive uses. It's really that vehicle maintenance facility, which is key to Averitt wanting to be there to serve the needs for their company. So, happy to take any questions you have.

Motion was made by Councilmember Ajmera, seconded by Councilmember Mitchell, and carried unanimously to close the public hearing.
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**ITEM NO. 27: HEARING ON PETITION NO. 2025-140 BY EXCEL FINANCIAL SERVICES, INC. FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.43 ACRES LOCATED EAST OF SANDY PORTER ROAD, NORTH OF CAMDEN CREEK LANE, AND SOUTH OF SANDY RIVER LANE FROM N2-B (NEIGHBORHOOD 2-B) TO CAC-1(CD) (COMMUNITY ACTIVITY CENTER-1, CONDITIONAL).**

**Councilmember Driggs** declared the hearing open.

**Maxx Oliver, Planning, Design & Development** said yes. Petition 2025-140 is 0.43 acres, located on the east side of Sandy Porter Road, just west of South Tryon Street. Petition proposes an adaptive reuse of a single-family home for activities permitted in the Community Activity Center Zoning District. Site is currently developed with a single-family home. Current zoning is N-2B (Neighborhood-2). Proposed zoning is CAC-1(CD) (Community Activity Center-1, Conditional). The plan is consistent with the goals and policies of the Southwest Outer Community Area Plan; however, it is not in alignment with the 2040 Policy Map recommendation for the Neighborhood-1 Place Type, and I'll elaborate on that more in a moment. The proposal allows for the adaptive reuse of the existing structure to accommodate uses permitted by-right and under prescribed conditions in the Community Activity Center District, such as personal services, office, medical and dental office, etc., but it prohibits certain uses that may be incompatible with the neighborhood, such as automotive oriented uses such as vehicle fueling facilities, drive-thrus, car rental facilities, parking lots as a principal use, etc. So, while it is consistent with the plan, but not in alignment with the Policy Map, it would be a minor map amendment to that Policy Map. It's consistent with the goals and the policies of the Southwest Outer Community Area Plan, as it meets the minor map amendment criteria, such as a minimum acreage when you combine it with the other Community Activity Center Place Type that's surrounding it to the southeast and to the north, it's adjacent to Neighborhood-2 Place Type in zoning both across the street and surrounding it, and it's less than a quarter mile from multiple bus routes. The proposed plan could help facilitate the Southwest Outer Community Area Plan priority goal of a 10-minute neighborhood by expanding access to goods and services for area residents, and the program guide provides additional information on how the policy's recommended by the adopted Community Area Plans would update the Policy Map.

Staff recommends approval of this petition as it meets the minor map amendment criteria and supports the shift to a Community Activity Center enabling a wider mix of retail, office, medical and service uses. The site's surrounded by other Community Activity Center Place Type, Neighborhood-2 Place Type in zoning, and has access to transit. I'm happy to take any questions following the petitioner's presentation.

**Delores Leith, 119 Dobbs Drive, Statesville** said good evening, thank you. My name is Delores Leith. I am the President of Excel Financial Services and representing the

petition for 2500 Sandy Porter Road to be rezoned to CAC-1. When I purchased this property, it was approximately, I would say about 15 years ago, and at the time it was very residential there. The apartments behind the property currently were not there. The gas station at the corner of Sandy Porter and South Tryon was not there. I believe the Dunkin Donuts was built not long after, but overall it really had a residential feel to it. With time, and I would say over the last five, seven years, eight years, it has changed dramatically, and what I found is that it is increasingly difficult for me to keep good tenants in it. People don't want to be there if they have kids, because this property is the first residential property in a line of residential properties. They have built the school down the road. There is a community facility across the street. There is a restaurant/bar next door, as well as those apartments behind the property.

So, I'm asking that we rezone it. I do believe that bringing the rezoning would help the community, because we're looking to open a professional services establishment that would be open to the community, and it would be by appointment only. So, right now, traffic is a huge issue in the area, but it would be by appointment only, and we do have enough space. We're going to use the building that we have. We have enough space to provide for parking on-site, and we would be able to offer things like nails, hair salon, facials, that sort of thing. So, it would be personal services establishments, and I'm open to any questions.

**Councilmember Mayo** said hi, how are you? I'm just hoping that you'll get a chance to talk to the Steele Creek Residents Association, because they have mentioned that they have not heard about this petition. I've consulted with the Planning staff. If you could get with Holly and her team, or I believe Joe Mangum is helping with [inaudible] when you look at the paperwork, but if you can get with Javier Lopez from the Steele Creek Residents Association, and please present to them your petition, I think that would be helpful for me, as I'm talking about that with my colleagues. Thank you.

Ms. Leith said yes. I will say that they were on the mailing list.

Mr. Driggs said sorry, there wasn't a question.

Ms. Mayo said yes, that was just asking her.

Mr. Driggs said okay, we appreciate you coming tonight, thank you.

Ms. Leith said thank you.

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

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### **ITEM NO. 3: CLOSED SESSION (AS NECESSARY)**


Motion was made by Councilmember Watlington, seconded by Councilmember Ajmera, and carried unanimously to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(4), to discuss matters related to the location or expansion of industries or other businesses in the area served by the public body.

The meeting was recessed at 7:26 p.m. to move to CH-14 for a closed session.

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**ADJOURNMENT**

The meeting adjourned at 7:42 p.m. at the conclusion of the closed session.

  
Billie Tynes, Deputy City Clerk

Length of Meeting: 1 Hour, 51 Minutes  
Minutes completed: May 5, 2026