

# City of Charlotte

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



## **Zoning Agenda**

**Thursday, August 3, 2023**

**Charlotte-Mecklenburg Government Center - Room 280**

### **Zoning Committee Work Session**

***Douglas A. Welton, Chairperson***

***Terry Lansdell***

***Shana Neeley***

***Wil Russell***

***Clayton Sealey***

***Rebekah Whilden***

***Rick Winiker***

## Zoning Committee Work Session

### Zoning Item

#### 1. Rezoning Petition: 2023-093 by Charlotte Planning, Design, & Development - Text Amendment

This Text Amendment proposes to make single-family and duplex dwellings legally constructed under the O-1, O-2, O-3, B-1, and B-2 legacy zoning districts prior to June 1, 2023 allowed uses with prescribed conditions in the CG and OFC zoning districts, and deem them legally conforming. These dwellings will be subject to the standards of the N1-D Zoning District, as well as other applicable provisions of the UDO (such as, but not limited to, those governing accessory structures). Without this text amendment, the UDO would make them non-conforming uses.

Staff has identified a small number of existing neighborhoods where single-family and duplex dwellings have been legally constructed under the O-1, O-2, O-3, B-1, and B-2 legacy zoning districts prior to the June 1, 2023, effective date of the Unified Development Ordinance (UDO). These zoning districts translated to the CG (General Commercial) and OFC (Office Flex Campus) UDO zoning districts that do not allow residential uses and would make these dwellings nonconforming uses.

**Public Hearing Held:** July 17, 2023 - Item #31

**Staff Resource:** [Sandra Montgomery](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023\\_093\\_PostHSA](#)

[Residential in CG and OFC Text Amendment 6-15-23](#)

[2023-093\\_consistency](#)

#### 2. Rezoning Petition: 2023-010 by City of Charlotte

**Location:** Approximately 0.094 acres located on the north side of Mineral Springs Road, west of Interstate 85, south of University City Boulevard. (Council District 4 - Johnson)

**Current Zoning:** R-12MF (CD) (multi-family residential, conditional)

**Proposed Zoning:** N1-C (neighborhood 1 - C)

**Public Hearing Held:** July 17, 2023 - Item #29

**Staff Resource:** [Emma Knauerhase](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023\\_010\\_PostHSA](#)

[2023\\_010\\_Consistency\\_DONE](#)

### 3. Rezoning Petition: 2021-256 by NVR, Inc.

**Location:** Approximately 150.78 acres located on the north side of Old Concord Road, east of North Tryon Street, and south of West Rocky River Road. (Council District 4 - Johnson)

**Current Zoning:** N1-A (neighborhood 1 - A), N1-B (neighborhood 1 - B), and R-6 (CD) (single family residential, conditional)

**Proposed Zoning:** MX-2 INNOV (mixed use, innovative) with 5-year vested rights

**Public Hearing Held:** July 17, 2023 - Item #23

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of the outstanding issue pertaining to environment.

[2021 256 PostHSA DONE](#)

[2021 256 RevSitePlan 2023 07 20](#)

[2021 256 Consistency](#)

### 4. Rezoning Petition: 2022-036 by MPV Properties

**Location:** Approximately 31.94 acres located along the east side of Interstate 485 and west side of Dutch Creek Drive, north of Rocky River Road. (Council District 5 - Molina)

**Current Zoning:** CC (commercial center)

**Proposed Zoning:** CC SPA (commercial center, site plan amendment)

**Public Hearing Held:** July 17, 2023 - Item #24

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022 036 PostHSA DONE](#)

[2022 036 RevSitePlan 2023 06 12](#)

[2022 036 Consistency](#)

## 5. Rezoning Petition: 2022-068 by Barbara A. Freeman

**Location:** Approximately 2.03 acres located at the northeast intersection of South Tryon Street and Wright's Ferry Road, west of Steele Creek Road. (Council District 3 - Watlington)

**Current Zoning:** N1-A (neighborhood 1 - A)

**Proposed Zoning:** CAC-1 (community activity center)

**Public Hearing Held:** July 17, 2023 - Item #32

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_068\\_PostHSA](#)

[2022\\_068\\_consistency](#)

## 6. Rezoning Petition: 2022-115 by Urban Trends Real Estate, Inc.

**Location:** Approximately 1.84 acres located on the south side of Tom Hunter Road, west of North Tryon Street, and east of Monteith Drive. (Council District 1 - Anderson)

**Current Zoning:** N1-B (neighborhood 1 - B)

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

**Public Hearing Held:** July 17, 2023 - Item #33

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_115\\_PostHSA](#)

[2022\\_115\\_RevSitePlan\\_2023\\_06\\_14](#)

[2022\\_115\\_Consistency](#)

## 7. Rezoning Petition: 2022-157 by Leon & Jennifer Chisolm

**Location:** Approximately 4.2 acres located on the north side of Galloway Road, east of Mallard Creek Road, and west of Garrison Road. (Council District 4 - Johnson)

**Current Zoning:** N1-A (neighborhood 1 - A)

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

**Public Hearing Held:** July 17, 2023 - Item #35

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022 157 PostHSA](#)

[2022 157 RevSitePlan 2023 07 21](#)

[2022 157 Consistency](#)

## 8. Rezoning Petition: 2022-173 by Tryon 49 LLC

**Location:** Approximately 5.33 acres located at the southwest intersection of South Tryon Street and Nevada Boulevard, east of General Drive. (Council District 3 - Watlington)

**Current Zoning:** ML-1 (manufacturing and logistics, 1), ML-2 (manufacturing and logistics, 2)

**Proposed Zoning:** I-2 (CD) (general industrial, conditional)

**Public Hearing Held:** July 17, 2023 - Item #36

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022 173 PostHSA](#)

[2022 173 RevDevStandards 2023 07 20](#)

[2022 173 consistency](#)

## 9. Rezoning Petition: 2022-191 by Red Cedar Capital Partners

**Location:** Approximately 4.86 acres located on the east side of Plott Road, south of The Plaza, and north of Meadowcroft Court. (Council District 5 - Molina)

**Current Zoning:** N1-A (neighborhood 1 - A)

**Proposed Zoning:** R-8 (CD) (single family residential, conditional)

**Public Hearing Held:** July 17, 2023 - Item #37

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

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

[2022\\_191\\_PostHSA](#)

[Site Plan RZP 2022-191 Plott Road REV 07-20-2023](#)

[2022\\_191\\_Consistency](#)

## 10. Rezoning Petition: 2022-198 by Ardent Acquisitions LLC

**Location:** Approximately 2.73 acres located along the east side of South Tryon Street, west of Nations Ford Road, and east of West Tyvola Road. (Council District 3 - Watlington)

**Current Zoning:** N1-B (neighborhood 1 - B)

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

**Public Hearing Held:** July 17, 2023 - Item #39

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_198\\_PostHSA](#)

[2022\\_198\\_SitePlanRev\\_2023\\_7\\_20](#)

[2022\\_198\\_consistency](#)

## 11. Rezoning Petition: 2022-202 by Sam's Mart

**Location:** Approximately 1.98 acres located on the east side of Benfield Road, west of Prosperity Church Road, and south of Johnston Oehler Road. (Council District 4 - Johnson)

**Current Zoning:** N1-A (neighborhood 1 - A)

**Proposed Zoning:** CAC-1 (CD) (community activity center - 1, conditional)

**Public Hearing Held:** July 17, 2023 - Item #41

**Staff Resource:** [Emma Knauerhase](#)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of technical revisions related to land use.

[2022 202 PostHSA DONE](#)

[2022 202 Conditional Notes REV 23 7 26](#)

[2022 202 Consistency](#)

## 12. Rezoning Petition: 2022-209 by The Keith Corporation

**Location:** Approximately 1.62 acres located on the east side of East Morehead Street, south of South McDowell Street, and west of Baxter Street. (Council District 1 - Anderson)

**Current Zoning:** NC (neighborhood center)

**Proposed Zoning:** MUDD-O PED (mixed use development, optional, pedestrian overlay)

**Public Hearing Held:** July 17, 2023 - Item #42

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022 209 PostHSA](#)

[2022 209 RevSitePlan 2023 07 20](#)

[2022 209 consistency](#)

### 13. Rezoning Petition: 2022-214 by Liberty Senior Living

**Location:** Approximately 16.35 acres located north of Sledge Road and east of Steele Creek Road.  
(Council District 3 - Watlington)

**Current Zoning:** N1-C (neighborhood 1 - C)

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

**Public Hearing Held:** July 17, 2023 - Item #44

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022 214 PostHSA](#)

[2022 214 SitePlanRev 2023 7 20](#)

[2022 214 consistency](#)

### 14. Rezoning Petition: 2022-219 by Scott Allred

**Location:** Approximately 13.02 acres located on the south side of Albemarle Road, east of Manchester Lane, and west of Wilgrove-Mint Hill Road. (Council District 5 - Molina)

**Current Zoning:** CG (general commercial) and N1-A (neighborhood 1 - A)

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

**Public Hearing Held:** July 17, 2023 - Item #46

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

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

[2022 219 PostHSA DONE](#)

[2022 219 siteplanRev 23 7 20](#)

[2022 219 CS](#)



## 15. Rezoning Petition: 2022-156 by Greystar Development East, LLC

**Location:** Approximately 10.82 acres located at the southeast intersection of South Tryon Street and Nations Ford Road, south of West Woodlawn Road, and west of Interstate 77. (Council District 3 - Watlington)

**Current Zoning:** CG (general commercial) and I-1 (CD) (light industrial, conditional)

**Proposed Zoning:** MUDD (CD) (mixed use development district, conditional)

**Public Hearing Held:** May 15, 2023 - Item #47

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

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

[2022\\_156\\_PostHSA\\_DONE](#)

[2022\\_156\\_siteplanRev\\_23\\_7\\_20](#)

[2022\\_156\\_CS](#)

## 16. Rezoning Petition: 2023-002 by Jay Cox

**Location:** Approximately 1.77 acres located on the south side of McKee Road, east of Weddington Road, and west of Savannah Hills Drive. (Council District 7 - Driggs)

**Current Zoning:** N1-A (neighborhood 1 - A)

**Proposed Zoning:** R-8 (CD) (single family residential, conditional)

**Public Hearing Held:** July 17, 2023 - Item #26

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends approval of this petition with resolution of technical revision to provide pedestrian signage on Marville Ct.

[2023\\_002\\_PostHSA](#)

[2023\\_002\\_siteplanRev\\_23\\_7\\_20](#)

[2023\\_002\\_CS](#)

## 17. Rezoning Petition: 2023-003 by Clarke Allen

**Location:** Approximately 0.70 acres located on the south side of Southside Drive, west of Old Pineville Road, and east of South Tryon Street. (Council District 3 - Watlington)

**Current Zoning:** ML-2 (manufacturing and logistics - 2)

**Proposed Zoning:** TOD-NC (transit oriented development - neighborhood center)

**Public Hearing Held:** July 17, 2023 - Item #47

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 003 PostHSA](#)

[2023 003 consistency](#)

## 18. Rezoning Petition: 2023-004 by Lucky Dog Charlotte Properties, LLC

**Location:** Approximately 0.96 acres located at the southeast intersection of Thrift Road and Jay Street, north of Freedom Drive. (Council District 2 - Graham)

**Current Zoning:** ML-2 (manufacturing and logistics - 2)

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

**Public Hearing Held:** July 17, 2023 - Item #48

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 004 PostHSA](#)

[2023 004 RevSitePlan 2023 07 20](#)

[2023 004 consistency](#)

## 19. Rezoning Petition: 2023-005 by Sustainable Resources Properties, LLC

**Location:** Approximately 8.2 acres located on the north side of Vance Davis Drive and south side of Interstate 485, west of Old Statesville Road. (Council District 4 - Johnson)

**Current Zoning:** OFC (office flex campus)

**Proposed Zoning:** ML-1 (manufacturing and logistics - 1)

**Public Hearing Held:** July 17, 2023 - Item #49

**Staff Resource:** [Emma Knauerhase](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 005 PostHSA](#)

[2023 005 Consistency](#)

## 20. Rezoning Petition: 2023-006 by Old Pineville Investments, LLC

**Location:** Approximately 4.09 acres located on the west side of Old Pineville Road, south side of Scholtz Road, and north side of Rountree Road. (Council District 3 - Watlington)

**Current Zoning:** ML-2 (manufacturing and logistics - 2)

**Proposed Zoning:** TOD-CC (transit oriented development - community center)

**Public Hearing Held:** July 17, 2023 - Item #50

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 006 PostHSA](#)

[2023 006 CS](#)

## 21. Rezoning Petition: 2023-007 by Laurel Oak Farm, LLC

**Location:** Approximately 4.57 acres located on the south side of Youngblood Road, east of McKee Road, and west of Buckthorne Ridge Lane. (ETJ - BOCC: 6-Rodriguez-McDowell; Closest CC: 3-Watlington)

**Current Zoning:** N1-A (neighborhood 1 - A) and MUDD-O (mixed-use development district, optional)

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

**Public Hearing Held:** July 17, 2023 - Item #51

**Staff Resource:** [Maxx Oliver](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 007 PostHSA](#)

[2023 007 SitePlanRev 2023 6 12](#)

[2023 007 Consistency](#)

## 22. Rezoning Petition: 2023-060 by Habitat for Humanity of the Charlotte Region

**Location:** Approximately 8.33 acres located on the east and west sides of Carya Pond Lane, south of Hickory Grove Road, east of North Sharon Amity Road. (Council District 5 - Molina)

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

**Proposed Zoning:** N2-B (neighborhood 2 - B)

**Public Hearing Held:** July 17, 2023 - Item #27

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 060 PostHSA](#)

[2023 060 Consistency](#)

## 23. Rezoning Petition: 2023-072 by Merancas Holdings, LLC

**Location:** Approximately 17.99 acres located on the north side of Grier Road, west side of East W.T. Harris Boulevard, and south side of District Drive, east of Newell-Hickory Grove Road. (Council District 4 - Johnson)

**Current Zoning:** N1-A (neighborhood 1 - A)

**Proposed Zoning:** N2-B (neighborhood 2 - B)

**Public Hearing Held:** July 17, 2023 - Item #28

**Staff Resource:** [Maxx Oliver](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2023 072 PostHSA](#)

[2023 072 Consistency](#)