

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday, May 19, 2025, at 4:20 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council members present were Dimple Ajmera, Danté Anderson, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

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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 Anderson** said that's rote memory Mr. Driggs. That's a testament of your service to Council. With that I'm going to pass it over to the Mayor for some proceedings before we jump into the Zoning Meeting.

**Mayor Lyles** said before we have the City Council's Zoning Meeting, I'm going to ask the City Attorney to address the next steps that we're taking in this meeting.

**Anthony Fox, Interim City Attorney** said thank you Mayor and members of Council. Mayor and members of Council, you sent out a special meeting notice last week well in advance of the statutorily required period. That special meeting notice provided that this meeting will be held at this time and the purpose of the meeting was to conduct a Zoning Meeting. There's a closed session as well and it was also to deal with the District Six discussion and a vote. The matter was slated for today May 19, 2025. It is consistent with the timetable that this Council discussed previously and indicated that the decision on the appointment of a vacancy would occur on May 19, 2025. The agenda for tonight's meeting, however, did not include the discussion on the District Six vacancy and therefore under your rules, in order to add an item to the agenda there needs to be a motion, a second and a unanimous vote to add that item for discussion tonight. As on your agenda, its appearance tonight is consistent with the indications and discussions that this Council has had previously for the action we've taken on this date and at this time.

Motion was made by Councilmember Mitchell, and seconded by Councilmember Graham to put the District Six vacancy vote on the City Council Agenda for tonight's meeting, May 19, 2025.
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**Councilmember Brown** said now I did hear the City Attorney, for point of clarification, say that it had to be unanimous?

Mayor Lyles said yes ma'am.

Mr. Fox said yes, your rule four requires that for an item to be added to your agenda during the meeting that that item can be added but it must be by unanimous consent of the City Council.

Ms. Brown said yes sir.

The vote was taken on the motion and recorded as unanimous.  
Mayor Lyles said alright, so now in addition to this, I will call for the nomination to consider eligible candidates and to vote on one candidate, which I believe has been submitted. We would have to have a motion for an adoption of a candidate for District Six. Do I have a motion?

**Councilmember Mayfield** said Mayor, I have a clarification.

Mayor Lyles said yes?

Ms. Mayfield said we need to hear from the Deputy Clerk since all of us filled out a form. I haven't talked to everyone to know. So, we can't have a nomination without knowing how the votes went.

Mayor Lyles said okay, so let me say this. I believe that we have to have a vote. So, then the Clerk can nominate. We were using the Board's meeting process, and the Clerk can tell us what the results are, but we also need to have the name of the Council member as well. Alright? Billie?

Ms. Brown said I'm so confused. We voted, we got a ballot, and we voted. Each person cast their vote. So, we're waiting for the tallies to come in, correct?

Mayor Lyles said that's right.

**Councilmember Ajmera** said she's going to talk to [inaudible].

Ms. Brown said okay, right. So, once the tallies come in, then what are we doing?

Mayor Lyles said that would be the end of that part of the meeting and we'll go to the Zoning Meeting.

Ms. Brown said okay. There was some confusion there and I just wanted to get a point of clarification. Okay, thank you.

Mayor Lyles said thank you for asking the question.

Ms. Brown said yes ma'am.

Mayor Lyles said alright, Madam Clerk?

**Billie Tynes, City Clerk** said Madam Mayor, just to give you a recap and for the record, the deadline was Tuesday, May 13, 2025, and we received 12 applications. Out of those 12 applications, 10 were verified and considered eligible. I want to point out that James Rice withdrew his application on Friday. Also, there were two candidates, Grayson Sandlin and Asherdee Welby. The address for Ms. Welby, she was unaffiliated. So, that left 10 potential applicants. So, we have Krista Bokhari who received five and we also have Edwin Peacock that received five and this is how everyone voted. So, for Krista Bokhari the votes were Ajmera, Brown, Driggs, Johnson and Watlington. For Edwin Peacock, the five votes were Anderson, Graham, Mayfield, Mitchell and Molina. So, that means there is a tie which you would be the tie breaker.

Mayor Lyles said alright. As Mayor, I have the opportunity to break the tie in this and I have listened to many of us talking, what the opportunities are and in this case, I believe that the Council supported Edwin Peacock as the next District Six representative. So, with that, that is my vote.

Motion was made by Councilmember Mayfield, and seconded by Councilmember Mitchell, to accept the vote by acclamation of Edwin Peacock based on the final vote.
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The vote was taken on the motion and recorded as follows:

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

NAYS: Councilmembers Brown and Driggs

Ms. Brown said it's not unanimously. I'm not supporting that.

Mayor Lyles said no, it doesn't have to be unanimous.

Ms. Brown said oh okay.

Mayor Lyles said your vote will be recorded just as you said.

Ms. Brown said correct, yes ma'am, but you were voting again so I just wanted to make sure that it was recorded that I didn't.

Mayor Pro Tem Anderson said as well as Mr. Driggs. You have Mr. Driggs and Ms. Brown.

Ms. Mayfield said Madam Mayor, can you just call the vote again?

Ms. Brown said Ms. Mayfield, I was still trying to get clarification of the process. This is what happens. We move so swiftly and then things get twisted up. I don't want to be twisted up. I want to be clear about what's going on, on this dais. We had five and five, it was tie.

Mayor Lyles said yes.

Ms. Brown said you voted; you broke the tie.

Mayor Lyles said yes.

Ms. Brown said then we're moving forward with the nomination.

Ms. Mayfield said I made the motion.

Mayor Lyles said she made the motion.

Ms. Brown said okay, you made the motion and who seconded it?

Ms. Mayfield said for Edwin Peacock.

Ms. Brown said correct.

Mr. Mitchell said I seconded it.

Ms. Brown said Edwin Peacock, Mr. Peacock, okay. So, then everybody is voting, correct?

Ms. Mayfield said correct.

Ms. Brown said alright. So, can we see that vote?

Mayor Lyles said we're going to do a redo of our vote.

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

NAYS: Councilmembers Brown and Driggs

Mayor Lyles said okay, so with that, this item on the agenda has been completed.

Mayor Pro Tem Anderson said congratulations to Mr. Peacock.

Mayor Lyles said we should congratulate Mr. Peacock. I will give him a call. I will give him a call to let him know that he has been selected by the Council members.

**Councilmember Driggs** said he is coming tonight. He was planning to be here at 5:00 p.m. thinking that this would not happen.

Ms. Mayfield said this early.

Mayor Lyles said I know. That's okay, we'll get him through this. Okay, thank you everyone.

Mr. Fox said you have a closed session on your agenda item. I don't know if you want to do it now or you're going to do it at the end of the meeting?

Mayor Lyles said that's up to the Council. We have a closed session that's required tonight. Thank you for your patience with us, but we do have another item that has to be done in closed session.

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## **ITEM NO. 2: CLOSED SESSION (AS NECESSARY)**

Motion was made by Councilmember Ajmera, seconded by Councilmember Mayfield, and carried unanimously to go into closed session pursuant to 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.

The meeting was recessed at 4:31 p.m. for a closed session in CH 14. The Zoning Meeting reconvened at 4:45 p.m. at the conclusion of the closed session.

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## **EXPLANATION OF THE ZONING MEETING PROCESS**

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

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## **INTRODUCTION OF THE ZONING COMMITTEE**

**Shana Neeley, Vice Chair of the Zoning Committee** said thank you Mayor Pro Tem and thank you Council. My name is Shana Neely and I'm the Vice Chair the Zoning Committee of the Planning Commission. Please allow me to introduce my fellow Committee members. We have Rick Winiker, Erin Shaw, Theresa McDonald, Robin Stuart and in their absences Clayton Sealey and our Chair, Andrew Blumenthal. The Zoning Committee will next meet on Tuesday, June 3, 2025, at 5:30 p.m. At that meeting, the Zoning Committee will discuss and make recommendations on the petitions that have public hearings this evening. The public is welcome to attend that meeting; however, please note that this is not a continuation of any public hearings that are held here tonight. Prior to that meeting, you are welcome to contact us to provide input. You can find contact information and information on each petition on the City's website at [charlotteplanning.org](http://charlotteplanning.org). Thank you, Mayor Pro Tem.

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## **DEFERRALS/ WITHDRAWALS**

There were no deferrals/withdrawals.

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## CONSENT AGENDA

**ITEM NO. 3: CONSENT AGENDA ITEMS 4 THROUGH 7 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS PULLED BY A COUNCIL MEMBER. ITEMS ARE PULLED BY NOTIFYING THE CITY CLERK.**

**Mayor Pro Tem Anderson** said please note that these petitions have met the following criteria. They have had no public opposition for the petition at the hearing. Staff recommends approval. Zoning Committee represents approval and there are no changes after the Zoning Committee's recommendations. Are there any consent agenda items Council would like to pull for question or comment or a separate vote?

**Councilmember Mayfield** said Item No. 5 for a separate vote. Thank you.

Mayor Pro Tem Anderson said Item No. 5. I saw Ms. Johnson. It's the same for you?

**Councilmember Johnson** said that was the same one, yes.

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

The following items were approved:

**Item No. 4: Ordinance No. 972-Z, Petition No. 2024-064 by JF Lawrence Properties, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 7.59 acres located along the north side of Shopton Road, east of Steele Creek Road from N1-A ANDO (Neighborhood 1-A, Airport Noise District Overlay) to ML-2(CD) ANDO (Manufacturing and Logistics-2, Conditional, Airport Noise District Overlay).**

The Zoning Committee voted 7-0 (motion by McDonald, seconded by Stuart) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition follows four similar adjacent petitions (2023-035, 2022-137, 2021-042 and 2020-119) which also rezoned N1 properties to allow for industrial uses. The rear portion of the site, closest to residential uses along Gerald Drive, is proposed to be preserved as tree save. The petition limits the possible uses to solely contractor office with outdoor storage. A 65-foot Class A landscape yard is required where adjacent to CG and N1-A zoning along the western property boundary. The location of the site being adjacent to industrial zoning and within the Airport Noise Disclosure Overlay makes it less suitable for residential development as currently zoned. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Neighborhood 1 Place Type to Manufacturing & Logistics Place Type for the site.

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 061-062.

**Item No. 6: Ordinance No. 974-Z, Petition No. 2025-002 by Kelsey Miles amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.28 acres located on the northeast side of East 36th Street, west of The Plaza, and south of North Davidson Street from N1-C (Neighborhood 1-C) to NC (CD) (Neighborhood Center, Conditional).**

The Zoning Committee voted 7-0 (motion by Sealey, seconded by Shaw) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent from staff analysis based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition proposes reusing an existing home as a small medical office, which helps keep the character of the neighborhood while allowing a different type of use. Although the 2040 Policy Map recommends the Neighborhood 2 Place Type, which is intended to accommodate moderate to intense residential development, the site is located on an arterial street (East 36th Street) near other commercial and institutional uses that support the Neighborhood Center Place Type uses and character. The location of this parcel provides multi-model options with accessibility to a Neighborhood Center that begins along East 36th Street and is centralized on The Plaza. Additionally, this site has a bus stop less than 500 feet adjacent to the property. Rezoning to Neighborhood Center allows more flexibility in how the building is used, but the conditions ensure it still fits in with nearby homes and businesses. The proposed pediatric physical therapy office adds a useful service to the area without requiring major changes to the site. The surrounding area already has a mix of uses (apartments, single family houses, a church, and businesses) making this proposal compatible with neighboring properties. The site's location along East 36th Street near The Plaza supports a more walkable and connected neighborhood, which aligns with the City's goal of making more "10- minute neighborhoods". The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 8: Diverse & Resilient Economic Opportunity, 9: Retain Our Identity & Charm. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 2 Place Type to the Neighborhood Center Place Type for the site.

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 065-066.

**Item No. 7: Ordinance No. 975-Z, Petition No. 2025-006 by Beacon RCP, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 94.46 acres located on the east side of Rhyne Road, south of Mount Holly Road, and north of Belmeade Drive from I-1(CD) (Light Industrial, Conditional) to ML-1(CD) (Manufacturing and Logistics-1, Conditional).**

The Zoning Committee voted 6-0 (motion by Sealey, seconded by McDonald) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Manufacturing & Logistics Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is currently zoned I-1(CD), allowing similar uses as requested in this petition. The petition is consistent with the 2040 Policy Map recommendation for the Manufacturing & Logistics Place Type. The petition prohibits many of the most noxious uses such as adult uses and crematoriums that would otherwise be permitted in the ML-1 district. The transportation commitments of the previous rezoning, which include a new public street, streetscape enhancements, and a contribution towards improvements at Mount Holly Road & Rhyne Road, have been completed. The petition provides a 100-foot Class A landscape yard along the western property boundary where adjacent to developed N1 Place Type. The petition commits to dedicating to Mecklenburg County three acres for a public park and a minimum 90-foot wide trail easement along the western property boundary. The petition could facilitate the following 2040 Comprehensive Plan Goals: 5: Safe & Equitable Mobility, 7: Integrated Natural & Built Environments, 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 067-068.

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**ITEM NO. 5: ORDINANCE NO. 973-Z, PETITION NO. 2024-145 BY DAVIDLAND, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 8.85 ACRES LOCATED ALONG THE WEST SIDE OF I-85, SOUTH OF QUAY ROAD, AND NORTH OF RIDGE ROAD FROM N1-A (NEIGHBORHOOD 1-A) TO ML-1(CD) (MANUFACTURING AND LOGISTICS-1, CONDITIONAL).**

The Zoning Committee voted 7-0 (motion by Shaw, seconded by McDonald) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The site is located adjacent to a large I-1 site that was rezoned by Petition 2021-028 with development area 1 (274.33 acres) proposing 2,750,000 square feet of warehousing, warehouse distribution, logistics, office, manufacturing, and all other uses permitted by right as allowed in the I-1 zoning district. This rezoning changed the scale and context of the land uses in the broader area. This site will add to that continuation of uses. The site doesn't directly abut existing residential uses or share boundaries with other N1 place types, so the current N1-A zoning district is not reflective of the surrounding development, place type, or zoning districts. The site borders Cabarrus County and the adjacent area is zoned Limited Industrial, so this site will continue the land use pattern. Access to Employment Opportunity is one of the highest priority needs for this area according to the Equitable Growth Framework. The petition has the potential to increase access to employment opportunities with introduction of jobs relating to uses permitted in the ML-1 zoning district. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Manufacturing and Logistics Place Type for the site.

Motion was made by Councilmember Johnson, and seconded by Councilmember Molina to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is located adjacent to a large I-1 site that was rezoned by Petition 2021-028 with development area 1 (274.33 acres) proposing 2,750,000 square feet of warehousing, warehouse distribution, logistics, office, manufacturing, and all other uses permitted by right as allowed in the I-1 zoning district. This rezoning changed the scale and context of the land uses in the broader area. This site will add to that continuation of uses. The site doesn't directly abut existing residential uses or share boundaries with other N1 place types, so the current N1-A zoning district is not reflective of the surrounding development, place type, or zoning districts. The site borders Cabarrus County and the adjacent area is zoned Limited Industrial, so this site will continue the land use pattern. Access to Employment Opportunity is one of the highest priority needs for this area according to the Equitable Growth Framework. The petition has the potential to increase access to employment opportunities with introduction of jobs relating to uses permitted in the ML-1 zoning district. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from the Neighborhood 1 Place Type to the Manufacturing and Logistics Place Type for the site.

**Councilmember Johnson** said I just wanted to lift this one up. This was pretty much a technicality. According to my understanding, it's to change the Neighborhood Place Type to the Manufacturing and Logistics Place Type for this site. So, I will be supporting it.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 063-064.

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## DECISIONS

**ITEM NO. 8: ORDINANCE NO. 976-Z, PETITION NO. 2024-137 BY WILKES ASSET MANAGEMENT AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 13.29 ACRES LOCATED ALONG THE WEST SIDE OF JOHNSTON OEHLER ROAD, NORTH OF MALLARD CREEK ROAD, AND EAST OF PROSPERITY CHURCH ROAD FROM N1-A (NEIGHBORHOOD 1-A) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).**

The Zoning Committee voted 7-0 (motion by Neeley, 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 (2022) recommends the Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The proposed development would fill a need for housing in an area that has been identified as lacking Access to Housing Opportunity by the 2040 Comprehensive Plan. The site is a thoughtful transition between the existing single-family neighborhood across Johnston Oehler Road to Mallard Creek Park and Parkside Elementary School. Johnston Oehler Road is an appropriate buffer separating the single-family neighborhood from the site. The site is adjacent to Mallard Creek Park, its Recreation Center, and schools with existing sidewalk, planting strip, and bike infrastructure accessible to future residents. The site is within a half mile of a future Mecklenburg County greenway. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

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

1. Commits to no more than 20% of the units may be for rent at any time.
2. All buildings adjacent to Johnston Oehler Road shall be limited to a maximum building height of 44-feet.
3. Commits to installing an eight-foot planting strip and eight-foot sidewalk along all public roadway frontages on the internal roadways.
4. No entity or person shall own more than two units within the Site.
5. Units shall not be available for rent within the first 12 months of the initial purchase unless otherwise approved by the homeowner's association.

**David Pettine, Planning, Design & Development** said these were all notes that were made in coordination with, from what we understand, conversations with the community. We believe they are minor and do not warrant additional review by the Zoning Committee and we'll take any questions you may have.

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

Motion was made by Councilmember Johnson, and seconded by Councilmember Molina, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 1 Place Type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed development would fill a need for housing in an area that has been identified as lacking Access to Housing Opportunity by the 2040 Comprehensive Plan. The site is a thoughtful transition between the existing single-family neighborhood across Johnston Oehler Road to Mallard Creek Park and Parkside Elementary School. Johnston Oehler Road is an appropriate buffer separating the single-family neighborhood from the site. The site is adjacent to Mallard Creek Park, its Recreation Center, and schools with existing sidewalk, planting strip, and bike infrastructure accessible to future residents. The site is within a half mile of a future Mecklenburg County greenway. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site as modified.

**Councilmember Johnson** said so I just really want to lift up this petition. It's said that's what's good for this District is good for the City and I just want to acknowledge the standard on this development. I want to thank the petitioner; I want to thank Bridget for working so hard. We had two or three community meetings. I want to thank District Four Coalition and also Robyns Glen Subdivision, namely Mr. Michael Foust. He was here speaking in opposition. So, they worked really hard working with the developer, and you all heard some of the concessions but I just want to lift them up. Initially I think there were 165 units. There's now 145 dwelling units. They're for sale, commits no more than 20 percent of the units to be for rent at any time. When we talk about advocating for home ownership, this is one of these complexes. The eight-foot planting strip. No entity or person shall own more than two units within one site. That's so important. Councilmember Mayfield and I were in a meeting just last week and there's over 800,000 corporate owned units here in Charlotte, it drives the market. So, these kinds of standards are so important as we're considering these petitions.

**Councilmember Mayfield** said 80,000.

Ms. Johnson said 80,000, okay. Preferred design guidelines and the neighbors were opposed to this initially, but we have to consider what's allowed by-right. So, that's something that we can take a look at as a Council, but right now this is one of those petitions, it raises the standard in District Four. I want to thank again the D Four Coalition and all of the residents who speak out. I am listening and I know that this developer has another petition on the agenda tonight in a different District and these are just kind of the standards that I think are important to set in the City. So, I'm honored to support this and again I want to thank you Bridget publicly for all of your hard work. Thank you.

**Councilmember Ajmera** said I agree with everything Councilwoman Johnson stated. I'd also like to recognize the outreach efforts that Bridget does, reaching out to the community and really keeping us informed throughout the process. I certainly appreciate that and really, she's creating a model for other developers and other petitioners to follow. So, great job.

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

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 069-070.

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**ITEM NO. 9: ORDINANCE NO. 977-Z, PETITION NO. 2024-144 BY DIGITAL MOORES CHAPEL, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 156.23 ACRES LOCATED SOUTH OF I-85, EAST OF MOORES CHAPEL ROAD, AND WEST OF SAM WILSON ROAD FROM I-2(CD) (GENERAL INDUSTRIAL, CONDITIONAL) TO I-2(CD) SPA (GENERAL INDUSTRIAL, CONDITIONAL, SITE PLAN AMENDMENT).**

The Zoning Committee voted 7-0 (motion by Winiker, seconded by McDonald) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent 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 Manufacturing & Logistics Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: This petition requests to amend rezoning Petition 2020- 049, approved on November 16, 2020. 2020-049 rezoned approximately 156.23 acres from R-3(Single Family) to I-2(CD) to allow for up to 1,530,000 square feet of warehousing and industrial uses. The petition would maintain the already approved building footprint but would allow for up to 3,000,000 square feet for telecommunications and data storage uses. The proposed changes limit the proposed gross square footage increase for telecommunication data center facilities uses only. The proposed changes will also reduce total building phases to two. The proposed site plan will provide buffers between the industrial development and the adjacent residential neighborhoods. The proposed site plan amendment retains all other commitments on the previously approved plan. This area has seen many industrial projects and would maintain continuity with current trends. The location of the site near I-85, Wilkinson Blvd, and the Charlotte-Douglas International Airport provides regional access which makes this site desirable for larger scale industrial development. Access to employment is the highest priority need in this area according to the EGF (Equitable Growth Framework) community reports. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. Petitioner to add notes outlining water usage and environmental risk mitigation.

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. Proposed buildings shall be constructed to achieve LEED Silver minimum (or equivalent) standards.
2. The petitioner commits to a closed-loop cooling system for the data center use. The closed-loop cooling system shall be maintained in accordance with manufacturing specifications.

**David Pettine, Planning, Design & Development** said that closed loop system is important and preferred. After conversations with Charlotte Water, it is much less demanding on local water sources and really it's just enough water that they would need

to run just normal operations for you know, office use, flushing toilets, sinks, breakrooms, that type of thing. So, they did commit to installing that type of system which again is much less strenuous on our water system.

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

Motion was made by Councilmember Brown, and seconded by Councilmember Ajmera, 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 Manufacturing & Logistics Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: This petition requests to amend rezoning Petition 2020- 049, approved on November 16, 2020. 2020-049 rezoned approximately 156.23 acres from R-3(Single Family) to I-2(CD) to allow for up to 1,530,000 square feet of warehousing and industrial uses. The petition would maintain the already approved building footprint but would allow for up to 3,000,000 square feet for telecommunications and data storage uses. The proposed changes limit the proposed gross square footage increase for telecommunication data center facilities uses only. The proposed changes will also reduce total building phases to two. The proposed site plan will provide buffers between the industrial development and the adjacent residential neighborhoods. The proposed site plan amendment retains all other commitments on the previously approved plan. This area has seen many industrial projects and would maintain continuity with current trends. The location of the site near I-85, Wilkinson Blvd, and the Charlotte-Douglas International Airport provides regional access which makes this site desirable for larger scale industrial development. Access to employment is the highest priority need in this area according to the EGF (Equitable Growth Framework) community reports. The petition could facilitate the following 2040 Comprehensive Plan Goals: 8: Diverse & Resilient Economic Opportunity. Petitioner to add notes outlining water usage and environmental risk mitigation as modified.

**Councilmember Brown** said so I was speaking to the attorney. Mr. Collin, is he here?

Unknown said Brown.

Ms. Brown said is Mr. Brown here today? Oh, Brittany's here, okay. So, I was speaking with him, and he had it shared that they had addressed all of the potential environmental impacts and that they had spoken to the community, there was no opposition. About 16 members in the community meeting and I wanted to know Mr. Pettine did you hear anything about the details of the impact on the environmental community?

Mr. Pettine said we hadn't heard, and I believe there was some information shared from the petitioner that we did see, but we haven't heard any real significant comments from our folks internally on staff. We're really as a City staff not equipped to put together an environmental assessment, but we did get some information from the petitioner that hopefully address some of that. I believe that was sent to Council.

Ms. Brown said yes, I think Mr. Brown sent this information over. I don't think that he would just send information over that wasn't true. So, I did want to get on record stating that we did have some concerns about the environmental impact and that he did address those concerns. So, I wanted to make sure that we, you know, record that Clerk for me please that that was addressed and also the community involvement which are the questions that I raised with him and if any other Council members have concern,

but I'm in the position to move forward and vote in favor of. Mr. Pettine, that's all I have for you today.

Mr. Pettine said thank you.

**Councilmember Watlington** said Councilmember Brown spoke to my questions. Thank you.

Ms. Brown said you're very welcome.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 071-072.

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**ITEM NO. 10: ORDINANCE NO. 978-Z, PETITION NO. 2025-022 BY BILL SCANTLAND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 5.80 ACRES LOCATED EAST OF W.T. HARRIS BOULEVARD, NORTH OF HARRIS PARK BOULEVARD, AND SOUTH OF DELTA LANDING ROAD FROM R-20MF(CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO N2-B (CD) (NEIGHBORHOOD 2-B, CONDITIONAL).**

The Zoning Committee voted 7-0 (motion by McDonald, seconded by Shaw) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition site is currently part of a conditional zoning, entitling the site to a multi-family stacked development. The petition is consistent with the 2040 Policy Map and would allow for a development pattern consistent with the surrounding community. The site is well-connected to public-transit, with CATS bus stops nearby, providing access to other parts of the city without needing a car. The access to public-transit is consistent with the character of the Neighborhood 2 Place Type. The petition will reserve all units for households earning at or below 60% of the area median income for a period of 30 years. The petition could facilitate the following 2040 Comprehensive Plan Goals: 3: Housing Access for All, 6: Healthy, Safe & Active Communities.

Motion was made by Councilmember Molina, and seconded by Councilmember Brown, to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Neighborhood 2 Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition site is currently part of a conditional zoning, entitling the site to a multi-family stacked development. The petition is consistent with the 2040 Policy Map and would allow for a development pattern consistent with the surrounding community. The site is well-connected to public-transit, with CATS bus stops nearby, providing access to other parts of the city without needing a car. The access to public-transit is consistent with the character of the Neighborhood 2 Place Type. The petition will reserve all units for households earning at or below 60% of the area median income for a period of 30

years. The petition could facilitate the following 2040 Comprehensive Plan Goals: 3: Housing Access for All, 6: Healthy, Safe & Active Communities.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 68, at Page(s) 073-074.

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## HEARINGS

**ITEM NO. 11: HEARING ON PETITION NO. 2025-047 BY CHARLOTTE PLANNING, DESIGN & DEVELOPMENT DEPARTMENT - TEXT AMENDMENT. THE CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE (UDO) REQUIRES PERIODIC UPDATES TO MAINTAIN ITS STATUS AS A "LIVING DOCUMENT." THE PURPOSE OF THIS TEXT AMENDMENT IS 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 27 OF THE 39 ARTICLES.**

**Mayor Pro Tem Anderson** declared the hearing open.

**David Pettine, Planning, Design & Development** said so this evening we have a Text Amendment on our agenda. This is petition 2025-047. We've discussed this with TPD (Transportation, Planning and Development) a few weeks back, but we'll go over the full highlights again here at the public hearing this evening. This is our first maintenance amendment. So, we'll go through these slides here. So, again, why is the Text Amendment needed? Continuing to facilitate the goals of the Comp Plan. A major document like this does require updates and adjustments and revisions just to maintain some efficiency and best practices, work through challenges that we come across through staff input and external stakeholder input, and also continue to make this a more user-friendly document with better functionality.

So, as we discussed a few weeks back with TPD we are moving into a maintenance amendment approach with our UDO (Unified Development Ordinance). In the past you've seen various Text Amendments come through and they would address different topics as we kind of got them delivered to us. We are moving into a maintenance process which would maintain two biannual Text Amendments that we will do. We will refer to those again as maintenance amendments. They will combine both technical things and policy-based amendments. So, we used to do clean up amendments. This will involve some of those clean up items and we would do larger policy-based amendments like conservation, subdivisions and compact subdivisions. They will also be a part of this overall process. So, really this is combining both of those efforts into one engagement for these amendments. We'll also combine those approaches. So, we'll continue to use virtual information sessions, post things on our website, deal with mailing lists, have collaboration with our stakeholders both internal and external, work with our UDO Advisory Committee and also any other things we may need like in-person workshops or neighborhood meetings.

So, all of that again will be boiled down into one singular process that we will do twice a year. Of course, if there's emergency things that pop up or things we need to address from legislative changes at the State level, we can certainly put those in process outside

of that biannual approach, but just wanted to cover that with y'all so we can understand how we're going to go through these moving forward over the next few months of this year and then moving into next year as well.

So, what's in this amendment this evening? I just want to highlight a few items, some of the bigger policy items, sites with multiple frontages and research campus options. We've included some changes to that. One, we had some challenges with sites that had multiple frontages that would have a front on three or four different streets. Really understanding where those uses can put their back of house operations, parking, those types of the things, how they need to treat the different sides of the buildings. Those were really a challenge when you had a site that had three and four streets around it or comprised a large block. So, we made that a little bit more flexible to understand how folks can program those sites a little bit more efficiently. We also put together a research campus with light industrial. That's a new use that we've introduced into the UDO. We talked about with TPD we've been a little bit short on our tools to better attract and accommodate life science campuses. So, that's something we feel that with this new use and a couple of other tweaks we've made in this Text Amendment that we'd be better positioned now as a City to again attract and facilitate some of those life science uses that are certainly of interest within this City and within the region.

So, when we go into the next topic that we've got, office conversions, we certainly are aware of the office market. We didn't want to propose adaptive reuse of an existing office to a residential use as a more of a by-right process. There are challenges with converting that from a building code standpoint, but we wanted to at least remove the zoning barrier for that and allow that to occur as an adaptive reuse process. We are also going to introduce the facilitation of sites that already have a vacant office building on site that can be either converted or you could also redevelop that site with multi-family. So, that again would have to have an existing building on the site. It doesn't apply right now to vacant properties. That is something that we are looking at continually and we may see in a future amendment, but for now we're allowing again, that adaptive reuse or redevelopment of a site with an office building currently on it to allow more residential options. We've also modified some of our landscape yard requirements. This is getting into some of the nitty gritty of it, but we did have some challenges of landscape yards, both with existing uses and future uses. We've gone back to a Zoning District approach rather than the approach we had which was based on Place Types, which was again causing some challenges for projects to be delivered successfully. So, we've worked with some stakeholders on getting that changed. Hopefully that will again alleviate some of those headaches. We've made some changes to applicability for the UDO. We've gotten rid of some confusing language regarding North Carolina fire code. Again, modified applicability of frontages, clarified some applicability of green areas, tree preservation and heritage trees. We did talk a little bit at TPD about some changes to the applicability of the Stormwater Ordinance. We are going to put that on hold until some legislative language potentially gets shaken out at the State level, but we may see some continuing items on that in future amendments, but that was removed. It will be removed after the public hearing from this Text Amendment.

One more couple of quick items of Zoning District standards. We have worked again with our external stakeholders in the development industry, understanding that corrugated metal has again come a long way. We do want to allow that as a building material under certain conditions. So, we did allow that as something that again, that is a change that we think will facilitate some additional projects that want to use that material. We did get into some different develop standards and modified some things, simplified setbacks for accessory structures. So, things like sheds, accessory dwelling units, those have all been updated. We did update parking standards to clarify some different things for location of nonresidential uses where there's not a principle building on site, adjusted the ratios for parking for banks and retail goods. It also allowed some changes to our maximum driveway widths. So, again all things that as we continue to work with this document, learn more about it, and understand some of the challenges with it, we are continuing to make some of those tweaks and changes. We do think that

these put us again in a better position for this document to be used and implemented more successfully. We do recommend approval of the petition. We do think it's consistent with the Comprehensive Plan goals. We'll be happy to take any questions that you may have on this particular maintenance amendment.

**Councilmember Mayfield** said Mr. Pettine, under parking you have in here, "clarifies horseshoe driveways may serve individual or multiple buildings." Help me understand that because we already have some units. I can think of one particular area where they built four single-family homes, and it is physically one driveway that pulls in and it's one way in and one way out. So, once you have residents that rent all four of those, you're locked in if there was an emergency or even just having access. So, help me understand this horseshoe language for it to be multiple or a single when we are already seeing the impact of some of our driving minimums and how it's really creating challenge in neighborhoods.

Mr. Pettine said so, the driveway itself would just serve the site. They still have to meet parking requirements if they have let's say a duplex or a triplex on that site, but I think what we had tweaked in this one, and I'll look over to staff just for some clarifications, I don't believe we allowed horseshoe driveways to serve duplex and triplexes in the past. Is that correct Kevin or am I misunderstanding that element of it?

**Kevin May, Planning Project Manager** said good evening Council, Kevin May, Planning staff. What Dave said is correct. We were finding some challenges as projects were submitted to the City where it was unclear, I think, for external users and for our staff whether horseshoe driveways could be utilized in certain instances, especially with regard to developments of duplex, triplex and quad and the language here is trying to facilitate and make it more clear as those projects come in that that is a form of a drive that they can use separate from needing to meet the parking requirements, but to ensure safety of the motoring traffic, especially along arterials.

Ms. Mayfield said so, the challenge that I have is the fact that we did add the clarifying language of "may serve individual or multiple" versus clarifying either/or because we already see the challenges. Now we have, and the next bullet provides guidance for maximum driveway width between curb and sidewalk if no sidewalk is present, but just based off of what we have approved and challenges that we're having, I have concern that having language that clarifies a horseshoe driveway may serve individual or multiple buildings versus identifying individual only or multiple only. That flexibility in that interpretation or translation using the word may, I have concerns.

Mr. Pettine said okay. We'll see if we can clean it up and make it a little bit more clear and differentiate that a little bit better.

Ms. Mayfield said thank you.

Mayor Pro Tem Anderson said thank you. Any additional comment? Hearing none, is there a motion to close public hearing?

Motion was made by Councilmember Graham, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.
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**ITEM NO. 12: HEARING ON PETITION 2025-015 BY WILKES ASSET MANAGEMENT FOR A CHANGE IN ZONING FOR APPROXIMATELY 8.74 ACRES LOCATED ON THE SOUTH SIDE OF MOUNT HOLLY ROAD, WEST OF RHYNE ROAD, AND EAST OF CRESTON CIRCLE FROM N1-A (NEIGHBORHOOD 1-A) AND ML-1 (MANUFACTURING AND LOGISTICS-1) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is a little under nine acres located along the west side of Mount Holly Road, in an area where we have a diverse range of residential product types, single-family as well as multi-family residential and entitlements to the south and west that include some multi-family and commercial and single-family uses. The site is currently zoned Neighborhood 1-A with a small portion of it along the northern edge zoned Manufacturing and Logistics-1. They are proposing to go to Neighborhood 2-A, conditional. That proposed zoning is inconsistent with the Policy Map's recommendation for the Neighborhood 1 Place Type at this site. The proposal itself is for up to 100 multi-family attached. So, townhome style dwelling units. It would have a 12-foot multi-use path and eight-foot planting strip along Mount Holly Road with eight-foot planting strips and eight-foot sidewalks located internal to the site. They would commit to constructing ADA (Americans with Disabilities Act) compliant bus waiting area along the frontage. They would also be building a northbound left turn lane along Mount Holly Road. There would be a 10-foot landscape yard planted to Class B standards. So, going above and beyond what is typically required along the southeastern boundary where it abuts a commercial use, that is zoned Manufacturing and Logistics-1.

Open space would be provided across the site and would be amenitized and there are quantifications for how exactly that open space is being enhanced beyond ordinance standards. Direct pedestrian connections would be provided from residential units to any public network and required public/private streets. Street trees would be provided along the alleys providing for a bit more canopy throughout the site. All dwelling units would have a garage. There would be 10 off-street visitor parking spaces on the site and there are some architectural standards included a maximum of six dwelling units per building with no more of those six-unit buildings being limited to three of those buildings total across the site. The buildings along Mount Holly Road themselves would be limited to four and five units. It also provides some preferred architectural standards related to porches and stoops as well as some others and would screen any solid waste facilities, meter banks, HVAC (Heating, Ventilation and Air Conditioning), and mechanical equipment.

Staff does recommend approval of this petition upon resolution of outstanding issues related to site and building design. Although inconsistent with the Policy Map's recommendation, the site does meet criteria that we would look for when considering a change to the Neighborhood 2 Place Type. The site is within a third of a mile of a designated Activity Center, within three-quarters of a mile of an existing commercial development that contains relevant goods and services that future residents may access. The site is located directly along a bus route. It would further improve those transit options with a commitment to upgrade that bus waiting area. It's adjacent to MX Zoning that allows for similar uses as well as some existing multi-family uses along Mount Holly Road that are similar in product type. This proposal is in an area that has been identified as lacking access to housing opportunity in our Comprehensive Plan and I'll take questions following comments.

**Bridget Grant, 100 North Tryon Street, Suite 4700** said good evening, Mayor Pro Tem, members of Council, member of the Zoning Committee. Bridget Grant, Land Use Consultant with Moore and Van Allen. I'm pleased to be here this evening representing Josh Wilkes and Wilkes Asset Management. This is the same development company you spoke so highly of earlier this evening, and we appreciate your kind words. I'm going to do my best, not duplicate any of what Holly had to say but will try to elevate some of this. As she mentioned, the site is 8.74 acres located on Mount Holly Road. You can see that we're adjacent to a public storage facility and undeveloped site to the west that's zoned for a mix of uses including multi-family and office. The current combination of zoning in the area is a mix of N-1, ML, N1-A, and as I mentioned, that MX-3. It is part of the Whitewater Center site but as I mentioned zoned for a much more intense use. This is the 2040 Place Type Map, and I think it's a little deceiving by showing the entire area as N-1 given it does have zoning entitlements for much higher uses. It's adjacent to Manufacturing and Logistics and Neighborhood 1 and as Holly

mentioned, it is within close proximity to an Activity Center, but also other commercial uses on the Mount Holly Huntersville Road Corridor.

When staff is making decisions about how to change the zoning on a site, we often take a look at our access to greenways and parks in the area as well as transit. This is just a list that gives you a high level of being located next to an Activity Center, proximity to schools, parks, our road frontage, bike lanes, proximity to similar Place Types, providing transition between Place Types to the next tier and providing housing opportunities. So, I'm pleased to say that we have staff's support probably largely in part to our ability to check a lot of these boxes. This is a site plan that gives you a little easier read on how the site's going to be laid out other than what's already in the packet that you received. You can see we've got a mix of building types. It's primarily a townhome use. We've got a 12-foot multi-use path along our frontage. Our access is limited to coming off of Mount Holly Road. We are proposing a stub street to the rear of the site.

Before closing, I want to confirm that we did receive some correspondence from the neighborhood stakeholder group, and we've worked diligently over the past couple of days and over the weekend to try to do our best to get our answers from NCDOT (North Carolina Department of Transportation) and C-DOT (Charlotte Department of Transportation) and even Planning staff on how best to address those concerns. The first one was the addition of a deceleration lane which is a right-hand turn lane into the development. That lets cars pull out of the way and turn into the community without slowing down traffic on Mount Holly Road. NCDOT has given us preliminary assurance that that's something that they would support. The second thing that was requested is an RCI (Reduced Conflict Intersections) which basically eliminates your ability to make a left hand turn out of the community and at times, it's reduced conflict. Upon preliminary review, NCDOT did not think that was the right thing to do in this location. It doesn't meet all of their criteria in terms of the medians available for U-turn movement and not utilizing neighborhood streets to make that U-turn. That said, this is our preliminary conversation and we're happy to explore that further.

The last request was to convert the public alleys in the community all to public streets and this one is a little unique because the new ordinance has some underpinnings that has to do with your primary entrance and orientation. It's to orient the units to the existing public streets. So, we're required to orient our units to Mount Holly Road and we're required to orient our new units to the internal new public street which in some ways necessitates having alleys to access them so that we can keep really strong pedestrian corridors on the public streets. We've also confirmed that fire does review all of the alleys and site plans that go through. We meet all of the required turning radiuses. Fire would have the opportunity to provide any feedback on any adjustments needed. The private alleys are designed to the same pavement standards as public streets. So, HOAs (Homeowner Association) are responsible for the long-term management but they are built to City street standards. With that, I'm happy to answer any questions.

**Erin Oliverio, 10631 Northwoods Forest Drive** said good evening, my name is Erin Oliverio. We thank you all for your time tonight. We are here as representatives of the Mountain Island Lake Community Alliance to discuss our concerns and more importantly our proposals regarding the rezoning petition 2025-015. I did bring a presentation, and I apologize about the mistype on the front. It's an extra two. So, I'm sorry about that. It's just 015. We are not opposed to growth. In fact, we embrace thoughtful collaborative development that reflects our values and ensures long term sustainability. Mountain Island Lake is a growing community. We're home to nearly 38,000 residents. Many of us are long term residents. Once people move into the community they stay for a long time. I know myself; I have lived in my home for 21 years and I know others that are speaking tonight have lived there for a really long time as well.

Our community is primarily accessed by State-maintained roads. This makes coordination and traffic planning especially important. These roads are not only the

crossroads of our community, they are connectors between 485 and other surrounding communities which are also growing significantly. The impact on these roads in our area due to growth in Mount Holly, Belmont, and Denver cannot be understated. As development continues, we believe it's critical to work together with the State, City staff, developers, and decision makers like yourselves to ensure we grow responsibly.

On the second and third slides that are titled Mount Holly Road and Mount Holly Road Development, you can see numbers from NCDOT. We have over 20,000 trips a day along this section of road from 485 up to Mount Holly Huntersville and then turning left to continue on to Mount Holly Road. The recent rezonings on these pages, it's probably not all of them. It was hard to gather all of but that's over 2,000 units and they're estimating that that's an additional 16,000 trips a day. Many of those have not been built yet. So, we're not even at all of that right now and then we're expecting hundreds more. We have a lot of vacant land in our community, and we know that all of this development is coming and it's all going through the same strained road system. Each project adds stress to our roads' infrastructure and natural resources. We are not saying no to growth, we are saying let's make it smarter and safer.

**Melba Merritt, 1434 Bray Drive** said hi, my name is Melba Merrit. I also live in the area. I've been there about 20 years now. So, I've definitely seen a lot of the development come in and grow. Now that you've had some background on the area, let's talk about the rezoning petition and some things that are site specific that deserves your attention. The current site plan does not show the curve in the road immediately adjacent to the development if you're looking at the exit concern slide. If you look at the images on either side of the site plan, you'll see what we mean. That curve will directly impact how safely and easily residents can exit and enter the neighborhood. This is a real traffic hazard that hasn't been adequately addressed in the current plans. Ignoring it increases the chances of collisions, particularly as traffic builds up at peak hours. On the slide reduce conflict intersections, to give you some information about that, our solution and request are to use reduced conflict intersections, RCIs. These intersections reduce left turns from side streets improving both traffic flow and safety. NCDOT studies show that RCIs cut total crash rates by 50 percent. They reduce frontal impact crashes by 80 percent. These crashes often result in serious injuries and/or death. It also reduces travel time by 20 percent.

We're not asking for something unusual or costly, we're suggesting a proven State-supported solution that aligns with the infrastructure needs of our growing area. Without addressing the traffic that already exists in the area and will be further impacted by the pending development, we're hoping to set up our community and your further planning teams for long term problems. The area has been seeing numerous deadly accidents including two tanker accidents that spilled enough fuel to reach local [inaudible] creeks as well as hundreds of smaller collisions due to high traffic volume and residents trying to get in and out of their neighborhoods. It's not just about the traffic for us that are here and those that are coming. It's about the livability of the area. It currently takes me about 15 minutes on a normal day during peak hours just to get out of my neighborhood. If congestion and danger continue to increase, the quality of life for the thousands of residents that are there and who are coming will be directly impacted.

**Tony Price, 9011 Mount Holly Road** said good evening, folks. My name's Tony Price. I live exactly one mile on Mount Holly Road from the proposed development I have lived there for 38 years. So, I've seen a lot of tremendous growth in the area. Our additional request, we'd like to highlight two specific requests that are vital to ensure safety and equitable growth in our area. A deceleration lane. This would allow cars to safely slow down before entering the new neighborhood reducing rear end collisions and keeping through traffic moving. Public streets. We're asking that the streets in this development be designated as public not private. While private streets are allowing the Unified Development Ordinance, they are increasingly being used as a loophole allowing developers to fit more units on a site and avoid planting as many trees and foot paths, bike lanes. This may benefit the short-term bottom line of a project, but it comes at the long-term expense of the residents and the community. Safety guys, safety. Public

streets mean the City, not future homeowners will be responsible for road maintenance, more opportunities to plant trees, provide shade and improve stormwater management. A better more walkable and livable neighborhood over time. These are common sense improvements that will serve both current and future residents and help preserve the character and health of our Mountain Island Lake area. The bigger concern to me and to many in that area is just the lack of infrastructure period. As I said, I've lived in my home there, and my wife and raised two girls there for 38 years. In the last 10 years I've had multiple vehicles go through the fence on my property. We've had a young lady killed in front of my property. In the last year I have had three separate incidents, vehicles going through my fence on my property, taking out a bus stop in front of my property that had a concrete trash bin that I could not move myself, but it got taken out and replaced multiple times. Fortunately, no one was killed, because if people had been standing there. It's on an angle, there's wheelchairs folks trying to use that. It's criminal how it is. It's just wrong. The bus stop, the trash can, there's safety signs right in front of my house being taken out. I cannot get these replaced by DOT (Department of Transportation), the City, or the transit people. We have contacted them all multiple times. I have asked the police at the wrecks, "Do I need to take care of these signs, someone going about them?" They said, "No, we will take care of it." So, supposedly they also called about this and still nothing has been done. Some of these signs, the reflective signs showing where it's going down to one lane, been down for over a year. Can't get it put it. Pitiful, pitiful.

Another problem is, other developers, are they going to be honest and show the potential buyers and residents what the traffic is like there between 4:00 p.m. and 6:00 p.m.? Yes, the fire department might look at this, but have they looked at it between 4:00 p.m. and 6:00 p.m. when the traffic is blocked up for miles? It takes about 30 minutes to go one and a quarter mile at that time of day there. I think there are big issues involved with this development on that particular road. As stated, we want the growth, we want our area to look like the other side of town, but we need some help from you folks please. Help us out and look at everything that's going on around that development area before you start approving these developments. It would be greatly appreciated and supported by all of our residents. Thank you for your time and listening to us.

Ms. Grant said I want to say we really appreciate the thoughtful feedback that the community provided. They gave us very specific requests and that's generally very helpful when we try to work with the community. I think we still have a little bit more work to do. As we mentioned, preliminarily we can already do that deceleration lane. They're always opportunities when working with alley communities to look for other ways to incorporate trees into the overall design, and we know that when we work to address some of staff's comments there's probably going to be a loss of units that also creates additional opportunities for open space. So, all of that is to say we know we've got a little more work to do with the community and we will continue to do that. Happy to answer any questions.

**Councilmember Graham** said let me thank the neighborhood leaders for coming out tonight and providing their feedback. I've been working with them for the last six to eight weeks on a wide variety of issues in the Mountain Island Lake area specifically to the impact of traffic and congestion in the area. We had a town hall meeting two weeks ago I think in Mountain Island Lake that we specifically addressed some of the issues and concerns and I've seen it for myself in terms of taking tours in the morning as well as in the afternoon. So, I get their frustrations and their willingness to cooperate and be advocates for the community. So, we can do the deceleration lane?

Ms. Grant said we can, preliminarily NCDOT without full reviews said they would support it.

Mr. Graham said you're working on whether or not there could be only a right turn?

Ms. Grant said there were some concerns. It is a tool that they use throughout the community in different locations but like a traffic signal, you have to meet certain criteria or it could actually have an adverse effect. So, in this particular area it doesn't meet the criteria based on their preliminary review. C-DOT might be able to speak to that a little more clearly than I can.

Mr. Graham said Mount Holly, to staff, is a State road?

Ms. Cramer said yes. Mount Holly Road?

Mr. Graham said yes, where the entrance is which is Mount Holly Road.

Ms. Cramer said yes, it's a State road, yes.

Mr. Graham said a State road, right. Just wanted to double check with that.

Ms. Cramer said yes, it's a State road, it's a State maintained road.

Mr. Graham said is there any preliminary plan for future development or construction for Mount Holly Road? Can you kind of help me level set here?

Ms. Cramer said so, for Mount Holly Road improvements I will turn that over to C-DOT to go over.

**Jacob Carpenter, CDOT** said Jake Carpenter with C-DOT. Are you asking about development specifically or improvements too?

Mr. Graham said improvements. Scheduled improvements for Mount Holly Road.

Mr. Carpenter said right now in the STIP (State Transportation Improvement Program) rankings which is the project rankings for State roads and State projects, there are identified projects to widen Mount Holly Road as well as Mount Holly Huntersville Road to the north. Those projects are not funded but will be competing in the rankings to get funded as a part of the evaluation process that the State completes for their projects.

Mr. Graham said not that I don't trust Ms. Grant, I trust her, I work a lot with her, but in terms of making sure that the requirements for a right turn only is met, or that they cannot do that, has that been verified by staff or is that something you can kind of continue to work on and make sure we get that situated?

Mr. Carpenter said so, staff has just been brought into the review of this and we haven't completed a review and have not coordinated with NCDOT to this point but there are some concerns with the implication of where U-turning traffic would complete their movements if restricted movements were implemented. So, we're still evaluating and coordinating with NCDOT.

Mr. Graham said are there any outstanding traffic issues that you guys are negotiating with the developers with as it relates to this rezoning?

Mr. Carpenter said as far as this petition goes, C-DOT does not have any outstanding issues that they're working on.

Mr. Graham said staff?

Ms. Cramer said yes, there are a couple of outstanding issues as it relates to site and building design. What we're specifically asking for is an increase in open space across the site so that every unit could access usable common open space and additionally we are looking to see a reduction in the maximum unit count per building from six to five and to commit to a minimum proportion of those buildings across the site being less

intense residential forms like duplexes and triplexes. The petitioner is aware of these outstanding issues, and they've noted that they'll take a look to see what can be done.

Mr. Graham said okay. Okay, and are you still engaged in conversation with the neighborhood leaders in reference to some of those concerns and is there a way that I can play a role to making sure that we kind of find a happy medium?

Ms. Grant said I think it's appropriate for us to have another follow up after we get a little more information, and we also look at where we land with our revised site plan based on the redesign that we're expecting from City comments.

Mr. Graham said I know we talked about the private streets, so she is saying that that's something that based on the UDO that the frontage has to be done that way. Could you further explain?

Ms. Cramer said so, the UDO has certain requirements in terms of where buildings may orient. If it's along a public street frontage like Mount Holly Road, you need to orient along that or orient along common open space that's a minimum of 50 feet in width. So, any redesign of their open space could potentially change your private street network internal to the site. I'm not sure what they've been considering but we expect if our outstanding issues are to be addressed, the increase in open space and the modifications to the actual residential building types, it could change site layout depending on what they're actually considering and what constraints they might be working with.

Mr. Graham said okay. So, that's something that you guys are still working through?

Ms. Cramer said correct.

Mr. Graham said okay. What's the traffic count?

Ms. Cramer said the traffic generation on this I believe is 712 trips and C-DOT can provide more information about how that's triggered and what info went into that.

Mr. Carpenter said so, the estimated traffic generation for the site is around 700 trips. The by-right estimate is close to 300. So, it's a little over twice the by-right estimate, but the 700 is approximate for this proposed site at 100 units.

Mr. Graham said this does not require a traffic study?

Mr. Carpenter said it does not require a traffic study and any other transportation requirements. The left turn lane that's proposed and the additional right turn lane which they're looking at committing to would be acceptable for C-DOT for access and traffic improvements for this level of development.

Mr. Graham said well I'm hopeful that within the next 30 days before it comes back to us in June 2025 that there could be a meeting of the minds if there can be with the neighborhood leaders in reference to some of the outstanding issues. Obviously, the outstanding issues that staff have will be addressed certainly. I still have some other questions I would like to ask offline with you and the neighborhood leaders. So, I'm willing to kind of bridge that gap. There will be a number of eyeballs at least from me specifically on what's happening over there in Mountain Island Lake with this petition as well as others. I had the opportunity this morning, staff, to meet with the Zoning Commission via our weekly briefing and talk specifically about the area in general and then specifically about this particular rezoning request. So, looking forward to doing more work, but certainly I want to applaud the residents for coming out today and looking forward in the interim between now and June 2025 to have further conversations. Thank you, Madam Mayor Pro Tem.

**Councilmember Mayfield** said question for staff. Earlier when you were doing your presentation you made a comment that this area has been identified lacking housing opportunity. I would like to know from what year was that identified? Mainly because one, full transparency, I live in the area. So, if you drive straight up Mount Holly basically the dead-end cross over Mount Holly Huntersville. That's a dead-end area. That's an area that's technically ETJ (Extraterritorial Jurisdiction) and did not need a rezoning where we have multiple units that have been built, whether they're for rent, townhomes, multiple units. Traffic has seen a major impact. If you were to traverse up Mount Holly Road and make a right onto Mount Holly Huntersville, there is a development that is multiple units that also did not need to go through a rezoning, that I don't even know how many units that one is. That is going to have a major impact. You drive up less than half a mile, there's multiple projects that we've approved. If you were to make a U-turn if you can, which is in itself a challenge because there is no other light. There is no light. There's no traffic calming between Mount Holly Huntersville Road down to Belhaven. There is no traffic calming. There is no traffic calming or really additional light if you make a left onto Mount Holly Huntersville heading into Gastonia. You're going to have a long wait. If you happen to mess up and be in the wrong lane, depending on the time of day, that's going to be a challenge. So, I would like to know when this area was identified for lacking housing opportunity and at what point do we plan on updating that because Council has approved multiple projects not including all the permits that have been pulled for projects that are currently in community and those that are being built now.

Ms. Cramer said yes, I certainly understand where that is coming from. I will say that information's provided by our long-range planning team and it has to do with the equitable growth framework provided in the Comprehensive Plan. So, I'll have to confer with them and put it in a follow up report about the exact year as to when that data was collected. So, I don't want to misrepresent and answer now by telling you something.

Ms. Mayfield said so, I would appreciate getting that information before this comes back to full Council. So, we looked at language for update on our policy. What was noted, and we have heard on more than one occasion, that a traffic study is not triggered. Somewhere in the language, and this is something that you might be able to provide later, I'm not expecting you to have the answer now since we're in the hearing, on what is the trigger for Council to instruct staff to know that what we previously used for a traffic study update no longer works for the developments that we have. We're not even 15 anymore. We're now the 14<sup>th</sup> largest City. We're the fifth fastest growing. So, as we're making these updates for this living document, there has to be a new trigger for these traffic studies as well as looking at what my colleague Councilmember Reneé had said on multiple occasions. That map, that overlay of looking at what the impact is, because this seems great when you present it this way, but this is not a true or an accurate snapshot of what is going on in the community when we look at not only rezonings but products that are by-right that we have no conversation about, but that are happening. So, help me because staff you all have that access. You see that information. So, help me understand staff's support outside of a few challenges with this.

**David Pettine, Planning, Design & Development** said so, for the traffic study question I will say one thing we did add when the UDO was adopted was capturing by-right projects that would trigger a traffic study. In the past, we weren't capturing that in a real effective way. Now is there opportunity for us to continue to look at the thresholds that trigger that? I think certainly we can work with you on that, and I can confer with C-DOT to see what those numbers are and understand when things do get triggered and if we need to provide some different mechanisms to update that and capture that a little bit more effectively. I do want to add that we did add that as a by-right scenario in the past where we were only really getting those through rezoning. So, that was a good element, but again are there things we can improve on? I'd certainly be willing to work with y'all to figure that out. From just a general support standard on this particular petition, I think Holly did a good job of outlining some of the things that we look for and some of the things that are part of the area planning process right now that y'all are considering and

had the hearing on last week. We do have criteria that we've started to put together when we look at a map change particularly from N-1 to N-2 which is what we see a lot of when we're going from that yellow to orange on the map. The things that we look for are access to transit, access to goods and services, where it is located next to other adjacent properties and Place Types. This does meet several of those criteria, particularly access to bus. There are a few bus stops within close proximity. They are close, just up the road from Mount Holly to goods and services. So, there were some things that we do consider that did meet those which gave us a little bit more policy support for this. We do certainly understand the traffic concerns. Both Holly and I were at the D2 meeting with Councilmember Graham. We heard that loud and clear when we understood what some of those concerns were. We certainly will continue to work with the petitioner and Councilmember Graham on trying to alleviate some of those for this petition, but is there a larger conversation to be had about how we're looking at traffic and by-right projects and all that? I think we hear you all loud and clear on that as well and we hope to continue to work with you guys on that.

Ms. Mayfield said thank you for that. The other piece I really encourage us to take into consideration. If part of the criteria that staff is looking at is also access to public transportation, that bus is sitting in the same traffic that I'm sitting in.

Mr. Pettine said yes.

Ms. Mayfield said that bus is actually taking up three and a half car lengths. So, that's three additional cars that might be a little bit closer to the light that's not there and we still have a two lane, one lane really road. The majority of the road, there's a culvert. So, even if we were magically able to identify a couple of million dollars to start buying up land to widen the road, that is going to be a challenge because those large lots, that's where the drainage is. So, that's a whole different conversation. In the meantime, what is being proposed to Council with full support and recommendation from staff is contributing to the congestion which in turn contributes to the environmental impact because the vehicles are sitting in traffic a lot longer. Yes, some people have hybrid vehicles that'll turn off and then whenever you get a chance to move 10 minutes later it'll come back on, but a lot of vehicles are not. So, the gas, the fumes, the impact of all of that, the quality of life. So, I think we're missing an opportunity when we say, "Well there's access to public transportation," but if that public transportation is taking me 45 minutes to an hour to get from Mount Holly Road into Uptown, or even 30 minutes for what should be honestly a 12-minute ride straight up Mount Holly, or even if I was trying to get to McDonald's. Let's say I'm going from Food Lion to McDonald's. There's no easy way to traverse that. If you live in the country club, it can be a challenge just to make that left turn if you're on Mount Holly Road and you're heading towards 485. If you're coming off of 485, it is a challenge because you have a turn lane that goes into the McDonald's and a gas station, but majority of individuals use that lane to speed up to jump over because it's one lane that's going straight. So, even though you have a turn lane there that's only for the businesses that were built, mind you we just opened a brand-new multi-family apartment complex right there and right across the street across the tracks. So, we've approved several already in this area.

Going back to the question. We have some limitations because the State. Our road, State road, different conversation, but what Council is approving based on staff's recommendations are multiple multi-family developments that are directly contributing to the congestion. So, it would be helpful for the questions that I asked to bring back that overlay. Bring back that map that clearly identifies again, mind you I drive this every day. So, I already know where all the buildings are. Bring back that information for the ones that were by-right, did not come through, as well as the rezoning petitions we have so that we can have a real conversation. Not only for ourselves but for community, which my colleague loves to say, "The accumulative impact of these developments," but ultimately we are creating the challenges with infrastructure that we do not have the funding, nor the capacity within potentially the next decade plus to address. Thank you.

**Councilmember Ajmera** said well, some of my questions were already addressed by Mr. Graham, especially around the infrastructure request that was made as part of the PowerPoint deck. I do understand the request especially for an entrance and exit and the safety. That's a valid concern. So, I would like to see some resolution on that before the next month's decision. That's all I have but I appreciate your willingness to continue to work with them on the other items, and I'm sure Councilmember Graham will continue to keep us posted. That's all I have. Thank you.

**Councilmember Johnson** said Bridget, this is like déjà vu isn't it?

Ms. Grant said yes, yes ma'am.

Ms. Johnson said so, thank you Councilmember Mayfield. We as a Council have to do something. This might be one of those petitions, and I'd be interested in seeing one of the maps that I always ask for, for District Four. I'd like to see one of those maps for this area because I know Councilmember Mayfield talks about this.

Ms. Mayfield said Mount Holly Road.

Ms. Johnson said thank you, Mount Holly Road all of the time. So, I'd like to see a map of all of the approved and the by-right development in a mile from this petition in the last year or so. When we talk about cumulative impact, this is exactly what happened with the petition that we just approved earlier. The developer, you know, it's a great product but it's the location, and location still matters and if we don't have the infrastructure, which is why I champion the infrastructure meeting. So, we're asking the questions, but we continue to approve and say, "Well it's not this developer's problem, it's a bigger problem." It's the Council and we just have to take responsibility for that at some point. We've talked about changing the policy for traffic studies. Maybe if it was a cumulative count every 2,500 because again this is maybe 700 or 800 but how many have we approved? We know we're beyond the 2,500-trip tickler. So, maybe we should do that on a cumulative basis. We cannot and I say this all the time, yes we have a 117 people moving here per day, but we cannot continue to lead for the future without managing the quality of life for our current residents. So, again it's up to us when we are bold enough to just say, "Enough," or something, but we have to do something differently if we want to expect something different. So, I think Ed McKinney or somebody talked about changing the trigger for the traffic study to look at a more cumulative impact. If you could bring that back or Alyson, if someone could bring that back for us and a map for this area. I think that should be something that we should all be able to see what the development looks like from a larger scale because we would be surprised. Even though this petition doesn't trigger that traffic study, our residents feel the impact. So, you also talked about, Councilmember Mayfield, that was a great idea. What study or what is staff looking at when you talk about there's not a diverse housing type? Because in District Four, so many multi-family that it's not diverse because there's no more single-family. Right?

Ms. Mayfield said right.

Ms. Johnson said so, I would like to take a look. This all stems back to the UDO, but if these are some of the things that we could take a look but until Council says we want to see and don't even get me started on the impact of schools because you all know that we're really not taking a deep dive into that and looking at that from a cumulative impact. So, what is the City going to look like in 10 years when those 117 people move here in 10 years? What's it going to look like? So, even in District Four I asked Angela, the water pressure. You know, there's an impact on water pressure. So, we really, really have to take a look at these things so we stop just talking about it and we actually do something different. Thank you.

Mr. Pettine said certainly.

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

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**ITEM NO. 13: HEARING ON PETITION NO. 2025-005 BY EB PROPERTY GROUP, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.96 ACRES LOCATED EAST OF CLEVE BROWN ROAD, SOUTH OF HAMILTON RUSSELL LANE, AND NORTH OF HACKBERRY CREEK TRAIL FROM: N1-B (NEIGHBORHOOD 1-B) TO N1-D CCO (NEIGHBORHOOD 1-D, COTTAGE COURT OVERLAY).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said the site is a little less than two acres east of Cleve Brown Road though the street it actually abuts is the terminus of Hamilton Russell Lane in an area with single-family residential as well as some multi-family residential products to the south and east and a little bit west of the site as well. The current zoning is Neighborhood 1-B and they are proposing to go to Neighborhood 1-D as well as with the application of the Cottage Court Overlay. So, that would go on top of the N1-D zoning that they were requesting. That Cottage Court Overlay, and since I know we haven't seen it often I'll just remind Council, it is an option that allows for residential development with small lot residential uses in a way that organizes the development and the dwellings themselves around common open space. That would be designed as a cohesive whole would be maintained and shared stewardship by the residents themselves. This is consistent with the adopted Policy Map Place Type for the area which is Neighborhood 1. Staff does recommend approval this petition. It is consistent with that Policy Map recommendation. The Cottage Court Overlay allows for a reduction in the lot size standards that we would typically see to get some more innovative design out of it and create more small residential communities again, around that shared common open space. So, creating a bit of a preferred outcome when it comes to open space and this would keep it compatible with the surrounding Neighborhood 1 in the area and would permit the same uses allowed in the existing Zoning District, Neighborhood 1-B as well as the Neighborhood 1-D District and all the Districts surrounding it that are Neighborhood 1. I'll turn it over to comments from the petitioner.

**Steve Mallory, 167 Northmont Drive** said good evening, everybody. Thank you for your time tonight. I appreciate the supportive staff and helping us navigate this. I don't have an additional presentation other than what we presented to the community members at the community meeting a couple of months ago that I submitted online. I've also emailed that to Councilmember Graham and reached out for any comments or questions you had on that and I'm pretty much just here tonight for any questions that may be present by any of the Council members. I'm glad to see the gentleman here tonight too that we met at the community meeting. So, I had some good conversations there. So, thank you for your time, your consideration in this petition.

**Lee Barnes, 4910 Hamilton Russell Lane** said good evening and thank you for hearing me this evening. Currently I reside at 4910 which is at the end close to the proposed development. We purchased the home last May 2024 and part of the reason we purchased was the appeal of the privacy, being on the end of the street or road and there being less traffic or just the traffic of a standard neighborhood which is pretty minimum right now. So, that was the appeal, the privacy. With the proposed development as far as expanding to Cottage Court as the gentleman just mentioned, smaller residential areas that will cause additional traffic that will come through our street and our neighborhood which we are a proud community. Well, my conversation with everyone in the community prior to is that they are opposed to this mainly because of the additional traffic that will be coming through. So, what we enjoy about our property and our location is in threat or in jeopardy. So, the proposal mentioned for smaller cottages, I believe that may provide more renters or [inaudible] we're not looking forward to that. So, if the development was to continue or to go through, I would request

that it be single-family homes and not so much of congestion or smaller property types where that could be more traffic or just small residential properties that are composed of rental units. Thank you.

**Melvin Brown, III, 4926 Hamilton Russell Lane** said good evening. To echo Mr. Barnes, my name is Melvin Brown. I am a resident of Hamilton Russell Lane for what will be three years this year and like him, part of the appeal for my family moving into this neighborhood was the limited access. It has a dead-end road which most of you know is a deterrent for traffic and activity. So, to protect what we feel is the integrity of the neighborhood, Cottage Court does not sound very attractive for what we have. I don't know if you all are familiar with the area, but on one side is the Harris Teeter shopping center where Davis Lake and the other side is where McDonald's and Zaxby's and all these other high traffic areas exist. So, we're very close proximity to UNCC (University of North Carolina at Charlotte). So, we already see a lot of short-term residents coming through, a lot of the college students already in neighboring neighborhoods creating a lot of noise and additional things that take place. For those of us who still have smaller children, one of the things that we really enjoy about the neighborhood is them being able to be out in the street without worry and traffic and a lot of the other things that would come with that.

So, like Mr. Barnes and some of the other neighborhood residents, if this was to move forward our preference would be single-family homes to kind of maintain the integrity of what is already existing in that space. So, we are empathetic, and we know the situation that the City is in to kind of keep up with the demand of the 117 people that are moving here per day. So, we know that this may not stop you from making a decision that you make in the future, but if we have any say so in it, we would at least like to keep the feel. We kind of all know each other. Everyone doesn't know each other's names, but we know your face. So, when you're out walking your dog and different things like that, we would like to keep that aspect as well. So, just take it into consideration those things. I would just say that I know that if it had not been for the neighborhood in front of us paying it forward and allowing us to move back there, most of us wouldn't have homes currently. So, we would like to do the same, but we would just like to have some input in what takes place and at the community meeting it seemed very unclear of what would actually be built, how that would look, how that would impact traffic and things of that nature. So, if there was more clarity around the potential impact and what that could look like, I think we might have differing opinions but at this time that does not exist. So, I just wanted to put that on display. Thank you.

Mr. Mallory said yes, so I appreciate these gentlemen coming and we did have some conversations there at the community meeting. I would point out that a couple of the proposed sketch plans that we presented were just that. They were just options of what would be allowed within the neighborhood. They're focused on the Cottage Court, but one of those options was still a single-family set up. So, because this was a conventional petition, there is no definitive site plan that we've put forward. These were just things that we presented as, here's what the current zoning allows. These are the size of the lots. Here's what the proposed zoning would allow. With the Cottage Court Overlay, it would add a little bit of additional units to be built in there because there is no lot size limit on that. We did address both options of the single-family versus the Cottage Court. I will point out as well that the current N1-B zoning does allow for duplexes and triplexes to be built in there by-right. So, I think that the current zoning allows for some things that they're concerned about. So, I would just point that out to the Council.

**Councilmember Ajmera** said so a couple of questions. Mr. Mallory, I know this is a conventional petition and not conditional. So, gentlemen, I don't know if you know the difference, but when it's conventional they are not required to submit a site plan and that's certainly something they have the discretion to submit. Did staff consult with them as they were submitting it, this rezoning petition?

Ms. Cramer said yes, we've talked through conventional versus conditional at this site and I think even as of last week we spoke with the petitioner team and let them know it may be advantageous for folks if it were to be conditional so they could see what is occurring on the site itself. It was submitted as conventional. It is a small site, less than two acres. So, for us given that it would still be Neighborhood 1 type development, that it was a smaller site, at that time we didn't see a distinct need to go conditional, but I certainly understand the advantages especially when it comes to engaging with community members and you all to see what would actually occur on the ground.

Ms. Ajmera said yes, I think when neighbors like to see the site plan and I hear that loud and clear. I know it's a small site, but for neighbors it's a change that's coming in their neighborhood.

Ms. Cramer said absolutely.

Ms. Ajmera said which is different than what they are used to. So, I understand. I would feel the same way. Ultimately, it's your discretion but certainly I think that is a factor in our decision making. Second, I know you said you could do some of this by-right, then why did you file a rezoning petition?

Mr. Mallory said the site has some challenges with a stream being to the eastern side of it. So, really the whole site is limited. So, we were just trying to get a little bit more advantage for the land use of that.

Ms. Ajmera said got it. Okay, that's all I have. Thank you.

**Councilmember Johnson** said is this the petition we talked about?

Ms. Cramer said yes, it's the one that's just south of your District boundary line.

Ms. Johnson said right, because I meet with staff about upcoming petitions in District Four and we discussed this but it's just south of my District and I also mentioned it being a conditional rezoning.

Ms. Cramer said yes.

Ms. Johnson said so, I think that that's something that being this close to an established neighborhood, I think that that's something that we would recommend from the petitioner as well. Certainly, it is your right, but it does impact our decision-making process. Also, sadly to the residents, I understand the privacy, I understand what you bought, but that's what the UDO does essentially. You know, those areas can change to duplexes and triplexes. So, that's just kind of a lesson or a warning for any resident. You know, if there's a privacy or woods in your back yard or a dead end or what you'd call it, it's subject to change, but we do want to develop responsibly and strategically. So, thank you for coming out and thank you for that input and hopefully we continue to work with the developer, but I think it's fair that the residents should be able to understand the change that's going to impact their neighborhood. Thank you.

**Councilmember Mayfield** said question for staff. So, this one probably will go back to Mr. Pettine again, but you don't have to come to the podium. While we're working through this living document, some of these conversations, which I'm going to steal from one of my colleagues, that the conventional zoning feels more challenging than it should be. So, when it almost creates a space of some of us having to tell community, "Well by-right they can do all of this, and all of this is horrible. So, at least we're going to get this." That's not how this should be working, and our language got us here. If we say this is a living document, we have a chance sooner rather than later to try to address some of this. So, that is what I would share for consideration for Council as well. For Mr. Mallory, the question that I have is while we're at the hearing and you hear from residents, and you may not have the answer to this right now, is there an opportunity to have a conversation for a for sale product versus for rent? Because there is, as my colleague

Ms. Johnson mentioned earlier which was right on point, when we talk about diversity and community where we've now fast forwarded where we now have more rental than we have home ownership in our community. She and I and Director Hefner were able to attend the NACA (Neighborhood Assistance Corporation of America) event that was Friday, all day Saturday, all day Sunday and the map shows the large percentage of the City of Charlotte that is now rental. I'm not saying just a single-family product because we have neighborhoods that have been concentrated where investors have purchased, and 30 percent of a once stable owner-occupied community is now rental and the impact of that. So, that balance of what type of City we want to be. So, for [INAUDIBLE] combination.

**Terrie Hagler-Gray, Senior Assistant City Attorney** said Ms. Mayfield, I do want to make sure that we're careful with asking the petitioner [inaudible].

Ms. Mayfield said whether or not he's going to have a conversation about a for sale product?

Ms. Hagler-Gray said owner versus rental is something that really should not be considered. It can be offered, but we have to be careful with asking a petitioner about [inaudible].

Ms. Mayfield said so, just for clarification, for me to ask the petitioner if he would consider conversation with community and whether or not there is an opportunity for a for sale product versus rental, I am not able to ask?

Ms. Hagler-Gray said whether he can have a conversation with the community?

Ms. Mayfield said which is what I asked.

Ms. Hagler-Gray said oh sure, I thought you were asking for it with respect to Council, my apologies.

Ms. Mayfield said Mr. Mallory?

Mr. Mallory said so, let me just clarify. The question is, is that should we submit a plan?

Ms. Mayfield said no, the question was is there an opportunity for you to have continued conversations with the neighborhood as far as, if there may be opportunity for a for sale product since what the neighborhoods are asking for based on the neighborhood and what you might be proposing that would be connected, they mentioned single-family. I am asking if there is an opportunity for y'all to have continued conversation.

Mr. Mallory said I would say that there's always an opportunity and my client would welcome those conversations as well. He's not here tonight, but he was at the community meeting. They met him. So, yes, we'd be open to conversations on that. Am I allowed to respond to something that you said a minute ago?

Ms. Mayfield said well the way this actually works, we have to ask you a specific question for you to respond to the question, but since I was making a comment to staff, I will ask for you to clarify what you heard that you wanted to respond to.

Mr. Mallory said I want to make sure that I understood your statement that staff reached out to us and encouraged a conditional.

Ms. Cramer said we noted that it could be advantageous for you to consider a conditional based off community feedback and based off potential Council member concern, not that we were telling you directly but that there are advantages to considering going conditional when it comes to engaging with the community.

Mr. Mallory said when are you saying that communication was made to me?

Ms. Cramer said so, I had a conversation with my staff members last week and I was told that there was conversation with you, had with the Planning staff about that.

Mr. Mallory said okay, right. I'm just saying that I did not receive that. That message did not [inaudible] me.

Ms. Cramer said okay.

Mayor Pro Tem Anderson said hang on one second because now we're not necessarily debating the merits of this petition. You're now considering whether you want to switch the petition and that's perfectly fine, but this is not necessarily the venue for that to occur, right? If there was some opportunity for communication, that's perfectly fine to move forward.

Ms. Mayfield said so, as I still have my time on this Councilmember Anderson, since we do ask specific questions and have a response, what I want us to acknowledge and identify is for Council, as we are having this hearing. Staff presented information. We heard information from the petitioner. There needed to be clarification between them. That is a challenge. So, as we're having the hearings, and we are getting information presented to us and we have members from the community that have questions, so, thank you for signing up to ask your questions because this is really the only time that we get to hear from you unless you email us or unless we happen to attend the meeting. The fact that what was presented to us from staff and then even though the petitioner doesn't necessarily know all the background on how to do it, the fact that there was clarification that needed to be made between their communication, that is a challenge if the information is being presented to us, and I think our Assistant City Manager hears that. Thank you very much.

Mayor Pro Tem Anderson said yes and that's fine if there was a point of clarification. What I'm hearing is that we're going down this conversation or debate around whether it should be conditional or otherwise and there's been several comments to that point. This is not the place to do that is my point. You've had a community meeting. You're having conversations with community, and you have your Council member here that'll continue to work with you, but I certainly don't want for you to feel like there's any undue pressure for you to pivot your petition based on comments made here.

**Councilmember Graham** said I'll follow up with you as well as the residents who are here today to see if there's a meeting of the minds. No pressure other than what the statute states that you have to do.

Mr. Mallory said yes.

Mr. Graham said I live in that area; I know it really well. So, let's the four of us get together and come to an gentlemen's agreement.

Mayor Pro Tem Anderson said okay.

Mr. Mallory said appreciate it. Thank you.

**Councilmember Watlington** said I was just talking to the attorney. Can you just clarify what is within scope and what's not within scope as it relates to discussing the type of petition?

Ms. Hagler-Gray said I think that Mayor Pro Tem was concerned about the fact that there seemed to be a misunderstanding between the petitioner and the staff with respect to communication about the type of petition. Is that my understanding? Is that correct Mayor Pro Tem?

Ms. Mayfield said that was my concern.

Ms. Hagler-Gray said okay.

Mayor Pro Tem Anderson said yes but there was also a question from the representation of the petitioner because they're not the petitioner I suppose but there was a question, a back and forth around whether you were asked to change your petition or not. So, that's what I was raising up.

Ms. Hagler-Gray said more so than whether there is a debate about conditional versus conventional, right?

Mayor Pro Tem Anderson said yes.

Ms. Hagler-Gray said so, I think that Council could probably ask the petitioner why or why not they decided to do conventional versus conditional, but this seemed to be more of a clarification with respect to communication which I understand you wanted to cut that short.

Mayor Pro Tem Anderson said right.

Mr. Graham said [inaudible].

Ms. Watlington said yes so just so my interpretation of that because I just want to make sure that it's clear. Certainly, can understand outside of the scope whether or not you all got our communication back and forth and I didn't want to give the impression that this was not the venue to talk about whether a petition could be conventional or conditional. So, I just wanted to clear that up.

Ms. Ajmera said thank you Ms. Hagler-Gray for clarifying this. This is the opportunity. We can ask why you decided to go with conventional versus conditional. I think this is the only opportunity we get to ask that. So, it's okay. So, to Councilmember Mayfield's points, I think she was raising a good point. She could ask that question and certainly it's the discretion that the petitioner has. Ultimately, it's their decision whether they want to go with it or not, but I think that's the right question to ask, to Councilmember Mayfield's point.

Mayor Pro Tem Anderson said thank you Ms. Ajmera. I believe you asked that question as well at the beginning of the question period.

Ms. Ajmera said yes I did. I sure did. Thank you.

Mayor Pro Tem Anderson said absolutely.

Ms. Johnson said this is the last. I just wanted to say thank you for the clarification because it did sound like that we were being told this was the not the appropriate time to discuss conventional versus conditional. So, thank you for that clarification. Thank you.

Mayor Pro Tem Anderson said any other comments or points of clarification?

Motion was made by Councilmember Graham, seconded by Councilmember Ajmera, and carried unanimously to close the public hearing.
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Mayor Pro Tem Anderson said is there a motion to open and continue the public hearings for the following rezoning petitions to the City Council Business Meeting on May 27, 2025, Item No. 14, 2025-010, Item No. 15, 2025-012, Item No. 16, 2025-014, Item No. 17, 2025-016, Item No. 18, 2025-017, Item No. 19, 2025-018?

**Councilmember Brown** said point of clarification. So, we're closing?

Mayor Pro Tem Anderson said is there a motion to open and continue the public hearings for the following rezoning petitions?

Ms. Ajmera said I so move to continue.

Ms. Mayfield said I need clarification.

Ms. Ajmera said continue now versus what date you said. We have public speakers that signed up.

Ms. Brown said we're going to move forward?

Ms. Mayfield said because what it sounds like is that you're asking us to suspend the rest of the hearings for tonight to another day and if that's the case, I do not think that there is support for us to not do our job tonight when we have people already signed up.

Mayor Pro Tem Anderson said sure. Alright Ms. Mayfield, to be clear, the motion was not to suspend. The motion was to open and continue the public hearing for the following rezoning petitions on the Council Business Meeting May 27, 2025. Items number 14 through 19.

Motion was made by Councilmember Anderson to open and continue the public hearing for the following rezoning petitions on the Council Business Meeting, May 27, 2025, Items No. 14 through 19.
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Ms. Brown said I guess I have a point of clarification Mayor Pro Tem.

Mayor Pro Tem Anderson said yes ma'am.

Ms. Brown said so, you're saying to open and move forward. Can you please clarify that for me?

Mayor Pro Tem Anderson said to open the public hearing for effectively items numbers 14 through 19.

Ms. Brown said yes, right.

Mayor Pro Tem Anderson said continue them to the next Business Meeting which is May 27, 2025.

Ms. Brown said okay, no. I'm not supporting that.

Ms. Ajmera said we have public speakers.

Mayor Pro Tem Anderson said so there's no motion. Okay. Alright, if there's no motion then it doesn't pass.

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**ITEM NO. 14: HEARING ON PETITION NO. 2025-010 BY DAVID PHILLIPS FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.04 ACRES LOCATED ON THE EAST SIDE OF ROCKFORD COURT, NORTH OF EAST WOODLAWN ROAD, AND SOUTH OF STACY BOULEVARD FROM N1-B (NEIGHBORHOOD 1-B) TO N1-C (NEIGHBORHOOD 1-C).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** this site is just over an acre located on the east side of Rockford Court, north of East Woodlawn Road in an area where we

have predominantly single-family residential, some commercial uses as well as multi-family uses along East Woodlawn Road. It is currently zoned Neighborhood 1-B and they are proposing to go to Neighborhood 1-C. This is a conventional petition with no associated site plan. This request is consistent with the Policy Map's recommendation for the Neighborhood 1 Place Type at this area. Staff does recommend approval of this petition. It would keep the site under the Neighborhood 1 Zoning Districts, and I'll also note and I'll pull it back actually to this site so you can see just how unusual it is compared to the other lots within the block. There's really no consistent development pattern within this direct vicinity of this block that it would be disrupting if it were to go N1-B to N1-C. So, for us, considering that there was no consistent lot development pattern already present and that it's generally much larger than its adjacent lots, staff recommends approval of this petition, and I'll take questions following Mr. Phillips' comments.

**David Phillips, 4619 Rockford Court** said good evening, Council. No comments. Just wanted to make myself available for any questions that you guys have on this petition for a conventional rezoning.

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

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**ITEM NO. 15: HEARING ON PETITION NO. 2025-012 BY NORTHPOINTE LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.11 ACRES LOCATED ON THE EAST SIDE OF STATESVILLE ROAD, ON THE NORTH AND SOUTH SIDE OF TWIN LAKES PARKWAY, AND NORTH OF METROMONT PARKWAY FROM OFC (OFFICE FLEX CAMPUS) TO ML-2 (MANUFACTURING AND LOGISTICS - 2).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is just over six acres along Statesville Road as well as Twin Lakes Parkway in an area where it's really directly surrounded by almost entirely industrial uses, maybe some office uses mixed in there. Existing zoning is Office Flex Campus and they are proposing to go to Manufacturing and Logistics-2. This would bring it into alignment with our Policy Map recommendation for Manufacturing and Logistics at this site. It is a conventional petition with no associated site plan. Staff does recommend approval. Again, bringing that site into alignment will be a preferred outcome for us. It is compatible with the existing land uses which are predominantly industrial with some office uses mixed in. So, shifting this site from Office Flex Campus to Manufacturing and Logistics makes sense given the surrounding context as well as our policy on the ground. I'll take questions following the petitioner's presentation.

**Brittany Lins, 1420 East 7<sup>th</sup> Street, Suite 100** said thank you Mayor Pro Tem, members of Council, Zoning Committee. Brittany Lins with the law firm of Alexander Ricks. Simple petition in front of you. Essentially this was part of an industrial business park, the Twin Lakes Parkway Industrial Business Park. As part of the alignment rezonings for the UDO, what used to be the BP Zoning District, some got translated into the OFC District rather than an industrial designation. So, everything around it as Holly said, you have manufacturing uses, warehousing, you have a scrap metal automotive yard. It really is an industrial business park. Some of these sites just got zoned to OFC as part of that translation. So, we see this as a corrective rezoning. We've brought a couple others in front of you. Luckily the Policy Map agrees with me and the 2040 Policy Map recommends the Manufacturing and Logistics which is what we're requesting. So, we're consistent with the Map consistent with the surrounding sites. We're happy to have staff's support on this petition. The last thing I'll mention is just that we proactively reached out to the District Four Coalition. They, using their words, "Saw this as a corrective rezoning," and did not have any concerns. I'll take any questions.

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

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**ITEM NO. 16: HEARING ON PETITION NO. 2025-014 BY PULTE HOMES FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.50 ACRES LOCATED ON THE WEST SIDE OF WEST SUGAR CREEK ROAD, ON THE NORTH SIDE OF GLORY STREET, AND SOUTH OF HONDURES DRIVE FROM CURRENT ZONING: N1-B (NEIGHBORHOOD 1-B) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is six and a half acres along West Sugar Creek Road just north of North Tryon Street in an area where we have single-family residential as well as some multi-family residential in the vicinity and really a lot of commercial uses of course along North Tryon. It is currently zoned Neighborhood 1-B and they are proposing to go to Neighborhood 2-A, conditional. The Policy Map recommends the Neighborhood 2 Place Type. So, this petition would bring it into consistency with our policy there. The proposal itself is for up to 110 multi-family attached dwelling units. Has some transportation provisions noting the eight-foot sidewalks and eight-foot planting strips along West Sugar Creek Road as well as internal streets. Would construct a right turn lane with 100 feet of storage along West Sugar Creek Road. Would install 10-foot Class C landscape yard and would create a minimum 40-foot-wide open space area and it also provides details as to just how that open space area will be enhanced beyond ordinance standards. Direct pedestrian access from all units to public streets, and there would be street trees provided at 40-foot intervals along the private alleys creating some additional canopy that we might not get just with standard ordinance requirements. Also provides some preferred architectural standards notable of which, maximum of six units per building with no more of those five, six-unit buildings across the site. Staff does recommend approval of this petition upon resolution of our outstanding issues related to transportation and site and building design. It is consistent with the 2040 Policy Map located adjacent to other multi-family projects. It is within a one-eighth mile walk of a Neighborhood Activity Center providing some goods and services and it is also located directly along transit. I'll take questions following petitioner comments.

**John Floyd, 100 North Tryon Street, Suite 4700** said thank you Mayor Pro Tem, members of Council, members of Zoning Committee. John Floyd with Moore and Van Allen here on behalf of Pulte Homes. Real quick, the presentation here, I won't belabor it, but we are as staff mentioned, located right along West Sugar Creek Road. You have the area around it, consistent zoning with other multi-family and single-family attached products right across the street. A bus line runs right down West Sugar Creek Road and greenway access is to the west. You also have the Neighborhood Center down south of this site that is within one-eighth of a mile. The Comp Plan calls for Neighborhood 2. So, we're consistent with that. The site map, a couple of things I'll point out. There is that open green space right in the middle of the project by the community area that I've heard Councilmember Mayfield talk about being necessary in townhome style communities. Also, we've got the tree save area to the left of the schematic there kind of providing a little bit of buffer between the single-family attached area and the single-family detached homes that are already there. That's the elevation of the potential product that's going to go there. I am joined by a member of Pulte Homes and the design team if you have any questions that I can't answer.

**Councilmember Johnson** said is this in Hidden Valley?

Mr. Floyd said I couldn't hear you.

Ms. Johnson said you said there are currently single-family homes there now?

Mr. Floyd said no, the land there is currently vacant. If you look to the left of the site plan, there is some current single-family residential neighborhood that this would connect into. So, we've got the tree save there providing buffer between that single-family and the new development.

Ms. Johnson said this is right outside of Hidden Valley then? Is it?

**Councilmember Mayfield** said yes.

Ms. Johnson said okay, thank you. I just wanted to know the location. I was clarifying [inaudible].

Mayor Pro Tem Anderson said yes, but not within the Hidden Valley neighborhood community.

Ms. Johnson said okay.

Mayor Pro Tem Anderson said which is a neighborhood of single detached homes.

Ms. Johnson said okay. Thank you. Thank you.

Motion was made by Councilmember Ajmera, seconded by Councilmember Mayfield, and carried unanimously to close the public hearing.
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**ITEM NO. 17: HEARING ON PETITION NO. 2025-016 BY KINGDOM DEVELOPMENT PARTNERS, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 11.16 ACRES LOCATED SOUTH OF PAW CREEK ROAD, WEST OF TODDVILLE ROAD, EAST OF BRESLIN STREET FROM N1-A (NEIGHBORHOOD 1-A) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is a little over 11 acres located along Paw Creek Road in an area really characterized by single-family detached uses. The current zoning is Neighborhood 1-A and they are proposing to go to Neighborhood 2-A, conditional which would be inconsistent with the Policy Map's recommendation for the Neighborhood 1 Place Type at this site. It would allow for up to 88 multi-family attached units as well as one single-family detached slot to the southeastern most portion of the site. Note some transportation improvements. So, street access via an extension from Paw Creek Road. It would have pedestrian connections from residential units to any public streets. Twenty-foot minimum setback along all property boundaries abutting the Neighborhood 1 Place Type along with a 10-foot Class C landscape yard. Open space would be measured at least 50 feet in all directions, exceeding ordinance standards and they would also include some enhancements beyond those typical ordinance standards to amenitize that open space. Street trees would be provided along the private alleys at a quantification so that it's no more than 40 feet from a tree at any given location. Greenway easement would be provided along the southern site boundary to Mecklenburg County Park and Rec. It also provides some preferred architectural standards in terms of primary building materials excluding vinyl and also noting porches and stoops would have minimum dimensions. Staff does not recommend approval of this petition in its current form. The 2040 Policy Map does call for a Neighborhood 1 at this site. When we looked at this site, we are considering generally its access to Activity Centers, transit, its location among other single-family, does it about any other existing multi-family uses. So, they're some outstanding issues we'd like to work through the petitioner to see if we can get a little bit closer to something that we might be comfortable with, but at this time we don't recommend it in its current form. I'll take questions following the petitioner comments.

**Nolan Groce, 1213 West Morehead Street, Suite 450** said good evening Mayor Pro Tem, members of City Council and the Zoning Committee. Nolan Groce with Urban Design Partners representing Kingdom Development Partners, LLC on Petition No. 2025-016. Joined this evening by James Scruggs with Kingdom Development Partners and Torrey Feimster with Ascension Communities. Context to the site, located about half mile southwest of Freedom Drive, to the east of Robert L. Smith Park. The 11.4 acre site is located south of Paw Creek Road to the west of Urbana Drive and Toddville Road. As staff mentioned, the site is zoned N1-A as is the majority of the area; however, there is N-2 present about a half a mile west of the site which was rezoned in 2023. There's also MX-2 innovative as well as IC-1 to the north towards Freedom Drive. The 2040 Policy Map does recommend the Neighborhood 1 Place Type. As staff mentioned, this is inconsistent. Jumping ahead to our rendered rezoning site plan. Proposing up to 88 multi-family attached dwelling units as well as one single-family detached lot that is at the southeastern corner of the site plan at our Urbana Drive extension. They'll be a mixture of front and rear loaded units all being for sale product with a minimum of a 20-foot driveway. As staff mentioned, we do have numerous outstanding issues to work through, one being the Paw Creek Road connection which in this rendering we have already revised to be a modified UO-3 public street to address C-DOT and subdivision staff's comments. As part of this development, all units are proposed as for sale and 30 percent will be designated as affordable at 80 percent Area Median Income.

**James Scruggs, 338 South Sharon Amity Road, PMB 263** said so very excited to be here, excited to be here to talk to you guys about this project and this project is near and dear to me and Ascension because it's located on the west side of Charlotte. There is a huge demand right now currently for attainable housing. We are so excited about this project because this project will have 30 percent of these units that will be attainable. We have formulated and cultivated a partnership with [inaudible] Foundation. So, one of the things that's big and near to us at Ascension is to make sure that we create attainable for sale housing for our school teachers because part of this project and what we're looking to do with the project is to create economic mobility. So, 10 of these homes will be allocated for those 10 [inaudible] teachers. The other 20 to 19 units, a portion will go to our police officers, our firefighters and anyone else in that 80 percent AMI (Area Median Income), but I just want wanted to take time to educate the Council about what we're doing and the work that we're doing with Ascension. It's bigger than just creating these mixed income developments. So, Torrey, he is our CEO (Chief Executive Officer) of Ascension, and we are big about educating our Ascension attainable homeowners. So, we do more than just providing keys and giving someone a discounted home that quite frankly you will not be able to differentiate between the attainable homes and the market rate homes, but we have four pillars of what we do at Ascension that we're super proud about. We have a home buying program which is to get our attainable homeowners ready for home ownership in the first place, but the biggest and nearest to me is the financial literacy, because for us, if we don't teach these schoolteachers and these police officers and firefighters what to do with that equity once they get access to it, then what's the point of giving it to them?

So, we are big on financial literacy. We also have home maintenance because it's also important to make sure that you preserve this beautiful asset that they're going to get blessed with. Then the other piece that we do with Ascension that I just want to educate Council on is that we have a gift tax option grant program where we would come and meet the attainable homeowners where they are, because the biggest thing that you're hearing right now in any place, and not just Charlotte but across the country when you hear the negative connotation about gentrification, it's the displacement, right? So, for us what's important for us is we truly want the values of this community to go up in value, but we don't want our attainable homeowners to get displaced because they can't afford the taxes. So, we would meet them where they are, and we would come alongside of them and subsidize their taxes so they'll never get displaced out of our community. So, we are truly proud about this project that's coming. This is one of three Ascension products that's coming to Charlotte and a community that we're super proud about. Again, we also are proud about this partnership that we are setting with

[inaudible] for your school teachers, our police officers and our firefighters and I think this is going to be a great asset to the Westside community.

Mr. Groce said we're happy to answer any questions following opposition. Thank you.

**Lynn Dubnicka, 5639 Paw Creek Road** said hello. My name is Lynn Dubnicka. I've been a resident of the Paw Creek Road area for over 30 years. I am here today to give my reasons on why I oppose the rezoning of 5701 Paw Creek to allow over 80 multi-family homes to be built. On these two parcels there are many hundred foot, old growth tulip poplars, oaks and other species of trees that have been tagged during a previous survey of the property. All these trees are supposed to be depicted on any land development plans with trunk diameter species and center point location. Development of this size on this property will greatly impact the habitat of the wildlife population which has already been displaced by construction of homes on Paw Creek Road, Toddville Road, Tuckasegee Road, Little Rock Road and Old Little Rock Road which all surround the creek. This will cause a decline in population of the deer, coyote, opossum, hawks, owls and all other creatures who called it home way before we were here. Also, the woods there create a noise buffer since we are directly in line and under one of the airport's flight paths, which we can have every 30 seconds a jet going over for around 14 hours a day. Charlotte should begin to treasure the natural resource of our wooded areas instead of destroying what makes Charlotte beautiful and what helps clean the air. Paw Creek is a cut-through road with many speeding issues, blind curves and hills which makes it already dangerous to walk since the road has a ditch type runoff for stormwater and no sidewalks. With the current construction of homes on Paw Creek and another development being considered to be build near Little Rock and Paw Creek, those alone will add over 1,000 daily trips on this road. We don't need hundreds of more cars on this already busy street that many, many drivers consider it their own drag strip that we have had the police put out the traffic radar to catch speed. It's just a never-ending thing and that's the big thing, is the density of this proposed project is how many homes compared to it's all single-family in the area. In the last two years there's been so much construction on the roads I've mentioned that I just worry about the stormwater runoff from these developments going into Paw Creek which feeds into the Catawba River. That's all I have to comment on. Thank you.

**Mike Lukacs, 5616 Paw Creek Road** said Council, as was brought to our attention by Council Mayfield that our current growth rate is about 117 people per day here and that's going to be greater than 42,000 per year at that rate currently according to Google. You add two or three cars to a multi-family house, and you put it on a road like Lynn has explained here, what we're going to have is not only the problems of more traffic which we really have some serious problems. We've had the radar out there, we've called many times to the police department. We've got several reports in on speeders. They think it's a drag strip. You throw all that in there and combination at the end of this road, at the end of Paw Creek where it hits Little Rock Road there is a fire department, Station 21 and they have to run up and down that road to get to Freedom. You throw in a new development that has all these new homes in there along with as Lynn said here before, there's 36 in progress now being built on Paw Creek not even a quarter of a mile from this location that we're talking about here. At the end of it, up for also rezoning, there's going to be 200 more units behind the fire department. You throw all that together, all those units, you're going to have about just as she said, between 900 and 1,000 more vehicles on an already congested road with school buses and fire departments going back and forth consistently. It's going to cause quite a bit of problems. So, that's our main concern along with the sewer water. The runoff on my side of the road, I live on the opposite side of the road, is being blocked up and it's still blocked up and it's been blocked up and it's been serviced. I can't imagine what's going to happen to the runoff when we put a bunch more homes in there.

Ms. Dubnicka said one thing when I looked up the USGS (United States Geological Survey) topographical map site of this property, at the road the elevation is 700 feet. When you get down to where they want to put the townhomes, not in the setback area because of creek, it drops by 50 feet. So, they're going to have to push the sewage up

50 feet to reach the road and what I worry about is during these flooding times we have, what's going to prevent all that sewage not running over and going into Paw Creek? That's another big issue I have is the elevation difference on that property drops by so much, which I don't know if the designer has even come out to take a look at the property and the frontage. I don't believe you have enough frontage on Paw Creek to put a sidewalk, a planting strip, two lanes. I don't know if you're planning on curb and gutter and I don't feel comfortable having a sidewalk within 10 feet of my garage which has windows which is going to cause a security concern. Which will cause me to have to spend another \$1,500 on another security system just for the garage since it is detached. Thank you.

Mr. Lukacs said thank you.

Mr. Groce said thank you for being here this evening. I spoke with both of these individuals this afternoon and I think we had a fairly pleasant conversation. Regarding trees, we have provided a tree survey to staff in order to be here this evening for public hearing. The full survey would be overlaid during the land development process where we will be looking at critical root zones, strip zones and so forth. If it is something that we need to do now, we can overlay that on our rezoning plan. Of course, we'd like to keep as much of the exiting foliage as possible. We're keeping trees at the southern end of the site which is our proposed green area which land will be dedicated to Mecklenburg County Parks and Recreation for a future greenway but looking at open spaces and buffers where we can retain the existing heritage trees where at all possible. There is a creek at the southern end of the site and there is significant topography. We would have to review this during land development making sure grading is appropriate, that we're not disturbing flood plain, that our sewer is at the proper percentages to gravity feed of course. Stormwater, very similar. We must meet all PCO (Potential Change Order) requirements at land development. They're very stringent standards for stormwater. We cannot exacerbate any problems beyond what they are today. Realistically we should be able to improve the stormwater runoff with curb and gutter and storm drainage systems that then would channel water to our proposed stormwater control measure.

Regarding the frontage, we are providing a modified UO-3 typical section because we do not have enough physical land to provide the full public street to Paw Creek Road. We have about a 53 or 54-foot pitch point on that northern strip. So, we are proposing a UO-3 road network, but not the full section. Originally, we did have a private street with landscape buffers which was modified.

**Councilmember Ajmera** said so the petitioner addressed some of the concerns that both speakers had raised, and you were talking about a buffer and I was paying close attention to that. So, if you can just finish that sentence.

Mr. Groce said correct. So, we are providing a 10-foot landscape yard where required, which has a fence included as part of it. Originally our north-south connector to Paw Creek Road was a proposed private street which had a 10-foot landscape yard on either side of the proposed private street. However, after review and in coordination with subdivision staff and C-DOT staff, they requested a public road be installed. So, in working with them, we came up with a modified local residential wide typical section. So, we'd be meeting the asphalt with the curb and gutter requirements but only providing sidewalk on one side of the proposed street.

Ms. Ajmera said so, that was my second question about sidewalks. I believe Lynn had brought that up. Can you show me on here? Speaker, if you could come to the podium.

Mayor Pro Tem Anderson said ma'am, could you please come to the podium if you're going to respond.

Ms. Ajmera said if you could use that light that we have, the laser.

Ms. Dubnicka said oh. I'm trying to figure out this map, where I am. I live right here. So, I am right next to their proposed entrance way and my back yard is literally right there and I will say the property right here, their property is lined with hundred-year-old oaks, which I do worry about grading and the drip line of their oaks being disturbed, which they can't be.

Ms. Ajmera said so, petitioner if you could tell us about sidewalks. You said only on one side of the street?

Ms. Dubnicka said yes, on my side.

Mr. Groce said yes. Let me jump ahead. Can we pull up my presentation? Is that possible? Thank you. Correct. So, Councilwoman it's this area here at the northern end. We're proposing sidewalk along the eastern corridor of that north-south Paw Creek Road connection.

Ms. Ajmera said okay, so that will address the concerns that the speaker had?

Mr. Groce said I believe her concerns were generally about sidewalk being here as well as the proposed tapers along the frontage because we don't have a very wide road section. So, it is difficult to taper in the roadway connection and then provide any potential sidewalk connectivity from east to west.

Ms. Ajmera said got it but I guess in terms of our ordinance, maybe this is a question for staff. For our ordinance, the sidewalk improvements that they are providing, would our ordinance ask for more in terms of what Lynn has asked for?

Ms. Cramer said so, the ordinance, what this development triggers are general sidewalk improvements, and the sidewalks required along what will then be a public street. So, what specific extras are you asking for?

Ms. Ajmera said so, it was at the top where you see Paw Creek Road?

Ms. Cramer said yes.

Ms. Ajmera said am I following you?

Ms. Dubnicka said yes, if it was to become a public sidewalk then, I will have a public sidewalk 10 feet from my garage, 10 feet from my driveway.

Ms. Cramer said yes, the sidewalk is required as the ordinance stipulates when this development builds out. The sidewalk would be triggered as a requirement.

Ms. Dubnicka said is it possible to move the sidewalk to the other side and the planting strip because the other neighbor's home is way further back than mine on the other side? So, having a public road wouldn't affect them like it would me.

Ms. Ajmera said you don't want a sidewalk?

Ms. Dubnicka said I don't want anyone from this far away when I'm working in the yard.

Unknown said isn't the right-of-way 10 feet? The City right-of-way?

Ms. Ajmera said okay, we have to follow the rules here. My question is answered and that's all I have. Thank you.

**Councilmember Johnson** said thank you to the speakers who came out. I do want to ask some specific questions to the developer's petitioner. Thank you to James Scrubbs, thank you for coming out and thank you for the petition to build attainable homes that's a for sale product. That's important. That's one of the things we're asking for and we

can talk offline because we did hear about some great programs through NACA and home down payment. So, let's find out what opportunities we have for those potential buyers. Ms. Lynn, she brought up a very specific example about the level and the sewage. Can you speak to that?

Mr. Groce said at a very high level, thank you for your question, Council member, yes there is significant grade change from Paw Creek Road to the southern end of this site. Of course, as this project transitions to land development should it be approved we will further refine grading plans, erosion controls, stormwater and utilities. If we are unable to gravity feed to the south, we could potentially be looking at putting in a lift station, but there are specific guidelines for gravity flow, certain percentages that are allowed and our plans would have to reflect what Charlotte Water would approve.

Ms. Johnson said I'd also like to ask about the trees and tree save. Do we need to have an arborist go out? Is there any guarantee or what type of commitment would we have to those trees?

Mr. Groce said so, we have had a tree survey. The requirements are slightly different from rezoning to land development. We have provided that to staff as well denoting all City trees, all heritage trees and trees that were previously approved for green area credit. Keeping those on site, of course we would keep all within our proposed green area with any proposed buffer areas and as we could within open space, but should any need to be removed, there are mitigation practices per the UDO and fees that would have to be paid for that.

Ms. Johnson said okay. So, Ms. Craig I know you're the Assistant City Manager, but you were the Planning Director. If we could take a look at this petition and be very intentional about these trees. We don't want any unintended consequences. I would say this to the neighbors. This is what someone said to me and it really brought things home. There's an intent to sell that property. So, it's probably going to change. This is your opportunity to get involved with it and work with the developers. You've got a good developer. He's fair and he builds a quality product. So, I think this is an opportunity. Thank you for these concerns. We're going to address some specific concerns and there are more. You know, Council members had questions. We'll work with the District Representative, but that's something to think about as a resident. The City's changing. So, these are for sale units and again, there's a quality developer in front of you. So, thank you for coming out. Thank you for your voice.

Ms. Dubnicka said thanks.

Motion was made by Councilmember Ajmera, and seconded by Councilmember Mayfield to close the public hearing.
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Mayor Pro Tem Anderson said I would like to just make a couple of comments first. Thank you for your approach to the development opportunity. It is really and truly leaning in to civil servants that do great work in our community and need this type of help both from a financial guidance perspective and the opportunity to have safe, secure housing within their AMI price range. So, thank you so much for leaning into that community. Big, big, big win. For the residents that came out, thank you for coming out and also thank you for sharing your perspective about the trees and the tree save, especially those popular tulips. They're very, very tall trees and they're around for decades and decades. So, I'm sure with the beautification process, Mr. Groce as you've recently stated, that there will be an overlay that I'm sure this particular project, the beautification of that area, especially given the civil servants and the intentionality behind it, I'm sure you will lean in with the same intentionality around the beautification and the protective of green spaces while bringing on additional housing stock. So, I want to thank you residents for coming out and thank the developer for proposing this effort.

**Councilmember Brown** said to the developer thank you so much. I think this is the type of petition that we would like to see more of and also for the residents being brave and coming out and protecting your community and working together and trying to find common ground. The proposed development is not bad at all. It is something that I would like to see more of, especially affordable and for people that serve this community. So, I look forward to supporting it with you communicating with the community and the residents and satisfying their needs.

Mr. Scruggs said yes ma'am.

Ms. Brown said because their needs do not fall on deaf ears either.

Mr. Scruggs said yes ma'am.

Ms. Brown said so, there has to be a balance there, but I did want to go on record saying that I do think it's a great approach to what we need. So, thank you so much.

Mr. Scruggs said thank you.

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

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**ITEM NO. 18: HEARING ON PETITION NO. 2025-017 BY THE DROX GROUP, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 3 ACRES LOCATED ALONG THE WEST SIDE OF NATIONS FORD ROAD, NORTH OF WANDA LANE, AND SOUTH OF ECHODALE DRIVE FROM OFC (OFFICE FLEX CAMPUS) TO N2-A (CD) (NEIGHBORHOOD 2-A, CONDITIONAL).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is three acres located along the west side of Nations Ford Road, west of I-77 in an area where it's adjacent to a school as well as some office uses just across the way. There are some other residential uses located generally in the area. The current zoning is Office Flex Campus and they are proposing to go to Neighborhood 2-A, conditional. The 2040 Policy Map does recommend the Neighborhood 1 Place Type on this site. So, it would be inconsistent with that recommendation. The proposal itself is for up to 37 attached units including one quadraplex and 11 triplex buildings. So, it would not exceed the intensity of a quadraplex which is located at the rear of the site. There would be a private alley network to access the units, eight-foot sidewalk and planting strips along Nations Ford Road as well as internal pedestrian connections. Commits to open space with a minimum dimension of 50 feet in radius, exceeding ordinance standards. They would provide seven guest parking spaces. Prohibits some not preferred building materials and limits detached lighting to 21 feet and would be downwardly directed. Staff does recommend approval of this petition upon resolution of outstanding issues related to transportation and site and building design. This site is located adjacent to a school. It's also located importantly within a half mile of an employment campus, commercial area and proposed Mecklenburg County Community Resource Center providing some goods and services for potential future residents at this site. It is also located directly along a bus route, and it is considered a remnant parcel. It is owned by Charlotte Mecklenburg Schools. We do have some outstanding issues, particularly related to site and building design that we think we could work through with the petitioner, and I will take questions following petitioner comments.

**Nolan Groce, 1213 West Morehead Street, Suite 450** said good evening again Mayor Pro Tem, members of City Council and the Zoning Committee. Nolan Groce with Urban Design Partners representing the Drox Group, LLC on Petition No. 2025-017. Holly, thank you for the thorough staff report. You've covered most of my presentation. So, I'll try to be fairly brief. This 2.44-acre site is located to the west of Nations Ford Road,

north of Wanda Lane and south of E.E. Waddell Drive. Site is currently zoned OFC, proposed to be rezoned to Neighborhood 2-A, conditional for up to 37 multi-family attached dwelling units. The site is currently identified on the Policy Map as Neighborhood 1. The revised Policy Map which has not been adopted yet, identifies it as the Campus Place Type. Here is our rendered rezoning site plan proposing those 37 multi-families attached units. Each unit will be rear loaded with a two-car garage accessed via a five-foot driveway pad. Guest parking is located east on the site, seven spaces as Holly mentioned and to the west, we have our proposed green area and proposed [inaudible] at the northern end of the site which is the natural low point. We do have a few outstanding issues that we look forward to working with staff and believe we will do in the next few days prior to our submittal. Those items specifically are calling out trees along the proposed private alleys, proposed subway connections at the northern and southern ends of the site, additional on-site sidewalk allowing walkability to the proposed green area as well as revising our solid waste location, but we look forward to working through those issues. Happy to answer any questions you might have.

**Councilmember Brown** said hi.

Mr. Groce said good evening.

Ms. Brown said it's always a pleasure to work with you. In Nations Ford Road there is a strong community president in this area that you're speaking of. So, when I see that the meeting has been held, report available online, zero in attendance, that just is alarming to me, because the Nations Ford Road Corridor and the community leaders out there are very active and engaged. So, we definitely would have to talk about that. What other outstanding issues are you working on?

Mr. Groce said currently committing to a certain number of trees along the alley, proposed stub road connections to abutting properties, additional internal sidewalk as well as confirming our solid waste location.

Ms. Brown said my biggest concern at this moment just with this petition is making sure that I take it upon myself to reach out to the community leaders and see if they were notified. I've worked with you before. Were you in charge of doing that or did somebody else do it?

Mr. Groce said our office does, yes ma'am.

Ms. Brown said your office did it? Okay, alright.

Mr. Groce said sent mailers to all abutting property owners in the community.

Ms. Brown said we can talk offline, but I know that Nations Ford Road, especially in this particular area, we're doing some work down there now with the Community's Engagement Team, redevelopment of the neighborhood and making it look better. So, I know they're very, very active and engaged. So, I just want to make sure that they are aware of this.

Mr. Groce said certainly.

Ms. Brown said so, we can talk, and we will talk. So, thank you.

Mr. Groce said of course. Thank you, Council woman.

Mayor Pro Tem Anderson said I do completely agree with Ms. Brown. They have not only a strong neighborhood president but the whole coalition on that Corridor is really leaning into it. So, would love to hear their perspective on this as well as the implementation of the length of the sidewalks and the planting strips, any other community beautification aspects that they would want in this particular project. So, I look forward to hearing what their engagement is.

Mr. Groce said yes ma'am, thank you.

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

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**ITEM NO. 19: HEARING ON PETITION NO. 2025-018 BY OYSTER DEVELOPMENT INC. FOR A CHANGE IN ZONING FOR APPROXIMATELY 2.98 ACRES LOCATED IN THE NORTHEASTERN QUADRANT OF THE INTERSECTION OF SAM WILSON ROAD AND WEST POINTE DRIVE FROM N2-B (NEIGHBORHOOD 2-B) TO ML-1 (MANUFACTURING AND LOGISTICS-1).**

**Mayor Pro Tem Anderson** declared the hearing open.

**Holly Cramer, Planning, Design & Development** said this site is just under three acres located at the intersection of Sam Wilson Road and West Pointe Drive in the area where we have quite a bit of industrial uses as well as some office uses, and residential uses located further away from this site. The current zoning is Neighborhood 2-B and they are proposing to go to Manufacturing and Logistics-1. This is a conventional petition with no associated site plan. This proposal would be consistent with the Policy Map's recommendation for the Manufacturing and Logistics Place Type of this area as well as for the entirety of this eastern section of Sam Wilson Road up until you hit some vacant and large lot residential to the north. Staff does recommend approval of this petition. The proposal would bring the site's zoning into alignment with our adopted policy. It is surrounded by other industrial uses including some heavy commercial uses as well to the south, making it suitable for some more industrial uses compatible with what is already on the ground and what is foreseen in our policy. I will take any questions following petitioner comments.

**Jeff Watson, P.O. Box 1392** said thank you for your time tonight. As staff recommended, we are just more or less aligning the zoning with what's already in the policy. I'm not sure how we got overlooked with the rezoning at the time that it was kind of master planned in the policy. So, we're more or less just aligning with the current proposed zoning for the land use plan. We don't have any intentions at this time but just wanted to go ahead and align ourselves with the zoning in the area, which is heavily industrial around this all.

Motion was made by Councilmember Ajmera, and seconded by Councilmember Johnson to close the public hearing.

Mayor Pro Tem Anderson said I did just have one question for you. You did mention that it was an industrial area. So, I know this pretty wide parcel is out there in that part of town, but I was also just surprised that you didn't get any reaction or any bites for the community meeting or anything.

Mr. Watson said well I had one email from the gentleman across the street.

Mayor Pro Tem Anderson said okay.

Mr. Watson said I answered his question which was he just asked if we had any proposed development plans and at the time we do not. Another gentleman called and said do I want to buy his property across the street was another gentleman, but other than that, no, we didn't have any outreach. The majority of the property owners right around us are big institutional owners.

Mayor Pro Tem Anderson said yes.

Mr. Watson said so, we're adjacent, like Pro Logics, which is a huge real estate trust, investment trust. So, that's our adjoining neighbor.

Mayor Pro Tem Anderson said got you. Yes, I thought so. Okay. Great, thank you for that.

**Councilmember Brown** said I just want to make sure that the community engagement piece, when we see zero it's alarming and we may not say nothing every time, but it's our duty to say something every time and we don't want to sound like a broken record but the meetings, people watching the meetings and they want to know that we are actually representing our constituents in the best way possible. So, when we see zero it's like, "What is the communication that's being put out there?"

Mr. Watson said sure.

Ms. Brown said this is not for you, this is for staff. Doesn't staff put the communication out about it?

Ms. Cramer said so, there's noticing that the petitioner does and then there's noticing that we do for the community meeting that is upon the petitioner to notice that, but we provide the full mailing list including property owners within 300 feet as well as the neighborhood organization leaders. They're required to send their notification to every single individual or entity on that mailing list.

Ms. Brown said right. So, thank you so much for just explaining that information on record. You know, when we see zero, it's troubling to see with so many community members asking about the fast-paced development, how it's growing, how the City is growing, the traffic, the congestion and all of the things that they have to say to us, but then we see zero on community involvement, community engagement. So, I wanted to definitely be on record with us asking the question of what are we doing to make sure that all community members are involved and that they're engaged with the communication as we put out, but if it's zero and we've done our due diligence, then that's not a whole lot more that we can do. We definitely want to make sure that we are doing our due diligence.

Ms. Cramer said yes.

Mr. Watson said if I may add, I did send out certified letters and then we didn't have anybody show up. So, this is all via online and so we sent out another and had another evening available for community comments and nobody else showed up again. So, we tried twice.

Ms. Brown said thank you so much.

Mr. Watson said yes ma'am.

Ms. Brown said I definitely believe you, not saying that you did not, but then we do still have a duty to reach out to the community leaders that are engaged in that area as we go to the community meetings. I just wrote it down to just to follow back up with them and say, "Hey, this meeting was held. Were you aware of it?" Were the constituents aware of it and how we move forward with making sure that we can get them involved. I believe that you did what you were supposed to do, but then I have a job to do my part.

Mr. Watson said understood.

Ms. Brown said yes, thank you so much. I really appreciate it.

Mr. Watson said thank you. Yes ma'am.

**Councilmember Johnson** said just one question. You said the requirement is neighbors within 300 feet? Is that what you said?

Ms. Cramer said so, that's our City policy which goes beyond what the statutes require which is just abutting property owners. Our policy is to notify any property owners within 300 feet as well as the entirety of the neighborhood organization list of neighborhood organizations within a mile of the site and that list is curated by Housing and Neighborhood Services.

Ms. Johnson said thank you. So, we've expressed concerns about the outreach for a long time.

Ms. Brown said we have.

Ms. Johnson said I thought we were looking at expanding that notification. I know at one time we talked about it being on Nextdoor.

Ms. Cramer said so, we do Nextdoor notices. I'm sorry to interrupt, but we do Nextdoor notices twice for every single petition when it first becomes an active petition at the beginning of the process and then right before public hearing. So, it did have a Nextdoor notice that was sent out for any community that has a boundary within a mile of the site and that notice for the public hearing was sent out last week for this petition.

Ms. Johnson said so, perhaps, and we've talked about this, we should look at expanding the mailing, the radius for the mailing. I know we've talked about it a long time. So, it's just a matter of Council just changing it if that's what we want to do. I would like to take a look at that. I don't know if that's a Committee referral, but we need to stop talking about it because we've all expressed concerns about it. So, that's not on you all, it's a Council issue at this point.

Ms. Cramer said yes, understood.

Ms. Johnson said thank you.

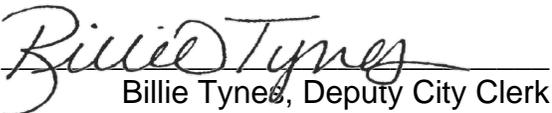
The vote was taken on the motion and recorded as unanimous.

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### ADJOURNMENT

Motion was made by Councilmember Mayfield, seconded by Councilmember Johnson and carried unanimously to adjourn the meeting.
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The meeting was adjourned at 7:21 p.m.

  
Billie Tyne, Deputy City Clerk

Length of Meeting: 2 Hours, 47 Minutes  
Minutes completed: July 10, 2025