

The City Council of the City of Charlotte, North Carolina convened for a Zoning Meeting on Monday November 18, 2024, at 5:03 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, Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, and Victoria Watlington.

ABSENT UNTIL NOTED: Councilmembers Tiawana Brown and Marjorie Molina

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Mayor Lyles said thanks for joining us in the Council chambers. We are going to have a deviation from our normal Zoning Agenda, and we've all tried to work to make sure that everyone understands what we're doing and try to make sure that we can get this meeting done. So, what we are going to be doing is we're going to begin our Zoning Meeting. Following our Zoning Meeting, we're going to recess into closed session. I think the closed session will be finished and done by 6:30 p.m. and then we'll start the Zoning Hearings again. Alright? So, with that I'm going to call this meeting to order and we'll begin with our introductions.

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INVOCATION AND PLEDGE

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

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CLOSED SESSION:

Motion was made by Councilmember Anderson, and seconded by Councilmember Ajmera to go into closed session pursuant to N.C.G.S. 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, and conditions of appointment or conditions of initial employment of an individual public officer or employee or perspective public office or employee.
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Councilmember Mayfield said I want to make sure that our Deputy Clerk gets it on file that I will not be joining this closed session meeting since there is someone on this Council that chooses to share everything of information or importance, especially conversations regarding our personnel which is disrespectful and out of order. So, I would like for the record to show that I will not be stepping into this closed session.

Mayor Lyles said I think Ms. Mayfield, and I appreciate what you've said, but I'm not sure how this works with our duty to vote.

Ms. Mayfield said we have it on record as far as me abstaining from whatever discussion you have and why I'm abstaining from it.

Mayor Lyles said so, I don't have the rules in front of me, but I don't believe that you can abstain just because you choose to. The Council would have to vote.

Ms. Mayfield said I am an individual. I am able to according to our rules.

Mayor Lyles said well, let's see. Terrie, you're going to have to help me with the rules because I thought the duty to vote required that if there was some issue that you had, that the Council would have to excuse you.

Ms. Mayfield said my vote is not going to be recorded as [inaudible] because I'm not in the meeting.

Mayor Lyles said so, this might take a moment. I apologize.

Ms. Mayfield said my vote is not going to be a yes because I have just recused myself from this. Because unfortunately since any discussion whether we are present or not, is an automatic yes through this body, that is why I am going on record to say that I am not a part of this upcoming meeting because my decision is not going to be an automatic yes.

Councilmember Watlington said point of order. The meeting has already begun.

Councilmember Brown arrived at 5:08 p.m.

Mayor Lyles said hold on. The meeting has already started.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Watlington to go into closed session and excuse Councilwoman Mayfield.
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Mayor Lyles said alright. As long as we have that vote, I think we'll be okay, but I just wanted to make sure we're following our own rules. Terrie is going to review it. If there's anything that makes this motion not valid then we will come back out and start all over again. That's the only way I know how to do it. Okay. Thank you very much. We'll try to be out as quickly as we can.

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

Councilmember Mitchell said you still have to make a ruling though.

Mayor Lyles said yes, we do need a ruling and if you'll get that and get that to us as quickly as possible I would appreciate it.

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The meeting was recessed at 5:10 p.m. to go into closed session.

Councilmember Molina arrived at 5:22 p.m.

The closed session recessed at 6:42 p.m. to move to the Meeting Chamber for the regularly scheduled Zoning Meeting.

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The City Council of the City of Charlotte, North Carolina reconvened for a Zoning Meeting on Monday November 18, 2024, at 6:52 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Pro Tem presiding. Council members present were Dimple Ajmera, Danté Anderson, Tariq Bokhari, Tiawana Brown, Ed Driggs, Malcolm Graham, Renee Johnson, Lawana Mayfield, James Mitchell, Marjorie Molina, and Victoria Watlington.

ABSENT: Mayor Vi Lyles.

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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

Andrew Blumenthal, Chairman of the Zoning Committee said thank you Mayor Pro Tem and thank you to the rest of Council. To introduce the Zoning Committee, my name is Andrew Blumenthal, the Chairman. Next to me is Clayton Sealey, Theresa McDonald, Erin Shaw, Shana Neeley, Rick Winiker and Robin Stuart. We have a full contingent this evening. The next meeting of the Zoning Committee will be on Tuesday, December 3, 2024 at 5:30 p.m. At that meeting we will be discussing and making recommendations on the petitions that have public hearings this evening. The public is welcome to attend that meeting. However, please note that it is not a continuation of any public hearings that are being held here tonight. Prior to that meeting you are welcome to contact any of us directly to provide input. You can find all of our contact information and the information on each petition on the City's website at Charlotteplanning.Org. Thank you Mayor Pro Tem.

DEFERRALS / WITHDRAWALS

Motion was made by Councilmember Driggs, seconded by Councilmember Ajmera, and carried unanimously to defer: a decision on Item No. 11, Petition No. 2023-023 by Horizon Development Properties, Inc. to December 16, 2024; a decision on Item No. 12, Petition No. 2023-038 by Levine Properties to December 16, 2024; a decision on Item No. 13, Petition No. 2023-039 by Northwood Ravin to December 16, 2024; a decision on Item No. 14, Petition No. 2024-077 by The Drox Group, LLC to December 16, 2024; a decision on Item No. 20, Petition No. 2024-059 by Veer Homes, LLC to December 16, 2024; a hearing on Item No. 21, Petition No. 2024-047 by Heaven Properties to December 16, 2024; a hearing on Item No. 22, Petition No. 2024-098 by Helix Holdings, LLC to December 16, 2024; and a hearing on Item No. 26, Petition No. 2024-088 by Childress Klein to December 16, 2024.

CONSENT AGENDA

ITEM NO. 2: CONSENT AGENDA ITEMS 3 THROUGH 10 MAY BE CONSIDERED IN ONE MOTION EXCEPT FOR THOSE ITEMS PULLED BY A COUNCIL MEMBER. ITEMS ARE PULLED BY NOTIFYING THE CITY CLERK.

Mayor Pro Tem Anderson said please note that these petitions meet the following criteria. First, they've had no public opposition to the petition at the hearing, secondly the Zoning Committee recommended the approval and thirdly there are no changes after the Zoning Committee's recommendation. Lastly, staff recommends the approvals of these petitions as well. Are there any consent agenda items Council would like to pull for question, comment or a separate vote this evening?

Councilmember Johnson said I'd like to pull Item No. 4 and No. 10 for comments please.

Motion was made by Councilmember Ajmera, seconded by Councilmember Brown, and carried unanimously to approve the Consent Agenda as presented with the exception of Item No. 4 and Item No. 10 which were pulled for a separate vote.

The following items were approved:

Item No. 3: Ordinance No. 888-Z, Petition No. 2024-045 by Drakeford Communities amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 3.726 acres located along the south side of The Plaza, east of Aintree Road, and west of Lakedell Drive from N1-B (Neighborhood 1-B) to N2-A(CD) (Neighborhood 2-A, Conditional).

The Zoning Committee voted 6-0 (motion by McDonald, seconded by Seeley) 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 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 Shannon Park neighborhood is comprised of single family and multi-family residential areas with commercial nodes interspersed throughout that provide amenities to surrounding residents. This proposal would change the recommended Place Type from Neighborhood 1 to Neighborhood 2 for this property. This Policy Map revision is supported by the site's frontage along a state-maintained arterial road, adjacency to existing multi-family developments, proximity to goods and services, and access to multimodal transit options. This proposal would allow uses that are similar in intensity to what is entitled along the northern side of The Plaza, under N2-B and R-9MF(CD) zoning districts. Less than a mile from the site in both the east and west directions are areas in the Neighborhood Center Place Type. Within those two Neighborhood Centers are retail, restaurant, and service uses among other neighborhood commercial establishments. These Centers help to support densification in abutting neighborhoods as future residents will be able to easily access amenities within a short walk, bike ride, or transit trip. Along the site's frontage is an existing bus stop which the petitioner commits to upgrade to an ADA (Americans with Disabilities) compliant bus stop. Alternative transit options are also facilitated in this rezoning with a proposed buffered bike lane as well as expanded and improved sidewalk networks. These pedestrian-oriented mobility options will aid transit connections for future residents in the proposal itself as well as the surrounding neighbors. Directly east and west of the rezoning boundary along the south side of The Plaza are single family homes that should be adequately buffered and taken into consideration when new infill development is proposed. The petitioner will provide a 25-foot landscape yard around the perimeter of the site as well as a 60-foot greenway easement along the western boundary. The landscape yard will have prescribed planting standards which will help screen the proposed multi-family uses from the established single-family homes. The petition also proposes a maximum building height that matches what is permitted in the abutting N1-B zoning district along the eastern and western rezoning boundaries. This petition provides a connection to the existing Plaza Meadow Drive stub on the rezoning's eastern boundary. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 1 to Neighborhood 2 for the site.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 509-510.

Item No. 5: Ordinance No. 890-Z, Petition No. 2024-075 by Arbo, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.4 acres located along the north side of Pineville-Matthews Road and the west side of Arboretum Drive from O-15(CD) (Office, Conditional) to CAC-1(CD) (Community Activity Center-1, Conditional).

The Zoning Committee voted 7-0 (motion by Stuart, seconded by Shaw) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent 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) calls for the Community Activity Center Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed rezoning encourages moderate to high density mixed-use developments consistent with the Community Activity Center Place Type. The CAC-1 zoning district would enable the site to support a mix of uses that are compatible with the surrounding area, which includes residential and office developments. The area is transitioning toward a blend of uses, particularly along the Pineville-Matthews Road corridor. This corridor is increasingly

characterized by retail establishments, medical offices, and businesses. The proposed rezoning includes limitations on building height and floor area, ensuring that new development will maintain an appropriate scale and character in relation to neighboring properties. CATS will require an upgrade of an existing bus stop to an ADA-compliant bus standard detail 60.01A along Pineville-Matthews Rd. The final location will be coordinated with the developer during the Land Development process. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 5: Safe & Equitable Mobility, 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 513-514.

Item No. 6: Ordinance No. 891-Z, Petition No. 2024-080 by Diallo Mamdou Korka amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 1.658 acres located along the east side of North Graham Street and the north side of Oneida Road from I-1(CD) (Light Industrial, Conditional) to ML-1 (Manufacturing and Logistics 1).

The Zoning Committee voted 7-0 (motion by McDonald, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) calls for the Manufacturing and Logistics place type at this site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The ML-1 zoning district is suitable for the subject property because it accommodates light industrial uses, including warehousing, distribution, and logistics. These uses are compatible with the site's proximity to similarly zoned ML-1 and ML-2 districts, allowing for a consistent continuation of industrial development. Consistent with UDO requirements, a 25-foot Class B landscape yard will be provided along the site's frontage as the site is located across from the N1 Place Type. The site has direct access to North Graham Street, a major arterial road. This petition supports contiguity with existing Manufacturing & Logistics zones, aligning with the surrounding land use pattern and maintaining a cohesive industrial corridor along North Graham Street. The proposed rezoning enhances the area's economic development potential by encouraging job growth and supporting logistics operations. The petition could facilitate the following 2040 Comprehensive Plan Goals: Goal 8: Diverse & Resilient Economic Opportunity.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 515-516.

Item No. 7: Ordinance No. 892-Z, Petition No. 2024-081 by Caldwell Development, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 0.461 acres located along the northeast side of Castleton Road, southwest of Craig Avenue, and northwest of North Sharon Amity Road from N1-A (Neighborhood 1-A) to N1-C (Neighborhood 1-C).

The Zoning Committee voted 7-0 (motion by Welton, seconded by Winiker) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 1 place type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The proposed N1-C zone allows for the development of residential dwellings on lots of 6,000 square feet or greater and allows for modestly reduced setbacks and lot width when compared to the site's current N1-A zoning designation. This will allow the site to be developed in a manner that is compatible with the existing N1-A zoning in the area while supporting the City's housing goals. Both the current N1-A zoning district and the proposed N1-C district permit single-family, duplex, and triplex units, subject to certain prescribed conditions found in the UDO. The requested zoning district is consistent with the zoning of the abutting lot that was

recently rezoned from N1-A to N1-C via petition 2023-086. Single-family detached homes on lots are the primary use in this Place Type. Accessory Dwelling Units are also found. Duplexes, triplexes, quadraplexes, and civic uses, such as parks, religious institutions, and neighborhood scaled schools, may also be found in this place type. A very well-connected local street network provides safe and direct access throughout the neighborhood and to and through the neighborhoods and adjacent Place Types. This street network helps disperse vehicular traffic and allows residents to walk or bike to transit and nearby destinations. Arterial streets also support walking, cycling, and transit use by providing a safe and comfortable environment to reach transit or nearby destinations. The petition could facilitate the following 2040 Comprehensive Plan Goals: 2: Neighborhood Diversity & Inclusion.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 517-518.

Item No. 8: Ordinance No. 893-Z, Petition No. 2024-085 by AAAA Holdings, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 2.85 acres located along the east side of Westpark Drive, north of Griffith Road, and south of Tyvola Road from ML-2 (Manufacturing and Logistics 2) to CG (General Commercial).

The Zoning Committee voted 7-0 (motion by Stuart, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be 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) calls for the Manufacturing & Logistics place type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Rezoning from Manufacturing & Logistics (ML-2) to General Commercial (CG) reflects a shift in this area from industrial uses to commercial uses. The area surrounding the site is trending towards commercial uses including restaurants, hotels, and auto-related uses. The proposed CG zoning would be consistent with the general development pattern in the area. The site's proximity to major roadways such as Tyvola Road and Westpark Drive provides convenient access for customers and employees. The proposal will allow for the adaptive re-use of the existing building with commercial uses such as retail or restaurant, and could improve access to Essential Amenities, Goods & Services. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 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 Manufacturing and Logistics Place Type to the Commercial Place Type.

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 519-520.

Item No. 9: Ordinance No. 894-Z, Petition No. 2024-086 by Peak Sports Holdings, LLC amending the Official Zoning Map of the City of Charlotte to affect a change in zoning for approximately 4.9 acres located along the south side of South Clarkson Street and the west side of West Summit Avenue, southeast of I-77 from ML-2 (Manufacturing and Logistics 2) to RAC(CD) (Regional Activity Center, Conditional).

The Zoning Committee voted 7-0 (motion by McDonald, seconded by Welton) 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 Regional Activity Center place type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The petition would align the zoning district with the adopted place type. The petition would allow for adaptive reuse of the existing buildings while not precluding the advancement of the Silver Line transit corridor in the future. The petition could support access to employment opportunity, which is a goal of the Regional Activity Center place type. 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 ordinance is recorded in full in Ordinance Book 67, at Page(s) 521-522.

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ITEM NO. 4: ORDINANCE NO. 889-Z, PETITION NO. 2024-049 BY SHREEJI HOSPITALITY OF UNIVERSITY, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.96 ACRES LOCATED AT THE NORTHEAST INTERSECTION OF NORTH TRYON STREET AND HAMPTON CHURCH ROAD, SOUTH OF EAST MCCULLOUGH DRIVE FROM TOD-TR (TRANSIT-ORIENTED DEVELOPMENT-TRANSITION) AND N1-C (NEIGHBORHOOD 1-C) TO TOD-CC (TRANSIT-ORIENTED DEVELOPMENT-COMMUNITY CENTER).

The Zoning Committee voted 7-0 (motion by Winiker, seconded by Russell) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Community Activity Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The site meets the specified UDO locational criteria for the application of the TOD-CC zoning district. Specifically, TOD-CC zoning districts are typically applied when in closer proximity to transit than TOD-TR zones. The proposed TOD-CC zoning district aligns with the zoning to the east and west of the site. TOD districts are intended for those areas that are transitioning away from automobile-centric orientation toward a more walkable, well-connected, moderate intensity, mix of retail, restaurant, entertainment, office, and personal service uses. The TOD-CC District is appropriate for parcels near moderate-intensity rapid transit stations. The site is currently developed with a hotel which is not a permitted use in the TOD-TR zoning district making it a legal non-conforming use. A rezoning to TOD-CC would correct that oversight. The proposed site is located approximately 550 feet from the McCullough Station along the LYNX Blue Line meeting the applicability criteria of the UDO to be within a half mile walking distance of an existing transit station. The site provides development consistency with the TOD-CC parcels across Tryon Street. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development.

Motion was made by Councilmember Johnson, and seconded by Councilmember Mitchell to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Community Activity 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 meets the specified UDO locational criteria for the application of the TOD-CC zoning district. Specifically, TOD-CC zoning districts are typically applied when in closer proximity to transit than TOD-TR zones. The proposed TOD-CC zoning district aligns with the zoning to the east and west of the site. TOD districts are intended for those areas that are transitioning away from automobile-centric orientation toward a more walkable, well-connected, moderate intensity, mix of retail, restaurant, entertainment, office, and personal service uses. The TOD-CC District is appropriate for parcels near moderate-intensity rapid transit stations. The site is currently developed with a hotel which is not a permitted use in the TOD-TR zoning district making it a legal non-conforming use. A rezoning to TOD-CC would correct that oversight. The proposed site is located approximately 550 feet from the McCullough Station along the LYNX Blue Line meeting the applicability criteria of the UDO to be within a half mile walking distance of an existing transit station. The site provides development consistency with the TOD-CC parcels across Tryon Street. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development.

Councilmember Johnson said I just wanted to talk about this one publicly. First of all this is a petition to change one of the motels to a multi-family development, and I just want to confirm with City staff that we do have documentation from the developer that there will be no displacements. I did ask during the public hearing. I've also had meetings with the developer that there are no long-term occupants of that hotel or motel. You all know displacement is very concerning to me. So, I just want to confirm with City staff that we do have something in writing from the developer that there will be no displacement.

David Pettine, Planning, Design & Development said yes, that's correct. We do have email correspondence from the petitioner that their hotel has a strict policy that doesn't allow any long-term stay. So, they don't have any long-term residents that would be displaced as a result of the petition.

Ms. Johnson said okay, thank you. That's all.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 511-512.

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ITEM NO. 10: ORDINANCE NO. 895-Z, PETITION NO. 2024-092 BY LUCERN CAPITAL PARTNERS AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 3.07 ACRES LOCATED ALONG THE NORTH SIDE OF WEST W.T. HARRIS BOULEVARD, AND THE EAST SIDE OF RESEARCH DRIVE, WEST OF I-85 FROM RE-3(CD) (RESEARCH, CONDITIONAL) TO CAC-1(EX) (COMMUNITY ACTIVITY CENTER-1, EXCEPTION).

The Zoning Committee voted 7-0 (motion by Shaw, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Community Activity Center Place Type. 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: EX petitions are a type of conditional rezoning that allow for flexibility in quantitative zoning and streetscape standards in exchange for the commitment to public benefits in at least two out of three categories: city improvements, public amenities, and sustainability measures. EX petitions should be reserved for situations where extenuating circumstances make meeting ordinance standards an undue burden. Proposed public benefits proposed in support of the requested EX provisions must exceed minimum requirements. The site has unique circumstances which include increased setbacks and established mature tree canopy along the sites frontages that significantly reduce visibility of the buildings from the public right-of-way. The public benefits proposed in support of this EX petition include provision of rooftop solar panels as well as donating \$10,000 to the City of Charlotte for pedestrian improvements in the broader Research Park area. The proposed rooftop solar panels represent an appropriate sustainability measure in support of the requested EX provisions. The 2040 Policy Map (2022) recommends the Community Activity Center Place Type for this site. Typical uses in this Place Type include a mix of retail, personal services, multi-family, and office. The proposed day care center is a permitted use in the CAC-1 zoning district and could serve to support the existing and future mix of residential and office campus uses in the area. This petition proposes retail uses that offer potential employment opportunities. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods.

Motion was made by Councilmember Johnson, and seconded by Councilmember Mitchell to approve this petition and adopt the following statement of consistency: This petition is found to be consistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map (2022) recommends the Community Activity Center Place Type. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: EX petitions are a type of conditional rezoning that allow for flexibility in quantitative zoning and streetscape standards in exchange for the commitment to public benefits in at least two out of three categories: city improvements, public amenities, and sustainability measures. EX petitions should be reserved for situations where extenuating circumstances make meeting ordinance standards an undue burden. Proposed public benefits proposed in support of the requested EX provisions must exceed minimum requirements. The site has unique circumstances which include increased setbacks and established mature tree canopy along the sites frontages that significantly reduce visibility of the buildings from the public right-of-way. The public benefits proposed in support of this EX petition include provision of rooftop solar panels as well as donating \$10,000 to the City of Charlotte for pedestrian improvements in the broader Research Park area. The proposed rooftop solar panels represent an appropriate sustainability measure in support of the requested EX provisions. The 2040 Policy Map (2022) recommends the Community Activity Center Place Type for this site. Typical uses in this Place Type include a mix of retail, personal services, multi-family, and office. The proposed day care center is a permitted use in the CAC-1 zoning district and could serve to support the existing and future mix of residential and office campus uses in the area. This petition proposes retail uses that offer potential employment opportunities. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods.

Councilmember Johnson said I just wanted to just lift this development up as well. This petition proposes to develop a child care center right in the University Research Park area. So, I'm very excited. We know that District Four is a leader in jobs in the City, particularly that research area. So, when I talk about infrastructure and balanced development, this is a part of it. So, we look forward to a daycare center in that area and I look forward to supporting.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 523-524.

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DECISIONS

Mayor Pro Tem Anderson said that completes the consent agenda portion of our agenda and we will move on to the non-consent agenda items. We'll begin with the items with changes after the Zoning Committee's recommendations. When it comes to these items there has been changes to the petition after the Zoning Committee and there must be a special vote on these changes prior to the vote on the petition. For the following items below there have been changes after the Zoning Committee vote. Prior to the vote of each of these items that we'll speak to, we will have to vote as to whether or not to send them back. Mr. Pettine can I ask you to speak to those items that have changes.

David Pettine, Planning, Design & Development said we do have a couple of items, 17 and 19. We can cover them when we get to them on the agenda at the point when they come up for their items. I think we've got 15 and 16 to work through and then we'll have changes for 17 and changes for 19.

Mayor Pro Tem Anderson said okay, excellent. So, we will vote on those as we move forward and arrive in the agenda for them.

ITEM NO. 15: ORDINANCE NO. 896-Z, PETITION NO. 2024-082 BY CITY OF CHARLOTTE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 7.05 ACRES LOCATED ALONG THE NORTHWEST SIDE OF SOUTH TRYON STREET, EAST OF WEST TYVOLA ROAD, AND SOUTH OF BILLY GRAHAM PARKWAY FROM N1-B (NEIGHBORHOOD 1-B) TO CG(CD) (GENERAL COMMERCIAL, 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 inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Parks & Preserves place type. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The petition would provide relief for Charlotte-Mecklenburg Animal Care & Control, which needs additional space for sheltering and rehousing animals. The development standards accompanying the petition limit the uses specifically to animal shelter, animal care facility, and accessory uses. The petition commits to providing a 25-foot Class B landscape yard with six-foot opaque fence, which exceeds ordinance requirements, along the southwestern property line to mitigate impacts to Jeff Adams Tennis Center. Additionally, the petition commits to locating the exterior exercise area in the northeastern corner of the site, opposite from the tennis courts. While the proposal is inconsistent with the 2040 Policy Map recommendation for Parks & Preserves place type, the petition would address a specific community need on property owned by the City. The petition could facilitate the following 2040 Comprehensive Plan Goals: 10: Fiscally Responsible. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Parks & Preserves place type to Commercial place type for the site.

Motion was made by Councilmember Brown, and seconded by Councilmember Driggs, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Parks & Preserves 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 would provide relief for Charlotte-Mecklenburg Animal Care & Control, which needs additional space for sheltering and rehousing animals. The development standards accompanying the petition limit the uses specifically to animal shelter, animal care facility, and accessory uses. The petition commits to providing a 25-foot Class B landscape yard with six-foot opaque fence, which exceeds ordinance requirements, along the southwestern property line to mitigate impacts to Jeff Adams Tennis Center. Additionally, the petition commits to locating the exterior exercise area in the northeastern corner of the site, opposite from the tennis courts. While the proposal is inconsistent with the 2040 Policy Map recommendation for Parks & Preserves place type, the petition would address a specific community need on property owned by the City. The petition could facilitate the following 2040 Comprehensive Plan Goals: 10: Fiscally Responsible. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map (2022) from Parks & Preserves place type to Commercial place type for the site.

Councilmember Brown said I've been working with the community on this for quite some time dealing with the animal shelter and the concerns around the crowding and having to put so many animals down and finding a subsequent place to put them, and still not enough room. So, for the most part the community is satisfied with that. That

was a huge meeting and I've attended all of them. I've actually championed this project and spoke with numerous people. Some of the community members are not happy with it, I want to state that for the record, but for the masses it's okay. So, I'm moving forward with it. I'm happy to see it. This is only a starting point. There's a whole lot more than can be done. Me, myself, I personally would like to say it on record. I would like to see the animal shelter separate from CMPD (Charlotte Mecklenburg Police Department). That's another story for another day. CMPD has their own issues without having to worry about the four little legged creatures is what I was trying to say, but at this time I'm happy to be able to support this. Again, I would like to see something in the future maybe when I'm gone, even if I'm not here. That's something that we really need to look into. It's been a long time and working with Dr. Fisher who's over the animal shelter and his staff, they've been working really, really hard to make sure you know, the volunteer process, it's just been a strenuous thing. So, for me to be hands on and I didn't even grow up around dogs, but I took the initiative to go and learn about how these things work and how it's going to benefit the community in the long run. So, I support it.

Mayor Pro Tem Anderson said I will add Ms. Brown that I think this will be an excellent litmus test to see how we can help support the overcrowding of the animal shelter and if we get this right and get this model right, then we can replicate it in other areas throughout the City, and I know that Dr. Fisher and his staff are very happy about that.

Ms. Brown said oh yes, they're working hard, but like I said, it's only the beginning. It's not enough but it's a start.

Mayor Pro Tem Anderson said absolutely. Thank you.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 525-526.

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ITEM NO. 16: PETITION NO. 2024-083 BY THE CITY OF CHARLOTTE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.324 ACRES LOCATED ALONG THE NORTH SIDE OF PARKWOOD AVENUE AND THE EAST SIDE OF PEGRAM STREET AND APPROXIMATELY 0.197 ACRES LOCATED ALONG THE WEST SIDE OF PEGRAM STREET, SOUTH OF PARKWOOD AVENUE FROM UR-3(CD) (URBAN RESIDENTIAL, CONDITIONAL) AND CG (GENERAL COMMERCIAL) TO N2-A (NEIGHBORHOOD 2-A).

The Zoning Committee voted 7-0 (motion by Stuart, seconded by Welton) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent and inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Neighborhood 2 Place Type for parcel 081-147-08; and The 2040 Policy Map recommends the Neighborhood 1 Place Type for parcel 083-091-09. 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: Located along Pegram Street and Parkwood Avenue in the Belmont neighborhood, this corridor is seeing residential densification and diversification of entitled uses. The existing zoning in the area immediately adjacent to the boundaries of the subject site allows for multi-family residential, single family residential, and commercial uses. The approved UR-3(CD) plan on parcel 081-147-08 allows for up to 17 multi-family units. The N2-A zoning district allows for similar multi-family uses as well as single family residential and some limited commercial uses. Although the 2040 Policy Map calls for Neighborhood 1 for the parcel along the north side of Parkwood Avenue, that place type does not align with the existing CG zoning on the property as well as the surrounding zoning, much of which would permit multi-family and commercial uses. The abutting properties to this lot are developed with a church, convenience store, and single family homes. This parcel along the north side of

Parkwood Avenue, PID 083-091-09, is a corner lot adjacent to CG and N2-B zoning and would be an appropriate site for the application of a moderately intense residential zoning and subsequent Neighborhood 2 Place Type given the surrounding context and locational characteristics. Both parcels in this rezoning request are located along a bus route and less than 200-feet from a bus stop. The LYNX Blue Line's Parkwood Station is also just over a half-mile walk from this rezoning site. Utilizing transit or pedestrian infrastructure, future and current residents can access an activity center a little over a half-mile both east and west of the site. These activity centers provide goods and services to connected residential areas. Multi-family residential zoning districts that allow for greater intensity than Neighborhood 1 developments, are supported by the existing multi-modal transit options in the area and the destinations they facilitate. 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 for parcel 083-091-09, from Neighborhood 1 to Neighborhood 2.

Mayor Pro Tem Anderson said the City of Charlotte is still working on resolving. So, in an effort to ensure that we're being good stewards with our residents of Belmont and Villa Heights, I'm going to make a motion that we defer the approval of this petition.

Motion was made by Councilmember Anderson, seconded by Councilmember Driggs, and carried unanimously to defer Petition No. 2024-083 until next month when the City will be able to provide solid answers to questions that arose during the public hearing.

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ITEM NO. 17: ORDINANCE NO. 897-Z, PETITION NO. 2020-071 BY 3G INVESTMENTS AND DEVELOPMENTS, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 0.79 ACRES LOCATED ALONG THE EAST SIDE OF PARK ROAD, THE SOUTH SIDE OF SELWYN AVENUE, AND NORTH OF MANNING DRIVE FROM N1-A (NEIGHBORHOOD 1-A) TO MUDD-O (MIXED USE DEVELOPMENT DISTRICT - OPTIONAL).

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 inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because:• The 2040 Policy Map recommends Neighborhood 1 place type. However, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: The site is located at the corner of Park Rd and Selwyn Ave., major and minor thoroughfares, which could serve as a reasonable location for a neighborhood serving commercial use. Bus Route 19 along Park Road, has a stop at the site providing access to region, goods and services along the Park Rd. corridor. The site is at the edge of the residential neighborhood along Selwyn Ave. There is Community Activity Center place type recommended across Park Rd from the site. The site is within 880 ft of the Park Selwyn shopping center. Despite N1 place type to the north, south and east the site only abuts single family use to the east. North and south of the site is property owned by City of Charlotte and Mecklenburg County for greenways. The site is across the street from a Cross Charlotte Trail/ Little Sugar Creek greenway trailhead and provides a 60-foot easement at the rear of the site to Mecklenburg County for future Briar Creek greenway use. The existing single-family home has been used for office and residential/in-home office uses over the years. The rezoning would allow adaptive reuse of the existing structure and maintain the residential character along Selwyn Avenue. The petition limits business hours and the hours of operations of outdoor areas to reduce impacts on the adjacent single-family home. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods. 4: Trail & Transit Oriented

Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 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 Neighborhood Center place type for the site.

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

1. Clarified hours of operation.
2. Clarified alternative streetscape to remain at the northeastern corner of the property.

David Pettine, Planning, Design & Development said staff believes those changes are minor and don't warrant additional review by the Zoning Committee, and don't change the outcome of the project. We don't recommend they go back.

Mayor Pro Tem Anderson said excellent.

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

Motion was made by Councilmember Bokhari, and seconded by Councilmember Ajmera, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because:• The 2040 Policy Map recommends Neighborhood 1 place type. However, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: The site is located at the corner of Park Rd and Selwyn Ave., major and minor thoroughfares, which could serve as a reasonable location for a neighborhood serving commercial use. Bus Route 19 along Park Road, has a stop at the site providing access to region, goods and services along the Park Rd. corridor. The site is at the edge of the residential neighborhood along Selwyn Ave. There is Community Activity Center place type recommended across Park Rd from the site. The site is within 880 ft of the Park Selwyn shopping center. Despite N1 place type to the north, south and east the site only abuts single family use to the east. North and south of the site is property owned by City of Charlotte and Mecklenburg County for greenways. The site is across the street from a Cross Charlotte Trail/ Little Sugar Creek greenway trailhead and provides a 60-foot easement at the rear of the site to Mecklenburg County for future Briar Creek greenway use. The existing single-family home has been used for office and residential/in-home office uses over the years. The rezoning would allow adaptive reuse of the existing structure and maintain the residential character along Selwyn Avenue. The petition limits business hours and the hours of operations of outdoor areas to reduce impacts on the adjacent single-family home. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods. 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 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 Neighborhood Center place type for the site, as modified.

Councilmember Bokhari said we heard this one at a hearing a while back. There were a couple people that had some issues. I'll just applaud the petitioner for working with those folks to make some adjustments that remediated a lot of that and for the significant community input we've gotten of support since then as well. So, they all don't start out perfect, but this was a good example of a lot of work since we last heard about it.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 527-528.

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ITEM NO. 18: ORDINANCE NO. 898-Z, PETITION NO. 2022-224 BY SRL CENTRAL AVENUE PROPERTIES, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 1.23 ACRES LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF CENTRAL AVENUE AND MORNINGSIDE DRIVE, SOUTH OF ROLAND STREET FROM MUDD-O (MIXED-USE DEVELOPMENT-OPTIONAL) TO MUDD-O SPA (MIXED-USE DEVELOPMENT-OPTIONAL, SITE PLAN AMENDMENT)

The Zoning Committee voted 6-0 (motion by Whilden, seconded by Neeley) 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 based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood Center for the nonresidential portion and Neighborhood 1 for the existing single-family home. 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 Neighborhood Center Place Type recommends small, walkable mixed-use areas, typically embedded within neighborhoods, that provide convenient access to goods, services, dining, and residential for nearby residents. The petition aligns with this recommendation. The petition adds residential to the list of allowed uses on the site, increases total square footage from 44,000 square feet to 45,000 square feet, and adds optional provisions regarding existing structures. The petition carries forward all the entitlements and conditions from the previously approved rezoning. The project commits to an eight-foot sidewalk and eight foot planting strip along Central Avenue, and a six-foot sidewalk and eight-foot planting strip along Morningside Drive. Plants 10-foot-wide landscape areas adjacent to single family lots to Class C buffer standard. The parcel is located at the Morningside Stop proposed LYNX Gold Line Morningside Drive Stop is located at Central Avenue and Morningside Drive. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the parcel recommended for the Neighborhood 1 place type as specified by the 2040 Policy Map to Neighborhood Center for the site.

Motion was made by Councilmember Mitchell, and seconded by Councilmember Johnson, to approve this petition and adopt the following statement of consistency: This petition is found to be inconsistent with the 2040 Policy Map based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends Neighborhood Center for the nonresidential portion and Neighborhood 1 for the existing single-family home. 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 Neighborhood Center Place Type recommends small, walkable mixed-use areas, typically embedded within neighborhoods, that provide convenient access to goods, services, dining, and residential for nearby residents. The petition aligns with this recommendation. The petition adds residential to the list of allowed uses on the site, increases total square footage from 44,000 square feet to 45,000 square feet, and adds optional provisions regarding existing structures. The petition carries forward all the entitlements and conditions from the previously approved rezoning. The project commits to an eight-foot sidewalk and eight-foot planting strip along Central Avenue, and a six-foot sidewalk and eight-foot planting strip along Morningside Drive. Plants 10-foot-wide landscape areas adjacent to single family lots to Class C buffer standard. The parcel is located at the Morningside Stop proposed LYNX Gold Line Morningside Drive Stop is located at Central Avenue and Morningside Drive. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 2: Neighborhood Diversity & Inclusion, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities. The approval of this petition will revise the parcel

recommended for the Neighborhood 1 place type as specified by the 2040 Policy Map to Neighborhood Center for the site.

Mayor Pro Tem Anderson said I will open up for discussion, but I will begin the discussion as this is in my district. This has been a petition that has had engagement with the neighborhood, and the neighborhood has been engaged very early on. They have approval by the neighborhood associations, but felt like because there was such support for this that there was really no need for official letters of approval, but the community is fully engaged and supports this particular petition.

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

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 529-530.

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ITEM NO. 19: ORDINANCE NO. 899-Z, PETITION NO. 2023-165 BY CENTRAL AVENUE MULTIFAMILY, LLC AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CHARLOTTE TO AFFECT A CHANGE IN ZONING FOR APPROXIMATELY 2.839 ACRES BOUND BY THE SOUTH SIDE OF CENTRAL AVENUE, WEST SIDE OF PIEDMONT STREET, NORTH SIDE OF SUNNYSIDE AVENUE, AND EAST SIDE OF THE INDEPENDENCE/I-277 RAMP FROM N1-D (NEIGHBORHOOD 1-D), NC (NEIGHBORHOOD CENTER), O-6(CD) (OFFICE, CONDITIONAL) TO CAC-1(EX) (COMMUNITY ACTIVITY CENTER-1, EXCEPTION).

The Zoning Committee voted 6-0 (motion by -, seconded by -) to recommend approval of this petition and adopt the following statement of consistency: This petition is found to be consistent and inconsistent with the 2040 Policy Map (2022) based on the information from the post-hearing staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Community Activity Center Place Type for the majority of the site; and The 2040 Policy Map recommends the Neighborhood 1 Place Type on a portion of the site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the post-hearing staff analysis and the public hearing, and because: Located along Central Avenue and directly on the future Silver Line, this assemblage of parcels at the edge of the Sunnyside neighborhood is at a transitional intersection that must consider existing and planned infrastructure that encourages density while also building in design standards that are mindful of single family and middle density character. This is an exception conditional rezoning, an EX petition, and as such the petitioner requests modifications to quantitative zoning standards in exchange for committing to public benefits as justification for the requested flexibility of the ordinance. The requested EX provisions for transparency, ground floor height, and architectural standards are in response to the specific elevation characteristics of the site as well as its location along future transit infrastructure. The other EX provision being requested is for flexibility in the height plane standards required for sites that are near the Neighborhood 1 Place Type. The base ordinance standard would limit building height to 50 feet for portions of a structure within 100 feet of Neighborhood 1 and 65 feet for portions of a structure within 200 feet of Neighborhood 1. This petition requests only a slight increase in height in two areas of the building envelope to allow for 70 feet in maximum height rather than 65 feet where within 200 feet of the Neighborhood 1 Place Type. This proposed building envelope and the resulting design will still maintain the intent of the Ordinance's height plane restrictions and these two areas deviating from the 65-foot height cap would not be immediately adjacent to any single family uses. The public benefits identified in this rezoning would help support pedestrian and transit infrastructure. The 16-foot shared-use path along the future Silver Line right-of-way could serve as a vital pedestrian connection for the community utilizing the light rail and nearby amenities along Central Avenue. This path will be properly amenitized in a way that is consistent to existing pedestrian paths along transit lines. As part of the redevelopment of the site and in anticipation of the future transit infrastructure, the petitioner also commits to relocating the existing sewer line, shifting what is typically a significant financial undertaking to the petitioner rather than the City. Separately from the EX benefits outlined in this plan, the

petitioner will also utilize bonus menu provision options from Article 16 of the UDO to achieve any building height above 80 feet. The single-family character of the Sunnyside neighborhood is recommended to stay intact as Neighborhood 1 on the 2040 Policy Map. As a result, it is necessary for this petition to build in adequate architectural buffers to these adjacent single-family homes so that the design of the future development better transitions the more intense development to the low density residences along the site's periphery. The petitioner has added several architectural standards that will create a more compatible building design with the site's surroundings. A 50-foot building height cap will be maintained along Sunnyside Avenue and the vast majority of Piedmont Street as well as a 65-foot stepdown in height that is more interior to the site between the 85-foot and 50-foot height zones of the building. A small portion of the site is identified as Neighborhood 1 on the 2040 Policy Map. Although this rezoning is inconsistent with that designation, it would bring these two small parcels into alignment with the rest of the block which is recommended for Community Activity Center. Although generally located at the edge of a single-family residential area, the majority of this site and Central Avenue more broadly is recommended for Community Activity Center which envisions mid-sized mixed-use areas along transit corridors. Densification should be encouraged in areas like these which front major arterials such as Central Avenue and will also be along future light rail routes. This petition sufficiently balances the goals of the Community Activity Center while still maintaining sensitivity to surrounding residential properties. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural and Built Environments Objectives. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 1 for a portion of the site to Community.

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. Clarified the public benefits that would be offered in the EX request and modified the conditional note language to be consistent with staff's recommendation.
2. Added conditional notes related to the installation of the traffic signal at the intersection of Central Avenue and Piedmont Street.
 - a. The petitioner will conduct a signal warrant analysis prior to land development approvals. If the signal is warranted, the petitioner will fund the installation and install a left turn lane for the signal in lieu of a buffered bike lane. The omission of a buffered bike lane will then be mitigated by a 16' shared-use path if the adopted Streets Map is amended for this streetscape change.
 - b. If the warrant analysis during land development submission determines that a signal cannot be installed, the petitioner commits to conduct another warrant analysis two years after the final certificate of occupancy has been issued for the development.
 - c. A buffered bike lane will be constructed if a signal is not warranted and if the adopted Streets Map is not amended accordingly.

David Pettine, Planning, Design & Development said those conditional notes reflect that the petitioner would conduct a signal warrant analysis. So, essentially study whether the signal was needed. They would do that prior to land development approvals. If, at that time, the signal is warranted, the petitioner will fund the installation and install a left turn lane for the signal in lieu of a buffer bike lane. The omission of a buffer bike lane would then be mitigated by a 16-foot shared use path if the adopted streets map is amended for this streetscape change. If the warrant analysis during the land development process determines that a signal cannot be installed, the petitioner would then commit to conduct another warrant analysis two years after the final CO (Certificate of Occupancy) for the project. These were all items that were worked out in coordination with our C-DOT (Charlotte Department of Transportation) staff. So, we believe they're minor changes. They do address some of the concerns we heard about

traffic signal at that intersection and would not really change the outcome of the project or warrant additional review by the Zoning Committee. Thank you.

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

Motion was made by Councilmember Mitchell, and seconded by Councilmember Ajmera to approve this petition and adopt the following statement of consistency: This petition is found to be consistent and inconsistent with the 2040 Policy Map (2022) based on the information from the final staff analysis and the public hearing, and because: The 2040 Policy Map recommends the Community Activity Center Place Type for the majority of the site; and The 2040 Policy Map recommends the Neighborhood 1 Place Type on a portion of the site. Therefore, we find this petition to be reasonable and in the public interest, based on the information from the final staff analysis and the public hearing, and because: Located along Central Avenue and directly on the future Silver Line, this assemblage of parcels at the edge of the Sunnyside neighborhood is at a transitional intersection that must consider existing and planned infrastructure that encourages density while also building in design standards that are mindful of single family and middle density character. This is an exception conditional rezoning, an EX petition, and as such the petitioner requests modifications to quantitative zoning standards in exchange for committing to public benefits as justification for the requested flexibility of the ordinance. The requested EX provisions for transparency, ground floor height, and architectural standards are in response to the specific elevation characteristics of the site as well as its location along future transit infrastructure. The other EX provision being requested is for flexibility in the height plane standards required for sites that are near the Neighborhood 1 Place Type. The base ordinance standard would limit building height to 50 feet for portions of a structure within 100 feet of Neighborhood 1 and 65 feet for portions of a structure within 200 feet of Neighborhood 1. This petition requests only a slight increase in height in two areas of the building envelope to allow for 70 feet in maximum height rather than 65 feet where within 200 feet of the Neighborhood 1 Place Type. This proposed building envelope and the resulting design will still maintain the intent of the Ordinance's height plane restrictions and these two areas deviating from the 65-foot height cap would not be immediately adjacent to any single family uses. The public benefits identified in this rezoning would help support pedestrian and transit infrastructure. The 16-foot shared-use path along the future Silver Line right-of-way could serve as a vital pedestrian connection for the community utilizing the light rail and nearby amenities along Central Avenue. This path will be properly amenitized in a way that is consistent to existing pedestrian paths along transit lines. As part of the redevelopment of the site and in anticipation of the future transit infrastructure, the petitioner also commits to relocating the existing sewer line, shifting what is typically a significant financial undertaking to the petitioner rather than the City. Separately from the EX benefits outlined in this plan, the petitioner will also utilize bonus menu provision options from Article 16 of the UDO to achieve any building height above 80 feet. The single family character of the Sunnyside neighborhood is recommended to stay intact as Neighborhood 1 on the 2040 Policy Map. As a result, it is necessary for this petition to build in adequate architectural buffers to these adjacent single family homes so that the design of the future development better transitions the more intense development to the low density residences along the site's periphery. The petitioner has added several architectural standards that will create a more compatible building design with the site's surroundings. A 50-foot building height cap will be maintained along Sunnyside Avenue and the vast majority of Piedmont Street as well as a 65-foot stepdown in height that is more interior to the site between the 85-foot and 50-foot height zones of the building. A small portion of the site is identified as Neighborhood 1 on the 2040 Policy Map. Although this rezoning is inconsistent with that designation, it would bring these two small parcels into alignment with the rest of the block which is recommended for Community Activity Center. Although generally located at the edge of a single family residential area, the majority of this site and Central Avenue more broadly is recommended for Community Activity Center which envisions mid-sized mixed-use areas along transit corridors. Densification should be encouraged in areas like these which front major arterials such as Central

Avenue and will also be along future light rail routes. This petition sufficiently balances the goals of the Community Activity Center while still maintaining sensitivity to surrounding residential properties. The petition could facilitate the following 2040 Comprehensive Plan Goals: 1: 10 Minute Neighborhoods, 4: Trail & Transit Oriented Development, 5: Safe & Equitable Mobility, 6: Healthy, Safe & Active Communities, 7: Integrated Natural and Built Environments Objectives. The approval of this petition will revise the recommended place type as specified by the 2040 Policy Map, from Neighborhood 1 for a portion of the site to Community as modified.

Mayor Pro Tem Anderson said I will open up for comment, but I will begin the comment again as it is in my district. This particular petition is one that we have been working on for months and months with the community and with the petitioner. I'm happy to say that we have gotten to a place where the community is happy with how the petitioner has made the modifications and commitments and we have letters of support from a variety of different entities for this particular petition including the ECA, the Elizabeth Community Association, the Plaza Midwood Merchants Association. Central Avenue property owners adjacent to this particular site, as well as, of course the support from the Planning Commissioners as well as staff. We've had robust discussions about this. We've deferred this to allow more time to work with the community and ultimately we've come down to one major lynch pin that was an issue for the community and that was the traffic congestion. The community particularly wanted some ways to mitigate that congestion and we happily enough were able to have a traffic study analysis completed and C-DOT has approved for the installation of a traffic signal at that intersection at the petitioner's expense. This has greatly modified the questions around traffic coming in and out of the community. In addition, the petitioner also increased the parking minimums to additional 20 percent as that was an issue with the community as well. That fear that the parking would lead deeper into the single-family detached home communities. So, that has been met with great approval. Lastly, although there was a litany of things that the petitioner has done to work with the community, lastly, I would say that the Elizabeth Community really wanted to have commercial space to underscore that 10 Minute Neighborhood feel and they actually asked the petitioner to increase the square footage allotted for the commercial space. That space has been increased significantly, approximately an additional 75 percent of the space that was originally allocated. So, we're at a very good space here and I'm very happy to see that we have worked with the community, we've heard their voices, and we landed on a solution that most parties are happy with.

Councilmember Mayfield said so I will not be supporting this petition after walking and spending over an hour in the neighborhood with the residents and with receiving an email as recent as 6:05 p.m. where, from the residents, "This is very frustrating as the ECA does not represent our neighbors near the building site. The rezoning really is most important and we even doubt the developer will follow through with the light and concessions." That stood out for me because you just shared a number of concessions, but we just had staff give us a list of updates and if it's not in writing, then there's no contractual commitment to it. Some of the things that you noted in agreement were not what was shared by our staff as far as the updates that were made or any concessions that were made. The language was pretty vague as whether or not if the study requires it, then we would do it. From what I heard, I interpreted that there was a commitment, but that commitment's not in writing. I'm also concerned that residents have sent the email to all of us stating that the cumulative impact of rezoning to N-1 [inaudible] does not meet the goals of the 2040 Plan. "There are 67 N-1D lots in our neighborhood. Of those 67 lots, 31 lots are adjoining lots zoned for larger place types. These 31 lots will soon become targets for developers." Keep in mind we do not look at cumulative impact but right across from this petition is a multi-family that's already been approved and walking through the neighborhood was quite difficult as people were out there with their children in strollers, with their dogs and some just attempting to jog, and I saw multiple vehicles that could not even maneuver because there was parking on both sides of the street. I have shared more than once that I have concerns regarding the impact of what we are doing to neighborhoods regarding our language that says that we care about neighborhood continuity, aging in place, a number of other issues that makes a neighborhood a true neighborhood. What this particular project would do by approving

the full and not just having a focus on the front end and removing the house that is currently there and bringing the lot all the way back brings it right up on to a residential street where I saw at least eight children under the age of 10 outside in the streets playing. That is a concern for a number of the residents, it is a concern for me as well. We received the emails. What was proposed in here, a question regarding the impact of the additional trips on their single lane neighborhood streets. I'm glad to hear that there's discussions about a light, but without there being specific language that clearly identifies the installation of that light, I am concerned about the interior impact of vehicles coming in as well as the residents. Not the business community because the business community is not my major concern at this point. It is the residents, especially those that are raising small children that are running and playing in this community and have done so for a while. We say we want 10 Minute Neighborhoods, well we're getting ready to destruct a neighborhood right now that is a 10 Minute Neighborhood because of all the other development that has been approved.

Mayor Pro Tem Anderson said thank you Ms. Mayfield. Mr. Pettine, can you speak to the point that Ms. Mayfield raised regarding the signalization at the intersection and C-DOT's approval for the light?

Mr. Pettine said sure. It's in the conditional notes that the petitioner will fund the installation of that traffic signal. They do have to do a warrant analysis which is typical for any time you want to put a new signal at an intersection. There has to be a study done to confirm that it is needed. So, they'll go through that process when they go in to permitting for land developments. When they go to construct the site, that'll be one of the steps to go through while they're going in that permitting. If they find out again during that time that it's not warranted because there maybe just not be enough traffic yet, they will go again and do that study. After the final CO, the last unit in that building gets a certificate for occupancy, they're going to go through and do another warrant analysis. If that does again say that a signal is needed, the petitioner is committed to, in the notes, to fund the installation of that traffic signal. So, they've committed to both study it and if it's warranted, pay for it.

Mayor Pro Tem Anderson said thank you Mr. Pettine.

Ms. Mayfield said Mayor Pro Tem, although I didn't ask for Mr. Pettine to clarify that, since he did, which I appreciate, this language that is presented in front of us is also based on the Silver Line that will not be going along this route. Also, C-DOT was not particularly interested in moving forward with doing a study at this area in the beginning. So, to say in our language that we are being asked to approve tonight that we will do a study and if the study warrants, we will introduce and we will pay for this light, when the petition said the petitioner stated that they would pay for a light. I just want to make sure that we're being very transparent.

Mayor Pro Tem Anderson said thank you Ms. Mayfield.

Mr. Pettine said I just found out that they did the study already.

Mayor Pro Tem Anderson said that's correct.

Mr. Pettine said I'm getting information at the last moment. They did the study already. It is going to be installed and the developer is going to put it in.

Mayor Pro Tem Anderson said that's correct. Hang on Ms. Mayfield. I just wanted to continue asking Mr. Pettine.

Mr. Pettine said I apologize. I was not aware of that.

Mayor Pro Tem Anderson said if we can have C-DOT come up and step to the microphone to clarify, but the analysis has actually been completed. Can you actually share the outcome of that analysis?

Jacob Carpenter, C-DOT said yes. Since the last time that this petition was before you and was deferred, the petitioner did provide a signal warrant analysis with counts and projections for the Piedmont location and based on what they provided to C-DOT, we have worked with them to give them our approval to construct the signal. That signal would be required by them prior to receiving the CO for their facility.

Mayor Pro Tem Anderson said thank you. That was my understanding as well. So, the analysis has been completed. The signalization of the intersection has been approved by our Department of Transportation and the cost will be taken care of at the petitioner's cost. Also, with this, not only does it help the traffic mitigation as I stated earlier, but Ms. Mayfield talked about people trying to cross the street and being in the street and of course Central Avenue is a very busy road. So, having the signalization at this intersection of course will allow for safe crossing of Central Avenue and other streets at that intersection. So, it's actually a safety benefit for the community as well.

Ms. Mayfield said I have a follow up question for staff.

Mayor Pro Tem Anderson said I would like to also state Ms. Mayfield that at the last meeting, I received several letters saying that they were not in support. As we've been working over the last month and there was an additional touch point, there was an additional community meeting with the Elizabeth residents. I have not received a litany of emails. I've only received one or two emails that do not support this petition. Conversely, I have received not only emails but phone calls and clearly letters of support of this petition given the work that has been done and the ECA is the neighborhood elected body for the Elizabeth community, and they do represent the residents of Elizabeth and they're elected to do so. So, they do represent the community as well and we have a letter of support from the ECA for this particular petition. So, I just wanted to make clear that there hasn't been an outcry in not approving this petition. Quite differently, it's actually been the reverse. Lots of support and only one or two letters that I have gotten for nonsupport. Ms. Mayfield, you mentioned that you had a comment?

Ms. Mayfield said follow up question for staff. Help me understand. If you all were able to work to have the study completed, why the language that was presented to us tonight as far as updates did not clearly identify that the study has been done, and the agreement has been made versus the vagueness of the language which stated, "If we have a study," or "If it is determined by the study," that the investment would be made. Since you've already made the commitment and thankfully the developers, the petitioners, recognize that this is a value add, why not have the corrected language in front of us? Because whatever Council approves, once it goes to the petitioner, if there's any conversation and if our legal team has to get involved, what has been shared multiple times is, "Well Council didn't say we had to do this, so this is what we're doing."

Mr. Pettine said so, the plan that we got, latest version was back on November 12, 2024. It's my understanding this warrant analysis was completed following that. So, the plans essentially do say that they'll conduct the study which they have now done and they would fund the installation of the signal if the study warranted it, which now it does. So, the notes still do reflect it, we're just doing it sooner in the process than we would do it otherwise, but that's why it hadn't been updated because I think this just happened Thursday or Friday. The last plan we got came in before that. So, it's one of those things it's just been in flux over the last couple of days, but it is captured in the notes. They committed to do the study and then fund it. They've done the study. We know it's going to happen. They now are on the hook to fund it as they've committed to. So, the notes could get tweaked essentially, but in looking at it, they've done the things that they've committed to do. It's just being done now instead of in land development.

Ms. Mayfield said thank you.

Mr. Pettine said yes.

Councilmember Driggs said so, as transportation chair, I'd just like to qualify the statement that there will not be a Silver Line. No decisions have been made about the Silver Line. There is a question because of the funding allocation as to what is possible. One possibility that still has been discussed is that the Silver Line might go part of the way down probably not all the way to Matthews, but the point is there hasn't been a discussion. So, I don't want this body to send out into the world the message that there is no Silver Line. There's no decision about that.

Mayor Pro Tem Anderson said thank you Mr. Driggs.

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

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

NAYS: Councilmember Mayfield

The ordinance is recorded in full in Ordinance Book 67, at Page(s) 531-532.

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HEARINGS

ITEM NO. 23: HEARING ON PETITION 2024-121 BY CHARLOTTE PLANNING, DESIGN & DEVELOPMENT DEPARTMENT - TEXT AMENDMENT TO MAKE CHANGES THAT WILL RESULT IN BETTER FUNCTIONALITY. THESE CHANGES PROVIDE GREATER CLARITY, NEW AND UPDATED DEFINITIONS, ADJUSTS USE PERMISSIONS AND PRESCRIBED CONDITIONS, REVISES USE NAMES, UPDATES GRAPHICS, AND MAKES CHANGES AND ADDITIONS TO STANDARDS. THERE ARE PROPOSED CHANGES IN 23 OF THE 39 ARTICLES.

Mayor Pro Tem Anderson declared the hearing open.

Laura Harmon, Planning, Design & Development said good evening Council, Zoning Committee as well. I'm Laura Harmon with the Planning, Design and Development Department. I'm going to give you a brief overview of this clean up Text Amendment of the Unified Development Ordinance. So, again briefly why we're doing this, it's to facilitate the goals of the 2040 Comprehensive Plan by making minor adjustments to the UDO. We have said since the development of the UDO that we knew it would require adjustments and revisions after adoption to correct errors, add clarity, adjust use permissions and so forth. We are nearing the end of doing that for the last year and a half or so, with this being one of our last general clean up Text Amendments before we move and do a maintenance mode next year and focus on more targeted amendments. We believe that this Text Amendment will make the UDO a more user friendly ordinance, would result in better functionality, and make it easier both for staff and the users of the ordinance.

So, one thing that we have done in this Text Amendment is to add, delete, and modify some general definitions that are in the early part of the ordinance. You go into the zoning portion of the ordinance. We have clarified where set backs are measured from, talked about building orientation for development with multiple buildings that are on corner lots. We have added that site layout standards apply to duplexes for residential development and also made some adjustments to our neighborhood character overlay and residential infill overlay districts. We have also in the zoning section made some use changes. We have allowed duplex, triplex, and quadraplex, you can see in a little bit broader range of districts and also doing that on small lots and even more zoning districts. So, we're trying to continue to respond to what's happening in the residential market and this strong demand for housing. We've also added and clarified some of our use definitions and then we made a clarification for certain campus type uses that are

on those campuses needing to be affiliated with that campus. So, we have tried to clarify that. We had language for that before, but we tried to make that a bit clearer.

Moving forward into the end of the zoning portion. We have minor changes to the zoning bonus table that we've made. We've clarified that sidewalk reimbursements for affordable housing apply within the City limits and not the ETJ, and that's because the City is actually paying for those sidewalk reimbursements. We've added new locational and screening standards for electric vehicle charging stations and surface parking lots. Then we've adjusted and we think improved and provided some flexibility for the screening required for ground mounted and wall mounted utility structures and mechanical equipment for both the screening as well as the location of those in working with some of the users of the ordinance that were having challenges with what we had in the ordinance originally.

Also, a few more things in the development standards for the CR and CG zoning districts. We've adjusted the parking tier unless you're in a Centers Place Type, we were finding that we had a parking maximum that in some cases was very challenging for some of the uses in the CG and CR districts. We've also clarified certain vehicular and bicycle parking requirements, made some adjustments to facilities at CATS (Charlotte Area Transit System) bus stops. We have modified requirements for relocating curb and gutter but want to say that we are going to actually remove that from this Text Amendment and talk about it in one that we will be filing in December 2024. So, just to be clear about that. Made minor changes to landscaping and tree standards and we've added a new sign category, vintage signs that has replaced a couple of categories that we had.

Then finally, we've made some changes in our administrative sections modifying powers and duties and adding experience criteria for the Alternative Compliance Review Board. We have base of adjustments for nonconforming uses to allow small expansions to those. Again, adding some flexibility to the ordinance, but also keeping that within some parameters. We have also modified EX or exception standards for selected uses to allow reconfiguration of parking and to also through the EX process go back and ask for adjustments for upper floor transparency and blank wall standards. Again, alternative compliance, we have adjusted the general criteria to hopefully make that work better and we have also extended the vesting period for most development approvals from 12 months to three years, that being with the exception of certificates of appropriateness.

So, staff is recommending approval of this petition. It's found to be consistent with the 2040 Comprehensive Plan and will facilitate the goals of the 2040 Plan. We find it to be reasonable in the public interest based on information from the staff analysis and public hearing. Would be glad to answer any questions you might have.

Councilmember Johnson said thank you for the presentation. I would like a deeper discussion about that offline, but I do have some questions. In 2023 this Council referred something to Committee to look at the infill petitions and look at modifying the UDO. I wanted to know is this amendment in response to any of those requested changes that we sent to Committee?

Ms. Harmon said great question. We have some minor adjustments for residential not directly related to that but trying to again, add more housing opportunities. There will be Text Amendments coming up in 2025 and Dave Pettine is leading that effort to do what we're calling a residential tune up. That's where you're really going to see, I think, those things that you're referencing.

Ms. Johnson said so, can you explain to me the quadplexes allowance? Right now, unless it's otherwise prohibited by the deed restrictions, duplexes and triplexes are allowed on any single-family lot. Would this amendment allow the same for quadplexes?

Ms. Harmon said no. It will not be doing that.

Ms. Johnson said okay.

Ms. Harmon said that would be again, something in that work that Dave is leading, if that were to even change.

Ms. Johnson said can I see the slide about the quadplexes? I want to understand what the changes are.

Ms. Harmon said so, I think what you're talking about is the duplexes and triplexes. Let me see if I get this right anyway. Being allowed in our residential neighborhoods, this would be allowing those uses under very limited conditions in our more intense districts under certain conditions like N2-C being a higher intensity multi-family district. CRNCG being commercial districts, OG being an office district as well as the OFC. So, this is saying we're allowing this in two circumstances where we allow multi dwelling which is an apartment complex. The building form, part of the building form could be a duplex, triplex or quadraplex. So, we're just clarifying it doesn't all have to be larger buildings and we occasionally have some small individual lots that are zoned one of those districts that up to this point, you haven't been able to use them for a duplex or a triplex even though they were allowed in other places. So, we're adding that as well. We'd be glad to then we get into the weeds on this to sit down offline on some of these items as well or put something in a follow up report.

Ms. Johnson said so, how will this impact residential neighborhoods with quadraplexes?

Ms. Harmon said this will not unless a neighborhood is zoned a district that is really not aligned with that neighborhood. So, the neighborhoods are typically going to be zone a Neighborhood 1 district and this is not making any changes to the Neighborhood 1 zoning district for quadraplexes.

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

Councilmember Driggs said so, there's a lot in here I don't remember having seen all this. It's hard to assess how material is. This has not been discussed with the Committee, with my Committee, right? Am I forgetting something?

Ms. Harmon said it was referenced at, I believe, I'm looking towards Monica and Dave, but not gone into detail. Typically, with the general clean up we don't go into that detail. We can certainly come back if that would be helpful to the Committee and go through these things or meet with Council members in small groups or one on one to go through any of the items.

Mr. Driggs said well I don't know if the rest of us feel, having seen this, that you're ready to go because I'm not. It's not clear to me when I look at some of these clarifies, this and that, it's just language changes or tidiness. I think some of this goes in the direction of more meaningful. I'd certainly like to hear any feedback that we got from the industry, for example, or the UDO Committee, Advisory Committee. I don't think this is that minor that we can just kind of sweep it through without I think giving it the benefit of a hearing process and I'd like to have a little more time to talk with some people about it. So, I guess it's just a hearing tonight.

Mayor Pro Tem Anderson said it is.

Mr. Driggs said I would suggest though that I would like a Committee referral and that I'd like the Committee to come back and recommend to the rest of you how we see it based on a further study.

Mayor Pro Tem Anderson said thank you Mr. Driggs. As I look around the dais, I see a lot of faces that are shaking and nodding. So, we've taken that note down as a point of action.

Mr. Driggs said okay.

pti:mt

Councilmember Ajmera said so just from looking at the deck it looks like it's just the clean-up, but I agree with you Mr. Driggs. We need to hear from the UDO Advisory Committee where we have representation from the private sector, affordable housing developers as well as neighborhoods to understand the implications. It looks like a lot of clean-up here. There are a lot of changes. It may not have much implications, but I think having an example of what this clean-up would do. So, if you can provide a couple of examples, that would be helpful. I know that this will go in front of your Committee, Mr. Driggs, to take a deeper dive, but for those of us who are not part of the Committee, I think having an example would be helpful and obviously based on the Committee's discussion, we will certainly have deeper insight into this. We have had similar clean-up Text Amendments in the past.

Ms. Harmon said this is our fourth, yes.

Ms. Ajmera said I know that that didn't go through the Committee.

Ms. Harmon said right.

Ms. Ajmera said it was just a couple of slides. This looks like so many slides of clean-up and I just don't know what could be unintended consequences. So, it just looks like a lot. Maybe it's just the number of slides.

Ms. Harmon said we tried to whittle this down. We'd be glad again to meet with anyone, talk through with the Committee. It's actually probably a shorter Text Amendment than clean-up three which was very large, but anything we can do to provide clarity, we'd be glad to do that. We have been working with the industry. I think we'll ask that they reach out to you as the Chair of TPD (Transportation, Planning and Development), Councilman Driggs, and then we have also gone out to the community with some engagement opportunities and gone through this as well. We hear a little bit of feedback and we've made adjustments and we feel really good about where we are, but we want to get you guys to feel the same way.

Ms. Ajmera said thank you. That's all I have.

Councilmember Molina said man, some of the language. I'm a little uncomfortable with. I think trying to get us to feel the same way I'm uncomfortable with. The goal is to get us to feel the same way, right? That's the goal. The goal is that this voting body arrives at the same or similar position in order to authorize this as something that is adopted for the City, right? We've never seen this before. So, I'm sitting here, I don't care how long the slides are, there's no way that I can synthesize this information because before sitting here tonight, I'd never been introduced to it. So, I know that it's a hearing but before this time, when something goes through our Committee process, that is five of us that are all capable, that I trust each time to entertain this in conversation and the meetings are open to every last one of us whether we're on the Committee or not. If we find something that's of interest, I've visited with other Committees that I don't belong to, if there's something of interest that's on their agenda and the Chairs have been amenable to me to inject into the conversation as a member of the Council, but a member that is not on that particular Committee. So, these conversations are always open to every last Council member regardless of being on the Committee. I agree with the Chairman 100 percent in that there needs to be some level of explanation and discussion about this Text Amendment. My personal opinion is it shouldn't even be before us because it's not been seen by the Committee, is my concern right now.

Ms. Harmon said certainly hear you, but want to clarify. We're following the same process for the three clean-up Text Amendments that I believe you have unanimously approved previously.

Mr. Driggs said I had seen them all before. This is the first time I've seen this one.

Ms. Molina said I talk to him all the time. So, again when there's something that he even would like run past me, we'll have a conversation outside of this and he'll say, "Hey, I

want to make sure you understand X, Y, and Z because this is happening,” just to give me a rundown of what he’s aware of and he’s really good about doing that. I’m not aware of this.

Ms. Harmon said we will gladly come to the Committee. I know that this seems to be overwhelming tonight. I mean we may have the same problem at Committee. So, also we’d be glad to meet in smaller groups if that would help as well. I don’t think it’s an either or, we’re just offering in any way that we can.

Ms. Molina said okay. I don’t really know what that would be. Again, that could be something that we discuss offline, but this is a lot to take in especially having not seen it, not being introduced to it, not knowing what the implications of these changes would be because at the end of the day, the people who are beholden to the people are us. Right? So, when this becomes an issue, they’re going to email us, they’re going to call us, they’re going to contact us and they’re going to say, “You approved this and you don’t have an ability to explain what’s going to happen as a result.” So, we have to be informed on what that means, very well.

Ms. Harmon said yes, we understand.

Ms. Molina said so, again I’ll digress there and I just want to emphasize my interest in making sure that we have a proper discussion around these changes. Thank you.

Mayor Pro Tem Anderson said thank you for the presentation. I think you heard the message and we’ve taken some notes as next steps as well.

Ms. Harmon said we’ll be back in touch.

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

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ITEM NO. 24: HEARING ON PETITION NO. 2024-072 BY THE DRAKEFORD COMPANY FOR A CHANGE IN ZONING FOR APPROXIMATELY 19.58 ACRES LOCATED AT THE DEAD END OF HARVEST HILL DRIVE, EAST OF LAWRENCE ORR ROAD, AND NORTH OF BARCLIFF DRIVE FROM MX-1 INNOV (MIXED USE, INNOVATIVE), N1-A (NEIGHBORHOOD 1-A), AND IC-1 (INSTITUTIONAL CAMPUS-1) TO MX-1 INNOV SPA (MIXED USE, INNOVATIVE, SITE PLAN AMENDMENT) AND N1-D(CD) (NEIGHBORHOOD 1-D, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Joe Magnum, Planning, Design & Development said thank you. This petition is approximately 19.5 acres located west of Lawrence Orr Road, south of Johnnette Drive, east of W.T. Harris Boulevard, north of Barcliff Drive. The current zoning is MX-1, innovative, N1-A and IC-1. The proposed zoning is MX-1 innovative site plan amendment and N1-D(CD). The 2040 Policy Map recommends Neighborhood 1 for the majority of the site and Campus Place Type for the northern corner. So, the majority of the site is a site plan amendment. Petition 2021-280 rezoned the majority of the site to allow 35 single-family detached dwellings and 28 multi-family attached dwellings. The current petition would amend the approved plan while including additional parcels and increasing the number of dwelling units. It would maintain the general development pattern of the previously approved plan, establish a network of public streets extending off Harvest Hill Drive to provide access to the new proposed lots. Would allow for a total of 96 dwelling units, including 68 single-family detached and/or attached dwellings in the MX-1 portion of the site and 28 single-family detached and/or attached dwelling units in the N1-D portion of the site. Includes six lots proposed at the end of the Johnnette Drive cul-de-sac. In the event the petitioner is able to acquire a City-owned parcel on

Johnnette Drive, the petitioner commits to providing two affordable residences in the first phase of the development along Harvest Spring Drive. Requests the innovative provisions of the MX-1 zoning district to allow for 20-foot front setbacks and rear yards and five-foot side yards. Commits to architectural standards for single-family attached units including porches and stoops as predominant features and garage doors recessed from the front wall plane. Commits to enhanced plantings along proposed stormwater management areas abutting existing residential lots and public streets.

Staff recommends approval of this petition upon resolution of outstanding issues related site and building design, transportation, and the environment. The petition is both consistent and inconsistent with the 2040 Policy Map. The petition proposes to maintain the key elements of the previously approved plan while allowing for more units on additional acreage. A portion of the site lies within a housing gap. The petition proposes a mix of single-family attached and single-family detached dwellings, which will broaden the housing options in this area of the City. Upon sale of a City-owned property, the petition commits to providing two affordable units in the first phase of development. The proposed moderate density residential will provide an appropriate transition from the multi-family residential and institutional uses to the east of the site and single-family detached residential to the west. Planning staff requests that the properties at the end of Johnnette Drive be limited to single-family detached and/or duplex only. Johnnette Drive is as narrow as 17 feet in places and can only support limited new development. I will take any questions following the petitioner's presentation and comments from the community.

Collin Brown, 1420 East 7th Street, Suite 100 said good evening Council members, Zoning Committee. Collin Brown on behalf of the petitioner, Drakeford Communities. Mr. Drakeford is here somewhere. There he is. Thanks Joe for the overview. As Joe mentioned, this is a little bit almost as a phase two of a rezoning that came before you last year. So, if our slides are available, I'd like to walk you through those. Again, just kind of context I think good frame of reference for discussion on the Text Amendment and a reminder that we are in great need of housing. There's great demand for housing, we have a housing crisis and it kind of develops out here. So, if y'all are familiar, Harris Boulevard, Hickory Grove Baptist Church camp is here, the end of the site. The bulk of the site, we took through a rezoning last year. All the area that is in MX-1 we came through and had a conversation, had community feedback. That was about a year ago. So, you're probably asking "Why are you back here?" So, what happens as mentioned, there's great demand for housing. When a development team like the Drakeford Company comes in and is looking, this is true infill development. That's why we're going to hear so much from neighbors tonight. Literally we're coming in at kind of a back of a neighborhood, but these are properties that are between these single-family home and multi-family. We have apartments on the other side, we have the Hickory Grove Campus there. So, this is kind of this keystone. So, when we came in and did the rezoning for this part, and the goal was to bring affordable for sale housing that people can afford to buy so they can live in the City of Charlotte. When that occurred, people learned about this and actually we got some contact from some other property owners. So, that's why we're back. Here's the property we rezone last year. There were conversations with the church, they had some excess land, the City of Charlotte had an excess parcel and so The Drakeford Company was involved in those conversations and that's important because that allows us to develop. You know, housing is scalable. So, it is more efficient for us to develop more affordable housing if we do it as part of a project. So, instead of kind of this one off, two and three lots, we brought it all into this. So, that is the reason. So, you can see we went from this area. I'll show you, we're going to add lots here and here.

So, now this kind of fills out to this. These are the lots we've added here on Johnnette, a couple here. So, it's really kind of creating an opportunity, kind of behind the ballfields on Harvest, Hickory Grove to have some land that is being unused to incorporate it into a development plan that is going forward. So, regardless, if we did no rezoning tonight, we've already got this zoning plan and you could come in and as y'all know kind of work under the existing zoning and build this out. We obviously thought it would be more efficient to bring this in together, add some conditions. We're in the back of a

neighborhood. So, it helps that we're in a conditional zoning environment. So, we can make commitments to neighbors as we hear feedback. That is a look at it, what it looks like and I will say we started this plan and we've had I think pretty robust community engagement. We had a virtual official community meeting. We had to in person community meetings. Councilwoman Molina has been a part of those. I think Mr. Drakeford may have had an unofficial community meeting with some neighbors even tonight as we were waiting through the closed session. So, there's been a lot of discussion. I expect that will continue. The main discussion early on was essentially we were going to have these communities really interconnected. Johnnette Drive which staff mentioned is a very narrow street. So, the original part was bringing the development down Johnnette and connecting up with a larger development.

I think the highest priority that we heard at the community meetings was that concern about that much traffic on Johnnette. So, since our community meetings, we have revised the plan. We have kind of ended that connection. Generally, C-DOT I feel like requires us to make those. C-DOT went out there, they went out in the field, they saw the condition of the street. They said, "Okay, this makes sense. So, we'll allow you to not put that much traffic on it." So, we've essentially ended the Johnnette development rather than connecting down to the rest. It would just be a cul-de-sac. We're currently showing it with six lots at the end of Johnnette. So, I hope that has addressed some of those concerns. Now, at the same time, that means that our traffic will now go south around Harvest Hill and of course neighbors on Harvest Hill are saying, "Gosh, we'd rather not have those trips on our streets either," but that's where we're are. We're in a fast-growing City. So, I think that's the conversation that is going on. We do have some comments from staff about these parcels on Johnnette. I appreciate them pointing out. Again, one of the parcels were able to add, it was kind of a menagerie of some from the church. There's a City of Charlotte parcel that could be incorporated. Of course, Miles and his team said, "Hey, if the City property is going in we're going to want to make sure we get some affordability out of it." So, there's a commitment, if that is part of it, essentially what could be developed on that site, those two units would be affordable units. We're open to having ongoing conversations with the neighbors on Johnnette, but that's a good overview and again, infill housing is always hard. You're developing literally in someone's backyard. We're connecting to streets that folks may have thought were dead ends or cul-de-sacs for many years and now we're coming in and bringing in almost 100 new units. We're trying to design this efficiently. I think it does work better when you do a conditional zoning. The site layout works better for us and we can have some commitments back and forth. We've already had commitments, "Hey, we won't come back and do just triplexes through here," you know, a certain amount of these will be single-family, a certain amount will be duplexes. We're happy to continue those conversations. So, I'm sure we've got extra time, but I'll just wait for questions after we hear from the community.

Paul Taylor, 5306 Harvest Hill Drive said one of the big problems that we have is that as you see here, they say that there's one avenue to go into their area which is going to have 96 units. That's a lot of units, every person having two cars, every car going back and forth twice a day, that's like close to 400 people going back and forth on a one block road that we have. Now that's just that one entrance, but if you look back on Barcliff and Lawrence Orr, that is the only entrance to this area in which they're going to be developing off of and from there, in that area, there's already 48 units, 48 houses. So, they're putting a great deal more traffic that goes from Harvest Hill though Barcliff down Lawrence Orr past Johnnette and the density, they say, "Oh it's a transitional density," but if you were to look at how the Delta Crossing is laid out, they have six apartments in one building. So, they have a great deal of room for the water to runoff or run down into the ground, whereas in there, it's very dense. It's like paving the whole thing and lots of water is going to be running off all those paved surfaces into the streams and things that we have there also. Let's see. I wish my wife was here because she was telling us that they are not allowed to open up a cul-de-sac or a permanently dead end road. They're going to say, "Well yours is a dead end and we can develop off of dead end." Well, we have a problem. What's the difference between a dead end and a permanent dead end? Nobody tells us and then we have this other thing that someone was telling us that when you go down a single entrance, there's a limit to how

many units you can put in, which we have 48. They say they can have up to 100. Well they're putting an additional 96 on that 48. So, that Barcliff, Lawrence Orr entrance, they're going to have now 130 something in there.

Now, as I see it, that has quite a problem when it comes to emergency vehicles because you're going from a lower density area to a much higher density. They say there's a great transition from this area that is close by a highway basically, East W.T. Harris, but they don't transition from their higher density to a lower density. No, they're going from a lower density to a higher density according to how the traffic pattern is. Now that shows that there's going to be a real problem with traffic at "rush hour." People are going to be wanting to go through these areas and it's going to just be a cluster, fill in the rest. So, that is the problem that we have with the whole area altogether, the whole area. So, this is something that I don't believe should've been approved to begin with and the Council back there, I don't believe has ever gone into that area to look and see what's going on. One of the emergency vehicles that's on the campus of Hickory Grove is going to have to come out, take a left, go down W.T. Harris, go all the way over to Hickory Grove Road, take another left, go to Lawrence Orr, take another left down to Barcliff. Take another left, go to Harvest Hill, take another left and if you've got the areas showing their traffic pattern, you'd see that there's more lefts they can take. The left turn is the most dangerous turn for vehicles whether it's an emergency or other. They've just made like a little sweet roll out of that.

Carolyn Rhinehart, 6019 Johnette Drive said the problem is this. I'll go right to it. Our portion of the petition is a revision. When they could not do Johnette Drive as the access area to Harvest Hill, we were presented with another petition. That was to use those six parcels with the cul-de-sac and that would be the only access to the cul-de-sac on Johnette Drive. I called and asked would we get a rezoning number separate. They told me no, we would have to include it. Now, my concerns are this and I should've gotten the fire department here because Johnette Drive is not a standard street size. It's like 17 feet. We had an incident where we had some domestic issues, the police came and the fire department couldn't get by the police cars. So, they had to back out and go back to Lawrence Orr Road. I can only say I don't have a problem with Drakeford building. I have a problem with the impositions it's going to put on Johnette Drive. I sent Councilmember Molina an email to tell her we need to meet again. We need to meet again because what we're doing now is separate from the original rezoning petition. So, I didn't know any other way to do this but to come with Mr. Taylor. So, we can't have you approve the rezoning for the Harvest Hill because we're not part of it anymore. We're our own little entity now that has to be looked at. So, I don't know any other way to come to tell you that other than Johnette Drive is a separate entity unless Councilmember Molina has something to say.

Councilmember Molina said you finish up and I'll get to.

Ms. Rhinehart said okay, well my other part would be has anybody ever been to Johnette Drive? Does anybody know where Johnette Drive is? Have you ever seen it? It's a long driveway. It's not a street. It's not a road. It's been there. We had to put gravel down so we could get in and out. It is not a situation where you can have two vehicles coming and going at the same time. Somebody has to stop and be in somebody's yard while that vehicle passes. So, I'll let you all have the rest of it. I don't have anything else to say other than if we need to do another rezoning then we need to do that.

Councilmember Driggs said they still have time remaining.

Mayor Pro Tem Anderson said she just said she didn't want to use it.

Mr. Driggs said the other gentleman does.

Mayor Pro Tem Anderson said do you have anything else to say? You all have one minute left if you have anything else to say.

Ms. Rhinehart said the thing about the petition, it's just that the only people against the petition are the two folks that are residents. Everybody for it, construction, lawyers, Mr. Brown, you're with the land, okay. So, you've got two people trying to represent an entire community. We are not a subdivision. Johnnette Drive is not a subdivision. We're not part of anything. We're our own little street, our own little entity that has been pulled into this to allow traffic and even with the six parcels, that's an additional 12 vehicles that are going to be on Johnnette Drive.

Mr. Taylor said 24 ways going back and forth.

Ms. Rhinehart said yes, and not to mention they're only 13 homes on Johnnette Drive. So, that's all I can say. If we need to go back and do a petition for just Johnnette Drive.

Mr. Brown said I don't actually think I'm going to rebut that. I'm just going to kind of clarify. That's accurate, right? When we filed this rezoning we had added the additional parcels and this was essentially a unified development. You could come in on Johnnette or you could come in on Harvest Hill and the idea was all of the lots could go either way. I know that folks have been to Johnnette. I know that C-DOT went out there. I think the Councilmember Molina has been there, and therefore, we changed the petition essentially to have Johnnette up there by itself and the southern part of the development on its own. So, what that has done is the first speaker is correct. Now most of the units are served by Harvest Hill and what we're still working on and Mr. Drakeford continues to communicate with the neighbors up there on Johnnette, is that would be six lots and how do we treat that and that conversation is ongoing. So, it in fact has been bifurcated, that's true, and we'll continue those conversations.

Bobby Drakeford, 1914 Brunswick Avenue said I don't really have much to add. Just want to thank Collin and thank y'all for letting us present tonight. It's certainly unfortunate we don't all agree. We've had a lot of very constructive dialogue and have a good rapport with one another. I certainly appreciate their concerns. You know, we have ideas, we bring them in to get everyone's feedback. We thought it was a good idea, we still think it is. We've made many modifications including not connecting the community. It was an idea that we had that was shot down to separate it. We were forced to reconnect. It's a great cost to cross that creek. That is, in fact, in the economics for the project, but these are six houses going on roughly about an acre and a half, doesn't appear to be super dense, not by our standards certainly. So, we didn't feel that we were causing this impact. We regret it, but I've been on that street and it depends on what time of day you go it seems. There are times where cars are parked on the street. There're times when they are not. I have not had that much difficulty gaining access.

Ms. Molina said first off I want to say to Ms. Rhinehart and Mr. Taylor thank you for coming. That's got to be something that's a little bit intimidating to come and speak out against something that's not something that you do on a day-to-day basis. I understand the method and the way in which you are articulating because we've sat down and we've talked. I did get your email Ms. Rhinehart. I've been really busy, but I have had you on my mind and I've had a lot of conversations in the interim. So, I do want you to know that I have in contact with Collin and Mr. Drakeford and our staff with regards to this.

Just for context for my colleagues, they're talking about two separate streets that would seemingly, if we tried to make it analogous, would almost be two different neighborhoods that would touch this. So, they have completely separate interests in why they have concerns around this particular petition. The problem is that like the petitioner said, there has already been a parcel that has been approved that they have the ability to build on. So, you have essentially a piece of property that's been awarded by the church that would become a part of this property and there's an additional piece which I think David needs to come up, Pettine, because he can give light to this. There's also a piece that would be in combination with this petition that would be a purchase from the City of Charlotte that has not been finalized.

So, there's more to this story and I don't think we're anywhere near where we could make a finalized decision on this petition because of that alone, not to mention the concerns from the neighbors. So, you know, my concern is that the last meeting that I went to with this neighborhood, it was robust. We had it at the Hickory Grove Church and there was a lot of attendance at that meeting. A lot of passion in that room. I don't think there was a person that was for it at that time. Everyone was in opposition, and they've made some changes since that particular meeting to address Johnnette Drive, and they're absolutely right. Johnnette Drive is a very small street. If someone is parked on that street, no one can get by. I mean it is not even a street by standard. So, that's something that's existing, that's not a part of this petition, but to put extra stress on that street would just be unfair to those residents. Again, the petitioner has actually made the adjustment to not have traffic go down that particular street as a result of this petition, but it doesn't answer the questions of the other residents that have concerns that live on a different part of what would be about this particular neighborhood. So, Collin and I spoke earlier today, and I feel very strongly that there's still more work to do around this petition. David and I spoke today about some additional deliverables that are outstanding with regards to this petition that would still leave some items to be handled before a decision would come before you guys, my colleagues on this Council to take a look at this. So, Collin if you could clarify. They're two streets of interest and you and I, we've talked about it. Johnnette, again, just to be clear, if you could bring that up. I know you've got a clearer picture.

Mr. Brown said yes. If y'all could put my slides up, I can put our site plan up. So, here is Johnnette to the north currently showing six lots.

Ms. Molina said where the red arrow is.

Mr. Brown said it's one of the things we're actually talking about because we're in this conditional zoning environment and Mr. Drakeford has said, "Hey, well I can make commitments because we're in a rezoning and say, you know, these would only be single-family or duplex lots versus a triplex which is otherwise allowed." So, I think there's a potential that we actually come out with greater protections for the neighbors than we would under a by-right scenario and they get some assurances of what goes there.

Ms. Molina said then there's another street in question as well.

Mr. Brown said this is Harvest Hill which connects. Harvest Hill is down here and this is essentially the main development and pretty similar to what has been improved already. So, it's really just adding a couple of parcels here and here. There's not much change between what's happening on the south side and what was already approved there.

Ms. Molina said although you're not directly involved do you know where the purchased property from the City of Charlotte lies?

Mr. Brown said it would kind of be like right up in there.

Mr. Drakeford said so, it's right here in this cul-de-sac. That's essentially the City's property which we have discussed about where the affordable houses would be built or whatever form of housing we all agree upon. We certainly have an understanding of the terms and timing. There are a lot of issues that have happened with this project, particularly regarding this creek here which we sought to not cross because it would save us \$600,000. This reconnection requirement is impacting our prospect. So, the housing folks have been great and responsive to you know, all the issues that we've encountered. We're committed to their requirements and maybe they're one or two things uncertain but nothing major. Their terms have been reasonable. They are used to doing I think rental more than for sale. So, we had to really adjust to the fact that this is a land development undertaking for us with a home builder, but now that we've talked enough I think we're in accord. Would you agree with that Miles and Caroline? Thank y'all for your help.

Ms. Molina said so, I'll concede because I know my colleagues also have questions, but I'm a big fan and Collin knows this because you've worked with me before of meeting in the middle. I've said this before. When we purchase our house, it is our greatest investment. There's not much that we purchase that is more of a major investment than that. So, the interest in where we live and how that remains a place that we love to stay in, that we love to raise our children in and call home is very important. So, although we do have a need for housing and I don't want to seemingly take a position for or against, but I am hoping that we balance the fact that yes, we have a need for housing and yes, we have people with decimal years that about this property that still want to love where they call home. So, we have to make that work for both parties. That's my primary interest in this conversation. So, with that, I'll concede for now.

Councilmember Ajmera said Councilmember Molina helped me clarify because there are two different streets. This map makes it easier to understand. I agree with Councilmember Molina where we have to work to balance the two sides. I have a couple of questions. So, back in 2022 when the rezoning was approved, what was the density then and what is the density now?

Mr. Brown said I'd have to get staff to answer on the density.

Mr. Drakeford said we've got an excel chart that shows that.

Mr. Brown said oh yes, you're right. If we have our slides we do have a very good comparison.

Mr. Drakeford said it's very similar. This isn't a particularly dense development. I think the core question at the moment in regards to Johnnette Drive in whether there would be single-family or duets. Is that your main concern Ms.? Yes. So, we've had a lot of conversation. So, something just kind of generically I'd like to comment on in regards to you know single-family versus a duet or a townhome.

Ms. Molina said well the question was about the density only. You can't go back.

Mr. Drakeford said okay. So, that first column shows what we initially zoned and that density was 4.12 per acre and then now we're at 4.92 per acre. That's the far right column and that's if we do the maximum number of units which is not likely. We certainly can go back and refine what's likely to happen. So, I think by most definitions, it's a fairly low density project as initially proposed or currently proposed.

Ms. Ajmera said so, there are four columns. So, first is what we had approved back in 2022?

Mr. Brown said right. This is the approved zoning plan for the southern portion.

Ms. Ajmera said so that density was?

Mr. Drakeford said 4.12.

Ms. Ajmera said 4.12 and the furthest right is what you are proposing? Is that correct? Based on revisions, based on feedback from the community.

Mr. Drakeford said that's the maximum density we are proposing.

Ms. Ajmera said so, 4.92 is what you're proposing. I see. So, it's not significantly different than what was approved back in 2022. You mentioned something about affordable. What part of the development would include affordable? So, is this housing for a House Charlotte Program?

Mr. Drakeford said yes, that's correct.

Ms. Ajmera said okay. So, how many you need did you say?

Mr. Drakeford said two.

Ms. Ajmera said two? On which side?

Mr. Drakeford said so more than likely we could be very specific but we've concluded that these here which are essentially on the land that's being purchased from the City would be where the affordable would be located.

Ms. Ajmera said got it. Okay. So, Ms. Rhinehart brought up this concern about access, especially considering Johnnette Street. So, this question is for staff. Is this a public street?

Mr. Mangum said it is a public street.

Ms. Ajmera said okay. So, in terms of an access for emergency vehicles, I know there are requirements. So, does that meet the minimum?

Mr. Mangum said it does not meet the current request for fire which is 20 feet in width. They're parts of Johnnette that are only 17 feet wide.

Ms. Ajmera said so, they would have to expand it?

Mr. Mangum said not as part of this petition, there would not be expansion.

Ms. Ajmera said okay. I just want to make sure I got it. Can you repeat that?

Mr. Mangum said so, Johnnette Drive is a public street. It is narrow at 17 feet in places. What fire typically requests with rezoning petition [INAUDIBLE]. Part of our assessment in the request for the lots at the end of Johnnette Drive in our request to limit those to either single-family or duplex, as opposed to they could be triplexes by typical N1-D standards.

Ms. Ajmera said so, you're limiting the density. Yes, perfect. That would be great. Would this fall under UDO or pre UDO? Was this petition filed pre UDO?

Mr. Magnum said it would be a combination. Part of it is pre UDO MX-1 innovative and the other areas are UDO zoning.

Ms. Ajmera said okay, because you know obviously we strengthened our stormwater requirement in UDO. So, how would that work?

Robert Zink, Engineering Division Manager said Robby Zink with Stormwater. In this area the requirements would be the same, either UDO or pre UDO. So, I'm not sure where their concerns are, but you know, for the creek the requirements are the same. The development would have to treat for water quality and quantity.

Mr. Brown said so, our engineer is here if you would like to ask Matt Langston.

Matt Langston, 1230 West Morehead Street, Suite 304 said good evening. Matt Langston, Landworks Design Group. So, with the prior project we were in the middle of construction plans and permitting, plan review and all that when Bobby added the additional property. So, we've got stormwater detention facilities on the property.

Ms. Ajmera said can we see where the stormwater detention ponds will be?

Mr. Langston said sure. We've got one located right here and one located right here on either side of the creek and then we propose stormwater up here to kind of pick up the new runoff from the new added land.

Ms. Ajmera said so, is it fair to say that runoff from this site would not deteriorate the condition of neighbor's properties?

Mr. Langston said we'll comply with the ordinance. So, if you look at the stormwater runoff of the preexisting condition and the proposed condition and we basically captured the difference.

Ms. Ajmera said okay. So, with stormwater runoff, the ordinance we have in place is to ensure that with this infill development we are not increasing stormwater runoff issues for the neighboring properties.

Mr. Zink said so, by the post construction stormwater ordinance, which they will have to comply with, they will have to treat for like I said water quality and quantity. So, they will be detaining their development back to predevelopment conditions that Matt mentioned for the majority of storms.

Ms. Ajmera said there was another question around a dead end. So, where exactly is that? I think it was Mr. Taylor. Mr. Taylor, could you please come to the podium. I know you had asked about the dead end. What exactly were you referring to and if you can show it to us on a map.

Mr. Taylor said this right there is a retention pond. I like to call it the Delta Pond because that pond, I know it a little bit because I've been here for 30 years. Back when Delta Airport was working, they had a pond and it's that right there. Water would come from the Delta Airport and this was before even W.T. Harris existed and water would come from the airport into that pond.

Ms. Molina said he's talking about the airport that used to be across the street. We had an airport remember? Where they have those apartments on W.T. Harris?

Ms. Ajmera said oh yes.

Mr. Taylor said this is old. Okay. This retention pond was able to hold the water for that airport. However, since that airport has been gone for a long time, we've had a lot of building. W.T. Harris itself goes between these areas and a lot of water from that road goes into this pond. Hickory Grove Baptist Church, a lot of that water goes into this pond. All this water coming from Delta Crossing goes in to this area which goes into the stream there. A lot of it comes in there. These places have catch ponds along here and what they do is they catch water runoff from the streets and parking and the roofs and what they do is they funnel into these catch ponds and it's put under water. Apparently the City says, "Hey, the water's gone," but the water isn't gone. The water goes down underground.

Mayor Pro Tem Anderson said so, Mr. Taylor and Ms. Ajmera, I just want to make sure that we're on topic here because you asked him a question about a dead end and now we're in a different space. Let's make sure we're answering the questions that are being asked.

Ms. Ajmera said Mr. Taylor, you addressed my question and you maybe gave us a history lesson. I hear what you're saying but what stormwater staff is saying that there is a stormwater ordinance in place to protect neighboring properties and to make sure that runoff doesn't happen on neighboring properties.

Mr. Taylor said may I?

Mayor Pro Tem Anderson said so the Councilmember asked you a question and she just said that you sufficiently answered her question.

Mr. Taylor said okay.

Mayor Pro Tem Anderson said so, we're going to move on for additional questions. I appreciate the depth of knowledge that you have, but we have to stick to answering the questions that the Council members have.

Mr. Taylor said certainly.

Ms. Ajmera said I appreciate it. I'll reach out to you if I have additional questions about the history of the site and the stormwater, but it looks like there's a lot more work that needs to be done. I'll continue to hear from District Council member. I think you're in good hands with Councilmember Molina and I look forward to seeing some sort of middle ground here and I don't know what that looks like, but I think that y'all need to continue to work with the neighbors to figure that out. Certainly, this is a lot more complex than some of the other petitions that are in front of us. So, I appreciate your patience for both sides in helping us get up to speed on this and I'll reach out if I have any additional questions, but I'll continue to work with district Councilmember Molina. Thank you.

Councilmember Johnson said I can work with Councilmember Molina also, but I just wanted to understand the petition. So, there are 96 units total? Is that what I understand, 96?

Mr. Drakeford said yes that would be the maximum number of units.

Ms. Johnson said okay and six of them are on Johnnette and 90 are off Harvest Hill? Is that right?

Mr. Drakeford said somewhat. So, there's six lots on Johnnette which could be either single-family or duets. So, perhaps a total of 12 on Johnnette.

Ms. Johnson said six to 12. Okay. Then my next question is for staff. We've said several times that Johnnette is not up to standard, not a typical street. Is there a plan to improve Johnnette and maybe we can talk offline? When we talk about infrastructure and building, I'd like to know the number of streets in Charlotte that look like that or that are under that condition. So, I'd like a lot more information on Johnnette and what the plan is in the future and how that applies to the UDO.

Mr. Unknown said sure, we can get you that information.

Ms. Johnson said we can talk about it offline. Thank you. That's all I have.

Ms. Molina said I just want to let you guys know that I do plan to stay in contact with the petitioner, with the neighbors because there's still work to do. This petition needs much more work and a lot more communication between staff and the neighborhood and the petitioner. There's another issue that's outstanding with the City of Charlotte that also in my opinion, I want to go on the record and say I would like to see tied up before we even entertain this. So, I don't even think this is going to come back before us next month because there is an outstanding issue with regards to affordable units that is contingent. It's not really a contingency, it's kind of in addition to. So, because if not, what would happen is there would be a small amount of affordable units that have not been finalized and then we'd make a decision on a petition that abuts this. It's just it's not tied up. There's more work to be done. So, I just want to make sure that I [INAUDIBLE] that and I'll be in contact with all of you to let you know what the updates are. That's all I have Mayor Pro Tem. Thank you.

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

Mayor Pro Tem Anderson said thank you Ms. Rhinehart and Mr. Taylor for coming out and participating in the process.

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ITEM NO. 25: HEARING ON PETITION NO. 2024-002 BY FERNANDO RIVERA FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.62 ACRES LOCATED ALONG THE SOUTH SIDE OF WALLACE LANE, WEST OF DORN CIRCLE, AND EAST OF EAST INDEPENDENCE BOULEVARD FROM N1-B (NEIGHBORHOOD 1-B) TO N1-E (NEIGHBORHOOD 1-E).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said I'll just note really quickly that this is a conventional petition. So, there are no outstanding issues. That might've been a misprint. So, I apologize for that, but this petition is a little over half an acre located along the south side of Wallace Lane within the broader Idlewild Neighborhood. The area is predominantly developed with single-family as well as multi-family uses. They have commercial areas just located to the west of this site less than a half mile away. The site is currently zoned Neighborhood 1-B and they're proposing to go to Neighborhood 1-E which is consistent with the Policy Map's recommendation for Neighborhood 1 at this property and the surrounding parcels. It is a conventional petition again. So, there is no associated site plan. Staff recommends approval. The N1-B and the N1-E zoning districts allow for the same single-family residential uses. The primary differences between those two Neighborhood 1 districts being limited to dimensional standards such as lot size and lot width. So, this petition would allow for more flexibility within those dimensional standards, but maintain that same single-family intent of the existing zoning. They are densifying residential areas along this corridor including a multi-family development that has been entitled and under construction along the rezoning's western boundary. The proposed N1-E zoning would be compatible with the existing and future land uses of the area and may provide a better transition between those multi-family uses coming up on the west and the less intense single-family zoning uses to the east. I'll take any questions following the petitioner's comments.

Fernando Rivera, 7404 Wallace Lane said yes, we are doing a conventional petition from N1-B to N1-E for allowing us more flexibility to probably do something a little bit different later on. This is something for my family. I live in the property at the moment and we just wanted to do probably a duplex if not two single-family houses in order for my family to be more together. I know there was an inconvenience with the neighbors on the back of this street because of the stormwater because she believed that we're doing a big community there, but we're not. So, we're not touching anything with the stormwater. That was a problem that we had with the neighbor.

Mayor Pro Tem Anderson said okay.

Motion was made by Councilmember Bokhari, and seconded by Councilmember Driggs to close the public hearing.

Councilmember Molina said I see that you had a community meeting, those are the two people that you're referring to?

Mr. Rivera said yes, there was one person that had a problem. The other two are okay with it.

Ms. Molina said okay. I'm just referring to what we have here as far as the community meeting. So, you had a small meeting, there was a small outpouring and you had some people who had some stormwater concerns as a result [inaudible].

Mr. Rivera said yes, they had some stormwater concerns, but since we're doing something residential, we're not touching any of that.

Ms. Cramer said if I can clarify it might help. So, the stormwater concerns, somebody called me, a neighbor. They had stormwater concerns related to the multi-family project

that is under development and some stormwater infrastructure questions because of that multi-family development and how that property boundary abuts their neighbor. So, they were calling thinking that this petition might be related to that project but they're separate.

Ms. Molina said okay, yes, because there's other development going on in that area.

Ms. Cramer said yes, correct.

Ms. Molina said so, just to clarify, you're saying that the stormwater concerns are for another property that has nothing to do with this petition?

Ms. Cramer said that's right. Yes, it's for the multi-family property that was entitled along the western boundary. It's a larger property that extends even further south from Wallace Lane and this parcel in question tonight, this property, does not abut any of the neighbors that were calling concerned about that stormwater infrastructure for the multi-family project.

Ms. Molina said that's something that we're going to take care of right?

Ms. Cramer said so, it's in permitting. So, they would be analyzed appropriately through any stormwater reviews that happen in permitting. So, they're currently under construction, but there are a number of reviews and they will be following the post construction stormwater ordinance.

Ms. Molina said okay. I just want to say, it's personal. I love that you're going to put your family together.

Mr. Rivera said thank you.

Ms. Molina said I think that's a great thing. I know that we don't do that much in the south. It's a new phenomenon. This UDO process allows people to do that more, but to have family kind of in the same place and the fact that you're willing to go to this process, it tells me that that means a lot to you.

Mr. Rivera said yes.

Ms. Molina said so, I congratulate you there because you know, as we have family that's aging and we want to keep them close to us, it means a lot. So, good for you.

Mr. Rivera said thank you.

Ms. Molina said congratulations. That's all I have.

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

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ITEM NO. 27: PETITION NO. 2024-089 BY TRUE HOMES FOR A CHANGE IN ZONING FOR APPROXIMATELY 4.09 ACRES LOCATED ALONG THE NORTH SIDE OF HOVIS ROAD, WEST OF WILDWOOD AVENUE FROM N1-C (NEIGHBORHOOD 1-C) TO N2-A(CD) (NEIGHBORHOOD 2-A, CONDITIONAL).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said good evening. Petition 2024-089 is located along the north side of Hovis Road, west of Wildwood Avenue. The site's approximately 4.09 acres and is currently undeveloped. Current zoning is N1-C, Neighborhood 1. Proposed zoning is N2-A(CD), Neighborhood 2, conditional. The 2040 Policy Map recommends the Neighborhood 1 Place Type. The N2-A district is inconsistent with the Neighborhood 1 Place Type. Approval of this petition would revise

the 2040 Policy Map recommendation to the Neighborhood 2 Place Type. The proposal calls for up to 39 multi-family attached dwellings. All units will be House Charlotte eligible providing a degree of affordability. The following streetscape and landscaping improvements are proposed. Buildings along Hovis Road will be oriented towards the street and will contain no more than four units per building. All other buildings will be limited to no more than six units per building. An eight-foot sidewalk and eight-foot planting strip will be provided along Hovis Road. A 30-foot setback as measured from the existing right-of-way or 24 feet as measured from future back of curb, whichever is greater will be provided along Hovis Road. Ten-foot Class C landscape yard will be provided along the side and rear of the site where it abuts the single-family properties at the periphery. All residential entrances will be connected to a sidewalk. The following architectural requirements are proposed. Maximum building height is limited to 44 feet. Usable front porches will be provided. Porches will be a minimum of six feet in depth and covered. Preferred building materials include brick, stone, and precast stone. Roof articulation and roof pitch will be provided. Building entrances within 15 feet of the public street will be raised at least 12 inches above sidewalk grade. Solid waste service areas will be screened. An existing CATS bus stop on Hovis Road will be upgraded to an ADA compliant facility. Staff recommends approval of this petition upon resolution of outstanding issues related environment and site and building design as the site's within a quarter mile of a designated Neighborhood Activity Center. The proposed development would provide attainable housing through the House Charlotte program, an area that's been identified as lacking access to housing opportunity and access to housing gap by the 2040 Comprehensive Plan. The site is directly served by transit. I'm happy to take any questions following Ms. Grant's presentation.

Bridget Grant, 100 North Tryon Street, Suite 4700 said good evening Mayor Pro Tem, members of Council, members of the Zoning Committee. Bridget Grant, Land Use Consultant with Moore and Van Allen. It is a pleasure to be here tonight on behalf of True Homes and Prosperity Alliance. We are thrilled to be sharing another initiative that aligns with our Faith in Housing efforts. So, with that, I'm going to take the easy part tonight and just turn it over to Marcus who's going to talk a little bit more about our efforts and we're happy to answer any questions.

Marcus Kornegay, 788 Pinnacle Drive, Iron Station said Good evening. I'm Marcus Kornegay. I'm with Prosperity Alliance. We're a residential development company based here in Charlotte. I'm here with my partner Shawn Kennedy. We're serving as consultants on this community development opportunity in collaboration with Chapell Memorial Baptist Church and True Homes. As staff has pointed, this development fits and solves a need for housing in District Two and as was pointed out by Bridget, the beautiful things about this development is that all 39 homes that are going to be built are going to be House Charlotte eligible. Basically, priced at \$315k and below and providing homeownership opportunities for that community. I think what's also awesome is that this community, actually the zip code aligns with the House Charlotte Plus Program which for families that are 80 percent AMI (Area Median Income) and below and meet the House Charlotte Plus criteria, they can realize up to \$80,000 in buy down assistance for their homes. So, it's a very amazing opportunity for attainable affordable homeownership through the House Charlotte Program with this development and all 39 homes are going to be eligible. The icing on the cake on this though and Bridget just touched on that, is that this project aligns to the Faith in Housing Initiative that was started by Mayor Vi Lyles and is now being spearheaded by Councilmember Mayfield. The leader of Chapell Memorial Baptist is Pastor Moss who's very familiar with working with the community, with the City, with the church, with private industry to build affordable homes as he's done that before as the pastor at St. Paul Baptist Church and that [INAUDIBLE] Square Community that he built out. So, we're honored and thrilled at the opportunity to collaborate with him. He couldn't be here today, but he sends his best. Earlier this summer, we had a great community meeting right after church and folks are excited about the opportunity.

Councilmember Johnson said hello gentleman, it's nice to see you.

Mr. Kornegay said good seeing you too.

pti:mt

Ms. Johnson said this sounds exciting. The House Charlotte Plus and the Faith Based Initiative. This sounds like a very exciting initiative. I don't have any questions. Seems like something that I'd look forward to supporting. Thank you for the work that you're doing. Thank you.

Mr. Kornegay thank you. Appreciate your support.

Councilmember Brown said good to see y'all again. I like to see when people come in and they're speaking the language that people in the community want to hear. So, very excited about the Faith in Housing program. I know this is going to go far and maybe it can just be a model, a pilot that we can kick off all over the City, but I'm all in. I'm excited because you said affordable. Homeownership is definitely needed in our community. Rent is outrageous in Charlotte and I'm going to say this for the record, in North Carolina, we are the most unaffordable place to live and rent. So, this project coming in comes in place with keeping people in line and then financial residual. Keeping it in the family so people can have homeownership for years and decades to come when we're long gone. So, I'm excited to see how this plays out and how I can support Mr. Graham, even though he's not here and also Councilmember Mayfield in that project. So, I'm very, very excited. So, thank you. Keep doing this work and you'll keep having my support.

Mr. Kornegay said thank you. Appreciate you Councilmember Brown. Thank you.

Councilmember Ajmera said is this site owned by Chapell Memorial Baptist Church?

Ms. Brown said Chapell.

Ms. Ajmera said Chapell. Oh yes. So, they are donating this land for affordable housing? For sale?

Mr. Kornegay said for sale.

Ms. Ajmera said yes. Thank you so much. Like my colleague said, appreciate the faith community's help with tackling the affordable housing crisis.

Ms. Brown said absolutely.

Mr. Kornegay said agreed.

Ms. Johnson said was there any community opposition?

Mr. Kornegay said none.

Ms. Johnson said okay.

Mr. Kornegay said we had two community meetings. A lot of support and a lot of questions and great engagement and dialogue.

Ms. Johnson said okay, good. Thank you.

Motion was made by Councilmember Johnson, and seconded by Councilmember Ajmera, to close the public hearing.
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Mayor Pro Tem Anderson said thank you and before we close, I just wanted to say I like seeing you two in front of us more and more because you guys do great work in the community. So, I'm glad that you are liaising with Ms. Grant on this effort and as you mentioned, the homeownership opportunity and the opportunity to have down payment assistance in an area where it's of dire need for generational change, generational impact, this is a wonderful opportunity. So, I'm excited for District Two residents to have an opportunity to take advantage of this. So, thank you for your work.

Mr. Kornegay said thank you. Appreciate your support.

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

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ITEM NO. 28: HEARING ON PETITION NO. 2024-095 BY TRYON ADVISORS, FOR A CHANGE IN ZONING FOR APPROXIMATELY 6.508 ACRES LOCATED ALONG THE NORTH SIDE OF OLD BELMEADE DRIVE, EAST OF BELMEADE DRIVE, AND WEST OF SAN GABRIEL AVENUE FROM N1-A (NEIGHBORHOOD 1-A) TO N1-A CCO (NEIGHBORHOOD 1-A, COTTAGE COURT OVERLAY).

Mayor Pro Tem Anderson declared the hearing open.

Maxx Oliver, Planning, Design & Development said Petition 2024-095 is located along the north side of Old Belmeade Drive, east of Belmeade Drive and west of San Gabriel Avenue. The site is approximately 6.035 acres, it is undeveloped. The property is zoned N1-A, Neighborhood 1. The proposed zoning is N1-A CCO, Neighborhood 1, Cottage Court Overlay. The Policy Map from the 2040 Comprehensive Plan recommends the Neighborhood 1 Place Type and the N1 CCO District is consistent with the Neighborhood 1 Place Type. I'd just like to provide a little background on the Cottage Court Overlay district. Cottage Court Overlay District is an overlay zoning district that encompasses the existing underlying district to allow for alternative development options. It's permitted in the N1-A through N1-E districts. Cottage Court Overlay District allows for small lot residential development with a maximum of 30 buildings and is allowed to include single-family, detached, duplex and triplex units. The buildings are organized around a common open space. Has a minimum of 3,000 square feet or 500 square feet per dwelling whichever is greater. Lot sizes and setbacks internal to the development's boundaries may be reduced from what is required by the underlying district, in this case N1-A in exchanges for a community that is designed as a cohesive whole and shared by residents. This is a conventional rezoning petition. There's not an associated site plan and would permit any use allowed in the N1-A zoning district. Staff recommends approval of this petition. The N1-A CCO District aligns with the Policy Map and the development pattern prescribed by the Neighborhood 1 Place Type and could facilitate the goal of providing a variety of housing types within an area that's predominantly built up as single-family dwellings. Happy to take any questions after Mr. MacVean's presentation.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem, members of Council, members of the Zoning Committee. Keith MacVean with Moore and Van Allen representing or assisting Tryon Advisors, LLC. With me tonight is John Beale and he's available to answer questions. As Maxx mentioned, the site is just off of Old Belmeade Road which is just to the east of the Catawba River. This site is very close to the Whitewater Center which is just located to our south west, Mount Holly to the north. As Maxx mentioned, what the Cottage Overlay District allows is a unique approach to developing the same type of residential units that are allowed by the N1-A District just clustered around open space areas, natural, and new open space areas that are appropriate in this location, taking advantage of what the Whitewater Center has really started out here with outdoor activities, open space areas. The Whitewater Center is actually the land owner on both sides of this property. So, this hopefully allows again, a unique opportunity to do a small neighborhood cluster around open space areas in a cohesive manner as Maxx mentioned, consistent with the Place Type and we're happy to answer questions.

Councilmember Brown said thank you so much Mr. MacVean. I greatly appreciate. I was wanting to know. We have questions all the time surrounding the community outreach and maybe it's a staff question on what are doing, and I know we had this question earlier about how we were reaching community. When I see zero, it just makes me cringe and then somebody comes back and even though you're in ETJ, it's still closest to me.

Mr. MacVean said yes ma'am.

Ms. Brown said so, to get involved with that, just what your outreach looks like and if you've done your due diligence then we move forward, but when I see zero it's kind of concerning to me.

Mr. MacVean said we provided notices to property owners within 300 feet and neighborhood associations within a mile that are registered with the City. This site, as you'll look at the map, is kind of unique. There's large parcels around it. So, there's really not a lot of neighbors or property owners.

Ms. Brown said right.

Mr. MacVean said we reached out to the folks that were again, properties within 300 feet, neighborhood associations within in a mile. We just did not have anybody come to the community meeting. We did have the owner of the Whitewater Center contact us prior to the community meeting and he spoke with the petitioner and was comfortable with what's being requested.

Ms. Brown said okay. So, that was prior to the community meeting?

Mr. MacVean said yes. He called us before the community meeting. We explained what were doing so he didn't feel he needed to attend the community meeting.

Ms. Brown said Mr. Keith, I've worked with you before. I know you'll go and do your due diligence, but I just want to state that for the record when we read and we see the zero on the community involvement, it's kind of concerning to not just me but other staff members. My colleagues have also addressed that, but if you've done what you're supposed to do, then what more can we ask for, right?

Mr. MacVean said just not a lot of folks out here at this moment.

Councilmember Johnson said I just want to add to that. Before you were on Council, we talked about I believe expanding the notification. I don't know if it's the radius or to renters or anything like that. Can we talk about that offline? Because you're right, we want to make sure that we're reaching the residents and those impacted. Mr. MacVean and I had a conversation earlier of a pending petition, and there's going to be a lot of renters that are affected. So, we want to make sure that we're getting the information out as much as possible. So, I know we've talked about that in the past. If we can revisit that as a Council or with Mr. Pettine, that would be great.

Mayor Pro Tem Anderson said would staff like to make a comment?

Mr. MacVean said yes. So, the UDO goes a bit above and beyond what State law requires. We notify all property owners within 300 feet. State law just requires adjoining property owners to be notified.

Ms. Johnson said so, that could be something. I mean I think Council has talked about that before. Maybe we take a look at that during the strategic planning session or something, but if it's a priority for Council, that is something that we should take a look at. Thank you.

Ms. Brown said I just want to piggyback off of Councilmember Johnson because I know I heard crystal clear that we were going to look at another process, Mayor Pro Tem, that we could try to reach other people because homeowners may be distant, remote, not even in the area and the people that are being affected are the ones that are renting. So, how would we get to them since they're the ones inside or do they not matter?

Mayor Pro Tem Anderson said yes and Ms. Babson is probably taking a note because we have had this conversation actually in these meetings and in the public hearing

meetings around notification and extension. I saw a little bird was speaking in your ear. Do you have updated information?

Mr. MacVean said yes, I'd also like to add that we are also on Nextdoor.

Ms. Brown said you're on Nextdoor?

Mr. MacVean said yes, it's an app.

Ms. Brown said yes, I know Nextdoor.

Mr. MacVean said okay.

Ms. Brown said I try to stay away from there.

Mayor Pro Tem Anderson said we had, several months ago, asked about extending the notifications and we're now on Nextdoor, but absolutely Ms. Brown and Ms. Johnson make great points. We can follow up on that as an action point from this meeting.

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

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ITEM NO. 29: HEARING ON PETITION NO. 2024-097 BY HENDRICK AUTOMOTIVE GROUP, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.18 ACRES LOCATED ALONG THE EAST SIDE OF TWIN LAKES PARKWAY AND THE SOUTH SIDE OF SAM ROPER DRIVE, WEST OF NORTHLAKE AUTO PLAZA BOULEVARD FROM OFC (OFFICE FLEX CAMPUS) TO ML-1 (MANUFACTURING AND LOGISTICS-1).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is just over three acres outside of existing City limits along the south side of Sam Roper. This is in an area where we have a lot of existing office and industrial developments as well as some planned future multi-family uses to the west. The site is currently zoned Office Flex Campus and the request is to go to Manufacturing and Logistics 1. That request is consistent with the 2040 Policy Map's recommendation for a Manufacturing and Logistics on this site. This is a conventional petition so there is no associated site plans. Staff does recommend approval. This rezoning would bring the site's entitlements into alignment with the 2040 Policy Map and allows for a zoning that's more consistent with the surrounding uses and zoning. This rezoning does not abut any sensitive land uses such as single-family residential areas. I'll take any questions following the petitioner's comments.

Greg Hartley, 601 South Cedar Street, Suite 101 said thank you Mayor Pro Tem and Council members and Zoning Commission. Greg Hartley with Acura Development Services here on behalf of Hendrick Automotive Group. We just want to align this a little better with some of the uses just to the south. We were here previously this year I believe. Rezoning to do a collision center and then this facility that we're going to have here will actually support all of the dealerships in the area for the Hendrick dealerships. Happy to answer any questions.

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

Councilmember Johnson said I've already met with the developer. So, I don't have any questions and I look forward to supporting. Thank you.

Mr. Hartley said thank you.

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

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ITEM NO. 30: HEARING ON PETITION NO. 2024-100 BY 4000 MONROE, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 9.892 ACRES LOCATED ALONG THE SOUTH SIDE OF MONROE ROAD AND THE WEST SIDE OF NORTH WENDOVER ROAD, NORTH OF THE NORFOLK SOUTHERN RAILWAY FROM ML-1 (MANUFACTURING AND LOGISTICS-1) TO IMU (INNOVATION MIXED-USE).

Mayor Pro Tem Anderson declared the hearing open.

Holly Cramer, Planning, Design & Development said this site is just shy of 10 acres along Monroe and Wendover Roads. It's on a corridor that has a mix of retail, office, vehicle repair facilities and some residential areas that you see in the north there on that aerial. Existing zoning is Manufacturing and Logistics 1 and the request is to go to Innovation Mixed-Use. That request is consistent with the 2040 Policy Map's recommendation for Innovation Mixed-Use on this site. The requested IMU district would entitle the site for uses that are more compatible with the exiting and future land use patterns in this area, which would envision mixed-use urban areas and improved pedestrian design that integrate a bit better with the adjacent residential areas than the development under a ML-1 zoning might allow for. Staff recommends approval of this petition. It's a conventional petition with no associated site plan and I'll take any questions following the petitioner's comments.

Keith MacVean, 100 North Tryon Street, Suite 4700 said thank you Mayor Pro Tem, members of Council, members of the Zoning Committee. Keith MacVean with Moore and Van Allen assisting 4000 Monroe, LLC. Parkside Partners is with me tonight. Representing Parkside Partners is Gary Matthews. As Holly mentioned, just a slightly under 10-acre parcel located near the intersection of Monroe Road and Wendover. It's a former office warehouse distribution site that Mr. Matthews and his partners are currently in the process of adaptively reusing. They've been working on the site for the last two years. They started the work under the I-1 zoning district which allowed a number of different uses other than industrial retail office, personal service [INAUDIBLE]. When the converging of the I-1 district to the ML-1 district, a lot of the previous uses that were allowed in the I-1 district were no longer allowed and however Mr. Matthews and his company were already well underway with the adaptive reuse to a more neighborhood oriented type of uses, retail, restaurants, personal service uses, office. The IMU district allows those uses and facilitates the adaptive reuse of those buildings with those type of uses. The conversion in the UDO made them legally non-conforming. The rezoning to IMU then brings them back into compliance and allows the adaptive reuse to continue and tenants to change over time. I'm going to quickly turn it over to Mr. Matthews. So, he'll explain a little bit about where he is, where this company is in the adaptive reuse process.

Gary Matthews, 1776 Peachtree Road, NW, Suite 2005 Atlanta, Georgia said good evening. I know it's been a long one for you guys. So, I'll talk quick. Mayor Pro Tem, Council, staff, appreciate y'all's time this evening. As Keith mentioned, my firm purchased this property golly, I guess we closed on it late 2021. Went through the permitting process and had it fully entitled to move forward with the renovations in January of 2022. So, we're coming up on three years. We have completely renovated the buildings. We tore down the back of a warehouse. We made a lot of capital improvements to functionally obsolete office space, heavily amenitized the outside and have been successful in attracting 12 tenants and we have several others that we're close to making. So, we're just over 50 percent leased. We have a mix of professional office space, architects, designers and a mix of neighborhood retail. So, we're really happy with both the restaurant mix and the other ancillary retail that we've been able to attract here, but once the UDO formally went into place, we started having problems with medical tenants and other prospects that we had. So, we want to clean this up.

Mayor Pro Tem Anderson said I'm going to open it up for questions and as it's in my district, I'm going to kick it off. One of the questions I have is I see that adjacent to this particular parcel there is some Innovation Mixed-Use that is surrounding it, that is abutting it. Is that correct? I'm looking at the map.

Ms. Cramer said so, there's Innovation Mixed-Use on the Policy Map.

Mayor Pro Tem Anderson said yes.

Ms. Cramer said yes. So, nothing translated to Innovation Mixed-Use with the adoption of the UDO, but the Policy Map does call for much of these parcels south side and the west side to be Innovation Mixed-Use on the Policy Map and that Place Type is there in place. So, although there's not IMU on the ground in terms of zoning, the Policy Map does support overall the intent of IMU.

Mayor Pro Tem Anderson said that's why I was asking the question because I haven't heard of a lot of the IMU come across along this Monroe Road corridor and I was surprised to see this, but this is really the alignment of the Policy Map. So, this is one of the first ones that I'm seeing come across our desk from an IMU use. I think it's also an appropriate use for that corridor given the mix of industry that is along the Monroe Road Wendover corridor as well. I did have a question about I see you had a couple of people at the community meeting. Was there any pushback or any concerns that were raised by the community?

Mr. MacVean said not really. I think there was a lot of questions about what was happening. It's called Oakhurst Commons. So, some of the folks that are actually in the Oakhurst neighborhood came to the meeting and wanted to understand what was the adaptive reuse, what kind of uses. I think everybody was pleased to see the new energy, the new investment, the new tenants that actually support the neighborhoods in the area. So, it was a good community meeting. We had not a lot of people but they had good questions and I think they felt satisfied with what was being proposed.

Mayor Pro Tem Anderson said okay, excellent. That's good to hear.

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

ITEM NO. 31: HEARING ON PETITION NO. 2024-101, EB ARROW CRYSTAL REAL ESTATE FOR A CHANGE IN ZONING FOR APPROXIMATELY 20.56 ACRES LOCATED ALONG THE EAST SIDE OF J. W. CLAY BOULEVARD, BOTH THE NORTH AND SOUTH SIDES OF WATERS EDGE VILLAGE DRIVE, WEST OF J. M KEYNES DRIVE FROM MUDD-O (MIXED USE DEVELOPMENT, OPTIONAL) TO MUDD-O SPA (MIXED USE DEVELOPMENT, OPTIONAL, SITE PLAN AMENDMENT).

Mayor Pro Tem Anderson declared the hearing open.

David Pettine, Planning, Design & Development said this petition is just under 21 acres. It in the University City area on J.W. Clay Boulevard currently zoned to MUDD-O and again proposing a site plan amendment to that previously approved rezoning. That rezoning was approved in 2019. It was petition 2018-151. Just to go back, adopted Place Type for this entire area is for a Regional Activity Center Place Type, one of our most intense Activity Centers that we've got on the Policy Map in terms of uses and intended outcomes. Again, this site was rezoned in 2019 for up about 260,000 square feet of commercial and office, 40,000 square feet of civic uses which included a library and 600 residential units. The proposal this evening is to take that previously approved rezoning back in 2019 and allow a conversion right of some of the office and commercial square footage to allow up to 303 additional residential units that would take

the total up to about 900 residential units. That commercial and office square footage conversion rate would be one additional unit allowed per 760 square feet of those nonresidential uses. So, that ends up being around 230,000 square feet out of the initial 260,000. So, that would still leave us with 30,000 remaining square feet for office and retail uses. Still, a lot of the notes about ground floor retail uses in some of those development areas as well. So, again, this is just providing some flexibility to take that unused office and commercial space and convert it into residential. I know there's been some challenges with commercial and office development and again, this would allow some of that additional square footage to be freed up for more of that demand to be met on the residential side. So, with that, staff does recommend approval of the petition. I don't believe there are any outstanding issues. It is consistent with the Regional Activity Center Place Type. It would still allow again for a hotel use. It would still allow for up to the 260,000 square feet, is still possible, but as they potentially continue to convert some of that square footage to residential, it could get down all the way to about 30,000 square feet leftover, which still is a reasonable amount within that Activity Center given some of the other existing uses that are currently out there. So, again staff does recommend approval and we'll take any questions following the presentation by the petitioner and the public. Thank you.

Brett Seward, 3801 Seaforth Drive said thank you. Good evening Mayor Madam Pro Tem, members of Council, Zoning Committee. Brett Seward, Landscape Architect on behalf of Land Design assisting the petitioner EBA Crystal Real Estate on this petition. I'll keep it brief. The whole goal of this is to add conversion rights for residential from commercial uses. As a lot of us are aware, the market for office is a little hard right now. So, giving the petitioner some flexibility adding more density and some more use to the overall development is the whole goal. So, short and sweet. I have nothing further to add. We can turn it over to Ms. Pam.

Pam Isacks, 9029 JM Keynes Drive said I live in Lakeshore Village Condominiums. It's right across the lake from this development and many of us from the complex attended the community meeting initially in 2019 when they tore down all the retail and put up the apartment complexes. One of the reasons that I live there and one of the reasons that we love it there is it is such a walkable community. I think it's probably one of the earliest walkable suburban communities in town. In the past, we've had within this same University place area, a furniture store, many clothing stores, shoe stores, dry cleaners, Office Depot, a cinema, grocery store, a drug store. So, my complaint with this proposed change is not entirely because of this specific plot but because of the cumulative effect of what's happening is everything that seems to be zoned multi-use ends up being all apartments. Okay. So, we have in my walking area, we have two retail areas. One of them was where the apartments are now and one of them was at the Kohl's shopping center on North Tryon Street. Well Kohl's has been rezoned and pretty soon the retail will go away and it will be all apartment complexes. They say that they're going to maintain the Food Lion and it will still be there in the basement of the apartment complex, but what was a tremendously walkable neighborhood is becoming less and less walkable. I don't have any complaint about the use of the office building going away because I know there's no demand for offices anymore. That was inevitable, but this complex was presented to us as live, work, play, full community, you know, you never have to leave home. I understand now that it's not a work place anymore, it's live and play, but with the diminution of the commercial, the retail, there's a lot less play and a lot more live. So, it looks to us like this is a gigantic apartment complex. You can call it an Activity Center, but it looks like a gigantic apartment complex with a library. Let's not minimize that. The best thing ever is this library. It was going to be a beautiful mirrored glass building overlooking the lake and now it's kind of been shoved back into the interior and I think it's going to be overlooking a commercial building from the glass front there. At any rate, we're happy to have that library there, but the elimination of the retail is really alarming to me.

I moved within a block of the Blue Line because I knew I was going to need it. I have a medical condition, I'm not going to be driving. I need to be able to walk there or get on a train and go there. If you've ever taken the Blue Line from the University to downtown, you'll realize it's really a great way to go to bars and restaurants. If you need to go to a

grocery store or a drug store or a dry cleaner or a hairdresser, it's not a very great place because they're not on the Blue Line. What's on the Blue Line is apartments. So, it's a great way to go from apartment to apartment or to go out at night and not have to drive home, not have to get an Uber when you need to go home, but as far as being useful to those of us who need public transit to live, to go about ordinary life, it's not been very useful to me. I love coming downtown. You know, I take the train but I always get on the train in University and go all the way downtown because there's nothing in between. It's the bigger picture that is concerning to me. I know that the City has some very specific goals about walkability and it's not happening. It's going backwards in our neighborhood. It's becoming less walkable. We're going to have great sidewalks on J.W. Clay, we've got a huge project going on. We're going to have eight-foot-wide sidewalks to go to the brewery or to the Sam's Club, but as far as walkability, it's becoming less and less. That's my concern. I thought that perhaps you might have been under a misconception that this was going to help with our affordable, I know we have a tremendous need for affordable housing, but these are not affordable houses. This is not that. They're homes, but they're not family homes. There's no park, there's no playground. The green space that's delineated there is the sidewalk that runs along the edge of the lake, which is great to walk around. It's called a park but that's not a park. Thank you for allowing me to speak.

Mr. Seward said yes, I don't really have so much as a rebuttal other than we are committing a 10,000 minimum square foot commercial space up to 30,000. If we were to convert two residential, I'm not saying it's actually going to happen but, it does give us a flexibility. As far as the walkability component, understand walking to amenities, the library is an absolutely beautiful building and it will be a huge amenity to this whole development. NOVEL University Place Phase One was done, a tremendous job on the detail. Adds greatly to the architecture, the space of the development over all. So, I hear the concern, but I think that the overall development itself is adding a great deal to this space and making it a little bit more walkable bringing people in to allow for those amenities to come. Thank you.

Councilmember Johnson said thank you for the presentation Brett and also Ms. Isacks. Thank you for speaking up. Brett, if you could schedule a meeting with me so I can get some more details regarding this petition, that would be great.

Mr. Seward said okay.

Ms. Johnson said I do have some questions. Did you say 10,000 or 30,000 square feet of commercial space?

Mr. Seward said committed to a minimum of 10,000 square feet, up to 30,000 is the max.

Ms. Johnson said where exactly is this development? Is it right at the lake? Is it on the lake?

Mr. Seward said it's on the lake, yes. The whole development is on the lake. NOVEL University Place Phase One is the orange building on the screen and that was delivered. I think it's fully leased now. The library, it will be delivered I believe first quarter of next year. Then everything else is to be developed.

Ms. Johnson said so, where the TJ Maxx and Ross and all those stores used to be, is that a commercial [INAUDIBLE]? On both sides of the street? Oh, where Office Max used to be?

Mr. Seward said yes. So, that whole strip development that was there is included in this.

Ms. Johnson said yes, and the early voting site, the Pier 1. So, instead of commercial, you're proposing more residential.

Mr. Seward said correct.

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Ms. Johnson said Ms. Isacks, I want to thank you for speaking up because when I as the Council member kind of push back on so many multi-family, I have this false reputation of being anti-development, but it's not that. I listen to the residents. I hear you. So, I look forward to further discussion Brett, okay? Thank you Ms. Isacks. Thank you.

Councilmember Ajmera said thank you Ms. Isacks for staying until the end. This is our last hearing and you made it. Thank you. I agree with Ms. Isacks. This is one of the most walkable communities in the University area. One of our most walkable suburban areas. In fact, this is where our family walks pretty much at least three, four times a week and I agree with you. Six, seven years ago, there was all this shopping, retail, shoe store, restaurants, all of that is going away and now we are taking that away and converting it into multi-family. There is already multi-family right there which is very luxury and it's a very luxurious housing apartments. Everywhere we see, we see luxury apartments popping up and it concerns me and I agree that we are taking away some of this retail, commercial options and putting multi-family everywhere. You know, in this current state, I cannot support it. We really need to take a look at this very closely. You know, when we had this 2040 Plan, we had this 10-Minute Neighborhood and that included retail commercial space, but now if we are all taking it away and just converting it into multi-family, it looks more like residential than an Activity Center. I understand that there is some retail further up where they have Tropical Café and a few other restaurants, but that's just a drop in the ocean. I mean, you're taking away an entire strip mall of all the retail and commercial space. I have a difficult time supporting this. I don't quite understand how staff arrived at a decision of supporting it. It says it's inconsistent. So, Mr. Pettine, if you can talk about how this overall meets our 10-Minute Neighborhood criteria and how it overall fits into the vision for the Activity Center?

Mr. Pettine said sure. It is consistent with the Activity Center. So, we do have that stated. I don't know if the staff analysis states it differently, but it is consistent with Regional Activity Center. One of the things we do look at, and it is a concern of ours to a degree of seeing Activity Centers get over saturated with residential. There is still a lot of opportunity for additional commercial space within the Activity Center. There is some underutilized land that could get potentially redeveloped. So, as we look at Activity Centers, we don't always tend to focus on the parcel itself that's coming in for rezoning. We do have to kind of look at it from a bit of a macro level as well. So, in this case we do see that there could be some future opportunity again for more infill that could serve more of a retail. So, as other folks come that want to do some of these conversions of let's say one of the older retail spaces, we become more scrutinous with each time we get a project in the area because we do have to maintain a balance of uses within those Activity Centers. So, this one does like I said, take some of that initial commercial space that they had approved several years ago and that could be delivered as residential instead of that commercial and we will continue to have to look at that Regional Activity Center in this area to say if somebody comes back in like I mentioned with a proposal to let's say convert one of the large big boxes across the street to all multi-family, that's going to continue to cause some scrutiny on our side to then find that balance of having a healthy mix of uses that can support the goals of the Comp Plan. So, we do look at it on a petition by petition level, but we also have to look at it on a little bit of a macro level within that entire Activity Center, which there still are commercial uses and there still are future opportunities for that type of infill development.

Ms. Ajmera said so, Mr. Pettine, I know you had to look at it at the macro level, but are you betting on future developments to convert it into commercial spaces? Is that what you're betting on?

Mr. Pettine said we're not betting on that. We do still see that there are commercial and nonresidential opportunities in the Activity Center. There are still some of those uses on the other side of the lake. You do have some of that on the other side of J.W. Clay. We certainly appreciate the incorporation of some potential ground floor activation within this project up to 10,000 square feet of that being that kind of store front, street front kind of retail opportunity. So, we're not necessarily banking on it. We do still feel like

there's a decent balance within that Activity Center, but we do know over time those uses do change and transition and just like we're seeing some of these additional outparcels that are on W.T. Harris that we know are looking at potentially rezoning and redeveloping. That's when we start to really kind of dig in to see what other mix of uses we can get as each project comes in. So, we felt this one still provided a reasonable balance within their own project boundaries, but there's still opportunities for that to continue to occur and have that Regional Activity Center support a healthy mix of residential and nonresidential uses there.

Ms. Ajmera said yes. I mean I struggle with this one. Maybe I can have a conversation with you offline.

Mr. Pettine said sure.

Ms. Ajmera said because what point do we balance it, right? At what point do we say converting commercial retail space into residential would be okay? At what point, right? What is that saturation that we are looking at?

Mr. Pettine said yes.

Ms. Ajmera said I know it's very difficult because ultimately the market drives the development and I get that, but at some point I guess because this is one of our Activity Centers in the City, we've got to look at that. What is the right balance? I'll talk with you offline. What does that balance look like?

Mr. Pettine said yes and that's something that we're not just looking at here. It is something we're seeing in all of our Activity Centers and it is causing a little bit of concern for us at a staff level and we do have some scheduled conversations coming up between staffs just interdepartmentally about what is that right balance.

Ms. Ajmera said right.

Mr. Pettine said because I don't know if we've really said. Is it a 50-50 split? Is it 60-40? So, we need to work on that side as well because that will give us a little bit more opportunity when we get these types of petitions to say, "Look, this Activity Center is at 80 percent residential. We're not going to really get more residential. We don't want to see that." So, that's some stuff that we still need to work on as part of trying to further development 10-Minute Neighborhoods and these Activity Centers. So, it is something that's on our radar as well, but be happy to talk to you more about it.

Ms. Ajmera said yes, I think that's something that Council needs to get involved in, in terms of the balance. Ultimately the market is going to respond to the market demands, but I think as Council, we are creating this 10-Minute Neighborhood concept and we need to have a policy discussion on what does that balance look like and depending on the area and the needs for retail, for grocery stores, it could change. So, I'm hoping we will dive into that as part of our Community Area Planning exercise that we are going through. Yes, that's all I have. I look forward to hearing from the district Council member on this as to if there would be any change to this.

Councilmember Brown said thank you for staying Ms. Isacks. I was listening to my colleague Ajmera here. Your voice is being heard. I just want you to know that. Don't think that when you come, that you're talking and it's falling on deaf ears. It definitely is not falling on deaf ears. We have to work with the district rep because our At-Large members have the whole City of Charlotte, then you have the seven district reps that deal with each individual district. So, we call the district rep the expert, you know, they do the expert work. They're out there on the ground doing all the work, putting everything together. When you come and you're by yourself, don't think that we're not hearing what you're saying. Some of this information, we've already had to process before and I just want to say thank you for coming out and that we hear you and that we look forward to working with the district rep to make sure that your concerns are met. That we can come together on common ground so that we can work together.

Everybody won't be satisfied, but we can move together and work in harmony. That's what I'm trying to say, okay? So, thank you so much for coming out and staying with us all night because it's getting late, but we do appreciate you. More importantly we hear you, okay? Thank you so much.

Councilmember Johnson said I know we're all ready to go but, you talked about Activity Centers. I just want to lift this area up. I know I'm biased, but this is a very unique area in the City. This is the downtown of the University City area and even like during COVID, this was one of the busiest spots and it's just a beautiful unique area. So, I would just ask that City staff consider that as we're making decisions.

Mr. Pettine said yes.

Ms. Johnson said the demand does drive the market; however, Council can incorporate a vision and just some direction I think, and this is an opportunity.

Mr. Pettine said I think that's a good conversation we're looking forward to having as well and we do have a lot of UNCC (University of North Carolina-Charlotte) alums, including myself that know this place far too well and are very familiar with it and spend a lot of time here. So, yes, we're kind of thoughtful about what goes on as well.

Ms. Johnson said we want the highest and best [inaudible]. Thank you.

Ms. Ajmera said so I noticed this is 20.56 acres. So, even though they're only changing a piece of the puzzle, right, they still had to go through the entire rezoning?

Mr. Pettine said yes, because the plan covers the entire project that they have. So, we don't just want to take one piece and do an amendment to, you know, this here. The notes all still are associated with the plan. We don't want to lose any of the other commitments. So, it's just a change to the conversion rights of the entire plan.

Ms. Ajmera said lastly, I have brought this up several times with the University City Partners. The lake is such an asset to our community and I know we have seen some improvement to the lake, but are there any community benefits? I was going through the notes. I didn't see any to preserve the lake that we have and there's a long laundry list that the University Partners have in terms of preserving the lake. Do we have any community benefits from this rezoning petition towards improving that?

Mr. Pettine said not specifically to the lake itself. There was the commitment for the trail area and some of that plaza and open space and the library as a civic use, but the lake itself, no. It was just the frontages that they had control of development over.

Ms. Ajmera said so, I would like to see a community benefit because this development will directly benefit from this lake, that's an asset to actually have a community benefit where we can use some of the funds to clean up the lake that we have because you're all going to benefit from it. So, I would like to see some community benefit around that incorporated as part of this rezoning. That's all I have. If there are no additional questions.

Motion was made by Councilmember Ajmera, and seconded by Councilmember Johnson, to close the public hearing.
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Mayor Pro Tem Anderson said thank you. Ms. Isacks, thank you for burning the midnight oil and staying with us. I would just encourage of course as my colleagues have said, to work with the district rep but also the representation from the community to get to a level of specificity as it relates to community benefits. Let's hear from the community what they would actually like to see and of course work with my colleague, the district rep throughout that process.

November 18, 2024
Zoning Meeting
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The vote was taken on the motion and recorded as unanimous.

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ADJOURNMENT

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

The meeting was adjourned at 9:45 p.m.


Billie Tynes, Deputy City Clerk

Length of Meeting: 3 Hours, 0 Minutes
Minutes completed: February 14, 2025