

City of Charlotte

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



Zoning Agenda

Tuesday, January 18, 2022

Council Chambers

City Council Zoning Meeting

**1. 5:00 P.M. CITY COUNCIL ZONING MEETING
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
REGULAR MEETING HOSTED FROM COUNCIL CHAMBERS**

This meeting will also be accessible via the Government Channel, the City's Facebook page, and the City's YouTube channel.

Call to Order

Introduction

Invocation

Pledge of Allegiance

Explanation of Zoning Meeting

Deferrals/Withdrawals

DECISIONS**2. Rezoning Petition: 2019-179 by Ronald Staley Jr. - Verde Homes, LLC**

Location: Approximately 1 acre located near the SE intersection of Parkwood Avenue and Hawthorne Lane in the Plaza Midwood community. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential) & R-22MF (multi-family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2019_179_ZCR_DONE](#)

[2019_179_FSA_DONE](#)

[2019_179_SitePlanRev_2020_08_18](#)

3. Rezoning Petition: 2020-181 by Albemarle Property Investors, LLC

Location: Approximately 11.24 acres located at the NW intersection of Rocky River Church Road and Albemarle Road in Unincorporated Mecklenburg County. (ETJ nearest CC: 5-Newton)

Current Zoning: NS, R-3 (neighborhood services, residential)

Proposed Zoning: NS (SPA), NS (neighborhood services, site plan amendment, neighborhood services) with 5-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to recommend DENIAL of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2020_181_ZCR_DONE](#)

[2020_181_FSA_DONE](#)

[2020_181_RevSitePlan_2022_01_13](#)

4. Rezoning Petition: 2021-019 by Fifth Third Bank

Location: Approximately 0.976 acre located on the north side of Woodlawn Road, east of Tryon Street, and west of South boulevard. (Council District 3 - Watlington)

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

Proposed Zoning: TOD-TR(CD) (transit-oriented development-transitional, conditional)

Zoning Committee Recommendation:

-The Zoning Committee voted -----4-3 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff does not recommend approval of this petition.

[2021_019_ZCR_DONE](#)

[2021_019_FSA_DONE](#)

[2021_019_SitePlan_2021_11_18](#)

5. Rezoning Petition: 2021-075 by Kinger Homes, LLC

Location: Approximately 7.69 acres located on the southwestern corner of the intersection of Steele Creek Road and Hamilton Road. (ETJ: BOCC - 6-Rodriguez-McDowell; closest CC 3-Watlington)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_075_ZCR](#)

[2021_075_FSA_DONE](#)

[2021_075_RevSitePlan_1_10_2022](#)

6. Rezoning Petition: 2021-091 by Chick-Fil-A, Inc.

Location: Approximately 1.21 acres located at the southeast intersection of South Boulevard and Carolina Pavilion Drive South, north of Interstate 485. (Council District 6-Bokhari)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2021_091_ZCR](#)

[2021_091_FSA_DONE](#)

[2021_091_siteplanrev_21_12_22](#)

7. Rezoning Petition: 2021-096 by Ascent Real Estate Capital, LLC

Location: Approximately 1.89 acres located along E. 36th Street between North Alexander Street and North McDowell Street in the NoDa community. (Council District 1 - Egleston)

Current Zoning: R-5 (single-family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 4-3 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_096_ZCR](#)

[2021_096_FSA_DONE](#)

[2021_096_SitePlanRev_2022_01_11](#)

8. Rezoning Petition: 2021-103 by Providence Group Capital, LLC

Location: Approximately 2.25 acres located on the north side of Blairhill Road, south of Clanton Road, and west of South Tryon Street. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)

Proposed Zoning: TOD-UC (transit-oriented development - urban center)

Zoning Committee Recommendation:

The Zoning Committee voted 5-1 to recommend APPROVAL of this petition.

Staff Recommendation:

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

[2021_103_ZCR](#)

[2021_103_FSA_DONE](#)

9. Rezoning Petition: 2021-118 by Integrated Properties, LLC

Location: Approximately 9.1 acres located on Westinghouse Boulevard between Park Charlotte Boulevard and Quality Drive. (Council District 3-Watlington)

Current Zoning: I-1 (light industrial)

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

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_118_ZCR](#)

[2021_118_FSA_DONE](#)

[2021_118_RevSitePlan_12_29_2021](#)

10. Rezoning Petition: 2021-127 by Flagship Healthcare Properties, LLC

Location: Approximately 5.2 acres located on Steele Creek Road between Huntington Meadow Lane and Settlers Trail Court. (Council District 3 - Watlington)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: O-1 (CD) (office, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_127_ZCR](#)

[2021_127_FSA_DONE](#)

[2021_127_RevSitePlan_12_22_2021](#)

11. Rezoning Petition: 2021-135 by Alliance Residential

Location: Approximately 3.50 acres located at the intersection of North Tryon Street and Matheson Avenue, west of North Brevard Street. (Council District 1 - Egleston)

Current Zoning: I-2 (general industrial)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_135_ZCR](#)

[2021_135_FSA_DONE](#)

[2021_135_RevSitePlan_2022_01_10](#)

12. Rezoning Petition: 2021-136 by Habitat for Humanity of the Charlotte Region, Inc.

Location: Approximately 2.38 acres located on the south side of East Lane Drive, west of East W.T. Harris Boulevard, and east of Independence Boulevard. (Council District 5 - Newton)

Current Zoning: R-4 (single-family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_136_ZCR](#)

[2021_136_FSA_DONE](#)

[2021_136_siteplanRev_21_12_22](#)

13. Rezoning Petition: 2021-140 by Hutton

Location: Approximately 1.69 acres located along the south of North Tryon Street, east of pavilion Boulevard, and north of Harris Houston Road. (Council District 4 - Johnson)

Current Zoning: NS (neighborhood services)

Proposed Zoning: B-2 (CD) (general business, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 4-3 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_140_ZCR](#)

[2021_140_FSA_DONE](#)

[2021_140_RevSitePlan_2021_12_21](#)

14. Rezoning Petition: 2021-144 by LEH NC Statesville, LLC

Location: Approximately 0.91 acre located at the northeast intersection of Statesville Avenue and Norris Avenue, south of Atando Avenue. (Council District 1 - Egleston)

Current Zoning: R-8 (single-family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_144_ZCR](#)

[2021_144_FSA_DONE](#)

[2021-144_RevSitePlan_2021_12_22](#)

15. Rezoning Petition: 2021-145 by Embrey Partners, Ltd.

Location: Approximately 3.24 acres located on the south side of Scaleybark Road and east side of South Boulevard, west of Conway Avenue. (Council District 1 - Egleston)

Current Zoning: TOD-TR (transit-oriented development - transition)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_145_ZCR](#)

[2021_145_FSA_DONE](#)

16. Rezoning Petition: 2021-147 by Providence Group Capital, LLC

Location: Approximately 3.10 acres located at the northwest intersection of Clanton Road and Pelton Street, west of South Boulevard, and east of South Tryon Street. (Council District 3 - Watlington)

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

Proposed Zoning: TOD-UC (transit-oriented development - urban center)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_147_ZCR](#)

[2021_147_FSA_DONE](#)

17. Rezoning Petition: 2021-148 by K Sade Ventures, LLC

Location: Approximately 114.46 acres located on the east side of Harris Houston Road, north of University City Boulevard, and south of North Tryon Street. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: R-4 (single-family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_148_ZCR](#)

[2021_148_FSA_DONE](#)

18. Rezoning Petition: 2021-153 by Galaga Investors, LLC

Location: Approximately 7.17 acres located on the south side of Tyvola Road, west of Old Pineville Road, and east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_153_ZCR](#)

[2021_153_FSA_DONE](#)

19. Rezoning Petition: 2021-155 by Habitat for Humanity of the Charlotte Region, Inc.

Location: Approximately 0.62 acre located at the northwest intersection of Central Avenue and Medallion Drive, west of Kilborne Drive, and east of Eastway Drive. (Council District 1 - Egleston)

Current Zoning: O-6 (CD) (office, conditional)

Proposed Zoning: R-22MF (multi-family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_155_ZCR](#)

[2021_155_FSA_DONE](#)

HEARINGS

20. Rezoning Petition: 2021-014 by Whitestone Holdings, Inc.

Update: Petitioner is requesting deferral to February 21, 2022

Location: Approximately 0.23 acre located on the east side of Grandin Road between 4th Street and 4th Street Extension. (Council District 2 - Graham)

Current Zoning: R-5 HD (single-family residential, historic district overlay)

Proposed Zoning: MUDD-O HD (mixed-use development, optional, historic district overlay)

21. Rezoning Petition: 2021-111 by Regal Oaks Investments, LLC

Update: Petition is deferred to February 21, 2022

Location: Approximately 6.40 acres located on the north side of Albemarle Road and east side of Regal Oaks Drive, west of East W.T. Harris Boulevard. (Council District 5 - Newton)

Current Zoning: B-2 (CD) (neighborhood business, conditional) and B-2 (CD) (general business, conditional)

Proposed Zoning: R-22 MF (CD) (multi-family residential, conditional)

22. Rezoning Petition: 2021-141 by The Drakeford Company

Update: Petition is deferred to February 21, 2022

Location: Approximately 0.33 acres located on the east side of East 34th Street, northwest of The Plaza, and east of Matheson Avenue. (Council District 1 - Egleston)

Current Zoning: O-2 (office)

Proposed Zoning: NS (neighborhood services) with 3-year vested rights

23. Rezoning Petition: 2021-089 by Redwood USA, LLC

Location: Approximately 21.30 acres located at the northwest intersection of Rocky River Road and John Russell Road, north of The Plaza. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to site and building design and environment.

[2021_089_PHSAs DONE](#)

[2021_089_RevSitePlan_2021_11_15](#)

24. Rezoning Petition: 2021-160 by Charlotte-Mecklenburg Schools & Woodfield Development, LLC

Location: Approximately 73.97 acres located on the northeast side of North Community House Road and east side of Johnston Road, west of Elm Lane. (Council District 7 - Driggs)

Current Zoning: MX-2 (INNOV), R-3 (mixed-use, innovation) & (single-family residential)

Proposed Zoning: MUDD-O (mixed-use development, optional) with 5-year vested rights

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of technical revisions related to transportation and site and building design.

[2021_160_PHSAs DONE](#)

[2021_160_siteplanrev_21_12_13](#)

25. Rezoning Petition: 2021-161 by Charlotte-Mecklenburg Schools & Woodfield Development, LLC

Location: Approximately 35.87 acres located along the south side of Ardrey Kell Road, west of Wade Ardrey Road, and east of Marvin Road. (Council District 7 - Driggs)

Current Zoning: MX-2 (INNOV) (mixed use, innovative)

Proposed Zoning: MUDD-O (mixed-use development, optional) with 5-year vested rights

Staff Recommendation:

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

[2021_161_PHSAs DONE](#)

[2021_161_siteplanrev_21_12_13](#)

26. Rezoning Petition: 2021-100 by Donald M. Edward

Location: Approximately 13.37 acres located at the eastern intersection of Eastfield Road and Independence Hill Road, north of Interstate 485. (EJ-BOCC 1-Powell; closest CC 4-Johnson).

Current Zoning: R-3 (single-family residential)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_100_PHSA_DONE](#)

[2021_100_RevSitePlan_2021_12_13](#)

27. Rezoning Petition: 2021-119 by Profile Homes

Location: Approximately 30.2 acres on Freedom Drive between Toddville Road and Allenbrook Drive. (Council District 3 - Watlington)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie Protected Area), INST LLWPA (institutional, Lower Lake Wylie Protected Area), and MX-2 (INNOV) LLWPA (mixed-use, innovative, Lower Lake Wylie Protected Area)

Proposed Zoning: MX-2 (INNOV) LLWPA (mixed-use, innovative, Lower Lake Wylie Protected Area), MX-2 (INNOV) LLWPA SPA (mixed-use innovative, Lower Lake Wylie Protected Area, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of requested technical revisions related to site and building design.

[2021_119_PHSA_DONE](#)

[2021_119_RevSitePlan_12_13_2021](#)

28. Rezoning Petition: 2021-152 by R.I. Charlotte Property, L.P.

Location: Approximately 2.49 acres located on the west wide of North Tryon Street, south of West W.T. Harris Boulevard, and north of McCullough Drive. (Council District 4 - Johnson)

Current Zoning: MUDD-O (mixed-use development district, optional)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_152_PHSA_DONE](#)

[2021_152_RevSitePlan_2021_12_07](#)

29. Rezoning Petition: 2021-156 by Elite Team Realty & Property Management, Inc.

Location: Approximately 2.0 acres located at the northeast intersection of Wellingford Street and Hershey Street, east of West Sugar Creek Road. (Council District 4 - Johnson)

Current Zoning: R-4 (single-family residential)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues and technical revisions related to site and building design and transportation.

[2021_156_PHSADONE](#)

[2021_156_siteplanrev 21_12_13](#)

30. Rezoning Petition: 2021-157 by City of Charlotte Aviation

Location: Approximately 58.26 acres located on the north side of Walkers Ferry Road, just west of I-485 and Charlotte Douglas International Airport. (Council District 3 - Watlington)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie Protected Area), R-MH LLWCA (manufactured housing, Lower Lake Wylie Critical Area)

Proposed Zoning: I-2 LLWPA (general industrial, Lower Lake Wylie Protected Area), I-2 LLWCA (general industrial, Lower Lake Wylie Critical Area)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_157_PHSADONE](#)

31. Rezoning Petition: 2021-158 by Trevi Partners, LLC

Location: Approximately 45.31 acres located on the southeast side of North Tryon Street, east of Pavilion Boulevard. (Council District 4 - Johnson)

Current Zoning: CC SPA (commercial center, site plan amendment) and UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

Proposed Zoning: CC SPA (commercial center, site plan amendment) and UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment), with 5-year vested rights

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to land use and site and building design.

[2021_158_PHSADONE](#)

[2021_158_RevSitePlan 2021_12_13](#)

32. Rezoning Petition: 2021-162 by Rosemara Espinoza

Location: Approximately 0.73 acre bound by the south side of North Linwood Avenue and north side of Interstate 85, west of Brookshire Boulevard. (Council District 2 - Graham)

Current Zoning: R-22 MF (multi-family residential)

Proposed Zoning: B-2 (general business)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_162_PHSA_DONE](#)

33. Rezoning Petition: 2021-169 by City of Charlotte Engineering

Location: Approximately 9.43 acres located on the south side of Mt. Holly-Huntersville Road, west of Mountain Aire Circle and east of Northwoods Forest Drive. (Council District 2 - Graham)

Current Zoning: R-3 LWPA (single-family residential, Lake Wylie Protected Area)

Proposed Zoning: NS LWPA (neighborhood services, Lake Wylie Protected Area)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of requested technical revisions related to site and building design.

[2021_169_PHSA_DONE](#)

[2021_169_SitePlanRev_12_13_2021](#)

34. Rezoning Petition: 2021-173 by OPM Limited & Benfield

Location: Approximately 2.22 acres located on the south side of Old Mt. Holly Road, the east side of Melynda Road, and south of Rozzelles Ferry Road. (Council District 2 - Graham)

Current Zoning: R-4 and R-5 (single-family residential)

Proposed Zoning: I-1 (light industrial)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_173_PHSA_DONE](#)

35. Rezoning Petition: 2021-176 by Anita Thomas

Location: Approximately 0.58 acre located on the east side of Randolph Road, west of Colwick Road, and north of North Sharon Amity Road. (Council District 6 - Bokhari)

Current Zoning: B-2 (neighborhood business)

Proposed Zoning: B-2 (CD) (general business, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues and technical revisions related to transportation and site and building design.

[2021_176_PHSADONE](#)

[2021_176_siteplanrev_21_12_13](#)

36. Rezoning Petition: 2021-180 by Daniel Corporation

Location: Approximately 1.70 acres located on the south side of North Graham Street, east side of West 6th Street, and west side of West 7th Street. (Council District 2 - Graham)

Current Zoning: UR-3 HD (urban residential, historic district)

Proposed Zoning: UMUD-HD (uptown mixed-use district, historic district)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_180_PHSADONE](#)

37. Rezoning Petition: 2021-183 by James Howell

Location: Approximately 1.12 acres located on the north side of Ervin Lane and west side of China Grove Church Road, south of East Westinghouse Boulevard. (Council District 3 - Watlington)

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

Proposed Zoning: R-8 (single-family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_183_PHSADONE](#)

38. Rezoning Petition: 2021-184 by Revolve Residential

Location: Approximately 0.86 acre located on the west of Yeoman Road, east of South Tryon Street, and north of Woodlawn Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-TR (transit-oriented development - transition)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_184_PHSADONE](#)

39. Rezoning Petition: 2021-185 by SXCW Properties II, LLC

Location: Approximately 2.48 acres located on the east side of Freedom Drive, south of Interstate 85, and west of Tuckaseegee Road. (Council District 3 - Watlington)

Current Zoning: B-1 SCD AIR (shopping center, airport noise overlay)

Proposed Zoning: B-2 AIR (general business, airport noise overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_185_PHSA_DONE](#)

Adjournment