

City of Charlotte

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



Meeting Agenda

Monday, December 19, 2022

Council Chamber

City Council Zoning Meeting

*Mayor Vi Lyles
Council Member Dimple Ajmera
Council Member Danté Anderson
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Malcolm Graham
Council Member Reneé Johnson
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Marjorie Molina
Council Member Victoria Watlington
Council Member Braxton Winston II*

**1. 4:00 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

2. Follow Up Report

[SidewalksMissingOnThoroughfares Schools](#)

[SS4A CDOT Overview Proven Countermeasures to Implement Vision Zero](#)

CONSENT

3. Consent agenda items 4 through 14 may be considered in one motion except for those items pulled by a Council member. Items are pulled by notifying the City Clerk.

- A. Items included on the consent agenda are rezoning petitions that meet the following criteria:
- a. Had no opposition at their public hearing
 - b. Received an approval recommendation from the Zoning Committee
 - c. Have no changes after Zoning Committee
 - d. Staff recommends approval

4. Rezoning Petition: 2021-083 by MQC1, LLC

Location: Approximately 5.38 acres located at the intersection of Arden Street and Kohler Avenue, east of Statesville Avenue, and west of North Graham Street. (Council District 1 - Anderson)

Current Zoning: B-2 (general business), I-1 (CD) (light industrial, conditional), R-5 (single family residential), R-22 MF (multi-family residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2021_083_ZCR](#)

[2021_083_FSA](#)

[2021_083_RevSitePlan_2022_11_23](#)

5. Rezoning Petition: 2022-003 by Joy Homes, LLC

Location: Approximately 4.39 acres located on the south side of South Tryon Street just north of Orchardgate Drive. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_003_ZCR](#)

[2022_003_FSA](#)

[2022_003_SitePlanRev_2022_11_22](#)

6. Rezoning Petition: 2022-015 by Fiorenza Properties, LLC

Location: Approximately 7.49 acres located on the east side of North Sharon Amity Road, north of Central Avenue, and south of Wilora Lake Road. (Council District 5 - Molina)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_015_ZCR](#)

[2022_015_FSA](#)

[2022_015_RevSitePlan_2022_10_20](#)

7. Rezoning Petition: 2022-034 by Roers Companies

Location: Approximately 17.32 acres located at the southwest intersection of Old Statesville Road and Gibbon Road, east of Statesville Road. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential), I-2 (CD) (general industrial, conditional)

Proposed Zoning: R-17MF (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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_034_ZCR](#)

[2022_034_FSA](#)

[2022_034_revsiteplan_22_12_1](#)

8. Rezoning Petition: 2022-041 by BVB Properties

Location: Approximately 5.68 acres located on the west side of Statesville Road and south side of Sunset Road, east of Interstate 77. (Council District 2 - Graham)

Current Zoning: CC (community center), B-1 (neighborhood business)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_041_ZCR](#)

[2022_041_FSA](#)

[2022_041_RevSitePlan_2022_10_17](#)

9. Rezoning Petition: 2022-056 by Mark Plott, Inc.

Location: Approximately 1.27 acres located at the southeast intersection of Benfield Road and Ridge Road, north of Interstate 485. (Council District 4 - Johnson)

Current Zoning: R-3 (single family residential), CC (community center)

Proposed Zoning: B-1 (CD) (neighborhood business, conditional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_056_ZCR](#)

[2022_056_FSA](#)

[2022_056_RevSitePlan_2022_11_23](#)

10. Rezoning Petition: 2022-061 by AHC Investment Group

Location: Approximately 2.21 acres bound by the south side of North Church Street, north side of North Tryon Street, and east side of West 31st Street. (Council District 1 - Anderson)

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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

[2022_061_ZCR](#)

[2022_061_FSA](#)

11. Rezoning Petition: 2022-064 by Crosland Southeast

Location: Approximately 10.60 acres bound by the south side of Central Avenue, west side of Pecan Avenue, and north side of East Independence Boulevard. (Council District 1 - Anderson)

Current Zoning: B-2 PED (general business, pedestrian overlay)

Proposed Zoning: B-2 PED-O (general business, pedestrian overlay, optional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Development Standards

[2022_064_ZCR](#)

[2022_064_FSA](#)

[2022_064_RevSitePlan_2022_11_22](#)

12. Rezoning Petition: 2022-067 by CC Fund 3, LLC

Location: Approximately 15.92 acres located at the southwest intersection of Sam Wilson Road and Wilkinson Boulevard, north of Old Dowd Road. (ETJ-BOCC: 2-Leake; Closest CC: 3-Watlington)

Current Zoning: I-2 (CD) LLWPA (general industrial, conditional, Lower Lake Wylie Protected Area), B-2 LLWPA (general business, Lower Lake Wylie Protected Area)

Proposed Zoning: TOD-NC LLWPA (transit oriented development - neighborhood center, Lower Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

[2022_067_ZCR](#)

[2022_067_FSA](#)

13. Rezoning Petition: 2022-072 by Hector Guadarrama

Location: Approximately 0.62 acres located on the east side of Marmac Road, north of Tuckaseegee Road, and west of Toddville Road. (Council District 2 - Graham)

Current Zoning: R-3 AIR LLWPA (single family residential, airport noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: R-4 AIR LLWPA (single family residential, airport noise overlay, Lower Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

[2022_072_ZCR](#)

[2022_072_FSA](#)

14. Rezoning Petition: 2022-165 by Winterwood, Inc.

Location: Approximately 10.3 acres located on the south side of Milton Road and west side of Barrington Drive, northwest of North Sharon Amity Road. (Council District 1 - Anderson)

Current Zoning: I-1 (light industrial), O-1 (office)

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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_165_ZCR](#)

[2022_165_FSA](#)

[2022_165_RevSitePlan_2022_11_23](#)

DECISIONS

15. Rezoning Petition: 2021-238 by Lennar Carolinas, LLC

Update: Petitioner has withdrawn this petition

Location: Approximately 5.12 acres on the south side of NC Music Factory Boulevard, adjacent to Elmwood Cemetery and near the NC Music Factory entertainment complex. (Council District 2 - Graham)

Current Zoning: I-2 (general industrial)

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

16. Rezoning Petition: 2022-042 by Brian Iagnemma

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 22.90 acres located along the west side of Harrisburg Road, south of Sam Dee Road, and southwest of Interstate 485. (District 5 - Molina)

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

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

17. Rezoning Petition: 2022-060 by Providence Group Capital

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 5.90 acres located on the west side of South Boulevard and east side of Old Pineville Road, north of East Woodlawn Road. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)

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

18. Rezoning Petition: 2021-284 by Beacon Acquisitions, LLC & Crescent Communities

Location: Approximately 146.9 acres located on the west side of Rhyne Road south of Mount Holly Road and north of Belmeade Drive. (ETJ-BOCC: 2-Leake; Closest CC: 3-Watlington)

Current Zoning: I-1, I-2 (CD), R-3 LLWPA (light industrial, general industrial, conditional, single-family residential, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1 (CD) LLWPA (light industrial, Lower Lake Wylie Protected Area)

Zoning Committee Recommendation:

The Zoning Committee voted 4-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2021_284_ZCR](#)

[2021_284_FSA](#)

[2021_284_SitePlanRev_2022_10_28](#)

19. Rezoning Petition: 2022-024 by Moflehi Bowman, LLC

Location: Approximately 5.37 acres located at the northwest intersection of Reames Road and Prestbury Boulevard, south of West W.T. Harris Boulevard. (Council District 4 - Johnson)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-8 MF (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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_024_ZCR](#)

[2022_024_FSA](#)

[2022_024_RevSitePlan_2022_11_28](#)

20. Rezoning Petition: 2022-047 by Joseph Leland

Location: Approximately 0.28 acres located on the west side of Eastway Drive, south of Arnold Drive, and north of Central Avenue. (Council District 1 - Anderson)

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

Proposed Zoning: O-2 (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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_047_ZCR](#)

[2022_047_FSA](#)

[2022_047_siteplanRev_22_12_2](#)

21. Rezoning Petition: 2022-050 by Ascent Real Estate Capital, LLC

Location: Approximately 2.94 acres located at the northeast intersection of Long Avenue and Connection Point Boulevard, west of East Independence Boulevard. (Council District 5 - Molina)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_050_ZCR](#)

[2022_050_FSA](#)

[2022_050_siteplanRev_22_12_6](#)

22. Rezoning Petition: 2022-051 by Joseph Boyapati

Location: Approximately 4.98 acres located on the south side of Sam Neely Road, west of Steel Creek Road, and east of Krislyn Woods Place. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_051_ZCR](#)

[2022_051_FSA](#)

[2022_051_RevSitePlan_2022_11_3](#)

23. Rezoning Petition: 2022-057 by Mattamy Homes

Location: Approximately 21.50 acres located on the west side of Old Plank Road, east of Brookshire Boulevard, and west of Dale Avenue. (Council District 2 - Graham)

Current Zoning: R-4 (single family residential), I-1 (light industrial)

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 upon resolution of outstanding issues related to transportation.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_057_ZCR](#)

[2022_057_FSA](#)

[2022_057_RevSitePlan_2022_11_23](#)

24. Rezoning Petition: 2022-162 by DreamKey Partners, Inc.

Location: Approximately 7.23 acres located on the west side of Weddington Road, north of Walker Road, and south of McKee Road. (Council District 7 - Driggs)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022_162_ZCR](#)

[2022_162_FSA](#)

[2022_162_siteplanRev_22_12_14](#)

HEARINGS

25. Rezoning Petition: 2022-043 by Lucrum Seven, LLC

Update: Petitioner has withdrawn this petition

Location: Approximately 0.58 acres located at the northwest intersection of Lamar Avenue and East 7th Street, south of Hawthorne Lane. (Council District 1 - Anderson)

Current Zoning: B-1 (neighborhood business)

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

26. Rezoning Petition: 2022-113 by Goode Properties

Update: Petitioner has withdrawn this petition

Location: Approximately 1.02 acres located on the east side of Providence Road and north side of Altondale Avenue, south of Fenton Place. (Council District 6 - Bokhari)

Current Zoning: B-2 (general business) and O-2 (office)

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

27. Rezoning Petition: 2022-124 by SHJ Construction Group

Update: Petitioner has withdrawn this petition

Location: Approximately 1.59 acres located at the southwest intersection of Prosperity Church Road and Robert Helms Road, south of Interstate 485.

Current Zoning: R-3 (single family residential)

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

28. Rezoning Petition: 2021-277 by Buildom LLC

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 0.40 acres located on the east side of Providence Road, north side of Phil Aull Place, south of South Colonial Avenue. (Council District 1- Anderson)

Current Zoning: O-2 (office)

Proposed Zoning: NS (neighborhood services)

29. Rezoning Petition: 2022-029 by Wade Miller - Skyline Townes, LLC

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 0.35 acres located along the west side of Seigle Avenue and east side of Van Every Street, south of Belmont Avenue. (Council District 1 - Anderson)

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

Proposed Zoning: UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

30. Rezoning Petition: 2022-037 by SunCap Property Group, LLC

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 2.01 acres located at the northeast intersection of East Boulevard and Scott Avenue, west of Kenilworth Avenue. (Council District 1 - Anderson)

Current Zoning: B-1 PED (neighborhood business, pedestrian overlay), NS PED (neighborhood services, pedestrian overlay), O-2 PED (office, pedestrian overlay), MUDD-O PED (mixed use development district, pedestrian overlay)

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

31. Rezoning Petition: 2022-066 by Wood Partners

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 13.50 acres located at the northeast intersection of Albemarle Road and Novant Health Parkway, west of Cresswind Boulevard. (Council District 5 - Molina)

Current Zoning: NS (neighborhood services), B-1(CD) (neighborhood business, conditional), R-3 (single family residential)

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

32. Rezoning Petition: 2021-237 by Balogh Properties, LLC

Location: Approximately 2.08 acres located on the east side of Providence Road, north of South Sharon Amity Road, and south of Andover Road. (Council District 6 - Bokhari)

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

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2021_237_PHSА DONE](#)

[2021_237_siteplanRev_22_11_11](#)

33. Rezoning Petition: 2022-027 by Childress Klein

Location: Approximately 2.27 acres located on the east side of Sharon Road, west of Colony Road, and north of Fairview Road. (Council District 6 - Bokhari)

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

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2022_027_PHSА DONE](#)

[2022_027_siteplanRev_22_11_14](#)

34. Rezoning Petition: 2022-033 by TM BTR of the Carolinas, LLC

Location: Approximately 48.49 acres located on the south side of Alexandriana Road and east side of Northlake Centre Parkway, north of Interstate 485. (ETJ - CC District 1 - Powell; Closest Council District 4 - Johnson)

Current Zoning: R-3 (single family residential) and BP (business park)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2022_033_PHSА DONE](#)

[2022_033_RevSitePlan_2022_11_14](#)

35. Rezoning Petition: 2022-058 by Baldwin SRE-A LLC, Hampstead SC (SRE) LLC, and Baldwin SRE-C, LLC

Location: Approximately 3.4 acres bound by the south side of Baldwin Avenue, west side of East 4th Street, and east side of East 3rd Street, north of Queens Road. (Council District 1 - Anderson)

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

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2022_058_PHSA_DONE](#)

[2022_058_siteplanRev_22_10_17](#)

36. Rezoning Petition: 2022-059 by Taylor Morrison

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 50.70 acres located along the west side of Garrison Road, east of Dixie River Road. (ETJ-BOCC: 2-Leake; Closest CC: 3-Watlington)

Current Zoning: MUDD-O AIR LLWPA (mixed use district, optional, airport noise overlay, Lower Lake Wylie - Protected Area) and R-3 AIR LLWPA (single family residential, airport noise overlay, Lower Lake Wylie - Protected Area)

Proposed Zoning: MX-2 INNOV AIR LLWPA (mixed use district, innovative, airport noise overlay, Lower Lake Wylie - Protected Area)

37. Rezoning Petition: 2022-065 by Griffin Family Investments

Location: Approximately 37.10 acres located on the east side of Beatties Ford Road, south of McIntyre Avenue, and north of Sunset Road. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2022-065_PHSA_DONE](#)

[2022_065_RevSitePlan_2022_11_14](#)

38. Rezoning Petition: 2022-069 by The Fallon Company

Location: Approximately 16.69 acres located on the east side of South Boulevard, southwest side of South Caldwell Street, west side of Templeton Avenue, and north side of Euclid Avenue. (Council District 1 - Anderson)

Current Zoning: TOD-M(O) (transit oriented development - mixed use, optional) and TOD-R(O) (transit oriented development - residential, optional)

Proposed Zoning: TOD-UC (CD) (transit oriented development - urban center, conditional) and TOD-NC (CD) (transit oriented development - neighborhood center, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation and technical revisions related to transportation and land use.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

[2022_069_PHSa_DONE](#)

[2022_069_RevSitePlan_2022_11_14](#)

39. Rezoning Petition: 2022-092 by Sam's Mart

Update: Petitioner is requesting deferral to January 17, 2023

Location: Approximately 2.8 acres located on the south side of Albemarle Road and west side of Reddman Road, south of Central Avenue. (Council District 5 - Molina)

Current Zoning: O-1 (office)

Proposed Zoning: B-2 (general business)