

# City of Charlotte

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



## Meeting Agenda

**Monday, April 17, 2023**

**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. 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**

**CONSENT****2. Consent agenda items 3 through 11 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 public 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

**3. Rezoning Petition: 2022-070 by Carter Acquisitions, LLC**

**Location:** Approximately 31.41 acres located on the west side of Old Statesville Road, south of Vance Davis Drive, and north of Reames Road. (ETJ - BOCC: 1-Powell; Closest CC 4-Johnson)

**Current Zoning:** BP (business park)

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

**Zoning Committee Recommendation:**

The Zoning Committee voted 5-2 to recommend APPROVAL of this petition.

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022\\_070\\_ZCR](#)

[2022\\_070\\_FSA](#)

[2022\\_070\\_RevSitePlan\\_2023\\_03\\_24](#)

#### 4. Rezoning Petition: 2022-123 by Mungo Homes

**Location:** Approximately 39.02 acres located along the southwest side of Gibbon Road, east of Statesville Road, and south of Old Statesville Road. (Council District 2 - Graham)

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

**Proposed Zoning:** R-8MF (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\\_123\\_ZCR](#)

[2022\\_123\\_FSA](#)

[2022\\_123\\_RevSitePlan\\_2023\\_04\\_06](#)

#### 5. Rezoning Petition: 2022-125 by Blue Heel Development

**Location:** Approximately 7.7 acres located on the southeast side of Tennyson Drive and Interstate 85, west of Glenwood Drive, and east of Freedom Drive. (Council District 2 - Graham)

**Current Zoning:** R-5 AIR (single family residential, airport noise overlay), B-2 AIR (general business, airport noise overlay)

**Proposed Zoning:** UR-2(CD) AIR (urban residential, conditional, airport noise overlay)

**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\\_125\\_ZCR](#)

[2022\\_125\\_FSA](#)

[2022\\_125\\_SitePlanRev\\_2023\\_3\\_21](#)

## 6. Rezoning Petition: 2022-137 by The Maintenance Team, Inc.

**Location:** Approximately 10.26 acres located on the north side of Shopton Road, west of Pinecrest Drive, and east of Steele Creek Road. (ETJ - BOCC: 2-Leake; Closest CC: 3-Watlington)

**Current Zoning:** R-3 AIR (single family residential, airport noise overlay), I-2 (CD) AIR (general industrial, conditional, airport noise overlay)

**Proposed Zoning:** I-2 (CD) AIR (general industrial, conditional, airport noise overlay), I-2 (CD) SPA AIR (general industrial, conditional, site plan amendment, airport noise overlay)

**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\\_137\\_ZCR](#)

[2022\\_137\\_FSA](#)

[2022\\_137\\_SitePlanRev\\_2023\\_3\\_21](#)

## 7. Rezoning Petition: 2022-139 by Canvas Residential, LLC

**Location:** Approximately 6.94 acres located on the north side of William Ficklen Drive, west of Mallard Creek Road, and east of west W.T. Harris Boulevard. (Council District 2- Graham)

**Current Zoning:** RE-1 (research)

**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\\_139\\_ZCR](#)

[2022\\_139\\_FSA](#)

[2022\\_139\\_SitePlanRev\\_2023\\_4\\_5](#)

## 8. Rezoning Petition: 2022-153 by Catalyst Investment Partners

**Location:** Approximately 0.5 acres located on the north side of Old Hebron Road, west of England Street, and east of Nations Ford Road. (Council District 3 - Watlington)

**Current Zoning:** I-1 (light industrial)

**Proposed Zoning:** I-2 (general industrial)

**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

[2022\\_153\\_ZCR](#)

[2022\\_153\\_FSA](#)

## 9. Rezoning Petition: 2022-155 by Mungo Homes

**Location:** Approximately 4.2 acres located on the south side of Lakeview Road, west of Reames Road, and east of Beatties Ford Road. (Council District 2 - Graham)

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

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

[2022\\_155\\_ZCR](#)

[2022\\_155\\_FSA](#)

[2022\\_155\\_2023\\_03\\_24](#)

## 10. Rezoning Petition: 2022-158 by Fall Investments LLC

**Location:** Approximately 2.04 acres located on the south side of West W.T. Harris Boulevard, east of University Executive Park Drive, and west of North Tryon Street. (Council District 4 - Johnson)

**Current Zoning:** O-15 (CD) (office, conditional)

**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.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

[2022\\_158\\_ZCR](#)

[2022\\_158\\_FSA](#)

## 11. Rezoning Petition: 2022-215 by Shorewood Development Group

**Location:** Approximately 8.65 acres located on the west side of Twin Lakes Parkway, east side of Statesville Road, and north side of Interstate 485, south of Alexandriana Road. (ETJ - BOCC: 1-Powell; Closest CC: 4-Johnson)

**Current Zoning:** BP (business park)

**Proposed Zoning:** I-1 (CD) (light industrial, 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\\_215\\_ZCR](#)

[2022\\_215\\_FSA](#)

[2022\\_215\\_RevSitePlan\\_2023\\_02\\_13](#)

**DECISIONS****12. Rezoning Petition: 2021-209 by Coastal Acquisition Entity, LLC**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 0.99 acres located at the southeastern corner of the intersection of Steele Creek Road and Rigsby Road. (Council District 3 - Watlington)

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

**Proposed Zoning:** NS (neighborhood services)

**13. Rezoning Petition: 2021-213 by Goldberg Companies, Inc.**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 42.85 acres located on the south side of Pineville-Matthews Road, east of Hugh Forest Road, and west of Reverdy Lane. (Council District 7 - Driggs)

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

**Proposed Zoning:** R-12 MF (CD) SPA (multi-family residential, conditional, site plan amendment)



**14. Rezoning Petition: 2022-078 by Sere Ventures, LLC**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 7.41 acres located on the northeast side of West Trade Street, west of Brookshire Freeway, and east of Rozzelles Ferry Road. (Council District 2 - Graham)

**Current Zoning:** I-2 (general industrial)

**Proposed Zoning:** MUDD(CD) (mixed use development district, conditional) and UR-2(CD) (urban residential, conditional)

**15. Rezoning Petition: 2022-084 by Mission Properties**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 20.85 acres located along the south side of Ridge Road and north side of the Interstate 485 interchange. (ETJ - BOCC: 1-Powell; Closest CC: 4-Johnson)

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

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

**16. Rezoning Petition: 2022-087 by Appaloosa Real Estate Partners**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 11.65 acres located on the east side of Mallard Creek Road, north of Governor Hunt Road, and west of David Taylor Drive. (Council District 4 - Johnson)

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

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

## 17. Rezoning Petition: 2022-133 by Paramount Development, LLC

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 18.4 acres located on the north and south side of Northlake Mall Drive, west of Interstate 77, and east of Northlake Centre Parkway. (Council District 4 - Johnson)

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

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

## 18. Rezoning Petition: 2022-140 by The F.A. Bartlett Tree Expert Company

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 7.07 acres located at the southeast intersection of Zoar Road and Thomas Road, south of Youngblood Road. (ETJ - BOCC: 6-Rodriguez-McDowell; Closest CC: 3-Watlington)

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

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

## 19. Rezoning Petition: 2021-198 by Nest Home Communities, LLC

**Location:** Approximately 1.82 acres located on the west side of Providence Road, south of Fairview Road, and north of East Barden Road. (Council District 6 - Bokhari)

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

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

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2021\\_198\\_ZCR\\_DONE](#)

[2021\\_198\\_FSA](#)

[2021\\_198\\_siteplanRev\\_23\\_3\\_23](#)

## 20. Rezoning Petition: 2022-086 by PDAN Holdings, LLC

**Location:** Approximately 2.46 acres located on the north side of Johnston Oehler Road and south side of Interstate 485, west of Mallard Creek Road. (Council District 4 - Johnson)

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

**Proposed Zoning:** R-8MF(CD) (multi-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\\_086\\_ZCR](#)

[2022\\_086\\_FSA](#)

[2022\\_086\\_RevSitePlan\\_2023\\_04\\_06](#)

## 21. Rezoning Petition: 2022-091 by Tim Pratt - Copper Builders LLC

**Location:** Approximately 1.53 acres located on the south side of Lynnwood Drive, west of Sterling Road, and north of Ridgewood Avenue. (Council District 6 - Bokhari)

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

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

**Zoning Committee Recommendation:**

The Zoning Committee voted 5-2 to recommend APPROVAL of this petition.

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022\\_091\\_ZCR](#)

[2022\\_091\\_FSA](#)

[2022\\_091\\_RevSitePlan\\_2023\\_04\\_06](#)

## 22. Rezoning Petition: 2022-134 by Muhsin Muhammad II

**Location:** Approximately 15.48 acres located along the northeast side of Trojan Drive and east side of Outlets Boulevard, west of Steele Creek Road. (Council District 3 - Watlington)

**Current Zoning:** O-2 (CD) LLWPA (office, conditional, Lower Lake Wylie Protected Area), NS LLWPA (neighborhood services, Lower Lake Wylie Protected Area)

**Proposed Zoning:** O-2 (CD) SPA LLWPA (office, conditional, site plan amendment, Lower Lake Wylie Protected Area), NS SPA LLWPA (neighborhood services, site plan amendment, 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 upon resolution of outstanding issues related to transportation and the environment.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

[2022\\_134\\_ZCR](#)

[2022\\_134\\_FSA](#)

[2022\\_134\\_RevSitePlan\\_2023\\_03\\_24](#)

## 23. Rezoning Petition: 2022-152 by Vinroy Reid

**Location:** Approximately 0.87 acres located on the southeast side of Char-Meck Lane, north of Monroe Road, and east of North Wendover Road. (Council District 5 - Molina)

**Current Zoning:** R-5 (single family residential) and O-2 (office)

**Proposed Zoning:** B-2 (general business)

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff does not recommend approval of this petition in its current form. A conditional district with limitation on auto-oriented uses and design, or a conventional request to the NC district under the UDO should be considered for this petition.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

[2022\\_152\\_ZCR](#)

[2022\\_152\\_FSA](#)

**HEARINGS****24. Rezoning Petition: 2019-007 by Leblon Franchising Holdings, LLC**

***Update: Petitioner has withdrawn this petition***

**Location:** Approximately 0.512 acres located at the northeast intersection of Beatties Ford Road and Gilbert Street, south of Interstate 85. (Council District 2 - Graham)

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

**Proposed Zoning:** NS (neighborhood services)

**25. Rezoning Petition: 2022-066 by Wood Partners**

***Update: Petitioner is requesting deferral to May 15, 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)

**26. Rezoning Petition: 2022-119 by Blackburn Communities, LLC**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 9.2 acres located on the north and south side of Johnston Oehler Road and south side of Robert Helms Road, east of Prosperity Church Road. (Council District 4 - Johnson)

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

**Proposed Zoning:** UR-3(CD) (urban residential, conditional)

**27. Rezoning Petition: 2022-076 by Sam's Mart**

***Update: Petitioner is requesting deferral to May 15, 2023***

**Location:** Approximately 0.81 acres located at the southeast intersection of Albemarle Road and Farm Pond Lane, west of East W.T. Harris Boulevard. (Council District 5 - Molina)

**Current Zoning:** B-2 (general business)

**Proposed Zoning:** NS (neighborhood services)

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

***Update: Petitioner is requesting deferral to May 15, 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)

## 29. Public Hearing on a Text Amendment to the Charlotte Tree Ordinance

**Action:**

**Conduct a public hearing on a text amendment to Chapter 21, "Charlotte Tree Ordinance" of the City Code, which has an effective date of June 1, 2023**

**Staff Resource(s):**

Alyson Craig, Planning, Design & Development

Tim Porter, Planning, Design & Development

**Explanation**

The Charlotte Tree Ordinance is a set of regulations that preserve, protect, and promote health, safety, and general welfare of the public by providing for the regulation of the planting, maintenance, and removal of trees located on property owned or controlled by the city.

The Ordinance is applicable to the protection and maintenance of trees on public and private property.

A revision to the Charlotte Tree Ordinance was adopted by City Council on August 22, 2022, to be effective June 1, 2023. This text amendment would revise that pending version of the Ordinance.

The proposed amendment includes the following minor changes:

- Adds new requirements for collected civil penalties to only be used to further the purpose, intent, enforcement, spirit, and requirements of the Charlotte Tree Ordinance with regard to the use of collected funds;
- Corrects numerical and roman numeral sequencing in Articles; and
- Deletes two unintentional words in one sentence.

Staff recommends approval of the text amendment.

The proposed amendment was presented to the Charlotte Tree Advisory Commission on February 14 and the Charlotte-Mecklenburg Planning Commission on March 13. Information was provided to the Transportation, Planning, and Development Committee of City Council on April 3. The text amendment was also reviewed at two virtual information sessions on April 11.

A request for Council action on these amendments is planned for the Council Zoning Meeting on May 15, 2023.

The amended version of the Tree Ordinance will take effect on June 1, 2023.

**Attachment(s)**

Charlotte Tree Ordinance Text Amendment

[Charlotte Tree Ordinance TEXT AMENDMENT](#)



### **30. Rezoning Petition: 2023-056 by Charlotte Planning, Design, & Development - Text Amendment**

This Text Amendment proposes to amend the Unified Development Ordinance for the use Landfill, Land Clearing and Insert Debris (LCID) by 1) deleting it as a use permitted with prescribed conditions in all zoning districts except ML-2; 2) modifying the use in the ML-2 zoning district as a use requiring a conditional zoning that complies with the prescribed conditions; 3) increasing the distance between an operational portion of an LCID landfill to 50 feet from any property line; 4) adding a requirement that the actual fill area shall be located at least 300 feet from any Neighborhood 1 or Neighborhood 2 Place Type or an existing residential structure in any other place type; 5) deleting collector streets as a permitted primary vehicular access; 6) adding limited hours and days of operation for the use; 7) adding a requirement for a geomembrane liner and leachate collection system subject to state standards that is equal to or exceeds the state criteria for municipal solid waste landfill units; 8) adding a requirement that the use shall comply with the state groundwater well and surface water requirements for a municipal solid waste landfill; and 9) deleting the requirement for a zoning permit for the use.

**Attachments:**

Pre-Hearing Staff Analysis

Text Amendment

[2023-056 PHSA final](#)

[RZP-2023-056 Text Amendment](#)

### **31. Rezoning Petition: 2023-057 by Charlotte Planning, Design, & Development - Text Amendment**

This Text Amendment proposes to amend the Unified Development Ordinance to allow Multi-Family Attached and Multi-Family Stacked development in the CG and CR zoning districts under certain conditions, and to modify the prescribed conditions for the principal use Drive-Through Establishment and the accessory use Accessory Drive-Through (formerly Drive-Through Facility) to limit their use in Centers Place Types.

**Attachments:**

Pre-Hearing Staff Analysis

Text Amendment

[2023-057 PHSA final](#)

[RZP 2023-057 Text-Amendment](#)

### 32. Rezoning Petition: 2023-058 by Charlotte Planning, Design, & Development - Text Amendment

This Text Amendment proposes to make minor changes that will result in better functionality of the UDO prior to the effective date of June 1, 2023. There are proposed changes in most articles of the adopted UDO. These changes include updated language to provide greater clarity, new and updated graphics, language adjustments to provide better consistency with 160D, updated terminology and definitions, reference corrections, scrivener's error corrections, adjustments to some use permissions and prescribed conditions, and minor changes to standards.

**Attachments:**

Pre-Hearing Staff Analysis

Text Amendment

[2023\\_058\\_PHSА\\_Final](#)

[RPZ-2023-058 Text Amendment](#)

### 33. Rezoning Petition: 2023-055 by Charlotte Fire Department

**Location:** Approximately 7 acres located on the east side of Dixie River Road, west of Garrison Road. (ETJ - BOCC: 2-Leake; Closest CC: 3-Watlington)

**Current Zoning:** MUDD-O AIR LLWCA (mixed use development, optional, airport noise overlay, Lower Lake Wylie - Critical Area)

**Proposed Zoning:** MUDD-O SPA AIR LLWCA (mixed use development, optional, site plan amendment, airport noise overlay, Lower Lake Wylie - Critical Area)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2023\\_055\\_PHSА\\_DONE](#)

[Development Standards 2023\\_055\\_DEV\\_STANDARDS](#)

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

**Location:** Approximately 0.28 acres located at the northeast intersection of East Boulevard and Scott Avenue, west of Kenilworth Avenue. (Council District 1 - Anderson)

**Current Zoning:** NS PED (neighborhood services, pedestrian overlay)

**Proposed Zoning:** B-1 PED (neighborhood business, pedestrian overlay)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_037\\_PHSА\\_DONE](#)

### 35. Rezoning Petition: 2022-048 by Tribute Companies, Inc.

**Location:** Approximately 182.71 acres located along the south side of Interstate 485 South interchange, east of John Adams Road, and north of North Tryon Street. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_048\\_PHSa\\_DONE](#)

[2022\\_048\\_RevSitePlan\\_2023\\_03\\_20](#)

### 36. Rezoning Petition: 2022-099 by Levine Properties

**Location:** Approximately 0.94 acres located at the southeast intersection of Commonwealth Avenue and The Plaza, north of East Independence Boulevard. (Council District 1 - Anderson)

**Current Zoning:** O-2 PED (office, pedestrian overlay)

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_099\\_PHSa\\_DONE](#)

[2022\\_099\\_RevSitePlan\\_2023\\_1\\_17](#)

### 37. Rezoning Petition: 2022-109 by Urban Trends Real Estate, Inc.

**Location:** Approximately 2.09 acres located on the northeast side of The Plaza, south of Bridgeport Drive, and west of Barrington Drive. (Council District 5 - Molina)

**Current Zoning:** B-1 (neighborhood business) and 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 related to transportation and environment.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_109\\_PHSa\\_DONE](#)

[2022\\_109\\_RevSitePlan\\_2023\\_03\\_13](#)

### 38. Rezoning Petition: 2022-160 by Penler Development, LLC

**Location:** Approximately 24.13 acres located along the south side of Mount Holly Road and east side of Creston Circle, west of Interstate 485. (ETJ-BOCC: 2-Leake; Closest CC: 2-Graham)

**Current Zoning:** I-1 LWPA LWCA (light industrial, Lake Wylie Protected Area, Lake Wylie Critical Area), B-2 LWPA LWCA (general business, Lake Wylie Protected Area, Lake Wylie Critical Area, R-3 LWPA LWCA (single family residential, Lake Wylie Protected Area, Lake Wylie Critical Area)

**Proposed Zoning:** R-12MF (CD) LWPA LWCA (multi-family residential, conditional, Lake Wylie Protected Area, Lake Wylie Critical Area)

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_160\\_PHSa\\_DONE](#)

[2022\\_160\\_SitePlanRev\\_2023\\_3\\_13](#)

### 39. Rezoning Petition: 2022-089 by Taylor Morrison

**Location:** Approximately 43.72 acres located on the south side of Mt. Holly-Huntersville Road and north side of Interstate 485, west of Oakdale Road. (ETJ - BOCC: 1-Powell; Closest CC 4-Johnson)

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

**Proposed Zoning:** MX-2 INNOV LWPA (mixed use, innovative, Lake Wylie Protected Area)

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_089\\_PHSA\\_DONE](#)

[2022\\_089\\_RevSitePlan\\_2023\\_01\\_17](#)

### 40. Rezoning Petition: 2022-090 by Harris and Rocky LLC

**Location:** Approximately 4.2 acres located on the east side of West W.T. Harris Boulevard, north of Interstate 485, and south of Mt. Holly-Huntersville Road. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_090\\_PHSA\\_DONE](#)

[2022\\_090\\_RevSitePlan\\_2023\\_03\\_10](#)

### 41. Rezoning Petition: 2022-126 by Tribute Companies, Inc.

**Location:** Approximately 48.09 acres located south of North Tryon Street, east of Trevi Village Boulevard, and north of University City Boulevard. (Council District 4 - Johnson)

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_126\\_PHSA\\_DONE](#)

[2022\\_126\\_RevSitePlan\\_2023\\_03\\_13](#)

## 42. Rezoning Petition: 2022-130 by Thomas Elrod

**Location:** Approximately 1.04 acres located at the northwest intersection of Carmel Road and Little Avenue, north of Pineville-Matthews Road, and east of Johnston Road. (Council District 6 - Bokhari)

**Current Zoning:** B-1 (CD) (general business, conditional)

**Proposed Zoning:** O-1 (CD) (office, 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.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_130\\_PHSА DONE](#)

[2022\\_130\\_siteplanRev\\_23\\_2\\_13](#)

## 43. Rezoning Petition: 2022-147 by SouthPark Towers PropCo, LLC

**Location:** Approximately 9.94 acres bound by the south side of Fairview Road, east side of Piedmont Row Drive South, and the north and west side of Barclay Downs Drive. (Council District 6 - Bokhari)

**Current Zoning:** O-3 (office)

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_147\\_PHSА DONE](#)

[2022\\_147\\_siteplanRev\\_23\\_3\\_13](#)

**44. Rezoning Petition: 2022-149 by Flywheel Group/Tony Kuhn**

**Location:** Approximately 5.91 acres located on the north side of North Tryon Street and east side of Atando Avenue, west of West Craighead Road. (Council District 1 - Anderson)

**Current Zoning:** I-1 (light industrial), I-2 (general industrial)

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_149\\_PHSa\\_DONE](#)

**45. Rezoning Petition: 2022-163 by Carolina Holdings Five LLC**

**Location:** Approximately 0.55 acres located on the north side of Hart Road and east side of Susanna Drive, west of Rozzelles Ferry Road. (Council District 2 - Graham)

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

**Proposed Zoning:** R-6 LWPA (single family residential, Lake Wylie Protected Area)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_163\\_PHSa\\_DONE](#)

**46. Rezoning Petition: 2022-164 by Carolina Holdings Three LLC**

**Location:** Approximately 10.18 acres located along the north side of Hart Road, east of Susanna Drive, and west of Rozzelles Ferry Road. (Council District 2 - Graham)

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

**Proposed Zoning:** R-6 LWPA (single family residential, Lake Wylie Protected Area)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_164\\_PHSa\\_DONE](#)

## 47. Rezoning Petition: 2022-166 by Boulevard Real Estate Advisors LLC

**Location:** Approximately 0.23 acres located on the south side of West Peterson Drive, west of South Tryon Street, and east of Interstate 77. (Council District 3 - Watlington)

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

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_166\\_PHSА DONE](#)

## 48. Rezoning Petition: 2022-169 by Kennedy Properties LLC

**Location:** Approximately 1.89 acres located on the east side of Lambeth Drive, north of North Tryon Street, and west of West Eastway Drive. (Council District 1 - Anderson)

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

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_169\\_PHSА DONE](#)

## 49. Rezoning Petition: 2022-170 by Canvas Residential, LLC

**Location:** Approximately 11.23 acres located at the southeast intersection of Oakdale Road and Mt. Holly-Huntersville Road, north of Interstate 485. (ETJ - BOCC: 1-Powell; Closest CC: 4-Johnson)

**Current Zoning:** R-3 FEMA (single family residential, FEMA floodplain)

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_170\\_PHSА DONE](#)

[2022\\_170\\_RevSitePlan\\_23\\_3\\_13](#)



## 50. Rezoning Petition: 2022-171 by Providence Group Capital

**Location:** Approximately 1.26 acres located on the east side of South Tryon Street, north of Remount Road, and south of Dunavant Street. (Council District 3 - Watlington)

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

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_171\\_PHSa\\_DONE](#)

## 51. Rezoning Petition: 2022-174 by Anderson Pearson

**Location:** Approximately 0.34 acres located at the southwest intersection of Seigle Avenue and Belmont Avenue, north of Harrill Street. (Council District 1 - Anderson)

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

**Proposed Zoning:** MUDD-O (mixed use development, optional) with 3-year vested rights

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

[2022\\_174\\_PHSa\\_DONERev](#)

[2022\\_174\\_RevSitePlan\\_2023\\_03\\_13](#)

## 52. Rezoning Petition: 2022-178 by Dikilson Almonte Abreu

**Location:** Approximately 1.39 acres located on the northeast side of Brookshire Boulevard, west of Old Plank Road. (Council District 2 - Graham)

**Current Zoning:** I-1 (light industrial)

**Proposed Zoning:** I-2 (CD) (general industrial, 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\\_178\\_PHSa\\_DONE](#)

[2022\\_178\\_Site\\_Development\\_Standards](#)

## 53. Rezoning Petition: 2022-194 by RC Ventures LLC

**Location:** Approximately 0.512 acres located at the northeast intersection of Beatties Ford Road and Gilbert Street, west of Newland Road, and south of Interstate 85. (Council District 2 - Graham)

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

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

[2022\\_194 PHSA DONE](#)