

City of Charlotte

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



Zoning Agenda

Monday, May 15, 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 17 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: 2022-078 by Sere Ventures, LLC

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_078_ZCR](#)

[2022_078_FSA](#)

[2022_078_SitePlanRev_2023_3_9](#)

4. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_089_ZCR](#)

[2022_089_FSA](#)

[2022_089_RevSitePlan_2023_05_09](#)

5. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_090_ZCR](#)

[2022_090_FSA](#)

[2022_090_RevSitePlan_2023_04_19](#)

6. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_126_ZC](#)

[2022_126_FSA](#)

[2022_126_RevSitePlan_2023_04_20](#)

7. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_130_ZCR](#)

[2022_130_FSA](#)

[2022_130_siteplanRev_23_4_27](#)

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

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_140_ZCR](#)

[2022_140_FSA](#)

[2022_140_RevSitePlan_2023_04_20](#)

9. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_149_ZCR](#)

[2022_149_FSA](#)

10. 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)

Zoning Committee Recommendation:

The Zoning Committee voted 4-2 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_169_ZCR](#)

[2022_169_FSA](#)

11. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_166_ZCR](#)

[2022_166_FSA](#)

12. 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 LWPA (single family residential, Lake Wylie Protected Area)

Proposed Zoning: R-8MF (CD) LWPA (multi-family residential, conditional, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_170_ZCR](#)

[2022_170_FSA](#)

[2022_170_RevSitePlan_23_3_13](#)

13. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_171_ZCR](#)

[2022_171_FSA](#)

14. 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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_174_ZCR](#)

[2022_174_FSA_DONE](#)

[2022_174_RevSitePlan_2023_05_10](#)

15. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_178_ZCR](#)

[2022_178_FSA](#)

[2022_178_RevSite Development Standards_2023_04_20](#)

16. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_194_ZCR](#)

[2022_194_FSA](#)

17. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_055_ZCR](#)

[2023_055_FSA](#)

[Development Standards 2023_055_DEV_STANDARDS](#)

DECISIONS**18. Rezoning Petition: 2021-209 by Coastal Acquisition Entity, LLC**

Update: Petitioner is requesting deferral to June 20, 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)

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

Update: Petitioner is requesting deferral to June 20, 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)

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

Update: Petitioner is requesting deferral to June 20, 2023

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

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

Update: Petitioner is requesting deferral to June 20, 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)

22. Rezoning Petition: 2022-099 by Levine Properties

Update: Petitioner is requesting deferral to June 20, 2023

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)

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

Update: Petitioner is requesting deferral to June 20, 2023

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)

24. Rezoning Petition: 2022-134 by Muhsin Muhammad II

Update: Petitioner is requesting deferral to June 20, 2023

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)

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

Update: Petitioner is requesting deferral to June 20, 2023

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)

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

Update: Petitioner is requesting deferral to June 20, 2023

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)

27. 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.

[2021_198_ZCR_DONE](#)

[2021_198_FSA](#)

[2021_198_siteplanRev_23_3_23](#)

28. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_037_ZCR](#)

[2022_037_FSA](#)

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

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_087_ZCR2](#)

[2022_087_FSA2](#)

[2022_087_RevSitePlan_2023_04_17](#)

30. Rezoning Petition: 2022-084 by Mission Properties

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_084_ZCR](#)

[2022_084_FSA](#)

[2022_084_RevSitePlan_2023_03_24](#)

31. 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.

[2022_091_ZCR](#)

[2022_091_FSA](#)

[2022_091_RevSitePlan_2023_04_06](#)

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

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

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

[2022_133_ZCR](#)

[2022_133_FSA](#)

[2022_133_RevSitePlan_2023_04_20](#)

33. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_164_ZCR](#)

[2022_164_FSA](#)

34. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_163_ZCR](#)

[2022_163_FSA](#)

35. 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.

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_058_ZCR](#)

[2023_058_FSA](#)

[2023-058 Summary of Recommended Changes for Council decision](#)

[2023-058 Text-Amendment-after public hearing](#)

36. 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 Inert 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.

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 056 ZCR](#)

[2023 056 FSA](#)

[RZP-2023-056 Text-Amendment-for-CC Decision](#)

37. 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.

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 057 ZCR](#)

[2023 057 FSA](#)

[CR-CG-Text-Amendment-Post-ZC](#)

38. Adoption of a Text Amendment to the Charlotte Tree Ordinance

Action:

Adopt 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.
- City Council held a public hearing on April 17, 2023. Staff reviewed the minor text amendments and answered questions. There were no speakers on the text amendment.
- The amended version of the Tree Ordinance will take effect on June 1, 2023.

[Charlotte Tree Ordinance TEXT AMENDMENT 2-28-23](#)

HEARINGS**39. Rezoning Petition: 2022-182 by Fourstore, LLC**

Update: Petitioner has withdrawn this petition

Location: Approximately 1.19 acres located at the northeast intersection of University City Boulevard and North Tryon Street, north of West Rocky River Road. (Council District 4 - Johnson)

Current Zoning: B-2 (general business)

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

40. Rezoning Petition: 2022-195 by South Oak Partners, LLC

Update: Petitioner has withdrawn this petition

Location: Approximately 3.75 acres located along the east side of West Sugar Creek Road, southwest of Lynn Lee Circle. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-6 (single family residential)

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

Update: Petitioner is requesting deferral to June 20, 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)

42. Rezoning Petition: 2022-191 by Red Cedar Capital Partners

Update: Petitioner is requesting deferral to June 20, 2023

Location: Approximately 4.86 acres located on the east side of Plott Road, south of The Plaza, and north of Meadowcroft Court. (Council District 5 - Molina)

Current Zoning: R-3 (single family residential)

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

43. Rezoning Petition: 2021-120 by Maria Mergianos

Location: Approximately 0.45 acres located on the east side of The Plaza, north of Mimosa Avenue, and south of Mecklenburg Avenue. (Council District 1 - Anderson)

Current Zoning: B-1 (neighborhood business), O-2 (office)

Proposed Zoning: NS (neighborhood services)

Staff Recommendation:

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

[2021_120_PHS_A_DONE](#)

[2021_120_RevSitePlan_2023_02_13](#)

44. Rezoning Petition: 2022-066 by Wood Partners

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)

Staff Recommendation:

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

[2022_066_PHS_A_DONE](#)

[2022_066_RevSitePlan_2022_10_17](#)

45. Rezoning Petition: 2022-136 by Vision Ventures

Location: Approximately 1.64 acres located along the east side of Catalina Avenue, south of West 28th Street, and north of West 26th Street. (Council District 1 - Anderson)

Current Zoning: R-5 (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 site and building design.

[2022_136_PHS_A_DONE](#)

[2022_136_RevSitePlan_2023_04_10](#)

46. 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 (CD) (general business, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_152_PHSА DONE](#)

[2022_152_Site_Conditions](#)

47. Rezoning Petition: 2022-156 by Greystar Development East, LLC

Location: Approximately 10.82 acres located at the southeast intersection of South Tryon Street and Nations Ford Road, south of West Woodlawn Road, and west of Interstate 77. (Council District 3 - Watlington)

Current Zoning: B-1 (neighborhood business), B-2 (general business), and I-1 (CD) (light industrial, conditional)

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

Staff Recommendation:

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

[2022_156_PHSА DONE](#)

[2022_156_siteplanRev_23_4_10](#)

48. Rezoning Petition: 2022-177 by Appaloosa Real Estate Partners

Location: Approximately 15.52 acres located at the southeast intersection of Mallard Creek Road and Galloway Road, west of Lexington Approach Drive. (Council District 4 - Johnson)

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.

[2022_177_PHSА DONE](#)

[2022_177_RevSitePlan_2023_04_10](#)

49. Rezoning Petition: 2022-175 by Rocky River Holdings LLC

Location: Approximately 38.25 acres located along the north side of Rocky River Road, west of Back Creek Church Road, and southeast of John Russell Road. (ETJ-BOCC: 3-Dunlap; Closest CC: 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.

[2022_175_PHSА_DONE](#)

[2022_175_SitePlan_Rev_3_13_23](#)

50. Rezoning Petition: 2022-179 by Coral Reef Investment Properties, LLC

Location: Approximately 5.65 acres located along the east and west side of Charlotte Park Drive, south of Pressley Road, and west of Interstate 77. (Council District 3 - Watlington)

Current Zoning: B-2 (general business)

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

Staff Recommendation:

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

[2022_179_PHSА_DONE](#)

[2022_179_RevSitePlan_2023_04_10](#)

51. Rezoning Petition: 2022-181 by AJ Klenk

Location: Approximately 0.22 acres located on the south side of North Davidson Street, north of Yadkin Avenue, and west of East 34th Street. (Council District 1 - Anderson)

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

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.

[2022_181_PHSА_DONE](#)

[2022_181_RevSitePlan_23_4_10](#)

52. Rezoning Petition: 2022-184 by United Air Filter Company

Location: Approximately 2.13 acres located on the east side of West Palmer Street, south of West Morehead Street, and north of John Belk Freeway. (Council District 2 - Graham)

Current Zoning: I-2 (general industrial)

Proposed Zoning: UMUD (uptown mixed use district)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_184_PHSА_DONE](#)

53. Rezoning Petition: 2022-185 by Morningstar Properties, LLC

Location: Approximately 6.01 acres located on the south side of David Cox Road, east of Old Statesville Road, and north of West W.T. Harris Boulevard. (Council District 2 - Graham)

Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2 (general industrial)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_185_PHSА_DONE](#)

54. Rezoning Petition: 2022-187 by Vista Residential Partners

Location: Approximately 14.8 acres located on the west side of Krefeld Drive, east of Monroe Road, and west of East Independence Boulevard. (Council District 6 - Bokhari)

Current Zoning: R-6MF (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 environment and requested technical revisions related to site and building design.

[2022_187_PHSА_DONE](#)

[2022_187_siteplanRev_23_4_10](#)

55. Rezoning Petition: 2022-188 by Northbridge, LLC

Location: Approximately 6.25 acres located along the south and west side of Windsor Oak Court, west of England Street, and north of East Hebron Street. (Council District 3 - Watlington)

Current Zoning: BP (business park)

Proposed Zoning: I-2 (general industrial)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_188_PHSА_DONE](#)

56. Rezoning Petition: 2022-190 by Charlotte Pipe and Foundry Company

Location: Approximately 1.08 acres located on the west side of Providence Road, north of Ardsley Road, and south of Moravian Lane. (Council District 6 - Bokhari)

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

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

Staff Recommendation:

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

[2022_190_PHS_A_DONE](#)

[2022_190_RevSitePlan_2023_04_10](#)

57. Rezoning Petition: 2022-192 by Ascent Real Estate Capital, LLC

Location: Approximately 2 acres bound by the east side of Plymouth Avenue, south side of Dunloe Street, west side of Sylvania Avenue, and north side of North Tryon Street. (Council District 1 - Anderson)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

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

[2022_192_PHS_A_DONE](#)

[2022_192_SitePlan_2022_14_10](#)

58. Rezoning Petition: 2022-193 by Brown Group, Inc.

Location: Approximately 19.79 acres located on the east side of Legranger Road and west side of Interstate 85, south of West Mallard Creek Church Road. (Council District 4 - Johnson)

Current Zoning: RE-1 (research), R-4 (single family residential)

Proposed Zoning: RE-3(CD) (research, conditional)

Staff Recommendation:

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

[2022_193_PHS_A_DONE](#)

[2022_193_RevSitePlan_2023_04_10](#)