

# City of Charlotte

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



## **Zoning Agenda**

**Wednesday, May 31, 2023**

**Charlotte-Mecklenburg Government Center**

### **Zoning Committee Work Session**

*Phillip Gussman, Chairperson*

*Melissa Gaston*

*Ronnie Harvey*

*TL Lansdell*

*Courtney Rhodes*

*Wil Russell*

*Douglas Welton*

## Zoning Committee Work Session

### Zoning Item

#### 1. Rezoning Petition: 2021-209 by Coastal Acquisition Entity, LLC

***Update: Petitioner is requesting deferral to July 5, 2023***

**Location:** Approximately 1.66 acres located at the southeast intersection of Steele Creek Road and Rigsby Road, north of Dixie River Road. (Council District 3 - Watlington)

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

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

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

***Update: Petitioner is requesting deferral to July 5, 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

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

***Update: Petitioner is requesting deferral to July 5, 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)

**4. Rezoning Petition: 2022-152 by Vinroy Reid**

***Update: Petitioner is requesting deferral to July 5, 2023***

**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)

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

***Update: Petitioner is requesting deferral to July 5, 2023***

**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)

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

***Update: Petitioner is requesting deferral to July 5, 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:** R-4 (single family residential) and B-1 (neighborhood business)

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

## 7. Rezoning Petition: 2020-027 by City of Charlotte & Crosland Southeast - Innovative Request

**Location:** Approximately located near the eastern intersection of N. Sharon Amity Road and Central Avenue.

**Staff Resource:** [Solomon Fortune](#)

**Request:** Innovative provisions are being requested by Dennis Walls of Land Design for the MX-2 portion of the former Eastland Mall site for petition 2020-027. The site is located near the eastern intersection of N. Sharon Amity Road and Central Avenue. The following items are the requested innovative provisions:

1. Townhome building Separation from 16 feet to 10 feet.
2. A minimum single-family detached lot area from 3,500 feet to 2,700 feet.
3. A minimum lot width from 40 feet to 27 feet for single-family detached units.
4. A minimum single-family side yard reduction from 5 feet to 3 feet.
5. Single-family setback / build to zone more that 6 feet from the setback, but no greater than 25 feet.
6. Single-family end/ corner lots rear yards to allow a reduction from 30 feet to 5 feet.

**Staff Recommendation:**

Staff recommends approval of the innovative request.

[2023-04-21 MX Innovative Requests](#)

## 8. Rezoning Petition: 2021-120 by Maria Mergianos

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

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

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

**Public Hearing Held:** May 15, 2023 - Item #43

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021\\_120\\_PostHSA\\_DONE](#)

[2021\\_120\\_RevSitePlan\\_2023\\_05\\_18](#)

[2021\\_120\\_Consistency](#)

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

**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)

**Public Hearing Held:** June 20, 2022 - Item #31

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition upon resolution of technical revisions related to transportation.

[2021 213 PostHSA](#)

[2021 213 siteplanRev 23 5 18](#)

[2021 213 CS](#)

## 10. 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)

**Public Hearing Held:** March 20, 2023 - Item #32

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2022 084 PostHSA](#)

[2022 084 RevSitePlan 2023 05 19](#)

[2022 084 Consistency](#)

## 11. 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)

**Public Hearing Held:** May 15, 2023 - Item #45

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2022\\_136\\_PostHSA](#)

[2022\\_136\\_RevSitePlan\\_2023\\_05\\_18](#)

[2022\\_136\\_consistency](#)

## 12. 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)

**Public Hearing Held:** April 17, 2023 - Item #38

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff does not recommend approval of this petition in its current form. Staff may reevaluate its recommendation with a reduction in unit count and development outcomes that better align with the Neighborhood 1 Place Type.

[2022\\_160\\_PostHSA\\_June](#)

[2022-160\\_SitePlanRev\\_2023\\_5\\_25](#)

[2022\\_160\\_consistency](#)

### 13. 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)

**Public Hearing Held:** May 15, 2023 - Item #49

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

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

[2022\\_175\\_PostHSA\\_DONE](#)

[2022\\_175\\_RevSitePlan\\_2023\\_05\\_18](#)

[2022\\_175\\_Consistency](#)

### 14. 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)

**Public Hearing Held:** May 15, 2023 - Item #48

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

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

[2022\\_177\\_PostHSA\\_DONE](#)

[2022\\_177\\_RevSitePlan\\_2023\\_05\\_18](#)

[2022\\_177\\_Consistency](#)

## 15. 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)

**Public Hearing Held:** May 15, 2023 - Item #50

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends approval of this petition upon resolution of technical revisions related to land use.

[2022\\_179\\_PostHSA\\_DONE](#)

[2022\\_179\\_RevSitePlan\\_2023\\_05\\_19](#)

[2022\\_179\\_consistency](#)

## 16. 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)

**Public Hearing Held:** May 15, 2023 - Item #51

**Staff Resource:** [Claire Lyte-Graham](#)

**Staff Recommendation:**

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

[2022\\_181\\_PostHSA\\_DONE](#)

[2022\\_181\\_RevSitePlan\\_2023\\_05\\_19](#)

[2022\\_181\\_Consistency](#)



## 17. 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)

**Public Hearing Held:** May 15, 2023 - Item #52

**Staff Resource:** [Maxx Oliver](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_184\\_PostHSA](#)

[2022\\_184\\_Consistency](#)

## 18. 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)

**Public Hearing Held:** May 15, 2023 - Item #53

**Staff Resource:** [Maxx Oliver](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_185\\_PostHSA](#)

[2022\\_185\\_Consistency](#)

## 19. 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)

**Public Hearing Held:** May 15, 2023 - Item #54

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2022\\_187\\_PHSADONE](#)

[2022\\_187\\_siteplanRev\\_23\\_5\\_18](#)

[2022\\_187\\_CS](#)

## 20. 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)

**Public Hearing Held:** May 15, 2023 - Item #55

**Staff Resource:** [Emma Knauerhase](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_188\\_PostHSA](#)

[2022\\_188\\_Consistency](#)

## 21. 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)

**Public Hearing Held:** May 15, 2023 - Item #56

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2022\\_190\\_PostHSA](#)

[2022\\_190\\_RevSitePlan\\_2023\\_05\\_19](#)

[2022\\_190\\_consistency](#)

## 22. 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)

**Public Hearing Held:** May 15, 2023 - Item #57

**Staff Resource:** Maxx Oliver

**Staff Recommendation:**

Staff recommends approval of this petition.

[2022\\_192\\_PostHSA](#)

[2022-192\\_SitePlanRev\\_2023\\_18\\_5](#)

[2022\\_192\\_Consistency](#)

## 23. 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)

**Public Hearing Held:** May 15, 2023 - Item #58

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

Staff recommends approval of this petition.

[2022\\_193\\_PostHSA](#)

[2022\\_193\\_RevSitePlan\\_2023\\_05\\_18](#)

[2022\\_193\\_Consistency](#)