

City of Charlotte

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



Zoning Agenda

Wednesday, September 6, 2023

Charlotte-Mecklenburg Government Center

Zoning Committee Work Session

Douglas A. Welton, Chairperson

Terry Lansdell

Shana Neeley

Wil Russell

Clayton Sealey

Rebekah Whilden

Rick Winiker

Zoning Committee Work Session

Zoning Item Zoning Item

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

Update: Petitioner is requesting deferral to October 3, 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: N1-A (neighborhood 1-A zoning district)

Proposed Zoning: NS (neighborhood services)

2. Rezoning Petition: 2022-071 by MTB Holdings, LLC

Update: Petitioner is requesting deferral to December 5, 2023

Location: Approximately 2.11 acres located at the northeast intersection of East Exmore Street and Nations Crossings Road, west of Old Pineville Road. (Council District 3 - Watlington)

Current Zoning: ML-2 (manufacturing and logistics - 2)

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

3. Rezoning Petition: 2022-099 by Levine Properties

Update: Petitioner is requesting deferral to October 3, 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: 2022-109 by Urban Trends Real Estate, Inc.

Update: Petitioner is requesting deferral to October 3, 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)

5. 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 2,900 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 4.5 feet.
5. Single-family setback / build to zone more that 6 feet from the setback, but no greater than 25 feet.

Staff Recommendation:

Staff recommends approval of the innovative request.

[2020-027 site plan Eastland-MXInnovative Requests-08-30-2023](#)

6. Rezoning Petition: 2022-049 by Turnstone Group, LLC

Location: Approximately 9.84 acres located on the south side of Old Dowd Road at the intersection with Sam Wilson Road. (ETJ - BOCC: 2-Leake; Closest CC 3-Watlington)

Current Zoning: NS (neighborhood services)

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

Public Hearing Held: August 21, 2023 - Item #63

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022 049 PostHSA](#)

[2022 049 SitePlanRev 2023 8 24](#)

[2022 049 Consistency](#)

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

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: ML-1 (manufacturing and logistics - 1)

Proposed Zoning: TOD-CC (transit-oriented development, community center) and TOD-TR (transit-oriented development, transition)

Public Hearing Held: November 21, 2022 - Item #43

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_060_PostHSA](#)

[2022_060_consistency](#)

8. Rezoning Petition: 2022-146 by KTED LLC

Location: Approximately 3.9 acres located on the north side of Albemarle Road, west of Harrisburg Road, and south of Pence Road. (Council District 5-Molina)

Current Zoning: IC-1 (institutional campus) and R-12MF(CD) (multi-family residential, conditional)

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

Public Hearing Held: August 21, 2023 - Item #64

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

Staff Recommendation:

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

[2022_146_PostHSA](#)

[2022_146_RevSitePlan_2023_08_29](#)

[2022_146_Consistency](#)

9. Rezoning Petition: 2022-157 by Leon & Jennifer Chisolm

Location: Approximately 4.2 acres located on the north side of Galloway Road, east of Mallard Creek Road, and west of Garrison Road. (Council District 4 - Johnson)

Current Zoning: N1-A (neighborhood 1 - A)

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

Public Hearing Held: July 17, 2023 - Item #35

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_157_PostHSA](#)

[2022_157_RevSitePlan_2023_07_21](#)

[2022_157_Consistency](#)

10. Rezoning Petition: 2022-183 by Blu South LLC

Location: Approximately 32.42 acres located along the north side of Interstate 485, west of China Grove Church Road, and south of East Westinghouse Boulevard. (Council District 3 - Watlington)

Current Zoning: I-1(CD) (light industrial, conditional)

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

Public Hearing Held: July 10, 2023 - Item #10

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_183_PostHSA_rev](#)

[2022_183_siteplanRev_23_8_7](#)

[2022_183_CS](#)

11. Rezoning Petition: 2022-212 by Chipotle Mexican Grill of Colorado, LLC

Location: Approximately 0.86 acres located in the northwest quadrant of the intersection of Park Road and East Woodlawn Road, south of Drexel Place. (Council District 6 - Bokhari)

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

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

Public Hearing Held: July 17, 2023 - Item #43

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022 212 PostHSA](#)

[2022 212 RevSitePlan 2023 08 24](#)

[2022 212 consistency](#)

12. Rezoning Petition: 2022-219 by Scott Allred

Location: Approximately 13.02 acres located on the south side of Albemarle Road, east of Manchester Lane, and west of Wilgrove-Mint Hill Road. (Council District 5 - Molina)

Current Zoning: CG (general commercial) and N1-A (neighborhood 1 - A)

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

Public Hearing Held: July 17, 2023 - Item #46

Staff Resource: [John Kinley](#)

Staff Recommendation:

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

[2022 219 PostHSA DONE](#)

[2022 219 siteplanRev 23 7 28](#)

[2022 219 CS](#)

13. Rezoning Petition: 2023-013 by Toll Brothers Apartment Living

Location: Approximately 19.75 acres located on the north side of Choate Circle between Legree Lane and Freshwell Road. (Council District 3- Watlington)

Current Zoning: N1-A (neighborhood 1-A)

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

Public Hearing Held: August 21, 2023 - Item #61

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 013 PostHSA](#)

[2023 013 SitePlanRev 2023 8 24](#)

[2023 013 Consistency](#)

14. Rezoning Petition: 2023-014 by Charlotte Truck Center, Inc.

Location: Approximately 1.29 acres located on the south side of Cannon Avenue, east of North Graham Street, and north of Interstate 85. (Council District 1- Anderson)

Current Zoning: N1-B (neighborhood 1-B)

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

Public Hearing Held: August 21, 2023 - Item #66

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 014 PostHSA](#)

[2023 014 RevSitePlan 2023 08 23](#)

[2023 014 Consistency](#)

15. Rezoning Petition: 2023-022 by Charter Properties, Inc.

Location: Approximately 14.46 located west of N Tryon Street, east of Morehead Road, and north of Floyd Smith Office Park Drive. (Council District 4- Johnson)

Current Zoning: N1-A (neighborhood 1-A)

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

Public Hearing Held: August 21, 2023 - Item #68

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

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

[2023 022 PostHSA](#)

[2023 022 SitePlanRev 2023 8 24](#)

[2023 022 Consistency](#)

16. Rezoning Petition: 2023-027 by 401 S. College St. NC, LLC

Location: Approximately 2.73 acres bound by the south side of South College Street, west side of East Martin Luther King Jr. Boulevard, north side of South Brevard Street, and east side of East Brooklyn Village Avenue. (Council District 1- Anderson)

Current Zoning: UC (uptown core)

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

Public Hearing Held: August 21, 2023 - Item #69

Staff Resource: [Holly Cramer](#)

Staff Recommendation:

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

[2023 027 PostHSA](#)

[2023 027 RevSitePlan 2023 08 24](#)

[2023 027 consistency](#)

17. Rezoning Petition: 2023-029 by MAGIC, LLC

Location: Approximately 16.65 acres located on the east side of Northlake Centre Parkway, south of Interstate 485, and west of Interstate 77. (ETJ - BOCC: 3-Powell; Closet CC 4-Johnson)

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

Proposed Zoning: B-2(CD) SPA (general business, conditional, site plan amendment)

Public Hearing Held: August 21, 2023 - Item #70

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 029 PostHSA](#)

[2023 029 RevSitePlan 2023 07 17](#)

[2023 029 Consistency](#)

18. Rezoning Petition: 2023-030 by Rhyne Land Holdings, LLC

Location: Approximately 123.80 acres located on the south side of University City Boulevard, northeast of Interstate 485, and east of Back Creek Church Road. (ETJ - BOCC: 3-Dunlap; Closet CC 4-Johnson)

Current Zoning: MX-2 with 5-year vested rights (mixed use district)

Proposed Zoning: I-2(CD) (general industrial, conditional) and MX-2(mixed use district)

Public Hearing Held: August 21, 2023 - Item #62

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 030 PostHSA DONE](#)

[2023 030 RevSitePlan 2023 08 24](#)

[2023 030 Consistency](#)

19. Rezoning Petition: 2023-049 by Wells Fargo Bank

Location: Approximately 30.1 acres located along the north side of Vance Davis Drive and west side of Old Statesville Road, south of Interstate 485. (Council District 4-Johnson)

Current Zoning: OFC (office)

Proposed Zoning: ML-1 (manufacturing and logistics 1)

Public Hearing Held: August 21, 2023 - Item #71

Staff Resource: [Emma Knauerhase](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 049 PostHSA DONE](#)

[2023 049 Consistency](#)

20. Rezoning Petition: 2023-050 by Mudassar Mohammed

Location: Approximately 0.219 acres located on the east side of Donna Avenue, south of Atmore Street, and north of The Plaza. (Council District 1-Anderson)

Current Zoning: ML-1 (manufacturing and logistics 1)

Proposed Zoning: N1-D (neighborhood 1-D)

Public Hearing Held: August 21, 2023 - Item #72

Staff Resource: [Emma Knauerhase](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023 050 PostHSA](#)

[2023 050 Consistency](#)