

City of Charlotte

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



Zoning Agenda

Monday, May 20, 2024

Council Chamber

City Council Zoning Meeting

*Mayor Vi Lyles
Mayor Pro Tem Danté Anderson
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Tiawana Brown
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*

**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

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Deferrals / Withdrawals

Consent

2. Consent agenda items 3 through 4 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:
- Had no public opposition at their public hearing
 - Received an approval recommendation from the Zoning Committee
 - Have no changes after Zoning Committee
 - Staff recommends approval

3. Rezoning Petition: 2023-015 by Tribek Properties

Location: Approximately 4.54 acres located in the southwest quadrant of the intersection of Wilkinson Boulevard and Remount Road, north of Parker Drive. (Council District 3 - Brown)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_015_ZCR](#)

[2023_015_FSA](#)

[2023_015_RevSitePlan_2024_05_01](#)

4. Rezoning Petition: 2024-005 by Portman Residential, LLC

Location: Approximately 1.21 acres located on the west side of Chamberlain Avenue, north of State Street, and south of Yellowstone Drive. (Council District 2 - Graham)

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

Proposed Zoning: IMU (innovation mixed use)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_005_ZCR](#)

[2024_005_FSA](#)

Decisions

5. Rezoning Petition: 2024-043 by Charlotte Planning, Design, & Development - Text Amendment

The purpose of this UDO text amendment is to make changes to the conservation residential development standards in Section 4.5 of the UDO to increase the quantity and quality of required open space, increase transitions to adjacent parcels, and revise frontage requirements. There are proposed changes in 5 of the 39 Articles. These changes include increasing the amount of open space from two to five acres; adding a landscape yard at the perimeter of the site; requiring lots to front on public streets, common open space, or green area; increasing the minimum dimensions of required common open space; establishing design standards for required open space; and minor changes and additions to standards)

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to defer this petition.

Staff Recommendation: Staff recommends approval of this petition.

[RZP2024_043_Summary](#)

[2024_043_Final](#)

[2024_043_textamendment](#)

6. Rezoning Petition: 2022-105 by Moores Chapel Retail, LLC

Location: Approximately 3.99 acres located at the intersection of Rhyne Road and Moores Chapel Road. (Council District 3 - Brown)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_105_ZCR](#)

[2022_105_FSA_DONE](#)

[2022_105_SitePlanRev_2024_5_3](#)

7. Rezoning Petition: 2023-033 by CRD Elizabeth LLC

Location: Approximately 1.63 acres located along the northeast side of East 7th Street, south of Lamar Avenue, and north of Clement Avenue. (Council District 1 - Anderson)

Current Zoning: CG (general commercial)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

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

[2023_033_ZCR](#)

[2023_033_FSA](#)

[2023_033_RevSitePlan_2024_04_18](#)

8. Rezoning Petition: 2023-042 by Wilmore Preservation LLC

Location: Approximately 3.23 acres located on the northeastern corner of the intersection of West Boulevard and Mint Street. (Council District 3 - Brown)

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

Proposed Zoning: MUDD-O (HDO) (mixed use development district, historic district overlay)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_042_ZCR](#)

[2023_042_FSA_Final](#)

[2023_042_SitePlanRev_2024_4_30](#)

9. Rezoning Petition: 2024-004 by The Drox Group, LLC

Location: Approximately 4.1 acres located on the east side of South Tryon Street, west of Nations Ford Road, and north of Queen Anne Road. (Council District 3 - Brown)

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

Proposed Zoning: N2-A (CD) (neighborhood 2-A, conditional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024 004 ZCR](#)

[2024 004 FSA](#)

[2024 004 SitePlanRev 2024 4 18](#)

Hearings

10. Rezoning Petition: 2023-124 by The Paces Foundation

Update: Petitioner is requesting deferral to June 17, 2024

Location: Approximately 10.54 acres located along the southeast side of Dilling Farm Road, south of Moores Chapel Road, and east of Interstate 485. (Council District 3 - Brown)

Current Zoning: MX-2 (mixed use district-2)

Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

11. Rezoning Petition: 2024-033 by Charlotte Planning, Design, & Development - Text Amendment

The purpose of this text amendment to the UDO is to make changes that will result in better functionality. These changes provide greater clarity, new and updated definitions, adjusts use permissions and prescribed conditions, revises use names, updates graphics, and makes changes and additions to standards. There are proposed changes in 29 of the 39 Articles.

Staff Recommendation:

Staff recommends approval of this petition.

[2024_033_PHSА_DONE](#)

[2024-033 UDO Text Amendment - Clean Up #3 rev. 1](#)

12. Rezoning Petition: 2024-023 by City of Charlotte

Location: Approximately 11.79 acres located on the north side of Billy Graham Parkway, at the eastern end of Woodridge Center Drive. (Council District 3 - Brown)

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

Proposed Zoning: ML-2 (manufacturing & logistics 2)

Staff Recommendation: Staff recommends approval of this petition.

[2024_023_PHSА](#)

13. Rezoning Petition: 2024-008 by Bank OZK

Location: Approximately 0.776 acres located at the northeast intersection of South Boulevard and Starmount Cove Lane, east of England Street. (Council District 6 - Bokhari)

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

Proposed Zoning: CG(CD) (general commercial, conditional)

Staff Recommendation: Staff does not recommend approval of this petition.

[2024_008_PHSА](#)

[2024-008 SitePlan Rev 24 4 15](#)

14. Rezoning Petition: 2024-024 by Orissa Holdings, LLC

Location: Approximately 9.13 acres located along the north side of Interstate 485, south of University City Boulevard. (ETJ - BOCC: 3-Dunlap; Closest CC 4-Johnson)

Current Zoning: MX-2 (mixed use district-2)

Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

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

[2024 024 PHSA DONE](#)

[2024 024 RevSitePlan 2024 04 15](#)

15. Rezoning Petition: 2024-031 by Panthers Stadium, LLC

Location: Approximately 12.04 acres located on the east side of South Cedar Street, west of 4th Street, and north of Mint Street. (Council District 1 - Anderson)

Current Zoning: MUDD-O (mixed-use development district, optional) CAC-2 (community activity center - 2), and N2-C (neighborhood 2 - C)

Proposed Zoning: UE(EX) (uptown edge, exception)

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

[2024 031 PHSA Done](#)

[2024 031 RevSitePlan 2024 04 15](#)

16. Rezoning Petition: 2023-071 by Mt. Holly Investments, LLC

Location: Approximately 3.85 acres located at the southwest intersection of Oakdale Road and Mt. Holly-Huntersville Road, north of Interstate 485. (Council District 4 - Johnson)

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

Proposed Zoning: CG(CD) (general commercial, conditional)

Staff Recommendation: Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

[2023 071 PHSA Final](#)

[2023 071 RevSitePlan 2024 04 02](#)

17. Rezoning Petition: 2023-120 by Ascent Real Estate Capital, LLC

Location: Approximately 3.50 acres located along the south side of Central Avenue, west of Progress Lane, and east of Norland Road. (Council District 5 - Molina)

Current Zoning: O-1(CD) (office, conditional) and N2-B (neighborhood 2-B)

Proposed Zoning: N2-C(CD) (neighborhood 2-C, conditional)

Staff Recommendation: Staff recommends approval of this petition.

[2023 120 PHSA DONE](#)

[2023 120 Site Conditions 4 15 24](#)

18. Rezoning Petition: 2023-164 by Eden Acquisitions, LLC

Location: Approximately 23.42 acres located along the east side of South Tryon Street and west side of Steele Creek Road, north of Hamilton Road. (Council District 3 - Brown)

Current Zoning: N1-A (neighborhood 1-A) and IC-1 (institutional campus-1)

Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

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

[2023 164 PHSA FINAL](#)

[2023 164 SitePlanRev 2024 3 11](#)

19. Rezoning Petition: 2023-173 by Josaih Boling

Location: Approximately 2.06 acres located at the southwest intersection of Commercial Avenue and Eastway Drive, north of East Sugar Creek Road. (Council District 1 - Anderson)

Current Zoning: OFC (office flex campus) and ML-1 (manufacturing and logistics 1)

Proposed Zoning: IMU (innovation mixed use)

Staff Recommendation: Staff recommends approval of this petition.

[2023 173 PHSA](#)

20. Rezoning Petition: 2024-001 by Jessica M Moreno Hernandez

Location: Approximately 0.42 acres located on the north side of Victoria Avenue, west of Old Statesville Road, and south of Autumn Oak Drive. (Council District 2 - Graham)

Current Zoning: MHP (mobile home park)

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

Staff Recommendation: Staff recommends approval of this petition.

[2024 001 PHSA DONE](#)

21. Rezoning Petition: 2024-003 by ATAPCO Properties Inc.

Location: Approximately 16.91 acres located on the west side of Old Statesville Road and north and south side of Ratcliff Lane, south of West W.T. Harris Boulevard. (Council District 2 - Graham)

Current Zoning: CG (general commercial) and MHP (manufactured home park)

Proposed Zoning: N2-A(CD) (neighborhood 2-A, conditional)

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

[2024_003_PHSА_DONE](#)

[2024_003_SitePlanRev_24_4_15](#)

22. Rezoning Petition: 2024-007 by Oak Hill Management

Location: Approximately 7.34 acres located at the southeast corner and southwest corner of Executive Center Drive and Albemarle Road. (Council District 5 - Molina)

Current Zoning: OFC (office flex campus)

Proposed Zoning: CAC-1 (commercial activity)

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

[2024_007_PHSА_DONE](#)

23. Rezoning Petition: 2024-009 by Ramon Adames

Location: Approximately 0.27 acres located on the north side of Ervin Lane, west of China Grove Church Road, and south of East Westinghouse Boulevard. (Council District 3 - Brown)

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

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

Staff Recommendation: Staff recommends approval of this petition.

[2024_009_PHSА](#)

24. Rezoning Petition: 2024-018 by iClub Investments, LLC

Location: Approximately 4.62 acres located at the northeast intersection of Harwood Lane and Mt. Holly-Huntersville Road, west of Country Lane. (Council District 2 - Graham)

Current Zoning: INST(CD) (institutional, conditional) and N1-A (neighborhood 1-A)

Proposed Zoning: NC(CD) (neighborhood center, conditional)

Staff Recommendation: Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment.

[2024_018_PHSА_DONE](#)

[2024-018_SitePlanRev_24_4_15](#)

25. Rezoning Petition: 2024-019 by 517 East 17th LLC

Location: Approximately 0.56 acres located at the northeast intersection of North Davidson Street and East 17th Street, south of Parkwood Avenue. (Council District 1 - Anderson)

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

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

Staff Recommendation: Staff recommends approval of this petition.

[2024 019 PHSA DONE](#)

26. Rezoning Petition: 2024-020 by 35N 80W, LLC

Location: Approximately 1.88 acres located at the eastern end of Willetta Drive, east of Nations Ford Road, and west of Interstate 77. (Council District 3 - Brown)

Current Zoning: INST(CD) (institutional, conditional)

Proposed Zoning: N2-B (neighborhood 2-B)

Staff Recommendation: Staff recommends approval of this petition.

[2024 020 PHSA DONE](#)

27. Rezoning Petition: 2024-021 by Foundry Commercial

Location: Approximately 10.20 acres located along the east side of Steele Creek Road, south of Byrum Drive, and north of Douglas Drive. (Council District 3 - Brown)

Current Zoning: N1-A ANDO (neighborhood 1-A, airport noise district overlay)

Proposed Zoning: ML-2 ANDO (manufacturing and logistics-2, airport noise district overlay)

Staff Recommendation: Staff recommends approval of this petition.

[2024 021 PHSA DONE](#)