

City of Charlotte

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



Zoning Agenda

Monday, June 17, 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

Deferral / Withdrawals

Consent**2. Consent agenda items 3 through 12 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: 2023-071 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. (ETJ; BOCC District 1 - Powell; Closest to Council District 4 - Johnson)

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

Proposed Zoning: CG(CD) (general commercial, 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_071_ZCR](#)

[2023_071_FSA](#)

[2023_071_RevSitePlan_2024_05_30](#)

4. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_120_ZCR](#)

[2023_120_FSA](#)

[2023_120_DevelopmentStandards_2024_05_31](#)

5. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_001_ZCR](#)

[2024_001_FSA](#)

6. 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 center-1)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_007_ZCR](#)

[2024_007_FSA](#)

7. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_009_ZCR](#)

[2024_009_FSA](#)

8. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_018_ZCR](#)

[2024_018_FSA](#)

[2024-018_SitePlanRev_24_6_7](#)

9. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_019_ZCR](#)

[2024_019_FSA](#)

10. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_020_ZCR](#)

[2024_020_FSA](#)

11. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_021_ZCR](#)

[2024_021_FSA](#)

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 and logistics - 2)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_023_ZCR](#)

[2024_023_FSA](#)

Decisions**13. Rezoning Petition: 2022-224 by SRL Central Avenue Properties, LLC**

Update: Petitioner is requesting deferral to September 16, 2024

Location: Approximately 1.23 acres located in the northeast quadrant of the intersection of Central Avenue and Morningside Drive, south of Roland Street. (Council District 1 - Anderson)

Current Zoning: MUDD-O (mixed-use development-optional)

Proposed Zoning: MUDD-O SPA (mixed-use development-optional, site plan amendment)

14. 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.

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024-033 ZCR](#)

[2024 033 Final SA](#)

[2024-033 UDO Text Amendment - Clean Up #3 rev. 2](#)

15. Rezoning Petition: 2022-121 by RK Investments Charlotte LLC

Location: Approximately 53.07 acres located on the east side of Elm Lane and west side of Rea Road, south of Bevington Place. (Council District 7 - Driggs)

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

Proposed Zoning: UR-2(CD) (urban residential, conditional) with 5-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 5-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_121_ZCR](#)

[2022_121_FSA](#)

[2022_121_SitePlanRev_2024_6_6](#)

16. 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 5-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_033_ZCR](#)

[2023_033_FSA](#)

[2023_033_RevSitePlan_2024_06_04](#)

17. 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 2 - Graham)

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2024_031_ZCR](#)

[2024_031_FSA](#)

[2024_031_RevSitePlan_2024_06_12](#)

18. Rezoning Petition: 2023-112 by FCA, LLC

Location: Approximately 5.03 acres located at the dead-end of Christie Lane, north of Douglas Drive, east of Steele Creek Road. (Council District 3 - Brown)

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

Proposed Zoning: ML-2(CD) ANDO (manufacturing and logistics-2, conditional, airport noise disclosure 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_112_ZCR](#)

[2023_112_FSA](#)

[2023_112_SitePlanRev_2024_3_21](#)

19. Rezoning Petition: 2023-172 by BVB Properties, LLC

Location: Approximately 0.78 acres located at the southeast intersection of Mt. Holly-Huntersville Road and Lawing School Road, west of Bellhaven Boulevard. (Council District 2 - Graham)

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

Proposed Zoning: CG(CD) (general commercial, 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_172_ZCR_24_06_04](#)

[2023_172_FSA](#)

[2023-172_SitePlanREV_24_5_23](#)

20. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2023_173_ZCR](#)

[2023_173_FSA](#)

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)

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

Staff Recommendation: Staff recommends APPROVAL of this petition.

[2024_003_ZCR](#)

[2024_003_FSA](#)

[2024_003_SitePlanRev_24_6_12](#)

Hearings

22. Rezoning Petition: 2024-035 by City of Charlotte

Update: Petitioner is requesting deferral to September 16, 2024

Location: Approximately 49 acres located along the north side of Pine Oaks Drive, south of Byrum Drive, and west of Beam Drive. (Council District 3 - Brown)

Current Zoning: N1-A ANDO (neighborhood 1-A, airport noise district overlay) and ML-1 ANDO (manufacturing and logistics-2, airport noise district overlay)

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

23. Rezoning Petition: 2024-067 by Charlotte Planning, Design, & Development - Text Amendment

The purpose of this UDO text amendment is to provide a new Compact Residential Development option in Section 4.5 for certain Neighborhood 1 zoning districts. This option will allow smaller lot sizes and setbacks and will require more usable common open space. There are proposed changes in 3 of the 39 UDO Articles

Staff Recommendation:

Staff recommends approval of this petition.

[2024_067_PHSAs_final](#)

[2024-067 Text Amendment for Public Hearing](#)

24. Rezoning Petition: 2024-029 by Embrey Development Company

Location: Approximately 19.81 acres located on the south side of Alexandriana Road, east side of Statesville Road, and west of Twin Lakes Parkway, north of Interstate 485. (ETJ - BOCC: 1-Powell; Closest CC 4-Johnson)

Current Zoning: OFC (office flex campus)

Proposed Zoning: IMU(CD) (innovation mixed use, conditional)

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

[2024-029_PHSAs_Rev_Done](#)

[2024_029_RevSitePlan_2024_05_13](#)

25. Rezoning Petition: 2024-041 by McAlway Road Ventures, LLC

Location: Approximately 0.548 acres located on the east side of McAlway Road, west of Craig Avenue, north of Bobby Lane. (Council District 5 - Molina)

Current Zoning: N2-B (neighborhood 2-B) and OFC (office flex campus)

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

Staff Recommendation: Staff recommends approval of this petition.

[2024_041_PHSА_CLG0528_DONE](#)

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

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

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

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

Staff Recommendation: Staff recommends approval of this petition.

[2023_124_PHSА_DONE](#)

[2023_124_SitePlanRev_2024_5_28](#)

27. Rezoning Petition: 2023-152 by Sam's Commercial Properties, LLC

Location: Approximately 1.1 acres located at the southwest intersection of Mallard Creek Road and Carolina Lily Lane, east of Kings Grant Drive. (ETJ - BOCC: 1-Powell; Closest CC 4-Johnson)

Current Zoning: CC (commercial center)

Proposed Zoning: CG (general commercial)

Staff Recommendation: Staff recommends approval of this petition.

[2023_152_PHSА_DONE](#)

28. Rezoning Petition: 2023-165 by Central Avenue Multifamily LLC

Location: Approximately 2.839 acres bound by the south side of Central Avenue, west side of Piedmont Street, north side of Sunnyside Avenue, and east side of the Independence/I-277 Ramp. (Council District 1 - Anderson)

Current Zoning: N1-D (neighborhood 1-D), NC (neighborhood center), O-6(CD) (office, conditional)

Proposed Zoning: CAC-1(EX) (community activity center-1, exception)

Staff Recommendation: Staff recommends approval of this petition upon resolution of outstanding issues related to infrastructure and requested technical revisions.

[2023_165_PHSА](#)

[2023_165_RevSitePlan_2024_05_13](#)

29. Rezoning Petition: 2024-011 by Eastwood Homes

Location: Approximately 17.48 acres located along the south side of Johnston Oehler Road, east of Prosperity Ridge Road. (Council District 4 - Johnson)

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

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 011 PHSA DONE](#)

[2024 011 RevSitePlan 2024 05 16](#)

30. Rezoning Petition: 2024-013 by Above and Beyond Students, Inc.

Location: Approximately 0.24 acres located on the west side of Park Road, south of Seneca Place and north of Cortland Road. (Council District 6 - Bokhari)

Current Zoning: OFC (office flex campus)

Proposed Zoning: CAC-1 (community activity center-1)

Staff Recommendation: Staff recommends approval of this petition.

[2024 013 PHSA](#)

31. Rezoning Petition: 2024-015 by BV Belk Properties

Location: Approximately 0.24 acres located on the west side of Park Road, south of Seneca Place and north of Cortland Road. (Council District 2 - Graham)

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

Proposed Zoning: CG (general commercial)

Staff Recommendation: Staff recommends approval of this petition.

[2024 015 PHSA DONE](#)

32. Rezoning Petition: 2024-022 by QTR Development Partners & Sunset Road Partners, LLC

Location: Approximately 12.11 acres located on the south side of Sunset Road, east of Oakdale Road. (Council District 2 - Graham)

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

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 environment.

[2024 022 PHSA DONE](#)

[2024 022 SitePlanRev 24 5 13](#)

33. Rezoning Petition: 2024-030 by Asana Partners LP

Location: Approximately 0.39 acres located at the northwest intersection of South Sharon Amity Road and Randolph Road, south of Woodlark Lane. (Council District 6 - Bokhari)

Current Zoning: CC (commercial center, conditional)

Proposed Zoning: NC (neighborhood center)

Staff Recommendation: Staff recommends approval of this petition.

[2024_030_PHSA](#)

34. Rezoning Petition: 2024-032 by Troy Knight

Location: Approximately 0.17 acres located on the west side of Montgomery Street, north of Frazier Avenue, and east of West Trade Street. (Council District 2 - Graham)

Current Zoning: NC (neighborhood center)

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

Staff Recommendation: Staff recommends approval of this petition.

[2024_032_PHSA](#)

35. Rezoning Petition: 2024-034 by Jackson Kastle, LLC

Location: Approximately 0.37 acres located on the north and south side of Bearwood Avenue and east side of East Sugar Creek Road, west of Eastway Drive. (Council District 1 - Anderson)

Current Zoning: CG (general commercial)

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

Staff Recommendation: Staff recommends approval of this petition.

[2024_034_PHSA](#)

36. Rezoning Petition: 2024-036 by Julio Barriga

Location: Approximately 0.23 acres located on the west side of Westerly Hills Drive, north of Wilkinson Boulevard and south of Blessing Street. (Council District 3 - Brown)

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

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

Staff Recommendation: Staff recommends approval of this petition.

[2024_036_PHSA_DONE](#)

[2024_036_SitePlanRev_2024_5_13](#)

37. Rezoning Petition: 2024-038 by Cambridge Properties, Inc.

Location: Approximately 3.02 acres located at the northwest intersection of West W. T. Harris and Davis Lake Parkway, south of David Cox Road. (Council District 2 - Graham)

Current Zoning: CC (commercial center, conditional)

Proposed Zoning: CG (general commercial)

Staff Recommendation: Staff recommends approval of this petition.

[2024_038_PHSА](#)

38. Rezoning Petition: 2024-039 by Gethsemane Cemetery and Memorial Gardens

Location: Approximately 10.65 acres located on the east side of West Sugar Creek Road and north side of The Roman Road, west of Mineral Springs Road. (Council District 4 - Johnson)

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

Proposed Zoning: IC-1 (institutional campus-1)

Staff Recommendation: Staff recommends approval of this petition.

[2024_039_PHSА_DONE](#)