

City of Charlotte

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



Zoning Agenda

Monday, November 19, 2018

Council Chambers

City Council Zoning Meeting

Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
Council Member Braxton Winston II

DINNER MEETING

- 1. 5:00 P.M. DINNER MEETING, CH-14**
 - 1. Meeting Agenda**
 - 2. Dinner Meeting Agenda**
 - 1. Agenda Review - Tammie Keplinger**
 - 3. Follow-Up Report**

- 2. Dinner Meeting Agenda**
 - 1. Agenda Review - Tammie Keplinger**

- 3. Follow Up Report**

HISTORIC LANDMARKS**4. Reginald Armistice Hawkins House**

Update: Requesting deferral to February 18, 2018

A Public Hearing on the Question of adopting an ordinance for the property known as the "Reginald Armistice Hawkins House" (listed under Tax Parcel Number 07839808 including the interior and the exterior of the house, the land, and all landscape features associated with tax parcel) as an Historic Landmark.

Property Owner: Daniel and Kristin Tart

Location: 1703 Madison Avenue in Charlotte, North Carolina

DECISIONS**5. Rezoning Petition: 2017-195 by Boulevard Real Estate Advisors, LLC**

Update: Petitioner requesting deferral to December 17, 2018

Location: Approximately 19.78 acres located on both sides of Nations Crossing Road, south of East Woodlawn Road, east of I-77. (Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-M(O) (transit oriented development - mixed use, optional) with five-year vested rights

Zoning Committee Recommendation:

The Zoning Committee voted 6-0 to **DEFER** this petition to their December 4, 2018 meeting.

Attachment:

Zoning Committee Recommendation

6. Rezoning Petition: 2018-011 by Harrison Tucker & John Perovich

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 0.17 acres located at the northeast corner of East 17th Street and North McDowell Street. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition to their December 4, 2018 meeting.

Attachment:

Zoning Committee Recommendation

7. Rezoning Petition: 2018-049 by Revolve Residential

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 2.57 acres bounded by Charles Avenue, Whiting Avenue, Spencer Street, and Clemson Avenue, north of Matheson Avenue. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

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

Zoning Committee Recommendation:

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

Attachment:

Zoning Committee Recommendation

8. Rezoning Petition: 2017-023 by Madison Capital Group, LLC

Location: Approximately 16.23 acres on the east side of Steele Creek Road and south of across from Shopton Road West and Dixie River Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)

Proposed Zoning: MUDD-O (mixed use development district, optional) and NS (neighborhood services), with five-year vested rights.

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

9. Rezoning Petition: 2017-137 by Northlake Real Estate Investors, LLC

Location: Approximately 10.44 acres located on the west side of Reames Road, south of West W.T. Harris Boulevard. (Council District 2 - Harlow)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

10. Rezoning Petition: 2017-168 by J.S. & Son's Construction Company, LLC

Location: Approximately 3.70 acres located on the south side of West Boulevard, east of Wilmore Drive. (Council District 3 - Mayfield)

Current Zoning: R-5 HD-O (single family residential, historic district overlay) and R-22MF HD-O (multi-family residential, historic district overlay)

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

Attachments:

Zoning Committee Recommendation
Final Staff Analysis
Site Plan

11. Rezoning Petition: 2018-003 by Boulevard Real Estate Advisors, LLC

Location: Approximately 0.74 acres located on the north side of West Tremont Avenue, between South Tryon Street and Hawkins Street. (Council District 3 - Mayfield)

Current Zoning: TOD-R(O) (transit oriented development - residential, optional)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation
Final Staff Analysis
Site Plan

12. Rezoning Petition: 2018-012 by Harrison Tucker & John Perovich

Update: Requesting deferral to December 17, 2018

Location: Approximately 0.16 acres located at the intersection of North Davidson Street and East 17th Street. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

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

Zoning Committee Recommendation:

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

Attachment:

Zoning Committee Recommendation

13. Rezoning Petition: 2018-054 by Blue Heel Development

Location: Approximately 9.2 acres located at the end of Price Lane, south of Yorkmont Road. (Council District 3 - Mayfield)

Current Zoning: R-4 (single family residential)

Proposed Zoning: UR-2(CD) (urban 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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

14. Rezoning Petition: 2018-077 by R2 Development

Location: Approximately 7.69 acres located on the west side of Steele Creek Road, south of Hamilton Road. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-1(CD) (urban residential, conditional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

15. Rezoning Petition: 2018-078 by Monte Ritchey/Conformity Corp.

Updated: *Petitioner is requesting deferral to December 17, 2018*

Location: Approximately 0.74 acres located at the end of Waco Street and Ellison Street, near South Kings Drive. (Council District 1 - Egleston)

Current Zoning: R-6 (single family residential)

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

Zoning Committee Recommendation:

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

Attachment:

Zoning Committee Recommendation

16. Rezoning Petition: 2018-080 by Collin Wolff

Location: Approximately 3.22 acres located on the west side of John Adams Road, north of West Mallard Creek Church Road. (Council District 4 - Phipps)

Current Zoning: O-1(CD) (office, conditional)

Proposed Zoning: O-1 (office)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

17. Rezoning Petition: 2018-081 by Profile Homes

Location: Approximately 4.35 located off South Tryon Street, south of Steele Creek Road. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential) and B-D(CD) (distributive business, conditional)

Proposed Zoning: R-12MF(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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

18. Rezoning Petition: 2018-082 by City of Charlotte

Location: Approximately 3.02 located off Ken Hoffman Drive, east of North Tryon Street, south of W.T. Harris Blvd. (Council District 4 - Phipps)

Current Zoning: O-2 (office), MUDD-O (mixed use development, optional) and INST (institutional)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

19. Rezoning Petition: 2018-084 by Amicus Partners, PLLC

Location: Approximately 42.05 acres located at the southeast intersection of Plaza Road Extension and Hood Road. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-4 (single family residential)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

20. Rezoning Petition: 2018-087 by Midwood-Overlook, LLC

Location: Approximately 0.22 acres located at the intersection of Central Avenue and Iris Drive. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

21. Rezoning Petition: 2018-089 by Andres Mera-Borja

Location: Approximately 0.23 located on East 15th Street between North Davidson Street and North Alexander Street. (Council District 1 - Egleston)

Current Zoning: I-2 (general industrial)

Proposed Zoning: UR-C (urban residential - commercial)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this conventional petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

22. Rezoning Petition: 2018-090 by Fourstore, LLC

Location: Approximately 1.1 acres located on the west side of Providence Road, south of Interstate 485.
(Council District 7 - Driggs)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

23. Rezoning Petition: 2018-091 by SCBP Developer, LLC

Location: Approximately 8.65 acres located on the east side of Steele Creek Road, north of South Tryon Street. (Council District 3 - Mayfield)

Current Zoning: O-1(CD) (office, conditional)

Proposed Zoning: O-1(CD) SPA (office, conditional, site plan amendment)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

24. Rezoning Petition: 2018-094 by Hopper Communities, Inc.

Location: Approximately 2.03 acres located on the east side of Elm Lane, south of Williams Pond Road.
(Council District 7 - Driggs)

Current Zoning: R-12MF(CD) (multi-family residential, conditional)

Proposed Zoning: UR-2(CD) (urban 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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

HEARINGS**25. Rezoning Petition: 2015-027 by Charlotte Housing Authority**

Update: Petitioner is requesting deferral to May 20, 2019

Location: Approximately 3.031 acres located on the southeast corner at the intersection of Cherry Street and East 1st Street. (Council District 1 - Egleston)

Current Zoning: R-22MF (multi-family, residential)

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

26. Rezoning Petition: 2017-186 by Drakeford Co.

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 0.87 acres located on the north side of West Kingston Avenue, west of South Tryon Street. (Council District 3 - Mayfield)

Current Zoning: R-22MF, HD (multi-family residential, historic district overlay)

Proposed Zoning: UR-2(CD), HD (urban residential, conditional, historic district overlay), with five-year vested rights

27. Rezoning Petition: 2017-206 by BWN Investments, LLC

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 3.35 acres located on the east side of East W.T. Harris Boulevard, at the intersection of Lawyers Road, north of Albemarle Road. (Council District 5 - Newton)

Current Zoning: R-17MF (multi-family residential)

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

28. Rezoning Petition: 2018-058 by White Oak Management, Inc.

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 0.76 acres located on the east side of Craig Avenue, north of North Sharon Amity Road. (Council District 5 - Newton)

Current Zoning: R-17MF (multi-family residential)

Proposed Zoning: O-2(CD) (office, conditional)

29. Rezoning Petition: 2018-072 by Thunderbyrd, LLC

Location: Approximately 7.68 acres located on the south side of Miranda Road, west of Primm Road. (Outside City Limits)

Current Zoning: R-3 LWPA (single family residential, Lake Wylie Protected Area)

Proposed Zoning: R-5(CD) LWPA (single family residential, conditional, Lake Wylie Protected Area)

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

30. Rezoning Petition: 2018-099 by Shea Homes

Location: Approximately 3.59 acres located on the north side of East 36th Street between Holt Street and Spencer Street. (Council District 1-Egleston)

Current Zoning: R-5 (single family residential) and R-8MF(CD) (multi-family residential, conditional)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

31. Rezoning Petition: 2018-086 by Jacob Norris

Location: Approximately 0.30 located at the intersection of The Plaza and McClintock Road. (Council District 1 - Egleston)

Current Zoning: B-2 (PED) (general business, pedestrian overlay)

Proposed Zoning: MUDD-O (PED) (mixed use development - optional, pedestrian overlay)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of the outstanding issues related to site and building design, and a technical revision.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

32. Rezoning Petition: 2018-088 by OMS BCP, LLC

Location: Approximately 1.27 acres located on the north side of Ballantyne Commons Parkway, east of Rea Road. (Council District 7 - Driggs)

Current Zoning: O-1(CD) (office, conditional)

Proposed Zoning: O-1(CD) SPA (office, conditional, site plan amendment)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

33. Rezoning Petition: 2018-093 by US Development, INC.

Location: Approximately 1.43 acres located on the west side of Nations Ford Road, north of West Tyvola Road. (Council District 3 - Mayfield)

Current Zoning: R-4 (single family residential)

Proposed Zoning: R-12MF(CD) (multi-family residential, conditional)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

34. Rezoning Petition: 2018-108 by Elmington Capital Group

Location: Approximately 10.54 acres located between South Tryon Street and John Price Road across from Nevada Boulevard. (Council District 3-Mayfield)

Current Zoning: I-1 (light industrial)

Proposed Zoning: R-22MF(CD) (multi-family residential, conditional)

Staff Recommendation:

Staff recommends denial of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

35. Rezoning Petition: 2018-098 by Cygnus Construction, LLC

Location: Approximately 0.20 acres located at the intersection of Parkwood Avenue and East 15th Street.
(Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

Proposed Zoning: TOD-M (transit oriented development-mixed use)

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

36. Rezoning Petition: 2018-112 by Michael Loeb

Location: Approximately 0.33 acres located at the intersection of East Sugar Creek Road and Anderson Street, south of The Plaza. (Council District 1-Egleston)

Current Zoning: R-5 (single family residential)

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

37. Rezoning Petition: 2018-107 by JDSI, LLC

Location: Approximately 6.29 acres located on the east side of East W.T. Harris Boulevard and the end of Susan Drive, north of Hickory Grove Road. (Council District 5-Newton)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-8 (single family residential)

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

38. Rezoning Petition: 2018-095 by WeWork Companies

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 0.82 acres located at the corner of North Tryon Street and West 4th Street.
(Council District - Harlow)

Current Zoning: UMUD (uptown mixed use)

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

39. Rezoning Petition: 2018-102 by Audies Moore

Update: Petitioner is requesting a two month deferral January 22, 2019

Location: Approximately 0.24 acres located on Odum Avenue, southeast of the intersection of Rozzelles Ferry Road and Honeywood Avenue. (Council District 2-Harlow)

Current Zoning: B-2 (general business)

Proposed Zoning: I-2 (general industrial)

40. Rezoning Petition: 2018-104 by Pal-A-Roos Properties, LLC

Location: Approximately 3.25 acres located on the west side of Mallard Creek Road, south of Governor Hunt Road. (Council District 4-Phipps)

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

Proposed Zoning: INST(CD) SPA (institutional, conditional, site plan amendment) with five-year vested rights

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation, environment, and technical items.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

41. Rezoning Petition: 2018-083 by Chick-fil-A

Update: Petitioner is requesting deferral to December 17, 2018

Location: Approximately 0.88 located on the south side of Woodlawn Road, east of Park Road. (Council District 6 - Bokhari)

Current Zoning: B-1 (neighborhood business)

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

42. Rezoning Petition: 2018-101 by Llewellyn Development, LLC

Location: Approximately 2.7 acres located on the south side of McKee Road, east of Kuykendall Road. (Council District 7- Driggs)

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-6 (single family residential)

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

43. Rezoning Petition: 2018-103 by Griffin Industrial Reality

Location: Approximately 35.91 acres located on the west side of Old Statesville Road, north of Hucks Road. (Outside City Limits)

Current Zoning: R-4 (single family residential)

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

Staff recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

44. Rezoning Petition: 2018-067 by NVR, Inc

Location: Approximately 18.06 acres located on the north side of Mallard Creek Road. (Outside City Limits)

Current Zoning: 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 site and building design, transportation, and environment.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

45. Rezoning Petition: 2018-109 by Eastgroup Properties, LP

Location: Approximately 24.23 acres located on the west side of Sandy Porter Road, north of I-485. (Outside City Limits)

Current Zoning: I-1(CD) AIR (light industrial, conditional, airport noise overlay)

Proposed Zoning: I-1(CD) SPA AIR (light industrial, conditional, site plan amendment, airport noise overlay)

Staff Recommendation:

Staff recommends approval of this petition upon resolution of the outstanding issue pertaining to environment.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan