

City of Charlotte

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



Zoning Agenda

Thursday, January 3, 2019

Charlotte-Mecklenburg Government Center

Zoning Committee Work Session

*John Fryday - Chairperson
Elizabeth McMillan - Vice-Chairperson
Phillip Gussman
John Ham
Bolyn McClung
Keba Samuel
Cozzie Watkins*

Zoning Committee Work Session

Deferrals

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

Update: Petitioner is requesting deferral of Zoning Committee Recommendation to February 5, 2019

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

2. Rezoning Petition: 2018-123 by Topgolf International, Inc.

Update: Petitioner is requesting deferral of Zoning Committee Recommendation to February 5, 2019

Location: Approximately 14.20 acres located along McFarlane Boulevard and south of University City Boulevard. (Council District 4 - Phipps)

Zoning Items

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

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

Public Hearing Held: December 17, 2018 - Item #26

Staff Resource: [Solomon Fortune](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2017-186 PH 01-03-2019 kmfinal lh](#)

[2017-186 RevSitePlan 12-20-2018](#)

[2017-186 ConsistencyStatement 01-03-2019 kmfinal](#)

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

Location: Approximately 0.77 acres located on the east side of Craig Avenue, north of North Sharon Amity Road. (Council District 5 - Newton)

Public Hearing Held: December 17, 2018 - Item #32

Staff Resource: [Sonja Sanders](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-058 Poststaff 010318 kmfinal](#)

[2018-058 RevSitePlan 12-20-2018](#)

[2018-058 Consistency Statement 1-3-19 kmfinal](#)

5. Rezoning Petition: 2018-063 by LandDesign, Inc.

Public Hearing Held: December 17, 2018 - Item #33

Staff Resource: [Sandy Montgomery](#)

Summary of petition:

- 1) add two new definitions for "useable common open space" and "private open space" and modify a current definition for "sublot".
- 2) provide an alternative to requiring private open space when land is sold with an attached single family dwelling unit by allowing a percentage of useable common open space to be provided instead. This would apply in multiple zoning districts.
- 3) Allows additional features and amenities to count towards private open space and useable open space.

Staff Recommendation:

Staff recommends approval of this petition.

[2018-063 Poststaff 12-17-18 kmfinal](#)

[2018-063 Text Amendment Rev 5 12-12-18](#)

[2018-063 Consistency Statement 1-3-19 kmfinal](#)

6. Rezoning Petition: 2018-069 by Dependable Development

Location: Approximately 10 acres located on the west side of Mt. Holly-Huntersville Road, south of Mt. Holly Road. (Outside City Limits)

Public Hearing Held: December 17, 2018 - Item #34

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-069 Post 01-03-2019 CLG12-17 kmfinal CLG1-3 FINAL](#)

[2018-069 RevSitePlan 12-20-2018](#)

[2018-069 ZC Consistency CLG12-17 km 1227 lh](#)

7. Rezoning Petition: 2018-075 by Fountain Residential Partners

Location: Approximately 10.77 acres located at the northeast intersection of East Mallard Creek Church Road and University City Boulevard. (Council District 4 - Phipps)

Public Hearing Held: December 17, 2019 - Item #35

Staff Resource: [Sonja Sanders](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-075 post 010318 kmfinal SSS010319Final](#)

[2018-075 RevSitePlan 12-20-2018](#)

[Previously Approved Cover Page](#)

[2018-75 Prev Approved 1997-062AAAUG2002](#)

[2018-075 Consistency Statement 1-3-19 kmfinal](#)

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

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

Public Hearing Held: December 17, 2018 - Item #28

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-083 PostStaff 1-3-19 kmfinal](#)

[2018-083 RevSitePlan 12-20-2018](#)

[2018-083 ConsistencyStatement 1-3-19 kmfinal](#)

9. Rezoning Petition: 2018-085 by The Spectrum Companies

Location: Approximately 4.89 acres located on the west side of South Tryon Street, south of Carson Boulevard. (Council District 3 - Mayfield)

Public Hearing Held: December 17, 2018 - Item #36

Staff Resource: [Solomon Fortune](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-085 Post 01-03-2019 kmfinal](#)

[2018-085 RevSitePlan 12-20-2018](#)

[2018-085 ConsistencyStatement 01-03-2019 kmfinal](#)

10. Rezoning Petition: 2018-095 by WeWork Companies

Location: Approximately 0.82 acres located at the corner of North Tryon Street and West 4th Street. (Council District 2 - Harlow)

Public Hearing Held: December 17, 2018 - Item #37

Staff Resource: [Solomon Fortune](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-095 Post 01-03-2019 kmfinal](#)

[2018-095 RevSitePlan 12-20-2018](#)

[2018-095 ConsistencyStatement 101-03-2019 kmfinal lh](#)

11. Rezoning Petition: 2018-105 by Greg Godley

Location: Approximately 0.90 acres located on the south side of East 36th Street between The Plaza and Holt Street. (Council District 1 - Egleston)

Public Hearing Held: December 17, 2018 - Item #38

Staff Resource: [Sonja Sanders](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-105 poststaff 010318 kmfinal](#)

[2018-105 RevSitePlan 12-20-2018](#)

[2018-105 Consistency Statement 1-3-19 kmfinal](#)

12. Rezoning Petition: 2018-106 by Lincoln Harris

Location: Approximately 2.58 acres located on Carnegie Boulevard, near Torp Landing Boulevard and Charmeck Palisades Drive, west of Barclay Downs Drive. (Council District 6 - Bokhari)

Public Hearing Held: December 17, 2018 - Item #29

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-106 Poststaff 1-3-19 km0102](#)

[2018-106 RevSitePlan 12-20-2018](#)

[Previously Approved Cover Page](#)

[2018-106 approvedplan 2010-056](#)

[2018-106 ConsistentStatement 1-3-19 kmfinal](#)

13. Rezoning Petition: 2018-111 by David Weekley Homes

Location: Approximately 5.79 acres bounded by Drummond Avenue, Lydia Avenue, Catawba Avenue, and Duncan Avenue, off The Plaza. (Council District 1 - Egleston)

Public Hearing Held: December 17, 2018 - Item #39

Staff Resource: [Sonja Sanders](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-111 postHearing 010319 kmfinal](#)

[2018-111 RevSitePlan 12-20-2018](#)

[2018-111 Consistency Statement 1-3-19 kmfinal](#)

14. Rezoning Petition: 2018-113 by Ryan Companies

Location: Approximately 11.34 acres located on the north side of Shopton Road west of Beam Road. (Council District 3 - Mayfield)

Public Hearing Held: December 17, 2018 - Item #40

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-113 Post 01-03-2019 CLG12-17 kmfinal](#)

[2018-113 ZC Consistency 01-03-2019 CLG12-17 kmfinal](#)

15. Rezoning Petition: 2018-116 by JDSI, LLC

Location: Approximately 1.34 acres located on the northeast corner of Mallard Creek Road and Hubbard Road. (Council District 2 - Harlow)

Public Hearing Held: December 17, 2018 - Item #41

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-116 Post hearing staff 12-18-2018 kmfinal](#)

[2018-116 Consistency Statement 12-18-2018 kmfinal](#)

16. Rezoning Petition: 2018-118 by JKS Management, LLC

Location: Approximately 0.82 acres located on the south side of Montford Drive, east of Park Road. (Council District 6 - Bokhari)

Public Hearing Held: December 17, 2018 - Item #30

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-118 staff 1-3-19 kmfinal](#)

[2018-118 RevSitePlan 12-28-18](#)

[Previously Approved Cover Page](#)

[2018-118 approvedplan 2017-116](#)

[2018-118 ConsistencyStatement 1-3-19 kmfinal](#)

17. Rezoning Petition: 2018-120 by Clarius Partners, LLC

Location: Approximately 34.63 acres located on the north side of Tuckaseegee Road, west of Westwood Drive, north of Interstate 85. (Council District 3 - Mayfield)

Public Hearing Held: December 17, 2018 - Item #31

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-120 Post Staff 01-03-19 CLG12-17 kmfinal](#)

[2018-120 RevSitePlan 12-20-2018](#)

[2018-120 ZC Consistency 01-03-2019 CLG12-17 kmfinal](#)

18. Rezoning Petition: 2018-122 by Greg Grueneich & Brian Wallace

Location: Approximately 0.24 acres located near the intersection of East 4th Street and South Torrence Street, south of Charlottetowne Avenue. (Council District 1 - Egleston)

Public Hearing Held: December 17, 2018 - Item #43

Staff Resource: [Solomon Fortune](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-122 Post staff 01-03-2019 kmfinal rev](#)

[2018-122 RevSitePlan 12-20-2018](#)

[2018-122 ConsistencyStatement 01-03-2019 kmfinal](#)

19. Rezoning Petition: 2018-124 by Cross Development, LLC

Location: Approximately 2.75 acres located on the south side of University City Boulevard, east of Cabarrus Farm Road. (Outside City Limits)

Public Hearing Held: December 17, 2018 - Item #45

Staff Resource: [Sonja Sanders](#)

Staff Recommendation:

Staff recommends approval of this petition.

[2018-124 Post staff 010318 kmfinal](#)

[2018-124 Consistency Statement 1-3-19 kmfinal](#)

20. Rezoning Petition: 2018-125 by Brookshire Boulevard

Location: Approximately 1.06 acres located on the west side of Brookshire Boulevard, north of Lawton Road. (Council District 2 - Harlow)

Public Hearing Held: December 17, 2018 - Item #46

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

Staff Recommendation:

Staff recommends approval of this petition.

[2018-125 Post 01-03-2018 CLG12-26 kmfinal](#)

[2018-125 ZC Consistency 01-03-2018 CLG12-26 kmfinal](#)

21. Rezoning Petition: 2001-016 (C) by Kimley Horn - Innovative Request

Location: Approximately located on the west side of Grand Palisades Parkway south of Vale Ridge Drive.

Staff Resource: [Solomon Fortune](#)

Request: Innovative provisions are being requested for the MX-3 residential portion of the Palisades Development associated with petition 2001-016 (C). The following items are the requested innovative provisions:

1. Removal of a street connection due to topography and wetlands.
2. New public street with a cul-de-sac.

Staff Recommendation:

Staff recommends approval of the innovative request.

[2001-016C Requested Innovative Plan](#)

[Previously Approved Cover Page](#)

[2001-016C Previously approved innovative Sept 2013](#)

22. Rezoning Petition: 2005-080 by Bob Barone - Innovative Request

Location: Approximately located on the north side of Ridge Road between Prosperity Ridge Road and Prosperity View Drive.

Staff Resource: [Solomon Fortune](#)

Request: Innovative provisions are being requested for the MX-2 residential development Ridge Road Villas associated with petition 2005-080. The following items are the requested innovative provisions:

1. Allow an existing private street (Boomerang Way) to convert to a public street.
2. Allow a 15-foot setback from the edge of pavement.
3. Allow a 26-foot-wide public street.
4. Allow a 13-foot setback for units 4, 6, and 7 on the plan.

Staff Recommendation:

Staff recommends approval of the innovative request.

[2005-080 Boomerang Way Submittal 01](#)

[Previously Approved Cover Page](#)

[2005-080 Previously approved site plan](#)