

City of Charlotte

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



Zoning Agenda

Monday, March 15, 2021

Electronic Regular Meeting Hosted from Room 267

City Council Zoning Meeting

*Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Malcolm Graham
Council Member Renee Johnson
Council Member Matt Newton
Council Member Greg Phipps
Council Member Victoria Watlington
Council Member Braxton Winston II*

REMOTE MEETING

**1. 5:00 P.M. CITY COUNCIL ZONING MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
ELECTRONIC REGULAR MEETING HOSTED FROM ROOM 267**

Call to Order

Introduction

Invocation

Pledge of Allegiance

Explanation of Zoning Meeting

Deferrals/Withdrawals

2a. Closed Session (as necessary)

2b. Follow Up Report

[March Follow-Up Report Draft_DONE](#)

DECISIONS

3. Rezoning Petition: 2019-179 by Ronald Staley, Jr. of Verde Homes, LLC

Update: Petitioner is requesting deferral to April 19, 2021

Location: Approximately 1 acre located near the SE intersection of Parkwood Avenue and Hawthorne Lane in the Plaza Midwood community. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential) & R-22MF (multi-family residential)

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

[2019_179_ZCR_DONE](#)

[2019_179_FSA_DONE](#)

[2019_179_SitePlanRev_2020_08_18](#)

4. Rezoning Petition: 2020-038 by Clover Group, Inc.

Location: Approximately 9.96 acres located on the east side of Steele Creek Road and south of Erwin Road. (Council District 3 - Watlington)

Current Zoning: R-3 (single-family residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

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

[2020_038_ZCR_DONE](#)

[2020_038_FSA_DONE](#)

[2020_038_RevSitePlan_2021_03_02](#)

5. Rezoning Petition: 2020-068 by Levine Properties, Inc.

Location: Approximately 8.5 acres located along the east and west side of Hedgemore Road, south of Woodlawn Road, and west of Selwyn Avenue. (Council District 6 - Bokhari)

Current Zoning: O-1 (office) and MUDD (CD) (mixed-use development district, conditional)

Proposed Zoning: MUDD-O (mixed-use development district, optional) with 5-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 upon resolution of requested technical revision related to environment.

[2020_068_ZC_Reco_DONE](#)

[2020_068_FSA_DONE](#)

[2020_068_SiteplanRev_21_3_4](#)

6. Rezoning Petition: 2020-083 by The Keith Corporation

Location: Approximately 2.397 acres located along the northeast side of 5th Street, the southwest side of Park Drive, and north of Caswell Road. (Council District 1 - Egleston)

Current Zoning: O-2 (office) and R-43MF (multi-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.

[2020_083_ZCReco_DONE](#)

[2020_083_FSA_DONE](#)

[2020_083_RevSitePlan_2021_03_05](#)

7. Rezoning Petition: 2020-134 by Impact, LLC

Location: Approximately 26.59 acres located in the southeastern corner of the intersection of Rhyne Road and Mount Holly Road. (ETJ)

Current Zoning: CC, LWPA (commercial center, Lake Wylie Protected Area)

Proposed Zoning: CC SPA, LWPA (commercial center site plan amendment, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_134_ZCR_DONE](#)

[2020_134_FSA_DONE](#)

[2020-134_RevSitePlan_2021_03_05](#)

8. Rezoning Petition: 2020-153 by 9900 Mount Holly Road, LLC

Location: Approximately 13.04 acres located along the north side of Mount Holly Road, south of Stonyridge Drive, and northwest of Sonoma Valley Drive. (Council District 2 - Graham)

Current Zoning: R-17 MF LWPA (multi-family residential, Lake Wylie Protected Area) and R-3 LWPA (single-family residential, Lake Wylie Protected Area)

Proposed Zoning: R-17 MF (CD) LWPA (multi-family residential, conditional, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_153_ZCR_DONE](#)

[2020_153_FSA_DONE](#)

[2020_153_RevSitePlan_2020_2_24](#)

9. Rezoning Petition: 2020-156 by Eastgroup Properties

Location: Approximately 38.33 acres located along the east and west side of Pinecrest Drive, north of Shopton Road, and east of Interstate 485. (ETJ nearest Council District 3 - Watlington)

Current Zoning: R-3 AIR (single-family residential, airport noise overlay)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_156_ZCR_DONE](#)

[2020_156_FSA_DONE](#)

[2020_156_RevSitePlan_2021_3_3](#)

10. Rezoning Petition: 2020-161 by KM JDH Beatties Ford, LLC

Location: Approximately 0.377 acres located on the south side of Mt Holly-Huntersville Road, east of Fox Thorne Drive and west of Beatties Ford Road. (Council District 2 - Graham)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_161_ZC_Reco_DONE](#)

[2020_161_Final_SA_DONE](#)

[2020-161_RevSitePlan_2021_02_24](#)

11. Rezoning Petition: 2020-162 by Mt. Island Promenade, LLC

Location: Approximately 6.11 acres located along the northwest side of Smith Farm Road, the southeast side of Corning Place, and south of Riverbend Village Drive. (Council District 2 - Graham)

Current Zoning: NS LWPA (neighborhood services, Lake Wylie Protected Area)

Proposed Zoning: NS SPA LWPA (neighborhood services, site plan amendment, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_162_ZCR_DONE](#)

[2020_162_FSA_DONE](#)

[2020-162_RevSitePlan_2021_02_24](#)

12. Rezoning Petition: 2020-165 by Taylor Davis

Location: Approximately 6.99 acres located along the south side of Mt. Holly - Huntersville Road, the east side of Beatties Ford Road, and north of Interstate 485. (Council District 2 - Graham)

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

Proposed Zoning: R-8MF (CD) SPA (multi-family residential, conditional site plan amendment) with 5-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.

[2020_165_ZC_Reco_DONE](#)

[2020_165_FSA_DONE](#)

[2020-165_RevSitePlan_2021_02_24](#)

13. Rezoning Petition: 2020-167 by Hopper Communities

Location: Approximately 3.08 acres located on the west side of Bancroft Street, north of 24th Street, and east of Graham Street. (Council District 1 - Egleston)

Current Zoning: I-2 (general industrial) and R-5 (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.

[2020_167_ZC_Reco_DONE](#)

[2020_167_FSA_DONE](#)

[2020-167_RevSitePlan_2021_03_10](#)

14. Rezoning Petition: 2020-170 by Sree Properties

Location: Approximately .26 acres with frontages on Downs Avenue and Shamrock Drive, east of Newell Avenue. (Council District 1 - Egleston)

Current Zoning: R-5 (residential)

Proposed Zoning: R-8 (residential)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_170_ZCR_DONE](#)

[2020_170_FSA_DONE](#)

15. Rezoning Petition: 2020-174 by MOD CLT, LLC

Location: Approximately 0.44 acre at the southeastern corner of the intersection of Norwood Drive and Parkway Avenue. (Council District 2 - Graham)

Current Zoning: R-5 (single-family residential)

Proposed Zoning: R-8 (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.

[2020_174_ZCR_DONE](#)

[2020_174_FSA_DONE](#)

16. Rezoning Petition: 2020-175 by Lincoln Harris, LLC

Location: Approximately 2.34 acres bounded by the northeast side of 5th Street, southeast of North Tryon Street, southwest of East 6th Street, and northwest of North College Street. (Council District 2 - Graham)

Current Zoning: UMUD (uptown mixed-use district)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_175_ZCR_DONE](#)

[2020_175_FSA_DONE](#)

[2020_175_RevSitePlan_2021_03_04](#)

17. Rezoning Petition: 2020-178 by Teresa M. Orsini

Location: Approximately 0.7 acre located SW of the intersection of Belmont Avenue and Seigle Avenue in the Belmont neighborhood. (Council District 1 - Egleston)

Current Zoning: MUDD-O/I-2 (mixed-use development, optional & industrial)

Proposed Zoning: MUDD-O and MUDD-O SPA (mixed-use development, optional and mixed-use development, optional, 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.

[2020_178_ZCR_DONE](#)

[2020_178_FSA_DONE](#)

[2020_178_RevSitePlan_2021_03_04](#)

18. Rezoning Petition: 2020-180 by NRP Properties, LLC

Location: Approximately 9.931 acres located on the east side of Sugar Creek Road, south of Rolling Hill Drive, and north Tryon Street. (Council District 4 - Johnson)

Current Zoning: R-12MF (multi-family residential) and R-4 (single-family residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_180_ZCR_DONE](#)

[2020_180_FSA_DONE](#)

[2020_180_RevSitePlan_2021_03_08](#)

HEARINGS

19. Rezoning Petition: 2020-133 by D.R. Horton

Update: Petitioner is requesting deferral to April 19, 2021

Location: Approximately 26.195 acres located on the south side of Hamilton Road, east of Youngblood Road, and west of Steele Creek Road. (ETJ)

Current Zoning: R-3 (single-family residential)

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

20. Rezoning Petition: 2020-155 by Go Store It South Tryon, LLC

Update: Petitioner is requesting deferral to April 19, 2021

Location: Approximately 5.39 acres located along the north side of South Tryon, east of Whitehall Park Drive, and west of Interstate 485. (Council District 3-Watlington)

Current Zoning: I-1 (light industrial)

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

21. Rezoning Petition: 2020-186 by Sam's Mart

Update: Petitioner has withdrawn this petition

Location: Approximately 1.101 acres located along the south side of University City Boulevard, on the north side of Old Concord Road, and east of John Kirk Drive. (Council District 4 - Johnson)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: B-2 (general business)

22. Rezoning Petition: 2020-103 by Fielding homes/DRB Group

Location: Approximately 5.92 acres located along the east side Providence Road and along the north side of Alexander Road. (Council District 7-Driggs)

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 and transportation, and requested technical revisions related to site and building design.

[2020_103_PHSА DONE](#)

[2020_103_revsiteplan_2_8_21](#)

23. Rezoning Petition: 2020-190 by Northwood Ravin

Location: Approximately 1.3 acres located along the west side of South Kings Drive, east of Kenilworth Avenue, and south of Charlottetowne Avenue. (Council District 1 - Egleston)

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

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

Staff Recommendation:

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

[2020_190_PHSА DONE](#)

[2020_190_RevSitePlan_2021_02_08](#)

24. Rezoning Petition: 2020-195 by Smith Southeast Development, Inc.

Location: Approximately 2.9 acres located along the south side of Rea Road, east of Colony Road, and west of Stourton Lane. (Council District 7 - Driggs)

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

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, and technical revisions related to site and building design.

[2020_195_PHSА DONE](#)

[2020_195_RevisedPlan_21_2_23_comments](#)

25. Rezoning Petition: 2020-197 by The Paces Foundation, Inc.

Location: Approximately 4.54 acres located along the south side of Elmin Street, on the north side of West Boulevard, east of Old Steele Creek Road. (Council District 3 - Watlington)

Current Zoning: R-5 (single-family residential) and R-8 (single-family residential)

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

Staff Recommendation:

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

[2020_197_PHSА_DONE](#)

[2020_197_RevSitePlan_2021_02_08](#)

26. Rezoning Petition: 2020-200 by Elmington Capital Group

Location: Approximately 8.862 acres located on the south side of West Boulevard, the west side of Beech Nut Road, and east of Clanton Road. (Council District 3 - Watlington)

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

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

Staff Recommendation:

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

[2020_200_PHSА_DONE](#)

[2020_200_RevSitePlan_2021_02_08](#)

27. Rezoning Petition: 2020-141 by Flagship Healthcare Properties, LLC

Location: Approximately 1.55 acres located along the southeast side of Colonial Avenue, along the west side of Vail Avenue, and the northeast side of Randolph Road. (Council District 1 - Egleston)

Current Zoning: O-2 (office)

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

Staff Recommendation:

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

[2020_141_PHSА_DONE2](#)

[2020_141_RevSitePlan_2021_2_15](#)

28. Rezoning Petition: 2020-150 by Evolve Acquisition, LLC

Location: Approximately 20.267 acres located along the south side of Alexandria Road, north of Interstate 485, and west of Highway 77. (ETJ; Closest to District 2 - Graham)

Current Zoning: R-3 (single-family residential and BP (business park)

Proposed Zoning: R-17 MF (CD) (multi-family residential, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to site design.

[2020_150_PHSА_DONE](#)

[2020_150_SitePlan_2021_2_8](#)

29. Rezoning Petition: 2020-168 by The Building Agency, LLC

Location: Approximately 1.572 acres located off Arnold Drive, east of Eastway Drive and west of Kilborne Park in the Markham Village neighborhood. (Council District 1 - Egleston)

Current Zoning: R-4 (single-family residential)

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

Staff Recommendation:

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

[2020_168_PHSА_DONE](#)

[2020_168_SitePlan_2021_01_29](#)

30. Rezoning Petition: 2020-173 by FC Odell School, LLC

Location: Approximately 9.3 acres located south of Carolina Lily Lane, west of Mallard Creek Road, and east of Beard Road. (Council District 4 - Johnson)

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 transportation.

[2020_173_PHSА_DONE](#)

[2020-173_RevSitePlan_2021_01_11](#)

31. Rezoning Petition: 2020-179 by Agent 89 Properties, LLC

Location: Approximately .74 acre located at 4100 Robinwood Drive located in the Eastland/Wilora Lake community. (Council District 5 - Newton)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: R-4 (single-family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_179_PHSА DONE](#)

32. Rezoning Petition: 2020-184 by Pinky's, LLC

Location: Approximately 0.225 acre located along the west side of Freedom Drive and along the north side of West Morehead Street. (Council District 3 - Watlington)

Current Zoning: B-1 PED -O (neighborhood business, pedestrian overlay, optional)

Proposed Zoning: B-1 PED-O (SPA) (neighborhood business, pedestrian overlay, optional, site plan amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to transportation and site and building design and technical revisions related to site and building design.

[2020_184_PHSА DONE](#)

[2020_184_RevSitePlan_2021_02_08](#)

33. Rezoning Petition: 2020-185 by Providence Group Capital, LLC

Location: Approximately 0.808 acre located along the west side of Distribution Street, east of South Tryon Street, and south of Dunavant Street. (Council District 3 - Watlington)

Current Zoning: TOD-NC (transit-oriented development-neighborhood center)

Proposed Zoning: TOD-UC (transit-oriented development-urban center)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_185_PHSА DONE](#)

34. Rezoning Petition: 2020-187 by Sam's Mart

Location: Approximately 1.098 acres located along the south side of Central Avenue, on the west side of North Sharon Amity Road, and north of Spanish Quarter Circle. (Council District 5 - Newton)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: B-2 (general business)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_187_PHSА DONE](#)

35. Rezoning Petition: 2020-188 by Shaun Gasparini, True Homes, LLC

Location: Approximately 11.49 acres located near 13230 Plaza Road, near the Mecklenburg/Cabarrus County line.

Current Zoning: R-3 (single-family residential)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_188_PHSА DONE](#)

36. Rezoning Petition: 2020-189 by 5110 Gable Road, LLC

Location: Approximately 2.66 acres located east of Gable Road and south of Shopton Road. (ETJ; Closest to District 3 - Watlington)

Current Zoning: R-3 (single-family residential)

Proposed Zoning: I-2 (general industrial)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_189_PHSА DONE](#)

37. Rezoning Petition: 2020-191 by Central Avenue Karyae, LLC

Location: Approximately 0.075 acre located on the south side of Central Avenue, east of Pecan Avenue and west of Thomas Avenue. (Council District 1 - Egleston)

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

Proposed Zoning: B-2 PED (O) (general business, pedestrian overlay-optional)

Staff Recommendation:

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

[2020_191_PHSА DONE](#)

[2020_191_RevSitePlan_2021_02_08](#)

38. Rezoning Petition: 2020-193 by Premier Athletic Management, LLC

Location: Approximately 10.50 acres locates along the east side of Browne Road, south of Interstate 485, and west of Benfield Road. (Council District 4 - Johnson)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to environment and site design and requested technical revisions related to transportation.

[2020_193_PHSА DONE](#)

[2020_193_RevSitePlan_2021-02-08](#)

39. Rezoning Petition: 2021-002 by City of Charlotte, Aviation Department

Location: Approximately 4.98 acres located south of Byrum Drive, east of I-485, and west of Yorkmont Road. (Council District 3 - Watlington)

Current Zoning: R-3 AIR (single-family residential, airport noise overlay)

Proposed Zoning: I-2 AIR (general industrial, airport noise overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_002_PHSА DONE](#)

40. Rezoning Petition: 2021-005 by City of Charlotte, Aviation Department

Location: Approximately 108.67 acres located on the south side of Wilkinson Boulevard, east of Interstate 485, and west of Billy Graham Parkway. (Council District 3 - Watlington)

Current Zoning: R-4 LLWPA AIR (single-family residential, Lower Lake Wylie protected area, airport noise overlay), I-1 (CD) LLWPA AIR (light industrial, Lower Lake Wylie Protected area, airport noise overlay), and I-1 (LLWPA AIR (light industrial, Lower Lake Wylie protected area, airport noise overlay)

Proposed Zoning: I-2 LLWPA AIR (general industrial, Lower Lake Wylie protected area, airport noise overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_005_PHSА DONE](#)

41. Rezoning Petition: 2021-032 by E-Fix Development Co., LLC

Location: Approximately 0.298 acres located along the south side of LaSalle Street, on the east side of Taylor Avenue, and west of Beatties Ford Road. (Council District 2 - Graham)

Current Zoning: O-2 PED (office district, pedestrian overlay)

Proposed Zoning: B-1 PED-O (neighborhood business, pedestrian overlay - optional)

Staff Recommendation:

Staff does not recommend approval of this petition in its current form. Staff would support a revised plan that better aligns with the streetscape and pedestrian improvements specified in the *West End Land Use & Pedscape Plan*, and all other outstanding items being addressed.

[2021_032_PHSА_DONE](#)

[2021-032_siteplan_2021_02_24](#)

Adjournment