

City of Charlotte

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



Zoning Agenda

Tuesday, June 1, 2021

**Charlotte-Mecklenburg Government Center - Virtual
Meeting**

Zoning Committee Work Session

Keba Samuel - Chairperson

Erin Barbee

Andrew Blumenthal

Peter Kelly

Elizabeth McMillian

Victoria Nwasike

Douglas Welton

Zoning Committee Work Session

Zoning Items

1. Rezoning Petition: 2021-110 by Charlotte Planning, Design, & Development - Text Amendment

Summary of Petition:

This Text Amendment proposes to update the Zoning Ordinance to bring it into compliance with new North Carolina General Statute legislation (Chapter 160D) related to land use effective 7-1-21. This text amendment 1) updates N.C.G.S. references to align with Chapter 160D; 2) updates the processes for all development approvals, including written notices of decisions to both the applicant and the property owner; 3) updates the processes for filing applications, notice requirements, evidentiary hearing provisions and quasi-judicial procedures; and 4) adds conflict of interest standards for boards and administrative staff.

Public Hearing Held: May 17, 2021 - Item #22

Staff Resource: [Sandra Montgomery](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021 110 PostSA](#)

[2021-110 Summary of Text Amendment rev 2](#)

[2021 110 Consistency DONE](#)

2. Rezoning Petition: 2021-109 by Charlotte Planning, Design, & Development - Text Amendment

This Text Amendment proposes to update the Subdivision Ordinance to bring it into compliance with new North Carolina General Statute legislation (Chapter 160D) related to land use effective 7-1-21. This text amendment 1) updates N.C.G.S. references to align with new Chapter 160D legislation; 2) adds conflict of interest standards for boards, commissions, and administrative staff; 3) adds a requirement for written notices of decisions on preliminary plans and final plats, to be provided to the applicant and the property owner, if different; 4) modifies the performance guarantee regulations; 5) adds requirements for inspectors to present proper credentials prior to inspections, and that proper consent must be given to inspect areas not open to the public or an appropriate inspection warrant must be secured; 6) adds and modifies definitions, and 7) adds text that notifications of decisions sent by first-class mail are deemed received on the third business day for the purposes of filing an appeal.

Public Hearing Held: May 17, 2021 - Item #23

Staff Resource: [Sandra Montgomery](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_109_PSA_DONE](#)

[2021_109_Summary_Text_Amendment](#)

[2021_109_Consistency_DONE](#)

3. Rezoning Petition: 2021-113 by Charlotte Planning, Design, & Development - Text Amendment

Summary of Petition:

This Text Amendment proposes to update the Charlotte Tree Ordinance to bring it into compliance by July 1, 2021 with the requirements of North Carolina General Statute 160D. The text amendment 1) updates N.C.G.S. references to align with Chapter 160D legislation; 2) updates the processes and requirements for enforcement procedures; 3) updates the requirements for administrative decisions, evidentiary hearings and quasi-judicial procedures; 4) adds new vested rights and permit choice rules; and 5) adds conflict of interest standards for boards and administrative staff.

Public Hearing Held: May 17, 2021 - Item #24

Staff Resource: [Sandra Montgomery](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_113_PSA_DONE](#)

[2021-113_Text_Amendment_Summary_rev1](#)

[2021-113_Consistency](#)

4. **Rezoning Petition: 2021-107 by Charlotte Planning, Design, & Development - Text Amendment**

Summary of Petition:

This Text Amendment proposes to update the Mecklenburg County Zoning Ordinance to bring it into compliance with new North Carolina General Statute legislation (known as Chapter 160D) effective 7-1-21. This text amendment 1) updates N.C.G.S. references to align with Chapter 160D legislation; 2) updates the processes and requirements for zoning map amendments, conditional rezoning, variances, appeals, certificates of appropriateness, administrative amendments; 3) updates the requirements for notices for hearings and decisions, evidentiary hearing and quasi-judicial procedures, and permit and enforcement procedures; 4) adds new vested right and permit choice rules; and 5) adds conflict of interest standards for boards and administrative staff.

Staff Resource: [Sandra Montgomery](#)

[2021_107_PSA_DONE](#)

[2021-107 Summary Text Amendment_rev1](#)

[2021_107 Consistency_DONE](#)

5. **Rezoning Petition: 2017-118 by Phillips Investments Properties**

Location: Approximately 0.78 acre located on the west side of Statesville Road, north of Cindy Lane. (Council District 2 - Graham)

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

Proposed Zoning: B-2 (CD) (general business, conditional) with five-year vested rights

Public Hearing Held: May 17, 2021 - Item #25

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2017_118 PostHSA_DONE](#)

[2017_118 RevSitePlan_2021_04_12](#)

[2017_118 Consistency_DONE](#)

6. Rezoning Petition: 2020-192 by White Point Partners

Location: Approximately 3.50 acres located along the east side of Camden Road, north of East Boulevard, and west of South Boulevard. (Council District 3 - Watlington)

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

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

Public Hearing Held: May 17, 2021 - Item #26

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_192_PostHSA_DONE](#)

[2020_192_RevSitePlan_2021_4_12](#)

[2020_192_Consistency_DONE](#)

7. 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)

Public Hearing Held: May 17, 2021 - Item #27

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2020_197_PostHSA_DONE](#)

[2020_197_RevSitePlan_2021_03_17](#)

[2020_197_Consistency_DONE](#)

8. Rezoning Petition: 2021-007 by Pakchanok Lettsome

Location: Approximately 0.2 acre located near the intersection of E. 17th Street and Seigle Avenue in the Belmont Community. (Council District 1 - Egleston)

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

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

Public Hearing Held: May 17, 2021 - Item #28

Staff Resource: [Will Linville](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021 007 PostHSA DONE](#)

[2021 007 RevSitePlan 2021 05 20](#)

[2021 007 Consistency DONE](#)

9. Rezoning Petition: 2021-009 by Edward Judson McAdams

Location: Approximately .59 acre located at 2100 Matheson Avenue, directly adjacent to Charlotte Country Club. (Council District 1 - Egleston)

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

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

Public Hearing Held: May 17, 2021 - Item #29

Staff Resource: [Will Linville](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021 009 PostHSA DONE](#)

[2021 009 Consistency DONE](#)

10. Rezoning Petition: 2021-010 by Madison Capital Group

Location: Approximately 4.9 acres located north of Wilkinson Boulevard, south of Arty Drive, and west of Berryhill Road. (Council District 3 - Watlington)

Current Zoning: B-1 (neighborhood business, O-2 (office), and R-22 MF (multi-family residential)

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

Public Hearing Held: May 17, 2021 - Item #30

Staff Resource: [Lisa Arnold](#)

[2021 010 PostHSA DONE](#)

[2021 010 Consistency Statement DONE](#)

11. Rezoning Petition: 2021-013 by Hebron Road Holdings, LLC

Location: Approximately 8.25 acres bound by Old Hebron Road and Hebron Street, east of Nations Ford Road, and west of South Boulevard. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)

Proposed Zoning: I-2 (general industrial)

Public Hearing Held: May 17, 2021 - Item #31

Staff Resource: [John Kinley](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021 013 PostSA DONE](#)

[2021 013 Consistency DONE](#)

12. Rezoning Petition: 2021-015 by Exponential Development, LLC

Location: Approximately 2.56 acres located in the northeastern corner of the intersection of West Boulevard and Holabird Lane. (Council District 3 - Watlington)

Current Zoning: B-1S (CD) (business shopping center, conditional)

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

Public Hearing Held: May 17, 2021 - Item #33

Staff Resource: [Joe Mangum](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of an outstanding issue related to transportation.

[2021 015 PostSA DONE](#)

[2021 015 SitePlanRev 03 15 2021](#)

[2021 015 Consistency DONE](#)

13. Rezoning Petition: 2021-022 by OMS Dilworth, LLC

Location: Approximately 1.14 acres located in the western quadrant of the intersection of Cleveland Avenue and Worthington Avenue, east of South Boulevard. (Council District 1 - Egleston)

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

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

Public Hearing Held: May 17, 2021 - Item #34

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_022_PostHSA_DONE](#)

[2021_022_Consistency_DONE](#)

14. Rezoning Petition: 2021-030 by Lucern Capital Partners

Location: Approximately 2.55 acres located on the east side of Research Drive, north of West W. T. Harris Boulevard, and west of Interstate 85. (Council District 4 - Johnson)

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

Proposed Zoning: RE-3(O) (research, optional)

Public Hearing Held: May 17, 2021 - Item #35

Staff Resource: [Michael Russell](#)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_030_PostHSA_DONE](#)

[2021_030_RevSitePlan_2021_05_20](#)

[2021_030_Consistency_DONE](#)

15. Rezoning Petition: 2021-031 by Halley Douglas, Inc.

Location: Approximately 0.23 acre located on the north side of Laurel Avenue, east of Providence Road, and west of Randolph Road. (Council District 1 - Egleston)

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

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

Public Hearing Held: May 17, 2021 - Item #36

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

Staff Recommendation:

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

[2021 031 PostHSA DONE](#)

[2021 031 RevSitePlan 2021 05 20](#)

[2021 031 Consistency DONE](#)