

City of Charlotte

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



Zoning Agenda

Monday, September 20, 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

AWARDS AND RECOGNITIONS

1a. UNC Charlotte Day Proclamation

Action:

Mayor Lyles will read a proclamation recognizing September 24, 2021, as UNC Charlotte Day.

DECISIONS

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

Update: Petitioner is requesting deferral to October 18, 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)

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

Update: Petitioner is requesting deferral to October 18, 2021

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(CD) (transit-oriented development - neighborhood center, conditional)

4. Rezoning Petition: 2021-044 by Tribek Properties

Update: Petitioner is requesting deferral to October 18, 2021

Location: Approximately 2.07 acres bound by the east side of South Kings Drive, north side of East 3rd Street, and south side of 3rd-4th Connector Street. (Council District 1 - Egleston)

Current Zoning: B-2 (General Business), MUDD (CD) (mixed-use development, conditional)

Proposed Zoning: MUDD-O (mixed-use development, optional) with 5-year vested rights

5. 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_04_02](#)

6. Rezoning Petition: 2021-036 by Optimistic Venture Group, LLC

Location: Approximately 0.30 acre located on the south side of Hoskins Road and west side of Gossett Avenue. (Council District 2- Graham)

Current Zoning: R-6 MF (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.

[2021_036_ZCR_DONE](#)

[2021_036_FSA_DONE](#)

[2021_036_RevSitePlan_07_22_2021](#)

7. Rezoning Petition: 2021-048 by The Drakeford Company

Location: Approximately 0.65 acre located on Beatties Ford Road between French Street and Brookshire Freeway. (Council District 2 - Graham)

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

Proposed Zoning: NS PED (neighborhood services, pedestrian overlay)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_048_ZCR_DONE](#)

[2021_048_FSA_DONE](#)

[2021_048_RevSitePlan_09_01_2021](#)

8. Rezoning Petition: 2021-049 by TE Wash Holdings, LLC and ROC Wash Holdings, LLC

Location: Approximately 1.25 acres located at the NW intersection of Albemarle Road and Beaver Farms Road in east Charlotte. (ETJ-BOCC: 4-Jerrell, nearest CC: 5-Newton)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 6-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_049_ZCR_DONE](#)

[2021_049_FSA_DONE](#)

[2021_049_RevSitePlan_2021_09_09](#)

9. Rezoning Petition: 2021-052 by Woodlawn Community Fellowship, Inc.

Location: Approximately 1.74 acres located on the south side of the intersection of Selwyn Avenue and E. Woodlawn Road, east of Park Road. (Council District 6 - Bokhari)

Current Zoning: R-3 (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.

[2021_052_ZCR_DONE](#)

[2021_052_FSA_DONE](#)

[2021_052_siteplan_21_9_13](#)

10. Rezoning Petition: 2021-053 by Catalyst Capital Partners, LLC

Location: Approximately 7.06 acres located on the east side of University Executive Park drive, south of W.T. Harris Boulevard, and east of North Tryon Street. (Council District 4 - Johnson)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_053_ZCR_DONE](#)

[2021_053_FSA_DONE](#)

11. Rezoning Petition: 2021-054 by Space Craft, LLC

Location: Approximately .75 acre located near the SW terminus of N. Brevard Street at Parkwood Avenue with frontage along Blue Line. (Council District 1 - Egleston)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_054_ZCR_DONE](#)

[2021_054_FSA_DONE](#)

12. Rezoning Petition: 2021-057 by Providence Group Capital, LLC

Location: Approximately 1.13 acres located at the southern intersection of South Tryon Street, Rampart Street, and Dunavant Street, west of South Boulevard. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_057_ZCR_DONE](#)

[2021_057_FSA_DONE](#)

13. Rezoning Petition: 2021-058 by 501 Briar Creek, LLC

Location: Approximately 0.26 acre located on the west side of Briar Creek Road, northeast of Monroe Road, and west of Independence Boulevard. (Council District 1 - Egleston)

Current Zoning: O-2 (office)

Proposed Zoning: B-2 (general business)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_058_ZCR_DONE](#)

[2021_058_FSA_DONE](#)

14. Rezoning Petition: 2021-062 by Childress Klein Properties and Dominion Realty Partners

Location: Approximately 24.4 acres located southeast of W. Tyvola Road and northeast of Billy Graham Parkway, west of Interstate 77. (Council District 3 - Watlington)

Current Zoning: I-1 (CD) (light industrial, 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 does not recommend approval of this petition.

[2021_062_ZCR_DONE](#)

[2021_062_FSA_DONE](#)

[2021_062_RevSitePlan_2021_9_10](#)

15. Rezoning Petition: 2021-063 by Prologis, L.P.

Location: Approximately 105 acres located between Shopton Road and Beam Road. (Council District 3 - Watlington)

Current Zoning: B-D (CD) AIR (distributive business, conditional, 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.

[2021_063_ZCR_DONE](#)

[2021_063_FSA_DONE](#)

[2021_063_RevSitePlan_08_04_2021](#)

16. Rezoning Petition: 2021-065 b Anthony DeRosa

Location: Approximately 13 acres located west of Quay Road, east of Mallard Creek Road, and north of Ridge Road. (ETJ-BOCC: 3-Dunlap, nearest CC: 4-Johnson)

Current Zoning: CC (commercial center) and R-3 (single-family residential)

Proposed Zoning: R-22 MF (multi-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.

[2021_065_ZCR_DONE](#)

[2021_065_FSA_DONE](#)

17. Rezoning Petition: 2021-066 by TE Wash Holdings, LLC and ROC Wash Holdings, LLC

Location: Approximately 1.74 acres located on the west side of West W.T. Harris Boulevard, south of Mt. Holly-Huntersville Road, and west of Interstate 77. (Council District 2 - Graham)

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

Proposed Zoning: B-2 (CD) SPA (general business, conditional, site plan amendment)

Zoning Committee Recommendation:

The Zoning Committee voted 5-2 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_066_ZCR_DONE](#)

[2021_066_FSA_DONE](#)

[2021_066_RevSitePlan_2021_07_22](#)

18. Rezoning Petition: 2021-067 by Terwilliger Pappas

Location: Approximately 3.45 acres located on the east side of South Tryon Street and the northwest of Yancey Road, west of Old Pineville Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_067_ZCR_DONE](#)

[2021_067_FSA_DONE](#)

19. Rezoning Petition: 2021-068 by DreamKey Partners

Location: Approximately 5.24 acres located at the northwest intersection of Mallard Creek Road and Hubbard Road, south of West W.T. Harris Boulevard, and east of West Sugar Creek Road. (Council District 2 - Graham)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_068_ZCR_DONE](#)

[2021_068_FSA_DONE](#)

[2021_068_RevSitePlan_2021_07_22](#)

20. Rezoning Petition: 2021-069 by Selwyn Property Group, Inc.

Location: Approximately 2.19 acres located on the western corner of Morris Field Drive and Jason Avenue. (Council District 3 - Watlington)

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

Proposed Zoning: I-2 (general industrial)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_069_ZCR_DONE](#)

[2021_069_FSA_DONE](#)

HEARINGS

21. Rezoning Petition: 2015-027 by Charlotte Housing Authority

Update: Petitioner is requesting deferral to March 21, 2022

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)

22. Rezoning Petition: 2021-060 by SRL Central Avenue Properties, LLC

Update: Petitioner is requesting deferral to October 18, 2021

Location: Approximately 2.56 acres located at the NE corner of the intersection of Central Avenue and Morningside Drive in the Plaza-Midwood community. (Council District 1 - Egleston)

Current Zoning: B-1/B-2 (neighborhood business, general business)

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

23. Rezoning Petition: 2021-092 by The Charlotte-Mecklenburg Hospital Authority

Update: Petitioner is requesting deferral to October 18, 2021

Location: Approximately 14.28 acres located on the south side of South McDowell Street, east of East Morehead Street, and west of Interstate 277. (Council District 1 - Egleston)

Current Zoning: MUDD-O PED (mixed-use development, optional, pedestrian overlay), B-2 PED (general business, pedestrian overlay), B-1 PED (neighborhood business, pedestrian overlay), and O-2 PED (office, pedestrian overlay)

Proposed Zoning: MUDD-O PED with 5-year vested rights (mixed-use development district, optional, pedestrian overlay)

24. Rezoning Petition: 2021-014 by Whitestone Holdings, Inc.

Update: *Petitioner is requesting deferral to October 18, 2021*

Location: Approximately 0.23 acre located on the east side of Grandin Road between 4th Street and 4th Street Extension. (Council District 2 - Graham)

Current Zoning: R-5 HD (single-family residential, historic district overlay)

Proposed Zoning: MUDD-O HD (mixed-use development, optional, historic district overlay)

25. Rezoning Petition: 2021-137 by the City of Charlotte

Location: Approximately 1.73 acres located near the NE intersection of University City Boulevard and N. Tryon Street in the University City community. (Council District 4 - Johnson)

Current Zoning: B-2 (general business)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_137_PHSА DONE](#)

26. Rezoning Petition: 2021-138 by the City of Charlotte

Location: Approximately 2.60 acres located on the south side of Providence Road West, northeast of Marvin Road, and west of Johnston Road. (Council District 7 - Driggs)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_138_PHSА DONE](#)

27. Rezoning Petition: 2020-144 by Hopper Communities

Location: Approximately 1.285 acres located along E. 16th Street and Louise Avenue in the Belmont neighborhood. (Council District 1 - Egleston)

Current Zoning: I-1, R-5, and R-17MF (light industrial, residential, multi-family residential)

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

Staff Recommendation:

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

[2020_144_PHSА DONE](#)

[2020_144_RevSitePlan_2021_08_16](#)

28. Rezoning Petition: 2021-061 by Sunny Investments, LLC

Location: Approximately 3.05 acres located on the east side of Prosperity Church Road, south of Interstate 485, and west of Mallard Creek 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 and site and building design.

[2021_061_PHSА_DONE](#)

[2021_061_RevSitePlan_2021_08_17](#)

29. Rezoning Petition: 2021-070 by City of Charlotte - Aviation

Location: Approximately 44.61 acres located north of McAlpine Drive, east of Joy Lane, and west of Beam 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_070_PHSА_DONE](#)

30. Rezoning Petition: 2021-072 by NRP Properties, LLC

Location: Approximately 2.92 acres located at the northwest intersection of South Tryon Street and Trade Park Court, east of Interstate 77. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)

Proposed Zoning: TOD-CC (transit-oriented development - community center)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_072_PHSА_DONE](#)

31. Rezoning Petition: 2021-073 by Period Design Concepts, LLC

Location: Approximately 0.5 acre located south of Rozzelles Ferry Road, north of State Street, and west of W. Trade Street. (Council District 2 - Graham)

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

Proposed Zoning: TOD-CC PED (transit-oriented development - community center, pedestrian overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_073_PHSА_DONE](#)

32. Rezoning Petition: 2021-074 by Ardent Acquisitions, LLC

Location: Approximately 10.58 acres located on the west side of South Boulevard, east of Old Pineville Road, and south of Archdale Drive. (Council District 3 - Watlington)

Current Zoning: B-2 (general business)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_074_PHSА_DONE](#)

33. Rezoning Petition: 2021-076 by White Point Partners

Location: Approximately 5.74 acres located at the southeastern intersection of South Tryon Street and East Peterson Drive, and the south side of East Peterson Drive, north of Yancey Road. (Council District 3 - Watlington)

Current Zoning: I-2 (TS-O) PED (general industrial, transit supportive optional, pedestrian overlay district), O-2 (office), and R-8 (single-family residential)

Proposed Zoning: TOD-NC PED (transit-oriented development - neighborhood center, pedestrian overlay district)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_076_PHSА_DONE](#)

34. Rezoning Petition: 2021-077 by Lucern Capital Partners

Location: Approximately 3.07 acres located at the northeastern intersection of Research Drive and West W.T. Harris Boulevard, west of Interstate 85. (Council District 4 - Johnson)

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

Proposed Zoning: RE-3 (CD) (research, conditional)

Staff Recommendation:

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

[2021_077_PHSА_DONE](#)

[2021_077_RevSitePlan_2021_08_17](#)

35. Rezoning Petition: 2021-078 by M/I Homes of Charlotte, LLC

Location: Approximately 14.62 acres located on the south side of Ridge Road, west of Mallard Creek Road, and north of Interstate 485. (Council District 4 - Johnson)

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

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

Staff Recommendation:

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

[2021_078_PHS_A_DONE](#)

[2021_078_RevSitePlan_2021_08_17](#)

36. Rezoning Petition: 2021-080 by Apollo Holding Company, LLC

Location: Approximately 1.66 acres located on the eastern corner of the intersection of W. Tyvola Road and Potomac River Parkway and western corner of the intersection of W. Tyvola Road and Speer Boulevard. (Council District 3 - Watlington)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of an outstanding issue related to transportation and requested technical revisions related to transportation and the environment.

[2021_080_PHS_A_DONE](#)

[2021_080_RevSitePlan_08_16_2021](#)

37. Rezoning Petition: 2021-081 by Taylor Morrison, Inc.

Location: Approximately 15.98 acres located in the southeast and southwest quadrants of the West Mallard Creek Church Road and Senator Royall Drive intersection, west of Interstate 85. (Council District 4 - Johnson)

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

Proposed Zoning: NS (neighborhood services)

Staff Recommendation:

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

[2021_081_PHS_A_DONE](#)

[2021-081_RevSitePlan_2021_08_17](#)

38. Rezoning Petition: 2021-086 by JAG Development Company, LLC

Location: Approximately 4.50 acres located on the west side of Carmel Road, east of Johnston Road, and north of Pineville-Matthews Road. (Council District 6 - Bokhari)

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 issue related to transportation and technical revisions related to site and building design.

[2021_086_PHSA_DONE](#)

[2021_086_siteplan_21_8_16](#)

39. Rezoning Petition: 2021-182 by BIRDCO, Inc.

Location: Approximately .23 acres with frontages along Downs Avenue and Shamrock Drive, east of Newell Avenue. (Council District 1 - Egleston)

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

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

Staff Recommendation:

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

[2021_182_PHSA_DONE](#)

[2021_182_SitePlan_2021_08_04](#)

Adjournment