

# **City of Charlotte**

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



## **Zoning Agenda**

**Tuesday, July 5, 2022**

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

### **Zoning Committee Work Session**

***Phillip Gussman, Chairperson***

***Erin Barbee***

***Melissa Gaston***

***Ronnie Harvey***

***Peter Kelly***

***Courtney Rhodes***

***Wil Russell***

Zoning Committee Work Session

Zoning Items

**1. Rezoning Petition: 2021-209 by Coastal Acquisition Entity, LLC**

***Update: Petitioner is requesting deferral to August 2, 2022***

**Location:** Approximately 0.99 acres located at the southeastern corner of the intersection of Steele Creek Road and Rigsby Road. (Council District 3 - Watlington)

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

**Proposed Zoning:** NS (neighborhood services)

**2. Rezoning Petition: 2021-213 by Goldberg Companies, Inc.**

***Update: Petitioner is requesting deferral to August 2, 2022***

**Location:** Approximately 42.85 acres located on the south side of Pineville-Matthews Road, east of Hugh Forest Road, and west of Reverdy Lane. (Council District 7 - Driggs)

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

**Proposed Zoning:** R-12 MF (CD) SPA (multi-family residential, conditional, site plan amendment)

**3. Rezoning Petition: 2021-247 by HRLP Morrocroft LP**

***Update: Petitioner is requesting deferral to August 2, 2022***

**Location:** Approximately 7.56 acres located on the east side of Colony Road and west side of Morrison Boulevard (now named Carnegie Bv.), north of Fairview Road. (Council District 6 - Bokhari)

**Current Zoning:** B-1SCD (business, shopping center)

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

#### 4. Rezoning Petition: 2021-263 by Colwick Development, LLC

***Update: Petitioner is requesting deferral to August 2, 2022***

**Location:** Approximately 2.8 acres located at the northeast intersection of Colwick Road and Chiswick Road, south of Greenwich Road, and east of Randolph Road. (Council District 6 - Bokhari)

**Current Zoning:** O-2 (office)

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

#### 5. Rezoning Petition: 2022-019 by Chris Ogunrinde

***Update: Petitioner is requesting deferral to August 2, 2022***

**Location:** Approximately 3.74 acres located on the west side of South Tryon Street and northeast side of Pressley Road, east of Interstate 77. (Council District 3 - Watlington)

**Current Zoning:** B-2 (general business)

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

#### 6. Rezoning Petition: 2021-141 by The Drakeford Company

**Location:** Approximately 0.33 acres located on the east side of East 34th Street, northwest of The Plaza, and east of Matheson Avenue. (Council District 1 - Egleston)

**Current Zoning:** O-2 (office)

**Proposed Zoning:** NS (neighborhood services) with 3-year vested rights

**Public Hearing Held:** February 21, 2022 - Item #23

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

**Staff Recommendation:**

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

[2021\\_141\\_PostHSA\\_2040\\_DONE](#)

[2021\\_141\\_RevSitePlan\\_2022\\_02\\_24](#)

[2021\\_141\\_Consistency\\_2040](#)

## 7. Rezoning Petition: 2021-197 by Crescent Communities

**Location:** Approximately 1.91 acres located at the northeast intersection of Heath Court and Central Avenue, west of Hawthorne Lane, and east of Louise Avenue. (Council District 1 - Egleston)

**Current Zoning:** MUDD-O PED (mixed-use development, optional, pedestrian overlay) and TOD-CC PED (transit-oriented development, community center, pedestrian overlay)

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

**Public Hearing Held:** February 21, 2022 - Item #36

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

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 197 PostHSA DONE](#)

[2021 197 RevSitePlan 2022 06 20](#)

[2021 197 Consistency 2040](#)

## 8. Rezoning Petition: 2021-217 by Boulevard Real Estate Advisors, LLC

**Location:** Approximately 3.513 acres located at the northwest intersection of Orchard Circle and South Tryon Street, east of Interstate 77, and south of West Peterson Drive. (Council District 3 - Watlington)

**Current Zoning:** B-2 (general business) and R-8 (single-family residential)

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

**Public Hearing Held:** May 23, 2022 - Item #31

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 217 PostHSA DONE](#)

[2021 217 Consistency](#)

## 9. Rezoning Petition: 2021-218 by Boulevard Real Estate Advisors, LLC

**Location:** Approximately 3.68 acres located on the west side of South Tryon Street and northeast side of West Peterson Drive, south of Clanton Road. (Council District 3 - Watlington)

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

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

**Public Hearing Held:** May 23, 2022 - Item #32

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 218 PostHSA DONE](#)

[2021 218 Consistency](#)

## 10. Rezoning Petition: 2021-219 by Lincoln Property Company

**Location:** Approximately 2.65 acres located on the south side of Kenilworth Avenue, west side of Harding Place, and east side of East Morehead Street. (Council District 1 - Egleston)

**Current Zoning:** MUDD-O PED (mixed-use development, optional, site plan amendment, pedestrian overlay)

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

**Public Hearing Held:** April 18, 2022 - Item #35

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 219 PostSA DONE](#)

[2021 219 siteplanRev 22 4 21](#)

[2021 219 CS 2040](#)

## 11. Rezoning Petition: 2021-225 by Boulevard Real Estate Advisors, LLC

**Location:** Approximately 5.807 acres located on the south and north side of Orchard Circle, west of South Tryon Street, and east of Interstate 77. (Council District 3 - Watlington)

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

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

**Public Hearing Held:** May 23, 2022 - Item #33

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 225 PostHSA DONE](#)

[2021 225 Consistency](#)

## 12. Rezoning Petition: 2021-238 by Lennar Carolinas, LLC

**Location:** Approximately 5.12 acres on the south side of NC Music Factory Boulevard, adjacent to Elmwood Cemetery and near the NC Music Factory entertainment complex. (Council District 2 - Graham)

**Current Zoning:** I-2 (general industrial)

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

**Public Hearing Held:** May 23, 2022 - Item #36

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 238 PostSA 2040 DONE](#)

[2021 238 SitePlanRev 06 20 2022](#)

[2021 238 consistency 2040](#)

### 13. Rezoning Petition: 2021-244 by Juarez Silva

**Location:** Approximately 1 acre located on the south side of Cindy Lane near the intersection with Bowline Drive. (Council District 2 - Graham)

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

**Proposed Zoning:** I-1 (light industrial)

**Public Hearing Held:** May 23, 2022 - Item #38

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 244 PostSA 2040 DONE](#)

[2021 244 consistency 2040](#)

### 14. Rezoning Petition: 2021-249 by Mill Creek Residential

**Location:** Approximately 25.46 acres located on the west side of Steele Creek Road, south of the intersection with Sledge Road. (Council District 3 - Watlington)

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

**Proposed Zoning:** MX-2 (INNOV) & NS (mixed use, innovation) and (neighborhood services)

**Public Hearing Held:** May 23, 2022 - Item #29

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 249 PostSA 2040 DONE](#)

[2021-249 SitePlanRev 06 14 2022](#)

[2021 249 consistency 2040](#)

## 15. Rezoning Petition: 2021-079 by Piedmont Capital, LLC

**Location:** Approximately 7.88 acres located on the north side of North Wendover Road, west of Monroe Road, and east of Randolph Road. (Council District 1 - Egleston)

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

**Proposed Zoning:** NS (neighborhood services)

**Public Hearing Held:** April 18, 2022 - Item #27

**Staff Resource:** [David Pettine](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021\\_079\\_PostHSA2040\\_DONE](#)

[2021\\_079\\_RevSitePlan\\_2022\\_05\\_11](#)

[2021\\_079\\_Consistency2040\\_DONE](#)

## 16. Rezoning Petition: 2021-139 by Boulevard at 1800 Central, LLC

**Location:** Approximately 0.69 acres located at the southeast intersection of Central Avenue and Nandina Street, east of The Plaza. (Council District 1 - Egleston)

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

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

**Public Hearing Held:** June 20, 2022 - Item #29

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021\\_139\\_PostHSA\\_DONE](#)

[2021\\_139\\_DevStandards](#)

[2021\\_139\\_Consistency](#)



## 17. Rezoning Petition: 2021-211 by Legacy Construction Unlimited, Inc.

**Location:** Approximately 0.35 acres located along the west side of Seigle Avenue and east side of Van Every Street, south of Belmont Avenue. (Council District 1 - Egleston)

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

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

**Public Hearing Held:** June 20, 2022 - Item #30

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

**Staff Recommendation:**

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

[2021 211 PostHSA DONE](#)

[2021 211 RevSitePlan 2022 06 23](#)

[2021 211 Consistency](#)

## 18. Rezoning Petition: 2021-234 by Matt Gallagher

**Location:** Approximately 7.48 acres located on east side of Oneida Road, and west of Citadel Place, north of Interstate 85. (Council District 1 - Egleston)

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

**Proposed Zoning:** R-8 (CD) (single-family residential) with 5-year vested rights

**Public Hearing Held:** June 20, 2022 - Item #34

**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 234 PostHSA DONE](#)

[2021 234 RevSitePlan 2022 06 23](#)

[2021 234 Consistency](#)

## 19. Rezoning Petition: 2021-243 by KEH Properties, LLC

**Location:** Approximately 0.15 acres located at the northwest intersection of Kennon Street and Hawthorne Lane, south of Parkwood Avenue, and west of Thomas Avenue. (Council District 1 - Egleston)

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

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

**Public Hearing Held:** June 20, 2022 - Item #35

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

**Staff Recommendation:**

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

[2021\\_243\\_PostHSA\\_DONE](#)

[2021\\_243\\_RevSitePlan\\_2022\\_06\\_23](#)

[2021\\_243\\_Consistency](#)

## 20. Rezoning Petition: 2021-246 by MPV Properties

**Location:** Approximately 1.50 acres located on the east side of Providence Road, north of Pineville-Matthews Road, and south of Beverly Crest Boulevard. (Council District 7 - Driggs)

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

**Proposed Zoning:** O-1 (CD) (office, conditional)

**Public Hearing Held:** June 20, 2022 - Item #33

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021\\_246\\_PostHSA\\_DONE](#)

[2021\\_246\\_siteplanRev\\_22\\_7\\_1](#)

[2021\\_246\\_CS](#)

## 21. Rezoning Petition: 2021-248 by Embrey

**Location:** Approximately 7.02 acres located at the northwest intersection of North Tryon Street and Atando Avenue, east of West 32nd Street. (Council District 1 - Egleston)

**Current Zoning:** I-2 (general industrial)

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

**Public Hearing Held:** June 20, 2022 - Item #37

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

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

[2021 248 PostHSA DONE](#)

[2021 248 RevSitePlan 2022 06 23](#)

[2021 248 Consistency](#)

## 22. Rezoning Petition: 2021-254 by Joseph Horton

**Location:** Approximately 2.18 acres located at the southwest intersection of Galleria Boulevard and Monroe Road, south of Sardis Road North. (Council District 6 - Bokhari)

**Current Zoning:** NS (neighborhood services)

**Proposed Zoning:** NS SPA (neighborhood services, site plan amendment)

**Public Hearing Held:** June 20, 2022 - Item #39

**Staff Resource:** [John Kinley](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 254 PHSA DONE](#)

[2021 254 siteplanREV 22 4 11](#)

[2021 254 CS](#)

## 23. Rezoning Petition: 2021-258 by RD University Oaks, LLC

**Location:** Approximately 64.05 acres located along the north side of University City Boulevard, east side of Neal Road, west side of Interstate 85, south o IBM Drive. (Council District 4 - Johnson)

**Current Zoning:** RE-2 (research)

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

**Public Hearing Held:** June 27, 2022 - Item #1

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 258 PostHSA DONE](#)

[2021 258 RevSitePlan 2022 06 28](#)

[2021 258 Consistency](#)

## 24. Rezoning Petition: 2021-259 by Integra Land Company

**Location:** Approximately 3.57 acres bound by the north side of North Tryon Street, east side of West 26th Street, west side of West 27th Street, and south side of North Church Street. (Council District 1 - Egleston)

**Current Zoning:** I-2 (general industrial)

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

**Public Hearing Held:** June 27, 2022 - Item #2

**Staff Resource:** [Michael Russell](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 258 PostHSA DONE](#)

[2021 258 RevSitePlan 2022 06 28](#)

[2021 258 Consistency](#)

## 25. Rezoning Petition: 2021-260 by Promenade Shopping Center, Inc.

**Location:** Approximately 27.6 acres located on the southwestern corner of the intersection of Providence Road and Ballantyne Commons Parkway. (Council District 7 - Driggs)

**Current Zoning:** CC (commercial center)

**Proposed Zoning:** CC SPA (commercial center, site plan amendment)

**Public Hearing Held:** June 27, 2022 - Item #3

**Staff Resource:** [Joe Mangum](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 260 PostSA 2040 DONE](#)

[2021 260 SitePlanRev 06 29 2022](#)

[2021 260 consistency 2040](#)

## 26. Rezoning Petition: 2021-268 by THR Holdings, LLC

**Location:** Approximately 0.25 acre located at the southeast intersection of Drummond Avenue and Pinckney Avenue, south of Matheson Avenue. (Council District 1 - Egleston)

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

**Proposed Zoning:** R-8 (single-family residential)

**Public Hearing Held:** June 27, 2022 - Item #4

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 268 PostHSA DONE](#)

[2021 268 Consistency](#)

## 27. Rezoning Petition: 2021-270 by The Drakeford Company

**Location:** Approximately 4.09 acres located on the north side of Rocky River Road, west of East W.T. Harris Boulevard, and east of Old Concord Road. (Council District 4 - Johnson)

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

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

**Public Hearing Held:** June 27, 2022 - Item #5

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

**Staff Recommendation:**

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

[2021 270 PostHSA DONE](#)

[2021 270 RevSitePlan 2022 06 29](#)

[2021 270 Consistency DONE](#)

## 28. Rezoning Petition: 2021-271 by 300 East 36 Development Holdings, LLC

**Location:** Approximately 1.3 acres located on the south side of Cullman Avenue, west of East 36th Street, and east of Matheson Avenue. (Council District 1 - Egleston)

**Current Zoning:** I-1 (light industrial)

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

**Public Hearing Held:** June 27, 2022 - Item #6

**Staff Resource:** [Holly Cramer](#)

**Staff Recommendation:**

Staff recommends APPROVAL of this petition.

[2021 271 PostHSA DONE](#)

[2021 271 Consistency](#)

## 29. Rezoning Petition: 2021-272 by Baybridge Group

**Location:** Approximately 4.35 acres located on the east side of Johnston Road and south side of Carmel Chace Drive, south of Carmel Road. (Council District 7 - Driggs)

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

**Proposed Zoning:** R-12 MF (CD) SPA (multi-family residential, conditional, site plan amendment)

**Public Hearing Held:** June 27, 2022 - Item #7

**Staff Resource:** [John Kinley](#)

**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 environment.

[2021 272 PostSA DONE](#)

[2021 272 siteplanRev 22 6 28](#)

[2021 272 CS](#)