

City of Charlotte

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



Zoning Agenda

Tuesday, January 21, 2020

Council Chambers

City Council Zoning Meeting

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

DINNER MEETING
DINNER MEETING

1. Meeting Agenda

- 1. Meeting Agenda**
- 2. Dinner Meeting Agenda**
 - 1. Agenda Review - Dave Pettine**
- 3. Follow-Up Report**

2. Dinner Meeting Agenda

- 1. Agenda Review - Dave Pettine**

3. Follow Up Report

[January Follow-Up Report - FINAL](#)

DECISIONS**4. Rezoning Petition: 2019-006 by Amerco Real Estate Company**

Update: Zoning Committee has deferred recommendation to February 4, 2020.

Location: Approximately 4.63 acres located on the east side of the intersection of Freedom Drive, Ashley Drive and Tuckaseegee Road. (Council District 3 - Watlington)

Current Zoning: B-1SCD AIR (business shopping center district, airport noise overlay)

Proposed Zoning: BD (CD) AIR (distributive business, conditional, airport noise overlay) and B-2 (CD) AIR (general business, conditional, airport noise overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to **DEFER** this petition to their February 4, 2020 meeting.

5. Rezoning Petition: 2019-009 by Joseph Rhodes

Location: Approximately 16.0 acres located on the east side of Beatties Ford Road, north of Trinity Road and south of Lakeview Road. (Council District 2 - Graham)

Current Zoning: R-3 (single family residential) and B-2 (general business)

Proposed Zoning: R-8MF(CD) (multi-family 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.

[2019-009 reco DONE](#)

[2019-009 Final 12-16 done](#)

[2019-009 RevSitePlan 10-23-2019](#)

6. Rezoning Petition: 2019-030 by Continental 475 Fund, LLC

Location: Approximately 30.73 acres located on the north side of South Tryon Street, south Erwin Road, east of Choate Circle. (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 7:0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2019-030 reco 12-03-2019 REVISED 12-16](#)

[2019-030 Final 1-21-2020 done](#)

[2019-030 RevSitePlan 11-25-2019](#)

7. Rezoning Petition: 2019-035 by Novant Health, Inc.

Location: Approximately 40.43 acres located at the southeast intersection of Johnston Road and Providence Road West. (Council District 7 - Driggs)

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.

Site Recommendation:

Staff recommends approval of this petition.

[2019-035 reco DONE](#)

[2019-035 FinalAnalysis 1-21-20](#)

[2019-035 RevSitePlans 12-20-2019](#)

8. Rezoning Petition: 2019-069 by Harrison Tucker - CoHab, LLC

Location: Approximately 0.9 acres on the west side of E. 36th St, north of North McDowell St. and south of North Alexander St. (Council District 1 - Egleston)

Current Zoning: R-5 (single family)

Proposed Zoning: NS (neighborhood services)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-069 ZC_km](#)

[2019-069 FinalStaff_km](#)

[2019-069 RevSitePlan 11-7-2019](#)

9. Rezoning Petition: 2019-080 by Seahawk Partner Holdings, LLC

Location: Approximately 11.15 acres located on the west side of Commonwealth Avenue and east of Char Meck Lane, north of Monroe Road. (Council District 5 - Newton)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-080-reco-1-2-2020](#)

[2019-080 FinalAnalysis 1-21-20](#)

[2019-080 RevSitePlan 1-10-2020](#)

10. Rezoning Petition: 2019-092 by Carolina Development Group NC, LLC

Location: Approximately 0.98 acres located on the east corner of the intersection of North Smith Street & West 10th Street, south of Brookshire Freeway. (Council District 2 - Graham)

Current Zoning: I-1 HD-O (light industrial, historic district overlay)

Proposed Zoning: UMUD-O HD-O (uptown mixed use, historic district overlay)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-092 reco 01-02-2020 done](#)

[2019-092 Final 01-21-2020 CLG1-13 AFTER ZC REV2](#)

[2019-092 REV 01-13-2020](#)

11. Rezoning Petition: 2019-094 by Andrew Parker

Location: North Davidson Street between Charles Avenue and E. 32nd Street. (Council District 1 - Egleston)

Current Zoning: R-5) (residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-094 ZC Rec DONE](#)

[2019-094-FinalStaff DONE](#)

[2019-094 RevSitePlan 10-29-19](#)

12. Rezoning Petition: 2019-110 by Jay Patel

Location: Approximately 1.24 acres located north of Central Avenue, west of Hawthorne Lane, east of Heath Court. (Council District 1 - Egleston)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-110 ZC km](#)

[2019-110 FinalStaff km](#)

13. Rezoning Petition: 2019-124 by Gvest Capital, LLC

Location: Approximately 5.86 acres north of Monroe Road, west of Eaton Road and east of Shade Valley Road. (Council District 5 - Newton)

Current Zoning: O-6 (CD) (office, conditional) and R-17MF (multi-family)

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.

[2019-124 reco 1-2-2020](#)

[2019-124 Final Analysis 1-21-20](#)

[2019-124 RevSitePlan 12-23-2019](#)

14. Rezoning Petition: 2019-125 by SCOC-Mallard Crossing, LLC

Location: Approximately 8.43 acres located on the east side of Prosperity Church Road, north of Mallard Creek Road. (Council District 4 - Johnson)

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

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

[2019-125 reco km](#)

[2019-125 Final staff km](#)

[2019-125 RevSitePlan 12-23-2019](#)

15. Rezoning Petition: 2019-127 by Regal Estates, LLC

Location: Approximately 0.85 acres located on the south side of Morris Field Drive and the west side of Eaton Circle, east of Airport Drive. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-127 ZC Reco km](#)

[2019-127 Final Staff](#)

16. Rezoning Petition: 2019-129 by Lee Mynhardt, Mynhardt Investments, LLC

Location: Approximately 0.34 acres located along the eastern portion of E. 35th Street between N. McDowell Street and Spencer Street. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

Proposed Zoning: R-6 (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.

[2019-129 ZC](#)

[2019-129 FinalStaff](#)

17. Rezoning Petition: 2019-130 by Greenway Holdings, LLC

Location: Approximately 0.43 acres located on the west side of Park Road and north side of Drexel Place. (Council District 1 - Egleston)

Current Zoning: MUDD (CD) (mixed use development, conditional)

Proposed Zoning: MUDD (CD) SPA (missed use development, conditional, 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.

[2019-130 reco 01-02-2020 CLG1-7](#)

[2019-130 final 01-21-2020 done](#)

[2019-130 RevSitePlan 12-20-2019](#)

18. Rezoning Petition: 2019-131 by Red Cedar Capital Partners

Location: Approximately 8.57 acres located at the southwest intersection of Old Plank Road and Baucom Street. (Council District 2 - Graham)

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

Proposed Zoning: R-4 LWPA (single-family residential, 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.

[2019-131 ZC Reco doc](#)

[2019-131 Final Staff done](#)

19. Rezoning Petition: 2019-132 by Lennar Multifamily Communities, LLC

Location: Approximately 5.90 acres located on the south side of Verbena Street, north of Yeoman Road, west of Nations Crossing Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

Proposed Zoning: TOD-TR (transit oriented development-transition)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

[2019-132 reco 01-02-2020 done](#)

[2019-132 Final 01-21-2020 done](#)

20. Rezoning Petition: 2019-133 by Greg Zanitsch, TBGC, LLC

Location: Approximately .20 acres located at the NE corner of the intersection of Kennon Street and Pegram Street in the Belmont Community. (Council District 1 - Egleston)

Current Zoning: 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.

[2019-133 ZC km done](#)

[2019-133 FinalStaff done](#)

[2019-133 FinalSitePlan 01-13-2019](#)

21. Rezoning Petition: 2019-134 by DJ Family Farms, LLC

Location: Approximately 1.27 acres located on the north side of West Pointe Drive, east of Sam Wilson Road, north of Intersection 85. (Outside City Limits)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie watershed protected area)

Proposed Zoning: I-1 LLWPA (light industrial, Lower Lake Wylie watershed protected area)

Zoning Committee Recommendation:

The Zoning Committee voted 5.2 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends approval of this petition.

[2019-134 ZC Reco done](#)

[2019-134 Final Staff done](#)

22. Rezoning Petition: 2019-136 by Venkata Ammi Reddy

Location: Approximately 1.89 acres located on the west side of Mulberry Church Road, east side of Sloan Drive, north of Queen City Drive. (Council District 3 - Watlington)

Current Zoning: O-1 (CD) AIR (office, conditional, airport noise overlay)

Proposed Zoning: O-1 (CD) AIR SPA (office, conditional, airport noise overlay, 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.

[2019-136 ZC Reco done](#)

[2019-136 Final Staff DONE](#)

[2019-136 RevSitePlan 1-13-2020](#)

23. Rezoning Petition: 2019-137 by Kinger Homes

Location: Approximately 9.62 acres located on the west side of West Sugar Creek road, north of Yorkford Drive, south of Browne's Ferry Road. (Council District 4 - Johnson)

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

Proposed Zoning: R-6 (single-family 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.

[2019-137 reco done](#)

[2019-137 Final staff done](#)

[2019-137 RevSitePlan 12-20-2019](#)

24. Rezoning Petition: 2019-147 by Guy Properties

Location: Approximately .4416 acres located at the northeast intersection of N. Davidson Street and E. 36th Street. (Council District 1 - Egleston)

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

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.

[2019-147 ZC done](#)

[2018-147 Final Staff done](#)

25. Rezoning Petition: 2019-149 by Wood Partners

Location: Approximately 2.8 acres located at the northern intersection of N. Davidson Street and E. 21st Street. (Council District 1 - Egleston)

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

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.

[2019-149 ZC done](#)

[2019-149 FinalStaff done](#)

HEARINGS

26. Rezoning Petition: 2019-111 by Hive Fitness, LLC

Location: Approximately 0.69 acres located on the south side of Southside Drive, west of Old Pineville road, and east of Yancey Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

27. Rezoning Petition: 2019-105 by The Greenstone Group, LLC

Location: Approximately 5.14 acres located on the west side of Benfield Road, south of Summer Creek Lane and north of Interstate 485, west of Prosperity Church Road. (Council District 4 - Johnson)

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

Proposed Zoning: NS (Neighborhood Services)

Staff Recommendation:

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

[2019-105 PHstaff DONE](#)

[2019-105 RevSitePlan 12-17-2019-comments](#)

28. Rezoning Petition: 2019-109 by Miriam E. Franco

Location: Approximately 8.15 acres located on the south side of Park Drive, west of Remount Road and north of Watson Drive. (Council District 3 - Watlington)

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

Proposed Zoning: I-2 (general industrial)

Staff Recommendation:

Staff does not recommend approval of this petition.

[2019-109 PH 1-21-2020 DONE](#)

29. Rezoning Petition: 2019-117 by Montana Drive OZ Fund, LLC

Location: Approximately 11.51 acres located on the south of Montana Drive, south of I-85, east of Tennessee Avenue. (Council District 2 - Graham)

Current Zoning: R-5 (single family residential) and I-1 (light industrial)

Proposed Zoning: I-1(CD) (light industrial, conditional)

Site Recommendation:

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

[2019-117 PHstaff DONE](#)

[2019-117 RevSitePlan 10-15-2019-comments](#)

30. Rezoning Petition: 2019-140 by C Investments 5, LLC

Location: Approximately 2.22 acres located on the north side of Providence Road West, west of Rothesay Drive, east of Lancaster Highway. (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.

[2019-140 PHstaff 1-21-20 done](#)

[2019-140 RevSitePlan 12-17-2019-comments](#)

31. Rezoning Petition: 2019-121 by Jamario Rickenbacker

Location: Approximately 1.15 acres located on the north side of West Boulevard, west of Holabird Lane. (Council District 3 - Watlington)

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

Proposed Zoning: UR-C (urban residential - commercial)

Staff Recommendation:

Staff recommends approval of this petition.

[2019-121 PHstaff DONE](#)

32. Rezoning Petition: 2019-123 by Magnus Capital Partners

Location: Approximately 1.99 acres located on the south side of Bryant Street, east of South Summit Avenue, west of Interstate 77. (Council District 2 - Graham)

Current Zoning: I-1 PED (light industrial, pedestrian overlay)

Proposed Zoning: I-1 PED-O (light industrial, pedestrian overlay, optional)

Staff Recommendation:

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

[2019-123 PHstaff done](#)

[2019-123 RevSitePlan 12-23-2019](#)

33. Rezoning Petition: 2019-126 by Harrison Tucker

Location: Approximately 0.397 acres, having frontages along a portion of E. 17th Street and N. Davidson Street general situated along the northern portion of N. Davidson Street between E. 17th Street and E. 18th Street in the Optimist Park Community. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential)

Proposed Zoning: UR-2 (CD) (urban residential, conditional) with 5-year vested rights

Staff Recommendation:

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

[2019-126 PHstaff done](#)

[2019-126 RevSitePlan 12-17-2019-comments](#)

34. Rezoning Petition: 2019-138 by Roma Homes

Location: Approximately 0.55 acres located at the southern intersection of Charles Avenue and Whiting Avenue. (Council District 1 - Egleston)

Current Zoning: R-5 (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.

[2019-138 Staff done](#)

[2019-138 RevSitePlan 12-17-2019-comments](#)

35. Rezoning Petition: 2019-139 by JDSI, LLC

Location: Approximately 5.3225 acres located along the eastern portion of W.W. Harris Boulevard at its intersection with Wallace Avenue, north of Albemarle Road. (Council District 5 - Newton)

Current Zoning: R-12 MF (multi-family residential) & R-3 (single family residential)

Proposed Zoning: R-8 (single family development)

Staff Recommendation:

Staff recommends approval of this petition.

[2019-139 PH Staff done](#)

36. Rezoning Petition: 2019-141 by Mark Bolous

Location: Approximately 0.44 acres located on the west corner of N. Sharon Amity Road and Castleton Road. (Council District 5 - Newton)

Current Zoning: R-3 (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.

[2019-141 analysis DONE](#)

[2019-141 RevSitePlan 12-19-2019 comments](#)

37. Rezoning Petition: 2019-143 by Tara Ellerbe-Elite

Location: Approximately 0.33 acres located at the southern intersection of N. Tryon Street and Liddell Street, .2 miles northeast of Brookshire Freeway (I-277). (Council District 1 - Egleston)

Current Zoning: I-2 (industrial)

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

Staff Recommendation:

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

[2019-143 PH km done](#)

[2019-143 RevSitePlan 12-17-2019-comments](#)

38. Rezoning Petition: 2019-144 by York Acquisitions, LLC

Location: Approximately 23.57 acres located on the west side of North Tryon Street, south of Sir Anthony Drive, north of West Mallard Creek Church Road. (Council District 4 - Johnson)

Current Zoning: R-3 (single-family residential) and R-12 (CD)

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

Staff Recommendation:

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

[2019-144 Staff done](#)

[2019-144 RevSitePlan 12-17-2019-comments](#)

39. Rezoning Petition: 2019-148 by Branful, LLC

Location: Approximately 1.55 acres located on the west side of West Sugar Creek Road, south of Wilson Lane, south of Interstate 85. (Council District 1 - Egleston)

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

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

Staff Recommendation:

Staff recommends approval of this petition upon resolution of outstanding requested technical revisions.

[2019-148 PreHearing DONE](#)

[2019-148 RevSitePlan 12-17-2019-comments](#)

40. Rezoning Petition: 2019-151 by Longbranch Development

Location: Approximately 11.63 acres located on Johnston-Oehler Rd, east of Oehler Bridge Drive, south of Interstate 485. (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, environment, and site and building design.

[2019-151 Staff DONE](#)

[2019-151 RevSitePlan 12-17-2019-comments](#)

41. Rezoning Petition: 2019-153 by 650 South Tryon Development

Location: Approximately 0.64 acres bounded by S. Tryon Street and W. Hill Street east of John Belk Freeway. (Council District 2 - Graham)

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

Proposed Zoning: UMUD-O (uptown missed use, optional, site plan amendment)

Staff Recommendation:

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

[2019-153 PH 01-21-2020 done](#)

[2019-153 RevSitePlan 12-17-2019-comments](#)