City of Charlotte

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



Zoning Agenda

Monday, February 21, 2022

Council Chambers

City Council Zoning Meeting

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

This meeting will also be accessible via the Government Channel, the City's Facebook page, and the City's YouTube channel.

Call to Order
Introduction
Invocation
Pledge of Allegiance
Explanation of Zoning Meeting
Deferrals/Withdrawals

DECISIONS

2. Rezoning Petition: 2021-103 by Providence Group Capital, LLC

Update: Petitioner is requesting deferral to March 21, 2022

Location: Approximately 2.25 acres located on the north side of Blairhill Road, south of Clanton Road, and west of South Tryon Street. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)

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

3. Rezoning Petition: 2021-176 by Anita Thomas

Update: Petition deferred by Zoning Committee to their March 1 meeting. Council decision deferral to March 21, 2022

Location: Approximately 0.58 acre located on the east side of Randolph Road, west of Colwick Road, and north of North Sharon Amity Road. (Council District 6 - Bokhari)

Current Zoning: B-2 (neighborhood business)

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

4. Rezoning Petition: 2021-089 by Redwood USA, LLC

Location: Approximately 21.30 acres located at the northwest intersection of Rocky River Road and John Russell Road, north of The Plaza. (Council District 4 - Johnson)

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

Proposed Zoning: R-8 MF (CD) (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 089 ZCR

2021 089 FSA DONE

2021 089 RevSitePlan 2022 02 08

5. Rezoning Petition: 2021-100 by Donald M. Edward

Location: Approximately 13.37 acres located at the eastern intersection of Eastfield Road and Independence Hill Road, north of Interstate 485. (EJ-BOCC 1-Powell; closest CC 4-Johnson.

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.

2021 100 FSA DONE

2021 100 ZCR

2021 100 RevSitePlan 2021 12 13

6. Rezoning Petition: 2021-152 by R.I. Charlotte Property, L.P.

Location: Approximately 2.49 acres located on the west wide of North Tryon Street, south of West W.T. Harris Boulevard, and north of McCullough Drive. (Council District 4 - Johnson)

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

Proposed Zoning: MUDD-O SPA (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.

2021 152 ZCR

2021 152 FSA DONE

2021 152 RevSitePlan 2021 12 07

7. Rezoning Petition: 2021-157 by City of Charlotte Aviation

Location: Approximately 58.26 acres located on the north side of Walkers Ferry Road, just west of I-485 and Charlotte Douglas International Airport. (Council District 3 - Watlington)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie Protected Area), R-MH LLWCA (manufactured housing, Lower Lake Wylie Critical Area)

Proposed Zoning: I-2 LLWPA (general industrial, Lower Lake Wylie Protected Area), I-2 LLWCA (general industrial, Lower Lake Wylie Critical Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 157 ZCR

2021 157 FSA DONE

8. Rezoning Petition: 2021-158 by Trevi Partners, LLC

Location: Approximately 45.31 acres located on the southeast side of North Tryon Street, east of Pavilion Boulevard. (Council District 4 - Johnson)

Current Zoning: CC SPA (commercial center, site plan amendment) and UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment)

Proposed Zoning: CC SPA (commercial center, site plan amendment) and UR-C (CD) SPA (urban residential-commercial, conditional, site plan amendment), with 5-year vested rights

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 158 ZCR

2021 158 FSA DONE

2021 158 RevSitePlan 2022 02 09

9. Rezoning Petition: 2021-160 by Charlotte-Mecklenburg Schools & Woodfield Development, LLC

Location: Approximately 73.97 acres located on the northeast side of North Community House Road and east side of Johnston Road, west of Elm Lane. (Council District 7 - Driggs)

Current Zoning: MX-2 (INNOV), R-3 (mixed-use, innovation) & (single-family residential) **Proposed Zoning:** MUDD-O (mixed-use development, 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.

2021 160 ZCR

2021 160 FSA DONE

2021 160 siteplanRev 22 2 11

10. Rezoning Petition: 2021-161 by Charlotte-Mecklenburg Schools & Woodfield Development, LLC

Location: Approximately 35.87 acres located along the south side of Ardrey Kell Road, west of Wade Ardrey Road, and east of Marvin Road. (Council District 7 - Driggs)

Current Zoning: MX-2 (INNOV) (mixed use, innovative)

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

2021 161 ZCR

2021 161 FSA DONE

2021 161 siteplanrev 22 2 14

11. Rezoning Petition: 2021-162 by Rosemara Espinoza

Location: Approximately 0.73 acre bound by the south side of North Linwood Avenue and north side of Interstate 85, west of Brookshire Boulevard. (Council District 2 - Graham)

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

Proposed Zoning: B-2 (general business)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 162 ZCR

2021 162 FSA DONE

12. Rezoning Petition: 2021-169 by City of Charlotte Engineering

Location: Approximately 9.43 acres located on the south side of Mt. Holly-Huntersville Road, west of Mountain Aire Circle and east of Northwoods Forest Drive. (Council District 2 - Graham)

Current Zoning: R-3 LWPA (single-family residential, Lake Wylie Protected Area) **Proposed Zoning:** NS LWPA (neighborhood services, 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.

2021 169 ZCR

2021 169 FSA DONE

2021 169 SitePlanRev 01 20 2022

13. Rezoning Petition: 2021-173 by OPM Limited & Benfield

Location: Approximately 2.22 acres located on the south side of Old Mt. Holly Road, the east side of Melynda Road, and south of Rozzelles Ferry Road. (Council District 2 - Graham)

Current Zoning: R-4 and R-5 (single-family residential)

Proposed Zoning: I-1 (light industrial)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 173 ZCR

2021 173 FSA DONE

14. Rezoning Petition: 2021-180 by Daniel Corporation

Location: Approximately 1.70 acres located on the south side of North Graham Street, east side of West 6th Street, and west side of West 7th Street. (Council District 2 - Graham)

Current Zoning: UR-3 HD (urban residential, historic district)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 180 ZCR

2021 180 FSA DONE

15. Rezoning Petition: 2021-183 by James Howell

Location: Approximately 1.12 acres located on the north side of Ervin Lane and west side of China Grove Church Road, south of East Westinghouse Boulevard. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 183 ZCR

2021 183 FSA DONE

16. Rezoning Petition: 2021-184 by Revolve Residential

Location: Approximately 0.86 acre located on the west of Yeoman Road, east of South Tryon Street, and north of Woodlawn 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.

2021 184 ZCR

2021 184 FSA DONE

17. Rezoning Petition: 2021-185 by SXCW Properties II, LLC

Location: Approximately 2.48 acres located on the east side of Freedom Drive, south of Interstate 85, and west of Tuckaseegee Road. (Council District 3 - Watlington)

Current Zoning: B-1 SCD AIR (shopping center, airport noise overlay) **Proposed Zoning:** B-2 AIR (general business, airport noise overlay)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 185 ZCR

2021 185 FSA DONE

HEARINGS

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

Update: Petitioner has withdrawn this petition

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)

19. Rezoning Petition: 2021-056 by Urban Trends Real Estate, Inc.

Location: Approximately 1.35 acres located along the north side of B Avenue, east of Beatties Ford Road, and north of Interstate 85. (Council District 2 - Graham)

Current Zoning: R-3 (single-family residential, R-17 MF (multi-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.

2021 056 PHSA DONE

2021 056 RevSitePlan 2021 12 15

20. Rezoning Petition: 2021-093 by Steele Creek (1997), LLC

Location: Approximately 184.9 acres located south of Interstate 485, east of Steele Creek Road, north of Brown-Grier Road, and west of Sandy Porter Road. (Council District 3 - Watlington)

Current Zoning: R-3 (single-family residential), MUDD (CD) (mixed-use development district, conditional), I-1 (CD) (light industrial, conditional)

Proposed Zoning: O-2 (CD) (office, conditional), MUDD-O (mixed-use development district - optional), UR-2 (CD) (urban residential, conditional) with five-years vested rights

Staff Recommendation:

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

2021 093 PHSA DONE

2021 093 RevSitePlan 01 17 2022

21. Rezoning Petition: 2021-111 by Regal Oaks Investments, LLC

Location: Approximately 6.40 acres located on the north side of Albemarle Road and east side of Regal Oaks Drive, west of East W.T. Harris Boulevard. (Council District 5 - Newton)

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

conditional)

Proposed Zoning: R-22 MF (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 111 PHSA DONE

2021 111 RevSitePlan 2022 01 17

22. Rezoning Petition: 2021-133 by Drakeford Communities

Location: Approximately 6.57 acres located south of Alleghany Street, west of Ashley Road, and north of Bullard Street. (Council District 3 - Watlington)

Current Zoning: R-12 MF (multi-family residential) **Proposed Zoning:** UR-2 (CD) (urban residential)

Staff Recommendation:

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

2021 133 PHSA DONE

2021 133 RevSitePlan 01 17 2022

23. 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

Staff Recommendation:

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

2021 141 PHSA DONE

2021 141 RevSitePlan 2022 01 14

24. Rezoning Petition: 2021-146 by Kinger Homes, LLC

Location: Approximately 3.70 acres located on the northwest side of Mallard Creek Road, east of Prosperity Church Road. (Council District 4 - Johnson)

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

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.

2021 146 PHSA DONE

2021 146 RevSitePlan 2022 01 14

25. Rezoning Petition: 2021-154 by Matt Gallagher

Location: Approximately 9.3 acres located east of Price Lane, west of Parkway Plaza Boulevard, and south of Yorkmont Road. (Council District 3 - Watlington)

Current Zoning: I-1 (CD) (light industrial, conditional) **Proposed Zoning:** UR-2 (CD) (urban residential)

Staff Recommendation:

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

2021 154 PHSA DONE

2021 154 RevSitePlan 01 14 2022

26. Rezoning Petition: 2021-172 by Browder Group Real Estate, LLC

Location: Approximately 10.79 acres on either side of Thrift Road near the intersection of Jay Street. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

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

2021 172 PHSA DONE

2021 172 RevSitePlan 01 18 2022

27. Rezoning Petition: 2021-174 by Blu South, LLC

Location: Approximately 36.73 acres located south of East Westinghouse Boulevard, west of China Grove Church Road, and northeast of Interstate 485. (Council District 3 - Watlington)

Current Zoning: B-2 (CD) (general business, conditional), R-12 MF (multi-family residential), and R-4 (single-family residential)

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

Staff Recommendation:

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

2021 174 PHSA DONE

2021 174 siteplanrev 22 1 13

28. Rezoning Petition: 2021-175 by Green Street Land Co. LLC

Location: Approximately 26.84 acres bound by the east side of Harrisburg Road, north of Robinwood Drive, and southwest side of Interstate 485. (ETJ-BOCC: 4-Jerell, nearest CC: 5-Newton)

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

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, site and building design, and environment.

2021 175 PHSA DONE

2021 175 RevSitePlan 2022 01 17

29. Rezoning Petition: 2021-178 by SDP Acquisitions I, LLC

Location: Approximately 15.97 acres located on the west side of Statesville Avenue, north of Atando Avenue, and east of Interstate 77. (Council District 1 - Egleston)

Current Zoning: R-22 MF (CD) (multi-family residential, conditional) and I-1 (light industrial) **Proposed Zoning:** R-22 MF (CD) (multi-family residential, conditional) and R-22 MF (CD) SPA (multi-family residential, conditional, site plan amendment)

Staff Recommendation:

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

2021 178 PHSA DONE

2021-178 RevSitePlan 2022 01 17

30. Rezoning Petition: 2021-181 by Evolve Acquisitions, LLC

Location: Approximately 17.83 acres located on the east side of Northlake Centre Parkway, north side of Northlake Mall Drive, and south side of Interstate 485. (Council District 2 - Graham)

Current Zoning: BP (business park) and 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 building and site design.

2021 181 PHSA DONE

2021 181 RevSItePlan 2022 01 17

31. Rezoning Petition: 2021-188 by Dominion Realty Partners

Location: Approximately 15.83 acres located along the north and south side of Rountree Road, east of Interstate 77, and north of Tyvola Road. (Council District 3 - Watlington)

Current Zoning: I-1, Industrial

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

Staff Recommendation:

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

2021 188 PHSA DONE

2021 188 siteplan 22 1 13

32. Rezoning Petition: 2021-189 by Bentley Pham

Location: Approximately 0.52 acre located at the southeast intersection of Tuckaseegee Road and Timberbrook Drive, north of Interstate 85. (Council District 3 - Watlington)

Current Zoning: R-4 (single-family residential) **Proposed Zoning:** R-22 MF (multi-family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 189 PHSA DONE

33. Rezoning Petition: 2021-191 by Bentley Pham

Location: Approximately 0.35 acre located on the west side of Glenwood Drive, north of Tuckaseegee Road, and south of Interstate 85. (Council District 3 - Watlington)

Current Zoning: R-5 AIR (single-family residential, airport noise overlay) **Proposed Zoning:** R-8 MF AIR (multi-family residential, airport noise overlay)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 191 PHSA DONE

34. Rezoning Petition: 2021-193 by Fork Lift Pro

Location: Approximately 17.38 acres located off Graham Park Drive, north of South Tryon Street and south of Westinghouse Boulevard. (Council District 3 - Watlington)

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

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

Staff Recommendation:

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

2021 193 PHSA DONE

2021 193 RevSitePlan 01 13 2022

35. Rezoning Petition: 2021-194 by Fourstore, LLC

Location: Approximately 1.24 acres located on the east side of East W.T. Harris Boulevard, north of Albemarle Road, and west of Lawyers Road. (Council District 5 - Newton)

Current Zoning: O-1 (office) and B-2 (general business)

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

Staff Recommendation:

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

2021 194 PHSA DONE

2021 194 RevSitePlan 2022 01 14

36. 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 o 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)

Staff Recommendation:

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

2021 197 PHSA DONE

2021 197 RevSitePlan 2022 01 17

37. Rezoning Petition: 2021-199 by Nest Homes Communities, LLC

Location: Approximately 0.23 acre located on the south side of North Davidson Street, northwest of Yadkin Avenue, and east of Matheson Avenue.

Current Zoning: R-5 (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 199 PHSA DONE

2021 199 RevSitePlan 2022 01 17

38. Rezoning Petition: 2021-200 by Trade Street Townhomes, LLC

Location: Approximately 3.21 acres located on the east side of Wildwood Avenue, north of South Hoskins Road, and west of Rozzelles Ferry Road. (Council District 2 - Graham)

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

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

Staff Recommendation:

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

2021 200 PHSA DONE

2021 200 RevSitePlan 2022 01 14

39. Rezoning Petition: 2021-203 by Land Growth, LLC

Location: Approximately 2.80 acres located on the north and south side of Crownpoint Executive Drive, west of Independence Boulevard, and south of Sardis Road. (Council District 6 - Bokhari)

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

Proposed Zoning: B-2 (general business) and I-1 (light industrial)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 203 PHSA DONE

40. Rezoning Petition: 2021-205 by City of Charlotte Aviation

Location: Approximately 5.70 acres located on the north side of Denver Avenue, west of Alleghany Street, and south of Scott Futrell Drive. (Council District 3 - Watlington)

Current Zoning: B-D AIR (distributive business, airport noise overlay) and R-22 MF AIR (multi-family

residential, airport noise overlay)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 205 PHSA DONE

Adjournment