City of Charlotte

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



Zoning Agenda

Monday, April 18, 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: 2021-133 by Drakeford Communities

Update: Petitioner is requesting deferral to May 23, 2022

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)

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

Update: Petitioner is requesting deferral to May 23, 2022

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 (general business)

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

4. Rezoning Petition: 2021-141 by The Drakeford Company

Update: Petitioner is requesting deferral to May 23, 2022

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

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

Update: Petitioner is requesting deferral to May 23, 2022

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)

6. Rezoning Petition: 2021-197 by Crescent Communities

Update: Petitioner is requesting deferral to May 23, 2022

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)

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

Update: Petitioner is requesting deferral to May 23, 2022

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)

8. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 056 ZCR

2021 056 FSA DONE

2021 056 RevSitePlan 2022 04 12

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

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(CD) (transit-oriented development - urban center, 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 103 ZCR

2021 103 FSA DONE

2021 103 SitePlan Conditions

10. Rezoning Petition: 2021-142 by PDC Land Acquisition, LLC

Location: Approximately 36.23 acres located north of Old Moores Chapel Road, south of Mount Holly Road, and east of I-485. (ETJ-BOCC: 2-Leake; closest CC 3 - Watlington)

Current Zoning: MX-2 (mixed use), R-4 (single-family residential)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 142 ZCR

2021 142 FSA DONE

2021 142 RevSitePlan 03 24 2022

11. Rezoning Petition: 2021-150 by Tribute Companies, Inc.

Location: Approximately 37.14 acres located on the southeast side of North Tryon Street, east of Interstate 485, and north of University City Boulevard. (ETJ-BOCC: 3-Dunlap; 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 150 ZCR

2021 150 FSA DONE

2021 150 SitePlanRev 2022 4 1

12. Rezoning Petition: 2021-151 by Lincoln Harris

Location: Approximately 3.65 acres located on the south side of Fairview Road and east side of Cameron Valley Parkway, west of Colony 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)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 151 ZCR

2021 151 FSA DONE

2021 151 siteplanrev 22 4 12

13. Rezoning Petition: 2021-186 by Kinger Homes

Location: Approximately 2.84 acres located at the intersection of Mallard Creek Road and Governor Hunt Road, west of David Taylor Drive. (Council District 4 - Johnson)

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

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

2021 186 ZCR

2021 186 PostHSA DONE

2021 186 RevSitePlan 2022 03 29

14. Rezoning Petition: 2021-190 by Blue Heel Development

Location: Approximately 4.76 acres located on the north side of Wade Ardrey Road, south of Ardrey Kell Road, and east of Marvin Road. (Council District 7 - Driggs)

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

Proposed Zoning: R-8 (CD) (single-family 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.

2021 190 ZCR

2021 190 FSA DONE

2021 190 siteplanRev 22 4 12

15. Rezoning Petition: 2021-196 by Third & Urban

Location: Approximately 21.51 acres of contiguous and non-contiguous parcels generally adjacent to Berryhill Road, Tuckaseegee Road, Gesco Street, and Jay Street. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 196 ZCR

2021 196 FSA DONE

2021 196 RevSitePlan 03 24 2022

Rezoning Petition: 2021-202 by Trade Street Townhomes, LLC

Location: Approximately 0.47 acres located at the northeast intersection of Wilora Lake Road and Hollyfield Drive, east of Central Avenue. (Council District 5 - Newton)

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

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.

2021 202 ZCR

2021 202 FSA DONE

2021 202 RevSitePlan 2022 04 12

17. Rezoning Petition: 2021-206 by Cambridge Properties, Inc.

Location: Approximately 4.5 acres located on the west side of North Tryon Street, east of Interstate 85 and south of West Mallard Creek Church Road. (Council District 4 - Johnson)

Current Zoning: CC (commercial center)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 206 ZCR

2021 206 FSA DONE

2021 206 RevSitePlan 2021 04 12

18. Rezoning Petition: 2021-208 by Hugh Elder

Location: Approximately 2.94 acres located at the northwest intersection of Nations Ford Road and Forest Point Boulevard, north of West Arrowood Road. (Council District 3 - Watlington)

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

Proposed Zoning: O-1 (office)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 208 ZCR

2021 208 FSA DONE

19. Rezoning Petition: 2021-210 by Carter Acquisitions, LLC

Location: Approximately 25.17 acres located on the south side of Morehead Road, north of North Tryon Street, and east of Salome Church Road. (ETJ-BOCC: 3-Dunlap; closest CC 4-Johnson)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 210 FSA

2021 210 FSA DONE

2021 210 RevSitePlan 2022 03 24

20. Rezoning Petition: 2021-214 by Adams Property Group

Location: Approximately 1.95 acres located at the northeast intersection of Rocky River Road and Woodland Beaver Road, north of Albemarle Road. (ETJ/BOCC - 4 Jerrell, Nearest Council District 5 - Newton)

Current Zoning: B-1 (CD) (neighborhood business, conditional) **Proposed Zoning:** MUDD-O (mixed-use development, optional)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 214 ZCR

2021 214 PostHSA DONE

2021 214 RevSitePlan 2022 03 23

21. Rezoning Petition: 2021-215 by Longbranch Development

Location: Approximately 102 acres located north of Mount Holly Road and east of the Catawba River. (ETJ/BOCC 1 - Powell, Nearest District 2 - Graham)

Current Zoning: CC LWCA (commercial center, Lake Wylie critical area) and I-2 LWCA (light industrial, Lake Wylie critical area)

Proposed Zoning: MX-2 INNOV LWCA (mixed-use, innovative, Lake Wylie critical area)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 215 ZCR

2021 215 FSA DONE

2021 215 RevSitePlan 03 24 2022

22. Rezoning Petition: 2021-216 by DHIC, LLC

Location: Approximately 41.26 acres located on the west side of Old Holland Road, east of Interstate 85, and north of Morehead Road. (ETJ/BOCC 3 - Dunlap; Nearest Council District 4 - Johnson)

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

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

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 216 ZCR

2021 216 FSA DONE

2021-216 RevSitePlan 2022 04 12

23. Rezoning Petition: 2021-220 by Dependable Development

Location: Approximately 18.72 acres located on the south side of Beagle Club Road, east of Riverside Drive, and west of Mt. Holy-Huntersville Road. (Council District 2 - Graham)

Current Zoning: R-3 (single-family residential) **Proposed Zoning:** R-8 (single-family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 220 ZCR

2021 220 FSA DONE

24. Rezoning Petition: 2021-227 by Graham Partners, LLC

Location: Approximately 3.02 acres located on the west side of Old Providence Rod, east of Providence Lane West, and north of Rea Road. (Council District 7 - Driggs)

Current Zoning: R-3 (single-family residential) **Proposed Zoning:** R-4 (single-family residential)

Zoning Committee Recommendation:

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 227 ZCR

2021 227 FSA DONE

24b 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)

Zoning Committee Recommendation:

The Zoning Committee voted 5-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 200 ZCR

2021 200 FSA DONE

2021 200 RevSItePlan 2022 02 24

HEARINGS

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

Update: Petitioner is requesting deferral to November 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)

26. Rezoning Petition: 2021-233 by Hopper Communities

Location: Approximately 6.52 acres located on the south side of Endhaven Lane and west side of Elm Lane. (Council District 7 - Driggs)

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 environment and site and building design and technical revisions related to site and building design.

2021 233 PHSA DONE

2021 233 SitePlanRev 22 3 14

27. 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 and B-2 (CD) (neighborhood services) and (general business, conditional)

Staff Recommendation:

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

2021 079 PHSA DONE

2021 079 revSitePlan 22 3 10

28. Rezoning Petition: 2021-119 by Profile Homes

Location: Approximately 30.16 acres located on the southwest side of Freedom Drive, east of Toddville Road, and north of Tuckaseegee Road. (Council District 3 - Watlington)

Current Zoning: R-3 LLWPA (single-family residential, Lower Lake Wylie Protected Area), INST LLWPA (institutional, Lower Lake Wylie Protected Area), and MX-2 (INNOV) LLWPA (mixed-use - innovative, Lower Lake Wylie Protected Area)

Proposed Zoning: MX-2 (INNOV) LLWPA (mixed-use - innovative, Lower Lake Wylie Protected Area), MX-2 (INNOV) LLWPA SPA (mixed-use - innovative, Lower Lake Wylie Protected Area, site plan amendment)

Staff Recommendation:

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

2021 119 PHSA DONE

2021 119 RevSitePlan 03 08 2022

29. Rezoning Petition: 2021-125 by Red Sea Properties

Location: Approximately 133.09 acres located on the south side of University City Boulevard, northeast of Interstate 85, and east of Back Creek Church Road. (ETJ-BOCC: 3-Dunlap; Closest CC: 4-Johnson)

Current Zoning: R-3 (single-family residential), R-4 (single-family residential, and B-D (distributive business)

Proposed Zoning: MX-2 INNOV (mixed-use - innovative) with 5-year vested rights

Staff Recommendation:

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

2021 125 PHSA DONE

2021 125 RevSitePlan 2022 03 14

30. Rezoning Petition: 2021-168 by Station West, LLC

Location: Approximately 3.83 acres located on the southeastern corner of the intersection of Berryhill Road and State 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 land use.

2021 168 PHSA DONE

2022 168 RevSitePlan 03 14 2022

31. Rezoning Petition: 2021-195 by Steele Creek 1997, LLC

Location: Approximately 60.65 acres located in the northeastern quadrant of the interchange of Interstate 485 and Arrowood Road. (Council District 3 - Watlington)

Current Zoning: MUDD-O AIR (mixed-use development, optional, airport noise overlay)

Proposed Zoning: MUDD-O AIR SPA (mixed-se development, optional, airport noise overlay, site plan

amendment)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to land use and the environment.

2021 195 PHSA DONE

2021 195 RevSitePlan 02 14 2022

32. Rezoning Petition: 2021-204 by William J. Wolkoff

Location: Approximately 6.85 acres located at the southeast intersection of West W.T. Harris Boulevard and Hendry Road, west of Old Statesville Road. (Council District 2 - Graham)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

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

2021 204 PHSA DONE

2021 204 RevSitePlan 2022 03 14

33. Rezoning Petition: 2021-207 by Monifa Hendrickson-Woodside

Location: Approximately 3.7 acres located on the southeastern corner of the intersection of Independence Boulevard and Paul Buck Boulevard. (Council District 1 - Egleston)

Current Zoning: 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 207 PHSA DONE

2021 207 RevSitePlan 03 02 2022

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

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)

Staff Recommendation:

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

2021 209 PHSA DONE

2021 209 RevSitePlan 03 14 2022

35. 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)

Staff Recommendation:

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

2021 219 PHSA DONE

2021 219 siteplan 22 2 14

36. Rezoning Petition: 2021-222 by Gerald Kidd

Location: Approximately 21.16 acres bound by the west side of Beatties Ford Road, south side of Cowboy Lane, and north side of Kidd Lane. (ETJ-BOCC: 2-Leake; Closest CC: 2-Graham)

Current Zoning: R-3 (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 related to transportation, environment, and site design.

2021 222 PHSA DONE

2021 222 RevSitePlan 2022 03 14

37. Rezoning Petition: 2021-226 by AREP Galloway, LLC

Location: Approximately 8.02 acres located on the south side of Galloway Road, east of Claude Freeman Drive, and north of West Mallard Creek Church 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.

2021 226 PHSA DONE

2021 226 RevSitePlan 2022 03 14

38. Rezoning Petition: 2021-230 by Providence Group Capital, LLC

Location: Approximately 0.40 acre located on the east side of South Tryon Street, north of Remount Road, and south of Dunavant Street. (Council District 3 - Watlington)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 230 PHSA DONE

39. Rezoning Petition: 2021-231 by Emory Investment Corporation

Location: Approximately 0.45 acre located at the intersection of Pierson Drive and Chippendale Road, east of Monroe Road. (Council District 5 - Newton)

Current Zoning: R-5 (single-family residential) **Proposed Zoning:** R-6 (single-family residential)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 231 PHSA DONE

40. Rezoning Petition: 2021-236 by RJS Properties

Location: Approximately 1.83 acres located on the south side of Rountree Road and north side of Minuet Lane, west of Old Pineville Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

2021 236 PHSA DONE

41. Rezoning Petition: 2021-239 by Drakeford Communities, LLC

Location: Approximately 9.34 acres located on the west side of East W.T. Harris Boulevard, north side of District Drive, and east side of Shorthorn Street. (Council District 4 - Johnson)

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

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 239 PHSA DONE

2021 239 RevSitePlan 2022 03 14