

City of Charlotte

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



Zoning Agenda

Monday, August 15, 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

PUBLIC COMMENT

2. Public Comment on Social Districts

Action:

Receive public comment on the adoption of Chapter 15-Article XV to the City Code to Allow Social Districts in the city of Charlotte.

Committee Chair:

Larken Egleston, Safe Communities Committee

Staff Resource(s):

Debbie Smith, Transportation
Casey Mashburn, Transportation
Brett Few, City Attorney's Office

Explanation

- The proposed new ordinance and amendment to Section 15-3 (which only adds reference to Article XV) are planned to be presented to City Council for adoption consideration on August 22, 2022.
- The new ordinance would allow for the creation of social districts in the city, but does not establish any social districts.
- The establishment of any social district in the city of Charlotte will require future Council action.

Background

- In the Fall of 2021, the NC General Assembly enacted legislation allowing cities to adopt an ordinance designating social districts; in July 2022, the General Assembly enacted legislation to recodify and clarify social districts.
- A social district is a defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours established for the social district pursuant to NCGS Sec. 15-314. A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.
- North Carolina Law has requirements on establishing and operating a social district. City requirements include:
 - Council adopted ordinance designating a social district which includes days and hours of operation, the boundaries map and written description, and Management and Maintenance Plan.
 - Publish Council-approved management and maintenance plan on website
 - Register the social district with the NC Alcoholic Beverage Control Commission (ABC Commission)
- City staff presented an overview of social districts at the June 2022 Strategy Session that described the legislative ability for local governments to opt in and allow Social Districts.
- On July 11, 2022, Mayor Lyles referred social districts to the Safe Communities Committee to answer the policy question: "Determine if Social Districts should be implemented in Charlotte."
- On July 28, 2022, the Safe Communities Committee voted unanimously (Egleston, Phipps, Bokhari and Newton) to request a period for public comment regarding the new ordinance be scheduled and recommend to the full Council the adoption of Chapter 15-Article XV to allow social districts in the city of Charlotte.

[7-25-2022 Social District Preread Safe Communities.pdf](#)

[2022_07_28_Committee_SocialDistricts_Final.pdf](#)

DECISIONS

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

Update: Petition was withdrawn

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

4. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_079_ZCR_REV_7_5_22](#)

[2021_079_FSA_DONE](#)

[2021_079_RevSitePlan_2022_07_13](#)

5. Rezoning Petition: 2021-242 by Robert D. Dowdy, LLC

Location: Approximately 0.19 acres located at the southwest intersection of East 35th Street and North McDowell Street, north of Charles Street. (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 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_242_ZCR](#)

[2021_242_FSA_DONE](#)

[2021_242_RevSitePlan_2022_08_08](#)

6. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_249_ZCR_2040](#)

[2021_249_FSA_DONE](#)

[2021-249_SitePlanRev_06_14_2022](#)

7. Rezoning Petition: 2021-252 by WP East Acquisitions, LLC

Location: Approximately 3.10 acres located at the southeast intersection of Seigle Avenue and East 10th Street, north of Central Avenue, and east of Interstate 277. (Council District 1 - Egleston)

Current Zoning: B-2 (general business)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_252_ZCR](#)

[2021_252_FSA_DONE](#)

8. 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)

Zoning Committee Recommendation:

No recommendation provided. No motion made by the Zoning Committee received the needed 4 votes to carry forward. See included Zoning Committee report for a summary of the discussion.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_254_ZCR](#)

[2021_254_FSA_DONE](#)

[2021_254_siteplanREV_22_4_11](#)

9. Rezoning Petition: 2021-266 by Sere Ventures

Location: Approximately 8.13 acres located on the south side of Rozzelles Ferry Road at Yellowstone Drive. (Council District 2-Graham)

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

Proposed Zoning: UR-2(CD) (urban 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_266_ZCR](#)

[2021_266_FSA_DONE](#)

[2021_266_SitePlanRev_07_21_2022](#)

10. Rezoning Petition: 2021-273 by Hutton ST 21, LLC

Location: Approximately 1.66 acres bound by the south side of Wyalong Drive, west side of Idlewild Road, west side of Margaret Wallace Road, and north side of Mintworth Avenue. (Council District 5-Newton)

Current Zoning: NS (neighborhood services)

Proposed Zoning: B-2 (CD) (general business, 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_273_ZCR](#)

[2021_273_FSA_DONE](#)

[2021_273_siteplanREV_22_7_21](#)

11. Rezoning Petition: 2021-276 by McCraney Property Company

Location: Approximately 44.95 acres located on I-85 Service Road southwest of the I-85/I-85 interchange. (ETJ-BOCC: 2-Leake; closest CC: 3-Watlington)

Current Zoning: R-3 AIR LLWPA (single-family residential, airport noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-1 (CD) AIR LLWPA (light industrial, conditional, airport noise overlay, Lower Lake Wylie Protected 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_276_ZCR](#)

[2021_276_FSA_DONE](#)

[2021_276_SitePlanRev_07_20_2022](#)

12. Rezoning Petition: 2021-278 by Dream Acres, LLC

Location: Approximately 6.33 acres located on the east side of Harrisburg Road, north of Parkton Road, and west of Cedarbrook Drive. (Council District 5 - Newton)

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

Proposed Zoning: R-6 (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 278 ZCR](#)

[2021 278 FSA DONE](#)

13. Rezoning Petition: 2021-283 by Lane Cloninger

Location: Approximately 0.60 acre located on the west side of Keswick Avenue, northwest of North Tryon Street, and east of North Graham Street. (Council District 1 - Egleston)

Current Zoning: R-5 (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 283 ZCR](#)

[2021 283 FSA DONE](#)

14. Rezoning Petition: 2022-001 by White Point Partners

Location: Approximately 2.99 acres located on the west side of Yancey Road and south side of East Peterson Drive, east of South Tryon Street. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022 001 ZCR](#)

[2022 001 FSA DONE](#)

15. Rezoning Petition: 2022-002 by Cameron CLT South End Owner, LLC

Location: Approximately 12.50 acres located on the wet side of South Boulevard, east of Old Pineville Road, and north of East Woodlawn 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 5-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_002_ZCR](#)

[2022_002_FSA_DONE](#)

16. Rezoning Petition: 2022-019 by Chris Ogunrinde

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of his petition.

[2022_019_ZCR](#)

[2022_019_FSA_DONE](#)

17. Rezoning Petition: 2022-054 by Carolina Farm Trust

Location: Approximately 2.37 acres located on the south side of South Hoskins Road, east of Welling Avenue, and west of Rozzelles Ferry Road. (Council District 2 - Graham)

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

Proposed Zoning: B-2 (general business)

Zoning Committee Recommendation:

The Zoning Committee voted 4-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_054_ZCR](#)

[2022_054_FSA_DONE](#)

18. Rezoning Petition: 2022-098 by Charlotte Planning, Design & Development

Location: Approximately 71 acres located along the south side of Oaklawn Avenue, west of Andrill Terrace, north of Brookshire Freeway, and east of Beatties Ford Road. (Council District 1 - Egleston)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_098_ZCR](#)

[2022_098_FSA_DONE](#)

HEARINGS

19. Rezoning Petition: 2021-274 by Dickerson Realty Florida, Inc.

Update: Petitioner is requesting deferral to September 19, 2022

Location: Approximately 0.57 acre located on the west side of West Carson Boulevard, north of South Mint Street, and east of West Palmer Street. (Council District 3 - Watlington)

Current Zoning: MUDD (mixed-use development)

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

20. Rezoning Petition: 2021-281 by Blue Freight Transport, Inc.

Update: Petitioner is requesting deferral to September 19, 2022

Location: Approximately 3.8 acres located on the north side of Fred D. Alexander Boulevard between Oak Street and Brookshire Boulevard. (Council District 2 - Graham)

Current Zoning: R-4 & I-2 LLWPA (single-family residential and general industrial, Lower Lake Wylie Protected Area)

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

21. Rezoning Petition: 2021-285 by Clearwater Development Partners, Inc.

Update: Petitioner is requesting deferral to September 19, 2022

Location: Approximately 0.15 acre located in the southern quadrant of the intersection of Cleveland Avenue and East Worthington Avenue, east of South Boulevard. (Council District 1 - Egleston)

Current Zoning: B-1 HD (neighborhood business, historic district)

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

22. Rezoning Petition: 2022-003 by Joy Homes, LLC

Update: Petitioner is requesting deferral to September 19, 2022

Location: Approximately 4.39 acres located on the south side of South Tryon Street just north of Orchardgate Drive. (Council District 3 - Watlington)

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

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

23. Rezoning Petition: 2021-262 by CRD Dilworth, LLC

Location: Approximately 1.14 acres located in the western quadrant of the intersection of East Worthington Avenue and Cleveland Avenue, east of South Boulevard. (Council District 1 - Egleston)

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

Proposed Zoning: TOD-NC (CD) (transit-oriented development - neighborhood center, conditional) and TOD-UC (CD) (transit-oriented development - urban center, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_262_PHSА_DONE](#)

[2021-262 CRD Dilworth LLC-REZONING PLAN \(00395567-2xDAAF3\)](#)

24. Rezoning Petition: 2021-264 by Chuck Price

Location: Approximately 4.7 acres located on the north side of Oak Drive, east of Old Statesville Road, and south of Pete Brown Road. (Council District 2 - Graham)

Current Zoning: I-1 (light industrial), R-4 (single-family residential)

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

Staff Recommendation:

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

[2021_264_PHSА_DONE](#)

[2021_264_RevSitePlan_2022_06_17](#)

25. Rezoning Petition: 2021-282 by Greystar Development East, LLC

Location: Approximately 7.54 acres located south of Golf Links Drive, west side of Midway Park Drive, north of Ardrey Kell Road. (Council District 7 - Driggs)

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 issues related to transportation.

[2021_282_PHSА_DONE](#)

[2021_282_siteplanREV_22_7_11](#)

26. Rezoning Petition: 2022-004 by White Point Partners

Location: Approximately 25.25 acres located on the north side of The Plaza and east side of Eastway Drive, south of Eastway Park Drive. (Council District 1 - Egleston)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_004_PHSА_DONE](#)

[2022_004_DevStandards_2022_07_11](#)

27. Rezoning Petition: 2022-007 by St. Charles Avenue, LLC

Location: Approximately 0.34 acre located on the west side of Castleton Road, north of North Sharon Amity Road, and east of Craig Avenue. (Council District 5 - Newton)

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 the technical revision related to watershed district reference.

[2022_007_PHSА_DONE](#)

[2022_007_siteplanRev_22_7_11](#)

28. Rezoning Petition: 2022-010 by MAGLC, LLC

Location: Approximately 16.65 acres located on the east side of Northlake Centre Parkway, south of Interstate 485, and west of Interstate 77. (ETJ-BOCC: 1-Powell; Closest CC: 4-Johnson)

Current Zoning: BP and R-3 (business park and single-family residential)

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

Staff Recommendation:

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

[2022_010_PHS_A_DONE](#)

[2022_010_RevSitePlan_2022_07_11](#)

29. Rezoning Petition: 2022-012 by RangeWater Real Estate

Location: Approximately 18.45 acres located on the east side of IBM Drive, west of Interstate 85, south of West W.T. Harris Boulevard. (Council District 4 - Johnson)

Current Zoning: RE-2 (research)

Proposed Zoning: R-17 MF (CD) (multi-family residential, conditional)

Staff Recommendation:

Staff recommends APPROVAL of this petition upon resolution of outstanding issues related to greenway easement and outstanding issue and technical revisions related to transportation.

[2022_012_PHS_A_DONE](#)

[2022_012_RevSitePlan_2022_07_11](#)

30. Rezoning Petition: 2022-022 by Appaloosa Real Estate Partners

Location: Approximately 26.65 acres located on the east side of Beard Road, north of Mallard Creek Road. (Council District 4 - Johnson)

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

Proposed Zoning: R-22 MF (CD) (multi-family residential, conditional), UR-2 (CD) (urban residential, conditional)

Staff Recommendation:

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

[2022_022_PHS_A_DONE](#)

[2022_022_RevSitePlan_2022_07_11](#)

31. Rezoning Petition: 2022-085 by City of Charlotte

Location: Approximately 3.12 acres located on the west side of Beam Road, north of Shopton Road, and south of Center Park Drive. (Council District 3 - Watlington)

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

Proposed Zoning: INST (institutional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_085_PHSА_DONE](#)

Adjournment