

City of Charlotte

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



Zoning Agenda

Monday, September 19, 2022

Council Chamber

City Council Zoning Meeting

Mayor Vi Lyles

Council Member Dimple Ajmera

Council Member Danté Anderson

Council Member Tariq Scott Bokhari

Council Member Ed Driggs

Council Member Malcolm Graham

Council Member Reneé Johnson

Council Member LaWana Mayfield

Council Member James Mitchell

Council Member Marjorie Molina

Council Member Victoria Watlington

Council Member Braxton Winston II

**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

2. Follow Up Report

[8.15.22 City Council Follow Up DONE](#)

DECISIONS

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

Update: Petitioner is requesting deferral to October 17, 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)

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

Update: Petitioner is requesting deferral to October 17, 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)

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

Update: Petitioner is requesting deferral to October 17, 2022

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)

6. 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 - Anderson)

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

Proposed Zoning: R-8 (CD) (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_234_ZCR](#)

[2021_234_FSA_DONE](#)

[2021_234_RevSitePlan_2022_08_23](#)

7. 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)

Zoning Committee Recommendation:

The Zoning Committee voted 4-2 to recommend denial of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_238_ZCR_DONE](#)

[2021_238_FSA_DONE](#)

[2021_238_SitePlanRev_07_13_2022](#)

8. 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 - Anderson)

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_9_19](#)

[2021_242_RevSitePlan_2022_08_12](#)

9. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_246_ZCR](#)

[2021_246_FSA_DONE](#)

[2021_246_siteplanRev_22_7_1](#)

10. Rezoning Petition: 2021-247 by HRLP Morrocroft LP

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021 247 ZCR](#)

[2021 247 FSA DONE](#)

[2021 247 siteplanRev 22 8 18](#)

11. Rezoning Petition: 2021-257 by Lennar Carolinas, LLC

Location: Approximately 52.67 acres located on the south side of Old Dowd Road and the east side of Amos Smith Road. (ETJ-BOCC: 2-Leake; closest CC: 3-Watlington).

Current Zoning: MX-2 (INNOV) LLWCA (mixed use, innovative, Lower Lake Wylie Critical Area)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

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

[2021 257 ZCR](#)

[2021 257 FSA DONE](#)

[2021 257 SitePlanRev 07 29 2022](#)

12. 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 - Anderson)

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_262_ZCR](#)

[2021_262_FSA_DONE](#)

[2021_262_DevelopmentStandardsRev](#)

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

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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_263_ZCR](#)

[2021_263_FSA_DONE](#)

[2021_263_siteplanRev_22_9_9](#)

14. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_264_ZCR](#)

[2021_264_FSA_DONE](#)

[2021_264_RevSitePlan_2022_08_18](#)

15. Rezoning Petition: 2021-280 by The Drakeford Company

Location: Approximately 15.30 acres located south of Johnnette Drive, east of Lawrence Orr Road, and west of East W.T. Harris Boulevard. (Council District 5 - Molina)

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

Proposed Zoning: MX-1 (INNOV) (mixed, innovative)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_280_ZCR](#)

[2021_280_FSA_DONE](#)

[2021_280_RevSitePlan_2022_09_07](#)

16. 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(CD) (mixed-use development - 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_282_ZCR](#)

[2021_282_FSA_DONE](#)

[2021_282_siteplanRev_22_8_18](#)

17. 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 - Anderson)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_004_ZCR](#)

[2022_004_FSA_DONE](#)

[2022_004_DevelopmentStandards_2022_06_27](#)

18. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_012_ZCR](#)

[2022_012_FSA_DONE](#)

[2022_012_siteplanRev_22_8_18](#)

19. 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 - Molina)

Current Zoning: R-3 (single-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.

[2022_007_ZCR](#)

[2022_007_FSA_DONE](#)

[2022_007_siteplanRev_22_8_18](#)

20. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_022_ZCR](#)

[2022_022_FSA_DONE](#)

[2022_022_RevSitePlan_2022_08_19](#)

21. 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)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_085_ZCR](#)

[2022_085_FSA_DONE](#)

HEARINGS

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

Update: Petitioner is requesting deferral to October 17, 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: 2022-016 by Vision Properties

Update: Petitioner is requesting deferral to October 17, 2022

Location: Approximately 25.91 acres located on the east and west side of Carmel Commons Boulevard and east side of Carmel Road, south of Pineville-Matthews Road. (Council District 7 - Driggs)

Current Zoning: O-1 (office)

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

24. Rezoning Petition: 2022-027 by Childress Klein

Update: Petitioner is requesting deferral to October 17, 2022

Location: Approximately 2.27 acres located on the east side of Sharon Road, west of Colony Road, and north of Fairview 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)

25. Rezoning Petition: 2021-232 by Chick-Fil-A

Update: Petitioner is requesting deferral to October 17, 2022

Location: Approximately 0.88 acres bound by the east side of Randolph Road and west side of Colwick Road, north of North Sharon Amity Road. (Council District 6 - Bokhari)

Current Zoning: B-1 (neighborhood business)

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

[2021_232_PHSА_DONE](#)

[2021_232_siteplanRev_22_8_15](#)

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

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)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_274_PHSА_DONE](#)

27. Rezoning Petition: 2022-020 by Denciti Partners, LLC

Location: Approximately 0.71 acre located on the west side of Dewitt Lane, east side of Ellenwood Place, and north side of Freeland Lane, west of South Boulevard. (Council District 3 - Watlington)

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

Proposed Zoning: UR-3 (CD) (urban residential, conditional)

Staff Recommendation:

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

[2022_020_PHSА_DONE](#)

[2022_020_RevSitePlan_2022_8_15](#)

28. Rezoning Petition: 2019-073 by Ravin Partners

Location: Approximately 1.91 acres along the north side of West Tremont Avenue, west of South Tryon Street, and east of Toomey Avenue. (Council District 3 - Watlington)

Current Zoning: I-1 (light industrial)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2019_073_PHSА_DONE](#)

29. Rezoning Petition: 2021-267 by YMCA of Greater Charlotte

Location: Approximately 12.46 acres located on the north side of West Boulevard, east of Donald Ross Road, and south of Wilkinson Boulevard. (Council District 3 - Watlington)

Current Zoning: INST(CD) (institutional, conditional) and R-22 MF (multi-family residential)

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

Staff Recommendation:

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

[2021_267_PHSА_DONE](#)

[2021_267_RevSitePlan_2022_08_15](#)

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

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)

Staff Recommendation:

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

[2021_281_PHSА_DONE](#)

[2021_281_SitePlanRev_2022_8_15](#)

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

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 - Anderson)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2021_285_PHSA_DONE](#)

[2021_285_SitePlanRev_2022_7_11](#)

32. Rezoning Petition: 2022-006 by DHIC, LLC

Location: Approximately 18.88 acres located on the south side of Interstate 485 and west side of Interstate 77, east of Northlake Centre Parkway. (ETJ-BOCC: 1-Powell; Closest CC: 4-Johnson)

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

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

Staff Recommendation:

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

[2022_006_PHSA_DONE](#)

[2022_006_RevSitePlan_2022_07_11](#)

33. Rezoning Petition: 2022-014 by Stewart

Location: Approximately 1.08 acres located at the northeast intersection of West 28th Street and Bancroft Street, east of North Graham Street. (Council District 1 - Anderson)

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

Proposed Zoning: NS (neighborhood services)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_014_PHSA_DONE](#)

[2022_014_RevSitePlan_2022_8_15](#)

34. Rezoning Petition: 2022-023 by Kindredfruit Properties, LLC

Location: Approximately 0.22 acre located on the north side of Central Avenue between Clement Avenue and Pecan Avenue. (Council District 1 - Anderson)

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

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

Staff Recommendation:

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

[2022_023_PHSА_DONE](#)

[2022_023_SitePlanRev_2022_8_12](#)

35. Rezoning Petition: 2022-025 by Elm Lane THD, LLC

Location: Approximately 1.42 acres located on the west side of Elm Lane, north of Bryant Farms Road, and south of Ballantyne Commons Parkway. (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 transportation and technical revisions related to urban forestry and site and building design.

[2022_025_PHSА_DONE](#)

[2022_025_siteplanRev_22_8_15](#)

36. Rezoning Petition: 2022-028 by Christ the King Lutheran Church, Inc.

Location: Approximately 3.53 acres located on the south side of South Tryon Street between Orchardgate Drive and Steeplecroft Parkway. (Council District 3 - Watlington)

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

Proposed Zoning: INST (institutional)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_028_PHSА_DONE](#)

37. Rezoning Petition: 2022-031 by Kairoi Residential

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: I-1 (light industrial)

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

Staff Recommendation:

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

[2022_031_PHSА DONE](#)

[2022_031_siteplanRev_22_8_15](#)

38. Rezoning Petition: 2022-032 by Canvas Residential, LLC

Location: Approximately 4.18 acres located on the north side of West Arrowood Road, east of Forest Point Boulevard, and west of Nations Ford Road. (Council District 3 - Watlington)

Current Zoning: R-4 (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 and site and building design and technical revisions related to land use and environment.

[2022_032_PHSА DONE](#)

[2022_032_siteplanRev_22_8_15](#)

39. Rezoning Petition: 2022-035 by Eid Refaey - A and E Rental Homes, LLC

Location: Approximately 0.37 acre located at the southwest intersection of Parkwood Avenue and Harrill Street, east of Seigle Avenue. (Council District 1 - Anderson)

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, environment, and site and building design.

[2022_035_PHSА DONE](#)

[2022_035_RevSitePlan_2022_08_15](#)

40. Rezoning Petition: 2022-038 by RMR Group, LLC

Location: Approximately 8.80 acres bound by the south side of Yancey Road, north side of Southside Drive, and west side of Old Pineville Road. (Council District 3 - Watlington)

Current Zoning: I-2 and MUDD-O (general industrial and mixed-use development -optional)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

[2022_038_PHSА_DONE](#)

Adjournment