

City of Charlotte

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



Zoning Agenda

Monday, July 19, 2021

Electronic Regular Meeting Hosted from Room 267

City Council Zoning Meeting

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

ACRONYMS

Zoning District Acronyms

- **B-1** – neighborhood business
- **B-2** – general business
- **B-1SCD** – business shopping center (old district)
- **BD** – distributive business
- **BP** – business park
- **CC** – commercial center
- **HW** – hazardous waste
- **I-1** – light industrial
- **I-2** – general industrial
- **INST** – institutional
- **MUDD** – mixed use development
- **MX-1** – mixed use
- **MX-2** – mixed use
- **MX-3** – mixed use
- **NS** – neighborhood services
- **O-1** – office district
- **O-2** – office district
- **O-3** – office district
- **R-3** – single-family residential – up to 3 dwelling units per acre (dua)
- **R-4** – single-family residential –up to 4 dua
- **R-5** – single-family residential –up to 5 dua
- **R-6** – single-family residential –up to 6 dua
- **R-8** – single-family residential – up to 8 dua
- **R-8MF** – multi-family residential – up to 8 dua
- **R-12MF** – multi-family residential– up to 12 dua
- **R-17MF** – multi-family residential– up to 17 dua
- **R-22MF** – multi-family residential– up to 22 dua
- **R-43MF** – multi-family residential– up to 43 dua
- **R-MH** – residential manufactured housing
- **RE-1** – research
- **RE-2** – research
- **RE-3** – research
- **TOD** – transit oriented development
- **TOD-CC** – transit oriented development – community center
- **TOD-NC** – transit oriented development– neighborhood center
- **TOD-UC** – transit oriented development –urban center
- **TOD-TR** – transit oriented development –transit transition
- **U-I** – urban industrial
- **UMUD** – uptown mixed use
- **UR-1** – urban residential
- **UR-2** – urban residential
- **UR-3** – urban residential
- **UR-C** – urban residential – commercial

Zoning Overlay District Acronyms

- **AIR** – Airport Noise overlay
- **CR/LWW** – Catawba River/Lake Wylie watershed
- **CR/LWWCA** – Catawba River/Lake Wylie watershed – critical area
- **CR/LWWPA** – Catawba River/Lake Wylie watershed – protected area
- **HD-O** – historic district overlay
- **LNW** – Lake Norman watershed overlay
- **LNWCA** –Lake Norman watershed –overlay, critical area
- **LNWPA** –Lake Norman watershed – overlay, protected area
- **LLWW** – Lower Lake Wylie watershed overlay
- **LLWWCA** – Lower Lake Wylie watershed – overlay, critical area
- **LLWWPA** – Lower Lake Wylie watershed– overlay, protected area
- **LWPA** – Lake Wylie protected area
- **MILW** – Mountain Island Lake watershed overlay
- **MILWCA** – Mountain Island Lake watershed – overlay, critical area
- **MILWPA** – Mountain Island Lake watershed – overlay, protected area
- **MH** - manufactured home overlay
- **PED** – pedestrian overlay
- **TS** – transit supportive overlay

Miscellaneous Zoning Acronyms:

- **CD** – conditional
- **INNOV** – innovative standards
- **SPA** – site plan amendment
- **O** – optional provisions

Miscellaneous Other Acronyms:

- **CAG** – citizen advisory group
- **CDOT** – Charlotte Department of Transportation
- **FEMA** – Federal Emergency Management Agency
- **LED** – light emitting diode
- **NCDOT** – North Carolina Department of Transportation
- **PCCO** – Post Construction Control Ordinance

**1. 4:00 P.M. CITY COUNCIL ZONING MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
ELECTRONIC REGULAR MEETING HOSTED FROM ROOM 267**

Call to Order

Introduction

Invocation

Pledge of Allegiance

ACTION REVIEW

2. Staying in Place Update

Staff Resource(s):

Rebecca Hefner, Innovation and Technology

Time: Presentation - 10 minutes; Discussion - 15 minutes

Explanation

- Provide an update on the Staying in Place program.

3. American Rescue Plan Act Update

Staff Resource(s):

Shawn Heath, City Manager's Office

Time: Presentation - 10 minutes; Discussion - 10 minutes

Explanation

- Provide an overview of the proposed plan for American Rescue Plan Act funding.

PUBLIC FORUM

4. Public Forum

AWARDS AND RECOGNITIONS

5. Americans with Disabilities Act Awareness Day Proclamation

Action:

Mayor Pro Tem Eiselt will read a proclamation recognizing July 26, 2021, as Americans with Disabilities Act Awareness Day.

BUSINESS

6. Housing Trust Fund Support Request

Action:

Approve a \$1,050,000 Housing Trust Fund allocation to Wendover NOAH, LLC in partnership with Ascent Housing, LLC for the acquisition and rehabilitation of The Pines on Wendover Apartments.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Miles Vaughn, Housing and Neighborhood Services

Explanation

- Wendover NOAH, LLC, an affiliate of Ascent Housing, LLC, is requesting a Housing Trust Fund (HTF) allocation of \$1,050,000 for the acquisition and rehabilitation of The Pines on Wendover Apartments, a 44-unit multi-family complex located at 630 North Wendover Road in Council District 1.
- The Pines on Wendover Apartments meets the City's Naturally Occurring Affordable Housing (NOAH) criteria which include:
 - The property's age is greater than 15 years;
 - Rents are in the area median income (AMI) range that are at risk due to surrounding neighborhood dynamics;
 - The property can be rehabilitated to help maintain a good quality of life for residents for the next 20 years or more;
 - The property is located in an area with close proximity to quality jobs, schools, and transportation infrastructure; and
 - The property is located in an area experiencing transformative change and property appreciation.
- The total development budget is \$8,004,000, which amounts to a 1:7 leverage ratio of HTF financing. The investment also includes a 20-year deed restriction for the preservation of 44 units at the following AMI levels:
 - 13 units at 30 percent AMI,
 - 22 units at 51 percent to 60 percent AMI, and
 - 9 units at 61 percent to 80 percent AMI.
- A third-party inspection has been performed on the property to determine the existing property conditions.
- The proposed rehabilitation will consist of the following:
 - Heating, ventilation, and air conditioning unit replacements;
 - Water heater and dryer vent replacements;
 - Flooring and cabinet replacements;
 - Balcony, sidewalk, and drainage repairs;
 - Security and safety improvements including lighting and fence repair;
 - Landscaping, tree removal, and pressure washing;
 - Dumpster enclosure replacement; and
 - Signage.

Background

- In August 2018, City Council adopted the Housing Charlotte Framework which recommends:
 - Prioritizing large-scale NOAH properties, and
 - Establishing a preservation fund to subsidize acquisition of NOAH properties, which is noted as a national best practice for preserving existing affordable and workforce housing.
- On March 25, 2019, City Council adopted Guidelines for Preserving Naturally Occurring Affordable Housing (guidelines). The goals of the guidelines include:
 - Limiting displacement of current residents by preserving existing affordability;
 - Preserving quality affordable and workforce housing by increasing the number of available deed-restricted units and the physical structure of the units;
 - Providing low-interest loans so that high-performing for-profit and non-profit owner

- operators can purchase and/or upfit NOAH properties and preserve them as affordable;
- Allowing existing owners to participate in return for deed restrictions and demonstrated management and maintenance history; and
- Aligning guidelines with other City policies.

Charlotte Business INClusion

- All HTF funded projects and their developers are subject to MWSBE goals determined based on the amount of the HTF allocations received.

Fiscal Note

Funding: Housing Trust Fund

7. Appointments to the Charlotte Business INClusion Advisory Committee

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a for a partial term beginning upon appointment and ending February 28, 2022.
 - Krisha Chachra, nominated by Council members Driggs, Graham, and Phipps.
 - Stephanie Moore Hand, nominated by Council members Ajmera, Bokhari, Egleston, and Watlington.
 - Victor Perez, nominated by Council members Driggs, Johnson, Newton, and Winston.

Attachment(s)

Charlotte Business INClusion Advisory Committee Applications

8. Appointments to the Zoning Board of Adjustment

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning upon appointment and ending January 31, 2024.
 - Roderick Davis, nominated by Council members Ajmera, Bokhari, Graham, and Winston.
 - Mary Kelly, nominated by Council members Driggs, Egleston, Johnson, Newton, and Phipps.

Attachment(s)

Zoning Board of Adjustment Applications

ZONING

Explanation of Zoning Meeting

Deferrals/Withdrawals

DECISIONS**9. Rezoning Petition: 2019-179 by Ronald Staley, Jr. of Verde Homes, LLC**

Update: Petitioner is requesting deferral to September 20, 2021

Location: Approximately 1 acre located near the SE intersection of Parkwood Avenue and Hawthorne Lane in the Plaza Midwood community. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential) & R-22MF (multi-family residential)

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

10. Rezoning Petition: 2020-038 by Clover Group, Inc.

Location: Approximately 9.96 acres located on the east side of Steele Creek Road and south of Erwin Road. (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 4-3 to recommend APPROVAL of this petition.

Staff Recommendation:

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

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

11. Rezoning Petition: 2020-160 by Aldersgate United Methodist Retirement Community

Location: Approximately 70.014 acres located along Shamrock Drive within the greater Aldersgate Retirement Community. (Council District 1 - Egleston)

Current Zoning: R-17 MF; INST; INST (CD) (multi-family residential; institutional; institutional, conditional)

Proposed Zoning: UR-2 (CD); MUDD (O) (urban residential, conditional; mixed-use development, optional) with 5-year vested rights

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

12. Rezoning Petition: 2021-004 by 1511 Central, LLC

Location: Approximately .905 acre located at the NE intersection of Central Avenue and Pecan Avenue in the Plaza-Midwood community. (Council District 1 - Egleston)

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

Proposed Zoning: B-2 PED (O) (business, pedestrian overlay, optional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

13. Rezoning Petition: 2021-008 by The Morgan Companies

Location: Approximately 4.41 acres located along the west side of Carmel Commons Boulevard, south of Pineville-Matthews Road, and east of Carmel Road. (Council District 7 - Driggs)

Current Zoning: O-1 (office)

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

Zoning Committee Recommendation:

The Zoning Committee voted 4-1 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

14. Rezoning Petition: 2021-021 by Portman Residential

Location: Approximately 27.65 acres located on the north side of State Street, southwest of Rozzelles Ferry Road, and east of Tuckaseegee Road. (Council District 2 - Graham)

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

Proposed Zoning: MUDD-O SPA (mixed-use development, optional, 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 outstanding issues related to site and building design.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

15. Rezoning Petition: 2021-025 by NVR, Inc.

Location: Approximately 13.05 acres located along the north and south sides of Wallace Lane and east of the East Independence Expressway. (Council District 5 - Newton)

Current Zoning: UR-2 (CD) (urban residential, conditional) & R-4 (single-family residential)

Proposed Zoning: UR-2 (CD) SPA (urban residential, conditional, site plan amendment) & 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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

16. Rezoning Petition: 2021-027 by Evergreen Living

Location: Approximately 18.97 acres bound by the north side of Interstate 485, south side of Mt. Holly-Huntersville Road, and east side of Oakdale Road. (ETJ-BOCC: 1-Powell, nearest CC: 2-Graham)

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

Proposed Zoning: R-8 MF (CD) LWPA (multi-family residential, conditional, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

17. Rezoning Petition: 2021-034 by JCAN Properties, LLC

Location: Approximately .29 acre located at 2020 Parson Street in the Villa Heights neighborhood.
(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 6-0 to recommend APPROVAL of this petition.

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

18. Rezoning Petition: 2021-035 by Argosy Real Estate Partners IV, LLC

Location: Approximately 3.99 acres located on the west side of Westpark Drive, east of Highway 77, south of Tyvola Road and west of Old Pineville Road. (Council District 3 - Watlington)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

19. Rezoning Petition: 2021-037 by Providence Group Capital, LLC

Location: Approximately 0.76 acre located along the east side of South Tryon Street, north of Remount Road, and west of South Boulevard. (Council District 3 - Watlington)

Current Zoning: TOC-NC (transit-oriented development - neighborhood center)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

20. Rezoning Petition: 2021-038 by White Point Partners, LLC

Location: Approximately 2 acres located at the southern intersection of Charles Avenue and Brevard Street. (Council District 1 - Egleston)

Current Zoning: TOD-M (CD) (transit-oriented development, mixed, conditional)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

21. Rezoning Petition: 2021-039 by Crescent Communities, LLC

Location: Approximately 21.5 acres located along the east and west side of Senator Royall Drive, south of West Mallard Creek Church Road, and west of Interstate 85. (Council District 4 - Johnson)

Current Zoning: RE-1 (research)

Proposed Zoning: RE-3 (O) (research, optional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

22. Rezoning Petition: 2021-040 by Mattamy Homes

Location: Approximately 41.50 acres located along the northern portion of Rocky River Road between John Russell Road and Back Creek Church Road. (ETJ-BOCC: 3-Dunlap, nearest CC: 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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

23. Rezoning Petition: 2021-041 by Pareshkumar Patel

Location: Approximately 1.95 acres located along the west side of Ronald Street, northeast of Old Plank Road, and west of Oakdale Road. (Council District 2 - Graham)

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

Proposed Zoning: R-8 MF (multi-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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

24. Rezoning Petition: 2021-042 by Sirus Lane Partners, LLC

Location: Approximately 10.73 acres on the north side of Shopton Road, east of Sandy Porter Road, and west of Pinecrest Drive. (Outside City Limits - BOCC - Leake; Nearest District 3 - Watlington)

Current Zoning: I-1 (CD) AIR (light industrial, conditional, airport noise overlay)

Proposed Zoning: I-2 (CD) AIR (general industrial, conditional, airport noise overlay)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

25. Rezoning Petition: 2021-043 by Robert Allen

Location: Approximately 1.21 acres located on the north side of Fairview Road, east of Park Road, and west of Barclay Downs Drive. (Council District 6 - Bokhari)

Current Zoning: UR-C (CD) (urban residential-commercial, conditional)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

26. Rezoning Petition: 2021-045 by Madison Capital Group, LLC

Location: Approximately 19 acres located on the east side of Mallard Creek Road, northeast of Ridge Road, and west of Highway 85. (ETJ-BOCC: 3-Dunlap, nearest CC: 4-Johnson)

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

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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

27. Rezoning Petition: 2021-046 by Alenky Family Foundation

Location: Approximately 0.26 acre located along the south side of Rutgers Avenue, west of West Sugar Creek Road, and north of North Tryon Street. (Council District 1 - Egleston)

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

Proposed Zoning: UR-1 (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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

28. Rezoning Petition: 2021-047 by Carolyn Associates Owner, LLC

Location: Approximately 27.410 acres located off Carolyn Lane and Joe Whitener Road with frontage and access to University City Boulevard. (Council District 4 - Johnson)

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

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

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

29. Rezoning Petition: 2021-088 by The Charlotte-Mecklenburg Hospital Authority

Location: Approximately 3.37 acres located on the northwest intersection of South Kings Drive and Medical Center Drive, east of Blythe Boulevard. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

Proposed Zoning: O-3 (office)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

HEARINGS**30. Rezoning Petition: 2021-051 by Urban Trends Real Estate, Inc.**

Update: Petitioner has withdrawn this petition

Location: Approximately 0.35 acres located in the southern quadrant of the intersection of W. 5th Street and Frazier Avenue, west of I-77. (Council District 2 - Graham)

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

Proposed Zoning: UR-2 (urban residential)

31. Rezoning Petition: 2021-055 by Meritex Investments, LLC

Update: Petitioner has withdrawn this petition

Location: Approximately 23.844 acres located on the southwest corner of the intersection of Wilkinson Boulevard and Sam Wilson Road. (Council District 3 - Watlington)

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

Proposed Zoning: I-1 (light industrial)

32. 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)

33. Rezoning Petition: 2021-052 by Woodlawn Community Fellowship, Inc.

Location: Approximately 1.74 acres located on the south side of the intersection of Selwyn Avenue and E. Woodlawn Road, east of Park Road. (Council District 6 - Bokhari)

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.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

34. Rezoning Petition: 2021-022 by OMS Dilworth, LLC

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

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

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Conditions

35. Rezoning Petition: 2021-036 by Optimistic Venture Group, LLC

Location: Approximately 0.30 acre located on the south side of Hoskins Road and west side of Gossett Avenue. (Council District 2- Graham)

Current Zoning: R-6 MF (CD) (multi-family residential, conditional)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

36. Rezoning Petition: 2021-044 by Tribek Properties

Location: Approximately 2.07 acres bound by the east side of South Kings Drive, north side of East 3rd Street, and south side of 3rd-4th Connector Street. (Council District 1 - Egleston)

Current Zoning: B-2 (General Business), MUDD (CD) (mixed-use development, conditional)

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

37. Rezoning Petition: 2021-048 by The Drakeford Company

Location: Approximately 0.65 acre located on Beatties Ford Road between French Street and Brookshire Freeway. (Council District 2 - Graham)

Current Zoning: B-1 PED (neighborhood business, pedestrian overlay)

Proposed Zoning: NS PED (neighborhood services, pedestrian overlay)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

38. Rezoning Petition: 2021-049 by TE Wash Holdings, LLC and ROC Wash Holdings, LLC

Location: Approximately 1.25 acres located at the NW intersection of Albemarle Road and Beaver Farms Road in east Charlotte. (ETJ-BOCC: 4-Jerrell, nearest CC: 5-Newton)

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

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

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

39. Rezoning Petition: 2021-053 by Catalyst Capital Partners, LLC

Location: Approximately 7.06 acres located on the east side of University Executive Park drive, south of W.T. Harris Boulevard, and east of North Tryon Street. (Council District 4 - Johnson)

Current Zoning: MUDD-O (mixed-use development, optional) and O-2 (CD) (office, conditional)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

40. Rezoning Petition: 2021-054 by Space Craft, LLC

Location: Approximately .75 acre located near the SW terminus of N. Brevard Street at Parkwood Avenue with frontage along Blue Line. (Council District 1 - Egleston)

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

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

41. Rezoning Petition: 2021-057 by Providence Group Capital, LLC

Location: Approximately 1.13 acres located at the southern intersection of South Tryon Street, Rampart Street, and Dunavant Street, west of South Boulevard. (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.

Attachments:

Pre-Hearing Staff Analysis

42. Rezoning Petition: 2021-058 by 501 Briar Creek, LLC

Location: Approximately 0.26 acre located on the west side of Briar Creek Road, northeast of Monroe Road, and west of Independence Boulevard. (Council District 1 - Egleston)

Current Zoning: O-2 (office)

Proposed Zoning: B-2 (general business)

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

43. Rezoning Petition: 2021-062 by Childress Klein Properties and Dominion Realty Partners

Location: Approximately 24.4 acres located southeast of W. Tyvola Road and northeast of Billy Graham Parkway, west of Interstate 77. (Council District 3 - Watlington)

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

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

Staff Recommendation:

Staff does not recommend approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

44. Rezoning Petition: 2021-063 by Prologis, L.P.

Location: Approximately 105 acres located between Shopton Road and Beam Road. (Council District 3 - Watlington)

Current Zoning: B-D (CD) AIR (distributive business, conditional, airport noise overlay)

Proposed Zoning: I-1 (CD) air (light industrial, conditional, airport noise overlay)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

45. Rezoning Petition: 2021-065 b Anthony DeRosa

Location: Approximately 13 acres located west of Quay Road, east of Mallard Creek Road, and north of Ridge Road. (ETJ-BOCC: 3-Dunlap, nearest CC: 4-Johnson)

Current Zoning: CC (commercial center) and R-3 (single-family residential)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

46. Rezoning Petition: 2021-066 by TE Wash Holdings, LLC and ROC Wash Holdings, LLC

Location: Approximately 1.74 acres located on the west side of West W.T. Harris Boulevard, south of Mt. Holly-Huntersville Road, and west of Interstate 77. (Council District 2 - Graham)

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

Proposed Zoning: B-2 (CD) SPA (general business, conditional, site plan amendment)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

47. Rezoning Petition: 2021-067 by Terwilliger Pappas

Location: Approximately 3.45 acres located on the east side of South Tryon Street and the northwest of Yancey Road, west of Old Pineville Road. (Council District 3 - Watlington)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

Staff recommends APPROVAL of this petition.

Attachments:

Pre-Hearing Staff Analysis

48. Rezoning Petition: 2021-068 by DreamKey Partners

Location: Approximately 5.24 acres located at the northwest intersection of Mallard Creek Road and Hubbard Road, south of West W.T. Harris Boulevard, and east of West Sugar Creek Road. (Council District 2 - Graham)

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

Proposed Zoning: INST (CD) (institutional, conditional)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

49. Rezoning Petition: 2021-069 by Selwyn Property Group, Inc.

Location: Approximately 2.19 acres located on the western corner of Morris Field Drive and Jason Avenue. (Council District 3 - Watlington)

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

Proposed Zoning: I-2 (general industrial)

Staff Recommendation:

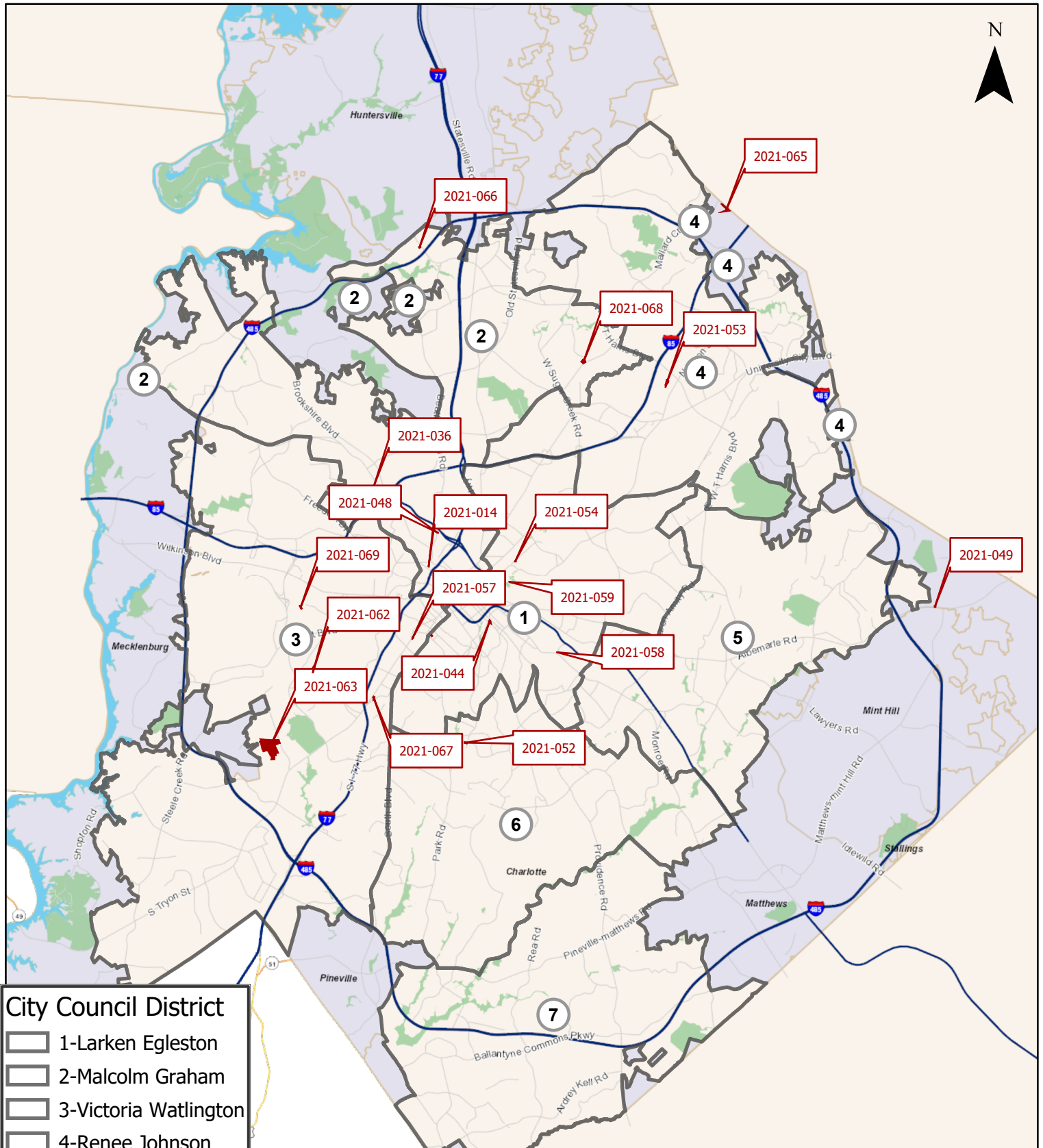
Staff recommends APPROVAL of this petition.








Attachments:

Pre-Hearing Staff Analysis

July 2021 Rezoning

City of Charlotte, Mecklenburg County



- City Council District**
-  1-Larken Egleston
 -  2-Malcolm Graham
 -  3-Victoria Watlington
 -  4-Renee Johnson
 -  5-Matt Newton
 -  6-Tariq Bokhari
 -  7-Edmund H. Driggs

Map Created 7/14/2021

0 1.75 3.5 7 Miles



City of Charlotte

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

Agenda Date: 7/19/2021

Agenda #: 1. **File #:** 15-16061 **Type:** Dinner Briefing

**4:00 P.M. CITY COUNCIL ZONING MEETING,
CHARLOTTE-MECKLENBURG GOVERNMENT CENTER,
ELECTRONIC REGULAR MEETING HOSTED FROM ROOM 267**



Agenda Date: 7/19/2021

Agenda #: 2. **File #:** 15-16070 **Type:** Action Review

Staying in Place Update

Staff Resource(s):

Rebecca Hefner, Innovation and Technology

Time: Presentation - 10 minutes; Discussion - 15 minutes

Explanation

- Provide an update on the Staying in Place program.



Agenda Date: 7/19/2021

Agenda #: 3. **File #:** 15-16068 **Type:** Action Review

American Rescue Plan Act Update

Staff Resource(s):

Shawn Heath, City Manager's Office

Time: Presentation - 10 minutes; Discussion - 10 minutes

Explanation

- Provide an overview of the proposed plan for American Rescue Plan Act funding.



City of Charlotte

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

Agenda Date: 7/19/2021

Agenda #: 4. **File #:** 15-16073 **Type:** Public Hearing Item

Public Forum



City of Charlotte

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

Agenda Date: 7/19/2021

Agenda #: 5. File #: 15-16077 Type: Consent Item

Americans with Disabilities Act Awareness Day Proclamation

Action:

Mayor Pro Tem Eiselt will read a proclamation recognizing July 26, 2021, as Americans with Disabilities Act Awareness Day.

Agenda Date: 7/19/2021

Agenda #: 6.File #: 15-16056 Type: Business Item

Housing Trust Fund Support Request

Action:

Approve a \$1,050,000 Housing Trust Fund allocation to Wendover NOAH, LLC in partnership with Ascent Housing, LLC for the acquisition and rehabilitation of The Pines on Wendover Apartments.

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services
Miles Vaughn, Housing and Neighborhood Services

Explanation

- Wendover NOAH, LLC, an affiliate of Ascent Housing, LLC, is requesting a Housing Trust Fund (HTF) allocation of \$1,050,000 for the acquisition and rehabilitation of The Pines on Wendover Apartments, a 44-unit multi-family complex located at 630 North Wendover Road in Council District 1.
- The Pines on Wendover Apartments meets the City's Naturally Occurring Affordable Housing (NOAH) criteria which include:
 - The property's age is greater than 15 years;
 - Rents are in the area median income (AMI) range that are at risk due to surrounding neighborhood dynamics;
 - The property can be rehabilitated to help maintain a good quality of life for residents for the next 20 years or more;
 - The property is located in an area with close proximity to quality jobs, schools, and transportation infrastructure; and
 - The property is located in an area experiencing transformative change and property appreciation.
- The total development budget is \$8,004,000, which amounts to a 1:7 leverage ratio of HTF financing. The investment also includes a 20-year deed restriction for the preservation of 44 units at the following AMI levels:
 - 13 units at 30 percent AMI,
 - 22 units at 51 percent to 60 percent AMI, and
 - 9 units at 61 percent to 80 percent AMI.
- A third-party inspection has been performed on the property to determine the existing property conditions.
- The proposed rehabilitation will consist of the following:
 - Heating, ventilation, and air conditioning unit replacements;
 - Water heater and dryer vent replacements;
 - Flooring and cabinet replacements;
 - Balcony, sidewalk, and drainage repairs;
 - Security and safety improvements including lighting and fence repair;
 - Landscaping, tree removal, and pressure washing;
 - Dumpster enclosure replacement; and
 - Signage.

Background

- In August 2018, City Council adopted the Housing Charlotte Framework which recommends:
 - Prioritizing large-scale NOAH properties, and
 - Establishing a preservation fund to subsidize acquisition of NOAH properties, which is noted as a national best practice for preserving existing affordable and workforce housing.
- On March 25, 2019, City Council adopted Guidelines for Preserving Naturally Occurring Affordable Housing (guidelines). The goals of the guidelines include:
 - Limiting displacement of current residents by preserving existing affordability;
 - Preserving quality affordable and workforce housing by increasing the number of available deed-restricted units and the physical structure of the units;
 - Providing low-interest loans so that high-performing for-profit and non-profit owner operators can purchase and/or upfit NOAH properties and preserve them as affordable;
 - Allowing existing owners to participate in return for deed restrictions and demonstrated management and maintenance history; and
 - Aligning guidelines with other City policies.

Charlotte Business INclusion

- All HTF funded projects and their developers are subject to MWSBE goals determined based on the amount of the HTF allocations received.

Fiscal Note

Funding: Housing Trust Fund



Agenda Date: 7/19/2021

Agenda #: 7. **File #:** 15-16110 **Type:** Appointment

Appointments to the Charlotte Business INClusion Advisory Committee

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a for a partial term beginning upon appointment and ending February 28, 2022.
 - Krisha Chachra, nominated by Council members Driggs, Graham, and Phipps.
 - Stephanie Moore Hand, nominated by Council members Ajmera, Bokhari, Egleston, and Watlington.
 - Victor Perez, nominated by Council members Driggs, Johnson, Newton, and Winston.

Attachment(s)

Charlotte Business INClusion Advisory Committee Applications



Agenda Date: 7/19/2021

Agenda #: 8. File #: 15-16111 Type: Appointment

Appointments to the Zoning Board of Adjustment

Action:

Appoint residents to serve as specified.

Staff Resource(s):

Stephanie Kelly, City Clerk's Office

Explanation

- One appointment for a three-year term beginning upon appointment and ending January 31, 2024.
 - Roderick Davis, nominated by Council members Ajmera, Bokhari, Graham, and Winston.
 - Mary Kelly, nominated by Council members Driggs, Egleston, Johnson, Newton, and Phipps.

Attachment(s)

Zoning Board of Adjustment Applications