

City of Charlotte

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



Zoning Agenda

Monday, September 16, 2019

Council Chambers

City Council Zoning Meeting

*Mayor Vi Lyles
Mayor Pro Tem Julie Eiselt
Council Member Dimple Ajmera
Council Member Tariq Scott Bokhari
Council Member Ed Driggs
Council Member Larken Egleston
Council Member Justin Harlow
Council Member LaWana Mayfield
Council Member James Mitchell
Council Member Matt Newton
Council Member Greg Phipps
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



Agenda Date: 9/16/2019

Agenda #: 1. **File #:** 15-11532 **Type:** Dinner Briefing

5:00 P.M. DINNER MEETING, CH-14

1. Meeting Agenda

2. Dinner Meeting Agenda

1. Agenda Review - Dave Pettine

3. Follow-Up Report

AWARDS AND RECOGNITIONS**4. National Suicide Prevention Month****Action:**

Council member Newton will read a proclamation recognizing September 2019 as National Suicide Prevention Month.

5. Charlotte Women's Small Business Month Proclamation**Action:**

Council member Mitchell will read a proclamation recognizing October 2019 as Charlotte Women's Small Business Month.

6. Museum Day Proclamation**Action:**

Mayor Lyles will read a proclamation recognizing September 21, 2019, as Museum Day.

DECISIONS**7. Rezoning Petition: 2018-147 by Laurel Street Residential**

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 3.31 acres located on the north side of Mallard Creek Road, east of Prosperity Church Road, west of Galloway Road. (Council District 4 - Phipps)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition to their October 1, 2019 meeting.

8. Rezoning Petition: 2018-167 by Verde Homes, LLC

Update: Petitioner is requesting withdrawal of this petition

Location: Approximately 1.74 acres located on the east side of Sardis Road, between Oak Creek Drive and Creek Valley Drive. (Council District 6 - Bokhari)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

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

9. Rezoning Petition: 2019-006 by Amerco Real Estate Company

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 4.63 acres located on the east side of the intersection of Freedom Drive, Ashley Drive and Tuckaseegee Road. (Council District 3 - Mayfield)

Current Zoning: B-1SCD AIR (business shopping center district, airport noise overlay)

Proposed Zoning: BD(CD) AIR (distributive business, conditional, airport noise overlay) and B-2(CD) AIR (general business, conditional, airport noise overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 to **DEFER** this petition to their October 1, 2019 meeting.

10. Rezoning Petition: 2019-030 by Continental 475 Fund, LLC

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 30.73 acres located on the north side of South Tryon Street, south of Erwin Road, east of Choate Circle. (Council District 3 - Mayfield)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

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

11. Rezoning Petition: 2018-128 by James Pouitier

Location: Approximately 5.5 acres located on the south side of Mount Holly-Huntersville Road, east of Brookshire Boulevard. (Council District 2 - Harlow)

Current Zoning: R-3 LWPA (single family residential, Lake Wylie protected area)

Proposed Zoning: NS LWPA (neighborhood services, Lake Wylie protected area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

12. Rezoning Petition: 2018-142 by Proffitt Dixon Partners

Location: Approximately 20.50 acres located on the west side of Providence Road, north of Lynbridge Road, south of Old Providence Road. (Council District 7 - Driggs)

Current Zoning: R-3 (single family residential)

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

Zoning Committee Recommendation:

Staff will provide the Zoning Committee Recommendation during the meeting.

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Final Staff Analysis

Site Plan

13. Rezoning Petition: 2018-163 by Suncap Property Group, LLC

Location: Approximately 1.75 acres located on the eastside of Waverly Avenue, west side of Kenilworth Avenue, south of Romany Road. (Council District 1 - Egleston)

Current Zoning: R-8 (single family residential) & R-22MF (multi-family residential)

Proposed Zoning: R-8(CD) (single family residential, conditional) & MUDD(CD) (mixed use development, conditional)

Zoning Committee Recommendation:

The Zoning Committee voted 4-3 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: 2019-008 by CoHab, LLC

Location: Approximately 0.52 acres located on the west side of the intersection of Seigle Avenue and East 15th Street. (Council District 1 - Egleston)

Current Zoning: R-5 (single family residential)

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

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 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

15. Rezoning Petition: 2019-009 by Joseph Rhodes

Location: Approximately 16.0 acres located on the east side of Beatties Ford Road, north of Trinity Road and south of Lakeview Road. (Council District 2 - Harlow)

Current Zoning: R-3 (single family residential) and B-2 (general business)

Proposed Zoning: R-8MF(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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

16. Rezoning Petition: 2019-022 by Metrolina Builders, Inc.

Location: Approximately 17.63 acres located at the southwest intersection of Morehead Road and Gene Downs Road, east of Salome Church Road. (Outside City Limits)

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

Proposed Zoning: I-2(CD) SPA (general industrial, conditional, site plan amendment)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

17. Rezoning Petition: 2019-028 by HHHunt

Location: Approximately 26.71 acres located on the north side of Sam Dee Road, west of Harrisburg Road and south of Interstate 485. (Council District 5 - Newton)

Current Zoning: R-3 (single family residential) and O-15(CD) (office, conditional)

Proposed Zoning: R-12MF (multi-family residential) and R-12MF(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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

18. Rezoning Petition: 2019-029 by Crescent Communities

Location: Approximately 1.68 acres located at the intersection of East 7th Street and North Caswell Avenue. (Council District 1 - Egleston)

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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

19. Rezoning Petition: 2019-032 by US Developments, Inc

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 14.72 acres located on the northwest side of Highway 29 North, east of Caprington Avenue. (Outside City Limits)

Current Zoning: R-3 (single family residential), R-17MF(CD) (multi-family residential, conditional) and MX-2 (mixed use)

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

Zoning Committee Recommendation:

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

20. Rezoning Petition: 2019-038 by Dave Hegnauer

Summary of petition:

This text amendment proposes to:

- 1) add a new definition for "commercial kitchen";
- 2) add "commercial kitchen" as a use by-right in the U-I (urban industrial), I-1 (light industrial), I-2 (general industrial), CC (commercial center), B-2 (general business) and B-D (distributive business) zoning districts; and
- 3) allow outdoor storage (parking of food trucks and trailers associated with a commercial kitchen) as an accessory use to a commercial kitchen by-right in the U-I (urban industrial), I-1 (light industrial), and I-2 (general industrial) zoning districts, and with prescribed conditions in the CC (commercial center), B-2 (general business), and B-D (distributive business) zoning districts.

Zoning Committee Recommendation:

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

Staff recommendation:

Staff recommends approval of this text amendment upon resolution of outstanding issues related to outdoor storage (parking of mobile food trucks and trailers).

Attachments:

Zoning Committee Recommendation
Final Staff Analysis
Text Amendment

21. Rezoning Petition: 2019-039 by Dependable Development, Inc.

Location: Approximately 26.50 acres located on the west side of Salome Church Road, near Morehead Road, southeast of Interstate 85. (Outside City Limits)

Current Zoning: CC SPA (commercial center, site plan amendment)

Proposed Zoning: UR-2(CD) (urban 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.

Attachments:

Zoning Committee Recommendation
Final Staff Analysis
Site Plan

22. Rezoning Petition: 2019-050 by Land Growth, LLC

Location: Approximately 1.45 acres located at the intersection of East Independence Boulevard and Crownpoint Executive Drive. (Council District 6 - Bokhari)

Current Zoning: B-D (distributive business)

Proposed Zoning: B-2 (general business)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

23. Rezoning Petition: 2019-053 by Hopper Communities

Location: Approximately 2.65 acres off Bryant Park Drive, west of Suttle Avenue, north of Wilkinson Boulevard and south of Morehead Street. (Council District 3 - Mayfield)

Current Zoning: O-1 (office district) and I-2 (general industrial)

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

24. Rezoning Petition: 2019-054 by Cebron W. Hester

Location: Approximately 1.93 acres located on the north side of Lakebrook Road, west of Sam Wilson Road, south of Interstate 85. (Outside City Limits)

Current Zoning: I-1(CD) LWPA (light industrial, conditional, Lake Wylie Protected Area)

Proposed Zoning: I-1 LWPA (light industrial, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

25. Rezoning Petition: 2019-055 by Movement Resources

Location: Approximately 4.19 acres located on the north side of Central Avenue, east of North Sharon Amity Road. (Council District 5 - Newton)

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

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

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

26. Rezoning Petition: 2019-058 by Housing Authority of the City of Charlotte

Location: Approximately 4.27 acres located at the intersection of West 30th Street and Bellefonte Drive. (Council District 1 - Egleston)

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

Proposed Zoning: UR-3(CD) (urban 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.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

27. Rezoning Petition: 2019-060 by 4400 Park Road, LLC

Location: Approximately 0.31 acres located off of Drexmore Avenue, south of East Woodlawn Road, west of Park Road. (Council District 6 - Bokhari)

Current Zoning: R-4 (single family residential)

Proposed Zoning: O-2(CD) (office, conditional)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends denial of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

28. Rezoning Petition: 2019-063 by VLE Partners, LLC

Location: Approximately 2.8 acres located on the east side of The Plaza, south of Belvedere Avenue. (Council District 1 - Egleston)

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

Proposed Zoning: MUDD-O SPA HD-O (mixed use development, optional, site plan amendment, historic district overlay)

Zoning Committee Recommendation:

The Zoning Committee voted 7-0 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: 2019-064 by Novant Health

Location: Approximately 33.16 acres located on the south side of Mount Holly-Huntersville Road, east of Brookshire Boulevard, north of Interstate 485. (Council District 2 - Harlow)

Current Zoning: NS LWPA (neighborhood services, Lake Wylie Protected Area)

Proposed Zoning: O-1(CD) LWPA (office, conditional, Lake Wylie Protected Area)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

Site Plan

30. Rezoning Petition: 2019-065 by Charlotte Douglas International Airport

Location: Approximately 15.17 acres located north of Wilkinson Boulevard, east of Interstate 485 and south of Interstate 85. (Council District 3 - Mayfield)

Current Zoning: B-2 AIR LLWPA (general business, airport noise overlay, Lower Lake Wylie Protected Area)

Proposed Zoning: I-2 AIR LLWPA (general industrial, airport noise overlay, Lower 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

31. Rezoning Petition: 2019-066 by FCP

Location: Approximately 0.18 acres located east of East 36th Street and north of North Davidson Street. (Council District 1 - Egleston)

Current Zoning: I-2 (general industrial)

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

32. Rezoning Petition: 2019-067 by JD Brooks

Location: Approximately 0.15 acres located on the north side of East Worthington Avenue, east of South Boulevard. (Council District 1 - Egleston)

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

Proposed Zoning: TOD-UC HD-O (transit oriented development - urban center, historic district overlay)

Zoning Committee Recommendation:

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Zoning Committee Recommendation

Final Staff Analysis

HEARINGS**33. Rezoning Petition: 2018-117 by Hopper Communities, Inc.**

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 1.7 acres located on the east side of South Tryon Street, south of East Cama Street and north East Peterson Drive. (Council District 3 - Mayfield)

Current Zoning: R-8 (single family residential) and MUDD(CD) (mixed use development, conditional)

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

34. Rezoning Petition: 2019-037 by Jay Kamdar

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 3.08 acres located on the west side of Sam Wilson Road, north of Performance Road. (Outside City Limits)

Current Zoning: R-17MF LWPA (multi-family residential, Lake Wylie watershed - overlay, protected area)

Proposed Zoning: B-2 LWPA (general business, Lake Wylie watershed - overlay, protected area)

35. Rezoning Petition: 2019-072 by Ardent Acquisitions, LLC

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 38.83 acres located on the north side of Cannon Avenue, west of Sugar Creek Road, east of North Graham Street, north of Interstate 85. (Council District 4 - Phipps)

Current Zoning: R-4 (single family residential)

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

36. Rezoning Petition: 2019-103 by Charlotte Planning, Design & Development Department**Summary of petition:**

This text amendment proposes to update the sign regulations to:

- 1) simplify the regulations making them easier to use and understand, with added graphics;
- 2) provide consistency and uniformity in standards across similar zoning districts;
- 3) modify the standards for sign size, materials, location, lighting, portability, quantity and height;
- 4) provide greater flexibility by allowing more signs without a permit, but subject to specific standards;
- 5) introduce new sign types, including A-frame sign, accessory use sign, light pole banner, multi-use planned development ground sign, roof sign, skyline sign, temporary outdoor sales sign, vehicle dealership temporary sign, wall sign (painted), and wall sign (projected);
- 6) create content-neutral sign standards, to be consistent with a recent U.S. Supreme Court ruling;
and
- 7) move the procedures for obtaining a sign permit into a separate document.

Staff recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Text Amendment to Chapter 13

Text Amendment to the Zoning Ordinance

37. Rezoning Petition: 2019-104 by Charlotte Planning, Design & Development Department

Summary of petition:

This text amendment proposes to update the Tree Ordinance and Zoning Ordinance for sites zoned for urban development. Specifically, the text amendment:

- 1) promotes better integration of trees into urban sites;
- 2) provides flexibility of where trees are planted on urban sites;
- 3) results in no net loss of code required trees on urban sites;
- 4) modifies the perimeter tree planting, internal tree planting and tree save area requirements on urban sites;
- 5) adds new definitions.

Staff recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis
Text Amendment to Chapter 21
Text Amendment to the Zoning Ordinance
Proposed Tree Ordinance Changes Highlighted in Yellow

38. Rezoning Petition: 2018-073 by Moores Chapel Retail, LLC

Location: Approximately 3.99 acres located at the intersection of Moores Chapel Road, Rhyne Road, and Belmeade Road. (Council District 3 - Mayfield)

Current Zoning: R-3 LLWPA (single family residential, Lower Lake Wylie - protected area)

Proposed Zoning: B-1(CD) LLWPA (neighborhood business, conditional, Lower Lake Wylie - protected area)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis
Site Plan

39. Rezoning Petition: 2018-092 by Contravest Development Partners, LLC

Location: Approximately 14.5 acres located on the west side of Old Statesville Road, south of West W.T. Harris Boulevard. (Council District 2 - Harlow)

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

Proposed Zoning: UR-3(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

Previously Approved Site Plan

40. Rezoning Petition: 2018-160 by K Sade Ventures

Location: Approximately 93.86 acres located on the north side of University Boulevard at the Mecklenburg/Cabarrus County line. (Outside City Limits)

Current Zoning: R-3 (single family residential)

Proposed Zoning: MX-1(CD) (mixed use, 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 environment.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

41. Rezoning Petition: 2019-027 by Liberty Property Trust

Location: Approximately 20.50 acres located at the east side of the intersection of Sam Wilson Road and Laine Road, south of Interstate 85. (Outside City Limits)

Current Zoning: R-3 LLWPA (single family residential, 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.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

42. Rezoning Petition: 2019-047 by NR Pinehurst Property Owner, LLC

Location: Approximately 36.06 acres located on the west side of Providence Road between Cloister Drive and Knob Oak Lane and across from Strawberry Hill Drive. (Council District 6 - Bokhari)

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

Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

43. Rezoning Petition: 2019-074 by Josh Jolley

Location: Approximately 3.96 acres located on the west side of Wallace Road, north of Woodberry Road, west of East Independent Boulevard. (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 outstanding issues related to site and building design and curb and gutter construction.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

44. Rezoning Petition: 2019-078 by Charter Properties

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 39.75 acres located on the north side of Johnston Oehler Road, east of Prosperity Ridge Road, south of Interstate 485. (Council District 4 - Phipps)

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-3(CD) (urban residential, conditional), with five-year vested rights

45. Rezoning Petition: 2019-084 by Lake Mather, LLC

Location: Approximately 0.18 acres located on Greystone Road, east of South Boulevard, south of Marsh Road. (Council District 1 - Egleston)

Current Zoning: R-4 (single family residential)

Proposed Zoning: UR-1(CD) (urban residential, conditional)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

46. Rezoning Petition: 2019-061 by Davis Development

Location: Approximately 15.55 acres located on the east side of Northlake Centre Parkway, north of Calhoun Street, south of Interstate 485. (Outside City Limits)

Current Zoning: 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.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

47. Rezoning Petition: 2019-118 by Beacon Development Company

Location: Approximately 90.47 acres located on the west side of Beam Road, north of Cross Beam Drive. (Council District 3 - Mayfield)

Current Zoning: BD(CD) AIR (distributive business, conditional, airport noise overlay)

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Previously Approved Site Plan

48. Rezoning Petition: 2019-036 by BSL Galbreath, Inc.

Location: Approximately 8.70 acres located on the west side of Rhyne Road, south of Mt. Holly Road, west of Interstate 485. (Outside City Limits)

Current Zoning: R-3 LWPA (single family residential, Lake Wylie Watershed - overlay, protected area)

Proposed Zoning: I-2(CD) LWPA (general industrial, conditional, Lake Wylie Watershed - overlay, protected area)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

49. Rezoning Petition: 2019-049 by Apollo Holding Company

Update: Petitioner is requesting deferral to October 21, 2019

Location: Approximately 9.00 acres located on the north side of Queen City Drive, south of Tuckaseegee Road, west of Toddville Road, north of Interstate 85. (Council District 3 - Mayfield)

Current Zoning: R-17MF AIR (multi-family residential, airport noise overlay)

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

50. Rezoning Petition: 2019-056 by White Point Partners, LLC

Location: Approximately 4.95 acres located on the south side of West Morehead Street, west of Julian Price Place. (Council District 3 - Mayfield)

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 transportation.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

51. Rezoning Petition: 2019-062 by Suncrest Real Estate & Land

Location: Approximately 13.01 acres located at the southeast intersection of Rocky River Road and Old Concord Road. (Council District 4 - Phipps)

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

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 requested site design and environmental technical revisions.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

52. Rezoning Petition: 2019-068 by Chelsea Building Group, LLC

Location: Approximately 6.17 acres on the east side of China Grove Church Road, west of South Boulevard, north of Interstate 485. (Council District 3 - Mayfield)

Current Zoning: R-4 (single family residential)

Proposed Zoning: R-8 (single family residential)

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

53. Rezoning Petition: 2019-070 by RENC CH, LLC

Location: Approximately 42.41 acres located on Wallace Road between Woodberry Road and East Independence Boulevard. (Council District 5 - Newton)

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

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

Previously Approved Site Plan

54. Rezoning Petition: 2019-071 by FH 1524 Sunset Road, LLC

Location: Approximately 54.99 acres located on the south side of Sunset Road, east of Oakdale Road.
(Outside City Limits)

Current Zoning: R-3 LWPA (single family residential, Lake Wylie watershed - overlay, protected area)

Proposed Zoning: MX-2 LWPA (mixed use, Lake Wylie watershed - overlay, protected area)

Staff Recommendation:

Staff recommends approval of this petition.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

55. Rezoning Petition: 2019-076 by Hopper Communities

Location: Approximately 2.39 acres located on the south side of Rozzelles Ferry Road, west of South Turner Avenue, east of South Gardner Avenue. (Council District 2 - Harlow)

Current Zoning: R-8 (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 site design.

Attachments:

Pre-Hearing Staff Analysis

Site Plan

56. Rezoning Petition: 2019-079 by Sankofa Development, LLC

Location: Approximately 1.25 acres located on the west side Statesville Road, south of Riley Avenue, north of Distribution Center Drive. (Council District 2 - Harlow)

Current Zoning: R-4 (single family residential) and B-2 (general business)

Proposed Zoning: NS (neighborhood services)

Staff Recommendation:

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

Attachments:

Pre-Hearing Staff Analysis

Site Plan

57. Rezoning Petition: 2019-081 by Tyvola Station Partners, LLC

Location: Approximately 12.1 acres located on the north side of Tyvola Road, west of Old Pineville Road.
(Council District 3 - Mayfield)

Current Zoning: I-2 (general industrial)

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

Staff Recommendation:

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

Attachment:

Pre-Hearing Staff Analysis

58. Rezoning Petition: 2019-082 by Pacific National Group, LLC

Location: Approximately 0.32 acres located on the east side of South Boulevard, south of East Worthington Avenue. (Council District 1 - Egleston)

Current Zoning: B-1 (neighborhood business)

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

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

59. Rezoning Petition: 2019-083 by James M. Howell

Location: Approximately 0.56 acres located on the west side of China Grove Church Road, south of Aileen Circle, north of Ervin Lane. (Council District 3 - Mayfield)

Current Zoning: R-4 (single family residential)

Proposed Zoning: R-8 (single family residential)

Staff Recommendation:

Staff recommends approval of this petition.

Attachment:

Pre-Hearing Staff Analysis

Map Created 8/27/2019



City of Charlotte

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

Agenda Date: 9/16/2019

Agenda #: 2. **File #:** 15-11533 **Type:** Dinner Briefing

Dinner Meeting Agenda

1. Agenda Review - Dave Pettine

DINNER MEETING AGENDA

Monday, September 16, 2019

1. Agenda Review – Dave Pettine

Item #	Petition #	Petitioner/Description	Update
Item #7	2018-147	Laurel Street Residential – Located on the north side of Mallard Creek Road, east of Prosperity Church Road, west of Galloway Road.	Decision Deferral to October 21, 2019
Item #8	2018-167	Verde Homes, LLC – Located on the east side of Sardis Road, between Oak Creek Drive and Creek Valley Drive.	Decision Withdraw
Item #9	2019-006	Amerco Real Estate Company – Located on the east side of the intersection of Freedom Drive, Ashley Drive and Tuckaseegee Road.	Decision Deferral to October 21, 2019
Item #10	2019-030	Continental 475 Fund, LLC – Located on the north side of South Tryon Street, south of Erwin Road, east of Choate Circle.	Decision Deferral to October 21, 2019
Item #19	2019-032	US Developments, Inc – Located on the northwest side of Highway 29 North, east of Caprington Avenue.	Decision Deferral to October 21, 2019
Item #33	2018-117	Hopper Communities, Inc. – Located on the east side of South Tryon Street, south of East Cama Street and north East Peterson Drive.	Hearing Deferral to October 21, 2019
Item #34	2019-037	Jay Kamdar – Located on the west side of Sam Wilson Road, north of Performance Road.	Hearing Deferral to October 21, 2019
Item #35	2019-072	Ardent Acquisitions, LLC - Located on the north side of Cannon Avenue, west of Sugar Creek Road, east of North Graham Street, north of Interstate 85.	Hearing Deferral to October 21, 2019
Item #44	2019-078	Charter Properties – Located on the north side of Johnston Oehler Road, east of Prosperity Ridge Road, south of Interstate 485.	Hearing Deferral to October 21, 2019
Item #49	2019-049	Apollo Holding Company – Located on the north side of Queen City Drive, south of Tuckaseegee Road, west of Toddville Road, north of Interstate 85.	Hearing Deferral to October 21, 2019



City of Charlotte

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

Agenda Date: 9/16/2019

Agenda #: 3. **File #:** 15-11534 **Type:** Dinner Briefing

Follow Up Report



City Council Follow-Up Report From the July 15, 2019 Zoning Meeting

2019-028 HHHunt - located on the north side of Sam Dee Road, west of Harrisburg Road and south of Interstate 485. (Council District 5 – Newton)

Provide an analysis metric/score for affordable housing for this site that uses the same scoring mechanism used in recent affordable housing analyses by staff.

Staff Response: Staff does not have a metric/scoring mechanism for affordable housing. If a project is voluntarily providing affordable units, staff notes that in the report as a benefit and furthering of City Council's policies on affordability, but there is no scoring that is used when a petition includes affordable housing.

Can CDOT prepare its own traffic study for this corridor, taking into account development in the area?

Staff Response: CDOT will look to perform a corridor study for Harrisburg Road in the future that considers by-right development and rezoning petitions.



Agenda Date: 9/16/2019

Agenda #: 4. **File #:** 15-11531 **Type:** Awards and Recognitions

National Suicide Prevention Month

Action:

Council member Newton will read a proclamation recognizing September 2019 as National Suicide Prevention Month.



Agenda Date: 9/16/2019

Agenda #: 5. File #: 15-11638 Type: Awards and Recognitions

Charlotte Women's Small Business Month Proclamation

Action:

Council member Mitchell will read a proclamation recognizing October 2019 as Charlotte Women's Small Business Month.



City of Charlotte

Charlotte-Mecklenburg
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Agenda Date: 9/16/2019

Agenda #: 6. **File #:** 15-11690 **Type:** Awards and Recognitions

Museum Day Proclamation

Action:

Mayor Lyles will read a proclamation recognizing September 21, 2019, as Museum Day.