

# **City of Charlotte**

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



## **Meeting Agenda**

**Monday, October 21, 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

**DINNER AGENDA**

**1.**

**4:30 P.M. DINNER MEETING, CH-14**

**1. Meeting Agenda**

**2. Dinner Meeting Agenda**

**1. Agenda Review - To Be Provided Monday - Dave Pettine**

**3. Follow-Up Report**

**DECISIONS****4. Rezoning Petition: 2018-092 by Contravest Development Partners, LLC**

***Update: Petitioner is requesting deferral to November 18, 2019***

**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-2(CD) (light industrial, conditional), R-MH (manufactured housing), and B-2 (general business)

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

**Zoning Committee Recommendation:**

Zoning Committee voted 5-0 to **DEFER** this petition to their November 5, 2019 meeting.

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

***Update: Petitioner is requesting withdrawal of this petition.***

**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)

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

***Update: Petitioner is requesting deferral to November 18, 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)

**Zoning Committee Recommendation:**

The Zoning Committee voted 5-0 to **DEFER** to their November 5, 2019 meeting.

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

***Update: Petitioner is requesting a deferral to November 18, 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.

**8. Rezoning Petition 2019-047 by NR Pinehurst Property Owner, LLC**

***Update: Petitioner is requesting deferral to November 18, 2019.***

**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)

**Zoning Committee Recommendation:**

The Zoning Committee voted 5-0 to recommend a deferral to their November 5, 2019 meeting.

**9. 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)

**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

**10. 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)

**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

**11. 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

**12. 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)

**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

**13. Rezoning Petition: 2019-028 by HHHunt**

***Update: Petitioner is requesting a deferral to December 16, 2019.***

**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.

**14. 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

**15. 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 petition.

**Attachments:**

Zoning Committee Recommendation

Final Staff Analysis

Text Amendment

**16. 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)

**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: 2019-061 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)

**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: 2019-062 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)

**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

**19. 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)

**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

**20. 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)

**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

**21. 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)

**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: 2019-079 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)

**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

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

**Location:** Approximately 10.5 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)

**Zoning Committee Recommendation:**

The Zoning Committee voted 5-2 to recommend: 1) **APPROVAL** of Development Parcel A only, and 2) **DENIAL** of Development Parcel B.

**Staff Recommendation:**

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

**Attachment:**

Zoning Committee Recommendation

Final Staff Analysis

**24. 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)

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachment:**

Zoning Committee Recommendation

Final Staff Analysis

**25. 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)

**Zoning Committee Recommendation:**

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachment:**

Zoning Committee Recommendation

Final Staff Analysis

**26. 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)

**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

## **27. 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.

### **Planning Committee Recommendation:**

The Planning Committee voted 7-0 to recommend **APPROVAL** of this petition with the following modification: Relocate Section 13.6, "Definitions" to come after Section 13.4 and renumber the sections accordingly.

### **Staff recommendation:**

Staff recommends approval of this petition.

### **Attachments:**

Planning Committee Recommendation  
Final Staff Analysis  
New Chapter 13  
Text Amendment to the Zoning Ordinance

## **28. 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.

### **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

Text Amendment to Chapter 21

Text Amendment to the Zoning Ordinance

Proposed Tree Ordinance Changes Highlighted in Yellow

**HEARINGS****29. Rezoning Petition: 2019-072 by Ardent Acquisitions, LLC**

***Update: Petitioner is requesting a deferral to November 18, 2018.***

**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)

**30. Rezoning Petition: 2019-080 by Seahawk Partner Holdings, LLC**

***Update: Petitioner is requesting a deferral to November 18, 2019.***

**Location:** Approximately 11.7 acres located on the west side of Commonwealth Avenue and east of Char Meck Lane, north of Monroe Road. (Council District 5 - Newton)

**Current Zoning:** R-5 and R-8MF (single family residential, multi-family residential)

**Proposed Zoning:** UR-2 (CD) with five-year vested rights (urban residential, conditional)

**31. Rezoning Petition: 2019-092 by Carolina Development Group NC, LLC**

***Update: Petitioner is requesting deferral to December 16, 2019.***

**Location:** Approximately 0.98 acres located on the east corner of the intersection of North Smith Street & West 10th Street, south of Brookshire Freeway. (Council District 2 - Harlow)

**Current Zoning:** I-1 HD-O (light industrial, historic district overlay)

**Proposed Zoning:** UMUD-O HD-O (uptown mixed use, historic district overlay)

**32. Rezoning Petition: 2019-098 by Flagship Healthcare**

***Update: Petitioner is requesting a deferral to November 18, 2019.***

**Location:** Approximately 8.12 acres located on the north side of Randolph Road, north of Eastover Ridge Drive, east of Cranbrook Lane from R-5 to NC. (Council District 1 - Egleston)

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

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

**33. Rezoning Petition: 2019-102 by City of Charlotte**

**Location:** Approximately 1,770 acres generally located along South Boulevard, North Davidson Street and North Tryon Street, generally within a half mile of the JW Clay Boulevard, McCullough, University City Boulevard, Tom Hunter, Old Concord Road, Sugar Creek, 36th Street, 25th Street, Parkwood, Carson, Bland Street, East/West, New Bern, Scaleybark, Woodlawn, Tyvola, Archdale, Arrowood, Sharon Road West and I-485/ South Boulevard LYNX Blue Line transit stations, between I-485 to the south, and UNC - Charlotte campus to the north, excluding areas within I-277 Loop. (Council Districts: 1-Egleston; 3-Maayfield; 4-Phipps; and 6-Bokhari)

**Current Zoning:** B-1, B-1 HD-O, B-1 TS, B-1(CD), B-1SCD, B-2, B-2 HD-O, B-2 TS HD-O, B-2(CD), B-D, B-D(CD), BP, CC, I-1, I-1 HD-O, I-1 TS, I-1 TS HD-O, I-1(CD), I-2, I-2 TS, I-2(CD), INST, MUDD, NS, O-1, O-1(CD), O-2, O-2 HD-O, O-15(CD), R-3, R-4, R-5, R-8, R-17MF, R-22MF, R-22MF HD-O, R-43MF, TOD-CC, or TOD-CC HD-O.

**Proposed Zoning:** TOD-UC, TOD-NC, TOD-NC HD-O, TOD-CC or TOD-TR

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis  
Maps

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

**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)

**Staff Recommendation:**

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

Pre-Hearing Staff Analysis  
Site-Plan  
Previous Site Plan



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

**Location:** Approximately 14.72 acres located on the northwest side of Hwy. 29 North, east of Caprington Avenue. Choose an item.

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

**Proposed Zoning:** R-17MF(CD) SPA (multi-family residential, conditional, site plan amendment)

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

Previous Site Plan

**36. 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.

Pre-hearing Staff Analysis

Site Plan

**37. Rezoning Petition: 2019-049 by Apollo Holding Company, LLC**

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

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

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**38. Rezoning Petition: 2019-051 by Joyce M. Green**

**Location:** Approximately .66 acres located on the east side of West Sugar Creek Road at Lynn Lee Circle.  
(Council District 2 - Harlow)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

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

**Location:** Approximately 6.17 acres located on the east side of China Grove Church Road, west of South Boulevard, north of I-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.

**Attachments:**

Pre-Hearing Staff Analysis

**40. 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 protected area)

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**41. Rezoning Petition: 2019-078 by Charter Properties**

**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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**42. 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

**43. Rezoning Petition: 2019-087 by JDSI, LLC**

**Location:** Approximately 13.8 acres located on the west side of Harrisburg Road, south of Starnes-Randall Road. (Council District 5 - Newton)

**Current Zoning:** NS (neighborhood services)

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**44. Rezoning Petition: 2019-088 by JDSI, LLC**

**Location:** Approximately 40.73 acres located on the west side of Hood Road, south of Plaza Road Extension. (Outside City Limits)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**45. Rezoning Petition: 2019-090 by Culp Road Materials, LLC**

**Location:** Approximately 34.6 acres located on the south side of Old Dowd Road, west of Interstate 485. (Outside City Limits)

**Current Zoning:** R-3 and R-MH LLWCA (single family residential, residential manufactured housing, Lower Lake Wylie watershed-overlay, critical area)

**Proposed Zoning:** I-2(CD) LLWCA with five-year vested rights (general industrial, conditional, Lower Lake Wylie watershed-overlay, critical area)

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**46. Rezoning Petition: 2019-091 by Ramon Adams**

**Location:** Approximately 2.6 acres located on the north side of McLean Road, east of Faires Farm Road, west of Michael Crossing Drive, east of Old Concord Road. (Council District 4 - Phipps)

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

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**47. Rezoning Petition: 2019-093 by 406 W. 32nd, LLC**

**Location:** Approximately 2.12 acres located off West 32nd Street, off North Tryon Street. (Council District 1 - Egleston)

**Current Zoning:** I-2 (general industrial)

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

**Staff Recommendation:**

Staff does not recommend approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**48. Rezoning Petition: 2019-094 by Andrew Parker**

**Location:** Approximately 0.41 acres located on the east side of North Davidson Street, north of Charles Avenue and Matheson Avenue. (Council District 1 - Egleston)

**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 and site and building design.

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**49. Rezoning Petition: 2019-097 by Ardent Acquisitions, LLC**

**Location:** Approximately 17.02 acres located on the west side of South Tryon Street, south of Blairhill Road, south of Clanton Road, east of Interstate 77. (Council District 3 - Mayfield)

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

**Proposed Zoning:** TOD-TR (transit oriented development-transit transition)

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

**50. Rezoning Petition: 2019-099 by Townes Mozer**

**Location:** Approximately 2.33 acres located on the southwest corner of South Tryon Street and Griffith Street. (Council District 3 - Mayfield)

**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

**51. Rezoning Petition: 2019-100 by Matt Connolly-Pike Properties, LLC**

**Location:** Approximately 1.01 acres located on the west side of Seigle Avenue and south of McAden Street. (Council District 1 - Egleston)

**Current Zoning:** I-2 (general industrial)

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

**Staff Recommendation:**

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

**Attachments:**

Pre-Hearing Staff Analysis

Site Plan

**52. Rezoning Petition: 2019-119 by RMK Builders**

**Location:** Approximately 0.29 acres located on North Alexander Street between East 34th Street and East 35th Street. (Council District 1 - Egleston)

**Current Zoning:** R-8 (CD) (single family residential, conditional)

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

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

Pre-Hearing Staff Analysis

Previous Site Plan

**53. Rezoning Petition: 2019-122 by Beacon Partners**

**Location:** Approximately 39.70 acres located on the west side of Old Statesville Road, north of Gibbon Road. (Council District 2 - Harlow)

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

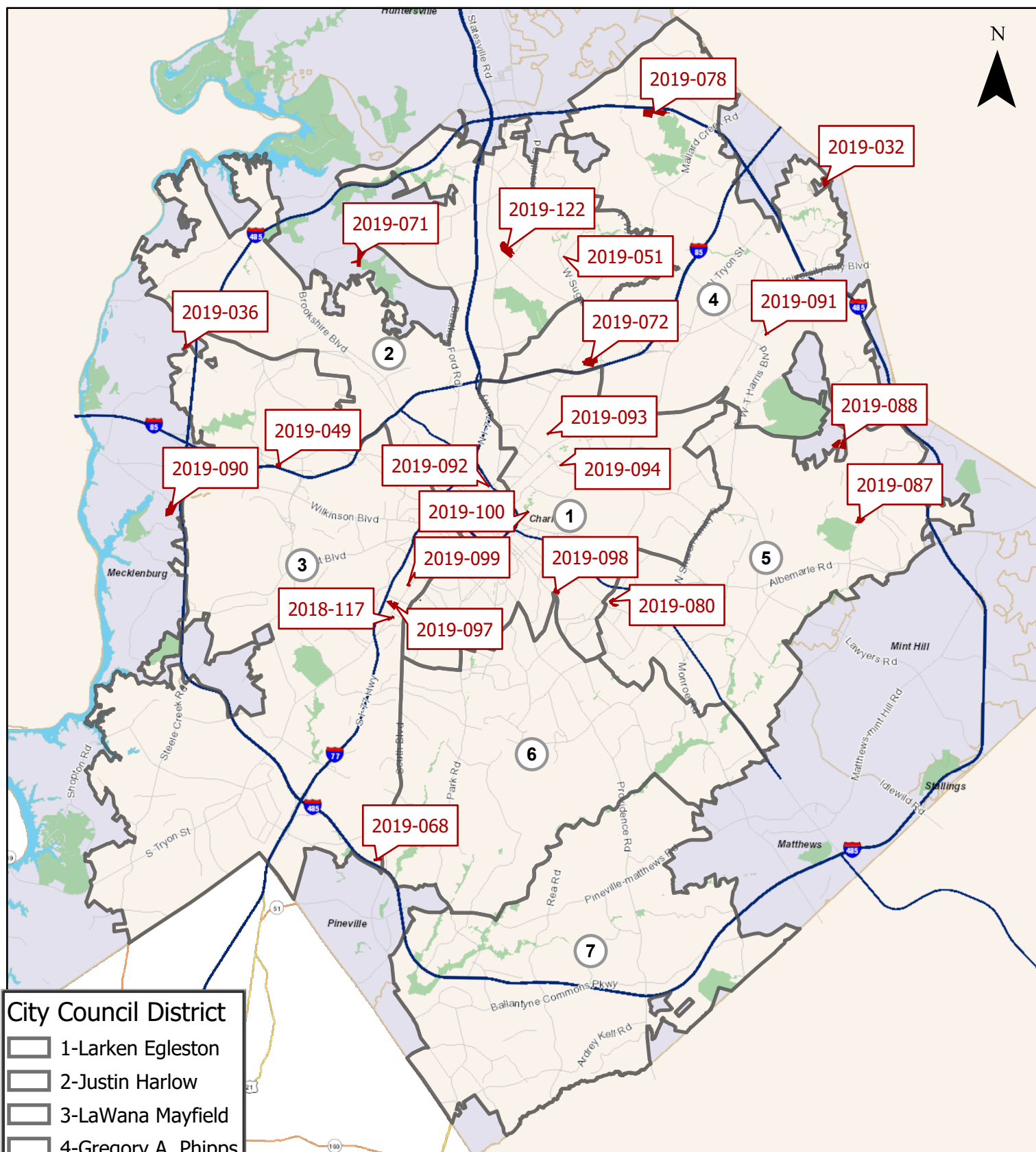
**Proposed Zoning:** I-1 (light industrial)

**Staff Recommendation:**

Staff recommends approval of this petition.

**Attachments:**

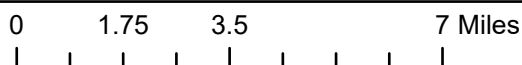
Pre-Hearing Staff Analysis  
Previous Site Plan



- City Council District**

  - ☐ 1-Larken Egleston
  - ☐ 2-Justin Harlow
  - ☐ 3-LaWana Mayfield
  - ☐ 4-Gregory A. Phipps
  - ☐ 5-Matt Newton
  - ☐ 6-Tariq Bokhari
  - ☐ 7-Edmund H. Driggs

Map Created 10/14/2019





## **2. Dinner Meeting Agenda**

- 1. Agenda Review - To Be Provided Monday - Dave Pettine**



## **City Council Follow-Up Report From the July 15, September 16, and September 23, 2019 Zoning Meetings**

**2019-030 Continental 475 Fund, LLC – located on the north side of South Tryon Street, south of Erwin Road, east of Choate Circle. (Council District 3- Mayfield)**

**Can the road be relocated to the back of the property to benefit the wider community?**

Staff Response: The location of the proposed public street provides the most benefit for the undeveloped land. The existing development at the back of the property would not be required to connect to the public street, therefore, its current location provides the most benefit for the surrounding neighborhood.

**2019-103 Charlotte Planning, Design and Development Department – Signs Text Amendments**

**How many signs are currently out of compliance?**

Staff Response: As of October 14, 2019, Code Enforcement has 123 open and active cases concerning signs not in compliance with the Zoning Ordinance. For the period from January 1 – October 14, 2019, Code Enforcement has had a total of 1,151 cases concerning signs not in compliance with the Zoning Ordinance. Most of these cases have come to a resolution leaving the previously noted 123 cases open and active. Of the total 1,151 cases, approximately 98% were proactively initiated by inspector's observations while in the field

**2019-104 Charlotte Planning, Design and Development Department – Trees Text Amendments**

**What are other cities doing to preserve and protect the tree canopy?**

Staff Response: A number of peer communities are using Tree Ordinances and supporting studies and policy documents to guide tree protection and preservation efforts. Charlotte completed an Urban Forest Master Plan in 2017 (see link provided here: <http://charlottetreeplan.weebly.com/full-report.html>.) Over the next year, Charlotte will expand this policy analysis for trees, including studying the effects of development on the tree canopy and the effectiveness of the Tree Ordinance. Subsequently, an update of the Tree Ordinance will be proposed as a component of the Unified Development Ordinance (UDO) effort. Extensive community engagement will be a key component of the policy work and Tree Ordinance update.

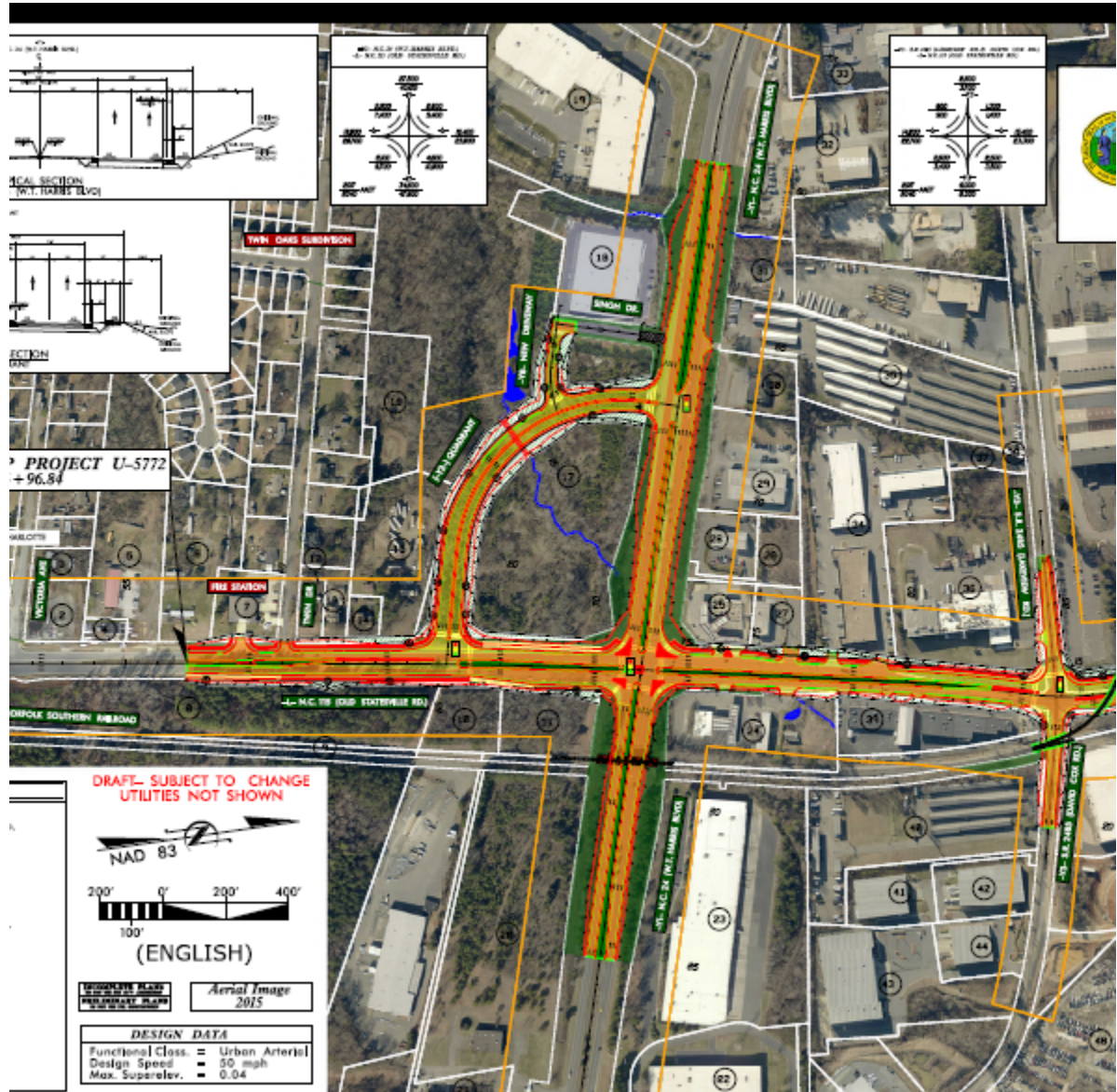
The trend for guiding future policy is seen to be inclusive of natural environments, green infrastructure, and tree canopy together. Atlanta, GA has taken steps since 2018 towards an Urban Ecology Framework (UEC) initiative that prioritizes tree preservation and protection

through a meaningful tree ordinance update. The link to Atlanta's UEC is provided here:  
<https://saportareport.com/city-atlanta-selects-biohabitats-develop-urban-ecology-framework/>

**2018-092**     **Contravest Development Partners, LLC** – located on the west side of Old Statesville Road, south of West W.T. Harris Boulevard. (Council District 2- Harlow)

**Provide a diagram of what the “quadrant left” intersection might look like at W.T. Harris Boulevard and Old Statesville Road.**

**Staff Response:** Please see attached diagram and legend.



## LEGEND

	STUDY AREA LIMITS
	PROPOSED STRUCTURES, CULVERTS, ISLAND, SIDEWALK, CURB AND GUTTER
	PROPOSED ROADWAY
	EXISTING PAVEMENT TO BE RESURFACED
	EXISTING ROADWAY TO BE REMOVED
	PROPOSED RIGHT OF WAY
	PROPOSED CONSTRUCTION EASEMENT
	EXISTING RIGHT OF WAY
	PROPOSED RAISED MEDIAN (GRASS)
	EXISTING STRUCTURES, ISLAND, SIDEWALK, CURB AND GUTTER TO BE RETAINED
	PROPERTY LINES
	LAKES, RIVER, STREAMS AND PONDS
	PROPOSED CONTROL OF ACCESS
	EXISTING CONTROL OF ACCESS
	PROPOSED RIGHT OF WAY
	PROPOSED CONSTRUCTION EASEMENT
	HISTORIC DISTRICT
	PRESENT ADT

**2018-160 K Sade Ventures – located on the north side of University Boulevard at the Mecklenburg/Cabarrus County line. (Outside City Limits)**

**Will the developer’s contribution for a signal light at University City Boulevard and Harris Houston Road be enough, along with other contributions, to result in the construction/installation of signal lights?**

Staff Response: The developer will fund the full signal at the University City Boulevard and Harris Houston intersection.

**2019-074 Josh Jolley – Located on the west side of Wallace Road, north of Woodberry Road, west of East Independence Boulevard. (Council District 5 – Newton)**

**What is the residential density in the O-2 development to the north along Wallace Road?**

Staff Response: As of right, you can have up to 22 units per acre in the O-2 zoning district. The existing multi-family on the nearby O-2 zoned properties range from 16 to 22 units to the acre.

**Are there existing sidewalks on Wallace Road and Pineborough Road? Are there any plans to provide sidewalks along these streets?**

Staff Response: Wallace Road is a minor thoroughfare road with existing sidewalk along majority of the road. The NCDOT US 74 project will install sidewalk to fill in a gap and the remaining gap will be filled as redevelopment naturally occurs along this road.

Pineborough Road is a local road without sidewalk or plans to construct sidewalk along it.

**2019-081     Sankofa Development, LLC – located on the west side of Statesville Road, south of Riley Avenue, north of Distribution Center Drive. (Council District 2 – Harlow)**

**Is a bus stop at this location needed when there is a bus stop a block away?**

Staff Response: CATS is not requesting a bus waiting pad and stop at the petitioner's location. There is an existing bus stop located at 4301 Statesville Road and across from an existing stop that sufficiently serves transit riders between stops.